



FILED

MAY 14 2018

Clerk of the Appellate Courts
Rec'd By KJM

ADM2018-00012

THE TENNESSEE BOARD OF JUDICIAL CONDUCT

511 Union Street
Suite 600
Nashville, TN 37219

MEMBERS OF THE TENNESSEE
BOARD OF JUDICIAL CONDUCT

Chris Craft
Chairperson

Timothy R. Discenza
Disciplinary Counsel

Patrick J. McHale
Assistant Disciplinary Counsel

Kenny Armstrong
Miles Burdine
Angelita B. Dalton

Joe F. Fowlkes
Tas Gardner

Dee Gay
J. Ronald Hickman
Chris A. Hodges
Thomas W. Lawless

Christy R. Little

Larry J. Logan
Norma Ogle

Ward Phillips
J. Michael Sharp
Dwight E. Stokes

May 9, 2018

FOR PUBLIC RELEASE

James M. Hivner, Clerk
100 Supreme Court Building
401 Seventh Avenue, North
Nashville, TN 37219-1407
615-253-1470

The Honorable Michael Hinson
110 N. Park Avenue
Hohenwald, Tennessee 38462

RE: Internal Complaint
File No. B18-7302

Dear Judge Hinson:

This letter shall serve as a public letter of reprimand pursuant to your agreement with an investigative panel of this Board.

This reprimand concerns your actions in dismissing citations issued by the Tennessee Highway patrol without the request of the law enforcement authorities or the District Attorney General's office and without taking proof of the facts concerning the citations. This has occurred when you dismissed a DUI case in September 2017 in which the driver had a blood alcohol reading well above the legal limit to establish the driving offense, and without a motion of the District Attorney General for dismissal. You later stated that you dismissed it because you were trying to do a veteran a favor. You also have dismissed the citations for an entire courtroom full of individuals waiting to have traffic citations heard, without hearing proof on the cases, because the courtroom was overcrowded and couldn't be secured.

The reprimand also concerns your actions in interfering with the traffic stop by the Tennessee Highway Patrol of a driver being cited for a seat-belt violation. This was done by you stopping at the scene of the stop, talking to the occupants of the automobile at the same time that the trooper is issuing the citation, and after the citation is issued, dismissing the citation without requiring the defendant to appear in Court.

The Canon or rules violated by the above-described conduct are therefore the following, as they were in effect at the time of the conduct:

CANON 1 — A JUDGE SHALL UPHOLD AND PROMOTE THE INDEPENDENCE, INTEGRITY, AND IMPARTIALITY OF THE JUDICIARY, AND SHALL AVOID IMPROPRIETY AND THE APPEARANCE OF IMPROPRIETY.

RULE 1.1 Compliance with the Law

A judge shall comply with the law, including the Code of Judicial Conduct.

RULE 1.2 Promoting Confidence in the Judiciary

A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.

Upon receiving notice from Disciplinary Counsel in this matter, you promptly and with candor responded and have fully cooperated with the Board of Judicial Conduct.

You have fully and without hesitation or reservation indicated in your meeting with Disciplinary Counsel, that you fully recognized your error in dismissing traffic citations without either a request by law enforcement authorities to do so, or taking proof in the case.

You have acknowledged that cases must be decided in an appropriate public courtroom, and have indicated that you will do so in the future.

Accordingly, this letter constitutes a Public Reprimand for your actions in the above matter, pursuant to Tenn. Code Ann. § 17-5-301.

Sincerely,


Chris Craft
Board Chair

CC/bep