

Former prosecutor Don Brockett takes on the U.S. Supreme Court in his new book

Doug Clark/SR columnist

He's a shade grayer than I remembered, although that's understandable for a man edging up against 80.

Trim and fit, he still has those smiling eyes that can bore right through you. He seems sharper than ever, pulling facts and dates out of his head at will and explaining complex points of law with ease.

No doubt about it. Facing Don Brockett in a courtroom would still be a criminal's worst nightmare.

Brockett spent 33 years in the Spokane County Prosecutor's Office, serving 25 of those years as prosecuting attorney.

He helped put away Fred/Kevin Coe, the infamous South Hill Rapist, tried three death penalty cases and once successfully argued a case before the U.S. Supreme Court. Those are just a few of the high points.

Brockett, who retired in 1994, was hands down the best prosecutor we ever had. And now he can add "author" to his long and impressive resume.

The book he recently finished is not the anecdote-filled recollection you might expect a guy like Brockett to write.

There's plenty of material. After the Kevin Coe trial, for example, Coe's vindictive mother Ruth attempted to hire a hit man to not merely kill Brockett (the fate she wanted for the judge) but turn the prosecutor into a diaper-wearing "addlepatated vegetable."

Maybe he'll get to one of those "tell-alls" eventually. But Brockett said he felt compelled to first write a serious book about how the highest court in the land has "changed our lives by its decisions, some of which have been in violation of the Constitution itself."

The title of Brockett's authoritative and self-published work reads like an indictment:

"The Tyrannical Rule of the U.S. Supreme Court – How the Court Has Violated the Constitution."

The book sells for \$18.50. It can be bought at Auntie's Bookstore, 402 W. Main Ave., or ordered online from www.criticalbookspublications.com. You can get it through Amazon, too.

Ideologically conservative, Brockett wanted to lay out the history of how the Supreme Court devolved into such a powerful political body.

"My purpose was to stir people up," he said. "To get people thinking."

On Tuesday I drove to Brockett's immaculate North Side home. It had been years since I last saw this man who was once such a force in our community.

Brockett's always been one of my local heroes, a true public servant who dedicated himself to pursuing justice.

Take Otto Zehm, the innocent janitor who died in 2006 after being violently attacked in a convenience store by an out-of-control Spokane police officer.

I believe we never would have had to wait for the feds to step in and prosecute Karl Thompson Jr. had Brockett, rather than Steve Tucker, been in office.

"I still have the (Otto) button you sent me," Brockett told me as we sat facing each other over his kitchen table.

Brockett's book takes the reader from how the Supreme Court was "supposed to be" to what it has become today.

"In many cases," writes Brockett, "... the Court is attempting to reach a result it believes it should reach and needs to find some reasoning to support its conclusions therefore it avoids all requirements of the Constitution and creates words or phrases as justification."

If it sounds like heavy stuff, that's OK with the author. "I want people to have to read it two or three times before they really understand it," he said.

Brockett believes he was meant to write this book. Shortly after his retirement in 1994, he was stricken with colon cancer that nearly claimed his life.

"I'm here for a reason," he added. "I figured God had something for me to do and this book may be it."

And he's already working on a follow-up. Will that one be a journey into the prosecutor's past?

Brockett won't say.

But as far as anecdotes go, Brockett gave me a gem.

It's about a situation the prosecutor found himself in on the day that rape victims came to the courthouse to see if they could pick Coe out of a lineup.

A recent Supreme Court ruling, he said, made it necessary for any suspect in a lineup to have a legal representative present. To Brockett's dismay, however, the public defender refused his request to take part.

Brockett knew he had to come up with something.

He turned to a man who was present. Brockett knew that he had worked in Army intelligence during World War II.

The prosecutor told the man that he needed him to stand in as Coe's de facto representative.

And so it came to pass that Gordon Coe, the suspect's father and managing editor of the Spokane Daily Chronicle, watched as one rape victim after another identified his 34-year-old son as the South Hill Rapist.

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