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October 22, 2014

James M. Hivner, Clerk
100 Supreme Court Building
401 Seventh Avenue, North
Nashville, TN 37219-1407
615-253-1470

FOR PUBLIC RELEASE

The Honorable Casey Moreland
408 Second Avenue North, Suite 5110
P.O. Box 196300
Nashville, Tennessee 37219-6300

RE: Complaints
File Nos. B14-5767, B14-5784, B14-5807, B14-5813

Dear Judge Moreland:

This shall serve as a letter of public reprimand pursuant to your agreement with the investigative panel of this Board.

This reprimand relates to your actions in contacting a Judicial Commissioner concerning the arrest of Mr. David Chase on Sunday June 8, 2014.

On June 8, 2014, Metropolitan Nashville police officers obtained a warrant from a Metropolitan Nashville Judicial Commissioner who heard testimony from police officers and issued a warrant for David Chase charging him with a violation of Tennessee Code Annotated § 39-13-111, Domestic Assault. Mr. Chase was arrested, transported to booking and brought before Judicial Commissioner Steve Holzapfel.

Commissioner Holzapfel initially determined that Mr. Chase was a threat to the alleged victim and ordered the 12-hour holding period required by Tennessee Code Annotated § 40-11-150 (h). Commissioner Holzapfel's order stated that the 12-hour hold would be satisfied at 6:23 PM on June 8, 2014.

Shortly after the arrest of Mr. Chase, you received a call from Mr. Bryan Lewis, an attorney and social friend of yours, who indicated that he represented Mr. Chase. Mr. Lewis indicated to you that the affidavit of complaint was incorrect in that Mr. Chase and the alleged victim were not dating and that no domestic relationship existed between them. Based on that information, which was later found to be incorrect, you contacted Commissioner Holzapfel and communicated to him that the 12-hour hold should not be imposed because it was not a domestic relationship. After this conversation with you, the Judicial Commissioner crossed out the 6:23 PM hold time that he had originally set and noted on the warrant, waived the 12-hour hold and wrote upon the warrant the notation, in his handwriting, "Not Domestic Relationship Per Judge Moreland."

As a result of your communication with the Judicial Commissioner, Mr. Chase was released without the 12-hour hold being imposed, and soon returned to his apartment, where it is alleged that he again assaulted the victim of the alleged original Domestic Assault.

During the course of the investigation, and in meeting with Disciplinary Counsel, you have been fully cooperative and candid concerning the facts of this complaint. You have also publicly admitted that you were in error in contacting the Judicial Commissioner in this case, and have been active in meeting with the other General Sessions Judges of Davidson County to work out procedures which will assure that the 12-hour holding period will only be waived in appropriate circumstances with all parties having the opportunity to be heard.

Your contact with the Judicial Commissioner in this case was a violation of Canon 1, Rules 1.1, 1.2, and 1.3 which provide in pertinent part:

CANON 1 — A JUDGE SHALL UPHOLD AND PROMOTE THE INDEPENDENCE, INTEGRITY, AND IMPARTIALITY OF THE JUDICIARY, AND SHALL AVOID IMPROPRIETY AND THE APPEARANCE OF IMPROPRIETY.

RULE 1.1 Compliance with the Law

A judge shall comply with the law, including the Code of Judicial Conduct.

RULE 1.2 Promoting Confidence in the Judiciary

A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.

RULE 1.3 Avoiding Abuse of the Prestige of Judicial Office

A judge shall not abuse the prestige of judicial office to advance the personal or economic interests of the judge or others, or allow others to do so.

Your conduct in addition violated the provisions of Tennessee Code Annotated Section 17-5-301(g)(2) in that *“this conduct detrimentally affected the integrity of the Judiciary.”*

Accordingly, this letter constitutes a Public Reprimand for your actions in the above cases.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Craft", written in a cursive style.

Chris Craft
Board Chair