

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 20-197

Judge: Michael P. Pollard

Complainant: Self-Report

ORDER

A pro tem municipal court judge self-reported a vulgar comment made to court staff.

Judge Michael P. Pollard served as a Tucson City Court magistrate for 25 years before retiring in April 2020. He now serves as Senior Special Magistrate, which is a pro tem judicial position. On June 24, 2020, Judge Pollard spoke with court staff after a court session had concluded, and he revealed that he had once studied to become a priest. When he was asked why he left the priesthood, Judge Pollard stated there was “no pan ocha [sic].” In his self-report, Judge Pollard stated that he spoke Spanish, and he believed the term meant “brown sugar.” Judge Pollard acknowledged that even that reference was inappropriate, and he is now aware that the term he used is “slang for the female anatomy.” Judge Pollard expressed remorse for his comment, and he noted that he was admonished by his presiding judge for the comment.

The Commission found that Judge Pollard’s conduct violated the Arizona Supreme Court Sexual Harassment Policy and the following provisions of the Code:

- Rule 1.2, which states, “A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.”
- Rule 2.3(B), which states, “A judge shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice, or engage in harassment, including but not limited to bias, prejudice, or harassment based upon race, sex, gender, religion, national origin, ethnicity, disability, age, sexual orientation, marital status, socioeconomic status, or political affiliation, and shall not permit court staff, court officials, or others subject to the judge’s direction and control to do so.”

- Rule 2.8(B), which states, “A judge shall be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, court staff, court officials, and others with whom the judge deals in an official capacity, and shall require similar conduct of lawyers, court staff, court officials, and other subject to the judge’s direction and control.”

Accordingly, Pro Tem Judge Michael P. Pollard is hereby publicly reprimanded for his conduct as described above and pursuant to Commission Rule 17(a). The Commission further directs that Judge Pollard complete an educational course on sexual harassment, which must be approved in advance by the Commission’s Executive Director. The course shall be completed within six months from the date of this order. The record in this case, consisting of the complaint, the judicial officer’s response, and this order shall be made public as required by Commission Rule 9(a).

Commission member Gus Aragón did not participate in the consideration of this matter.

Dated: September 15, 2020

FOR THE COMMISSION

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

Copies of this order were distributed to all appropriate persons on September 15, 2020.

Comp (Self-Report)
2020-197
JUN 29 2020

Tucson City Court
103 East Alameda
Tucson, Arizona 85701

Commission on Judicial Conduct

1501 West Washington

Phoenix, AZ 85007

June 28th, 2020

Commission Members:

I served as a full time Tucson City Court Magistrate for 25 years and retired on April 10th, 2020. I was requested to return as a Senior Special Magistrate. I have been serving on an interim basis since June 9th, 2020.

On Wednesday, June 24th, in a session of conversation with staff after court had adjourned, I was engaged in talking about my past. I was discussing with staff the fact that I had studied to be a priest for four years. When explaining why I left the priesthood, I used the expression "no panocha". Until that time, although, I do speak Spanish, I believed that the translation was "brown sugar". Even at that, the reference was inappropriate. I now understand that the term is slang for the female anatomy. It was inappropriate in all respects.

The following day when I reported to work, Judge Tony Riojas reported that someone had brought the matter to his attention. He admonished me. I have chosen to self report. The name of complainant has not been released. I sincerely regret the comment and would be willing to apologize to the person whom I offended. I regret the incident and will see to it that it does not happen again.

If you have questions or comments, I can be reached at

or



Michael P. Pollard

Senior Special Magistrate