

**COMMONWEALTH OF KENTUCKY  
JUDICIAL CONDUCT COMMISSION**

**IN RE THE MATTER OF:**

**JAMES T. JAMESON, CIRCUIT COURT JUDGE  
42<sup>ND</sup> JUDICIAL CIRCUIT**

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND FINAL ORDER**

**I. INTRODUCTION**

**THE PURPOSE AND AUTHORITY OF THE JUDICIAL CONDUCT COMMISSION**

The Judicial Conduct Commission of the Commonwealth of Kentucky (Commission) was created for the purpose of, and is vested with the jurisdiction to initiate, hear and decide charges of official misconduct by any judge of the Court of Justice or lawyer while a candidate for judicial office, and upon a finding of such official misconduct, to impose sanctions pursuant to SCR 4.020. Proceedings before the Commission may result in the discipline, retirement or removal of the judge. SCR 4.000. In furtherance of this authority and purpose, the Commission<sup>1</sup> filed charges of judicial misconduct against Judge James T. “Jamie” Jameson (Judge Jameson or Respondent), Circuit Court Judge, 42nd Judicial Circuit, on June 13, 2022, after receiving allegations of misconduct by Judge Jameson. The Notice of Formal Proceedings and Charges (and amendments thereto) are attached hereto and incorporated herein by reference.

The jurisdiction of the Judicial Conduct Commission in this matter is under SCR 4.020(1)(b)(i) and (v), and (1)(c) which reads in pertinent part as follows:

- (1) Commission shall have authority:
  - (b) To impose the sanctions, separately or collectively of (1) admonition, private reprimand, public reprimand or censure; (2) suspension

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<sup>1</sup> Citizen member Dr. Joe Ellis recused in this matter.

without pay or removal or retirement from judicial office, upon any judge of the Court of Justice or lawyer while a candidate for judicial office, who after notice and hearing the Commission finds guilty of any one or more of the following:

- (i) Misconduct in office.
- (v) Violation of the code of Judicial Conduct, Rule 4.300.
- (c) After notice and hearing, to remove a judge whom it finds to lack the constitutional statutory qualifications for the judgeship in question.

The Kentucky Supreme Court has recently opined on the extent of the authority of the Commission in *Maze v. Judicial Conduct Comm'n*, 612 S.W.3d 793 (2020), *Gentry v. Judicial Conduct Comm'n*, 612 S.W.3d 832 (2020), and *Gordon v. Judicial Conduct Comm'n*, \_\_\_S.W.3d \_\_ (2022) (Removal was appropriate sanction to impose on judge ... [who] committed numerous acts over extended period, and was previously warned about her actions related to son's cases). In *Gordon*, the Supreme Court quoted from *Gormley v. Judicial Conduct Comm'n*, 332 S.W.3d 717, 727, n.24 (Ky.2010) as follows:

Section 121 of the Kentucky Constitution gives the Commission the authority to take action in instances of judicial misconduct or unfitness for office. The Commission can impose the following sanctions: (1) admonition, private reprimand or public reprimand; (2) suspension without pay, or removal or retirement from judicial office. SCR 4.020(1) (b). “[W]hether sanctions are appropriate, and the degree of any sanctions to be imposed, should be determined ‘on such factors as the seriousness of the transgression, whether there is a pattern of improper activity and the effect of the improper activity on others or on the judicial system.’ ” (Emphasis added).

## II. PROCEDURAL BACKGROUND

1. The Respondent, Judge Jameson, is the general jurisdiction Circuit Court Judge of the 42nd Judicial Circuit, consisting of Marshall and Calloway Counties in the Commonwealth of Kentucky, elected in 2015.

2. The Commission received complaints alleging Judge Jameson engaged in misconduct and the Commission authorized a preliminary investigation. SCR 4.170(1). (See, the Commission's Formal Proceedings Docket for docket entries (DE), [https://kycourts.gov/Courts/JCC%20Actions%20Documents/2022\\_jamesonformalproceedings.pdf](https://kycourts.gov/Courts/JCC%20Actions%20Documents/2022_jamesonformalproceedings.pdf)).

3. By letter dated August 9, 2021, Judge Jameson was provided with notice of the allegations and of the preliminary investigation and was invited to respond. SCR 4.170(2).

4. Judge Jameson responded to the Commission and its notice in a three (3) page letter dated August 26, 2021 with appendices A – E. (See JCC Hearing Exhibit 69) (Initial Statement). By letter dated September 13, 2021, Judge Jameson was invited to attend an informal conference to discuss the complaints.

5. Judge Jameson and his counsel appeared before the Commission on October 15, 2021, for an informal conference consistent with SCR 4.170(2), at which Judge Jameson read a lengthy statement to the Commission. (See JCC Hearing Exhibit 72) (IC Statement).

6. Following the informal conference, Judge Jameson was provided the factual information in the custody of the Commission for examination, and he was afforded an opportunity to present any other information bearing on the investigation. SCR 4.170(4). It was noted in the Commission's transmittal letter of the factual file that a second complaint had been submitted to the Commission alleging misconduct of Judge Jameson involving issues "already before the Commission", and that the investigation has further raised additional allegations of misconduct, including but not limited to those based on temperament, abuse of contempt power, due process violations, abuse of judicial

office/power, referrals to Riverwoods, fundraising, and incidents taking place in the Marshall County courthouse investigated by the Marshall County Sheriff's office. (See DE 15, Exhibit 1).

7. He thereafter supplemented his position statement with a thirteen (13) page letter from his then-counsel dated April 14, 2022, which was "verified" by Judge Jameson as true and correct. (See JCC Hearing Exhibit 70) (Supplemental Statement).

8. Based on the complaint presented to the Commission, the Commission's preliminary investigation and Judge Jameson's Initial and Supplemental Statements, the Commission concluded that formal proceedings should be initiated. On June 13, 2022, consistent with SCR 4.180, the Commission served Judge Jameson with the Notice of Formal Proceedings and Charges (the Charges) consisting of Counts I through IV. (See DE 1).

9. Following a motion for extension of time filed by Judge Jameson and entry of an order granting extension of time, substitute counsel for Judge Jameson filed an Answer to the charges on July 6, 2022, styled as "Answer to JCC Proceedings" comprised of seventy-three (73) pages, with appendices A-X, and took various positions with respect to and in response to the Charges. (See JCC Hearing Exhibit 71). Judge Jameson's various written responses (Initial, IC and Supplemental Statements) denied several of the Charges and the alleged misconduct and violations of the Canons but admitted some of the operative facts set forth in the Charges.

10. On July 11, 2022, the Commission entered its Order and Notice of Hearing on the suspension of Judge Jameson from his duties pending final adjudication pursuant to SCR 4.020(1)(a)(ii) (Temporary Suspension Hearing). (See DE 8). The purpose of the

Temporary Suspension Hearing was to determine whether it would be in the best interest of justice to temporarily suspend Judge Jameson, without affecting his pay status, until final adjudication of the pending Formal Proceedings. The Temporary Suspension Hearing was scheduled for August 12, 2022.

11. On July 21, 2022, the Commission entered the Amended Notice of Formal Proceedings and Charges as to Counts I through IV. (See DE 9).

12. On August 12, 2022, the Commission conducted the Temporary Suspension Hearing pursuant to SCR 4.020(1)(a)(ii), and based upon the requisite standard and the evidence presented at the hearing, ordered that Judge Jameson be suspended from acting in his official capacity as a judge and from the performance of his duties, without affecting his pay status, until final adjudication of the pending Formal Proceedings, which was set forth in the Order entered August 15, 2022. (See DE 11).

13. On August 18, 2022, the Commission noticed the Proceedings and Charges for hearing on October 17, 2022 (Final Hearing). (See Notice of Time and Place for Hearing, DE 13).

14. On August 18, 2022, Respondent filed a motion to alter, amend or vacate (See DE 12) the Order of Temporary Suspension entered August 15, 2022, and that motion was denied by Commission Order entered August 24, 2022. (See DE 16).

15. On October 4, 2022, the Commission filed its Second Amended Notice of Formal Proceedings and Charges, adding Counts V and VI to the charges. (See DE 24). Respondent failed to file an Answer to the second amended charges (specifically V and VI) and the Commission considered the allegations denied by the Respondent, subject to completion of the Final Hearing.

16. On October 7, 2022, the Commission filed its Third Amended Notice of Formal Proceedings and Charges, adding Count VII to the Charges. (See DE 25). Respondent failed to file an Answer to the third amended charges (specifically Count VII) and the Commission considered the allegations denied by Respondent subject to completion of the Final Hearing.

17. During the course of these proceedings, the parties have filed numerous motions, and the Commission's rulings on those motions are set forth in the public record of this proceeding. (See ¶2, *infra*).

18. The Prehearing Order entered August 22, 2022, provided that "any exhibit or deposition identified by a party pursuant to this order shall be admitted into evidence if probative, unless written objections are filed as set forth in this order." (See DE 14, Order, ¶ 7). An Amended Prehearing Order (Order on Motion for Extension of Time and Amended Pre-Hearing Order) was entered September 29, 2022. (See DE 20). As a result, and consistent with the conduct at the Final Hearing, all exhibits presented by each party were admitted without objection, which includes the Commission's (JCC'S) exhibits, 1-76, and Judge Jameson's exhibits, 1-28.

19. On October 18, 2022, Judge Jameson filed with the Kentucky Supreme Court a Petition for Writ of Prohibition from Judicial Conduct Commission challenging the temporary suspension of Judge Jameson until final adjudication of the instant Formal Proceedings. (*James T. Jameson v. Judicial Conduct Comm'n*, Kentucky Supreme Court, Case No. 2022-SC-0454-OA).

20. The hearing on the Formal Proceedings and Charges against Judge Jameson commenced on October 17, 2022, in District Courtroom 1 of the Christian County Justice

Center. The Commission was represented by Hon. Jeffrey C. Mando and Hon. Joseph K. Hill, and the Respondent was present and represented by Hon. Richard L. Walter and Hon. Bradley A. Sears (Final Hearing).

21. Counsel for the Commission moved that “The Rule” be invoked as to the separation of witnesses at the Final Hearing, and said motion was sustained and implemented by the Chair of the Commission. (See Hearing Recording, 2022-10-17\_08.51.00.125, at 8:52:54).

22. At the commencement of the Final Hearing, counsel for the Commission presented his opening statement, and counsel for Judge Jameson presented his opening statement. (See Hearing Recording 2022-10-17\_08.51.00.125, at 8:57:38).

23. During the Final Hearing, the parties acknowledged and further agreed and presented no objection to the admission of “[t]he video record and all exhibits of the hearing on temporary suspension in this case conducted August 12, 2022, [which] shall be admitted as evidence as part of the hearing record without the necessity of playing the video at the hearing, and all Commission members presiding at the hearing shall review the video and exhibits before commencement of the hearing.” (See August 22, 2022, Prehearing Order, ¶4 and see also, Hearing Recording 2022-10-17\_08.51.00.125, at 9:14:43).

24. The parties presented their evidence<sup>2</sup> over four (4) “extended” days and the Final Hearing concluded October 20, 2022. Judge Jameson testified several separate times during the Hearing, through direct examination, cross-examination, as a rebuttal witness, and essentially whenever his counsel delegated responsibility to Judge Jameson for

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<sup>2</sup> Under SCR 4.030 the powers of the Commission include the taking of testimony under oath.

presentation or cross-examination of witnesses.

25. At the conclusion of the Commission's proof, Judge Jameson made an oral motion for directed verdict. Counsel for the Commission objected, except as to Count III, subsections B. and C.<sup>3</sup> The Chair denied the motion for directed verdict, except as to those subsections. (See Hearing Recording 2022-10-19\_08.33.13.968, at 8:40:40).

26. At the conclusion of the Final Hearing and presentation of all proof and defense by counsel for the parties, the Commission then deliberated on the Charges and considered all the evidence presented by the parties at the Temporary Suspension Hearing and the Final Hearing.

27. The five voting members of the Commission are as follows: Bar Member and Chair, Hon. R. Michael Sullivan; Court of Appeals alternate Member Judge Glenn E. Acree; Circuit Judge alternate Member Mitch Perry; District Judge Member Karen Thomas; and Citizen Member Janet Lively McCauley. Also, in attendance during the hearing were Court of Appeals Member Jeff S. Taylor;<sup>4</sup> alternate District Judge Member Elizabeth Chandler; and alternate KBA Member/Chair Carroll M. Redford, III. Citizen Member Dr. Joe E. Ellis recused from the proceedings.

28. On October 24, 2022, Judge Jameson filed a Renewed Motion for Directed Verdict. That motion is addressed herein.

29. On October 31, 2022, the Kentucky Supreme Court entered its Writ of

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<sup>3</sup> Counsel for the Commission made clear that the concession was made under the conditions precedent that there was probable cause and good faith basis to file and pursue the Charges.

<sup>4</sup> Judge Jeff S. Taylor attended the Final Hearing except for the fourth day and was absent to attend to his judicial responsibilities with and for the Court of Appeals. Court of Appeals Alternate Member, Judge Glenn E. Acree, who attended the entirety of the Final Hearing, deliberated and voted.

Prohibition which vacated and set aside the Commission's Order of Temporary Suspension and immediately returned Judge Jameson to the Bench. (*James T. Jameson v. Judicial Conduct Comm'n*, Kentucky Supreme Court, Case No. 2022-SC-0454-OA). The Supreme Court further dismissed as interlocutory the direct appeal Judge Jameson had also filed. (See *James T. Jameson v. Judicial Conduct Comm'n*, Kentucky Supreme Court, Case No. 2022-SC-0370-RR).

### **III. THE SCR 4.220 HEARING AND BACKGROUND SUMMARY**

In 2015, Judge Jameson became the general jurisdiction circuit judge of Marshall County and Calloway County as a result of the election by the citizens of those counties. During 2021 and 2022, complaints against Judge Jameson came to the attention of the Commission for his actions during his tenure as general jurisdiction judge of the 42<sup>nd</sup> Judicial Circuit. Judge Jameson was previously before the Commission on multiple occasions between January of 2016 and June of 2021. Prior to the instant matters, the Commission requested Judge Jameson respond to three prior complaints.<sup>5</sup> While the first complaint resulted in no action, the Commission sent a letter containing cautionary language on Canon 2D and Canon 5A(1)(c). The second and third complaints each resulted in a private

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<sup>5</sup> Judge Jameson raised his previous encounters with the Commission as a type of defense to, or mitigation of, the charges before the Commission. During Jameson's tenure on the Bench, he has been asked to respond to previous complaints. A 2016 complaint, looking back, contains strikingly similar issues involving an in-patient substance use treatment facility, the judge's social media endorsements of it, allegations of being on the board of directors of it, ordering defendants to attend and that family members were involved in running the facility. It turns out that these prior matters bringing Judge Jameson before the Commission laid the foundation, and were part of his learning curve, for the matters in the instant case which are clearly violations of the Canons as addressed herein.

admonition to Judge Jameson. The Commission history<sup>6</sup> is directly relevant because Judge Jameson has more than once been cautioned or admonished to maintain the constitutional role of being judge, or in a more colloquial description, to “stay in his lane” and not venture into activities of other branches of government. The clear and convincing evidence presented to the Commission further established that his inability, and downright refusal during his entire tenure as judge, to maintain the constitutional role of being judge, all to satisfy his personal desire to bring to reality his vision of an in-patient substance use disorder (SUD) center is the catalyst of his decision to violate the Canons. Merely because goals (referred to by Judge Jameson as “dreams”) may be altruistic does not mean that attempting to fulfill those dreams does not violate the Canons or result in misconduct by a judge.

A summary of the Charges addressed at the Final Hearing include:

Count I: You acted as the alter ego for the 42<sup>nd</sup> Judicial Circuit Community Corrections Board (CCB) in the creation and development of an ankle monitoring program, failing to separate yourself as Circuit Judge from your duties at CCB, creating the appearance of impropriety to the public.

Count II: You acted as the alter ego for the 42<sup>nd</sup> Judicial Circuit Community Corrections Board (CCB) in the implementation and operation of CCB’s ankle monitoring program.

Count III: You mismanaged your courtroom, engaged in acts of retaliation, and deviated from acceptable standards of judicial conduct.

Count IV: You used your influence and the prestige of the judicial office to pressure persons to donate or support your political campaign.

Count V: You have repeatedly attempted to obstruct justice and impede the Commission’s authority to investigate the charges against you.

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<sup>6</sup> The Commission takes judicial notice of its own disciplinary records, its official business records. Judge Jameson has repeatedly maintained before the Commission and the public that in his previous encounters with the Commission he was found to have done nothing wrong. The Commission record refutes his characterization.

Count VI: You engaged in a pattern of noncompliance and interference with the Commission's orders.

Count VII: You have engaged in acts of intimidation.

The misconduct allegations against Judge Jameson presented to the Commission through the complaints and subsequent related hearings include serious claims of lack of judicial temperament, abuse of contempt power, due process violations, abuse of judicial office/power, improper implementation, use and administration of ankle monitors and processes, fundraising matters, "bid rigging," incidents taking place in the Marshall County courthouse investigated by the Marshall County Sheriff's office, obstruction of justice, misuse and abuse of power, various improprieties as a judicial officer, the appearance of impropriety, improper exercise of influence, misusing and abusing the prestige and power of his judicial office, retaliation, and a lack of candor to the relevant tribunals. Although the initial complaint for the instant action came from a sole defendant disgruntled by the ankle monitor process and administration, the ultimate evidence presented at the Final Hearing established that those allegations were the tip of the iceberg of the improper and wrongful conduct of Judge Jameson involving the community corrections board he created, established, implemented, oversaw, and administered. Even without the complaints involving the community corrections board, its operation and administration, and the associated rigging of the bid process, the other conduct of Judge Jameson established by the clear and convincing evidence presented at the Temporary Suspension Hearing and Final Hearing is sufficient to justify the Commission's decision herein, and the discipline imposed of removal from office.

COMMUNITY CORRECTIONS BOARD ISSUES:

The Commission was unaware of the community corrections board "issues" prior to the instant complaint(s). But as the clear and convincing evidence at the Final Hearing established, Judge Jameson began contemplating the implementation of a GPS ankle monitoring program through a local nonprofit agency as early as August of 2017. Pursuant to KRS 67.372, GPS<sup>7</sup> ankle monitoring is a program operated exclusively through county government, not the Court of Justice. The underlying purpose of the creation of the nonprofit entity by Judge Jameson, as well as the GPS ankle monitoring program, was to generate funds to build and operate a 100-bed in-patient drug treatment facility in the 42<sup>nd</sup> Judicial Circuit. The building of a treatment center was a dream of Judge Jameson<sup>8</sup> as well as a platform in his 2015 election campaign.

The nonprofit entity created by Judge Jameson through his office was the 42<sup>nd</sup> Judicial Circuit Community Corrections Board (CCB), whose statutory genesis is KRS 196.725. KRS Chapter 196.700 *et seq.*, provides for Community Corrections Programs to be operated under the Department of Corrections, an executive branch agency within the Justice and Public Safety Cabinet. The statutory scheme was designed for community corrections boards to apply for grants<sup>9</sup> from the Kentucky State Corrections Commission, again an executive

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<sup>7</sup> This term, global positioning system, references the technical aspects and abilities of the monitoring of defendants by location based upon the equipment used.

<sup>8</sup> In his testimony, Judge Jameson referred to it as a "pipe dream". Webster's Dictionary defines the term as meaning an illusory or fantastic plan, hope or story. As determined herein, the pipe dream was clearly outside the constitutional role of a judge.

<sup>9</sup> The testimony involving the grant matters was extensive. It further established that Judge Jameson was acting outside the constitutional role of a judge.

branch agency. While judges are permitted to serve on CCBs, there is absolutely no statutory basis or legal authority for a judge to utilize the board as a mechanism to operate an ankle monitoring program from the judge's office or otherwise utilize the board as a conduit for fundraising to build an in-patient drug treatment center. Such an improper use of a CCB is clearly outside the scope of KRS 196.700 *et seq.* Therein lies the background for numerous violations of judicial Canons and applicable laws by Judge Jameson, while also misusing and abusing the prestige and power of his judicial office.

In November 2018, Judge Jameson laid the foundation for the ankle monitoring program through inquiries with the Administrative Office of the Courts (AOC) (See JCC Hearing Exhibit 23 and 51<sup>10</sup>), although the 42<sup>nd</sup> Judicial Circuit Community Corrections Board was not created by Judge Jameson until December 31, 2018. Judge Jameson was the incorporator of the CCB, its initial registered agent, and a named director and President of the CCB. The articles of incorporation<sup>11</sup> were drafted by his staff attorney, a Court of Justice employee, and the principal office of the corporation was Judge Jameson's judicial chambers in the Marshall County Judicial Center.<sup>12</sup> (*Id.*)

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<sup>10</sup> In the November 21, 2018 email to Kim Hosea at AOC, that was copied to Kelly Stephens and Katie Shepherd at the Kentucky Supreme Court, Judge Jameson stated that he and "other local leaders" had formed a community corrections board pursuant KRS Chapter 196. That email discussed the long-range goal of CCB to fund and build a 100-bed in-patient treatment center and to implement an ankle monitoring program.

<sup>11</sup> The Articles foreshadowed violations of the Canons by Judge Jameson as they describe the purposes of the corporation that involved matters that would be before Judge Jameson in his court. (See Articles, VI – Purpose, JCC Hearing Exhibit 19).

<sup>12</sup> Judge Jameson testified that Dominik Mikulcik and Christine Pickett just did things on their own, yet Judge Jameson was their direct supervisor and responsible for their actions. Rule 2.1 requires a judge to require court staff, court officials and others subject to the judge's direction and control to act in a manner consistent with the judge's obligations

Prior to incorporation of the CCB, Judge Jameson had already begun initiating contact directly from his office with an ankle monitor vendor and manufacturer based in Illinois, to obtain pricing and specifications for ankle monitors that he believed would be profitable if utilized by the CCB. (See JCC Hearing Exhibits 22, 33, 34, 35). These monitors would be rented to criminal defendants in cases from both Calloway and Marshall Circuit Court, where Judge Jameson presided.

Judge Jameson made personal appearances before both the Calloway and Marshall County Fiscal Courts in 2019,<sup>13</sup> first to advise those governmental bodies that they were not in compliance with KRS Chapter 67 regarding the use of GPS ankle monitors<sup>14</sup> and second, to inform and influence the counties that the nonprofit board (CCB) he had created could provide GPS ankle monitors for the counties. Specifically, Judge Jameson directly communicated to the fiscal courts that his CCB could deliver ankle monitors to the counties that would result in a substantial monetary savings in the operation of their respective jails. Judge Jameson also directly injected himself into the county public bidding process, including the preparation of specifications for the Request For Proposals (RFP). (See JCC Hearing Exhibits 39, 36, 37, 38, 41, 42, 44, 61, 35, 63, 64 and 38). Judge Jameson's input insured that the bid ultimately submitted by the CCB would be the best bid in accordance with the

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under the Code. Judge Jameson has over and over tried to cast blame on others who he solicited to be involved in his scheme.

<sup>13</sup> See JCC Hearing Exhibit 33, Judge Jameson presentation before the Marshall County Fiscal Court, March 5, 2019. Judge Jameson also appeared before the Calloway County Fiscal Court on March 19, 2019.

<sup>14</sup> See JCC Hearing Exhibit 34.

specifications that he assisted in preparing. No other bidders had Judge Jameson's assistance or input in the bid process. (See JCC Hearing Exhibits 40, 47).

Upon injecting himself into the counties' RFP and bid specification process, Judge Jameson then prepared and submitted the CCB's bid to the respective fiscal courts, said bid conforming to the specifications in the RFP that Judge Jameson had directly influenced and assisted in preparing. (See RFP, JCC Hearing Exhibits 39, 47, 63 & 65). As a result of Judge Jameson's inappropriate intervention in the bidding process, the CCB's bid was approved and accepted by the respective fiscal courts in August and September of 2020. (See JCC Hearing Exhibit 49).

Upon obtaining the fiscal courts' approval of the CCB's bid proposal, in November of 2020, Judge Jameson implemented the ankle monitoring program in both counties and thereupon operated the program out of the Judge's office in Marshall County until at least January of 2022. In conjunction therewith, Judge Jameson and CCB staff under his direct supervision created rules, procedures and forms for the operation of the ankle monitor program without the approval of the Chief Justice of Kentucky. This included violation notice forms (See JCC Hearing Exhibits 53, 54, 55, 56 & 57), which were filed in court records of pending criminal cases by CCB employees working out of Judge Jameson's office who were not employed by the Court of Justice.<sup>15</sup> These forms also included an ankle monitoring services agreement, that was executed by defendants upon payment of fees at the time of installation of the ankle monitor. (See JCC Hearing Exhibit 68). This agreement was also signed by Judge Jameson as President of the CCB, in direct conflict with his duties as Judge of

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<sup>15</sup> See Final Hearing testimony of Christine Pickett and Sarah Gipson.

the 42<sup>nd</sup> Judicial Circuit, having as judge ordered the defendants into the ankle monitoring program.

While Judge Jameson communicated and implied that the AOC had approved his ankle monitor program and his involvement with the CCB in this regard, the AOC actually communicated to Judge Jameson as early as December 4, 2018 (See JCC Hearing Exhibit 51), that the agency could not provide “definitive answers” regarding his GPS ankle monitoring proposal. And, Judge Jameson never requested or obtained a written opinion from the Judicial Ethics Committee (JEC) regarding his involvement in the program.<sup>16</sup> Equally disturbing, AOC advised against the circuit court clerks collecting ankle monitoring fees from defendants in the program, which advice Judge Jameson and the clerks failed to follow. (*Id.*; see also testimony of Linda Avery and Tiffany Griffith).

ABUSE OF CONTEMPT POWERS, TEMPERAMENT AND OTHER MATTERS:

During the course of these proceedings and the Commission’s investigation, the Commission received several complaints regarding Judge Jameson’s abuse of the contempt power, including the regular threat of sanctions against courtroom participants during court

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<sup>16</sup> Judge Jameson testified that Chief Justice John D. Minton, Jr. had approved circuit judges being involved in administering GPS ankle monitoring programs through a CCB and further acquiesced in the judge’s involvement with the funding and building of an inpatient drug treatment facility in Marshall and Calloway County. Jameson specifically relies on a report issued through the Chief Justice’s office in March of 2021 styled “Recovery Oriented Systems of Care: Needs and Opportunities for Kentucky’s Court System” (ROSC). (See Judge Jameson Hearing Exhibit 7). The Commission thoroughly reviewed this report and can find no reference or direction by the Chief Justice to circuit judges that would authorize or approve judges in Kentucky to operate a GPS ankle monitoring program out of their office or engage in fundraising and related activities to build a drug treatment center in their respective counties. We note that Chief Justice Minton was not called as a witness by Judge Jameson at the hearing nor is the building of drug treatment centers a function of the judiciary in Kentucky.

proceedings. At the temporary suspension hearing on August 12, 2022, the Commission reviewed video records from several cases during Judge Jameson's tenure as Circuit Judge, including Marshall County cases *Commonwealth v. Anastasia Dean*, Case No. 18-CR-00029; *Commonwealth v. Danny Dale*, 19-CR-000210 and 19-CR-00211; *Commonwealth v. William McAlpin*, 17-CR-0004, and proceedings on November 10, 2020, involving Deputy Jailer Sean Gourd.<sup>17</sup> In each of these cases, Judge Jameson abused his contempt power and exhibited a complete lack of patience and dignity by either threatening or actually holding attorneys, defendants and Deputy Gourd in contempt.

Despite the relative egregiousness of all the matters presented herein, Judge Jameson's abuse of the contempt power still shocks the conscience. The most egregious abuse of the use of the contempt powers was in the *Dean* case.

In the *Dean* case in 2018, the defendant's probation was revoked by Judge Jameson. The defendant's grandfather, Richard Hoefle, a spectator in the courtroom, questioned aloud what he was to do with the defendant's baby, his great-grandchild. Judge Jameson responded that if Mr. Hoefle could not care for the baby, then he should "turn it over to the state". As he left the courtroom, Mr. Hoefle commented that the judge would not get his vote in the next election. Upon hearing this statement, Judge Jameson immediately held Mr. Hoefle in contempt, sentenced him to 180 days in jail, and had him taken into custody. While in cuffs and still in the courtroom, Mr. Hoefle made a statement to his granddaughter, which triggered the judge to add another 180 days to his sentence, resulting in 360 days in

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<sup>17</sup> Video of the court proceedings for each matter was presented and played without objection during the temporary suspension hearing and introduced into evidence at the Final Hearing. (See JCC Hearing Exhibits 6 and 7 for the Hoefle case, 8 and 9 for the Dale case, 10 and 11 for the McAlpin case, and 12, 13, and 14 for the Deputy Gourd matter).

jail. Approximately two hours later, Mr. Hoefle was brought from a holding cell to the courtroom, where Judge Jameson proceeded to conduct what amounted to a sentencing hearing, without counsel present for Mr. Hoefle. Nothing in the record reflects that Mr. Hoefle was read his rights or advised he was entitled to counsel. The judge then proceeded to conditionally discharge the 360-day contempt sentence for a period of two years provided Mr. Hoefle had no other outbursts or law violations. Mr. Hoefle left the courtroom with a criminal record.<sup>18</sup> At the temporary suspension hearing, Judge Jameson testified that Mr. Hoefle had resisted arrest by the bailiffs. However, the video record clearly reflects that Mr. Hoefle was holding a baby carrier at the time of his arrest and did not resist being taken into custody.

In the proceeding involving the Marshall County deputy jailer in November of 2020, Judge Jameson became upset during a court session when he was advised by a bailiff that a defendant he had earlier ordered to jail would not be accepted by the deputy jailer due to Covid restrictions. The judge recessed his court docket and proceeded to direct a deputy sheriff to take the deputy jailer into custody for “civil contempt,<sup>19</sup>” although the alleged contempt had not occurred in the judge’s presence. Shortly thereafter, Judge Jameson proceeded to conduct a *sua sponte* hearing for the deputy jailer, who was in handcuffs,

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<sup>18</sup> What is perhaps most troubling is Judge Jameson’s verbal order to the Circuit Clerk to open two “CR” cases for contempt against this gentlemen. A review of Kentucky Courtnet reveals that this gentleman does indeed show a record of two counts of a “CR” conviction, recorded as if he pleaded guilty to a felony charge of contempt, and one has to wonder if he will find himself unable to vote in the upcoming election without going through the steps to prove himself not a convicted felon.

<sup>19</sup> While Judge Jameson disputed the claim that he had directed the deputy sheriff to take the deputy jailer into “custody,” the deputy jailer was no doubt brought in handcuffs into the courtroom and remained in handcuffs for the entire hearing.

without counsel, and who had further indicated on the record to the judge that his retained counsel was on the way to the courthouse. Nevertheless, upon contacting the jailer by phone, the judge proceeded to conduct a hearing, admonished the jailer and deputy jailer, and ultimately released the deputy jailer from custody.

At the temporary suspension hearing, the day long testimony presented to the Commission included that from attorney Lisa DeRenard and others which established that Judge Jameson used his influence and the prestige of the judicial office to pressure persons to donate or support his political campaign, including Attorney DeRenard. Her testimony was credible, and the evidence presented clear and convincing.

It bears noting that nearly all questioning of Judge Jameson through these proceedings resulted in his token acknowledgement of the behavior, while denying any personal responsibility or wrongdoing on his own part. Nearly all the concerns related to fundraising were attributed by Judge Jameson to the Fletcher Group. For example, a color flyer featuring a photograph of Judge Jameson and a quote by Judge Jameson was sent by Judge Jameson, through his official email, to what appeared to be the local bar members, and others, in the Calloway and Marshall County Area. (See JCC Hearing Exhibits 62 and 76). When questioned about this, Judge Jameson claimed he did not realize that flyer was attached to his email, denied making the quote attributed to him on the flyer, and claimed he did not provide the photograph to the Fletcher Group to attach to the flyer, but did mention he had suggested that Fletcher Group perform “a google search” to find his likeness.

The Commission remains greatly concerned based upon statements by Judge Jameson to date that leave the clear message he intends to continue his actions and efforts and that he fails to acknowledge or see how his actions and efforts addressed herein are acts

of misconduct, violations of the Canons and/or take him far afield of his constitutional role as judge.

Based upon clear and convincing evidence presented at the hearings, the individual misconduct claims against Judge Jameson are of significant concern and present numerous, serious transgressions, and a pattern of improper conduct based on his self-declared “pipe dream” of the CCB matters after he was previously admonished regarding the potential issues such actions created for a sitting judge and the limits created by the constitutional role of judge, and that such are violations of the Rules of the Kentucky Code of Judicial Conduct.

Collectively, the misconduct claims against Judge Jameson established at the Temporary Suspension Hearing and the Final Hearing justify a severe but necessary disciplinary action against him as set forth below.

#### **IV. FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The Judicial Conduct Commission concludes that the following Findings of Fact and Conclusions of Law have been established by clear and convincing evidence.

At all relevant times, Judge Jameson was the Circuit Court Judge for Kentucky's 42<sup>nd</sup> Judicial Circuit consisting of Calloway and Marshall counties.

#### **COUNT I**

Based upon the totality of the evidence presented, and following significant deliberation by the Commission, by a vote of 5-0, the Commission finds with respect to Count I<sup>20</sup> that the Respondent committed the acts as follows:

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<sup>20</sup>The charges were taken from the Notice of Formal Proceedings and Charges, Amended Notice of Formal Proceedings and Charges, and Second Amended Notice of Formal Proceedings and Charges and set forth herein as to matters proven at the Final Hearing by the requisite standard. “You” and “your” refer to Judge Jameson.

You acted as the alter ego for the 42<sup>nd</sup> Judicial Circuit Community Corrections Board (CCB) in the creation and development of an ankle monitoring program, failing to separate yourself as Circuit Judge from your duties at CCB, creating the appearance of impropriety to the public.

- A. As supported by Judge Jameson's admissions (See November 21, 2018 Email from Judge Jameson, JCC Hearing Exhibit 23), and the testimony of Christine Pickett and Linda Avery, Judge Jameson created the CCB improperly<sup>21</sup> and for an improper purpose (residential treatment) contrary to KRS 196.705.<sup>22</sup> You created a Kentucky non-profit entity, held it out as a properly formed community corrections board when it failed to comply with the applicable statutory requirements. Your creation of this Executive Branch Board falls outside of the scope of your judicial duties and responsibilities and constitutes an improper use of judicial resources.
- B. In the creation and development of the CCB ankle monitoring program, you admitted that you developed procedures and local rules without the approval from the Chief

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<sup>21</sup> When questioned under oath about the lack of compliance with the statutes governing formations of community corrections boards, Judge Jameson repeatedly testified that this was not that type of a community corrections board, but was merely a Kentucky nonprofit corporation that was *named* "community corrections board," and as such not required to comply with those statutes. However, in correspondence with county government, providers of ankle monitoring services, circuit clerks, county attorneys, and grant applications, it was repeatedly held out as "a community corrections board" as if formed under those (KRS Chapter 196) statutes, and not merely a nonprofit corporation.

<sup>22</sup> Pursuant to KRS 196.725, a judge may serve as a board member of such entity.

Justice of the Kentucky Supreme Court as required under SCR 1.040(3), the Administrative Office of the Courts (AOC), Kentucky statute, or other authority.<sup>23</sup>

- C. You attended meetings and communicated<sup>24</sup> with CCB ankle monitor vendors to solicit specifications and pricing for monitors, while also meeting with elected officials regarding those costs and specifications.
- D. You prepared and submitted through your staff attorney<sup>25</sup> CCB's ankle monitoring program bid to the Calloway and Marshall County Fiscal Courts and participated in the bidding process, using your influence to have a specific ankle monitor provider selected and approved.

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<sup>23</sup> When questioned under oath about his proceeding without benefit of Kentucky Supreme Court approved local rules, he testified that he had submitted two sets of local rules, both of which were rejected by the Office of the Chief Justice, as if this somehow authorized and validated, or alternatively mitigated, his improper behavior. (See Judge Jameson testimony).

<sup>24</sup> Emails reflect communication with the Calloway County Attorney regarding the requests for proposal for bids, followed by submission to his choice of ankle monitor vendor requesting that company ascertain whether anything in that RFP would exclude their product from consideration, and if so to fix the RFP to cure the problem. (See JCC Hearing Exhibit 37).

<sup>25</sup> In what can only be described as a strange turn of events, Judge Jameson called his former staff attorney Dominik Mikulcik who, after consulting with an attorney, elected to invoke the protection of the Fifth Amendment of the United States Constitution in response to nearly every question on direct examination relating to his involvement in the formation of "the CCB." Mikulcik later acknowledged involvement in nearly every stage of formation during questioning by the Commission members, in effect waiving the Fifth Amendment protections.

- E. You were involved with drafting the Fiscal Court’s request for proposals<sup>26</sup> for the ankle monitoring program in Marshall and Calloway Counties, hindering the competitive bid process.<sup>27</sup>
- F. As supported by your admissions and the testimony of Christine Pickett,<sup>28</sup> you submitted a grant application to the Kentucky Department of Corrections (See JCC Hearing Exhibits 24, 25, 26 and 27) seeking funding for an improper purpose on behalf of CCB, an entity not formed in compliance with KRS 196.700, et seq., and without complete and proper disclosure by you, listing yourself as the project director/contact, thereby creating a conflict of interest<sup>29</sup> with your position as Circuit Court Judge in Marshall and Calloway Counties.

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<sup>26</sup> In an amazing feat, though fraught with potential negative exposure, Judge Jameson was able to involve himself in the preparation of the RFP, the preparation of the bid, and the administration and operation of the equipment obtained through the bidding process. Judge Jameson’s involvement in all aspects of the bid process is unprecedented and certainly falls well outside the constitutional role of judge.

<sup>27</sup> Hindering the competitive bid process is the polite description for “bid rigging.” Bid rigging was the term used by counsel for the Commission in his opening statement of what he intended to prove; and he did so by clear and convincing evidence. (See Judge Jameson’s email to Ed Brennan, JCC Hearing Exhibit 46, having the pricing information in advance and the Buddi letter, JCC Hearing Exhibit 40).

<sup>28</sup> Christine Pickett testified that her work began as an unpaid intern for Judge Jameson, answering primarily to Dominik Mikulcik. She then began working as the paid contractor for the CCB, a position that Mikulcik testified was first offered to him. Mikulcik testified that he believed it would be inappropriate to accept such a position while employed full time by the Kentucky Court of Justice. Pickett also testified that she never completed the grant application. This directly contradicted Judge Jameson’s statements to the Department of Corrections that she had tried to submit it but had trouble submitting it online, so he was doing it for her. This is one of many conflicting statements the Commission heard during the Final Hearing.

<sup>29</sup> Judge Jameson ordered defendants on ankle monitors creating the need for and use of the monitors.

- G. As supported by your admissions and the testimony of Dominik Mikulcik, you used the prestige of your judicial office to influence various elected officials, agencies, and individuals, promoting the CCB ankle monitoring program as a cost-saving measure and a means to raise funds for a proposed inpatient substance use disorder (SUD) treatment facility project you are spearheading. (See JCC Hearing Exhibits 48, 47 ¶2, 23, 62 and 17).
- H. As supported by your admissions and the testimony of Linda Avery,<sup>30</sup> and documents in the record, you used the prestige of your judicial office to solicit support and personal donations from elected officials, organizations, and individuals for the CCB and SUD treatment facility.<sup>31</sup> (See JCC Hearing Exhibits 29, 30, 31 and 76).
- I. As supported by your admissions, you appeared before the Calloway and Marshall County fiscal courts to express your legal opinion and to assert that the use of the current ankle monitor system and equipment violates the law and suggested “a solution” that inured to the benefit of you and others. (See JCC Hearing Exhibit 33 and 34, and Section III, *infra*).

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<sup>30</sup> Linda Avery testified that she was fully supportive of Judge Jameson’s “pipe dream,” at least partly under pressure of the local fiscal court to get people out of jail because the cost of incarceration, and to a greater degree because of the costs incurred by the county for coincidental medical treatment required by inmates during incarceration, were creating a huge financial burden on Calloway County. However, it must be stated that her personal belief in this cause was so great that she donated, over time, \$21,000 of her personal funds to support it and eventually became an officer of the CCB entity.

<sup>31</sup> The promotional flyer and advertising info, as well as the radio advertisement, are persuasive on this charge. (See JCC Hearing Exhibits 31, 62 and 76.)

Judge Jameson's actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Furthermore, Judge Jameson's actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1, Rule 1.1** which requires a judge to comply with the law, including the Code of Judicial Conduct.
- **Canon 1, Rule 1.2** which requires a judge to 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 1, Rule 1.3** which requires that a judge shall not abuse the prestige of judicial office to advance the personal or economic interests of the judge or others, or allow others to do so.
- **Canon 2, Rule 2.1** which requires that the duties of judicial office shall take precedence over all of a judge's personal and extrajudicial activities.
- **Canon 2, Rule 2.4 (B)** which requires that a judge shall not permit family, social, political, financial, or other interests or relationships to influence the judge's judicial conduct or judgment.
- **Canon 3, Rule 3.1 (A)** which provides that when engaging in extrajudicial activities, a judge shall not participate in activities that will interfere with the proper performance of the judge's judicial duties.
- **Canon 3, Rule 3.1 (C)** which provides that when engaging in extrajudicial activities, a judge shall not participate in activities that would appear to a reasonable person to undermine the judge's independence, integrity, or impartiality.
- **Canon 3, Rule 3.1 (D)** which provides that when engaging in extrajudicial activities, a judge shall not engage in conduct that would appear to a reasonable person to be coercive.
- **Canon 3, Rule 3.2** which provides that a judge shall not appear voluntarily at a public hearing before, or otherwise consult with, an executive or legislative body or office.
- **Canon 3, Rule 3.7(A)(4)** which provides that a judge shall not personally engage in direct solicitation of contributions.

## Count II

Based upon the totality of the evidence presented, and following significant deliberation by the Commission, by a vote of 5-0, the Commission finds with respect to Count II that the Respondent committed the acts as follows:

You acted as the alter ego for the 42<sup>nd</sup> Judicial Circuit Community Corrections Board (CCB) in the implementation and operation of CCB's ankle monitoring program.

- A. As supported by the testimony of Dominik Mikulcik, Christine Pickett, Sarah Gipson and Landon Norman, as Circuit Court Judge, you participated in communications with CCB staff, including individuals for whom you are the appointing authority, whose work you directed and directly supervised, including conversations regarding the ankle monitoring program rules, alleged violations, and Orders for cases over which you presided.
- B. As supported by the testimony of Dominik Mikulcik, and Christine Pickett, you received direct notifications of alleged ankle monitor violations (See JCC Hearing Exhibits 55, 56, 57, 58 and 59) and instructed<sup>32</sup> CCB staff, including individuals for whom you are the appointing authority, whose work you directly supervised, to send ankle monitor violations directly to you.
- C. As supported by the testimony of Christine Pickett, on more than one occasion, you issued arrest warrants for individuals participating in the ankle monitoring program upon receipt of notices of alleged violations from CCB staff, whose work you directly

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<sup>32</sup>Emails between Judge Jameson and Christine Pickett show involvement to such a degree that Judge Jameson directed police be sent to specific locations and to try to "catch them" before they leave Calloway County. (See JCC Hearing Exhibits 53, 55-59).

supervised,<sup>33</sup> but who were not Court of Justice employees. (See JCC Hearing Exhibits 55-59).

- D. As supported by the testimony of Dominik Mikulcik, Christine Pickett and Linda Avery, despite presiding over cases in which you ordered participation in CCB's ankle monitoring program, you participated in the collection of fees,<sup>34</sup> managed financial transactions, and wrote checks on behalf of CCB.
- E. You created the appearance of impropriety<sup>35</sup> by ordering individuals to participate in CCB's ankle monitoring program<sup>36</sup> when the proceeds of the program were intended to support a project advanced by a corporation in which you held the offices of president and director.

Judge Jameson's actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Furthermore, Judge Jameson's actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

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<sup>33</sup> While it is not uncommon for a judge to issue a bench warrant based on correspondence from Pretrial Services, Judge Jameson's testimony was that Pretrial Services was in no way involved in this process.

<sup>34</sup> The fee payments were placed in Judge Jameson's box located in the circuit court clerk's office.

<sup>35</sup> When questioned about whether an appearance of impropriety existed regarding his setting bonds in order to fund his "CCB," he acknowledged that it did create an appearance of impropriety, as it could appear to people that defendants who might have otherwise been released on non-financial conditions were placed on the ankle monitor instead.

<sup>36</sup> Judge Jameson further acknowledged that he was not using Pretrial Services' official "risk assessment" tool in his setting of bonds and indicated he had not seen Pretrial Services in court since 2020, and that he was not provided a printout of that department's assessment tool to consult while deciding the fate of criminal defendants, effectively cutting Pretrial Services out of involvement with Circuit Court defendants. The testimony established that Judge Jameson had effectively created his own, private "pretrial service."

- **Canon 1, Rule 1.1** which requires a judge to comply with the law, including the Code of Judicial Conduct.
- **Canon 1, Rule 1.2** which requires a judge to 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 1, Rule 1.3** which requires that a judge shall not abuse the prestige of judicial office to advance the personal or economic interests of the judge or others, or allow others to do so.
- **Canon 2, Rule 2.1** which requires that the duties of judicial office shall take precedence over all of a judge's personal and extrajudicial activities.
- **Canon 2, Rule 2.2** which requires that a judge shall uphold and apply the law, and shall perform all duties of judicial office fairly and impartially.
- **Canon 2, Rule 2.4 (B)** which requires that a judge shall not permit family, social, political, financial, or other interests or relationships to influence the judge's judicial conduct or judgment.
- **Canon 2, Rule 2.9 (C)** Which requires that a judge shall not investigate facts in a matter independently, and shall consider only the evidence presented and any facts that may properly be judicially noticed.
- **Canon 2, Rule 2.12 (A)** which provides a judge shall require court staff, court officials, and others subject to judge's direction and control to act in a manner consistent with judge's obligations under this Code.
- **Canon 3, Rule 3.7(6)(a)** which allows a judge to serve as an officer, director, trustee, or nonlegal advisor of a charitable organization unless it is likely that the organization or entity will be engaged in proceedings that would ordinarily come before the judge.

### **COUNT III**

Based upon the totality of the evidence presented, and following significant deliberation by the Commission, by a vote of 5-0, the Commission finds with respect to Count III that the Respondent committed the acts as follows:

During your tenure as Circuit Court Judge, you mismanaged your courtroom, engaged in acts of retaliation, and deviated from acceptable standards of judicial conduct.

- A. As supported by your admissions, you ordered individuals to participate in ankle monitoring services provided by CCB, a corporation in which you held the offices of president and director and which you operated from your judicial chambers. (See Section III, *infra*).
- B. You displayed behavior toward persons in your courtroom that was not patient, dignified, and courteous. (See Section III, *infra*).
- C. You personally pressured an attorney, Lisa DeRenard, who appeared before your Court, to file a bar complaint against another attorney, and to draft a sworn statement on your behalf to rebut a complaint made against you. (See Section III, *infra* and testimony of Lisa DeRenard on August 12, 2022).<sup>37</sup>
- D. You retaliated against a Marshall County Sheriff's Department employee by seeking his termination or re-assignment after he reviewed Courthouse video footage of you because you believed, without any evidence,<sup>38</sup> he leaked the video to media outlets. (See Section III, *infra* and JCC Hearing Exhibits 15, 16 and 18).

Judge Jameson's actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Furthermore, Judge Jameson's actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

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<sup>37</sup> See also Tiffany Griffith Statement to the Commission and her testimony at the Final Hearing and Exhibit 59; and the testimony of Sheriff Eddie McGuire and Lisa DeRenard at the temporary suspension. This evidence supports the Commission's conclusion as to retaliation by Judge Jameson, and that he sought the termination or reassignment of Deputy Clerk Lacey Cavitt after he had received the factual information from the Commission.

<sup>38</sup> Much ado appears to have been made about this after-hours courthouse security video, but it appears to have been Judge Jameson's own actions that brought it to the attention of the media and this Commission and caused it to rise to the level of requiring Commission review.

- **Canon 1, Rule 1.1** which requires a judge to comply with the law, including the Code of Judicial Conduct.
- **Canon 1, Rule 1.2** which requires a judge to 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, Rule 2.2** which requires that a judge shall uphold and apply the law and shall perform all duties of judicial office fairly and impartially.
- **Canon 2, Rule 2.3 (A)** which requires that a judge perform the duties of judicial office, including administrative duties, without bias or prejudice.
- **Canon 2, Rule 2.3 (B)** which requires that a judge shall not, in the performance of judicial duties, by words or conduct, manifest bias or prejudice, or engage in harassment and shall not permit court staff, court officials, or others subject to the judge's discretion and control.
- **Canon 2, Rule 2.4 (B)** which requires that a judge shall not permit family, social, political, financial, or other interests or relationships to influence the judge's judicial conduct or judgment.
- **Canon 2, Rule 2.8 (B)** which requires that a judge shall be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, court staff, court officials, and other with whom the judge deals in an official capacity, and shall require similar conduct of lawyers, court staff, court officials, and others subject to the judge's discretion and control.

#### **COUNT IV**

Based upon the totality of the evidence presented, and following significant deliberation by the Commission, by a vote of 5-0, the Commission finds with respect to Count IV that the Respondent committed the acts as follows:

During your tenure as Circuit Court Judge, and as supported by the testimony and evidence presented at the Temporary Suspension Hearing, the testimony of Landon T. Norman, and Lisa DeRenard, you used your influence and the prestige of judicial office to pressure persons to donate to or support your political campaign.<sup>39</sup>

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<sup>39</sup> See also, testimony of Sara Gipson and Landon Norman at Final Hearing.

Judge Jameson's actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Furthermore, Judge Jameson's actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1, Rule 1.1** which requires a judge to comply with the law, including the Code of Judicial Conduct.
- **Canon 1, Rule 1.2** which requires a judge to 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 1, Rule 1.3** which requires that a judge shall not abuse the prestige of judicial office to advance the personal or economic interests of the judge or others, or allow others to do so.
- **Canon 4, Rule 4.8** which requires that a judge shall not personally solicit or accept financial or in-kind campaign contributions other than through a campaign committee.

#### **COUNT V**

Based upon the totality of the evidence presented, and following significant deliberation by the Commission, by a vote of 5-0, the Commission finds with respect to Count V that the Respondent committed the acts as follows:

During the course of the Commission's proceedings, you have repeatedly attempted to obstruct justice and impede the Commission's authority to investigate the charges against you. Specifically, you intimidated and attempted to interfere with your judicial staff complying with a Commission subpoena.

On September 21, 2022, upon request by Counsel for the Commission, the Commission issued a subpoena for Kentucky Court of Justice records as follows:

All documents including, but not limited to, internal emails, external emails, text messages, letters, reports, audio recordings and handwritten notes in the possession of any and all Marshall and Calloway County elected judges, judicial staff, elected clerks, and elected clerk staff pertaining to, relating to and/or arising from any of the allegations, events or incidents related to 42nd Judicial

Circuit Judge James Jameson's involvement with the 42nd Circuit's Community Corrections Board ("CCB"), Track Group<sup>40</sup> ankle monitoring services, or Re-life substance abuse disorder treatment program.

Your counsel was provided a copy of the subpoena upon service.

On September 26, 2022, you contacted your administrative support specialist via telephone to discuss the subpoena. In short, and as supported by the testimony of Sarah Gipson (see JCC Hearing Exhibit 73), you instructed your judicial staff to act in contradiction to their duties and responsibilities as AOC employees.<sup>41</sup>

Staff attorney Landon Norman testified that he perceived the statements in the September 6, 2022, Facebook post made by Judge Jameson's wife, Jenny Jameson, as a threat to anyone, including himself, who may cooperate with the Commission or testify in the Commission's proceedings. (See JCC Hearing Exhibit 75).

Judge Jameson's actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Furthermore, Judge Jameson's actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1, Rule 1.1** which requires a judge to comply with the law.
- **Canon 1, Rule 1.2** which provides that 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.

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<sup>40</sup> The evidence presented referred to Track Group and Trac Solutions. They appear to be related entities. (See JCC Hearing Exhibits 41 and 44; Request for Proposal, JCC Hearing Exhibit 39).

<sup>41</sup> As became evident from the clear and convincing evidence presented at the hearings, a common thread through all improper actions of Judge Jameson is his overriding desire to maintain total control. It is also part of his downfall. Ironically, he could have followed proper legal procedures and used his counsel of record to obtain copies of the documents sought by the Commission's subpoena like any other party to litigation, rather than employing intimidation tactics and demands over Court of Justice employees.

- **Canon 1, Rule 1.3** which prohibits a judge from abusing the prestige of judicial office to advance the personal or economic interests of the judge or others, or allowing others to do so.
- **Canon 2, Rule 2.12 (A)** which provides a judge shall require court staff, court officials, and others subject to judge's direction and control to act in a manner consistent with judge's obligations under this Code.

The Commission further finds and concludes that the actions of Judge Jameson set forth in Count V are, and should be, subject to the review and exercise of the contempt powers of the Supreme Court, whose rules and discipline process are at issue, but no such contempt powers exist under the Commission's rules and scope of authority. Given the absence of any specific rule setting forth or defining contempt powers for the Commission, the Commission hereby refers the matters in Count V to the Kentucky Supreme Court to fully address, noting the seriousness of the actions of Judge Jameson attempting to interfere in the duties of the Commission with and in its proceedings and hearings.

#### **COUNT VI**

Based upon the totality of the evidence presented, and following significant deliberation by the Commission, by a vote of 5-0, the Commission finds with respect to Count VI that the Respondent committed the acts as follows:

Following your temporary suspension, you engaged in a pattern of noncompliance and interference with the Commission's orders. Specifically, you failed to adhere to the terms of your temporary suspension by contacting your judicial staff and availing yourself of judicial resources.

As a part of your temporary suspension on August 15, 2022, you were prohibited from accessing court resources. However, notwithstanding your suspension, you continued to access your judicial e-mail account and contact your staff members for purposes related

to your judicial role. Then, in September 2022, you contacted your staff to request delivery of an AOC laptop docking station. You continued to have in your possession and used or attempted to use two KCOJ laptops. You have also contacted your staff to request copies of AOC documents and materials to which you no longer had access.

Judge Jameson's actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Furthermore, Judge Jameson's actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1, Rule 1.1** which requires a judge to comply with the law.
- **Canon 2, Rule 2.16(A)** which requires that a judge shall cooperate and be candid and honest with judicial and lawyer disciplinary agencies, including the Judicial Conduct Commission.

The Commission acknowledges the Writ of Prohibition entered by the Kentucky Supreme Court on October 31, 2022, after the conclusion of the Final Hearing, and the deliberation and voting by the Commission. The Writ vacated and set aside the Commission's Order of Temporary Suspension and declared it *void ab initio*. As a result, Count VI is now not considered by or factored into the discipline imposed by the Commission herein.

### **COUNT VII**

Based upon the totality of the evidence presented, and following significant deliberation by the Commission, by a vote of 5-0, the Commission finds with respect to Count VII that the Respondent committed the acts as follows:

In early April of 2022, after learning that an Open Records Act request had been made to the Administrative Office of the Courts for security footage of the courthouse, you called Chad Lampe, the station manager of the public radio station at Murray State University.

During that phone call, believing the station had filed an appeal of the denial of the Open Records Act request, you told Mr. Lampe you had already spoken to the President of the University and you told Mr. Lampe the President was not happy. You asked Mr. Lampe to confirm that the news station was not going to run a story about the camera footage of you walking around in the courthouse in your underwear. Within a day or two after your phone call, University leadership contacted Mr. Lampe requesting information about the Open Records Act request. (See JCC Hearing Exhibit 74). The foregoing, established by clear and convincing evidence, demonstrates your attempt to use the power and prestige of your office for personal gain.

Judge Jameson's actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Furthermore, Judge Jameson's actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1, Rule 1.1** which requires a judge to comply with the law.
- **Canon 1, Rule 1.2** which provides that 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 1, Rule 1.3** which prohibits a judge from abusing the prestige of judicial office to advance the personal or economic interests of the judge or others, or allowing others to do so.

### **ORDER**

Judge Jameson has been found guilty by the Commission of violating the Kentucky Code of Judicial Conduct and engaging in misconduct in all seven (7) of the counts charged against him. His conduct has violated numerous Rules of the Judicial Canons, including the following:

- Failing to comply with the law (Canon 1, Rule 1.1).

- Failing to act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and avoiding impropriety and the appearance of impropriety (Canon 1, Rule 1.2), and not abuse the prestige of judicial office to advance the personal interests of the judge or others (Canon 1, Rule 1.3).
- Failing to give precedence of the judicial office over all of a judge's personal and extrajudicial activities (Canon 2, Rule 2.1).
- Failing to perform the duties of judicial office fairly and impartially (Canon 2, Rule 2.2) and without bias or prejudice (Canon 2, Rule 2.3(A) and (B)).
- Allowing social, political, financial or other interests or relationships to influence judicial conduct or judgment (Canon 2, Rule 2.4(B)). Failing to be patient, dignified, and courteous to those with whom the judge deals in an official capacity, and permitting similar conduct of others subject to his direction and control (Canon 2, Rule 2.8(B)).
- Investigating facts in a matter independently, and considering facts not properly presented or judicially noticed. (Canon 2, Rule 2.9(C)).
- Failing to require his staff to act in a manner consistent with the judge's obligations under the Code of Judicial Conduct (Canon 2, Rule 2.12(A)).
- Failing to cooperate and be candid and honest with judicial disciplinary agencies (Canon 2, Rule 2.16(A)).
- Participating in activities that will interfere with the proper performance of the judge's judicial duties. (Canon 3, Rule 3.1(A)).
- Participating in activities that would appear to a reasonable person to undermine the judge's independence, integrity or impartiality. (Canon 3, Rule 3.1(C)).
- Engaging in conduct that would appear to a reasonable person to be coercive (Canon 3, Rule 3.1(D)).
- Appearing voluntarily at a public hearing before, or otherwise consult with, an executive or a legislative body or official. (Canon 3, Rule 3.2)).
- Personally soliciting contributions and further allowing his name, image and prestige of judicial office to be used by others directly in the solicitation of contributions for the building of an inpatient drug treatment center in Marshall and Calloway counties. (Canon 3, Rule 3.7(A)(4)).
- Serving as an officer, director, trustee, or nonlegal advisor of such an organization or entity that is engaged in proceedings that come before the judge. (Canon 3, Rule 3.7(6)(a)).
- Personally soliciting or accepting financial or in-kind campaign contributions other than through a campaign committee authorized by Rule 4.4 (Canon 4, Rule 4.1(A)(8)).

Judge Jameson's conduct violating the Canons was not isolated but was a pattern of repeated conduct over an extended period of time. He put great thought, planning and effort into the community corrections board matters and bid rigging, and he repeatedly abused the

court's contempt powers, violating the due process rights of those in his courtroom. His violations of the Code of Judicial Conduct were extensive and frequent. The conduct occurred inside and outside the courtroom, and in his official capacity. Judge Jameson testified and his counsel argued (in opening) and in mitigation (in closing) that he may have made mistakes and maybe he should have just come to the courthouse, handled his docket and gone home. While Judge Jameson acknowledged that most if not all the critical and operative conduct as alleged did occur, he steadfastly refused to acknowledge that any of his conduct presented issues or problems or was misconduct or violations of the Canons. To justify his conduct, he expressed his belief that "generational" differences motivate modern judges to be more involved in finding solutions to society's problems.

Unfortunately for Judge Jameson, altruistic intentions do not overcome or eliminate his serious violations of the Canons of Judicial Conduct. There is no doubt that he has brought the integrity and respect for the judiciary within Calloway and Marshall Counties into disrepute and that his improper actions violate the Canons. As part of the misconduct, Judge Jameson exploited his judicial position to satisfy his personal desires. It is the Commission's conclusion that there are other, deep-seated issues to be addressed with Judge Jameson but these are well beyond the jurisdiction of the Commission.

Based upon a reasonable and reasoned application of the Rules, it is clear that Judge Jameson lacks fitness to continue on the Bench. In fact, it is the Commission's conclusion that Judge Jameson is unfit for office going forward.

As most realize (but some still do not), failing to be candid and honest with the Commission in its investigation and process on multiple occasions, including in Formal

Proceedings, goes to the heart of a judge's integrity. Judge Jameson failed to be candid with the Commission and obstructed justice.

While instrumental in Judge Jameson's misconduct and his removal from judicial office, the bid rigging conduct and related influence exerted by Judge Jameson over the public bid process in Marshall and Calloway counties creates ancillary issues that are outside the scope of the jurisdiction of the Commission. The Commission is not tasked with investigating or charging any others who may have been involved in Judge Jameson's activities or what has been uncovered by this Hearing on the bid rigging "issues" within the county and among its participants. Those issues do not go and should not go unnoticed. The Commission acknowledges that this decision does not address and will not resolve all the issues that have been uncovered through its investigation and as a result of the Final Hearing.

As is typical of matters that end up in Final Hearing with the Commission, this case does not involve one or two isolated occurrences, but instead involves Judge Jameson's pattern of misconduct and his repeated exercise of total control, improper behavior on the bench, extremely poor judgment and his engagement in matters that are well outside the bounds of the constitutional role of a judge. Any reasonable person could easily recognize the significant issues presented by Judge Jameson's conduct as outlined in this Order as concerns the Code of Judicial Conduct and its Canons. This is especially true in Judge Jameson's case, given he was warned by the Commission in the past that his conduct should conform to the bounds of the constitutional role as a judge.

The Preamble to SCR 4.300 provides that "Judges should maintain the dignity of judicial office at all times, and avoid both impropriety and the appearance of impropriety in their professional and personal lives. They should aspire at all times to conduct that ensures

the greatest public confidence in their independence, impartiality, integrity, and competence.” Respondent failed in essentially every respect of this fundamental rule applicable to all judges. After proper notice and hearing, and based on the totality of the circumstances and evidence presented at the Hearing and the broad range of repeated and systemic misconduct by Respondent over a substantial period of time, the Commission by unanimous vote (of 5-0) orders that Judge Jameson be removed from office. The Commission notes that the severity of the penalty imposed is driven significantly by his violations of the Canons in Counts I, II and III, and those alone justify removal from office now and in the future, even without the other significant misconduct found.

**WHEREFORE, based upon the foregoing and the totality of the clear and convincing evidence presented to the Commission at the Temporary Suspension Hearing and the Final Hearing, pursuant to SCR 4.020(1)(b) and based upon misconduct in office and numerous violations of the code of Judicial Conduct in Rule 4.300, it is the Commission’s conclusion and ruling that Judge Jameson is unfit for the office he currently holds and is equally unfit to serve in the same office for which he seeks a subsequent term by re-election. Therefore, the Commission hereby ORDERS that Judge Jameson be, and hereby is, REMOVED from judicial office for this term, and that this same unfitness disqualifies Judge Jameson from holding the same judicial office for the immediately succeeding term. The Commission believes it has a good faith basis under *Gordon v. Judicial Conduct Comm’n* to find and conclude that Judge Jameson should be permanently removed from judicial office because the totality of the clear and convincing evidence presented at the Temporary Suspension Hearing and Final Hearing established that he is unfit for judicial office.**

For the reasons stated herein, IT IS FURTHER ORDERED that Judge Jameson's October 24, 2022, Renewed Motion for Directed Verdict be, and hereby is, DENIED.

Rule 4.270 provides that the Commission's Order shall become effective ten (10) days after service, which service date is set forth in the Certificate of Service, below, unless an appeal is filed within that time.

I hereby certify that the Findings of Fact, Conclusions of Law, and Final Order represent an action of the Judicial Conduct Commission on this 4<sup>th</sup> day of November, 2022.

11/4, 2022

  
R. MICHAEL SULLIVAN, CHAIRMAN  
KENTUCKY JUDICIAL CONDUCT COMMISSION

Dr. Joe Ellis has recused himself from any consideration in this matter.

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of this order has been served this 4<sup>th</sup> day of November, 2022 via electronic and first-class mail upon:

Richard L. Walter (rwalter@bsgpad.com)  
Boehl Stopher and Graves, LLP  
410 Broadway  
Paducah, KY 42001  
Counsel for Judge Jameson

Jeffrey C. Mando (JMando@adamsattorneys)  
Adams Law, PLLC  
40 W. Pike St.  
Covington, KY 41011  
Counsel for the Commission

  
JIMMY SHAFFER,  
EXECUTIVE SECRETARY

**COMMONWEALTH OF KENTUCKY  
JUDICIAL CONDUCT COMMISSION**

**IN RE THE MATTER OF:**

**JAMES T. JAMESON, CIRCUIT COURT JUDGE  
42<sup>ND</sup> JUDICIAL CIRCUIT**

**NOTICE OF FORMAL PROCEEDINGS AND CHARGES**

Notice is hereby given of the initiation of formal proceedings under Rule 4.180 of Rules of the Supreme Court. At the times set out in this Notice, you were Circuit Court Judge for Kentucky's 42<sup>nd</sup> Judicial Circuit consisting of Calloway and Marshall counties. The charges are as follows:

**Count I**

You acted as the alter ego for the 42<sup>nd</sup> Judicial Circuit Community Corrections Board (“CCB”) in the creation and development of an ankle monitoring program, failing to separate yourself as Circuit Judge from your duties at CCB, creating the appearance of impropriety to the public.

- A. You created the CCB for an improper purpose contrary to KRS §196.705. Your creation of this Executive Branch Board falls outside of the scope of your judicial duties and responsibilities and constitutes an improper use of judicial resources.
- B. In the creation and development of the CCB ankle monitoring program, you developed procedures and local rules without the approval from the Chief Justice of the Kentucky Supreme Court as required under SCR 1.040(3), the Administrative Office of the Courts (AOC), Kentucky statute, or other authority.

- C. You attended meetings and had conversations with CCB ankle monitor vendors to solicit specifications and pricing for monitors, while also meeting with elected officials regarding those costs and specifications.
- D. You prepared and submitted CCB's ankle monitoring program bid to the Calloway and Marshall County Fiscal Courts, using your influence to have a specific ankle monitor provider selected and approved.
- E. You were involved with drafting the Fiscal Court's request for proposals for the ankle monitoring program in Marshall and Calloway Counties, hindering the competitive bid process.
- F. You submitted a grant application to the Kentucky Department of Corrections on behalf of CCB, listing yourself as the project coordinator, creating a conflict of interest with your position as Circuit Court Judge in Marshall and Calloway Counties.
- G. You used the prestige of your judicial office to influence various elected officials, agencies, and individuals, promoting the CCB ankle monitoring program as a cost-saving measure and as means to raise funds for Re-Life, a proposed inpatient substance abuse disorder treatment facility project you are spearheading.
- H. You used the prestige of your judicial office to solicit support and personal donations from elected governmental bodies, elected officials, organizations, and individuals for the CCB and Re-Life/substance abuse disorder treatment facility.

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office.

Furthermore, your actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1, Rule 1.1** which requires a judge to comply with the law, including the Code of Judicial Conduct.

- **Canon 1, Rule 1.2** which requires a judge to 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 1, Rule 1.3** which requires that a judge shall not abuse the prestige of judicial office to advance the personal or economic interests of the judge or others, or allow others to do so.
- **Canon 2, Rule 2.1** which requires that the duties of judicial office shall take precedence over all of a judge's personal and extrajudicial activities.
- **Canon 2, Rule 2.2** which requires that a judge shall uphold and apply the law, and shall perform all duties of judicial office fairly and impartially.
- **Canon 2, Rule 2.4 (B)** which requires that a judge shall not permit family, social, political, financial, or other interests or relationships to influence the judge's judicial conduct or judgment.
- **Canon 3, Rule 3.1 (A)** which provides that when engaging in extrajudicial activities, a judge shall not participate in activities that will interfere with the proper performance of the judge's judicial duties.
- **Canon 3, Rule 3.1 (C)** which provides that when engaging in extrajudicial activities, a judge shall not participate in activities that would appear to a reasonable person to undermine the judge's independence, integrity, or impartiality.
- **Canon 3, Rule 3.1 (D)** which provides that when engaging in extrajudicial activities, a judge shall not engage in conduct that would appear to a reasonable person to be coercive.
- **Canon 3, Rule 3.2** which provides that a judge shall not appear voluntarily at a public hearing before, other otherwise consult with, an executive or legislative body or office.
- **Canon 3, Rule 3.11 (B)** which requires that a judge shall not serve as an officer, director, manager, general partner, advisor, or employee of any business entity.

## **Count II**

You acted as the alter ego for the 42<sup>nd</sup> Judicial Circuit Community Corrections Board ("CCB") in the implementation and operation of CCB's ankle monitoring program.

- A. As Circuit Court Judge, you participated in communications with CCB staff, whose work you directly supervised, including conversations regarding the ankle monitoring program rules, alleged violations, and Orders for cases over which you presided.
- B. You received direct notifications of alleged ankle monitor violations and instructed CCB staff, whose work you directly supervised, to send ankle monitor violation reports directly to you.
- C. On more than one occasion, you issued arrest warrants for individuals participating in the ankle monitoring program upon receipt of notices of alleged violations from CCB staff, whose work you directly supervised.
- D. Throughout your tenure as Circuit Court Judge, you directed local authorities to arrest individuals alleged to be in violation of the ankle monitoring program before an arrest warrant had been properly issued.
- E. Despite presiding over cases where you ordered participation in CCB's ankle monitoring program, you participated in the collection of fees, managed financial transactions, and wrote checks on behalf of CCB and Re-Life.
- F. You created the appearance of impropriety by ordering individuals participate in CCB's ankle monitoring program when the costs associated with the program directly supported Re-Life.

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office.

Furthermore, your actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1, Rule 1.1** which requires a judge to comply with the law, including the Code of Judicial Conduct.

- **Canon 1, Rule 1.2** which requires a judge to 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 1, Rule 1.3** which requires that a judge shall not abuse the prestige of judicial office to advance the personal or economic interests of the judge or others, or allow others to do so.
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- **Canon 2, Rule 2.2** which requires that a judge shall uphold and apply the law, and shall perform all duties of judicial office fairly and impartially.
- **Canon 2, Rule 2.3 (A)** which requires that a judge perform the duties of judicial office, including administrative duties, without bias or prejudice.
- **Canon 2, Rule 2.3 (B)** which requires that a judge shall not, in the performance of judicial duties, by words or conduct, manifest bias or prejudice, or engage in harassment and shall not permit court staff, court officials, or others subject to the judge's discretion and control.
- **Canon 2, Rule 2.4 (B)** which requires that a judge shall not permit family, social, political, financial, or other interests or relationships to influence the judge's judicial conduct or judgment.
- **Canon 2, Rule 2.4 (C)** which requires that a judge shall not convey or permit others to convey the impression that any person or organization is in a position to influence the judge.
- **Canon 2, Rule 2.6 (A)** which requires that a judge shall accord to every person who has a legal interest in a proceeding, or that person's lawyer, the right to be heard according to law.
- **Canon 2, Rule 2.9 (A)** which provides that 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.
- **Canon 2, Rule 2.9 (B)** which provides if a judge inadvertently receives an unauthorized ex parte communication bearing upon the substance of a matter, the judge shall make provision promptly to notify the parties of the substance of the communication and provide the parties with an opportunity to respond.
- **Canon 2, Rule 2.9 (C)** Which requires that a judge shall not investigate facts in a matter independently, and shall consider only the evidence presented and any facts that may properly be judicially noticed.

- **Canon 2, Rule 2.12 (A)** which provides a judge shall require court staff, court officials, and others subject to judge's direction and control to act in a manner consistent with judge's obligations under this Code.
- **Canon 3, Rule 3.7(6)(a)** which allows a judge to serve as an officer, director, trustee, or nonlegal advisor of a charitable organization unless it is likely that the organization or entity will be engaged in proceedings that would ordinarily come before the judge.

### **COUNT III**

During your tenure as Circuit Court Judge, you mismanaged your courtroom, engaged in acts of retaliation, and deviated from acceptable standards of judicial conduct including but not limited to,

- A. Throughout your tenure as Circuit Court Judge, you ordered individuals to participate in CCB's ankle monitoring services, but only allowed them to enroll with Track Group, the program that you had direct ties with through CCB, despite the availability of other ankle monitoring services.
- B. You required individuals in your courtroom to attend Riverwoods over other treatment options, because of your personal connection with the Riverwoods program.
- C. You regularly represented that Riverwoods was the only intensive out-patient ("IOP") program available, even absent evidence that Riverwoods was licensed as an IOP provider in Kentucky.
- D. As Circuit Court Judge, you displayed behavior towards Court staff and attorneys that was not patient, dignified, and courteous.
- E. You have demonstrated clear bias against Assistant Public Defender Amy Harwood-Jackson and other attorneys.

- F. As Circuit Court Judge, you personally pressured an attorney who appears before your Court to file a bar complaint against another attorney, and asked that same attorney to draft a sworn statement on your behalf to rebut a complaint made against you.
- G. You retaliated against a Marshall County Sheriff's Department employee by seeking his termination or re-assignment after he reviewed Courthouse video footage of you because you believed, without any evidence, he leaked the video to media outlets.
- H. You directly requested that Marshall County Sheriff Eddie McGuire send deputies to find a vehicle you saw flying a flag with what you believed was an offensive political statement and to request the driver remove the sign. You suggested to the Sheriff that he should cite or bring criminal charges against the driver if they refused to remove the flag.

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office.

Furthermore, your actions violate SCR 4.300 and the relevant portions of the following

Canons of the Code of Judicial Conduct:

- **Canon 1, Rule 1.1** which requires a judge to comply with the law, including the Code of Judicial Conduct.
- **Canon 1, Rule 1.2** which requires a judge to 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 1, Rule 1.3** which requires that a judge shall not abuse the prestige of judicial office to advance the personal or economic interests of the judge or others, or allow others to do so.
- **Canon 2, Rule 2.1** which requires that the duties of judicial office shall take precedence over all of a judge's personal and extrajudicial activities.
- **Canon 2, Rule 2.2** which requires that a judge shall uphold and apply the law and shall perform all duties of judicial office fairly and impartially.

- **Canon 2, Rule 2.3 (A)** which requires that a judge perform the duties of judicial office, including administrative duties, without bias or prejudice.
- **Canon 2, Rule 2.3 (B)** which requires that a judge shall not, in the performance of judicial duties, by words or conduct, manifest bias or prejudice, or engage in harassment and shall not permit court staff, court officials, or others subject to the judge's discretion and control.
- **Canon 2, Rule 2.4 (B)** which requires that a judge shall not permit family, social, political, financial, or other interests or relationships to influence the judge's judicial conduct or judgment.
- **Canon 2, Rule 2.8 (B)** which requires that a judge shall be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, court staff, court officials, and other with whom the judge deals in an official capacity, and shall require similar conduct of lawyers, court staff, court officials, and others subject to the judge's discretion and control.
- **Canon 2, Rule 2.12 (A)** which provides that a judge shall require court staff, court officials, and others subject to the judge's discretion and control to act in a manner consistent with the judge's obligations under the Code of Judicial Conduct.

#### **COUNT IV**

During your tenure as Circuit Court Judge, you used your influence and the prestige of judicial office to pressure attorneys, individuals, and groups to fund and support your political campaign, going as far as saying that certain monetary contributions were not sufficient.

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Furthermore, your actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1, Rule 1.1** which requires a judge to comply with the law, including the Code of Judicial Conduct.
- **Canon 1, Rule 1.2** which requires a judge to 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 1, Rule 1.3** which requires that a judge shall not abuse the prestige of judicial office to advance the personal or economic interests of the judge or others, or allow others to do so.
- **Canon 2, Rule 2.1** which requires that the duties of judicial office shall take precedence over all of a judge's personal and extrajudicial activities.
- **Canon 4, Rule 4.8** which requires that a judge shall not personally solicit or accept financial or in-kind campaign contributions other than through a campaign committee.

The jurisdiction of the Judicial Conduct Commission in this matter is under SCR 4.020(1)(b)(i) and (v), and (1)(c) which reads in pertinent part as follows:

- (1) Commission shall have authority:
  - (b) To impose the sanctions, separately or collectively of (1) admonition, private reprimand, public reprimand or censure; (2) suspension without pay or removal or retirement from judicial office, upon any judge of the Court of Justice or lawyer while a candidate for judicial office, who after notice and hearing the Commission finds guilty of any one or more of the following:
    - (i) Misconduct in office.
    - (v) Violation of the code of Judicial Conduct, Rule 4.300.
  - (c) After notice and hearing, to remove a judge whom it finds to lack the constitutional statutory qualifications for the judgeship in question.

For your information, the Commission wishes to call your attention to the following Supreme Court Rule:

**RULE 4.180 FORMAL PROCEEDINGS**

If the Commission concludes that formal proceedings should be initiated, it shall notify the judge. He may file an answer within 15 days after service of the notice. Upon the filing of his answer, or the expiration of time for so filing, the Commission shall set a time and place for the hearing and shall give reasonable notice thereof to the judge.

Please mail your Answer to: Ms. Jimmy Shaffer, Executive Secretary, Kentucky Judicial Conduct Commission, P.O. Box 4266, Frankfort, KY 40604-4266.

June 13<sup>th</sup>, 2022

  
R. MICHAEL SULLIVAN, CHAIRMAN  
KENTUCKY JUDICIAL CONDUCT COMMISSION

Dr. Joe Ellis has recused himself from any consideration in this matter.

**CERTIFICATE OF SERVICE**

I hereby certify that copy hereof was served on Judge James T. Jameson, by mailing and emailing the same to his attorney Charles E. English, Jr. (“Buzz”), English, Lucas, Priest & Owsley, LLP, 1101 College Street, P.O. Box 770, Bowling Green, KY 42102-0770 this 13<sup>th</sup> day of June, 2022.

  
JIMMY SHAFFER,  
EXECUTIVE SECRETARY

**COMMONWEALTH OF KENTUCKY  
JUDICIAL CONDUCT COMMISSION**

**IN RE THE MATTER OF:**

**JAMES T. JAMESON, CIRCUIT COURT JUDGE  
42<sup>ND</sup> JUDICIAL CIRCUIT**

**AMENDED NOTICE OF FORMAL PROCEEDINGS AND CHARGES**

Notice is hereby given of the initiation of formal proceedings under Rule 4.180 of Rules of the Supreme Court. At the times set out in this Notice, you were Circuit Court Judge for Kentucky's 42<sup>nd</sup> Judicial Circuit consisting of Calloway and Marshall counties. The charges are as follows:

**Count I**

You acted as the alter ego for the 42<sup>nd</sup> Judicial Circuit Community Corrections Board (“CCB”) in the creation and development of an ankle monitoring program, failing to separate yourself as Circuit Judge from your duties at CCB, creating the appearance of impropriety to the public.

- A. You created the CCB for an improper purpose contrary to KRS §196.705. Your creation of this Executive Branch Board falls outside of the scope of your judicial duties and responsibilities and constitutes an improper use of judicial resources.
- B. In the creation and development of the CCB ankle monitoring program, you developed procedures and local rules without the approval from the Chief Justice of the Kentucky Supreme Court as required under SCR 1.040(3), the Administrative Office of the Courts (AOC), Kentucky statute, or other authority.

- C. You attended meetings and had conversations with CCB ankle monitor vendors to solicit specifications and pricing for monitors, while also meeting with elected officials regarding those costs and specifications.
- D. You prepared and submitted CCB's ankle monitoring program bid to the Calloway and Marshall County Fiscal Courts, using your influence to have a specific ankle monitor provider selected and approved.
- E. You were involved with drafting the Fiscal Court's request for proposals for the ankle monitoring program in Marshall and Calloway Counties, hindering the competitive bid process.
- F. You submitted a grant application to the Kentucky Department of Corrections on behalf of CCB, listing yourself as the project coordinator, creating a conflict of interest with your position as Circuit Court Judge in Marshall and Calloway Counties.
- G. You used the prestige of your judicial office to influence various elected officials, agencies, and individuals, promoting the CCB ankle monitoring program as a cost-saving measure and as means to raise funds for Re-Life, a proposed inpatient substance abuse disorder treatment facility project you are spearheading.
- H. You used the prestige of your judicial office to solicit support and personal donations from elected governmental bodies, elected officials, organizations, and individuals for the CCB and Re-Life/substance abuse disorder treatment facility.

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office.

Furthermore, your actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

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## **Count II**

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- A. As Circuit Court Judge, you participated in communications with CCB staff, whose work you directly supervised, including conversations regarding the ankle monitoring program rules, alleged violations, and Orders for cases over which you presided.
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- D. Throughout your tenure as Circuit Court Judge, you directed local authorities to arrest individuals alleged to be in violation of the ankle monitoring program before an arrest warrant had been properly issued.
- E. Despite presiding over cases where you ordered participation in CCB's ankle monitoring program, you participated in the collection of fees, managed financial transactions, and wrote checks on behalf of CCB and Re-Life.
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### **COUNT III**

During your tenure as Circuit Court Judge, you mismanaged your courtroom, engaged in acts of retaliation, and deviated from acceptable standards of judicial conduct including but not limited to,

- A. Throughout your tenure as Circuit Court Judge, you ordered individuals to participate in CCB's ankle monitoring services, but only allowed them to enroll with Track Group, the program that you had direct ties with through CCB, despite the availability of other ankle monitoring services.
- B. You required individuals in your courtroom to attend Riverwoods over other treatment options, because of your personal connection with the Riverwoods program.
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- D. As Circuit Court Judge, you displayed behavior towards Court staff, attorneys, and others in your courtroom that was not patient, dignified, and courteous.
- E. You have demonstrated clear bias against Assistant Public Defender Amy Harwood-Jackson and other attorneys.

- F. As Circuit Court Judge, you personally pressured an attorney who appears before your Court to file a bar complaint against another attorney, and asked that same attorney to draft a sworn statement on your behalf to rebut a complaint made against you.
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- **Canon 2, Rule 2.3 (A)** which requires that a judge perform the duties of judicial office, including administrative duties, without bias or prejudice.
- **Canon 2, Rule 2.3 (B)** which requires that a judge shall not, in the performance of judicial duties, by words or conduct, manifest bias or prejudice, or engage in harassment and shall not permit court staff, court officials, or others subject to the judge's discretion and control.
- **Canon 2, Rule 2.4 (B)** which requires that a judge shall not permit family, social, political, financial, or other interests or relationships to influence the judge's judicial conduct or judgment.
- **Canon 2, Rule 2.8 (B)** which requires that a judge shall be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, court staff, court officials, and other with whom the judge deals in an official capacity, and shall require similar conduct of lawyers, court staff, court officials, and others subject to the judge's discretion and control.
- **Canon 2, Rule 2.12 (A)** which provides that a judge shall require court staff, court officials, and others subject to the judge's discretion and control to act in a manner consistent with the judge's obligations under the Code of Judicial Conduct.

#### **COUNT IV**

During your tenure as Circuit Court Judge, you used your influence and the prestige of judicial office to pressure attorneys, individuals, and groups to fund and support your political campaign, going as far as saying that certain monetary contributions were not sufficient.

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Furthermore, your actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1, Rule 1.1** which requires a judge to comply with the law, including the Code of Judicial Conduct.
- **Canon 1, Rule 1.2** which requires a judge to 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 1, Rule 1.3** which requires that a judge shall not abuse the prestige of judicial office to advance the personal or economic interests of the judge or others, or allow others to do so.
- **Canon 2, Rule 2.1** which requires that the duties of judicial office shall take precedence over all of a judge's personal and extrajudicial activities.
- **Canon 4, Rule 4.8** which requires that a judge shall not personally solicit or accept financial or in-kind campaign contributions other than through a campaign committee.

The jurisdiction of the Judicial Conduct Commission in this matter is under SCR 4.020(1)(b)(i) and (v), and (1)(c) which reads in pertinent part as follows:

- (1) Commission shall have authority:
  - (b) To impose the sanctions, separately or collectively of (1) admonition, private reprimand, public reprimand or censure; (2) suspension without pay or removal or retirement from judicial office, upon any judge of the Court of Justice or lawyer while a candidate for judicial office, who after notice and hearing the Commission finds guilty of any one or more of the following:
    - (i) Misconduct in office.
    - (v) Violation of the code of Judicial Conduct, Rule 4.300.
  - (c) After notice and hearing, to remove a judge whom it finds to lack the constitutional statutory qualifications for the judgeship in question.

For your information, the Commission wishes to call your attention to the following Supreme Court Rule:

**RULE 4.180 FORMAL PROCEEDINGS**

If the Commission concludes that formal proceedings should be initiated, it shall notify the judge. He may file an answer within 15 days after service of the notice. Upon the filing of his answer, or the expiration of time for so filing, the Commission shall set a time and place for the hearing and shall give reasonable notice thereof to the judge.

Please mail your Answer to: Ms. Jimmy Shaffer, Executive Secretary, Kentucky Judicial Conduct Commission, P.O. Box 4266, Frankfort, KY 40604-4266.

July 21<sup>st</sup>, 2022

  
R. MICHAEL SULLIVAN, CHAIRMAN  
KENTUCKY JUDICIAL CONDUCT COMMISSION

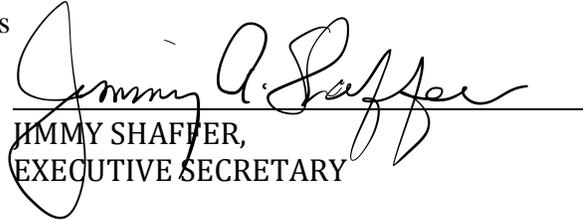
Dr. Joe Ellis has recused himself from any consideration in this matter.

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of this Order has this July 21, 2022, been served via electronic and first-class mail upon the following:

Richard L. Walter (rwalter@bsgpad.com) Boehl Stopher and Graves, LLP 410 Broadway Paducah, KY 42001	Jeffrey C. Mando (JMando@adamsattorneys) Adams Law, PLLC 40 W. Pike St. Covington, KY 41011
--	--

Judge James T. Jameson at his home address

  
JIMMY SHAFFER,  
EXECUTIVE SECRETARY

**COMMONWEALTH OF KENTUCKY  
JUDICIAL CONDUCT COMMISSION**

**IN RE THE MATTER OF:**

**JAMES T. JAMESON, CIRCUIT COURT JUDGE  
42<sup>ND</sup> JUDICIAL CIRCUIT**

**SECOND AMENDED NOTICE OF FORMAL PROCEEDINGS AND CHARGES**

Counts I through IV in the June 13, 2002, Notice of Formal Proceedings and Charges are incorporated by reference and reaffirmed as if fully set forth herein.

**COUNT V**

During the course of the JCC's proceedings, you have repeatedly attempted to obstruct justice and impede the JCC's authority to investigate the charges against you. Specifically, you have intimidated witnesses involved in these proceedings and attempted to dissuade your judicial staff from complying with a JCC subpoena.

On September 21, 2022, upon request by Counsel for the Commission, the JCC issued a subpoena for Kentucky Court of Justice records as follows:

All documents including, but not limited to, internal emails, external emails, text messages, letters, reports, audio recordings and handwritten notes in the possession of any and all Marshall and Calloway County elected judges, judicial staff, elected clerks, and elected clerk staff pertaining to, relating to and/or arising from any of the allegations, events or incidents related to 42nd Judicial Circuit Judge James Jameson's involvement with the 42nd Circuit's Community Corrections Board ("CCB"), Track Group ankle monitoring services, or Re-life substance abuse disorder treatment program.

Your counsel was provided a copy of the subpoena upon service.

On September 26, 2022, you contacted AOC to complain about the subpoena and asked AOC not to comply with the subpoena. AOC denied your request and cautioned you

that it would be inappropriate to ignore a valid subpoena. You also contacted your administrative support specialist via telephone to discuss the subpoena. During that call, you instructed your judicial staff not to cooperate with the JCC's subpoena. You instructed your administrative support specialist and staff attorney to remove boxes from your office and to refuse to provide any documents from your office to the Commission per the subpoena. In short, you instructed your judicial staff to blatantly violate the law and to further act in contradiction to their duties and responsibilities as AOC employees.

Upon learning that AOC instructed your judicial staff to disregard your demands, you again contacted your staff and, this time, instructed them to send all documents they intended to produce to you for review *before* sending them to AOC. After this revised instruction, AOC was again forced to intervene and advise your judicial staff that they should once again disregard your unlawful instructions.

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Furthermore, your actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1, Rule 1.1** which requires a judge to comply with the law.
- **Canon 1, Rule 1.2** which provides that 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 1, Rule 1.3** which prohibits a judge from abusing the prestige of judicial office to advance the personal or economic interests of the judge or others, or allowing others to do so.
- **Canon 2, Rule 2.12 (A)** which provides a judge shall require court staff, court officials, and others subject to judge's direction and control to act in a manner consistent with judge's obligations under this Code.

- **Canon 2, Rule 2.16(B)** which prohibits a judge from retaliating, directly or indirectly, against a person known or suspected to have assisted or cooperated with an investigation of a judge or a lawyer.

### **COUNT VI**

Following your temporary suspension, you engaged in a pattern of noncompliance and interference with JCC orders. Specifically, you failed to adhere to the terms of your temporary suspension by contacting your judicial staff and availing yourself of judicial resources.

As a part of your temporary suspension on August 15, 2022, you were prohibited from accessing court resources. However, notwithstanding your suspension, you have continued to access your judicial e-mail account and contact your staff members for purposes related to your judicial role. For example, you accessed your AOC e-mail account on August 19, 2022 and set up a Teams meeting with your staff attorney and administrative support specialist. Then in September 2022, you contacted your staff to request delivery of an AOC laptop docking station. You continue to have in your possession and to use two KCOJ laptops. You have also contacted your staff to request copies of AOC documents and materials to which you no longer had access.

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Furthermore, your actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1, Rule 1.1** which requires a judge to comply with the law.
- **Canon 2, Rule 2.16(A)** which requires that a judge shall cooperate and be candid and honest with judicial and lawyer disciplinary agencies, including the Judicial Conduct Commission.

The jurisdiction of the Judicial Conduct Commission in this matter is under SCR 4.020(1)(b)(i) and (v), and (1)(c) which reads in pertinent part as follows:

- (1) Commission shall have authority:
  - (b) To impose the sanctions, separately or collectively of (1) admonition, private reprimand, public reprimand or censure; (2) suspension without pay or removal or retirement from judicial office, upon any judge of the Court of Justice or lawyer while a candidate for judicial office, who after notice and hearing the Commission finds guilty of any one or more of the following:
    - (i) Misconduct in office.
    - (v) Violation of the code of Judicial Conduct, Rule 4.300.
  - (c) After notice and hearing, to remove a judge whom it finds to lack the constitutional statutory qualifications for the judgeship in question.

For your information, the Commission wishes to call your attention to the following Supreme Court Rule:

**RULE 4.180 FORMAL PROCEEDINGS**

If the Commission concludes that formal proceedings should be initiated, it shall notify the judge. He may file an answer within 15 days after service of the notice. Upon the filing of his answer, or the expiration of time for so filing, the Commission shall set a time and place for the hearing and shall give reasonable notice thereof to the judge.

Please mail your Answer to: Ms. Jimmy Shaffer, Executive Secretary, Kentucky

Judicial Conduct Commission, P.O. Box 4266, Frankfort, KY 40604-4266.

October 4, 2022

  
\_\_\_\_\_  
R. MICHAEL SULLIVAN, CHAIRMAN  
KENTUCKY JUDICIAL CONDUCT COMMISSION

Dr. Joe Ellis has recused himself from any consideration in this matter.

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of this order has been served this 4<sup>th</sup> day of

October 2022 via electronic and first-class mail upon:

Richard L. Walter (rwalter@bsgpad.com)  
Boehl Stopher and Graves, LLP  
410 Broadway  
Paducah, KY 42001  
Counsel for Judge Jameson

Jeffrey C. Mando (JMando@adamsattorneys)  
Adams Law, PLLC  
40 W. Pike St.  
Covington, KY 41011  
Counsel for the Commission

  
JIMMY SHAFFER,  
EXECUTIVE SECRETARY

**COMMONWEALTH OF KENTUCKY  
JUDICIAL CONDUCT COMMISSION**

**IN RE THE MATTER OF:**

**JAMES T. JAMESON, CIRCUIT COURT JUDGE  
42<sup>ND</sup> JUDICIAL CIRCUIT**

**THIRD AMENDED NOTICE OF FORMAL PROCEEDINGS AND CHARGES**

Counts I through IV in the June 13, 2002, Notice of Formal Proceedings and Charges are incorporated by reference and reaffirmed as if fully set forth herein.

**COUNT V**

During the course of the JCC's proceedings, you have repeatedly attempted to obstruct justice and impede the JCC's authority to investigate the charges against you. Specifically, you have intimidated witnesses involved in these proceedings and attempted to dissuade your judicial staff from complying with a JCC subpoena.

On September 21, 2022, upon request by Counsel for the Commission, the JCC issued a subpoena for Kentucky Court of Justice records as follows:

All documents including, but not limited to, internal emails, external emails, text messages, letters, reports, audio recordings and handwritten notes in the possession of any and all Marshall and Calloway County elected judges, judicial staff, elected clerks, and elected clerk staff pertaining to, relating to and/or arising from any of the allegations, events or incidents related to 42nd Judicial Circuit Judge James Jameson's involvement with the 42nd Circuit's Community Corrections Board ("CCB"), Track Group ankle monitoring services, or Re-life substance abuse disorder treatment program.

Your counsel was provided a copy of the subpoena upon service.

On September 26, 2022, you contacted your administrative support specialist via telephone to discuss the subpoena. During that call, you instructed your judicial staff not to cooperate with the JCC's subpoena. You instructed your administrative support specialist

and staff attorney to remove boxes from your office and to refuse to provide any documents from your office to the Commission per the subpoena. In short, you instructed your judicial staff to blatantly violate the law and to further act in contradiction to their duties and responsibilities as AOC employees.

Upon learning that AOC instructed your judicial staff to disregard your demands, you again contacted your staff and, this time, instructed them to send all documents they intended to produce to you for review *before* sending them to AOC. After this revised instruction, AOC was again forced to intervene and advise your judicial staff that they should once again disregard your unlawful instructions.

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Furthermore, your actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1, Rule 1.1** which requires a judge to comply with the law.
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## COUNT VI

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- **Canon 1, Rule 1.1** which requires a judge to comply with the law.
- **Canon 2, Rule 2.16(A)** which requires that a judge shall cooperate and be candid and honest with judicial and lawyer disciplinary agencies, including the Judicial Conduct Commission.

## COUNT VII

In early April of 2022, after learning that an Open Records Act request had been made to the Administrative Office of the Courts for security footage of the courthouse, you called

Chad Lampe, the station manager of the public radio station at Murray State University. During that phone call, believing Mr. Lampe had filed an appeal of the denial of the Open Records Act request, you told Mr. Lampe you had already spoken to the President of the University and you told Mr. Lampe the President was not happy. You asked Mr. Lampe to confirm that the news station was not going to run a story about the camera footage of you walking around in the courthouse in your underwear. Within a day or two after your phone call, the Provost of the University contacted Mr. Lampe requesting information about the Open Records Act request.

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Furthermore, your actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1, Rule 1.1** which requires a judge to comply with the law.
- **Canon 1, Rule 1.2** which provides that 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 1, Rule 1.3** which prohibits a judge from abusing the prestige of judicial office to advance the personal or economic interests of the judge or others, or allowing others to do so.

The jurisdiction of the Judicial Conduct Commission in this matter is under SCR 4.020(1)(b)(i) and (v), and (1)(c) which reads in pertinent part as follows:

- (1) Commission shall have authority:
  - (b) To impose the sanctions, separately or collectively of (1) admonition, private reprimand, public reprimand or censure; (2) suspension without pay or removal or retirement from judicial office, upon any judge of the Court of Justice or lawyer while a candidate for judicial office, who after notice and hearing the Commission finds guilty of any one or more of the following:

- (i) Misconduct in office.
- (v) Violation of the code of Judicial Conduct, Rule 4.300.
- (c) After notice and hearing, to remove a judge whom it finds to lack the constitutional statutory qualifications for the judgeship in question.

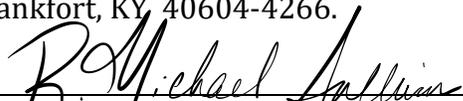
For your information, the Commission wishes to call your attention to the following Supreme Court Rule:

**RULE 4.180 FORMAL PROCEEDINGS**

If the Commission concludes that formal proceedings should be initiated, it shall notify the judge. He may file an answer within 15 days after service of the notice. Upon the filing of his answer, or the expiration of time for so filing, the Commission shall set a time and place for the hearing and shall give reasonable notice thereof to the judge.

Please mail your Answer to: Ms. Jimmy Shaffer, Executive Secretary, Kentucky Judicial Conduct Commission, P.O. Box 4266, Frankfort, KY, 40604-4266.

October 7, 2022

  
R. MICHAEL SULLIVAN, CHAIRMAN  
KENTUCKY JUDICIAL CONDUCT COMMISSION

Dr. Joe Ellis has recused himself from any consideration in this matter.

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of this order has been served this 7<sup>th</sup> day of October 2022 via electronic and first-class mail upon:

Richard L. Walter (rwalter@bsgpad.com)  
Boehl Stopher and Graves, LLP  
410 Broadway  
Paducah, KY 42001  
Counsel for Judge Jameson

Jeffrey C. Mando (JMando@adamsattorneys)  
Adams Law, PLLC  
40 W. Pike St.  
Covington, KY 41011  
Counsel for the Commission

  
JIMMY SHAFFER,  
EXECUTIVE SECRETARY