


Joey D. Moya

IN THE SUPREME COURT
OF THE STATE OF NEW MEXICO

No.

IN THE MATTER OF HON. STEPHEN S. SALAZAR
Española Municipal Court

INQUIRY CONCERNING HON. STEPHEN S. SALAZAR
JSC Inquiry No. 2019-136

S-1-SC-38722

FILED UNDER SEAL

PURSUANT TO 27-104(B) NMRA

**PETITION TO ACCEPT STIPULATION TO PERMANENT
RESIGNATION FROM JUDICIAL OFFICE IN LIEU OF FURTHER
DISCIPLINARY PROCEEDINGS**

JUDICIAL STANDARDS COMMISSION

6200 Uptown Blvd. NE, Suite 320
Albuquerque, NM 87110-4159
(505) 222-9353

RANDALL D. ROYBAL
Executive Director & General Counsel

CHANCE A. GAUTHIER
Investigative Trial Counsel
Counsel for Petitioner

DAN CRON LAW FIRM, PC

425 Sandoval St.
Santa Fe, NM 87501
(505) 986-1334

DAN CRON
Counsel for Respondent

IN THE SUPREME COURT
OF THE STATE OF NEW MEXICO

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Española Municipal Court

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**PETITION TO ACCEPT STIPULATION TO PERMANENT
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DISCIPLINARY PROCEEDINGS**

The Judicial Standards Commission of the State of New Mexico (“Commission”), through the undersigned counsel, hereby respectfully petitions the Supreme Court for an order approving the attached *Stipulation to Permanent Resignation from Judicial Office in Lieu of Further Disciplinary Proceedings* (“*Stipulation*”), attached hereto as **Exhibit 1**, in which Hon. Stephen S. Salazar (“Respondent”) has elected to permanently resign from judicial office in lieu of further disciplinary proceedings.

The Commission further requests that the Supreme Court unseal the file in this matter pursuant to Rule 27-104(B) NMRA.

The Commission believes the *Stipulation* agreement best serves the interests of justice and the integrity of the New Mexico judiciary, and as further grounds for this petition states:

1. The Commission invokes its jurisdiction pursuant to the Commission's power to recommend the discipline of judges, and the Supreme Court's power to discipline judges under Article VI, Section 32 of the New Mexico Constitution; the Court's power of superintending control under Article VI, Section 3 of the New Mexico Constitution; and Rule 36 of the Judicial Standards Commission's Rules.

2. This matter is currently pending before the Commission pursuant to a *Notice of Formal Proceedings* issued to Respondent on August 11, 2020 in Inquiry No. 2019-136 (*See Exhibit A to Exhibit 1*).

3. Formal Proceedings in this matter followed completion of an investigation into the allegations. The Commission issued a *Notice of Investigation* to Respondent on February 20, 2020 (*See Exhibit B to Exhibit 1*), and Respondent's response to the *Notice of Investigation* was filed on March 16, 2020 (*See Exhibit C to Exhibit 1*).

4. The investigation also included Respondent's participation in an informal confidential conference with the Commission on August 3, 2020 by Zoom video conferencing. The conference afforded Respondent an opportunity to discuss and explain his response to the *Notice of Investigation* in person and provided the Commission an opportunity to ask Respondent questions and further discuss the pending allegations and Respondent's response to assist in determining the appropriate course of action.

5. After full consideration of Respondent's written response and the information he provided verbally at the informal confidential conference, the Commission issued a *Notice of Formal Proceedings* to Respondent and set the matter for a hearing on the merits. Respondent provided his response to the *Notice of Formal Proceedings* on September 2, 2020 (*See Exhibit D to Exhibit 1*).

6. After providing his response to the *Notice of Formal Proceedings* and in the course of preparing for the hearing on the merits, Respondent requested that this matter be resolved now by entering into a *Stipulation to Permanent Resignation from Judicial Office in Lieu of Further Disciplinary Proceedings* with the Commission whereby Respondent would resign permanently from judicial office and never again seek judicial office in

New Mexico. Respondent has expressed that his decision to permanently resign is voluntary and based upon his desire to avoid further disciplinary proceedings before the Commission and the Supreme Court.

7. Respondent has admitted in the *Stipulation* that sufficient evidence exists to prove the facts alleged in the *Notice of Formal Proceedings* and to conclude that those facts taken individually and/or together constitute willful misconduct in office.

8. The Commission agreed that Respondent's request for permanent resignation in lieu of further disciplinary proceedings should be granted and entered into the *Stipulation* whereby the Commission shall close Inquiry No. 2019-136 upon issuance of a Supreme Court Order approving the *Stipulation* and upon Respondent's resignation due by 5:00 p.m. on the same day that the Supreme Court enters an order approving the *Stipulation* and orders Respondent's permanent resignation.

9. Respondent understands and acknowledges that, based upon the *Stipulation*, his resignation is permanent, and if he seeks judicial office in the future, the Commission will act to enforce the agreement, to find contempt, and/or to pursue other proper remedy. Respondent understands and acknowledges the *Stipulation* is an equitable remedy that

best serves the interests of justice and has voluntarily agreed to permanent resignation. Respondent understands and acknowledges that a violation of the terms of the *Stipulation* such as by running for or holding judicial office in New Mexico in the future after agreeing to permanently resign, prejudices the Commission's ability to effectively adjudicate a case that is stale, where witnesses may have disappeared, whose memories may have faded, or who may not wish to proceed in the matter after several years have passed. The resolution of this matter through Respondent's voluntary consent to discipline ensures finality for the Commission, Respondent and witnesses, and allows all parties to rely upon the finality of the binding *Stipulation* and Court order(s).

10. The *Stipulation* satisfies Respondent's desire to avoid further disciplinary proceedings in this matter, acts to preserve the public's continued confidence in the judiciary, provides for a judicially economic disposition, and serves the best interests of justice.

11. Following a unanimous vote of the participating Commissioners, the Commission entered into the *Stipulation* with the Respondent on March 11, 2021.

12. Upon order from this Court, the *Stipulation* is enforceable by the Commission before the Supreme Court.

13. Granting the Commission's *Petition to Accept Stipulation to Permanent Resignation from Judicial Office in Lieu of Further Disciplinary Proceedings* is in the best interest of justice and serves to preserve the integrity of the New Mexico Judiciary.

WHEREFORE, Petitioner respectfully requests that this Honorable Court issue an order granting the Commission's *Petition to Accept Stipulation to Permanent Resignation from Judicial Office in Lieu of Further Disciplinary Proceedings*, approving the *Stipulation*, and ordering that the resignation from judicial office of Respondent, Hon. Stephen S. Salazar be made permanent effective by 5:00 p.m. on the same day the Order granting this petition is issued. The Commission further requests that all documents filed with the Supreme Court in this matter be unsealed pursuant to Rule 27-104(B) NMRA.

Respectfully submitted,

JUDICIAL STANDARDS COMMISSION



RANDALL D. ROYBAL

Executive Director & General Counsel

CHANCE A. GAUTHIER

Investigative Trial Counsel

6200 Uptown Blvd. NE, Suite 320

Albuquerque, NM 87110-4159

Telephone: (505) 222-9353

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was served by

First Class mail on this 11th day of March 2021 to the following:

Honorable Stephen S. Salazar

c/o Dan Cron, Esq.

Dan Cron Law Firm, PC

425 Sandoval St.

Santa Fe, NM 87501



CHANCE A. GAUTHIER

BEFORE THE JUDICIAL STANDARDS COMMISSION
STATE OF NEW MEXICO

FILED

MAR 10 2021

**NM JUDICIAL
STANDARDS COMMISSION**

INQUIRY CONCERNING HON. STEPHEN S. SALAZAR
Espanola Municipal Court

Inquiry No. 2019-136

**STIPULATION TO PERMANENT RESIGNATION FROM JUDICIAL OFFICE
IN LIEU OF FURTHER DISCIPLINARY PROCEEDINGS**

THIS MATTER is currently pending before the Judicial Standards Commission ("Commission") pursuant to a *Notice of Formal Proceedings* issued to Hon. Stephen S. Salazar ("Respondent") on August 11, 2020 in Inquiry No. 2019-136 (*See Exhibit A*).

This *Stipulation to Permanent Resignation from Judicial Office in Lieu of Further Disciplinary Proceedings* ("*Stipulation*") is entered into by and between the Commission and Respondent, Hon. Stephen S. Salazar, who is represented by Dan Cron, Esq.

The Commission issued a *Notice of Investigation* to Respondent on February 20, 2020 (*see Exhibit B*), and Respondent's response to the *Notice of Investigation* was filed on March 16, 2020 (*see Exhibit C*).

Pursuant to Commission Rule 19 NMRA 2020, and following the Commission's receipt and review of Respondent's written response to the *Notice of Investigation*, the Commission invited Respondent and his counsel, Dan Cron, Esq., to participate in an informal confidential conference with the Commission on August 3, 2020 by Zoom video conferencing. The conference afforded Respondent an opportunity to discuss and explain his response to the *Notice of Investigation* in person and provided the Commission an opportunity to ask Respondent questions about the

Exhibit

1

pending allegations and Respondent's response to assist in determining the appropriate course of action.

After full consideration of Respondent's written responses and the information he provided verbally at the informal conference, the Commission issued a *Notice of Formal Proceedings* to Respondent on August 11, 2020 and set the matter for a hearing on the merits. Respondent filed his response to the *Notice of Formal Proceedings* on September 2, 2020 (see **Exhibit D**).

In consideration of the foregoing, the parties hereby enter into the following agreement:

1. The Commission has jurisdiction over Respondent and the above-captioned and numbered matter pursuant to Article VI, Section 32 of the Constitution of the State of New Mexico; NMSA 1978, Sections 34-10-1 through 34-10-4; and the Judicial Standards Commission Rules NMRA 2019.

2. Respondent admits to the following conduct as charged in the *Notice of Formal Proceedings* in the underlying Commission Inquiry No. 2019-136:

- a. On or about December 6, 2019 at the checkout counter in the Lowe's Home Improvement Store in Espanola, New Mexico, while making a purchase for the Espanola Municipal Court, [Judge Stephen Salazar] willfully and aggressively shoved Arturo Meza (a fellow City of Espanola Employee) after Mr. Meza placed a lollipop in [Judge Salazar's] jacket pocket as a prank. After shoving Mr. Meza, [Judge Salazar] turned to [Mr. Meza's] supervisor and requested Mr. Meza's conduct be documented and reported.

3. Respondent further admits that his conduct violated Rules 21-101 and 21-102 NMRA of the Code of Judicial Conduct, and that such conduct constitutes willful misconduct in office.

4. Based upon the facts and violations of the Code of Judicial Conduct admitted herein, and in consideration of his judicial disciplinary history before the Supreme Court,

Respondent hereby agrees to **resign permanently** as judge of the Espanola Municipal Court effective at 5:00 p.m. on the same day that the Supreme Court enters an order approving this *Stipulation* and ordering Respondent's permanent resignation.

5. Upon acceptance of this *Stipulation* by the Court and issuance of an order granting the Commission's petition, Respondent shall permanently resign by submitting a letter of resignation addressed to the Mayor of Espanola, with copies of the letter submitted concurrently to the Judicial Standards Commission and the Chief Justice of the Supreme Court

6. Upon resignation, Respondent shall never again hold, become a candidate for, run for, or stand for election to any New Mexico judicial office in the future. Respondent shall never seek, accept appointment to, or serve *pro tempore* for any New Mexico judicial office in the future. New Mexico judicial office includes the posts of judge in probate court, municipal court, magistrate court, metropolitan court, district court, Court of Appeals, and justice of the Supreme Court. Respondent shall never again hold or exercise any judicial authority in the State of New Mexico, including the judicial authority to officiate at weddings.

7. Pursuant to Rule 27-104(B) NMRA, the Commission will file **under seal** a *Petition to Accept Stipulation to Permanent Resignation from Judicial Office in Lieu of Further Disciplinary Proceedings* ("*Petition*") with the New Mexico Supreme Court. A copy of this *Stipulation* will be attached as an exhibit to the petition.

8. Upon granting the *Petition* and pursuant to Rule 27-104(B), the Court should unseal the *Petition* and its file in this matter.

9. Upon execution of this *Stipulation* and approval by the Court, the Commission will abate and close the matter pending against Respondent before the Commission (Inquiry No. 2019-136).

10. This *Stipulation* is specifically enforceable by the Commission before the Supreme Court.

11. Respondent acknowledges that upon execution of this *Stipulation*, Respondent gives up all motions, defenses, objections, or requests that the Respondent has made or raised, or could assert hereafter, in or concerning the Commission's proceedings.

12. Respondent shall not make any public misrepresentations concerning this inquiry, the facts and circumstances of Respondent's permanent resignation, the Commission's proceedings, or the disposition.

13. The Commission and Respondent shall take all actions necessary to carry out and fulfill the terms and conditions of this *Stipulation*.

14. This document is not enforceable unless fully executed by all parties.

15. If Respondent violates any terms or provisions of this executed *Stipulation*, Respondent agrees and understands that the admitted charge in the *Notice of Formal Proceedings* issued in Inquiry No. 2019-136 may be used against Respondent in future proceedings before the Commission and the Court and may constitute obstruction of Commission business and contempt.

16. The terms and conditions contained in this *Stipulation* are mutually acceptable to and agreed upon by all parties.

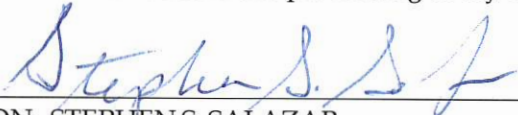
17. All parties have read and understand this *Stipulation*, have had the opportunity to discuss it with and be advised by legal counsel, and hereby freely and voluntarily enter into this *Stipulation* free of any threats, and free of any promises not contained herein.

RESPONDENT'S REVIEW AND APPROVAL

I have read and understand this *Stipulation*. I have had the opportunity to discuss this matter and my rights with my attorney. I understand that by entering into this *Stipulation*, I will be giving up my rights to a formal hearing on the merits and to confront, cross-examine and compel the attendance of witnesses regarding these issues.

I know, understand, and agree that the provisions of this *Stipulation* are material to the Commission's deliberations and ultimate acceptance of it. I understand and agree that by entering into this stipulation I am admitting that the conduct described in the *Notice of Formal Proceedings* is fact and that such conduct constituted willful misconduct. I also understand and agree that by entering into this *Stipulation*, I am agreeing to never again hold judicial office or exercise judicial authority under any circumstances as defined in this agreement, and that if I do hold any judicial office or exercise judicial authority at any point in the future, I will be in violation of this *Stipulation* and I could be held in contempt of the Commission and the Court. I also fully and understand and agree that if I do seek judicial office in the future or violate any terms of this agreement the Commission shall re-initiate the matter pending before the Court and/or the Commission at the time this *Stipulation* was executed.

I understand and agree that my attorney is speaking for me, and on my behalf in this proceeding, and that anything my attorney says or does in this proceeding can and should be attributable to me. In the event my attorney says or does anything during the course of this proceeding that I do not agree with, I know, understand and agree that I have an affirmative duty to make my disagreement with my attorney's words or conduct known. If I do not make my disagreement known, then I know, understand, and agree that I am accepting my attorney's words and conduct in this proceeding as my own.




HON. STEPHEN S. SALAZAR
Respondent

Dated: 3/10/2021

COUNSEL FOR RESPONDENT'S REVIEW AND APPROVAL

I have reviewed this *Stipulation* with my client. I have advised my client of his constitutional rights and possible defenses, and hereby accept and approve my client's entry into this *Stipulation*.




DAN CRON, ESQ.
Counsel for Respondent

Dated: March 10, 2021

INVESTIGATIVE TRIAL COUNSEL'S REVIEW AND APPROVAL

I have reviewed this *Stipulation* and find that it is appropriate and in the best interest of justice. I hereby recommend that the Judicial Standards Commission accept and approve this *Stipulation*.




CHANCE A. GAUTHIER
Investigative Trial Counsel

Dated: March 11, 2021

JUDICIAL STANDARDS COMMISSION'S REVIEW & APPROVAL

The Commission has reviewed this *Stipulation* and finds that it is in the best interest of justice and hereby accepts and approves this *Stipulation*.



JOYCE BUSTOS
Chair

Dated: March 11, 2021



RANDALL D. ROYBAL
Executive Director & General Counsel

Dated: 3-11-2021

BEFORE THE JUDICIAL STANDARDS COMMISSION
OF THE STATE OF NEW MEXICO

FILED

INQUIRY CONCERNING HON. STEVEN S. SALAZAR
Espanola Municipal Court

AUG 11 2020

Inquiry No. 2019-136

**NM JUDICIAL
STANDARDS COMMISSION**

NOTICE OF FORMAL PROCEEDINGS

TO: Hon. Stephen S. Salazar
c/o Dan Cron Law Firm, PC
Dan Cron, Esq.
425 Sandoval St.
Santa Fe, NM 87501

YOU ARE HEREBY NOTIFIED that the Judicial Standards Commission, in accordance with its jurisdiction under Article VI, Section 32 of the New Mexico Constitution and pursuant to Rule 15 of the Judicial Standards Commission Rules, has instituted formal proceedings on the charges set forth below.

COUNT 1

On or about December 6, 2019 at the checkout counter in the Lowe's Home Improvement Store in Espanola, New Mexico, while making a purchase for the Espanola Municipal Court, you willfully and aggressively shoved Arturo Meza (a fellow City of Espanola Employee) after Mr. Meza placed a lollipop in your jacket pocket as a prank. After shoving Mr. Meza, you turned to his Supervisor and requested Mr. Meza's conduct be reported.

Such conduct violates the Code of Judicial Conduct Rules 21-101, 21-102, 21-204(B) and, 21-208(B) NMRA and constitutes willful misconduct in office.

EXHIBIT
A

PLEASE BE ADVISED that in accordance with Rule 16 of the Judicial Standards Commission Rules, **you shall file a written answer to this notice within twenty-one (21) days of its service upon you.** Your answer shall be filed with:

*Clerk of the Commission
Judicial Standards Commission
111 Lomas Blvd. NW, Suite 220
Albuquerque, NM 87102*

Your answer should be legible, and **your signature must be verified.** Article VI, Section 32 of the New Mexico Constitution provides that all papers filed with and proceedings before the Judicial Standards Commission are confidential, except that any record filed by the Commission in the New Mexico Supreme Court continues privileged but, upon its filing, loses its confidential character, and a writing which was privileged prior to filing with the Commission or its masters does not lose its privilege by the filing.

JUDICIAL STANDARDS COMMISSION

BY: _____




Joyce E. Bustos, Chair
111 Lomas Blvd. NW, Suite 220
Albuquerque, NM 87102-2368
(505) 222-9353

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing was sent certified mail returned receipt requested on this 11th day of August 2020 to the following:

Hon. Stephen S. Salazar
c/o Dan Cron Law Firm, PC, Dan Cron, Esq.
425 Sandoval St.
Santa Fe, NM 87501


SHARIESSE T. MCCANNON
CLERK OF THE COMMISSION



STATE OF NEW MEXICO
JUDICIAL STANDARDS COMMISSION

POST OFFICE BOX 27248
ALBUQUERQUE, NEW MEXICO 87125-7248
(505) 222-9353
WWW.NMJSC.ORG

RANDALL D. ROYBAL
Executive Director & General Counsel

PHYLLIS A. DOMINGUEZ
Deputy Director

DEBORAH BORIO
Senior Investigative Trial Counsel

February 20, 2020

CONFIDENTIAL
CERTIFIED MAIL – RETURN RECEIPT REQUESTED

FILED

FEB 20 2020

**NM JUDICIAL
STANDARDS COMMISSION**

Hon. Stephen Salazar
Espanola Municipal Court
409 N. Paseo De Onate
Espanola, NM 87532

Re: Inquiry No. 2019-136; Notice of Investigation

Dear Judge Salazar:

You are hereby notified that the above-referenced matter came before the Judicial Standards Commission on a verified, third party complaint; a complaint docketed by the Commission’s General Counsel; or upon the Commission’s own motion. As part of an investigation pursuant to Rules 15(B) and (C) of the Judicial Standards Commission Rules (NMRA 2019), the Commission requires that you provide a written explanation as to the matter discussed below.

It has been alleged that:

On or about December 6, 2019 at the Lowe’s Home Improvement Store in Espanola, New Mexico you initiated and/or engaged in an altercation with Arturo Meza, a fellow City of Espanola employee. The altercation was precipitated by an apparent attempted prank upon you by Mr. Meza at the checkout counter at the Lowe’s Home Improvement Store. While you were purchasing items at the checkout counter, unbeknownst to you, Mr. Meza slipped a lollipop into your jacket pocket. Mr. Meza made you aware of his prank before you completed your transaction and you returned the lollipop from your pocket to the shelf. As Mr. Meza walked away from the area, you grabbed him by the shoulder with one hand and then struck and/or shoved him with the other.

Please provide the Commission with an explanation for your actions and the factual and legal bases for such conduct. Your response to this notice must be submitted in writing and must include an explanation and disclosure of all pertinent facts, along with any relevant documents or materials you wish the Commission to consider regarding the matter outlined herein. Pursuant to Rule 16(B) of the Judicial Standards Commission Rules (NMRA 2019), the Commission must receive your response within twenty-one (21) days of your receipt of this notice.

Sincerely yours,

Joyce E. Bustos
Chair

**EXHIBIT
B**

CERTIFICATE OF MAILING

I hereby certify that a true copy of the foregoing was mailed on the 20th day of February 2020,
by certified mail, return receipt requested to:

Hon. Stephen Salazar
Española Municipal Court
409 N. Paseo De Oñate
Española, NM 87532


SHARIESSE T. MCCANNON
CLERK OF THE COMMISSION

Stephen S. Salazar, Judge
Espanola Municipal Court
P.O. Box 1052
Espanola, New Mexico 87532

March 12, 2020

FILED

MAR 16 2020

**NM JUDICIAL
STANDARDS COMMISSION**

SENT VIA FAX (505) 222-9358 AND REGULAR MAIL

CONFIDENTIAL

Joyce Bustos, Chair
Judicial Standards Commission
P.O. Box 27248
Albuquerque, New Mexico 87125-7248

Re: Inquiry 2019-136

Dear Ms. Bustos and Members of the Judicial Standards Commission:

I received your letter dated February 20, 2020 on February 25, 2020. Pursuant to Judicial Standards Commission Rule 14(F), I send this response to Inquiry No. 2019-136.

On Friday December 6, 2019, Municipal Court Employee Marcos Armijo called my cell phone to ask me if I could meet him at Lowe's Home Improvement to purchase some items for the Court. I told Mr. Armijo that I could meet him at 11:00 a.m. While cashing out the municipal court supplies at Lowe's Home Improvement in Española I was standing at the cash register with Mr. Armijo and was in the process of checking out. We were finalizing our purchase and concentrating on the Lowes Account Receivable (LAR) No-Tax transaction purchase with the customer service cashier. In order to properly purchase several items and due to the many steps it takes to purchase items with a City of Española Purchase Order at Lowe's Home Improvement, it was necessary to pay close attention to the transaction.

As I was standing there waiting, I felt something strange in my left jacket pocket. I reached in my left pocket and found a large pink lollipop sucker. At first, I thought that my wife had given me a pink lollipop. Then I saw the lollipop candy display next to the cash register, and Arturo Meza (a city employee who does not work for the municipal court) to my left, laughing and standing three feet behind me. He had surreptitiously placed the lollipop candy in my pocket. I have a short surveillance video clip that clearly shows him putting the merchandise in my pocket without my knowledge. I am sending a copy of the video with this letter. This was a very serious act on his part. If I had been accused of shoplifting, I would have been arrested. Being arrested would have resulted in a criminal charge. It would have been front page news, which would have eroded public confidence in the judiciary, even though I had committed no crime. In addition to that,

EXHIBIT
C

his irresponsible action could have resulted in extreme humiliation to me, my family and the Court. I would have had to spend money on an attorney to defend myself.

I had no idea that Mr. Meza was behind me. A civilian customer was directly behind me. Mr. Meza had to go around the civilian customer and move a lid to a container to even have access to my pocket. He started to walk away from me laughing. I was overcome with anger and emotion at his action. My reaction was instinctual. I stepped away from the register and pushed him. I warned him that he should realize that my position as Municipal Judge is a position that does not allow me to willfully break any laws. I told him his actions to stuff my pocket with unpaid-for store merchandise was a serious matter with potentially severe consequences to me.

I infer from your complaint letter to me that Mr. Meza implies that he made me aware of the "prank". If so, this is a lie, as the enclosed video demonstrates. I am the one who discovered the merchandise in my pocket. He did not make me aware that it was there. As a result of his irresponsible actions, disciplinary action was taken by the City and Mr. Meza was suspended from his city position for three days without pay.

I take full responsibility for my actions towards Mr. Meza. I know I should not have touched him and I would not do it again if I had the chance to go back in time. However, there was something else going on in my life at the time that played a role in my quick and un-thought-out reaction. My father went into hospice care on December 2, 2019, due to terminal stage four lung cancer. He passed away on December 17, 2019. My mom and I were the main care givers for my father all of 2019, up until my he passed away. On the date of the incident, I was at my dad's house helping my mom take care of my dad. My dad lost his skills to independently walk during the third week of November. My dad depended on me to help transfer him from bed to his wheelchair, or transfer him from the wheelchair to the couch, or help take him to the bathroom because my mom was not physically able to help lift my dad. I was working fulltime as Municipal Judge and sleeping at my dad's house, tending to him at night. He needed help every night, several times during the night, to get up and go to the bathroom. At the time of the incident, I was short on sleep, very tired and emotionally spent. I was about to lose my father, who was my best friend, and I knew it. It was a dark and emotional time for me. I am sure that my father's imminent demise contributed to my short temper and my reaction to Mr. Meza. I regret my action in pushing Mr. Meza.

Thank you for giving me the opportunity to respond to this complaint. Please advise me if I can provide any additional information concerning this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen S. Salazar". The signature is fluid and cursive, with a long horizontal stroke at the end.

Stephen S. Salazar
Española Municipal Court Judge

**BEFORE THE JUDICIAL STANDARDS COMMISSION
OF THE STATE OF NEW MEXICO**

FILED

INQUIRY CONCERNING HON. STEPHEN S. SALAZAR
Española Municipal Court

SEP 02 2020

Inquiry No. 2019-136

**NM JUDICIAL
STANDARDS COMMISSION**

VERIFIED ANSWER TO NOTICE OF FORMAL PROCEEDINGS

The Honorable Stephen S. Salazar, by and through his attorneys Dan Cron Law Firm, P.C., hereby answers the Notice of Formal Proceedings as follows:

COUNT 1: On December 6, 2019, I was at the Lowes in Española, New Mexico. I was purchasing some items for the Española Municipal Court. At the time, I was under tremendous stress. About 10 days before December 6, I was informed by a doctor that my father, David Salazar, was only expected to live another couple of weeks. Apart from being my father, he was my best friend. Even though he was 87 years old and in poor health, I was devastated and hurting. He had been functionally bedridden for several weeks. My mother was unable to manage him in that condition, so I was tending to my father. This included me staying with him overnight. He had to go to the bathroom every couple of hours and could not do so without my assistance. On top of the stress of his impending death, I was only able to sleep a few hours every night. By December 6, I was both physically and mentally exhausted. I was about to lose my father and best friend. He was on the verge of death and we both knew it. My father passed away on December 17, 2019. I am attaching a copy of his obituary to this verified answer as "Exhibit A".

I was in line paying for the items I was purchasing on December 6. I thought I felt something in my left coat pocket. I reached in and pulled out a lollipop. At first, I thought

**EXHIBIT
D**

that my wife Renee had put it in there because she knew all the stress I was under and had been putting little treats in my coat pocket to let me know she was thinking of me and that she loved me. It was that thought that caused me to momentarily put the lollipop back in my pocket. Then it occurred to me that the lollipops we have at home were different than the one in my pocket. I became suspicious. I heard someone behind me laughing. I looked behind me and saw Arturo Meza. Mr. Meza was a city employee. I knew who he was, but we were casual acquaintances, not friends. We had never spent any time together socially and only knew each other by sight. We did not have a previous relationship of joking around with each other. He acknowledged putting the lollipop in my pocket and pointed where it came from on the counter. I put the candy back where it came from. At that moment, all I could think of was what would have happened if I hadn't noticed the candy in my pocket and I had been accused of shoplifting. This thought flashed into my mind because there are a lot of shoplifting cases that come through the Española Municipal Court. A flood of emotion rushed through me and I pushed Mr. Meza. Everything happened in a matter of a few seconds, without reflection on my part. In retrospect, the rush of emotion was a culmination of two things. First was Mr. Meza's action. Second was my own exhaustion, sorrow and stress over the impending death of my father. If I had the benefit of doing that few seconds of my life over again, I wouldn't push Mr. Meza. I was wrong, should not have touched him and regret my actions.

It is true I requested that Mr. Meza's supervisor report Mr. Meza's conduct. While I readily acknowledge my wrongdoing that day, my inappropriate response does not negate that my actions were not done in a vacuum. It is also true that Mr. Meza was improper in his actions. I respectfully suggest that reporting it to his supervisor (who happened to be

standing there) and requesting that Mr. Meza's part in the incident be reported should held against me. I wanted Mr. Meza's actions to be documented.

I hope the Commission will take into account the extenuating circumstances that were happening in my life at the time. I do not seek to minimize my wrong action. It is true, though, that what I did was an aberration. I have no violence in my past. I am a peaceful and gentle person. I have a strong faith that is grounded in the Golden Rule.

I hope that I can be forgiven for my actions on that day. Despite some missteps I have had in the past, I have tried hard to learn from my mistakes and be a good judge. I have been active in assisting others within the judicial community. I am committed to learning from this incident and executing my duties honorably.

Respectfully submitted,

DAN CRON LAW FIRM, P.C.

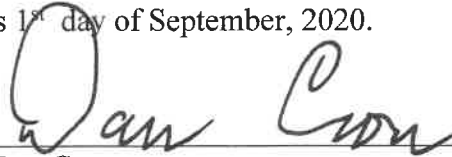


Dan Cron
425 Sandoval St.
Santa Fe, New Mexico 87501
(505) 986-1334

Attorney for Stephen Salazar

Certificate of Service

I hereby certify that a true copy of the foregoing Verified Answer to Notice of Formal Proceedings was sent via email (cguathier@nmjsc.org) and regular mail to Clerk of the Commission, Judicial Standards Commission, 111 Lomas Blvd., NW, Suite 220, Albuquerque, New Mexico, 87102 on this 1st day of September, 2020.



Dan Cron

DAVID R. SALAZAR



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DAVID R. SALAZAR David R. Salazar, 87, a lifelong resident of the Espanola Valley passed away at home on December 17, 2019. David was born in Chamita to Jose Ramon and Francisquita DeSales Salazar. He was preceded in death by his parents, in-laws, five brothers, and two sisters, daughters Donna Marie and Dorene Bourger, and granddaughter Alina Bourger. He is survived by his loving and devoted wife Sylvia, daughter Denise and husband Greg Penning of Omaha, Nebraska , Hon. Stephen Salazar and wife Renee, six granddaughters, Hillary, Danielle, Aleissa, Ariel, Hannah (Josh), Kayla, one grandson Stephen Matthew, and one great-grandson Lincoln. Also surviving him are a sister, Mary Agnes and husband Andres Gallegos and Arthur G. Salazar; many nieces, nephews, and other relatives and numerous friends. The family would like to thank all his friends and family for their kind words, prayers and support for visiting him at home, Serving as pallbearers are Jerome Block, John Ramon Vigil, Dennis, Emiliano, Jacob Salazar, and Albert Gallegos. A Rosary will be prayed for David on Monday, December 23, 2019 at The Sacred Heart of Jesus Church in Espanola at 4:00 PM, 908 Rosario Street,

Espanola, NM 87532. The Mass of Christian Burial will be celebrated on Tuesday, December 24, 2019 at Sacred Heart of Jesus Catholic Church in Espanola at 9:00 AM. Following the Funeral Mass the Salazar Family will be having a reception at the Beatrice V. Q. Senior Center, 735 Vietnam Veterans Memorial Park Rd, Espanola, NM. Burial with Military Honors will take place at The Santa Fe National Cemetery on December 24, 2019 at 2:15 PM. Rivera Family Funeral Home 305 Calle Salazar, Espanola, NM 87532 Phone: (505) 753-2288 riverafamilyfuneralhome.com

To Plant Memorial Trees in memory, please visit our [Sympathy Store](#).



Published in Santa Fe New Mexican from Dec. 20 to Dec. 22, 2019.

SALAZAR Pages

See more records on Ancestry

MEMORIAL EVENTS

DEC Rosary
23 04:00 PM

The Sacred Heart of Jesus Church in Espanola

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DEC Mass of Christian Burial

24 09:00 AM

Sacred Heart of Jesus Catholic Church in Espanola

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DEC Burial

24 02:15 PM

The Santa Fe National Cemetery

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Funeral services provided by

Rivera Family Funeral Home & Crematory

305 Calle Salazar
Espanola, NM 87532

(505) 753-2288

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