

Briefing Doc: Potential Judicial Corruption in San Bernardino and Riverside Counties

Main Theme: This briefing document reviews evidence presented by investigative journalist Janet Phelan suggesting potential judicial corruption in San Bernardino and Riverside Counties, California. The primary concern involves judges taking out large property loans with suspiciously rapid repayment timelines, hinting at potential bribery masked through complex financial maneuvers.

Key Ideas and Facts:

- **Concealed Enrichment:** The core allegation is that judges are receiving payments from undisclosed sources, potentially bribes, and using these funds to rapidly repay large property loans. This tactic helps obscure the origin of the money, making it difficult to trace back to any illicit activity.

"Taking out large sums of money in the form of property loans and later paying them back is one method that a judge might employ to conceal the fact that he or she is being enriched from an outside source." - How to Bribe a Judge

- **Suspicious Loan Activities:** The briefing focuses on several judges, including:
- **Judge James M. Welch (San Bernardino County):** Took out multiple large loans on his residence between 1998 and 2004, with repayments occurring much faster than his salary would allow.
- *"The documents uncovered relating to Judge Welch reveal that he has mortgaged his primary residence...several times in recent years, encumbering it with loans which could not possibly be paid back on a judge's salary in the brief turn-around time indicated by the reconveyances (repayment of loans)."* - How to Bribe a Judge
- **Judge Steven Mapes (San Bernardino County):** Has a history of taking out loans exceeding his property's assessed value, with seven reconveyances since 2001.
- **Commissioner John McCoy and Judge Sharon Waters (Riverside County):** Investigated for engaging in potentially dubious loan activities.
- **Connection to Probate Cases:** Welch's activities coincide with his involvement in numerous probate and conservatorship cases, raising concerns about potential bias and influence, especially concerning the activities of Melodie Z. Scott, a professional fiduciary accused of misconduct.

"The activities by Scott cited by the Sentinel as questionable involved giving conservatee property to her own family members, overcharges on her clients' accounts, missing monies from clients' accounts, selling conservatee property at bargain basement rates only to have the property jump in value and resold the next year, withholding medical care from conservatees resulting in death, and allegations of possible undue influence on judges." - How to Bribe a Judge

- **Systemic Issues:** The briefing highlights the difficulties in holding judges accountable:
- **Lack of Transparency:** Judges are required to file financial disclosures, but these may not reveal the true nature of complex real estate transactions.
- **Bureaucratic Hurdles:** The administrative structure of the judicial system and potential political considerations can hinder investigations.
- *"McGuire stated: 'Please be advised that I have received and reviewed your letter of August 11, 2009. Please be further advised that I am an administrative presiding judge and, therefore, my review jurisdiction is limited. Nothing contained in your letter is of a nature over which I would have review jurisdiction. Any request for review or investigation by me is, therefore, denied.'"* - How to Bribe a Judge

- **Reluctance to Investigate:** Riverside County District Attorney's office allegedly hesitated to assign case numbers to complaints regarding McCoy and Waters.
- **Erosion of Public Trust:** The potential for judicial corruption undermines the core principles of fairness and impartiality, eroding public trust in the legal system and impacting the lives of those seeking justice.

"The ramifications of judicial corruption extend far beyond legal proceedings and financial disclosures; they impact real people's lives. In probate and conservatorship cases, where judges wield significant influence over the management of estates and the care of vulnerable individuals, any indication of bias can lead to unjust outcomes." - How to Bribe a Judge Expanded Research

Call to Action: The briefing concludes by advocating for:

- Strengthened oversight mechanisms
- Increased scrutiny of real estate transactions involving judges
- Independent review boards to investigate misconduct allegations

By addressing these issues, the briefing emphasizes the importance of safeguarding judicial integrity and upholding the rule of law.