

See the Washington businessmen behind spending \$350K on TV ads to defeat Supreme Court Justice Wiggins

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Judicial Integrity Washington is getting the bulk of the money from Camas investment billionaire Ken Fisher; Bellevue developer Kemper Freeman's Kemper Holdings; and Seattle Mariners owner John Stanton.



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Citing a controversial ruling in a child-pornography case, a political-action committee (PAC) plans to spend \$350,000 in television ads to defeat state Supreme Court Justice Charlie Wiggins.

Judicial Integrity Washington disclosed the spending in a newly filed campaign-finance report, showing the bulk of the money is coming from Camas investment billionaire Ken Fisher; Bellevue developer Kemper Freeman's Kemper Holdings; and Seattle Mariners owner John Stanton, who built his wealth in the wireless industry.

"The court's just not making common-sense decisions," said Rodney Tom, [a political maverick who runs the PAC](#) and who, as a Democrat, previously served as state Senate majority leader in a governing coalition with Republicans.

Wiggins, who [unseated Justice Richard Sanders six years ago](#) in a campaign marked by [Sanders' controversial statements on race](#), wrote [a majority opinion in May](#) that will be the subject of the TV ads, Tom said.

The 5-4 ruling upheld an appeals-court decision overturning the Grant County conviction of a man, Michael Allen Budd, accused of possessing child pornography.

Budd was [arrested again in Yakima several weeks ago](#), accused of attempting to solicit sex with a 14-year-old girl on the internet, according to the Yakima Herald-Republic.

Budd allegedly planned to meet a girl he contacted in an online chat service, who actually was a detective conducting an undercover sting, the newspaper reported, quoting a probable-cause affidavit filed by police. He has pleaded not guilty to a charge of communicating with a minor for immoral purposes

In the child-pornography ruling, Wiggins relied on a previous court case in deciding that law-enforcement officers did not give proper warnings to Budd before he allowed them to enter his house without a warrant. Once inside, Budd signed a waiver allowing officers to seize his computer.

Justice Mary Yu wrote the dissenting opinion, saying, "This was not the kind of coercive and improper fishing expedition" the court had ruled on in the previous case.

Wiggins is facing Dave Larson, the presiding judge of the Federal Way Municipal Court, in one of [three state Supreme Court races to be decided](#) in the Nov. 8 election.

In an interview Friday, Wiggins strongly defended the Budd decision, saying the constitutional right to privacy is "one of our most cherished liberties."

"It's a distortion to focus on one case," Wiggins said, noting he has sided many times with prosecutors and that the court takes difficult cases.

Wiggins, who has been endorsed by all eight of the court's other justices, pointed to his well-qualified rating by the Washington Association of Prosecuting Attorneys, which rated Larson as qualified.

Alex Hayes, Larson's campaign co-chair, said Friday Larson has a record of respecting the rights of defendants but believes the Budd ruling went too far and was one of the reasons he decided to run.

Tom called the Budd finding a technicality, while also saying Wiggins was part of a court majority that has strayed too far in school-related rulings.

[In a 2015 charter-schools case](#), the court struck down the state's voter-approved charter-school law, drawing criticism for creating chaos for hundreds of families whose children had already started classes. In response, [the Legislature passed a fix](#) that became law this year.

The court also has been criticized by Republican lawmakers who believe it overstepped its bounds by [holding the state in contempt](#) in the McCleary school-funding case. In its 2012 decision, the court ruled Washington is violating its constitution by underfunding K-12 schools.

Larson, a former Federal Way School Board president, has criticized the charter-schools ruling and said that while he agrees with the rationale behind the McCleary decision the solution lies with the Legislature, not the court.

Wiggins said he wasn't sure what was driving the effort by Judicial Integrity Washington, but guessed the schools cases were part of an effort to focus on the Budd case for larger ideological reasons.

He said he doesn't have the money to counter with expensive TV ads.

Judicial Integrity previously spent \$100,000 in support of Kittitas County Prosecutor Greg Zempel in his primary race against state Supreme Court Chief Justice Barbara Madsen. Zempel won only his county in emerging from a three-candidate race.

Tom said that while he supports Zempel and Gonzaga University law professor David DeWolf in his race against Justice Yu, his PAC is focusing in the general election on Larson because of his wide range of support, including from Democrats and Republicans.

Seattle Times news researcher Miyoko Wolf contributed to this story, which also contains information Times archives.

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