

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-176

Judge:

Complainant:

ORDER

September 29, 2023

The complainant alleged a superior court judge pro tem set a bond too low in a criminal case.

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 member Barbara Brown did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on September 29, 2023.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2023-176

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.

On _____ evening, _____ near the area of _____ and _____ Arizona, Suspect _____ assaulted his girlfriend by striking her. This occurred in a domestic violence situation. When a _____ Police Officer responded to the scene, _____ struck the officer, knocking him to the ground.

While the officer was on the ground _____ continued to assault him by stomping on his face. This caused broken bones around the officer's eyes and a broken nose. Immediately after this assault the officer was almost unrecognizable. The officer was hospitalized in serious condition and surgery was required. _____ was arrested by _____ Police Officers and charged with a total of seven crimes, including two felony counts of Aggravated Assault on a Police Officer.

When this case reached Judge _____ court, the judge set bail for _____ at _____ instead of the _____ requested by the County Attorney's Office. This means that all _____ has to do is obtain only _____ and he can be released back into the community where he will continue to be a danger to innocent citizens and the police officers who try to help them.

The egregious failure to hold _____ accountable for his cowardly and violent act indicates this behavior is tolerated if not downright encouraged by Judge _____.

Judge _____ behavior in this incident brings into question whether he is ethically qualified to continue serving on the bench. At the very least he should be disciplined for his callous indifference to the safety of the public he has sworn to serve.