

Machiavellian principles have applied at University of Washington for more than two decades. Christine O Gregoire (Washington Governor), Mark A Emmert (President), Phyllis M Wise (Provost), and Suzanne T Ortega (Graduate Dean) in consort with Patricia A Wasley (Education Dean) and Matthew O'Donnell (Engineering Dean) continue to ignore serious charges of criminality by people for whom they ultimately hold responsibility. This series of articles exposes two decades of machination and alleged criminal activity by Steven G Olswang as professor, administrator, lawyer, and interim chancellor.

English, American, and French revolutions embodied libertarian ideals in the structure of national governments. In England the struggle between Parliament and the Stuart monarchs culminated in a new king, William III, giving royal assent (1689) to a Declaration of Rights, which guaranteed constitutional government. Bill of Rights of the Constitution of the United States later established libertarian principles as a foundation of modern democracy and embodied the civil rights and liberties of US citizens.

Civil rights implies that the state has a role in ensuring all citizens equal protection under the law and equal opportunity to exercise the privileges of citizenship and otherwise to participate fully in national life regardless of race, religion, sex, or other characteristics unrelated to the worth of the individual. Civil liberties refers to guarantees of freedom of speech, press, or religion; due process of law; and other limitations on the power of the state and state actors to restrain or dictate the actions of individuals.

This initiative hinges upon the First and Fourteenth Amendments, and tangentially, the Fourth Amendment to the US Constitution. First Amendment guarantees freedom of speech, press, assembly, and religion. Fourteenth Amendment extends the Bill of Rights to actions by state and local governments. Fourth Amendment protects the privacy and security of the home and personal effects and prohibits the unreasonable searches and seizures that occurred at University of Washington.

First Amendment to the United States Constitution

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

Fourteenth Amendment to the United States Constitution

All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Fourth Amendment to the United States Constitution

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Washington State Constitution - Article I, Section 7

No person shall be disturbed in his private affairs, or his home invaded, without authority of law.

University of Washington (UW) has specific procedures designed to address faculty and staff grievances governed by Revised Codes of Washington and Washington Administrative Codes (WAC). Although the university has a degree of autonomy or self-government, it remains accountable in law. Employees of UW, whether classified and professional staff or faculty members, rank as state actors and remain accountable to the State of Washington and by extension US Government.

As participants in financial aid and other federally sponsored programs, all campus employees become state actors. Computing services that charge fees rank nominally as private entities when they buy and sell services; however, those employees still classify as a state actors because government has a mandated say in management or control.

Federal regulations govern all aspects of University of Washington. As state actors, administrators intertwine with US Department of Education officials. That interlacing precludes individual discretion by administrators in defining terms that relate to changes in contractual arrangements between the university and its employees or students - especially students who receive state or federal financial aid.

The university abrogated federal regulations for several years by taking advantage of *laissez faire* policies at US Department of Education. That dereliction has caused the unlawful expulsion of students and the termination of faculty members without due process of law guaranteed by the Fourteenth Amendment to the US Constitution.

The university may not promulgate or curtail federal rights and may not apply university rules in a manner that violates those rights or treat students unfairly or with discrimination. Decisions by Christine O Gregoire, Governor, State of Washington (formerly Attorney General); Mark A Emmert, President, University of Washington; Lee L Huntsman, President Emeritus (formerly Provost); and, Marsha L Landolt, deceased (formerly Dean of the Graduate School) to deny a full and fair hearing on the merits of a case to expel a doctoral student violate the constitutional right to due process. Every citizen has the right to both procedural and substantive due process under both Article I, Section 3 of Washington State Constitution and Fourth Amendment to the US Constitution. [WA State Constitution - Article 1]

A kangaroo court's decision to deny a continuance to retain counsel also violated the right to procedural and substantive due process in that it denied the right to a full and fair hearing on the facts. This particularly disturbs right-minded people in light of the fact that the university distorted them by rewriting the content of a grievance to reflect a punishable violation of regulations when in fact the complainant had requested a hearing to address unlawful behavior by university officials.

Justice required, in light of the serious allegations presented by the university, that the complainant have representation by counsel, and further, that counsel have enough time to conduct adequate discovery in order to respond to and refute allegations. Moreover, the university "buried" previous discovery by an American Civil Liberties Union (ACLU) cooperating attorney that probable cause existed to support the complainant's allegations.

Given that the counter allegations against the complainant construed as baseless and unsubstantiated, anything less than a full factual hearing served to deprive him of his right to due process under the law. In fact, Department of Education, Office of Civil Rights (OCR) commenced an investigation at the behest of the complainant which University of Washington also had quashed using political expedience.

Without a full and fair hearing on the issues, the university prejudiced the complainant and arguably denied his right to due process. A fair and unbiased hearing by both ACLU and OCR would confirm the complainant's allegation. The provost's decision to expel the complainant and to deny mandated appellate procedures created extreme prejudice by denying a full and fair hearing of the facts.

In Washington state, Public Disclosure Act (PDA) codifies access to state and municipal records and Freedom of Information Act (FOIA) controls access to federal records. Legislators intended these laws to insure the free flow of information essential to democracy at federal, state, and municipal levels of government.

University of Washington officials forged records and silently withheld documents to give the appearance of propriety. By that, the university perverted "sunshine laws" designed to make state actors more accountable. A rampant and unlawful withholding of public records by officials adversely affected communication and led to a biased hearing.

Absolute anonymity creates impunity and allows university officials to continue their unlawful practices without restraint. Free and open access to public records overcomes much suspicion and holds public officials accountable. Secrecy and *laissez faire* policies continue to destroy the value and advantage of open government and university officials keep an increasing amount of public information under wraps to avoid responsibility for their personal actions or dereliction.
[*Silent Withholding*]

Administrators and faculty members must comply with general laws in their dealings with students. Specific laws apply to UW and ultimately control the way that UW conducts business and addresses grievances filed by administrators, the professorate, and students. Moreover, students as “paying customers” have specific rights under other laws the same as any other person who pays for services. The university must provide those services in accordance with the contract that it enters with students. This particularly applies to computer and other services not covered by tuition for which students pay separately.

When UW holds kangaroo courts, it violates laws that govern breach of contract. When it deliberately prejudices students it incurs liability in a similar way to any commercial company that breaches client contracts. When university employees as state actors breach contracts they commit serious criminal offenses. The special privileges that the legislature grants to academic institutions require special consideration for constitutional and human rights violations.

Graduate School Memorandum #33 (GSM #33) requires that: "A written summary of the proceedings will be kept for at least one year and shall include a tape recording of the testimony". The "kangaroo court" tape recording contains no date, time, or names of hearing members. It also appears that personally interested parties attended whom the committee chair James D Nason, Professor, Anthropology and Curator, New World Ethnology, Burke Museum should by law have excluded.

The editor claims exception for transcription error and omission due to unsatisfactory rendering of audio recording. Moreover, Nason conducted the hearing with complete disregard for Robert's Rules of Order, University of Washington Regulations, and Washington State Law. A reasonable person would find this transcript hilarious if the hearing and record did not rank as a serious criminal offenses. [Audio Recording]

Nason. . . . student cannot as you might expect complain to [turn up] the graduate school the whole point of having a . . . committee [laughter] three meetings this morning. We will wait a little bit and see. OK. And since you were not identified in advance as one of the people to take part you can't take part.

Female. You mean that I cannot stay?

Nason. You should not take part. I do not know whether you can stay or not. We will see if that is legitimate.

Female. I am with you. I am just here. . . .

Nason. No, apparently, we can only hear and have people take part who are identified with events as the witnesses may on both sides.

Female. . . . by speaking.

Nason. Take part you can't. Stay if you want as an observer.

Female. Well, you can go get your lunch at that opportunity. [laughter] [more laughter] Thanks, Mary. [laughter] [door closes]

Nason. We will abandon the hearing. There is no need for it nor can we in fact proceed any further . . . If he is here, then the hearing will proceed with Mr. Trummel who can give a

statement to us about his reasons for his belief that he has made satisfactory progress, we will then invite both you and Mr. Haselkorn to make a sworn statement as to the department's belief that he has not, in fact, made satisfactory progress - satisfactory status - at which point we will then thank you all for your input. . . ask if we have questions of any sort as a follow-up . . . We will then have a closed session to discuss your thoughts on the material. If Mr. Trummel chooses not to show up today, then the grievance process is abandoned and you can throw it away for future date. Or, alternately, depending upon what the dean of the graduate school wishes to do, I assume that the termination procedure will proceed. And the dean of is . . . and at the end of the quarter he is no longer. . . If this goes through and the graduate student is released of his work. So do you have any questions?

Female. You just answered them. Really, I was just wondering if you could help me with the proceedings, if, anything to do, like, fully answered.

Nason. Yea, yea, if he does show up, then we will have about fifteen minutes comment by Mr. Trummel. We will have about fifteen minutes comment. We have no documents from him regardless . . . one set of documents 1995 to 1997.

Female. I received this in the mail. Did you guys receive anything in the mail? I just assumed that everyone received it.

Nason. This is the hard copy of the email message I guess. Email to the dean. [laughter]. That's not a document that's supplied.

Female. OK.

Nason. If you find it useful for your personal information that's fine. [laughter by both] That is not something that attends to the issue before us which is, I keep saying, solely on the point of whether or not he has or has not made satisfactory progress in terms of . . . such as concluding a degree at masters level.

Male. Another question. [laughter] Masters, in general . . . a kind of committee constituted for all of you together as subset of a larger group. I really don't have any idea how they choose here [laughter]

Nason. This report by the dean.

Female. Are you all senators?

Female. No.

Female. OK, that's how I assumed. You are graduate faculty, I take it? You have to be graduate faculty.

Female. The chair of the committee is chosen separately from faculty which is chosen to be on the committee. We usually go to GPSS students. If GPSS can't provide us, we also have an intercept fellows list that we do use, so we go to the graduate, just the graduate persons. Usually GPSS is our source for graduate students.

Nason. So that's an additional honor. We [laughing] thought that Gee Whiz [?sp], this grievance process is brought to an end and we will await developments. Thank you.

A précis contains excerpts from myriad documents supplied to Nason and all hearing committee members immediately before and following the "hearing". He disingenuously neither mentioned

the medical certificate nor provided copies of documents to hearing committee members or entered them into the record. Instead, he claimed in reply to a question about a document that a member received: "That's not a document that's supplied". Washington laws require that Emmert consider Nason's behavior as faculty dereliction and order an independent investigation into what arguably construes as serious criminal behavior by a state actor.

In fairness, when one listens to the tape recording carefully it becomes apparent that some committee members remained silent; however, they held equal responsibility for what transpired whether reticent or not. They should have had enough moral courage to refuse to participate in an unlawful proceeding, recuse themselves, or just leave when they realized that Marsha L Landolt, Elizabeth L Feetham, Judith A Ramey, and Jan H Spyridakis had railroaded them into an illegal, immoral, and unethical hearing. Moreover, the recusal of Feetham and appointment of Nason as chair only replaced one corrupt administrator/faculty member with another. *[Audio Recording]*

Excerpts from documents in the précis appear in chronological order in an attempt to make some sense out of the irrational and convoluted way in which administrators and faculty members showed their contempt for law. For example, Nason brashly claimed that: "The WAC [Washington Administrative Code] has no bearing on these matters". He lied when he stated: "You were provided appropriate notification of the hearing meeting scheduled for today and provided with the opportunity to provide documents (which you apparently choose not to do)" despite having received a plethora of documents from the complainant and a request for university documents containing the "supervisory committee" accusations referenced by Ramey. *[Documents - Précis]*

Ramey willfully made a false and misleading statement: "You have been a graduate student in TC for six years, and, although you have earned 245 credits and are currently enrolled for 18 credits, you have not completed any TC required courses, established a supervisory committee, or filed an official course of study". As interim TC chair, Ramey knew perfectly well that the credits with a 4.0 GPA referred to doctoral study in an SPhD program supervised by a doctoral committee primarily composed of William D Winn (Chair) and Mark P Haselkorn. The credits applied to courses and independent studies in four UW colleges as required by UW SPhD program rules. *[Curriculum Vitae]*.

Ramey received repeated requests for documents prepared by Spyridakis and Winn whom she claimed to have consulted and who had provided her with "recommendations of unsatisfactory performance and progress pursuant to GSM #16". She did not produce them at the hearing and obviously did not know that Winn had filed affidavits with US Department of Education, Office of Civil Rights supporting his doctoral candidate.

The documents reveal inherent malfeasance and railroading by Landolt, Ramey, and Spyridakis supported by an impotent or malevolent faculty with Caspar Milquetoast Haselkorn timidly trailing behind them. They cover one of five kangaroo courts related to these issues. *[Documents - Précis]*

The Wolves (Conspirators)

Richard L McCormick

Lee L Huntsman

Marsha L Landolt (Gone to a Warm Clime)

Judith A Ramey

Mark P Haselkorn

Jan H Spyridakis

Mary A Fitch

William M McGovern

Helen Sherk

Sarah Kathleen Konrad

The Sheep (Co-conspirators)

Philip L Bereano

Mary B Coney

David K Farkas

Deborah Illman

Masashi Kato

Keiko Nakamura

Carolyn S Plumb

Michio Tsutsui

Thomas R Williams

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