

FILED

SEP 18 1989

COMMISSION ON
JUDICIAL CONDUCT

BEFORE THE COMMISSION ON JUDICIAL CONDUCT
OF THE STATE OF WASHINGTON

In Re the Matter of:)	
)	
THE HONORABLE JOHN M. DARRAH,)	NO. 89-782-F-14, 89-784,
Judge, King County Superior)	89-796, AND 89-802
Court, C-903 King County)	STATEMENT OF CHARGES
Courthouse, 516 Third Avenue,)	
Seattle, Washington 98104,)	
)	

Pursuant to authority granted in Revised Code of Washington, Chapter 2.64 (Commission on Judicial Conduct) and the Commission on Judicial Conduct Rules (CJCR), and at the order of the Commission on Judicial Conduct, this Statement of Charges alleging the violation by The Honorable John M. Darrah of rules of judicial conduct is filed. The background and facts of the charges are set forth in the following paragraphs:

Background

(1) The Honorable John M. Darrah (Respondent herein) is now and, at all times hereinafter mentioned was a Judge of the Superior Court of the State of Washington in and for the County of King at Seattle, Washington.

(2) On June 15, 1989, Respondent was sent a letter from the Commission on Judicial Conduct informing him a Verified Statement was filed in accordance with CJCR 5(d) and the Commission was pursuing initial proceedings.

(3) Enclosed with the above-referenced communication was a Statement of Allegations.

Facts Supporting Charges

(1) On April 13, 1989, after receiving the verdict of the jury in State v. Steven Charles Spurgeon but before the jury was dismissed, The Honorable John M. Darrah, in open court, addressed the jury and, inter alia:

(a) Spoke out against the availability of fire arms in our society and the easy access citizens have to hand guns; and

(b) Exhorted the jurors to contact their legislators concerning such subject; and

(c) Urged a change in the law relating to ownership and possession of hand guns and asked jurors to contact their state legislators about the availability of fire arms in our society.

Basis for Commission Action

The Commission has determined that probable cause exists for believing that Respondent has violated Canon 2(A) and Canon 7(A)(4) of the Code of Judicial Conduct (CJC) which state as follows:

CJC 2(A)

A judge should respect and comply with the law and should conduct himself at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

Canon 7(A)(4)

A Judge should not engage in any other political activity except on behalf of measures to improve the law, the legal system, or the administration of justice.

Notification of Right to File Written Answer

In accordance with CJCR 7, the Respondent is herewith informed that he may file with the Commission a written answer to the charges contained in the Statement of Charges within fourteen (14) days after the date of service. If Respondent does not file a written answer, a general denial will be entered on behalf of Respondent. The Statement of Charges and Answer shall be the only pleadings required.

DATED this 18th day of September, 1989.

COMMISSION ON JUDICIAL CONDUCT
OF THE STATE OF WASHINGTON

By Esther Garner
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89-5-171