



**BEFORE THE STATE COMMISSION  
ON JUDICIAL CONDUCT**

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**CJC No. 20-1032**

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**PUBLIC ADMONITION**

**HONORABLE CLYDE BLACK  
JUSTICE OF THE PEACE, PRECINCT 1  
CROCKETT, HOUSTON COUNTY, TEXAS**

During its meeting on February 4 & 9-10, 2022, the State Commission on Judicial Conduct concluded a review of the allegations against the Honorable Clyde Black, Justice of the Peace, Precinct 1, Crockett, Houston County, Texas. Judge Black was advised by letter of the Commission's concerns and provided a written response.

**BACKGROUND**

In March 2020, Judge Black posted a note on the Houston County Facebook page concerning Covid-19 "Stay at Home" Orders in which he announced that anyone brought before him for magistration for violating such an order and thus, potentially subject to a fine or jail time, would be released by him.

In his written responses to the Commission, Judge Black defended his statements on social media indicating they were intended to respond to national news and community concerns about fines and jail terms, and stated that there were no such "stay at home" orders in effect at the time.

Several Texas counties had Covid-19 emergency orders in place shortly before and after Judge Black's Facebook posting, and Governor Abbott had issued Executive Order GA 14, on March 31, 2020, which declared that failure to comply with that Order was "punishable by a fine not to exceed \$1,000, confinement in jail for a term not to exceed 180 days, or both fine and confinement."

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

**FINDINGS OF FACT**

1. At all relevant times, the Honorable Clyde Black was Justice of the Peace, Precinct 1, Crockett, Houston County, Texas.

2. In March 2020, Judge Black posted on the Houston County Facebook page concerning Covid-19 "Stay at Home" Orders. Judge Black announced that anyone brought before him for magistration for violating such an order and thus, potentially subject to a fine or jail time, would be released by him.
3. Several Texas counties had Covid-19 emergency orders in place shortly before and after Judge Black's Facebook posting.
4. Governor Abbott issued Executive Order GA 14 concerning Covid-19 on March 31, 2020, which declared that failure to comply with that Order was "punishable by a fine not to exceed \$1,000, confinement in jail for a term not to exceed 180 days, or both fine and confinement."

### **RELEVANT STANDARDS**

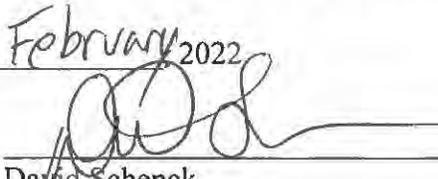
1. Canon 3B(10) of the Texas Code of Judicial Conduct provides, in part, "A judge shall abstain from public comment about a pending or impending proceeding which may come before the judge's court in a manner which suggests to a reasonable person the judge's probable decision on any particular case."
2. Canon 4A(1) of the Texas Code of Judicial Conduct states, "A judge shall conduct all of 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."
3. Canon 5(1)(i) of the Texas Code of Judicial Conduct provides, in part "A judge... shall not make pledges or promises of conduct in office regarding pending or impending cases, specific classes of cases, specific classes of litigants, or specific propositions of law that would suggest to a reasonable person that the judge is predisposed to a probable decision in cases within the scope of the pledge."

### **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 Clyde Black, Justice of the Peace, Precinct 1, Crockett, Houston County, Texas, should be publicly admonished for publicly commenting on a social media platform that he would release anyone brought before him charged with violating stay at home orders or other restrictions issued during the Covid-19 public health emergency. Judge Black's conduct in these respects violated Canons 3B(10), 4A(1), and 5(1)(i) of the Texas Code of Judicial Conduct.

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 February 2022

  
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David Schenck  
Chairman, State Commission on Judicial Conduct