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CASE NUMBER: 17-2-09152-9 SEA

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

9 D.H.,

10 Plaintiff,

11 v.

12 MAYOR EDWARD MURRAY,

13 Defendant.

NO. 17-2-09152-9 SEA

**AMENDED COMPLAINT
(CORRECTED) FOR DAMAGES:
CHILD SEX ABUSE & ILLEGAL
CHILD PROSTITUTION**

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

17 **I. PARTIES**

18 1. Plaintiff D.H. (real name: Delvonn¹ Heckard) is an adult male born in February
19 of 1971 and is the child sex victim Ed Murray.² D.H. is an openly gay man with no real
20 political inclinations. Prior to filing this lawsuit, D.H. visited with other lawyers within the
21 local legal community (who could/would not pursue the case) before retaining the Connelly
22 Law Offices upon the invitation of his original lawyer, Lawand Anderson. D.H. is not a pawn
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25 ¹ The only correction in this Complaint is spelling "Delvonn" with two Ns.

26 ² 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). Delvonn is spelled with two n's.

1 in any conspiracy, as alleged by Mr. Murray and his hit team. However, D.H.'s claims *are*
2 politically motivated in that he does not think a man who abuses children, and then lies about
3 it in office, should be in high office without the public being afforded full information.

4 2. Defendant the Honorable Mayor Edward Murray, now age 61, is a Seattle
5 resident and at the time of most of these incidents previously resided at 303 Harvard Avenue
6 E, Apt 304, Seattle, Washington.
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8 II. FACTS

9 3. As a young child, at the age of fifteen (15), the plaintiff, D.H., would
10 frequently ride the Metro Bus Number-7 in the Capitol Hill area. D.H. had recently dropped
11 out of Nathan Hale high school during the 9th grade. D.H. was homeless and his parents were
12 also on drugs. Young and curious, D.H. encountered Ed Murray upon the bus and developed
13 a friendly interaction. Mr. Murray was approximately age thirty-two (32) at the time, and
14 propositioned D.H. for private visits at his Capitol Hill apartment. D.H. recalls Mr. Murray's
15 old phone number: 206-325-8294. D.H. recalls that as you enter the apartment, the bathroom
16 is to the right, and across from the bathroom was the sole bedroom.
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18 4. The interaction turned sexual. Prior to the sex acts, Mr. Murray asked D.H. his
19 age, and he responded truthfully, age 15. Mr. Murray propositioned D.H. in the form of sex
20 acts for money – a form of child prostitution. Addicted to drugs at the time, D.H. was willing
21 do whatever Mr. Murray asked for as little as \$10-20 dollars. The sex acts included various
22 forms of intercourse – anal of course – and oral sex acts, with Mr. Murray always on the
23 receiving end of oral interactions. At times, the sex turned aggressive, beyond a point to
24 which D.H. was comfortable and/or felt that to which he had agreed. During the relevant
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1 time-frame back 1986, D.H. recalls discussing the sexual encounters with his friend, F.W.
2 Eventually, D.H. came to understand that Mr. Murray was doing work in politics at a location
3 “*across the street from the King County Jail*” at the time.

4 5. D.H. recalls that Mr. Murray most enjoyed having his nipples pinched during
5 sex – Mr. Murray has a very freckled chest. At the time, and likely still so, Mr. Murray had a
6 distinctive genital region including reddish pubic hair and a unique mole on his scrotum – it is
7 a small bump. Mr. Murray indicated that he enjoyed sex more if D.H. was dirty -- literally
8 unclean -- and told D.H. not to bathe prior to sex. The sexual interactions at issue – underage
9 sex for small-amounts of money – continued for an extended period of time. Admittedly,
10 D.H. was convicted of various charges that include an extensive drug addiction, and acts of
11 prostitution in 1990 during unrelated sting operation.

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14 6. On at least one occasion, D.H. was at Mr. Murray’s home when another
15 apparently under-aged boy was at the apartment. D.H. was of the understanding that Mr.
16 Murray was having sex with the other boy for money at the same time. D.H. recalled the
17 other light-skinned boy from the Broadway area, where everyone would hang out. Mr.
18 Murray wanted D.H. to participate in the sex acts as a group. D.H. participated indirectly, but
19 “*did not fully indulge*” out of embarrassment at the proposition.

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21 7. As an independent contention that can be expressly admitted or denied: Mr.
22 Murray has had sex with at least one (1) underage boy for money. This question should be
23 easy to answer and not require *any* investigation by Mr. Murray. Mr. Murray has either (1)
24 had sex with an underage boy for money, or (2) Mr. Murray has not. To the extent that Mr.
25 Murray suggests an inability to respond to this overall Complaint based upon D.H. being
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1 referenced solely by his initials, Mr. Murray can still respond to this contention. Mr. Murray
2 cannot reasonably respond, "*which boy*" to this contention.

3 8. Only within the immediate past was it that D.H.'s father died. This event, the
4 death of D.H.'s father, prompted moments of reflection and introspection that included
5 counseling at Sound Mental Health. These moments of reflection, and awareness that Mr.
6 Murray maintains a position of authority, prompted the filing of this lawsuit in an attempt at
7 accountability, and to hopefully give courage for other potential victims to come forward and
8 speak out. According to D.H., he and Mr. Murray have had a few brief telephone interactions
9 over the years. D.H. would be shocked if Mr. Murray does not recall *exactly* who he was.
10 D.H. is currently participating in the Reach Program and trying to stay clean and move his life
11 in a positive direction.
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13 9. An early step in this lawsuit will be deposing Mr. Murray, which should occur
14 within the first ninety (90) days of filing. D.H. believes that it will be hard, if not nearly
15 impossible for Mr. Murray to deny the abuse. Notably, Mr. Murray has accepted collect calls
16 at his home from D.H. over the years. Natural speculation would lead some people to believe
17 that D.H.'s actions are politically motivated – which is not exactly true. In this regard, D.H. is
18 disturbed that Mr. Murray maintains a position of trust and authority, and believes that the
19 public has a right to full information when a trusted official exploits a child. To the extent
20 that D.H. has any political motivations for outing Mr. Murray, they stop there. It should be
21 noted that at no point in time, not even prior to filing this lawsuit, did D.H. make any financial
22 demands of Mr. Murray – other than trading sex acts for money as described herein. D.H. has
23 counseling records.
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1 10. Through this lawsuit, D.H. learned of the existence of Jeff Simpson and Lloyd
2 Anderson. D.H. learned of Mr. Simpson and Mr. Anderson through the Seattle Times. Mr.
3 Murray was almost charged with sodomizing Mr. Simpson back in 1984. Mr. Simpson fits
4 the description of the other boy in the room as alleged within this Complaint. D.H. does not
5 recognize Mr. Simpson and/or Mr. Anderson by name, or as adults, but feels affirmed in
6 knowing the similarities of their recollection of events. Mr. Murray has admitted having
7 relationships with Mr. Simpson and Mr. Anderson. As Mr. Simpson and Mr. Anderson have
8 been courageous in stepping forward publicly, D.H. feels as though he should not proceed in
9 anonymity

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11 11. As of the filing of this Amended Complaint, Mr. Murray has proclaimed a lack
12 of knowledge as to D.H.³ Mr. Murray has undergone multiple public interviews, made public
13 statements, and even rushed off to his gastroenterologist to have his genitals examined. In
14 that regard, it should be noted that D.H. alleges that Mr. Murray had the noted genital
15 distinctions *thirty years ago* and not at present. Oddly, Mr. Murray's lawyers assisted Mr.
16 Murray in hosting press conferences, making public statements, and having his genitals
17 examined, but have not bothered, as of this day, to ask about D.H.'s real identity. Mr. Murray
18 is entitled to this information, and his lawyers could have asked for the first day the lawsuit
19 was filed. Instead, Mr. Murray has put on a public charade. Any normal person would have
20 asked his accusers name before having his genitals examined. D.H.'s real name is Delvonn
21 Heckard.
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26 ³ Mr. Murray's lawyers have still not followed normal protocol and filed a Notice of Appearance.

III. CHILDHOOD SEX ABUSE

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

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

18 **V. PRAYER FOR RELIEF**

19 WHEREFORE, Plaintiff requests a judgment against Defendant:

- 20 (a) Awarding Plaintiff general damages including loss of consortium and special
21 damages in an amount to be proven at trial;
- 22 (b) Awarding him reasonable attorney's fees and costs as available under law;

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

2 (d) Awarding him such other and further relief as the Court deems just and proper

3 under the circumstances of this case.

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5 Respectfully submitted this 18th day of April, 2017.

6 CONNELLY LAW OFFICES, PLLC

7
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9 By

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