

STATE OF MARYLAND

BEFORE THE COMMISSION ON JUDICIAL DISABILITIES

IN THE MATTER OF: \*  
\* CJD 2023-077  
JUDGE JENNIFER ETHERIDGE \*

To: JUDGE JENNIFER ETHERIDGE  
DISTRICT COURT OF MARYLAND FOR BALTIMORE CITY  
FIRST JUDICIAL DISTRICT

**CHARGES**

**TAKE NOTICE** that the Commission on Judicial Disabilities (hereinafter “Commission”) has caused to be made and completed an investigation, through its Investigative Counsel, Tanya C. Bernstein, Esq., of Judge Jennifer Etheridge (hereinafter sometimes referred to as “the judge”), who was, at all pertinent times, a Judge of the District Court of Maryland for Baltimore City. The Commission notified Judge Etheridge of the nature of the investigation and afforded the judge an opportunity to present information bearing on the subject of the investigation.

The Commission has received and considered information from the investigation, including, but not limited to: the complaint and its attachments; body worn camera footage, documents, reports, and other materials and information received from the Baltimore City Police Department; the judge’s response to the investigation; the report and recommendation of Investigative Counsel; the Report of the Judicial Inquiry Board; and the judge’s response to the Report of the Judicial Inquiry Board.

In consideration of the foregoing and a finding by the Commission of probable cause to believe that Judge Etheridge has committed sanctionable conduct, the Commission directed Investigative Counsel to initiate formal proceedings against Judge Etheridge pursuant to Rule 18-

431(a). The Commission will conduct a public hearing on these charges pursuant to Rule 18-434.

The Commission states as follows in support of its probable cause determination:

1. Judge Etheridge has served as a Judge of the District Court of Maryland for Baltimore City since May 2012.
2. Based upon a complaint received, the Commission's Investigative Counsel opened an investigation regarding Judge Etheridge's conduct.
3. The investigation revealed sanctionable conduct by Judge Etheridge. The nature of the sanctionable conduct that is the subject of these charges includes confronting law enforcement to advance her personal interests while officers were addressing an unrelated domestic dispute; invoking her judicial title during the interaction with law enforcement; threatening to take future action against the officers as a result of the interaction and otherwise exhibiting antagonistic and confrontational behavior; failing to cooperate and be candid and honest with disciplinary authorities, to include disingenuously invoking the subsequent death of another judicial officer as justification for her behavior, failing to acknowledge her conduct or express remorse for the same, and making inconsistent statements regarding her conduct; failing to comply with the law; and otherwise engaging in behavior unbecoming a judicial officer and in direct contravention of her responsibility to promote confidence in the Judiciary and to maintain the dignity of judicial office.
4. Judge Etheridge's conduct was in violation of Rules 18-101.1 (Compliance with the Law), 18-101.2 (Promoting Confidence in the Judiciary), 18-101.3 (Avoiding

lending the prestige of judicial office), 18-102.10 (Judicial Statements on Pending and Impending Cases), 18-102.16 (a) (Cooperation with Disciplinary Authorities), and 18-103.1 (d) & (e) (Extra-Official Activities in General).

The pertinent provisions of the Rules provide as follows:

RULE 18-101.1. COMPLIANCE WITH THE LAW

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

RULE 18-101.2. PROMOTING CONFIDENCE IN THE JUDICIARY

- (a) **Promoting public confidence.** – A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary.
- (b) **Avoiding perception of impropriety.** – A judge shall avoid conduct that would create in reasonable minds a perception of impropriety.

RULE 18-101.3. AVOIDING LENDING THE PRESTIGE OF JUDICIAL OFFICE.

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

RULE 18-102.10. JUDICIAL STATEMENTS ON PENDING AND IMPENDING CASES.

- (a) A judge shall abstain from public comment that relates to a proceeding pending or impending in any court and that might reasonably be expected to affect the outcome or impair the fairness of that proceeding and shall require similar abstention on the part of court personnel subject to the judge's direction and control. This Rule does not prohibit a judge from making public statements in the course of official duties or from explaining for public information the procedures of the court.
- (b) With respect to a case, controversy, or issue that is likely to come before the court, a judge shall not make a commitment, pledge, or promise that is inconsistent with the impartial performance of the adjudicative duties of the office.
- (c) Notwithstanding the restrictions in sections (a) and (b) of this Rule, a judge may make public statements in the course of official duties, may explain court

procedures, and may comment on any proceeding in which the judge is a litigant in a non-judicial capacity.

RULE 18-102.16 (a). COOPERATION WITH DISCIPLINARY AUTHORITIES

- (a) A judge shall cooperate and be candid and honest with judicial and attorney disciplinary agencies.

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RULE 18-103.1 (d) & (e). EXTRA-OFFICIAL ACTIVITIES IN GENERAL

Except as prohibited by law or this Code, a judge may engage in extrajudicial activities.

When engaging in extrajudicial activities, a judge shall not:

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- (d) engage in conduct that would appear to a reasonable person to be coercive; or
- (e) make inappropriate use of court premises, staff, stationery, equipment, or other resources.

- 5. The specific facts upon which these charges are based are summarized as follows:

*(i) Misconduct Related to Interaction with Law Enforcement*

On September 2, 2023, two (2) officers from the Baltimore City Police Department responded to a 911 call for domestic violence. The officers were equipped with body worn cameras which were activated and recording during the entire call for service. While handling the domestic incident, the officers heard glass shatter on the street and saw a woman on the ground and broken bottle(s) of alcohol. The woman, who was subsequently identified as Judge Etheridge, was returning from a gathering with friends during which she had consumed at least two (2) alcoholic beverages. One of the officers inquired as to whether Judge Etheridge was okay, while the other officer continued to handle the domestic

incident. Upon Judge Etheridge's assurance that she was "fine", the officers returned their attention to the domestic incident. Shortly thereafter, Judge Etheridge returned to the scene and interrupted the officers while they continued to handle the domestic incident. She was carrying her cell phone and a set of keys with a gavel keychain. Judge Etheridge expressed her irritation that a municipal truck was blocking her residential street and had denied access to her "Uber" driver. She asked the officers to speak to the municipal employee(s) and instruct them to let residents pass with proper identification. One of the officers agreed to do so and continued to engage with Judge Etheridge while the other officer handled the domestic incident.

Judge Etheridge repeatedly argued that the denial of access was inappropriate and that her fall and injury were a direct result of being forced to walk to her house rather than being driven to her door. Judge Etheridge declined medical attention, stating, "No. But it's not alright. I'm just letting you know. It's inappropriate. I should not have been injured this way. I should not have been made to walk to my house. I live here." She also stated, "I'm part of the criminal justice system. I understand this. I was a State's Attorney for 17 years. I understand this."

The interaction continued until Judge Etheridge pointed at the officer before starting to walk away, whereupon the following exchange occurred:

Judge Etheridge:	I got it. Believe me I'll remember you. No, no, no, it's fine. When I see you in court, I'll remember you. And it's fine.
Officer:	In court for what?
Judge Etheridge:	For anything.

Thereafter, Judge Etheridge pulled out her Maryland Judiciary business card and extended her arm to display it to the officer while threatening, “It’s not my first time in the criminal justice system, okay? There we go.”

Further discussion ensued with Judge Etheridge insisting that she should not have had to walk home and that residents should be allowed to drive on the street. The officer again agreed to speak to the municipal employee(s) stationed at the end of the street. As Judge Etheridge walked away she stated, “If I die, it is what it is.” En route to speak to the municipal employee as promised, one of the officers observed glass from a broken wine bottle in the area where Judge Etheridge had previously fallen. Both officers believed Judge Etheridge to have been intoxicated and noted the presence of alcohol on her breath during their encounter. One of the officers also expressed this belief to the municipal employee and told the employee, “She said she’d see me in court.”

(ii) *Lack of Cooperation and Candor with Disciplinary Authorities*

Judge Etheridge failed to cooperate and be candid and honest with Investigative Counsel and the Commission. Judge Etheridge’s written response to the investigation, which was drafted by counsel and signed by Judge Etheridge, was evasive, disingenuous, and insincere. Judge Etheridge lacked awareness or acknowledgement of her conduct and failed to show remorse for the same. Instead, Judge Etheridge made multiple attempts to shift the blame for her conduct to others – first to the municipal employee blocking the street and then to the officer(s). Inexplicably, Judge Etheridge also attempted to deflect

responsibility for her actions on September 2, 2023, by invoking the tragic death of Judge Andrew Wilkinson that occurred six (6) weeks later on October 19, 2023, stating, “With the Judge Wilkinson tragedy on her mind, and because she was walking alone at midnight, Judge Etheridge chose the route that she thought was the safest and would minimize any interactions with individuals who could recognize her as a judge.” Additionally, Judge Etheridge was inconsistent and dishonest in her statements regarding her mode of transportation on the date at issue by repeatedly stating to the officers that she had been in an Uber when her subsequent written response to the investigation reflected that a friend had driven her home that evening.

6. Judge Etheridge’s behavior provides evidence that she engaged in conduct prejudicial to the proper administration of justice in Maryland Courts, pursuant to the Maryland Constitution, Article IV, Section 4B(b)(1).

**\*SIGNATURES ON FOLLOWING PAGE\***

These charges are issued by Investigative Counsel at the direction of the Commission on Judicial Disabilities.

**COMMISSION ON JUDICIAL DISABILITIES**

Date: November 22, 2024

*Tanya C. Bernstein*

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Tanya C. Bernstein  
Director/Investigative Counsel

Date: November 22, 2024

*Derek A. Bayne*

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Derek A. Bayne  
Deputy Assistant Investigative Counsel

Date: November 22, 2024

*Tamara S. Dowd*

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Tamara S. Dowd  
Assistant Investigative Counsel

**NOTICE:** YOU HAVE THE RIGHT, PURSUANT TO RULE 18-431(d) OF THE MARYLAND RULES, TO FILE A WRITTEN RESPONSE WITHIN THIRTY (30) DAYS AFTER SERVICE OF THESE CHARGES. YOU MUST FILE EITHER AN ORIGINAL AND ELEVEN (11) COPIES OF THE RESPONSE OR AN ELECTRONIC COPY PURSUANT TO RULE 18-404. THE RESPONSE SHOULD BE FILED WITH THE COMMISSION ON JUDICIAL DISABILITIES WITH A COPY TO INVESTIGATIVE COUNSEL.