



**BEFORE THE STATE COMMISSION  
ON JUDICIAL CONDUCT**

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**CJC Nos. 16-0559-JP AND 17-0416-JP**

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**PUBLIC REPRIMAND AND ORDER OF ADDITIONAL EDUCATION**

**HONORABLE HOMER JASSO SR.  
JUSTICE OF THE PEACE, PRECINCT 4, PLACE 2  
EDINBURG, HIDALGO COUNTY, TEXAS**

During its meeting on April 4-5, 2018, the State Commission on Judicial Conduct concluded a review of allegations against the Honorable Homer Jasso Sr., Justice of the Peace for Precinct 4, Place 2, Edinburg, Hidalgo County, Texas. Judge Jasso was advised by letter of the Commission's concerns and provided written responses. Judge Jasso appeared before the Commission on April 5, 2018, and gave testimony. After considering the evidence before it, the Commission entered the following Findings and Conclusion:

**FINDINGS OF FACT**

1. At all times relevant hereto, the Honorable Homer Jasso Sr., was Justice of the Peace for Precinct 4, Place 2, in Edinburg, Hidalgo County, Texas.

**CJC No. 16-0559-JP**

2. In 2016, the Commission received an anonymous complaint alleging Judge Jasso was being investigated by Hidalgo County and the EEOC for sexually harassing one of his employees ("Jane Doe").<sup>1</sup>
3. Judge Jasso initially hired Doe as a clerk in January of 2015 at a salary of \$28,840.
4. On July 20, 2015, Doe's employment was terminated. Her salary on the date of her termination was \$38,110.

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<sup>1</sup> In the interest of protecting the employee's privacy, the Commission refers to her as "Jane Doe."

5. In January of 2016, Doe filed a complaint with the EEOC claiming Judge Jasso had sexually harassed her while she was employed as his clerk. She alleged Judge Jasso kissed her, touched her inappropriately, and made inappropriate comments about her body.
6. In March of 2016, Doe was hired by Hidalgo County as a Family & Consumer Science Program Assistant, with the County's Extension Service Department, at an annual salary of \$31,253.
7. In June of 2016, Doe dismissed her EEOC complaint.
8. On September 26, 2016, Judge Jasso rehired Doe as his Assistant Court Coordinator at a salary of \$41,557.
9. In his sworn written responses to the Commission's inquiry, Judge Jasso admitted that he told Doe she had "a nice butt" in 2015.
10. In those same sworn written responses, Judge Jasso also testified that before he rehired Doe in September of 2016, he and Doe had an intimate relationship he described as "consensual."
11. Specifically, in response to the Commission's question whether or he had ever "kissed, touched or made sexual comments to" Doe while she worked in his court, the judge responded that he had done all of those things after July 20, 2015, and before he rehired her on September 26, 2016. He denied kissing or touching Doe in the courtroom or courthouse building.
12. During his appearance before the Commission, the judge denied that he ever kissed or touched Doe at any point in time. He also represented that his initial sworn written responses to the Commission were not accurate, and was unable to explain the discrepancy.

**CJC No. 17-0416-JP**

13. On September 28, 2016, Judge Jasso held a bench trial in Luis Parras' lawsuit against the Law Office of McAllen and Gonzales. Mr. Parras claimed the firm owed him money for inspection services he allegedly provided the firm.
14. At the conclusion of trial, Judge Jasso orally announced that he was entering a take nothing judgment as to Mr. Parras' claims. However, Mr. Parras was not provided a copy of the judge's final judgment until October 8, 2016.
15. On October 31, 2016, after the expiration of his plenary power, Judge Jasso entered an amended judgment without notifying both parties. The only difference between the original judgment and the amended judgment was that the judge checked a box next to the phrase, "The Plaintiff should take nothing by this suit."
16. Judge Jasso also set an appeal bond of \$6,000 for Mr. Parras.
17. In his written responses to the Commission, the judge testified that the delay in providing Mr. Parras with a copy of his final judgment was due to the fact he had a "complete turnover of all 5 members of [his] staff."
18. During his appearance before the Commission, the judge testified he terminated the five employees for "political reasons," after they had expressed support for his opponent in the upcoming election.
19. Although the judge admitted he had not provided the parties with notice that he was entering the amended judgment on October 31, 2016, he testified that "he didn't need to."
20. Judge Jasso set the appeal bond for Mr. Parras at \$6,000.

21. During his appearance before the Commission, Judge Jasso testified that he believed he had the discretion to set this bond, despite the plain language of Rule 506.1(b) of the Texas Rules of Civil Procedure imposing a \$500 bond for any plaintiff seeking to appeal the case to the County Court at Law.

### **RELEVANT STANDARDS AND AUTHORITIES**

1. Canon 2A of the Texas Code of Judicial Conduct provides: “A judge shall comply with the law and should act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.”
2. Canon 2B of the Texas Code of Judicial Conduct provides in relevant part, “A judge shall not lend the prestige of judicial office to advance the private interests of the judge or others; nor shall a judge convey or permit others to convey the impression that they are in a special position to influence the judge.”
3. Canon 3B(2) of the Texas Code of Judicial Conduct states, in pertinent part, “A judge . . . shall maintain professional competence in [the law].”
4. Canon 3B(4) of the Texas Code of Judicial Conduct provides, in pertinent part: “A judge shall be patient, dignified and courteous to litigants, jurors, witnesses, lawyers and others with whom the judge deals in an official capacity[.]”
5. Article V, section 1-a(6)A of the Texas Constitution provides that a judge may be disciplined for willful or persistent conduct that is clearly inconsistent with the proper performance of his duties or casts public discredit on the judiciary or the administration of justice.
6. Section 33.001(b)(5) of the Texas Government Code provides that failure to cooperate with the Commission constitutes willful or persistent conduct that is clearly inconsistent with the proper performance of the judge’s duties, in violation of Article V, §1-a(6)A of the Texas Constitution.
7. Texas Rule of Civil Procedure 506.1(b) provides: “A plaintiff must file a \$500 bond” in order to appeal a case to the County Court at Law.

### **CONCLUSION**

The Commission concludes based on the facts and evidence before it that Judge Jasso violated Canons 2A, 2B and 3B(4) by: (1) hiring Ms. Doe, with whom he had an intimate relationship; and (2) making inappropriate comments about Ms. Doe during office hours. The Commission also concludes the judge violated Canons 2A and 3B(2) in issuing his amended judgment in Mr. Parras’ case without providing the parties with notice and setting Mr. Parras’ appeal bond in the amount of \$6,000.

In reaching its conclusions, the Commission considered Judge Jasso’s conduct and demeanor during his appearance, in which his oral testimony directly contradicted his previous sworn written statements to the Commission. Judge Jasso’s lack of candor and cooperation with the Commission, in this regard, violated Article V, §1-a(6)A of the Texas Constitution and Section 33.001(b)(5) of the Texas Government Code, and proved to be an aggravating factor in reaching a final decision in the case. As such, the Commission concludes that Judge Jasso’s conduct, as described above, constituted willful and persistent violations of Canons 2A, 2B, 3B(2), and 3B(4) of the Texas Code of Judicial Conduct, and Article V, Section 1-a(6)A of the Texas Constitution.

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In condemnation of the conduct described above that violated Canons 2A, 2B, 3B(2), and 3B(4) of the Texas Code of Judicial Conduct and Article V, Section 1-a(6)A of the Texas Constitution, it is the Commission's decision to issue a **PUBLIC REPRIMAND AND ORDER OF ADDITIONAL EDUCATION** to the Honorable Homer Jasso Sr., Justice of the Peace for Precinct 4, Place 2, Edinburg, Hidalgo County, Texas.

Pursuant to this Order, Judge Jasso must obtain **eighty hours** of instruction by repeating the curriculum provided by the Texas Justice Court Training Center for new judges, in addition to his required judicial education for Fiscal Year 2018. Such training may be obtained at the judge's own expense or at the expense of Hidalgo County if duly approved by Hidalgo County.

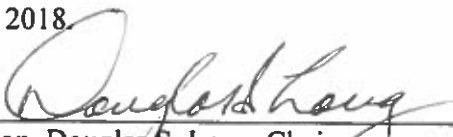
Judge Jasso shall complete the additional **eighty hours** of instruction on or before **December 31, 2018**. It is Judge Jasso's responsibility to contact the Texas Justice Court Training Center and schedule his attendance at each of the programs designated for new judges.

Upon the completion of the **eighty hours** of instruction described herein, Judge Jasso shall provide the Commission with a certificate of completion from the Texas Justice Court Training Center, along with the completed Respondent Judge Survey indicating compliance with this Order. Failure to complete, or report the completion of, the required additional education in a timely manner may result in further Commission action.

Pursuant to the authority contained in Article V, §1-a(8) of the Texas Constitution, it is ordered that the actions described above be made the subject of a **PUBLIC REPRIMAND AND ORDER OF ADDITIONAL EDUCATION** by the Commission.

The Commission has taken this action in a continuing effort to protect the public confidence in the judicial system and to assist the state's judiciary in its efforts to embody the principles and values set forth in the Texas Constitution and the Texas Code of Judicial Conduct.

Issued this the 10<sup>th</sup> day of April, 2018.

  
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Hon. Douglas S. Lang, Chair  
State Commission on Judicial Conduct