FILED

JAN 21 2021
KCDC - West Division
Seattle Courthouse

STATE OF WASHINGTON KING COUNTY DISTRICT COURT EAST DIVISION, BELLEVUE COURTHOUSE	
Jenny A. Durkan Petitioner, vs. Kristin K. Mowery Respondent.	No. 21CIV20190KCX **Petition for an Order for Protection -** ☒ **Harassment** (PTORAH) **and/or** ☒ **Stalking** (PTORSTK)

➢ This is a Petition for an Order for Protection against Harassment and/or Stalking as checked in the caption.

I believe:

☒ I am a victim of stalking.
☐ _____ (name) is the victim of stalking and he/she is a minor or vulnerable adult.

The respondent has been

- stalking the victim either in person or cyber stalking, **and**
- repeatedly contacting the victim or attempting to contact or monitor the victim for no lawful purpose and his/her actions caused the victim to feel intimidated, frightened, or threatened.

☒ I am a victim of unlawful harassment.
☐ _____ (name) is a victim of unlawful harassment and he/she is a minor.

The respondent's actions toward the victim have seriously alarmed, annoyed, or harassed the victim, or are detrimental to the victim and serve no legitimate or lawful purpose. The respondent's actions have caused substantial emotional distress to the victim or caused me to fear for the well-being of my child.

How do the victim and respondent know each other? Petitioner is a public elected official.

I have given a detailed explanation below.

1. **Who is the petitioner?**

My name is (please print) Jenny A. Durkan. I am the petitioner.

☒ I am 18 or older and I am petitioning on my own behalf.
☐ I am 16 or 17 and I am petitioning on my own behalf.
☐ I am the parent or guardian of child/ren under age 18 and I am petitioning on their behalf:

Children's Name/s (First, Middle Initial, Last)	Age

☐ I am not the parent or guardian, but the child/ren live/s with me and I am petitioning on their behalf and the respondent is not a parent.

Children's Name/s (First, Middle Initial, Last)	Age

☐ I am filing this petition on behalf of petitioner, (name) _____, a vulnerable adult as defined in RCW 74.34.020, who is a victim of stalking. I am an interested person as defined in RCW 74.34.020(10). My relationship to this petitioner is _____.

2. **Is the respondent 18 years of age or older?**

☒ Yes ☐ No

(If no, use the Petition for Order for Protection Harassment/Stalking Respondent Under Age 18, instead of this petition.)

3. **Where do the parties live?**

Petitioner lives in King County.

Did the petitioner leave their residence because of stalking conduct and that is the county of their new residence?

☐ Yes ☒ No

Children named above live in _____ County.

Respondent lives in 6940 62nd Ave, Apt #116, Seattle, WA 98115, King County.

4. **Where did the Conduct take place?**

The conduct took place in King County.

Statement describing the victim/s need for protection from the respondent

- Write clearly. If you need more space below, attach additional page/s. Do not write on the back.

5. Describe what the Respondent did or said that you think is harassment or stalking.

- You must describe what the respondent actually said.
- You must describe what the respondent actually did.

The respondent has committed acts of harassment or stalking as follows:

A. Describe the most recent incident of harassment or stalking.

Date and time (on or around): On 1/18/2021 on or around 2pm-5pm

Location: Petitioner's personal residence in Seattle, WA. King County.

What did the respondent do or say that you believe to be harassing or stalking behavior?

On 1/18/21, respondent, who has visited my home at least six times, was in front of my personal residence alone and confronted me as I pulled out of my driveway by yelling at me and trying to engage me. I could not hear all of what she said, except a few obscenities. I recognized her because as noted before she had previously confronted me outside my home on Christmas Eve, screaming obscenities and death threats.

As I returned home, my son was in my car and she temporarily blocked the driveway to my home. Because of other threats I have received, Seattle Police Officers had been near my residence and were talking with her. She yelled some things at me, and still appeared somewhat agitated. Officers informed her that I did not wish to have contact with her. She would not leave and remained in front of my home for several hours. She was acting erratically -- sitting and standing in the street staring at the house, walking in my drive, and taking pictures of the house. After hours of doing this, she threw an objects into my yard then left.

While there, she posted a photos of my home on social media and urged others to come "crash" my home because I was there. These posts were then removed as a violation of Twitter policy, for doxxing.

Two Seattle Police Department Officers who were present filed an incident report 2021-14692. There is also video footage of of some portions of this incident available for review.

How did the respondent make these statements? ☒ in person ☒ mail/written notes
☐ e-mail ☐ text ☐ phone ☒ social media (such as Facebook and Twitter)
☐ other (describe): signs posted on the fence on private property.

B. Describe other incidents of harassment or stalking. For each incident, include the date, time (on or about), location, what was said, how statements were made, and what was done to a victim.

The Respondent has shown up at my house on multiple occasions exhibiting threatening verbal and physical behavior. As Mayor of Seattle, I am assigned officers from the Seattle Police Department's Executive Protection Unit ("EPU"). Over multiple incidents, the confrontations by Respondent towards me and the EPU have escalated. The Respondent lives near my house (approx 2 mins in drive time or 10-12 mins walk) and has harassed and stalked me at my home as recently as 1/18 and on the following known previous occasions:

10/31/2020 - On Halloween night, Respondent showed up at my residence dressed in a helmet, knee pads and all dark clothes. She was by herself at the time. EPU approached her and she asked them if they had seen anyone else dressed like her. EPU believed she was under the impression that there was to be some sort of gathering. She stood in front of my house for a few hours in the pouring rain staring at the house.

12/14/2020 - Respondent again came to my home and spent time in the neighborhood. She posted signs throughout neighborhood and at my house.

12/24/2020 - On Christmas Eve on or about 6pm, I came out of my house to give cookies to EPU. Respondent unexpectedly jumped out from a bush about 20-25 ft away and screamed at the top of her lungs "Merry Christmas, you fucking bitch!" She continued to scream a string of obscenities and death threats. It was a very prolonged, screaming rant. She also screamed "I will be back and I am not going away!" Respondent would not leave and stayed for approximately 2.5 hrs, staring at the house, muttering and yelling things, and acting quite erratically. SPD were present, and while she engaged briefly with them, their presence did not deter her or cause her to leave.

1/6/2021 - Respondent was posting signs on my fence and standing in the street. Two neighbors were taking down the signs.

In addition to the above in-person incidents, in publicly available media the Respondent acknowledged she has mental health issues and those issues led her to commit a crime (a bank robbery). She seems fixated on me and seeking attention. I have received death threats as a result of my tenure as U.S. Attorney, so my address is protected under the state address confidentiality program, but Respondent has made social media posts containing pictures of my house and its location.

6. How did the incidents you describe above make you, the minor, or the vulnerable adult feel?

Respondent 's activities are alarming, appear to be escalating and her aggressive and her erratic behavior, compounded by her self-admitted mental illness are concerning. Since August, Respondent has been arrested at least six times, she also has an arrest for bank robbery. She is persistent, both in person and online, and her actions continue to escalate. Her repeated, in-person aggression and unpredictable acts, and her attempts to seek attention give me direct and immediate concerns that she presents a real danger to me and my family.

7. Has the respondent used, displayed, or threatened to use a firearm or other dangerous weapon in a felony? Please describe:

I don't know.

8. Is the respondent ineligible to possess a firearm under the provisions of RCW 9.41.040? Please describe:

Unknown

9. Does possession of a firearm or other dangerous weapon by the respondent present a serious and imminent threat to public health or safety, or to the health or safety of a victim? Please describe:

I do not know if she possess a firearm or other dangerous weapon.

10. Do you have any evidence of the harassment or stalking conduct other than testimony?
- ☐ No
- ☒ Yes. I have attached the following evidence:
  - ☒ Copy of mail or written notes
  - ☐ Copy of text messages
  - ☐ Copy of email messages
  - ☒ Copy of social media messages
  - ☒ Police report
  - ☐ Declaration or Affidavit from the following witness: _____
  - ☒ Other (describe): SPD Body worn video and other video

11. Has/have the **victim/s or the respondent** ever requested or obtained protection from the other person in a restraining order, civil protection order, or criminal no-contact order? If yes, list the type of order, the name of the court, the approximate date of the order, and whether the request was granted:

No.

12. Is there any other litigation between the victim/s and the respondent? This includes all matters - pending or past - such as parenting plans, landlord-tenant disputes, employment disputes, or property disputes. If yes, provide case number/s if known, type of case, and name of court:

No.

➢ Requests

13. I ask the Court for an order approving the following requests for protection:

I Request an **Order for Protection** following a hearing that will:

☒ **No Contact:** Restrain the respondent from making any attempts or having any contact, including nonphysical contact, with the person/s to be protected, directly, indirectly, or through third parties, regardless of whether those third parties know of the order, except for mailing of court documents.
☒ **Surveillance:** Prohibit or restrain the respondent from making any attempt to keep or from keeping the person/s to be protected under surveillance, including electronic surveillance.
☒ **Exclude from places:** Exclude the respondent from the ☒ residence ☒ workplace ☐ school ☐ day care of the person/s to be protected.
☒ **Stay Away:** Prohibit or restrain the respondent from entering or being within, or from knowingly coming within, or knowingly remaining within _____ (distance) of the ☒ residence ☐ workplace ☐ school ☐ day care of the person/s to be protected. ☒ other locations: (yard of residence).
☐ **Other:**
☒ **Evaluation:** Order the respondent to have a ☒ mental health ☐ chemical dependency evaluation. ☐ other: _____.
☐ **Pay Fees and Costs:** Require the respondent to pay fees and costs of this action, which may include administrative court costs and service fees and petitioner's costs including attorneys' fees.

☒ **Surrender Firearms:** Require the respondent to immediately surrender all firearms, other dangerous weapons, and any concealed pistol licenses, and prohibit the respondent from accessing, obtaining or possessing firearms, or other dangerous weapons, or concealed pistol licenses.

☒ **Duration:** Remain effective longer than one year because respondent is likely to resume acts of unlawful harassment or stalking conduct against the persons to be protected if the order expires in a year.

Emergency temporary protection (up to 14 days) until the court hearing:

☒ An emergency exists as described below. I request that a **Temporary Protection Order** granting the relief I requested above for a no-contact, surveillance, exclude from places, or stay away order be issued immediately, without prior notice to the respondent, be effective until the hearing.

☒ I also request a temporary surrender and prohibition of all firearms, other dangerous weapons, and concealed pistol licenses without notice to the other party because irreparable injury could result if an order is not issued until the hearing.

What irreparable harm would result if an order is not issued immediately without prior notice to the respondent?

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Dated: January 19, 2021 at Seattle Washington.

Jenny A. Durkan

Petitioner

Jenny A. Durkan

Print or type name

I agree to receive legal documents at this address:

P.O. Box 94749 Seattle, WA 98124

☒ This address is not my home address because my family, household, or I would be at risk of abuse by respondent if I disclosed my home address.