



**BEFORE THE STATE COMMISSION
ON JUDICIAL CONDUCT**

CJC Nos. 23-0336 & 23-0360

PUBLIC REPRIMAND

**HONORABLE JOSHUA RITTER
JUSTICE OF THE PEACE, PRECINCT NO. 4
TENAHA, SHELBY COUNTY, TEXAS**

During its meeting on June 7-8, 2023, the State Commission on Judicial Conduct concluded a review of the allegations against the Honorable Joshua Ritter, Justice of the Peace, Precinct No. 4 in Tenaha, Shelby County, Texas. Judge Ritter was advised by letter of the Commission's concerns and provided a written response.

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

FINDINGS OF FACT

1. At all relevant times, the Honorable Joshua Ritter was Justice of the Peace, Precinct No. 4 in Tenaha, Shelby County, Texas.
2. Judge Ritter has been a licensed Texas attorney since 2018. As an attorney, Judge Ritter was a court appointed counsel that represented criminal defendants along with handling family law, real property, contracts, and business litigation.
3. On November 13, 2022, a murder occurred in Shelby County which included partial dismemberment of the victim's body, including toes, fingers, and both ears being severed. Ethan Myers ("Myers"), the suspect of this murder, was rumored to be a member of a satanic worshipping group and he stated the victim had asked to be sacrificed.
4. Myers was taken into custody on November 13, 2022. He was magistrated by Judge Donna Hughes, the Justice of the Peace of Precinct No. 1, on November 15, 2022. And Craig Fletcher ("Fletcher") was appointed as Myers' attorney on November 17, 2022.

5. On November 28, 2022, Judge Ritter went to the Shelby County Jail to arraign two female inmates. While at the jail, Judge Ritter had a personal curiosity about Myers' religion due to the alleged rumors concerning Myers. As a result, Judge Ritter decided he wanted to speak to Myers.
6. As a Justice of the Peace in Shelby County, Judge Ritter received jail rosters almost daily which contained the name of each inmate and their attorney's name. Further, he also received emails regarding magistrations and appointments. However, Judge Ritter did not look at the jail roster before speaking to Myers.
7. Judge Ritter could have checked on his county issued cell phone whether Myers had been magistrated and appointed an attorney. However, Judge Ritter left his county issued cell phone in his truck that day, even though he was the on-call Justice of the Peace.
8. Myers was brought to the processing room to speak with Judge Ritter. While Judge Ritter was speaking with Myers, jailors were present in the processing room during their conversation.
9. In two videos from the processing room, Judge Ritter can be seen with Myers and the jailor(s) on November 28, 2022. The videos show Judge Ritter and Myers having a conversation, but do not have audio.
10. Before Judge Ritter started to ask Myers questions, he did not read Myers his Miranda Rights. Also, Myers did not waive his right to have his attorney present nor waive his right to remain silent. Further, Judge Ritter confirmed he did not request permission from Fletcher to speak with Myers and did not contact Fletcher after speaking with Myers, as it was late, and he didn't have Fletcher's number. However, Judge Ritter asserted he told Myers the conversation was voluntary and that he did not have to answer any of his questions.
11. Judge Ritter spoke to Myers for over five minutes. He asked Myers if he attended church, what his denomination was, and where he attended church.
12. During the conversation, Myers informed Judge Ritter he had an attorney. Judge Ritter provided conflicting information regarding his actions following Myers mentioning his attorney. During a hearing, Judge Ritter testified under oath he had continued to converse with Myers even after he was informed in the middle of their conversation that Myers had an attorney. However, in his sworn response to the Commission's Letter of Inquiry, Judge Ritter stated he terminated the conversation with Myers immediately and refused to engage when Myers attempted to continue the conversation.
13. Finally, during the conversation, Myers did comment on his evading arrest charge, but Judge Ritter responded he did not know anything about the charge but wished him the best of luck.
14. Judge Ritter does not believe that as a Justice of the Peace he had any power or influence over Myers.
15. On November 29, 2022, the Shelby County Sheriff, Kevin Windham ("Windham"), called the District Attorney for Shelby County, Karren Price ("Price"). He advised her that Sarah Hopson ("Hopson"), a homicide investigator, listened to a phone call between Myers and his mother from the evening of November 28, 2022. During the phone call, Myers

mentioned to his mother that Judge Ritter asked him questions regarding his religious affiliation.

16. In the jail call between Myers and his mother, Myers informed his mother that the Justice of the Peace of Tenaha came to see him and asked him if he was a member of a satanist church and if he had ever been to church at all. Myers stated that he told him he was a member of a church.
17. Price made attempts to contact Judge Ritter at three different phone numbers but was unsuccessful. When Price was able to contact Judge Ritter, he confirmed the allegations were true and stated he was aware Myers had an attorney representing him, but he did not contact Fletcher either before or after his conversation with Myers.
18. Price informed Judge Ritter that he had until 4:30 p.m. to tender his resignation or she would file a Petition to remove him from office the following day. At 4:27 p.m., Judge Ritter called Price informing her that he did not know what he did wrong.
19. On November 30, 2022, Price filed the Petition to remove Judge Ritter from office and served him with the citation. On December 1, 2022, an order was signed temporarily suspending Judge Ritter from office.
20. On December 16, 2022, a Show Cause Hearing for Judge Ritter's Temporary Suspension was held in front of Judge LeAnn Kay Rafferty. Eight witnesses testified during the hearing including Price and Judge Ritter.
21. During the Show Cause Hearing, Ann Blackwell ("Blackwell"), the Shelby County Treasurer, testified to the requirements county officers must adhere to regarding when county money is required to be deposited with the county treasurer under Section 113.022 of the Local Government Code. Blackwell testified Judge Ritter did not complete his reporting on time, including some of the reporting being over 30 days late. Further, Blackwell testified when reports were received from Judge Ritter, some were incomplete and/or incorrect.
22. At the conclusion of the hearing, the Honorable Rafferty suspended Judge Ritter from the office of Justice of the Peace, Precinct No. 4; appointed Tracy Broadway to temporarily fulfill the duties of Justice of the Peace, Precinct No. 4; and agreed to set the matter for jury trial within the next three to six months.
23. Judge Ritter resigned from the office of Justice of the Peace, Precinct No. 4 of Tenaha, Shelby County, Texas in March 2023.

RELEVANT STANDARDS AND AUTHORITIES

1. Canon 2A of the Texas Code of Judicial Conduct provides, in relevant part: "A judge shall comply with the law..."
2. Canon 3B(2) of the Texas Code of Judicial Conduct provides, in relevant part: "A judge...shall maintain professional competence in [the law]."
3. Article V, Section 1-a(6)A of the Texas Constitution provides, in relevant part, a judge shall not engage in "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."

4. U. S. Const. amend. V in relevant part, provides "...nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law."
5. U. S. Const. amend. VI in relevant part, provides "In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense."
6. U. S. Const. amend. XIV, § 1 in relevant part, provides, "...No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."
7. Section 113.022(a) of the Texas Local Government Code provides, "A county officer or other person who receives money shall deposit the money with the county treasurer on or before the next regular business day after the date in which the money is received. If this deadline cannot be met, the officer or person must deposit the money, without exception, on or before the fifth business day after the day on which the money is received. However, in a county with fewer than 50,000 inhabitants, the commissioners court may extend the period during which funds must be deposited with the county treasurer, but the period may not exceed 15 days after the date the funds are received."
8. Section 114.044(a) of the Texas Local Government Code provides, "Each district clerk, county clerk, county judge, county treasurer, sheriff, district attorney, county attorney, constable, or justice of the peace who collects or handles any money for the use of the county shall make a full report at least once a month at a regular term to the commissioners court on all fines imposed and collected, all judgments rendered and collected for the use of the county, and all jury fees collected by the respective courts in favor of or for the use of the county and, at the time of the report, shall present the receipts and vouchers that show the disposition of the money, fines, or judgments."
9. Section 114.044(b) of the Texas Local Government Code provides, "Each report must fully state: (1) the name of the person fined and the amount of the fine or the name of the person against whom judgment was rendered and the amount of the judgment; (2) the style, number, and date of each case in which a fine was imposed or a judgment rendered; or (3) the amount of the jury fees collected, the style and number of the case in which each jury fee was collected, and the name of the person from whom the fee was collected."
10. Section 114.044(c) of the Texas Local Government Code provides, "The court shall carefully examine the reports, receipts, and vouchers. If the court finds them to be correct, the court shall direct the county clerk to enter the information in the county finance records. If they are found to be incorrect, the court shall summon before the court the officer making the report and shall have corrections made. The reports, receipts, and vouchers shall be filed in the county clerk's office."

CONCLUSION

Based upon the record before it and the factual findings recited above, the State Commission on Judicial Conduct has determined that the Honorable Joshua Ritter, Justice of the Peace, Precinct No. 4 of Tenaha, Shelby County, Texas, should be publicly reprimanded for: (1) failing to comply with the law nor maintain professional competence in the law when he questioned Myers, a defendant, without his attorney present or contacting Myer's attorney for permission to speak with Myers either before or after his conversation with Myers, and (2) failing to comply with his reporting requirements in Texas Local Government Code §§ 113.022 and 114.044, in violation of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct. Judge Ritter's failures in the foregoing respects constituted willful and/or persistent conduct that is clearly inconsistent with the proper performance of his duties and that cast public discredit on the judiciary or the administration of justice, in violation of Article V, Section 1-a(6)A of the Texas Constitution.

The Commission has taken this action pursuant to the authority conferred it in Article V, Section 1-a(8) of the Texas Constitution in a continuing effort to promote confidence in and high standards for the judiciary.

Issued this the 2 day of August, 2023.



Gary L. Steel
Chairman, State Commission on Judicial Conduct