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CASE NUMBER: 17-2-27525-5 SEA

SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR KING COUNTY

DELVONN HECKARD,

Plaintiff,

v.

CITY OF SEATTLE, a municipal corporation,
and EDWARD MURRAY, an individual,

Defendants.

NO.

**COMPLAINT FOR DAMAGES:
CHILD SEX ABUSE, ILLEGAL CHILD
PROSTITUTION, NEGLIGENCE &
DEFAMATION**

COMES NOW the Plaintiff, by and through his attorneys of record, and by way of claim allege, and upon information and belief upon all other matters, as follows:

I. PARTIES

1. Plaintiff Delvonn Heckard is an adult male born in February of 1971 and is the child sex victim Ed Murray. Delvonn is an openly gay man with no real political inclinations.

2. Defendant City of Seattle is a municipal corporation and the employer of Ed Murray at all relevant times hereto.

3. Defendant Edward Murray, now age 62, is a Seattle resident and at the time of most of these incidents previously resided at 303 Harvard Avenue E, Apt 304, Seattle, Washington.

COMPLAINT FOR DAMAGES - 1 of 13

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II. FACTS

4. As a young child, at the age of fifteen (15), the plaintiff, Delvonn, would frequently ride the Metro Bus Number-7 in the Capitol Hill area. Delvonn had recently dropped out of Nathan Hale high school during the 9th grade. Delvonn was homeless and his parents were also on drugs. Young and curious, Delvonn encountered Ed Murray upon the bus and developed a friendly interaction. Mr. Murray was approximately age thirty-two (32) at the time, and propositioned Delvonn for private visits at his Capitol Hill apartment. Delvonn recalls Mr. Murray's old phone number: 206-325-8294. Delvonn recalls that as you enter the apartment, the bathroom is to the right, and across from the bathroom was the sole bedroom.

5. The interaction turned sexual. Prior to the sex acts, Mr. Murray asked Delvonn his age, and he responded truthfully, age 15. Mr. Murray propositioned Delvonn in the form of sex acts for money – a form of child prostitution. Addicted to drugs at the time, Delvonn was willing do whatever Mr. Murray asked for as little as \$10-20 dollars. The sex acts included various forms of intercourse and oral sex acts, with Mr. Murray always on the receiving end of oral interactions. At times, the sex turned aggressive, beyond a point to which Delvonn was comfortable and/or felt that to which he had agreed. During the relevant time-frame back 1986, Delvonn recalls discussing the sexual encounters with his friend, F.W. Eventually, Delvonn came to understand that Mr. Murray was doing work in politics at a location “*across the street from the King County Jail*” at the time.

6. Delvonn recalls that Mr. Murray most enjoyed having his nipples pinched during sex – Mr. Murray has a very freckled chest. At the time, and likely still so, Mr.

1 Murray had a distinctive genital region including reddish pubic hair and a unique mole on his
2 scrotum – it is a small bump. Mr. Murray indicated that he enjoyed sex more if Delvonn was
3 dirty -- literally unclean -- and told Delvonn not to bathe prior to sex. The sexual interactions
4 at issue – underage sex for small-amounts of money – continued for an extended period of
5 time. Admittedly, Delvonn was convicted of various charges that include an extensive drug
6 addiction, and acts of prostitution in 1990 during unrelated sting operation.
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8 7. On at least one occasion, Delvonn was at Mr. Murray’s home when another
9 apparently under-aged boy was at the apartment. Delvonn was of the understanding that Mr.
10 Murray was having sex with the other boy for money at the same time. Delvonn recalled the
11 other light-skinned boy from the Broadway area, where everyone would hang out. Mr.
12 Murray wanted Delvonn to participate in the sex acts as a group. Delvonn participated
13 indirectly, but “*did not fully indulge*” out of embarrassment at the proposition.
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15 8. Only within the immediate past was it that Delvonn’s father died. This event,
16 the death of Delvonn’s father, prompted moments of reflection and introspection that included
17 counseling at Sound Mental Health. These moments of reflection, and awareness that Mr.
18 Murray maintains a position of authority, prompted the filing of this lawsuit in an attempt at
19 accountability, and to hopefully give courage for other potential victims to come forward and
20 speak out. According to Delvonn, he and Mr. Murray have had a few brief telephone
21 interactions over the years.
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23 9. Through this lawsuit, Delvonn learned of the existence of Jeff Simpson, Lloyd
24 Anderson, and later Murray’s cousin, Joseph Dyer. Delvonn learned of Mr. Simpson and Mr.
25 Anderson through the Seattle Times. Mr. Murray was almost charged with sodomizing Mr.
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1 Simpson back in 1984. Mr. Simpson fits the description of the other boy in the room as
2 alleged within this Complaint. Delvonn does not recognize Mr. Simpson and/or Mr.
3 Anderson by name, or as adults, but feels affirmed in knowing the similarities of their
4 recollection of events. Mr. Murray has admitted having relationships with Mr. Simpson and
5 Mr. Anderson.
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7 10. Mr. Murray, and his political hit team, used his position of power as mayor to
8 immediately begin slandering the known victims, including Delvonn. On or about April 7,
9 2017, Mayor Murray's spokesperson, Mr. Reading, issued the following public statement:

10 In a statement to reporters yesterday, Murray's outside spokesperson, Jeff
11 Reading, said the two earlier allegations, which are separate from this week's
12 lawsuit but offer similar details, were in the past "promoted by extreme right-
13 wing antigay activists in the midst of the marriage equality campaign." And today,
14 Murray called his latest accuser "troubled," echoing a sentiment from his lawyer
15 who said Thursday the alleged victim "apparently... has a long criminal record."

16 11. On April 11, 2017, during a press conference on all the television networks at
17 5:30 p.m., Mr. Sulkin added to Jeff Reading and Mayor Murray's original public statements,
18 stating: *"Previously as you know, false allegations were brought against the Mayor when he*
19 *was pushing the Marriage Equality Act. They were found to be false by law enforcement, and*
20 *not worthy of being published by the Seattle Times. **These accusers were aligned with a***
21 ***virulent, anti-gay organization.**"* Mr. Sulkin offered this statement at the direction of Mr.
22 Murray (in order to taint the venue and facilitate Murray's reelection effort) while knowing
23 that it was false and would contribute to the extinguishment of Delvonn's claim.

24 12. Mr. Murray, and his husband Michael Shiosaki, participated in a barrage of
25 television interviews on virtually every network in an attempt to spread a false narrative about
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1 Delvonn's claim. In at least one interview, Mr. Shiosaki (with Mr. Murray sitting by) also
2 actively asserted that the claims were inspired by a felonious right-wing agenda.

3 13. On April 14, 2017, *the Stranger* published the op-ed authored by Mayor
4 Murray further connecting the Connelly Law Firm (and Delvonn) to the purported conspiracy:

5 Fast forward to 2017. Another civil rights effort that I am championing – this one
6 regarding equal rights for transgender individuals – is under assault from the far
7 right. An individual named Jack Connelly and his wife have contributed \$50,000
8 to the "Just Want Privacy" campaign opposing basic restroom rights for
9 transgender people. And Connelly's law firm is the very same firm that has now
10 brought forward the lawsuit against me. Indeed, the accuser's primary attorney
11 has admitted in the press that his partner holds firm anti-LGTBQ positions –
12 positions which led me as a senator and chair of the Senate Democratic Campaign
13 Committee to refuse to support Connelly when ran for the state Senate in 2012.

14 14. Multiple publications, including *The New York Times*, echoed Mr. Murray's
15 comments about the alleged "anti-gay" and "homophobe" motivated effort to perpetuate this
16 lawsuit:

17 ***Mayor's Fall in Seattle Shakes the Gay Community He Rose***
18 ***From***

19 **By KIRK JOHNSON** MAY 19, 2017

20 * * *

21 *Four men have come forward, in court filings or interviews, and said*
22 *that when they were teenagers in the 1980s, under the age of legal*
23 *consent, Mr. Murray had paid them for sex. He has called the*
24 *accusations "untrue," and said the law firm representing one of the*
25 *men had a history of homophobia and political motivations to take*
26 *him down.*

* * *

But now his exit is making a splash. Lincoln C. Beauregard, the lawyer
who filed a lawsuit against Mr. Murray last month in King County
Superior Court, called the mayor's accusations of a political motive
and homophobia "not true" and "disgraceful."

1 *“He’s a disgusting man and doesn’t have the judgment or integrity to*
2 *be in office at this point based on his actions since we filed the case,”*
3 *Mr. Beauregard said in an interview.*

4 15. Mr. Murray’s use and abuse of his position of power proved temporarily
5 successful: Delvonn and his legal team became convinced that winning this lawsuit was
6 impossible while Murray remained in office. Mr. Murray and his legal team employed
7 unscrupulous tactics to defame Delvonn, and his legal team. Those efforts, and the mayoral
8 influence, swayed public perceptions and Delvonn’s ability to receive fair and equal treatment
9 in the court system. Mr. Murray, and his legal team, were permitted by the system to make
10 false and defamatory statements directly to the public. When Delvonn, and his legal team,
11 attempted to respond in accord with the civil rules, the system attacked them, including
12 imposing sanctions at a court hearing without due process – or even an opportunity to speak.¹
13 Delvonn, and his legal team, felt literally attacked, if not procedurally ambushed, by the
14 system that is supposed to protect victims – and/or at least let them speak. Delvonn and his
15 legal team were so convinced that the system would not offer fair treatment, or even minimal
16 due process, that this lawsuit was delayed until Mr. Murray could no longer use his position
17 of power to the benefit of his legal defense.

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19 16. News reports show Mr. Murray standing at the *publicly owned* mayoral
20 podium, with his husband (a Seattle employee) by his side on the taxpayer time, declaring
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24 ¹ The previously assigned court allowed Mr. Murray’s legal team opportunities to make arguments and personal
25 attacks in briefing and motions without letting Delvonn’s lawyers even respond and/or speak at hearings. The
26 previously assigned court would arbitrarily impose sanctions and discourage the litigation versus focus upon
 keeping the claims proceeding on the merits. In one instance, Delvonn’s African American lead attorney was
 brought into court with a room full of media cameras and sentenced/sanctioned like a hardened criminal rather
 than an extremely accomplished member of the Bar. Those unfair and politically influenced rulings are on
 appeal.

1 “vindication” in relation to Mr. Heckard’s *private* lawsuit claims and continuing to slander the
2 lawyers and other victims:



12 17. Sometime later, the courageous and tenacious reporters at *The Seattle Times*
13 recovered the archived documents from Oregon establishing Mr. Murray’s long history of
14 abuse. But still, most of Seattle’s political elite, in effect, enablers, continued to back Mr.
15 Murray, thereby causing continuing emotional injuries to Delvonn. Finally, Mr. Murray’s
16 cousin stepped forward and confirmed Mr. Murray’s history and propensities for pedophilia
17 dating back to the 1970s. Mr. Murray started on a new campaign of slander of his own cousin
18 (“family rift”) until, reportedly, then Councilmember Tim Burgess demanded Mr. Murray’s
19 resignation. Now, with Mr. Murray no longer in a position of power to wield against these
20 claims, Delvonn, and his legal team made the decision that is it time to achieve full
21 accountability in a fair and impartial venue.
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1 **III. DEFAMATION/LIBEL/NEGLIGENCE/NEGLIGENT INFLICTION OF**
2 **EMOTIONAL DISTRESS/ SEATTLE MUNICIPAL**
3 **CODE 4.16.070 VIOLATIONS**

4 18. Acting within the scope of employment and utilizing his position of power as
5 bestowed by the citizens of the City of Seattle, Mr. Murray spread false and harmful
6 information about Delvonn, and his attorneys, in an effort to win reelection and extinguish
7 these claims. Mr. Murray's false assertions included alleging that Delvonn's motivations
8 were "*anti-gay*" and/or that Delvonn was purportedly lying about the allegations at issue. Mr.
9 Murray capitalized on his position of power in the same or similar as other powerful figures,
10 such as, most recently and publicly, Harvey Weinstein. Mr. Murray is responsible
11 (respondeat superior) for the actions of his enablers, including his spokesperson, Jeff Reading
12 (who may also be named as a defendant), and his attorneys, such as Robert Sulkin. Because
13 Mr. Shiosaki participated in the charade, the marital community is not protected. All of these
14 individuals, and Mr. Murray's campaign team, acted in concert to perpetuate this fraud.

15 19. Sex abuse is, in part, about a differential of power. The act of slandering and
16 defaming a victim of sex abuse is a form of re-victimization that can be more harmful than the
17 underlying violation. Emotional injuries of this nature are amplified when others endorse the
18 misuse of power, such as many members of Seattle's political elite. Councilmember Sally
19 Bagshaw took the extra step of publicly endorsing her confidence in Mr. Murray early during
20 the initial disclosures: "*I want you to know I have faith in this mayor,*" she said. "*I have faith*
21 *in his vision. I have faith to make this city the best place it can be for all of us.*"
22 Councilmember Bruce Harrell publicly stated that stale acts of pedophilia were not
23 compelling reasons to act: "*Mr. Murray should be allowed to continue in his role as Mayor*
24 25 26

1 *because although the accusations are troubling, we should wait and allow the system to play*
2 *out. Would you want to be judged by something alleged to have happened 30 years ago?"*

3 The failure to act was a form of negligence that permitted Mr. Murray to continue to use his
4 power to defame the assorted victims. These actions, enabling, and watching future leaders of
5 the community accept Mr. Murray's endorsement, caused added emotional distress and
6 humiliation to Delvonn, and childhood sex abuse victims everywhere.
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8 20. Mr. Murray's actions violated many legal principles as outlined herein,
9 including violations of Seattle Municipal Code 4.16.070(B)(1), which prohibits the "*Use or*
10 *attempt to use his or her official position for a purpose that is, or would to a reasonable*
11 *person appear to be, primarily for the private benefit of the covered individual or any other*
12 *person, rather than for the benefit of the City...*" Mr. Murray's use of the mayoral podium, at
13 times, and his husbands on duty time as a City employee, to make statements about this
14 private lawsuit directly violate these ethics principles. It should be noted that doing so was an
15 impeachable offense that the City's leaders never pursued.
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17 **IV. CHILDHOOD SEX ABUSE**

18 21. Mr. Murray repeatedly and criminally raped and molested Delvonn when he
19 was legally unable to consent. Mr. Murray's violations were repugnant and unlawful under
20 chapter 9A.44 RCW and/or RCW 9.68A.040. RCW 9.68A.005 explains that "The legislature
21 finds that the prevention of sexual exploitation and abuse of children constitutes a government
22 objective of surpassing importance. The care of children is a sacred trust and should not be
23 abused by those who seek commercial gain or personal gratification based on the exploitation
24 of children. The legislature further finds that the protection of children from sexual
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1 exploitation can be accomplished without infringing on a constitutionally protected activity.
2 The definition of 'sexually explicit conduct' and other operative definitions demarcate a line
3 between protected and prohibited conduct and should not inhibit legitimate scientific,
4 medical, or educational activities. The legislature further finds that children engaged in
5 sexual conduct for financial compensation are frequently the victims of sexual abuse.
6 Approximately eighty to ninety percent of children engaged in sexual activity for financial
7 compensation have a history of sexual abuse victimization. It is the intent of the legislature to
8 encourage these children to engage in prevention and intervention services and to hold those
9 who pay to engage in the sexual abuse of children accountable for the trauma they inflict on
10 children." According to RCW 9.68A.100, "(1) A person is guilty of commercial sexual abuse
11 of a minor if: (a) He or she pays a fee to a minor or a third person as compensation for a
12 minor having engaged in sexual conduct with him or her..." RCW 9.68A.102(3) explains
13 that "Consent of a minor to the travel for commercial sexual abuse, or the sexually explicit act
14 or sexual conduct itself, does not constitute a defense to any offense listed in this section.
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17 **V. STATUTE OF LIMITATIONS: RCW 4.16.340**

18 22. According to RCW 4.16.340, (1) All claims or causes of action based on
19 intentional conduct brought by any person for recovery of damages for injury suffered as a
20 result of childhood sexual abuse shall be commenced within the later of the following periods:
21 (a) Within three years of the act alleged to have caused the injury or condition; (b) Within
22 three years of the time the victim discovered or reasonably should have discovered that the
23 injury or condition was caused by said act; or (c) Within three years of the time the victim
24 discovered that the act caused the injury for which the claim is brought: PROVIDED, That the
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1 time limit for commencement of an action under this section is tolled for a child until the child
2 reaches the age of eighteen years. (2) The victim need not establish which act in a series of
3 continuing sexual abuse or exploitation incidents caused the injury complained of, but may
4 compute the date of discovery from the date of discovery of the last act by the same
5 perpetrator which is part of a common scheme or plan of sexual abuse or exploitation. (3) The
6 knowledge of a custodial parent or guardian shall not be imputed to a person under the age of
7 eighteen years. (4) For purposes of this section, “child” means a person under the age of
8 eighteen years. (5) As used in this section, “childhood sexual abuse” means any act
9 committed by the defendant against a complainant who was less than eighteen years of age at
10 the time of the act and which act would have been a violation of chapter 9A.44 RCW or RCW
11 9.68A.040 or prior laws of similar effect at the time the act was committed.
12

13 23. Finding—Intent—1991 c 212: “The legislature finds that: (1) Childhood
14 sexual abuse is a pervasive problem that affects the safety and well-being of many of our
15 citizens. (2) Childhood sexual abuse is a traumatic experience for the victim causing long-
16 lasting damage. (3) The victim of childhood sexual abuse may repress the memory of the
17 abuse or be unable to connect the abuse to any injury until after the statute of limitations has
18 run. (4) The victim of childhood sexual abuse may be unable to understand or make the
19 connection between childhood sexual abuse and emotional harm or damage until many years
20 after the abuse occurs. (5) Even though victims may be aware of injuries related to the
21 childhood sexual abuse, more serious injuries may be discovered many years later. (6) The
22 legislature enacted RCW 4.16.340 to clarify the application of the discovery rule to childhood
23 sexual abuse cases. At that time the legislature intended to reverse the Washington supreme
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1 court decision in *Tyson v. Tyson*, 107 Wn.2d 72, 727 P.2d 226 (1986). It is still the
2 legislature's intention that *Tyson v. Tyson*, 107 Wn.2d 72, 727 P.2d 226 (1986) be reversed, as
3 well as the line of cases that state that discovery of any injury whatsoever caused by an act of
4 childhood sexual abuse commences the statute of limitations. The legislature intends that the
5 earlier discovery of less serious injuries should not affect the statute of limitations for injuries
6 that are discovered later.” Delvonn’s statute of limitations is preserved under these assorted
7 provisions. By and through this civil litigation process, Delvonn intends to seek answers
8 regarding the abuse, and the impact upon his life and personal well-being.
9

10 VI. PRAYER FOR RELIEF

11 WHEREFORE, Plaintiff requests a judgment against Defendant:

- 12 (a) Awarding Plaintiff general damages including loss of consortium and special
13 damages in an amount to be proven at trial;
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15 (b) Awarding him reasonable attorney’s fees and costs as available under law;
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17 (c) Awarding him any and all applicable interest on the judgment; and
18
19 (d) Awarding him such other and further relief as the Court deems just and proper
20 under the circumstances of this case.

21 Respectfully submitted this 17th day of October, 2017.

22 CONNELLY LAW OFFICES, PLLC

23 *Lincoln Beauregard*

24 By _____
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