



NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT

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NEWS RELEASE

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Jefferson County Town Justice Censured for Presiding in a Case Involving His Co-Judge and Co-Judge's Son

The New York State Commission on Judicial Conduct has determined that Karl Ridsdale, a Justice of the Antwerp Town Court, Jefferson County, should be censured for presiding over a criminal case in which his co-judge was the complaining witness and his co-judge's son was the defendant.

“Since his impartiality might reasonably be questioned, [Judge Ridsdale] was required to disqualify himself,” the Commission said in its determination.

In March 2009, Judge Ridsdale's co-judge called the police after his son allegedly threatened his family. Judge Ridsdale arraigned his co-judge's son even though he was aware that the defendant was his co-judge's son and that his co-judge was the complaining witness. The judge accepted the defendant's waiver of the right to counsel, accepted a guilty plea to criminal mischief and sentenced him to 30 days in jail.

The Commission said that there was no indication that the defendant – whose mental state prompted Judge Ridsdale to order a mental exam – appreciated the importance of consulting with counsel regarding the consequences of pleading guilty to a crime and being sentenced to jail.

Judge Ridsdale’s misconduct was compounded, the Commission said, by his failure to record the proceedings, as mandated by a 2008 statewide Order of the Chief Administrative Judge.

“The absence of a recording of the arraignment makes it more difficult to determine precisely what transpired at the proceeding,” the Commission said.

The determination can be found on the Commission’s website: www.cjc.ny.gov.

The Commission Proceedings

Judge Ridsdale was served with a Formal Written Complaint dated October 8, 2010, containing two charges, and filed an answer dated October 21, 2010.

On June 3, 2011, the Administrator of the Commission and Judge Ridsdale entered into an Agreed Statement of Facts, stipulating as to the facts and sanction and waiving further submissions and oral argument.

The Commission accepted the Agreed Statement on June 16, 2011. The Commission had rejected three earlier Agreed Statements.

The Commission Determination

The Commission filed a determination dated July 20, 2011. Judge Thomas A. Klonick (the Commission Chair), Judge Terry Jane Ruderman (the Vice Chair), Judge Rolando T. Acosta, Joel Cohen, Esq., Paul B. Harding, Esq., Nina M. Moore, Judge Karen K. Peters and Richard A. Stoloff, Esq., concurred.

Two members filed separate opinions. Richard D. Emery, Esq., dissented and voted to reject the Agreed Statement on the basis that the facts as presented were insufficient for the Commission to make a determination. Judge Rolando T. Acosta filed a concurring opinion that took issue with the dissent, stating that the stipulated facts adequately demonstrated the judge’s misconduct and established that censure was the appropriate sanction.

Commission member Joseph W. Belluck, Esq., was not present.

Court of Appeals Review

The Commission transmitted its determination to the Chief Judge of the Court of Appeals, pursuant to Judiciary Law Section 44, subdivision 7.

A judge may either accept the Commission's determination or, within 30 days from receipt, make a written request to the Chief Judge for a review of the determination by the Court of Appeals.

Pursuant to Judiciary Law Section 44, subdivision 7, if Judge Ridsdale does not request review by the Court of Appeals, the Commission will censure him in accordance with the determination.

If the Commission's determination is reviewed by the Court of Appeals, the Court may accept the determined sanction, impose a different sanction including admonition, censure or removal, or impose no sanction.

Statistics Relating to Prior Determinations

Since 1978, the Commission has issued 293 determinations of censure against judges in New York State. The Commission has issued 162 determinations of removal and 242 determinations of admonition.

The Court of Appeals has reviewed 91 Commission determinations. The Court accepted the Commission's sanctions in 75 cases (66 of which were removals, six were censures and three were admonitions). Of the remaining 16 cases, two sanctions were increased from censure to removal, and 13 were reduced: 9 removal determinations were modified to censure, one removal was modified to admonition, two censures were modified to admonition, and one censure was rejected and the charges dismissed. The Court remitted one matter to the Commission for further proceedings.

Counsel

In the proceedings before the Commission, Judge Ridsdale represented himself.

The Commission was represented by Robert H. Tembeckjian, Esq., Administrator and Counsel to the Commission, and Senior Attorney M. Kathleen Martin, Esq. Senior Investigator Rebecca Roberts assisted in the investigation.

Members of the Commission

The Commission members serve four-year terms. A list of members is appended.

The Public File

The determination is attached. The record of the proceedings upon which the determination is based is available for inspection by appointment during regular business hours at the Commission's three offices:

61 Broadway Suite 1200 New York, New York 10006	Corning Tower, Suite 2301 Empire State Plaza Albany, New York 12223	400 Andrews Street Suite 700 Rochester, New York 14604
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MEMBERS OF THE STATE COMMISSION ON JUDICIAL CONDUCT

Member	Appointing Authority	Term End
Hon. Thomas A. Klonick, Chair	Chief Judge Jonathan Lippman	March 31, 2013
Hon. Terry Jane Ruderman, Vice Chair	Former Chief Judge Judith S. Kaye	March 31, 2012
Hon. Rolando T. Acosta	Chief Judge Jonathan Lippman	March 31, 2014
Joseph W. Belluck, Esq.	Former Governor David A. Paterson	March 31, 2012
Joel Cohen, Esq.	Assembly Speaker Sheldon Silver	March 31, 2014
Richard D. Emery, Esq.	Former Senate Minority Leader Malcolm A. Smith	March 31, 2012
Paul B. Harding, Esq.	Former Assembly Minority Leader James Tedisco	March 31, 2013
Nina M. Moore	Former Governor David A. Paterson	March 31, 2013
Hon. Karen K. Peters	Former Governor David A. Paterson	March 31, 2014
Richard A. Stoloff, Esq.	Senate President Pro Tem Dean Skelos	March 31, 2015
Vacant	Governor	March 31, 2015