



**BEFORE THE STATE COMMISSION
ON JUDICIAL CONDUCT**

CJC No. 14-0651-JP

**PUBLIC WARNING
AND
ORDER OF ADDITIONAL EDUCATION**

**HONORABLE JACQUELYN WRIGHT
JUSTICE OF THE PEACE, PRECINCT 4
FORT WORTH, TARRANT COUNTY, TEXAS**

During its meeting on August 12 - 14, 2015, the State Commission on Judicial Conduct concluded a review of allegations against the Honorable Jacquelyn Wright, Justice of the Peace, Precinct 4, Fort Worth, Tarrant County, Texas. Judge Wright was advised by letter of the Commission's concerns and provided a written response. After considering the evidence before it, the Commission entered the following Findings and Conclusion:

FINDINGS OF FACT

1. At all times relevant hereto, the Honorable Jacquelyn Wright was Justice of the Peace for Precinct 4, in Fort Worth, Tarrant County, Texas.
2. On December 23, 2013, *Fort Worth Weekly* published an article entitled, "What Peace?" concerning a recent lawsuit filed by Judge Wright against the Tarrant County Republican Party Chair, Jennifer Hall, after Judge Wright's name had been removed from the ballot for re-election to Tarrant County Justice of the Peace for Precinct 4.
3. According to the article, Judge Wright's opponent, Vickie Philips, had challenged Judge Wright's ballot petitions for, among other things, not containing a party affiliation.

4. The article also included information from a previous story in which the judge told a reporter that she feared negative media attention¹ might hurt her chance for re-election and that “she needed another term to qualify for a pension.”

5. Just prior to filing the lawsuit, Judge Wright had sent Hall the following e-mail message:

Subject: solution
From: Jackie Wright <tcjpfour@aol.com>
Date: Fri, December 13, 2013 8:02 am
To: chair@tcgop.org

The nature of my job requires mediation type solutions. Plus it is always better when the parties can agree [sic].

To that end.

There is a win/win solution for the party, Ms. Phillips and myself.

At the end of this term, I will have completed 24 years. I must have 25 in order to get to full retirement [sic]. So I will fight like the dickens to get there. I must get sworn in January 2015 in order to qualify for the 25 years and full retirement. That doesn't mean I must fulfill the next term of office.

Ms. Phillips withdraws her complaint:

We proceed with the election.

She builds her name recognition

I will make sure her brushes with the law are not an issue, ever.²

She has no legal expenses.

The party suffers not.

I will endorse her for appointment in the unfulfilled [sic] term.

I will support her in any future elections.

Jackie Wright

6. Hall did not forward Judge Wright's proposal to Phillips, but instead forwarded the e-mail to the Office of the Secretary of State, along with a complaint explaining the background leading up to the e-mail.³

7. Sometime thereafter, a member of the public obtained a copy of the complaint filed with the Secretary of State's Office and published the information on her Facebook page, along with the following comment:

“I have never seen or heard of such a blatant attempt at bribery and coercion aimed at circumventing the will of the voters who expect their officeholders to actually hold and keep the office they get elected to. If you're trying to get elected just so you can get your 2 year pension and walk away, you don't deserve to win in the first place.”

¹ The previous *Fort Worth Weekly* article had reported on a civil suit filed against Judge Wright by a couple who claimed the judge did not have clear title to a house she had leased to them with an option to buy. According to the article, the couple sought to recover their down payment and other moneys from Judge Wright, who then filed for bankruptcy protection. The couple are quoted in the December 23, 2013 article as being opposed to Judge Wright's name being placed on the ballot.

² According to Judge Wright, in 2011, Phillips had filed a peace bond application against her neighbor in Judge Wright's court. Subsequently, three assault cases were filed against Phillips, all of which were closed long before the March 2014 Republican Primary.

³ No charges were ever brought against Judge Wright by law enforcement in connection with the Secretary of State complaint.

8. On March 4, 2014, Judge Wright posted the following comment on her Facebook page after early voting results appeared favorable to the judge:

Thank you God for keeping me right where you think I should be.....and to my opponent....here's an Italian wish...“bafongoo”⁴ and that's accompanied by a flick of the wrist under the chin. My spelling is phoenic [sic], I'll let you figure out what that means.

9. In her written responses to the Commission's inquiry, Judge Wright provided some background information in order to place the “solution” e-mail in context, but declined to confirm or dispute the accuracy of the e-mail.
10. However, Judge Wright confirmed that, during this time, there were many e-mails exchanged between Judge Wright, Hall, and their respective attorneys in an effort to mediate the dispute and avoid the costs associated with litigation.
11. In her written responses to the Commission's inquiry, Judge Wright asserted that the word “bafongoo” was “meaningless” and that the accompanying gesture described in her post meant “to go jump back in the mud,” which she intended as a “tongue in cheek reference to the massive amount of mudslinging [Phillips] did during the campaign.”

RELEVANT STANDARDS

1. Canon 2A of the Texas Code of Judicial Conduct states, “A judge shall comply with the law and should act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.”
2. Canon 4A(1) of the Texas Code of Judicial Conduct states, in pertinent part, “A judge shall conduct all of the judge's extrajudicial activities so that they do not...cast reasonable doubt on the judge's capacity to act impartially as a judge.”
3. Article V, Section 1-a(6)A of the Texas Constitution provides that any Texas justice or judge may be disciplined for willful or persistent conduct that is clearly inconsistent with the proper performance of his duties or casts public discredit upon the judiciary or administration of justice.

CONCLUSION

The Commission concludes, based on the facts and evidence before it, that Judge Wright failed to comply with the law and engaged in extra-judicial conduct that cast reasonable doubt on her capacity to act impartially as a judge when she sent the December 13, 2013 e-mail to Hall, offering a “win/win solution” that purported to confer the benefits of legal impunity, paid legal expenses, and political endorsement in return for Phillips' withdrawal of her complaint about the defects in Judge Wright's ballot petitions. Although the e-mail offer was never communicated to Phillips, the subsequent publication and discussion of the offer via social media undermined public confidence in the judiciary and cast public discredit upon the administration of justice. The Commission also

⁴ According to *Toward a Rhetoric of Insult*, by Thomas M. Conley, *Va,f' an culo* is an Italian phrase, commonly appearing as “Bafangoo,” meaning “Go f_ck yourself.” Many sources consider the term to be vulgar or offensive, especially when accompanied by the gesture described by the judge in her post.

concludes that Judge Wright’s Facebook post containing an offensive term and gesture directed to her political opponent, Phillips, also cast reasonable doubt on her capacity to act impartially as a judge and constituted willful conduct that cast public discredit upon the judiciary and the administration of justice. The Commission concludes that Judge Wright’s conduct, as described above, constituted willful and/or persistent violations of Canons 2A and 4A(1) of the Texas Code of Judicial Conduct and Article V, Section 1-a(6) of the Texas Constitution.

In condemnation of the conduct described above that violates Canons 2A and 4A(1) of the Texas Code of Judicial Conduct and Article V, Section 1-a(6) of the Texas Constitution, it is the Commission’s decision to issue a **PUBLIC WARNING AND ORDER OF ADDITIONAL EDUCATION** to the Honorable Jacqueline Wright, Justice of the Peace for Precinct 4, in Fort Worth, Tarrant County, Texas.

Pursuant to this Order, Judge Wright must obtain **three (3) hours** of instruction with a mentor judge in addition to her required judicial education in Fiscal Year 2016. In particular, the Commission desires that Judge Wright receive this additional education regarding a judge’s duty to conduct all extra-judicial activities, including but not limited to political activities, in a manner that promotes public confidence in a fair and impartial judiciary and does not undermine or compromise judicial integrity or independence.

Judge Wright shall complete the additional **three (3) hours** of instruction described above within **sixty (60) days** from the date of written notification of the assignment of a mentor. It is Judge Wright’s responsibility to contact the assigned mentor and schedule the additional education.

Upon the completion of the **three (3) hours** of instruction described herein, Judge Wright shall sign and return the Respondent Judge Survey indicating compliance with this Order. Failure to complete, or report the completion of, the required additional education in a timely manner may result in further Commission action.

Pursuant to the authority contained in Article V, §1-a(8) of the Texas Constitution, it is ordered that the actions described above be made the subject of a **PUBLIC WARNING AND ORDER OF ADDITIONAL EDUCATION** by the Commission.

The Commission has taken this action in a continuing effort to protect public confidence in the judicial system and to assist the state’s judiciary in its efforts to embody the principles and values set forth in the Texas Constitution and the Texas Code of Judicial Conduct.

Issued this 22nd day of September, 2015.

ORIGINAL SIGNED BY

Honorable Steven L. Seider, Chair
State Commission on Judicial Conduct