



NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT

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NEWS RELEASE

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Oneida County Town Court Justice To Resign, Ending Inquiry into Misconduct Allegations

The New York State Commission on Judicial Conduct announced that Roger C. Maclaughlin, a Justice of the Steuben Town Court, 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 Maclaughlin was apprised by the Commission in August 2017 that it was investigating a complaint that he dismissed a misdemeanor charge of driving while intoxicated, on his own, after conducting an *ex parte* investigation of the matter, and that in five additional matters he appeared to have engaged in *ex parte* communications and/or dismissed matters without a statutory basis.

¹ The Stipulation was signed on October 11, 2017. The Commission accepted it on October 26, 2017, and thereafter issued an Order closing the investigation.

Judge Maclaughlin, who is not an attorney, has served as a Justice of the Steuben Town Court since 1995. His current term would have expired on December 31, 2019.

Judge Maclaughlin 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.

Prior Discipline

In 2001, Judge Maclaughlin was censured by the Commission for *inter alia* (1) soliciting and relying upon *ex parte* information as to a local property owner whose property was the subject of local code violations, and committing him to jail for failing to make certain repairs, notwithstanding that the defendant's 15-day notice to cure the violations had not yet expired, and (2) sending a threatening letter on judicial stationery about alleged code violations by another local property owner, notwithstanding that there were no charges pending against this individual.

Statistics Relating to Prior Commission Decisions

The Commission has accepted 70 such stipulations since the procedure was instituted in 2003.

Since 1978, the Commission has issued 267 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. “A judge must insure that all parties in a proceeding have a fair opportunity to be heard and to hear and challenge the evidence presented by the other side. That fundamental obligation of evenhandedness is defeated when a judge engages in private substantive conversation with one side and then rules.”

Counsel

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

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. Investigator Laura Misjak assisted in the investigation.

Background Information on Judge Maclaughlin

First took office: 1995
Current Term Expires: December 31, 2019

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
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. Mazzarelli	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