

Panel recommends reprimands for Hennepin Judge Aldrich

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Last update: July 14, 2010 - 11:19 AM

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The Board on Judicial Standards filed a formal five-page complaint with the state Supreme Court late Tuesday. Aldrich has formally disagreed with the panel's findings and has moved for dismissal of the complaint.

In one case, the complaint cited hearings and conferences on a murder case in 2008, in which Aldrich referred to potential witnesses as a "bunch of drunkards" and added, "Idiocy. Somebody died, and we're supposed to do something with the bodies afterwards." During the same hearing, for defendant Tyeric Lessley, Aldrich said, "Something like 50 percent of all people on the street are intoxicated at 1:00 in the morning, right?" according to the complaint.

According to the board, the judge also said witnesses would be "incompetent" due to their intoxication, making "the trial something of a crapshoot for everybody." He also told Deputy Hennepin County Attorney Pat Diamond, "You take the risk of boring me here, Mr. Diamond ... you keep saying the same thing."

The judge also accused prosecutors of "spin" and "grandstanding to the press," according to the complaint.

In a second incident, in October 2009, Aldrich was assigned to preside at a hearing involving an order for protection issued for a wife on her husband. The judge said, "I've been married 45 years. We've never considered divorce -- a few times murder maybe."

A representative for a courts watchdog group known as WATCH filed a complaint against Aldrich. The judge then offered to recuse himself from the case, but both parties involved agreed to keep him, the board's complaint said.

The board determined that Aldrich violated judicial canons requiring that he uphold and promote independence and integrity and avoid impropriety or the appearance of it.

The board noted that Aldrich has been privately warned about improper conduct twice before.

In a written response, Aldrich's lawyer called the complaint flawed in part because he couldn't respond to the comments in the pending murder case.

Lawyer Sam Hanson, a former state Supreme Court justice, said Aldrich's comments were "appropriately made in context, did not show bias" and reflected a judge doing his job and asking questions.

In the domestic matter, the response said, Aldrich successfully used humor to relieve tension and facilitate resolution of a motion. The proposed reprimand also fails to account for the pressure on judges imposed by WATCH "to influence the outcome of judicial decisions," Hanson wrote.

Aldrich has also moved for the dismissal of the complaint on the grounds that Hennepin County Judge Daniel Mabley participated in the decision. The response said Mabley has a close association with WATCH.

David Paull, executive secretary of the standards board, said the Supreme Court will appoint a three-person panel to hear the complaint. The panel then makes a preliminary decision. If the board agrees with the decision, the matter is closed. If the board disagrees, the matter is forwarded to the state Supreme Court to decide.

Aldrich, who is approaching mandatory retirement age of 70, is not a gubernatorial appointee, as most judges are. He was elected in 1996 and reelected in 2002 and 2008.

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