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AUG 17 2021

COURT OF JUDICIAL DISCIPLINE
OF PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE

IN RE :

Judge Sonya M. McKnight.
Magisterial District Judge.
Magisterial District 12-2-04.
12th Judicial District.
Dauphin County

1 JD 2021

OMNIBUS MOTION FOR RELIEF

Judge Sonya McKnight, by and through her undersigned counsel, respectfully submits this Omnibus Motion for Relief pursuant to Rule 411 of the Court of Judicial Discipline Rules of Procedure, and in support states as follows.

1. On December 16, 2020, the Pennsylvania Office of Attorney General charged Magisterial District Judge Sonya McKnight in a criminal complaint with second degree misdemeanor offenses.
2. On February 8, 2021, the Board filed a complaint in the Court of Judicial Discipline charging Judge McKnight with violating the Rules Governing Standards of Conduct of Magisterial District Judges in relation to the allegations involved in her criminal complaint.
3. On that same date, February 8, 2021, the Board filed a Petition for Relief for Interim Suspension Without Pay.
4. By order dated February 9, 2021, the Court suspended Judge McKnight without

pay.

5. A jury trial commenced on July 26, 2021, in the Court of Common Pleas of Dauphin County on the aforementioned criminal charges.
6. On July 27, 2021, a judgement of acquittal was granted as to all charges.
7. The evidence presented at trial clearly established the following:
 - On 2-20-2020 Kevin Baltimore, the son of Judge McKnight, was stopped and arrested by Harrisburg Police;
 - During the stop, Mr. Baltimore called his mother, who was asleep at her home, and told her he had been unlawfully stopped by police officers and he frantically asked her to come to the scene;
 - Judge McKnight put a coat on over her pajamas and drove her car to the location that he described to her during the call;
 - On the way to the location, Judge McKnight contacted Harrisburg Police Commissioner Carter, and informed him that her son had been stopped by police, and had called her asking her to quickly come to the scene, and she advised the Commissioner that she was going to the location;
 - Commissioner Carter testified at trial that Judge McKnight never asked him to intervene or to do “anything inappropriate”, and that he advised Judge McKnight that if she felt compelled to go to the scene that she “do so as his mother”.
 - Upon arriving at the scene, Judge McKnight observed her son in custody

and asked the police officers why he was in custody and why they were searching him. She was told that there was a warrant for his arrest.

- A dashboard video from one of the police cars demonstrated that Judge McKnight was calm and cooperative while at the scene, however there were no body cameras being used by the officers to capture sound.
 - Police Officers advised Judge McKnight that they were releasing the car to her, and she retrieved the keys to the car, Mr. Baltimore's money, and his prescription blood pressure medication before departing the scene.
8. The complaint filed by the Judicial Conduct Board charges Judge McKnight with violations of Canon 1, Rules 1.1, 1.2, 1.3, and Violations of Article V, § 17(b) and § 18(d)1 of the Constitution of the Commonwealth of Pennsylvania.

Motion for Admission to Judicial Diversion Plan

9. The averments set forth above are incorporated by reference as though set forth in full.
10. The Pennsylvania Constitution provided authority to the Court of Discipline to implement a Judicial Diversion Plan. *See* Court of Judicial Discipline, **Interim Policy Statement**, Judicial Diversion program (IPS), ¶ 2, p.3.
11. The judicial Diversion Program is an alternative to formal disciplinary procedures and sanctions, and participation is a "matter of privilege and not of right." *Id.*
12. The **Interim Police Statement** has categorized the type of categories to which diversion might apply and provides in pertinent part:

“Judicial Officers charged with conduct that, if proven, would constitute a violation of the Constitution, the Code of Judicial Conduct, the Rules Governing Standards of Conduct of Magisterial District Judges, or Orders of the Supreme Court of Pennsylvania, but would **not likely result in the imposition of serious discipline such as suspension or removal from office following adjudication**” *Id.*

13. Petitioner avers that the conduct alleged in the instant complaint, if proven, would not likely result in the imposition of serious discipline such as suspension or removal from office following adjudications. **IPS, ¶ (a), p.1.**
14. Petitioner avers that the conduct alleged in the Board Complaint does not involve criminal charges, allegations of corruption, sexual misconduct or harassment.
15. Petitioner avers that her conduct on the evening in question was motivated by a real and genuine concern for the safety and well being of her son based on his frantic call.
16. Judge McKnight has not previously had formal charges filed against her.
17. Judge McKnight enjoys the support of her colleagues on the bench. In fact, Judge Tonya Butler, Magisterial Judge of Berks County, has offered her support in counseling and mentoring Judge McKnight through this diversionary process.

WHEREFORE, it is respectfully submitted that this Honorable Court schedule a Hearing and admit Judge McKnight to the Judicial Diversion Program and impose a 30 day or otherwise brief term of diversion as determined by this Honorable Court.

Respectfully Submitted,



BRIAN J. MCMONAGLE, ESQ
Pa. Supreme Court 42394
McMonagle Perri McHugh
1845 Walnut St.
Philadelphia, Pa 19103
(215) 981-0999

Date : August 17, 2021,

COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE

IN RE :

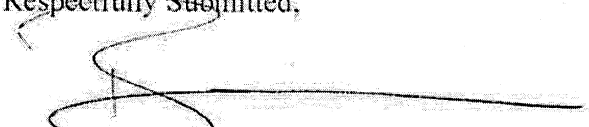
Judge Sonya M. McKnight. :
Magisterial Judge :
Magisterial District 12-2-04. :
12th Judicial District :
Dauphin County :

1 JD 2021

VERIFICATION

I, Brian J. McMonagle, Esq, verify that the statements in this Omnibus Motion for Relief are made subject to the penalties of 18 Pa. C.S.A. § 4904, relating to unsworn falsification to authorities.

Respectfully Submitted,


BRIAN J. MCMONAGLE
Pa. Supreme Court ID No. 42394
1845 Walnut St.
Phila, Pa 19103

Date August 17, 2021

**COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE**

IN RE:


Judge Sonya McKnight	:	
Magisterial Court Judge	:	
Magisterial District 12-2-04	:	1 JD 2021
12 th Judicial District	:	
Dauphin county	:	

PROOF OF SERVICE

In compliance with Rule 122 of the Court of Judicial Discipline Rules of Procedure, on the date below a copy of the Petitioner's Omnibus Motion for Relief was sent by overnight mail to Melissa L. Norton at the following address and by email:

Melissa L. Norton, Deputy Counsel
Judicial Conduct Board
Pennsylvania Judicial Center
601 Commonwealth Ave, Suite 3500
P.O. Box 62525
Harrisburg, PA 17106

Respectfully Submitted,


Brian McMonagle, Esq
Supreme Court ID 42394
1845 Walnut St
Philadelphia, Pa 19103
(215) 981-0999

Date: August 17, 2021