



**BEFORE THE STATE COMMISSION
ON JUDICIAL CONDUCT**

CJC No. 23-0651

**PUBLIC REPRIMAND
AND
ORDER OF ADDITIONAL EDUCATION**

**HONORABLE CLYDE HOWSE
JUSTICE OF THE PEACE, PCT. 3
HONDO, MEDINA COUNTY, TEXAS**

During its meeting on October 4, 2023, the State Commission on Judicial Conduct concluded a review of the allegations against the Honorable Clyde Howse, Justice of the Peace, Precinct 3, in Hondo, Medina County, Texas. Judge Howse was advised by letter of the Commission's concerns and provided a written response.

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 Clyde Howse served as the Justice of the Peace, Precinct 3, in Hondo, Medina County, Texas.
2. On May 18, 2023, Andrea Pope ("Pope"), Chief Deputy Clerk for Justice of the Peace, Precinct 1, was approached by Judge Howse, who requested her cell phone number. Ms. Pope provided her phone number to Judge Howse. This exchange was witnessed by Deputy Marcus Aguilar, Bailiff for the courts.
3. Approximately 30 minutes later, Judge Howse texted Ms. Pope confirming he was texting her. When he received confirmation that it was Ms. Pope, Judge Howse asked if anyone else would see her messages. Ms. Pope texted back, "I don't think so?"

4. Judge Howse then texted Ms. Pope the following, “Good. Becuase sometimes I have naughty thoughts about you!! Do you want to know what they are about ???” (original typo).
5. Ms. Pope became very upset by Judge Howse’s text. She was shaking, fearful and felt very ill. At least two Medina County employees found Ms. Pope very upset, and when asked what was wrong, Ms. Pope showed them the text message.
6. On the same day, Ms. Pope was taken to Glenda Moody (“Moody”), County Human Resource Manager, who started an investigation of the incident pursuant to Medina County’s Personnel Manual. Moody requested a meeting with Judge Howse the next morning regarding a complaint against him from an employee about an inappropriate text.
7. On May 19, 2023, Judge Howse attended the meeting with Moody, where Assistant District Attorney Jeff Diles was present as a witness. When Judge Howse arrived, he immediately acknowledged he knew who had made the complaint, stating without prompting it was “the way she dresses” and “her pants are so tight you can tell what her religion is” – since she wore tight, stretchy pants.
8. Judge Howse offered to apologize to Ms. Pope, but Moody directed him not to contact her.
9. Moody informed Judge Phillip Lange, Ms. Pope’s supervisor, about the incident and the actions the County was taking.
10. On May 22, 2023, Judge Lange stopped by Moody’s office and reported that Judge Howse had come by his office to talk to him. Judge Lange felt Judge Howse was trying to see if Ms. Pope was present.
11. On the same day, based on Judge Lange’s report, Moody directed Judge Howse by email not to go near Judge Lange’s court and to only interact with that court by telephone.
12. On May 30, 2023, it was reported to Moody that either on May 23, 2023, or May 24, 2023, Judge Howse stopped across the hallway of Judge Lange’s court and said hello to another employee there. It was believed Judge Howse was continuing to disrespect Ms. Pope’s boundaries.
13. On the same day, Moody again directed Judge Howse to have no further contact with the staff for Justice Court, Precinct 1, Judge Lange’s court.
14. As part of Moody’s investigation, she discovered others employed by Medina County had been sexually harassed by Judge Howse, including, but not limited to one female employee, who turned down Judge Howse’s initial advance, only to have him ask if she wanted to have a threesome. Based on Moody’s investigation, the sexual harassment of Ms. Pope was not an isolated incident.
15. In March 2022, Ms. Pope was also the unsuccessful political opponent to Judge Howse in the March 2022 Republican Primary. It was believed Judge Howse was politically intimidating Ms. Pope because she ran against him in the primary.
16. On April 2, 2015 and February 7, 2019, Judge Howse attended anti-harassment training. On October 21, 2011, Judge Howse acknowledged receipt of the Medina County Personnel Manual that included its anti-harassment policies.

17. In his written responses to the Commission's inquiry, Judge Howse, acknowledged sending the text and stated, "Yes, I did send Ms. Andrea Pope That message. Ms. Andrea Pope was wearing very tight leggings or Spandex pants that I believe she wanted everyone to notice her."
18. When asked about his statements during the meeting with Moody and ADA Diles, Judge Howse stated, "Yes, I did make that statement. I observed every detail of her lower body."
19. Judge Howse agreed he had been provided the Medina County's sexual harassment policies and was required to comply with them even as an elected official.
20. When asked if the conduct that was deemed to be sexual harassment could reasonably make women in the County, including those who appear before the Court or may work in proximity to him, to be afraid or uncomfortable given the power disparity and his status as a judge, Judge Howse stated, "It may make other women feel that way if this is spread around!"
21. Judge Howse defended his conduct by asserting, "Ms. Andrea Pope should have Told me that I offended her so I could have apologized before she went to HR." Judge Howse expressed his belief that "before a complaint for harassment is filed the complainant is to tell the offender to stop before a complaint is filed."
22. Judge Howse agreed that he had not treated Ms. Pope with patience, dignity, and courtesy, and his conduct described above could cast public discredit upon the judiciary.

RELEVANT STANDARDS AND AUTHORITIES

1. Canon 3B(4) of the Texas Code of Judicial Conduct states, in relevant 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, ..."
2. Canon 3B(5) of the Texas Code of Judicial Conduct states, "A judge shall perform judicial duties without bias or prejudice."
3. Canon 3B(6) of the Texas Code of Judicial Conduct states 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, ..."
4. Article V, Section 1-a(6)A of the Texas Constitution provides, in relevant part, that 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 on the judiciary or on the administration of justice."
5. Medina County Policy on Harassment defines "Sexual harassment" as including, "but is not limited to unwanted sexual advances, request for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature, ..."

CONCLUSION

Based upon the record before it and the factual findings recited above, the Texas State Commission on Judicial Conduct has determined that the Honorable Clyde Howse, Justice of the Peace, Precinct 3, in Hondo, Medina County, Texas should be publicly reprimanded for: (1) his

failure to be patient, dignified and courteous when he made sexual advances through text toward Ms. Pope; and (2) failure to perform his judicial duties without bias or prejudice and/or manifested bias or prejudice towards Ms. Pope through his words and conduct and his pattern of sexual harassment towards other women. Judge Howse's failure in these respects constituted willful or persistent conduct that is clearly inconsistent with the proper performance of his duties and cast public discredit upon the judiciary or the administration of justices, in violation of Canons 3B(4), 3B(5), and 3B(6) of the Texas Code of Judicial Conduct and Article V, Section 1-a(6) of the Texas Constitution.

Pursuant to this Order, Judge Howse must obtain **five (5) hours** of instruction with a mentor, in addition to his required annual judicial education for Fiscal Year 2024. In particular, the Commission desires that Judge Howse receive this additional education in the areas of sexual harassment and courtesy towards people he deals with in his official capacity. Pursuant to the authority contained in Section 33.036 of the Texas Government Code, the Commission authorizes the disclosure of certain information relating to this matter to the Texas Justice Court Training Center to the extent necessary to enable that entity to assign the appropriate mentor for Judge Howse.

Judge Howse shall complete the additional **five (5) hours** of instruction recited above within **60 days** from the date of written notification of the assignment of a mentor. Upon receiving such notice, it is Judge Howse'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, Section 1-a(8) of the Texas Constitution in a continuing effort to promote confidence in and high standards for the judiciary.

Issued this the 12 day of October, 2023.



Gary Steel

Chairman, State Commission on Judicial Conduct