State of California
Commission on Judicial Performance
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May 29, 1992

Honorable Steven Hintz
P.O. Box 6489
Ventura, California 93006

Dear Judge Hintz:

Following an investigation and the institution of formal proceedings, the Commission on Judicial Performance determined to issue a Public Reproval for the conduct set forth below:

I

On November 15, 1990, Judge Hintz abused his judicial authority by planning and executing a detention, search and warrant check of citizens lawfully present in the courtroom. The citizens were improperly detained, without reasonable suspicion or exigent circumstances, and subjected to unwarranted personal searches. The detained citizens were also improperly required to provide identification. These actions exceeded Judge Hintz's lawful authority and violated the citizens' constitutional rights.

II

At the conclusion of the trial in People v. Rodriguez in July 1990, Judge Hintz criticized the jurors for their verdict. Judge Hintz's comments regarding the verdict were improper and contrary to the Standards of Judicial Administration. Judge Hintz also improperly detained the jurors after their verdict, requiring them to sit through a separate hearing regarding the defendant. This appeared punitive of the jury and calculated to humiliate the defendant.

III

After the trial of People v. Lopez in August 1990, Judge Hintz attempted to use his judicial office for an improper

personal purpose. The prosecution and defense had concluded there were valid grounds for a new trial. They submitted a stipulation to Judge Hintz, to which he attempted to add the following exculpatory language: "It is further stipulated that Judge Steven Hintz committed no legal error or ethical breach in the trial." When the parties refused to stipulate to Judge Hintz's exculpatory language, Judge Hintz granted a new trial on the grounds of prosecutorial misconduct -- grounds which were initiated and advanced by Judge Hintz. These actions constituted improper use of the judicial office for a personal purpose.

Your conduct as described above warranted discipline pursuant to Article VI, Section 18(f)(2) of the California Constitution.

This Public Reproval is being issued with your consent.

Very truly yours,

Victoria B. Henley

VICTORIA B. HENLEY
Director-Chief Counsel

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