



NEW YORK STATE  
COMMISSION ON JUDICIAL CONDUCT

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## NEWS RELEASE

*February 4, 2021*

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### **Town Justice in Lewis County Resigns After Pleading Guilty to Vandalism**

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Gregory H. Burkner, a Justice of the Watson Town Court, Lewis County, resigned while under investigation by the New York State Commission on Judicial Conduct for vandalizing a town official's vehicle. Judge Burkner, who left office on December 31, 2020, 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 and closed its investigation.<sup>1</sup>

On October 29, 2020, the Commission authorized an investigation of a complaint alleging that Judge Burkner "keyed" a town official's vehicle in reaction to the town's denial of his request to provide health insurance. On the same date, the judge pleaded guilty to a misdemeanor – criminal mischief in the fourth degree – for that offense.

Judge Burkner 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.

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<sup>1</sup> The Stipulation was signed on January 11, 2021. The Commission accepted it and issued an order closing the matter on January 28, 2021.

Judge Burkner, who is not an attorney, had been a Justice of the Watson Town Court, Broome County, since 1999. His current term would have expired on December 31, 2023.

The stipulation and the Commission's order closing the case 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.

“Engaging in vandalism is inimical to the role of a judge and undermines public confidence in the integrity of the courts. It would be untenable to retain on the bench a judge who violates the very criminal laws he is sworn to administer upon others.”

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

The Commission has accepted 98 such stipulations since the procedure was instituted in 2003.

Since 1978, the Commission has issued 276 determinations of admonition against judges in New York State, 337 determinations of censure and 175 determinations of removal.

The Court of Appeals has reviewed 101 Commission determinations. The Court accepted the Commission's sanctions in 85 cases (76 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**

In the proceedings before the Commission, Judge Burkner represented himself.

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. Senior Investigator Betsy Sampson was assigned to the case.

**Background Information on Judge Burker**

First Took Office: 1999  
Current Term Expires: December 31, 2023

**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**

<b>Member</b>	<b>Appointing Authority</b>	<b>Term End</b>
Joseph W. Belluck, Esq., Chair	Governor Andrew M. Cuomo	March 31, 2024
Taa Grays, Esq., Vice Chair	Senate President Pro Tem Andrea Stewart-Cousins	March 31, 2023
Hon. Fernando M. Camacho	Chief Judge Janet DiFiore	March 31, 2024
Jodie Corngold	Governor Andrew M. Cuomo	March 31, 2023
Hon. John A. Falk	Chief Judge Janet DiFiore	March 31, 2021
Paul B. Harding, Esq.	Former Assembly Minority Leader Brian M. Kolb	March 31, 2021
Hon. Angela M. Mazzairelli	Chief Judge Janet DiFiore	March 31, 2022
Hon. Robert J. Miller	Governor Andrew M. Cuomo	March 31, 2022
Marvin Ray Raskin, Esq.	Assembly Speaker Carl E. Heastie	March 31, 2022
Ronald J. Rosenberg, Esq.	Former Senate Minority Leader John J. Flanagan	March 31, 2024
Akosua Garcia Yeboah	Governor Andrew M. Cuomo	March 31, 2021