



**THE TENNESSEE
BOARD OF JUDICIAL CONDUCT**

511 Union Street
Suite 600
Nashville, TN 37219

March 23, 2016

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FOR PUBLIC RELEASE

The Honorable Allegra Walker
408 2nd Avenue North, Suite 4140
Nashville, Tennessee 37201

RE: Complaints of The Tennessee Association of
Criminal Defense Lawyers and C. Dawn Deaner;
File Nos. B15-6174 and B15-6235

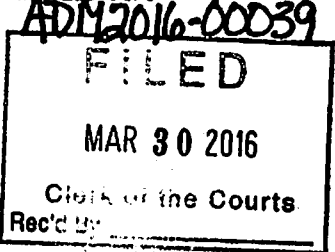
Dear Judge Walker:

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

This reprimand relates to certain *ex parte* contacts that occurred between you and certain members of the District Attorney General's Office ("DA") for the 20th Judicial District located in Davidson County, Tennessee. During the relevant period, Davidson County, Tennessee maintained a newly dedicated Domestic Violence Court which was staffed by three General Sessions Judges who rotated in this Court at four-month intervals. As a newly elected judge with domestic violence case experience, both as a prosecutor and as a defense attorney, you were selected as one of the Judges to be assigned to this court and began your rotation to this Court on May 4, 2015.

At some time, just prior to serving your rotation as the General Sessions Judge assigned to the Domestic Violence Court, you met with certain individuals from the DA's office who were assigned as prosecutors in the Domestic Violence Court and indicated to those present that you had certain rules which would apply in your court regarding the types of

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



plea agreements which would be accepted by you. No members of the defense bar including representatives of the Metropolitan Nashville and Davidson County Public Defender's Office were present at that meeting; however, you advised us that you had met separately with members of the Public Defender's Office, the Clerk's Office, and the Probation Office, but not specifically regarding the substantive matters involved in the communications with the DA's office.

On June 5, 2015, you sent an email, attached as Exhibit 1 with abbreviation definitions, to two Assistant District Attorneys General ("ADAs") who were assigned to prosecute cases in the Domestic Violence Court. This email is attached. You re-sent this email on June 8, 2015 to ADA Rosenblum. One of the recipients of the email sent it to others in the DA's office. You did not copy the email to any other persons or organizations.

The emails and your prior meeting with the DA's Office could call into question your impartiality in the handling of domestic violence cases, violate the rule against *ex parte* contact concerning impending cases, and impliedly indicate an unwillingness to judge each case on its own merits, by appearing to generally set requirements for the resolution of certain issues or cases.

The canons and rules implicated by the above-described conduct are the following, as they were in effect beginning July 1, 2012:

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.

CANON 2 — A JUDGE SHALL PERFORM THE DUTIES OF JUDICIAL OFFICE IMPARTIALLY, COMPETENTLY, AND DILIGENTLY.

RULE 2.2 Impartiality and Fairness

A judge shall uphold and apply the law, and shall perform all duties of judicial office fairly and impartially.

Rule 2.9 Ex Parte Communications

(A) A judge shall not initiate, permit, or consider ex parte communications, or consider other communications made to the judge outside the presence of the parties or their lawyers, concerning a pending or impending matter...

Rule 2.10 Judicial Statements on Pending and Impending Cases

(A) A judge shall not make any public statement that might reasonably be expected to affect the outcome or impair the fairness of a matter pending or impending in any court, or make any nonpublic statement that might substantially interfere with a fair trial or hearing.

(B) A judge shall not, in connection with cases, controversies, or issues that are likely to come before the court, make pledges, promises, or commitments that are inconsistent with the impartial performance of the adjudicative duties of judicial office.

Upon receiving notice from Disciplinary Counsel you promptly responded and have fully cooperated in their investigation. You have explained that the primary reasons for your email to the ADAs was to better assure that they would comply with certain statutory requirements for such cases. You have fully accepted responsibility for the facts and effects of your actions in connection with the complaints, and have indicated that you understand that though the intent of your emails were not designed to be improper you appreciate and agree that they presented the appearance of impropriety. We acknowledge that there is no evidence your actions were conducted in anything other than good faith and not intended to disadvantage anyone accused of domestic violence. Prior to the complaints, you conducted court in a fair and impartial manner. Since you were notified of the complaints, you continued to conduct court in a fair and impartial manner, and have not rejected any plea bargain or agreed order as a result of the previously stated general requirements in your email. Since your return to the domestic violence docket on the original rotation, no issues have been raised regarding your performance as judge.

Accordingly, this letter constitutes a public reprimand for your actions as described herein.

Sincerely Yours,

Chris Craft
Board Chair

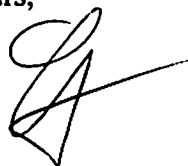
A handwritten signature in black ink, appearing to be 'Chris Craft', written in a cursive style. The signature is positioned to the right of the typed name and title.

EXHIBIT 1

From: Allegra Walker
Sent: Friday, June 05, 2015 5:08 PM
To: Rosenblum, Tali (D.A.); Miller, Katrin (D.A.)
Subject: DV Court Updates

Prior to taking the bench for my dv rotation, I met with each office, probation as well as clerks outlying my general rules for the court and asking for input.

It's immediate apparent after a month of my rotation, that my rules are often ignored as it relates to dispositions. This is obviously problematic because at the end of the day, the Courts primary focus should be victim safety. Additionally, I must feel comfortable when placing my name on a plea petition.

In effort to achieve this goal, please advise your staff of the following dispositions that I will no longer accept as of June 8, 2015.

UAP with less than 26 weeks of BIP. No AMC, parenting classes or CSW will be accepted as a substitution.

NO agreed Orders on Domestics. While I am sensitive to the issues of immigration, the court's responsibility is safety.

NO multiple probation offers. This includes General Sessions and Criminal Court probation. Please refer offenders to DRC or better yet, jail.

NO reducing domestics down to simple assaults.

Hope you all have a wonderful weekend and look forward to seeing you all on Monday.

Let me know if you or the other ADA's have any questions, thoughts or concerns. I'm open.

Judge Allegra Walker

Sent from my iPhone

The abbreviated terms used in this email have the meanings described below:

AMC- Anger Management Class
CSW- Community Service Work Hours
BIP- Batterers Intervention Program
DRC- Day Reporting Center
UAP- Under Advisement Plea