

IN THE MATTER OF: \* BEFORE THE MARYLAND  
JUDGE G. DARRELL RUSSELL, Jr. \* COMMISSION ON  
CJD 2010-031 \* JUDICIAL DISABILITIES

TO: Judge G. Darrell Russell  
Associate Judge, District Court of Maryland  
District 8, Baltimore County

PRIVATE REPRIMAND

TAKE NOTICE that the Maryland Commission on Judicial Disabilities (the "Commission"), through its Investigative Counsel, made and completed an investigation of Judge G. Darrell Russell's conduct with regard to the case of State of Maryland v. Frederick Dewey Wood. Judge Russell and his counsel were notified of the nature of the investigation and tendered such written and verbal responses thereto as they wished. Judge Russell, his counsel, and the Commission's Investigative Counsel were afforded an opportunity to present information to the Judicial Inquiry Board in November, 2010. The Judicial Inquiry Board heard Judge Russell's explanation, reviewed his written reply to the complaint and heard from Investigative Counsel regarding the facts and circumstances of this case. Investigative Counsel proposed and Judge Russell agreed that the case will be resolved through the issuance of this Private Reprimand, that will be made public, in conjunction with a Stipulation of Facts and Waiver of Hearing (the "Stipulation") and by Judge Russell agreeing to enter into a Deferred Discipline Agreement. The parties further agree that the Stipulation of Facts and the conditions of the Deferred Discipline Agreement shall be made public. The Commission, having reviewed the Stipulation, as recommended by the Judicial Inquiry Board and Investigative Counsel, and as agreed to

by Judge Russell, hereby incorporates and adopts by reference the attached Stipulation into this Private Reprimand.

The Commission's willingness to agree to conclude this case by way of this Private Reprimand and the related Deferred Discipline Agreement is based upon the recommendations of Investigative Counsel, and the Judicial Inquiry Board. The Commission's decision is also based upon Judge Russell's willingness to enter into the attached Stipulation of Facts and his agreement to comply with the Deferred Discipline Agreement, which mandates that he will act in compliance with the Maryland Code of Judicial Conduct, be monitored by the Commission's Investigative Counsel, and may be subject to review of audio recordings of all court proceedings in front of Judge Russell. Judge Russell has also agreed that he will retire from the District Court of Maryland on or before December 18, 2011, and at no time will he seek approval from the Maryland Court of Appeals to sit as a retired judge, or accept any such appointment by the Court of Appeals to sit as a retired judge.

As there was no significant dispute of facts between Investigative Counsel and Judge Russell, they, as the parties, agree that the attached Stipulation of Facts support a finding of violation of Canons 1, 2A and 6 of the Canons of Judicial Conduct. Investigative Counsel and Judge Russell agree that the transcripts of the case of State of Maryland v. Frederick Dewey Wood, Case #3C00314856, before the District Court of Maryland for Baltimore County on March 10, 2010 provide an evidentiary basis for the Commission to find, by clear and convincing evidence, sanctionable conduct under the Canons of Judicial Conduct. Judge Russell's statements on the record, in the District Court of Maryland were significant factors in the Commission's decision to accept this Private

Reprimand and the Stipulation of Facts.

The Commission concludes, based upon clear and convincing evidence, that Judge G. Darrell Russell violated Canon 1, 2A and Canon 6 of the Maryland Code of Judicial Conduct, Rule 16-813 of the Maryland Rules. The Commission finds that Judge Russell's behavior on March 10, 2010 did not meet the requirement that "a judge shall observe high standards of conduct so that the integrity and independence of the judiciary will be preserved". The Commission further determines that because Judge Russell's conduct took place in public, this Private Reprimand should be made public. The Commission further intends for this Private Reprimand to serve as a warning that any further such behavior or conduct by Judge Russell may result in charges and possible further discipline.

The Commission hereby issues this Private Reprimand which concludes the Commission's case in CJD-2010-031.

\_\_\_\_\_  
Date

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Patrick L. Woodward, Chair  
Maryland Commission on Judicial Disabilities

Seen and Consented to:

\_\_\_\_\_  
Date

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Judge G. Darrell Russell, Jr.