



NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT

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NEWS RELEASE

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Cattaraugus County Town Justice Resigns, Ending Inquiry into Misconduct Allegations

The New York State Commission on Judicial Conduct has completed formal proceedings against Randy Alexander, a Justice of the Mansfield Town Court, Cattaraugus County. Pursuant to a stipulation dated February 24, 2015, Judge Alexander resigned from judicial office effective December 31, 2014, and agreed not to seek or accept judicial office in the future. On that basis, the proceedings were discontinued and the matter was closed on March 17, 2015.

Under the terms of the stipulation, Judge Alexander waived the statutory provision of confidentiality applicable to Commission proceedings, to the limited extent that the stipulation and Commission's decision and order would be made public.

Judge Alexander, who is not an attorney, has served as a Justice of the Mansfield Town Court since 1989, and his current term expires on December 31, 2017.

Judge Alexander was served with a Formal Written Complaint dated January 20, 2015, containing four charges, which alleged, *inter alia*, that the judge:

- Failed to cooperate with the Commission during its investigation;

- Engaged in prohibited *ex parte* conversations with defendants and dismissed and/or reduced charges against them, without notice or consent of the prosecution;
- Imposed fines in the absence of guilty pleas or any finding of guilt;
- Used undignified and discourteous language on the bench.

Judge Alexander entered into this stipulation in lieu of filing an Answer.

The stipulation and the Commission's order closing the case can be found on the Commission's website: www.cjc.ny.gov.

Statistics Relating to Prior Commission Decisions

The Commission has accepted 52 such stipulations since the procedure was instituted in 2003.

Since 1978, the Commission has issued 255 determinations of admonition against judges in New York State, 312 determinations of censure and 168 determinations of removal.

The Court of Appeals has reviewed 95 Commission determinations. The Court accepted the Commission's sanctions in 79 cases (70 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: nine 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.

Statement by Commission Administrator

Commission Administrator Robert H. Tembeckjian made the following statement.

“Failing to apply fundamental principles of law, and failing to cooperate with an official investigation, are serious allegations against a judge. By agreeing to leave and never return to judicial office, I believe Judge Alexander has acted realistically.”

Counsel

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

The Commission was represented by Robert H. Tembeckjian, Administrator and Counsel to the Commission; John J. Postel, Deputy Administrator in Charge of the Rochester office; and Senior Attorney David M. Duguay. Investigator Vanessa Mangan assisted in the investigation.

Background Information on Judge Alexander

First took office: 1989
Current term expires: December 31, 2017

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, 2017
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.	Former Assembly Speaker Sheldon Silver	March 31, 2018
Jodie Corngold	Governor Andrew M. Cuomo	March 31, 2015
Richard D. Emery, Esq.	Former Senate Minority Leader John L. Sampson	March 31, 2016
Paul B. Harding, Esq.	Former Assembly Minority Leader James Tedisco	March 31, 2017
Richard A. Stoloff, Esq.	Senate President Pro Tem Dean Skelos	March 31, 2015
Hon. David A. Weinstein	Governor Andrew M. Cuomo	March 31, 2018
Vacant	Governor	March 31, 2017