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**STATE OF WASHINGTON
KING COUNTY SUPERIOR COURT**

BENTA DIAW,

Plaintiff,

v.

FRED STEPHENS, in his official capacity as Director of the Washington State Department of Licensing; WASHINGTON STATE COSMETOLOGY, BARBERING, ESTHETICS, AND MANICURING ADVISORY BOARD; VICTORIA KILE, in her official capacity as Chair of the Cosmetology, Barbering, Esthetics, and Manicuring Advisory Board; and DAVID KILE, ELAINE MONTALVO, MIRIAM BAUSCH, BERRY CROSBY, SR., SYLVIA GARCIA, BARRY BERNIER, and LEE ANNE FOURNIER, in their official capacities as members of the Cosmetology, Barbering, Esthetics, and Manicuring Advisory Board,

Defendants.

NO. 04-2-196198-1 SEA

DECLARATION OF TRUDIE TOUCHETTE

TRUDIE TOUCHETTE, under penalty of perjury under the laws of the State of Washington, deposes and says:

DECLARATION OF TRUDIE TOUCHETTE

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ATTORNEY GENERAL OF WASHINGTON
Licensing & Administrative Law Division
1125 Washington Street, PO Box 40110
Olympia, WA 98504-0110
(360) 753-2702

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1 That I am the Administrator for the Department of Licensing, Business and Professions Division, Professional Licensing Support Services. As part of my duties, I am responsible for the Administration of statewide licensing, education, examination, inspection, audit, and regulatory enforcement for the cosmetology profession.

2 That in researching the practice of braiding and its effect on the safety of consumers, the Department contacted several states;

3 That the Department found that some states license braiders. The requirements for a braider's license are between 300 and 450 hours of training and passage of a braiding examination. The number of individuals that obtained braiding licenses in those states has been low;

4 That all states that we contacted stated that they received a minimal number of complaints regarding natural hair braiders. Most of the complaints they received were related to unlicensed activity. However, they did receive a few complaints that were related to the loss of hair;

5 That the Department considers natural hair braiding to not include the following: haircutting, application of dyes, reactive chemicals, or other preparations to alter the color of the hair, or to straighten, curl, or alter the structure of the hair;

6 That it is the interpretation and the decision of the Director of the Department of Licensing that natural hair braiding does not and will not require a cosmetology or barbering license;

DECLARATION OF TRUDIE TOUCHETTE

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7 That there have not been any actions against natural hair braiders in Washington State in the past for unlicensed activity and there are no pending actions against natural hair braiders for unlicensed activity and/or for failure to obtain a cosmetology or barbering license;

8 That the Department has taken no action against the plaintiff for any unlicensed activity or otherwise required her to obtain a cosmetology or barbering license.

DATED this 20th day of September, 2004, in Olympia, Washington.

Trudie Touchette
TRUDIE TOUCHETTE, Administator

DECLARATION OF TRUDIE TOUCHETTE

ATTORNEY GENERAL OF WASHINGTON
Licensing & Administrative Law Division
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Olympia, WA 98504-0110
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