

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 07-094

Complainant: No. 1307410054A

Judge: No. 1307410054B

ORDER

The Commission on Judicial Conduct reviewed the complaint filed in this matter and found no ethical misconduct on the part of the judges. Although their decisions were controversial and widely reported by the press, there is no evidence that the judges violated the Code of Judicial Conduct. In the absence of bad faith or an abuse of judicial discretion, neither of which was present in this instance, the commission is prohibited from taking disciplinary action against judges for their decisions. Accordingly, the complaint is dismissed pursuant to Rule 23(a).

Dated: September 7, 2007.

FOR THE COMMISSION

/s/ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judges on September 7, 2007.

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

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

FOR OFFICE USE ONLY

CJC-07-094

COMPLAINT AGAINST A JUDGE

Your name: Judge's name: Date: 3/8/07

Instructions: Describe in your own words what the judge did that you believe constitutes misconduct. Please provide all of the important names, dates, times and places related to your complaint. You can use this form or plain paper of the same size to explain your complaint, and you may attach additional pages. Do not write on the back of any page. You may attach copies of any documents you believe will help us understand your complaint.

JUDGE ALLOWED COMM. UNLAWFULLY TO SET BOND FOR THE DEFENDANT AT \$150,000⁰⁰ WHEN THE FACTS OF THE CASE CLEARLY CALLED FOR UNBONDABLE. HE LATER ALLOWED COMM. TO REDUCE THAT UNLAWFUL BOND TO \$50,000⁰⁰. THE COUNTY ATT FILED A MOTION TO OVER RULE REDUCTION OF THE BOND & MAKE IT EITHER UNBONDABLE AS REQUIRED BY LAW OR AT LEAST INCREASE IT TO \$500,000⁰⁰ CASH. JUDGE AGREED TO HEAR THE MOTION. ALL HE SAID AT THE HEARING WAS HE WASN'T A COURT OF APPEALS. HE POSTPONED THE HEARING FOR TWO DAYS SAYING THEY MUST PROVE TO HIM THAT HE, JUDGE HAD THE AUTHORITY TO OVERRULE COMM. BOND REDUCTION. DID JUST THAT, SO JUDGE HAD NO CHOICE BUT TO RULE THE DEFENDANT UNBONDABLE. I CAN'T UNDERSTAND HOW ANY JUDGE DOESN'T KNOW WHAT AUTHORITY HE HAS OR HOW HE CAN POSSIBLY ALLOW TWO COMM.'S TO VIOLATE THE LAW LIKE THESE TWO HAVE. I'M SURE ALL OF THIS HAD SOMETHING TO DO WITH HIM STEPPING DOWN. OUR ENTIRE FAMILY BELIEVES THAT JUDGE - COMMISSIONERS & SHOULD BE REMOVED FROM THE SYSTEM IMMEDIATELY.

PLEASE READ THE ENCLOSED BEFORE MAKING YOUR DECISION.

(Attach additional sheets as needed)

CJC-07-094

COMPLAINT AGAINST A JUDGE

Your name:

Judge's name:

Date: 4-7-07

Instructions: Describe in your own words what the judge did that you believe constitutes misconduct. Please provide all of the important names, dates, times and places related to your complaint. You can use this form or plain paper of the same size to explain your complaint, and you may attach additional pages. Do not write on the back of any page. You may attach copies of any documents you believe will help us understand your complaint.

We have spoken with Judge three times within the last few days. The first time we discussed all the circumstances surrounding our Grandsons death. We made our position clear that we felt Comm's acted completely outside proper in setting bail and later reducing it. If bail had been made after it was reduced the perp would probably be back in and never face the charges against her. We told her we believe the two commissioners should be fined immediately and prosecuted for breaking the law. Since they report to her she has that authority. She promised to review the circumstances and get back to us.

She did call back as promised, she said she had spent two hours with the two commissioners and she told us she would not take any action against them since she believes they acted in "good faith". Does good faith negate their responsibility to uphold the law? We asked about the bond reduction to by She told us "that was due to a Police officers rec"; we asked for the name of the officer since that could have a large bearing on what action we would take. She said she did not have the name available, we asked her

(Attach additional sheets as needed)

To call us back as soon as she could find it. She called back later that day, guess what, no police officer was involved. Somebody lied to somebody. Judge [redacted] said she still would take no action against him. We were told by various police agencies that [redacted] quite often sets low bonds in spite of what has been requested, also that he very often reduced bonds.

The last thing we asked Judge [redacted] was what she planned to do about the [redacted] of Pretrial Services, [redacted] who broke the law, as we understand it, by issuing the memo's ordering that no one discuss immigration status of perps. Judge [redacted] said [redacted] was on vacation so she couldn't discuss her action with her until she returns. As we understand it [redacted] does not have the authority to do this on her own, someone had to order it, who is that someone?

Members of the Commission please help us. The entire [redacted] family feels lost in a very small life boat, on a stormy sea with no visible help on the horizon.

Please help us achieve justice. Our goal is to keep this heartache from happening to others

Please read the attached for background
Thank You, [redacted]

CJC-07-094