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FILED
JUN 25 2010
COMMISSION ON JUDICIAL CONDUCT

BEFORE THE COMMISSION ON JUDICIAL CONDUCT
OF THE STATE OF WASHINGTON

In re the Matter of,

The Honorable Michael Heavey,

Judge of the King County
Superior Court.

NO. 5975-F-145

ANSWER TO STATEMENT OF CHARGES

Pursuant to Rule 20(a) of the Commission on Judicial Conduct Rules of Procedure (hereinafter "CJCRP"), the Honorable King County Superior Court Judge Michael Heavey hereby answers the Statement of Charges filed in the above cause on June 3, 2010.¹

I. BACKGROUND

Michael Heavey admits he is now and was at all times referred to in this Answer and the Statement of Charges a King County Superior Court Judge. It is the distinct honor of

¹ The Statement of Charges was signed on June 3, 2010. Judge Heavey was served therewith on June 7, 2010. This Answer is timely filed. See, CJCRP 20(a).

ANSWER

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1 Michael Heavey's professional career to be a member of the
 2 judiciary of the State of Washington. Judge Heavey entered
 3 both the study of law and the judiciary with an earnest belief
 4 that he could thereby bring forward Truth and effect Justice.
 5 Judge Heavey has worked for nearly a decade to foster justice
 6 and the rule of law by attempting to remain absolutely
 7 independent, fair, and competent in his judicial capacity.

8
 9 But in addition to being a Judge of the King County
 10 Superior Court, Michael Heavey is a father of three, a husband
 11 of twenty-five years, and an involved member of his community
 12 with a strong commitment to human and legal rights. Michael
 13 Heavey grew up in Seattle, graduating from Garfield High
 14 School. Prior to becoming a judge, Michael Heavey served his
 15 country as an Army officer in Vietnam (where he was decorated
 16 with a Bronze Star, Air Medal, Good Conduct Medal, and an RVN
 17 Cross of Gallantry), served for eight years as a Washington
 18 state representative, and six years as a senator.

19 During the summer of 2008, the case of Amanda Knox was
 20 brought to Michael Heavey's attention. Amanda Knox was a
 21 college student from Seattle accused of murdering another young
 22 woman in Perugia, Italy. Amanda Knox went to high school with
 23 Michael Heavey's daughters and her parents lived less than a
 24 mile from Michael Heavey and his family. Over time and through
 25 a variety of sources including Amanda Knox' family, Michael
 26

ANSWER

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1 Heavey learned a lot about Amanda Knox, the case against her,
2 and the Italian legal system. Some of what Michael Heavey
3 learned was widely publicly known but much of it was not.

4 In short, what Michael Heavey learned about the Amanda
5 Knox case led him to an informed conclusion based in part on
6 his own experience and research that what was happening to
7 Amanda Knox in Italy was an absolute affront to Truth and
8 Justice. As he wrote at the time, Michael Heavey feared Amanda
9 Knox "was in grave danger of being convicted of the murder
10 because of illegal and improper poisoning of public opinion and
11 judicial opinion."
12

13 Upon learning all that he did, and coming to the
14 conclusions that he did, Michael Heavey could have sat back and
15 done nothing but he instead felt ethically and morally
16 compelled to act. Under the circumstances, Michael Heavey felt
17 obligated to attempt to right these wrongs. He tried to do
18 just that, no more and no less.

19 Some have questioned whether furthering the ends of
20 justice and seeking truth is "the office of a Washington State
21 Superior Court judge?" In this instance, under these singular
22 and unique facts, Judge Michael Heavey answers 'yes.'

23 **II. CONDUCT GIVING RISE TO THE CHARGES**

24 Michael Heavey has always readily admitted that he wrote
25 letters on stationery identifying himself as a King County
26

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1 Superior Court Judge to persons in Italy associated with the
2 Amanda Knox case.¹ Michael Heavey also readily admits that
3 thereafter he spoke publicly about Amanda Knox' case. Indeed,
4 these matters came to the attention of the Commission because
5 Judge Heavey self-reported them.

6 Judge Heavey wrote his letters and spoke out regarding the
7 Amanda Knox case in an attempt to live up to his own high
8 ethical standards and to try to ensure that at least basic
9 principles of fairness would be observed by Italian officials.
10 Having observed what was clearly unethical and unlawful
11 conduct, in violation of established standards of American and
12 Italian law, Judge Heavey sought to take appropriate action by
13 writing to involved individuals and the appropriate
14 disciplinary authority. When speaking publicly, Judge Heavey
15 acted with a good faith belief that he was exercising his First
16 Amendment right as a citizen to freedom of speech.

18 Both in his letters and public statements, Judge Heavey's
19 primary intent was always to advance the public interest in
20 justice and due process. The reason Judge Heavey was spurred
21 to action was that Amanda Knox was not being treated fairly,
22 her rights were denied, legal and ethical standards were
23 violated—in short, injustice was occurring. This injustice
24 was the primary aim of Judge Heavey's actions and public
25

26 ¹ True and correct copies of the English translations of these
letters, as sent in Italian on Judge Heavey's letterhead, are
attached hereto as Appendix A.

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1 comments. Of course, it could also be said that these actions
2 and public comments were aimed in some part at Ms. Knox'
3 private interests. This private interest was incidental to the
4 public interest in justice and fair proceedings that was the
5 primary concern of Judge Heavey.

6 In his letters and public communications, Judge Heavey
7 could have more clearly stated that the observations and
8 opinions stated therein were his personally and not necessarily
9 those of the Court. At the time he wrote his letters, Judge
10 Heavey was unaware that a judge could instead have personal
11 stationery printed which bears the title judge but which would
12 not be confused with official stationery.¹ In these respects,
13 Judge Heavey agrees that his communications could have been
14 better framed in order to avoid any possible misunderstood
15 appearance of impropriety.² Judge Heavey has taken steps to
16 correct any misconceptions his letters might have had in this
17 regard.
18

19 III. BASIS FOR COMMISSION ACTION

20 Michael Heavey agrees wholeheartedly that an independent
21 and honorable judiciary is indispensable to justice in our
22 society. Judge Heavey has dedicated a good portion of his
23

24 ¹ See, Ethics Advisory Committee Opinion 86-15 (1986).

25 ² Whether such a misunderstanding actually occurred is unknown,
26 though perhaps it is worth noting that such a misunderstanding is
less likely when the person receiving the communication is a
member of the legal system rather than a lay person. See, Ethics
Advisory Opinion 02-16 (2002).

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1 life, professional and otherwise, to establishing, maintaining
2 and enforcing high standards of ethics and conduct.

3 Michael Heavey is also governed by other more general
4 standards of ethical conduct.¹ As a father, husband, and
5 citizen Michael Heavey aspires to do his best, in action and
6 speech, to effect Justice whenever he has the means to do so
7 consistent with all his ethical obligations.

8 The Code of Judicial Conduct allows for such aspirations
9 even if they may be in some degree in tension with the Code's
10 provisions. Under it's own terms, the Code is to be applied
11 "consistent with constitutional requirements" and "in the
12 context of all relevant circumstances." The Code is to be
13 applied reasonably and not every transgression is intended to
14 result in disciplinary action. The Code of Judicial Conduct
15 encourages judges to speak and participate in activities
16 concerning the law, the legal system, and the administration of
17 justice.²

18
19 The Code requires judges take appropriate action when they
20 become aware that another judge or a lawyer has committed
21 violations of the law.³ Appropriate action under the Code may
22 include contacting the offending lawyer or his supervisor
23

24 ¹ The Code of Judicial Conduct (hereinafter "CJC") "is not intended
25 as an exhaustive guide for the conduct of judges. They should
26 also be governed in their judicial and personal conduct by general
ethical standards." CJC Preamble.

² CJC Canon 4.

³ CJC Canon 3(C).

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1 directly or reporting the violation to another jurisdiction's
2 authorities.⁴

3 The interplay of all a judge's prohibitions, duties, and
4 rights creates a "dynamic tension" with which Judge Heavey has
5 struggled since the Summer of 2008. As described by our
6 Supreme Court this tension is inherent in the system into which
7 judges are elected since "[t]hey remain citizens who are
8 entitled to enjoy the rights and freedoms guaranteed by the
9 First Amendment, including the right to freedom of speech, yet
10 are forbidden from being biased or partial, or appearing to
11 lack impartiality."³

13 Recognizing this tension and struggle, Judge Heavey denies
14 that he has failed to establish, maintain, enforce, or
15 personally observe high standards of judicial conduct
16 preserving the integrity and independence of the judiciary in
17 violation of CJC Canon 1. Judge Heavey denies that he has
18 acted in a manner that has undermined public confidence in the
19 judiciary in violation of CJC Canon 2(A). Judge Heavey denies
20 that his judicial conduct or judgment has been influenced in
21 any way by the matters referenced herein in violation of CJC
22 Canon 2(B). Judge Heavey denies that he intentionally lent the
23 prestige of his office to a private interest in violation of
24

26 ⁴ See, Ethics Advisory Opinions 91-04 (1991) and 02-15 (2002).

³ *In re Sanders*, 135 Wn.2d 175, 182, 955 P.2d 369 (1998).

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1 Canon 2(B). Judge Heavey denies that he testified voluntarily
2 as a character witness in violation of Canon 2(B).

3 Rather, Judge Heavey took "appropriate action" as is his
4 duty to perform his disciplinary function pursuant to Canon
5 3(C). Judge Heavey spoke publicly as is his constitutional
6 right pursuant to the First Amendment. He did all this only
7 because he believed it necessary given the great injustice he
8 observed in the case of Amanda Knox.

9 RESPECTFULLY SUBMITTED this 25th day of June, 2010

10
11 Signed:



12 Cassandra L. Stamm, WSBA # 29265
13 Attorney for Hon. Michael Heavey
14 Law Offices of Cassandra Stamm, PLLC
15 800 Fifth Avenue, Suite 4100
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17 Telephone (206) 264-8586

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CERTIFICATE OF SERVICE

I certify that on June 25, 2010, the undersigned served the Commission with the above Answer by facsimile (to (360) 586-2918), as provided in CJCRP 13(c). A hard copy was sent to the Commission on June 25, 2010, by U.S. mail, postage prepaid, to the Commission at P.O. Box 1817, Olympia, Washington, 98507. Likewise on June 25, 2010, the undersigned served disciplinary counsel Steven Reisler with the above Answer by electronic mail (to sar@sarpllc.com), and will cause it to be delivered to his office at 4500 Sand Point Way North East, Suite 250, Seattle, Washington, 98105, on June 28, 2010.

Law Offices of Cassandra Stamm, PLLC


Cassandra L. Stamm, WSBA # 29265
Attorney for Hon. Michael Heavey

ANSWER

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Appendix A

ANSWER

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(mailed July 17, 2008 to Italy in Italian)

June 16, 2008

The Honorable Dr. MATTEINI Claudia
Guidice di Tribunale
Palazzo di Giustizia
Piazza Matteotti
06121 PERUGIA

Re: Amanda Knox

Dear Judge Matteini,

Please allow me to introduce myself. My name is Michael J. Heavey. I live in Seattle and am a Superior Court Judge in the State of Washington, USA. I am married and have three children (ages 28, 21 and 18) and I am 61 years of age.

We were shocked and saddened, as was the world, to hear about the murder of a beautiful young lady, Meredith Kercher, last November 2nd in Perugia. Imagine our shock and dismay to hear that Amanda Knox, our neighbor, was arrested for the murder of Meredith along with two others. It was alleged that there was a wild drug induced sex orgy and because the victim would not participate she was murdered by the other participants.

Judge Matteini, have you ever heard news that you just couldn't believe? Well, that is how I felt. I said, "This is impossible, it cannot be."

Judge Matteini, I know that you are a dedicated public servant; hardworking, intelligent and very competent. I know you must have been shocked by this horrific crime that happened in your jurisdiction and your beautiful city of Perugia. In June of 2007 I was the presiding judge in a premeditated murder case. I can empathize with how you feel.

Although I am a judge, I write to you as a father of two beautiful young girls (ages 21 and 18) and a citizen of the world. I feel deep compassion for Meredith Kercher and her family. I write to give you some information about Amanda that you may not know.

All three of my children have attended Seattle Prep High School. My daughter, Shana Heavey, attended four years with Amanda. Amanda, her sister, her mother and stepfather live very close to us - approximately four blocks. Seattle Prep is the shortened form of the formal name - Seattle Preparatory School. Seattle Prep was founded by Jesuit priests to prepare students for university work and is over a hundred years old.

Seattle has a formal sister city relationship with Perugia. See <http://www.seattle-perugia.org> I might add that the Mayor of Seattle, The Honorable Greg Nickels, is a graduate of Seattle Prep.

I asked Shana, my twenty-one year old daughter, "What do you think of Amanda Knox?" Because my daughter can, at times, be critical of others I was somewhat

surprised at her answer. Her answer was, "Amanda is the most genuinely kind person I know. She does not have a mean bone in her body."

So, why is Amanda in this predicament? I think part of it is because of Amanda's personality. It is hard to articulate, but it is a little different. She doesn't necessarily respond to the same set of stimuli as others might. She is candid with people and honest to a fault. For example, if Amanda's mother asked her what she thought if her mother's new hairdo, Amanda would, if she disliked it, tell her so. Many of us would tell the white lie and say that we thought it was fashionable or attractive.

When others might feel inhibited, she might instead express herself with candor. For example, when trying out for a musical play in high school she would start singing a song in the hallway between classes. This was startling to some, inappropriate to others, but it was just Amanda being Amanda. Looked at from another point of view - it is refreshing and charming.

Amanda's friends think of her as an innocent. She is totally trusting of others. She walks by herself and takes the bus by herself when many young women do not. One of her friends pointed out her total trust of higher authority. If a police officer told her the moon was made of green cheese she would believe him.

Amanda is adventurous and independent. Not many twenty year olds would work at three jobs to attend college in Italy. Amanda was extremely happy in Umbria and bored her Seattle friends with how happy she was. I do not condone the use of drugs and spending the night with someone you recently met, but I do not find it to be abnormal.

I can only imagine her dismay and shock to have this happiness exploded by the death of her roommate. We were all shocked and saddened by the murder of Meredith. In an Umbrian town where every person had been a stranger, her roommate and closest female friend had been murdered. I remember as a young adult seeing my first dead body - a drowning victim. It was traumatizing even though it was a person I did not know. Standing outside of her apartment with Raffaele on November 3rd, I see a person in total shock.

When you look at Amanda's conduct after November 2, 2007, please consider that Amanda is a little different; but my daughter, and many friends, consider her to be "the most genuinely kind person I know. She does not have a mean bone in her body".

You may think of Amanda as evil and diabolical, at least that is what the press would have you believe. However, she has lived in our community for twenty years before she spent two months in yours. We can only tell you she is an innocent, all good and with absolutely no evil.

Michael Heavey

Cc: Dottor Giuliano Mignini
Avv. Luciano Ghirga
Avv. Carlo Dalla Vedova

Aug 12, 08 (sent to Italy)
~~July 28, 2008~~

l'Onorabile ~~Vincenzo Carbone~~ *Nicola Mancino*
Primo Presidente Corte di Cassazione
Consiglio Superiore della Magistratura
Palazzo di Giustizia - Piazza Cavour
00193 Roma
Italia

Re: Request to remove the Amanda Knox case from Perugia

Dear l'Onorabile Vincenzo Carbone:

I am a trial judge, what you would call a judge of the "Tribunale ordinario". Like you, I seek truth and do my best to dispense justice on a daily basis. I have been a student of the law for 35 years.

Dottore, you are a distinguished member, by right of law, of the Consiglio Superiore della Magistratura (CSM). Pursuant to Article 105 of the Italian Constitution the CSM attends to the assignments, transfers and disciplining of judges. Pursuant to Article 105 I humbly and respectfully request you remove the Amanda Knox case from Perugia.

On June 16, 2008, Judge Giuliano Mignini, The Public Minister of Perugia, closed his investigation concerning the horrific murder of Meredith Kercher. In the 10,000 pages of material were about 80 pages of Amanda Knox's prison diary.

On June 24, 2008, the press in Italy, England and to a lesser extent America reported on only one diary entry. It was reported that Amanda, while in prison, was told she had a sexually transmitted disease and she wondered which of her seven Italian lovers she had gotten it from. It was also reported she had only been in Italy for 60 days. On June 24, 2008, Nick Pisa writing for the UK's Daily Mail wrote,

"in the diary Knox, who calls herself Foxy Knoxy, lists seven lovers she had in Italy (in 60 days). She was told by prison doctors she had a sexually transmitted disease."

This information came to the press via the prosecutor's office, the police and prison officials. Even if the press accounts were true, which they are not, this is character assassination of the accused. It is aimed at inflaming public and judicial opinion against the accused. This is improper.

The statement is false and misleading. Below is the November 22, 2007 diary entry of Amanda Knox. The original was in English and it has been translated into Italian.

"November 22, 15th day? Last night before I went to bed I was taken down to see yet another doctor I haven't yet met before.

He had my results from a test they took - which says I'm positive for HIV. This is by far the worst experience of my life. I'm in prison for a crime I did not commit and I might have HIV. I don't want to die. I want to get married and have children. I want to create something good. I want to get old. I want my time. I want my life. Why why why? I can't believe this."

She then wonders from whom she could have possibly gotten HIV. She lists seven people with whom she has had sexual contact "in general". The first five are obviously not Italians. number 7 is Rafaele Sollecito and number 6 also appears to be Italian. Her diary entry concludes with "Oh please please let it be a mistake. Please oh please let it not be true. I don't want to die." A week later she is informed she had a false positive and she does not have HIV. I have attached a copy of the real diary page.

The real diary entry is considerably different than the reports of Nick Pisa. She had seven Italian lovers in 60 days? No. She had a sexually transmitted disease? No, but she was told she was HIV positive.

The character assassination of Amanda Knox is improper. The information is false.

Prosecutors in the United States are prohibited by law from making statements to the press:

- 1) that have a substantial likelihood of heightening public condemnation of the accused;
- 2) prosecutors are further required to exercise reasonable care to prevent investigators, law enforcement personnel, employees or other persons associated with the prosecutor in a criminal case from making an extra judicial statement that the prosecutor would be prohibited from making.

It is my understanding that Italy has similar duties of prosecutors.

Since November 6, 2007, the conduct of the prosecutor, police and prison employees has been to supply false information to the press to inflame public opinion against Amanda Knox, Rafaele Sollecito and Patrick Lumumba. The primary focus of the attack has been on Amanda Knox.

The following are just some of the false information fed to the press:

- 1) Witnesses saw Amanda washing clothes with a Black man the morning after the crime (Negroid hair was found in the hand of Meredith Kercher, the victim);
- 2) Evidence included a videotape of Amanda entering her house the night of the murder;
- 3) Amanda's grip on the victim was so strong it left her finger prints on the forehead of the victim;
- 4) Sexual violence was perpetrated against the victim;
- 5) Witnesses saw three people running away from the crime;
- 6) Rafaele's bloody foot print was found in the victim's bedroom;
- 7) Amanda's DNA was found on the handle of a knife and the victim's on the blade;
- 8) The same knife, found in Rafaele's kitchen, was the murder weapon;
- 9) Rafaele and Amanda purchased bleach the morning after the crime;

10) There was a drug induced sex orgy involving Patrick Lumumba, Amanda Knox and Rafaele Sollecito. These three killed Meredith Kercher when she would not participate. The leader was, the evil temptress, Amanda Knox. Judge Claudia Matteini participated in this false speculation. On November 9, 2007 Judge Claudia Matteini wrote in her official report:

"It is possible to reconstruct what happened on the evening of November 1...

"(Meredith) went into her room with Patrick, after which something went badly, in the sense that, in all probability, Sollecito came in and the two started to try to swap, to which the girl refused"

"There was an initial desire of the three youth to try some new sensation. Above all for the boyfriend and girlfriend, while Lumumba had the desire to join carnally with a girl that he fancied and who refused him..."

In the same news articles that covered Judge Matteini's report "Police have accused Knox of helping to hold Ms. Kercher down during the sexual assault claiming that her fingerprints had been found on the British student's face." This is false and an improper report to the press by the police.

Amanda Knox is in grave danger of being convicted of the murder because of illegal and improper poisoning of public opinion and judicial opinion.

I respectfully submit that the prosecutor's office, police and prison employees have made illegal and false statements to the press. These false reports have wrongfully poisoned the well of public opinion against Amanda. A Perugian judge, Claudia Matteini, was caught up in this false speculation and has repeated and added to the false speculation in her opinions.

Those false information leaks have been fed to a voracious press all too willing to repeat and expand them. The primary location of those false press reports has been Perugia, but as you may well know, have been published throughout Italy and the United Kingdom.

These false reports have destroyed Amanda Knox's presumption of innocence and her right to receive a fair trial.

There are little negative reports or false information concerning Rudy Guede or Rafaele Sollecito. Perhaps because Amanda Knox is an American or perhaps because she is a woman; the negative and inflammatory press accounts are about her, not about the other defendants.

It is my understanding that there is a close relationship between the prosecutor's office and the judges in Perugia. Because of the prevailing public opinion and prosecutor opinion; it would be very difficult for any judge, but especially a Perugian judge, to presume Amanda Knox to be innocent.

Amanda Knox's lawyers have no knowledge of my request to the distinguished and honorable members of the Consiglio Superiore della Magistratura.

I humbly and respectfully request you remove the Amanda Knox case from Perugia or
in the alternative substitute judges who are independent of Perugia and the negative press
accounts.

Sincerely,

Judge Michael Heavey

Originals also sent to: l'On ~~Nicola Mancino~~ *Vincenzo Carbone*
l'On Silvio Berlusconi
l'On Mario Delli Priscoli

(mailed in Italian Sept 2, 2008)

Seattle, September 1, 2008

Dott. Giuliano Mignini
Sostituto Procuratore della Repubblica
Presso il Tribunale
Palazzo di Giustizia
Via Fiorenzo di Lorenzo, 22-24
06121 PERUGIA

Dott. Mignini,

I have the greatest respect for your competent abilities and your distinguished career of public service. I write to you as one member of the judiciary to another. Only my translator, yourself and I know the contents of this letter. Amanda Knox's family and attorneys are totally unaware of this letter.

I am told there is another prosecutor assigned to this case with you. If you wish you may share this letter with the other prosecutor. You may also show this letter to Judge Claudia Matteini. Please excuse my observations; because I am over 6,000 miles away and they may be inaccurate. Also, I in no way mean to offend you and I understand that because you are Italian I do not understand many things in your culture. I apologize, in advance, for any errors I have made; I am sure there may be many.

I come in peace. I am a judge in America, have presided over murder trials and have sentenced men to life sentences in prison without the possibility of parole. Please visit my website at www.kingcounty.gov/courts/SuperiorCourt/judges/heavey.aspx.

I know you are aware and greatly concerned with the leaks to the press from your office and the police. Many of these leaks have been false. These leaks of false information have destroyed Amanda's presumption of innocence and her right to receive a fair trial. Some of them are:

- 1) In Amanda's prison diary, she stated she had a sexually transmitted disease and that she had sex with seven Italian men in 60 days. Not true, she was told she was HIV positive (later it was a false positive) and the seven listed names are for a lifetime, only Raffaele is Italian.
- 2) The clothes she wore on the night of November 1, 2007 were destroyed. In fact, they were on her bed where she left them.
- 3) Evidence included a videotape of Amanda entering her house the night of the murder;
- 4) Witnesses saw Amanda entering her house the night of the murder;
- 5) Sexual violence was perpetrated against the victim;
- 6) Witnesses saw three people running away from the crime;
- 7) Raffaele's bloody foot print was found in the victim's bedroom;
- 8) Amanda's DNA was found on the handle of a knife and the victim's on the

blade;

- 9) The same knife, found in Raffaele's kitchen was the murder weapon;
- 10) Raffaele and Amanda purchased bleach the morning after the crime;
- 11) There was a drug induced sex orgy involving Patrick Lumumba, Amanda Knox and Raffaele Sollecito. These three killed Meredith Kercher when she would not participate. The leader was, the evil temptress, Amanda Knox.

Most, if not all, of the above releases to the press are untrue.

Most disturbing to me is that Judge Claudia Matteini participated in this false speculation. On November 9, 2007 Judge Claudia Matteini wrote in her official report:

"It is possible to reconstruct what happened on the evening of November 1...

"(Meredith) went into her room with Patrick, after which something went badly, in the sense that, in all probability, Sollecito came in and the two started to try to swap, to which the girl refused"

"There was an initial desire of the three youth to try some new sensation. Above all for the boyfriend and girlfriend, while Lumumba had the desire to join carnally with a girl that he fancied and who refused him..."

In the same news articles that covered Judge Matteini's report "Police have accused Knox of helping to hold Ms. Kercher down during the sexual assault claiming that her fingerprints had been found on the British student's face." This is another false and an improper report to the press by the police. Amanda's fingerprints are not on Meredith, nor is her DNA on Meredith or anywhere in Meredith's room. Judge Mignini, would you like your daughter treated in this manner?

Amanda Knox is in grave danger of being convicted of the murder because of improper and false poisoning of public opinion and judicial opinion.

I am offended, as I believe the world will be when the truth is told and the abuse of Amanda Knox is told; e.g. fourteen hour all night interrogation, physical abuse, false leaks to the press, etc.

I will admit that your theory at the beginning was a legitimate one. You knew, among other things, that Meredith had the hair of a Black man in her hand. Meredith, Amanda and Patrick were connected. There was a text message from Amanda to Patrick on November 1 saying, "...I will see you later" and a bloody foot print thought to belong to Raffaele. However, when Patrick was freed that theory was no longer viable.

I am a man of faith. I am a member of the Roman Catholic Church. I only say that because I receive a great deal of wisdom from the Bible. King Solomon, who wrote the Book of Proverbs almost 3,000 years ago, noted the following about human behavior-

"The wicked flee, when no one pursues"

Rudy Guede fled long before anyone was pursuing him. Amanda and Raffaele never fled. Obviously, you would agree that Rudy Guede was involved in the murder of

Meredith Kercher. Why was it so hard for you to believe that Amanda and Raffaele, in love with one another, spent the night in Raffaele's apartment?

I would respectfully suggest to you that there is a powerful force at work in the U.S., Italy and around the world. This is the force of truth, not lies. This is the force of love and mercy, not hatred.

In America we do not understand your justice system. In our country you have to be charged within 72 hours of arrest, or released. I also do not understand the reluctance of Italians to admit they may have been wrong. The humility to admit error publicly in our country is a great attribute. The public is very forgiving of those who admit error and not forgiving of those who continue to insist they are correct.

I have enclosed the front page article concerning Amanda Knox on August 18, 2008 in our local paper – The Seattle Times. My apologies for not having it translated. Towards the end of the article a person familiar with the case states –

“his career (G. Mignini) depends on convicting Knox of murder.”

I hope that is not the case and I respectfully suggest to you that the opposite may be true. Surely, I do not understand your culture, but would it not be powerful, courageous and honorable to declare that upon much reflection by you, you find there is little, if any, credible evidence against Amanda and Raffaele and they should be released? Would not even your severist critics say that Judge Mignini is an honorable man with intelligence and humility? Would not your fellow members of the judiciary and the CSM recognize you as a courageous and wise public servant?

I leave you with this quote, again from King Solomon instructing his children - Proverbs Chapter 3, verses 3,4 –

“3. Let not mercy and truth forsake you; bind them around your neck,
write them on the tablet of your heart,

“4. And so find favor and high esteem
In the sight of God and man.”

I would submit that the truth is; there is no credible evidence to show that Amanda and Raffaele were involved in this horrendous crime. The truth is – they are innocent. I would respectfully submit that mercy compels the release of these two after ten months in prison.

I wish you nothing but the best in the difficult decisions you face.

God bless you,

Michael Heavey