



**BEFORE THE STATE COMMISSION
ON JUDICIAL CONDUCT**

CJC Nos. 19-1694 & 19-1747

**PUBLIC WARNING
AND
ORDER OF ADDITIONAL EDUCATION**

**HONORABLE KELLY CROW
JUSTICE OF THE PEACE, PRECINCT 3
FULSHEAR, FORT BEND COUNTY, TEXAS**

During its meeting on October 5-7, 2020, the State Commission on Judicial Conduct concluded a review of the allegations against the Honorable Kelly Crow, Justice of the Peace, Precinct 3, Fulshear, Fort Bend County, Texas. Judge Crow was advised by letter of the Commission’s concerns and provided a written response. Judge Crow appeared before the Commission on October 7, 2020 and gave testimony.

BACKGROUND

On July 2, 2019, a post appeared on the Facebook page of “Inside Fort Bend County Courts” critical of the decision by 177th Criminal District Court Judge Robert Johnson to release on bond a criminal defendant charged with capital murder. The post described the defendant as a “violent, repeat offender” and indicated that while out on bond, the defendant was arrested for “pistol whipping an innocent woman, car-jacking her, and leading [police] officers on a high speed chase endangering police officers and the community.”

In response to the post, Judge Crow posted the comment, “This makes me so sad. I wonder how Judge Johnson would feel if the woman that was pistol whipped was his daughter, wife, or sister? He sounds like an activist judge trying to prove a point. That doesn’t help the woman who was hurt.”

During her appearance before the Commission, Judge Crow indicated she intended her post as a public comment on the need for judges to consider the totality of circumstances before issuing a bond, including the defendant’s criminal history and the risk the defendant poses to society. Judge Crow acknowledged she did not have any personal knowledge regarding what Judge Johnson did or did not consider when making his ruling. In her written responses to the Commission, Judge Crow acknowledged

that upon reflecting on her comment, “it would have been a more prudent choice to enhance and maintain confidences in our legal system by expressing my sentiment using different words.”

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 Kelly Crow was the Justice of the Peace, Precinct 3 in Fulshear, Fort Bend County, Texas.
2. On July 2, 2019, a post appeared on the Facebook page of “Inside Fort Bend County Courts” that was critical of the decision by 177th Criminal Court Judge Robert Johnson to release on bond a criminal defendant charged with capital murder who committed violent crimes while out on bond.
3. In response to the post, Judge Crow posted the comment, “This makes me so sad. I wonder how Judge Johnson would feel if the woman that was pistol whipped was his daughter, wife, or sister? He sounds like an activist judge trying to prove a point. That doesn’t help the woman who was hurt.”
4. Judge Crow had no personal knowledge regarding the facts and circumstances Judge Johnson did or did not consider when making his ruling.

RELEVANT STANDARDS

Canon 4A(1) of the Texas Code of Judicial Conduct states that a judge shall conduct all the judge’s extra-judicial activities so that they do not cast reasonable doubt on the judge’s capacity to act impartially as a judge.

CONCLUSION

Based on the record before it and the factual findings recited above, the Texas State Commission on Judicial Conduct has determined that the Honorable Kelly Crow, Justice of the Peace, Precinct 3, Fulshear, Fort Bend County, Texas, should be publicly warned and ordered to obtain additional education for engaging in conduct that cast reasonable doubt on her capacity to act impartially as a judge, in violation of 4A(1) of the Texas Code of Judicial Conduct, when she publicly disparaged the discretionary decision of a judicial colleague on a bond determination, did so without personal knowledge of the facts and circumstances that judge did or did not consider when making his ruling, and made reference to the judge’s family in doing so.

Pursuant to this Order, Judge Crow must obtain **two (2) hours** of instruction with a mentor, in addition to her required judicial education for Fiscal Year 2020. In particular, the Commission desires that Judge Crow receive this additional education in the area of perception of bias. 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 Courts Training Center to the extent necessary to enable that entity to assign the appropriate mentor for Judge Crow.

Judge Crow shall complete the additional **two (2) 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 Crow’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 28 day of October, 2020.



David Hall
Chairman, State Commission on Judicial Conduct