

*Stephen A. Mitchell, and his enforcer Felipe Jacques, obsessed over trying to prevent this reporter from appearing as a witness. Twice they insisted that the sheriff arrest him in the courtroom while exercising his constitutional rights. Judges Hurtado and Howard apparently found their conduct legally indefensible and gave him the protection of the court.*

Leon L. Harris appeared in King County District Court, Seattle Division, E326 (Lambert vs. Harris Y1-4186), to answer harassment charges (27 Aug 01). Judge Michael S. Hurtado continued the hearing on alleged harassment to enable Harris to obtain legal counsel. Judge Maureen A. Howard granted another continuance (07 Sep 01) to enable counsel for Harris, Seattle attorney George F. Sjursen, to properly prepare his defense. The continued hearing will now take place at 09:00 in Seattle courtroom E312 (21 Sep 01).

The case relates to another apparent constructive eviction attempt against a senior citizen at Council House, 1501 17 Avenue, Seattle. The incident took place after a monthly *Coffee with Steve* (15 Aug 01) meeting held by administrator Stephen (aka Stefan) A. Mitchell (36), 8 Avenue NW, Seattle. It resulted from a verbal fracas at the meeting between two residents, Virginia D. Lambert (69) and Leon L. Harris (70).

Harris, a black man, voiced an opinion at the meeting about an incident that he considered racist. Donald L. Jackson (68), another black resident and a witness for Harris at the hearing, evidently saw a Jewish resident looking at children playing in the T. T. Minor school yard across the street from Council House. He heard her say: "What is this - the planet of the apes?"

Harris, a long-term activist, a former aide to an Oregon governor, and Council House residents' association past president, had previously complained to Mitchell about racist language. Mitchell had done nothing when a resident used the term "shvarzer" (Yiddish - nigger) in the public rooms. Mitchell has a history of not addressing resident complaints. Instead, he uses bizarre kill-the-messenger techniques.

Harris had previously complained to the US Department of Housing and Urban Development (HUD) about racial abuse at Council House. However, Diane B. Nelson, Acting Supervisor (HUD), brushed him off by writing (03 May 01):

Under the Fair Housing Act, as amended, the US Department of Housing and Urban Development does not have jurisdiction. We were unable to ascertain whether you had been injured by a discriminatory housing practice, ie, you were not told that you would lose your housing if you used the words "Jesus Christ." In addition, an individual attending an event that is sponsored by a religious group would be expected to adhere to the traditions of that group.

Nelson missed the point made by Harris (a Christian), entirely. Consequently, the ethnic and religious debacle at Council House continued to degenerate until the confrontation at Mitchell's meeting (15 Aug 01).

In court, Mitchell referred to himself alternately using his correct name "Stephen" and his stage name "Stefan." Mitchell, a professional stage actor, doubles as Council House administrator although he has virtually no experience or qualifications for the position. HUD Office of the Inspector General presently has him under investigation for alleged credential falsification and misappropriation of public funds.

Mitchell and his lieutenant, Felipe Jacques, obsessed with trying to silence this reporter, tried to have him arrested and jailed when he arrived in court on two occasions (27 Aug 01 and 07 Sep 01). Both times they arrived at the court early to set him up. At the first hearing, Jacques threatened this reporter with a walking stick and Mitchell had a hissy fit in the corridor because the sheriff would not arrest him.

On separate occasions, Judges Hurtado and Howard have informally found their conduct obstructionist and indefensible and provided protection of the court. Robert J. Siegel, Merkle, Siegel, and Friedrichsen (MSF), Seattle, attorney for this reporter, has now written to Maureen M. Mitchell, Short, Cressman, and Burgess (SCB), Seattle, attorney for Mitchell and Council House. Siegel has asked Mitchell (SCB) to tell her clients to cease and desist harassing this reporter by trying to have him arrested for exercising his constitutional rights. They now know that he will probably seek a restraining order against both Mitchell and Jacques if they persist in this behavior.

Judge Howard told all Council House people to remain in place to allow this reporter to leave the building. He had informed the court that Mitchell, Jacques, and Lambert, had waylaid him to cause a breach of a restraining order (now on appeal) twice before. A sheriff escorted this reporter from the building at his request. About ten Council House residents attended each hearing, apparently to support Harris.

Attorney Sjursen (Harris's attorney appointed the day before) had not yet filed an appearance. He asked for another continuance to prepare his case which Howard granted after questioning Harris about his industry in obtaining an attorney. The judge granted Lambert another extension of the temporary order.

Mitchell grandstanded as Lambert's "attorney" although she had filed *pro se*. Sjursen objected to his speaking as a nonparty. The court overruled his objection.

Mitchell then argued against continuance by claiming that he had important duties to perform as administrator of Council House and that continuances took him away from those duties. The court ignored his argument and granted Sjursen the continuance.

Through benign neglect, HUD allows Mitchell to use abusive enforcement tactics and witness tampering strategies. HUD officials apparently remain completely unresponsive to Harris's plight although fully apprized of the situation.

Noel A. Tognazzini, Special Agent in Charge, Robert W Woodard, Assistant District Inspector General for Audit, HUD/OIG-Seattle, and Clarence Nelson, HUD Contract Administrator for the State of Washington, have responsibility for investigation and oversight at Council House, respectively. They have apparently done nothing to resolve a problem that has escalated over fifteen years. Their supervisor, Anthony Crook, Deputy Director, Investigation Support Division, Washington, DC, evidently condones their neglect through willful blindness.

After reading the previous Lambert vs. Harris article ([801-11](#)), Elena Luisa Garella, a Seattle attorney wrote: "I've handled quite a few First Amendment cases, both at trial and on appeal, including at least four dealing with RCW 10.14 (the antiharassment statute - one of the most appallingly abused statutes in the Code)."

Evidently, Council House does not stand alone. The court finding in Lambert vs. Harris will confirm or deny this perception.

*Nmesis.*

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