



NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT

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NEWS RELEASE

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Two Town Justices Resign and Agree Not to Hold Judicial Office in the Future

The New York State Commission on Judicial Conduct has completed formal proceedings against Bainbridge Town Court Justice Gary F. Anderson (Chenango County) and Hague Town Court Justice Heather L. Knott (Warren County). In separate proceedings, the two judges agreed not to seek or accept judicial office in the future, and both matters were closed on December 7, 2012.

Both judges waived the statutory provision of confidentiality applicable to Commission proceedings, to the limited extent that the stipulations and the Commission decision and orders would be made public.

Judge Gary F. Anderson

Judge Anderson, who is not an attorney, had served as a Justice of the Bainbridge Town Court since 2008.

Judge Anderson was served with a Formal Written Complaint dated September 17, 2012, alleging that he engaged in misconduct in the handling of several cases

between February 2011 and September 2012. The allegations in the Formal Written Complaint included:

- Failing to advise a defendant of the right to counsel and to an adjournment to obtain counsel;
- Inappropriately questioning defendants at arraignment;
- Engaging in *ex parte* communications;
- Finding defendants guilty without a plea, a trial, or the opportunity for cross-examination;
- Allowing and considering unsworn statements and evidence which had not been properly admitted;
- Dismissing charges in two cases without notice to the prosecution, as required by law;
- Failing to mechanically record all proceedings as required.

Judge Anderson submitted a resignation letter dated October 25, 2012, agreeing to vacate judicial office effective November 30, 2012. He and the Commission's Administrator signed a stipulation dated November 20, 2012, in which the judge agreed never to seek or accept judicial office in the future. The Commission accepted the stipulation on December 7, 2012.

Judge Heather Knott

Judge Knott, who is an attorney, had served as a Justice of the Hague Town Court since 1994.

Judge Knott was served with a Formal Written Complaint dated September 14, 2012. The allegations in the Formal Written Complaint included:

- Failing to report a property damage accident and invoking her judicial status when notified by police that she was being charged with that offense;
- Giving testimony to the Commission that was false and/or lacking in candor as to why she failed to report the accident;
- Appearing in Family Court representing a child while under the influence of alcohol;
- Presiding over court proceedings while under the influence of alcohol.

Judge Knott submitted a resignation letter dated October 11, 2012, agreeing to vacate judicial office effective November 1, 2012. She and the Commission's Administrator signed a stipulation dated December 6, 2012, in which the judge agreed never to seek or accept judicial office in the future. The Commission accepted the stipulation on December 7, 2012.

Judge Knott had been censured by the Commission in 1999 for, *inter alia*, invoking her judicial status during a traffic stop and presiding over court proceedings, on various occasions between 1994 and 1996, while under the influence of alcohol. At the time of her censure, the judge stipulated that she promised she would refrain from using alcohol in the future.

The stipulations involving Judges Anderson and Knott, and Commission's orders closing the cases can be found on the Commission's website: www.cjc.ny.gov.

Statistics Relating to Stipulations

The Commission has accepted 39 such stipulations since the procedure was instituted in 2003.

Press Availability

Mr. Tembeckjian will be in New York City on December 14, 2012 and is available throughout the day by telephone: (646)-386-4800.

Counsel

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

In the proceedings before the Commission, Judge Knott was represented by John C. Turi Esq., 68 Second Street, Troy, New York 12180, (518) 793-8581.

In the case involving Judge Anderson, the Commission was represented by Administrator Robert H. Tembeckjian and Senior Attorney Thea Hoeth. Senior Investigator David Herr assisted in the investigation.

In the case involving Judge Knott, the Commission was represented by Administrator Robert H. Tembeckjian and Cathleen S. Cenci, Deputy Administrator in Charge of the Albany office. Senior Investigator Donald Payette 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 stipulation and order are attached. They are also available for inspection 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	Chief Judge Jonathan Lippman	March 31, 2016
Hon. Rolando T. Acosta	Chief Judge Jonathan Lippman	March 31, 2014
Joseph W. Belluck, Esq.	Governor Andrew M. Cuomo	March 31, 2016
Joel Cohen, Esq.	Assembly Speaker Sheldon Silver	March 31, 2014
Richard D. Emery, Esq.	Senate Minority Leader John L. Sampson	March 31, 2016
Paul B. Harding, Esq.	Former Assembly Minority Leader James Tedisco	March 31, 2013
Nina M. Moore	Former Governor David A. Paterson	March 31, 2013
Richard A. Stoloff, Esq.	Senate President Pro Tem Dean Skelos	March 31, 2015
Hon. David A. Weinstein	Governor Andrew M. Cuomo	March 31, 2014
Vacant	Governor	March 31, 2015