



NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT

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NEWS RELEASE

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Niagara County Town Court Justice Resigns After Complaints of Offensive Comments

The New York State Commission on Judicial Conduct announced that Leonard G. Tilney, Jr., a Justice of the Lockport Town Court, Niagara County, will resign from office effective September 30, 2018, 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.¹

In August 2018, the Commission apprised Judge Tilney that it was investigating a complaint alleging that at various times in 2017 he had committed misconduct both on and off the bench, including allegations that he:

- Made a culturally insensitive comment to a defendant at sentencing;
- Yelled at his co-judge from the bench in a denigrating manner using vulgarity and;
- Posted racially offensive material in the office area of the courthouse.

¹ The Stipulation was signed on September 11, 2018. The Commission accepted it on September 13, 2018, and thereafter closed the matter.

Judge Tilney 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 79 such stipulations since the procedure was instituted in 2003.

Since 1978, the Commission has issued 269 determinations of admonition against judges in New York State, 322 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. Two requests for review are pending.

Statement by Commission Administrator

Commission Administrator Robert H. Tembeckjian made the following statement.

“A judge is obliged to be patient, dignified and courteous and to avoid even the appearance of bias or intolerance that would undermine public confidence in the integrity of the courts.”

Counsel

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 Duguay. Investigator Vanessa Mangan assisted in the investigation.

Background Information on Judge Tilney

First took office: 2004
 Term Expires: December 13, 2019
 Year Admitted to NYS Bar: 1972
 Salary: \$31,365 (Source: 2018 Town of Lockport 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. Mazzarelli	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