

FOR IMMEDIATE RELEASE

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Families of University of Idaho Murder Victims Speak Out Against Disclosure of Phone Data

Families File Suit to Block Requests for Murder Victims' Data

WALLA WALLA, Wash., September 25, 2026 — Family members of three victims of the University of Idaho murders have filed suit in Walla Walla County Superior Court seeking to prevent the City of Walla Walla from releasing forensic data extracted from the phones of Kaylee Goncalves, Ethan Chapin, Madison Mogen, and Xana Kernodle in response to public records requests. The families say the data likely contains private information about the victims, their relatives, and other people who communicated with them.

“These damaging intrusions into our families’ privacy need to end,” said Alivea Goncalves, eldest sister of Kaylee Goncalves, one of the victims. “The public’s right to know has limits.”

“A blanket request for all data on these phones violates the rights of the children, our families, and everyone whose information is in the data,” added Stacy Chapin, the mother of victim Ethan Chapin.

The families seek immediate court intervention before the City’s stated September 30 response deadline, as well as a permanent injunction against disclosure of the data. The families have asked the Court for a scheduling conference on Tuesday, October 27, 2026, at 9:30 a.m. PDT to expedite their request for a temporary restraining order and permanent injunction.

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FILED
KATHY MARTIN
COUNTY CLERK

2026 SEP 28 AM 10:25

WALLA WALLA COUNTY
WASHINGTON

By [Signature]

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

ALIVEA GONCALVES, an individual;
KAREN LARAMIE, an individual; STACY
CHAPIN, an individual; JAMES CHAPIN, an
individual; and MAIZIE CHAPIN,
an individual,

Petitioners,

vs.

CITY OF WALLA WALLA, a Washington
municipal corporation,

Respondent.

Case No. 26 2 00735 36

COMPLAINT FOR DECLARATORY
JUDGMENT AND INJUNCTIVE
RELIEF

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COMES NOW the above-named Petitioners ALIVEA GONCALVES, by and through her attorney of record, ERIN TOMLIN, of TOMLIN LAW OFFICE, PLLC, and the above-named Petitioners STACY CHAPIN and JAMES CHAPIN (a married couple), Petitioner MAIZIE CHAPIN, and Petitioner KAREN LARAMIE, by and through their attorney of record, LEANDER L. JAMES, of the law firm JAMES, VERNON & WEEKS, P.A., (hereinafter collectively referred to as "Petitioners") and jointly seek an immediate and permanent injunction restraining Respondent, the CITY OF WALLA WALLA from releasing personal, private, and comprehensive cellular phone data, i.e., mirrored mobile-forensic data (hereinafter "Requested Data") of

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26-2-00735-36
CMP 2
Complaint
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unspecified and foreseeable vastly broad data content from the four (4) different cellular telephones that belonged to Kaylee Goncalves, Ethan Chapin, Madison Mogen, and Xana Kernodle (collectively hereinafter referred to as “Decedents” and/or “Victims”). The Victims were stabbed to death on November 13, 2022, in Moscow, Idaho, resulting in a high-profile murder case that garnered worldwide attention. Petitioners are surviving family members of the Victims.

Petitioners bring this action pursuant to the Washington Public Records Act, RCW 42.46 *et seq.*, the Constitutions of the United States and the State of Washington, and all other applicable law.

I. BACKGROUND

Public records requestors (“Requestors”) have submitted six broad FOIA requests under Washington’s Public Records Act, chapter 42.56 RCW, to the City of Walla Walla (“City”) for disclosure of data contained on the phones of four murder victims. Petitioners are family members of the victims. The City is unable to access the data because it does not have the necessary program to do so. Thus, the City is unable to determine what the data contains, whether any of it is responsive to the FOIA requests, and whether disclosure of any data would violate the privacy rights of the victims or Petitioners.

II. RELIEF REQUESTED

Petitioners seek a temporary restraining order and permanent injunction that prohibit the City from releasing the phone data. Petitioners claim and allege that:

- The FOIA requests are overbroad and not reasonably defined.
- Some or all of the Requested Data is exempt from public disclosure.
- The City cannot determine if any of the requested data is exempt from public disclosure

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because it cannot access the data.

- The City cannot determine whether disclosure of Requested Data will violate the rights of the victim, the Petitioners, or third parties because the City cannot access the data.
- The Requested Data is inaccessible for the Respondent's required review, and therefore unidentifiable to them.
- The Requested Data likely contains information that, if released to the public, would be highly offensive to a reasonable person and would cause Petitioners and third parties irreparable harm, including severe emotional distress and trauma with physical manifestations.
- The FOIA requests are violative of third-party privacy interests.
- The Requested Data is not of legitimate interest to the public.
- The Requested Data is protected crime victim information, essential to protect any person's right to privacy in such kind of statutorily categorized records including, but not limited to:
 1. The right of the Petitioners to privacy in their personal lives and familial relationships and their right to be protected far outweighs the scant public interest in the Requested Data.
 2. The right of the reputational integrity and privacy on behalf of each of the Victims, and their right to be protected far outweighs the scant public interest in the Requested Data, which foreseeably includes their Personal Protected Information (hereinafter "PPI") and similarly personal and otherwise private information contained on their cellular phones, of which data exists 'as-is' abruptly forevermore without the Victims' ability to defend or explain otherwise released private information with no legitimate governmental

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accountability purpose for public transparency.

3. The right of privacy to any third-party or entity whose private communications may exist on the Requested Data and thereby has a right of protection from public disclosure any of their private information exchanged or communicated with Victims, and assuredly contained on all four (4) Victims' comprehensive cellular phone data as it existed at the time of their murders, which far outweighs the scant public interest in the Requested Data, which has no bearing on governmental accountability and legitimate public interest.

The Requested Data will be released by the Respondent if they are not restrained immediately and permanently enjoined by this Court and would constitute a violative invasion of personal privacy causing extreme emotional distress with trauma and irreparable harm to the Petitioners, and any affected unknown Third Parties.

The attached and contemporaneously filed *Summons, Acceptance of Service, Motion for Status Review and Scheduling Conference* and *Notice of Remote Hearing* are incorporated in this action.

For their cause of action against the above-named Respondent, Petitioners complain and allege as follows:

III. PARTIES

The Petitioners are five (5) individuals who are representative surviving family members of the Victims and have constitutional and statutory crime victim rights in Idaho since November 13, 2022. The Respondent is a public entity beholden to applicable public record laws. The other individuals or entities also referenced below in sections (6) and (8)A-F are not litigants but whose conduct or acts have materially affected the matter herein or who may be interested parties,

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necessitating Petitioners to seek relief before this Court:

1. Petitioner Alivea Goncalves (also referred to herein as “Alivea”) is the biological eldest sister of Kaylee Goncalves (hereinafter “Kaylee” or “Decedent”), who was murdered on November 13, 2022.
2. Petitioner Karen Laramie (also referred to herein as “Karen”) is the biological mother of Madison Mogen (hereinafter “Maddie” or “Decedent”), who was murdered on November 13, 2022.
3. Petitioner Stacy Chapin (also referred to herein as “Stacy”) is the biological mother of Ethan Chapin (hereinafter referred to as “Ethan” or “Decedent”), who was murdered on November 13, 2022.
4. Petitioner James Chapin (also referred to herein as “Jim”) is the biological father of Ethan Chapin (hereinafter referred to as “Ethan” or “Decedent”), who was murdered on November 13, 2022.
5. Petitioner Maizie Chapin (also referred to herein as “Maizie”) is one of the biological triplet siblings of Ethan Chapin (hereinafter referred to as “Ethan” or “Decedent”), who was murdered on November 13, 2022.
6. The City of Moscow in Latah County, Idaho, is an Idaho Municipal Corporation approximately eight (8) miles from the Idaho-Eastern Washington border. The City of Moscow incorporates all its operating departments including the Moscow Police Department.
7. Respondent, the City of Walla Walla in Walla Walla County, Washington, is a Washington Municipal Corporation. The City of Walla Walla incorporates all its operating departments

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including the Walla Walla Police Department, who provided mobile-forensic data investigative agency assistance to the Moscow Police Department in November 2022.

8. Requestors of the records at issue herein are four individuals who submitted six (6) public record requests upon Respondent between July 21, 2026, and August 23, 2026, which are all attached and incorporated herein and identified as follows, along with the Respondent's partial response(s) to each request to date (the City of Walla Walla's partial responsive records already released to the requestors set forth above are not of issue here):

A. **EXHIBIT A**, Public Record Request No. 26-1477, by Autumn Buttice.

B. **EXHIBIT B**, Public Record Request No. 26-1558, by Howard Zweben.

C. **EXHIBIT C**, Public Record Request No. 26-1644, by "Sewell" (no full name provided).

D. **EXHIBIT D**, Public Record Request No. 26-1683, by Autumn Buttice.

E. **EXHIBIT E**, Public Record Request No. 26-1741, by Howard Zweben.

F. **EXHIBIT F**, Public Record Request No. 26-1488, by Connor Hearn

IV. JURISDICTION AND VENUE

1. This Court has subject matter jurisdiction over the claims asserted in this action pursuant to RCW 42.56.050, RCW 42.56.240(1) and (2), and RCW 42.56.540.
2. This Court has jurisdiction over Respondent pursuant to RCW 2.08.010, RCW 7.40.010 and RCW 42.56.540.
3. Venue is proper in this Court pursuant to RCW 36.01.050 and RCW 36.01.050 and RCW 4.12.025 and RCW 4.92.010 because the cause of action arose in Walla Walla County, Washington, and pursuant to RCW 42.46.540 because the public records at issue are

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maintained in Walla Walla County and stored by the custodian, the Walla Walla Police Department.

**V. GENERAL ALLEGATIONS AND RELEVANT HISTORY RELATED TO
STATE OF IDAHO V. BRYAN C. KOHBERGER, CASE NO. CR01-24-1665**

The Bryan C. Kohberger (hereinafter “Kohberger”) case is a high-profile murder case that garnered worldwide attention. Aside from Kohberger’s initial arrest/extradition court proceedings, all litigation in or related to the Kohberger case has occurred in Idaho. Petitioners’ claims and allegations are as follows:

1. On November 13, 2022, Maddie Mogen, Kaylee Goncalves, Xana Kernodle and Ethan Chapin were present within the residence at 1122 King Road in Moscow Idaho. Maddie Mogen, Kaylee Goncalves and Xana Kernodle resided at this location; Ethan Chapin was visiting. On that night, the Victims were stabbed to death within the residence by Kohberger, a Washington State University criminology graduate student.
2. All four (4) of the Victims’ cellular phones were located at 1122 King Road and seized by the Moscow Police Department.
3. On December 30, 2022, Kohberger was arrested at his parents’ home in Pennsylvania and extradited to Moscow, Latah County, Idaho, to face four (4) counts of first-degree murder and one (1) count of felony burglary, in the first venue of the resulting criminal court proceedings before the case was transferred to Ada County, Idaho, which is where its venue remains to date.
4. The invasive nature of public scrutiny and the unwanted and unwarranted public into Petitioners’ personal and private lives had already begun by the time Kohberger was arrested; the public’s unwarranted invasion into the privacy and reputations of the Victims

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had already crossed the line from ‘interested’ as the public is expected to be, to ‘harmful’ by the date Kohberger was arrested, which Petitioners believe established a foundation for sensationalized or pecuniary non-legitimate public interest in investigative public records about the case.

5. On or about January 4, 2023, nearly simultaneous to Kohberger’s extradited arrival in Idaho from Pennsylvania, Latah County Magistrate Judge Megan Marshall issued a Non-Dissemination Order (hereinafter referred to as “Gag Order”) prohibiting involved prosecutors, defense attorneys, investigators and law enforcement personnel or their agents from making any extrajudicial statements unless it was in the publicly available court record.

6. This Gag Order included specific prohibitions related to the character, credibility, reputation, or criminal record of an involved party; results, performance, or the refusal to participate in any tests or examinations; any opinion about the merits of the case or the claims or defense of a party; and any information that could interfere with a fair trial. Shortly thereafter on or about January 19, 2023, the Gag Order was amended to also prohibit attorneys representing a Victim’s surviving family member or a witness from also making any extrajudicial statements.

7. By June 2023, venue was transferred, along with Kohberger, from rural close-knit Latah County in North Idaho, near the eastern Washington border, to Ada County, Idaho, in the capital city of Boise after the community of Moscow was inundated with reporters and probing visitors for nearly seven (7) consecutive months.

8. While the venue transfer effectively mitigated concerns about seating an impartial

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jury or alleviating resources strained by the additional challenges of such a high-profile case in a relatively small rural college town, it also demonstrated a sustained and ongoing pattern of invasive and non-legitimate public interest that is at issue here.

9. On December 28, 2023, despite the venue transfer across much of a large geographical state, 1122 King Road was demolished. The demolition, like the venue transfer, served an immediate practical purpose (removal of an unusable stigmatized property) but also demonstrated the problematic public interest in the case.

10. 1122 King Road became a morbid epicenter for fascination about the case until it was demolished, which also served to mitigate non-legitimate public interest from stopping to see or take pictures of the house, in a neighborhood with little physical space for being a destination.

11. On July 2, 2025, Kohberger changed his plea(s) and admitted to unlawfully entering 1122 King Road and stabbing all of the Victims to death just prior to the scheduled trial.

12. On July 17, 2025, the Gag Order was lifted and no longer in effect. Public record requests, mostly submitted to the City of Moscow, became voluminous and privacy concerns for the Petitioners increased as public interest, generally, became more volatile than it had already been.

13. On July 23, 2025, Kohberger was sentenced to four (4) consecutive terms of life in prison without parole, and an additional ten (10) years for committing felony burglary.

14. On August 12, 2025, Maddie's mother, the Petitioner Karen Laramie, filed a lawsuit against the City of Moscow for temporary and permanent injunctive relief after the release of 186 graphic crime scene photos constituted an unwarranted invasion into her personal

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privacy and caused her extreme emotional distress and trauma.

15. On information and belief, the City of Moscow received approximately 1,150 public record requests about the case within less than one (1) month after the Gag Order was lifted. They continue to receive numerous and ongoing public record requests about the case; they have denied responses to requests for the Requested Data at issue here due to applicable privacy exemptions prohibiting their release in Idaho.

16. Shortly after Karen filed suit, James and Stacy Chapin and Maizie Chapin joined Karen in the lawsuit, having also experienced unwarranted invasion into their personal privacy and severe emotional distress resulting from the overly graphic photos' release.

17. On October 1, 2025, the *Laramie* court permanently granted the injunctive relief sought in part and ordered that the City of Moscow is "permanently restrained from disclosing photographs or videos without first blacking out any areas within those investigatory records that depict any portion of the bodies of the decedents or the blood immediately surrounding them." *Laramie et al. v. City of Moscow*, Judgment Granting Permanent Injunction, Case No. CV29-25-0755, District Court for the Second Judicial District, State of Idaho (October 1, 2025).

18. In January 2026, EWU Media LLC filed a lawsuit against the City of Moscow for allegedly withholding non-exempt from disclosure public records and over-redacting crime scene records in response to their record request. Karen, Jim, Stacy, and Maizie intervened; the court's ruling following final oral arguments remains outstanding at the time of Petitioners' action here.

19. There is an established pattern of non-legitimate and invasive public interest which will

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be exacerbated by the release of the Requested Data, which on its own would be violative and highly offensive to a reasonable person. Release of the Requested Data to further create and expand on existing invasive digital content already exploitive to the Petitioners and Victims is terrifying.

20. In March 2026, Idaho Governor Brad Little signed Senate Bill 1250 into law after it unanimously passed the House and the Senate to increase protections for grieving families following additional scrutiny over the exploitation of the Victims' surviving family members in this case due to invasive public interest. The law prevents photos from death investigations being made public and was effective July 1, 2026.

21. On July 27, 2026, Kohberger filed a petition for Post-Conviction Relief seeking to withdraw his guilty pleas. The Court subsequently established a schedule for further post-conviction proceedings, including a status conference on June 3, 2027, and a potential Evidentiary Hearing beginning June 17, 2027. Kohberger was appointed new defense counsel, who has moved to disqualify the Ada County District Judge presiding over the case since its venue transfer, which remains pending. Although Kohberger's criminal convictions and sentences remain in effect, litigation arising from his convictions remains ongoing and continues to receive substantial invasive public and media attention, affecting the Petitioners and the potential integrity of the ongoing litigation.

22. The Respondent provided third-party notification to Petitioners regarding the various public record requests at issue here, and that the deadline for Petitioners to respond was September 30, 2026, and that absent any response(s), the Requested Data would be released.

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23. On September 15, 2026, the Latah County Prosecutor's Office released an official press statement regarding viable report(s) of leaked unredacted crime scene photos and the damage and harm caused to the Victims and their Survivors by such violative conduct.

24. On information and belief, the Victims' four (4) cellular phones were brought to the Walla Walla Police Department by the Moscow Police Department early in their investigation for forensic-mobile data services immediately unavailable to Moscow Police Department at that time and this was categorized as an 'agency assist'.

25. On information and belief, the Walla Walla Police Department completed the request and provided the saved data on a hard drive to the Moscow Police Department, which was physically exchanged between agencies and the cellular phones were also returned.

26. On information and belief, the data obtained by the Walla Walla Police Department and saved digitally and duplicated on the exchanged hard drive was not (and is still not) accessible or comprehensive to them or other Respondent departments without additional forensic tools(s), which they did not have during their agency assist and have not acquired since then.

27. On information and belief, the Moscow Police Department used a separate forensic tool to access and review the data file(s) on the exchanged hard drive and have maintained and stewarded those accessible and comprehensible data files since.

28. On information and belief, the City of Walla Walla Police Department is custodian of data files (the Requested Data) that mirror the data files the Moscow Police Department accessed once placed on their exchanged hard drive and only the City of Moscow is the custodian of those reviewed, organized, and comprehensible data files related to any and

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all content sourced from the Victims' cellular phones.

29. On information and belief, the Respondent is custodian of a digital file(s) it cannot access. It does not know what the data file(s) contain and cannot identify or review the records requested. Only the City of Moscow Police Department has the extracted files of the sourced cellular phone(s) data in a format accessible and organized and all same or similar public record requests to the City of Moscow have been denied as the Requested Data is protected by Idaho law for public disclosure.

30. The Requested Data is overly broad and unidentifiable and impossible to review for applicable exemptions or appropriate redactions, rendering the requestors' requests invalid. RCW 42.56.080(1)(a).

31. Responsive deadlines and responses otherwise required of Respondent do not apply in this case; they cannot be held to disclosure or response deadlines following over-broad requests for records that they cannot access, identify, or review to determine if disclosure of the data will violate the rights of the victims, Petitioners or third-parties. Nor can the City determine what redactions are necessary.

32. The overly broad and unidentifiable Requested Data is raw mobile-forensic data belonging to crime victims, which are essential to protect as part of a public custodian's stewardship duty to such records, and would highly offend a reasonable person and cause the Petitioners irreparable harm and extreme and emotional distress with trauma and physical manifestations if released; requestors or members of the public, once in that domain, could foreseeably obtain software or the forensic tool to access the raw Requested Data, without ever having been reviewed or analyzed by the custodian, the Respondent,

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and such data contains information that is private to the Victims, the Petitioners, and other unidentifiable third-parties, and, therefore, the Respondent should be temporarily and permanently enjoined from releasing the Requested Data.

VI. CAUSES OF ACTION

CLAIM 1: Declaratory Judgment Pursuant to Chapter 7.24. RCW

Petitioners re-allege and incorporate by reference all previous allegations contained in this Complaint.

Declaratory Judgment is appropriate in this case because all the elements set forth in Chapter 7.24 RCW are met:

1. There is an actual, present, and existing dispute;
2. Between parties having genuine and opposing interests;
3. Which involves direct and substantial interest that;
4. Necessitate a judicial determination of which be final and conclusive.

Petitioners are entitled to prompt disposition of this matter under the Public Records Act of Washington (PRA)(RCW 42.56) and the Uniform Declaratory Judgments Act (RCW 7.24) because the release of the Requested Data will cause Petitioners irreparable harm. Disclosure of these crime victims' private and personal records and data, which also contain personal and private information of Petitioners, would constitute an unwarranted invasion of privacy and would cause Petitioners immediate and substantial harm. It is therefore necessary to clarify by judicial declaration that the Requested Data at issue are exempt from disclosure under the PRA.

CLAIM 2: Injunctive Relief Pursuant to Chapter 7.40 RCW, 42.56.050 and 42.56.540

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Petitioners re-allege and incorporate by reference all previous allegations contained in this Complaint.

This Court has jurisdiction to enjoin release of public records exempt from disclosure if their release would “clearly not be in the public interest and could substantially irreparably damage any person...”. RCW 42.56.540.

The release of the Requested Data not already provided to requestors will be highly offensive, and protected personal private information is of no legitimate concern to the public. RCW 42.56.050.

The Requested Data is clearly not in the public interest and could substantially irreparably damage Petitioners.

CLAIM 3: Constitutional Right to Privacy

Petitioners re-allege and incorporate by reference all previous allegations contained in this Complaint.

Article 1, Section 7, of the Washington State Constitution prohibits an individual’s affairs from being disturbed. The United States Constitution also grants individuals the fundamental right to privacy.

Petitioners have a reasonable expectation of privacy in the Requested Data because it is personal and PPI information to likely include, but not be limited to, all deleted content, all apps and their related activity including financial and health data, all electronic transactions occurring through the mobile device, all photos including those with third-parties or others who did not consent to public release, all messages including SMS communications and WhatsApp which presumably include communications of the Victims, Petitioners, and third-parties who did not

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consent to public dissemination of their communications, videos, and all emails including presumably the Victims' university-issued email communications which are also subject to dissemination restrictions pursuant to the privacy protections afforded students by the Family Educational Rights and Privacy Act (FERPA).

The PPI includes information and communications of Petitioners, and they have not consented to its disclosure.

The PRA does not override constitutional protections. Releasing the Requested Data at issue would serve no viable legitimate public interest and would violate Petitioners' constitutional right to privacy. Release should therefore be enjoined.

Claim 4: Inaccessible and Unidentifiable Records are Broadly Problematic

Petitioners re-allege and incorporate by reference all previous allegations contained in this Complaint. Washington requires a public record request to "for identifiable records. A request for all or substantially all records prepared, owned, used, or retained by an agency is not a valid request for identifiable records." RCW 42.56.080(1)(a). The Respondent is unable to access the Requested Data and begin their statutorily required review of the request. Without being able to access the digital file(s), they are unable to identify or review the Requested Data for applicable exemptions and statutorily recognized privacy interests and cannot provide timely responses or records if a request is invalid and, thereby, render Respondent relieved from responsive deadlines.

Claim 5: Respondent has no Duty to Create a New Responsive Record

To provide the Requested Data would necessitate the Respondent to create a new and otherwise non-existent record in their file(s), duplicative of what the City of Moscow Police Department created as part of their investigation, but without the investigative insight of a

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relevance metric to sort and organize. The Respondent has not done so, nor are they required to. RCW 43.105.355; RCW 40.14.026; WAC 44-14-04003(6). “When a requestor requests records in an electronic format, the public records officer will provide the nonexempt records or portions of such records that are reasonably locatable in an electronic format that is used by the (name of agency) and is generally commercially available, or in a format that is reasonably translatable from the format in which the agency keeps the record.” WAC 44-14-50(1)(2). Similarly, Respondent has no duty to purchase software or forensic tools or any related user training programs for staff to access the Requested Data and perform subsequent necessary reviews and analysis prior to any disclosure(s). WAC 44-14-50(3).

Release should therefore be enjoined.

VII. PRAYER FOR RELIEF

WHEREFORE, Petitioners respectfully request that the Court grant the following relief:

1. A Declaratory Judgment that the records in question are exempt from disclosure under the PRA’s exemptions established by RCW 42.56.050, as well as the constitutional provisions of the State of Washington and the United States and all other applicable law(s).
2. A Declaratory Judgment that the City of Walla Walla, as a matter of law, is prohibited from making available for public inspection or release as to the Requested Data in question.
3. A temporary restraining order and preliminary and permanent injunctions under Chapter 7.40 RCW and RCW 42.56.540 barring the Respondent from producing the Requested Data in question.
4. Leave to freely amend the pleadings to conform the evidence.
5. Such other and further relief as the Court deems just, proper, and equitable.

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RESPECTFULLY SUBMITTED by Co-Counsel this 23rd day of September, 2026.

/s/ Erin Tomlin

ERIN TOMLIN, WSBA No. 57973
Attorney for Alivea Goncalves, Co-Petitioner

/s/ Leander L. James

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Attorney for the following Co-Petitioners:
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James Chapin
Stacy Chapin
Maizie Chapin

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