

Monday, December 1, 2008

Unusual judge heckled Mukasey the night he collapsed.

Eleven days ago, Washington state Supreme Court justice Richard Sanders shouted "Tyrant" to outgoing Attorney General Michael Mukasey after Mukasey allegedly drew laughter at a Federalist Society meeting when he underlined that the last time he checked, Al Qaeda was not a signatory to the Geneva Conventions. (The Federalist Society video does not appear to have picked up laughter, so either the laughter was just filtered out before the speech hit the Federalist Society's screen, it was not as loud as Justice Sanders asserts, or the truth lies somewhere in between.) Justice Sanders insists he left Mukasey's speech long before he collapsed, which is a curious assertion if the Federalist Society's video (omitting the collapse) is correct that the Geneva Conventions comments came at the last ten minutes of Mukasey's speech. In any event, the story raises a few issues and facts, including the following:

- As much as I am not fond of Barack Obama's choice of Eric Holder to be attorney general, the video of Mukasey's speech shows him to be a key cheerleader for Bush II's disregard for affording basic legal protections to alleged terrorists. The nation will be better off when Mukasey leaves office along with Bush II on January 20, 2009.
- The Federalist Society is a very influential networking group for those wanting Republican presidents to appoint them to positions on the bench and in the Justice Department.
- Federalist Society gatherings draw numerous (if not many more) Supreme Court justices, lower federal court judges, and state court judges.
- By his presence at the November 20 Federalist Society meeting and apparent involvement with previous Federalist Society activities (through a Google search), Justice Sanders apparently is a Federalist Society member. Will the Federalist Society try to purge him over his heckling, or does the society wish to portray itself as welcoming such a range of differing thoughts?
- By his own account, Justice Sanders took the Washington state Supreme Court bench in 1995 by election and has gotten re-elected every six years since then.
- Justice Sanders is outspoken, and has his own website.
- Justice Sanders filed a cert. petition to the United States Supreme Court after having been disciplined after his visit with inmates at a prison for those convicted of sexual offenses. By silence in Scotus Blog and Google, it seems the petition was denied.

Do any of you have further information on Justice Sanders? Have you argued before him or otherwise met or observed him in action? Jon Katz

Posted by Jon Katz in Jon's news & views at 00:00