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**STATE OF WASHINGTON  
PIERCE COUNTY SUPERIOR COURT**

THE STATE OF WASHINGTON,

Plaintiff,

v.

MICHAEL ANDREW HECHT,

Defendant.

NO. 09-1-01051-1

DECLARATION FOR  
DETERMINATION OF PROBABLE  
CAUSE

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JOHN HILLMAN declares under penalty of perjury as follows:

That I am an assistant attorney general for the State of Washington and I am familiar with the police reports and/or investigation conducted by the TACOMA POLICE DEPARTMENT, incident number 08-330-0302. The Attorney General's Office has jurisdiction to prosecute this case pursuant to RCW 43.10.230 and .232 following a written request from the Pierce County Prosecuting Attorney to assume jurisdiction over this investigation and any subsequent prosecution. That the police reports and/or investigation provided me the following information:

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That in Pierce County, Washington, on or about August 30, 2008, the defendant, MICHAEL ANDREW HECHT, did threaten to kill Joseph Hesketh and Hesketh was placed in reasonable fear that the threat would be carried out; and during the period from April 1, 2008, through January 14, 2009, the defendant on multiple occasions engaged in sexual conduct with another person, Joseph Pfeiffer, in exchange for a fee.

Following a report that HECHT engaged Hesketh in sexual conduct when Hesketh was a minor (Hesketh is now an adult), Tacoma Police contacted and interviewed Hesketh in late December 2008. Hesketh admitted that he supports himself at times through male prostitution. Hesketh reported that between the ages of 14-17 (approximately the years 1999-2001), he lived on the streets of downtown Tacoma and prostituted himself to men to make money. The area for male prostitution in Tacoma is the "antique row" area centered around 9<sup>th</sup> & Commerce.

Sometime between 1999-2001, Hesketh met HECHT when HECHT was driving around the 9<sup>th</sup> & Commerce area and he picked up Hesketh for sex. Thereafter HECHT paid Hesketh for oral sex on multiple occasions. The sex-for-money always occurred after business hours at HECHT's law office on N. Pearl St. State Bar Association records and property records both

1 confirm that HECHT listed the N. Pearl St. address as his business address during this time  
2 period. Hesketh moved out-of-state in 2001 and did not return to the streets of Tacoma until  
3 2005. Hesketh has since observed HECHT cruising the antique row area and picking up other  
street prostitutes. Hesketh identified HECHT as a known "trick" for the young male prostitutes  
who frequent the 9<sup>th</sup> & Commerce area.

4 Hesketh reported to police that in late August 2008 he was approached by a downtown  
shopkeeper who was interested in Hesketh's past interactions with HECHT. Hesketh talked to  
the shopkeeper and others.

5 Hesketh reported to police that on or about August 30, 2008, he was with his boyfriend  
in an alley in the area of 6<sup>th</sup> and St. Helens. HECHT drove his blue Nissan into the alley in an  
6 aggressive manner and pulled up next to Hesketh. Another known street prostitute, Joseph  
Pfeiffer, was in the front passenger seat of HECHT's vehicle. HECHT was very angry.  
7 HECHT screamed at Hesketh, "Are you talking about me? You better not be talking about me.  
I'll kill you" **(Count I)**. HECHT appeared to have learned that a "Joe" was talking to people  
8 about their prior sex-for-money encounters and he appeared angry about it. An election had  
been held the week prior (August 19) and HECHT was leading the election for a superior court  
9 judge position. To avoid further confrontation, Hesketh denied that he was talking to people  
about HECHT. HECHT and Pfeiffer drove off. Hesketh's boyfriend was interviewed by police  
10 and confirmed Hesketh's description of events.

11 The person in the car with HECHT, Joe Pfeiffer, also confirmed for police that the  
confrontation took place. Pfeiffer stated he was on the street that day when HECHT approached  
him in his vehicle and asked if Pfeiffer was "talking" about him. Pfeiffer denied that he was  
12 and identified Hesketh as the "Joe" who was talking to people about HECHT. Pfeiffer got into  
HECHT's vehicle and they drove til they found Hesketh and his boyfriend. Pfeiffer confirmed  
13 that HECHT drove up to Hesketh and confronted Hesketh about talking. Pfeiffer did not recall  
hearing a threat.

14 Both Hesketh and Pfeiffer described HECHT as driving a blue Nissan. DOL records  
confirm that a 2008 blue Nissan is registered to HECHT.

15 Hesketh told police that he was afraid of HECHT, particularly because HECHT was  
recently elected as a superior court judge. Hesketh expressed to police that he was fearful  
16 HECHT could hire somebody to kill him.

17 Hesketh's father told police that Hesketh came to him in early September 2008 and told  
him that HECHT threatened him and he was afraid of HECHT. Hesketh told his father that he  
was disclosing the information "so that if something happened to me, someone will know about  
18 it." Hesketh's father was upset that someone was threatening his son. Hesketh's father  
searched the internet and found an e-mail address for HECHT. Hesketh's father sent HECHT  
19 an e-mail requesting to talk to him and providing a phone number. On September 4, 2008,  
telephone records confirm that a phone call was placed from HECHT's cell phone to Hesketh's  
20 father's phone number. HECHT talked to Hesketh's father but initially denied knowing his son.  
Hesketh's father asked HECHT if he was denying the confrontation that his son reported.  
21 HECHT then admitted that he knew Hesketh. HECHT refused to talk to Hesketh's father any  
more.

22 Police interviewed 20-year-old Joseph Pfeiffer on January 19, 2009. Pfeiffer admitted  
that he, too, is homeless and prostitutes himself to men in downtown Tacoma to make money.  
23 Pfeiffer first met HECHT two years prior when Pfeiffer was prostituting in the area of 9<sup>th</sup> &  
Commerce. HECHT picked up Pfeiffer and took him to his law office in north Tacoma.  
24 HECHT and Pfeiffer engaged each other in oral sex in HECHT's law office and HECHT  
afterwards paid Pfeiffer money. Pfeiffer reported that he and HECHT engaged in oral sex  
25 approximately 8-10 times at HECHT's law office. HECHT paid Pfeiffer after each encounter  
**(Count II)**. Pfeiffer related that after the first time it was "understood" that HECHT would pay  
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1 him and there was no discussion about money—HECHT would pay Pfeiffer \$20-\$30 after the sex without being asked.

2 Pfeiffer reported that after the first exchange of sex for money, Pfeiffer would contact  
3 HECHT by cell phone when Pfeiffer needed money. Pfeiffer would call HECHT and they  
4 would arrange for a pick-up, after which HECHT would take Pfeiffer to his law office for sex  
5 and then pay him. Pfeiffer was able to recite HECHT's cell phone number from memory.  
6 Pfeiffer told police that the sex-for-money with HECHT occurred "3 or 4 months" prior to his  
7 January 2009 interview, which would be August-September 2008. Cell phone records confirm  
8 14 separate cell phone communications between HECHT and Pfeiffer in August-September  
9 2008. HECHT was certified as the winner of the judicial election in mid-September 2008. The  
10 last cell phone communication between HECHT and Pfeiffer last year was September 27, 2008.  
11 Pfeiffer reported that the last time the two had sex, HECHT told Pfeiffer that he was now going  
12 to become a judge and would make more money. Pfeiffer reported that HECHT stopped seeing  
13 him and paying him for sex after that statement.

8 Pfeiffer reported that HECHT drove a blue Nissan, but prior to that HECHT drove a  
9 green Honda. DOL records confirm that a green Honda was previously registered to HECHT.

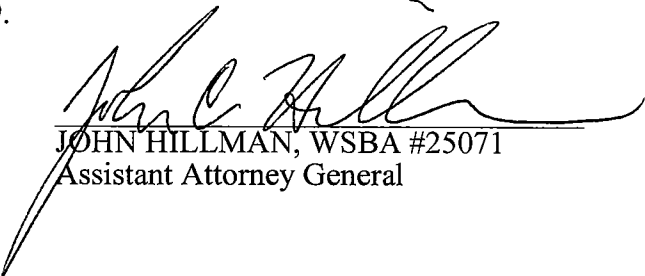
9 Pfeiffer reported that HECHT called him in early January 2009. Cell phone records  
10 confirm a four-minute phone call to Pfeiffer's cell phone from HECHT's cell phone on January  
11 12, 2009. The local newspaper had published a story the day before (January 11, 2009)  
12 reporting that HECHT was the subject of a criminal investigation. HECHT hired a criminal  
13 defense attorney. Pfeiffer told police that during the January 12<sup>th</sup> phone call HECHT wanted  
14 Pfeiffer to meet with his attorney to talk about "the good things" about HECHT. HECHT  
15 wanted Pfeiffer to "make him look good in front of his attorney." HECHT specifically told  
16 Pfeiffer that he did not want Pfeiffer to talk about having sex with HECHT. Pfeiffer did not  
17 meet with HECHT's attorney at that time.

14 Downtown business security officers, downtown shopkeepers, and downtown  
15 employees told police detectives that for years they have observed HECHT driving around  
16 antique row and picking up and dropping off known male prostitutes. All further confirm that  
17 the area of 9<sup>th</sup> & Commerce is rife with male prostitution and HECHT has frequented the area  
18 and engaged in conduct consistent with patronizing prostitutes, including times when businesses  
19 are closed. Tacoma Police officers who work the downtown beat have made similar  
20 observations.

17 Police interviewed Patrick Graham on January 2, 2009. Graham works downtown  
18 producing all-male pornographic photos and videos. Graham also runs an "escort service" for  
19 gay males. Some downtown business owners believe Graham's businesses are a front for male  
20 prostitution. Both Hesketh and Pfeiffer have "modeled" for Graham. Graham considers  
21 HECHT "a good friend." Graham admitted that he has collected a \$10 fee from HECHT on  
22 numerous occasions as payment for "introducing" HECHT to young men who "model" for  
23 Graham. Graham assumed that HECHT paid the young men for sex after being introduced, but  
24 said, "What people do after I introduce them is their business. I'm not asking them. I don't  
25 know what happens behind closed doors." Cell phone records show over 200 cell phone  
26 communications between HECHT and Graham between June 2008 and January 2009.

HECHT has declined to talk to police about the allegations set forth above.

23 DATED: February 27, 2009.  
24 PLACE: SEATTLE, WA

25   
26 JOHN HILLMAN, WSBA #25071  
Assistant Attorney General