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Petitioner with Grievance

PEOPLE OF THE STATE OF CALIFORNIA
THE CALIFORNIA ASSEMBLY
JUDICIARY COMMITTEE

)	A Petition to the Assembly
)	
CALIFORNIA PROTECTIVE MOTHER'S)	
)	
OF SOLANO COUNTY,)	
)	PETITION TO IMPEACH
Petitioner.)	A SUPERIOR COURT JUDGE
)	CHRISTINE CARRINGER
)	OF SOLANO COUNTY
)	UNDER ARTICLE 4 SEC 18
JUDGE CHRISTINE CARRINGER)	CALIFORNIA CONSTITUTION
)	
Respondent(s).)	
)	
)	
)	
)	

“[Sir Edward Coke] asserted that a corrupt judge was the greatest of all grievances and harmed the commonwealth more than anyone else because he made every subject a tenant at will for his rights.” - Sir Edward Coke and the Grievances of the Commonwealth Pg. 54

“I speak not because the Chancellor is in a cloud, but according to liberty of a true subject. A corrupt Judge is the grievance of grievances.” – Bowen, The Lion and the Throne Pg. 426

I. INTRODUCTION

A. An Impeachment

We are bringing this petition for impeachment to the California Assembly. The action is against Judge Christine Carringer who presides in Solano County and has engaged in egregious misconduct that involves family law cases in Solano County. Judge Carringer has engaged in multiple acts that breach the very fiber of fairness that all persons who go before any judge in this state or any other should expect. We allege these acts include crimes under the Color of Law. She has acted far outside what would be considered normal discretion and has used her office to deliberately harm people who appear before her who would reasonably deserve fairness and justice.

B. Impeachments in General

Impeachments no longer seem to occur in California. The last one happened in 1929. The fact that there are fewer representatives in the California Legislature (120) than Judges (over 2,000) may have caused this. However, the matters involving Judge Carringer are severe enough to bring to the Assembly Judiciary Committee, for the facts to be collected, and then taken to the full Assembly for a vote and then finally to the State Senate for a trial. Impeachments are still allowed under Article IV Sec. 18 of the California Constitution.

C. Commission on Judicial Performance

People who have complaints against Judges are often told to file complaints with the Commission on Judicial Performance (The “CJP”). The CJP supposedly acts as oversight to the Judges of California. However, it has come to our attention, from an article in the San Francisco Chronicle (See Exhibit A), that the CJP when compared to other states judicial oversight committees, does not really do its job. Furthermore, the CJP process in California is not transparent. The article stated in part that:

“The [CJP] panel recently released its 2015 Annual Report revealing that it publicly disciplined just four judges out of the 1,231 complaints it reviewed. An additional 37 of these complaints resulted in a private advisory letter or private admonishment, wherein the name of the judge was withheld from the public and only a brief description of the misconduct was provided in the annual report. The commission withheld all information about the 1,190 complaints it dismissed without discipline, 90 percent of which were dismissed without an inquiry or investigation.

Court Reform LLC, a San Francisco Bay Area advocacy firm, compared the discipline rates of the commissions of California, Texas, New York and Arizona over the past 10 years and the results are troubling.

Arizona’s overall discipline rate was four times higher than California’s and its public discipline rate was five times higher. Texas investigated three times as many complaints, publicly disciplined three times as many judges, and removed six times as many judges.

New York had more than 10 times as many complaints (358) as California (34) resulting in judges leaving the bench with complaints pending — a likely indication that New York’s judges know their watchdog has teeth, while California’s watchdog may be asleep.”

Also, when the California legislature sent the state auditor to review the CJP, the entity filed a complaint for an injunction to stop the auditor from doing an investigation (See Commission on Judicial Performance v. Elaine M. Howle Case No. 16-515308. The trial court ruled in favor of the agency that oversees it. The matter has been appealed to the California Supreme Court (which is also overseen by the CJP).

Judicial Watch (JW) filed an amicus with the trial court and noted that an audit would increase public confidence in the judiciary's integrity and independence citing the forward to the book Standards for Audit of Governmental Organizations, Programs, Activities & Functions:

Audits provide essential accountability and transparency over government programs. Given the current challenges facing governments and their programs, the oversight provided though auditing is more critical than ever. Government auditing provides objective analysis and information needed to make the decisions necessary to help create a better future.

JW further noted that the Federal Judiciary had been audited twice. "Federal courts were subject to at least two comprehensive audits between 1990 and 2006 . . ." JW also noted that it filed its own complaints on judges in California with the CJP and never heard the results. This is a process no reasonable person can trust.

As citizens, we have no faith in the CJP process in place. The idea that an agency that oversees all the Judges in California has never been audited and now is fighting being audited is an admission of guilt. This is especially true in light of the fact that it proportionally disciplines fewer judges than other similar state commissions and the entire process is kept secret. The few judges who are removed are done so for what seem trivial reasons like having sex with their clerks or felony convictions. Most of the judges removed are from less populated rural areas and more often it is elected judges over appointed judges. Judges rarely get removed for severe misconduct. In fact, it seems that those are the very judges being protected by this non-transparent process.

Going directly to the legislature and bypassing a system that does not work is not only proper, but necessary. The CJP does not do the necessary job. It is either incompetent or intentionally shielding judges who engage in this corruption. The latter is more likely.

II. VENUE AND JURISDICTION

A. The legislature is the only venue for Impeachments

“The Assembly has the sole power of impeachment. Impeachments shall be tried by the Senate.” Cal Const Art IV Sec §18(a)

B. Superior Court Judges may be Impeached

1. California Constitution:

Judges are clearly delineated in the California Constitution for Impeachment:

“State officers elected on a statewide basis, members of the State Board of Equalization, and judges of state courts are subject to impeachment for misconduct in office. Judgment may extend only to removal from office and disqualification to hold any office under the State, but the person convicted or acquitted remains subject to criminal punishment according to law.” Cal Const Art IV Sec §18(b)

2. State statutes support this:

“State officers elected on a statewide basis, members of the State Board of Equalization, and judges of state courts are subject to impeachment for misconduct in office.” Government Code §3020. Officers subject to impeachment

C. Case Law Supporting this As well.

Judicial Officers may be held accountable for their Actions

“Judicial officers may be called to account . . . for willful or corrupt conduct in office, where, in exercise of powers, they act with partiality, or maliciously, corruptly, arbitrarily, or oppressively.” Frazier v. Moffatt (1951) 108 Cal App 2d 379, 239 P2d123, 1951 Cal App LEXIS 2057.

III. PARTIES

A. Petitioners

1. California Protective Mothers of Solano County (“CPMSC”)

This is an association of survivors of domestic violence and mothers who have children that have been harmed by Respondent Judge Carringer. Many names and case numbers have been omitted for their protections vis a vis a punitive jurist.

2. CPMSC is bringing this petition on behalf of litigants and children harmed by Respondent.

3. The following is a sampling of the more egregious cases that demonstrate bias:

- Q [REDACTED] v. Q [REDACTED] 63
- L [REDACTED] v. G [REDACTED] 963
- St [REDACTED] v. M [REDACTED] 359 and [REDACTED] 255
- Al [REDACTED] Wa [REDACTED] 113
- Mc [REDACTED] v. Wi [REDACTED] 323 and [REDACTED] 197

B. Respondent

Respondent Judge Carringer who is currently a Superior Court Judge in Solano County. She presides over family law matters and domestic violence restraining order requests. Petitioners assert she has acted in excess of her office. Further, she has acted in a biased manner clearly partial against female parents, survivors of domestic violence and children and in favor of the connected, abusive or corrupt parent. She has acted maliciously, corruptly, arbitrarily and in a manner that the common person would deem as oppressive and dangerous to the well-being of the involved children, the family unit and the role of the courts.

IV. FACTS

A. In General

These are cases that we are bringing forward that demonstrate a pattern of corruption by Judge Carringer that include bias, a fundamental indifference to the best interest of the child, arbitrary disdain for The Domestic Violence Prevention Act, (Family Code 3044), and a disregard for the health, safety and welfare of children. These are just the matters we are aware of and they amount to multiple judicial indiscretions that we believe she perpetrates under the color of law by using her office to shield her from the abuses she perpetuates.

1. Parental Rights Termination and Cash for Kids

Judge Carringer routinely and arbitrarily puts litigants, namely mothers with no history of domestic violence or substance abuse, on supervised visitation with their children and awards 100% custody of the child (ren) to documented repeat abusers. Mothers (often with with little or no income) are then charged extreme fees, often in excess of \$800 per month, to visit their children under the supervision of a paid third party: [REDACTED]

[REDACTED] are a few examples).

Solano County Family Court received \$300,000 from the Department of Justice through the Office for Violence Against Women based on a grant requested by the court in 2013, specifically to address issues of Domestic Violence in Solano County. Judge Carringer did not make the survivors of domestic violence aware of the resources available to them, in fact, she's alleged to have further victimized them in her courtroom while knowing there were resources available for said litigants and the children. Neither Judge Carringer, nor Judge Garry Ichikawa has given an account of those funds or how those funds benefited litigants in their courtroom.

When questions regarding those funds surfaced, Judge Garry Ichikawa unceremoniously retired leaving Judge Carringer, the acting Supervising Judge, to give an account of the funds.

Both parties have been reported to the Department of Justice Office of Violence Against Women for a potential misappropriation of funds.

2. Domestic Violence and Mothers

When a Mother makes substantiated claims of domestic violence in Judge Carringer's courtroom, her loss of legal and physical custody of the child(ren) is almost automatic. Father, conversely, is not required to offer proof of any claims against Mother in order to obtain sole legal and physical custody. Given that it is often the court making baseless claims against Mothers, the mothers are left with little or no recourse and the children are left unprotected in cases with substantiated physical and/or sexual abuse. While the standard of review in family law matters is "clear and convincing" evidence, See the US Supreme Court cases of Santosky v. Kramer, 455 US 745 (1982), Troxel v. Granville (1999), Judge Carringer almost always dismisses all evidence against Father and customarily threatens litigants who want to present evidence against the Father.

Judge Carringer has a well-established reputation for exhibiting extreme bias against mothers, specifically mothers and children who are victims of domestic violence and/or sexual abuse or assault. Her rulings against said litigants are harsh and swift. She has a reputation for insulting litigants, name calling and threatening litigants from the bench with a loss of all custody if they mention substantiated claims of abuse. Even in cases where there was an attempted murder and confessions in cases litigated in criminal court, litigants are discouraged from mentioning documented claims of domestic violence, or other criminal offenses or drug use in her courtroom. She brags that she has not been overturned on appeal. She knows, however, that making credible findings against survivors of domestic violence, excluding evidence, entering tentative temporary orders, and lack of resources make a successful appeal virtually impossible.

B. Specific Instances

1. In Q [REDACTED] 963, Mother had been living in Ohio for two years with her children based on a stipulated agreement and court order between Mother and Father. In brazen disregard for the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA), during an unnoticed, ex parte hearing, Judge Carringer ordered that the children be returned to California and placed in the custody of their father, a documented, admitted, unrepentant, suicidal abuser because Mother had allegedly abducted the children. When Mother returned to California and presented Judge Carringer with court orders that proved the children had not been abducted, she dismissed the prior court order granting Mother custody and the right to move out of state, placed Mother on supervised visitation, and proceeded on a campaign of terrorizing Mother and treating her like a common criminal. Alleged falsification of documents by Judge Carringer and due process violations have been reported to the governing authorities for investigation and prosecution.

2. In L [REDACTED] 870, Mother and child had been living Georgia for approximately five years prior to Father initiating proceedings in Solano County when Mother came to town for a short visit. Father had voluntarily absented himself from the child's life when Mother was five (5) months pregnant. Judge Carringer again disregarded the UCCJEA and relentlessly attacked Mother, calling her on multiple occasions an abductor in open court, although the Solano County District Attorney's office has said mother did not abduct the child. Although Father was a domestic violence perpetrator, who did not know his son, Mother was ordered to surrender the child to the presumed Father and placed on supervised visitation with her son. In open court, the five (5) year old pleaded with the bench at hand not to be sent to live with a relative stranger; Judge Carringer was ruthless in separating the child from the only parent he knew. Mother has not seen her son since September 2016. Although Father repeatedly

withheld contact between mother and child in violation of Judge Carringer's orders, the court never enforced its own orders. Mother has reported Judge Carringer to the appropriate authorities for violations of Law.

3. In S [REDACTED] 359, a pediatrician reported Father to Child Protective Services based on concerns regarding child molestation. Judge Carringer dismissed the emergency protective order Mother had against Father and determined that Mother was also an abductor in this case. The court then gave Father sole legal and physical custody of the minor daughter and put Mother on a supervised visitation order. Because Father dismisses the supervisors and Mother cannot afford her legal fees she has not seen her daughter in six (6) months. Mother, who is disabled, has reported Judge Carringer to the appropriate authorities for violations of Law and violations of The Americans With Disabilities Act. Judge Carringer is obviously not familiar with this time honored child custody tenant " . . .to assure that children have frequent and continuing contact with both parents after the parents have separated or dissolved their marriage, or ended their relationship, and to encourage parents to share the rights and responsibilities of child rearing in order to effect this policy." California Family Code §3020(b)

3. Due Process Standards

The United States Supreme Court has directly held that: "*The fundamental liberty interests of natural parents in the care, custody, and management of their child is protected by the Fourteenth Amendment, and does not evaporate simply because they have not been model parents or have lost temporary custody of their child. . . A parental rights termination proceeding interferes with that fundamental liberty interest. **When the State moves to destroy weakened familial bonds, it must provide the parents with fundamentally fair procedures**" Santosky v.Kramer, 455 US 745 (1982)*

According to the US Supreme Court, a change of custody hearing that effectively terminates a litigants parental rights to their children requires both “Fundamental fairness” and “[Due] Process” is required when termination of parental rights of any sort occur. “*The minimum standard is a question of federal law which this Court may resolve. Retrospective case-by-case review cannot preserve fundamental fairness when a [hearing is held with a] constitutionally defective evidentiary standard.*” Santosky v. Kramer, (supra)

The US Supreme Court notes that “Fundamental fairness” and “Due process” must be afforded to someone who has certain “fundamental rights and liberty interests” taken from them and this would undoubtedly include “a parents fundamental right to make decisions concerning the care, custody, and control of their children” as denoted by the US Supreme Court in Troxel v. Granville (1999, *infra*):

“ The Fourteenth Amendment's Due Process Clause has a substantive component that ‘provides heightened protection against interference with certain fundamental rights and liberty interests,’ Washington v. Glucksberg, 521 U. S. 702, 720, including parents’ fundamental right to make decisions concerning the care, custody, and control of their children, see, e. g., Stanley v. Illinois, 405 U. S. 645, 651. Pp.63-66.”

V. ARTICLES OF IMPEACHMENT

Petitioners hereby make the following suggestions for Articles of Impeachment.

Article I. Abuse of Discretion and of Due Process

Count I.

Decisions made by Judge Carringer to change custody based on any unnoticed ex parte hearings, especially in the face of violations of the Uniform Child Custody Jurisdiction

Enforcement Act (UCCJEA), go against fundamental rights guaranteed by the Constitution and flies in the face of common sense except in the most extreme cases.

*“The fundamental liberty interest of natural parents in the care, custody, and management of their child is protected by the Fourteenth Amendment, and does not evaporate simply because they have not been model parents or have lost temporary custody of their child. . . A parental rights termination proceeding interferes with that fundamental liberty interest. **When the State moves to destroy weakened familial bonds, it must provide the parents with fundamentally fair procedures**”*

Santosky v. Kramer, 455 US 745 (1982)

Article II. Child Endangerment

Judge Carringer has ruled in a manner that directly placed a child (or children) in the care, custody, and/or control of a domestic violence perpetrator.

Count 1

In A [REDACTED] 113, Father was a heroin addict who lived with his girlfriend in his truck in a county park. Judge Carringer awarded significant custody and visitation to Father. On an occasion when the police contacted Mother and told her to come get her daughter from the park, Judge Carringer threatened Mother with a total loss of custody if she interfered with Father’s custodial time. When Father was shot at multiple times, by an unknown assailant, Judge Carringer disregarded the potential danger to the child and continued Father’s visitation. When Mother complained about the dangers of Father’s admitted heroin addiction, Judge Carringer threatened Mother with a total loss of custody if she mentioned Father’s drug addiction in court again. The deprivation experienced while in the care of Father has left the child with an ongoing eating disorder.

Count II

In Mc [REDACTED] 197, Father had a long, documented history of domestic violence. The minor son was allegedly brutally beaten by Father. One particular beating left the son bloody, barely able to walk and battling depression. The son attempted suicide on multiple occasions and Father was ultimately stripped of all rights to son by a Southern California court. Evidence was presented to Judge Carringer of the extreme abuse, a CPS report was made, and the minor was available to testify, yet, Judge Carringer dismissed all credible evidence of abuse and ordered the son be returned to Father. The son continues to struggle with depression and drug addiction.

Article III. Failure to Uphold the Judicial Canons

Canon 1. A judge shall uphold the integrity and independence of the judiciary. Canon 2. A judge shall avoid impropriety and the appearance of impropriety in all of the judge's activities. Canon 3. A judge shall perform the duties of judicial office impartially, competently, and diligently. Canon 4. A judge shall so conduct the judge's quasi-judicial and extrajudicial activities as to minimize the risk of conflict with judicial obligations. Canon 5. A judge or candidate for judicial office shall not engage in political or campaign activity that is inconsistent with the independence, integrity, or impartiality of the judiciary. Canon 6. Compliance with the Code of Judicial Ethics.

- a) Judge Carringer has had at least one confirmed conviction for Driving under the Influence (DUI) FCR220040.
- b) Judge Carringer was the subject of a Temporary Restraining Order in her divorce Carringer v. Boutorwick FFL065477.
- c) Judge Carringer was the subject of a no corporal punishment order in her divorce/custody proceedings Carringer v. Boutorwick FFL065477.

- d) Judge Carringer used her office and influence as a judge to collude with the clerk's office and an assigned judge to claim an emergency and seal her own court files from public view.
- e) Judge Carringer used her chamber, courtroom, staff and the local Solano County Sheriff's Department to assist her peer, Judge Cynda Unger in evading the legal, peaceful service of documents at the courthouse and use Solano County Sheriffs to intimidate the three women there to execute the service.
- f) Judge Carringer fails to recuse herself in cases where recusal is appropriate.
- g) When the news media contacted Judge Carringer, she pretended to be someone else. She ultimately admitted that she was in fact Judge Carringer and referred the call to another department.
- h) Judge Carringer has been reported to the Federal Bureau of Investigation for law and procedure violations.
- i) Judge Carringer has been reported to The Department of Justice for a potential misappropriation of funds received by the Office on Violence Against Women.
- j) Judge Carringer is the subject of multiple successful attempts to disqualify her as a judge.
- k) Judge Carringer is the subject of multiple complaints to the Commission on Judicial Performance.
- l) She has brought the office of Solano County Family Law into disrepute and has been the subject of public protest at the courthouse and in the local press.
- m) Judge Carringer is the subject of multiple reports to the Solano County District Attorney's office.
- n) Judge Carringer is the subject of multiple complaints to the Solano County Presiding Judge.

- o) Judge Carringer has been accused of falsifying evidence, destroying evidence, obstruction of justice, and altering court documents.
- p) Judge Carringer has been the subject of a Notice of Recall and is set to be the subject of another Notice of Recall within the next six months.
- q) Petitioner also raises the notion that these patterns and practices that Judge Carringer has engaged in, shocks the conscience. Judge Carringer is not ashamed to engage in this behavior. The U.S. Supreme Court established the “shock-the-conscience test” in *Rochin v. California*, 342 U.S. 165, 72 S. Ct. 205, 96 L. Ed. 183 (1952). Based on the Fourteenth Amendment's prohibition against states depriving any person of "life, liberty, or property without due process of law," the test prohibits conduct by state agents that falls outside the standards of civilized decency. These actions routinely happen in Judge Carringer’s courtroom.

VI. PROCEDURE GOING FORWARD

A. This is a Petition Addressed to the Assembly

1. This is a petition to the Legislature to Act

This is set out clearly in the California Constitution and may be interpreted as a right under the U.S. Constitution as per Amendment I.

“The people have the right to instruct their representatives, petition government for redress of grievances, and assemble freely to consult for the common good.” Art I Sec3
California Constitution

2. The Speaker has a duty to take this petition

This is the case as per the Rules of the Assembly:

“Whenever petitions, memorials, or other papers are presented by a Member, a brief statement of the contents thereof may be made verbally by the introducer. Petitions are not debatable and shall be filed, or referred to a committee as the Speaker shall determine. Receipt of that presentation and its disposition shall be noted in the Journal.” Assembly Rule 43. Presentation of Petitions

3. This is a petition for Impeachment

Such petitions shall be turned over either to the Appropriate Committee for review.

“Upon receipt of a petition for the impeachment of any person subject to impeachment by the Legislature, the Speaker shall, without comment or debate, forthwith refer the petition to committee.” Assembly Rule 43. Presentation of Petitions

B. The Process

The process is as follows:

1. The Judiciary Committee is sent the petition.
2. The Committee then may take evidence.
3. A Summons to the Judge may be issued. An Order to Show Cause may be issued by the Judiciary Committee or a judge may be subpoenaed to appear before the Assembly.
4. A vote in the Committee is taken.
5. Then a Vote in the Whole Chamber may be taken.
6. Managers are selected if the vote is in the affirmative by a 2/3rd majority.
7. The Case is brought before the Senate.
8. Evidence is taken before them.
9. Two Questions are then voted upon for each Article of Impeachment.
 - a. Is the Judge to be removed?

- b. May she hold an office of trust in California ever again?
10. A 2/3rd Majority is required in each matter.


VII. CONCLUSION

For the reasons given above, the Assembly Judiciary committee is asked to take this petition, review the facts and begin impeachment proceedings against Judge Christine Carringer to show the constituents that our elected government is indeed there to protect us and most certainly children from harm. Another judge should be selected to take all of her cases and she should be barred from contact with any court files and litigants during impeachment proceedings.

It is also requested that all cases presided over by Judge Carringer, that involve mothers with claims of domestic violence be referred to the Federal Bureau of Investigations, the local District Attorney's Office, the California Supreme Court and The Department of Justice Office on Violence Against Women. It is further requested that the Chief Justice in conjunction with the California Supreme Court as is done in other states, overturn all the ruling made by Judge Christine Carringer in cases that involve mothers and children with substantiated claims of domestic violence. Additionally, we request that there be an investigation into how her court files were sealed and that her files be immediately made public.

Finally, it is humbly requested that the Assembly require Judge Carringer to give an account for the \$300,000 grant that was provided to Solano County Family Law by the Department of Justice Office on Violence Against Women.

Respectfully Submitted,


California Protective Mothers of Solano County

April 12, 2018
Date

CERTIFICATE OF SERVICE

IT IS HEREBY certified that on the ____ Day of April, 2018, the foregoing *Articles of Impeachment* was served with the Parliamentarian of the Assembly for the following parties:

Assembly Parliamentarian for distribution to:

1. The Assembly Speaker
2. Assembly Judiciary Committee


California Protective Mothers of Solano County

April 12, 2018
Date

The following Other Parties Shall receive a copy:

Media Outlets

- | | |
|-----------------------------|--------------------------|
| Sacramento Bee | Contra Costa Times |
| San Francisco Chronicle | San Diego Union Tribune |
| Los Angeles Times | San Jose Mercury News |
| Oakland Tribune | Vallejo Times-Herald |
| Vacaville Recorder | Fairfield Daily Republic |
| Associated Press, SF Bureau | |

ON AN ONGOING BASIS

Petitioners shall begin collecting signatures as below and will add these signatures on a regular basis to these Articles of Impeachment and file them with the legislature to demonstrate there is popular support for this and that this needs to happen.

The undersigned hereby agree that the above actions of Judge Carringer as detailed herein demonstrate the need for the California legislature to investigate and then impeach and remove her due her gross misconduct in office, actions in violation of the clear duties and intent of a judge, and her biased misconduct as a judge.

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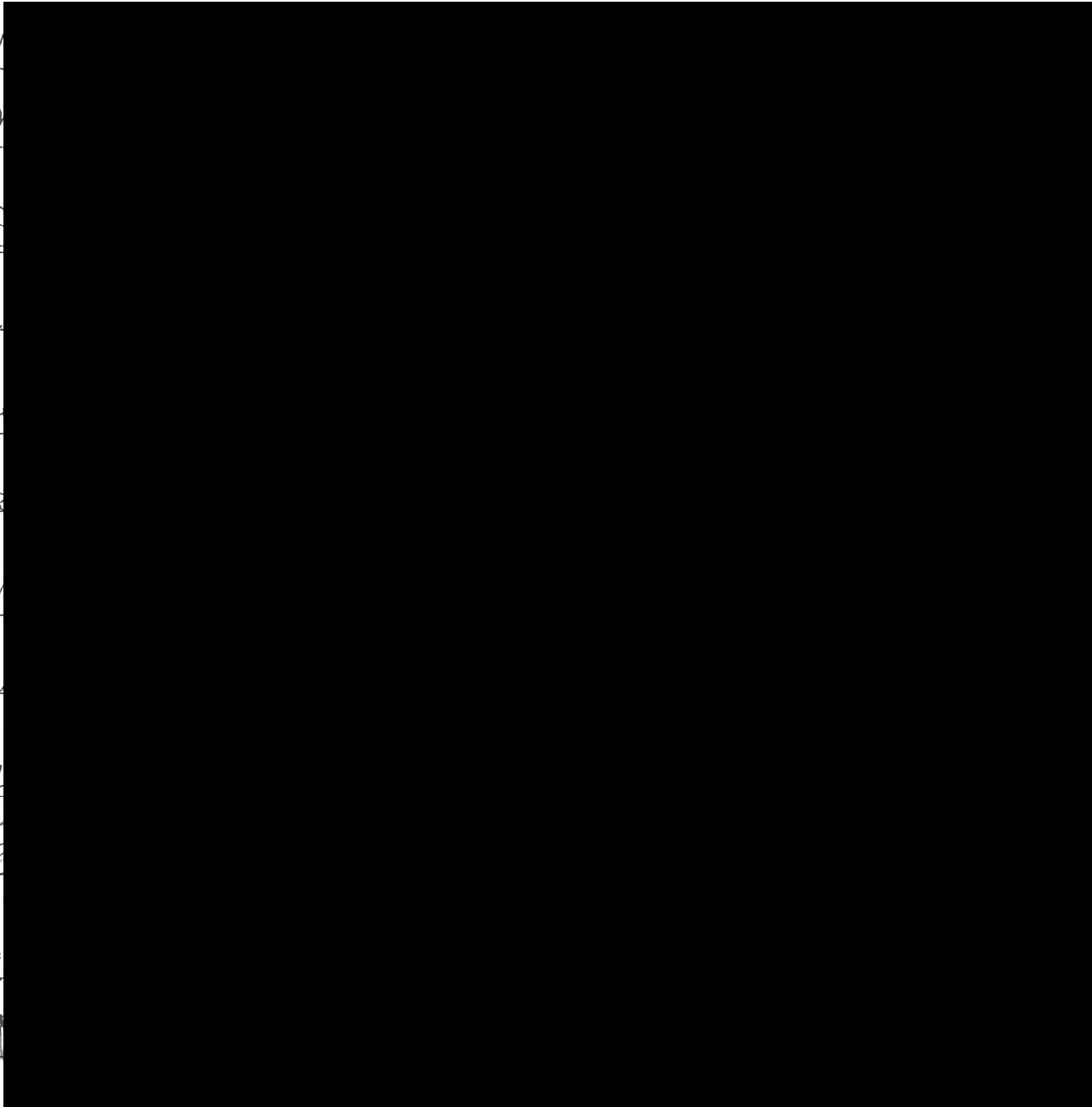
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(City/State/Zip)

23. M

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