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SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR PIERCE COUNTY

K.S., K.K., H.M., T.K., J.H., S.B., S.C., T.S.,  
C.K., D.R., L.A., & M.L.,

NO.

Plaintiffs,

**COMPLAINT FOR DAMAGES**

v.

CITY OF PUYALLUP, a municipal  
corporation, POLICE CHIEF BRYAN JETER,  
LIEUTENANT EDWARD SHANNON,

Defendant.

*“We cannot conceive of a more basic subject of privacy than the naked body. The desire to shield one's unclothed figure from view of strangers, and particularly strangers of the opposite sex, is impelled by elementary self-respect and personal dignity.”<sup>1</sup>*

**I. PARTIES**

1. Plaintiffs K.S., K.K., H.M., T.K., J.H., S.B., S.C., T.S., C.K., D.R., L.A., & M.L. are all adult individuals subjected to detention and/or arrest by the Puyallup Police Department.

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<sup>1</sup> *York v. Story*, 324 F.2d 450 at 455 (9<sup>th</sup> Cir. 1963)



1           6.     **Plaintiff #1: On September 18, 2010,** K.S. was arrested by Puyallup police  
2 officers and transported to PPD. At 2:45:01 am, K.S. was video recorded lowering her pants  
3 and using the toilet for approximately 45 seconds. The video recording plainly and clearly  
4 shows K.S. sitting on the toilet, then standing, then pulling up and fastening her pants. The  
5 video shows K.S. performing an intimate action while seated on the toilet, which has no  
6 privacy stall. The camera is deliberately positioned to view inmates while in a state of  
7 undress.

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9           7.     **Plaintiff #2: On November 19, 2010,** K.K. was arrested by Puyallup police  
10 officers and transported to PPD. At 12:50:19 am, K.K. was video recorded lowering her pants  
11 to use the toilet. She then pulled her pants back up, temporarily left the room to get toilet  
12 paper from an officer, and then re-entered the room, lowered her pants again, wiped herself  
13 and completed using the toilet. This sequence of events took place over approximately three  
14 minutes.

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16           8.     **Plaintiff #3: On January 5, 2011,** H.M. was arrested by Puyallup police  
17 officers and transported to PPD. She was ordered to change behind a curtain, and when asked  
18 whether a female officer should be present the male officers present said no. This made H.M.  
19 extremely uncomfortable. At 2:53:28 am, H.M. was video recorded lowering her pants and  
20 using the toilet for approximately four minutes. H.M. states the following about her incident:

21           *...First shock, then anger, followed by feeling completely mortified and*  
22 *embarrassed that such a private, personal thing was being viewed by*  
23 *strangers. BY MEN! I have not been able to get this off of my mind. I'm*  
24 *horrified that someone other than my husband has seen me in this position. I*  
25 *have been avoiding restrooms in public places for fear someone might be*  
26 *watching me.*

*Every time I see a Puyallup Police Officer around town I am reminded that*  
*there is a video of me floating around, and that they may have seen it.*

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*As a child I was victimized by a male family member, who would make me walk around naked in front of them and would watch me use the restroom. Growing up and into my early twenties I struggled with my relationships with males. I made sure that I was never alone with one, whether it be a male teacher from school, or voice instructor for singing lessons. I would always have someone with me, or refuse to go. It wasn't until recently when I married my husband that I started to feel confident and comfortable. And now this happens. My trust in males, and the City of Puyallup for that matter, has been seriously compromised. I am completely disgusted by the lack of respect from the PPD. How dare they invade on my privacy, opening up old wounds that I will now have to try and mend. I feel exposed and degraded. I am also very saddened that my hometown, the town that I marched in the daffodil parade in, the town that I partook in fair festivities with, the town where I received my education, would stoop this low and change my view of a wonderful place to live and raise a child in. Disgusting.*

9. **Plaintiff #4: On January 10, 2011,** T.K. was arrested by Puyallup police officers and transported to PPD. T.K. was video recorded using the toilet on two separate occasions – once at 7:23:15 pm for approximately a minute and a half, and again at 8:27:42 pm for approximately a minute and a half. T.K. explained:

*I feel as much emotional distress and humiliation as the rest of the victims. I don't think any amount of money can heal any of us completely... Like [another victim] expressed how she feels the paranoia of using public bathrooms because of being video recorded in such a horrific violating way, I too feel that every day. Also, to find out that the guards who are respected in our community, who are there to protect us, were only watching us for their own satisfaction to our expense is reprehensible. Not to mention that I reside in Puyallup and now have the paranoia of who has worked at the Puyallup jail and has or has not seen me undressing or urinating on these disturbing videos. My last name is very well known and very respected in Puyallup community, these videos may have been utilized to humiliate my family name as well. I feel just as disrespected, degraded, and mortified as all of the victims. What they did was against the law and then they have the nerve to make jokes about it is not okay, they need to be held accountable for the emotional and psychological damages that were done.*

10. **Plaintiff #5: On March 11, 2011,** J.H. was arrested by Puyallup police officers and transported to PPD. J.H. was video recorded using the toilet between 3:24:27 and

1 3:25:12 am. She was then recorded changing clothes at the direction of unknown jail guards  
2 on two separate occasions; between 3:25:24 and 3:25:42 am, and again between 3:45:29 and  
3 3:45:45 am. J.H. is the only plaintiff to have identified that small cameras existed in one of  
4 the holding cells, and complained about possibly being watched to the officers. The officers  
5 directed her to change her clothes anyway, and she did as directed. J.H. has stated the  
6 following:  
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8 *Once at the police station, [the officer] asked if I had anything on me that he*  
9 *should know about, and then patted me down. After that we entered into the*  
10 *police station where the officer then had me do a breath test. ...*

11 *I sat there for about 45 minutes waiting for them to address/acknowledge/do*  
12 *something with me, all the while they were chit chatting about other people's*  
13 *cases, making jokes about people, and seemed very oblivious to the fact I was*  
14 *sitting right there within ear shot of what they were saying. When they finally*  
15 *decided to process me, they told me I would need to change my clothes prior to*  
16 *taking a photograph and having my fingerprints taken. This I took extreme*  
17 *issue with. My whole life I've had self esteem issues, and have never felt*  
18 *comfortable undressing in front of anybody, especially two male police*  
19 *officers. I asked why I needed to remove any of my clothing, if they had*  
20 *planned on releasing me shortly. I was simply told it was "protocol". They*  
21 *grabbed me a shirt and pair of pants to change into, and that's when I pressed*  
22 *harder on the fact that I didn't see the need to change my clothing (especially*  
23 *my pants) simply for a photograph and finger prints. After some arguing back*  
24 *and forth, they agreed that changing my shirt only would suffice. At this point*  
25 *all I could remember was the officer saying earlier if I cooperated I could go*  
26 *home. There was a black curtain area where I assumed I would be changing*  
*my shirt, so I grabbed the shirt they provided and began to walk over to the*  
*curtained area to change my shirt. One of the officers then told me that I would*  
*be changing in the cell.*

*In the cell there was a camera located in the corner above the door. The*  
*camera made me feel extremely uncomfortable about having to take my shirt*  
*off... at this point I was afraid that if I kept giving them issues about changing*  
*my clothes I might not get to go home, so I finally decided I would turn my*  
*back from the camera and change my shirt. After changing I had to use the*  
*restroom. After several attempts to get their attention, and pleading with them*  
*to let me out so I could use the restroom, I finally had to use the restroom so*  
*bad that I ended up using the restroom in the room with the camera. I literally*  
*had no other choice.*

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*When they finally let me out of the cell, both officers laughed at me, for reasons I still don't know. At that point I was beyond humiliated, I've never felt more violated, victimized or treated with such little respect. When they let me out of the cell, they again proceeded to laugh at me. One of the officers even made the comment "She's a squatter" referring to how I used the restroom while in the cell.*

*I'm not new to this feeling of being humiliated, taken advantage of, and controlled simply because other people have power over you, or are stronger with you. I grew up in a very abusive environment, and because of that, can easily recognize when things like this are happening, and things don't seem quite right. That night brought to the forefront of my mind all of the past humiliation, bullying, abuse, and downright lack of concern for another person's physical and mental welfare. The Puyallup Police Department have thoroughly disabled my ability to trust law enforcement should I ever be in a time or place of need. All I can think of is these officers laughing at me, with no regards to how I might be feeling, or what I was going through. I also find myself checking every bathroom or public dressing room for cameras since that experience that violated my privacy in the cell with those officers and that camera. My life after this experience will never be the same.*

11. **Plaintiff #6: On March 23, 2011,** S.B. was arrested by Puyallup police officers and transported to PPD. S.B. was video recorded using the toilet between 2:02:01 and 2:03:19 am. She was then recorded changing clothes at the direction of unknown jail guards on three separate occasions, showing complete frontal nudity at one point; between 2:03:22 and 2:04:02 am, between 2:07:49 and 2:08:13 am, and finally between 3:58:36 and 3:59:23 am. S.B. in particular expressed alarm that she changed out of her street clothes into jail clothes, where she kept her thong panties on, and that an officer came to the door and directed her to also remove her thong panties. The door was closed and she did as directed, apparently while officers watched her. S.B. describes her experience as follows:

*I told [the jail guard] I need to use the restroom really bad. He took me to the cell room to use the toilet there. Then, he told me to change my clothes. To take everything off and change into the orange jail suit he gave me. I called my girlfriend to pick me up. [Later] he told me to change back into my clothes. I don't understand why he told me to change my clothes especially in*

1           a cell room if he knew I was going home soon. I didn't ask him why I needed  
2           to change or say no to his orders, because is the police officer who has all the  
3           power.

4           12.     **Plaintiff #7, On March 26, 2011,** S.C. was arrested by Puyallup police  
5           officers and transported to PPD. S.C. was video recorded changing clothes at the direction of  
6           unknown jail guards on two separate occasions; between 3:50:15 and 3:50:48 am, and again  
7           merely 13 minutes later between 4:03:26 and 4:04:10 am. S.C. states the following:

8           *I remember feeling like they were undressing me with their eyes after I*  
9           *changed into jail clothes, looking at me and whispering with each other. And,*  
10           *after I got back into my clothes I remember them talking to me in a sexual*  
11           *manner something to the effect of: "You have a nice body" and "you don't*  
12           *look your age" and "I love red heads". I remember leaving thinking is this*  
13           *what they do all night sit here and flirt with girls.*

14           *I remember one officer said words to the effect of, "are you red down there*  
15           *too?"*

16           *[When I went to change in the holding cell] one officer said, "We'll let you out*  
17           *when you're finished." I did not need to knock to let them know I was done, is*  
18           *what they said.*

19           *I was raised in Puyallup. Knowing that officers watched me I am afraid of*  
20           *entering the city whenever I see cops. I feel noticeable. .... What they were*  
21           *doing is perverted. This is like a porn video they were watching. I feel*  
22           *extremely violated. They took me at my most vulnerable part and forced me to*  
23           *indulge in their needs or sick fantasy to watch me undress and gawk at me*  
24           *afterwards. Then to talk about me and at me like I was a piece of meat. I feel*  
25           *absolutely degraded.*

26           *I think it is sick that they feel they can get away with this because they are*  
          *police officers. Anyone else they would have been arrested. We don't choose*  
          *to go in there and change our clothes. They make you go in front of a camera.*

*It makes no sense because I was already searched on the way in to the jail*  
          *anyway. I did think that I wasn't supposed to be searched by a male, but they*  
          *went all the way up the legs, all the way up to my crotch, and my legs were*  
          *spread as they told me. These three guys and another were just creepy. They*  
          *made me feel very uncomfortable. It was a sexually charged environment*  
          *seemed like a bad sit com. They were laughing and talking about my body*  
          *after I changed. Smiling, talking to me.*

1 *I am upset that anybody has access to this because it is a public record. I had*  
2 *no knowledge that there were cameras. I was not told and did not see signs*  
3 *saying the holding cell or toilet room was recorded.*

4 *I have a lot of emotional distress from knowing about what they did. I know*  
5 *90% of the people in Puyallup. The ones that were involved need to lose their*  
6 *jobs. These cops degrade what police are supposed to be there for.*

7 13. **Plaintiff #8: On September 11, 2011,** T.S. was arrested by Puyallup police  
8 officers and transported to PPD. T.S. was video recorded changing clothes on two separate  
9 occasions; between 1:30:33 and 1:33:34 am, and again between 1:35:45 and 1:38:37 am. The  
10 video recording given to us on disc by PPD was redacted such that these two changing  
11 incidents were not actually provided. PPD provided no redaction log or explanation as to why  
12 the video had been edited. They did not redact the video recording of T.S. using the toilet  
13 between 1:37:39 and 1:38:18 am. T.S. states the following about her incident:

14 *The night of September 10th, 3 others and I were leaving the McDonalds in*  
15 *South Hill behind the South Hill Mall. I was headed South down 94th St. on my*  
16 *way home as I was pulled over just passed 112th St. When I saw the lights and*  
17 *heard the sirens I immediately pulled over and shut my car off. We just left the*  
18 *McDonalds so I had food on my lap just as everyone else in the car did. I then*  
19 *grabbed all my information and was ready for the officer to approach my*  
20 *window. He approached, asked some questions and then had me get out of the*  
21 *car and perform some tests. He then handcuffed me and put me in the back of*  
22 *the cop car. I was under arrest for drinking and driving. There were 3 other*  
23 *officers there as well. They then had the others get out of the car and start*  
24 *walking. They weren't allowed to take the car home or call someone to drive it*  
25 *home.*

26 *The officer and I then proceeded to the Puyallup Police Station. When we got*  
*there and were walking into the jail through some sort of back door. We*  
*stopped a little before we were suppose to walk inside an he said he had to pat*  
*me down before we got inside. We were at a wedding that day, so I was*  
*wearing a black blouse and a white skirt with sandals. I stood, facing the*  
*cement wall, hands still handcuffed, legs spread. It seemed he was patting me*  
*down normal, I guess, but...when he came to check my breast area he slid his*  
*hands under my breast line with his hands (palms) facing upward as to get a*  
*touch of my breast. I have had other officers, a woman at that, that placed her*



1 *hands (palm down, not up). When checking me..... I felt very uncomfortable*  
2 *and violated. That was unnecessary and was completely not needed. The next*  
3 *morning I was thinking about what had happened and wrote down some*  
4 *questions that concerned me. The first one was how the officers treated and*  
5 *spoke to the others and the second question was how the officer patted me*  
6 *down and felt my breast. The way he did that got me really upset and*  
7 *distraught. It still does now, 2 years later.*

8 *I was being told that I was getting booked and released. That they were just*  
9 *taking me to the police station to book me, get my information and a photo and*  
10 *release me and that my car had to be impounded for a minimum of 12 hours.*  
11 *That I had a court date to attend and would find out more information at court.*  
12 *When I got pulled over it was before 12 o'clock on September 10th. By the time*  
13 *we got to the station, me sitting in the cell for too long, him processing me and*  
14 *then releasing me it was a little after 1 a.m. on September 11th.*

15 *After arriving at the station and being patted down, as soon as we entered the*  
16 *police station I was immediately put into a cell alone. I can recall hearing*  
17 *others talking outside my cell. A unit worker was cleaning. Other officers were*  
18 *on the computers at the desks. While in the cell I used the bathroom. It was*  
19 *absolutely filthy and no toilet paper. It is absolute bullshit that I, and several*  
20 *others have been secretly videotaped in one of the most private moments a*  
21 *human being can ever be doing. And to have the law (so called officers),*  
22 *people we are taught to trust as young kids do this to me. I am beyond*  
23 *pissed....They also had me change my shirt into a jail shirt so they can take a*  
24 *picture. I sat in the cell for a good half hour if not longer. I was then taken out*  
25 *of the cell, handcuffed and directed to sit in a chair next to the breath machine.*  
26 *The machine was on my right. The officer was standing at a computer to my*  
*right on the other side of the breath machine. He performed 2 breath tests and*  
*asked me quite a few different questions. When that was finished I was put*  
*back in my cell as I waited to be released. The others that were with me that*  
*night contacted my mother who picked me up that night.*

27 **14. Plaintiff #9: On October 26, 2011,** C.K. was arrested by Puyallup police  
28 officers and transported to PPD. He was video recorded urinating between 7:49:15 and  
29 7:49:40 pm.

30 **15. Plaintiff #10, On January 29, 2012,** D.R. was arrested by Puyallup police  
31 officers and transported to PPD. She was video recorded using the toilet between 3:16:46 and  
32 3:17:54 am. D.R. stated the following about the incident:

1 *I am truly horrified to find out that I was videotaped while using the toilet at*  
2 *the Puyallup Police Department. I have lived in the Puyallup community my*  
3 *entire life. I was born in Puyallup and grew up on the outskirts of Puyallup*  
4 *and now reside in Puyallup. I have attended the Puyallup fair every year of my*  
5 *life. I can barely walk into a store or the mall in Puyallup without bumping*  
6 *into someone I know. I have always felt safe and comfortable in this*  
7 *community. The thought that the officers at the Puyallup Police Department*  
8 *may have watched me during such a private and vulnerable moment makes me*  
9 *feel truly humiliated.*

10 *Working in the field of technology, I know how easily inappropriate videos and*  
11 *photos can spread so quickly and there is no way it can be undone. Once*  
12 *something like that gets out on the internet, there is no way to take it back. I*  
13 *have always been so diligent about keeping private things like that private. I*  
14 *have never allowed any photos or videos to be taken of me in a state of*  
15 *undress. No matter how much you trust someone, there is always a chance that*  
16 *something like that can get into the wrong hands. This is why having an*  
17 *organization that is supposed to protect you and whom you should be able to*  
18 *trust, video tape me in such a state is so incredibly disturbing. I always wonder*  
19 *now, whenever I see a Puyallup Police officer, whether or not they viewed me*  
20 *in that partially naked, private and humble moment. When I viewed the video,*  
21 *you could see that I was completely embarrassed to even have another female,*  
22 *who was also a stranger in the same room with me while I was urinating. I had*  
23 *my face buried in my hands from embarrassment the entire time.*

24 *When I asked to use the bathroom, they took me to the holding cell and told me*  
25 *that is where I needed to go. Thinking back, I thought it was odd that the cops*  
26 *told me that there was 'no need to knock' when I was done going to the*  
27 *bathroom because they would know when I was done. I didn't think much of it*  
28 *at the time, but now I know that they must have been watching me or how else*  
29 *would they know when I was done. I had absolutely no idea that there was a*  
30 *camera in that room. I assumed that since they were instructing me to go in*  
31 *there to use the bathroom, that it must be private.*

32 *I am outraged that this has been taking place in the community where I live.*  
33 *This should not be allowed to continue and no one else should have to feel the*  
34 *humiliation that I feel from this experience.*

35 **16. Plaintiff #11: On March 4, 2012,** L.A. was arrested by Puyallup police  
36 officers and transported to PPD. She was video recorded using the toilet between 1:31:15 and  
37 1:32:23 am. However, the disc provided to us by PPD redacted the recording of this incident  
38 without providing a redaction log or explanation as to why the video had been edited. On

1 April 22, 2013, L.A.'s lawyers requested the un-redacted copy of this video; on April 30,  
2 2013, the Puyallup Police Department responded that they would respond to the request by  
3 May 17, 2013. To date there has been no response.

4 17. **Plaintiff #12: On April 20, 2013,** M.L. was arrested by Puyallup Police  
5 Officers and transported to PPD. She was video recorded using the toilet between 4:43 and  
6 4:44, unknowingly displaying her buttocks to the camera. At 4:53:25, as directed by officers,  
7 she changed her clothes in the holding cell, including her bra, fully revealing her naked  
8 breasts. She also took off her panties as directed (for unknown reasons). This was so that she  
9 could be photographed in the jail uniform. After a bonding agent posted a bail based on a bail  
10 schedule, she was released. M.L. makes the following statement:

11  
12 *When I first entered the jail, [the search by the officers] was more of a hands  
13 on pat down. The male officer lifted my breasts with his hands for a second or  
14 two. The same officer ran his hands up my legs all the way to my crotch.*

15 *I had a panic attack while I was there. After I had talked with a lawyer on the  
16 phone, the enormity of the situation hit me all at once. The officer said I was  
17 faking it. They called the fire department when I was there. They said, "great  
18 performance."*

19 *After the breath test, I was directed to change my clothes behind a curtain. I  
20 believe I asked if I really had to wear these jail clothes. When I asked that  
21 question, that's when they sent me into the holding cell as a kind of  
22 punishment. I tried to be compliant with them and took off my clothes and put  
23 on the jail clothes, keeping my panties on. I then gave them my clothes. The  
24 officer said, "Is that everything?" And looked at me as if he knew it was not  
25 everything. I told him that I still had my panties on. I said, "Even my  
26 garments." He said, "Everything."*

*The whole time I was there I felt like people were looking at my chest... They  
were not looking at me in the eye. I remember looking at them and seeing  
them look at my breasts. That really creeped me out. There were no women  
that I remember there. Any time I tried to look at anyone they didn't look me  
in the face.*

1           *This is the first time I'd ever gone to jail. I don't know the customary*  
2           *procedures. I remember seeing two or three of them standing in a group about*  
3           *10 or 12 feet and talking about me, while I was standing for the mug shot.*  
          *They were joking, puffed up, laughing at my predicament. I heard a few*  
          *snickers as they stared at my chest.*

4           *It was one of the worst experiences of my life because of how mean and rude*  
5           *they treated me. I am absolutely horrified and violated. I honestly can't*  
6           *believe it. I had no idea there were cameras around. The fact those are*  
7           *supposed to be police officers upholding our justice system while violating it is*  
          *absolutely disgusting.*

8           18.     These identified Plaintiffs experiences are believed to be illustrations of an  
9           even wider spread practice of victimization on the part of the Puyallup Police Department.  
10          Further, the facts as described by Plaintiffs herein evidence a deliberate and/or knowing intent  
11          to commit these assorted violations with malice and/or for personal gratification. Moreover,  
12          the Puyallup Police Department has made each of these Plaintiffs' images available to the  
13          general public, to include any sex predator, internet surfer, or pornographer, that requests a  
14          copy.  
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16                           **III.     CIVIL RIGHTS VIOLATIONS – 42 U.S.C. 1983**

17          19.     In violation of the Fourth and Fourteenth Amendments to the Constitution, the  
18          City of Puyallup engaged in a pattern and practice of violations of Plaintiffs fundamental  
19          rights and dignities including bodily privacy. These acts individually and collectively  
20          demonstrate a pattern and practice on the part of the City of Puyallup which is the product of  
21          unlawful supervision, training, and/or general deliberate indifference to the rights of  
22          Plaintiffs. It is believed that Chief Jeter and/or Lieutenant Shannon were the moving forces  
23          behind this pattern and practice of violations and that each officer individually, and  
24          collectively, failed to properly supervise, train, oversee, or enact policies that would have  
25

1 prevented these unlawful occurrences. At the very least, Chief Jeter and Lieutenant Shannon  
2 were aware of the ongoing violations and failed to intervene.

3 **IV. VIOLATIONS OF RCW 9A.44.115 – VOYEURISM CRIMES**

4 20. The actions on the part of the individually involved officers and the City of  
5 Puyallup’s Police Department violate the criminal codes as set forth under RCW 9A.44.115  
6 and provides the basis for a civil cause of action for Plaintiffs. Plaintiffs had a reasonable  
7 expectation of privacy which was violated by their having been secretly videotaped in  
8 assorted states of undress. It is believed that officers may have committed this offense for the  
9 purpose of obtaining arousal or personal gratification.  
10

11 **V. INVASION OF PRIVACY @ COMMON LAW & RCW 42.56.050**

12 21. The actions on the part of the involved law enforcement officers and  
13 employees related to the associated incidents noted herein violated the Plaintiffs rights to  
14 privacy at common law and under RCW 42.56.050. Under the agency theories and principles  
15 of respondeat superior, the City of Puyallup is liable for acts of all employees and agents of  
16 the Police Department that caused Plaintiffs’ rights to be violated.  
17

18 **VI. VIOLATIONS OF RCW CHAPTER 10.79 *et. seq.***

19 22. The actions on the part of the Puyallup Police Department jail operations  
20 officers were conducted in violation of RCW Chapter 10.79. Each Plaintiff was effectively  
21 strip searched without a proper warranted being obtained. In accord with RCW 10.79.110,  
22 Plaintiffs have and reserve the right to seek injunctive relief to prevent future unlawful  
23 invasions.  
24

25 **VII. NEGLIGENCE**



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