



OFFICE OF BAR COUNSEL

June 24, 2013

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CONFIDENTIAL

Mr. Diop Kamau
Ms. Tyra Ferrell
9217 Hampton Glen Court
Tallahassee, FL 32312

Re: Bechtol/Kamau; Ferrell
Bar Docket No. 2013-D200
Please respond by: 07/05/2013

Dear Mr. Kamau and Ms. Ferrell:

Enclosed is a copy of the attorney's answer to your complaint in the above-referenced matter.

If you disagree with any of the statements made by the attorney, or if you have any additional evidence, please provide us with your written reply on or before ***July 5, 2013***.

If we do not hear from you promptly, we may assume that you are satisfied with the attorney's explanations. If you have a question or need assistance in preparing your response, please call the undersigned at (202) 638-1501. Please refer to the above docket number in all correspondence and telephone calls.

Sincerely,

Elizabeth A. Herman
Deputy Bar Counsel

Enclosure: Attorney's response dated June 20, 2013

EAH/jnb

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE ATTORNEY GENERAL



LEGAL COUNSEL DIVISION

OFFICE OF BAR COUNSEL

JUN 21 2013

RECEIVED

June 20, 2013

Elizabeth A. Herman
Deputy Bar Counsel
Office of Bar Counsel
Building A, Room 117
515 5th Street, N.W.
Washington, D.C. 20001

RE: Bechtol/Kamau; Ferrell
Bar Docket No. 2013-D200

Dear Ms. Herman:

As stated in our previous conversation, I am an Assistant Attorney General in the Legal Counsel Division of the Office of the Attorney General for the District of Columbia, and also Acting Ethics Counselor for the District government. I represent Ms. Janese M. Bechtol in the above complaint, filed with the Office of Bar Counsel on March 25, 2013. Her response to this complaint is below.

Ms. Bechtol's Responsibilities

Ms. Bechtol is an Assistant Attorney General and Chief of the Domestic Violence Section ("DVS"), within the Family Services Division of the Office of the Attorney General for the District of Columbia ("OAG"). In this role she supervises a number of attorneys, including Assistant Attorney General Sarah Connell.¹

Among other duties, OAG (through DVS) represents victims of domestic violence, stalking, and sexual assault in obtaining civil protection orders ("CPO") pursuant to D.C. Code § 16-1003(b). OAG is one of seven private and public entities that partner to operate the two domestic violence intake centers in the District. According to Ms. Bechtol, most individuals who want to get a civil protection order against a harasser in the District file through the intake centers. At the intake centers, advocates from a non-profit organization assist them with filing their cases; those who want attorneys are referred to legal service providers, including OAG. OAG receives federal grant money under the Stop Violence Against Women Act with the condition that OAG prioritize sexual assault and stalking cases, thereby funding OAG's participation in this project (the "CPO project").²

¹ Although the complaint also named AAG Connell as a respondent, we have been advised by your office that no response is required from her at this time.

² At the relevant time, this project was officially known as the "OAG Anti-Stalking Initiative".

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Underlying Litigation

The instant matter grows out of OAG's representation of Gregory Slate, who sought a CPO against Tyra Ferrell³, wife of Diop Kamau, the two complainants here. They have alleged that, in the course of this litigation, Ms. Bechtol violated numerous aspects of the Rules of Professional Conduct ("RPC"). However, as shown below, there is no merit to any of these allegations and they should be dismissed without further consideration.

History Prior to OAG Involvement

Gregory Slate and Diop Kamau had worked together as journalists, although the exact nature of their relationship is in question. Kamau and Ferrell operate the Police Complaint Center, which styles itself as the "National non-profit organization that provides assistance to victims of police misconduct" and publishes stories of alleged police abuses on its website. At some point a great deal of animosity developed between Slate and Kamau, and in August 2009 Slate filed a harassment complaint against Kamau in the D.C. Superior Court, No. 2009-CA-5749.⁴ Among other things, Slate accused Kamau and Ferrell of harassing and threatening behavior toward himself, his family, and others – this included voluminous phone calls and emails, as well as the creation and maintenance of a number of websites attacking Slate and releasing his personal identifying information to the public. In September 2009, the Court granted a preliminary injunction, prohibiting the parties from contacting each other.

In July 2010, Slate filed a contempt motion alleging that Kamau had violated the order; Kamau later filed his own contempt motion. In November 2010, the Court entered a one-year preliminary injunction prohibiting both parties from contacting each other and also ordering that the alleged internet harassment be referred to the United States Attorney. The motions for contempt were either withdrawn (Kamau) or denied (Slate). During the hearing, Kamau indicated that his wife Ferrell actually controlled the websites in question.

The District was not a party to this matter, and OAG was never involved in it in any way.

OAG Involvement

In November 2010, Slate filed a petition for a CPO against Ferrell at the Domestic Violence Intake Center, captioned No. 2010-CPO-4129, in the D.C. Superior Court. Ex. 1. The main allegation in this petition was that Ferrell had continued to harass Slate and had failed to remove the harassing websites. In December 2010, the matter was referred to AAG Connell because of

³ Ferrell is also known as Tyra Rasmus.

⁴ This animosity apparently arose from a dispute over a videotape of an undercover investigation conducted by Slate and Kamau, which was provided to ABC News. This resulted in Slate filing a copyright infringement case against ABC News in the U.S. District Court for the District of Columbia. See *Slate v. ABC News, Inc., et al.*, No. 09-cv-1761 (BAH). In all three of these cases – Nos. 09-CA-5749 and 2010-CPO-4129 in the Superior Court, and No. 09-cv-1761 in the District Court – there was much testimony from both sides as to whether Slate had been employed by Kamau.

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OAG's participation in the CPO project; OAG represented Slate for the length of this matter. Ferrell was represented by attorney Timothy Clinton from December 2010.

On April 13, 2011, following extensive negotiations, Ferrell consented to the entry of a CPO against her. See Ex. 2. Among other things, the CPO required Ferrell to remove all content relating to Slate on approximately 40 websites that she either controlled or had posted upon. *Id.* at 2. However, Ferrell then failed to do so, and on May 10, 2011, OAG filed a motion for criminal contempt against her. This was later withdrawn and a civil contempt motion substituted; it was during these contempt proceedings that Ms. Bechtol took over the representation of Slate from AAG Connell. Following a hearing on October 14, 2011, Ferrell was found in contempt and ordered to pay \$50 per day until the website content was removed. See Ex. 3. The websites were subsequently removed. Ms. Bechtol examined the two witnesses (the parties) at this hearing and otherwise served as Slate's counsel.

OAG's last court appearance in the matter was November 8, 2011, when Ms. Bechtol appeared in Superior Court to confirm that Ferrell had complied with the court's order to remove the websites under her control. There were no further hearings and no substantive filings by OAG for the remainder of the matter.⁵ OAG's representation of Slate ended when the CPO expired on April 12, 2012.

Response to Claims

The complainant's allegations against Ms. Bechtol are vague, conclusory, and grossly mischaracterize both the facts of this matter and Ms. Bechtol's role in it. They are also devoid of evidentiary support. Most of these allegations do not constitute proper Bar Counsel charges at all, and they fail to support any basis for your Office to discipline Ms. Bechtol. Ms. Bechtol responds to the various allegations in the complaint:

A. "The attorneys failed to notify the court that their client was submitting perjured testimony."

Response: Slate testified under oath in court on only one occasion throughout the existence of the case – at the October 14, 2011, civil contempt hearing for Ferrell on October 14, 2011. Ms. Bechtol is and was unaware of any perjured testimony Slate submitted at that hearing.

On April 13, 2011, while represented by counsel, Ferrell consented to the entry of a CPO that required her, among other things, to remove any content related to Slate from a detailed and specific list of websites within five days. Ex. 2. When she failed to do so, OAG pursued a contempt action against her to force her compliance, and which resulted in the above hearing at which Ms. Bechtol presented Slate's case. This consisted of introducing documentary evidence through Slate in the form of current "screen shots" of the websites in question, showing that the

⁵ On December 27, 2011, Ferrell filed a motion to hold Slate in criminal contempt, claiming that he had lied about being an employee of the Police Complaint Center, the business owned by Kamau and Ferrell. The Superior Court denied this motion on January 9, 2012, on the basis that Ferrell had claimed that the matter had been reported to law enforcement. However, OAG was never served with this motion, and only learned of it when it received the Court's denial.

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material had not been removed as of the date of the hearing and establishing Ferrell's control of those websites through her own prior testimony. As this testimony was based on documentary evidence Ms. Bechtol herself had authenticated, she is confident no perjury was submitted to the court.

In their narrative, Mr. Kamau and Ms. Farrell claim that Slate committed perjury by testifying that he had never worked for the Police Complaint Center. Indeed, in all three of the related cases – Nos. 09-CA-5749 and 2010-CPO-4129 in the Superior Court, and No. 09-cv-1761 in the District Court – the dispute has almost exclusively centered on whether Slate had been employed by Kamau and Ferrell. Ms. Bechtol states that she does not have specific notes about this aspect of Slate's testimony, but to the best of her recollection, Ferrell, *pro se* at the hearing, asked Slate about their employment relationship during her cross-examination of him.

However, the fact that the parties had a difference of opinion as to that status had no relevance to the matter before the court, the contempt hearing for Ferrell's violation of the CPO. Even if Slate was a former employee of the Police Complaint Center and lied about it at the hearing, that testimony was in no way material to the only issue then before the court – whether the specific websites had been removed. Since perjury requires that the untrue testimony be material, this testimony whether true or false was not perjury. *See D.C. Code § 22-2402.*

In any event, there is no way that this alleged perjury by Slate could form the basis for a violation of the RPC by Ms. Bechtol. Construing this to allege a violation of Rule 3.3(a)(4), the District notes that this rule requires that an attorney not *knowingly* submit false evidence – as is made clear above, Ms. Bechtol has no knowledge as to Slate's employment status with the Police Complaint Center, and that issue was irrelevant to her CPO case. Ferrell cannot, and has not, offered a shred of evidence to support this allegation.

Kamau and Ferrell also allege that Ms. Bechtol filed unspecified "false court documents". However, the only document she filed was a routine motion to extend the CPO filed on March 20, 2012, based on the court's finding of contempt against Ferrell.

B. "The attorneys identified in this complaint Sarah Connell and Janese Bechtel [sic] were aware that their client was a criminal suspect and fugitive for the duration of their legal representation."

Response: OAG entered its appearance as counsel for Slate in 2010-CPO-4129 on December 8, 2010, and ended its representation when the civil protection order expired on April 12, 2012. OAG's last court appearance in the matter was November 8, 2011, when Ms. Bechtol appeared in Superior Court to confirm that, after having been held in contempt on October 2011, Ferrell had complied with the court's order to remove certain websites under her control. There are no court records of any warrants for Slate prior to that date.

According to court records, Slate was subsequently arrested on various matters but still never became a fugitive:

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- **2011-CF2-23649** – Slate was arrested on December 11, 2011, the same day as the alleged crimes in this case. He was acquitted of four charges on April 23, 2012, and a fifth was dismissed on October 12, 2012. At no time was he a fugitive.
- **2011-CMD-24185** – Slate was arrested on December 16, 2011, the same day as the alleged crimes in this case. All three charges were dropped on October 12, 2012. At no time was he a fugitive.
- **2012-CF2-160** – Slate was presented before the court on January 5, 2012, based on a warrant signed December 30, 2011. The two charges were dismissed on November 21, 2012. At no time was he a fugitive.

Further, a warrant for Slate was issued by Virginia on January 30, 2012. He was on probation in Virginia for 2010 DWI and hit and run convictions, and the new arrests in D.C. prompted probation revocation proceedings and the warrant in Virginia. Slate was detained in D.C. jail until May 1, 2012, and upon his release in the D.C. cases, he was transferred to Virginia to address the warrant. The probation revocation matters were also ultimately dismissed on October 26, 2012. At no time was he a fugitive.

Further, all of these arrests took place in December 2011 or later, well after the October 2011 hearing at which Ferrell was found to be in contempt for continued violation of the CPO. Even if Ms. Bechtol had timely known of Slate's arrests, the mere fact that he was a suspect in unrelated criminal charges could have had no bearing on the veracity of his testimony at that hearing. This is simply no violation of the RPC.

Kamau and Ferrell also claim that Ms. Bechtol and AAG Connell knew that Slate "was wanted for a string of assaults throughout the district [sic] of Columbia and Maryland", and that, although "made aware of the crimes committed by their client . . . continued their legal representation unabated." Ms. Bechtol denies this assertion completely, and has stated that she was unaware of Slate ever being wanted for a string of assaults throughout the District of Columbia and Maryland, and to date has found no court records to support that claim.

C. "The attorneys may have destroyed or concealed email records from a freedom of information act [sic] request made to the Atty. Gen's office."

Response: Ms. Bechtol states that she did not knowingly destroy or conceal any e-mail records from a Freedom of Information Act request, and that all of the e-mails she received related to Ms. Ferrell's case remain in her files.

Ms. Bechtol believes OAG may have sent one of Mr. Kamau's earliest requests for e-mails to the D.C. Office of the Chief Technology Officer ("OCTO"), which manages the city government's information technology, to search for responsive e-mails. OCTO found none. When the FOIA officer subsequently asked Ms. Bechtol directly for e-mails related to the case, she provided him all requested e-mails. She is unaware which if any were provided to Mr. Kamau.

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D. "The attorneys may have interfered with our ability to obtain legal representation by contacting and communicating with lawyers we sought for legal representation."

Response: Ms. Bechtol avers that she is unaware of whom Kamau and Ferrell contacted to obtain legal representation, and that she had no communication with any lawyer to dissuade them from representing either Kamau or Ferrell.

E. "The attorneys wrote and exchanged offensive and unprofessional emails with our attorney Timothy Clinton."

Response: Ms. Bechtol recalls only one e-mail, dated December 21, 2010, in which she communicated with Clinton. Ex. 4. She was also cc'd on a string of e-mails with Mr. Clinton from February 23–25, 2011. Ex. 5. None of these emails "make jokes" about Ferrell or are in any way offensive.⁶

Conclusion

The allegations in this complaint against Ms. Bechtol are wholly conclusory and completely lacking in both legal and evidentiary support. There is no basis for the charges brought against Ms. Bechtol – indeed, most of them are not Bar Counsel offenses at all – and there is absolutely no reason for disciplinary action against her. We would be happy to supply you with any further information or documentation that you may require. Please do not hesitate to contact me at the number or email below. Thank you for your attention.

Sincerely,

IRVIN B. NATHAN
Attorney General

By:


DAVID A. HYDEN
Assistant Attorney General
Acting Ethics Counselor

⁶ The complainants also claim that AAG Connell asked attorney Clinton for Ferrell's "autograph", that they then "filed a complaint" against her, and that Connell sent supposedly offensive emails as a result. As noted above, Connell is not part of the instant response. Further, the truth is that a colleague, not AAG Connell, simply made a joke that Ferrell's attorney heard. This allegation, even if true, cannot be interpreted as an RPC violation.

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
DOMESTIC VIOLENCE UNIT**

GREGORY SLATE

Confidential,

Petitioner,

v.

CPO No: 4129-10

TYRA RASMUS (aka Tyra Ferrell)

9217 Hampton Glen Court

Tallahassee, Florida, 32312,

Respondent,

SECOND AMENDED

PETITION AND AFFIDAVIT FOR CIVIL PROTECTION ORDER

This Amended Petition supersedes all previously filed Petitions, Amended Petitions and Supplemental Petitions that have been filed in this case.

Pursuant to D.C. Code Section 16-1001 et seq., Petitioner respectfully requests that the court issue a 12-month Civil Protection Order against Respondent. In support of this request, Petitioner states:

1. Respondent is related to Petitioner by ☐ Blood; ☐ Legal Custody; ☐ Marriage; ☐ Domestic Partnership; ☐ Having a Child in Common; ☐ Now or Previously Having Shared the Same Residence; ☐ Romantic, Dating, or Sexual Relationship; ☒ Stalking petitioner; ☐ Sexually assaulting or abusing petitioner; ☐ Sharing a common intimate partner (*Check all that apply*)

Respondent has been stalking Petitioner for the last three years. On November 20, 2008, Petitioner told Respondent to cease all contact with him, his friends, and his family, and to cease posting personally identifying information about him on the internet.

Did any incident described below occur in the District of Columbia? ☒ Yes ☐ No

If not, do you reside, live, work, or attend school in the District of Columbia? ☒ Yes ☐ No

2. Respondent committed or threatened to commit an act punishable as a criminal offense against Petitioner within the meaning of D.C. Code Section 16-1001 et seq., by: (*Please describe any such acts, including physical assaults like hitting, punching, shoving or kicking; threats to do harm, or destruction of property.*)

From 2008 until the present, Respondent has engaged in a course of conduct directed at Petitioner with the intent to cause Petitioner to fear for his safety, to feel seriously alarmed, disturbed, or frightened, or to suffer emotional distress; that Respondent knew would cause Petitioner reasonably to fear for his safety, feel seriously alarmed, disturbed, or frightened, or suffer emotional distress; or that Respondent should have known would cause a reasonable person in Petitioner's circumstances to fear for his safety, feel seriously alarmed, disturbed, or frightened or suffer emotional distress. The course of conduct included the following actions:

A. On or about October 1, 2010, at approximately 6:00 p.m., in the 1700 block of Kilbourne Place, N.W., Washington, D.C., Respondent, through a third person, threatened Petitioner by having Greg Miller assault Petitioner and tell him to drop a lawsuit against Respondent's husband, in which Respondent is a witness.

B. On or about October 1, 2010, at approximately 8:30 a.m., via cell phone call received by Petitioner within the District of Columbia, Respondent communicated to Petitioner by calling him three times and leaving a voicemail message referring to a website Respondent created about Petitioner, despite Petitioner's previous request that Respondent not contact him.

Ex. 1

C. On or about October, 2010, until a time presently unknown to the Petitioner, Respondent communicated about Petitioner to staff and/or faculty at Petitioner's law school in an effort to interfere with Petitioner's education.

D. On or about September 2009, via telephone call to Petitioner's landlord in the District of Columbia, Respondent communicated about Petitioner by yelling information aimed to get Petitioner evicted at the landlord for approximately thirty minutes.

E. On or about December 2008, via e-mail and telephone calls to various employees of the company where Petitioner's stepfather works, Respondent communicated about Petitioner by sending approximately 3,000 e-mails about Petitioner, including one in which she fabricated a court document, and followed up with telephone calls.

F. On or about September 25, 2008, via telephone calls to Petitioner's mother, Respondent threatened to do bodily harm to Petitioner and called Petitioner's phone a total of four times.

G. From 2008 until the present, Respondent communicated about Petitioner and used Petitioner's personal identifying information – including his name, social security number, address, purported signature, voice print obtained by taping Petitioner's phone conversations and court proceedings, and employment history – by creating and maintaining a number of websites directed at Petitioner. In addition, on Respondent's websites, she states that she monitors Petitioner and places him under surveillance by tracking him and recording his calls.

H. From 2008 until the present, Respondent has contacted many of Petitioner's friends, associates, family and others in order to track, monitor and follow Petitioner.

3

ON THE BASIS OF THESE ALLEGATIONS, PETITIONER REQUESTS AN ORDER INCLUDING THE FOLLOWING RELIEF: (Check each form of relief you wish to be awarded by the court)

1. ☒ Ordering Respondent not to assault, threaten, harass, or stalk me and/or my children or other persons: Petitioner's friends, family, tenants, associates, or destroy my/our property.
2. ☐ Ordering respondent to stay away from: ☒ my person; ☒ my work; ☒ my home;
☐ my children's school/daycare; ☒ other persons (names) friends, family, associates ;
☐ other places I frequent (describe): _____
3. ☐ Ordering Respondent not to contact me and/or other persons _____:
☐ by telephone; ☐ in writing; ☐ in any other manner, directly or indirectly through a third party.
4. ☐ Awarding me temporary custody of the minor child(ren), named below. (state name(s) and date(s) of birth of each child AND bring birth certificates to court hearing) _____

IF YOU ARE SEEKING CUSTODY, PLEASE COMPLETE QUESTIONS 4a- 4e:

- 4a. The children's current address is (You do not have to reveal this information if doing so will put you in danger): _____
- 4b. Over the past five years the children have lived at the following other addresses (if any):

- 4c. Names and addresses of the people the children have lived with during the past five years:

- 4d. Have you participated in or do you know of any **other court cases concerning custody** of these children? ☐ Yes ☐ No If your answer is "yes" please indicate where the case(s) was/were filed: _____
- 4e. Do you know of any other person other than yourself and the Respondent who claims to have custody of the children? ☐ Yes ☐ No
5. ☐ Awarding Respondent visitation with the child(ren) if Respondent shows that the child(ren) and I can be adequately protected from harm by the Respondent.
6. ☐ Ordering Respondent to pay child support for the above minor children, in an amount in accordance with the D.C. Child Support Guideline, through the Court Registry.

To the best of my knowledge, Respondent's annual gross income equals or exceeds \$_____
 (Bring any proof of your own AND Respondent's income to court such as two recent pay stubs and tax returns for the past two years. Also bring proof of any other child support orders that affect you or the Respondent)

IF YOU ARE SEEKING CHILD SUPPORT, PLEASE COMPLETE QUESTIONS 6a-6d:

- 6a. Has a paternity and/or child support case already been filed regarding any of the above-listed children? ☐ Yes ☐ No If "yes" please indicate where the case was filed, the case number, and the outcome, if any: _____
- 6b. Are you or your children currently receiving public assistance? ☐ Yes ☐ No
- 6c. Is Respondent currently employed? ☐ Yes ☐ No
- 6d. Do any of the children have special costs? (e.g., tuition, daycare, medical insurance, medical costs) please specify: _____

7. ☐ Ordering Respondent to vacate my home, which:
☐ I rent/own by myself; ☐ we rent/own together; ☐ I rent/own with someone other than Respondent. (Bring lease/deed to court hearing)
8. ☐ Ordering Respondent to provide me with financial assistance and/or spousal support to pay my rent/mortgage/bills or other expenses.
9. ☐ Awarding possession and use of the following jointly owned property to Petitioner:

10. ☐ Ordering Respondent not to remove me and/or my children from his/her health insurance policy.
11. ☐ Ordering Respondent to reimburse me for medical costs, property damage, or expenses I have incurred due to Respondent's actions (Bring medical bills, receipts, invoices, or estimates to hearing) Damaged property includes (describe): _____

12. ☐ Ordering Respondent to enroll in and complete an appropriate counseling program for:
☐ alcohol abuse; ☐ drug abuse; ☐ domestic violence; ☐ parenting;
☐ other (describe): _____
13. ☒ Ordering the police to: ☐ stand by while Respondent vacates my home; ☐ make sure Respondent turns over my keys; ☐ accompany me and stand by while I recover my belongings from Respondent; ☒ assist me with service of process upon the Respondent.
14. ☐ Ordering Respondent to reimburse me for my attorney's fees and costs.
15. ☒ Directing the respondent to relinquish possession of any firearms.
16. ☒ Other (describe): remove existing websites and posts related to Gregory Slate and his family; do not create websites and posts related to Greg Slate or his family.
17. ☐ The Respondent's actions place the safety or welfare of myself and/or a family member in immediate danger and I request that the court grant me a Temporary Protection Order today.

Petitioner further requests any other relief that is appropriate to the effective resolution of this matter, pursuant to D.C. Code Ann § 16-1005 (c) (10). Petitioner requests that a hearing be set on this matter and that a Notice of Hearing and Order to Appear be issued to Respondent.

Respondent's address: ☐ Residence ☐ Business: _____

DISTRICT OF COLUMBIA, ss: _____, being duly sworn, states that s/he is Petitioner named in this case; that s/he has read and understands the Petition and Affidavit; and that the facts stated are true to the best of her/his knowledge.

Date: _____

 Petitioner

 Deputy Clerk/ Corp Counsel/ Notary Public



CIVIL PROTECTION ORDER

DOMESTIC VIOLENCE

Case No 2010 CPO 4129

- ☐ Adjudicated Hearing
☐ Consent w/ Admissions
☒ Consent w/o Admissions
☐ Default Order

SUPERIOR COURT
OF THE DISTRICT OF COLUMBIA
 (202) 879-0157

PETITIONER ☐ Minor
GREGORY SLATE
 First Name Middle Last Name
 Vs

PETITIONER IDENTIFIERS
4/8/83
 Petitioner's Date of Birth

RESPONDENT ☐ Minor

Other protected person/DOB
RESPONDENT'S IDENTIFIERS

TYRA RASMUS AKA TYRA FERRELL
 First Name Middle Last Name

- Relationship to Petitioner: ☐ Have a child in common;
☐ Marriage; ☐ Blood; ☐ Legal Custody;
☐ Now or previously having shared the same residence;
☐ Romantic/dating relationship; ☒ Other: Stalking

Sex	Race	DOB	Height	Weight
Female		1/28/1982		
Eyes	Hair	PDID#		
Driver's License #			State	

Respondent's Address:

9217 Hampton Glen Court
Tallahassee, FL 32312

THE COURT HEREBY FINDS:

- ☐ That it has jurisdiction over the parties and subject matter, and the Respondent has been provided reasonable notice and opportunity to be heard. That there is good cause to believe that the Respondent committed or threatened an intrafamily offense within the meaning of D.C. Code (Title 16-1001). Specifically the Court finds that the Respondent committed the following:

- ☐ That the Respondent has knowingly and voluntarily waived his/her right to a hearing and admits to:

- ☒ That it has jurisdiction and that the Respondent has agreed, without admitting to the allegations in the Petition to the entry of this Order.

THE COURT HEREBY ORDERS that for a period of 12 months from the date of this Order

- ☒ Respondent shall not assault, threaten, harass, or stalk petitioner or destroy Petitioner's property.
☒ Respondent shall stay at least 100 feet away from Petitioner's ☒ person, ☒ home, ☒ workplace, ☒ vehicle,
☐ children's school/daycare, ☐ Other: _____

Additional terms of this order follow on succeeding pages.

WARNING TO RESPONDENT:

This order shall be enforced by the courts of any state, the District of Columbia, and U.S. Territory, and may be enforced by Tribal Lands (18 U.S.C. § 2265). Crossing state, territorial, or tribal boundaries to violate this order may result in federal imprisonment (18 U.S.C. § 2262). Federal law provides penalties for possessing, transporting, shipping, or receiving any firearm or ammunition. (18 U.S.C. § 922(g)(8)).

ONLY THE COURT CAN CHANGE THIS ORDER.

Ex. 2

- ☒ Respondent shall not contact Petitioner, his family, or associates in any manner, including but not limited to:
- ☒ By telephone ☒ In writing ☒ In any other manner, either directly or indirectly through a third party
 - ☒ With the following exceptions:

This Order shall not prevent the Respondent from posting the following information on an internet/world wide web site, so long as she does not send links to the post to Petitioner, his family, or associates:

(1) video and print news items relating to Petitioner that are legally obtained and have been produced by independent organizations that are not in any way associated with Respondent, her associates or family members.

(2) Documents that may be obtained by the public from federal or state officials through FOIA requests, other public information act requests, from federal or state court websites, or from federal or state court records. Provided, however, that Respondent shall redact from the documents any personal identifying information, as defined in D.C. Code § 22-3227.01(3) (B)-(N), of Petitioner, his family or associates, except statements about Petitioner's employment history in *Slate v. American Broadcast Companies, Inc.*, No. 1:09-cv-1761 (D.D.C., Sept. 16, 2009), unless said statements appear in a document that has originated from Respondent, her family or associates. Respondent shall also redact the following information regarding Petitioner, his family and associates: photographs/videos, current or former addresses, telephone number, date of birth, mother's maiden name, e-mail addresses, addresses of real property owned or leased by the individual. All documents must be certified true and correct copies of official agency records by either a clerk of the court or by Respondent placing the attached affidavit, signed and notarized, on the front page of the document. In addition, all such documents must: not be exempt from disclosure, be exhibited in their entirety excluding any requisite redactions, and must include the FOIA request giving rise to their disclosure and the response furnishing the records, if applicable. If applicable, any court filing must be accompanied by the response of any opposing party, and any judgment or outcome concerning the legal matter.

(3) All information posted must have originated from someone other than Respondent, her associates or family members.

☒ Other:

1) Except as provided above, within five (5) days of the entry of this Order, Respondent shall remove all content under her possession, custody, or control relating to Petitioner from any and all websites under her control, including but not limited to:

COPYRIGHTTHISBITCH.COM
 ITSFATASSBYANOSE.COM
 STANKYMOTHERFUCKER.INFO
 FUCKINGCOWARD.TV
 GREGSLATE.TV
 YOUFUCKINGCOWARD.COM
 CRASHDUMMY.TV
 STANKYMOTHERFUCKER.COM
 CYBERSTALKER.INFO
 DIOPKAMAU.NAME
 CYBERSTALKER.TV
 PUNKASSBITCH.TV
 BANJIFACE.COM
 CCHPOUNDER.TV
 CLAIREVOYANTHITCHCOCK.BIZ
 CLAIREVOYANTHITCHCOCK.INFO
 CLAIREVOYANTHITCHCOCK.US
 DANMAIER-KATKIN.INFO
 STINKYMOTHERFUCKER.COM
 DANIELMAIER-KATKIN.COM
 ARENDTANDHEIDEGGER.COM
 EXPERTWITNESSREPORT.NET
 EXPERTWITNESSREPORT.INFO
 EXPERTWITNESSREPORT.ORG
 EXPERTWITNESSREPORT.TV

LIFSENTENCEONTHEINTERNET.COM
 POLICE ABUSE.COM
 POLICE ABUSE.ORG
<http://www.scribd.com/doc/25562992/false-report-greg-slate>
<http://www.scribd.com/margieandwoody2010>
<http://www.livevideo.com/video/policeabuse/D91E87C1283A4C93844188DF2CD6D3C0/greg-slate.aspx>
<http://make.tv/rogue/show/43314>
<http://www.youtube.com/tyraferrell>
<http://www.youtube.com/user/policeabusedotcom2>

<http://www.youtube.com/user/policeabusedotcom2#p/u/9/x6RWV130AdE>
<http://www.youtube.com/user/policeabusedotcom2#p/u/17/905YX71q1cs>
http://www.youtube.com/user/policeabusedotcom2#p/u/18/RNK39fQ_GDM
http://www.youtube.com/user/policeabusedotcom2#p/u/24/nnCY2_z9kao
<http://www.youtube.com/user/policeabusedotcom2#p/u/129/ITzyFZCQb6g>
<http://www.youtube.com/user/policeabusedotcom2#p/u/283/1-tr8PIn1Zs>

- (2) Respondent shall not "post" comments or other documents relating to Petitioner on any third party websites.
- (3) Respondent shall not post any content on gregslate.tv.
- (4) Respondent shall not forward any other sites to sites at which she is posting information about Petitioner.
- (5) On a website about Petitioner, Respondent shall not post any links, nor place any contact information about Respondent, her associates or family members.
- If Respondent has a change of address at any time, he/she immediately must provide the Domestic Violence Clerk's Office of the D.C. Superior Court with his/her correct, new address.

DC Law Firearms Warning

You must relinquish within 24 hours after being served with Civil Protection Order (CPO) all firearms that you own or possess to your local law enforcement officials. Failure to do so is a criminal offense under D.C. Code §22-4503 that if convicted, carries a penalty of two (2) to 10 years in prison or a fine of \$15,000 or both.

Federal Law Firearms Warning

As a result of this order, it may be unlawful for the respondent to possess or purchase a firearm, including a rifle, pistol, or revolver, or ammunition pursuant to federal law under 18 U.S.C. 922(g)(3). If you have any questions whether these laws make it illegal for you to possess or purchase a firearm, you should consult an attorney.

FAILURE TO COMPLY WITH THIS ORDER IS A CRIMINAL OFFENSE AND CARRIES A PENALTY OF 180 DAYS IN JAIL AND/OR A FINE OF \$1,000.

☒ Respondent was served with a copy in open court.

☐ Respondent failed to appear. A DEFAULT Protection Order is issued. The Court finds that there was proper service and notice on the Respondent of the petition, and good cause for the issuance of this order. Respondent shall comply with all conditions of this Protection Order. The respondent has ten (10) days from the service of this order to file a motion to set aside the default judgment.

[Signature]
Respondent's Signature

4.13.11
Date

[Signature]
Judge's/Magistrate Judge's Signature

April 13, 2011
Date Date

THIS ORDER IS HEREBY EXTENDED FROM (today's date): _____ to _____

Judge's/Magistrate Judge's Signature

Date

DIRECTIONS TO LAW ENFORCEMENT OFFICER ENFORCING THIS ORDER

This Order was issued in accord with the requirements of the Full Faith and Credit Provisions of the Violence Against Women Act; Title IV, Subtitle B, Chapter 2 of the Violent Crime Control and Law Enforcement Act of 1994, 18 U.S.C. section 2265, and this Order is valid and enforceable in the District of Columbia and in all other U.S. States, Territories and Tribal Lands.

Reporting alleged violations. If the Respondent violates the terms of this Order and there has not been an arrest; the Petitioner may contact the Clerk of the Circuit Court of the county/state in which the violation occurred and complete an affidavit in support of the violation, or the Petitioner may contact the prosecutor's office for assistance in filing an action for civil or criminal contempt. The prosecutor may decide to file a criminal charge, if warranted by the evidence.

**Superior Court of the District of Columbia
FAMILY COURT**

Greg Slate

Plaintiff

Tyra Rasmus vs. TYRA Ferrell
Defendant

Jacket No. CPD 4129-10

FINDING OF FACT, ORDER OF ADJUDICATION AND COMMITMENT

This matter having come on the hearing upon the motion to adjudicate the defendant in contempt for failure to comply with the order of this Court dated the 13th day of April, 2011, it is by the Court this 14th day of October, 2011.

FOUND, as a fact that the defendant has failed and refused to obey said order of this Court in that the Respondent has failed to remove website content relating to
Petitioner.

Although able so to do, by reason whereof he/she is in contempt of this Court: therefore it is **ORDERED**

~~ORDERED, that the United States Marshal in and for the District of Columbia is hereby directed to take into their custody the person of the defendant~~ and commit him/her to the District of Columbia Jail for a period of _____ days or until such earlier time as he/she shall purge themselves of their contempt by paying to the Clerk, Family Court, or respondent pay the sum of \$50/day plus \$ _____ cost, or until further order of the Court herein.

[Signature]
Judge/Magistrate Judge

STAY OF EXECUTION

And it is further,

ORDERED, that execution of this commitment be stayed to _____ upon the following conditions: _____

Judge/Magistrate Judge

SETTING ASIDE OF STAY OF EXECUTION

Upon oral motion of _____ and for good cause shown, the stay of execution entered herein on _____ is by the Court the _____ day of _____, 20____, hereby vacated and set aside, and it is further

ORDERED, that the United States Marshall in and for the District of Columbia is hereby directed to execute the order of commitment entered herein on the _____ day of _____, 20____, except that the defendant be given credit for payment of \$ _____ leaving a balance of \$ _____ plus \$ _____ costs, yet to be paid under said order of commitment.

APPROVED: _____

FINANCIAL SECTION

Judge/Magistrate Judge

Ex. 3

Hyden, David (OAG)

From: Tim Clinton, Esq. [tim@clintonpeed.com]
Sent: Tuesday, December 21, 2010 2:42 PM
To: Bechtol, Janese (OAG)
Cc: Connell, Sarah (OAG)
Subject: Re: Slate v Rasmus

I am very sorry for the inconvenience. I will speak to him again.
Sent on the Sprint® Now Network from my BlackBerry®

From: "Bechtol, Janese (OAG)" <janese.bechtoll@dc.gov>
Date: Tue, 21 Dec 2010 14:29:56 -0500
To: 'Tim Clinton, Esq.' <Tim@ClintonPeed.com>
Cc: Connell, Sarah (OAG) <sarah.connell@dc.gov>
Subject: RE: Slate v Rasmus

Hello Mr. Clinton,

I am Ms. Connell's supervisor. I understand you and Sarah had the opportunity to speak about this case yesterday. I just wanted to alert you that your client, Mr. Kamau, called me again today. Obviously I will not return his call since he is represented by counsel, but thought you should be aware, and hoped you could explain to him why we will not return his calls. If there are additional issues you need to discuss with me or Sarah, know that we are available.

Janese Bechtol
Chief, Domestic Violence Section
Office of the Attorney General for the District of Columbia
441 4th Street, NW, 6N50
(202) 724-7832
janese.bechtoll@dc.gov

From: Tim Clinton, Esq. [mailto:Tim@ClintonPeed.com]
Sent: Monday, December 20, 2010 12:01 PM
To: Connell, Sarah (OAG)
Cc: Bechtol, Janese (OAG)
Subject: RE: Slate v Rasmus

Thank you for reaching out, Sarah. I just left you a voicemail. Please call at your convenience.

Kind regards,

Tim

From: Connell, Sarah (OAG) [mailto:sarah.connell@dc.gov]
Sent: Monday, December 20, 2010 11:48 AM
To: Tim@ClintonPeed.com
Cc: Bechtol, Janese (OAG)
Subject: Slate v Rasmus
Importance: High

Mr. Clinton- I hope you received my phone message last Friday, and my fax this morning. I wanted to let you know that both Mr. Kamau and Ms. Rasmus have been calling me frequently since last Friday. In the messages, they have indicated

that they have an attorney in this matter, yet they insist that I call them directly. Could you please inform them that I cannot contact them directly because they are represented. Thank you. I am more than happy to discuss this matter with you, however.

Sarah Connell
Attorney for Gregory Slate
(202) 741-0772

Preventing terrorism is everybody's business.

If you SEE something, SAY something.

Call the Metropolitan Police Department at (202) 727-9099 or email at SAR@DC.GOV to report suspicious activity or behavior that has already occurred.

Call 911 to report in-progress threats or emergencies.

To learn more, visit <http://www.mpd.dc.gov/operationtipp>.

From: Tim Clinton, Esq. [Tim@ClintonPeed.com]
Sent: Wednesday, February 23, 2011 5:10 PM
To: Connell, Sarah (OAG)
Cc: Bechtol, Janese (OAG)
Subject: RE: Electronic copy of opposition

Hi Sarah,

Thanks for sending this. Do wish you had filed it yesterday, though. Just had to cancel my birthday plans this evening so I can prepare a Reply. ☺

Quick question. Can you confirm whether you have reviewed the documents responsive to requests 1-11 before filing your opposition? I assume you have, but just want to check. Please let me know ASAP.

Kind regards,

Tim

From: Connell, Sarah (OAG) [mailto:sarah.connell@dc.gov]
Sent: Wednesday, February 23, 2011 4:13 PM
To: tim@clintonpeed.com
Subject: FW: Electronic copy of opposition

Hi Tim- see attached. It was filed today.

From: Bechtol, Janese (OAG) <janese.bechtoll@dc.gov>
Sent: February 23, 2011 3:43 PM
To: Connell, Sarah (OAG) <sarah.connell@dc.gov>
Subject: Electronic copy of opposition

I'll let you send it to Mr. Clinton.

Janese Bechtol
Chief, Domestic Violence Section
Office of the Attorney General for the District of Columbia
441 4th Street, NW, 6N50
(202) 724-7832
janese.bechtoll@dc.gov

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Ex. 5

Hyden, David (OAG)

From: Tim Clinton, Esq. [Tim@ClintonPeed.com]
Sent: Friday, February 25, 2011 8:58 AM
To: Connell, Sarah (OAG)
Cc: Bechtol, Janese (OAG)
Subject: RE: Electronic copy of opposition
Attachments: 022 Reply in Support of Mot for Discovery (to be filed).pdf; 31 029-3 ABC Mot for Protective Order (Siegel Decl Ex1).pdf; 23 subp go daddy.pdf; 24 029-26 ABC Mot for Protective Order (Siegel Decl Ex24).pdf; 25 029-2 ABC Mot for Protective Order (Siegel Decl).pdf; 26 029-1 ABC Mot for Protective Order (Memo).pdf; 27 028-1 Slates Motion for Leave to File Surreply (Exhibits).pdf; 28 001 Complaint (Ex D).pdf; 29 029-11 ABC Mot for Protective Order (Siegel Decl Ex9).pdf; 030-0 Slate OPP to Mot for Protective Order.pdf

Will file this later this morning. The attached exhibits do not also include cover pages—I printed those separately and they will appear in the hard copy I hand-deliver to your office today. I did change the names of the files so they correspond with the exhibit numbers in the motion. Just look at the first two digits.

Kind regards,

Tim

From: Connell, Sarah (DAG) [mailto:sarah.connell@dc.gov]
Sent: Thursday, February 24, 2011 10:38 AM
To: Tim Clinton, Esq.; Connell, Sarah (OAG)
Cc: Bechtol, Janese (OAG)
Subject: RE: Electronic copy of opposition

Tim- My response does not mean yes or no. Thanks!

From: Tim Clinton, Esq. <Tim@ClintonPeed.com>
Sent: February 24, 2011 10:27 AM
To: Connell, Sarah (OAG) <sarah.connell@dc.gov>
Cc: Bechtol, Janese (OAG) <janese.bechtoll@dc.gov>
Subject: RE: Electronic copy of opposition

I'll take that as a no.

Thanks.

Tim

From: Connell, Sarah (OAG) [mailto:sarah.connell@dc.gov]
Sent: Thursday, February 24, 2011 10:19 AM
To: Tim Clinton, Esq.; Connell, Sarah (OAG)
Cc: Bechtol, Janese (OAG)
Subject: RE: Electronic copy of opposition

Tim-
Happy belated birthday. I cannot disclose the information you requested. Have a great day.

Sarah

Preventing terrorism is everybody's business.

If you SEE something, SAY something.

Call the Metropolitan Police Department at **(202) 727-9099** or email at SAR@DC.GOV to report suspicious activity or behavior that has already occurred.

Call **911** to report in-progress threats or emergencies.

To learn more, visit <http://www.mpd.dc.gov/operationtipp>.

From: Tim Clinton, Esq. <Tim@ClintonPeed.com>

Sent: February 23, 2011 5:10 PM

To: Connell, Sarah (OAG) <sarah.connell@dc.gov>

Cc: Bechtol, Janese (OAG) <janese.bechtolt@dc.gov>

Subject: RE: Electronic copy of opposition