

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-493

Judge:

Complainant:

ORDER

July 14, 2023

The complainant alleged a superior court commissioner made improper legal rulings and demonstrated racial bias during a criminal proceeding.

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 does not have jurisdiction to overturn, amend, or remand a judicial officer's legal rulings. 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).

Copies of this order were distributed to all appropriate persons on July 14, 2023.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2022 - 493

COMPLAINT AGAINST A JUDGE

Name: _____ Judge's Name: _____

Instructions: Use this form or plain paper of the same size to file a complaint. Describe in your own words what you believe the judge did that constitutes judicial misconduct. Be specific and list all of the names, dates, times, and places that will help the commission understand your concerns. Additional pages may be attached along with copies (not originals) of relevant court documents. Please complete one side of the paper only, and keep a copy of the complaint for your records.

** Please See Attached **

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To Whom It May Concern:

On @ I had to attend court from jail from being held on a false arrest by Dept. I had to appear before Judge She judged me and didn't give me a chance from the start. She read me my charges and I explained that I was falsely arrested. She raised her voice and became more aggravated and stated "

I tried my best to explain that I didn't in fact do ANYTHING that the report stated that I did. During this proceeding she even pointed out the fact that she looked at my record and seen that I have never been arrested before. She then went on to say BUT considering the nature of the offense that she was going to hold me on bond. Why would she not just OR me considering that I am born and raised in Arizona, I, at the time, had a Full-Time and Part-time job, a year old teenage child at home that the police decided to leave there alone when they arrested me, as well as no reason to not attend court going forward. She then said very firmly

. How can she not have judged me? This was racial prejudgment at its finest. This, especially for a judge, is against the law! I have NEVER been arrested in years of my life and the 1st and Only time that I am it is due to false accusations from my runaway and problem child who in fact has a long list of a record of ongoing mental health issues as well as vandalism to mine and my husband's things, along with being a runaway multiple times. She never expected me to be able to make bail, the way she worded this when she said it stated that fact! Furthermore, she wanted to make sure that in the event that by some miracle I did receive bail, I would be embarrassed by wearing an ankle monitor. When I tried to further explain myself, she got even louder with me cutting me off and not allowing me to speak. She also stated that I was NOT able to go home and that I would have to find somewhere else to go. I stated that she can confirm that my was no longer at my home due to after I was arrested the same evening my assaulted my husband by punching him in the face and breaking his glasses into pieces. She stated that she was not going to confirm it and that I cant go home. This put my family in such a unrealistic situation. My family had to put down that we are NOT able to get back due to once I was released and went to go see the bail bondsman they stated that what they failed to mention to me and my family was that the bond and fee was nonrefundable. I had to go to a hotel for days and had to purchase not only food, but clothing and hygiene items for this entire time due to I was not even allowed to go to my home and grab clothing etc. Total the estimate of money that I have had to spend on this entire process is upwards of at the minimum amount. The judge should not be racially profiling citizens as we come into the court house for our first hearing leaving me no chance at all. I could've lost not just one but both of my jobs because I was forced to leave without notice from my full-time job, as well as do a no call no show for my part-time job. This is very important for me to bring this to your attention because not only did it destroy my family and I'm still left picking up the pieces and trying to make things right I don't want anyone to every be treated like this judge treated me again!

 Sincerely

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COURT OF ARIZONA FOR
County
Final Release Order and Order Regarding Counsel

State of Arizona I Cnt ASSAULT-INTENT/ M1
 I Cnt AGG ASLT DV-IMP F4
vs.

I Cnt AGG ASLT-DEADLY F3

CaseNumber:

Booking#:

It is hereby ordered that
conditions.

shall be released as indicated and must comply with ALL release

NEXT HEARINGS

Status Conference

at at Court
Courtroom: Docket:

Preliminary Hearing

at AM at Court
Courtroom: Docket:

WARNING: If the defendant appears at the next hearing without a lawyer, the hearing may still proceed as scheduled.

RELEASE TYPE

Bailable As a Matter of Right

The defendant has been found to be bailable as a matter of right. IT IS HEREBY ORDERED that the defendant must comply with all release conditions and shall be released from custody in this Cause Number as follows:

Secured Appearance Bond

The defendant will deposit with the Clerk of the above Court the total sum of which includes all applicable surcharges.

If the bond is posted the defendant is subject to the supervision restrictions and conditions of the Pretrial Services Agency set forth below.

PSA Supervision
Electronic Monitoring

Before Release: Mandatory Install

Defendant shall NOT BE released from Jail until Electronic Monitoring Equipment has been Installed. Curfew
Times to be determined by PSA

With Curfew Restrictions -

You May Not Leave Your Home Except During The Hours Set or Approved by Your Pretrial Officer.

RELEASE CONDITIONS

1. You are not to return to the scene of the alleged crime.
2. You are not to initiate contact with the alleged victim or victims.
3. You are not to have any physical contact with any alleged victim.
4. You are not to initiate contact with the alleged complainant or witness.
5. You are not to initiate contact with the arresting officers.
6. You are not to possess any weapons.
7. You are not to possess any drugs without a valid prescription.
8. You are not to drive a motor vehicle without a valid driver's license.
9. You must continue to provide the court with proof of your local address.

COURT OF ARIZONA FOR

County

Final Release Order and Order Regarding Counsel

Case#:

Booking#:

10. You must find an alternative residence and provide proof of that residence within hours to Pretrial Services Agency.
11. You must obey all of the terms, conditions and requirements of any Order of Protection issued, or to be issued, and served upon you.
12. You must submit to DNA testing at the police department that arrested you within five () days of release from custody. You must bring proof of your DNA Testing to your next hearing. If you do not submit to testing your release will be revoked.
13. You are not permitted to reside with the alleged victim, even if you own or rent the residence. One civil standby with local law enforcement permitted to obtain any necessary personal items.

You must appear at all court proceedings in this case or your release conditions can be revoked, a warrant will be issued and proceedings may go forward in your absence. You must maintain contact with your attorney. If convicted, you will be required to appear for Sentencing. If you fail to appear, you may lose your right to a direct appeal. In addition, failure to appear at a future court proceeding may result in a waiver of any claim that you were not informed of a plea offer made in your case by the State. a. You will appear to answer and submit to all further orders and processes of the court having jurisdiction of the case. b. You will refrain from committing any criminal offenses. c. You will diligently prosecute any appeal. d. You will not leave the state without permission of the court. If you violate any conditions of this release order, the court may order the bond and any security deposited in connection therewith forfeited to the State of Arizona. In addition, the court may issue a warrant for your arrest upon learning of your violation of any conditions of your release. After a hearing, if the court finds that you have not complied with the conditions of release, it may modify the conditions or revoke your release altogether.

If you are released on a felony charge, and the court finds the proof evident or the presumption great that you committed a felony during the period of release, the court must revoke your release. You may also be subject to an additional criminal charge, and upon conviction you could be punished by imprisonment in addition to the punishment which would otherwise be imposable for the crime committed during the period of release. Upon finding that you violated conditions of release, the court may also find you in contempt of court and sentence you to a term of imprisonment, a fine, or both.

ATTORNEY APPOINTMENT

The Court finds you to be indigent and orders an attorney to provide you representation.

Prior to your scheduled court hearing, you must contact the Office of the

County Public Defender at

ACKNOWLEDGEMENT BY DEFENDANT

I have received a copy of this form. I understand the standard conditions, all other conditions, and the consequences of violating this release order. I agree to comply fully with each of the conditions imposed on my release and to notify the court promptly in the event I change my place of residence.

Date

Address:

City, State, Zip:

Signature: Other-REMOTE COURT HEARING

Judge / Commissioner

Defendant

**THE COMMISSION'S POLICY IS
TO POST ONLY THE FIRST FIVE
PAGES OF ANY DISMISSED
COMPLAINT ON ITS WEBSITE.**

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