

People v. William Thomas O'Connell Hart III. 19PDJ030. May 3, 2019.

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and publicly censured William Thomas O'Connell Hart III (attorney registration number 41289), effective June 7, 2019.

In March 2017, Hart was arrested for criminal mischief. While intoxicated, Hart aggressively confronted a group of four children playing at a nearby residence. One of the children was photographing a vehicle parked in front of a no parking sign. Hart demanded that the child stop taking pictures, ripped the sign off the fence, and threw the sign at two children, missing them. He then yelled profanities at the children and the mother of two of the children, and he aggressively stepped toward the mother, causing her to be afraid. Hart was intoxicated during this event. He later pleaded guilty to municipal criminal mischief as part of an unsupervised deferred judgment. Hart failed to report this conviction to the Office of Attorney Regulation Counsel.

On Halloween that same year, Hart approached a residence carrying a bag of candy. A child answered the door. The child's grandmother witnessed Hart place his hand on the child's cheek. Hart told police that he had been walking his dog and he denied going to any houses, knocking on any doors, or interacting with anyone in the houses. He now admits, however, that he went to the child's home, gave him a fist bump, and patted him on the cheek. Hart was intoxicated during this incident. A municipal jury found Hart guilty of harassment with physical contact. His deferred judgment in the criminal mischief matter was revoked, and he served probation in both matters. He again failed to report this conviction to the Office of Attorney Regulation Counsel. Hart states that he has not consumed alcohol since April 2018, and he has successfully completed his supervised probation, which included about nine months of urinalysis tests.

Through his conduct, Hart violated Colo. RPC 3.4(c) (a lawyer shall not knowingly disobey an obligation under the rules of a tribunal) and Colo. RPC 8.4(b) (a lawyer shall not commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects).

The case file is public per C.R.C.P. 251.31.