

April 22-22

NYS Commission on Judicial Conduct

Albany New York

Dear Ms. Klein:

I apologize for the delayed response. Further, I had been in Florida for (yet another) funeral, and did not get the initial letter of March 15 and retrieve that packet until I returned to my court in the first week of April, after which I returned the form requested and then prepared the attached response. (again, expecting to receive a date to re-appear...) Hence the almost three week delay in responding, until your email of this week.

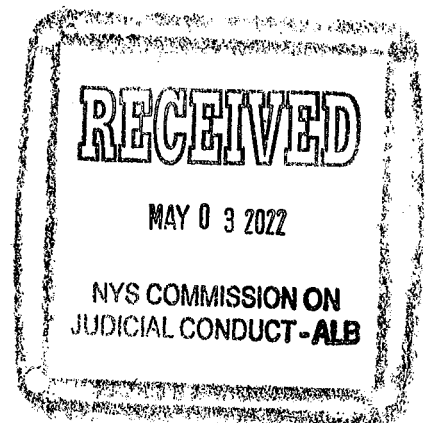
Apologies on all fronts. Attached please find the response I had prepared for reading at that future appearance. I trust I have caught up with the process at this point, and that my response/explanation is now officially received and in the correct hands.

I thank you for your patience (which I expect was wearing thin) and will await contact from the commission after a decision is rendered.

Thank you,



H. Raymond Kennedy



NYS Commission on Judicial Conduct

14 April, 2022

Albany New York

Dear Ms. Klein:

When I testified earlier this year in front of the Commission, I recall having denied on a number of occasions that I "acted inappropriately...or did anything wrong..."

I now regret having said that - and with the benefit of several months of reflection, realize that I had, in fact, acted and spoken inappropriately.

For this reason, I have not retained an attorney to defend me in this matter - as I do not feel that I would have a valid defense to the allegations.

I have one request: when the commission considers resolving my charges: that you place greater emphasis on my motives as opposed to my actions.

Primarily, I wanted to stress that at no time was I attempting to curry favor with the court or influence the judge's decision when I announced that I was a town justice. Judge Wooton knew who I was. I had been president and vice president of the county magistrates association. There were only three persons in the courtroom; they were all aware of my position, and therefore entering that fact into the record wouldn't have rendered any advantage. My reason was to inform the court of the plaintiff's combative, erratic and hostile conduct from the day we met straight through to the date when he threatened my court staff, which I felt at the time went to his truthfulness and credibility with regard to his business dealings in attempting to rent the apartment.

The mistake I made (among others...) was in treating this small claims matter - strictly a financial argument - as if I were testifying in a criminal trial.

For the record, this was totally unacceptable. However, I let my emotions get the best of me. As the record will reflect, Mr. Romulus came to my house, liked both apartments, and agreed to rent one that my wife showed him. At the time of the incident, I had left to go to Home Depot. Several minutes later, My wife called crying and I'm a panic, saying that Mr. Romulus was acting violently and had threatened her. I immediately returned, confronted him, and ordered him off the property. His wife later apologized to Deb, saying that her husband "had a problem with women and could be violent..." She seemed sincere and for a time thereafter Deb was at a point of allowing them to take the apartment...however the subject continued his hostile behavior. After letting it slip that he was being evicted, he also altered a check we returned to him by making false notations on it, which he later accused my wife of doing.

Subsequently, the deal fell through, and we ended up losing the month's rental.

Shortly thereafter, the subject returned and left threatening notes and texts. When my wife told him "You can take us to court .." he returned to the house, threatened my other tenants, and told them to "get out of the house because I'm going to burn it down..." Mr. Romulus was subsequently arrested.

Several months later, he showed up at my court, attempting to file a claim. When my court clerk advised the subject that it would in all probability be transferred to another jurisdiction, Mr. Romulus again became violent. Ms. Kohrs called my co-judge in another office for assistance, and at this point the subject became so combative and hostile to the two of them - both females - that they called the police.

Notwithstanding all of the above - we finally ended up in the Town of Catskill Court. Back to my actions therein.

As I stated above, I let my emotions get the best of me, and introduced information on that day had no place in a Small Claims matter. I had been upset at Mr. Romulus' threatening behavior to the women, his conduct at my house, his lies about the circumstances of the rental agreement, and altering the check.

I should not have allowed my feelings to guide my comments (and for that matter, probably should not have even attended the trial...)

In my initial statements to the commission, I believe I even further dug my heels in and refused to admit that I had acted inappropriately because I had read in the charges that the subject had alleged that I had referred to him by use of the "N" word. It then became obvious to me that Mr. Romulus was further attempting to sabotage my reputation by calling me a racist - a charge that once leveled is almost impossible to refute or defend one's self from. (as the saying goes, "a bell once rung cannot be unring...") Hence, yet another factor in this matter which clouded my judgement in response to your questions.

However, I cannot take back my actions - only admit they were wrong and take responsibility.

I have served as a Town Justice for 15 years without blemish. I have (until this incident) taken pride in my years on The Bench. I regret having allowed my emotions to dictate my conduct... extremely unprofessional.

Again, I request that in deciding this issue, the Commission take into account my explanation...despite the fact that an explanation is not a defense.

Thank you.



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H. Raymond Kennedy