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Dedicated to your safety"

September 7, 2023

Washington State Court of Appeals – Division III
500 North Cedar Street
Spokane, Washington 99201

RE: Request for Recusal

To the Honorable Judges of Division III:

This letter is the Spokane County Sheriff's response to Judge George Fearing's request that "any other interested parties file a response to the demand" for recusal submitted by the Spokane County Prosecutor's Office. I am pleased Judge Fearing is open to hearing from all stakeholders regarding his clear and unequivocal bias against the members of the Spokane County Sheriff's Office, the Spokane County Prosecutor, the members of the Spokane County Prosecutor's Office, crime victims, and all law-abiding citizens of Spokane County. I also hope the basis of the request for responses comes from a place of reflection and a desire to maintain the integrity of our judiciary.

I am the elected Sheriff of Spokane County with over 25 years of service as a commissioned law enforcement officer, serving the citizens of Spokane County for all of them. I am a lifelong citizen of Spokane County. Judge Fearing's dissenting opinion in State v. Vaile, No. 37943-4-III, clearly articulates his bias against the groups I listed above. In his opinion, he states as fact the deputies involved in the case acted on what he believes is racial bias. He further accuses the Deputy Prosecuting Attorney in the case of the same. Judge Fearing's opinion clearly demonstrates he is so blinded by his own bias that he reaches a conclusion that is not supported by the facts of the case before him. Judge Fearing is so blinded by his bias that his opinion crosses the threshold into activism against law enforcement and court officers who all took an oath to uphold the Constitutions of the State of Washington and The United States of America. These are the actions of a politician and not a judge.

If the baseless accusations of racism against those groups were not enough, Judge Fearing also attacked crime victims. He accused the victim of an assault of overreacting to an unwanted kiss from someone she didn't know. He called the victim "entitled" because of the color of her skin and made a blanket allegation that many white women in America feel the police are their personal security guards. He also used a derogatory term when he referred to white women as "Karen's." Judge Fearing then went on to utilize editorial articles, newspaper sources, and statements from activist groups to justify his bias against these groups, the victim, and Prosecutor Larry Haskell. Judge Fearing also stated in his opinion Prosecuting Attorney Haskell is racist because of actions and statements made by his wife. I fear the day our judiciary holds people accountable for the actions and statements of others. Our Republic is surely lost when actions like this stand.

I fully support the request for recusal by the Spokane County Prosecutor's Attorney's Office. Judge Fearing provided overwhelming evidence that he is not free from bias and cannot uphold his oath of office and serve with integrity as a Judge in the State of Washington. I do not believe any law enforcement officer in the state of Washington will receive unbiased consideration from Judge Fearing. Nor do I believe any crime victim will receive unbiased or fair treatment from Judge Fearing because he is willing to let his own personal opinions about the parties of a particular case supplant the facts of that case. It is indisputable there is no place for racism or bias in our society or judicial system. The Spokane County Prosecutor's Office states, "it is incumbent on all involved in the criminal justice system to strive for justice and equality for all." I could not agree more. Judge Fearing's actions in this case show a clear lack of support for justice and equity for all. For these reasons, I emphatically join the Spokane County Prosecutor's Office in calling for Judge George Fearing's recusal from all cases involving the Spokane County Prosecutor's Office, Spokane County Sheriff's Office, and any victim of assault, especially sexual assault.

Respectfully,



JOHN F. NOWELS, Sheriff
Spokane County