

A tragic irony occurs when an Englishman has to go to jail to defend rights guaranteed under the First Amendment to the United States Constitution, especially when an American judge misuses harassment laws to suppress freedom of speech. In findings (17 June 02) and (21 Jun 02), Judge James A. Doerty, Washington Superior Court, continued a pattern and practice of violating my constitutional rights and denying me due process of law as he has done since 19 April 2001.

Doerty fictionalized fact with vicious *ad hominem* attacks upon my character and my professional and academic achievements. I will neither dignify him with a response in this forum nor refute the allegations that he has made. A team of lawyers will address those concerns in a higher court.

Adolf Hitler proclaimed the Third Reich (15 March 33) and the Nazi regime arrogated dictatorial powers. Born London, England (31 July 33, 02:00), I arrived during the worst storm of that year. My mother clung to railings on the way to the hospital to avoid injury. Life has followed a tempestuous path ever since.

Born into a working class family with German and Jewish ancestry, I chose as role models: Winston Churchill (British statesman and journalist - 1874-1965); Mahatma Gandhi (Indian nationalist, lawyer, and spiritual leader who developed nonviolent disobedience - 1869-1948); George Orwell (British journalist who attacked totalitarianism and lobbied for social justice - 1903-1950); and, (Joseph) Rudyard Kipling (British writer and poet - 1865-1936, awarded the Nobel prize for literature in 1907). Kipling had a particular affect with his poems *If* and *The Reeds of Runnymede*.

These role models lived during my formative years and had a profound and lasting influence upon my life although in very different ways. In retrospect, I believe that I made wise choices. I feel grateful for the example of these men especially at this time when I again experience fascist pressure and suffer victimization like several of them.

I remember the influx of Jews into England and the 9,200 Kindertransport children rejected by the US Congress and all other countries except Great Britain. I remember the subsequent British Broadcasting Corporation (BBC) announcement (03 Sep 39) that Britain had declared war on Germany - probably in the same way that Americans remember Pearl Harbor.

More vividly, I remember some of those immigrants, my neighbors, and schoolmates, among the 90,000 civilian deaths that occurred in England at that time. I remember the cruelty and ostracism of other children toward me because of either my German or my Jewish ancestry - damned if I answered to Jew and damned if I answered to German.

Those personal experiences of fascism and my role models still play an important part in my life. I resolved many years ago to neither accept fascist ideology nor brutalization of people belonging to minority groups. I believe that my record shows that I have consistently followed those precepts before and during my recent incarceration and civil disobedience. Those experiences have made me stronger and increased my resolve to stand up to the fascistic behavior of both the Court and Council House directors and administrators.

I suffered the humiliation and degradation of spending 111 days in jail. I spent 67 days in maximum security with 25 days in solitary confinement, incommunicado. Jail authorities denied me telephone access to the attorney handling my appeal while I languished in isolation locked down 23 hours a day. I experienced living under the most cruel circumstances in the same unit as an accused serial killer/rapist, murderers, and other violent inmates. I can do it again if necessary but not by choice. Recidivists whom I interviewed in jail contrasted the jail with prison. They told me that they would much rather spend time in a less-severe federal or state penitentiary.

I know from that experience that I have the strength to continue my fight against injustice not only for myself but for a new constituency - the inmates that I interviewed while incarcerated, mostly people of color. I experienced for the first time the horror of authorities profiling and classifying me by my skin color and the principle of guilt until proven innocent. I will continue my efforts on two fronts: to further expose the abuse of residents and misappropriation of government funds at Council House and to use higher courts to establish the freedom of speech that I cherish.

It serves no useful purpose for me to remain in solitary confinement in King County jail. I have achieved my objective by forcing Judge Doerty to allow me due process of law and the right to legal counsel. The issues now await appellate action. Doerty has constructively recused himself in favor of Judge Palmer Robinson, Washington Superior Court. He stands in disgrace.

I have not taken down the web site as Council House propagandists and Gene Johnson, *Associated Press*, would have the public believe. Johnson's derogatory and unfounded articles have ricocheted around the world and have raised many ethical questions. I hold Johnson, Michael Roarke, *Seattle Post-Intelligencer*, and Christine Lagorio, *The News Media and the Law*, among others, responsible for this calumny. They all maliciously reported what Doerty and Council House propagandists said without verifying sources or fact-checking.

The resultant libel has now become a matter of worldwide concern. Their publishers hold ultimate responsibility for repeatedly disseminating false and misleading information about my professional and academic credentials without giving me an opportunity to refute them. Louis D. Boccardi, President and CEO, Associated Press, Roger Oglesby, Editor and Publisher, Seattle Post-Intelligencer, also, Lucy A. Dalglish, *The News Media and the Law* (RCFP), evade the issues by feigning that they cannot identify the libel that their reporters wrote and which they published. They only have to read *Contra Cabal* to find out.

I believe in the rule of law. I also believe that when the three branches of government fail in their responsibilities then the Fourth Estate must fill the gap. Moreover, I believe that individuals have a right to use non-violent civil disobedience under those circumstances. I have disobeyed an unlawful court order and have practiced non-violent civil disobedience. Like-minded journalists, and individuals who also value their freedom of speech, have catapulted the details of my actions from obscurity into the glare of international scrutiny.

I have no right to fritter that support away selfishly. I believe in due process of law and not “trial by press.” I have made an ethical stance by defying an unlawful court order. Now the lawyers must take over while I return to publishing the remainder of the essays that I have put on hold while in jail for almost four months. I will not undermine their efforts by creating diversions that could persuade the appellate court that I lack seriousness in my pursuit of justice.

Ironically, nothing much has changed. Readers can find the original site mirrored at several locations in its entirety. In particular, the names, addresses, and telephone numbers of Council House directors, with publication so vehemently opposed by Doerty, appear at a variety of other web sites. I have revised the web site to comply with the court order. Resisting a moot order serves no useful purpose.

Doerty’s censorship has resulted in making the information more readily available. It continues to proliferate. My incarceration amounted to nothing but an exercise in futility for Doerty and a victory for First Amendment advocates. Success of contempt of court orders lies in coercion - Doerty failed to coerce me and has had constructively to recuse himself.

Washington Supreme Court (five judges) has unanimously decided that the appellate court must hear an appeal. This overrides the *ex parte* machination by Doerty and Council House that has denied an appellate hearing for more than a year. Professional associations and independent lawyers have begun to prepare *amicus curiae* briefs. This international web site contains new essays and the Washington web site remains unaltered since the stipulated court agreement (15 Nov 01).

I hope that those who have supported me will agree with my decision. It in no way means defeat. It merely represents a change from an ethical stance to a legal one. As always, I invite comment and rational criticism through the web site links.

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