



**BEFORE THE STATE COMMISSION
ON JUDICIAL CONDUCT**

CJC No. 22-0998

PUBLIC ADMONITION

**HONORABLE MARIO GONZALEZ
MUNICIPAL COURT JUDGE
HORIZON CITY, EL PASO COUNTY, TEXAS¹**

During its meeting on August 6-7, 2025, the State Commission on Judicial Conduct concluded a review of the allegations in the above-referenced complaint against the Honorable Mario Gonzalez, Municipal Court Judge in Horizon City, El Paso County, Texas. Judge Gonzalez was advised by letter of the Commission's concerns and provided a written response. On August 7, 2025, Judge Gonzalez appeared before the Commission and gave testimony.

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 Mario Gonzalez was the Municipal Court Judge in Horizon City, El Paso County, Texas.
2. Judge Gonzalez sets bail in municipal court cases involving Class C offenses.
3. Judge Gonzalez also practices law and represents clients in the surety bond industry, including bail bondsman Pascual Olibas ("Olibas").
4. Over the years, Judge Gonzalez's representation of Olibas has involved speaking publicly against certain bail reform measures, such as the issuance of personal recognizance bonds, which included on local television shows, in comments to newspapers, and in presentations to the El Paso County Commissioner's Court.
5. In one instance, Judge Gonzalez gave an interview to ABC-7 (El Paso) in 2020 about bail reform (the "Television Appearance") in which he was identified by his judicial title and described as

¹ Judge Gonzalez also currently serves as the municipal court judge for the cities of San Elizario and Clint.

the municipal court judge for Horizon City. Judge Gonzalez spoke publicly against personal recognizance bonds, expressing his opinion that El Paso was less safe due to repeat offenders released on personal recognizance bonds committing additional crimes.

6. On February 16, 2022, Judge Gonzalez and Olibas attended a meeting convened by the El Paso Senate Bill Committee in the County Judge's office to discuss the County's compliance with the bail reform measures required by Senate Bill 6 ("SB 6"), also known as the Damon Allen Act², which was enacted the previous year (the "Meeting").
7. The agenda for the Meeting (the "Agenda") included as the first item, "Senate Bill 6 Application and Compliance, a) Jail Magistrate Direction, supervision, and guidelines of SB6".
8. Materials distributed to the Meeting attendees included a list of individuals recommended to be on "a committee to suggest and create a new system to comply with" SB 6 (the "Recommendations List"), on which Judge Gonzalez was included and identified as "Judge Mario Gonzalez representing Municipal Judges Horizon and San Elizario."
9. During the Meeting, Judge Gonzalez criticized the number of personal recognizance bonds issued by the judges of the El Paso County Jail Magistrate Court and the County's efforts to comply with the requirements of SB 6.
10. At the meeting, Olibas, with the seeming support of Judge Gonzalez, argued that judges in the Magistrate Court should refrain from acting on any bond matter for 48 hours to afford the bonding companies an opportunity to communicate with defendants and bond them out.
11. In a complaint to the Commission, Judge Penny Hamilton ("Judge Hamilton"), former presiding judge of the El Paso Jail Magistrate Court, who also attended the Meeting, averred that Judge Gonzalez "used the weight of his current position as a Municipal Court Judge to not only support the arguments of the bondsmen and to further the interests of his retained clients, he was also lending the weight of his current position as a Judge to influence the other lay persons who were in attendance at the [Meeting] who may give greater credibility to his retained client's request as it is coming from a 'judge'."
12. Further, Judge Hamilton stated Judge Gonzalez "used his position to bolster the credibility of the bail bond industry's financial agenda" by attempting to legitimize a position that potentially violated "statutory and constitutional requirements of bail for incarcerated individuals."
13. Patricia Lopez, who also attended the Meeting, attested to the fact that Judge Gonzalez "made statements that were openly critical of bail reform measures that have been taken by El Paso County, including the issuance of a high number of personal recognizance bonds that have affected the business of his clients," and supported the assertion that the El Paso County Magistrates should be directed to "give 48 hours-notice to bail bondsmen before making a bond decision on any defendant who is incarcerated in the El Paso County Jail".
14. In his written responses to the Commission's inquiries about this matter, Judge Gonzalez expressed regret that his "advocacy was mixed up with [his] position as a municipal judge", and indicated that in the future, he will "take the necessary steps to ensure that any time [he is] acting

² 87th Leg., 2d C.S., ch. 11, 2021 Tex. Sess. Law 3937. SB 6/The Damon Allen Act significantly changed the process for setting bail by giving magistrates better information about a defendant, including their criminal history and any required bond conditions; prohibiting release of a defendant on a personal bond in certain situation; and increasing educational requirements for magistrates.

as an attorney for sureties, there is no mistaking the capacity in which [he is] acting, so as not to create even the slightest perception of lack of [im]partiality.”

15. During his appearance before the Commission, Judge Gonzalez reiterated that he was invited and attended the Meeting in his capacity as an attorney, not as a judge.

RELEVANT STANDARDS AND AUTHORITIES

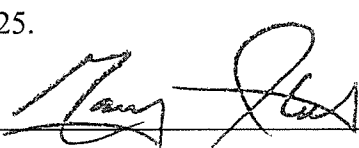
1. Canon 2B of the Texas Code of Judicial Conduct provides, in relevant part, “A judge shall not lend the prestige of judicial office to advance the private interests of the judge or others.”
2. Canon 4A(1) of the Texas Code of Judicial Conduct provide, “A judge shall conduct all of the judge’s extra-judicial activities so that they do not: (1) cast reasonable doubt on the judge’s capacity to act impartially as a judge
3. Canon 4A(2) of the Texas Code of Judicial Conduct provide, “A judge shall conduct all of the judge’s extra-judicial activities so that they do not interfere with the proper performance of judicial duties.”
4. Canon 4D(1) of the Texas Code of Judicial Conduct provides, in relevant part, “A judge shall refrain from financial and business dealings that tend to reflect adversely on the judge’s impartiality, interfere with the proper performance of the judicial duties, exploit his or her judicial position, or involve the judge in frequent transactions with lawyers or persons likely to come before the court on which the judge serves.”

CONCLUSION

Based upon the record before it and the factual findings recited above, the Texas State Commission on Judicial Conduct has determined that the Honorable Mario Gonzalez, Municipal Court Judge in Horizon City, El Paso County, Texas, should be publicly admonished for his conduct during the Television Appearance and the Meeting, namely: (1) lending the prestige of his judicial office to advance the private interests of himself and/or his client(s) in the bail bond industry; (2) engaging in extra-judicial activities that cast reasonable doubt on his capacity to act impartially as a judge and/or interfered with the proper performance of judicial duties; and (3) engaging in financial and business dealings that tend to reflect adversely on his impartiality, interfere with the proper performance of his judicial duties, exploit his judicial position, and/or involve him in frequent transactions with lawyers or persons likely to come before the court on which he serves, in violation of Canons 2B, 4A(1), 4A(2) and 4D(1) of the Texas Code of Judicial Conduct.

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

Issued this the 14 day of August, 2025.



Gary Steel

Chair, State Commission on Judicial Conduct