

Statement Against Renomination of Judge John Pickard (to be read into record)

It is only at nomination hearings like these, the Legislature's special panels such as the Guardian Ad Litem study, or in media stories where the conduct of a judge becomes known, and judicial remediation/training is pursued or a renomination retracted. If I thought remediation or training could help Judge John Pickard, I would not be here wasting your time. But when a jurist publicly reveals their bias, denies litigants access to due process, violates judicial canons – and when that conduct becomes public record – then nothing can be done. State officials must act by retiring that jurist or allowing them to work administratively behind the scenes. Maintaining them on the bench would allow future civil, family or criminal litigants to point back at such a public record and request another jurist or create cause for an appeal or re-hearing. Judge Pickard has only himself to blame. His bias is now in the public domain through this legislative process, including biased and derogatory speech that never could have occurred. Specifically, he quoted me as being “one sick bitch”.

My situation began in March of 2009 when I exercised my federal right under a Section 8 contract and terminated a lease because of criminal activity, i.e. forgery. They acknowledged my decision in writing and also revoked the tenant's Section 8 benefits. The tenant filed a complaint with the Attorney General blaming the housing authority for loss of benefits and filed another complaint with CT Commission on Human Rights (CHRO). A housing authority employee confirmed the bad checks to a CHRO investigator.

Admittedly, I did not take the CHRO process seriously or understand how a criminal forger was a member of any protected class for whom CHRO could bring suit. CHRO later removed a punitive damage request and replaced it with 3-hours of landlord training. But I still ended up with a \$25,000 embarrassingly worded decision by Judge Pickard in which he intentionally left out quotes from a letter citing fraud, falsified the court's chronological record relative to his performance, and used the false testimony of a male tenant not on the scene. He refused to acknowledge a police report critical to my defense. It clearly stated I NEVER entered the apartment or had verbal interaction with the tenant and identified my actions and those witnesses present (the male was not.) Judge Pickard knows that “one sick bitch” comment never happened, but he still felt the need to shame me. He ridiculously stated I shut off heat to a tenant in June. His entire rationale for the \$25,000 award was laughable. Judge Pickard showed no ability to see through completely false drama and refused to exercise judicial notice of CHRO documents contained in the court record. Case law (attached) specifically covers taking judicial notice of state agency documentation. One transcript in particular, covers most of his abuse of process against this self-represented party by:

- 1) denying the contents of a police report;
- 2) refusing to allow eyewitnesses who could prove my innocence;
- 3) completely refusing to take judicial notice of state agency records;

- 4) using language forecasting his bias and pre-decision;
- 5) placing blame on my not hiring legal counsel;
- 6) fooling me into believing he would let evidence in (the police report), then ruling against me after I fell for his ruse.

In 2011, CT Chief Justice Rogers cited that court dockets were largely comprised of self-represented parties (84 percent of family cases, 90 percent of housing matters, and 27 percent of civil cases had at least one party who was self-represented.) Pro Se or self-represented parties will continue to increase until there is structural change in how legal representation is provided in this state or there is a critical move toward mediation versus litigation. Modern and/or younger judges are needed, who possess the right temperament to deal with less educated, self-represented parties – most of them being female, or minority Hispanic and Black. Judges will need to take greater “judicial notice” in order to facilitate cases and move along pro se matters, especially in light of decreased judicial funding. Technological advances can also help clarify record review.

Judge Pickard is 69 years old. He received his legal training in a different era in which mostly male judges could be didactic and unbending without scrutiny. But this is a totally new age and the internet can be unforgiving. He will be forever known for his false “one sick bitch” decision. I’m even thinking of making t-shirts and bumper stickers with the words “one sick bitch” or the initials “OSB”, and promoting it online. He is not capable of being reformed via training. His biases are clear preventing renomination. He has caused unnecessary and false embarrassment to myself, and he will continue to cause unnecessary embarrassment and future internet and media attention on the Connecticut judiciary going forward. Last year, the legislature took prompt action when it removed the renomination of a jurist who physically grabbed a defendant. You must again take corrective action and remove the renomination of Judge Pickard.

Thank you for listening and I can take any questions on the timeline and document evidence I have provided.

Jacobs v. Jacobs, 2013 Conn. Super. LEXIS 1506 (Conn. Super. Ct. July 8, 2013) (court "may" take judicial notice of public records, meaning that you can invite the court to recognize the records, but it has some discretion whether it does or not).

"When a trial court decides a jurisdictional question raised by a pretrial motion to dismiss on the basis of the complaint alone, it must consider the allegations of the complaint in their most favorable light . . . In this regard, a court must take the facts to be those alleged in the complaint, including those facts necessarily implied from the allegations, construing them in a manner most favorable to the pleader." (Internal quotation marks omitted.) Conboy v. State, 292 Conn. 642, 651, 974 A.2d 669 (2009). "In contrast, if the complaint is supplemented by undisputed facts established by affidavits submitted in support of the motion to dismiss . . . other types of undisputed evidence . . . and/or public records of which judicial notice may be taken . . . [T]he trial court, in determining the jurisdictional issue, may consider these supplementary undisputed facts and need not conclusively presume the validity of the allegations of the complaint." (Citations omitted; internal quotation marks omitted.)

Luertsema v. Comm'r of Corr., 299 Conn. 740 (Conn. 2011): (a good footnote regarding judicial notice)

n28 See Office of Legislative Research, Research Report No. 2008-R-0589, "Breakdown of Prison Population by Offense Categories" (October 22, 2008), available at <http://www.cga.ct.gov/2008/rpt/2008-R-0589.htm> (last visited January 5, 2011) (copy contained in file of this case in Supreme Court clerk's office) (providing data on sentenced and unsentenced department of correction inmates, by most serious offense, as of October 21, 2008); accord Sheff v. O'Neill, 238 Conn. 1, 38 n.42, 678 A.2d 1267 (1996) [***55] (taking judicial notice of statistics compiled by Hartford board of education); 29 Am. Jur. 2d 134, Evidence § 109 (2008) ("Courts take judicial notice of statistical facts of general and common knowledge. Federal records and statistics are recognized as public records of which courts may take judicial notice."); 29 Am. Jur. 2d, supra, § 157 (judicial notice taken of official public records of state department of correction). Of those inmates incarcerated for kidnapping and related crimes, some have yet to be sentenced, or to have completed their direct appeal, and others were convicted of unlawful restraint rather than kidnapping. Even among those inmates whose kidnapping convictions have become final, many exhibited a clear intent to abduct their victims, and so are not in a position to benefit from Salamon.

Pierce v. Lantz, 113 Conn. App. 98 (Conn. App. Ct. 2009): (this is a bit squishy but it is talking about taking judicial notice of the DOC's administrative directives, which are public records)

n5 "It is often said that courts take judicial notice of such things as are of common knowledge. These may be matters which come to the knowledge of men generally in the course of the ordinary experience of life, and are therefore in the mind of the trier, or they may be matters which are generally accepted by mankind as true and are capable of ready [***14] and unquestionable demonstration." Roden v. Connecticut Co., 113 Conn. 408, 415, 155 A. 721 (1931). The administrative directives of the department are easily accessible both in print form and on the Internet, and, accordingly, they are capable of ready and unquestionable demonstration, and HN19we will take judicial notice of them.

State v. Shanks, 34 Conn. App. 103 (Conn. App. Ct. 1994):

There are two types of facts considered suitable for the taking of judicial notice: those which are 'common knowledge' and those which are 'capable of accurate and ready demonstration.' McCormick, Evidence (2d Ed.) § 330, p. 763." Moore v. Moore, 173 Conn. 120, 123 n.1, 376 A.2d 1085 (1977). The information contained in the articles and affidavits does not fit either of these criteria, and we decline the invitation to take judicial notice of the documents.

TIMELINE and Accompanying Documents

- 1) EXHIBIT LIST including tenant's forged check, color copies, and bad check sent via Certified Mail; Torrington Housing Authority confirmation of receiving tenant termination and loss of Section 8; CHRO interview of housing authority employee confirming bad checks; Tenant complaint to AG about Section 8 employee and loss of benefits; Peterson letters blamed for false \$25,000 award; Peterson letters offering help to tenant; Threat of lawsuit by tenant
- 2) Torrington Police report confirming I NEVER entered the apartment, had any verbal interaction with tenant and identified only those present (no male), also supported that I only removed plastic items from basement (see supporting photograph) -- Judge Pickard knows the "one sick bitch" comment could never have happened and that male tenant testimony was false, as was description in Decision of what happened at scene vs. police report version; Signed property rules stating that basement use was a privilege and not part of Section 8 contract
- 3) Section 8 provision stating lease termination can occur for criminal activity; Pre-Trial document for the meeting where Judge Gill agreed I had the federal right to terminate Section 8 contract and he acknowledges CHRO's settlement offer of no punitive money damages and a 3-hour landlord training class (meeting not taped despite I am pro se, April 2012)
- 4) Hearing on Motion to Re-Open default in June 2013 and guarantee of a hearing per transcript, but never held nor was continuation of Hearing in Damages scheduled despite notices; Supboena applications not accepted
- 5) "Sick Bitch Decision" comes out September 2013 after Judge Pickard intentionally cancelled hearings in damages and hearing for motion to re-open default (intentionally omits his actions or the dates in his Decision)
- 6) CHRO attorney admits reasoning for no \$\$\$ damages and request for 3-hour landlord training during a hearing (December 2013)
- 7) Judge Pickard admits he should have had hearing (March 2014)
- 8) October 2014 hearing transcript excerpts demonstrating CHRO report flawed; citing wrong employee and that employee NEVER agreed to be sole witness for Plaintiff and that employee confirmed reason for Section 8 loss; see page from CHRO report
- 9) October 2014 Hearing transcript showing:
 - a) denial of a police report;
 - b) refusal to allow eyewitnesses who could prove my innocence;
 - c) refusal to take judicial notice of state agency records;
 - d) using language forecasting his bias and pre-decision;
 - e) placing blame on my not hiring legal counsel;
 - f) fooling me into believing he would let evidence in (the police report), then ruling against me after I fell for his ruse.