



NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT

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NEWS RELEASE

April 25, 2018

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Albany County Town Court Justice Resigns After Being Charged with Felonies

The New York State Commission on Judicial Conduct announced that Richard J. Sherwood, a Justice of the Guilderland Town Court, Albany County, who resigned from office effective March 5, 2018, 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, the judge's attorney, and the Commission's Administrator and closed its investigation.¹

Judge Sherwood was apprised by the Commission in March 2018 that it was investigating a complaint alleging that by felony complaint dated February 23, 2018, the judge was charged with two counts of Grand Larceny in the First Degree, one count of Scheme to Defraud in the First Degree, and two counts of Criminal Possession of Stolen Property in the First Degree. The charges are currently pending.

¹ The Stipulation was signed on April 3, 2018. The Commission accepted it on April 12, 2018, and thereafter issued an Order closing the investigation.

Judge Sherwood, who is an attorney, had served as a Justice of the Guilderland Town Court since 2014. His current term would have expired on December 31, 2021.

Judge Sherwood 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 74 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, 321 determinations of censure and 172 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 is expected to respect and comply with the law. Public confidence in the courts is undermined whenever a judge is arrested for a crime. While the felony charges against Mr. Sherwood have not been adjudicated and he is entitled to the presumption of innocence, by resigning he spared the judiciary and the courts from the spectacle of a judge as criminal defendant.”

Counsel

In the proceedings before the Commission, Judge Sherwood was represented by William J. Dreyer of Dreyer Boyajian, LLP, 75 Columbia Street, Albany, NY 12210, (518) 348-4133.

The Commission was represented by Robert H. Tembeckjian, Administrator and Counsel to the Commission and Cathleen S. Cenci, Deputy Administrator in Charge of the Albany office. Investigator Laura Misjak assisted in the investigation.

Background Information on Judge Sherwood

First took office:	2014
Year Admitted to the Bar:	1988
Current Term Expires:	December 31, 2021
Salary:	\$52,449 (Source: 2018 Town of Guilderland Budget)

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
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, 2022
Marvin Ray Raskin, Esq.	Assembly Speaker Carl E. Heastie	March 31, 2022
Richard A. Stoloff, Esq.	Former Senate President Pro Tem Dean Skelos	March 31, 2019
Akosua Garcia Yeboah	Governor Andrew M. Cuomo	March 31, 2021
Vacant	Governor Andrew M. Cuomo	March 31, 2022