

**FILED**  
JUN 16 2015  
DISCIPLINARY  
BOARD

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BEFORE THE  
DISCIPLINARY BOARD  
OF THE  
WASHINGTON STATE BAR ASSOCIATION

In re

**Marriya Christine Wright,**  
Lawyer (Bar No. 36374).

Proceeding No. **15#00043**  
ODC File No. 14-01299

STIPULATION TO TWO-YEAR  
SUSPENSION

Under Rule 9.1 of the Rules for Enforcement of Lawyer Conduct (ELC), the following Stipulation to Two-Year Suspension is entered into by the Office of Disciplinary Counsel (ODC) of the Washington State Bar Association (Association) through Managing Disciplinary Counsel Joanne S. Abelson, Respondent Marriya Christine Wright, and Respondent's counsel Milton G. Rowland.

Respondent understands that she is entitled under the ELC to a hearing, to present exhibits and witnesses on her behalf, and to have a hearing officer determine the facts, misconduct and sanction in this case. Respondent further understands that she is entitled under the ELC to appeal the outcome of a hearing to the Disciplinary Board, and, in certain cases, the Supreme Court. Respondent further understands that a hearing and appeal could result in an

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1 outcome more favorable or less favorable to her. Respondent chooses to resolve this proceeding  
2 now by entering into the following stipulation to facts, misconduct and sanction to avoid the  
3 risk, time, expense, and publicity attendant to further proceedings.

#### 4 I. ADMISSION TO PRACTICE

5 1. Respondent was admitted to practice law in the State of Washington on June 16,  
6 2005.

#### 7 II. STIPULATED FACTS

8 2. At all relevant times, Respondent was a deputy prosecutor with the Spokane County  
9 Prosecuting Attorney's Office.

10 3. In 2010, Respondent prosecuted Matthew Baumrucker for violating a domestic  
11 violence order. He pleaded guilty to a misdemeanor. At the time Mr. Baumrucker's lawyer  
12 asked Respondent to meet with Mr. Baumrucker so she could hear his life story.

13 4. Mr. Baumrucker had other convictions over the years, including felony convictions,  
14 but Respondent was not assigned to prosecute those cases.

15 5. As of March 3, 2014, Mr. Baumrucker had outstanding arrest warrants from the  
16 Department of Corrections and Spokane County Superior Court.

17 6. According to police reports, on the morning of March 3, 2014, Mr. Baumrucker  
18 threatened someone with a gun and ran to a nearby apartment. The victim called the police and  
19 directed the responding officers to the apartment where he saw Mr. Baumrucker flee. The  
20 police knocked on the apartment door but were not allowed inside.

21 7. Respondent acknowledged to law enforcement authorities that Mr. Baumrucker  
22 telephoned her from the apartment, told her the police were looking for him, and requested a  
23

1 ride.

2 8. Shortly thereafter, Respondent picked up Mr. Baumrucker at a gas station across the  
3 street from the apartment and drove him to another residence a couple miles away. It was a  
4 snowy day, and Respondent did not know which direction Mr. Baumrucker and his girlfriend  
5 would be coming from.

6 9. In giving Mr. Baumrucker a ride that day, Respondent provided transportation to an  
7 individual whom she knew to be a felon on community supervision. She knew that he was  
8 being sought by law enforcement for a violation or for violations of the terms of his community  
9 supervision. By providing the transportation, she knew that she provided him a means of  
10 avoiding immediate apprehension by the officers who sought him.

11 10. Although Respondent was aware when she gave Mr. Baumrucker a ride that he was  
12 being sought on warrants in connection with probation violations, she would testify that she did  
13 not know about the alleged assault earlier that morning.

14 11. Mr. Baumrucker was arrested on March 12, 2014.

15 12. Respondent was not assigned to Mr. Baumrucker's case but visited him in jail  
16 multiple times after his arrest. According to law enforcement records, she also exchanged texts  
17 or phone calls with him over 1,200 times between February 6, 2014 and March 5, 2014.

18 13. When the Spokane County Prosecuting Attorney's Office learned of these events,  
19 Respondent was placed on administrative leave and all cases involving Mr. Baumrucker were  
20 sent to other counties for handling.

21 14. Respondent resigned her position with the Spokane County Prosecuting Attorney's  
22 Office in September 2014.

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24 Stipulation to Two-Year Suspension  
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OFFICE OF DISCIPLINARY COUNSEL OF THE  
WASHINGTON STATE BAR ASSOCIATION  
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1           15. On October 7, 2014, Respondent was charged in Spokane County District Court with  
2 one count of rendering criminal assistance in the second degree, a gross misdemeanor. RCW  
3 9A.76.080(1), 9A.76.050. State v. Wright. Spokane County District Court No. PX 140192.  
4 The charging document stated that Respondent, "with the intent to prevent, hinder, and delay  
5 the apprehension of Matthew Baumrucker, knowing that such person was being sought for  
6 violation of parole, probation, or community supervision, did provide such person with  
7 transportation as means of avoiding discovery and apprehension."

8           16. RCW 9A.76.080(1) makes it a crime to render criminal assistance "to someone  
9 being sought for violation of parole, probation, or community supervision," among other things.  
10 The definition of rendering criminal assistance includes an "intent to prevent, hinder, or delay  
11 the apprehension or prosecution of another person" by law enforcement officials. RCW  
12 9A.76.050.

13           17. On November 25, 2014, Respondent pleaded guilty to violating RCW 9A.76.080(1)  
14 as charged. She was sentenced to 364 days in jail, all of which were suspended, and probation.  
15 As part of the plea agreement, Respondent agreed not to seek or accept future employment as a  
16 criminal prosecutor at any state, federal, or local level.

17           18. Respondent would testify that she communicated with Mr. Baumrucker as  
18 missionary work. In 2013, he wrote her requesting that she ask people from her church to visit  
19 him in jail. When no one else would do so, she did. The purpose of these contacts was to  
20 proselytize.

21           19. Respondent also would testify that she gave Mr. Baumrucker a ride on March 3,  
22 2014, because he was homeless and needed somewhere to take a shower. But she now  
23

1 understands that, although she acted out of compassion, her actions crossed the line to illegal  
2 conduct, which she sincerely regrets.

### 3 III. STIPULATION TO MISCONDUCT

4 20. By rendering criminal assistance to Matthew Baumrucker in violation of RCW  
5 9A.76.080(1) and 9A.76.050, Respondent violated RPC 8.4(b) and 8.4(d).

### 6 IV. PRIOR DISCIPLINE

7 21. Respondent has no prior discipline.

### 8 V. APPLICATION OF ABA STANDARDS

9 22. The following American Bar Association Standards for Imposing Lawyer Sanctions  
10 (1991 ed. & Feb. 1992 Supp.) apply to this case:

#### 11 ABA Standard 5.1 -- Failure to Maintain Personal Integrity

12 **5.11 Disbarment** is generally appropriate when:

13 (a) a lawyer engages in serious criminal conduct, a necessary element of which  
14 includes intentional interference with the administration of justice, false swearing,  
15 misrepresentation, fraud, extortion, misappropriation, or theft; or the sale, distribution or  
importation of controlled substances; or the intentional killing of another; or an attempt  
or conspiracy or solicitation of another to commit any of these offenses; or

16 (b) a lawyer engages in any other intentional conduct involving dishonesty, fraud,  
17 deceit, or misrepresentation that seriously adversely reflects on the lawyer's fitness to  
practice.

18 **5.12 Suspension** is generally appropriate when a lawyer knowingly engages in criminal  
19 conduct which does not contain the elements listed in Standard 5.11 and that seriously  
adversely reflects on the lawyer's fitness to practice.

20 **5.13 Reprimand** is generally appropriate when a lawyer knowingly engages in any  
21 other conduct that involves dishonesty, fraud, deceit, or misrepresentation and that  
adversely reflects on the lawyer's fitness to practice law.

22 **5.14 Admonition** is generally appropriate when a lawyer engages in any other conduct  
23 that reflects adversely on the lawyer's fitness to practice law.

1 23. Respondent acted with the "intent to prevent, hinder, or delay the apprehension or  
2 prosecution" of Mr. Baumrucker, RCW 9A.76.050, whom she knew was being sought by law  
3 enforcement officers.

4 24. Respondent's conduct potentially injured law enforcement efforts to apprehend Mr.  
5 Baumrucker. The criminal justice system suffered injury because Spokane County had to send  
6 the cases involving Mr. Baumrucker to other counties for handling. The profession suffers  
7 injury in the eyes of the public whenever a lawyer violates the criminal law.

8 25. The presumptive sanction is disbarment under ABA Standard 5.11(a).

9 26. No aggravating factors set forth in ABA Standard 9.22 apply to this case.

10 27. The following mitigating factors set forth in ABA Standard 9.32 apply to this case:

- 11 (a) absence of a prior disciplinary record;  
12 (c) personal or emotional problems [see explanation attached as Appendix A, for  
13 which the parties request a protective order];  
14 (g) character or reputation;  
15 (l) remorse.

16 28. Respondent has received mental health counseling to address the issues that gave  
17 rise to the conduct set forth in this stipulation.

18 29. It is an additional mitigating factor that Respondent has agreed to resolve this matter  
19 at an early stage of the proceedings.

20 30. Based on the mitigating factors and the absence of any aggravating factors, the  
21 presumptive sanction should be mitigated to a suspension.

## 22 VI. STIPULATED DISCIPLINE

23 31. The parties stipulate that Respondent shall be suspended from the practice of law for  
24 two years.

1 **VII. RESTITUTION**

2 32. No restitution is required by this stipulation.

3 **VIII. COSTS AND EXPENSES**

4 33. In light of Respondent's willingness to resolve this matter by stipulation at an early  
5 stage of the proceedings, she shall pay attorney fees and administrative costs of \$500 in  
6 accordance with ELC 13.9(i). The Association will seek a money judgment under ELC 13.9(l)  
7 if these costs are not paid within 30 days of approval of this stipulation

8 34. Reinstatement from suspension is conditioned on payment of costs.

9 **IX. VOLUNTARY AGREEMENT**

10 35. Respondent states that prior to entering into this Stipulation she has consulted  
11 independent legal counsel regarding this Stipulation, that she is entering into this Stipulation  
12 voluntarily, and that no promises or threats have been made by ODC, the Association, nor by  
13 any representative thereof, to induce the her to enter into this Stipulation except as provided  
14 herein.

15 36. Once fully executed, this Stipulation is a contract governed by the legal principles  
16 applicable to contracts, and may not be unilaterally revoked or modified by either party.

17 **X. LIMITATIONS**

18 37. This Stipulation is a compromise agreement intended to resolve this matter in  
19 accordance with the purposes of lawyer discipline while avoiding further proceedings and the  
20 expenditure of additional resources by the Respondent and ODC. Both the Respondent lawyer  
21 and ODC acknowledge that the result after further proceedings in this matter might differ from  
22 the result agreed to herein.

1           38. This Stipulation is not binding upon ODC or the respondent as a statement of all  
2 existing facts relating to the professional conduct of the respondent lawyer, and any additional  
3 existing facts may be proven in any subsequent disciplinary proceedings.

4           39. This Stipulation results from the consideration of various factors by both parties,  
5 including the benefits to both by promptly resolving this matter without the time and expense of  
6 hearings, Disciplinary Board appeals, and Supreme Court appeals or petitions for review. As  
7 such, approval of this Stipulation will not constitute precedent in determining the appropriate  
8 sanction to be imposed in other cases: but, if approved, this Stipulation will be admissible in  
9 subsequent proceedings against Respondent to the same extent as any other approved  
10 Stipulation.

11           40. Under Disciplinary Board policy, in addition to the Stipulation, the Disciplinary  
12 Board shall have available to it for consideration all documents that the parties agree to submit  
13 to the Disciplinary Board, and all public documents. Under ELC 3.1(b), all documents that  
14 form the record before the Board for its review become public information on approval of the  
15 Stipulation by the Board, unless disclosure is restricted by order or rule of law.

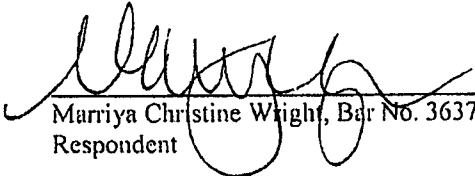
16           41. If this Stipulation is approved by the Disciplinary Board and Supreme Court, it will  
17 be followed by the disciplinary action agreed to in this Stipulation. All notices required in the  
18 Rules for Enforcement of Lawyer Conduct will be made.

19           42. If this Stipulation is not approved by the Disciplinary Board and Supreme Court, this  
20 Stipulation will have no force or effect, and neither it nor the fact of its execution will be  
21 admissible as evidence in the pending disciplinary proceeding, in any subsequent disciplinary  
22 proceeding, or in any civil or criminal action.




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WHEREFORE the undersigned being fully advised, adopt and agree to this Stipulation  
to Two-Year Suspension as set forth above.

  
Marriya Christine Wright, Bar No. 36374  
Respondent

Dated: 4/14/15

  
Milton G. Rowland, Bar No. 15625  
Counsel for Respondent

Dated: 4/14/15

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Joanne S. Abelson, Bar No. 24877  
Managing Disciplinary Counsel

Dated: \_\_\_\_\_

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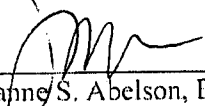
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Milton G. Rowland, Bar No. 15625  
Counsel for Respondent

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