



**BEFORE THE STATE COMMISSION
ON JUDICIAL CONDUCT**

CJC No. 21-1145

**PUBLIC ADMONITION
AND
ORDER OF ADDITIONAL EDUCATION**

**HONORABLE JUSTIN LOW
161ST DISTRICT COURT
ODESSA, ECTOR COUNTY, TEXAS**

During its meeting on August 9-11, 2022, the State Commission on Judicial Conduct concluded a review of the allegations against the Honorable Justin Low, 161st District Court, Odessa, Ector County, Texas. Judge Low was advised by letter of the Commission's concerns and appeared and gave testimony before the Commission on August 9, 2022.

After considering the evidence before it, the Commission enters the following Findings and Conclusion:

FINDINGS OF FACT

1. At all relevant times, the Honorable Justin Low was judge of the 161st District Court, Odessa, Ector County, Texas.
2. On May 7, 2021, Judge Low was presiding over prequalification for jury duty.
3. During prequalification, Judge Low referred to COVID-19 as the "China Virus" and stated "yeah, I said it!" and "the attorneys would be upset I said that." to potential jurors. When some of the potential jurors whooped and clapped their hands for his comment, Judge Low encouraged their behavior by laughing and nodding.
4. A potential juror, who is Asian American, stated she felt unsafe and uncomfortable after Judge Low's comment, especially in light of the recent Asian American hate crimes.

5. Judge Low also called some of the pre-requisite questions “stupid” and commented, “I don’t know why I have to ask this”.
6. Judge Low testified he was trying to expose bias and/or prejudices among the potential jurors and he knew it could be offensive to some potential jurors, but he was doing it for a higher purpose.

RELEVANT STANDARDS AND AUTHORITIES

1. Canon 3B(6) of the Texas Code of Judicial Conduct provides, in relevant part: “A judge shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice, including but not limited to bias or prejudice based upon race, sex, religion, national origin, disability, age, sexual orientation or socioeconomic status, ...”
2. Article V, Section 1-a(6)A of the Texas Constitution provides, in relevant part, a judge shall not engage in “willful or persistent conduct that is clearly inconsistent with the proper performance of his duties or casts public discredit upon the judiciary or administration of justice.”

CONCLUSION

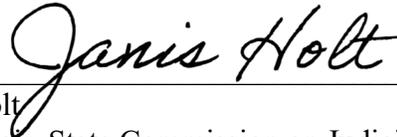
Based upon the record before it and the factual findings recited above, the State Commission on Judicial Conduct has determined that the Honorable Justin Low, 161st District Court, Odessa, Ector County, Texas, should be publicly admonished and ordered to obtain additional education for his unprofessional demeanor during jury selection which demonstrated bias and prejudice against potential jurors through his words and actions, in violation of Canon 3B(6) of the Texas Code of Judicial Conduct and casted public discredit on the judiciary in violation of Article V, Section 1-a(6)A of the Texas Constitution.

Pursuant to this Order, Judge Low must obtain **one (1) hour** of instruction with a mentor, in addition to his required judicial education for Fiscal Year 2023. In particular, the Commission desires that Judge Low receives this additional education in the area of courtroom demeanor. Pursuant to the authority contained in §33.036 of the Texas Government Code, the Commission authorizes the disclosure of certain information relating to this matter to the Texas Center for the Judiciary to the extent necessary to enable that entity to assign the appropriate mentor for Judge Low.

Judge Low shall complete the **one (1) hour** of instruction recited above within **60 days** from the date of written notification from the Commission of the assignment of a mentor. Upon receiving such notice, it is Judge Low’s responsibility to contact the assigned mentor and schedule the additional education.

The Commission has taken this action pursuant to the authority conferred it in Article V, §1-a(8) of the Texas Constitution in a continuing effort to promote confidence in and high standards for the judiciary.

Issued this the 22nd day of August, 2022.

A handwritten signature in black ink that reads "Janis Holt". The signature is written in a cursive style with a large initial "J".

Janis Holt
Vice-Chair, State Commission on Judicial Conduct