

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

JAMES H. RIDGEWAY,

DETERMINATION

a Justice of the Richland Town Court,
Oswego County.

THE COMMISSION:

Joseph W. Belluck, Esq., Chair
Taa Grays, Esq., Vice Chair
Honorable Fernando M. Camacho
Stefano Cambareri, Esq.
Brian C. Doyle, Esq.
Honorable John A. Falk
Honorable Robert J. Miller
Nina M. Moore, Ph.D.
Marvin Ray Raskin, Esq.
Honorable Anil C. Singh
Akosua Garcia Yeboah

APPEARANCES:

Robert H. Tembeckjian (John J. Postel and David M. Duguay, Of
Counsel) for the Commission

Robert F. Julian for respondent

Respondent, James H. Ridgeway, a Justice of the Richland Town Court,

Oswego County, was served with a Formal Written Complaint (“Complaint”) dated August 2, 2024 containing two charges. Charge I of the Complaint alleged that from June 2006 through May 2017, respondent engaged in prohibited political activity by making 179 prohibited political contributions totaling more than \$4,400. Charge II alleged that from March 2019 through April 2023, respondent engaged in prohibited political activity by making 116 prohibited political contributions, attributed to him through his wife, totaling more than \$1,600.

On November 1, 2024, the Administrator, respondent’s counsel and respondent entered into an Agreed Statement of Facts (“Agreed Statement”) pursuant to Section 44, subdivision 5, of the Judiciary Law, stipulating that the Commission make its determination based upon the agreed facts, recommending that respondent be admonished and waiving further submissions and oral argument.

On December 12, 2024, the Commission accepted the Agreed Statement and made the following determination:

1. Respondent has been a Justice of the Richland Town Court, Oswego County, since 2000. His current term expires on December 31, 2027. He previously served as an Acting Justice of the Pulaski Village Court, Oswego County, from 2001 to 2012. Respondent is not an attorney.

As to Charge I of the Formal Written Complaint

2. In early 2006, respondent became a staff representative with the United Steelworkers Union (“USW”).

3. In connection with his USW employment, respondent made political contributions to the United Steelworkers Political Action Fund (“USW PAF”), ActBlue, and Bernie 2016.

4. The USW PAF is a fund for member contributions that are used to support the union’s efforts to elect pro-worker, pro-union lawmakers.

5. From June 15, 2006 to May 31, 2017, respondent made 138 contributions to the USW PAF, totaling approximately \$3,311. Respondent’s contributions to the USW PAF were paid through automatic payroll deductions that he authorized.

6. ActBlue is an online fundraising platform for Democratic candidates, organizations identified as “progressive,” and certain nonprofit organizations. ActBlue is a conduit for small-dollar donors to contribute to political candidates and organizations of their choice.

7. From October 10, 2006 to October 27, 2016, respondent made 33 contributions to ActBlue totaling approximately \$824. Respondent made these contributions to ActBlue on a credit card in his own name, the bills for which respondent paid through his personal checking account.

8. “Bernie 2016” refers to the campaign of United States Senator Bernie Sanders, who was a candidate for the Democratic Party’s presidential nomination in 2016.

9. From August 25, 2015 to April 8, 2016, respondent made eight contributions to *Bernie 2016* totaling approximately \$265. Respondent’s contributions to *Bernie 2016* were made on a credit card in respondent’s name, the bills for which respondent paid through his personal checking account.

As to Charge II of the Formal Written Complaint

10. In June 2017, respondent retired from employment with USW and his payroll deductions ended. Nevertheless, ActBlue continued to communicate electronically with respondent and/or his wife, seeking political contributions, including contributions to ActBlue directly and contributions earmarked for specific entities through ActBlue.

11. From March 31, 2019 to April 16, 2023, respondent’s wife made 109 contributions to ActBlue, totaling approximately \$1,306. Respondent’s wife made these contributions using a credit card in respondent’s name, the bills for which respondent paid through his personal checking account. Attendant to these payments, respondent’s wife listed respondent’s name as the contributor and indicated that respondent was employed by the Town of Richland as a judge or part-time judge.

12. “Stop Republicans” is a program of the Progressive Turnout Project, dedicated to defeating Republican Party candidates and causes and encouraging support of Democratic Party candidates and causes.

13. From August 11, 2020 to November 13, 2020, respondent’s wife made seven contributions to Stop Republicans, totaling \$322. Respondent’s wife made these contributions using a credit card in respondent’s name, the bills for which respondent paid through his personal checking account. Attendant to these payments, respondent’s wife listed respondent’s name as the contributor and indicated that respondent was not employed, notwithstanding that he was at the time employed as a Justice of the Richland Town Court.

Additional Factors

14. Respondent has been cooperative and contrite throughout the Commission’s investigation.

15. Respondent acknowledges that before making political contributions, he should have researched pertinent decisions of the Commission and opinions of the Advisory Committee on Judicial Ethics, which constrain judges from making such contributions.

16. Respondent now recognizes that it was improper for him, as a judge, to cede to his spouse, employer or anyone else, the authority and means to make political contributions, in his name, that he did not approve or were otherwise

prohibited. He commits to being more vigilant in this regard for the remainder of his judicial service.

Upon the foregoing findings of fact, the Commission concludes as a matter of law that respondent violated Sections 100.1, 100.2(A), and 100.5(A)(1)(h) of the Rules Governing Judicial Conduct (“Rules”) and should be disciplined for cause, pursuant to Article VI, Section 22, subdivision a, of the New York State Constitution and Section 44, subdivision 1, of the Judiciary Law. Charges I and II of the Formal Written Complaint are sustained insofar as they are consistent with the above findings and conclusions and respondent’s misconduct is established.

The Rules require judges to maintain high standards of conduct and to “act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.” (Rules, §§100.1, 100.2(A)) The Rules also provide that judges must refrain from directly or indirectly engaging in political activity, including making contributions to a political organization or candidate. (Rules, §100.5(A)(1)(h)) Respondent acknowledged that he violated the Rules by making prohibited political contributions to the United Steelworkers Political Action Fund, ActBlue, Bernie 2016 and Stop Republicans.

The Court of Appeals upheld the restrictions on political activity by judges set forth in Section 100.5(A)(1)(h) of the Rules stating, “the rules are

constitutionally permissible because they are narrowly tailored to further a number of compelling state interests, including preserving the impartiality and independence of our state judiciary and maintaining public confidence in New York State's court system." *In re Raab*, 100 NY2d 305, 312 (2003). Consistent with this decision, judges have been disciplined for making prohibited political contributions, including such contributions made by their law firm about which the judge was unaware. *Matter of Sakowski*, 2016 Ann Rep of NY Commn on Jud Conduct at 178, 185 ("The contributions by respondent's law firm were improper regardless of whether respondent was aware of them or who signed the checks. . ."); *Matter of Kelly, Jr.*, 2012 Ann Rep of NY Commn on Jud Conduct at 113, 128 ("The onus was on respondent to ensure that his law firm was in compliance with the ethical rules.").

Respondent acknowledged that he made approximately 179 contributions to political organizations and campaigns and also paid for an additional 116 prohibited political contributions that his wife attributed to him. By this conduct, respondent undermined confidence in the impartiality and independence of the judiciary and violated his ethical obligations.

In accepting the jointly recommended sanction of admonition, we have taken into consideration that respondent has acknowledged that his conduct was improper and warrants public discipline. We trust that respondent has learned

from this experience and in the future will act in strict accordance with his obligation to abide by all the Rules Governing Judicial Conduct.


By reason of the foregoing, the Commission determines that the appropriate disposition is admonition.

Mr. Belluck, Ms. Grays, Judge Camacho, Mr. Cambareri, Mr. Doyle, Judge Falk, Judge Miller, Professor Moore, Mr. Raskin, Judge Singh and Ms. Yeboah concur.

CERTIFICATION

It is certified that the foregoing is the determination of the State Commission on Judicial Conduct.

Dated: December 18, 2024



Celia A. Zahner, Esq.
Clerk of the Commission
New York State
Commission on Judicial Conduct