

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-155

Judge:

Complainant:

ORDER

October 13, 2023

The Complainant alleged a justice of the peace pro tem was biased towards the officer and unprofessional in a traffic trial.

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).

Commission members Barbara Brown and Colleen E. Concannon did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on October 13, 2023.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

23-155

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.

Court Date:

Justice is supposed to be fair, at least that is what I was taught about the court and legal system.

I went to court to contest a ticket given to me by Officer [] Badge# [] . Son of [] of the [] Department.

Tell me why the Officer and the Judge were in the courtroom prior to this court hearing when I was instructed by one of the security men at the front that they would be notified by the Judge when to give me access to the courtroom. And Officer [] is the one that came out and said to me, " [] Is he a clerk as well?"

I am aware that nothing will happen in this case because I am dealing with the [] son. If I don't try I will never know. I don't recall the Judges name but he was so unprofessional. He could not even work his own computer. The entire time he had a smirk on his face and actually treated this case like he was at the movies, all that was needed was popcorn.

I left my residence going North on [] to a Stop Sign intersecting with [] . I was going left on [] which quickly turns into [] and right onto [] , another stop sign turn right onto [] , and a left onto [] where I proceeded West and was not stopped until 4 houses in.

The Officer walked up to my truck with a lazy walk as if he did not want to be there. He asked for my drivers license, registration and proof of insurance, I told him I did not need to give him anything until he told me why he was stopping me. He said I failed to yield to him. As if her were a GOD! I said it was a stop and you did not have your lights, siren, bells and whistles on, so it was not an emergency and I had cleared my path before starting my turn and his car did not appear in my view until I was in motion. He, I believe was startled when he saw me and could not slow down in time.

I cleared my path before proceeding to turn left and at the same time he came around the Cul De Sac. He could not see me because there are always cars parked along side the road. That is why his dash cam only caught me leaving the stop sign as he came around. He yelled something at me, as I passed him by, I could not hear him so I proceeded to drive, while he made a U-Turn on [] to follow right behind me. He was actually tailgating me. Obviously running my plate number. I don't have any tickets, my record is clear. According to his testimony he was on a call when this happened?

When I handed him my drivers license and my registration and he snatched them from my hand and went to his patrol car. He came back with his citation which I said I would not sign. When I got my copy, he had written [] " in the signature block.

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Whoever the judge was that day could not even run his own computer. He had to have his Clerk run the disc player for him.

The camera showed me leaving the stop sign as he rounded the Cul De Sac, it did not show how long I waited at the stop sign. I have lived in this area for almost years. I would think I know how drive in it.

While in court of course the Officer went first and told his story, oh wait his camera told his story. His verbal story would have been weak. Then I had my chance to explain my side. The judge thought it was hilarious that I said I did not have to provide my drivers license and registration until I knew why I was being stopped. I am tired of being harassed by . And now by the justice system?

I stated to the Judge that I hoped his decision was fair and unbiased because of the relation of the Officer to the . He told me that I was just repeating myself, and that I was in the wrong and the camera's and even my explanation was showing I was wrong. I did not expect it to go in my favor. Here in you are discriminated against if you even turn around and wave or are not the right color.

I also mentioned that I had never had a citation and the Judge said to me, laughing of course, I was speaking to the clerk at the time, and I looked up and said,
He said, , I said to him

At that point I was done with the clerk. I stood in front of his Desk, Podium whatever you want to call it, and just said to him,
Then I asked him if we were done and he said yes. I gathered my things and left the courtroom.

Again, I don't expect anything to come of this. I know that I am wasting my time, but I have to try. This whole town has a bad reputation as far as is concerned. They are not respected and never will be. There is not community involvement, I used to work as a clerk in my little town in and those officers used to be involved with the community and the kids. Here, the community doesn't want to be involved with them because of their reputation for harassment. You all should come down sometime and witness some of the antics that go on around here. I have a few of my own stories I can tell.

Also, my written complaint may sound all over the place because I am upset with what happened in this court of law. The entire time the Office had his hand over his mouth so I could not see his expressions. How Unprofessional.

I am currently tele-working. So you can reach me anytime.