



NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT

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NEWS RELEASE

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Albany County Court Judge Resigns While Under Investigation for Intervening in a Pistol Permit Application

Albany County Court Judge William A. Carter resigned while under investigation by the New York State Commission on Judicial Conduct.

On March 2, 2021, the Commission apprised Judge Carter that it was investigating a complaint alleging that, after a purported friend of his filed a pistol permit application, Judge Carter attempted to have the application assigned to himself, and thereafter initiated a conversation about the matter with the judge to whom the case had been assigned.

Judge Carter denied the allegations in the complaint. Nevertheless, he vacated judicial office effective March 30, 2021, and 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, his attorney, and the Commission's Administrator and closed its investigation.¹

¹ The Stipulation was signed on April 7, 2021. The Commission accepted it and issued an order closing the matter on April 22, 2021.

Judge Carter 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.

Judge Carter had been a Judge of the Albany County Court since 2017, having previously served as a Judge of the Albany City Court from 2002 to 2016. His current term would have expired on December 31, 2026.

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

Statement by Commission Administrator

Commission Administrator Robert H. Tembeckjian made the following statement.

“A judge is ethically prohibited from exerting the influence of judicial office for the personal benefit of others. The complaint that Judge Carter did so as to a gun permit application was serious. In view of his having been censured twice and cautioned twice before for misconduct, it is well that he chose to resign and agreed never to return to the bench.”

Prior Discipline

Judge Carter was publicly censured by the Commission twice: in 2006 for, among other things, coming off the bench and physically confronting a defendant appearing in his courtroom, and in 2020 for engaging in an unauthorized *ex parte* communication and failing to report cases pending longer than 60 days on his required quarterly reports of pending matters.²

Judge Carter was also privately cautioned by the Commission twice: in 2004 for failing to disqualify himself in arraignments of unrepresented defendants, notwithstanding that the complaining witness and alleged victim was his co-judge, and again in 2012 for appearing as a guest of honor at a fundraising event for a civic organization.³

² The 2006 censure is at; <http://cjc.ny.gov/Determinations/C/carter.htm>; the 2020 censure is at: <http://cjc.ny.gov/Determinations/C/Carter.William.html>.

³ The 2006 censure of Respondent cites the 2004 caution letter, and the 2020 censure cites both the 2004 and the 2012 cautions.

Statistics Relating to Prior Commission Decisions

The Commission has accepted 102 such stipulations since the procedure was instituted in 2003.

Since 1978, the Commission has issued 278 determinations of admonition against judges in New York State, 338 determinations of censure and 175 determinations of removal.

The Court of Appeals has reviewed 101 Commission determinations. The Court accepted the Commission's sanctions in 85 cases (76 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.

Counsel

Judge Carter was represented by Stephen F. Downs, Esq., 26 Dinmore Road, Selkirk, New York 12158, (518) 767-0102.

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 Senior Attorney S. Peter Pedrotty. Senior Investigator Ryan Fitzpatrick was assigned to the case.

Background Information on Judge Carter

Year Admitted to NYS Bar:	1992
First Took Office (City Court):	2002
Current Term Expires:	December 31, 2026

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, 2024
Taa Grays, Esq., Vice Chair	Senate President Pro Tem Andrea Stewart-Cousins	March 31, 2023
Hon. Fernando M. Camacho	Chief Judge Janet DiFiore	March 31, 2024
Jodie Corngold	Governor Andrew M. Cuomo	March 31, 2023
Hon. John A. Falk	Chief Judge Janet DiFiore	March 31, 2025
Hon. Angela M. Mazzarelli	Chief Judge Janet DiFiore	March 31, 2022
Hon. Robert J. Miller	Governor Andrew M. Cuomo	March 31, 2022
Marvin Ray Raskin, Esq.	Assembly Speaker Carl E. Heastie	March 31, 2022
Ronald J. Rosenberg, Esq.	Former Senate Minority Leader John J. Flanagan	March 31, 2024
Akosua Garcia Yeboah	Governor Andrew M. Cuomo	March 31, 2025
Vacant	Assembly Minority Leader William A. Barclay	March 31, 2025