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**FILED**  
San Diego Superior Court

JAN 26 2024

Clerk of the Superior Court  
By: D. Rodriguez, Deputy

**THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO**

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

vs.

PARRISH CHAMBERS,

Defendant.

) Case No: SCD295029

) VERIFIED ANSWER OF JUDGE HOWARD  
) H. SHORE TO DEFENDANT'S VERIFIED  
) STATEMENT OF DISQUALIFICATION

Judge Howard H. Shore hereby answers the "Request to Disqualify Judge Howard Shore under CCP §170.1, Points and Authorities in Support Thereof and Verified Statement" (hereinafter "Verified Statement of Disqualification" or "Verified Statement") filed by Defendant and their counsel on January 18, 2024, as follows:

1. I am a Judge of the Superior Court of the State of California, County of San Diego. I preside in Department 2102 in the Central Division of the San Diego Superior Court. I have personal knowledge of the matters set forth in this declaration and if called to testify thereto would be competent as a witness to the facts set forth herein.

2. The Verified Statement of Disqualification seeks to disqualify me pursuant to Code of Civil Procedure section 170.1(a)(6)(A)(iii) ("A person aware of the facts might reasonably entertain a doubt that the judge would be able to be impartial"). The Verified Statement also seeks

1 disqualification under Code of Civil Procedure section 170.1(a)(6)(B), which states that “bias or  
2 prejudice toward a lawyer in the proceeding may be grounds for disqualification.”

3           3.       Defendant alleges I am disqualified as a result of the Decision and Order Imposing  
4 Severe Public Censure Pursuant to Stipulation, which was issued by the Commission on Judicial  
5 Performance on December 13, 2023, and which is attached to the Verified Statement of  
6 Disqualification as Exhibit A (hereinafter “Censure”). Defendant contends that I lied about my  
7 conduct that resulted in the Censure and that as a result, I cannot, without bias, preside over  
8 criminal matters. Defendant further contends that I minimized and showed no remorse for my  
9 conduct that resulted in the Censure in a December 4, 2023 meeting with Katherine Braner and  
10 Megan Marcotte, Chief Deputies of the Primary Public Defender and Alternate Public Defender,  
11 respectively.

12           4.       I admit the Commission on Judicial Performance issued the Censure against me,  
13 resulting from my failure to complete judicial absence requests prior to taking days off. I take  
14 full responsibility for my actions that resulted in the Censure. As set forth in the Censure, I  
15 admitted the facts that formed the basis for the Censure and consented to the terms of the discipline  
16 imposed.

17           5.       My purpose for meeting with Ms. Braner and Ms. Marcotte at the Office of the  
18 Public Defender was to inform them that the Censure was going to be issued and to briefly explain  
19 my misconduct. I admit that I explained that at the time I was taking the time off without first  
20 obtaining prior approval, my wife and I were traveling to Los Angeles to assist with caring for my  
21 granddaughter and that since I am an Orthodox Jew and cannot drive on the Sabbath, we drove to  
22 Los Angeles on Fridays. I further admit that I stated I had rationalized my actions because I was  
23 taking work home in the evenings and was able to complete all my work.

24           6.       I deny that I lack remorse for my actions or that I have attempted to downplay the  
25 seriousness of my wrongdoings. I deeply regret my actions and I acknowledge that they  
26 constituted a failure to perform my judicial duties and amounted to conduct prejudicial to the  
27 administration of justice.

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1           7.       I further deny I attempted to justify my actions to Ms. Braner and Ms. Marcotte.  
2 My behavior, and my prior rationalization of it, was wrong. I recognize the seriousness of my  
3 actions and have corrected my behavior. My intent in discussing my actions with Ms. Braner and  
4 Ms. Marcotte was not to minimize, but to explain my conduct.

5           8.       I deny that I am biased or prejudiced against or in favor of any party to this  
6 proceeding or their counsel as a result of the conduct that formed the basis for the Censure. I deny  
7 that a reasonable person aware of all the facts would doubt my ability to be impartial in this case  
8 as a result of the conduct that formed the basis for the Censure.

9           9.       Defendant also alleges I am disqualified based on statements and rulings I have  
10 made in connection with other court proceedings that they contend show bias against Black,  
11 Indigenous, and People of Color. Defendant asserts a person aware of these statements might  
12 reasonably entertain a doubt as to my ability to be impartial.

13           10.      All of my decisions and statements in this case, the cases referenced in the Verified  
14 Statement, and all the cases I have presided over have been made without bias or prejudice towards  
15 any party, counsel, witness, or other participant in the action, and have been undertaken solely in  
16 furtherance of the performance of my judicial duties. To the extent the Verified Statement of  
17 Disqualification is based on my legal rulings, a legal ruling is insufficient to establish bias or  
18 prejudice, even if erroneous. (*Dietrich v. Litton Industries, Inc.* (1970) 12 Cal.App.3d 704, 719.)  
19 Likewise, to the extent the Verified Statement is based on statements I made in connection with  
20 adjudicating cases pending before me, they were made in the performance of judicial duties and  
21 also cannot establish a legal basis for disqualification. (*Liteky v. United States* (1994) 510 U.S.  
22 540, 555.)

23           11.      I admit that the substance of the statements set forth in the transcripts attached to  
24 the Verified Statement appears accurate. However, I deny that any of my statements or rulings  
25 were based on bias, prejudice, or animosity. The statements I made during these various court  
26 hearings were merely my efforts to gain a greater understanding of the facts and the law and were  
27 in furtherance of the discharge of my judicial duty to accurately apply the law to the facts as  
28 presented. My remarks made during these court hearings clearly reflect my understanding that I

1 am bound to apply the law as it is written and my intent to effectuate my judicial obligations. (See,  
2 e.g., Exhibit C attached to the Statement of Disqualification at p. 9.)

3 12. I deny that my rulings in other cases denying Racial Justice Act discovery and  
4 finding that defendants have failed to make a *prima facie* showing to prompt a Racial Justice Act  
5 hearing were motivated by racial bias or prejudice. My rulings in these matters and in all  
6 proceedings before me are based on my interpretation and evaluation of the law and the evidence  
7 presented.

8 13. All statements and rulings made by me, and all actions taken by me in this, and in  
9 all of the proceedings over which I preside, have been and will continue to be based upon facts  
10 and arguments officially presented to me and upon my understanding of the law. My statements  
11 and rulings to date are set forth in the records, transcripts, and files herein, which are the best  
12 evidence thereof. To the extent that the Verified Statement of Disqualification is inconsistent with  
13 those statements and rulings, those allegations are denied.

14 14. All statements and rulings made by me, and all actions taken by me in this  
15 proceeding and in all proceedings before me have been done in furtherance of the performance of  
16 my judicial duties.

17 15. I deny that I am biased or prejudiced against or in favor of any party to this  
18 proceeding or their counsel based on my statements, rulings, and actions in this proceeding or in  
19 any other proceeding over which I have presided. I deny that a reasonable person aware of all the  
20 facts would doubt my ability to be impartial in this case on the basis of my statements, rulings, and  
21 actions taken in this proceeding or in any other proceeding over which I have presided.

22 16. Allegations that I am biased or prejudiced against Black, Indigenous, and People of  
23 Color on account of my statements, rulings, and actions in the proceedings before me, are based  
24 solely on subjective interpretation, speculation, and conjecture.

25 17. Defendant further alleges I am disqualified on the basis of comments I made during  
26 the meeting with Ms. Braner and Ms. Marcotte regarding unlawful detainer actions and the  
27 Israeli/Hamas war. I admit I mentioned I had been presiding over unlawful detainer actions  
28 recently. I admit I stated that in the unlawful detainer actions that have come before me, the tenants

1 are often unrepresented and the landlords are often represented by counsel. I further admit I stated  
2 that there are often procedural delays in moving cases to trial and that the law requires landlords  
3 to comply with many technical requirements.

4 18. I deny stating that tenants “have too many rights” or that I expressed annoyance  
5 with tenants defending against unlawful detainer actions filed against them. I admit stating that  
6 tenants have many rights under the law. Having presided over criminal actions for most of my  
7 judicial career, I was merely commenting on observations I had made related to an area of law that  
8 was relatively new to me.

9 19. I deny that I am biased or prejudiced for or against landlords or tenants. I have  
10 ruled in favor of and against both tenants and landlords in the cases that have come before me.

11 20. All rulings and actions taken by me in the unlawful detainer actions over which I  
12 preside have been and will continue to be based upon facts and arguments officially presented to  
13 me and upon my understanding of the law. All rulings made by me, and all actions taken by me  
14 in the unlawful detainer proceedings before me have been done in furtherance of the performance  
15 of my judicial duties.

16 21. I deny I am biased against individuals who exercise their rights under the law to  
17 seek a judicial resolution of their disputes.

18 22. I admit I noted to Ms. Braner and Ms. Marcotte that it had been a difficult year for  
19 me, in part because my wife has family who live in Israel who have been affected by the war. I  
20 mentioned these family members were suffering financial hardship because the border with Gaza  
21 was closed, preventing people, including those who work on my family’s farm, from crossing into  
22 Israel. I deny referring to the people of Gaza as being similarly situated to “our Mexicans.”

23 23. I deny that my failure to raise or comment on the humanitarian costs of the war  
24 stems from any racial bias or prejudice. Such commentary was not the topic of the conversation  
25 and at no time did I express my personal views on the war or engage in a political discussion  
26 regarding the war. Allegations that I am biased against Palestinians because of my expressions of  
27 concern for my granddaughter and my wife’s family living in Israel are based solely on subjective  
28 interpretation, speculation, and conjecture.

1           24. I deny that I am biased or prejudiced against or in favor of any party to this  
2 proceeding or their counsel based on my conversation with Ms. Braner and Ms. Marcotte. I deny  
3 that a reasonable person aware of all the facts would doubt my ability to be impartial in this case  
4 as a result of my statements.

5           25. I am not biased or prejudiced against or in favor of any party to this proceeding or  
6 their counsel. I deny that I have displayed bias or prejudice against counsel or a party in this action.

7           26. I do not believe that my recusal would serve the interests of justice.

8           27. I know of no facts or circumstances that would require my disqualification or  
9 recusal in this case.

10          28. I take no offense to this challenge. I believe that I have been and can continue to  
11 be impartial to all parties and counsel.

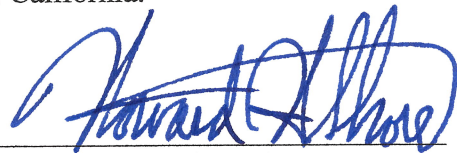
12  
13 Dated this 26<sup>th</sup> day of January 2024.



**Hon. Howard H. Shore**  
Judge of the Superior Court

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16 I, Howard H. Shore, Judge of the Superior Court of the State of California, County of San  
17 Diego, have read the foregoing Verified Answer to the Verified Statement of Disqualification, and  
18 know the contents thereof. I certify that the same is true of my own knowledge. I declare under  
19 penalty of perjury under the laws of the State of California that the foregoing is true and correct.

20 Executed this 26<sup>th</sup> day of January 2024, at San Diego, California.



Howard H. Shore