

Public Admonition of Judge Donald Jack (“D.J.”) Davis

Hancock Superior Court 1

July 3, 2023

The Commission on Judicial Qualifications has determined that formal disciplinary charges are warranted against the Honorable Donald Jack (“D.J.”) Davis of Hancock Superior Court 1. However, in lieu of filing formal disciplinary proceedings, the Commission issues this Admonition pursuant to Supreme Court Admission and Discipline Rule 25 VIII E(7). Judge Davis cooperated fully with the Commission in this matter, acknowledges that he violated the Code of Judicial Conduct, and apologizes for making statements unbecoming of a judicial officer.

The Commission admonishes Judge Davis for inappropriate public comments made during a June 21, 2022 Greenfield Police Department investigation concerning his son. Judge Davis’s inappropriate comments were directed towards a third party who was at the scene during the investigation.

On June 21, 2022, police officers from the Greenfield Police Department (“GPD”) were dispatched to the marital residence of Judge Davis’ son to supervise the removal of personal property from the home by the son’s wife. Judge Davis came to the residence after his wife telephoned to request his presence. Upon arrival, Judge Davis interacted with several GPD officers but did not interfere with their duties. Judge Davis did, however, respond to comments made by a third party at the scene concerning his son’s marriage with injudicious remarks, using expletives. Specifically, Judge Davis said, “Why don’t you be a *****, you don’t know what the f*** is going on here” and “You don’t know what’s going on, shut up, you don’t have a clue.” At the time Judge Davis made these statements, he was on the front lawn of the residence in an area where others could and did overhear his remarks. Additionally, Judge Davis’ comments were captured on the GPD officers’ body cameras. Just prior to the incident, Judge Davis had taken several legally prescribed narcotics to manage pain resulting from his second back surgery in three weeks.

Judge Davis acknowledges that he violated Rule 1.2 of the Code of Judicial Conduct, which requires judges to act at all times in a manner that promotes the public’s confidence in the integrity of the judiciary and to avoid the appearance of impropriety. Judge Davis expresses remorse for his behavior and offers, by way of mitigation, that his usual judgment was affected by the prescribed medication. The Commission members believe it is important to stress that Judge Davis is admonished because of the injudicious nature of his comments in public to a third-party. The Commission further would note that judges need to be cautious about appearing at emotionally charged scenes, especially if there are any challenges to their maintaining appropriate demeanor.

This Admonition concludes the Commission's investigation, and Judge Davis will not be formally charged with ethical misconduct.

Questions concerning this Admonition may be directed to Adrienne L. Meiring, Counsel for the Commission, at adrienne.meiring@courts.in.gov or James Bell, counsel for Judge Davis, at jbell@hooverhullturner.com.