

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 11-168

Complainant: No. 1421710490A

Judge: No. 1421710490B

ORDER

The complainant alleged that a municipal court judge failed to dismiss his photo radar ticket. The commission reviewed the matter and found no evidence of ethical misconduct on the part of the judge. Allegations that involve the legal sufficiency of a judge's ruling are outside the jurisdiction of the commission. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: September 14, 2011.

FOR THE COMMISSION

/s/ George Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and the judge on September 14, 2011.

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

TO: COMMISSION ON JUDICIAL CONDUCT
1501 WEST WASHINGTON STREET, SUITE 229
PHOENIX, ARIZONA . 85007

I RESPONDED TO THE PRESCOTT VALLEY COURT AT 9 AM JUNE 17th, 2011,... AS I WAS CITED FOR DRIVING 66 MILES PER HOUR IN A 55 MILE PER HOUR ZONE.

THIS OCCURRED ON HIGHWAY 69 SOME 2 MILES (remote), EAST OF THE CITY CENTER OF PRESCOTT, VALLEY. IN THAT LOCATION THERE ARE FLASH CAMERAS ON THE SIDES OF THE HIGHWAY CHECKING SPEED OF THE PASSING VEHICLES . (Going only west , - strange - going east , the sky is the limit) ???

I DID EVERYTHING THAT WAS EXPECTED OF ME AS TO CONCURRING WITH THE CITATION SENT TO ME IN THE MAIL, WHICH STATED I COULD PAY A FINE, GO TO SCHOOL OR PLEAD "NOT GUILTY", I SELECTED TO APPEAR ON THE DATE AND TIME OF 9 AM ON JUNE 17, 2011 AT THE PRESCOTT VALLEY COURT BLDG TO PLEAD NOT GUILTY .

I CANNOT AFFORD THE FINE OF SOME \$200 DOLLARS PLUS AS I AM ON LIMITED INCOME ,... AND I HAVE ALWAYS ATTEND THE DRIVING SCHOOLS EVERY TWO YEARS TO KEEP THE VEHICLE INSURANCE COSTS DOWN, SO MY ONLY OPTION WAS TO PLEAD NOT GUILTY.

I CHECKED IN AS REQUIRED,... AND TOOK A SEAT IN THE ASSIGNED COURT ROOM .

AT 9AM WITH ABOUT 10 PERSONS IN ATTENDANCE IN THE COURT ROOM', THE COURT CLERK APPEARED ALONG WITH A POLICE OFFICER AND THE JUDGE WHO TOOK HIS PLACE ON THE BENCH.

WE ALL ROSE WHEN THE JUDGE ARRIVED AND THEN WERE AGAIN SEATED UNTIL CALLED.

I WAS NEAR THE END OF THOSE CALLED, AND WHEN I TOOK MY OATH . I WAS THEN SEATED AND LISTENED TO THE POLICE LIEUTENANT (Wayne Nelson) EXPOUND IN DETAIL ABOUT HOW THE CAMERA SYSTEM WORKS AND CITED MEASURES TO JUSTIFY THEM ???

QUITE FRANKLY I DIDN'T UNDERSTAND ALL OF THE MEASURES THEY USED TO CLARIFY AND PROTECT THE JUSTIFICATION FOR THE CAMERA METHOD',... SOMEBODY APPARENTLY CREATED A LOT OF FACTORS AND FIGURES TO PRESENT AS EVIDENCE ON THEIR PART ',... TO OPPOSE ANY OPPOSITION

(I put them in this package to you so you can be confused too - how in the hell do they expect a common citizen to understand it) ???

SOON IT WAS MY TURN TO PROVIDE EVIDENCE AS TO WHY I DID NOT DESERVE A CITATION !!!

I TOLD THE JUDGE I HAVE ALWAYS BEEN A CAREFUL DRIVER FOR SOME 65 YEARS AND NEVER HAD A TRAFFIC TICKET DURING THAT ENTIRE TIME. HAVING SUCH A LONG STANDING RECORD AMONGST OTHER GOOD FACTORS OVER THE YEARS', I THOUGHT THAT WAS ENOUGH EVIDENCE ON MY PART TO BE PARDONED OF A TICKET AND KEEP MY DRIVING RECORD SPOTLESS. FRANKLY',... WHAT MORE WOULD I NEED TO SAY ???

I DIDN'T FEEL A LAWYER WAS NEEDED TO PLEAD MY CASE', AS THAT'S MONEY TOO',... WHICH I ALSO DON'T HAVE !

HE TOOK TWO OR THREE MINUTES ON HOW GREAT A PERSON I WAS',... COMMENDING ME',... AND WENT ON TO EXPLAIN HOW HE WISHED ALL YOUNG DRIVERS OF 18 YEARS OR YOUNGER WERE THERE TO TAKE EXAMPLE OF MY LONG EXEMPLARY RECORD',... BUT NO SOONER DID HE DO THAT WHEN HE CALLED ME TO THE BENCH AND FOUND ME GUILTY',... AND THE FINE HAD TO BE PAID. (what a slap in the face) !

YOU BET I WAS SURPRISINGLY UPSET , BUT HELD MY ANGER',... DUE TO THE FACT I THOUGHT HE WAS WRONG',... AND HE WENT INTO ASKING ME ABOUT MY INCOME WHICH I STATED I COULD NOT AFFORD',... SO HE SET \$25.00 DOLLARS PER MONTH UNTIL THE \$200 DOLLAR PLUS FINE WAS PAID.

HE WENT ON TO SAY IF I DIDN'T AGREE, I COULD PROCEED TO THE NEXT LEVEL , WHICH ONLY HE UNDERSTOOD AS IT WAS SOMEWHAT THE SAME LINGO WHICH THEY USE AND EXPECT US MERE CITIZENS TO UNDERSTAND PERFECTLY . HE HANDED ME A PAPER TO SIGN, SO I SIGNED IT', TOOK A COPY AND LEFT. (That is also enclosed for more confusion, information and assessment)?

SO' PLEASE' JUST TAKE A MINUTE TO READ THAT CONFUSING (next step process) PIECE OF "JUMPING THROUGH HOOPS" TO GET TO THE NEXT LEVEL', THERE IS A FEE CONNECTED WITH THAT TOO. (crazy isn't it, but so true)....! YES' THAT IS THE TRUE MEANING OF "BLOOD MONEY". YES', "THE PROCESS OF MONEY GOTTEN RUTHLESSLY AT THE EXPENSE OF OTHERS LIVES , AND CAUSE SUFFERING"

(believe me' it happening in Prescott Valley between the town and the vendor of cameras).

YES', I WAS ANGRY, AND HELD IT, BUT MY IMPULSE WAS TO REACH OVER AND SQUEEZE HIS HEAD AND MAYBE, JUST MAYBE PUT A BIT OF COMMON SENSE INTO ' AN OTHERWISE, ' I FELT AT THE TIME",... AN EMPTY BRAIN CAVITY OF A JUDGE WHO IS ALLOWING A CROOKED SYSTEM OF PRACTICES TO RULE HIS JUDGEMENT ...!

WHAT HAPPENED I FELT WAS A VERY SMALL MAN IN A POSITION WHERE HE SAYS ONE THING AND REALLY TRIES TO

BELIEVE IT', AND THEN DOES ANOTHER SO AS TO NOT ADD ANY REAL FACTUAL SUBSTANCE',... WHICH JUST MAY ALLOW SOME TRUTH TO ENTER INTO A LESS THAN HONEST OPERATION ???

HE KNOWS AS WELL AS I',... HE WAS WRONG,... OTHERWISE - WHY DID HE USE ME TO PROVE AN EXAMPLE OF WHAT A GOOD RECORD I HAD OVER 65 YEARS.

I CERTAINLY DESIRED TO KEEP A PERFECT DRIVING RECORD ... AND HE CUT IT TO PIECES WITHOUT ANY REGARD AS TO HOW I MIGHT FEEL.

WHAT AM I,... JUST SOME MORE SWISS CHEESE OF THE CORRUPT ASPECTS OF HOW THE ENTIRE SPEED CAMERA OPERATION WORKS TO PICK AND CHOOSE VICTIMS',... AND FILL POCKETS OF '????', JUST WHO KNOWS',... OF SUCH A DEVIOS UNFAIR METHODS BEING ALLOWED TO OPENLY OPERATE ????

STRANGE HOW THE VENDOR PUTS UP THE CAMERAS', THE VENDOR SETS THE TRIGGER POINTS, AND THE VENDOR GETS A PERCENTAGE OF THE ACTION ?

NOW JUST WHO FROM A FROM A "CERTIFIED STATE AGENCY", INSPECTS AND INSURES THE SYSTEM IS ACCURATE FROM A CITIZENS SIDE IN THIS PROCESS', WHICH SEEMS TO ME TO BE PRETTY MUCH "ONE-SIDED" BETWEEN JUDGE, POLICE LIEUTENANT, AND RELIEVING SOLELY ON WHAT THE VENDOR DICTATES ???

I LEARNED A FEW DAYS LATER THAT THE CAMERAS ARE SET TO CATCH ONLY THOSE VEHICLES HEADING "INTO" PRESCOTT VALLEY, "NOT" AWAY ??
(ISN'T A HIGHWAY REGULATION AS TO SPEED THE SAME GOING EACH WAY ON 69 - OR ANY OTHER STREET IN THE CITY OR STATE FOR THAT MATTER) ???

YOU MUST GO 55 MILES AN HOUR INTO , BUT GOING OUT ', IT'S PEDAL TO THE METAL !!! TELL ME SOMETHING FAIR AND BALANCED ABOUT THAT ???

NO WONDER THE STATE OF ARIZONA "REMOVED" CAMERAS DUE TO SUCH UNFAIR PROCEDURES AND SUCH , AND HERE YOU ARE LETTING A SMALL TOWN USE YOUR MAJOR HIGHWAY TO CIRCUMVENT THAT WHICH THE STATE FOUND (amongst other factors) UNFAIR AND THUS' ILLEGAL .! ???

THIS REPORT YOU ARE READING IS FROM A MAN WHO IS VERY PROUD OF HIS DRIVING RECORD AND THE RESPONSIBILITY THAT GOES WITH IT...!

TAKE A LOOK AT THAT VEHICLE IN THE PICTURE', ...(color photo enclosed) A 22 YEAR OLD 1989 DODGE WITH 55,000 MILES ON IT AND A PRICELESS WIFE AS A PASSENGER IN IT. DO YOU THINK FOR ONE SECOND THAT I WOULD DRIVE IN AN UNSAFE MANNER TO JEOPARDIZE HER LIFE OR MY OWN ???

YOU WILL ALSO NOTICE A VERY CLEAR LICENSE PLATE FOR VIEWING',... WHICH ALSO HAS A "PRO-LIFE" LICENSE PLATE',... AS WE LIVE AS CHRISTIANS AND ACT AS CITIZENS MUST . WE DRIVE A CLEAN , WELL MAINTAINED VEHICLE WHICH WE CAN AFFORD. (it's paid for), CAN YOU ASK MUCH MORE THEN THAT ???

WHAT WAS DONE TO ME WAS VERY IRRESPONSIBLE' AND LEFT ME WITH NO OTHER CHOICE BUT TO TAKE THE MATTER HOPEFULLY',... TO A LEVEL HEADED PERSON IN THE JUDICIAL SYSTEM WHO JUST MAY THINK MORE FAIRLY IN MY PARTICULAR CASE, AND YES', OTHERS TOO IN PRESCOTT VALLEY ?

NOW, LET ME GIVE YOU SOME ADDED PROOF OF MY LIFE AND CONDUCT TO BE A CITIZEN OF THIS (USED TO BE) GREAT NATION.

I WAS BORN AND RAISED IN IOWA IN 1932 . THE YOUNGEST OF MANY CHILDREN I HAD VERY LITTLE, BUT A WHOLE LOT OF LOVE WAS IN OUR HOME .

WHEN I WAS NINE THE SECOND WORLD WAR STARTED AND FIVE BROTHERS JOINED THE MARINES' AND A SISTER JOINED THE NAVY WAVES.

FOUR YEARS LATER I JOINED THE MARINES, ANOTHER BROTHER JOINED THE AIR FORCE AND ANOTHER SISTER JOINED A FOREIGN SERVICE POSITION.

YES',... WE ALL SERVED AS WE LOVED OUR COUNTRY, AND NEVER',... NOT ONE OF US EVER CAUSED ANY CIVIL PROBLEM THAT WOULD GET US IN TROUBLE WITH THE LAW . (MY FATHER USED THE PHRASE - "DON'T EVER HURT MY GOOD NAME ",) AS WE WOULD LEAVE FOR MILITARY SERVICE !

AND TO THIS DAY', NO ONE OF US EVER DID TO THIS VERY DAY YEARS AND YEARS LATER , AS THERE ARE ONLY THREE OF US LEFT !

WE ALL WERE PROUD OF OUR PARENTS WHO WERE WONDERFUL TO US IN EVERY WAY. THEIR ADVICE WAS LIKE A WISDOM WHICH COULD NOT EQUALED.

YOU SEE', OUR MOTHER DIDN'T COMPLETE SEVENTH GRADE IN SCHOOL . , BUT SHE WAS SELF TAUGHT AND THERE WASN'T A WORD IN THE DICTIONARY SHE COULDN'T SPELL.

MY DAD ONLY COMPLETED THE FIFTH GRADE, BUT HE TOO COULD SPELL AND GAVE WISDOM TO OUR LARGE FAMILY.

YOU SEE'... THERE WERE ONLY TWO LARGE BOOKS IN OUR HOME,.. AND ONE WAS THE BIBLE AND THE OTHER WAS A DICTIONARY.

NO', WE HAVE DIDN'T MUCH , BUT THEN AGAIN', WE HAD EVERYTHING WE NEEDED. WE RESPECTED OUR PARENTS, WE RESPECTED EACH OTHER AND WE BEHAVED PROPERLY. (you can't hardly find that today ', can you ?)...

WE ALL ATTENDED CATHOLIC SCHOOLS AND WORKED HARD FOR EDUCATION', AS WE WANTED OUR PARENTS TO BE PROUD FOR THEMSELVES,
AS WELL AS WE AS FAMILY MEMBERS WHO RESPECTED ONE-ANOTHER IN THE CHALLENGES WE FACED TOGETHER .

WRITING THIS I KNOW IS HARD FOR YOU TO EVEN UNDERSTAND, AS YOU NOW LIVE IN A CRAZY MIXED UP SOCIETY OF SECULAR GREED AND MORAL DECAY.

MY DEAR WIFE DONNA AND I STARTED OUT IN MARRIED LIFE AND HAVE SIX CHILDREN . WE NOW HAVE 18 GRANDCHILDREN AND ALL ARE A CREDIT TO US AS WELL AS SOCIETY. NOT ONE EVER CAUSED PROBLEMS TO MY KNOWLEDGE. NO ONE EVER ASKED FOR ANYTHING FROM THE GOVERNMENT, NOT EVEN UNEMPLOYMENT NEED OR ANYTHING LIKE WELFARE OR SUCH THAT WOULD TARNISH OUR CIVIL OR CHRISTIAN STANDING.
(Can you find anyone nowadays who can match that record of what an American family like mine has to it's credit) ???

ILL-RAISED YOUTH OF TODAY HAS PANTS HANGING FROM THEIR ASSES' AND GO FURTHER TO WHERE THEY CAN'T EVEN KEEP THEIR PANTS UP FOR A VARIETY OF OTHER REASONS (parents included), ! (need I say more) !

MANY, MANY PEOPLE TODAY DON'T HAVE A CLUE AS TO WHAT MORAL BEHAVIOR IS', YOU STAMMER AROUND WITH A CONVOLUTED SET OF OF SO CALLED LEGAL STANDARDS WHICH YOU YOURSELVES STRETCH AND TWIST TO SUIT TO YOUR DAILY DOINGS, AND CALL IT HONEST PRACTICE ! (give me a break !).....

THE CITY OF PRESCOTT VALLEY IS A GOOD EXAMPLE OF TWISTING'... WITH THE APPLICATION OF CAMERAS', WHICH HAVE BEEN FOUND BY THE STATE TO BE QUESTIONABLE, AND DID AWAY WITH THEM. (ISN'T THAT ENOUGH TO TELL YOU A STORY OF GREED, NOT TRAFFIC CONTROL) ???

SO WHAT IS FAIR AND BALANCED, AND WHERE CITIZENS ARE TREATED IN A MANNER WHERE DECENT PEOPLE (like myself, and I'm damned proud of it) ARE GIVEN THOUGHTFUL VALUE FOR GOOD STANDING IN THIS MATTER !

I'M NOT GUILTY OF ANY VIOLATION', EVEN I DID', ACCORDING TO A CROOKED CAMERA THAT I DROVE A MILE OR TWO OR MORE OVER SO CALLED POSTED LIMITS !

NO OFFICER IN HIS RIGHT MIND IF HE (OR SHE) WAS PATROLLING THE LOCATION IN QUESTION WOULD HAVE STOPPED ME FOR MY DRIVING ABILITY.

BUT NOW , BY INCORPORATING CAMERAS WITH DEVIIOUS INTENT',... PRESCOTT VALLEY IS CASHING IN ON A LOCATIVE WAY TO GATHER CASH INTO THE COFFERS. (it's almost like blood money, but I'll not go there yet), YES', GETTING IN BED WITH A QUESTIONABLE VENDOR OF CAMERAS FOR SO-CALLED SAFETY MEASURES ! (give me breathing room' it smells so bad) ! (I HAVE HEARD THAT THE VENDOR IS NOW PLACING CAMERAS FOR FREE' AS THE LOCATIVE PORTION FOR THEM MUST BE LIKE "WIN, WIN ALL THE WAY TO THE BANK) ??? (something sure smells like chicago) ???

NOT SO MANY YEARS AGO (1950'S TO EARLY 1960'S). PRESCOTT VALLEY WAS CALLED "JACKASS ACRES". WE HAD ANOTHER NAME FOR IT TOO, AND THAT WAS "LEECHVILLE". NOW THEY ARE MAKING ANOTHER NAME FOR THEMSELVES', AND I'M CERTAIN IT WON'T BE VERY NICE ???

YES', THE BUSINESS'S ALONG THE HIGHWAY PRAYED THAT PASSERSBY WOULD STOP, AND HAD NO CONTROL OF THE OLD TWO LANE HIGHWAY AT THE TIME. NOW, THAT THEY HAVE GROWN', THEY WANT COMPLETE CONTROL OF THE WIDER HIGHWAY'... AND "YOU" THE STATE ARE ALLOWING IT TO HAPPEN. (how sad !)..... (IT'S A SPEED TRAP, YOU KNOW IT', AND ARE ALLOWING IT TO OPERATE) !

BUT NOW GETTING BACK TO THE JUDGE.

FROM THIS OLD MAN'S VIEW POINT,.... I BELIEVE THE JUDGE IS CAUGHT IN A JOB HE DOESN'T LIKE, WORKING IN PRESCOTT VALLEY, WHERE THE MORAL VALUES HAVE NEARLY GONE TO HELL DUE TO BOTH PARENTS WORKING (service industry town) TO MAKE ENDS MEET',... AND IT SHOWS IN HOW HE TREATED ME !

A DECENT MAN LIKE MYSELF SHOWS UP DUE TO AN MINOR INFRACTION OF SUCH ON THE HIGHWAY, AND HE TREATS ME AT FIRST LIKE A HERO EXAMPLE ,
AND THEN DOESN'T KNOW HOW TO DEAL WITH ME IN ANY OTHER WAY, SO PLAYS IT SAFE AND FINES ME. (again', how small and how sad).....!

YES', HOW SAD',, I WILL END THIS COMPLAINT FORM WITH MY HOPE THAT THINGS WILL CHANGE', AND CHANGING OUT THE JUDGE WOULD BE A GOOD START,

ANY JUDGE WHO WHO EVEN LOWERS HIMSELF TO TAKES PART IN SUCH A CORRUPT AND DEVIIOUS USE OF SPEED

CAMERAS'... WITH ALL OF THE FAULTS WITHIN IT'S OPERATION SHOULD BE ABOVE TAKING PART IN IT, AND REPORT HIS DISTASTE TO THE PUBLIC', AS WELL AS FELLOW JUDGES !!!

YES', YOU OF THE STATE JUDICIAL SYSTEM, THE STATE HIGHWAY DEPARTMENT AND HIGHWAY PATROL SHOULD BE ASHAMED OF YOUR CONDUCT IN THESE MATTERS ! THAT HIGHWAY 69 OPERATION IS A "SPEED TRAP ONLY" AND "YOU" OF THE JUDICIAL CONDUCT BOARD KNOW IT...!

PS/ (1) DON'T BELIEVE ME', ????? THEN QUIETLY FIND A WAY TO SEAT IN (WITHOUT HIS KNOWLEDGE), AND FIND OUT FOR YOURSELF !!!

PS/ (2) AND PLEASE EXAMINE ALL OF THE WAYS FOR DRIVERS TO ESCAPE BEING CAUGHT BY THE CAMERAS, AND THE VENDORS REASONS FOR NOT SENDING OUT CERTAIN VIOLATION NOTICES . YES',... IT'S PICK AND CHOOSE, NOT FAIR AND BALANCED FOR ALL, SO PLEASE TAKE NOTE', WHICH I DOUBT IF YOU WILL ??? (WHY NOT TAKE THAT LIEUTENANT WAYNE NELSON INTO AN INTERROGATION ROOM AND MAKE HIM TELL YOU ALL OF THE HIDDEN LITTLE WAYS TO BEAT THE SYSTEM, AS I'M QUITE CERTAIN BEING WITH THE PRESCOTT VALLEY POLICE SO LONG', HE HAS LOTS TO TELL YOU) ???

PS (3) YES', YOU HAVE PUT ON THE CAMERA A DECENT LONG STANDING CITIZEN WHO WAS DRIVING PRUDENTLY AND SAFELY AT 66 MILES PER HOUR', WHO JUST CAME FROM PHOENIX WHERE 65 TO 75 IS ACCEPTED ON HIGHWAY 69 IN MOST PLACES FROM CORDES JUNCTION,.. AND THE FREEWAY #17 WHERE 75 TO 85 MILES PER HOUR IS ACCEPTABLE. THAT IN ITSELF PROVES MY POINT ABOUT PRESCOTT VALLEY', I HAPPEN TO GO 66 AND YOU TREAT ME AS A CRIMINAL WHO MUST BE TREATED AS SO MUCH TRASH',... AS MANY OTHERS WHO BREAK THE LAWS FREQUENTLY DO', AND GET AWAY WITH IT !!!

ALL OF YOU MUST TAKE NOTE OF NOT JUST MY VIEW ON THIS MATTER',... BUT RETURN TO THE MORAL LEVELS WITHIN YOUR OWN DEPARTMENTS', AND START BY ASSESSING YOUR OWN PERSONAL VALUES AND PRINCIPLES,.. IF YOU ARE EVER GOING TO GET A HANDLE ON "TRUE JUSTICE BE SERVED " !!!

STRAIGHTING OUT PRESCOTT VALLEY WOULD BE A GOOD START , IT'S NOT A MATTER OF- "DON'T YOU THINK",... IT'S A MATTER OF WHEN ?????

YES', THE JUDGE MAY EVEN BE RELIEVED AT THE DECISIONS RENDERED SOME DAY SOON BY RESPONSIBLE STATE DEPARTMENT OFFICIALS , AND BE THANKFUL'... AS HE IS TAKING PART IN A VERY CONVOLUTED PACKAGE OF WRONGS', AND YOU KNOW IT,.. AND HE KNOWS IT TOO ...!

SO', I HOPE YOU TAKE MY POSITION OF THIS MATTER SERIOUSLY,