

IN THE ALABAMA COURT OF THE JUDICIARY

IN THE MATTER OF:

JOHN RANDALL "RANDY" JINKS
PROBATE JUDGE
TALLADEGA COUNTY

*
*
*
*
*

CASE NO. 57

FILED

MAR - 3 2021

COMPLAINT

COURT OF THE JUDICIARY
Rebecca C. Oates
Secretary

The Judicial Inquiry Commission (hereinafter "the Commission") files this Complaint against Judge John Randall ("Randy") Jinks (hereinafter "Judge Jinks"), Probate Judge of Talladega County, Alabama.

1. Judge Jinks took office as Probate Judge in Talladega County, Alabama, in January 2019, and has served in that capacity during the acts complained of herein.

FACTS¹

¹ The facts alleged herein include facts for the Court's determination of the appropriate sanction(s) should the Court find Judge Jinks in fact violated the Alabama Canons of Judicial Ethics. Inclusion of such facts is necessary because the Court of the Judiciary proceedings are not bifurcated, i.e., the parties do not have an opportunity to present evidence and argument in a separate sanctions hearing. Accordingly, inclusion best serves the purposes of judicial discipline, which are—not to punish the judge—but to preserve the integrity of the judicial system; restore public confidence in the system to assure the public that unethical judicial conduct is not tolerated nor condoned; and, when necessary, safeguard the bench, court staff, and the public from those who are unfit to serve. See C. Gray, A Study of State Judicial Discipline Sanctions 3,

A.	Frequent Inappropriate Demeanor	p. 3
	Racist and/or Racially Insensitive Demeanor	p. 9
	Sexually Inappropriate Demeanor and/or Other Inappropriate Comments to and/or About Women	p. 14
	Inappropriate Expression of Anger and/or Use of and/or Allowance of Profanity	p. 28
	Other Conduct Unbefitting the Judicial Office	p. 32
B.	Continued Inappropriate Demeanor Despite Notice of Impropriety	p. 33
C.	Judge Jinks’s Responses: Denial, Excuse, and Shifting Blame	p. 40
D.	Inappropriate Use of Work-Assigned, Password-Protected Computer and Cellular Telephone and/or Appearance Thereof	p. 47
E.	Additional Abuse of the Prestige of the Office	p. 63
	Seeking Early Release of Ms. R.T. from Her Criminal Sentence	p. 63
	Seeking Aid-Friend’s Sale of Life-Insurance Policy	p. 73

* * * *

2. During various aspects of this Complaint, Judge Jinks

https://www.ncsc.org/__data/assets/pdf_file/0026/18881/study-of-state-judicial-discipline-sanctions.pdf (Am. Judicature Society 2002). See also id. at 4-5, “Removing an Elected Judge.”

supervised the following pertinent employees: then-Chief Clerk L.P. (former employee); Deputy Chief Clerk T.D.; Ms. C.B. (approximately 80 years old and has known Judge Jinks since he was a child); Ms. J.G.; Ms. E.G.; Ms. S.S. (the wife of Judge Jinks's pastor)²; Ms. A.W.³; and Ms. L.T.⁴; and former employees Mr. D.P., and Ms. B.M.⁵

A.

Frequent Inappropriate Demeanor

3. Judge Jinks, by his numerous comments⁶ and/or actions (collectively referred to as "demeanor"), in the probate-court office or in execution of the duties of the probate judge, i.e., in his official capacity, has exhibited grossly inappropriate demeanor that has created a difficult,

² Ms. S.S.'s first day of employment was June 15, 2020.

³ Ms. A.W.'s first day of employment was June 15, 2020. She was on personal leave without pay from September 27 through November 21, 2020.

⁴ Ms. L.T.'s first day of employment was November 8, 2020, as a temporary employee. She was made permanent on December 8, 2020.

⁵ Ms. B.M.'s employment ended on May 15, 2020.

⁶ Implicit in all allegations regarding any oral statement in this Complaint is "or any words to that effect." For example, the allegation that Judge Jinks stated, "Women can get expensive, but sometimes you have to pay for what you want," includes "or any words to that effect."

unprofessional, and inappropriate atmosphere during the ordinary workday in that office and has injured respect for the judiciary.

4. Judge Jinks's inappropriate demeanor has been primarily directed at and/or witnessed by certain employees under his supervision: the youngest staff members Ms. J.G. and (former employee) Mr. D.P. and also Deputy Chief Clerk T.D. and Ms. B.M. Their desks, with the exception of Mr. D.P.'s, are closest to Judge Jinks's office. In addition, visitors to the probate office have also been subjected or witness to Judge Jinks's inappropriate demeanor.

5. Judge Jinks's inappropriate demeanor, which for the most part began approximately six months after he took office, has included making racist and racially insensitive slurs and comments about African Americans; making sexual and/or inappropriate comments about the appearance and anatomy of females; making sexual and/or inappropriate comments to employees, e.g., about sexual activity; watching and sharing with employees a video of women doing a striptease, a video of a scantily clad woman provocatively dancing, and/or a provocative photograph or image; looking at women inappropriately; sharing sexually inappropriate anecdotes; making degrading, ridiculing comments to or about women,

including the female employees; cursing and playing a video with cursing; and generally using crude, coarse, vulgar, offensive and improper language.⁷ The incidents of inappropriate demeanor charged in this Complaint are not isolated incidents; they represent an ongoing pattern and practice of inappropriate demeanor.

6. Although elected officials are specifically exempted from the following policies in the “Talladega County Commission Personnel Policies & Procedures Manual,” those policies put Judge Jinks on notice of the

⁷ This complaint does not charge Judge Jinks with “sexual harassment,” as that term is legally defined. A judge’s “offensive interpersonal behavior” does not have to meet the federal- or state-law definition of sexual harassment to violate the code of judicial conduct and to warrant judicial discipline. See, for example, Disciplinary Counsel v. Horton, 158 Ohio St. 3d 76, 2019-Ohio-4139 (Ohio Supreme Court October 10, 2019):

[The judicial code] does not merely proscribe crimes or discrimination—it recognizes the power and authority of judges and sets a higher standard. It also does not police the conduct of judicial employees. The Code of Judicial Conduct is specifically concerned with the actions of judges. The issue is not whether [the secretary] objected to each of [the judge’s] inappropriate statements or acquiesced to the inappropriate culture [the judge] created at his office or if [the intern] implicitly consented to his sexual conduct. [The judge] engaged in sexual harassment in the performance of his judicial duties, abused the prestige of his office for his own personal interests, and acted in a manner that brings disrepute to the judiciary.

standards expected to be observed in the probate-court office and to be enforced by him⁸:

CHAPTER 4 - UNLAWFUL HARASSMENT

- A. Policy Statement. It is the policy of Talladega County to maintain a work environment free of all forms of harassment. The County prohibits any form of harassment based on sex, race, color, religion, national origin, age, disability, or veteran's status. . . .
- B. Prohibited Forms of Harassment. Generally, unlawful harassment is defined as verbal or physical conduct which denigrates or shows hostility or aversion to an individual because of his or her race, creed, color, religion, gender, national origin, age, disability or marital status, . . . and which:
- i. Has the purpose or effect of creating an intimidating, hostile or offensive work environment;
 - ii. Has the purpose or effect of unreasonably interfering with an individual's work performance; or
 - iii. Otherwise adversely affects an individual's employment opportunities.
- C. Examples. For example, the following kinds of behavior or others with a similar harassing effect are absolutely prohibited:
- i. Using epithets, slurs, negative stereotyping or threatening, intimidating or hostile acts (even if claimed to be "jokes" or "pranks") which relate to race, creed, color, religion, gender, national origin, age, disability or marital status.
 - ii. Written or graphic material which denigrates or shows hostility or aversion toward an individual or group because of race, creed, color,

⁸ Judges, as administrators of the judicial system, have an obligation to know what constitutes harassment in the workplace to, at a minimum, deal with it in their supervisory capacity over staff.

religion, gender, national origin, age, disability or marital status, and is displayed or circulated in the workplace.

....

E. Sexual Harassment. Sexual harassment is a form of sexual discrimination that is specifically prohibited by this policy. Unwelcomed sexual advances, unwelcomed requests for sexual favors and other unwelcomed verbal or physical conduct of a sexual nature when:

- i. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- ii. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- iii. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment. . . .

The following kinds of behavior, or others with a similar harassing effect, are prohibited:

- i. Insulting or degrading sexual remarks, jokes, innuendoes, or other sexually-oriented conduct (including among other things, graphic or descriptive comments relating to an individual's body or physical appearance, sexually-oriented teasing or pranks, improper suggestions, objects or pictures, or unwanted physical contact)

(Emphasis added.)

7. Judge Jinks fails to recognize and/or observe that, as a judge, he is responsible for setting the tone for the office of the probate court and

for creating an atmosphere of integrity and ethical conduct that would inspire confidence in the judiciary.

8. With few exceptions, instead of accepting responsibility in his response to the Commission to various allegations of inappropriate demeanor,⁹ Judge Jinks denies making certain comments or exhibiting certain conduct; he explains that certain others were merely jokes; he claims he was merely reading, in private telephone conversations, texts he has received; and he claims he made certain comments in the privacy of his office, and “eavesdropping” employees misinterpreted those “private” conversations out of context. Further, he lays the blame on his staff because they have not told him that his demeanor is offensive to them and/or that they are able to overhear him; because they have not shut his office doors when they could overhear his “private” conversations; and/or because those employees were intentionally eavesdropping.

⁹ This Complaint’s allegations regarding Judge Jinks’s response are based on his 24-page written response submitted by his attorneys, Mr. Bobby Segall and Mr. John A. Henig, Jr., to the Commission on November 12, 2020.

Racist and/or Racially Insensitive Demeanor¹⁰

9. On occasions, when referring to an African-American person, Judge Jinks has mouthed the term “n----r” to Deputy Chief Clerk T.D., e.g., “Well, you know he’s just a n----r.” Those occasions include times during the “Black Lives Matter” movement. Judge Jinks’s mouthing the slur rather than saying it aloud manifests his awareness of the inherent, fundamental inappropriateness of that offensive term.

10. After Ms. B.M. helped an African-American couple fill out their marriage certificate, Judge Jinks asked her, while he was walking in the common area from his office to the kitchenette area, “What did their black asses want?”

11. Judge Jinks has commented to Deputy Chief Clerk T.D. in her office that, “because of the color of their skin,” African Americans get concessions and/or benefits, such as unemployment benefits or welfare,

¹⁰ Such demeanor suggests ethnic stereotyping that is inconsistent with the fair, impartial, and dispassionate administration of justice; it is contrary to public policy; and it does not inspire public trust and confidence in our courts. In fact, racist remarks and/or slurs alone demonstrate unfitness for judicial office. See In the Matter of W.W. Rabren, COJ 22 (Ala. COJ 1988) (judge removed for violating Canons 1, 2, 2A, 2B, and 3A(3), by using the term “n----r” twice in describing the judicial candidates for Alabama Supreme Court Justice, while he was on the bench waiting for a party to arrive).

that white people do not.

12. Judge Jinks has made multiple derogatory comments about the May 25, 2020 killing of “that black guy” Mr. George Floyd to at least one employee, during telephone conversations, and/or overheard by employees, including, “What’s the big deal about it?”; “I don’t see anything wrong with the police killing him.”; “He’s just another thug, but people are burning cities and businesses down.”; “He’s just another criminal.”; “He pretty much got what he deserved.”; and “People are making too big a deal out of it.”

13. In late August 2020, in referring to the national protests concerning police brutality and racial injustice, Judge Jinks stated the following in a telephone conversation in his office:

“[D]id I send you the cartoon of --

[Inaudible due to cross-talk.]

-- with both hands stuck out and the caption -- you know, this is not verbatim. But it says, ‘Y’all got to quit burning shit down because I’ -- ‘y’all’ -- ‘you son-of-bitches is going to need this to burn’ -- ‘you’re going to need something to burn down after Trump gets reelected for a second term.’ (Inaudible) son-of-bitches. He can say (inaudible).

Yeah (inaudible) I’m sitting here talking. T.D. just keep piling these files (inaudible). I guess people are just dying right and left.

(Emphasis added.)

14. Judge Jinks watched, on his work-assigned, password-protected computer, uncensored videos of the riots concerning police brutality and racial injustice. The use of the word “f--k” and racial slurs were prevalent in the videos. Judge Jinks played the videos at such a loud volume that the profanity and slurs were heard by others outside his office, including any customers at the front counter. Deputy Chief Clerk T.D. closed Judge Jinks’s doors. He came from his office five to eight minutes later and asked, “Was that too loud?” She responded affirmatively. He shrugged his shoulders.

15. In May 2019, when Judge Jinks saw the new car of Mr. D.P. (the only African-American employee), Judge Jinks said, “I can’t even afford a car like that, and I’m the judge here. What are you doing? Selling drugs?”

16. On September 15, 2020, Mr. D.P. returned to the office from his post-office run about the time students from the historically Black college Talladega College were marching through town to support the “Black Lives Matter” movement. Singling out Mr. D.P., the only African-American employee, Judge Jinks asked, “You out there marching with

them 'Black Lives Matter' folks from the college?" Despite Mr. D.P.'s negative answer, his explanation he had been to the post office, and his visibly carrying the mail bag, Judge Jinks continued, "You sure you weren't out there marching?" After Mr. D.P. stated yes, Judge Jinks said, "Well, I don't want to catch you marching out there. I don't want nothing to have to happen to your job, you out there marching—marching 'Black Lives Matter' during county time." Then, he walked away laughing.

17. Sometime after mid-July 2020, Ms. C.B. was overheard telling Judge Jinks, in his office, that Mr. D.P. is a "typical lazy, good-for-nothing Black man." Judge Jinks was overheard agreeing, "We all know that."

18. Regarding the noose that had been found in the team garage of the NASCAR driver Mr. Bubba Wallace at the Talladega Superspeedway on June 21, 2020, Judge Jinks commented that Mr. Wallace was "just playing the Black card."

19. In a casual conversation about vehicles and meanings of acronyms of vehicle types before a hearing in his chambers, Judge Jinks asked Attorney Mark Owsley if he knew what the acronym "PONTIAC" means. Mr. Owsley immediately replied, "Whoa. We don't need to go there." "PONTIAC" can be an acronym for "Poor old n----r thinks it's a

Cadillac.” Deputy Chief Clerk T.D. was present.

20. In August 2020, Ms. J.G. could not drive to work because workers, who had unexpectedly come to work on her driveway, blocked in her car. When Judge Jinks gave Ms. J.G. a ride home (despite her insistence that she did not need a ride), she complained about the workers’ unexpected additional bill and her dissatisfaction with the quality of their work. When they arrived at her house, Judge Jinks stated, “Oh, they’re Black. I should have known. That’s the type of work Blacks do.”

21. Judge Jinks has referred to African Americans as “they” or “them,” e.g., “I just don’t understand how ‘they’ think.”

22. Judge Jinks’s inappropriate demeanor regarding African Americans had a detrimental impact on Mr. D.P., and his coworkers who were aware of that demeanor were uncomfortable and embarrassed.

**Sexually Inappropriate Demeanor and/or
Other Inappropriate Comments to and/or About Women**

23. For the probate-court staff, the context for Judge Jinks's inappropriate demeanor regarding women includes private details Judge Jinks has disclosed to the staff about his wife, their marriage, and reasons why he and his wife have lived in separate residences for years. He has also told staff that he "wanted" a younger woman and that his wife has accused him of having extra-marital relationships.

24. Judge Jinks's inappropriate demeanor regarding women has been frequent and has occurred in the presence or hearing of one or more employees he has supervised, all of whom are female but for an African-American male, Mr. D.P. It has also occurred in the presence of non-employees.

25. Judge Jinks's inappropriate demeanor disgusts, embarrasses, and upsets those employees who have routinely witnessed it. Moreover, they should not know nor do they want to know his sexual preferences and what type women he prefers.¹¹

¹¹ In a judicial disciplinary proceeding, the effect of judicial misconduct on other persons is not an essential element, although it can be a relevant factor in assessing the gravity of misconduct and the appropriate sanction.

26. Around March 2020, Judge Jinks told Mr. D.P., while they were in Judge Jinks's office, "While all this COVID-19 is going on, the only way to have sex is to 'hit it from behind.'" Judge Jinks made this statement to Mr. D.P. directly, i.e., he was not on the telephone. Mr. D.P. immediately said he needed to go back to work, and he left Judge Jinks's office. During this incident, the door between Judge Jinks's office and Deputy Chief Clerk T.D.'s office and his other door were open. Ms. T.D., who was sitting at her desk in her office, and Ms. B.M., who was filing in Ms. T.D.'s office, overheard Judge Jinks's comment. Ms. J.G., who was at her desk, also overheard it.

27. On or around July 10, 2020, the Friday before the election, Judge Jinks told Mr. D.P. to look at a video Judge Jinks's friend had texted him. (According to Judge Jinks, the video showed "women flashing their breasts" to the country music song "Show Them to Me.") When Mr. D.P. saw that the video showed women doing a "striptease," i.e., completely undressing and shaking their exposed breasts, he protested, "No, I don't want to look at that. We've got to finish the poll books." In response, Judge Jinks stated, "No, no, look at it. You don't like that?" After Mr. D.P. declined again, Judge Jinks sat down and watched it,

during which time he declared, "That sure does look good." and "I sure would like to have fun with them."

28. Judge Jinks has stated numerous times to others, including staff members and attorneys, that when he met Ms. R.T. some years ago, she was a waitress at the Huddle House, and he likes the way she "burnt his sausage."

29. In making the comments alleged in Paragraph 28, Judge Jinks sometimes explained, beginning in January 2020, that upon Ms. R.T.'s release from incarceration pursuant to felony drug convictions, she was going to live in a travel trailer in his yard and work in the probate-court office. He was adamant that he was going to hire her.

30. Judge Jinks has stated, in multiple conversations in the office or overheard in the office, that when Ms. R.T. was released from incarceration on Friday, April 3, 2020, he picked her up from jail; the travel trailer on his property was not ready for her to live in, so he had to sneak her in his residence for several days so his wife who lives across the street would not find out; Ms. R.T. stayed with him Friday through sometime Sunday; and then he took her to Birmingham for a visit. In one telephone conversation, he stated, about Ms. R.T., "If she's going to be

with me, she's going to have to act a certain way and dress a certain way, she cannot look like a whore, and she has to be home at a certain time."

31. While in Deputy Chief Clerk T.D.'s office, Judge Jinks asked her in the middle of an unrelated conversation, "I like porn. Don't you?" Ms. J.G. overheard this exchange.

32. While sitting in Deputy Chief Clerk T.D.'s office after 5:00 p.m. on the March 3, 2020 election day, Judge Jinks asked her if she could smell his cologne. He then stated, "It's called Sex. Maybe now I'll get some."

33. Sometime before the end of his first year as probate judge, Judge Jinks was loudly, repeatedly playing a music video on his cellular telephone. Deputy Chief Clerk T.D. asked him through his open office door what he was doing. He replied that he was watching a funny video and told her to "come watch it." Because of his previous inappropriate demeanor, she stated, "I don't know. Do I want to see it?" He reiterated, "Oh, yeah. It's funny." Then, he turned his phone so she could see a video of a scantily clad female gyrating and dancing provocatively. When Ms. T.D. responded that she did not need to see that, he stated, "Oh, it's funny."

34. Sometime in 2019, Judge Jinks showed Deputy Chief Clerk T.D. a short clip he had just received on his cellular telephone. Laughing, he stated, "Look at this. [Ms. L.T.] made my hips go back and forth." The clip was an animated photograph of him dressed only in a bathing suit, posing profile to the camera, and provocatively dancing.

35. When encountering women, including female customers and attorneys, Judge Jinks noticeably scans their bodies and then stares primarily at their breasts, even during conversation.

36. Particularly regarding Ms. B.M., a (former) employee under his supervision and to whom he had told he likes "nice-looking breasts," Judge Jinks stared at her breasts during his conversations with her. On one occasion, another employee observed Judge Jinks lick his lips while staring at Ms. B.M.'s breasts.

37. Ms. B.M. quit wearing a certain blouse because of the way Judge Jinks stared at her chest when she wore it one day.

38. Ms. J.G. feels she has to dress and look a certain way to protect herself because of Judge Jinks's preoccupation with the appearance of women.

39. Again, in specific regard to Ms. B.M., Judge Jinks stared at her buttocks while she was leaned over filing. Ms. J.G. noticed that incident and thereafter changed her position when filing.

40. On September 23, 2020, Judge Jinks gave Deputy Chief Clerk T.D. a birthday card he had purchased for Mr. D.P. and directed, "I want the office to sign this. You sign it." The front of the card depicts a cow with udders and a donkey. The sentiment on the card is: "Thought you'd like to see some teats and ass on your birthday!" Ms. T.D. looked at the card and told Judge Jinks it was inappropriate. Judge Jinks protested, "No, it's funny." Ms. T.D. replied, "Well, I'm not signing it. It's not appropriate."

41. Judge Jinks gave that birthday card to Mr. D.P. It is signed, "Have a Great B'day. Randy."

42. Judge Jinks has sung, throughout the office and loudly enough for some staff members to hear, "Everybody wants my body sometimes."

43. When Mr. D.P. removed the batteries from a malfunctioning cordless microphone during the probate office's "election school" at the high school between July 6 and July 14, 2020, Judge Jinks said to Mr. D.P., in the presence of others, "You put batteries in this like you do in a

vibrator to get a woman to feel good.” A female poll worker, who was an arm’s length away waiting to ask Mr. D.P. a question, visibly reacted to Judge Jinks’s comment, i.e., her eyes “bugged out,” and she immediately walked away.

44. Judge Jinks told Mr. D.P., while they were in Judge Jinks’s office, “Women can get expensive, but sometimes you have to pay for what you want.”

45. Judge Jinks directly told Deputy Chief Clerk T.D. that the female dancers in the Super Bowl’s halftime show were so provocative that he called his preacher (Ms. S.S.’s husband) to say he needed to have a prayer meeting with him. For days after, employees overheard him repeat those comments, including to office visitors. Ms. J.G. also heard him say that the dancers were “whores.”

46. In early October 2020, while a visitor was in Judge Jinks’s office, Judge Jinks came out of his office and asked Ms. J.G., “Isn’t that right, [Ms. J.G.]?” She replied, “I’m sorry. I don’t know what you’re talking about.” Judge Jinks asked her, “Do you ever call your husband and have to get onto him, or do y’all ever argue?” She replied, “No, me and my husband never argue or fight.” He stated, “Really?! Y’all never

argue?!” By then, Judge Jinks had the attention of other employees. He told Ms. J.G., “Y’all must have a very boring relationship.” Ms. J.G. did not respond. After a long pause, he said, “Well, you know what comes after a good fight? The make-up!” Then, he went into Deputy Chief Clerk T.D.’s office and asked Ms. T.D., “[Ms. T.D.], did you hear that? Can you believe that [Ms. J.G.] and her husband do not argue?” He repeated the “make-up” comment. Ms. J.G., Ms. T.D., Mr. D.P., and Ms. A.W., who all heard at least part of the exchange, construed Judge Jinks’s use of the term “make-up” to refer to sexual relations. Later that same week, Judge Jinks repeated the episode to a visitor and referred to Ms. J.G. Ms. J.G. overheard that conversation.

47. While standing next to Ms. J.G. at the fax machine, Judge Jinks talked to her about his wife and stated that he was miserable because he wants a younger woman, but if he were with a younger woman, it would end up on Facebook, his wife would see it, and he would hear about it from her. He then grabbed Ms. J.G. by her arm and told her she would eventually become bored with her husband.

48. Judge Jinks told Ms. J.G., when there was no room for her and her husband on the probate-court’s Christmas-parade float, “You can just

go in the cab and then shut the blinds. Y'all can have all the fun [in] there. Just close the blinds. Nobody will know."

49. When Ms. J.G. was at Mr. D.P.'s desk, on or around July 20, 2020, Judge Jinks needlessly squeezed between her and the wall although there are two alternate, unconfined ways around Mr. D.P.'s desk. The front of his body brushed against her buttocks, and she felt very uncomfortable. He did not acknowledge her at all.

50. Judge Jinks frequently comments on the appearance of women, such as "She is cute."; about an attorney, "She is pretty." or "She looks nice."; "Wow, she's pretty. I bet you she's had surgery."

51. Judge Jinks's comments about the appearance of women have included explicit expressions of his preferences in a woman, e.g., "I prefer a woman that's skinny with an athletic build."; "I like my women athletic, long, and lean."; "I like nice-looking breasts."; "I like fit women with big breasts."; "Women who get married always let themselves go, and they put on weight, and I don't like that."; and "I like how she looks in that dress."

52. In early June 2020, Judge Jinks commented about a nineteen-year-old, female employee on her first day, "I've heard she is very attractive; I'd love to see her in a bikini."

53. Judge Jinks stated, in the office, that he was going to the beach for a judges' conference and could not wait to see all the pretty women wearing bikinis. He then began singing "Precious Memories."

54. Judge Jinks's inappropriate demeanor includes derogatory comments about the appearance of women.

55. Early on, he provided context for his derogatory comments about women's appearances: shortly after he took judicial office, he told Ms. J.G. that he had tried to have a waitress fired because of the waitress's appearance. More specifically, during a get-acquainted lunch with Ms. J.G. at a restaurant, he made disparaging comments about the tattoo of a female customer. Despite having seen Ms. J.G.'s husband and his tattoos the previous day, Judge Jinks told Ms. J.G., "Look at that trashy tattoo and tramp stamp. Tattoos are disgusting and trashy." Then, he asked Ms. J.G. her opinion. She replied that she does not judge people by appearance and that her husband is covered in tattoos. He then told her that he had complained to a restaurant manager that a waitress with

piercing on her upper ear cartilage needed to be fired because her piercing looked trashy and disgusting, that it reflected poorly on the restaurant, and that the restaurant would lose business if it continued to have waitresses like her.

56. Judge Jinks's derogatory comments about women include comments about their weight, such as: "There is no excuse for being fat.," while standing behind Ms. J.G.'s desk; " Being fat is laziness."; and "I would not dare touch, look, or be with a fat woman."

57. Judge Jinks directed such inappropriate attention particularly to Ms. J.G. and her weight. It was so prevalent as to give her the impression that her weight matters more to him than her work performance.

58. When Judge Jinks saw a photograph of Ms. J.G. in her wedding dress, he asked her, "Is that you? That looks nothing like you." He then walked to the kitchenette area, and she followed. He immediately declared to others, in her presence, "Don't ever marry a woman. She'll always get fat."

59. After Judge Jinks and Ms. J.G. returned from seeing her mother, who works in the courthouse and is heavy-set, Ms. J.G. overheard

Judge Jinks state, “If you want to know what a woman will look like when she is older, you just look at her mom, and if her mom is fat, that means the daughter will be fat.”

60. While at the local high school for an “election school” sometime before March 2020, Judge Jinks saw Ms. J.G.’s high-school portrait. To Ms. B.M. and Mr. D.P., he stated, “Wow, is that [Ms. J.G.]? Dang, what happened to her? She sure did blow up. She looks like she’s 100 pounds ago.”

61. Judge Jinks subsequently told Ms. J.G., “I cannot believe that was you in the portrait at the school; you look so different.”

62. A few days later, Judge Jinks asked Ms. J.G. what she was going to have for dinner. She replied, “I don’t know, I’m not going to eat anything because there’s people in here who think I’m fat.”

63. During a conversation between Ms. J.G. and Ms. A.W. sometime after June 15, 2020, Ms. J.G. stated that she had been underweight in high school. Judge Jinks interjected, “Whoa-what happened?” and laughed. When he asked Ms. J.G. her weight in high school, Ms. S.S. laughingly told Judge Jinks, “You’re not supposed to ask about a woman’s weight.”

64. Judge Jinks's inappropriate demeanor had a particularly detrimental impact on Ms. J.G., for she took his comments as plainly indicating that he considers her disgusting, ugly, and overweight. Because of his comments, she has often worn a loose, concealing wrap. She changed her lunch hour to 11:00 a.m. because Judge Jinks is out of the office more at that time and, therefore, has less opportunity to make comments while she is eating. Every day for one month around August 2020, she ate only a chicken breast, drank only water, and went to the gym daily.

65. Judge Jinks told Ms. C.B. that he had heard Ms. K.L., a former employee, is attractive. After Ms. C.B. confirmed she is beautiful, Judge Jinks asked Ms. C.B. whether Ms. K.L. is fat or skinny.

66. Ms. A.W. was pregnant when she was hired to work in the office. Judge Jinks told her, during her first week on staff, "Golly, [Ms. A.W.], you're huge." In her third trimester, he commented on her size at least weekly, e.g., "Wow, you've gotten big." His inappropriate attention distressed Ms. A.W.

67. At a baby shower for Ms. A.W., in the presence of everyone there, Judge Jinks told Ms. A.W. to eat as much ice-cream cake as she wanted, because she was about to lose a “ton of weight.”

68. When celebrating a female employee’s birthday, Judge Jinks jokingly asks in front of everyone, “You’re never supposed to ask a woman her age, so – what do you weigh?”

69. During conferences for probate judges, Judge Jinks has made comments about the appearance of female presenters, such as “Well, she sure looks a little fat.” and “See how she painted her eyebrows on.”

70. While a female petitioner was talking to him during a hearing, Judge Jinks wrote and passed a note to Deputy Chief Clerk T.D. that read, “Look at her eyebrows. I think she painted them on.”

71. During the Coronavirus (COVID-19) pandemic, Judge Jinks told Deputy Chief Clerk T.D. while he was sitting in her office, “Well, you know, a woman can take a D-cup bra and make two masks out of it.”

72. While Ms. J.G. was telling Ms. C.B. about her and her husband’s difficulty in conceiving a child, Judge Jinks walked up and said, “You’re not pregnant, are you? You can’t get pregnant. We have an election coming up. You need to wait until after the election to get

pregnant.” Although Ms. J.G. felt that was a lot to ask of anyone, particularly when she and her husband had been trying for over a year and the election was months away, she took his remarks as a directive not to get pregnant—because he is a judge and her supervisor. Before the election, she had a “pregnancy scare” and, for a month, was afraid she would lose her job if she were in fact pregnant. When she told Ms. C.B. she might be pregnant, Ms. C.B. asked her repeatedly, every workday morning for two weeks, if she had “started her period.” Ms. C.B. also repeatedly told her, “I hope you’re not pregnant. I’m praying you’re not. I fear for you. I know you want that baby, but you just got that promotion. It’s not a good time.” Eventually, at lunchtime one day, Ms. J.G. purchased and took a pregnancy test. When Ms. J.G. told her the test was negative, Ms. C.B. was visibly relieved.

**Inappropriate Expression of Anger and/or
Use of and/or Allowance of Profanity**

73. On the night of the July 14, 2020 election, Judge Jinks assisted Mr. D.P. in cleaning the office’s kitchenette area and putting away the many leftovers. Mr. D.P., in disposing of old food in the refrigerator, threw away a bag with a sandwich he later learned belonged to Judge Jinks.

74. The following day, Ms. J.G., Ms. S.S., and an employee from another department were in the kitchenette area when Judge Jinks could not find his food in the refrigerator. Yelling and cursing, he claimed his sandwich had been stolen. He yelled such comments as: “Someone stole my damn food.”; “We have a damn thief in this office. That just pisses me off.”; “Where’s my damn food at, I can’t have shit in this here office.”; “I can’t stand a damn thief, who would steal my damn sandwich?”; and “Nobody should have touched my food.”

75. After Judge Jinks left the kitchenette area and then quickly returned, Ms. J.G. asked him if he had found his food in his personal refrigerator in his office. In response, he yelled, “You should shut your damn mouth. It’s best you don’t bring it the hell-up again.”

76. Judge Jinks was so loud that a customer at the front counter heard him yelling and cursing. Ms. A.W., who was assisting the customer, apologized to the customer repeatedly for Judge Jinks’s unprofessional behavior. The customer remained at the window as Judge Jinks walked throughout the office during his outburst. To conclude the customer’s business as quickly as possible, Ms. A.W. deviated from protocol by telling him she would mail him his receipt rather than issue it right then.

77. Judge Jinks was agitated about his “stolen” sandwich for an hour, yelling and pacing from the kitchenette area, to his office, to Deputy Chief Clerk T.D.’s office, and to other parts of the office.

78. At 1:03 a.m. on Sunday, four days later, Judge Jinks sent the following email to the office staff:

Last Tuesday I received a phone call around 3 pm from Ms. O.H. [Ms. O.H.] asked where I was and I told her I was at the courthouse. She asked if I could come out to her car and I did. [Ms. O.H.] cleans houses for a living. She had just finished cleaning a house in Talladega and her hair was drenched with sweat. She said, “I brought you a BBQ from Campbell’s!” I told her that it was very kind of her to think about me. She then went to the trunk of her car and shared some ears of corn she had just purchased at the farmers market. She also gave me a couple of tomatoes. Cleaning houses is hard work. It’s honest work but it’s hard and usually hot work. I took the sandwich and placed it in the bag with the corn and tomato's and I placed it in the refrigerator all the way in the back. Wednesday when I went to get my sandwich for lunch I discovered it was gone. Along with the corn and tomatoes. This is the third time I have had food I placed in the fridge to disappear. It’s the first time I have had food given to me as an act of kindness to disappear. I can’t say how disappointed I am to think that a member of this staff or someone who has access to this office would take someone else’s food. To say it made me mad would be an understatement. Now I’m not talking about cake or pie or cookies or donuts. I realize we bring these things to share all the time. But a sandwich with corn and tomatoes obviously belongs to someone and isn’t meant to be shared. We shouldn’t have to label our food in this office. If you didn’t put it there then it doesn’t belong to you. And if anyone thinks this is funny or dismisses it as an innocent mistake, well that doesn’t change the facts. Again, this is the third time this has happened and again I am extremely disappointed! This was an act of kindness a friend presented to me and someone either intentionally or unintentionally

stole it from me! It doesn't need to happen again! To me or anyone in this office.

79. The following week, Judge Jinks continued to complain about the alleged theft of his food.

80. At the conclusion of Ms. A.W.'s evaluation, in September 2020, to then-Chief Clerk L.P.'s question whether Ms. A.W. had any final comments, Ms. A.W. explained her embarrassment and discomfort during the "stolen" sandwich incident because the customer she was helping at the front window heard Judge Jinks's tirade and was obviously uncomfortable and embarrassed too. She remarked that she was not accustomed to such language in a professional office.

81. Judge Jinks used profanity as soon as he entered office. For example, he cursed during his "get-acquainted" lunch with Mr. D.P. As Paragraphs 9, 10, 13, 14, 30, 40, 45, 74, and 75 illustrate, he continued using profanity and/or broadcasting profanity.

82. Judge Jinks has referred, multiple times, to County Administrator P.L. as a "bitch," "nothing but a damn bitch," and/or a "stupid bitch."

83. Judge Jinks has commented that a specific employee from another department is nothing but a "whore." He has made this comment

to Deputy Chief Clerk T.D. and also immediately before a tax sale.

84. Judge Jinks has stated to Ms. C.B. , “I got her ass told.”

Other Conduct Unbefitting the Judicial Office

85. In instituting temperature checks of the probate-office staff during the COVID-19 pandemic, Judge Jinks stated to the staff in the office’s central area, “I’m going to check your temperature. Do you want it checked from behind (or in the butt) or on your head (or in your mouth)?” After laughing, he pulled out and held up a non-contact infrared thermometer for them to see.

86. Judge Jinks has played music in his office loudly enough that probate-office customers could hear it. Chief Deputy T.D. has closed his door for that reason.

B.
Continued Inappropriate Demeanor Despite
Notice of Impropriety¹²

87. Prior to all his inappropriate demeanor alleged in this Complaint, Judge Jinks had been clearly, repeatedly put on notice of the requirements for professional demeanor during his five-year employment as Parks Advertising and Marketing Manager with the Alabama Department of Conservation and Natural Resources (“Department”).

a. In August 2015, the Department terminated Mr. Jinks from employment for his inattention to the job (doing anything distracting while on the job); insubordination (failure to follow an order, disobedience, or failure to submit to authority as shown by

¹² In a judicial disciplinary proceeding, continued inappropriate conduct despite notice of impropriety is not an essential element, although it is relevant factor in assessing gravity of misconduct and appropriate sanction. For example, a judge’s failure to heed prior progressive discipline or cautionary intervention by others can indicate that he or she is incapable of appreciating the inappropriateness of his/her demeanor or is callously indifferent to it and that similar inappropriate demeanor will reoccur. Thus, even assuming a judge may arguably perform the necessary judicial functions diligently, competently, and impartially, his/her inability to discern (and thus to avoid) activities that reasonably would be perceived as damaging to the judiciary may place that judge’s fitness for judicial office in doubt. See Adams v. Commission on Judicial Performance, 897 P.2d 358 (Cal. 1994). See also In re Jett, 882 P.2d 414, 417-19 (Ariz. 1994).

demeanor or words); and disruptive conduct.¹³ Those infractions were based, in part, on his expression of “extreme displeasure” and anger for the termination of his former girlfriend’s employment as a waitress at a state park in July 2015, and his defiance of his supervisor’s instructions not to discuss his disagreement regarding her termination. He engaged in the conduct for which he was terminated while representing the Department. His supervisor recommended termination in part because of the “irrevocable harm to working relationships that [Mr. Jinks] must be able to maintain continuously.” Mr. Jinks denied the conduct; claimed he had not been given any directives; asserted he was merely exercising his constitutional right to free speech; and attributed his termination to his supervisor’s lack of appreciation for his dedication to his job.

b. Only three months earlier, March 2015, Mr. Jinks was suspended without pay for failure to perform job duties in a proper manner, insubordination, behavior disruptive to the work of fellow employees and orderly functioning of the Department, and poor

¹³ In an order issued by the Alabama Personnel Board (“Board”) on January 20, 2016, the Board upheld the Department’s dismissal of Mr. Jinks.

judgment for sending a personal email, regarding his sentiments about the Affordable Health Care Act, to all parks staff, using his state equipment and his work email and during office hours. That email reads, in part:

People,

All the signs up and down the roads are asking people to sign up for ObamaCare. Instead of using the term Affordable Health Care Act, which is a joke in itself because it is anything but affordable for those trying to get it, why not call it what it is when explaining our [rate] increases. It is ObamaCare and he is proud for it to be call[ed] that. . . . I think it is critical, not just for our continued existence, but we can use this as a legitimate way to drive this message into the minds of thousands of individuals. . . . I for one am adamantly opposed to sugar coating it by calling it the Affordable Health Care Act. Let's hang this around his neck!

Alabama State Parks Director Gregory M. Lein found the email to be "highly unprofessional, inflammatory, and a demonstration of poor judgment." In a follow-up email, he directed the recipients of Mr. Jinks's email to disregard it, explaining that it did not represent the opinions of his office, the division, or the Department and that it had not been approved. Mr. Jinks's reply email stated, "My bad! I was under the impression I was commenting to the people in the Montgomery office exclusively. Guess I wasn't paying attention this had gone out to field staff as well." Subsequently, Director Lein

advised Mr. Jinks that his email was racially offensive and that minority park managers would take great offense, as would other employees to whom the email could be forwarded. However, in his letter in response to the discipline, which he did not contest, Mr. Jinks asserted:

There was nothing racial about my comments. Actually my comments were not directed toward the Affordable Care Act. My complete concern was regarding the term "Affordable Care Act." Our Division has recently implemented rate increases partially because of this act. I feel strongly that our customers need to clearly understand how we have been impacted by the ACA. Everyday the media refers to this act with a different terminology which; because of the frequency in which the public hears it, is better understood. This was the sole basis for my comments, and while I willfully admit the email was a mistake, I maintain my position regarding the matter.

Mr. Jinks did acknowledge that his personal comments should be kept personal so as not to be confused with any official stance of the Department.

c. Pursuant to a 2014 performance appraisal he acknowledged as understanding, Mr. Jinks was counseled that he needed to be more professional in his conduct with park staff and others (as he had been counseled in his 2013 performance appraisal); that "[d]erogatory comments about park and non-park personnel, or

other comments made that undermine an individual's authority or reputation have no place within our workforce"; and that he needed to "once again apply some 'self-evaluation'" to his work performance, and his representation of himself and the Department. Mr. Jinks responded that his "accusers," i.e., the source of "criticism" against him, were motivated by resentment and should be held to the same standards as he.

d. Mr. Jinks's 2013 performance appraisal indicates that, in the preceding twelve months, he received seven reprimands and three warnings, including one for an inappropriate and unprofessional email. He was cautioned to work harder to conduct himself in a professional manner with his peers and to apply some "self-evaluation" to his work performance and his representation of himself and the Department.

e. While supervising Mr. Jinks, Director Lein addressed with him his interactions with female employees and concerns and/or complaints that he was taking advantage of his position regarding those interactions.

88. After Judge Jinks took office, the probate-office employees have attempted, albeit understandingly less than assertively, to indicate to Judge Jinks that they did not find his demeanor appropriate. Yet, he continued to conduct himself inappropriately.

89. In early June 2020, the day before a nineteen-year-old female was to begin working in the probate office, see Paragraph 52, then-Chief Clerk L.P. talked to Judge Jinks about his inappropriate and unprofessional demeanor. She told him, “I just want you to know that I think you should be aware of some of the things that you say and some of the things that you do that I consider inappropriate and unprofessional.” Judge Jinks tried to change the subject, e.g., to a probate case or an election question. After Ms. L.P. answered his question, she reiterated, “But what I asked you in here for is to let you know that I think it’s very important that you act and say things that are appropriate and professional. This is an office setting. This will be her first exposure, and I think it’s very important that you understand that.” Judge Jinks continued to change the subject. However, during the conversation, he stated: “Well, sometimes people need to get to know me so that they will understand me.” Ms. L.P. replied, “I don’t know that that’s an appropriate

answer.” Then, he said, “Sometimes I just like to say things to get the shock value from people.” Ms. L.P. replied, “Well, that’s totally inappropriate and unprofessional.”

90. Despite then-Chief Clerk L.P.’s cautionary conversation with Judge Jinks in early June 2020, Judge Jinks continued to exhibit inappropriate demeanor, e.g., see Paragraphs 13, 16, 17, 18, and 20, for continued racist and/or racially insensitive demeanor; Paragraphs 27, 40, 41, 43, 46, 47, 49, 66, and 67, for continued sexually inappropriate demeanor and/or other inappropriate comments to or about women; and/or Paragraphs 74 and 75 for use of profanity. See also Paragraphs 99 (accessing adult-sex-toys and men’s-wear pages of the “Adam & Eve” website on his work-assigned, password-protected cellular telephone); 100 (on his work-assigned, password-protected cellular telephone, texting a woman in response to a screenshot of a woman, with one breast completely exposed while nursing an infant, “I would definitely get thirsty if I saw that”); 104 (displaying a picture on his work-assigned, password-protected computer screen of a woman in a provocative pose and, if clothed, clothed only in skin-tone-colored clothing); and 105 and 106 (viewing, on his work-assigned, password-protected computer, images

of provocatively dressed women).

91. Judge Jinks's failure to discontinue inappropriate demeanor in the professional workplace, despite repeated cautions, discipline and intervention during the past eight years, indicates his continued failure to comprehend and/or a total disregard of the requirements of professionalism.

C.

Judge Jinks's Response: Denial, Excuse, and Shifting Blame¹⁴

92. Judge Jinks fails to recognize and acknowledge the inappropriateness of much of his demeanor and thus has failed to accept

¹⁴ See note 9, supra.

responsibility for it.¹⁵ Although he denies some of the allegations,¹⁶ for most allegations, he offers excuses and shifts blame to others, primarily to the employees under his supervision. More specifically, Judge Jinks asserts:

¹⁵ “The failure to take responsibility and show remorse is treated as evidence that a sanction such as a reprimand or suspension would not cause the judge to change his . . . behavior, leaving removal the only option.” C. Gray, A Study of State Judicial Discipline Sanctions 67 (Am. Judicature Society 2002). A judge’s offering explanations and excuses and/or blaming his conduct on others, i.e., justifying his misconduct, confirms that the judge sees nothing wrong with his misconduct and is likely to repeat it; such responses demonstrate an inability to appreciate the importance of and conform to the standards of judicial conduct or, more specifically here, demonstrate Judge Jinks’s inability to overcome his grossly poor judgment. Id. at 67-69. In fact, trying to shift blame to others presents a further compelling reason for removal: to prevent a judge from retaliating. Id. at 69.

Another factor that provides greater justification for removal from office, i.e., evidencing a lack of integrity and fitness to hold judicial office, is where a judge knows or should know that his responses to the Commission’s investigation are inaccurate, misleading, false, incomplete, or evasive. Id. at 72-74.

¹⁶ Judge Jinks denies the allegations in Paragraphs 12, 35, 52, 56, 72 (he claims to have told Ms. J.G. he hoped she had a child before the next election), 83, 84, and/or 90. See also his response to Paragraph 32, i.e., he doubts he made comment; his responses to Paragraphs 31, 49, and/or 82, i.e., he does not remember making the comment or taking the action; and his response to Paragraph 42, i.e., he may have sung “Everybody Loves My Body,” but he did so under his breath.

a. He made certain comments, but he made them in personal and private conversations (Judge Jinks's response to Paragraphs 13, 26, 45, 53, and/or 71).

b. Although not admitting to having made certain comments, if he made them, he made them in personal and private conversations (Judge Jinks's response to Paragraph 53, and/or regarding any comment about seeing women in bikinis (Judge Jinks's Response, p. 14-15, 17)).

c. The subordinate employees who overheard him were eavesdropping, i.e., intentionally trying to hear him (Judge Jinks's response to Paragraphs 13, 26, 45, and/or 53).

d. Subordinate employees should have taken action, e.g., warned him, shut his doors, suggested or asked that he shut his doors, and/or stopped listening (Judge Jinks's response to Paragraphs 45, 53, 56, 71, and/or 86, and/or any comment about seeing women in bikinis (Judge Jinks's Response, p. 14-15, 17)). See also Judge Jinks's general response that, had then-Chief Clerk L.P. or anyone else told him that his comments or conduct were offensive to staff members or that he had said something that was racially or

sexually insensitive and offensive, he would have “responded in a serious manner.” (Judge Jinks’s Response, p. 14.)

e. As for certain offensive comments, he was not voicing a personal opinion, but merely reading a cellular-telephone text and/or quoting someone else (Judge Jinks’s Response to Paragraphs 13 (however, the recording refutes Judge Jinks’s claim the “words were not [his]”), 26, and/or 71.

f. He was merely repeating a personal anecdote he had shared with his pastor (Judge Jinks’s response to Paragraphs 45 and/or 53).

g. The subordinate employee subjected to Judge Jinks’s inappropriate demeanor did not appear to be offended and/or, if offended, should have told him he or she (the employee) was offended (Judge Jinks’s response to Paragraphs 27, 42, and/or 82).¹⁷

¹⁷ The following excerpt from a 2020 judicial-disciplinary decision is particularly apropos here:

Compounding his misconduct, respondent appears to be under the misapprehension that the women he denigrated and to whom he made the sexist comments had an obligation to tell him that they did not approve of his comments. To the contrary, it was incumbent upon respondent to not make sexist comments to a court employee. Similarly, it was also his responsibility to avoid behaving

h. Whomever heard a certain statement either overstated it, twisted it, misunderstood it, and/or took it out of context (Judge Jinks's response to Paragraphs 26, 56, and/or 85).

i. Certain inappropriate demeanor was merely a joke or innocent humor and/or not done or made intentionally (Judge Jinks's response to Paragraphs 32, 49, 72, and/or 85).

j. Certain video was not "vulgar" (Judge Jinks's response to Paragraph 33).

k. He was merely watching the news and turned up the volume to hear the dialogue (Judge Jinks's response to Paragraph 14).

l. He showed the inappropriate video to a subordinate employee for only three seconds or less (Judge Jinks's response to

discourteously toward court employees. Twenty years ago, the Commission held that, "[r]emarks of a personal and sexual nature to a subordinate are especially egregious, even if the woman does not protest and even if the judge makes no explicit threats concerning job security." Matter of Dye, 1999 NYSCJC Annual Report 93, 94 (citation omitted).

In the Matter of Miller, slip op. at 13-14 (N.Y. Commission on Judicial Conduct Feb. 14, 2020)

<http://cjc.ny.gov/Determinations/M/Miller.Richard.H.II.2020.02.14.DET.pdf>.

Paragraph 27).

93. Judge Jinks's excuses and shifting of blame indicate a total unwillingness to assess and/or total lack of self-awareness of the inappropriateness of his demeanor. See, for example, Judge Jinks's response that, had he had any notion that people were listening to his private calls, or were offended in any way by what they claim to have heard, he would have made certain that his door was closed when he was in his office, i.e., without correcting his inappropriate demeanor. (Judge Jinks's Response, p. 15.)

94. Judge Jinks has failed to recognize that the Canons of Judicial Ethics are concerned with the actions of judges, not staff.

95. Regarding Judge Jink's reliance on the office employees' failure to take action, those employees who have been subjected to the majority of Judge Jinks's inappropriate demeanor have not been comfortable confronting Judge Jinks about his inappropriate demeanor because they were or are under Judge Jinks's supervision; as a judge, he obviously has a higher position of power over them; they fear for their jobs; they have tried to show him the respect due a judge; and/or they do not consider it to be their responsibility.

96. Despite their discomfort, however, employees have taken some actions that should have indicated to Judge Jinks the inappropriateness of his demeanor. For examples, see Paragraphs 14 (Deputy Chief Clerk T.D. shut Judge Jinks's doors when he was playing videos with offensive language); 26 (Mr. D.P. left Judge Jinks's office); 27 (Mr. D.P. insisted he did not want to watch the pornographic video); 33 (Ms. T.D. told Judge Jinks she did not need to see the video); 40 (Ms. T.D. told him the birthday card was inappropriate); 63 (Ms. S.S. cautioned him not to ask a woman about her weight); 86 (Ms. T.D. shut his door when he was playing music loudly); and/or 89 (then-Chief Clerk L.P. met with him about his inappropriate demeanor). In addition, Ms. B.M. cautioned Judge Jinks about talking too loudly, stating that he might want to lower his voice because people in the main office area could hear what he was saying. He sarcastically dismissed her caution, later announcing, "Oh, I better watch what I'm saying because people say I'm talking too loud." See also Paragraph 19 (Attorney Owsley interrupted Judge Jinks's telling a joke). In addition, for example, Deputy Chief Clerk T.D. usually reacted to his comments by looking disgusted and shaking her head.

97. Regarding Judge Jinks's repeated assertion that then-Chief Clerk L.P. should have suggested to him that he keep his office doors closed, Ms. L.P. was not contemporaneously aware of much of Judge Jinks's inappropriate demeanor because she spent most of her time in her office; from her desk, she could not see the other areas of the probate-court offices; and she did not hear most of the noise from those other areas because the air conditioners outside her office window provided white noise, masking other noise.

D.

Inappropriate Use of Work-Assigned, Password-Protected Computer and/or Cellular Telephone and/or Appearance Thereof

98. Although elected officials are specifically exempted from the following policies in the "Talladega County Commission Personnel Policies & Procedures Manual," those policies put Judge Jinks on notice of the standards expected to be observed in the probate-court office¹⁸:

Technology Policy. The County's technology resources (computers, phones, wireless voice and data service) are intended for County business purposes only. Very limited personal use is allowable as long as it is legal, appropriate, and does not affect one's work. Employees are advised that electronic/digital communications, voice

¹⁸ Judges, as administrators of the judicial system, have an obligation to know the technology policy in the workplace to, at a minimum, deal with it in their supervisory capacity over staff.

or data, including the contents of County owned computers, email accounts, and telephones are the property of the County and should not be considered private.

The Internet, email, data, voice, or any other communication system of the County is not to be used in any way that may be illegal, disruptive, offensive to others, or harmful to morale. The County's technology resources, including computers, telephones, hardware, software, etc., are the exclusive property of the County, as is the information they contain. The County has the right to access, review, copy, and/or delete any computer files, including e-mail sent or received. If employees make incidental use of the computer system for personal files or e-mail, employees should not expect personal files or e-mail to be protected from review by other employees. Accordingly, employees should not use computer systems to create or transmit any information they wish to keep private.

99. On Monday, September 21, 2020, on the county-owned cellular telephone assigned to Judge Jinks and password-protected, Judge Jinks used or allowed someone to use the Google search engine at 22:20:38 hours (no time zone denoted) to search for the phrase "adam and eve." As a result, the user selected a link that took him to the landing page for the online-sales website for Adam and Eve. The user visited the following subpages on the Adam and Eve website:

- a. "Best Sex Toys for Men";
- b. "Sex Dolls, Love Dolls & Blow-Up Dolls | Realistic Sex Toys for Men";

c. “Ultimate Fantasy Doll – Kitty – Sex Dolls”;

d. “Sexy Men’s Underwear | Thongs, Briefs & G-Strings for Men”;

and

e. “Hose Thong – Sexy Lingerie.”

100. At 1:44 p.m. on Tuesday, September 29, 2020, Judge Jinks used the county-owned, password-protected cellular telephone assigned to him to text to a woman a screenshot of a large-breasted woman, with one breast completely exposed, nursing an infant. Accompanying the photo was his text, “I would definitely get thirsty if I saw that”

101. The county-owned, password-protected cellular telephone assigned to Judge Jinks contains the following image taken with the camera of that phone:

JENNIFER LOVE HEWITT #13 - 8 X 12 COLOR PHOTO A4 Size (ACTF0030013)

\$3.59

Add to Cart



PRODUCT DETAILS



102. The county-owned, password-protected cellular telephone assigned to Judge Jinks also contains nine photographs or images of

Judge Jinks, in various poses (front, side, and rear), wearing only a tight, short swimsuit and standing in a small kitchen.

103. According to Judge Jinks, he loaned the county-owned, password-protected cellular telephone assigned to him to convicted felon Ms. R.T. while she was in Birmingham from Sunday through Tuesday following her release from incarceration on April 3, 2020, and her spending the weekend with Judge Jinks at his residence. See Paragraphs 28 through 30. He further disclosed that, when she returned the phone to him, it contained “all kinds” of photographs of Ms. R.T. that she had sent to people.

104. In August or September 2020, Judge Jinks displayed on his work-assigned, password-protected computer screen a sexually provocative image of a reclining woman. Ms. A.W. inadvertently saw it while Judge Jinks was sitting at his desk. The woman on the screen was reclined, possibly on a beach, with her back arched so that her breasts were prominent. Ms. A.W. could not tell if she was clothed, but if she was, the clothing was skin-tone in color.

105. On Friday, August 21, 2020, at 08:59 hours, Judge Jinks used or allowed someone to use his work-assigned, password-protected

computer to access the web article “The Top Fifty Female Cosplay Artists Today.” That article includes the following images:











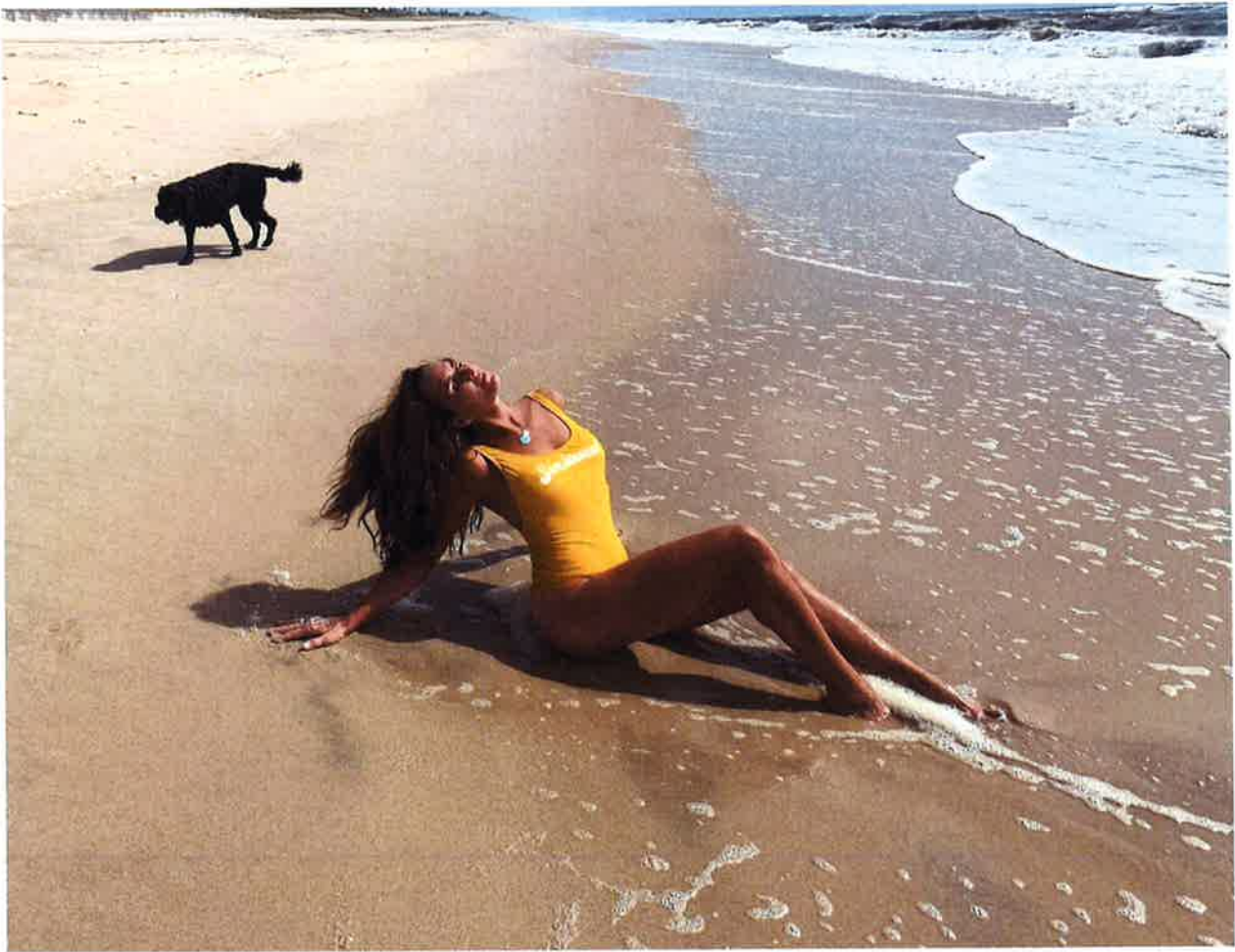








106. On Thursday, September 24, 2020, at 09:05 hours, Judge Jinks used or allowed someone to use his work-assigned, password-protected computer to access the web article “Brooke Shields, 55, puts toned legs on full display in swimsuit pics,” which includes the following images:





107. On Tuesday, September 1, 2020, Judge Jinks used or allowed someone to use his work-assigned, password-protected computer to access, at 15:17 hours, a website that lists the top ten dating websites of 2020 and, at 15:19 hours, a website for mature-singles dating.

108. As noted in Paragraph 14, Judge Jinks accessed and viewed, on his work-assigned, password-protected computer, videos containing offensive language.

E.

Additional Abuse of the Prestige of the Judicial Office¹⁹

Seeking Early Release of Ms. R.T. from Her Criminal Sentence²⁰

¹⁹ Count I, infra, pertaining to his inappropriate demeanor alleged in Part A, supra, also charges that Judge Jinks used the prestige of the office to advance his personal interests.

²⁰ A judge may not undertake to influence criminal proceedings on behalf of the defendant.

A judge's appeal for a favor from police, prosecutors, or other judges is a classic example of "abus[ing] the prestige of judicial office to advance the personal or economic interests of the judge or others" The crux of the misconduct is taking advantage of access not available to non-judges and/or expecting special consideration not accorded to the general public.

C. Gray, "Abuse of the prestige of office: Attempting to obtain a favor," Judicial Conduct Reporter, Fall 2017 p. 2, https://www.ncsc.org/data/assets/pdf_file/0021/15258/jcr_fall_2017.pdf. See, e.g., Alabama Advisory Opinion 00-744, 2000 WL 35917411 (Feb. 11, 2000) (a judge may not write a letter to another judge, the prosecutor, or the probation officer regarding the sentencing of a criminal defendant, absent an official request for such a letter; even if not under oath, such a communication amounts to voluntary testimony as a character witness in violation of Canon 2.C., when it is made with the understanding that it may be used in some fashion in an adjudicatory proceeding, and a letter or other communication from a judge on behalf of a person awaiting sentencing may also be viewed as an improper implied request by the

109. On December 19, 2019, Ms. R.T. (see Paragraphs 28 through 30 and 106) pleaded guilty to possession of two controlled substances. She was sentenced to 65 months, split to serve 8 months (mandatorily all 8 months), 57 months suspended, and 2 years' probation. She was represented by a public defender. Her release date from her mandatory split sentence was on or about April 29, 2020.

110. Sometime between approximately February 1, 2020 and March 17, 2020, Judge Jinks asked Shelby County Assistant District Attorney (ADA) Vonda Felton to consent to the early release of Ms. R.T. from her

judge for favorable treatment of the defendant).

Such prohibition applies even if a judge's abuse of the prestige of office is for a charitable endeavor. See, e.g., Alabama Advisory Opinion 01-773, 2001 WL 36383632 (Feb. 14, 2001) (a judge may not use the prestige of the judicial office, i.e., his judicial position or title, to fundraise for the Boy Scouts). See also Commentary to Canon 2:

Public confidence in the judiciary is eroded by irresponsible or improper conduct by judges. A judge must avoid all impropriety and appearance of impropriety. Judges must expect to be the subject of constant public scrutiny. They must, therefore, accept restrictions on their conduct that might be viewed as burdensome by the ordinary citizen and should do so freely and willingly.

Thus, disciplinary bodies have been unsympathetic to arguments that a judge should be excused for such violations where the judge acted in good faith and the judge's motives were "pure." Charles Gardner Geyh et al., Judicial Conduct and Ethics § 2.13[1] (5th ed. 2013).

mandatory split sentence. He used his judicial title in making that request. He also explained that he was trying to obtain Ms. R.T.'s early release; he had already secured a "great job" for her in the probate-court office, working with absentee ballots or special elections, and that position was immediately available; as probate judge, he had the authority to hire her; if he could get her out, she would start immediately upon her release; and he would make sure she reports for probation compliance.

111. ADA Felton voiced her concern to Judge Jinks that, knowing Ms. R.T.'s criminal history, she did not think Ms. R.T. would be an appropriate employee for the probate court because she would have access to confidential information. She then asked Judge Jinks whether he would have to "go before anybody to say what [Ms. R.T.'s] situation is before hiring her." Judge Jinks assured her that he had already done so, and he did not have any problems getting her employed.

112. At that time, however, Judge Jinks did not have a waiver or exception to the county's policy that felons are ineligible for employment for a professional position such as those in the probate-court's office.

113. ADA Felton told Judge Jinks she would not consent to the early release of Ms. R.T.

114. Judge Jinks asked Attorney Matt West, who regularly practices in the Talladega County Probate Court and receives guardian-ad-litem appointments from Judge Jinks, to help Ms. R.T.²¹ Attorney West subsequently talked with Ms. R.T. pursuant to Judge Jinks's request, but he determined he could not help her.

115. Judge Jinks thereafter talked to Attorney Bob Echols multiple times about Ms. R.T. and his trying to get Ms. R.T. released early. He told Attorney Echols that he had talked to at least two other attorneys who had not been successful, and he asked Attorney Echols to "look into" the

²¹ A judge's solicitation of a favor or benefit from an attorney who regularly has business before that judge presents the dangers that the prestige of the judicial office is being used for the solicitation, the attorney solicited will feel obligated to respond favorably, and the judge is giving the appearance of an opportunity for that attorney to curry favor or influence with the judge. See, e.g., Alabama Advisory Opinion 00-768, 2000 WL 35917433 (Dec. 20, 2000) (a judge is prohibited from sending a letter to attorneys for support of the local Legal Aid program, even if the judge does not use his/her judicial title or judicial letterhead.) In addition to presenting an appearance of impropriety, such a solicitation of a favor or benefit creates a question as to judge's impartiality, thereby causing disqualification from the attorney's cases. Id.

matter.²² Attorney Echols told him he would.²³

²² Even had Judge Jinks not expressly asked Attorney Echols to help him secure an early release for Ms. R.T., Canon 2's prohibition on creating the appearance of impropriety is violated by more subtle, implied attempts to misuse the prestige of the office. "This application of the appearance standard reflects that the reasonable person knows that much of human communication is unspoken, between-the-lines, accomplished with winks and nods, and depends on what goes without saying." C. Gray, "Misuse of Influence," Judicial Conduct Reporter, Spring 2005 (https://www.ncsc.org/_data/assets/pdf_file/0019/15526/jcr-spring-2005.pdf).

²³ Under the Alabama Canons, a judge may accept a favor from an attorney who practices before the judge where that favor does not reflect expectation of judicial favor and where the favor does not create any appearance of impropriety. However, when a judge receives a favor from an attorney who has business pending before the court, there is an obvious appearance of impropriety and partiality and the creation of the reasonable inference that the favor may be returned, regardless whether the attorney actually has an expectation of judicial favor in return. See Alabama Advisory Opinion 02-803, 2002 WL 3469603 (Aug. 23, 2002) (a judge's knowing acceptance of a favor, having a substantial monetary value, from an attorney whose case is pending before the court is "inherently corruptive, suggesting improper use of the prestige of office") (quoting Adams v. Commission on Judicial Performance, 882 P.2d 358, 379 (Cal. 1994)). See also Geyh, supra, n. 20, at § 10.03[2]. In addition, any favor that has the appearance of currying influence with a judge or that casts doubt upon a judge's integrity under Canon 1 or a judge's independence under Canon 2 is inappropriate for a judge to accept. Alabama Advisory Opinion 02-803. Moreover, it is improper for a judge to accept free legal services from an attorney who appears in his/her court, and the impropriety is aggravated when that attorney receives court appointments. Geyh, supra, at 7.14[2]. For Alabama advisory opinions, see examples of prohibited gifts by an attorney who has a case pending before the judge, i.e., Opinions 02-803 (a football-game ticket); 94-518 (donation or loan of computer equipment for judge's use in his/her judicial

116. This the following circumstances, at that time, presented multiple reasons for Attorney Echols to take advantage of Judge Jinks's request for a favor, i.e., presenting the appearance of currying influence with a judge and of impropriety.

a. Attorney Echols had at least one case pending in the Talladega County Probate Court.

b. Attorney Echols, whose practice is in Jefferson County, was contemporaneously or had very recently been in discussions with Judge Jinks and the chief clerk, trying to convince them to allow him to file numerous adoption petitions even though venue was not proper in Judge Jinks's court, i.e., the parties had no connection with Talladega County.²⁴ Those discussions had begun

capacity); 94-514, 1994 WL 16851923 (Jan. 28, 1994) (a smoked turkey "may very well have all the appearances of an attempted bribe or an attempt to curry the judge's favor," depending on when that turkey is gifted).

A judge's request and/or receipt of a favor or benefit causes disqualification of the judge from the attorney's cases. Alabama Advisory Opinions 02-803; 94-518, 1994 WL 16851927 (March 25, 1994).

²⁴ The Commission takes no position on the legal issue regarding the statutory requirement of venue for adoption petitions. See Ala. Code § 26-10A-4 (1975). It is the Commission's understanding that some probate judges will not accept an adoption petition if it does not establish venue

after Mr. Echols filed his first petition (without venue) in the Talladega County Probate Court on November 12, 2019. Attorney Echols did not file another adoption petition in that court until March 18, 2020, six days before he filed a motion for Ms. R.T.'s early release. See Paragraph 119, infra.²⁵

c. Attorney Echols had asked Judge Jinks to appoint him and another attorney as co-guardians ad litem to a few contested adoptions, and Judge Jinks had not done so.

117. Judge Jinks told Deputy Chief Clerk T.D. that Attorney Echols was working on getting Ms. R.T. released, and he (Judge Jinks) had tried to get other attorneys to help him, but they could not seem to get it done.

118. Attorney Echols told ADA Felton that Judge Jinks had contacted him about Ms. R.T., and they really wanted to get Ms. R.T. out for her to work.

while other judges will accept such petitions.

²⁵ The Commission does not allege that these allegations indicate a quid pro quo, i.e., in exchange for helping achieve Ms. R.T.'s early release, Judge Jinks accepted Attorney Echols's petitions. The Commission asserts that the circumstances present, rather than an actual impropriety, an appearance of impropriety.

119. On March 27, 2020, Attorney Echols filed “Motion for Early Release” of Ms. R.T., setting forth Judge Jinks’s sponsorship and general post-incarceration plans for Ms. R.T., as follows:

7. Hon Randy Jinks (the Probate Judge of Talladega County) and his family have undertaken to sponsor this Defendant, provide her a stable means of employment and a place to live for her and her four year old son. This Court has been approached on at least two occasions by attorneys pleading for the release of this Defendant. An Assistant District Attorney opposes this release.

8. Judge Jinks and his family are willing to be responsible [for] this Defendant

9. Releasing this Defendant early will promote the rehabilitative integration of the Defendant into society as a productive member and will place Judge Jinks and his family in a position of responsibility and authority to enhance the progress of the Defendant.

120. The information regarding Judge Jinks’s sponsorship that Attorney Echols put in the motion was supplied by Judge Jinks, and the sponsorship was Judge Jinks’s idea. Judge Jinks had also conveyed to Attorney Echols, prior to his motion, that the ADA had opposed Ms. R.T.’s early release. Although he had also told Attorney Echols that he intended to hire Ms. R.T. to work at the probate-court office, Attorney Echols did not include that fact in his motion. Neither did he include where Ms. R.T. was going to live—according to Judge Jinks, “in his property or . . . trailer.”

121. Attorney Echols admittedly used Judge Jinks’s judicial title because he was doing his best to get Ms. R.T. released and considered that using the title would better the odds for a favorable ruling. However, he did not tell Judge Jinks he was filing the motion because Judge Jinks is a judge. Attorney Echols has admitted it was better not to involve Judge Jinks “any more in it,” and he wanted to avoid the appearance that he was filing it at Judge Jinks’s request—even though he knew Judge Jinks wanted Ms. R.T. released early—because he knew it “might not look right.”

122. Attorney Echols’s motion was granted on Friday, April 3, 2020, and Judge Jinks picked up Ms. Tanner from the jail that day. On April 14, 2020, Attorney Echols filed three adoption petitions in the Talladega County Probate Court. He filed eight more in the four months thereafter. None met the venue requirement.

123. The following indicates or gives the appearance that Attorney Echols is afforded treatment different from other attorneys:

- a. All adoption petitions filed in the Talladega County Probate Court are initially screened by the court staff except those filed by Attorney Echols. Those go directly to Judge Jinks.

b. All petitions except those filed by Mr. Echols establish that venue is properly in the Talladega County Probate Court.

c. When Attorney Echols delivers his petitions in person, he comes without an appointment, and expects the immediate attention of Deputy Chief Clerk T.D., i.e., his cases had priority over those of other attorneys. Ms. T.D. addressed that practice with Judge Jinks in a memorandum on May 20, 2020, but Judge Jinks did not acknowledge it.

d. Judge Jinks has signed interlocutory orders for Attorney Echols when he delivers his petitions, i.e., before Deputy Clerk T.D. has processed the petition and assigned it a case number and before Judge Jinks has reviewed the petition and/or file.

124. Even after he was notified of the investigation of this Complaint, Judge Jinks signed a proposed order on January 6, 2021, submitted by Attorney Echols, that was a clear, gross abuse of his judicial authority and power. He granted a petition requesting that he confirm the custody of an infant with the petitioner. However, a probate court does not have jurisdiction over any issue involving custody of a child.

Seeking Aid for Friend's Sale of Life-Insurance Policy

125. Judge Jinks used official probate-court stationery and his judicial title in a letter, dated August 19, 2020, to Silverman & Associates, located in Huntington Beach, California, wherein he sought help for a friend who was trying to sell his life-insurance policy.²⁶ It reads, in part:

[My life-long friend/acquaintance's] financial survival now depends on his selling a life insurance policy to whom [sic] which his mom is the beneficiary. If he can secure a buyer it will enhance his personal finances and reduce a lot of personal stress he is experiencing.

. . . . Anything you or your organization can do to help him will be greatly appreciated.

COUNT I

126. On numerous occasions, by engaging in and/or displaying the inappropriate demeanor alleged in Paragraphs 3 through 86, separately and severally, i.e., around staff, attorneys, and others, engaging in and displaying racist or racially insensitive demeanor, sexually inappropriate

²⁶ Pursuant to Canon 2.C., a judge may not use any stationery that implies his/her position as a judge if, in the use of that stationery, the judge lends or appears to lend the prestige of the judicial office to advance the private interests of the judge or others to gain any advantage or deferential treatment of any kind or the judge otherwise exploits the judicial office. See Alabama Advisory Opinion 01-773, 2001 WL 36383632 (Feb. 14, 2001). Thus, the judge may not use the title "Judge" or any other indicia of judicial office on stationery used for personal purposes.

demeanor, other inappropriate demeanor about women, inappropriate expression of anger, use of and allowance of profanity, and/or other conduct unbecoming the judicial office, Judge Jinks violated one or more of the following Alabama Canons of Judicial Ethics:

Canon 1 A judge should uphold the integrity . . . of the judiciary.

A judge should participate in establishing, maintaining, and enforcing, and should himself observe, high standards of conduct so that the integrity . . . of the judiciary may be preserved.

Canon 2 A judge should avoid impropriety and the appearance of impropriety in all his activities.

Canon 2.A. A judge should . . . conduct himself at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

Canon 2.B. A judge should at all times maintain the decorum and temperance befitting his office

A judge . . . should avoid conduct prejudicial to the administration of justice which brings the judicial office into disrepute.²⁷

Canon 2.C. A judge . . . should not lend the prestige of his office to advance the private interests of others²⁸

²⁷ Judge Jinks's inappropriate demeanor was so persistent, so pervasive, so inescapable, so diminishing of his office, and so extreme that disrepute was brought upon the judicial office itself.

²⁸ This provision has been interpreted and applied to include abuse of the

Canon 3.A.(3) A judge should be patient, dignified, and courteous to litigants, . . . , lawyers, and others with whom he deals in his official capacity.

COUNT II

127. On numerous occasions, by inappropriately using and/or appearing to inappropriately use and/or allowing someone to inappropriately use the work-assigned, password-protected computer and/or the county's password-protected cellular telephone assigned to Judge Jinks, as alleged in Paragraphs 14 and 99 through 108, separately and severally i.e., to view an online-sales website for adult sex items and clothing, receive and/or send an offensive text with an image of a mother nursing her infant, view and/or save sexually provocative images of women, save multiple images of himself posing in a swimsuit, view a dating website for mature singles and a list of top dating websites, view at a loud volume an uncensored video with profanity and racial slurs,

prestige of the office for the judge's benefit or personal interest. See, e.g. In re Kaminski, COJ 52 (Ala. COJ 2019); In re Isaac, COJ 48 (Ala. COJ 2016); In the Matter of Stuart C. DuBose, COJ 36 (Ala. COJ 2008). See also Disciplinary Counsel v. Horton, 158 Ohio St.3d 76, 140 N.E.3d 561 (Ohio 2019) (prohibition against use of prestige of the office to advance personal interests applies to inappropriate sexual comments and conduct toward members of the staff; the judge is taking advantage of his position).

and/or permit a newly-released convicted felon to possess, use, and/or save “all kinds” of images on the county’s password-protected cellular telephone for several days, Judge Jinks violated one or more of the following Alabama Canons of Judicial Ethics:

- Canon 1 A judge should uphold the integrity . . . of the judiciary.

A judge should participate in establishing, maintaining, and enforcing, and should himself observe, high standards of conduct so that the integrity . . . of the judiciary may be preserved.
- Canon 2 A judge should avoid impropriety and the appearance of impropriety in all his activities.
- Canon 2.A. A judge should . . . conduct himself at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.
- Canon 2.B. A judge should at all times maintain the decorum and temperance befitting his office

COUNT III

128. By engaging in conduct alleged in Paragraphs 109 through 124 and 125, separately and severally, i.e., seeking the prosecutor’s approval to the early release of Ms. R.T. from her criminal sentence, requesting attorneys who practice before him to help Ms. R.T., allowing his relationship with Attorney Echols to influence his judicial conduct or

judgment or give the appearance thereof, conveying and/or permitting Attorney Echols to convey the impression that he is in a special position to influence him or give the appearance thereof, and/or using court letterhead and his judicial title to seek financial help for a friend, Judge Jinks has violated one or more of the following Alabama Canons of Judicial Ethics:

- Canon 1 A judge should uphold the integrity and independence of the judiciary.
- A judge should participate in establishing, maintaining, and enforcing, and should himself observe, high standards of conduct so that the integrity and independence of the judiciary may be preserved.
- Canon 2 A judge should avoid impropriety and the appearance of impropriety in all his activities.
- Canon 2.A. A judge should . . . conduct himself at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.
- Canon 2.B. A judge . . . should avoid conduct prejudicial to the administration of justice which brings the judicial office into disrepute.
- Canon 2.C. A judge should not allow . . . relationships to influence his judicial conduct or judgment. He should not lend the prestige of his office to advance the private interests of others; nor should he convey or permit others to convey the impression that they are in a special position to influence him.

Canon 5.C.(4) [A] judge . . . should [not] accept a . . . favor . . . from anyone if it reflects expectation of judicial favor.

Done this 3rd day of March 2021.

JUDICIAL INQUIRY COMMISSION



Billy C. Bedsole
Chairman

BY ORDER OF THE COMMISSION



Elizabeth C. Bern
Attorney for the Commission