



**BEFORE THE STATE COMMISSION
ON JUDICIAL CONDUCT**

CJC Nos. 19-1291 & 19-1160

**PUBLIC REPRIMAND
AND
ORDER OF ADDITIONAL EDUCATION**

**HONORABLE JAMES BALDWIN
JUSTICE OF THE PEACE, PRECINCT 1
DEANVILLE, BURLESON COUNTY, TEXAS**

During its meeting on April 7-9, 2021, the State Commission on Judicial Conduct concluded a review of the allegations against the Honorable James Baldwin, Justice of the Peace, Precinct 1, Deanville, Burleson County, Texas. Judge Baldwin was advised by letter of the Commission's concerns and provided a written response. Judge Baldwin appeared before the Commission on April 7, 2021 and gave testimony.

BACKGROUND

CJC No. 19-1291

On April 21, 2019, Judge Baldwin was called to the Burleson County jail to magistrate Chester Jackson, Jr. ("Jackson"), an African-American man, who was arrested by law enforcement officers for public intoxication. Another Justice of the Peace had attempted to magistrate Jackson the previous evening but was unable to complete the magistration because of Jackson's incoherence. Judge Baldwin was also unable to complete the magistration process because Jackson continued to speak and act incoherently. Jail staff returned Jackson to his holding cell. Judge Baldwin told jail staff Jackson needed a medical evaluation to show he was not under the influence of drugs or having drug withdrawal due to his behavior.

As he left the magistration area, Judge Baldwin was overheard by a Texas State Trooper, J. Baker, and a Dispatcher for the Burleson County Sheriff's Department talking about Jackson. Both heard Judge Baldwin comment, "he needs to be hung" and "with a fucking noose around his

neck.” Judge Baldwin stated that his comment while walking away from the magistration was instead, “he needed to be hung by his feet, so his brains would get out of his ass and back on top of his shoulders and between his ears. That way he can make a good decision.”

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On April 2, 2019, James Luce (“Luce”) filed suit in Judge Baldwin’s court to evict Jessica Trehern (“Trehern”) and Jessie Jones (“Jones”) from real property he owned. The real property was identified in the petition only by its street address, and Trehern and Jones lived in a trailer on the property. Both defendants were served citation of the suit and notice of the trial setting of April 17, 2019.

On April 17, 2019, following trial of the eviction suit, Judge Baldwin signed a judgment granting Luce possession of the real property and \$200 in delinquent rent. Luce later came to court to obtain a writ of possession and complained to the court clerk that a third party owned the trailer house and was wanting it back. On April 23, 2019, Judge Baldwin issued a Writ of Possession identifying only the street address of the real property. Later that same day, Trehern called the court and spoke directly to Judge Baldwin complaining that Luce was harassing her, and she was having trouble moving her possessions and the trailer.

In his written responses to the Commission, Judge Baldwin confirmed he spoke to Trehern and discussed the trailer situation with her. After his discussion with Trehern, Judge Baldwin had the court clerk write a letter addressed only to the defendants, “so there would be no confusion of ownership of trailer and other possessions in the trailer.” The letter Judge Baldwin signed said the eviction defendants were “awarded the trailer.” In his responses to the Commission, Judge Baldwin also acknowledged having the letter prepared, but said it should have stated the defendants “retained the trailer.” The judge reaffirmed his final statement in the letter that the issue of title to the trailer would have to be settled in small claims court if there were a dispute about its ownership.

After considering the evidence before it, the Commission enters the following Findings and Conclusion:

FINDINGS OF FACT

1. At all times relevant hereto, the Honorable James Baldwin was Justice of the Peace, Precinct 1, Burleson County, Texas.

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2. On April 21, 2019, Judge Baldwin was called to the Burleson County jail to magistrate inmate Jackson.
3. Judge Baldwin was unable to complete the magistration because Jackson was mentally disabled or otherwise impaired, necessitating his return to his cell.
4. As he left the magistration area, Judge Baldwin exclaimed within the hearing of a Texas State Trooper and a Sheriff’s Department Dispatcher that Jackson needed to be hung by “a fucking noose around his neck.”

5. Judge Baldwin testified that he used what he referred to as a ‘figure of speech’: that Jackson “needed to be hung by his feet, so his brains would get out of his ass and back on top of his shoulders and between his ears.”

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6. Judge Baldwin presided over Luce’s above-described eviction suit concerning real estate identified by a street address on which a trailer was located.
7. On April 17, 2019, Judge Baldwin entered a judgment for possession and back-rent in Luce’s favor in the eviction suit.
8. On April 23, 2019, Judge Baldwin issued a Writ of Possession in Luce’s favor and against Trehern and Jones regarding the real property at issue.
9. Later that same day, Judge Baldwin spoke with Trehern regarding the circumstances related to Luce’s attempted execution of the Writ of Possession, including Luce allegedly blocking her from removing the trailer and her personal possessions from the property.
10. After speaking with Trehern, Judge Baldwin issued a letter addressed only to the defendants which stated the eviction defendants were “awarded the trailer in the eviction case” and if title to the trailer was in dispute it would need to be settled in small claims court.
11. Judge Baldwin lacked jurisdiction to determine the right of possession to the trailer.
12. In his testimony before the Commission, Judge Baldwin said that “the class of people” he was dealing with influenced his handling of this eviction suit.

RELEVANT STANDARDS

1. Canon 2A of the Texas Code of Judicial Conduct provides that 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 3B(4) of the Texas Code of Judicial Conduct states in relevant part: “A judge shall be patient, dignified and courteous to litigants, jurors, witnesses, lawyers and others with whom the judge deals in an official capacity...”
3. Canon 3B(5) of the Texas Code of Judicial Conduct provides that a judge shall perform judicial duties without bias or prejudice.
4. Canon 3B(6) of the Texas Code of Judicial Conduct states in relevant part: “A judge shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice based upon race, sex, religion, national origin, disability, age sexual orientation or socioeconomic status...”
5. Tex. R. Civ. P. 510.3 provides in relevant part: “The court must adjudicate the right to actual possession and not title.”

CONCLUSION

Based upon the record before it and the factual findings recited above, the State Commission on Judicial Conduct has determined that the Honorable James Baldwin, Justice of the Peace, Precinct 1, Deanville, Burleson County, Texas, should be publicly reprimanded and ordered to obtain additional education for violating Canons 2A, 3B(4), 3B(5), and 3B(6) of the Texas Code of Judicial Conduct.

Pursuant to this Order, Judge Baldwin must obtain **eleven (11) hours** of instruction with a mentor, in addition to his required judicial education for Fiscal Year 2021. In particular, the Commission desires that Judge Baldwin receive **seven (7) hours** of this additional education concerning eviction law and procedure and **four (4) hours** concerning diversity and social justice issues. Pursuant to the authority contained in §33.036 of the Texas Government Code, the Commission authorizes the disclosure of certain information relating to this matter to the Texas Justice Court Training Center to the extent necessary to enable that entity to assign the appropriate mentor for Judge Baldwin.

Judge Baldwin shall complete the additional **eleven (11) hours** of instruction recited above within **60 days** from the date of written notification from the Commission of the assignment of a mentor. Upon receiving such notice, it is Judge Baldwin's responsibility to contact the assigned mentor and schedule the additional education.

The Commission has taken this action pursuant to the authority conferred it in Article V, §1-a (8) of the Texas Constitution in a continuing effort to promote confidence in and high standards for the judiciary.

Issued this the 9th day of April, 2021.



David Hall

Chairman, State Commission on Judicial Conduct