



STATE OF WASHINGTON
COMMISSION ON JUDICIAL CONDUCT
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**JUDICIAL CONDUCT COMMISSION CENSURES
JUDGE SAMUEL SWANBERG AND RECOMMENDS
DISQUALIFICATION FROM FUTURE JUDICIAL OFFICE**

A hearing panel of the Commission on Judicial Conduct today filed an opinion finding that Judge Samuel Swanberg, formerly of the Benton and Franklin Counties Superior Court, violated the Code of Judicial Conduct. The Commission imposed a censure with a recommendation to the State Supreme Court that former Judge Swanberg be disqualified from serving in any judicial capacity. The fact-finding hearing took place on May 20 - 21, 2024. Judge Swanberg was represented by Attorney Scott Johnson of Richland, and the Commission was represented by Attorney Terence Scanlan of Seattle. The hearing panel found that Judge Swanberg violated Canon 1, Rules 1.1, 1.2, and 1.3, of the Code of Judicial Conduct.

The panel found, by clear, cogent and convincing evidence, that Judge Swanberg engaged in physically violent and emotionally abusive behavior over decades of his marriage to S.B., and that he harassed and stalked S.S., a woman with whom he had a romantic relationship after the termination of his marriage. The panel found that Judge Swanberg admitted to being dishonest; that he engaged in an ongoing pattern of manipulative conduct; and used the tools and prestige of judicial office for his personal benefit in an attempt to keep other people under his power and control. As an aggravating factor, the Commission panel found that the judge made multiple public statements to decry and denigrate the Commission's constitutionally-mandated proceeding; and declined to participate in the hearing process to the extent that he could; and that he invoked his Fifth Amendment rights as a witness most likely because he could perceive the likelihood that he would perjure himself under oath.

The panel determined that the process and record of the proceeding led overwhelmingly to the conclusion that the appropriate sanction for these violations is the most severe available – censure and recommendation to the State Supreme Court that Respondent be removed and disqualified for future service in judicial office.

The opinion was entered at an open public meeting of the Commission on September 6, 2024. By doing so, the Commission concludes its proceedings against Judge Swanberg.

Canon 1 requires that judges shall uphold and promote the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety. Rule 1, Compliance with the Law, requires that a judge shall comply with the law, including the Code of Judicial Conduct. Rule 1.2, Promoting Confidence in the Judiciary, requires judges to act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and that they shall avoid impropriety and the appearance of impropriety. Rule 1.3, Avoiding Abuse of the Prestige of Judicial Office, requires that judges not abuse the prestige of judicial office to advance the personal or economic interests of the judge or others, or allow others to do so.

A "censure" is a written action of the Commission that requires Respondent to appear personally before the Commission and that finds that the conduct of Respondent is a violation of the Code of Judicial Conduct that detrimentally affects the integrity of the judiciary, and undermines public confidence in the administration of justice. It is the highest level of sanction the Commission can impose on its own. The full Stipulation, Agreement and Order of Censure in this matter is a public document available on the Commission's web site at: <http://www.cjc.state.wa.us>.

The Washington State Commission on Judicial Conduct is an independent agency of the judicial branch of government created under the Washington Constitution to assure the integrity and independence of the judiciary. Its eleven members are appointed by the Governor, judicial associations, and the Washington State Bar Association.

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