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COMMISSION ON JUDICIAL CONDUCT

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**BEFORE THE COMMISSION ON JUDICIAL CONDUCT
OF THE STATE OF WASHINGTON**

In Re the Matter of
Honorable Ramon Reid
Toppenish and Wapato Municipal Courts

No. 2705-F-91

**STIPULATION, AGREEMENT
AND
ORDER OF ADMONISHMENT**

The Commission on Judicial Conduct and the Honorable Ramon Reid, Judge of the Toppenish and Wapato Municipal Courts, stipulate and agree as follows:

This stipulation is submitted pursuant to CJCRP 23 and shall not become effective until approved by the Washington Commission on Judicial Conduct.

STIPULATED FACTS

1. The Honorable Ramon Reid ("Respondent") is now, and was at all times referred to herein, Judge of the Toppenish and Wapato Municipal Courts.
2. Respondent admits engaging in a pattern or practice of accepting guilty pleas without obtaining proper written plea statements from the defendant as required by law in numerous cases, including *Toppenish v. Jose Sandoval*, C00004276 (February 4, 1998); *Toppenish v. Earl Yocash*, C00004302 (April 1, 1998); *Toppenish v. Arthur Torres*, C00004307 (April 8, 1998); *Toppenish v. Rickie Smith*, C00004315 (August 3, 1998); *Wapato v. Sean Smarthovit*, C98-05000 (May 15, 1998); *Wapato v. Marilee Allen*, C00-06582 (November 3, 2000); *Wapato v. Bernard Spillar*, C00-07131 (November 3, 2000); *Wapato v. Albert Martinez*, C00-06580 (December 15, 2000).

In Toppenish Municipal Court a form captioned "Defendant's Rights, Plea, Request for Jury/Non Jury Trial, and for an Attorney" is used both for guilty and not guilty pleas. In Wapato

1 Municipal Court, a "Plea Request" form with the same caption is used for both guilty and not
 2 guilty pleas. Neither form contains spaces for listing the elements of the crime or the factual basis
 3 for the plea. In some cases, Respondent has taken the guilty plea without even listing the name of
 4 the crime on the form. Sometimes, no written form at all is used, only a notation of "plea of g" on
 5 the docket.

6 3. Respondent admits engaging in a pattern or practice of violating defendants'
 7 constitutional rights to travel and acting in excess of his jurisdiction by banishing defendants from
 8 the municipality in several cases including but not limited to:

9 (a) *Toppenish v. Galen George* (numbers C00004230 and C00005405). On
 10 November 18, 1998, Respondent suspended the defendant's sentence on the condition that
 11 he leave town by sunset.

12 (b) *Toppenish v. James Quiroz*, (numbers C00005143, C00005144,
 13 C00005185, and C00005186). On February 8, 1999, Respondent entered orders releasing
 14 the defendant on the condition that he be "out of town by sunset."

15 (c) *Toppenish v. Patrick Kindness* (number C00008284). On January 10,
 16 2001, Respondent ordered the defendant to stay out of Toppenish for two years.

17 4. Under the Code of Judicial Conduct, a judge must respect, comply with and be
 18 faithful to the law. Failing to observe the law is a violation of Canons 1, 2(A) and 3(A)(1) of the
 19 Code of Judicial Conduct.¹

21 ¹ CANON 1 - JUDGES SHALL UPHOLD THE INTEGRITY AND INDEPENDENCE OF THE JUDICIARY
 22 An independent and honorable judiciary is indispensable to justice in our society. Judges should participate in establishing,
 23 maintaining, and enforcing high standards of judicial conduct and shall personally observe those standards so that the integrity and
 independence of the judiciary will be preserved. The provisions of this Code are to be construed and applied to further that objective.

24 CANON 2 - JUDGES SHOULD AVOID IMPROPRIETY AND THE APPEARANCE OF IMPROPRIETY IN ALL THEIR
 25 ACTIVITIES
 (A) Judges should respect and comply with the law and act at all times in a manner that promotes public confidence in the integrity
 and impartiality of the judiciary.

26 CANON 3 - JUDGES SHALL PERFORM THE DUTIES OF THEIR OFFICE IMPARTIALLY AND DILIGENTLY.
 27 The judicial duties of judges should take precedence over all other activities. Their judicial duties include all the duties of office
 prescribed by law. In the performance of these duties, the following standards apply:

28 (A) Adjudicative Responsibilities.
 (1) Judges should be faithful to the law and maintain professional competence in it. . . .

1 5. Upon being contacted by the Commission, Respondent promptly replied to its
2 inquiries. Respondent explained his conduct and stated his intention to recuse from all cases
3 identified. Respondent was cooperative with the Commission, and explained he had not intended
4 to violate any Code provision. Respondent has no history of prior disciplinary action.

5 6. Respondent agreed to stop issuing orders that banish defendants from the
6 municipality and to follow the court rules in the taking of guilty pleas in the future.

7 **AGREEMENT**

8 1. Based upon the stipulated facts, Respondent agrees that while a Judge of the
9 Toppenish and Wapato Municipal Courts, he violated Canons 1, 2(A) and 3(A)(1) of the Code of
10 Judicial Conduct.

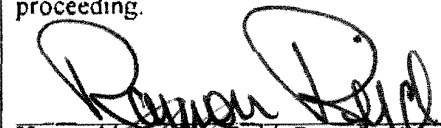
11 2. Respondent agrees to accept a written admonishment of an advisory nature as
12 described in RCW 2.64.010(1) and CJCRP *Terminology* and Rule 6.


13 3. Respondent agrees that he will exercise caution to avoid repeating the violations.

14 4. In accepting this stipulation, the Commission takes into account Respondent's
15 cooperation with the Commission's investigation and his acknowledgment of the violations.

16 5. Respondent states that he has either consulted or had an opportunity to consult
17 with counsel of his choosing regarding this stipulation and proceeding. Respondent voluntarily
18 enters into this stipulation.

19 6. Respondent agrees that by entering into this Stipulation and Agreement he hereby
20 waives his procedural rights and appeal rights pursuant to the Commission on Judicial Conduct
21 Rules of Procedure and Article IV, Section 31 of the Washington State Constitution in this
22 proceeding.

23 
24 _____ Date 9-25-01
25 Honorable Ramon Reid, Respondent

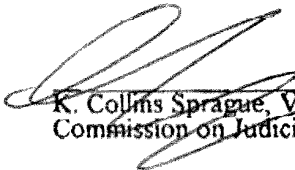
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27 _____ Date 9-26-01
28 Andrew C. Bohrsen
Commission on Judicial Conduct

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ORDER OF ADMONISHMENT

Based upon the above stipulation and agreement, the Commission on Judicial Conduct hereby ORDERS, and Judge Ramon Reid, Respondent, is hereby ADMONISHED for violating Canons 1, 2(A) and 3(A)(1) of the Code of Judicial Conduct. Respondent shall exercise caution to avoid repeating the violations in the future.

DATED this 5 day of October, 2001.


K. Collins Sprague, Vice-chair
Commission on Judicial Conduct