

STATE OF NEW YORK
COMMISSION ON JUDICIAL CONDUCT

In the Matter of the Proceeding
Pursuant to Section 44, subdivision 4,
of the Judiciary Law in Relation to

WILLIAM H. FUTRELL,

a Justice of the Montezuma Town Court,
Cayuga County.

**NOTICE OF FORMAL
WRITTEN COMPLAINT**

NOTICE is hereby given to Respondent, William H. Futrell, a Justice of the Montezuma Town Court, Cayuga County, pursuant to Section 44, subdivision 4, of the Judiciary Law, that the State Commission on Judicial Conduct has determined that cause exists to serve upon Respondent the annexed Formal Written Complaint; and that, in accordance with said statute, Respondent is requested within twenty (20) days of the service of the annexed Formal Written Complaint upon him to serve the Commission at its Rochester office, 400 Andrews Street, Suite 700, Rochester, New York 14604, with his verified Answer to the specific paragraphs of the Complaint.

Dated: May 15, 2023
New York, New York

ROBERT H. TEMBECKJIAN
Administrator and Counsel
State Commission on Judicial Conduct
61 Broadway, Suite 1200
New York, New York 10006
(646) 386-4800

To: Hon. William H. Futrell
[REDACTED]
[REDACTED]

STATE OF NEW YORK
COMMISSION ON JUDICIAL CONDUCT

In the Matter of the Proceeding
Pursuant to Section 44, subdivision 4,
of the Judiciary Law in Relation to

**FORMAL
WRITTEN COMPLAINT**

WILLIAM H. FUTRELL,

a Justice of the Montezuma Town Court,
Cayuga County.

1. Article VI, Section 22, of the Constitution of the State of New York establishes a Commission on Judicial Conduct (“Commission”), and Section 44, subdivision 4, of the Judiciary Law empowers the Commission to direct that a Formal Written Complaint be drawn and served upon a judge.
2. The Commission has directed that a Formal Written Complaint be drawn and served upon William H. Futrell (“Respondent”), a Justice of the Montezuma Town Court, Cayuga County.
3. The factual allegations set forth in Charges I and II state acts of judicial misconduct by Respondent in violation of the Rules of the Chief Administrator of the Courts Governing Judicial Conduct (“Rules”).
4. Respondent is not an attorney. He has been a Justice of the Montezuma Town Court, Cayuga County, since 2020. His current term was set to expire on December 31, 2023. On February 28, 2023, Respondent sent an email to the

Town of Montezuma Supervisor in which he resigned his judicial office effective that same day. A copy of the resignation email is annexed as Exhibit 1.

CHARGE I

5. In or about April 2022, Respondent posted Nazi imagery to his Facebook page.

Specifications to Charge I

6. Facebook is an internet social networking website and platform that *inter alia* allows users to post and share content on their own Facebook pages, and to “like” content posted by other users. Facebook users are responsible for managing the privacy settings associated with their accounts. At the option of the account holder, the content of one’s Facebook page – including photographs, textual posts, and “Likes” – may be viewable online by the general public or restricted to one’s Facebook “Friends.”

7. In or around April 2022, Respondent maintained a Facebook account with approximately 500 Facebook “Friends.” Respondent’s profile listed his name as Bill Futrell.

8. In or around April 2022, Respondent posted on his Facebook page an image of a human skull that appeared identical to the Nazi SS/Totenkopf forces insignia utilized during World War II. The letters “FF” (“Futrell Firearms”) were emblazoned above the eye sockets of the skull in a style simulating the appearance

of the “SS” abbreviation of the Nazi Schutzstaffel. Respondent made this image his profile picture, a copy of which is annexed as Exhibit 2. The profile also falsely indicates that Respondent “Works at NYS Unified Court System.”

9. In or around July 2022, Respondent posted on his Facebook page a meme of Facebook Co-Founder and CEO Mark Zuckerberg dressed in Nazi military garb, including a Totenkopf medal and Schutzstaffel insignia. The meme appeared on Respondent’s Facebook page in two forms: on its own and framed with the words, “EXPOSING FRIENDS TO EXTREMIST CONTENT.” Copies of those memes are annexed as Exhibit 3 and Exhibit 4, respectively.

10. By reason of the foregoing, Respondent should be disciplined for cause, pursuant to Article VI, Section 22, subdivision (a), of the Constitution and Section 44, subdivision 1, of the Judiciary Law, in that Respondent failed to uphold the integrity and independence of the judiciary by failing to maintain high standards of conduct so that the integrity and independence of the judiciary would be preserved, in violation of Section 100.1 of the Rules; failed to avoid impropriety and the appearance of impropriety, in that he failed to respect and comply with the law and failed to act in a manner that promotes public confidence in the integrity and impartiality of the judiciary, in violation of Section 100.2(A) of the Rules; and failed to conduct his extra-judicial activities so as to minimize the risk of conflict with judicial obligations, in that he failed to conduct his extra-

judicial activities so that they do not detract from the dignity of judicial office, in violation of Section 100.4(A)(2) of the Rules.

CHARGE II

11. In or about 2022, Respondent's Facebook page displayed "Likes" of other Facebook pages that depicted images of scantily clad and/or partially naked women, many of whom were in sexually suggestive poses, and that included content that demeaned or sexually objectified women.

Specifications to Charge II

12. In or about 2022, Respondent's Facebook "Likes" page displayed a "Like" for a Facebook page entitled "Only Men Lovers." That Facebook page consisted of numerous photographs of scantily clad women in sexually provocative and explicit poses. Copies of the "Only Men Lovers" Facebook page photographs are annexed as Exhibit 5.

13. In or about 2022, Respondent's Facebook "Likes" page displayed a "Like" for a Facebook page entitled "Psychopathic +21." That Facebook page consisted of numerous photographs of scantily clad and/or partially naked women in sexually provocative poses. Copies of the "Psychopathic +21" Facebook page photographs are annexed as Exhibit 6.

14. In or about 2022, Respondent's Facebook "Likes" page displayed a "Like" for a Facebook page entitled "Dirty Biker Trash." That Facebook page

consisted of numerous photographs of scantily clad women in sexually provocative poses. Copies of the “Dirty Biker Trash” Facebook page photographs are annexed as Exhibit 7.

15. In or about 2022, Respondent’s Facebook “Likes” page displayed a “Like” for a Facebook page entitled “Porngirls.” That Facebook page consisted of numerous photographs of scantily clad women in sexually provocative poses. Copies of the “Porngirls” Facebook page photographs are annexed as Exhibit 8.

16. By reason of the foregoing, Respondent should be disciplined for cause, pursuant to Article VI, Section 22, subdivision (a), of the Constitution and Section 44, subdivision 1, of the Judiciary Law, in that Respondent failed to uphold the integrity and independence of the judiciary by failing to maintain high standards of conduct so that the integrity and independence of the judiciary would be preserved, in violation of Section 100.1 of the Rules; failed to avoid impropriety and the appearance of impropriety, in that he failed to respect and comply with the law and failed to act in a manner that promotes public confidence in the integrity and impartiality of the judiciary, in violation of Section 100.2(A) of the Rules; and failed to conduct his extra-judicial activities so as to minimize the risk of conflict with judicial obligations, in that he failed to conduct his extra-judicial activities so that they do not detract from the dignity of judicial office, in violation of Section 100.4(A)(2) of the Rules.

WHEREFORE, by reason of the foregoing, the Commission should take whatever further action it deems appropriate in accordance with its powers under the Constitution and the Judiciary Law of the State of New York.

Dated: May 15, 2023
New York, New York



ROBERT H. TEMBECKJIAN
Administrator and Counsel
State Commission on Judicial Conduct
61 Broadway, Suite 1200
New York, New York 10006
(646) 386-4800

STATE OF NEW YORK
COMMISSION ON JUDICIAL CONDUCT

In the Matter of the Proceeding
Pursuant to Section 44, subdivision 4,
of the Judiciary Law in Relation to

VERIFICATION

WILLIAM H. FUTRELL,

a Justice of the Montezuma Town Court,
Cayuga County.

STATE OF NEW YORK)
 : ss.:
COUNTY OF NEW YORK)

ROBERT H. TEMBECKJIAN, being duly sworn, deposes and says:

1. I am the Administrator of the State Commission on Judicial Conduct.
2. I have read the foregoing Formal Written Complaint and, upon information and belief, all matters stated therein are true.
3. The basis for said information and belief is the files and records of the State Commission on Judicial Conduct.



Robert H. Tembeckjian

Sworn to before me this
15th day of May 2023


Notary Public

SIMON P. PEDROTTY
Notary Public, State of New York
No. 02PE6243159
Qualified in Saratoga County
Commission Expires 6/13/23

Resignation

Hon William H. Futrell <[redacted]@[redacted]>

Tue 2/28/2023 12:49 PM

To: montezumasupervisor@[redacted] <[redacted]>

Good morning,

I regret to inform you that effective immediately on 2/28/2023 I am resigning from my seat as town justice in Montezuma Town Court. It's been wonderful getting to know everyone. Unfortunately unforeseen personal reasons sometimes come up as they have! I look forward to seeing everyone in the future!

Thank you!

William H. Futrell

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

FEB 28 2023
RECEIVED



Bill Futrell

[Posts](#)

[About](#)

[Friends](#)

[Photos](#)

[Videos](#)

Intro



Owner at **Futrell Firearms**



Works at **NYS Unified Court System**



Works at **Central New York Regional
Transportation Authority - Centro**



Went to **Marcellus High School**



Lives in **Montezuma, New York**



From **Marcellus, New York**



Bill Futrell

EXHIBIT 3



Bill Futrell updated his profile picture.



Jul 3, 2021 · 🌐



Share

EXHIBIT 4





Only Men Lovers

★ 2 4 reviews ⓘ · Community Organization

Send message

Hi! Please let us know how we can help.

Home

Reviews

Videos

Photos

More ▾

Like

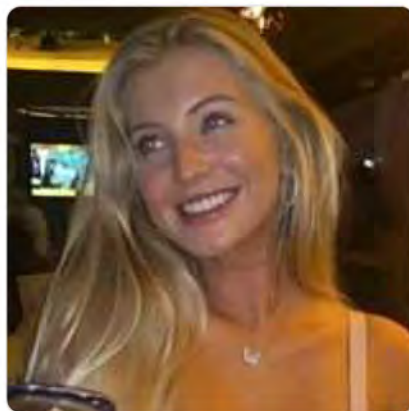


Albums

[See All](#)



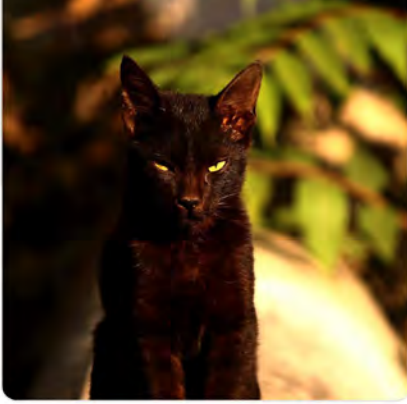
Cover photos
2 items



Profile pictures
2 items









Psychopathic +21

@psychopathic88 · Lingerie & Underwear Store

Home

Groups

Reviews

Videos

More ▾

Like



Albums

[See All](#)



Cover photos
2 items

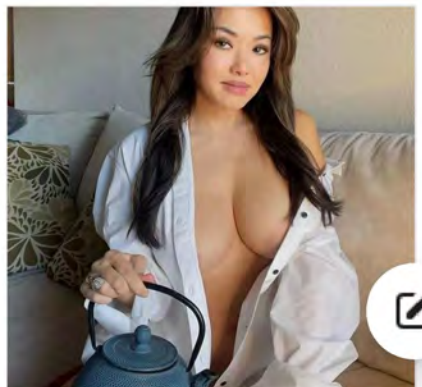
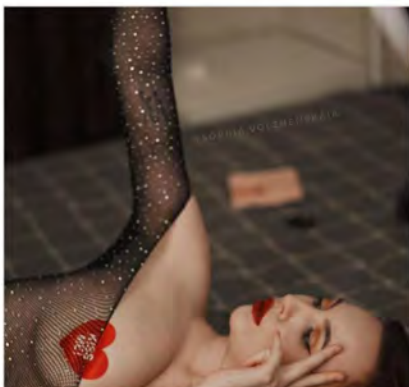
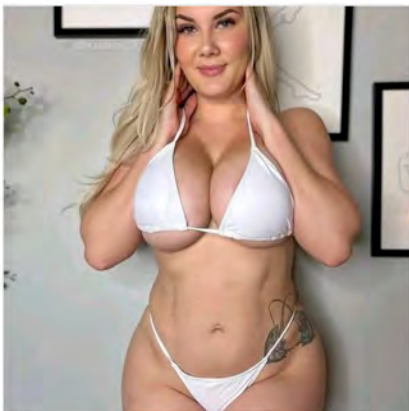
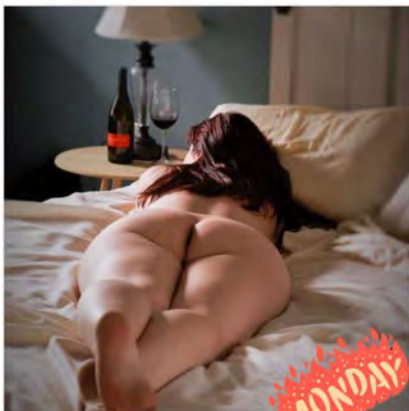
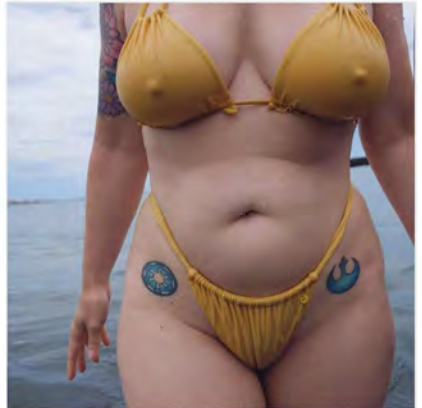
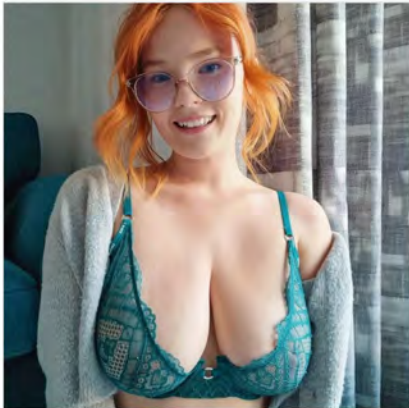
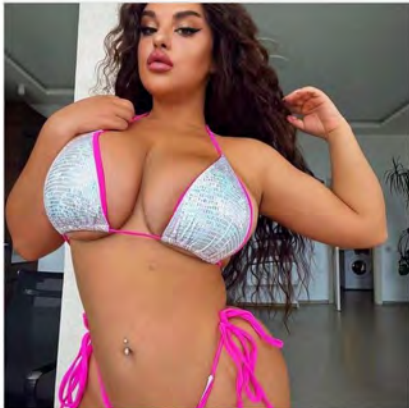


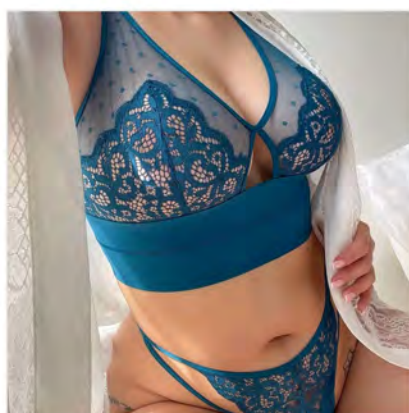
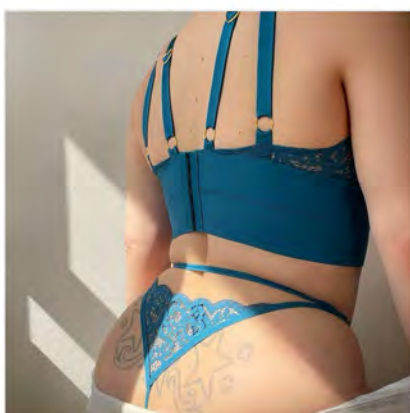
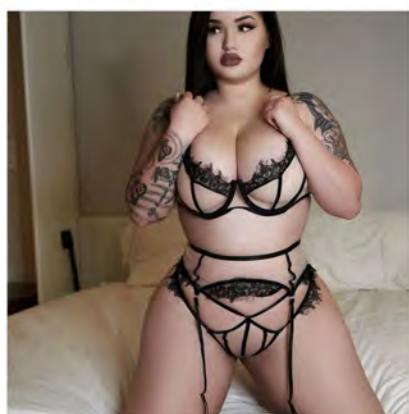
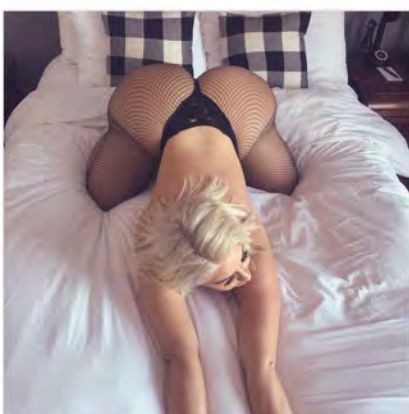
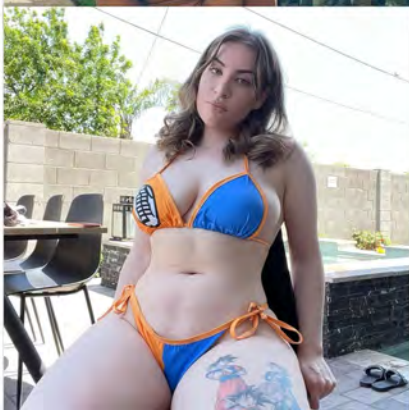
Profile pictures
2 items

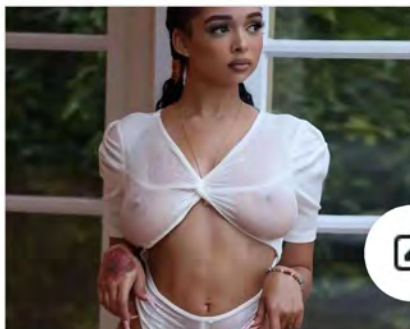
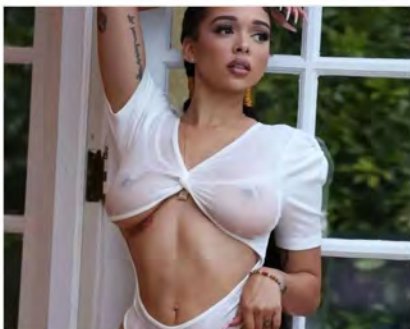
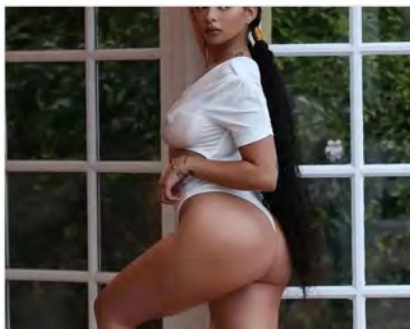
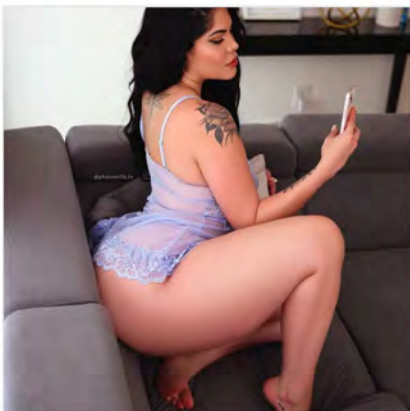
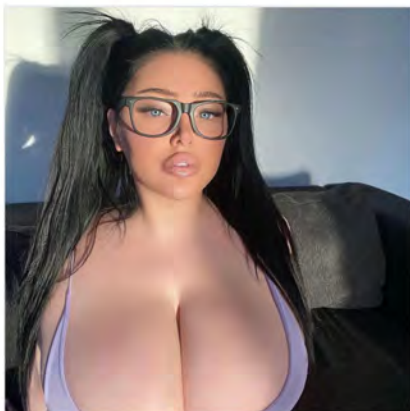
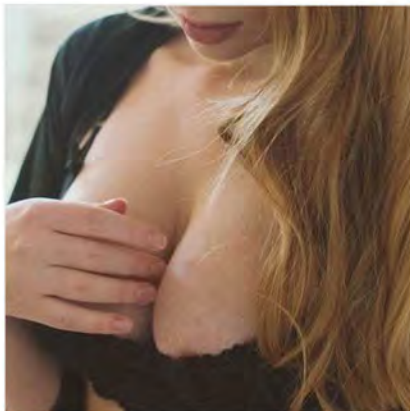
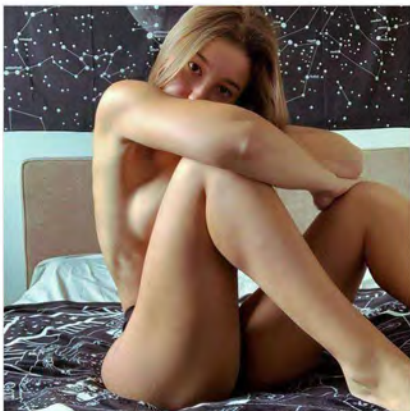
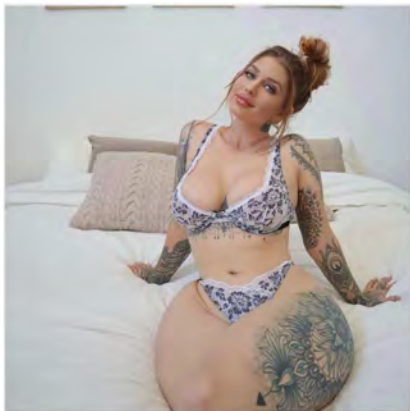
All photos

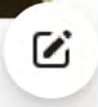
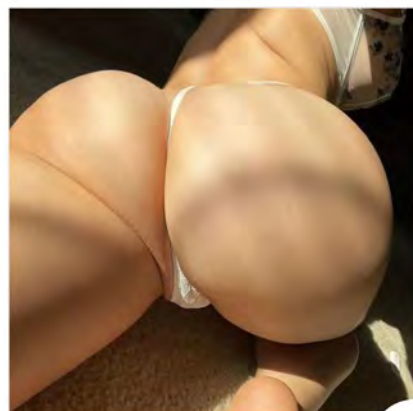
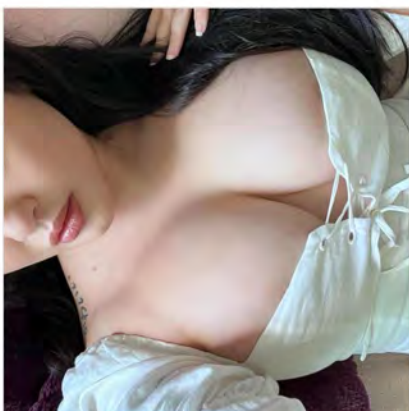
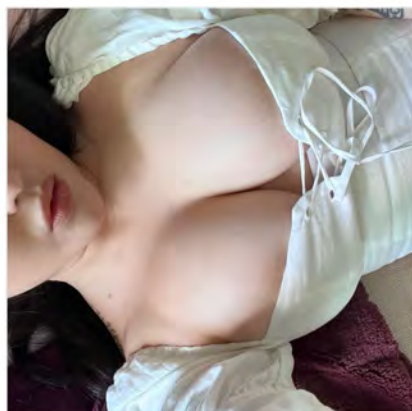
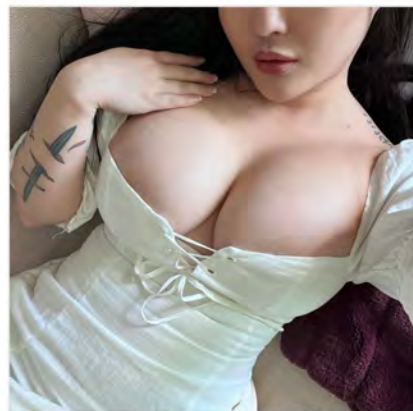
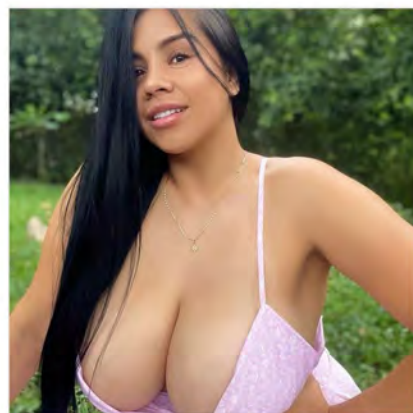
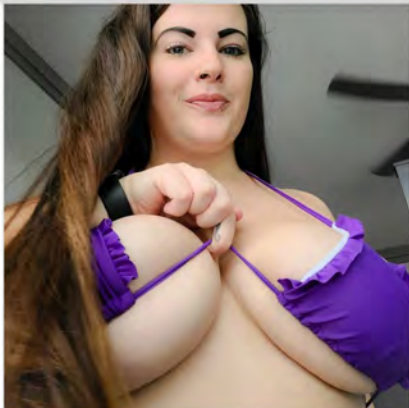


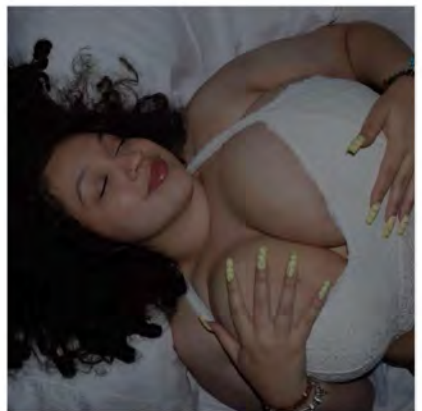
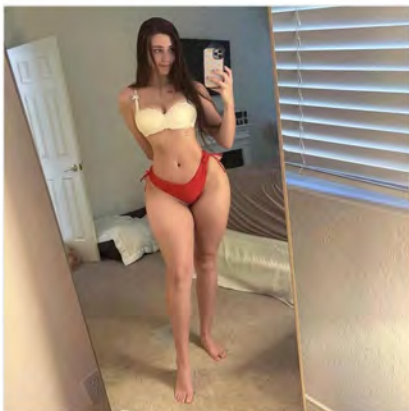
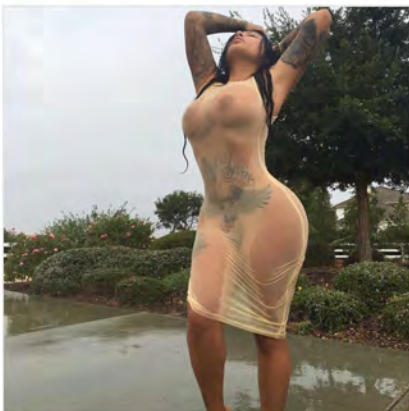


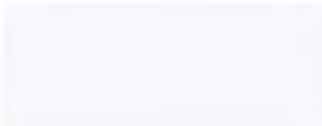
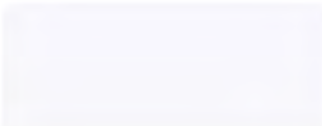
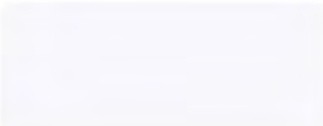
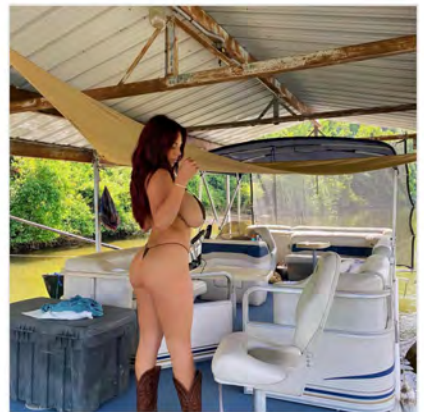
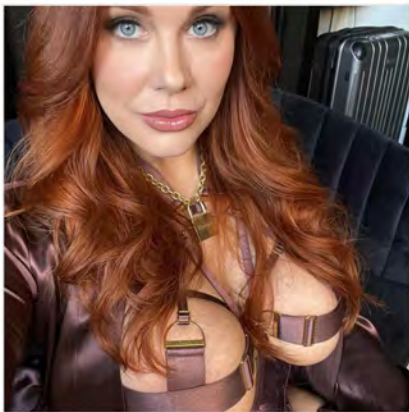
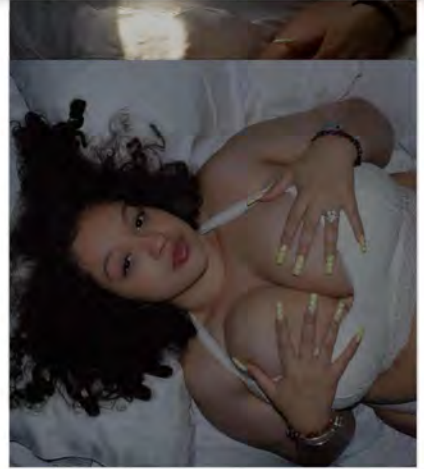
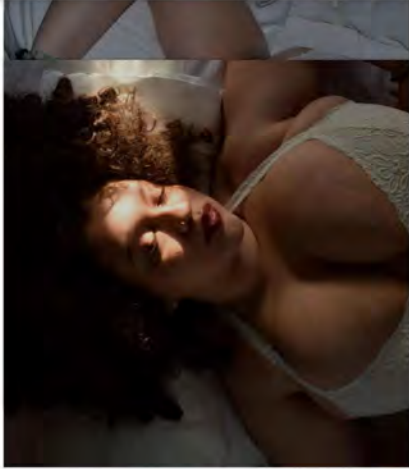
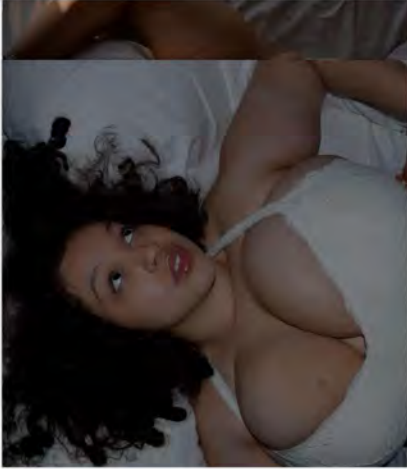
















Dirty Biker Trash

@ad1original · Interest

Follow

Home Live Videos **More** ▾

Like

Message



Albums

[See All](#)



Cover photos
18 items

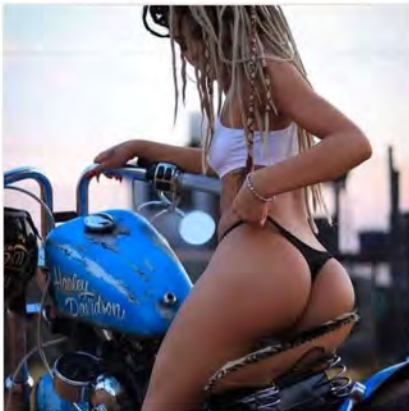
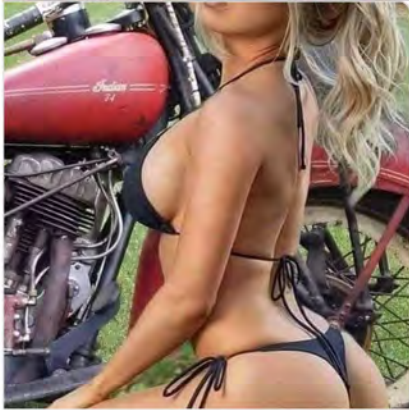


Untitled album
1 item

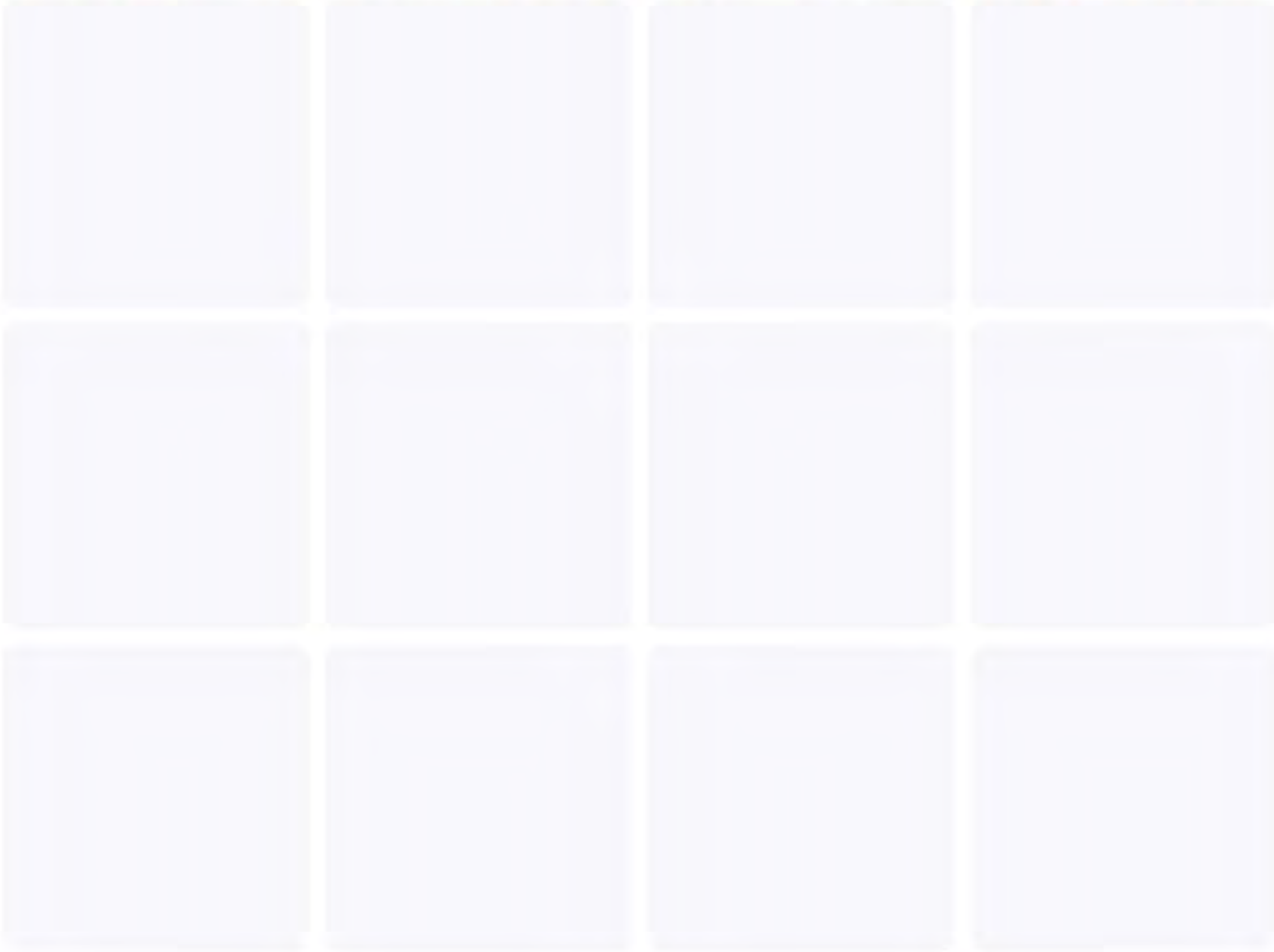


Profile pictures
4 items











Porngirls

Personal blog

Send message

Hi! Please let us know how we can help.

Home

Groups

Reviews

Videos

More ▾

Like



Albums

[See All](#)



Profile pictures

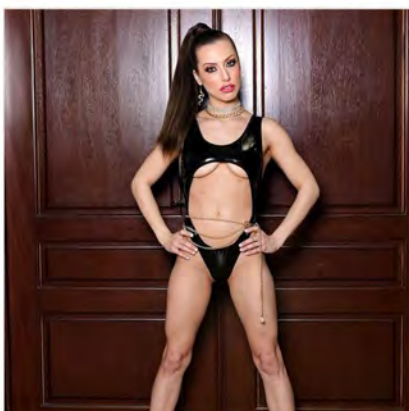
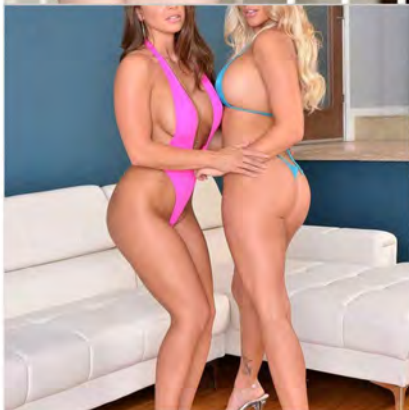
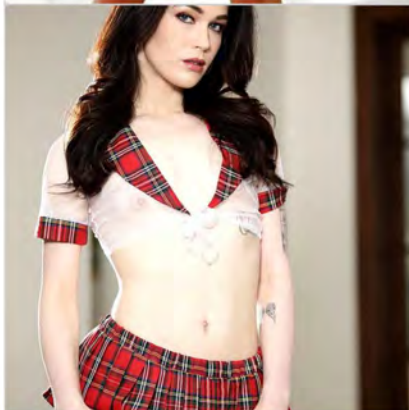
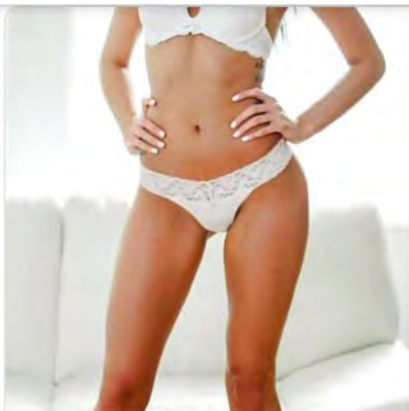
2 items

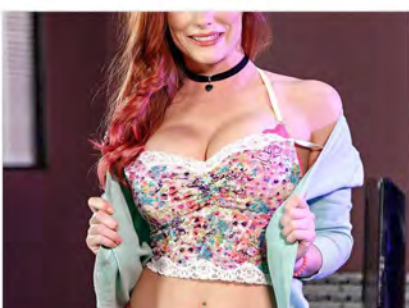
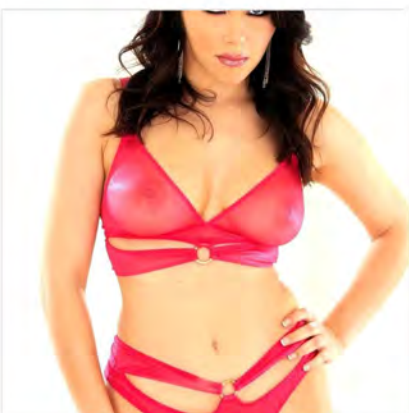
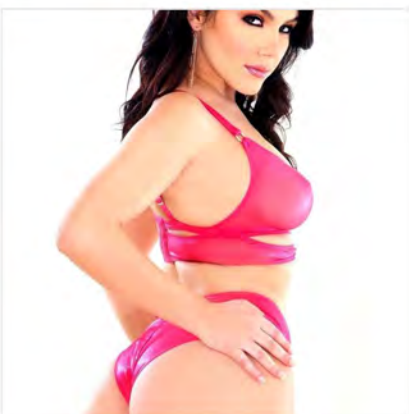
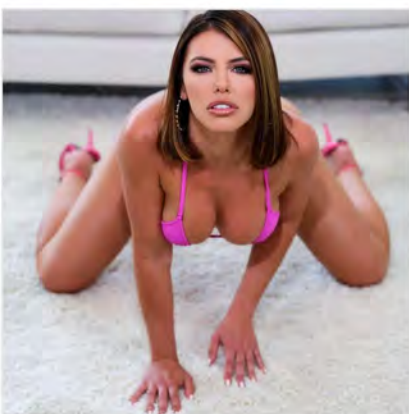


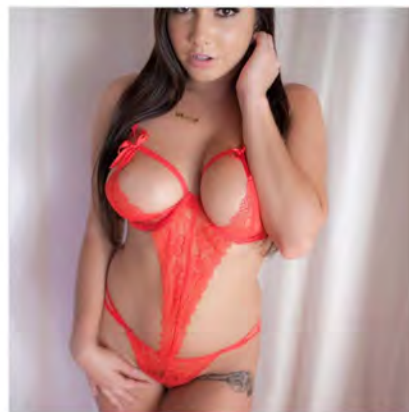
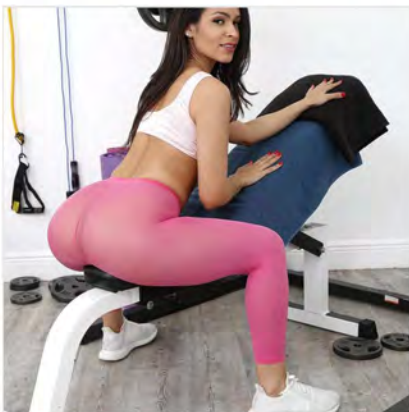
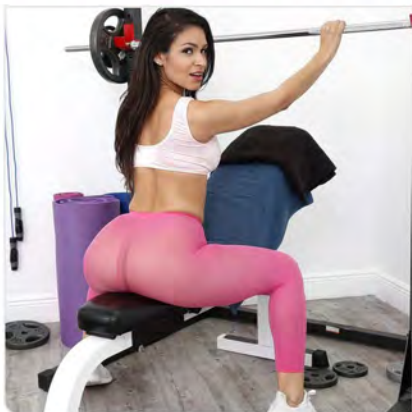
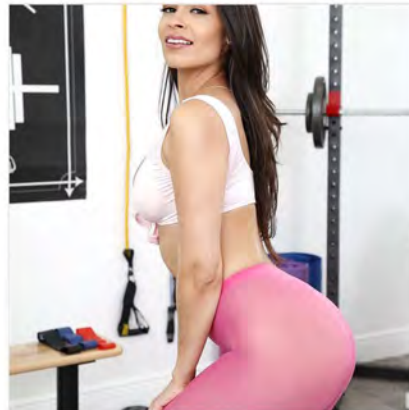
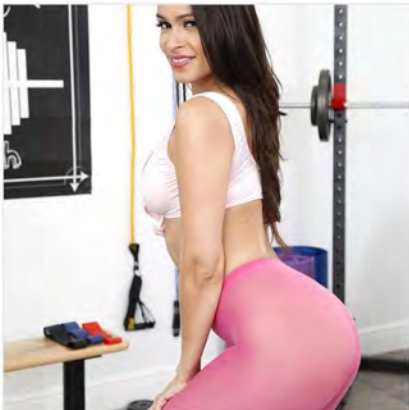
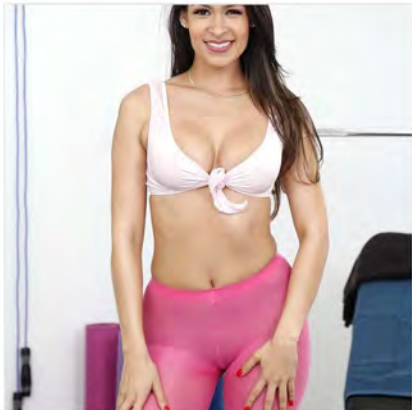
Cover photos

1 item









STATE OF NEW YORK
COMMISSION ON JUDICIAL CONDUCT

In the Matter of the Proceeding
Pursuant to Section 44, subdivision 4,
of the Judiciary Law in Relation to

WILLIAM H. FUTRELL,

a Justice of the Montezuma Town Court,
Cayuga County.

Judge's Home Address

In the event that a determination of the Commission on Judicial Conduct is made in the above matter requiring transmittal to the Chief Judge and service upon the judge in accordance with Judiciary Law § 44, subd. 7, the Court of Appeals has asked the Commission to provide the judge's home address.

Judge's Home Address

Request and Authorization to Notify Judge's Attorney of Determination

In the event that a determination of the Commission on Judicial Conduct is made in the above matter requiring transmittal to the Chief Judge and service upon me in accordance with Judiciary Law § 44, subd. 7, the undersigned judge or justice:

(1) requests and authorizes the Chief Judge to cause a copy of my notification letter and a copy of the determination to be sent to my attorney(s) by mail:

Attorney's Name, Address, Telephone

(2) requests and authorizes the Clerk of the Commission to transmit this request to the Chief Judge together with the other required papers.

This request and authorization shall remain in force unless and until a revocation in writing by the undersigned judge or justice is received by the Commission.

Dated:

Signature of Judge or Justice

Acknowledgment:

Signature of Attorney for Judge or Justice

SEND TO: Clerk of the Commission
State Commission on Judicial Conduct
61 Broadway, Suite 1200
New York, New York 10006