

APPENDIX C

DOCUMENTATION OF AN INSTANCE OF A PATTERN OF MALICIOUS DOJ/FBI ACTION

(This appendix documents an arrest record that clearly illustrates an instance of a practice that is, without question, malicious. I allege that this is part of a regular pattern, a standard operating procedure or 'best practice' within the DOJ. The evidence for that allegation, direct and circumstantial is substantial, but not presented here – however do consider that such a pattern would likely be necessary for an incident like this to have occurred in the first place.)

Page 1 is the indicting complaint under RCW (Revised Code of Washington) **10.14.170**, violation of a (contested) restraining order, issued May 26, 1994.

Page 2 The FBI arrest record, filed under **10.99.040(4)**, *Domestic Violence*, 2 counts, 5/25/94.

Page 3 is the arresting Officer's citation, as **10.14.170**.¹

Page 4 is the Officer's detailed documentation, from the same date.²

Page 5 is the Superior Court Judge's Opinion overturning the matter, with prejudice, on the basis of lack of evidence as I was registered for the class. The Judge is no longer with the County, promoted, I believe in retrospect due some of the local quality DOJ officials prior to Bush II.

Page 6 is the Court's documenting implementing the Judge's finding.

Page 7 is the Washington State Patrol's expungement of the arrest.

¹ Note that my employer is listed as King County Department of the Environment. This should be Development and Environment Services, the controversial permit department for the County, part of the larger corporate body that would prosecute me. I was working in an IT support, in a lead production capacity with a team of three, including the programming of work flow tools used by the team – creating the first digital zoning for the unincorporated (and rapidly developing) County – built upon the first digital parcel map, a project I completed as a grunt. Note also that I was a class member of the precedent setting 'permatemp' class action law suit (I'm recalling it as Logan v. Knox), filed roughly concurrently with a suit against Microsoft (suburban Redmond, in the County) by the firm Bendich, Stobaugh and Strong.

² Note that the details correctly correspond with the citation listed on the first page. Note that the officer states I was not registered for the class, nor that I informed him I was, and does make numerous allegations about my behavior consistent with this misrepresentation. (It is true that I was upset and did use the word 'rape', an 'equal justice' allegation I have become more experienced at making after this first attempt.) Notably, the officer claims that the Professor told him I was not registered for the class, patently false (I forget the specific title for the format I was using, a pass/fail audit with a single credit.) and that he was not aware of the restraining order – which, curiously be true, though I thought he was in my indirect discussion regarding my intent in taking the class in the context of the underlying conflict. Please note that the Department Chair, a 'silent' party to the anti-harassment order, was a close associate of the Professor who would resign from the University within a year or so. Note further that the Chair was infamously known for doing the economic impact study for King County's 'Kingdome' a project that was demolished prior to paying of its bonds, bonds issued via the firm Preston, Gates, and Ellis, also known for controlling the Microsoft Corporation as well as a number of other accusation related activities. Lastly, I **recall** that the second Officer, Bannister, expressed some sympathy when we bumped into each other later after Officer Mah was no longer with the Department. My civic and political involvement outside of work, within the City of Seattle was substantial and served the public interest with integrity, including opposing the conservative City Attorney, Mark Sidran whose archives insinuate I am anti-Semitic for investigating his connections via the Jewish community, including a third professor in the department, a wacko Jewish son of an OSS officer who insinuates he's with the Moussad.

1 UW Graduate School Incident

2
3
4 DISTRICT COURT
5 KING COUNTY, STATE OF WASHINGTON

6 STATE OF WASHINGTON,)

7 Plaintiff,)

NO. 27501

8 v.)

COMPLAINT

9 Douglas Tooley)

10 Defendant.)

11
12 COUNT

13 I, Norm Maleng, Prosecuting Attorney for King County in the name and by the authority of the
14 state of Washington do accuse the defendant of the crime of Violation of Anti-Harassment
committed as follows: Order

15 That the defendant in King County, Washington, on or about 5-25-94,
16 having had actual notice of the existence of
a CIVIL anti-harassment order issued by a
17 court of competent jurisdiction did ~~contact~~ come within
100 ft. of Aaron Gillis + Timothy Hughes work place without being registered
18 in violation of said order. for a class at
University of WA.

19 Contrary to RCW 10.14.170, and against the peace and dignity of the state of
Washington.

20 NORM MALENG
Prosecuting Attorney

21 Date: 5/26/94

22 By

23 Deputy Prosecuting Attorney

24 The above-signed deputy prosecutor does certify, under penalty of perjury, that he has reasonable grounds
25 to believe, and does believe, that the defendant committed the offense, contrary to law.

26 Complaint

NORM MALENG
Prosecuting Attorney
W554 King County Courthouse
Seattle, Washington 98104
296-9000

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THE ARRESTS LISTED MAY HAVE BEEN BASED ON PROBABLE CAUSE AT THE TIME OF ARREST OR ON A WARRANT. PROBABLE CAUSE ARRESTS MAY OR MAY NOT RESULT IN THE FILING OF CHARGES. CONTACT THE ARRESTING AGENCY FOR INFORMATION ON THE FORMAL CHARGES AND/OR DISPOSITIONS.

ARREST 1

DATE OF ARREST: 05/25/1994

NAME USED: TOOLEY, DOUGLAS L
 CONTRIBUTING AGENCY: WASPD0000 SEATTLE POLICE DEPARTMENT
 LOCAL ID: M475820 PCN: 000318035

ARREST OFFENSES	DISPOSITION
00469 NO CONTACT ORDER VIOLATION- PRECONVICTION	CONTRIBUTOR OR RESPONSIBLE AGENCY: WA017071J SEATTLE MUNICIPAL COURT
RCW: 10.99.040(4)	
DOMESTIC VIOLENCE MISDEMEANOR	STATUS: NOT RECEIVED
ORIGINATING AGENCY: WASPD0000 SEATTLE POLICE DEPARTMENT	
OIN: 940903433	
DISPO RESPONSIBILITY: WA017071J	
DATE OF OFFENSE: 05/25/1994	
COMMENT: 2 CTS	

=====

NO KNOWN DEPARTMENT OF CORRECTIONS INFORMATION

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GLOSSARY

CONTRIBUTING AGENCY: A LOCAL SHERIFF'S OFFICE, POLICE DEPARTMENT, JAIL OR CORRECTIONAL FACILITY THAT SUBMITS FINGERPRINT CARDS TO THE SECTION.

CONTRIBUTOR OR RESPONSIBLE AGENCY: THE AGENCY THAT SUBMITTED THE INFORMATION OR, PRIOR TO OCTOBER 1999, PRESUMED TO BE THE DISPOSITION REPORTER.

CONVICTION AND/OR ADVERSE FINDING SUMMARY: THE NUMBER AND TYPE OF CONVICTIONS AND/OR ADVERSE FINDINGS PERTAINING TO AN INDIVIDUAL. DETAILS ARE INCLUDED UNDER CRIMINAL HISTORY INFORMATION.

CUSTODY STATUS INFORMATION: CURRENT CUSTODY STATUS INFORMATION PROVIDED ONLINE BY THE STATE DEPARTMENT OF CORRECTIONS.

DISPOSITION RESPONSIBILITY: AN INDICATION OF THE PROSECUTOR, COURT, OR LAW ENFORCEMENT AGENCY WHICH MAY BE RESPONSIBLE FOR REPORTING THE DISPOSITION.

DNA SAMPLE: DNA SAMPLE AND TYPE, CONTACT WSP CRIME LABORATORY, CODIS, AT (206) 262-6020 IF OTHER CONTACT INFORMATION NOT AVAILABLE

DLO: DNA LOCATION

DOC NUMBER: WASHINGTON STATE DEPARTMENT OF CORRECTIONS NUMBER.

LOCAL ID: LOCAL IDENTIFICATION NUMBER USED BY CONTRIBUTING AGENCY.

NOT RECEIVED: DISPOSITION OF ARREST OFFENSES THAT HAVE NOT BEEN SUBMITTED TO THE WASHINGTON STATE PATROL IDENTIFICATION SECTION.

OIN: OTHER IDENTIFYING NUMBER. A TRACKING NUMBER ASSIGNED BY THE CONTRIBUTING OR ORIGINATING AGENCY.

ORIGINATING AGENCY: THE ORIGINAL LAW ENFORCEMENT AGENCY HANDLING THE CASE, WHICH MAY BE DIFFERENT FROM THE CONTRIBUTING AGENCY.

PCN: PROCESS CONTROL NUMBER USED BY CRIMINAL JUSTICE AGENCIES TO LINK ARRESTS TO DISPOSITIONS.

RCW: REVISED CODE OF WASHINGTON; STATUTE REFERRING TO ARREST OFFENSE OR THE CHARGE.

SEARCH PARAMETERS: REFERENCE INFORMATION USED BY SECTION STAFF.

SID NUMBER: UNIQUE STATE IDENTIFICATION SECTION RECORD NUMBER.

END OF RECORD

MRI: 48893 IN: MSNGR 7059 AT 02NOV2010 12:27:15

☐ INFRACTION ☒ CRIMINAL ☐ TRAFFIC ☒ NON-TRAFFIC

27501

☒ STATE OF WASHINGTON
☐ COUNTY OF KING
☐ CITY/TOWN OF SEATTLE

PLAINTIFF VS. NAMED DEFENDANT

INCIDENT # 94-903433

IN THE ☒ DISTRICT ☐ MUNICIPAL COURT OF SEATTLE

SEATTLE, WASHINGTON

STATE OF
WASHINGTON
COUNTY OF

KING

LEA
NCIC
NO

WA 0172400

COURT
NCIC
NO

WA 017013J

THE UNDERSIGNED CERTIFIES AND SAYS THAT IN THE STATE OF WASHINGTON
 DRIVER'S LICENSE NO. STATE. EXPIRES SOCIAL SECURITY NUMBER

NAME LAST FIRST INITIAL
 TOOLEY DOUGLAS L.

ADDRESS
 1505 NE 86TH / POB 85084

CITY SEATTLE WA STATE ZIP CODE EMPLOYER
 SEATTLE WA 98145 KING CO. DEPT. ENVIR.

SEX AGE DATE OF BIRTH HEIGHT WEIGHT EYES HAIR RESIDENTIAL PHONE NO
 M W 05-22-63 602 270 HAZ BRO 526-9668

VIOLATION DATE MONTH DAY YEAR TIME
 ON OR ABOUT 05 - 25 - 94 0945

AT LOCATION CITY/COUNTY OF
 SMITH HALL RM 404 UW CAMPUS SEATTLE WA

DID OPERATE THE FOLLOWING VEHICLE/MOTOR VEHICLE ON A PUBLIC HIGHWAY AND
 VEHICLE LICENSE NO. STATE EXPIRES VEH YR MAKE MODEL STYLE COLOR

TRAILER #1 LICENSE NO. STATE EXPIRES TR YR TRAILER #2 LICENSE NO. STATE EXPIRES TR YR

OWNER/COMPANY IF OTHER THAN DRIVER ADDRESS CITY STATE ZIP CODE

ACCIDENT BAC COMMERCIAL ☐ YES HAZARD ☐ YES EXEMPT ☐ FARM ☐ FIRE
 NO PD I F READING VEHICLE ☐ NO PLACARD ☐ NO VEHICLE ☐ RV ☐ OTHER

DID THEN AND THERE COMMIT EACH OF THE FOLLOWING OFFENSES/INFRACTIONS

1 VIOLATION/STATUTE CODE DESCRIPTION VEHICLE SPEED IN A ZONE ☐ RADAR ☐ PACE ☐ AIRCRAFT
 RCW 10.14.170 VIOLATION OF COURT ORDER

2 VIOLATION/STATUTE CODE DESCRIPTION

PENALTY/BAIL
 U.S. FUNDS \$ MANDATORY

APPEARANCE MO. DY YR TIME A.M. BOOKING DATE NOTICE
 DATE P.M. DATE 5-25-94 ISSUED

WITHOUT ADMITTING HAVING COMMITTED EACH OF THE ABOVE INFRACTIONS/OFFENSES I PROMISE TO RESPOND AS DIRECTED ON THIS NOTICE

I CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT I HAVE REASONABLE GROUNDS/PROBABLE CAUSE TO BELIEVE AND DO BELIEVE THE ABOVE NAMED PERSON COMMITTED THE ABOVE INFRACTION(S) AND/OR OFFENSE(S) CONTRARY TO LAW.

OFFICER MAH, S. NUMBER 4171
 BANNISTER, R 4077
 DATE 5-26-94 PLACE UW SEATTLE, WA

X BOOKED DIRECT
 DEFENDANT'S SIGNATURE

ABSTRACT OF JUDGEMENT	INFRACTION				COMPLAINT/CITATION				PENALTY		
	INF	RESPONSE	DISPOSITION	CRG	PLEA	CNG	FINDING	FINE	SUSPENDED	SUB-TOTAL	
1	C	NC	C NC D P	1	G NG		G NG D BF \$	\$	\$	\$	
2	C	NC	C NC D P	2	G NG		G NG D BF \$	\$	\$	\$	
								\$	\$	\$	
FINDING/ JUDGMENT DATE	TO SERVE				WITH DAYS SUSPENDED TIME SERVED				CREDIT FOR OTHER COSTS \$		
ABSTRACT MAILED TO OLYMPIA	RECOMMENDED NONEXTENSION OF SUSPENSION				LICENSE SURRENDER DATE				TOTAL COST \$		

WASHINGTON UNIFORM COURT DOCKET-COURT COPY
 WASHINGTON UNIFORM ABSTRACT OF COURT RECORD - DOL COPY
 WASHINGTON UNIFORM NOTICE OF INFRACTION-DEFENDANTS COPY

27501

OFFICER REMARKS (CONTINUED):

DISCLOSURE

☐ YES☐ NO

INCIDENT# 94-903433

On 25 May, 1994 at approx 0945 hours, COMP/Gill phoned UWPD to report SUSPECT/TOOLEY violating King County Anti-Harassment Order #94-1917 and 94-2222 with Gill and Nyerges as petitioners for the respective orders. I/Os arrived and contacted Gill and Nyerges in room 401 Smith Hall. Gill and Nyerges showed I/O copies of the court orders. A radio check verified the existence and service of the order on SUSPECT/Tooley. Gill gave I/Os a photocopy of order 94-1917, which I/O attached to the case file. Gill and Nyerges stated that Tooley is not registered for the class he is sitting in on in Room 404 Smith. Gill stated that to the best of his knowledge based on a student disciplinary hearing for Tooley, that Tooley is registered for one class in Smith Hall that meets only on Fridays. I/Os read the order which restrains Tooley from going into Smith Hall room 401, 402, or going within 100 feet of Gill's or Nyerges' work place unless Tooley was specifically registered for a class. Gill's and Nyerges' offices are next door to room 404 Smith Hall. I/Os contacted Tooley to inquire if he had registered for the class in 404 Smith Hall. Tooley became loud and irrational in the hallway outside room 404 Smith Hall. Tooley shouted that I/Os were fascist pigs and were trying to rape him. I/Os asked Tooley to calm down and lower his voice. Tooley would lower his voice and visibly attempt to control his anger, but would then explode verbally yelling at I/Os for harrassing him for his political power. I/Os arrested Tooley and verified with WITNESS 2/Morrill that Tooley was not registered for the class. Morrill stated that he had allowed Tooley to sit in the class, but had not been aware of the court order. Tooley advised I/Os that he was aware of the court orders and the restrictions. I/O Price transported Tooley to UWPD for processing. I/Os then transported Tooley to the King County Jail for booking.

WITNESS NAME LAST, FIRST, MI		CITY		STATE	ZIP
ADDRESS		CITY		STATE	ZIP
WITNESS NAME LAST, FIRST, MI		CITY		STATE	ZIP
ADDRESS		CITY		STATE	ZIP

SUBPOENA DUTY OFFICER

RELATED CITATION NUMBERS

APPROVING OFFICER

☐ YES ☐ NO

I CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

OFFICER

DATE

PLACE

NO

Sherman Mot

26 MAY 94

UNIV. OF WASH
SEATTLE, WA

4/17/



SUPERIOR COURT OF WASHINGTON
COUNTY OF KING

95 OCT -9 PM 3:26

Douglas Tooley

Plaintiff - Appellant/Respondent

State of Washington

Defendant - Appellant/Respondent

KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA.

94-1-06478-5

DECISION ON RALJ APPEAL

Clerk's Action Required

This appeal came on regularly for oral argument on October 9, 1995, pursuant to RALJ 8.3, before the undersigned Judge of the above entitled court and after reviewing the record on appeal and considering the written and oral argument of the parties, the court holds the following:

Reasoning Regarding Assignment of Error:

(1) there was insufficient evidence to sustain the conviction because Mr Tooley was registered for Geo. 600, and thus Mr Tooley's conduct fell within the exemption of the anti-harassment order. The court does not reach the issue regarding sufficiency of the charging document or the right to a jury trial.

IT IS HEREBY ORDERED that the above cause is:

☐ AFFIRMED; ☒ REVERSED; ☐ MODIFIED;

COSTS

Waived

REMANDED to

Seattle District

Court for further proceedings, in accordance with the above decision and that the Superior Court Clerk is directed to release any bonds to the Lower Court after assessing statutory Clerk's fees and costs.

Dated:

[Signature]

JUDGE

Richard S. Waring

Counsel for Appellant

Counsel for Respondent

PETER E. MEYERS

DECISION OF RALJ APPEAL (DCRA)
RALJ TITLE 9

#23438

SC FORM JO-129 (8/83)



S



Superior Court of Washington
County of King

FILED

95 DEC -8 AM 11:38

State

vs.

Douglas L Tooley

KING COUNTY NOTIFICATION OF SUPERIOR COURT
PLAINTIFFS' COURT DECISION ON RALJ APPEAL
SEATTLE, WA. SUPERIOR COURT NO: 94 1 06478 5
COURT OF LIMITED
JURISDICTION NO: 22501

DEFENDANT.

I. BASIS

Pursuant to RALJ 9.2(c), the Clerk of the Superior Court shall transmit to the Court of Limited Jurisdiction and to all parties a copy of the Superior Court decision on an RALJ Appeal. The notification shall include as part of the final judgment, a summary of expenses allowed as costs pursuant to the RALJ 9.3(c) and 9.3(f). The costs listed below shall be collected by the Clerk of the Court of Limited Jurisdiction. When the costs awarded include the Superior Court filing fee, it shall be collected by the Clerk of the Court of Limited Jurisdiction and forwarded to the Superior Court Clerk.

II. NOTIFICATION

Therefore, this is to certify that the order of the King County Superior Court of the State of Washington filed on 10-09, 19 95, became the decision terminating review of this case in the above entitled case. This cause is mandated to the Seattle District Court from which the appeal was taken, for further proceeding in accordance with the attached true copy of the decision.

III. SUPERIOR COURT DECISION

THE DECISION OF THE SUPERIOR COURT:

- A. ☐ Affirms ☒ Reverses ☐ Modifies ☐ Dismisses
B. Remands to the Court of Limited Jurisdiction.

IV. APPEAL BOND

- A. ☐ \$_____ Appeal Bond posted in Superior Court is being returned to the originating jurisdiction under separate mailing.
B. ☐ No Appeal Bond posted in Superior Court.

IV. COSTS

Pursuant to RALJ 9.3(a)(c) and 11.2(2) costs and attorney fees are awarded as follows:

Item	Awarded To	Amount
A. Costs		
B. Atty Fees		
C. Other		

In testimony whereof, I have hereunto set my hand and affixed this seal of said court in King county, this 8th day of December, 19 95

M. JANICE MICHELS
CLERK OF THE KING COUNTY SUPERIOR COURT
SEATTLE, WASHINGTON

Deputy Clerk

Pa
Fox

NOTIFICATION OF SUPERIOR COURT DECISION ON RALJ APPEAL

NDRA



Identification and Criminal History Section
PO Box 42633 Olympia WA 98504-2633

Attention: Mr. Douglas L. Tooley

RE: Name: Tooley, Douglas L.

Date of Birth: 05/22/1963 SID: WA17009345

Case Number: 94-1-06478-5

The court order or request received has been processed pursuant to the Revised Code of Washington (RCW) indicated below:

☐ Juvenile Destroy,
RCW 13.50.050 (22)

☐ Felony Vacate,
RCW 9.94A.640

☐ Juvenile Seal,
RCW 13.50.050 (11)

☐ Vacate,
RCW 9.95.240

☐ Juvenile Deferred/Dismissal,
RCW 13.40.127 (9)

☐ Misdemeanor Vacate,
RCW 9.96.060

☒ Deleted,
RCW 43.43.730/10.97.060

☐ The record has been updated with the
dismissal. A dismissal after a conviction is
not defined as non conviction information
pursuant to RCW 10.97.030 (4)

☐ Court Order ☒ Subject of Record

☐ The record reflects the dismissal

☐ The record has been updated to reflect:

☐ Possession Rights Restored

☐ Certificate of Discharge

☐ Certificate of Rehabilitation

☐ Other: _____

If you have any questions, please contact Criminal History Support Unit at (360) 534-2000.

Date: 3-31-2011

Signature: Marilyn Cox

Title: Criminal Records Specialist

☒ FBI Notified

Please note that the completion of this process with the Washington State Patrol Identification and Criminal History Section has no effect on records maintained by the court in the Judicial Information System (JIS). Please contact the court of origin to discuss deletion of your record from their files.

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