

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 14-361

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Judge:

Complainant:

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**ORDER**

The complainant alleged a civil traffic hearing officer improperly ruled against him and inappropriately did independent research in a case.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the hearing officer engaged in conduct that violated the provisions of Article 6.1 of the Arizona Constitution or the Code of Judicial Conduct and, if so, to take appropriate disciplinary action. The purpose and authority of the commission is limited to this mission.

The commission does not have jurisdiction to review the legal sufficiency of the hearing officer's rulings. While the commission found that the hearing officer did engage in independent research, the research was minor in nature and an extension of in-court testimony. The commission approved sending the hearing officer a private advisory letter reminding her of her obligation under Rule 2.9(C) not to engage in any independent research or investigation of the facts of a case. The complaint is dismissed pursuant to Rules 16(b) and 23(a).

Dated: February 5, 2015

FOR THE COMMISSION

/s/ Louis Frank Dominguez  
Hon. Louis Frank Dominguez  
Commission Chair

Copies of this order were mailed  
to the complainant and the hearing officer  
on February 5, 2015.

*This order may not be used as a basis for disqualification of a judge.*

**CONFIDENTIAL**

State of Arizona  
Commission on Judicial Conduct  
1501 W. Washington Street, Suite 229  
Phoenix, Arizona 85007

**FOR OFFICE USE ONLY****2014-361****COMPLAINT AGAINST A JUDGE**

Your name: \_\_\_\_\_

Judge's name: \_\_\_\_\_

Date: \_\_\_\_\_

**Instructions:** Use this form or plain paper of the same size to file a complaint. Attach additional pages, as needed. Please describe in your own words what the judge said or did that you believe constitutes judicial misconduct. To help us understand your concern, be specific and list all of the names, dates, times and places where the conduct occurred. Include only copies of original documents or court recordings that are relevant to your allegations. Print or type on one side of the paper only, and keep a copy of the complaint for your files.

*Reasonable Doubt  
Blind Trust The Problems With Police  
Radar. (non-profit org.)*  
I am writing to you today to lodge a  
complaint against \_\_\_\_\_ Justice Court,  
County of \_\_\_\_\_ as to their conduct in  
resolving a ticket issued to me.  
on \_\_\_\_\_ Case No. \_\_\_\_\_  
The ticket clearly indicates date, time of  
appearance of which I complied. I drove  
over 2 hrs. from \_\_\_\_\_ to \_\_\_\_\_ to  
appear. I was told Oh! this will  
be conducted over the phone. This was not  
a courtesy extended to me as a civilian.  
This was irresponsible court behavior. Then  
I called the court on the date, time designated  
(see Doc A) only to learn officer no show. The  
case should have been dismissed at this  
juncture. The officer has a responsibility to the  
court same as the accused. The ticket has the wrong  
no. of vehicle. Wrong vin# \_\_\_\_\_ The correct is \_\_\_\_\_  
(see Doc B) \_\_\_\_\_ claimed  
researched the discrepancies related to radar  
reading accuracy. The officer was non compliant  
with proper procedures in his acquisition of a  
accurate radar reading.

(Attach additional sheets as needed)

- ① The officer attempted to acquire an accurate reading when he and the driver were moving in opposite directions. The reading was attempted at 1000 ft. which compromises the accuracy of a reading. The further from the source (cone) the weaker the reading, and distortion can occur. (See Doc C.)
- ② Attempting an accurate reading can be compromised by high tension power lines which was the case in question this day. (See Doc D) interference can be generated from anyone of these sources listed or a multiple of these sources.
- ③ Radar devices are to be calibrated (all radar devices) completed on a regular basis. Not according to Hooper. He refers to the Old Bait & Switch Game as not all radar devices are calibrated, but used as though



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they had been calibrated, and using them to cite motorists with tickets. This is unacceptable behavior for any and all law enforcement. There is absolutely no evidence that this specific radar device had been properly calibrated or that the officer in question knew how to operate a radar device.

(4) If [redacted] conducted the research, [redacted] sb aptly claims, would have encountered the same research material I submit to you. (See Doc E)

The officer in court proceedings that day made erroneous statements. Refer to the tape if you have access to such.

The officer claimed, departed the site where he wrote the ticket at 15 mph. Really how so? (One has to gain momentum). You do not sit.



to 75 mph from a dead start.  
He said he had recalibrated  
the radar device to detect the  
75 mph by calibrating halfway  
how so I ask is this possible?

The officer claimed to know the  
Judge.. is not a  
Judge is a  
Hearing Officer,

Thank You

Cases to substantiate in accuracy  
of radar device are as follows