



NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT

ROBERT H. TEMBECKJIAN
ADMINISTRATOR & COUNSEL

61 BROADWAY, SUITE 1200
NEW YORK, NEW YORK 10006

MARISA E. HARRISON
RECORDS ACCESS OFFICER

646-386-4800 646-458-0037
TELEPHONE FACSIMILE
www.cjc.ny.gov

NEWS RELEASE

March 16, 2017

Contact:

Robert H. Tembeckjian, Administrator
(646) 386-4800

Livingston County Town Court Justice Resigns, Ending Inquiry into Misconduct Allegations

The New York State Commission on Judicial Conduct announced that Walter C. Purtell, a Justice of the York Town Court, Livingston County, who resigned from office effective March 8, 2017, has 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 and the Commission's Administrator, then closed its formal proceedings and investigation.¹

Judge Purtell was served with a Formal Written Complaint dated November 3, 2016, containing four charges alleging *inter alia* that he made injudicious comments, dismissed charges without notice to prosecutors and failed to effectuate the right to counsel at certain arraignments.

The judge was also apprised by the Commission in January 2017 that it was investigating a separate complaint regarding his conduct handling a recent arraignment.

Judge Purtell had served as a Justice of the York Town Court since 1998.

¹ The Stipulation was signed on February 23, 2017. The Commission accepted it on March 9, 2017, and thereafter issued an Order closing the matter.

Judge Purtell 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.

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

Statistics Relating to Prior Commission Decisions

The Commission has accepted 64 such stipulations since the procedure was instituted in 2003.

Since 1978, the Commission has issued 266 determinations of admonition against judges in New York State, 316 determinations of censure and 169 determinations of removal.

The Court of Appeals has reviewed 96 Commission determinations. The Court accepted the Commission's sanctions in 80 cases (71 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.

Statement by Commission Administrator

Commission Administrator Robert H. Tembeckjian made the following statement:

“It is essential to the rule of law for a judge to insure that all parties are afforded such fundamental protections as the right to counsel. Judge Purtell was charged with failing to do so, and his resignation, with a pledge never to return to the bench, is an appropriate resolution.”

Counsel

In the proceedings before the Commission, Judge Purtell was represented by Peter K. Skivington, Esq., 31 Main Street, Geneseo, New York 14454, (585) 243-0313.

The Commission was represented by Robert H. Tembeckjian, Administrator and Counsel to the Commission; John J. Postel, Deputy Administrator in Charge of the Rochester office; and Senior Attorney David M. Duguay. Investigator Vanessa Mangan assisted in the investigation.

Background Information on Judge Purtell

First took office: 1998
Current Term Expires: 12/31/2017

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
---	---	--

MEMBERS OF THE STATE COMMISSION ON JUDICIAL CONDUCT

Member	Appointing Authority	Term End
Joseph W. Belluck, Esq., Chair	Governor Andrew M. Cuomo	March 31, 2020
Paul B. Harding, Esq., Vice Chair	Assembly Minority Leader Brian M. Kolb	March 31, 2021
Hon. Rolando T. Acosta	Former Chief Judge Jonathan Lippman	March 31, 2018
Joel Cohen, Esq.	Former Assembly Speaker Sheldon Silver	March 31, 2018
Jodie Corngold	Governor Andrew M. Cuomo	March 31, 2019
Richard D. Emery	Senate Minority Leader Andrea Stewart-Cousins	March 31, 2020
Hon. Thomas A. Klonick	Former Chief Judge Jonathan Lippman	March 31, 2017
Hon. Leslie G. Leach	Chief Judge Janet DiFiore	March 31, 2020
Richard A. Stoloff, Esq.	Former Senate President Pro Tem Dean Skelos	March 31, 2019
Hon. David A. Weinstein	Governor Andrew M. Cuomo	March 31, 2018
Akosua Garcia Yeboah	Governor Andrew M. Cuomo	March 31, 2021