



**BEFORE THE STATE COMMISSION  
ON JUDICIAL CONDUCT**

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**CJC Nos. 17-0715-JP, 17-0721-JP, 17-0733-JP, 17-0744-JP, 17-0759-JP, AND 17-1341-JP**

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**PUBLIC REPRIMAND  
AND  
ORDER OF ADDITIONAL EDUCATION**

**HONORABLE CLAUDIA BROWN  
JUSTICE OF THE PEACE, PRECINCT 4, PLACE 1  
KILLEEN, BELL COUNTY, TEXAS**

During its meeting on October 2-4, 2017, the State Commission on Judicial Conduct concluded a review of the allegations against the Honorable Claudia Brown, Justice of the Peace, Precinct 4, Place 1, in Killeen, Bell County, Texas. Judge Brown 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 Claudia Brown was Justice of the Peace, Precinct 4, Place 1, in Killeen, Bell County, Texas.

***Four billion dollar bond***

2. On January 31, 2017, Judge Brown set a four billion dollar bond for murder suspect Antonio Marquis Willis.
3. Judge Brown gave several interviews to the *Temple Daily Telegram* about setting the high bond amount. In an article published February 9, 2017, Judge Brown told reporter Deborah McKeon, "My main reason was to show how ridiculous it is for us to be setting bail too high for people to get out of jail. As a result, there are many sitting in jail and they can't afford to get out and they haven't even been to trial."

4. In the article, Judge Brown also stated. "I set [the bond] as high as I could to illustrate the fact that it's ridiculous how we are railroading people without them even having their constitutional rights to a fair trial to determine if they are guilty or innocent. Everything in the system is broken."
5. In an article published on February 10, 2017, Judge Brown described the bond amount when she told McKeon. "Of course it was unconstitutional. I don't care what happens to me as long as everyone who comes through this system gets a fair shot at getting out of jail until...they are proven guilty or innocent."
6. On February 10, 2017, rollingout.com published posts from Judge Brown's Facebook page including. "Enough is enough...so you use a number sooooo big that a broken system can not even compute it. I will be a fool alllll day long. if it shakes up a broken system to the point where it begins to become more humane. Prevention and rehabilitation are not just buzz words." (slang in orig.)
7. On March 8, 2017, Judge Brown posted on her Facebook page: "I have not lost it. I have had excellent training. Except for the \$4,000,000,000 to get the attention of those who were opposing my attempt at doing what I have been taught. I have also been working within the philosophy of the leaders of our great Bell County, State of Texas, and these United States of America." She also stated: "Now comes an attempt to remove me from my position, and this just might happen. But is it fair? I achieved a goal by making an intended grave and bold error..."
8. At a removal hearing<sup>1</sup> on March 9, 2017, Judge Brown testified: "If you are, let's say, a rookie, a new person coming into a system and people are trying to mold you into something that you know you should not be doing, then sometimes you had to do something drastic." She also admitted that setting the bond "was a onetime [sic] only, egregious error that was intentionally done" and she "would never do it under normal circumstances."
9. In her responses to the Letter of Inquiry, Judge Brown stated she changed the \$100,000 she originally set for Mr. Willis "by making the 1 a 4, and I asked those who were harassing me to stop me when I had added enough zeroes to satisfy them." She said "detectives and jailers" were harassing her about her initial bond.
10. On the day of the magistration, Judge Brown said she "looked intensely" at Mr. Willis to get his full attention and told him. "Sir, you are not going to understand the number I have set for your bail, but one day you will."

*Magistration of Kevin Anton Davis (her son)*

11. On June 22, 2017, Judge Brown magisterated her son, Kevin Anton Davis, after he was arrested for Driving While Intoxicated. The *Temple Daily Telegram* published an article that same day about the magistration and the setting of a \$2,000 bond.
12. Killeen Police Sergeant Tyler McEowen contacted Judge Brown to inform her of her son's arrest. Judge Brown told Sergeant McEowen she would conduct the magistration herself because she did not want to bother another judge.

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<sup>1</sup>Attorney Brett Pritchard filed a removal proceeding in district court pursuant to Chapter 87 of the Local Government Code against Judge Brown on February 15, 2017.

13. Judge Brown also told Killeen Police Sergeant Ryan McAtee it would not be necessary to call another judge. She asked him whether there was a law against her arraigning her son, and he replied he thought it would be a good idea to call a different judge to "alleviate the appearance of inappropriate behavior." McAtee stated Judge Brown thanked him for his concern and told him she would treat Mr. Davis like any other person.
14. In her response to the Letter of Inquiry, Judge Brown stated, "It was very hard for me to see my son in this condition, much less to commit what I know to be an ethical no...something I would never have done under normal circumstances."

### **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 2B of the Texas Code of Judicial Conduct states, in relevant part: "A judge shall not allow any relationship to influence judicial conduct or judgment. A judge shall not lend the prestige of judicial office to advance the private interests of the judge or others."
3. Canon 3A of the Texas Code of Judicial Conduct states, in relevant part: "The judicial duties of a judge take precedence over all the judge's other activities."
4. Canon 3B(1) of the Texas Code of Judicial Conduct states: "A judge shall hear and decide matters assigned to the judge except those in which disqualification is required or recusal is appropriate."
5. Canon 3B(2) of the Texas Code of Judicial Conduct states: "A judge should be faithful to the law and shall maintain professional competence in it. A judge shall not be swayed by partisan interests, public clamor, or fear of criticism."
6. 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."
7. The Texas Code of Criminal Procedure Art. 17.15 states:

The amount of bail...is to be regulated by the court, judge or magistrate; they are to be governed in the exercise of this discretion by the Constitution and by the following rules:

1. The bail shall be sufficiently high to give reasonable assurance that the undertaking will be complied with.
2. The power to require bail is not to be so used as to make it an instrument of oppression.
3. The nature of the offense and the circumstances under which it was committed are to be considered.

4. The ability to make bail is to be regarded, and proof may be taken upon this point.
5. The future safety of a victim of the alleged offense and the community shall be considered.
8. Texas Code of Criminal Procedure Art. 1.09 and the Eighth Amendment of the United States Constitution state, in relevant part: "Excessive bail shall not be required."
9. Texas Rule of Civil Procedure 18b(1)(c) requires disqualification of judges in any proceeding in which "either of the parties may be related to them by affinity or consanguinity within the third degree."
10. Texas Code of Criminal Procedure Art. 30.01 states, in relevant part: "No judge or justice of the peace shall sit in any case...where the accused or the party injured may be connected with him by consanguinity or affinity within the third degree."
11. Article V, §1-a(6)A of the Texas Constitution provides that a judge may be disciplined for "willful or persistent violation of rules promulgated by the Supreme Court of Texas, incompetence in performing the duties of the office, willful violation of the Code of Judicial Conduct, or 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

After considering the facts and evidence before it, the Commission concludes Judge Brown failed to comply with the law and maintain competence in the law, failed to be patient, dignified, and courteous with, and through words and conduct indicated she was swayed by partisan interests, public clamor or fear of criticism when she set a four billion dollar bond for Antonio Marquis Willis.

In addition, the Commission concludes that by magistrating her son, Kevin Anton Davis, Judge Brown lent the prestige of her judicial office to advance his private interests, allowed her relationship with her son to influence her conduct and failed to disqualify herself.

The Commission further concludes that Judge Brown's statements and conduct constituted willful violations of Canons 2A, 2B, 3A, 3B(1), 3B(2), and 3B(4) of the Texas Code of Judicial Conduct, and Article V, Section 1-a(6) of the Texas Constitution.

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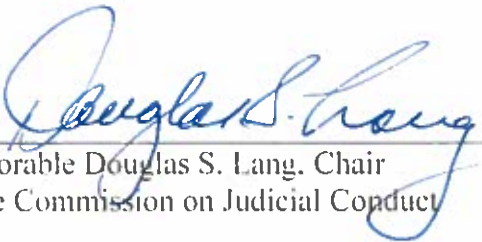
In condemnation of the conduct described above that violated Canons 2A, 2B, 3A, 3B(1), 3B(2) and 3B(4) of the Texas Code of Judicial Conduct, as well as Article V, Section 1-a(6) of the Texas Constitution, it is the Commission's decision to issue a **PUBLIC REPRIMAND AND ORDER OF ADDITIONAL EDUCATION** to Claudia Brown, Justice of the Peace, Precinct 4, Place 1, in Killeen, Bell County, Texas.

Pursuant to this Order, Judge Brown must participate in **two hours** of instruction in the area of magistration with a mentor to be chosen by the Commission.

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 REPRIMAND 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 the 19<sup>th</sup> day of December, 2017.

  
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Honorable Douglas S. Lang, Chair  
State Commission on Judicial Conduct