



**BEFORE THE
STATE COMMISSION ON JUDICIAL CONDUCT**

CJC No. 03-0613-MU

PUBLIC WARNING

**HONORABLE FREDRICK B. WEBBER
MUNICIPAL COURT JUDGE
CITY OF HEARNE, ROBERTSON COUNTY, TEXAS**

During its meeting in Austin, Texas, on June 9-11, 2004, the State Commission on Judicial Conduct concluded a review of allegations against the Honorable Fredrick B. Webber, Municipal Court Judge for the City of Hearne, Robertson County, Texas. Judge Webber was advised by letter of the Commission's concerns and provided a written response. Judge Webber appeared with counsel before the Commission on February 12, 2004, and gave testimony. After considering the evidence before it, including a tape-recorded telephone conversation referred to below, the Commission entered the following Findings and Conclusions:

FINDINGS OF FACT

1. At all times relevant hereto, the Honorable Fredrick B. Webber was a municipal court judge for the City of Hearne, located in Robertson County, Texas.
2. In or around October 2002, Jim Davis was a candidate for Robertson County Precinct 2 Commissioner.
3. On or about October 31, 2002, Judge Webber approached Davis and offered to help Davis secure 100 election votes for and in consideration of \$500.00.
4. In a November 1, 2002 a tape-recorded telephone conversation with Davis, Webber represented that if he (Webber) ever ran for a county-wide position he would "pick up" about 3,000 absentee votes; but explained that one must have the money to accomplish this goal.

5. Webber predicted that Precinct 2 would not have a big turnout and expressed his concern that Davis could have 100 absentee votes that would not go his way.
6. Webber suggested that the 900 absentee voters Webber got out of Precinct 2 did not vote for themselves.
7. Webber acknowledged that he and a person named “Charles” went to see the absentee voters.
8. Webber stated that the absentee voters trusted him.
9. Webber further explained that the people “who did the absentees” waited until Webber came by and asked him how to vote.
10. Webber acknowledged to Davis that it was up to Davis if he wanted to take the “chance,” but that he (Webber) was used to it.
11. Webber admitted that it would cost \$500.00 for 100 votes.

RELEVANT STANDARD

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 casts public discredit upon the judiciary.

CONCLUSION

The Commission concludes from the facts and evidence presented that by acting as an intermediary in an effort to secure votes to benefit a candidate for Robertson County Commissioner, Judge Webber engaged in willful or persistent conduct that casts public discredit upon the judiciary, in violation of Article V, Section 1-a(6)A of the Texas Constitution.

In condemnation of the conduct described above that violated Article V, Section 1-a(6)A of the Texas Constitution, it is the Commission’s decision to issue a **PUBLIC WARNING** to the Honorable Fredrick B. Webber, Municipal Judge for the City of Hearne, Robertson 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 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 __11____ day of June, 2004.

ORIGINAL SIGNED BY

Honorable Joseph B. Morris, Chair
State Commission on Judicial Conduct