

FILED
JAN 21 1993
COMMISSION ON
JUDICIAL CONDUCT

BEFORE THE COMMISSION ON JUDICIAL CONDUCT
OF THE STATE OF WASHINGTON

In Re the Matter of)	
)	
Honorable Larry W. Larson)	No. 92-1340-F-37
Grant County Superior Court)	
Division and "C" Streets NW)	STATEMENT OF
P.O. Box 37)	CHARGES
Ephrata, WA 98823-0037)	
_____)	

This Statement of Charges is filed alleging violation by the Honorable Larry W. Larson of the Rules of Judicial Conduct pursuant to the authority granted in Chapter 2.64 RCW and Chapters 292-08 and 292-12 WAC, and at the order of the Commission on Judicial Conduct, the Commission having determined that Probable Cause exists to believe that:

I. BACKGROUND

The Honorable Larry W. Larson, Respondent herein was at all times discussed herein a Judge of the Grant County Superior Court.

II. FACTS SUPPORTING CHARGES

1. Judge Larson violated, without limitation, Canons 1, 2(A), and 5(A) of the Code of Judicial Conduct and Idaho Code 67-7034 by his personal conduct on or about July 25, 1992 at the mouth of Rockford Bay, Lake Coeur d'Alene, Kootenai County, Idaho. That

conduct includes, without limitation, the following:

a. Judge Larson was in physical control of a boat while under the influence of intoxicating liquor in Kootenai County, Idaho, in violation of Idaho Code 67-7034, on July 25, 1992;

b. Judge Larson was argumentative with the arresting officers and refused to give information regarding a container which he dropped into the water;

c. Judge Larson was argumentative with the arresting officers throughout the course of the boat inspection and subsequent arrest, which interfered with the course of their investigation;

d. Judge Larson stated to the arresting officers that he would give them \$200 if they would forget the matter;

e. Judge Larson used abusive language to the inspection team and attempted to pick a fight with Deputy J. Thackston during the course of the boat inspection;

f. Judge Larson sat in the driver's seat of the boat while the motor was turned on and continued to remain there even though warned by officers that such action was considered boating under the influence;

g. Judge Larson pretended to cooperate with the sobriety evaluations and would not exhale into the Alco Sensor III. He eventually registered a 0.20 BAC on the third attempt.

2. Judge Larson's conduct and information available to the Commission evidences a substance abuser.

3. Judge Larson ended his term as an appointed judge of the Grant County Superior Court on November 25, 1992. Respondent continues to perform judicial functions

as a judge pro tem.

III. BASIS FOR COMMISSION ACTION

1. The Commission on Judicial Conduct sent Respondent a Statement of Allegations on August 25, 1992. Respondent responded to the Statement of Allegations received by the Commission on September 11, 1992.

2. The Commission has determined that probable cause exists for believing that Respondent has violated Canons 1, 2(A), and 5(A) of the Code of Judicial Conduct (CJC) which state:

CANON 1

Judges Should Uphold the Integrity and Independence of the Judiciary

An independent and honorable judiciary is indispensable to justice in our society. Judges should participate in establishing, maintaining, and enforcing, and should themselves observe high standards of conduct so that the integrity and independence of the judiciary may be preserved. The provisions of this code should be construed and applied to further that objective.

CANON 2

Judges Should Avoid Impropriety and the Appearance of Impropriety in All Their Activities

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

CANON 5

Judges Should Regulate Their Extrajudicial Activities to Minimize the Risk of Conflict with their Judicial Duties

(A) Avocational Activities. Judges may write, lecture, teach, and speak on

nonlegal subjects, and engage in the arts, sports, and other social and recreational activities, if such avocational activities do not detract from the dignity of their office or interfere with the performance of their judicial duties.

3. The Commission also acts pursuant to WAC 292-12-030(1) in its belief that the Respondent suffers from a condition which seriously impairs the performance of his judicial duties.

IV. EXCULPATORY OR MITIGATING INFORMATION

Judge Larson reported his conduct, which resulted in his arrest in Idaho, to the Commission and cooperated by providing information requested by the Commission.

V. NOTIFICATION OF RIGHT TO FILE WRITTEN ANSWER

In accordance with WAC 292-12-030(5), the Respondent is herewith informed that a written answer may be filed with the Commission to the charges contained in the Statement of Charges within twenty-one (21) 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 21st day of January, 1993.

COMMISSION ON JUDICIAL CONDUCT
OF THE STATE OF WASHINGTON

David Akana

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