

FILED

APR 19 1990

BEFORE THE COMMISSION ON JUDICIAL CONDUCT
OF THE STATE OF WASHINGTON

COMMISSION ON
JUDICIAL CONDUCT

In Re the Matter of:)	
)	
HONORABLE JERRY A. VOTENDAHL)	
Judge of the District Court)	No. 89-879-F-17
Walla Walla District Court)	
P. O. Box 641)	STATEMENT OF CHARGES
Walla Walla, WA 99362)	
_____)	

Pursuant to authority granted in Revised Code of Washington, chapter 2.64 (Commission on Judicial Conduct) and the Washington Administrative Code, Chapter 292, and at the order of the Commission on Judicial Conduct, this Statement of Charges is filed alleging the violation by Honorable Jerry A. Votendahl of rules of judicial conduct. The background and facts of the charges are set forth in the following paragraphs:

Background

(1) Honorable Jerry A. Votendahl is now and, at all times hereinafter mentioned was a Judge of the Walla Walla District Court.

(2) On February 16, 1990, Respondent was sent a letter from the Commission on Judicial Conduct informing Respondent a Verified Statement was filed in accordance with WAC 292-12-010(4) and the Commission was pursuing initial proceedings.

(3) Enclosed with the above-referenced communication was a Statement of Allegations as follows:

It is alleged that Honorable Jerry A. Votendahl, Judge of the Walla Walla District Court, by conduct indicated below, may be in

violation of Canon 2(A) of the Code of Judicial Conduct.

1. In Cause No. 93966 (also under No. 78289), City of Walla Walla, Plaintiff, vs. Jerry A. Votendahl, Defendant, on October 25, 1989, you were cited for driving while under the influence of intoxicants. This matter received wide public attention.

Facts Supporting Charges

(1) On October 25, 1989, Respondent, having consumed intoxicating liquor, was driving his vehicle on the public streets of Walla Walla, Washington and his vehicle went off the streets and struck a pole. The Respondent was charged with driving under the influence of intoxicants in City of Walla Walla Municipal Court, Cause No. 93966, captioned City of Walla Walla, Plaintiff v. Jerry A. Votendahl, Defendant. The Respondent plead guilty and was found guilty and sentenced. All of the foregoing events received wide public attention.

Basis for Commission Action

The Commission has determined that probable cause exists for believing that Respondent has violated Canon 2(A) of the Code of Judicial Conduct (CJC) which states:

"CANON 2

Judges Should Avoid Impropriety and the Appearance of Impropriety in All Their Activities

(A) Judges should respect and comply with the law and should conduct themselves at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary."

Notification of Right to File Written Answer

In accordance with WAC 292-12-030(5), the Respondent is herewith informed that a written answer may be filed with the Commission to the charges contained in the Statement of Charges within fourteen (14) days after the date of service. If Respondent does not file a written answer, a general denial will be entered on behalf of Respondent. The Statement of Charges and Answer shall be the only pleadings required.

DATED this 19th day of April, 1990.

COMMISSION ON JUDICIAL CONDUCT
OF THE STATE OF WASHINGTON

by: *Esther Garner*
ESTHER GARNER
Executive Director
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