

September 21, 2001

Honorable William P. Rainey
District Judge
P.O. Box 776
West Memphis, AR 72303

Re: Case # 01-133

Dear Judge Rainey,

At its meeting on September 21, 2001, the Judicial Discipline and Disability Commission decided to issue a letter of admonishment to you in complaint number 01-133. After a review of the complaint, your responses, the results of its investigation, and other material, the Commission determined that you violated the Code of Judicial Conduct.

The Commission found that on January 14, 2001 a young female defendant appeared before you. In a crowded courtroom, while chastising the defendant, you stated "Your behavior is that of a common crack whore".

In another case on the same date, another female defendant charged with prostitution appeared before you. Addressing the defendant, you asked "How is business ? Is business good these days ?" . When the defendant did not respond, you stated "There is no reason to be ashamed. You were not ashamed jumping in and out of trucks having sex with men. The men in this courtroom do not want to have sex with you."

You indicated in your response to the complaint that both of these persons had been repeat offenders and that previous punishment had not been effective in preventing future offenses. You stated that it was your goal to bring home squarely to these persons the extent of their continued criminal violations. Although you believed that such language would have the salutary effect of preventing further criminal violations, the Commission disagrees. Your language was not appropriate and fails to comport with the requirements of the Code of Judicial Conduct that a judge be patient, dignified and courteous, and maintain proper decorum in the courtroom.

The Judicial Discipline and Disability Commission found your conduct, as described above, to be a violation of Canons 2A and 3B(3) and 3B(4) of the Code of Judicial Conduct. The Commission expects that you will not continue or repeat this type of conduct. Your actions were inconsistent with maintaining the high standards of conduct essential in preserving the integrity and impartiality of the judiciary. It is the judgment of the Commission that you be admonished.

This Commission action is public information.

BY THE DIRECTION OF THE COMMISSION:

James A. Badami
Executive Director

c: George E. Johnson