

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

PHILIP A. CRANDALL,

STIPULATION

a Justice of the Coeymans Town Court and
an Acting Justice of Ravena Village Court,
Albany County.

IT IS HEREBY STIPULATED AND AGREED by and between Robert H. Tembeckjian, Esq., Administrator and Counsel to the Commission, and the Honorable Philip A. Crandall (“Respondent”), who is represented in these proceedings by Scott W. Bush, Esq., as follows:

1. Respondent has been an Acting Justice of the Ravena Village Court, Albany County, since 2008, and a Justice of the Coeymans Town Court, Albany County, since 2012. Respondent’s current term as Acting Ravena Village Justice expires on May 31, 2014. His term as Coeymans Town Justice expires on December 31, 2015. Respondent is not an attorney.
2. Respondent was served with a Formal Written Complaint dated October 30, 2013, containing four charges.
3. The Formal Written Complaint is appended as Exhibit 1.
4. Respondent filed an Answer dated November 18, 2013, which is appended as Exhibit 2.

5. A hearing before a referee designated by the Commission has been scheduled to commence on March 10, 2014.

6. Respondent tendered his resignations, dated February 17 and 20, 2014, copies of which are annexed as Exhibit 3 and Exhibit 4, effective February 28, 2014.

Respondent affirms that he will vacate both judicial offices as of close of business on February 28, 2014.

7. Pursuant to Section 47 of the Judiciary Law, the Commission has 120 days from the date of a judge's resignation to complete proceedings, and if the Commission determines that the judge should be removed from office, file a determination with the Court of Appeals.

8. Respondent affirms that, having vacated his judicial office, he will neither seek nor accept judicial office at any time in the future.

9. Respondent understands that, should he abrogate the terms of this Stipulation and hold any judicial position at any time, the present proceedings before the Commission will be revived and the matter will proceed to a hearing before a referee.

10. Upon execution of this Stipulation by the signatories below, this Stipulation will be presented to the Commission with the joint recommendation that the matter be concluded, by the terms of this Stipulation, without further proceedings.

11. Respondent waives confidentiality as provided by Section 45 of the Judiciary Law, to the extent that (1) this Stipulation will become public upon being signed by the signatories below, and (2) the Commission's Decision and Order regarding this Stipulation will become public.

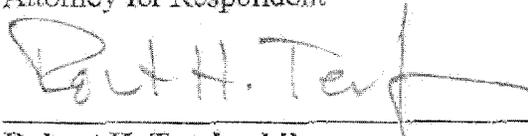
Dated: 2/25/2014


Honorable Philip A. Crandall
Respondent

Dated: 2/25/2014


Scott W. Bush, Esq.
Corrigan, McCoy & Bush, PLLC
Attorney for Respondent

Dated: February 25, 2014


Robert H. Tembeckjian
Administrator and Counsel to the Commission
(S. Peter Pedrotty, Of Counsel)

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

PHILIP A. CRANDALL,

a Justice of the Coeymans Town Court and
an Acting Justice of Ravena Village Court,
Albany County.

**NOTICE OF FORMAL
WRITTEN COMPLAINT**

NOTICE is hereby given to Respondent, Philip A. Crandall, a Justice of the Coeymans Town Court and an Acting Justice of the Ravena Village Court, Albany County, pursuant to Section 44, subdivision 4, of the Judiciary Law, that the State Commission on Judicial Conduct has determined that cause exists to serve upon Respondent the annexed Formal Written Complaint; and that, in accordance with said statute, Respondent is requested within twenty (20) days of the service of the annexed Formal Written Complaint upon him to serve the Commission at its Albany office, Corning Tower, Suite 2301, Albany, New York 12223, with his verified Answer to the specific paragraphs of the Complaint.

Dated: October 30, 2013
New York, New York

ROBERT H. TEMBECKJIAN
Administrator and Counsel
State Commission on Judicial Conduct
61 Broadway, Suite 1200
New York, New York 10006
(646) 386-4800

To: Scott W. Bush, Esq.
Attorney for Respondent
Corrigan, McCoy & Bush, PLLC
220 Columbia Turnpike
Rensselaer, New York 12144

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

**FORMAL
WRITTEN COMPLAINT**

PHILIP A. CRANDALL,

a Justice of the Coeymans Town Court and
an Acting Justice of Ravena Village Court,
Albany County.

1. Article 6, Section 22, of the Constitution of the State of New York establishes a Commission on Judicial Conduct (“Commission”), and Section 44, subdivision 4, of the Judiciary Law empowers the Commission to direct that a Formal Written Complaint be drawn and served upon a judge.

2. The Commission has directed that a Formal Written Complaint be drawn and served upon Philip A. Crandall (“Respondent”), a Justice of the Coeymans Town Court and an Acting Justice of the Ravena Village Court, Albany County.

3. The factual allegations set forth in Charges I through IV state acts of judicial misconduct by Respondent in violation of the Rules of the Chief Administrator of the Courts Governing Judicial Conduct (“Rules”).

4. Respondent has been an Acting Justice of the Ravena Village Court, Albany County, since 2008, and a Justice of the Coeymans Town Court, Albany County, since 2012. Respondent’s current term as Acting Ravena Village Justice expires on May 31, 2014. His term as Coeymans Town Justice expires on December 31, 2015. Respondent is not an attorney.

CHARGE I

5. In or about March and April 2012, Respondent improperly intervened on behalf of the defendant in *People v Jeffrey Touchette*, a traffic case which was returnable before Respondent's co-judge, and granted a lenient disposition to the defendant, the son of a former member of the Coeymans Town Board.

Specifications to Charge I

6. Jeffrey Touchette is Richard Touchette's son.

7. From in or about 2008 to in or about 2011, Richard Touchette was a member of the Coeymans Town Board. In 2011, Mr. Touchette was running for reelection to the Town Board, and Respondent was running for the Coeymans Town Justice position. Respondent and Mr. Touchette campaigned together. Respondent was elected Town Justice. Mr. Touchette was not reelected to the Town Board.

8. On or about January 18, 2012, Jeffrey Touchette was charged with failure to stop at a stop sign, in violation of Section 1172(a) of the Vehicle and Traffic Law ("VTL"). The traffic ticket was returnable in the Ravena Village Court on February 8, 2012.

9. On or about February 8, 2012, Jeffrey Touchette entered a not-guilty plea on a plea form and gave it to the court clerk.

10. By letter dated February 14, 2012, the court clerk advised Jeffrey Touchette that the court had received his not-guilty plea and scheduled an appearance/pre-trial conference date for April 4, 2012.

11. In or about February or March 2012, Respondent saw Richard Touchette at church. Richard Touchette told Respondent, in sum or substance, that Respondent would be seeing Jeffrey Touchette in court.

12. In or about February or March 2012, Jeffrey Touchette received by mail an unsolicited memorandum of plea bargain from the office of the Ravena Village Prosecutor, Gregory Teresi. Respondent's signature and Mr. Teresi's signature were already on the memorandum of plea bargain, along with a typewritten reduction from "1172(A)" to an "ACOD" and a typewritten "X" next to "Difficulties in proof." The memorandum of plea bargain was not dated. Jeffrey Touchette signed the memorandum of plea bargain and returned it to the court.

13. It was not Mr. Teresi's normal practice to send plea agreements to unrepresented defendants such as Mr. Touchette. Mr. Teresi's standard plea offer for failure to stop at a stop sign would be a reduction to parking on pavement, in violation of VTL § 1201(a).

14. On or about April 2, 2012, Ravena Village Court Clerk Gloria Stanton began preparing for the court night scheduled for April 4, 2012, by printing the court calendar and compiling all of the traffic tickets that were scheduled to be heard that night, including Jeffrey Touchette's.

15. On or before April 4, 2012, Respondent asked Ravena Village Court Clerk Gloria Stanton for the *Touchette* file, notwithstanding that the *Touchette* matter was scheduled to be heard before Respondent's co-judge, Ravena Village Justice Harold Warner, III. Ms. Stanton did not provide the file to Respondent.

16. On or about April 4, 2012, Judge Warner was presiding. Respondent was also present in court, although he was not scheduled to preside over any matters.

17. On or about April 4, 2012, Jeffrey Touchette appeared in Ravena Village Court and signed in on the court calendar.

18. After Jeffrey Touchette signed in, Ms. Stanton looked in the compiled tickets for Jeffrey Touchette's file but was unable to find it. Later in the evening, Respondent gave Jeffrey Touchette's ticket and the memorandum of plea bargain to Ms. Stanton and said, in sum or substance, "I handled this ticket."

19. On or about April 4, 2012, Judge Warner called the *Touchette* matter and Jeffrey Touchette appeared before him. After explaining to Mr. Touchette that the Prosecutor was offering him an Adjournment in Contemplation of Dismissal ("ACOD") and confirming that the defendant understood the meaning of an ACOD, Judge Warner said on the record, "Judge Crandall has agreed to that term. You're all set." A copy of the fully-executed memorandum of plea bargain is annexed as Exhibit 1.

20. By reason of the foregoing, Respondent should be disciplined for cause, pursuant to Article 6, Section 22, subdivision (a), of the Constitution and Section 44, subdivision 1, of the Judiciary Law, in that Respondent failed to uphold the integrity and independence of the judiciary by failing to maintain high standards of conduct so that the integrity and independence of the judiciary would be preserved, in violation of Section 100.1 of the Rules; and failed to avoid impropriety and the appearance of impropriety, in that he failed to respect and comply with the law and failed to act in a manner that promotes public confidence in the integrity and impartiality of the judiciary, in violation

of Section 100.2(A) of the Rules, allowed a personal relationship to influence his judicial conduct or judgment, in violation of Section 100.2(B) of the Rules, and lent the prestige of judicial office to advance the private interest of another and conveyed the impression that the defendant or his father was in a special position to influence the judge, in violation of Section 100.2(C) of the Rules.

CHARGE II

21. In or about September 2012, Respondent failed to disqualify himself and took judicial action in *People v James A. Albano* and granted a lenient disposition to the defendant, notwithstanding that the defendant was his brother-in-law.

Specifications to Charge II

22. James A. Albano is Respondent's brother-in-law. Respondent has been married to Mr. Albano's sister for more than 30 years.

23. On or about May 23, 2012, James A. Albano was charged with no inspection certificate, in violation of Section 306(b) of the VTL. The ticket was returnable in the Coeymans Town Court on June 14, 2012.

24. On or about June 14, 2012, Mr. Albano appeared at the Coeymans Town Court and met with the Coeymans Town Prosecutor, Gregory Teresi, before appearing before Respondent's co-judge, Coeymans Town Justice George J. Dardani, Jr. Judge Dardani adjourned the case to August 30, 2012, to allow Mr. Albano time to get his motor vehicle inspection certificate. Mr. Albano did not appear in court on August 30, 2012.

25. In or about early September 2012, Mr. Albano went to the court clerk's office and spoke with Coeymans Town Court Clerk Kevin Reilly. Mr. Reilly gave Mr. Albano a new court date of September 13, 2012.

26. On or about September 13, 2012, Mr. Albano appeared in the Coeymans Town Court. Respondent was presiding and disposed of the *Albano* case by accepting Mr. Albano's guilty plea to a reduced charge of parking on pavement, in violation of Section 1201(a) of the VTL, and imposed a \$25 fine. Respondent did not disclose his relationship with Mr. Albano. A copy of the memorandum of plea bargain is annexed as Exhibit 2.

27. On or about September 17, 2012, Respondent spoke by telephone with Mr. Teresi. Respondent said, in sum or substance, that he should have recused himself from the *Albano* matter because he had a conflict of interest.

28. On or about September 24, 2012, Mr. Teresi filed a motion with Judge Dardani requesting that he vacate the judgment of conviction in *People v Joseph Albano*.

29. By letter dated October 2, 2012, Judge Dardani recused himself from the *Albano* case.

30. By order dated October 16, 2012, County Court Judge Stephen W. Herrick transferred the case to another court.

31. By reason of the foregoing, Respondent should be disciplined for cause, pursuant to Article 6, Section 22, subdivision (a), of the Constitution and Section 44, subdivision 1, of the Judiciary Law, in that Respondent failed to uphold the integrity and independence of the judiciary by failing to maintain high standards of conduct so that the

integrity and independence of the judiciary would be preserved, in violation of Section 100.1 of the Rules; failed to avoid impropriety and the appearance of impropriety, in that he failed to respect and comply with the law and failed to act in a manner that promotes public confidence in the integrity and impartiality of the judiciary, in violation of Section 100.2(A) of the Rules, allowed a family relationship to influence his judicial conduct or judgment, in violation of Section 100.2(B) of the Rules, and lent the prestige of his judicial office to advance a family member's private interests and conveyed the impression that the defendant was in a special position to influence the judge, in violation of Section 100.2(C) of the Rules; and failed to perform the duties of judicial office impartially and diligently, in that he failed to be faithful to the law and maintain professional competence in it, in violation of Section 100.3(B)(1) of the Rules, and failed to disqualify himself in a proceeding in which his impartiality might reasonably be questioned, in that the judge knows that the judge or the judge's spouse, or a person known by the judge to be within the sixth degree of relationship to either of them, is a party to the proceeding, in violation of Section 100.3(E)(1)(d)(i) of the Rules.

CHARGE III

32. In or about August 2012, Respondent failed to disqualify himself and took judicial action in *People v Thomas E. Dolan*, in which the defendant was charged with speeding, notwithstanding that the defendant was a member of the Coeymans Town Board who participates in setting Respondent's judicial salary. Respondent also failed to disclose his relationship with Mr. Dolan.

Specifications to Charge III

33. Thomas E. Dolan is a member of the Coeymans Town Board. He first was appointed to the position in or about October 2010 and then was elected to a four-year term in November 2011. Mr. Dolan and Respondent campaigned together during the 2011 election, when Respondent was a candidate for election as Coeymans Town Justice.

34. As a member of the Coeymans Town Board, Mr. Dolan participates in setting Respondent's judicial salary.

35. On or about May 26, 2012, Mr. Dolan was charged with speeding, in violation of Section 1180(d) of the VTL. The ticket was returnable in the Coeymans Town Court on June 7, 2012.

36. On or before June 6, 2012, Mr. Dolan entered a not-guilty plea by mail.

37. By letter dated June 7, 2012, Coeymans Town Justice George J. Dardani, Jr., advised Mr. Dolan that the court had received his plea and scheduled an appearance/pre-trial conference for July 26, 2012.

38. On or about July 26, 2012, Mr. Dolan appeared in the Coeymans Town Court. He met with the Coeymans Town Prosecutor, Gregory Teresi, who offered him a reduction to a charge of parking on pavement, in violation of Section 1201(a) of the VTL. Mr. Dolan and Mr. Teresi signed a memorandum of plea bargain agreeing to those terms.

39. Mr. Dolan then appeared before Judge Dardani who, according to the court's case history report, recused himself "because the defendant is a current Town Board member."

40. According to the court's case history report, on or about August 2, 2012, the *Dolan* case was transferred to Respondent, who "accepted plea sheet reducing charge to vtl 1201-a: Park on Pavement, Sentence: Fine \$25."

41. Respondent did not disclose his relationship to Mr. Dolan on the record.

42. By letter dated August 3, 2012, the court advised Mr. Dolan that it accepted his guilty plea to a violation of Section 1201(a) of the VTL and imposed a \$25 fine. A copy of the letter is annexed as Exhibit 3.

43. On or about August 10, 2012, Mr. Dolan paid the fine. A copy of the Simplified Information signed by Respondent is annexed as Exhibit 4.

44. By reason of the foregoing, Respondent should be disciplined for cause, pursuant to Article 6, Section 22, subdivision (a), of the Constitution and Section 44, subdivision 1, of the Judiciary Law, in that Respondent failed to uphold the integrity and independence of the judiciary by failing to maintain high standards of conduct so that the integrity and independence of the judiciary would be preserved, in violation of Section 100.1 of the Rules; failed to avoid impropriety and the appearance of impropriety, in that he failed to respect and comply with the law and failed to act in a manner that promotes public confidence in the integrity and impartiality of the judiciary, in violation of Section 100.2(A) of the Rules, allowed a political relationship to influence his judicial conduct or judgment, in violation of Section 100.2(B) of the Rules, and lent the prestige of judicial office to advance his own or the defendant's private interests, and conveyed the impression that the defendant was in a special position to influence the judge, in violation of Section 100.2(C) of the Rules; and failed perform the duties of judicial office

impartially and diligently, in that he failed to disqualify himself in a proceeding in which his impartiality might reasonably be questioned, in violation of Section 100.3(E)(1) of the Rules, or to disclose on the record the basis for remittal of his disqualification, in violation of Section 100.3(F) of the Rules.

CHARGE IV

45. In or about April 2013, Respondent improperly intervened and invoked his judicial office in a dispute between the local police and his son-in-law and daughter when he (A) called the Coeymans Police Department and identified himself to the dispatcher as “Judge Crandall” and (B) subsequently told Police Chief Gregory A. Darlington that (i) the police had unlawfully entered the residence of his daughter and son-in-law, (ii) his son-in-law was considering suing the police, (iii) the police might avoid a lawsuit if the police apologized, and (iv) the Town Supervisor might use the incident to argue that the Police Department should be closed.

Specifications to Charge IV

46. At all times relevant herein, Anthony Walsh was married to Respondent’s daughter, Jenna Crandall, and they resided together in the Village of Ravena.

47. On or about April 2, 2013, Coeymans Police Department Investigator Gerald R. Deluca responded to a call from the clerk’s office of the Village of Ravena, reporting that a water and sewer bill from Anthony Walsh contained suspicious notations including the words “firearms or guns” and “strangulation.”

48. Investigator Deluca went to the residence of Anthony Walsh and Jenna Crandall to inquire about the notations on the bill, and he found the residence’s door ajar.

Investigator Deluca called for backup and after several officers arrived, Investigator Deluca and the other officers entered the home and conducted a safety-sweep of the residence.

49. After securing the residence and finding no one inside, Investigator Deluca telephoned Mr. Walsh after obtaining his cell-phone number from a police dispatcher. Investigator Deluca explained what had happened and asked Mr. Walsh about the notations on the water and sewer bill. Mr. Walsh said that his mother-in-law, Respondent's wife, had written the notations on the back of the bill.

50. Investigator Deluca called Respondent and left him a voicemail message regarding the incident at his son-in-law's residence.

51. Investigator Deluca next called and spoke with Respondent's wife, who explained that she had written the notations on the bill during a conversation with her brother regarding an order of protection that had been issued against him.

52. Respondent returned Investigator Deluca's phone call and expressed his disapproval of the officers' entry into Mr. Walsh's residence without a warrant.

53. On or about April 4, 2013, Respondent telephoned the Coeymans Police Department, identified himself to the dispatcher as "Judge Crandall" and asked to speak with Police Chief Gregory A. Darlington. When the dispatcher told Respondent the Police Chief was not in the office, Respondent directed the dispatcher to have the Police Chief call him. A transcript of the telephone conversation is annexed as Exhibit 5.

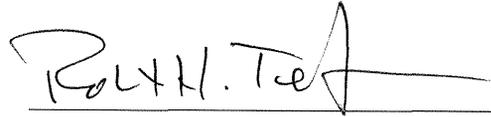
54. On or about April 4, 2013, Chief Darlington called Respondent and addressed him as "Judge Crandall." Respondent told Chief Darlington that the police had

violated the law by entering Mr. Walsh's home without a warrant and that Mr. Walsh was considering taking legal action against the Police Department. Respondent added, "I think we can make this all go away" if the police apologized to Respondent's son-in-law (Mr. Walsh) and daughter. Respondent also warned that Town Supervisor Stephen Flach may use the incident to make a case for closing the Police Department. A transcript of the telephone conversation is annexed as Exhibit 6.

55. By reason of the foregoing, Respondent should be disciplined for cause, pursuant to Article 6, Section 22, subdivision (a), of the Constitution and Section 44, subdivision 1, of the Judiciary Law, in that Respondent failed to uphold the integrity and independence of the judiciary by failing to maintain high standards of conduct so that the integrity and independence of the judiciary would be preserved, in violation of Section 100.1 of the Rules; failed to avoid impropriety and the appearance of impropriety, in that he failed to respect and comply with the law and failed to act in a manner that promotes public confidence in the integrity and impartiality of the judiciary, in violation of Section 100.2(A) of the Rules, allowed a family relationship to influence his judicial conduct or judgment, in violation of Section 100.2(B) of the Rules, and lent the prestige of judicial office to advance the private interest of others, in violation of Section 100.2(C) of the Rules; and failed to conduct his extra-judicial activities as to minimize the risk of conflict with judicial obligations, in that he failed to conduct his extra-judicial activities so that they do not cast reasonable doubt on his capacity to act impartially as a judge, or interfere with the performance of judicial duties and are not incompatible with judicial office, in violation of Sections 100.4(A)(1) and 100.4(A)(3) of the Rules.

WHEREFORE, by reason of the foregoing, the Commission should take whatever further action it deems appropriate in accordance with its powers under the Constitution and the Judiciary Law of the State of New York.

Dated: October 30, 2013
New York, New York

A handwritten signature in black ink, appearing to read "R. H. Tembeckjian", written over a horizontal line.

ROBERT H. TEMBECKJIAN
Administrator and Counsel
State Commission on Judicial Conduct
61 Broadway
Suite 1200
New York, New York 10006
(646) 386-4800

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

VERIFICATION

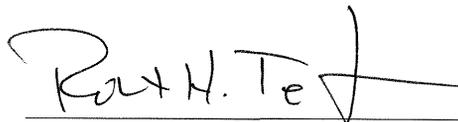
PHILIP A. CRANDALL,

a Justice of the Coeymans Town Court and
an Acting Justice of Ravena Village Court,
Albany County.

STATE OF NEW YORK)
 : ss.:
COUNTY OF NEW YORK)

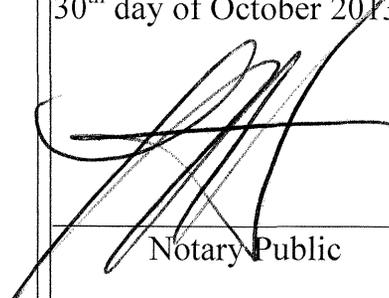
ROBERT H. TEMBECKJIAN, being duly sworn, deposes and says:

1. I am the Administrator of the State Commission on Judicial Conduct.
2. I have read the foregoing Formal Written Complaint and, upon information and belief, all matters stated therein are true.
3. The basis for said information and belief is the files and records of the State Commission on Judicial Conduct.



Robert H. Tembeckjian

Sworn to before me this
30th day of October 2013



Notary Public

LAURA ARCHILLA SOTO
NOTARY PUBLIC-STATE OF NEW YORK
No. 01AR6236502
Qualified in Bronx County
My Commission Expires February 28, 2015

State of New York
County of Albany

Village Court
Village of Ravena

The People of the State of New York
- against -

Memorandum of Plea Bargain -

Jeffrey Touchette Defendant

Original Charges :

- A. 1172(A) (reduced to) ACOD
- B. _____ (reduced to) _____
- C. _____ (reduced to) _____
- D. _____ (reduced to) _____

Defendant offers plea to charge(s) _____
in full satisfaction of all charges outstanding against defendant.

Defendant moves for adjournment in contemplation of dismissal.

CPL 170.55 CPL 170.56

The people consent to such disposition for the following reasons :

- No prior record Difficulties in proof
- Interests of Justice - Lists reasons.

Fine _____

Surcharge _____

- 1.
- 2.
- 3.

CONTROL DATE _____

Conditions of Agreement

None

No promise made as to sentence.

The following promise made as to sentence.

The above constitutes the agreement among the people, the Defendant, and the Court as to the disposition of (he above original charge(s), and the defendant by his signature hereto affirms that he/she consents thereto with the full appreciation of his/hers rights and being fully aware of the terms of this agreement.

[Signature]
(Village Prosecutor)

(Defendant's Attorney)

Dated 4-5-12

[Signature]
(Defendant)

Approved

[Signature]
(Village Justice)



The People of the State of New York
- against -

Memorandum of Plea
Bargain

James Albano

, Defendant

- | | | | | |
|----|---------------|---------------------|--------------|---------------|
| A. | <u>306(b)</u> | Original Charge(s); | (reduced to) | <u>100(a)</u> |
| B. | | | (reduced to) | |
| C. | | | (reduced to) | |
| D. | | | (reduced to) | |
| E. | | | (reduced to) | |

- Defendant offers plea to charge(s) _____ in satisfaction of all charges outstanding against defendant.
- Defendant moves for adjournment in contemplation of dismissal. 25.00
- CPL 170.55 CPL 170.56

The People consent to such disposition for the following reasons:

- No prior record Difficulties in proof
- Interests of justice - list reasons
- 1.
 - 2.
 - 3.

Conditions of agreement: None

- No promise made as to sentence
- The following promise made as to sentence:

The above constitutes the agreement among the People, the defendant and the Court as to the disposition of the above original charge(s) and the defendant by his signature hereto affirms that he consents thereto with the full appreciation of his rights and being fully aware of the terms of this agreement.

[Signature]
(Asst. District Attorney)

[Signature]
(Defendant's Attorney)

DATED: 9/13/02

[Signature]
(Defendant)

Ravena, New York

APPROVED:

[Signature]
(Town Justice)

EXHIBIT
2

Coeymans Town Court
18 Russell Avenue
Town Building
Ravena, NY 12143

Philip A. Crandall
Town Justice

Phone: (518)756-8480
Fax: (518)756-7730

August 3, 2012

Thomas E. Dolan
Po Box 699
Coeymans, NY 12045

Case Number: 12050194
Viol. Date: 05/26/2012

Ticket Number	Statute/Section	Charge Text	Disposition	Fine	SurChg
2T100J8KSP	VTL 1201 0A	STOP/PARK VIOL	Fine	25.00	0.00

Total Due: \$ 25.00

Payment Due Date: 09/02/2012

This Court has accepted your guilty plea for the charges listed above. The listing also shows the fine(s) and mandatory surcharge imposed by New York State. Your payment of fines and surcharge must arrive in this Court before the due date shown above.

NO PERSONAL CHECKS. * MONEY ORDERS, CERTIFIED CHECKS, CHARGE CARDS ONLY! CANADIANS MUST PAY IN US FUNDS!***CANADIAN MONEY ORDERS MUST HAVE A NINE(9) DIGIT ROUTING NUMBER TO BE ACCEPTED. PLEASE RETURN THIS NOTICE WITH YOUR PAYMENT (EXACT AMOUNT ONLY) ALONG WITH A SELF ADDRESSED STAMPED ENVELOPE.

If your money is not received by the due date of this letter, the Department of Motor Vehicles in Albany will be ordered to suspend your driver's license. SUSPENDED LICENSES WILL BE SUBJECT TO A \$35.00/\$70.00 SUSPENSION TERMINATION FEE.

****PLEASE MAKE CERTIFIED CHECKS AND MONEY ORDERS PAYABLE TO COEYMANS TOWN COURT.

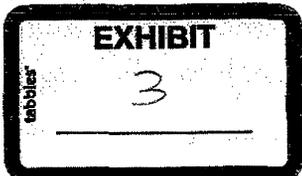
CREDIT CARD: VISA _____ MASTERCARD _____ EXPIRATION DATE: _____ 3 CHARACTER CODE: _____

CARD HOLDER: _____ CARD NUMBER: _____
(Print Name As It Appears On Card)

I hereby accept the fine amount (s) imposed by the Court and authorized payment thereof on the above-noted credit card. NOTE: Should a bank reject your transaction a suspension will be issued without further notice.

(Signature As It Appears On Card)

COURT OFFICE HOURS: Monday-Thursday: 8:30AM-12:30PM 1:30PM-4:00PM
Friday: 8:30AM-NOON



2T100J8KSP



New York State - Department of Motor Vehicles
SIMPLIFIED INFORMATION/CERTIFICATE CONCERNING VIOLATION OF LAW RELATING TO VEHICLES

The people of the State of New York
VS.

NEW YORK STATE POLICE

Last Name(Defendant) DOLAN		First Name THOMAS		M.I. E	Date of Arraignment		
Number and Street PO BOX 699		Apt. No.	Photo Lic Shown <input checked="" type="checkbox"/>	Court Adjudgment Record		Docket Number 12050194.01	
City COEYMANS	State NY	Zip Code 12045	Owner is Oper. <input checked="" type="checkbox"/>	Lic. Class D	Date From	Code	
Client ID Number 264089907	Sex M	Date Expires 01/15/2013	Date To				Requested By
Lic State NY	Date of Birth 01/15/1958	Veh. Type	Year 2012	Make CHEV	Color GY		
Plate Number FYM5452	Reg State NY	Registration Expires 11	Amount				Date
THE PERSON DESCRIBED ABOVE IS CHARGED AS FOLLOWS			Receipt No.				

Time 11:02PM	Date of Offense 05/26/2012	IN VIOLATION OF VTL
Violation Section 1180 0D	Traffic Infraction <input checked="" type="checkbox"/>	Misd <input type="checkbox"/>
Description of Violation SPEED IN ZONE	Felony <input type="checkbox"/>	
	MPH 78	MPH ZONE 65
	US DOT#	
	Comm Veh <input type="checkbox"/>	Bus <input type="checkbox"/>
	HazMat <input type="checkbox"/>	
CITY/Name TOWN OF COEYMANS	County ALBANY	Hwy.No 87
Street Name 187		Loc.Code 0152
		Hwy Type 1
		NCIC/ORI 10105

AFFIRMED UNDER PENALTY OF PERJURY

Tom DeLorenzo
(Officer's Signature)

Officer operating radar

Date of Affirmation 05/26/2012	Arrest Type 2 - Radar	Badge/Shield 1492	Officer's Com./Div./Stat. T211
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Officer's Last Name DELORENZO	M.I.
First Name S	

THIS MATTER IS SCHEDULED TO BE HANDLED ON THE APPEARANCE DATE BELOW IN:
COEYMANS TOWN COURT

Address 18 RUSSELL AVE	
City RAVENA	State NY
Zip 12143	
<input checked="" type="checkbox"/> Return by mail before or in person on:	Date 06/07/12
<input type="checkbox"/> Must appear in person on:	Time 09:00AM

FOR COURT USE ONLY

Court Code NY001101J	Justice Code 01147 0193	Date Adjudicated 8/10/12	Date Sentence Imposed 8/10/12
Charge Convicted of <input type="checkbox"/> AS ABOVE <input checked="" type="checkbox"/> VTL <input type="checkbox"/> Other	Disposition/Sentence 1201A PG	Fine 25	Surchage

Bail Forfeiture Amount \$	Date	<input type="checkbox"/> LIC <input type="checkbox"/> REG	<input type="checkbox"/> Rev <input type="checkbox"/> Susp <input type="checkbox"/> Mand. <input type="checkbox"/> Perm DAYS/MONTHS/YEAR
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DWI Test Type	DWI Test Results
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Supporting Deposition Issued: None Speeding(Gen101) Non - Speeding(Gen101a)

Bail			
Refund			
Fine	25	8/10/12	316634
Surchage			(cc)

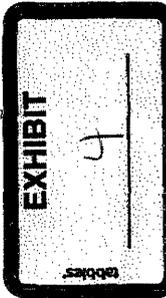
SECTION 1807 OF THE VEHICLE AND TRAFFIC LAW PROVIDES THAT DEFENDANT, IN CERTAIN CASES, MUST BE INFORMED IN SUBSTANCE AS FOLLOWS:

"A plea of guilty to this charge is equivalent to a conviction after trial. If you are convicted, not only will you be liable to a penalty, but in addition your license to drive a motor vehicle or motorcycle, and your certificate of registration, if any, are subject to suspension and revocation as prescribed by law."

To Judge or Clerk of Court: Checkmark the appropriate box or boxes below.

I HEREBY CERTIFY THAT:

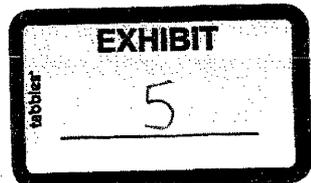
- Upon arraignment, that the above instruction was given orally to the defendant.
- The defendant appeared in response to a ticket upon which the above instructions were printed in bold type, in accordance with Section 1807 of the Vehicle and Traffic Law.
- Defendant entered a plea of guilty in writing pursuant to Section 1805 of the Vehicle and Traffic Law.



I hereby certify that the information given on this certificate is a true abstract from the records of this court.

Signature of Judge or Clerk of Court <i>David A. Crandell</i>	Date 8/10/12
Name of Judge <i>David A. Crandell</i>	

**Transcript of Telephone Conversation between
Hon. Philip A. Crandall and Dispatcher McMullen**



(Telephone Conversation Between Judge Crandall and Dispatcher McMullen)

1 DISPATCHER MCMULLEN: Coeymans Emergency Services.
2
3 Dispatcher McMullen. How can I help
4 you?
5 JUDGE CRANDALL: Dispatcher McMullen, this is Judge
6 Crandall. How are you?
7 DISPATCHER MCMULLEN: Good. How are you?
8 JUDGE CRANDALL: Good. Is the Chief of Police out of town?
9 DISPATCHER MCMULLEN: No, he is not out of town now. He's back,
10 but he is at an appointment right now.
11 JUDGE CRANDALL: But he was out for the last couple of days,
12 out of town?
13 DISPATCHER MCMULLEN: Yeah. He was out.
14 JUDGE CRANDALL: Okay. All right. When is he going to be
15 back in the office today?
16 DISPATCHER MCMULLEN: I expect him right around noon.
17 JUDGE CRANDALL: Around noon?
18 DISPATCHER MCMULLEN: Mm-hmm.
19 JUDGE CRANDALL: Well, when he comes in--
20 DISPATCHER MCMULLEN: --Mm-hmm.
21 JUDGE CRANDALL: --please have him call me.
22 DISPATCHER MCMULLEN: Okay.
23 JUDGE CRANDALL: 7-2-7--
24 DISPATCHER MCMULLEN: --Uh-huh.
25 JUDGE CRANDALL: --5-4-9-4.
DISPATCHER MCMULLEN: 5-4-9-4. Okay. I'll give him the message.

1.

(Telephone Conversation Between Judge Crandall and Dispatcher McMullen)

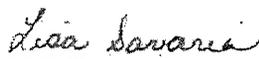
1 JUDGE CRANDALL: Thank you very much.
2 DISPATCHER MCMULLEN: Thank you. Have a good day.
3 JUDGE CRANDALL: You have a good day. Bye bye.
4 DISPATCHER MCMULLEN: Bye bye.

5 (Whereupon, the recording concluded.)
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3 CERTIFICATION

4 I, LISA SAVARIA an Assistant Administrative Officer of
5 the State Commission on Judicial Conduct, do hereby certify that the
6 foregoing is a true and accurate transcript of the audio recording
7 described herein to the best of my knowledge and belief.

8 Dated: June 21, 2013
9

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13 _____
14 Lisa Savaria
15
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**Transcript of Telephone Conversation between
Hon. Philip A. Crandall and Police Chief Gregory A. Darlington**



(Telephone Conversation Between Judge Crandall and Chief Darlington)

1 JUDGE CRANDALL: Hello.
2 CHIEF DARLINGTON: Judge Crandall, Greg Darlington.
3 JUDGE CRANDALL: Greg, how are you?
4 CHIEF DARLINGTON: Okay.
5 JUDGE CRANDALL: Are you sitting down?
6 CHIEF DARLINGTON: I am.
7 JUDGE CRANDALL: Now, you've been out of town for the last
8 couple of days I take, right?
9 CHIEF DARLINGTON: Yeah.
10 JUDGE CRANDALL: Now, do you know what happened Tuesday?
11 CHIEF DARLINGTON: In reference to?
12 JUDGE CRANDALL: In reference to my son-in-law's house.
13 CHIEF DARLINGTON: A little bit. I don't know a whole bunch.
14 JUDGE CRANDALL: Well, here's what happened. The police got a
15 call from the village clerk. He had sent his
16 water bill in and on the back of that water bill
17 were some things that were scribbled, that my
18 wife scribbled on there because she needed a
19 note pad--they didn't know this--and there
20 was words like "strangulation" and threats
21 about my-- said something like-- Well, I
22 can't remember everything, but it was enough
23 to start an investigation. It was enough.
24 CHIEF DARLINGTON: Okay.
25 JUDGE CRANDALL: Okay? So, I don't know who's in charge of

1.

(Telephone Conversation Between Judge Crandall and Chief Darlington)

1 the investigation--
2 CHIEF DARLINGTON: --Mm-hmm.
3 JUDGE CRANDALL: --but before they really do an investigation,
4 they go over to my son-in-law's house in the
5 middle of the day and they entered the house
6 without a search warrant.
7 CHIEF DARLINGTON: Okay.
8 JUDGE CRANDALL: They searched the house. They went into his
9 closet, take down stuff on top of his top shelf
10 and uncover his gun, which he's got a hunting
11 rifle there--
12 CHIEF DARLINGTON: --Mm-hmm.
13 JUDGE CRANDALL: --with a scope.
14 CHIEF DARLINGTON: Mm-hmm.
15 JUDGE CRANDALL: They call him from inside his house and ask
16 him if he has any other guns and he is
17 wondering, "Why are you asking me this and
18 why are you calling me from inside my
19 house?" And then they explained to him the
20 note they got.
21 CHIEF DARLINGTON: Mm-hmm.
22 JUDGE CRANDALL: And he explains to them it was probably--
23 "That was something probably my mother-in-
24 law did," and blah, blah, blah, making some
25 notes. So they called my wife. She confirms

2.

(Telephone Conversation Between Judge Crandall and Chief Darlington)

1 it. Okay, they're happy, blah, blah, blah.
2 Then Jerry DeLuca calls me. And I can tell
3 there was something nervous going on by his
4 voice and everything, and he tells me what
5 happened. And I said to him, "Did you have a
6 search warrant to enter the house?" He said,
7 "No, no, but the door was open. We are
8 allowed to go in and look for perps." Well,
9 they are not allowed to go in and look for
10 perps.
11 CHIEF DARLINGTON: Okay.
12 JUDGE CRANDALL: They are not allowed to do that. Now, this is--
13 CHIEF DARLINGTON: --Now, here is the-- Go ahead.
14 JUDGE CRANDALL: Go ahead. This-- What they did is some of
15 the most-- And Jerry should know better. He
16 has been on the force a long time. You know,
17 unless there is imminent danger, unless it is a
18 9-1-1 call, unless you have permission from
19 the homeowner, you need that warrant to
20 search that house.
21 CHIEF DARLINGTON: Okay.
22 JUDGE CRANDALL: Now, there is something wrong here.
23 CHIEF DARLINGTON: Does your son wish to file a complaint?
24 JUDGE CRANDALL: No. He is going to see an attorney. That's
25 how upset he is.

3.

(Telephone Conversation Between Judge Crandall and Chief Darlington)

1 CHIEF DARLINGTON: Okay.
2 JUDGE CRANDALL: And I don't want this to happen. And I think
3 we can make this all go away. So, whoever
4 was in charge of the investigation goes over
5 to my son-in-law and my daughter and gives
6 them a heartfelt apology for what happened
7 because this is wrong. This is all Steve Flach
8 and his horde need to try to eliminate the
9 police department again and I don't want that.
10 And what I also need for you to do is to tell
11 your men or instruct them on proper protocol
12 for searching a house, obviously, because
13 whether they know it or not, they violated his
14 fourth amendment constitutional rights, and
15 they can't do that.
16 CHIEF DARLINGTON: Okay.
17 JUDGE CRANDALL: Now, I know this is-- you didn't know
18 anything about this, but they just can't do that.
19 Give me your take on it.
20 CHIEF DARLINGTON: Well, my understanding is they found an open
21 door.
22 JUDGE CRANDALL: Right.
23 CHIEF DARLINGTON: In other words, the door is open, not
24 unlocked. It was open.
25 JUDGE CRANDALL: Open a few inches, whatever, it doesn't

4.

(Telephone Conversation Between Judge Crandall and Chief Darlington)

1 matter. It doesn't matter whether it's open or
2 not.
3 CHIEF DARLINGTON: Well--
4 JUDGE CRANDALL: --They don't have a right to open
5 (unintelligible) that house unless there is
6 imminent danger or--
7 CHIEF DARLINGTON: --Well, I am not going to argue and--
8 JUDGE CRANDALL: --No. Go ahead.
9 CHIEF DARLINGTON: Since the fact that you advised me that your
10 son is contacting a lawyer, I will not discuss
11 any further--
12 JUDGE CRANDALL: --No, no.
13 CHIEF DARLINGTON: --unless-- unless I speak to our attorneys first,
14 all right?
15 JUDGE CRANDALL: Well, you go ahead--
16 CHIEF DARLINGTON: --I know what the law is and in the case of
17 when we go to a residence, if a door is open,
18 we do have-- and we yell in and nobody is
19 answering, then we don't know if somebody
20 is burglarizing the house, so we have the right
21 to go in and check and make sure nobody has
22 done anything to the-- your son or anything
23 else.
24 JUDGE CRANDALL: Greg, the outside door was shut. The inside
25 door was open. And that doesn't really even

5.

(Telephone Conversation Between Judge Crandall and Chief Darlington)

1 matter.
2 CHIEF DARLINGTON: Okay. Well-- And, you know--
3 JUDGE CRANDALL: --And I don't want this. I don't want any of
4 this to go any further than here. I just want
5 you to take care of it.
6 CHIEF DARLINGTON: Well, the only way I can take care of it is if
7 your son would like to come in and talk to me,
8 I will talk to him and I will find out exactly
9 what transpired. And I didn't understand
10 what-- how this has to do with civil rights or
11 Flach wanting to get rid of the police
12 department.
13 JUDGE CRANDALL: No, I'm just afraid. I'm afraid that he'll use
14 something like this with his dominions.
15 CHIEF DARLINGTON: Mm-hmm.
16 JUDGE CRANDALL: He'll pack a town board meeting and start
17 raising hell, and I don't want that.
18 CHIEF DARLINGTON: Right.
19 JUDGE CRANDALL: Because I want our police department.
20 CHIEF DARLINGTON: Mm-hmm. And, like I said, I mean, I am
21 more than willing to sit down and discuss it
22 with your son and your daughter--
23 JUDGE CRANDALL: --Well, just think how-- Think how you
24 would feel if this happened to your daughter
25 or son-in-law.

6.

(Telephone Conversation Between Judge Crandall and Chief Darlington)

1 CHIEF DARLINGTON: It's happened at my house. My-- The wind
2 has blown my door in and they've gone in and
3 then called me and said, "Hey, we checked
4 your house." I've had it happen.

5 JUDGE CRANDALL: Okay. Let--

6 CHIEF DARLINGTON: And if my garage door is open, they go in and
7 check and then they call and say, "Hey, is
8 your garage door supposed to be open to let
9 somebody in there?"

10 JUDGE CRANDALL: Okay. All right. I can understand that but I
11 just want something done here so this doesn't
12 happen again.

13 CHIEF DARLINGTON: Well, I-- Well-- And I understand but, you
14 know, I don't think anybody was doing
15 anything with the intent to think that your son
16 was violating the law.

17 JUDGE CRANDALL: All right. No. I don't believe that either.

18 CHIEF DARLINGTON: I think they were, you know, my
19 understanding from the brief-- very brief
20 conversation that I had about it was that, you
21 know-- In fact, the only reason why they told
22 me is because they felt you were upset--

23 JUDGE CRANDALL: --Well yeah, I was upset.

24 CHIEF DARLINGTON: --and figured I was going to get a call.

25 JUDGE CRANDALL: Of course I was upset.

7.

(Telephone Conversation Between Judge Crandall and Chief Darlington)

1 CHIEF DARLINGTON: But, still--
2 JUDGE CRANDALL: --Yeah, go ahead.
3 CHIEF DARLINGTON: --sorry for the-- I just had dental work done
4 so it's a little hard for me to talk.
5 JUDGE CRANDALL: Oh, I'm sorry. You're probably in pain and I
6 am hitting you with this.
7 CHIEF DARLINGTON: But supposing they didn't check the door and
8 your son was just laying half dead inside?
9 JUDGE CRANDALL: I can understand that. I can understand that.
10 CHIEF DARLINGTON: You know? Especially after they got a note
11 like that. They didn't know what that was
12 about.
13 JUDGE CRANDALL: Well, the note--
14 CHIEF DARLINGTON: --And I do think--
15 JUDGE CRANDALL: --Did you look at the note? Did you?
16 CHIEF DARLINGTON: I have not. I, you know--
17 JUDGE CRANDALL: --No?
18 CHIEF DARLINGTON: Like I said, I got a brief call saying that there
19 was an incident over there, you know. If you
20 were to call, they'll brief me on it and, you
21 know, and-- Like I said, from what I was
22 told, it was just-- Really, they were doing a
23 welfare check, you know, and we know how
24 the village can be, you know. They'll take a
25 mountain and make a-- or a molehill and

8.

(Telephone Conversation Between Judge Crandall and Chief Darlington)

1 make a mountain out of it.

2 JUDGE CRANDALL: Yeah. Right. We don't need that either.

3 CHIEF DARLINGTON: And they had seen this and, you know, as far
4 as we know it could have been somebody
5 telling us they strangled your son. And we
6 went over there to ask him about it and that's
7 when they found the door open. So then
8 they're worried, what happened inside in
9 conjunction with, you know. You put two
10 and two together.

11 JUDGE CRANDALL: Yeah. I-- No, I--

12 CHIEF DARLINGTON: --Listen. Honestly, you know, they--

13 JUDGE CRANDALL: --I can understand both sides of this.

14 CHIEF DARLINGTON: Mm-hmm.

15 JUDGE CRANDALL: I can understand both sides of this. The fact
16 of the matter is that I don't believe they had a
17 legal right to enter the house.

18 CHIEF DARLINGTON: Okay.

19 JUDGE CRANDALL: All right? And I don't think even with all
20 good intentions set aside, which I believe they
21 were, I really do--

22 CHIEF DARLINGTON: --Mm-hmm.

23 JUDGE CRANDALL: --I just don't think they had the legal right to
24 do it--

25 CHIEF DARLINGTON: --Okay.

9.

(Telephone Conversation Between Judge Crandall and Chief Darlington)

1 JUDGE CRANDALL: --and I am sure they didn't, so I just want
2 something done so that something like this
3 doesn't happen again without-- I don't know
4 what--
5 CHIEF DARLINGTON: --Well--
6 JUDGE CRANDALL: --He probably has to put (unintelligible) in
7 place, I am sure.
8 CHIEF DARLINGTON: Maybe after he speaks to his attorney and, you
9 know, the things happen, you will realize that
10 what was done is actually done on a daily
11 basis throughout the United States, to check
12 the welfare of people, so-- All right. I, you
13 know-- And if they feel different, they are
14 more than welcome to contact me.
15 JUDGE CRANDALL: Well, I am not, you know-- I just-- I just
16 don't think that they still should have entered
17 the house, okay? And I don't think they had
18 any legal right to.
19 CHIEF DARLINGTON: And the only reason why you are feeling that
20 way is because there was nothing wrong. You
21 would be suing me if your son was half-dead
22 on the other side and died because we didn't
23 go in and check an open door, right?
24 JUDGE CRANDALL: Well, the thing is they went over there
25 because they got the piece of paper, right?

(Telephone Conversation Between Judge Crandall and Chief Darlington)

1 CHIEF DARLINGTON: Correct.
2 JUDGE CRANDALL: They wouldn't even been over there if it
3 wasn't for the piece of paper.
4 CHIEF DARLINGTON: Correct, unless someone drove by and seen
5 the door open.
6 JUDGE CRANDALL: Okay. I understand what you're saying. I
7 just-- I just don't want something like this
8 happening again because we don't--
9 CHIEF DARLINGTON: --Well, we're not going to--
10 JUDGE CRANDALL: --You know, we don't have a legal leg to
11 stand on if something goes down.
12 CHIEF DARLINGTON: What do you mean "if something goes
13 down"?
14 JUDGE CRANDALL: You just-- I understand what you are saying.
15 I understand the good intentions but you're
16 sure that the law gives you the right to enter a
17 house without the warrant like that?
18 CHIEF DARLINGTON: Yeah, because we weren't going in there to
19 investigate a crime against your son. At that
20 point, we were going in-- We-- You know,
21 based on what was there that, you know,
22 something could have happened to your son.
23 Someone could have done something to your
24 son. Or the house was being burglarized at
25 the time.

11.

(Telephone Conversation Between Judge Crandall and Chief Darlington)

1 JUDGE CRANDALL: Okay. I can-- I hear what you're saying. I--
2 CHIEF DARLINGTON: --And it--
3 JUDGE CRANDALL: --Let me try to-- I am going to try to explain
4 it to him the way you explained it to me, all
5 right?
6 CHIEF DARLINGTON: Okay, and please, I mean, if both of you want
7 to come in, you know, I will sit and talk with
8 you and try to explain-- And, meanwhile, I'll
9 get more information as to what happened
10 and, you know, like I said, I would be more
11 than willing to sit down with both of you.
12 JUDGE CRANDALL: Okay.
13 CHIEF DARLINGTON: All right?
14 JUDGE CRANDALL: Well, I appreciate you calling me back.
15 CHIEF DARLINGTON: Not a problem.
16 JUDGE CRANDALL: And I am going to try to explain it to him the
17 way you explained it to me.
18 CHIEF DARLINGTON: All right.
19 JUDGE CRANDALL: All right?
20 CHIEF DARLINGTON: Yup.
21 JUDGE CRANDALL: Thanks Greg.
22 CHIEF DARLINGTON: You're welcome. Bye.
23 JUDGE CRANDALL: All right. Bye bye.

24 (Whereupon, the recording concluded.)
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CERTIFICATION

I, LISA SAVARIA an Assistant Administrative Officer of
the State Commission on Judicial Conduct, do hereby certify that the
foregoing is a true and accurate transcript of the audio recording
described herein to the best of my knowledge and belief.

Dated: June 21, 2013

Lisa Savaria
Lisa Savaria

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

**ANSWER TO FORMAL
WRITTEN COMPLAINT**

PHILIP A. CRANDALL,

A Justice of the Coeymans Town Court and
An Acting Justice of Ravena Village Court,
Albany County.

Respondent, Philip A. Crandall by and through his Counsel Corrigan, McCoy & Bush, PLLC, as and for an Answer to the Formal Written Complaint states as follows:

1. Denies knowledge and or information sufficient form or belief as to the statements contained in paragraphs 1, 2, 8, 9, 10, 13, 14, 17, 23, 24, 25, 34, 47, 49 and 51 of the complaint.
2. Admits the statements contained in paragraphs 4, 6, 8, 22, 26, 27, 33, 41, 43, 46, 52 and 54 of the complaint.
3. Denies the statements contained in paragraphs 3, 5, 12, 15, 18, 20, 21, 31, 44, 45, 53, and 55 of the complaint.
4. With respect to the allegations contained in paragraph 7 of the complaint, acknowledge that the respondent was running fort Coeymans Town Justice Position at the same time Mr. Touchette was running and that they campaigned together on two or three occasions. Most of the time Judge Crandall campaigned by himself. There was no personal relationship between him and Mr. Touchette. Therefore, the respondent denies those allegations.
5. With respect to the allegations contained in paragraph 11 of the complaint, the respondent cannot admit or deny as far as the dates are concerned, but does acknowledge that Richard Touchette saw the respondent in church and made a comment about seeing his son in court.

6. With respect to the allegations contained in paragraphs 16 of the complaint, admit that Judge Warner was presiding on April 4th, and also states that ever since December of 2008, Judge Warner had told Judge Crandall he wanted him present to handle any cases that may come up, which he recused himself from and therefore, while technically he was not scheduled to preside, he had always been asked or told by his co-judge to be there in the event of any problems or any disqualifications.

7. With respect to the allegations contained in paragraphs 28, 29 and 30 of the complaint, the respondent cannot admit or deny the dates set forth in said paragraphs, but does acknowledge the remaining contents of each paragraph regarding the applications to the Court in the Albano matter.

8. With respect to the allegations contained in paragraphs 32 and 33 of the complaint, respondent states that he had no relationship with Mr. Dolan. He only campaigned with him a few times, thus denies knowledge and/or information sufficient to form a belief as to the allegations contained in said paragraphs.

9. With respect to the allegations contained in paragraphs 35, 36, 37, 38, 39, 40 and 42 of the complaint, the respondent has no personal knowledge of the events contained therein, but in review of the court file, those statements appear to be accurate but respondent has no personal knowledge and therefore denies knowledge and/or information sufficient to form a belief as to the allegations contained therein.

10. With respect to the allegations contained in paragraph 48 of the complaint, respondent denies knowledge and or information sufficient to form a belief as to said allegations, but does note that his daughter has told him that the door was not ajar and that when she had left the house, the door was closed. The police entered without a warrant or probable cause to believe that there was an immediate emergency. Respondent further states that he was advised by his daughter that they made a mess of his daughter's bedroom. Things were tossed all over the place and they went through his son in law's closet, uncovered his hunting rifle and DeLuca called his son and asked him if he had any more guns.

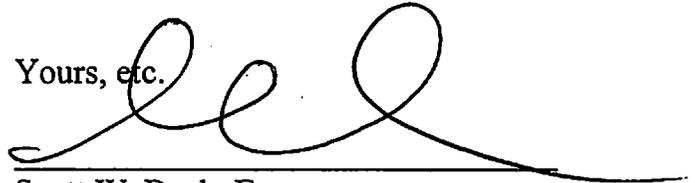
11. With respect to the allegations contained in paragraph 50 of the complaint, admit that Investigator DeLuca called respondent and left a voicemail message, but denies there was a message about the incident at his son in law's residence.

AS AND FOR A FIRST AFFIRMATIVE DEFENSE

12. The Commission has brought as one proceeding, charges against respondent with respect to his duties in two different courts. It is respectfully submitted that there should be two different proceedings brought since there are two different courts involved in the matter.

Dated: November 15, 2013
Rensselaer, New York

Yours, etc.

A handwritten signature in black ink, consisting of a series of loops and flourishes, positioned above a horizontal line.

Scott W. Bush, Esq.
CORRIGAN, MCCOY & BUSH, PLLC
Attorneys for Philip Crandall
220 Columbia Turnpike
Rensselaer, NY 12144
518-477-4575

VERIFICATION

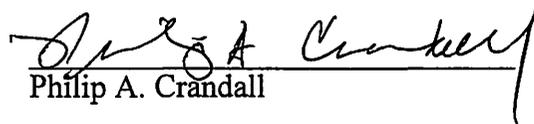
STATE OF NEW YORK)
) ss.:
COUNTY OF RENSSELAER)

Philip A. Crandall, affirms under the penalties of perjury:

He is an Judge admitted to practice in the State of New York. He has read the annexed **Verified Answer to Formal Written Complaint** and knows the contents thereof and believes it to be true to the knowledge of affirmant except as to those matters stated upon information and belief and as to those matters he believes the statements to be true.

The undersigned affirms that the foregoing statements are true, under penalties of perjury.

Dated: November 18, 2013


Philip A. Crandall

February 17, 2014

Village Office

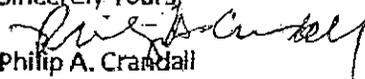
15 Mountain Road

Ravena, N.Y. 12143

Dear Mayor Bruno,

I have decided to resign as Acting Village Justice effective February 28, 2014. I have made this decision based on personal reasons. It has been a pleasure to serve the people of the village and I would like to thank you for giving me this opportunity. I wish you all the best.

Sincerely Yours,

A handwritten signature in black ink, appearing to read "Philip A. Crandall", written over the typed name.

Philip A. Crandall

February 20, 2014

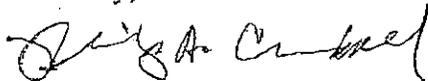
Town Supervisor's Office
18 Russell Avenue
Ravena, NY 12143

Re: Resignation

Town Supervisor Flach and Town Board Members:

This is my notification that I am resigning as Town Justice as of February 28, 2014. I am stepping down for personal reasons. It has been my privilege to serve the People of the Town of Coeymans. I appreciate the opportunities I have been given here and wish you all the best.

Sincerely,



Philip A. Crandall