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COMMISSION ON
JUDICIAL CONDUCT

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BEFORE THE COMMISSION ON JUDICIAL CONDUCT
FOR THE STATE OF WASHINGTON

In Re the Matter of)	No. 93-1445-F-46
Thornton B. Hatter)	
)	STATEMENT OF CHARGES
)	
)	

This Statement of Charges is filed alleging various violations of the Code of Judicial Conduct by Judge Pro Tempore Thornton Basil Hatter, pursuant to the authority granted in RCW 2.64 and Washington Administrative Code Chapter 292, and at the order of the Commission on Judicial Conduct. The background and facts relating to the charges are set forth in the following paragraphs, and are based on the deposition testimony of Mr. Hatter during the investigation of this matter, and on statements and testimony developed or presented in the trial of State v. Hatter, King County Cause No. 92-1-06556-4.

I. FACTS SUPPORTING CHARGES

1. As detailed in Exhibits A-1 and A-2 hereto, on or about July 30, 1992, Mr. Hatter picked up a minor male, approximately twelve years of age, who was hitchhiking on Interstate 5. Mr. Hatter brought the youth to his residence, and thereafter permitted the youth to view sexually explicit adult videotapes, and masturbate, in Mr. Hatter's presence.

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BYRNES & KELLER
3816 FLOOR
1000 SECOND AVENUE
SEATTLE, WASHINGTON 98104

1 2. As detailed in Exhibits B-1, B-2 and B-3 hereto, on
2 an evening in April, 1985, the precise date of which is unknown to
3 the Commission, Mr. Hatter picked up a minor male, approximately
4 fourteen years of age, who was hitchhiking and brought the minor
5 to his home. In the course of speaking with the minor, Mr. Hatter
6 learned that the minor had, on that evening, intended to solicit
7 sex in exchange for money. Following that evening, Mr. Hatter
8 continued to have social contact with the minor.

9 On or about the evening of May 28, 1985, Mr. Hatter
10 drove to the Aurora Village Mall at approximately 9:30 p.m. and,
11 by prearrangement, met the minor identified in paragraph 2 above.
12 The minor entered Mr. Hatter's car, at which time they drove to a
13 restaurant where Mr. Hatter purchased a meal for the minor. Mr.
14 Hatter and the minor then drove around for some time, finally
15 stopping at a dead end road. Mr. Hatter turned off the car engine
16 and, thereafter, the minor removed his shirt, at which time Mr.
17 Hatter massaged the minor's back.

18 3. As detailed in Exhibit C-1 hereto, on or about
19 November 14, 1991, Mr. Hatter went to the residence of an
20 individual ("Individual") in Oregon who, according to Mr. Hatter,
21 owed him money. Mr. Hatter was accompanied on this trip by an
22 accomplice that Mr. Hatter had selected because of his large size
23 and intimidating appearance. Upon arrival, Mr. Hatter and his
24 accomplice threatened to have the Individual arrested, pursuant to
25 warrants Mr. Hatter believed to be outstanding on that Individual,

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1 if that Individual did not agree to enter Hatter's car and return
2 to Washington.

3 After the Individual entered Hatter's car, Hatter
4 displayed a stun gun for the purpose of intimidating, and
5 "mentally terrorizing" the Individual. Also as a means of
6 accomplishing this purpose, a set of handcuffs was displayed in
7 the car.

8 Upon returning to Seattle, Mr. Hatter picked up another
9 accomplice, and the four drove to Hatter's home. While there,
10 Hatter made statements intended to instill a fear in the
11 Individual that Hatter and the others would cause him harm.

12 Thereafter, the Individual managed to get access to Mr.
13 Hatter's telephone and call the 911 emergency number, following
14 which the police intervened.

15 II. BASIS FOR COMMISSION ACTION

16 4. The Commission has determined that probable cause
17 exists for believing that the Respondent has violated Canons 1 and
18 2(A) of the Code of Judicial Conduct, which state:

19 **CANON 1**

20 **A Judge Should Uphold the Integrity and
Independence of the Judiciary**

21 An independent and honorable judiciary is
22 indispensable to justice in our society. A
23 judge should participate in establishing,
24 maintaining, and enforcing, and should himself
25 observe, high standards of conduct so that the
26 integrity and independence of the judiciary
may be preserved. The provisions of this Code

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1 should be construed and applied to further
2 that objective.

3 **CANON 2**

4 **A Judge Should Avoid Impropriety and
5 the Appearance of Impropriety in
6 All His Activities**

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

12 **III. NOTIFICATION OF RIGHT TO FILE A WRITTEN ANSWER**

13 5. In accordance with WAC 292-12-030(5), the Respondent
14 is herewith informed that a written answer to the charges herein
15 may be filed within twenty-one days after the date of service. If
16 Respondent does not file a written Answer, a general denial will
17 be entered on his behalf. The Statement of Charges and Answer
18 shall be the only pleadings required.

19 DATED this 6th day of June, 1994.

20 COMMISSION ON JUDICIAL CONDUCT
21 OF THE STATE OF WASHINGTON

22 By David Akana

23 David Akana
24 Executive Director
25 P. O. Box 1817
26 Olympia, WA 98507

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