

Mary Kay Becker (Court of Appeals) affirmed the findings of James A. Doerty (Superior Court) despite his constructive recusal when he became internationally notorious. Both decisions have allowed abuse to continue unabated while Council House directors and managers evade prosecution. The decisions now await review by Washington Supreme Court. Becker aspires to a seat on that court. [*Elder Abuse*]

Becker has shown how powerful people get what they want through deception, distortion, judicial compromise, and by demonizing their adversaries. She has shown that she plays in a team that draws its players from the Seattle jurisprudential cesspool. [*Superior Court Judges*] [*Court of Appeals Judges*]

Contrary to judicial codes, Becker condoned and affirmed *ad hominem* by Doerty and resorted to using it herself in court of appeals. Then, she used Bimbo Bingo - random selection of evidence - to support her politically motivated opinion. Jimbo rolls the balls while Bimbo fudges the numbers. [*Code of Judicial Conduct*]

Satire (irony) uses invective based upon reason to explore a proposition and state an opinion. Conversely, *ad hominem* consists of invective without logic that some people use to vent their spleen and to create a violent reaction - a genre proscribed by judicial codes that Doerty has used repeatedly. *Ad hominem* appeals to personal considerations instead of fact or reason required in judicial proceedings. [*Satire and Affect*]

Evidently, neither Doerty nor Becker understands the difference between irony and *ad hominem*. They merged definitions to persuade the public that irony incites violence. In a similar way, they commingled legal interpretation and construction to suit similar ends. [*Justice Delayed: Justice Denied*]

Council House directors and employees wrote hundreds of letters containing *ad hominem* and lies during three years of blackmail. They sent them to the victim, media, his Internet service provider, his professional associates, also his friends, and colleagues. They also filed false and misleading reports with government agencies and superior court. [*Examples*]

Doerty excerpted information from them and entered it into evidence without allowing cross-examination or rebuttal. He then posted that "evidence" on the Internet under his imprimatur. He also maliciously distributed it unsolicited to *ex parte* (for the benefit of Council House only).

Moreover, *sua sponte* (on a whim), Doerty sent copies of selected opprobrious documents to British Consul General and United States Citizenship and Immigration Services with the sole purpose of damaging the reputation and standing of a litigant. By that, he caused extensive, ongoing damage to a US permanent resident of almost forty years standing. He again contravened the judicial code which proscribes *ex parte* communication.¹

Doerty admitted similar *ex parte* communication with Judge Anthony P. Wartnik, husband to Lynn, a party to the action. With other *ex parte* contacts this shows a consistent pattern or practice of judicial misconduct that Becker evidently condoned. [*Court-Facilitated Terror*]

Judges and lawyers must conduct themselves by general standards which call for a consistently high level of moral and ethical behavior described in judicial canons. Becker has ignored those standards and knowingly affirmed *ad hominem* and perjury.

Judicial canons require Becker to inform authorities about Doerty's non-compliance with those canons and multiple unethical behavior. The indeterminate jail sentence that he handed down without benefit of legal counsel, affirmed by her general denial, condones his judicial misconduct and makes her the equivalent of an accessory after the fact.²

Her recent statement to *Seattle Post-Intelligencer* and *League of Women Voters* about effectiveness of disciplinary procedures for lawyers and judges ranks as either naïve, disingenuous, or blatantly hypocritical.

I do believe it [the current system for disciplining lawyers and judges] is effective. I served for several years as an alternate member of the State Commission on Judicial Conduct. The lay members of this commission are in the majority and add very useful perspectives in discussions about charges of judicial misconduct. The commissioners and their counterparts in the bar association take their jobs seriously and recognize the obligation of public accountability.

Becker became party to elder abuse by affirming the lies Council House placed on, and Doerty dredged from, the world wide web. He also entered suborned testimony into the record and disallowed rebuttal. He created multiple paradoxes through not following court rules for discovery and made unsubstantiated statements which amount to nothing more than judicial harassment. By that, he repeatedly contravened rules of judicial procedure.

Becker affirmed the suborned testimony and validated *ad hominem* attacks and unfounded accusations. She even repeated *ad hominem* in court during appellate oral argument. [*Court of Appeals - Opinion*] [*Washington Supreme Court - Petition for Review*]

A reasonable person will compare the declarations filed in court with published Council House propaganda on the Internet and recognize the similarities. That comparison will show how judges, lawyers, and Council House directors, used perjury, subornation, and conspiracy in a planned campaign to pervert justice and to cover up criminal acts. Becker alluded to that campaign during oral argument. [*The Scab Family*]

Judicial canons require judges to show patience, dignity, and courtesy toward litigants and lawyers.³ These examples of *ad hominem* and contradictory statements by Doerty, all excerpted from court records, show a pattern or practice of judicial misconduct. Doerty made many of them after the fact to try to justify his previous actions. The author has grouped them under subject

headings instead of chronologically to try to make some sense of the irrational and convoluted reasoning. Bracketed items either self-censor the author's name - which, by implication, Doerty precludes him from using - or contain comments for clarification.

First Amendment [Prior Restraint]

I have previously found that [his] self-proclaimed status as a journalist doesn't establish that he is in fact a *bona fide* journalist and investigative reporter or any other sort of legitimate media representative although he continues in the declaration in support of his position today to insist that he is. [Ironically, the opposing attorney referred to the journalist in oral argument as a "prolific writer".]

His own affidavit certifies he has no employer. He himself has testified here that he has no publisher and, frankly, no one is a journalist just because they say they are and that's really all the evidence there is to support a journalist claim. [*Defend Legitimacy of Freelance Journalists*]

The court orders in this case have been crafted to enforce the law and protect [his] rights to write and publish. He can write and publish in print or on the Internet, but he cannot invade the privacy of the Petitioners. [*Supreme Court - Petition for Review*]

There has never been an order of prior restraint against [him]. . . . This has never been a free speech case; it has always been a privacy case in which a harasser, employing the Internet among other techniques, has made the targets of his anger and very subjective forms of rage a group of people and some individuals. In pursuing his pattern he has disguised himself as a journalist; he is a poseur, a phony. [A content-based unsupported observation]

After all lesser sanctions and efforts failed, [he] was sent to jail until he complies or agrees to comply with the protection order. [He] is not in jail for something he did, but for something that he hasn't yet done. He has not removed the private information from his publications resulting in continued harassment of his victims and invasions of their right to be let alone. [*Solitary Confinement*]

[He] continues to insist that his activities are protected by his alleged press credentials. . . . he stated in open court, "I have been wrongfully incarcerated for . . . actions as an accredited member of the International Press Corps."

His alleged credentials have never been admitted into evidence. [Doerty refused to enter an international press card issued by International Federation of Journalists, Brussels, into evidence when requested to do so. IFJ with 500,000 members in 100 countries has since filed *amicus curiae* in support of the reporter along with ACLU.] [*Amicus Curiae*]

The Court held that [his] claim to be a *bona fide* representative of the press was bogus. That does not mean that freelance journalists are not protected by the press clause of the First Amendment but that [his] activities are not protected by his alleged press card. . . . apparently anybody can get a press card; whoever gave [him] his should be consulting their lawyers and their insurance carriers.

[The] order . . . restrains [him] from, "Posting on the Internet or to his web site, directly or indirectly, any personal identifying information, including, but not limited to the name,

address, phone number, Social Security number, or photograph of any current, former, or future staff member, resident, board member, or agent, including attorneys, of Council House. This [prior] restraint may be waived by any of the individuals described in the preceding sentence only by providing [him] with a written waiver which [he] shall file with the Court prior to posting such information. [*Prior Restraint*]

There have been some questions about how he can modify his web site from inside jail. [He] has so far refused to say whether he is his own web master or uses someone else. Whichever, there are ways he can comply if he wanted to starting with giving his ISP address and passwords to his lawyer, who could make arrangements with the web master to do it. We could set him up with a laptop and a modem from jail and he can do it himself, or I could let him out [of] jail temporarily to do it. [Options which Doerty coined after the fact.]

. . . First Amendment does not guarantee the press a right of special access to information not available to the public generally. In most situations, the law continues to regard the speech and press clauses in the same way.

. . . and indeed the fact that we're here at all suggests he is still obsessed and determined to act upon his obsession with Council House and its affairs which are essentially none of his business any way you look at it.

[His] attention to RCW 63 .30, which established that individuals have a protected private property interest in their name, and photographs of them, in images of them, and so forth. By using such information without permission, [he] is essentially infringing on a copyright.

If a book were published with copyright protected information in it, the courts could recall the entire printing. The petitioners may wish to consider pursuing a similar remedy directed at any future Internet publications. [Doerty infringed privacy rights and copyright during his election campaign when he exploited children by using more than thirty pictures of minors without permission.] [*Queer Connection*]

I know [he] is very concerned about copyright because all of his material is copyrighted. I hope that he will understand the analogy that a person's name and home address and private information about them has exactly the same protection by statute.

Waiving your copyright and letting somebody else publish this stuff would constitute a violation if it's got this prohibited information in it. [*Prior Restraint*]

That was my concern all along that this is one of those things where once the cat is out of the bag, the damage is done, and now that it's off the Internet, that's the most I can expect of [him].

Even under the authority of such broad powers, this Court has never ordered [him] to take down his web site. He has never been ordered to stop printing and distributing his newsletter. There has been no prior restraint.

The order means what the order says and that is, I don't want to see Steve M-tch-ll's name on that web site, I don't want to see the name of anybody outside of the legal documents. [M-tch-ll brought the cross-petition and his name appears in every legal document related to the case].

There are two parts that apply to the web site. The first was my specific requirements about editing names, personal identification, a selected category of people, past and present employees, board members and so forth. The second was whatever other ways might be subject to the order to clean up [censor] the web site.

I will accept his position that the article, particularly the two we have been talking about-- rather the one that was written prior, "Ethnic Eviction Shenanigans" was entered prior to the entry of the restraining order. [*Tall Structure Terror - Reprise*]

I believe you have the right to have the web site and be as critical as you want to of these proceedings and me. I'm an elected public official and you have the right to put stuff like that on your web site. [*The Scab Family*]

There is whole big thing about editing the files, but I suppose [he] is clever enough so he would put the information in an affidavit and file it and then it's still on a web site. I mean, he has got every right in the world to criticize me, I'm elected, he has every right to offer his criticisms about the nature of the debate with Council House. It's the antiharassment aspects of this I'm concerned about and how they effect the victims.

At each step of this as we have gone along, I have attempted to try to communicate to [him] my sense of minimum intrusion on his First Amendment rights and [he], I must say, is completely in my view or my experience unamenable to negotiation, settlement and compromise.

At the time this case first came before me I was a trial judge in the civil department. Since then, I have become the Chief Civil Judge which carries so many administrative duties that do not have the resources to try extended matters. If this case requires further attention here it will likely strain that limit and is therefore reassigned to Judge Palmer Robinson. [*Coercion and Constitutional Law - Lateral Arabesque*]

Vituperation [She Knows you Know]

Factually, the case is about a mean, old man who becomes vicious and threatening when he doesn't get his own way in the chronic disputes he has with employers, landlords, building managers, and neighbors.

He is a delusional man who believes in his own fantasies about himself - and his writing, full of conspiracy themes, reflect a further damaged personality.

At the last hearing there was also evidence that was presented that [he] may have some difficulties modulating his behavior because of years of chronic severe alcoholism.

May have difficulty modulating his behavior due to organic brain damage suffered as a consequence of his many years of chronic severe alcoholism. [*International Community Standards*]

This is a state court and a proceeding under a state statute governed by the state constitution. Not being an American, perhaps [the author of this essay] has difficulty in understanding this basic principle of a federal republic. . . . Factually, the case is about a mean, old man. . . . his anti-Semitic, misogynistic, homophobic lies . . .

When [he] disagrees with somebody, he goes after them with a vengeance. There is no such thing permitted in the world as disagreement with [him]..

[His] world view is that anyone who doesn't agree with him is biased.

. . . fears are entirely rational and well-founded. Given the way that [he] writes, talks about people, digs in like a bull dog to anybody that contradicts him.

He would wiggle and weasel and manipulate and we would be right back in here in court or in another court.

We see from his writings that he is intelligent and precise, if not factual or truthful. [He] once more manipulates vagaries and distortions to frame an issue

Since [he] likes to quibble, I want to be clear. A street is defined by the middle line running, down the center, whether it's painted on there or not, and street and avenue are the same for purposes of this order. . . . It's an awkward thing to spring on possibly map-challenged individuals at the last minute. Not everybody was in scouts.

I drive by Council House fairly frequently on my bike. I'm thinking about the block and the neighborhood, and as I recall across the street to the south is a school, elementary school.

. . . the business about going a hundred feet means if you happen to encounter one of the people that are covered by this protection order downtown or in some other neighborhood, it's your responsibility to turn around and walk away under this or, at least, to stay a hundred feet away. [Stay a hundred feet away from thousands of unidentified people].

Not being an American, perhaps [he] has difficulty in understanding this basic principle of a federal republic.

[He has] already demonstrated a certain amount of litigation ability and courthouse facility. We see from his writings that he is intelligent and precise, if not factual or truthful.

The Court believes that [he] knows what to ask for and how to ask, based on his history. [Unlike Doerty, this writer has read law for more than fifty years].

If the Petitioners don't like his anti-Semitic, misogynistic, homophobic lies, they don't have to read it. [*Queer Connection*]

Perjury and Subornation [Rampant Judicial Delusion]

. . . E-mails that we have been receiving from the cyber-creeps, as I call them, are the ones of great concern here. I cannot put these into the record, because they are under review by court security. E-mails are like cell phone messages. Law enforcement finds the sender every single time.

Since I am unable to place those E-mails into the record, I cannot use them as a basis for any additional contempt finding or any additional sanctions. [Doerty wants to send this writer back to jail for hundreds of offensive email messages that myriad people sent to his Internet guest book after he publicly solicited them?] [*Jiminy's Journal*]

. . . the fear expressed by the residents in current declarations and the escalation of threats brought about by cyber-creeps and web tabloids are grounds enough for another modification of this protection order.

[Doerty] My personal favorite is, "Your law school ought to refund your tuition money." In this category of E-mails, there's a lot of shrill invective from self-described investigative

journalists, who scurried to defend a perceived frontal assault on free speech without, ironically, doing any sort of investigating before mouthing off.

As to the new allegations in the declarations of [his] new article being pushed under apartment doors at Council House, I think that that sort of thing is not amendable to coercive contempt. It's a crime, and it should be prosecuted. [*Seattle Municipal Code*]

There are a number of people here in the audience and a number of people back at Council House who still feel uncomfortable even being in the same room with him. So I included that provision .

[He] prowled the halls of the building at 3:00 a.m. listening at apartment doors, investigating whether a resident might have a radio or a TV too loud or for other sounds he could write about. . . . A member of the public generally would not be permitted to sneak around the halls of a private residence in the middle of the night listening-at doorways so as to blare what they hear in a newsletter or web site, as the evidence conclusively proved [he] did when he was a resident at Council House. [*Life in a Seattle Squirrel Cage*]

. . . I hope you will give this fair and honest thought, that when reasonable people see the declarations from your victims at Council House, they determine that the Court's order protecting those victims is an appropriate order. Everybody that sees the victims' statements withdraws their criticism, First Amendment or otherwise. That has been the history of the publicity, it's been the history of the e-mails, and apparently the history of the British Consul. It's been everybody's history but yours. I'm sorry to say, you have confounded your right to free speech with other people's rights to live free of this kind of terrorism and harassment.

Incarceration [Solitary Confinement]

I want the record to be clear I'm inclined to put him in jail indefinitely until he edits that web site; and you can edit a web site from wherever, whether he does it himself or has a web master do it, he can do it from New York or wherever.

You are herewith remanded to the King County Jail and the Department of Adult Detention where you will be incarcerated indefinitely until you are in full compliance with this Court's order.

. . . . I don't understand how the internet provider who is not a party to this case could be brought in and the Court can decide that for itself, obviously. It seems it would be beyond the Court's jurisdiction to order an internet provider to do anything at this point. They have not had any chance to respond or participate even in these proceedings.

He can never repair the damage . This has cost the taxpayers in this county, I am sure, about \$30,000 just to house him in jail and process him here in court.

There has been some concern expressed because he is elderly. He is about the same age as the Vice President of the United States and many years younger than a number of his victims, at least one of whom was 86 when she died in hospice, trembling in fear of his harassment. [Cheney exercised his right to free speech when he publicly told a person with whom he disagreed to "Go fuck yourself". Perhaps this writer should use the same epithet to Doerty and Becker when they repeat the fantasy of a dying woman trembling in fear from an article she read voluntarily.]

There has been concern expressed that he is in solitary confinement. The Department of Adult Detention made that decision because this Court placed him on phone restriction. . . . If the phone on one of the jail dorms were turned off, it would infuriate the other inmates and [he] might get hurt. That's why the Department of Adult Detention has him in solitary confinement [with accused murderers and rapists]. [*Cruel and Unusual Punishment*]

Financial [Prior Restraint - SLAPP]

[He] lied about his financial resources.

He has over \$10,000 in his legal defense fund and as such, it appears that an award [of] attorney's fees would be both feasible for him as well as warranted for his continued lack of compliance with the antiharassment order.

If [he] has not complied with the part of the order that has to do with the personal information, the names and the addresses - and I might have seen a social security number, I'm not sure - by midnight tonight, he will be fined \$100 a day until the site is edited as specified or until there is another order.

. . . it's to [his] advantage to come back here early because the \$100 a day fines are definitely ticking along so at some point it's possible that if he is the beneficiary of that fund raising efforts, that those funds could be attached. I have no definite idea, but given his limited resources maybe he is judgment-proof. . . . I'm sort of the general persuasion you can't get blood out of a turnip and there have been ongoing financial sanctions that I suspect are not collectible.

. . . talking to the press is not an appropriate item of expense, which is being charged here for bringing a motion. I think you said in your order that they should have their fees for bringing the motion. Talking to the press is obviously not part of bringing the motion . . . [The opposing attorney tried to claim expenses for media contact.]

Harassment [Rampant Judicial Delusion] [The Scab Family]

Just to know that the organization [Council House] is on a web site is viewed as harassment but with some good reason, but I think in terms of trying to strike a balance between free speech and the antiharassment order that that's something they are going to have to live with. I suppose there is also the question of how much access the web site gets. I don't know, you never know. I had a web site last year and it was deplorable how many people didn't look at it. [*Contra Cabal* sites had more than 70,000 hits in July 04)]. [*Statistics*]

Specific Court findings that the content of [his] web site is harassment and that it is unlawful and that it violates both the statute and this court's order will essentially allow the internet provider to enforce the terms of it's agreement with [him].

We have to, in-the context of a show cause situation, look at both the conduct but we also have to look at the effects of the conduct on the victim . Given everything that's been going on, Mr . M-tch-ll and Council House could most certainly reasonably have been surveilled by having that kind of personal information put up on the web site, and on that basis I will find that [he] is in contempt. [M-tch-ll holds a directorship and acts as registered agent for Council House. His name appears in the public record of the Secretary of State.]

. . . *ad hominem, ad hoc, ad nauseam, ad infinitum.*

Becker concurred and affirmed this proscribed rhetoric without exception. Outrageous behavior for a public servant who receives more than \$100,000.00 a year in taxpayer funded salary as a Court of Appeals judge and aspires to a seat on the Washington Supreme Court. [*Examples*]

Doerty has not allowed lawyers to question, refute, verify, or validate, any of the preceding statements. However, he used them to send the writer to solitary confinement while denying him legal counsel. [*Solitary Confinement*]

One must attend a Doerty hearing to comprehend his duplicity and abysmal ignorance of legal history and both American and English law. Those laws preclude discrimination and call for equal justice notwithstanding race, color, creed, national origin, gender, age, or familial status.

Doerty accuses his victim of perpetrating what he may have suffered himself. He uses *ad hominem* to provoke a violent response. He uses fantastic statements to forestall self-defense then projects his own dysfunctional behavior onto his victims.

Nmesis.

1. *CJC Canon 3 (A). Adjudicative Responsibilities.*

(4) Judges should accord to every person who is legally interested in a proceeding, or that person's lawyer, full right to be heard according to law, and, except as authorized by law, neither initiate nor consider *ex parte* or other communications concerning a pending or impending proceeding. Judges, however, may obtain the advice of a disinterested expert on the law applicable to a proceeding before them, by amicus curiae only, if they afford the parties reasonable opportunity to respond.

2. *CJC Canon 3 (C). Disciplinary Responsibilities.*

(1) Judges having actual knowledge that another judge has committed a violation of this Code should take appropriate action. Judges having actual knowledge that another judge has committed a violation of this Code that raises a substantial question as to the other judge's fitness for office should take or initiate appropriate corrective action, which may include informing the appropriate authority.

(2) Judges having actual knowledge that a lawyer has committed a violation of the Rules of Professional Conduct should take appropriate action. Judges having actual knowledge that a lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question as to the lawyer's fitness as a lawyer should take or initiate appropriate corrective action, which may include informing the appropriate authority.

3. *CJC Canon 3 (A) . Adjudicative Responsibilities.*

(1) Judges should be faithful to the law and maintain professional competence in it. Judges should be unswayed by partisan interests, public clamor or fear of criticism.

(2) Judges should maintain order and decorum in proceedings before them.

(3) Judges should be patient, dignified and courteous to litigants, jurors, witnesses, lawyers and others with whom judges deal in their official capacity, and should require similar conduct of lawyers, and of the staff, court officials and others subject to their direction and control.

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