

IN THE MATTER OF:
M. JOHN STEENSLAND, JR., RETIRED DISTRICT JUDGE
TWENTIETH JUDICIAL CIRCUIT OF ALABAMA

FINAL JUDGMENT AND PUBLIC CENSURE

On December 14, 2010, the Alabama Judicial Inquiry Commission ("JIC") filed a complaint with the Alabama Court of the Judiciary charging M. John Steensland, Jr., with violating the Canons of Judicial Ethics ("the Canons"), while presiding over court proceedings in his capacity as a district judge in Houston County. Based on the testimony presented at trial, this Court hereby finds as follows:

On January 5, 2010, Judge Steensland held a docket to hear traffic cases. Stacie R. had received a ticket for simple speeding and was the first person to appear before Judge Steensland that day. She entered a plea of "not guilty" and requested a trial on the speeding charge. Evidence was then presented in her case, after which Judge Steensland found Ms. R. guilty and sentenced her to ten days in jail. Ms. R. testified before this court that, after Judge Steensland pronounced sentence, she was handcuffed and was made to sit in a chair along the wall toward the front of the courtroom.

Ms. R. testified that after she was handcuffed she explained to Judge Steensland that she was a veteran of the Iraq war, that she had been injured while serving in Iraq, and that she suffered from post-traumatic stress disorder. Because of her injuries and her disorder, Ms. R. explained, she could not endure being handcuffed. Nonetheless, she said, she remained in handcuffs throughout the approximately two hours of that court session. During that time, Ms. R. testified, she was crying and shaking, and, at one point, it appeared as though she was about to hyperventilate. Ms. R. stated that, in an effort to calm her, courtroom personnel told her that Judge Steensland would release her at the end of the docket and that she would not actually be going to jail.

According to testimony from a number of witnesses, as other defendants came forward at that session of court to enter their pleas in traffic cases, Judge Steensland would ask whether they wanted to plead guilty or "end up" like Ms. R. No other defendant requested a trial during the traffic-case docket that day. At the end of the docket, Judge Steensland set aside Ms. R.'s sentence and ordered her to pay a fine of \$50 plus costs.

On the same day Ms. R. was in Judge Steensland's

courtroom, Julie M., whose teenage son had received a ticket for speeding and a ticket for failing to have proof of automobile insurance, accompanied her son to court. They attended the session of court during which Ms. R. was handcuffed and made to sit at the front of the courtroom. Ms. M. testified that, throughout the court session, Judge Steensland appeared to be angry and was yelling and cursing from the bench. Her son had intended to seek youthful-offender status, but, Ms. M. said, in light of Judge Steensland's demeanor and his treatment of Ms. R., her son chose to plead guilty instead. Ms. M. testified that she told Judge Steensland that her son was pleading guilty only because Judge Steensland was "too angry." Judge Steensland then called the attention of the people in the courtroom to her son because, Ms. M. said, Judge Steensland said that her son was doing the "smart" thing by pleading guilty.

Another litigant testified that, in November 2009, she appeared before Judge Steensland regarding a domestic complaint she had filed against her husband. That litigant testified that she suffered from a medical disorder that affected her short-term memory. When she was unable to remember details of the complaint she had filed against her

husband, she said, Judge Steensland became angry and told her that she was going to go to jail. Although she was not charged with an offense, that litigant was placed in handcuffs and was taken to jail. Because she had not been charged, no bond had been set, and she spent the night in jail. She was not released until late in the afternoon the following day.

That same day in November 2009, Cynthia M. appeared before Judge Steensland in a matter involving her daughter, which had arisen approximately two years earlier. Ms. M. testified that she believed that she and her daughter were going to court for a hearing on whether her daughter was to lose her pretrial-diversion status. Instead, when they appeared before Judge Steensland, they learned that there was to be a trial.

Ms. M. testified that before her daughter's case was called for trial, Judge Steensland was yelling and cursing from the bench and that she had seen a litigant handcuffed and ordered to jail because she was unable to remember some details of her case. Ms. M. stated that she was terrified, because, like the previous litigant, she suffered from a medical condition that affected her memory. When her daughter's case was called, Ms. M. said, she told Judge

Steensland that she would have to go to jail because she could not remember everything that had occurred. According to Ms. M., Judge Steensland told her that she "needed to get her damn memory back." He then told Ms. M.'s daughter that she had to plead guilty to keep her mother from going to jail. Ms. M., who stated that she was crying while she was before Judge Steensland, testified that she told Judge Steensland that she did not believe her daughter should have to plead guilty because she could not remember what had happened. She said that Judge Steensland then ordered her to jail and had her handcuffed. Although she was held in the jail overnight, Ms. M. said, she was not charged and no bond was set. She stated that her husband hired an attorney and that the next day another judge released her from jail after finding that no arrest warrant had been issued for her.

This court finds that in addition to the specific incidents set forth above, Judge Steensland often used profanity, and yelled at litigants from the bench. In his capacity as a district judge, Judge Steensland would demean, mock, and humiliate the litigants, both defendants and complaining witnesses who appeared before him, especially when the litigants were appearing pro se. On a number of

occasions, Judge Steensland asked victims of domestic abuse what they had done to cause the abuse. Judge Steensland also made a practice of sentencing to jail defendants who appeared before him early in the docket and who pleaded "not guilty" and requested a trial. The sentences in those cases were imposed in bad faith in an effort to discourage other defendants from seeking a trial. Judge Steensland's conduct is without reasonable excuse or justification.

On the basis of the evidence presented, not all of which is set out herein, this court finds that the JIC proved by clear and convincing evidence that Judge Steensland is guilty of violating the following Canons of Judicial Ethics:

- Canon 1, by failing to observe high standards of conduct that would preserve the integrity and independence of the judiciary;

- Canon 2, by failing to avoid impropriety and the appearance of impropriety in all of his activities, specifically, by failing to respect and to comply with the law, and by failing to conduct himself at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary (Canon 2A) and by failing to avoid conduct prejudicial to the administration of justice,

thereby bringing the judicial office into disrepute, and by failing to maintain the decorum and temperance befitting his office(Canon 2B); and

- Canon 3, by failing to perform the duties of his office impartially, specifically by failing to be faithful to the law (Canon 3A(1)), by failing to maintain order and decorum in the proceedings before him (Canon 3A(2)), by failing to be patient, dignified, and courteous to litigants and others with whom he dealt in his official capacity (Canon 3A(3)), and by failing to accord to every person who is legally interested in a proceeding the full right to be heard according to law (Canon 3A(4)).

This court notes that Judge Steensland voluntarily retired on May 7, 2010, approximately 15 months into his most recent six-year term.

Based on the findings of this court after a thorough consideration of all the evidence and taking into consideration the limitations on the ability of this court to sanction Judge Steensland in this matter it is hereby ordered and adjudged as follows:

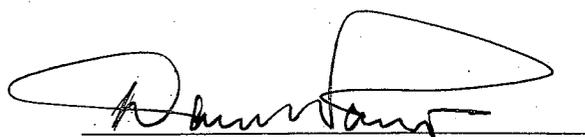
That Judge Steensland be publicly censured by the publication of this order of final judgment and public censure

in a newspaper of general circulation in Houston County. This court also prohibits M. John Steensland, Jr., from ever serving as a judge in any case in any court in Alabama or from exercising any judicial authority in any manner whether now or in the future.

[Signatures appear on following page.]

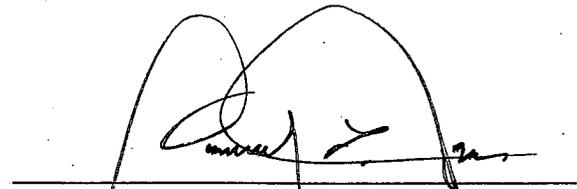
Done this 2nd day of May, 2011.

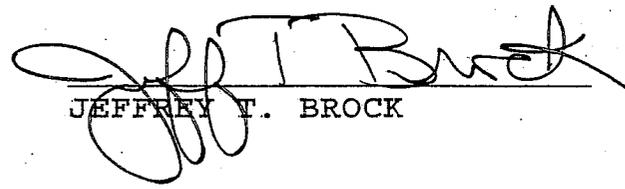

WILLIAM C. THOMPSON
CHIEF JUDGE

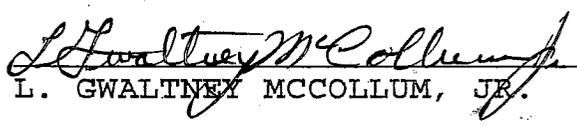

DAVID A. RAINS


J. SCOTT VOWELL


WILLIAM D. MELTON


SAMUEL L. JONES


JEFFREY T. BROCK


L. GWALTNEY MCCOLLUM, JR.


MERCERIA LUDGOOD