

INITIATIVE 896

I, Sam Reed, Secretary of State of the State of Washington and custodian of its seal, hereby certify that, according to the records on file in my office, the attached copy of Initiative Measure No. 896 to the People is a true and correct copy as it was received by this office.

AN ACT Relating to the establishment of an 'Office of State Inspector General;' adding a new chapter to Title 43 RCW, reenacting and amending RCW 43.17.010, amending RCW 43.17.020, and adding a new section to chapter 41.06 RCW.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION. Sec. 1. **Purpose-** Child beatings and rape incidents at the Boys Ranch, in which DSHS personnel had oversight responsibilities there but chose to rationalize, condone or ignore those incidents for it's own convenience; instances of judicial abuse, such as issuing arbitrary, capricious and false decisions from the bench out of politics, favoritism or personal spite; practices such as privately-owned utility companies monopolizing and price-gouging the public, and privately-owned major newspaper chains acting as PAC's, paid to tell the public who to vote for while denying coverage to and ridiculing other candidates, all demonstrate the need for more vigilance, oversight and accountability in society, to perfect a democratic system which serves and protects it's citizens, rather than bullies, exploits and abuses them.

The aim being towards eliminating criminality and abuse from the nature of man so that he can attain to a proper destiny of being a Protector and Benefactor in the Universe rather than a mugger or marauder species, it is the purpose of this chapter to develop a societal mechanism capable of promoting honesty, ethics and integrity in all sectors of society, by investigating and resolving, or remanding for resolution, any complaints of neglect, abuse or fraud by any private, business or governmental entities operating in the State. Complaint review and intervention of this sort would not only eliminate the need for lengthy court processes over every instance of victim abuse, but would serve as an effective impetus towards instilling conscientiousness and fair play in all area of society,

and help maintain democracy as a viable model of good governance in the world.

NEW SECTION. Sec. 2. **Duties-** Cognizant that there is a difference between good practices and bad, and good people and bad, i.e. good people like to help others while bad people like to hurt others, and recognizing the detrimental effects to societal development where bad people or bad practices to have as much chance of prevailing as the good unless such differentiation and distinction is made, the Office of State Inspector General shall supplement oversight and accountability responsibilities of other agencies in discerning and promoting the good and the right in any particular case. Towards this end, the Office of State Inspector General shall be required by law to investigate and resolve any complaints of governmental neglect or abuse, and to investigate and enforce fair and ethical practices by anyone doing business or conducting affairs in the State.

NEW SECTION. Sec. 3. **Definitions-** Unless the context clearly requires otherwise, the definitions in this section shall apply throughout this chapter:

- (1) "Office" or "agency" refers to the Office of State of Inspector General;
- (2) "Lay individual" means anyone not affiliated with governmental, bar or law enforcement agencies, or special-interest or conflict-of-interest entities;
- (3) "General public" means anyone not connected with this agency;
- (4) "Ethics" in this context means refraining from unjust exploitation, taking unfair advantage of, or harming others merely by being in position to;
- (5) "Fair and ethical practices" means that which does not fool, cheat nor injure others;
- (6) "Common sense" means that with which reasonable minds would likely concur and agree;
- (7) "Reasonable minds" means fair, impartial and benevolent consideration;
- (8) "Arbitrary decision" means a decision which could have gone either way based on the facts and law, but was impelled by considerations not necessarily consistent with, or reflective of, fairness and justice in a given case.

NEW SECTION. Sec. 4. **Vestment of Powers-** (1) There is created a new oversight agency in state government to be known as the Office of State Inspector General, to administer oversight and accountability, monitor and enforce honesty and ethics, and promote fairness and efficiency in societal practices. (2) The agency is vested with such powers and responsibilities as are authorized by law, and the the Legislature shall from time to time review agency structures and procedures towards improving operational effectiveness. (3) Any proposed legislative amendments to these provisions shall be submitted for public review and comment and any court challenges to such amendments shall be filed within 30 days of such notification. (4) In the event of any such court challenge, the State and the Legislature, as well as this agency, shall be named as respondents; and this agency can elect to be represented wholly by the Attorney General, or by contracted legal counsel, or by attorneys from it's own legal staff, or any combination thereof. In any case, any legal representation shall act with an eye solely to fairness, justice, and the best interests of the public in all matters.

NEW SECTION. Section 5. **Independence of Agency-** (1) It is intended that the Office of State Inspector General, a civilian post, shall be a People's Advocate in guarding against fraud or abuse from any quarter. Recognizing that maintaining the independence and integrity of this agency is critical, it shall remain independent of any social, political or economic interests, and care shall be taken to prevent undue influence over this agency by governmental entities, or any other vested interests who themselves might be subject to scrutiny by this agency. (2) In maintaining it's purely objective, impartial and benevolent mission, under no circumstances shall this agency exercise any direct police powers over the general public, and nor shall it undertake to serve as a vanguard for any social, capital or political interests or agendas, but shall act purely on the merits of the individual, particular case at hand.

NEW SECTION. Section 6. **Funding-** (1) The Office of State Inspector General shall be financed by (a) the State General fund, (b) any federal grants for which it qualifies, and (c) any gifts, grants or endowments it receives from public or private entities. (2) The Office shall be authorized to purchase facilities, equipment and supplies in the conducting of it's business, and to enter into contracts with public or private entities for studies or other services. (3) The Office shall undergo a complete annual audit, and shall publish an annual report summarizing it's activities. (4) All files and reports of this agency shall be available for official or public review, *excepting*, that portions of files deemed confidential for good and justifiable cause may be withheld from general perusal without court order, as well as materials deemed classified for military purposes.

NEW SECTION. Section 7. **Oversight by Executive Committee-** (1) An Executive Committee shall be established to oversee agency operations, to approve executive appointments within the agency, and to accept reconsideration appeals from agency decisions. (2) The Executive Committee shall be comprised of six members, the majority of whom shall be lay individuals, and the Legislature shall determine the manner in which such members are to be selected and installed, and their terms and provisions, so as best to assure integrity and continuity of mission.

NEW SECTION. Section 8. **Directorship-** (1) The administrative head of the agency shall be the Director, who shall be responsible for all official acts by personnel under his direction. (2) The Director shall be elected at large for a maximum of two four-year terms, starting at mid-term elections. Applicants to the position of Director shall file their intent to run one year before the next election period. (3) Applicants wishing to stand for election to the position of Director of this agency shall undergo basic fitness tests to ascertain that they qualify to run for election, shall be afforded access to printed and electronic media to campaign, and the public shall be afforded avenue to comment. The Executive Committee may also devise means to comment on a particular candidacy, although elected officials, government personnel and other agencies shall respect edicts for agency independence. (4) The Director shall be paid a salary in accordance with RCW 43.03.040. (5) Exercising supervisory responsibilities over the agency, the Director may employ such assistants and personnel as are deemed necessary for the general administration of the Office, after consulting with and obtaining the approval of the Executive Committee. The Director shall appoint a deputy director, an office personnel director, and such other assistant or division directors as may be needed to administer the

office. This employment shall be in accordance with State Civil Service law, Chapter 41.06, except as otherwise provided. (6) The deputy director shall have charge and general supervision over the office in the absence or disability of the Director, and in case of vacancy in the office, the deputy director shall continue in charge of the Office until a successor is qualified and appointed. (7) The Director and any subordinate officers may be dismissed for good cause by an act of the Legislature, or recall by the electorate.

NEW SECTION. Section 9. **Consulting Committees-** (1) The Office may appoint state-wide committees or councils on such matters as come within the Office's responsibilities. Such committees or councils shall have substantial consumer representation, and may be paid travel expenses in accordance with RCW 43.03.050 and RCW 43.03.060. (2) The Office may also appoint oversight or compliance masters to monitor and report on progress in particular cases, areas or venues. Such masters shall be paid fair and reasonable expenses. (3) The Office may also appoint such committees or councils as may be required as a condition to receipt of federal funds for the Office.

NEW SECTION. Section 10. **Volunteers-** The Director may enlist the assistance of qualified volunteers from the public sector, as provided by State Internship codes, *Provided*, that those applying as volunteers with this agency, be they law students, police cadets, or the general public, shall undergo the same rigorous screening and qualifying examinations as those appointed to full-time staff.

NEW SECTION. Section 11. **Grounds for Removal-** (1) Recognizing that a cross section of the populace would likely yield a certain percentage of individuals who are abusive, devious or dishonest, or otherwise unbalanced, dysfunctional or potentially dangerous in their dealings with the public, all perspective personnel in this agency shall undergo intelligence and psychological testing to ascertain basic sanity, reasoning powers and moral stability, and to discern any personal biases or agendas they might harbour, such as any intent to use this agency to mug others for personal gratification. (2) All appointments within this agency shall be with an eye to integrity and dedication, rather than to filling any racial or sexist schemes or quota systems; and moreover shall guard against inciting or provoking dissent and intrigue by careless appointment of staff. (For example, indiscriminantly assigning women who, while generally held to be equal but by nature tend to be entirely self-centered, self-absorbed and self-seeking, and who, realistically speaking, if not actual manhaters, are subject to natural biological moodswings by which they are periodically nauseated and repulsed by their surroundings. And likewise the races, which while mandated by law are compatible, actually are oftentimes disdainful, distrustful and barely cordial towards each other; such as hiring savage type natives from ghettos and installing them into government jobs hoping they won't mug anyone from there, or cases of sending NAACP proponets into white bars towards beating or stealing their women. (3) To maintain a stable and reliable workforce, periodic counseling shall be available for personnel who may be experiencing difficulties in their personal lives, and temporary reassignment to less taxing decision-making duties should be available for those who may be having difficulty coping. (4) Agency personnel shall conduct themselves in calm, civil and conscientious manners at all times, and the agency shall have procedures for reviewing complaints of abuse or remiss by agency personnel, or any mean, unreasonable or malevolent attitudes. A Board of Supervisors shall be established to randomly examine files, counsel and advise personnel, and otherwise assure that cases are

being handled in a proper, professional, and timely manner. (5) Any neglect, abuse, or betrayal of the public trust shall be grounds for suspension or dismissal per state personnel processes, and/or criminal prosecution under RCW 43.01.125, or any other applicable statutes. (6) Personnel at any level may be subject to recall by an informed electorate, *provided*, that pursuant to Constitutional provisions against reckless, irresponsible or inciteful speech, any reports which appear misleading, malicious or libelous, or designed to merely harass or intimidate any personnel of this agency, may be viewed as a form of media assault, and this agency may seek equal time and space to rebut unfounded allegations.

NEW SECTION. Section 12. **Authority to Conduct Hearings-** (1) While efforts shall be made to resolve complaints quickly and amicably, this agency shall have authority to gather, evaluate and decide facts through a hearings process. The agency shall have authority to issue subpoenas, convene and conduct hearings, take testimony and exhibits, issue Findings of Fact and Decision, and issue forth fines or other remedial actions to resolve a case. (2) A Hearing Examiner shall be appointed to preside over hearings, and issue Findings of Fact and Decision. Hearing Examiners appointed to a case may, but need not be, personnel of this agency, nor necessarily lawyers. (3) The Office shall determine the time, manner, locale and format of any particular hearing, and hearings shall be convened at a location convenient to the parties, whenever practical. Municipalities may be requested to provide hearing facilities, if needed. (4) A Hearings Handbook shall be provided to all parties, and hearing rules shall be simple and concise, easily understood and applied by anyone, and devoid of legal jargon or obscure legal principles designed to confound the public. (5) The agency may appoint volunteer personnel at hearings to assist mute, inarticulate or non-lingual individuals. (7) Court reporters may be present to transcribe proceedings, but in all cases hearings shall be carefully audio or video recorded to assure completely accurate transcripts of proceedings. (8) Hearings shall be convened within 60 days of a complaints' receipt, and shall be decided within 30 days thereafter, unless continued for good cause. Any case unresolved within that period may be remanded to an Office of Special Counsel for further proceedings, or for court action. The reasons for such delay shall be specified. (9) All decisions by this agency shall be based strictly on fairness and common sense, and shall be decided on a case-by-case basis, rather than on any precedent. All agency decisions shall include a full explanation of the facts and basis of the decision. (10) In those rare instances where a completely fair and just decision is difficult or impossible based on the facts or circumstances of a case, the Hearing Examiner shall state the facts and basis for such, and the case may be remanded to a panel for a compromise decision. (11) (a) The Hearing examiner shall determine whether attorneys in a given case would merely confound the process. In any event, the 'adversarial' system of justice at play in most court settings appears to allow lawyers to lie, misrepresent facts or factors, hide or omit information, and otherwise knowingly cause harm to innocent parties whenever convenient to prevail. Such practices shall not be tolerated by this agency. Anyone whomsoever found to be lying, falsifying or misrepresenting any fact or issue before a hearing by this agency shall be remanded for prosecution by the Attorney General for perjury, or felonious deception.

NEW SECTION. Section 13. **Filing Complaints-** (1 (a) Complaints filed with this agency shall be submitted in writing, and the agency may require a Sworn Affidavit from complainants attesting to the

accuracy and truthfulness of their allegations, for hearings to proceed. (b) Moreover, It being conceivable that frivolous, deceitful or malicious complaints might be filed by petty, spiteful or troublesome individuals merely for the sake of harassment or obstruction, this agency may require doubtful or suspect complainants to post a bond, or volunteer to a polygraph examination, for hearings to convene. (2) (a) The agency may, at its discretion, accept anonymous complaints when filing a complaint is deemed to be awkward or risky to complainants in their circumstances. (b) Complainants may request that their names be kept confidential, to avoid becoming subject to retaliatory or malicious harassment activities, and this agency shall cooperate with such requests whenever feasible in a given case. (c) With regards to which, while government may provide freedoms of speech for purposes of allowing redress of grievance against government abuse without fear of reprisals, government has no right to give attack-dog rights to anyone with free reign to scandalize, harass or injure anyone at whim. In effect, whereas freedom of speech *affects* one's own rights, this does not by any means entitle one to *effect* the lives of others. Accordingly, this agency shall not intentionally provide informations from its files to commercial media outlets for purposes of willfully causing embarrassment or damage to anyone by name. (3) Brevity makes for clarity, and complaints and all filings in cases before this agency shall be limited to 500 words unless applied for otherwise, and the agency may direct how many exhibits may be entered at any given time, and the wordcount for each. (4) In cases of counterclaims being asserted in a particular case, the agency shall discern whether to consider such in the same or in separate hearings, depending on facts and factors of a case. (5) It shall be unlawful for anyone to retaliate against any complainant filing a grievance with this agency; but by the same token, obviously frivolous complaints shall be prosecutable under state harassment statutes.

NEW SECTION. Sec. 14. **Processing Complaints-** 1. The deadline for filing complaints with this agency shall be up to 7 years from the abuse occurrence, or such other times as may be allowed by statute. The agency may decline cases for insufficient basis, as better handled by police, or as not being within the scope of its responsibilities. 2. Complaint review personnel shall contact parties to gather facts and circumstances. Respondents to complaints shall be notified that they need not cooperate with initial inquiries by this agency, but should they choose not to, they could be liable for costs and penalties in any ensuing action. 3. Upon gathering facts, complaint review personnel shall draw up a summary of facts, along with any perceived and recommended resolution. Review personnel shall attest that such stipulated facts are true and accurate, and send a copy of such to each party for their comments, and any requirements, or proposals for settlement, of their own. 4. Substantial and verifiable complaints shall be remanded to a hearings process when they are not resolved adequately by the parties.

NEW SECTION. Section 15. **Appeals-** (1) Any appeals for reconsideration from a decision by this agency shall be directed to an Executive Committee Review Board, which may revise or amend a decision in the interest of fairness. (2) Appeals for reconsideration from a Hearing Examiner's decision shall be filed with the Review Board within 10 days, and a final decision shall be issued by the Review Board within 30 days. The agency may thereafter proceed to a local Court for any needed formal imposition of orders or injunctions. (3) Appeal of any final finding or impositions by this agency may be filed by parties to the Superior Court, *Provided,*

that (a) appellants post any required bond pertinent to filing such appeals, (b) any injunctions or fines imposed shall remain in effect during the appeal process, and until amended on review. (4) The object being to curtail frivolous appeals, court appeals shall be allowed only upon demonstrably substantial grounds, and the courts shall uphold any verifiable and reasonable findings by this agency. (5) Should the federal government subsequently establish a Federal Judge Advocate agency specific to such appeals, appeals can thenupon be directed to that agency.

NEW SECTION. Section 16. Authority to Rectify Wrongdoing- (1) The Office shall have authority to rectify wrongdoings or deficiencies harmful or disruptive to innocent, helpless or unwary parties, and may do any of the following to resolve cases satisfactorily: (a) issue cease and desist warnings, (b) require some form of corrective action or restitution, or (c) order fines or injunctions, and/or bring an action in court to enforce fines or injunctions, and (d) seek additional fines for wrongdoing and willful disregard of it's findings. (2) This agency shall work with the courts whenever necessary in securing judgments to enforce decisions if necessary, or for any injunctions against unfair, abusive or fraudulent practices. Court actions by this agency shall be by *ex parte* procedures, and any court actions by or pertinent to a case involving this agency shall take precedence over all other cases, and be decided promptly. (3) The agency shall have authority to seek fines at court in amounts of up to \$10. per day against individuals, \$100. per day against businesses or those acting on behalf of businesses, and \$1,000. per day against governmental entities. (4) In cases of incorrigible attitudes or unpaid fines, the Office may apply at court for suspension of business licenses, liens against the personal or business property of intentional wrongdoers, and/or liens against the wages or future earnings of violators. (5) While not intended to levy damage awards or criminal penalties for negligent or intentionally injurious practices as might be ascertained through civil or criminal proceedings in a court of law, the agency shall support injured parties against obdurate parties in any subsequent court proceedings.

NEW SECTION. Section 17. Authority to Intercede Upon or Revise Other Agency Actions or Decisions- (1) Where life or property are evidently in imminent jeopardy of unfair or unjustifiable disruption, this agency shall have authority to review any act deemed to be unfair, harmful or unjust, and to act through the courts if necessary to revise any action which is deemed to be petty, overly burdensome, malicious or cruel. (2) This agency shall have authority to review and correct any abusive practices or procedures within corrections or military facilities that are deemed to be other than normal and reasonable to maintain order and discipline in those facilities. (3) This agency shall have prompt and ready access to all public offices and facilities, and all files and records, and public employee cooperation with this agency shall be mandatory. (4) In cases of alleged misconduct or malfeasance by executive or legislative personnel, the Office shall have authority to submit prima facie evidence to a judicial panel convened for the purpose, and investigations shall proceed upon warrant of probable cause. (5) While having authority to censure, fine, suspend or recommend the firing of public employees in the state for neglect, malfeasance or abuse, this range shall not extend to federal personnel operating in the state, except to notify appropriate federal agencies of findings. If violations persist after such notification, the agency may institute suit against the appropriate federal agency, either on it's

own behalf or with the assistance of the Attorney General, to halt or curtail such practices.

NEW SECTION. Section 18. **Judicial Performance Not Exempt from Review-** (1) *The Preamble to the Constitution* mandates that 'establishing justice' is a primary intent of democracy, and a reliable judiciary is crucial to a democracy which serves, rather than rules upon or abuses, it's people. Humanity being a flawed and imperfect species in it's early stages of development, there are artists and butchers in every field; and if there are bad cops in society, it follows that there might be bad judges in place as well. This is particularly true in the legal field, where lawyers are trained to lie aggressively for whichever side they're representing, while universities are not considered culpable for misuse of training by their charges. All presumption of 'ethics' in the legal field aside, we should harbour no illusion that an unsupervised judiciary can pose one of the most severe threats to liberty, for who controls the courts controls interpretations of Constitutional law. As it is, lawyers-made-judges have virtually unlimited power over people, but people have no power to prevent sleight-of-hand abuse by them; and whereas courts ought to be required to issue only true and just decisions for a reliable court system, because courts sometimes have to issue questionable decisions in difficult cases, smug and unscrupulous practitioners portend that they ought to be able to issue wrong decisions on any case at will. Judges are not meant to be tyrants beyond reproach, operating their own judicial concessions or franchises, and nor should the 'independence' or 'immunity' of judges imply that they should be unaccountable from ineptness, crimes or abuses from the bench. And neither can a natural cronyism inherent in the court system suggest that appeal courts can necessarily be trusted to correct abuses and prevent a "judge-ocracy" from developing, as would certainly develop if bad people had their way. As it is, one judge can examine a set of facts and come to one decision, while a judge down the hall can examine the exact same set of facts and arrive at a different decision, as if the American court system is just a luck-of-the-draw crap shoot, where judges aren't required to issue a correct decision, but just any decision at all to collect a paycheck. TV sitcoms like 'The Practice' depict judges as being thoroughly dependable, when in actuality many make an exercise pf issuing contrary and absurd rulings just to demonstate that they can. Judges might be independent from capital or political pressures, but they cannot be independent from oversight and accountability from deliberate wrongdoing. As judges are the only branch of government in the room at the time, and as Americans have a right to demand that justice be mandatory in American courts, and as abuse of judicial office is akin to theft and fraud, judicial performance shall not be exempt from review by this agency. (2) (a) As this agency is responsible for ensuring honesty, ethics and accountable in all sectors of the society, the Legislature shall confer part of it's oversight authority over the judiciary upon this agency, and develop such means by which this agency can review and challenge any court action or decision deemed to be arbitrary and unfair, abusive, or contrary to facts and law. And in the course of time the Legislature may establish processes to reactivate past cases reflecting other than fairness and common sense, by which the Office shall work through legal processes to revise, amend or overturn any unjust decisions. (b) With respect to complaints of neglect or malfeasance by lawyers, this agency shall have authority to take any remedial actions, up to and including initiating disbarment proceedings. (3) With respect to review of court cases, judges shall be required to explain the full basis of their decisions upon

inquiries by this agency, and any certifiable findings of judicial neglect, abuse or malfeasance in office, such as (a) arbitrary, unjust or baseless rulings, (b) bias or favoritism constituting obstruction of justice, (c) deliberate evasion or misconstruance of facts leading to decisions reflecting other than fairness and common sense, or (d) chronic bad decisions requiring appeal, shall be reported to appropriate venues with recommendations for reprimand, censure or removal. (4) Judges knowing of any neglect, abuse or malfeasance by other judges shall be required to report same to authorities, to avoid being parties to or complicitors to such abuse. And likewise police, or any other professions in society. (5) (a) To facilitate review of court cases, this agency may enlist the assistance of volunteer review personnel, including shut-ins from the public sector, such as the elderly, infirm or incarcerated, who are otherwise competent and qualified. The Office may also enlist the assistance of military personnel with time to assist in such reviews. (b) By the same token, in cases where courts have difficult cases to administer, they may request that Special Masters be assigned by the OSIG to oversee particular cases. (6) With respect to sentencing of defendants, should it subsequently be devised that a Sentencing Authority will assign defendants to a particular corrections facility appropriate to their detention needs, rather than judges or prosecutors who are less expert at corrections, an appropriate division of this agency shall assist in examining facts or factors towards best placement, from the standpoint of safety and rehabilitation in those facilities. (7) And of the three branches of government, executive, legislative and judiciary, should it eventuate that the judiciary shall be replaced as a branch of government by a PUBLIC ADVOCATE branch, and if the judiciary, police and other social agencies become divisions of such PUBLIC ADVOCATE branch, the Office of State Inspector General shall have responsibility to oversee all aspects of those divisions as prescribed by law.

NEW SECTION. Section 19. Proposed Legislation by Agency to Correct Dangerous and Wide-Spread Violations- (1) To maintain its objective and impartial viewpoint, this agency shall not act as a vanguard for any particular social causes. However, it can and should act to protect against wide-spread fraud or verifiably dangerous conditions it finds in the course of its work. To this extent it could, at its own discretion, forward proposed legislations towards preventing abuses. This might be through an initiative process, or any other means designed by the Legislature. (2) The public shall be notified of any legislations proposed by this agency, and be afforded an opportunity to register any views on them, or challenge such proposed legislations in state court during a review period. Any such challenges shall be filed within 30 days of notification. The courts can uphold, amend or strike such proposed legislations on substantial and verifiable grounds in the public interest. (3) To monitor what elected officials are doing in office, should it subsequently be required by law that any governing or legislative bodies must first present proposed legislations that effect the public to this Office to ascertain Constitutional muster before they are voted on, this agency may publish a commentary on how such proposed legislations benefit, or fail to benefit, the public. (4) Unreasonable or impossible laws being unenforceable in court, the Office may launch court challenges to any bad statutes or laws it finds in place, such as for instance deliberately contrived traffic-traps being a form of highway robbery, or prostitution-stings being cruel and malicious, and a form of entrapment and extortion.

NEW SECTION. Section 20. **Competency Tests, Performance Bonds-** (1) Should it subsequently be required by law that all public employees dealing with or affecting the public must carry a performance bond against intentional violations or misconduct that harms the public, this agency may conduct investigations to determine culpability and extent of injury, and shall thenupon assist injured parties in any court action to order recovery or restitution from the bond surety. (2) The O.J. Simpson case in which a predominantly black jury acquitted a black defendant contrary to massive evidence of guilt, and the Rodney King case in which a predominantly white jury acquitted white officers contrary to decency and common sense, demonstrate a serious lapse of integrity in the society at large in which some people are and act civilized, while others are yet savages. *Accordingly*, should it subsequently be enacted by law that prospective voters, jurors or anyone affecting the public should undergo intelligence and psychological testing to ascertain basic sanity, reasoning powers, and any personal biases they harbour, i.e. blind, boc-voting tendencies, etc., this agency shall assist in conducting such tests, compiling results, establishing classifications, and assigning any necessary vote-valuation processes, to awaken social awareness, and responsibility, on the part of all citizens.

NEW SECTION. Sec. 21. **Lawsuits Against this Agency-** The Office of State Inspector General is not meant to be a super-court, or super-police agency, but is simply meant to facilitate justice and fair play as expeditiously as possible. The question is, how do we dare give an agency the awesome powers decreed here given the present frailties of human nature, without establishing means to stop it from mistepping, overstepping or abusing such powers. The Legislature shall establish processes for formal, outside review of agency actions when necessary, and any corrective processes and procedures.

NEW SECTION. Section 22. **Agency Commencement-** The Legislature shall take up, enhance and finalize all provisions of this Act immediately upon confirmation from the ballot, including the considering of any necessary Constitutional modifications for such, and the agency shall be operational within 18 months therefrom.

Severability- If any provisions of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.