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CASE NUMBER: 17-2-09152-9 SEA

SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR KING COUNTY

D.H.,

Plaintiff,

v.

MAYOR EDWARD MURRAY,

Defendant.

NO.

**COMPLAINT FOR DAMAGES:
CHILD SEX ABUSE & ILLEGAL
CHILD PROSTITUTION**

COMES NOW the Plaintiff, by and through his attorneys of record, and by way of claim allege, and upon information and belief upon all other matters, as follows:

I. PARTIES

1. Plaintiff D.H. is an adult male born in February of 1971 and is the child sex victim Ed Murray.¹

2. Defendant the Honorable Mayor Edward Murray, now age 61, is a Seattle resident and at the time of most of these incidents previously resided at [REDACTED] [REDACTED] Seattle, Washington.

¹ For the related privacy principles, see *R.P. v. Seattle School District*, WL 639408 (Feb 18, 2014) (holding that sex abuse victim's identity is protected from public disclosure).

II. FACTS

3. As a young child, at the age of fifteen (15), the plaintiff, D.H., would frequently ride the Metro Bus Number-7 in the Capitol Hill area. D.H. had recently dropped out of Nathan Hale high school during the 9th grade. D.H. was homeless and his parents were also on drugs. Young and curious, D.H. encountered Ed Murray upon the bus and developed a friendly interaction. Mr. Murray was approximately age thirty-two (32) at the time, and propositioned D.H. for private visits at his Capitol Hill apartment. D.H. recalls Mr. Murray's old phone number: [REDACTED] D.H. recalls that as you enter the apartment, the bathroom is to the right, and across from the bathroom was the sole bedroom.

4. The interaction turned sexual. Prior to the sex acts, Mr. Murray asked D.H. his age, and he responded truthfully, age 15. Mr. Murray propositioned D.H. in the form of sex acts for money – a form of child prostitution. Addicted to drugs at the time, D.H. was willing to do whatever Mr. Murray asked for as little as \$10-20 dollars. The sex acts included various forms of intercourse – anal of course – and oral sex acts, with Mr. Murray always on the receiving end of oral interactions. At times, the sex turned aggressive, beyond a point to which D.H. was comfortable and/or felt that to which he had agreed. During the relevant time-frame back 1986, D.H. recalls discussing the sexual encounters with his friend, F.W. Eventually, D.H. came to understand that Mr. Murray was doing work in politics at a location “across the street from the King County Jail” at the time.

5. D.H. recalls that Mr. Murray most enjoyed having his nipples pinched during sex – Mr. Murray has a very freckled chest. At the time, and likely still so, Mr. Murray had a distinctive genital region including reddish pubic hair and a unique mole on his scrotum – it is

1 a small bump. Mr. Murray indicated that he enjoyed sex more if D.H. was dirty -- literally
2 unclean -- and told D.H. not to bathe prior to sex. The sexual interactions at issue – underage
3 sex for small-amounts of money – continued for an extended period of time. Admittedly,
4 D.H. was convicted of various charges that include an extensive drug addiction, and acts of
5 prostitution in 1990 during unrelated sting operation.
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7 6. On at least one occasion, D.H. was at Mr. Murray’s home when another
8 apparently under-aged boy was at the apartment. D.H. was of the understanding that Mr.
9 Murray was having sex with the other boy for money at the same time. D.H. recalled the
10 other light-skinned boy from the Broadway area, where everyone would hang out. Mr.
11 Murray wanted D.H. to participate in the sex acts as a group. D.H. participated indirectly, but
12 “*did not fully indulge*” out of embarrassment at the proposition.
13

14 7. As an independent contention that can be expressly admitted or denied: Mr.
15 Murray has had sex with at least one (1) underage boy for money. This question should be
16 easy to answer and not require *any* investigation by Mr. Murray. Mr. Murray has either (1)
17 had sex with an underage boy for money, or (2) Mr. Murray has not. To the extent that Mr.
18 Murray suggests an inability to respond to this overall Complaint based upon D.H. being
19 referenced solely by his initials, Mr. Murray can still respond to this contention. Mr. Murray
20 cannot reasonably respond, “*which boy*” to this contention.
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22 8. Only within the immediate past was it that D.H.’s father died. This event, the
23 death of D.H.’s father, prompted moments of reflection and introspection that included
24 counseling at Sound Mental Health. These moments of reflection, and awareness that Mr.
25 Murray maintains a position of authority, prompted the filing of this lawsuit in an attempt at
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1 accountability, and to hopefully give courage for other potential victims to come forward and
2 speak out. According to D.H., he and Mr. Murray have had a few brief telephone interactions
3 over the years. D.H. would be shocked if Mr. Murray does not recall *exactly* who he was.
4 D.H. is currently participating in the Reach Program and trying to stay clean and move his life
5 in a positive direction.

6
7 9. An early step in this lawsuit will be deposing Mr. Murray, which should occur
8 within the first ninety (90) days of filing. D.H. believes that it will be hard, if not nearly
9 impossible for Mr. Murray to deny the abuse. Notably, Mr. Murray has accepted collect calls
10 at his home from D.H. over the years. Natural speculation would lead some people to believe
11 that D.H.'s actions are politically motivated – which is not exactly true. In this regard, D.H. is
12 disturbed that Mr. Murray maintains a position of trust and authority, and believes that the
13 public has a right to full information when a trusted official exploits a child. To the extent
14 that D.H. has any political motivations for outing Mr. Murray, they stop there. It should be
15 noted that at no point in time, not even prior to filing this lawsuit, did D.H. make any financial
16 demands of Mr. Murray – other than trading sex acts for money as described herein. D.H. has
17 counseling records.
18

19 III. CHILDHOOD SEX ABUSE

20 10. Mr. Murray repeatedly and criminally raped and molested D.H. when he was
21 legally unable to consent. Mr. Murray's violations were repugnant and unlawful under
22 chapter 9A.44 RCW and/or RCW 9.68A.040. RCW 9.68A.005 explains that "The legislature
23 finds that the prevention of sexual exploitation and abuse of children constitutes a government
24 objective of surpassing importance. The care of children is a sacred trust and should not be
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1 abused by those who seek commercial gain or personal gratification based on the exploitation
2 of children. The legislature further finds that the protection of children from sexual
3 exploitation can be accomplished without infringing on a constitutionally protected activity.
4 The definition of 'sexually explicit conduct' and other operative definitions demarcate a line
5 between protected and prohibited conduct and should not inhibit legitimate scientific,
6 medical, or educational activities. The legislature further finds that children engaged in
7 sexual conduct for financial compensation are frequently the victims of sexual abuse.
8 Approximately eighty to ninety percent of children engaged in sexual activity for financial
9 compensation have a history of sexual abuse victimization. It is the intent of the legislature to
10 encourage these children to engage in prevention and intervention services and to hold those
11 who pay to engage in the sexual abuse of children accountable for the trauma they inflict on
12 children." According to RCW 9.68A.100, "(1) A person is guilty of commercial sexual abuse
13 of a minor if: (a) He or she pays a fee to a minor or a third person as compensation for a
14 minor having engaged in sexual conduct with him or her..." RCW 9.68A.102(3) explains
15 that "Consent of a minor to the travel for commercial sexual abuse, or the sexually explicit act
16 or sexual conduct itself, does not constitute a defense to any offense listed in this section.
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19 **IV. STATUTE OF LIMITATIONS: RCW 4.16.340**

20 11. According to RCW 4.16.340, (1) All claims or causes of action based on
21 intentional conduct brought by any person for recovery of damages for injury suffered as a
22 result of childhood sexual abuse shall be commenced within the later of the following periods:
23 (a) Within three years of the act alleged to have caused the injury or condition; (b) Within
24 three years of the time the victim discovered or reasonably should have discovered that the
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1 injury or condition was caused by said act; or (c) Within three years of the time the victim
2 discovered that the act caused the injury for which the claim is brought: PROVIDED, That the
3 time limit for commencement of an action under this section is tolled for a child until the child
4 reaches the age of eighteen years. (2) The victim need not establish which act in a series of
5 continuing sexual abuse or exploitation incidents caused the injury complained of, but may
6 compute the date of discovery from the date of discovery of the last act by the same
7 perpetrator which is part of a common scheme or plan of sexual abuse or exploitation. (3) The
8 knowledge of a custodial parent or guardian shall not be imputed to a person under the age of
9 eighteen years. (4) For purposes of this section, "child" means a person under the age of
10 eighteen years. (5) As used in this section, "childhood sexual abuse" means any act
11 committed by the defendant against a complainant who was less than eighteen years of age at
12 the time of the act and which act would have been a violation of chapter 9A.44 RCW or RCW
13 9.68A.040 or prior laws of similar effect at the time the act was committed.
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16 12. Finding—Intent—1991 c 212: "The legislature finds that: (1) Childhood
17 sexual abuse is a pervasive problem that affects the safety and well-being of many of our
18 citizens. (2) Childhood sexual abuse is a traumatic experience for the victim causing long-
19 lasting damage. (3) The victim of childhood sexual abuse may repress the memory of the
20 abuse or be unable to connect the abuse to any injury until after the statute of limitations has
21 run. (4) The victim of childhood sexual abuse may be unable to understand or make the
22 connection between childhood sexual abuse and emotional harm or damage until many years
23 after the abuse occurs. (5) Even though victims may be aware of injuries related to the
24 childhood sexual abuse, more serious injuries may be discovered many years later. (6) The
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1 legislature enacted RCW 4.16.340 to clarify the application of the discovery rule to childhood
2 sexual abuse cases. At that time the legislature intended to reverse the Washington supreme
3 court decision in *Tyson v. Tyson*, 107 Wn.2d 72, 727 P.2d 226 (1986). It is still the
4 legislature's intention that *Tyson v. Tyson*, 107 Wn.2d 72, 727 P.2d 226 (1986) be reversed, as
5 well as the line of cases that state that discovery of any injury whatsoever caused by an act of
6 childhood sexual abuse commences the statute of limitations. The legislature intends that the
7 earlier discovery of less serious injuries should not affect the statute of limitations for injuries
8 that are discovered later.” D.H.’s statute of limitations is preserved under these assorted
9 provisions. By and through this civil litigation process, D.H. intends to seek answers
10 regarding the abuse, and the impact upon her life and personal well-being.
11

12 **V. PRAYER FOR RELIEF**

13 WHEREFORE, Plaintiff requests a judgment against Defendant:

14 (a) Awarding Plaintiff general damages including loss of consortium and special
15 damages in an amount to be proven at trial;

16 (b) Awarding him reasonable attorney’s fees and costs as available under law;

17 (c) Awarding him any and all applicable interest on the judgment; and

18 (d) Awarding him such other and further relief as the Court deems just and proper
19 under the circumstances of this case.
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1 Respectfully submitted this 4th day of April, 2017.

2 CONNELLY LAW OFFICES, PLLC

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4 By _____
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