

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 21-249

Judge:

Complainant:

ORDER

January 12, 2022

The Complainant alleged that a superior court judge scared a defendant into taking a plea.

The role of the Commission on Judicial Conduct is to impartially determine whether a judicial officer has engaged in conduct that violates the Arizona Code of Judicial Conduct or Article 6.1 of the Arizona Constitution. There must be clear and convincing evidence of such a violation in order for the Commission to take disciplinary action against a judicial officer.

The Commission reviewed all relevant available information and concluded there was not clear and convincing evidence of ethical misconduct in this matter. The complaint is therefore dismissed pursuant to Commission Rules 16(a) and 23(a).

Commission members Christopher W. Ames, Barbara Brown, and Delia R. Neal did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on January 12, 2022.

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

In our Judges, especially Judge see to it that anyone caught with or selling are sentenced to an extreme and unreasonable amount of time in Prison. Certainly, these Judges must realize it is well known that are brought into the prisons by some of the which is of course no benefit to solving the problem of those who have . They should be placing these people, charged with , in helping them to get once and for all.

My son had a settlement hearing that occurred in Court at with Judge . I was listening in on my computer trying to hear what was being said. I will admit that sometimes it is a bit difficult hearing everything. But my son confirmed that Judge inform my son, while during this settlement hearing, that if he lost his trials he could receive anywhere between to in prison. Then she stated that she would more likely sentence between to How egregious is this sentencing, so appalling. At one point my son informed Judge that the officers did not have a warrant until later following his arrest. Judge turned to the and said "Is that right"? The said "It doesn't matter", and then she turned to my son and said, "It doesn't matter". But what about the 4th Amendment? What right do they have to say it doesn't matter? Judge did mention that the and here in have leeway. How much leeway are they given?

The sentencing and their lackadaisay attitude toward our State Laws is my major complaint by our Judges. My son is afraid like so many others, that if he doesn't take the plea deal of they will sentence him to should he lose his cases. Anywhere else in Arizona the sentences that are handed out for are far more reasonable than what is going on here. It is reported that County has a conviction rate with everyone headed to prison charged with

For what it is worth, I recently heard that a hit another car that person; yet only received in prison. There just seems to be unbalanced justice in County.

Thank you for your time and I hope you get the tape from court so you can listen to what was said by Judge

Sincerely,

This is not a complaint, just more information concerning my son's situation.

While living in [redacted] my son worked [redacted] with [redacted] then [redacted] with the [redacted]. He was locating and turning in [redacted] houses, and many other cases. At some point he was introduced to this [redacted] source that happened to be [redacted] in command of [redacted]. After staying [redacted] for many [redacted] and watching this [redacted] he went to the [redacted] and they told him to take his [redacted] to the [redacted] as it was far too [redacted] for them to handle. He did this, and with the [redacted] he gave to the [redacted] this [redacted] was taken down roughly [redacted] later. If you look up the ' [redacted] , you will find [redacted] stories telling about it. [redacted] were being brought in [redacted] in a [redacted] through the [redacted]. This had been going on for [redacted]. The [redacted] during this time were on the [redacted] payroll [redacted] allowing the [redacted] to pass through.

For all my son's efforts he received absolutely nothing for the [redacted] and [redacted] he gave the [redacted]. In the end, the [redacted] allowed the [redacted] court to sentence my son to [redacted] in [redacted] prison for [redacted] he never had and the police never found after [redacted] of searching our home. The [redacted] had made some promises to my son, but they never followed through. They even had my son to sign a piece of paper, while in court, saying that he would not come back on the [redacted] for any reason. What my son needed more than anything was help getting [redacted] as everyone knew he had to do [redacted] while [redacted].

My son has not had the opportunity since his release from Prison to seek treatment from a [redacted], but will gladly go as we found out that his [redacted] will cover the [redacted]. He was working for [redacted] became [redacted] and required [redacted]. He was driving [redacted] from where we live to his job in [redacted] Arizona, and just coming home [redacted]. So there was no way he could return to [redacted] after work.

[redacted] visit [redacted] Jail often asking the different inmates if they will help them to set someone up. If they agree to help, [redacted] offers to [redacted] some of their [redacted] or maybe all of them. This is a common practice with the [redacted].

On [redacted] my son was [redacted] because of [redacted] who agreed to help [redacted] to set him up. We [redacted] my son out of Jail after [redacted] in [redacted]. The [redacted] was [redacted] also a setup by [redacted] only this time my son [redacted] take the [redacted].

[redacted] used his [redacted] to help as [redacted] is the one who paid for the [redacted] # [redacted] for [redacted] and [redacted] is the one who was staying there with [redacted]. [redacted] had previously offered to help my son fill out the necessary forms to get his [redacted] worth of unemployment. My son was not allowed to work during this time according to his [redacted].

has up on often, and would take off and go to a for or My son was aware of this. So when called my son to pick up and take to the he did. asked him to go in and get the to the as was badly from using a on and was embarrassed. So my son went in and got the The wrote down the information from card and my son used this to pay for the . Then he drove near # and dropped her off along with her is a heavy user, and often during His also uses and that might be the reason stays and puts up with his

The only time my son went into the was when texted him and him to

' had his previously confiscated by the police.

After arriving at the with the offered to work on the unemployment forms. So my son came home, we lived from the picked up his and paperwork and headed back to the When he returned he saw that the had been and several where lying around in various areas. He knew something was going down, but was also desperate to get the forms for unemployment completed. Shortly after starting to work on the asked my son to contact and have him to come to the . After and his arrived, announced that he and his were leaving to go to another then called for and he and his left leaving her behind. Upon their exit my son grabbed his paperwork and left right behind them, leaving and is in the

My son drove to to wire his some funds and while returning home was pulled over by the police as ordered by My son had no evidence in the car or on him and he kept asking the officer to let him take a but they ignored him. They did not have a warrant and cannot claim probable cause as they had on our car in of and he was rearrested So for them to say he was staying at this is a blatant lie.

The newspaper printed a large story on the front page lower left corner, continuing to page on telling how my son and this were doing and from this that my son had. Of course the story came from They are also charging him with all the many that were planted in the by that my son never touched, including the filled of that left. My son saw up while there.

Now my son has spent in the Jail in in a with no or on the doors because of this false arrest. Sometimes there are people to a room. They collect their laundry claiming to be washed, but is returned with disgusting on the material, definitely not what he turned in, and the food that often smells like food. Or better yet, a tortilla with only spoons full of beans to eat; that sounds really appetizing. They consider that a meal. Also they are only let out and sometimes . During the time he has been there, he has been outside in the same

for of his It is to force these inmates to settle for outrages plea deals with long prison terms so they won't go to trial. A few of these men have been there and waiting to go to trial. The prosecutor keeps pushing off the trial dates, as he knows that if some of these men make it to trial, they could prove that they were set up and like my son, they didn't take the either. The broke and now there is no coming through the Also, when it rains they lose power at the Jail and it usually stays off for . The inmates are sweltering with no circulation of air.

We have officers up here that have and continue getting by with it. person, who was there in jail with my son, said that they pulled him over and had him to get out of his car. While standing there he saw open the back door to his vehicle and begin throwing bags of into the car. This officer then turned to the other officer and told him to turn on his camcorder. Of course they found all these and arrested the young man.

It is beyond reason that those who are given authority here are allowed to continue getting by with what they are doing to people. Apparently some people believe they have the right to do as they please with no consequences happening to them, and to say the least, this is so wrong. Someone needs to stop this insanity. It all has been going on My son has until to decide to take the plea or go to trial and risk the rest of his life in prison.

Please read the story that I enclosed with this letter. In they actually managed to shut down by simply sending those involved with through programs instead of locking them up.

Respectfully.

We spend \$ on – why aren't we safer?

By:

I live in _____ and I am very _____ I am _____ about government spending. I want to get more bang for every _____ dollar. I want to make Arizona families stronger. I want _____ off the streets and in _____. Using this criteria, Arizona's _____ fails us on all _____ counts. Our _____ house more than _____ the number of _____ they held. That is _____ the _____ rate of _____ across the country. That puts Arizona as the _____ highest _____ rate in the US. The _____ tells us that all of these _____ are _____ and _____ – “ _____ ” But I did some research, and that is just not true.

The number of people in Arizona _____ for _____ has more than since _____ Arizona sends more people to _____ for _____ than all combined! That makes no sense. _____ are for people we are afraid of, but we are filling ours with folks we are just mad at. Not only do these policies waste _____ money, they also make our communities more _____. Ask yourself: when we _____ with _____ and _____, which group will come out more like the other?

When we _____ many of their families are left without a _____. Many of them end up on _____. There are better ways to hold these _____ accountable that don't take them away from their families.

It makes no sense pouring _____ of dollars into a system that leaves _____ needs unmet, _____ unchanged, and communities living in fear. Arizona can look to nearby _____ states that have adopted reforms that reserve costly bed space for _____ while putting some of the savings into programs that prepare the _____ to be responsible _____ valued _____ good _____ – and _____!

In _____ “ _____ ” _____ decided they couldn't afford to build more. So, they studied how they could keep the public safe without building new _____. They developed reforms that reserved costly _____ beds for _____. They put some of the money they saved into _____ courts, expanded _____ treatment, and _____ services. The reforms were so successful that _____

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PAGES OF ANY DISMISSED
COMPLAINT ON ITS WEBSITE.**

**FOR ACCESS TO THE
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COMPLAINT IN THIS MATTER,
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IN WRITING TO THE
COMMISSION ON JUDICIAL
CONDUCT AND REFERENCE
THE COMMISSION CASE
NUMBER IN YOUR REQUEST.**