



News Release



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Capital Offense:

TPJ Criminal Complaint Alleges That Judge Keller Hid Assets Worth Millions

County Attorney, Ethics Commission Urged to Investigate Top Criminal Judge; Multi-Millionaire Jurist Recently Asked Taxpayers To Foot Her Legal Bills

Austin, Texas: Texans for Public Justice filed two complaints today alleging that Texas Court of Criminal Appeals Presiding Judge Sharon Keller illegally failed to disclose millions of dollars worth of real estate holdings in sworn personal financial disclosures filed with the Texas Ethics Commission. State incorporation records also list Judge Keller as an officer or director in family companies and a family trust, yet Keller did not disclose these affiliations, as required by law.

TPJ's complaints follow up on revelations recently reported by the *Dallas Morning News*.¹ Officials who fail to comply with Texas' personal-financial disclosure laws are subject to a Texas Ethics Commission fine of up to \$10,000. Travis County Attorney David Escamilla also can prosecute such Class B criminal misdemeanors, which carry a maximum penalty of \$2,000 and six months imprisonment.²

Apart from Texas' top criminal judge standing accused of committing a crime, these allegations are significant because Judge Keller has asked the state to pay her legal bills in an unrelated case before the State Commission on Judicial Conduct. Responding to charges in that case last week, Keller attorney Chip Babcock asserted that forcing Judge Keller to foot her own legal bills would be "financially ruinous." This arguably was a false claim if Judge Keller has been hiding millions of dollars in assets that she was legally required to disclose to the public. The State Commission on Judicial Conduct case stems from Judge Keller's alleged refusal to receive a last-minute appeal hours before death-row inmate Michael Richard was executed in September 2007.

Properties That Judge Keller Did Not Disclose

Owner	Address	County Appraisal
Sharon Keller	1531 Quail Meadow, Campbell* ³	\$251,877
Sharon Keller/Sharon Batjer, Inc.	6515 E. NW Highway, Dallas*	\$687,660
Sharon Batjer/S. Batjer Trustee	6534 E. NW Highway, Dallas*	\$1,750,010
Sharon Batjer	8532 Garland Road, Dallas+	\$528,080
Sharon Batjer	8542 Garland Road, Dallas+	\$504,480
Sharon Batjer	Industrial Blvd. South, Euless*	\$135,213
R J Keller Sr. Children Trust	2219 N. Collins St., Arlington*	\$1,090,930
Rodnoc, LLC	1601 W. NW Highway, Garland*	\$445,000
Rodnoc, LLC	1601 W. NW Highway, Garland*	\$488,090
Sunset Corp.	3608 S. Cooper St., Arlington*	\$821,021
Sunset Corp.	14 th St. E., Plano*	\$85,972
TOTAL:		\$6,994,596

* Commercial property; + Residential property

A preliminary search reveals that Judge Keller owns at least six properties in either her name or under her former married name: Sharon Batjer. County tax assessors calculated that the total value of these six

properties in 2008 was \$3,857,320. Just two [tony homes](#) deeded to Sharon Batjer near where the Dallas Arboretum sits on the shore of White Rock Lake are collectively worth more than \$1 million.

Keller's latest personal financial statement reports that she was employed in 2007 by Dallas-based Northwest Drive Ins, Inc. That appears to be her family's business that runs Keller's Drive-Ins hamburger stands. Companies tied to the judge and a Keller family trust own at least five other properties in which Keller may or may not have a significant equity stake. State incorporation records list Sharon Keller as the vice president of Sunset Corp., a Keller family business that owns at least two properties assessed at \$906,993. State records also list her as a "member" of Rodnoc, LLC, another family business that owns at least two properties assessed at \$933,090. Finally, a family trust owns at least one Arlington property worth more than \$1 million. The personal financial statements filed by Texas state officials require them to disclose such business relationships. Judge Keller did not.

"It looks like Judge Keller has been hiding her assets from the public for at least six year," said Texans For Public Justice Director Craig McDonald. "Unlike many of the defendants who have appeared before her, Keller can afford to hire a top-notch attorney."

Judge Keller was not required to disclose all of these properties on her personal financial statement (TPJ reviewed Keller's filings dating back to 2003). It is possible, for example, that Judge Keller has little-to-no equity in the properties owned by the companies or trusts with which she is associated. Moreover, any real estate that she personally acquired in 2008 need not be disclosed until she files her next disclosure, which is due in late April.³ Taken as a whole, however, it looks like Judge Keller hid more of her properties than she disclosed. This non-disclosure violates Texas law.

"Texas' top criminal judge has no business hiding her assets from the public while asking taxpayers to pay her legal bills," McDonald said. "If Judge Keller has been hiding her personal wealth, she has an obligation to immediately report all of her assets and to face the full consequences of her actions."

Properties That Judge Keller Did Disclose

Address	Owner Listed In County Records	2008 County Appraisal
6614 E. Northwest Hwy., Dallas	Sharon Keller Trustee	\$388,920
9910 Liberty Grove, Rowlett	J.T. Keller	\$20,000
4010 Walnut Clay Dr., Austin	Sharon Batjer	\$609,048
TOTAL:		\$1,019,976

Note: John T. Keller is Judge Keller's dependent son.

Company Affiliations Not Disclosed By Judge Keller

Company	Sharon Keller's Company Title
Arkel, Inc.	Treasurer, Secretary & Director
Rodnoc, LLC	Member
Sunset Corp.	Vice President

Source: TX Secretary of State Business Organization records.

View the letter to Travis County Attorney:

http://www.tpj.org/docs/pdf/Escamilla_ltr.keller.mar09.pdf

View the Texas Ethics Commission complaint:

<http://www.tpj.org/docs/pdf/Ethicscomplaint.keller.mar09.pdf>

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Texans for Public Justice is a non-profit, non-partisan research and advocacy organization that tracks the role of money in Texas politics.

¹ "Keller Failed To Disclose Property, Records Show," *Dallas Morning News*, March 30, 2009.

² The Texas Ethics Commission treats incomplete Personal Financial Statements as late filings. Late filers are liable for a civil penalty of \$500 per filing. Failure to file complete statements also can trigger a Class B misdemeanor criminal offense. See Texas Government Code Sections 572.033 & 572.034.

³ Judge Keller should disclose the Campbell property, bought in 2008, in her disclosure due in late April 2009.