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STATE OF WASHINGTON
SPOKANE COUNTY SUPERIOR COURT

In re the Detention of:

SHAWN D. BOTNER,
aka SHAWN BOWER,

Respondent.

NO.

06205263-8

PETITION

COMES NOW Petitioner, State of Washington, by and through ROB MCKENNA, Attorney General, and JANA R. FRANKLIN, Assistant Attorney General, and submits this petition seeking the involuntary civil commitment of Respondent, SHAWN D. BOTNER, aka SHAWN BOWER, as a sexually violent predator pursuant to chapter 71.09 RCW. Specifically, Petitioner alleges Respondent is a sexually violent predator, as that term is defined in RCW 71.09.020(16), given the following:

1. Respondent has been convicted of the following sexually violent offense, as that term is defined in RCW 71.09.020(15): on or about July 23, 1992, in Spokane County Superior Court, Cause No. 92-1-00401-2, Respondent was convicted of one count of Attempted Rape in the First Degree, in of violation of RCW 9A.44.040 and 9A.28.020 (255).

2. Respondent currently suffers from:

a) Mental abnormalities, as that term is defined in RCW 71.09.020(8), specifically Sexual Sadism and Pedophilia, and

1 b) A personality disorder, specifically: Not Otherwise Specified (NOS), with
2 Antisocial and Narcissistic traits, and/or Dissocial Personality Disorder and/or Psychopathy.

3 3. Respondent's mental abnormalities and personality disorders cause him to have
4 serious difficulty controlling his dangerous behavior and make him likely to engage in predatory
5 acts of sexual violence unless confined to a secure facility.

6 4. Respondent has committed a recent overt act, as that term is defined in
7 RCW 71.09.020(10). On July 7, 2006, Spokane police recovered a duffle bag labeled "Shawn
8 B" near the Gonzaga University campus. The bag contained women's clothing, pornography,
9 wigs, and sex toys. Also inside the bag was a black notebook describing a planned kidnap, rape,
10 murder and dismemberment of a female clerk of an adult store. In addition, campus security had
11 recently received reports of an individual hiding in the bushes along the Centennial Trail,
12 masturbating at people as they walked by and possibly ejaculating into a milk jug. On
13 July 30, 2006, Spokane police stopped the Respondent while he was riding his bicycle. The
14 Respondent was wearing a bra and had a stockinette over his hair. The Respondent was wearing
15 a backpack which contained a dildo, a black and white French maid costume, new and used
16 women's underwear, a blond wig, and folder of pornographic pictures. There was also a glass
17 case containing a rope, rubber gloves, and condoms. Respondent is currently incarcerated for
18 Failure to Register as a Sex Offender. These actions constitute a recent overt act as defined by
19 RCW 1.09.020(10).

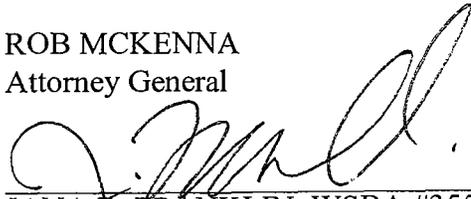
20 Based upon the foregoing, Respondent should be committed to the custody of the
21 Department of Social and Health Services for placement in a secure facility for control, care, and
22 treatment until such time as his condition has so changed that he no longer meets the definition of
23 a sexually violent predator, or conditional release to a less restrictive alternative is in his best
24 interest and conditions can be imposed that would adequately protect the community.

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1 DATED this 4 day of December, 2006.

2 ROB MCKENNA
3 Attorney General

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5 JANA R. FRANKLIN, WSBA #35524
6 Assistant Attorney General
7 Attorneys for Petitioner

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