

STATE OF CALIFORNIA

BEFORE THE COMMISSION ON JUDICIAL QUALIFICATIONS

Inquiry Concerning a Judge,

No. 14

TO: THE HONORABLE MEMBERS OF THE COMMISSION ON JUDICIAL
QUALIFICATIONS:

Pursuant to Rule 906, California Rules of Court, the undersigned, Respondent Leopoldo Sanchez, Judge of the Superior Court, files herewith his answer to the Notice of Formal Proceedings to inquire into charges made and specified in the written notice, dated December 29, 1972, and served personally upon the undersigned on January 4, 1972, and admits, denies and alleges as follows:

COUNT ONE

1. In answer to Paragraph A, Respondent admits that he furnished to Mr. Barnum between mid-1970 up to and including the later part of 1972, several times per month and in increments of 10 and 12 in number, form documents entitled "Order for the Release of Prisoner on Bail" (hereinafter referred to as "Bail Release") which were blank except where the Respondent executed his signature. The Respondent further admits and alleges that this practice of signing blank bail releases and the practice

which he followed of signing fully completed bail releases was in disobedience of the provisions of Local Rule 18 of the Los Angeles Superior Court and its predecessor Rule. Further answering Paragraph A, Respondent admits that both Judges Wapner and Loring advised him, personally, of the existence of Local Rule 18 and its predecessor Rule. The Respondent does not have a specific and independent recollection of either reading or receiving a "Notice to Attorneys" signed by Judge William B. Keene, dated May 1, 1969, or a letter to "All Judges of the Superior Court", dated March 4, 1970, by Judge Wapner; and must therefore deny, on that basis alone, that appropriate procedures, as alleged in the Notice, were described and outlined in those documents. In further answer to Paragraph A, Respondent denies each and every allegation therein contained except those allegations which have been expressly admitted or denied on the basis of Respondent's lack of information and belief, or to which new matter has been alleged.

2. In answer to Paragraph B, Respondent admits that between mid-1970 and the later part of 1972, he executed both fully completed and blank bail releases, and furnished the same to Mr. Barnum with instructions that the blank instructions should only be used (a) if neither the Respondent was available nor any other judicial officer was available to sign the same; and (b) that Mr. Barnum or his employees could fill in the amount of bail specified in the bail schedule prepared by the Los Angeles Superior Court, except when the crime was of a serious nature,

i.e. a victim crime, sale of narcotics or possession of narcotics for sale, and so forth. In the event that the crime was serious, Mr. Barnum was instructed by Respondent to contact the arresting or investigating office and follow that officer's recommendation. If no recommendation was forthcoming, Mr. Barnum was not to utilize the blank bail release forms which Respondent had signed. The undersigned is informed and believes that Mr. Barnum and his employees, during the time described above, did obtain the release of prisoners on the basis of the bail which was set in the bail releases, some of which were fully completed prior to the undersigned affixing his signature thereto and on the basis of Mr. Barnum's completion of the same pursuant to Respondent's instructions as aforesaid. Respondent specifically admits that Mr. Barnum and his employees filled in and completed bail releases which Respondent executed in blank. Further answering Paragraph B, Respondent denies each and every allegation therein contained.

3. In answer to Paragraph C, Respondent admits and alleged, on the basis of his information and belief, that Mr. Barnum and his employees completed and filled in bail releases according to Respondent's instructions, which he had pre-signed in which bail was set and by which prisoners were released on bail. Further answering the remaining allegations contained in Paragraph C, Respondent does not have sufficient information and belief to enable him to answer the same, and on that basis denies each and every allegation therein contained.

4. In answer to Paragraph D, Respondent admits that there is testimony given under oath that two felony arrestees, Frank Linder and Harold Roy Welch, were released pursuant to bail releases which Respondent pre-signed sometime in April, 1972, and that the same were filled in, completed and delivered by Mr. Barnum and/or his employee, Mr. Cetron to the Los Angeles Police Department and Respondent alleges that he has no reason to doubt that the same is true.

COUNT TWO

In answer to the allegations contained in Count II, the Respondent realleges and incorporates herein by reference, each and every allegation contained in his answer to Count I.

FIRST CONTENTION

The acts and activities of the Respondent, some of which are alleged in the Notice and admitted in his answer, upon due reflection, constituted errors in judgment and resulted from misplaced confidences. The Respondent believes that the same has created an embarrassment to the Los Angeles Superior Court, the administration of justice, and has led to abuses in the bail system, all of which the Respondent sincerely and deeply regrets.

SECOND CONTENTION

The Respondent did not conduct himself in any manner which can be categorized as wilful misconduct or with conduct that is prejudicial to the administration of justice that brings judicial office into disrepute, except that Respondent's acts and activities alleged herein and errors in judgment have created an embarrassment to judicial office and himself.

DATED: January 18, 1973

POLLOCK AND PALMER
SAMUEL C. PALMER III

BY


SAMUEL C. PALMER III

VERIFICATION

I, LEOPOLDO SANCHEZ, certify as follows:

I am the Respondent in the within matter; I have read the foregoing Answer to the Notice of Formal Proceedings and know the contents thereof; and I certify that the same is true of my own knowledge, except as to those matters which are therein stated upon my information or belief, and as to those matters, I believe them to be true.

I certify, under penalty of perjury, that the foregoing is true and correct.

Executed on January 18, 1973, at Los Angeles,
California.



LEOPOLDO SANCHEZ