



Carol DeCoursey <cdecoursey@gmail.com>

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1 message

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Tue, Mar 17, 2020 at 8:08 PM

Name	Carol DeCoursey
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Address	740 Shipping St. NE
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State	OR
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The judge's plea of guilty or no contest or a finding of guilty to a crime punishable as a felony under Oregon or federal law or of any other crime that involves moral turpitude under such law.	false
A disability that seriously interferes with the performance of judicial duties that is, or is likely to become, permanent.	false
Willful misconduct in office or persistent	true

failure to perform judicial duties.	
Habitual intemperance (addiction to alcohol or drugs).	false
Conduct prejudicial to the administration of justice that brings the judicial office into disrepute.	true
A violation of the Oregon Code of Judicial Conduct (see attached code).	true
Other.	true
Date and Time of Allegation	November 26, 2019 and January 9, 2020
Name of Judge	Thomas Hart
Type of Court	Circuit Court
City of Judge	Salem
County of Judge	Marion
Case Name	State of Oregon v. Kenneth Ketchem
Case Number	19CR05609
Type of Case	Criminal
Relationship to Case	Other...
... Client Name	
... Party	

Name	
...Other Relationship	Reporter
Attorney Name	Spencer Todd and Martin Habekost
Other Witnesses	court recordings
Brief Summary	<p>I am NOT personally involved with any aspect of this case, or with any of the parties. By way of introduction: I have spent most of my working life as a researcher/writer, working in the areas of law, economics, public policy, and science and technology. My work has been published in The Prosecutor (published by the National Association of District Attorneys), Criminal Justice Report, Journal of Commerce, Reason, Barron's and Human Events. Throughout, I have been activist and a strong advocate of due process and the principles in the Bill of Rights. I live in the Grant neighborhood of NE Salem. On January 22, 2019, the Salem SWAT Team deployed a four-hour barrage of incendiary tear gas, smoke bombs and flash-bangs in my neighborhood, at 1050 Summer Street, NE. The residence suffered enormous damage. Rather than accepting responsibility for the police, the District Attorney, relying on tampered evidence, has been prosecuting a scapegoat. State vs. Kenneth Ketchem. As writer/editor of "Justice Is Everyone's Business," I have been publishing a continuing expose of the matter. It consists of Parts 1 through 7. It is completely supported by documentation. I now wish to lodge complaints about the assigned judge, Thomas Hart. In violation of Rule 1.1 of the Oregon Code of Judicial Conduct, Judge Hart's conduct has degraded public confidence in the integrity and impartiality of the judiciary. He has also violated Rule 2.1(C), "A judge shall not engage in conduct that reflects adversely on the judge's character, competence, temperament or fitness to serve as a judge." Details of my charges can be found at http://everyones-business.org/SummerStreet. Documentation of my complaints are verified by court recordings of two pre-trial hearings, one held on November 26, 2019, and the second on January 9, 2020. The recordings are on my website, Part 7 at http://everyones-business.org/SummerStreet. In brief: * On November 26, 2019, -- before trial, and in violation of the US and Oregon constitutions -- Judge Hart announced the accused was guilty of the charges against him and refused to reduce the \$1 million bail. * On January 9, 2020, Judge Hart issued a threat against me for bringing the story of the District Attorney's wrongful prosecution of Ketchem to public attention. The threat was made during a hearing on a motion from the Public Defender's to withdraw from representing Ketchem. On January 9, Judge Hart knew I was not in court to hear his words, but he would expect I would listen to court recording of the hearing. He also would know his words would be understood as a threat. You can listen to the actual words of the judge -- as captured in a court recording -- posted on our website in Part 7. Judge Hart asked Mr. Ketchem: "Have you been in contact with Ms. Decorsni [sic]?" Judge Hart was obviously referring to me, whose last name is "DeCoursey". Ketchem, balking for a moment at the mispronunciation of my name, asked, "Uh? DeCoursey? Yes." (Ketchem pronounced my name correctly.) Judge Hart, apparently giving an order to a jail official, went on to say: "I want to get the jail calls. I want to hear what's been being said. (OK.) OK. Because she's been writing the courts and writing the lawyers. And she's been interfering with this prosecution." Moments later, Judge Hart again returned to the subject of Everyone's Business reportage. Again, apparently giving the order to the jail official, he said: "And I would direct the State to go through every one of the phone calls because I believe that the information supports that there is interference with the wheels of justice with regard to this theory that has now arisen." The "theory that has now arisen," was, perhaps, the theory that Ketchem was not guilty as charged and the SWAT barrage had caused the damage to the house. Judge Hart was apparently hinting that he would apply a criminal statute to Everyone's Business reportage; his wording suggests prosecution under ORS 162.235 Obstructing governmental or judicial administration (a Class A misdemeanor) or ORS 162.325 Hindering prosecution (a Class C felony). The First Amendment of the US Constitution states: Congress shall make no law ... abridging the freedom of speech or of the press ... The Oregon Constitution states: No law shall be passed restraining the free expression of opinion, or restricting the right to speak, write, or print freely on any subject whatever; but every person shall be responsible for the abuse of this right. Source: Constitution of Oregon: Article I § 8. Freedom of speech and press. Please regard the material at http://everyones-business.org/SummerStreet/ as documentation of my complaint. NOTE: Listening to Judge Hart slurring his words and stumbling over simple sentences -- and his possible assertion (?) that I was one of Ketchem's lawyers ("Mr. Cossi") -- a reasonable person might</p>

speculate that Judge Hart was inebriated on January 9, 2020. (Compare his diction in the November 26, 2019 hearing.)

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