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February 9, 2009

*Sent via US Mail and facsimile to (509) 924-2102*

Steven J. Tucker  
Spokane County Prosecuting Attorney  
1100 W Mallon Ave  
Spokane, WA 99260-2043

Re: **Charges Filed Against Eileen Jensen of Post Falls, Idaho and the Sad Death of Her Daughter Chloe**

**Charges Not Filed in the River Park Square Parking Garage Death of Jo Ellen Savage in April 2006**

Dear Mr. Tucker:

You filed charges against a distraught mother, Eileen Jensen of Post Falls, Idaho, whom you say was responsible for the death of her baby child, Chloe. She is grieving, grieving every second of the day. She will grieve for her daughter and trouble herself for her daughter's death for the rest of her life. Yet, one must suppose you have convinced yourself that this young woman has to be taught a lesson. And, that she has to be charged as a criminal with a crime for the death of Chloe.

Yet, years have gone by and you have not filed charges against the persons responsible for the death of Jo Ellen Savage at the River Park Square Parking Garage in April of 2006.

You seem to have no sense of proportion with respect of the criminal action against Chloe's mother, and your non-action regarding those responsible for the death of Jo Ellen Savage at the River Park Square Parking Garage in April of 2006.

You say a 24 year old mother should be criminally charged with the death of the

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daughter she loved. At the same time, you say, by your silence and inaction, that people who knew their parking garage posed a danger to thousands who parked in the garage on a daily basis from all over the region, are somehow better than Chloe's mother and should be protected from the justice system.

You have not charged them. You have facts enough to charge them.

You and the judges of the Spokane County Superior Court, at the very least, have enough information to call for a grand jury to look into whether there are criminal implications regarding the death of Mrs. Savage. Yet neither you nor the judges of the Superior Court act.

Why is this so? Am I missing something? And, if I am, just what is this something I am missing?

You have specific information that the owners of the RPS garage knew that the spandrels which were to provide protection, like the Chloe's car seat, but did not. More important, the owners of the garage knew that many of the spandrels had failed in the past and may have been improperly constructed.

The spandrel which broke upon the slight impact of the Jo Ellen Savage's Subaru was improperly constructed besides not capable of serving as a protective barrier to prevent cars from falling off the parking deck of the garage. The rebar running perpendicular to the curve of the spandrel was near the outside of the surface of the spandrel, not the center. Obviously, the spandrel would fail upon impact.

Anyone could know that. One does not even have to be a civil engineer working with concrete to know that.

The owners knew of this defect in the spandrels, spandrels had failed in the past. A spandrel failed in 1999 and the owners covered up the event.

Where is your heart Mr. Tucker? Where is your sense of proportion, where is your sense of civic responsibility? Where is your courage? Where is your sense of justice?

What do you really think your responsibilities are? To charge the little person for a single mistake but not charge the big person for a negligence which was studied, repeated over the years, which put thousands of people (our young people of the region going to movies or dinner at the shopping mall – people a few years older than baby Chloe) at risk and which finally caused the death of an innocent person who just wanted to have a pleasant afternoon shopping in Spokane.

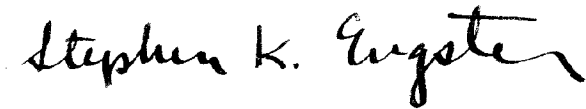
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My God, Mr. Tucker, what sort of person are you?

You are not fulfilling your responsibilities as the Spokane County Prosecuting Attorney.

What you are doing and not doing is a nightmare.

Very truly yours,

A handwritten signature in black ink that reads "Stephen K. Eugster". The signature is written in a cursive, flowing style.

Stephen K. Eugster