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**SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY**

STATE OF WASHINGTON

CAUSE NO. 23-1-00520-3

Plaintiff,

vs.

DECLARATION FOR DETERMINATION OF  
PROBABLE CAUSE  
(ADPC)

IVEY MARIE LEWIS

AKA

DIVINE RY CHEV

DIVINE RYE CHEV

IVY MARIE LEWIS

Defendant.

DOB: 12/28/1997

LISA WAGNER declares under penalty of perjury:

That I am a deputy prosecuting attorney for Pierce County and I am familiar with the police report and/or investigation conducted by the TACOMA POLICE DEPARTMENT, incident number 2304301657;

That the police report and/or investigation provided me the following information;

That in Pierce County, Washington, on or about February 12, 2023, the defendant, IVEY MARIE LEWIS, did commit the crimes of Murder in the First Degree / Murder in the Second Degree.

On February 12, 2023, at approximately 1935 hours, Tacoma Police Department officers responded to an apartment complex at 3202 S Mason Avenue in Tacoma regarding a welfare check. The officers were dispatched based upon a 911 call that provided the following information: ALL SECONDHAND INFO THROUGH RP'S FRIEND... 10 AGO, RP'S FRIEND WAS AT LOC, AND A 3 YO CHILD WAS UNRESPONSIVE... CHILD WAS COLD TO THE TOUCH, UNK IF STIFF... MOTHER AT LOC: LEWIS, IVY ... NO DATING RELATIONSHIP, JUST A REGULAR FRIEND TFD IS QUESTIONING... MOTHER AT LOC CALLED RP'S FRIEND, ASKING FRIEND FOR HELP... FRIEND FOUND THE CHILD LIKE THIS, TOLD MOTHER TO CALL 911, AND LEFT...

1 Officers arrived and contacted the single adult in the residence, identified as defendant  
2 IVEY MARIE LEWIS. The defendant quickly stated that her son was in the bedroom,  
3 unresponsive. When officers got in the bedroom, they could see a young child, identified  
4 as three year old P.L., lying flat on his back with his knees slightly bent. They saw that  
5 he had multiple bruises on his face that appeared to be fresh. The victim's face was  
6 discolored, bruised, and had obvious burn marks on the entirety of his face. Officers  
7 also observed cuts on the victim's face. There was a second small child, later identified  
8 as one year old J.W., seated on the bed next to the victim's body. Officers picked up  
9 J.W. and handed him to the defendant and asked her to wait in the living room.

10 Officers placed victim P.L. on the floor and attempted to perform CPR. However, it was  
11 quickly obvious that rigor mortis had set in. The victim was very stiff and there was no  
12 pulse. Officers noted that he had on an oversized black hooded sweatshirt, but nothing  
13 underneath. As they performed CPR, the officers noted that the victim had small scabs  
14 on his midsection. While the officers were trying to provide medical aid to the victim,  
15 the defendant mentioned that her son ran into the wall multiple times and hit his head.  
16 She said he did that regularly. The defendant also stated that her son was sleeping next  
17 to the heater when she found him unresponsive. She said she carried him to the  
18 bedroom prior to police arrival. It should be noted that the living-room heater was on  
19 maximum when the officers arrived at the residence, and the apartment was so hot that  
20 one of the officers reported that it was difficult to breathe inside. Tacoma Fire  
21 Department arrived on scene and called the victim's time of death at 1956 hours.

22 Detectives examined the victim's body more closely and noted that the victim had  
23 obvious trauma to the front of his head, to include swelling above the eyebrows,  
24 possible bruising towards the crown of his head, and suspected blood around his mouth  
25 and nose area. There was also a large area on the left side of the face which appeared  
26 to be a burn. The victim's left ear appeared to be injured, and suspected blood was  
visible near the top of his ear. On the lower torso, detectives observed marks which  
appeared consistent with being struck with an object. The marks were approximately  
three inches long with a loop at one end. There were multiple similar marks of this type  
which were different colors and shades, indicating that the injuries were likely inflicted at  
different times.

When the black sweatshirt was moved from the victim's upper body, detectives  
observed multiple wounds to the victim's chest, sides, arms, and legs consistent with  
being stuck with an object. The victim also had what appeared to be fresh injuries to his  
upper buttocks and back. There were multiple areas where the victim's skin was red and  
appeared to be burned. There were also injuries with the same loop pattern which were  
observed on his legs and chest. It was also noted there were several small marks on the  
victim's chest, which appeared to coincide with an electronic shock device (taser)  
located on the kitchen table. The device was square with two metallic prongs on one  
end which create an electronic connection. The marks seen on the victim's chest  
appeared to match the end of those prongs.

Detectives discovered a red substance on two walls of the second bedroom (referred to

1 as the playroom). The substance was consistent with dried blood spatter. The living  
2 area and kitchen of the residence were both dirty and did not appear to be well kept.  
3 There were multiple dirty dishes in the kitchen and what appeared to be a partially eaten  
4 meal on the stovetop.

5 A search of the bedroom where the victim was located yielded a black electrical cord  
6 that had been tied at one end and had multiple loose wires at the other end. There were  
7 also at least two loops in the wire that appeared to coincide with the loop shaped  
8 injuries on the victim's body.

9 While the officers were still on scene, the 911 caller, identified as J.P., contacted one of  
10 the officers and said that he was the one who called. He reported that he and the  
11 defendant were friends, and said that he went to the defendant's apartment after the  
12 Superbowl to "hang out." He knocked on the door, which was answered by the  
13 defendant. The defendant told him, "I think there's something wrong with [victim]. J.P.  
14 said he located the victim on the bedroom floor wrapped in a blanket. He noted that the  
15 victim was not responsive and appeared cold to the touch. He immediately yelled to the  
16 defendant to call 911, and then he ran to the nearby AM/PM to call 911 himself.

17 Detectives later interviewed the defendant following advisement of her Miranda rights.  
18 The defendant stated she was under supervision by Child Protective Services,  
19 indicating that victim P.L. had been in foster care from the time he was 10 months old  
20 until approximately six months prior to this incident. The defendant told detectives that  
21 she had stayed awake until 1 or 2 a.m. Sunday morning. She said that victim P.L. had  
22 been in the living room watching television while she was in her bedroom (the  
23 northernmost bedroom). The defendant reported that P.L. typically slept in the living  
24 room, while her one year old, J.W., would either sleep in the living room with P.L. or in  
25 the bedroom with her.

26 The defendant reported that she woke up at an unknown time during the day and put  
out a bottle of strawberry milk and a pastry for P.L. to eat. She later woke up again  
between 6:45 and 6:50 p.m. on Sunday and began cooking eggs for herself and P.L.  
The defendant said that it was at that time that she noticed that P.L. was in the living  
room, lying near the floorboard heater. She said that his head was turned toward the  
television (away from the floorboard heater) and was approximately 8-10 inches from  
the heater.

The defendant stated that she believed P.L. was asleep, but she was unable to awaken  
him. She picked him up and saw that his eyes were "fluttering", but he was  
unresponsive. She then carried him to the bathroom, where there was water in the  
bathtub, turned on the warm water, and placed his feet in the water to wake him up.  
When the victim failed to respond to the water, she moved him to the bedroom and laid  
him on the bed. The defendant said that it was at that time that J.P. arrived. She  
confirmed that J.P. entered the residence, moved to the bedroom, and found P.L.  
unresponsive and cold to the touch. J.P. then left and she remained at the residence  
where she was located by responding officers.

1 During the interview, the defendant said that prior to finding him unresponsive, victim  
2 P.L. only had a small mark under his eye, and a small injury to his nose. She denied  
3 seeing any severe injuries on his body prior to finding him unresponsive on the living  
4 room floor.

4 When asked about disciplining her children, the defendant replied that she typically  
5 made P.L. stand in the corner in "time-out" as punishment, and that she rarely "swatted"  
6 him on the butt or hand with her hands. Later in the interview, she admitted to previously  
7 hitting P.L. with a belt when she caught him and a female child "cuddling" together. The  
8 defendant denied ever using a cord or a hanger to strike P.L.

7 During the interview the defendant also stated her friend (J.P.) had been staying at the  
8 location off and on for approximately three weeks. The previous day (Saturday) they  
9 had argued, and she told him that he could not stay there any further. She said that J.P.  
10 used narcotics, including methamphetamine, and that she did not want that around her  
11 children. The defendant initially denied using narcotics other than marijuana, but after  
12 being confronted, she admitted to using methamphetamine several days prior.

11 When asked about any other adults who stayed at the residence, the defendant stated  
12 that J.P. was the only other adult who regularly stayed at the residence. However, the  
13 defendant later stated she had been seeing a male known only as "D", and said that he  
14 had spent time at the residence as well. She did not know his true name, and only  
15 knew him by his street name. The defendant then stated she believed she was currently  
16 pregnant, and that "D" was the father.

15 Throughout the interview with the defendant, she was unable or unwilling to provide  
16 information regarding other adults who might have had access to the residence, or were  
17 allowed to be with her children. She was unable to provide information for the 16-hour  
18 period of time leading up to her finding P.L. unresponsive. The defendant told  
19 detectives that she had not called 911 when she found P.L. unresponsive because she  
20 did not know what to do.

20 Detectives also conducted a more thorough interview of J.P. During that interview he  
21 stated that he had previously observed the defendant strike victim P.L. with an electrical  
22 cord. He explained that the defendant had the victim raise one of his arms and she then  
23 struck him in the side of the torso with the cord. J.P. reported that the defendant had  
24 been punishing the victim for urinating on a mattress that had been in the playroom (the  
25 second bedroom). After the urinating incident, the mattress was removed from the  
26 room, leaving the victim without a sleeping area.

24 The preliminary autopsy on the victim revealed that he suffered blunt force trauma to his  
25 head, which was identified as his cause of death. Blunt force trauma was found on the  
26 front, right side, and back of his head. The Medical Examiner declared that his manner  
of death was homicide. The full extent of the victim's injuries will not be known until the  
victim's autopsy is finalized and additional testing is done on his brain. Based upon the

1 investigation to date, the State anticipates filing an additional charge of Homicide by  
2 Abuse at a later time. Additionally, the defendant's one year old child, J.W., was later  
3 examined at Mary Bridge Children's Hospital. Medical staff advised J.W. had  
4 methamphetamine in his system. The State will likely file an additional charge against  
5 the defendant regarding J.W. once the State receives confirmation that he had  
6 methamphetamine in his system.  
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9 I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE  
10 OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

11 DATED: February 14, 2023.

12 PLACE: TACOMA, WA

13 /s/ LISA WAGNER  
14 LISA WAGNER, WSB# 16718  
15 Deputy Prosecuting Attorney  
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