

STATE OF ALASKA

COMMISSION ON JUDICIAL CONDUCT

In the matter of the proceeding)
pursuant to A.S. 22.30.011(a) in)
relation to:)
)
TIMOTHY D. DOOLEY,)
) **ACJC File No. 2013-013**
Judge of the Superior Court,)
SECOND Judicial District at)
NOME, Alaska]
_____)

**To: Timothy Dooley
c/o William Satterberg
709 4th Avenue
Fairbanks, AK 99701**

COMPLAINT

The Alaska Commission on Judicial Conduct pursuant to Article IV, sec. 10 of the Constitution of the State of Alaska, AS 22.30.011, and Rule 11 of the Rules of the Alaska Commission on Judicial Conduct charges that Judge Timothy Dooley engaged in the following conduct that violates AS 22.30.011(a)(3)(C), (D), and (E) and Canons 1, 2A, 3B(2)(a), 3B(3), 3B(4) and 3B(5) of the Alaska Code of Judicial Conduct.

- (1) From May 2013 through September 2014, Judge Dooley made statements in several court proceedings. The statements indicated insensitivity to the victims and witnesses in criminal matters and insensitivity to unrepresented parties in civil matters.

Court proceedings raising these concerns include the following:

- (a) On May 29, 2013 in the sentencing in State of Alaska v. Pushruk, 2 NO-12-905 CR Judge Dooley stated: “Has anything good ever come out of drinking other than sex with a pretty girl?”
- (b) On October 29, 2013 in the sentencing in State of Alaska v. Delie, 2NO-13-00245 CR, Judge Dooley stated: “What you’ve done with this young girl, it’s a strange thing, routinely done in Afghanistan where they marry 6 year-old girls. In our society, and in the society of the local tribal communities, supposed to be totally forbidden.”
- (c) On November 5, 2013 in the sentencing in State of Alaska v. Sagoonick, 2NO-13-00236, where the victim was a 14 year-old girl, Judge Dooley stated: “This was not someone who was, and I hate to use the phrase, ‘asking for it’. There are girls out there that seem to be temptresses. And this does not seem to be anything like that.”
- (d) On August 12, 2014 in a civil trial with unrepresented litigants, Judge Dooley made several statements inappropriate to the dignity of judicial office including: “I’m gonna enforce these oaths and they’re enforceable

with a 2-year sentence for perjury. And I'd be the sentencing judge. I also have a medieval Christianity that says if you violate an oath, you're going to hell. You all may not share that, but I'm planning to populate hell."

- (e) On August 20, 2014 in State of Alaska v. Cory Wells, 2NO-13-907CR, Judge Dooley made off-the-record comments to the jury when inquiring as to whether they could hear the witness: "I'm sorry folks, but I can't slap her around to make her talk louder."

By making these statements, Judge Dooley engaged in a pattern of conduct that violates AS 22.30.011(a)(3)(C), (D), and (E) and Canons 1, 2A, 3B(2)(a), 3B(3), 3B(4) and 3B(5) of the Alaska Code of Judicial Conduct.

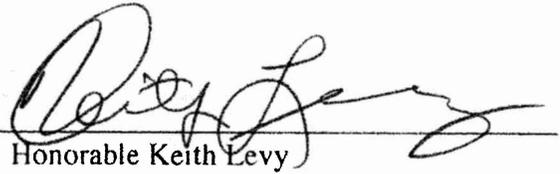
- (2) At a hearing on September 14, 2014, in 2NO-14-601CR, Judge Dooley suggested to an unrepresented defendant in a criminal matter that he would receive a specific sentence if he pled no contest and that this has been his practice since assuming the bench, stating: "Now I'm not permitted to negotiate a deal with you but, in the past year and a half when someone has pled 'no contest' to this offense, I have given them time served. And I would do that today, probably, but I can't promise you that." By so doing, Judge Dooley engaged in conduct that violates AS 22.30.011(a)(3)(C), (D), and (e) and Canons 1, 2A, and 3B(2)(a) of the Alaska Code of Judicial Conduct.

Commission Rule 11 (b) (4) (B) requires that a response be filed within twenty days.

Dated at Anchorage, Alaska this 26 day of May 2015.

ALASKA COMMISSION ON JUDICIAL CONDUCT

By:



Honorable Keith Levy
Chairperson

BY ORDER OF THE COMMISSION

Alaska Commission on Judicial Conduct
510 L Street, Suite 585
Anchorage, Alaska 99501
(907) 272-1033
FAX (907) 272-9309

RETURN

I served the above Complaint constituting a statement of formal charges on Judge Timothy Dooley, the person to whom it is addressed, on the 26th day of May 2015, by fax and certified mail to his attorney William Satterberg.



Signature

Administrative Assistant

Title

Jessica Richter

Name

STATE OF ALASKA
COMMISSION ON JUDICIAL CONDUCT

In the matter of the proceeding)
pursuant to A.S. 22.30.0111(a) in)
relation to:)
)
TIMOTHY D. DOOLEY)
) **ACJC File No. 2013-013**
Judge of the Superior Court,)
SECOND Judicial District at)
NOME, Alaska)
_____)

ANSWER TO COMPLAINT

Judge Dooley acknowledges that the statements which were alleged to have been made by him as set forth in Paragraph 1(a) -1(e) were made. Judge Dooley specifically denies, however, that he “engaged in a pattern of conduct that violates A.S. 22.30.0111(a)(3)(C), (D), and (E) and Canons 1, 2A, 3B(2)(a), 3B(3), 3B(4) and 3B(5) of the Alaska Code of Judicial Conduct.”

Judge Dooley acknowledges that the statement which was made on September 14, 2014, was made, but denies that he “suggested” that the defendant would receive a specific sentence. The statement speaks for itself. Judge Dooley furthermore denies that he engaged in conduct that violated A.S. 22.30.0111(a)(3)(C), (D), and (E) and Canons 1, 2A, and 3B(2)(a) of the Alaska Code of Judicial Conduct.

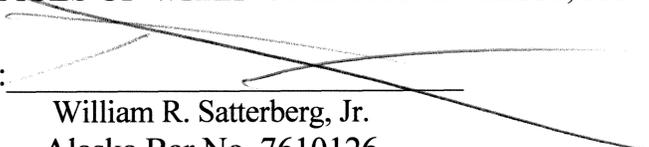
Judge Dooley requests that the Complaint be denied in its entirety and that this matter be subject to a hearing and venue to be held in Nome, Alaska, the location of the alleged violations.

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Judge Dooley furthermore requests that this hearing be held before an impartial tribunal and maintains that the panel which was proffered the charges against him is no longer qualified to act as an impartial tribunal due to its status as the panel which held the probable cause determination. Similar to a Grand Jury proceeding, Judge Dooley respectfully submits that an independent panel must be appointed to determine these allegations, since the existing panel has indicated its predisposition in its probable cause determinations.

DATED this 8 day of June, 2015.

THE LAW OFFICES OF WILLIAM R. SATTERBERG, JR.

By: 

William R. Satterberg, Jr.
Alaska Bar No. 7610126
Attorney for Defendant

WRS:mp

LAW OFFICES

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In the matter of the proceeding pursuant to A.S. 22.30.011(a) in relation to:
TIMOTHY D. DOOLEY,
Judge of the Superior Court, SECOND Judicial District at NOME, Alaska
ACJC File No. 2013-013
Answer to Complaint