

SUPERIOR COURT OF WASHINGTON FOR WHITMAN COUNTY

IN THE MATTER OF APPLICATION  
FOR SEARCH WARRANT

SW NO. 12-29-2022A

~~SEALED~~

FINDINGS AND CONCLUSIONS ON  
MOTION TO SEAL DOCUMENTS

THIS COURT, having previously considered the Application for Search Warrant filed in this cause and the declaration of Dawn Daniels, Assistant Chief of Police, WSU Police Department in support of the State of Washington's Motion to Seal File in this matter; and being fully advised in the premises; hereby makes and enters these:

**FINDINGS OF FACT**

I. Impact On Effective Law Enforcement and Public Safety

This matter is in the investigative stage and while criminal charges have been brought, those charges are not yet publicly known. Premature public disclosure of the details of this law enforcement investigation will create a serious and imminent threat to effective law enforcement, and could result in the premature end of this investigation which could create a threat to public safety.

1       II.     Personal Privacy

2       The personal privacy interests of the witnesses, victims, and victim families named in the  
3 application filed in this cause also supports sealing the documents filed in this matter.

4       III.   Limited Sealing

5       For these reasons, the information contained in the application and the nature of this  
6 investigation must be kept secret for a limited period of time. It is estimated the investigation  
7 will likely be concluded within two months from this date, so an order sealing the file for that  
8 period of time is appropriate and necessary.

9       The prosecuting attorney may seek an order un-sealing the records if the Idaho  
10 investigation and/or criminal case proceeds more quickly than currently anticipated.

11       For the immediate future no action short of total sealing of the records in this file will  
12 protect the above interests.

13       Based on the foregoing, the court now makes and enters the following:

14                                   **CONCLUSIONS OF LAW**

15       I.     Jurisdiction

16       This court has jurisdiction over the subject matter herein.

17       II.    Effective Law Enforcement and Public Safety

18       There exists a serious and imminent threat to efficient and effective law enforcement, to  
19 public safety, and to the public interest in law enforcement's ability to completely investigate  
20 criminal activity using all tools lawfully at their disposal to collect evidence of criminal activity,  
21 and no means less restrictive than sealing the listed documents herein will protect those interests.

22       III.   Personal Privacy

23       There exists a serious and imminent threat to the privacy of the witnesses, victims, and  
24 victim families named in the affidavit, and no means less restrictive than sealing the listed  
documents will protect that interest for the time being.

1 IV. Limited Sealing

2 The above interests do not require protection for an extended period of time and can be  
3 served by sealing these documents until March 1, 2023 or until the need for sealing changes,  
4 whichever occurs first.

5 V. Compelling Circumstances

6 Weighed against the public interest in the open administration of justice, compelling  
7 circumstances warrant the temporary sealing ordered in this matter.

8 Signed this 30<sup>th</sup> day of December, 2022.

9 Signature: [Signature]

10 SUPERIOR COURT JUDGE/COMMISSIONER

11 Printed Judge's Name: CARY LIBBY

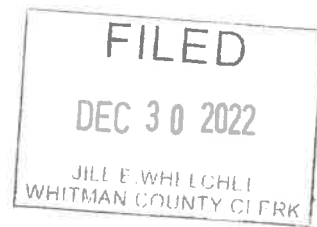
12 Presented by:

13 D. Tracy

14 Whitman County Prosecuting Attorney

15 By: [Signature]

16 D. Tracy WSBA # 20383  
17 [Senior] Deputy Prosecuting Attorney  
18 Criminal Division  
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SUPERIOR COURT OF WASHINGTON FOR WHITMAN COUNTY

IN THE MATTER OF APPLICATION  
FOR SEARCH WARRANT

SW NO. 12-29-2022A

**SEALED**

ORDER SEALING DOCUMENTS

**Clerk's Action Required**

THIS MATTER, having come on for hearing upon the motion of the State of Washington;  
and the court having considered said motion, the files and records herein, and the affidavit of Dawn  
Daniels; and having entered FINDINGS OF FACT and CONCLUSIONS OF LAW therefrom; now  
therefore:

IT IS ORDERED that the clerk of this court shall seal the warrant, application for warrant,  
inventory/return, and the declaration in support of the motion to seal documents until March 1, 2023,  
or until earlier order of this court.

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1 IT IS FURTHER ORDERED that (1) this ORDER and (2) the FINDINGS and  
2 CONCLUSIONS ON MOTION TO SEAL DOCUMENTS are exempt from the sealing requirement  
3 and shall be available for public inspection and copying.

4 Signed this 30<sup>th</sup> day of December, 2022.

5 Signature: [Signature]  
6 SUPERIOR COURT JUDGE/COMMISSIONER  
7 Printed Judge's Name: GARY J. EBBEY

8 Presented by:  
9 D. Tracy  
Whitman County Prosecuting Attorney

10 By: [Signature]  
11 D. Tracy, WSBA # 20383  
12 [Senior] Deputy Prosecuting Attorney  
13 Criminal Division  
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