

**BEFORE THE
STATE COMMISSION ON JUDICIAL CONDUCT**

CJC No. 09-0948-RT

PUBLIC WARNING

**HONORABLE WOODROW “WOODY” DENSEN
SENIOR JUDGE
HOUSTON, HARRIS COUNTY, TEXAS**

During its meeting on June 16-17, 2010, the State Commission on Judicial Conduct concluded a review of allegations against the Honorable Woodrow “Woody” Densen of Houston, Harris County, Texas, a Senior Judge eligible to sit as a visiting judge by assignment. Judge Densen was advised of the Commission’s concerns and provided a written response. 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 Woodrow “Woody” Densen was a Senior Judge eligible to sit as a visiting judge by assignment.
2. On or about June 18, 2009, Judge Densen was indicted by a Harris County Grand Jury for the felony offense of Criminal Mischief.
3. The offense arose out of an incident allegedly occurring on or about May 23, 2009, in which the judge was accused of having “keyed” his neighbor’s car causing significant property damage to the vehicle.

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4. The incident in question was allegedly captured on a surveillance tape, which was provided to the Grand Jury as evidence.
5. The tape, along with the judge's indictment, received widespread media attention.
6. On June 23, 2009, the Commission issued an Order of Suspension, suspending the judge from judicial service until the underlying criminal case was resolved.
7. On or about April 8, 2010, Judge Densen entered a guilty plea in the case after the charge was reduced to a Class A misdemeanor.
8. In connection with the plea agreement, Judge Densen will also pay a \$1,500.00 fine and more than \$6,000.00 in restitution.
9. In his written responses to the Commission's inquiry, Judge Densen denied that he committed the offense for which he was convicted and did not accept responsibility for any conduct that resulted in his conviction.
10. The judge's plea agreement also received local media attention.

RELEVANT STANDARDS

1. Canon 2A of the Texas Code of Judicial Conduct states: "A judge shall comply with the law and should act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary."
2. Article V, §1-a(6)A of the Texas Constitution states that a judge may be disciplined or removed from office for willful or persistent conduct that casts public discredit upon the judiciary or administration of justice.
3. Section 33.001(b)(2) of the Texas Government Code states that for purposes of Article V, §1-a(6)A of the Texas Constitution, "willful or persistent conduct that is clearly inconsistent with the proper performance of a judge's duties" includes: "willful violation of a provision of the Texas penal statutes or the Code of Judicial Conduct."

CONCLUSION

The Commission concludes from the facts and evidence presented that while serving as a Senior Judge eligible to sit as a visiting judge by assignment in the State of Texas, Judge Densen failed to comply with the law and failed to act at all times in a manner that promotes public confidence in the integrity of the judiciary by engaging in conduct that constituted a violation of the Section 12.44(b) of the Texas Penal Code. As a public official charged with upholding the honor and decorum of the judiciary, Judge Densen knew or should have known that his actions would cast public discredit upon the integrity of the judiciary. Based on the foregoing, the Commission concludes that the judge's actions constituted a willful violation of Canon 2A of the Texas Code of Judicial Conduct and Article V, §1-a(6)A of the Texas Constitution.

In condemnation of the conduct described above that violated Canon 2A of the Texas Code of Judicial Conduct and Article V, §1-a(6)A of the Texas Constitution, it is the Commission's decision to issue a **PUBLIC WARNING** to the Honorable Woodrow "Woody" Densen, Senior Judge, Houston, Harris County, Texas.

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Pursuant to the authority contained in Article V, Section 1-a(8) of the Texas Constitution, it is ordered that the conduct described above is made the subject of a **PUBLIC WARNING** by the State Commission on Judicial Conduct. The Commission has taken this action in a continuing effort to protect public confidence in the judicial system and to assist the state's judiciary in its efforts to embody the principles and values set forth in the Texas Constitution and the Texas Code of Judicial Conduct.

Issued this **14th** day of **October**, 2010.

ORIGINAL SIGNED BY

Honorable Jorge C. Rangel, Chair
State Commission on Judicial Conduct