

FILED

AUG 22 1997

BEFORE THE COMMISSION ON JUDICIAL CONDUCT
OF THE STATE OF WASHINGTON

COMMISSION ON JUDICIAL CONDUCT

In Re the Matter of)
)
Honorable Ralph G. Turco)
Tacoma Municipal Court)
930 Tacoma Avenue South)
Tacoma, WA 98402)
_____)

No. 97-2451-F-66

STATEMENT OF CHARGES

Pursuant to authority granted in the Washington Constitution Article IV, Section 31, Chapter 2.64 RCW and Commission on Judicial Conduct Rules of Procedure (CJCRP), and at the order of the Commission on Judicial Conduct, this Statement of Charges is filed alleging violation by the Honorable Ralph G. Turco of the Code of Judicial Conduct, the Commission having determined that probable cause exists to believe the following:

I. BACKGROUND

1. The Honorable Ralph G. Turco (Respondent) is now and has been at all times referenced herein, a Judge of Tacoma Municipal Court.

2. On June 9, 1997, the Commission sent Respondent a Statement of Allegations pursuant to CJCRP Rule 17(e). Respondent provided a response to the allegations on July 1, 1997.

II. FACTS SUPPORTING CHARGES

1. Pursuant to a stipulation in CJC No. 92-1259-F-30, on October 2, 1992, the Commission censured Respondent for violating Canons 1, 2(A), 3(A)(1), 3(A)(2), 3(A)(3) and 3(A)(4) for deciding a

(A)

municipal court traffic case on the basis of a coin toss. Respondent agreed not to repeat such conduct in the future.

2. Pursuant to a stipulation in CJC No. 94-1853-F-54, on December 1, 1995, the Commission admonished Respondent violating Canons 1, 2(A) and 3(A)(3) for making injudicious comments in regard to two domestic violence matters, as well as statements that Respondent agreed could be misconstrued as disrespect for domestic violence laws and lack of concern for domestic violence victims, which disrespect and lack of concern Respondent agreed he did not intend. Respondent agreed not to repeat such conduct in the future.

3. On Friday, December 8, 1995, Respondent and his wife attended a dinner and play at Wells Hall at the Christ Episcopal Church at 310 North "K" Street, Tacoma, Washington.

4. Upon entering the church, Respondent and his wife exchanged words in argument.

5. During this exchange, Respondent intentionally struck or pushed his wife, causing her to fall to the floor.

6. This assault took place in a public setting where witnesses were present.

III. BASIS FOR COMMISSION ACTION

On August 1, 1997 the Commission determined that probable cause exists to believe that Respondent violated Canons 1 and 2(A) of the Code of Judicial Conduct.

The Code of Judicial Conduct provides in pertinent part:

CANON 1

Judges shall 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 high standards of judicial conduct, and shall personally observe those standards so that the integrity and independence of the judiciary will be preserved. The provisions of this Code are to be construed and applied to further that objective.

Comment

Deference to the judgments and rulings of courts depends upon public confidence in the integrity and independence of judges. The integrity and independence of judges depends in turn upon their acting without fear or favor. Although judges should be independent, they must comply with the law, including the provisions of this Code. Public confidence in the impartiality of the judiciary is maintained by the adherence of each judge to this responsibility. Conversely, violation of this Code diminishes public confidence in the judiciary and thereby does injury to the system of government under law.

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 act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

IV. ANSWER TO STATEMENT OF CHARGES

In accordance with CJCRP Rule 20(a), Respondent shall file a written answer with the Commission and serve a copy on disciplinary counsel in this matter, Curtis M. Janhunnen of Brown, Lewis, Janhunnen & Spencer, 101 East Market Street, Suite 501, Post Office Box 1806, Aberdeen, Washington, 98520, within twenty-one days after

service of the Statement of Charges. As provided by CJCRP Rule 21(a), failure to answer shall constitute an admission of the factual allegations.

DATED this 22^d day of August, 1997.

COMMISSION ON JUDICIAL CONDUCT
OF THE STATE OF WASHINGTON

By: David Akana
David Akana
Executive Director
P.O. Box 1817
Olympia, WA 98507