



NEW YORK STATE  
COMMISSION ON JUDICIAL CONDUCT

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## NEWS RELEASE

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### **Town Justice in Genesee County Resigns While Under Investigation for Sexual Harassment**

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Joseph Nowakowski, a Justice of the Bethany Town Court, Genesee County, resigned while under investigation by the New York State Commission on Judicial Conduct.

In February 2024, the Commission apprised Judge Nowakowski that it was investigating a complaint alleging that he had sexually harassed a court clerk, and that after the clerk told him to stop sending her inappropriate text messages unrelated to court business, the judge retaliated by seeking to have her employment with the court terminated.

Judge Nowakowski resigned from office on June 1, 2024, 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.<sup>1</sup>

Judge Nowakowski waived the statutory provision of confidentiality applicable to Commission proceedings, to the limited extent that the stipulation and Commission's order accepting it would be public.

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<sup>1</sup> The Stipulation was signed on June 4, 2024. The Commission issued an order accepting it on June 13, 2024.

Judge Nowakowski, who is not an attorney, has been a Justice of the Bethany Town Court since 2022. His current term would have expired on December 31, 2025.

The stipulation and the Commission's order can be found on the Commission's website: [www.cjc.ny.gov](http://www.cjc.ny.gov).

### **Statement by Commission Administrator**

Commission Administrator Robert H. Tembeckjian made the following statement.

“There is no place for sexual harassment in the courts, particularly among the judiciary, who must set and exemplify the highest standards of conduct for all to emulate. The Commission considers such matters seriously and takes action as appropriate and necessary.”

### **Statistics Relating to Prior Commission Decisions**

The Commission has accepted 135 such permanent resignation stipulations since the procedure was instituted in 2003.

Since 1978, the Commission has also issued 283 determinations of admonition against judges in New York State, 351 determinations of censure and 183 determinations of removal.

The Court of Appeals has reviewed 102 Commission determinations. The Court accepted the Commission's sanctions in 86 cases (77 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 Nowakowski was represented by Daniel M. Killelea, of Gilmour & Killelea, LLP, 11198 Alexander Road, Attica, New York 14011, (585) 937-8987.

The Commission was represented by Deputy Administrator John J. Postel, Senior Attorney David M. Duguay, and Senior Investigator Betsy Sampson.

**Background Information on Judge Nowakowski**

First took office: 2022  
 Current term expires: December 31, 2025

**Members of the Commission**

The Commission members serve four-year terms. A list of members is noted below.

**The Public File**

The stipulation and order are attached.

**MEMBERS OF THE STATE COMMISSION ON JUDICIAL CONDUCT**

<b>Member</b>	<b>Appointing Authority</b>	<b>Term End</b>
Joseph W. Belluck, Esq., Chair	Governor Kathy Hochul	March 31, 2028
Taa Grays, Esq., Vice Chair	Senate President Pro Tem Andrea Stewart-Cousins	March 31, 2027
Hon. Fernando M. Camacho	Chief Judge Rowan Wilson	March 31, 2028
Brian C. Doyle, Esq.	Senate Minority Leader Robert G. Ort	March 31, 2028
Hon. John A. Falk	Former Chief Judge Janet DiFiore	March 31, 2025
Hon. Robert J. Miller	Governor Kathy Hochul	March 31, 2026
Nina M. Moore, Ph.D.	Governor Kathy Hochul	March 31, 2027
Marvin Ray Raskin, Esq.	Assembly Speaker Carl E. Heastie	March 31, 2026
Graham B. Seiter, Esq.	Assembly Minority Leader William A. Barclay	March 31, 2025
Hon. Anil C. Singh	Chief Judge Rowan Wilson	March 31, 2026
Akosua Garcia Yeboah	Former Governor Andrew M. Cuomo	March 31, 2025