



STATE OF KANSAS

BEFORE THE COMMISSION ON JUDICIAL QUALIFICATIONS

Inquiry Concerning
A Judicial Candidate

Docket No. 1024

ORDER

Members of the Commission present include: Hon. Robert J. Fleming, Chair; Bruce Buchanan; Mary Davidson Cohen; Jeffery A. Mason; Mikel L. Stout; and Hon. Thomas L. Toepfer.

FINDINGS OF FACT

There is no dispute regarding the facts set out below:

1. Reginald K. Davis, Respondent, is a candidate for District Court Judge in the 29th Judicial District.
2. The Commission received multiple complaints alleging a cell phone text message was sent to attorneys seeking donations, to-wit: "If you are truly my friend then you would cut a check to the campaign! If you do not then its time I checked you. Either you are with me or against me!"
3. In response to the Commission's inquiry, Respondent admitted sending the cell phone text messages.
4. The Commission additionally received a complaint regarding a video on YouTube titled "Reginald Davis for District Court Judge" which shows Respondent soliciting funds at a public event. Near the end of the video, the Respondent asks the crowd to support him in four ways, one of which is to make a donation to his campaign.
5. Respondent indicates on the video that the person shooting the video is going to post it on YouTube.
6. In response to the Commission's inquiry, Respondent denied the YouTube video was associated with his campaign, asserted that he only became aware of it as a result of this complaint, but admitted that it does clearly show him making a request for donations.
7. Respondent indicated he did not intend to violate the Canons and accepts full responsibility for not familiarizing himself with the Canons.

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CONCLUSIONS OF LAW

1. Canon 1 of the Code of Judicial Conduct, Rule 601 A, provides:

**A Judge Shall Uphold the Integrity and Independence
of the Judiciary**

An independent and honorable judiciary is indispensable to justice in our society. A judge should participate in establishing, maintaining and enforcing high standards of conduct, and shall personally observe those standards so that the integrity and independence of the judiciary will be preserved. The provisions of this Code are to be construed and applied to further that objective.

2. Canon 5C(2) of the Code of Judicial Conduct, Rule 601A, provides in part relevant to this complaint:

“C. Judges and Candidates Subject to Public Election.

....
(2) A candidate* shall not personally solicit or accept campaign contributions. . . .

3. The Commission has determined that Respondent violated Canon 1 by the intimidating nature of the text message and Canon 5C(2) by publicly soliciting contributions.

IT IS THEREFORE ORDERED that Reginald K. Davis cease and desist from publicly soliciting campaign contributions, in violation of the above-cited Canons.

This Order, if accepted, shall be made public pursuant to Rule 611(a). See 2007 Kan. Ct. R. Annot. 654.

The Secretary of the Commission on Judicial Qualifications is hereby instructed to mail a copy of this Order with a copy of Rule 611, as adopted by the Supreme Court of Kansas, to Respondent. Respondent is requested, in accordance with Rule 611, to either (a) comply by accepting the Order by written acknowledgment directed to the Secretary of the Commission; or (b) refuse to accept the Order. Any agreement to comply or refusal to accept shall be served upon the Commission within twenty days from this date. In the event the Respondent shall not agree to comply by accepting this Order by written acknowledgment within said period, Respondent shall be deemed to have refused to accept this Order.

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BY ORDER OF THE COMMISSION dated this 15th day of July, 2008.

COMMISSION ON JUDICIAL QUALIFICATIONS

By: Carol G. Green
Carol G. Green, Secretary

APPROVED & ACCEPTED

07-17-2008

Date

Reginald Keith Davis
Reginald K. Davis, Respondent