

County judge denies citizen chance to speak during public comment, has him removed from court

By Catherine Dominguez, cdominguez@hcnonline.com Published 8:24 pm, Tuesday, April 24, 2018

Photo: Jason Fochtman, Staff Photographer



Reagan Reed speaks during a Montgomery County Commissioners Court meeting at the Alan B. Sadler Commissioners Court Building, Tuesday, April 24, 2018, in Conroe. He was later removed from the meeting for speaking out of turn.

Montgomery County Judge Craig Doyal had a precinct chair who tried to speak during public comment removed from the Commissioners Court meeting Tuesday for approaching the podium without being recognized.

Montgomery County Precinct 50 Chairman Reagan Reed approached the podium to speak during the first allotted citizens comment time on the court's agenda but was asked to sit down because he had not signed up to speak. When Reed tried to explain he was told by a Doyal staffer he still would be able to speak, Doyal threatened to have him removed from the courtroom.

"It is my right to speak as a citizen to make a public comment," Reed said. While Reed pressed on, a Montgomery County Sheriff's bailiff escorted Reed from the meeting as audience members yelled from their seats to let Reed speak.

"He has said the same thing every time he has come," Doyal responded to the audience. "We know what he is going to say."

Precinct 3 Commissioner James Noack confronted Doyal. "You are breaking your own protocol," Noack said. "You have done this time and time again. You have let people speak who have not signed up. "Come on, Judge, the people want to have a voice, let's give them one."

Doyal, who said he had not changed the citizens comment protocol, stood firm and Reed was removed from the meeting. He was joined by a dozen other audience members, including Noack, who left the meeting to speak with Reed outside the commissioners' courtroom. Reed was permitted back in the courtroom to speak at the second citizens comment period after the court completed its agenda, including its executive session.

Montgomery County Precinct 74 Chairman Ginger Russell also spoke during citizens comment making a direct comment to Precinct 2 Commissioner Charlie Riley triggering a warning from Doyal. "The only good thing about the vote today is it is political suicide for you Charlie Riley because we will vote you out of office," Russell said regarding the courts action on the Texas 249 toll road project.

Doyal told speakers not to threaten the court. "I have asked people not to be threatening and abusive to the members of this committee and I am going to re-request that," Doyal said. "I have been pretty patient with a lot of the comments that have been made."

Russell responded "it wasn't a threat, it's the truth."

Controlling comments

According to information from Doyal's office, the deadline to sign up for citizen comment before each meeting is 9:20 a.m. in order for staff to make copies of the sign-up forms so they can be delivered to each commissioner before 9:30 a.m.

However, in recent months, Doyal has altered when people can speak to the court. The public comment has been both at the beginning and end of the meeting, then split to allow those addressing agenda items speak at the beginning of the meeting, with all others whose comments do not pertain to the agenda forced to wait until the end of the meeting; and, at one time, Doyal was directing citizens to speak throughout the meeting immediately before the court agenda item which the citizen wanted to address.

"As the presiding officer of Commissioners Court, the county judge has historically made the decision as to who should be recognized to speak to the court," Doyal's Chief of Staff Jim Fredricks stated in an email to The Courier. "Two citizen comment periods are available for each meeting – one during the agenda item for those who signed up prior to our cutoff, and one at the end of the meeting for all others. Originally, when the judge took office, it had been the court's practice to allow citizen comment only at the end of the meeting. Early in his term the judge changed that practice to move citizen comment forward.

"As citizen comment grew to be more lengthy, the judge modified the practice to permit citizens to address agenda items at the start of court, but for all others to wait until the end of court for comment, so the court was more efficient with its time and the time of the

staff members attending. Finally, more recently, the judge opted to permit citizen comment during the actual agenda item referenced."

Fredricks noted the signup forms reflect some of the changes that have been made over time to accommodate these changes and also institute a requirement that citizens not use their time to demean the court or other people.

County Attorney J D Lambright said while he has no role in policy making for the county, he said he has a "huge role" in protecting the county from liability. "I think the public needs to be afforded a pretty wide breadth when it comes to public comments," Lambright said. "In five and a quarter years, I have never heard any citizen get up there where I thought it was over the line and needed to be cautioned or removed."

Lambright said as elected officials, it is common for citizens to disagree with actions taken and public comment is their opportunity to speak to those officials. "I think elected officials are held to a higher standard," he said. "To me, it is easy to handle: Just listen, give them their three minutes and go on to the next person."

Noack said he has requested Lambright's office bring the court guidelines that can be adopted regarding public comment. "This is not Craig Doyal's court; this is the people's court, and he needs to respect the will of the people," Noack said Tuesday after Commissioners Court. "We are going to be lucky if Judge Doyal didn't get Montgomery County sued today."