



NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT

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NEWS RELEASE

June 22, 2018

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Chemung County Town Court Justice Resigns Amid Inquiry into His Residency Qualifications

The New York State Commission on Judicial Conduct announced that Thomas P. Brooks, II, a Justice of the Veteran Town Court, Chemung County, who resigned from office effective June 6, 2018, 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, his attorney and the Commission's Administrator and closed its investigation.¹

In February 2018, the Commission apprised Judge Brooks that it was investigating a complaint that he resides in Erin, New York, in violation of the statutory requirement that he reside in Veteran, the town he serves as justice.²

¹ The Stipulation was signed on April 17, 2018. The Commission accepted it on June 13, 2018, and thereafter issued an Order closing the matter.

² New York Town Law Section 23 requires that an elected town justice must qualify as an elector of the town, at the time of election and throughout the term of office, with one exception: two adjoining towns may enter into a shared-court agreement. The Town of Veteran has no such arrangement, and in any event, the Town of Erin does not adjoin Veteran.

Judge Brooks 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.

Prior Discipline

In 2007, Judge Brooks was censured for failing to adequately supervising his court staff, resulting in the negligent handling of court funds and other administrative lapses.

Statistics Relating to Prior Commission Decisions

The Commission has accepted 77 such stipulations since the procedure was instituted in 2003.

Since 1978, the Commission has issued 268 determinations of admonition against judges in New York State, 321 determinations of censure and 172 determinations of removal.

The Court of Appeals has reviewed 97 Commission determinations. The Court accepted the Commission's sanctions in 81 cases (72 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. Two requests for review are pending.

Statement by Commission Administrator

Commission Administrator Robert H. Tembeckjian made the following statement.

“A judge must meet the statutory residency requirements necessary to hold judicial office. Failure to do so is disqualifying.”

Counsel

In the proceedings before the Commission, Judge Brooks was represented by Christopher Denton, 311 Lake Street, Elmira, New York 14901, (607) 734-0661.

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 M. Kathleen Martin. Investigator Betsy Sampson assisted in the investigation.

Background Information on Judge Brooks

First Took Office:	1997
Current Term Expires:	December 31, 2019
Salary:	\$9,879 (Source: Seethroughny.net)

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
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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
Jodie Corngold	Governor Andrew M. Cuomo	March 31, 2019
Taa Grays, Esq.	Senate Minority Leader Andrea Stewart-Cousins	March 31, 2020
Hon. John A. Falk	Chief Judge Janet DiFiore	March 31, 2021
Hon. Leslie G. Leach	Chief Judge Janet DiFiore	March 31, 2020
Hon. Angela M. Mazzairelli	Chief Judge Janet DiFiore	March 31, 2022
Marvin Ray Raskin, Esq.	Assembly Speaker Carl E. Heastie	March 31, 2022
Richard A. Stoloff, Esq.	Former Senate President Pro Tem Dean Skelos	March 31, 2019
Akosua Garcia Yeboah	Governor Andrew M. Cuomo	March 31, 2021
Vacant	Governor Andrew M. Cuomo	March 31, 2022