



NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT

ROBERT H. TEMBECKJIAN
ADMINISTRATOR & COUNSEL

61 BROADWAY, SUITE 1200
NEW YORK, NEW YORK 10006

MARISA E. HARRISON
PUBLIC RECORDS OFFICER

646-386-4800 646-458-0037
TELEPHONE FACSIMILE
www.cjc.ny.gov

NEWS RELEASE

December 18, 2017

| | |
|------------------|---|
| Contacts: | <p><i>Robert H. Tembeckjian, Administrator</i> <i>(646) 386-4800</i></p> <p><i>Marisa E. Harrison, Public Records Officer</i> <i>(518) 453-4614</i></p> |
|------------------|---|

Oneida County Town & Village Justice to Resign after Complaint Alleging Improper Facebook Posts, Political and Religious Bias

The New York State Commission on Judicial Conduct announced that Christopher C. Clarkin, a Justice of the Floyd Town Court, and an Associate Justice of the Oriskany and Whitesboro Village Courts, Oneida County, will resign from office effective December 31, 2017, and has agreed never to seek or accept judicial office at any time in the future. The Commission accepted a stipulation to that effect signed by the judge and the Commission's Administrator and closed its investigation.¹

Judge Clarkin was apprised by the Commission in November 2017 that it was investigating a complaint that he (1) made public comments on Facebook criticizing public officials and a New York State gun regulation law, and (2) conveyed bias in favor of law enforcement and against a political organization, a social activist group and members of a religious group.

¹ The Stipulation was signed on December 6, 2017. The Commission accepted it on December 7, 2017, and thereafter issued an Order closing the investigation.

Judge Clarkin, who is not an attorney, has served as a Justice of the Floyd Town Court since 1999, as an Associate Justice of the Oriskany Village Court since 2006, and as an Associate Justice of the Whitesboro Village Court since 2008. His current terms would have expired on December 31, 2019, March 31, 2019, and March 31, 2018, respectively.

Judge Clarkin waived the statutory provision of confidentiality applicable to Commission proceedings, to the limited extent that the stipulation and Commission's order accepting it and closing the case would be public.

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 71 such stipulations since the procedure was instituted in 2003.

Since 1978, the Commission has issued 268 determinations of admonition against judges in New York State, 320 determinations of censure and 170 determinations of removal.

The Court of Appeals has reviewed 97 Commission determinations. The Court accepted the Commission's sanctions in 81 cases (72 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.

“On social media as anywhere else, a judge must uphold the integrity and impartiality of the judiciary, and avoid conduct that conveys or appears to convey bias for or against particular political, religious or other groups.”

Counsel

In the proceedings before the Commission, Judge Clarkin was represented by Leslie R. Lewis, Esq., 23 Genesee Street, New Hartford, New York 13413, (315) 724-5149.

The Commission was represented by Robert H. Tembeckjian, Administrator and Counsel to the Commission; Cathleen S. Cenci, Deputy Administrator in Charge of the Albany office; and Staff Attorney Eteena J. Tadjioqueu. Senior Investigator Ryan Fitzpatrick assisted in the investigation.

Background Information on Judge Clarkin**Town of Floyd**

First took office: 1999
Current Term Expires: December 31, 2019

Village of Oriskany

First took office: 2006
Current Term Expires: March 31, 2019

Village of Whitesboro

First took office: 2008
Current Term Expires: March 31, 2018

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:

| | | |
|--|--|---|
| <p>61 Broadway Suite 1200 New York, New York 10006</p> | <p>Corning Tower, Suite 2301 Empire State Plaza Albany, New York 12223</p> | <p>400 Andrews Street Suite 700 Rochester, New York 14604</p> |
|--|--|---|

MEMBERS OF THE STATE COMMISSION ON JUDICIAL CONDUCT

| Member | Appointing Authority | Term End |
|-----------------------------------|---|-----------------|
| Joseph W. Belluck, Esq., Chair | Governor Andrew M. Cuomo | March 31, 2020 |
| Paul B. Harding, Esq., Vice Chair | Assembly Minority Leader Brian M. Kolb | March 31, 2021 |
| Joel Cohen, Esq. | Former Assembly Speaker Sheldon Silver | March 31, 2018 |
| Jodie Corngold | Governor Andrew M. Cuomo | March 31, 2019 |
| Taa Grays, Esq. | Senate Minority Leader Andrea Stewart-Cousins | March 31, 2020 |
| Hon. John A. Falk | Chief Judge Janet DiFiore | March 31, 2021 |
| Hon. Leslie G. Leach | Chief Judge Janet DiFiore | March 31, 2020 |
| Hon. Angela M. Mazzairelli | Chief Judge Janet DiFiore | March 31, 2018 |
| Richard A. Stoloff, Esq. | Former Senate President Pro Tem Dean Skelos | March 31, 2019 |
| Hon. David A. Weinstein | Governor Andrew M. Cuomo | March 31, 2018 |
| Akosua Garcia Yeboah | Governor Andrew M. Cuomo | March 31, 2021 |