

**BEFORE THE
STATE COMMISSION ON JUDICIAL CONDUCT**

CJC No. 07-0501-JP

PUBLIC ADMONITION

**HONORABLE HECTOR LIENDO
JUSTICE OF THE PEACE, PRECINCT 1, PLACE 1
LAREDO, WEBB COUNTY, TEXAS**

During its meeting on December 12-14, 2007, the State Commission on Judicial Conduct concluded a review of allegations against the Honorable Hector Liendo, Justice of the Peace for Precinct 1, Place 1, in Laredo, Webb County, Texas. Judge Liendo was advised by letter 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 Hector Liendo was Justice of the Peace for Precinct 1, Place 1, in Laredo, Webb County, Texas.
2. On or about September 2, 2006, at approximately 1:00 a.m., Judge Liendo was stopped by a Texas Department of Public Safety officer for driving in an erratic manner and over the speed limit.
3. During the traffic stop, Judge Liendo identified himself to the officer as being a judge and repeatedly referred to his official position in an effort to dissuade the officer from arresting him. At one point, Judge Liendo told the officer that he was "ruining" his career.
4. Judge Liendo was given a series of field sobriety tests, including a portable breath test, which registered the judge's immediate blood alcohol content at .18%, or more than twice the legal limit of .08%.
5. According to the arresting officer, Judge Liendo failed the field sobriety tests and refused to answer certain questions.

6. Judge Liendo later declined to provide a breath specimen which could be used as evidence in court resulting in his driver's license being suspended for 6 months.
7. In his response to the Commission's inquiry, Judge Liendo admitted that prior to the arrest, he had consumed four (4) beers at a LULAC function.
8. A few days after the incident, Judge Liendo issued a public apology for his behavior that night.
9. Judge Liendo accepted a pre-trial diversion program offered by the prosecutor, which included conditions that he perform community service and attend classes related to the dangers of driving while intoxicated.
10. Judge Liendo's September 2, 2006 arrest received local media attention.

RELEVANT STANDARDS

1. Article V, Section 1-a(6)A of the Texas Constitution provides that any Texas justice or judge may be disciplined for 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.
2. Canon 2B of the Texas Code of Judicial Conduct states, in relevant part, that: "A judge shall not lend the prestige of judicial office to advance the private interests of the judge or others."

CONCLUSION

The Commission concludes from the facts and evidence presented that Judge Liendo's conduct on the night of September 2, 2006, cast public discredit upon the judiciary and administration of justice in violation of Article V, Section 1-a(6)A of the Texas Constitution. The Commission further concludes that Judge Liendo's repeated attempts to use his position as judge in order to escape the consequences of his actions constituted willful and persistent violations of Canon 2B of the Texas Code of Judicial Conduct.

In condemnation of the conduct violative of Article V, Section 1-a(6)A of the Texas Constitution and Canon 2B of the Texas Code of Judicial Conduct recited above, it is the Commission's decision to issue a **PUBLIC ADMONITION** to the Honorable Hector Liendo, Justice of the Peace, Precinct 1, Place 1, Laredo, Webb County, Texas.

Pursuant to the authority contained in Article V, Section 1-a(8) of the Texas Constitution, it is ordered that the conduct described above be made the subject of a **PUBLIC ADMONITION** by the Texas State Commission on Judicial Conduct.

The Commission takes this action in a continuing effort to protect public confidence in the judicial system, and to assist the state judiciary in its efforts to embody

the principles and values set forth in the Texas Constitution and the Code of Judicial Conduct.

Issued this 7th day of April, 2008.

ORIGINAL SIGNED BY

Honorable Sid Harle, Chair
State Commission on Judicial Conduct

