



NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT

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October 18, 2022

Lisa LeCours, Esq.
Clerk of the Court of Appeals
Court of Appeals Hall
20 Eagle Street
Albany, New York 12207

*Re: Matter of Hon. Robert J. Putorti
Justice of the Whitehall Town and Village Courts,
Washington County*

Dear Ms. LeCours:

Thank you for your letter of September 22, 2022, inviting comment by the Commission on Judicial Conduct regarding the Court's consideration of the suspension of Hon. Robert J. Putorti from the exercise of the powers of the offices of Justice of Whitehall Town and Village Courts, Washington County.¹

The Commission filed a determination dated September 9, 2022, that Judge Putorti should be removed from office. Pursuant to Article VI, Section 22(e) of the New York State Constitution, and Section 44(8) of the Judiciary Law, a judge who is the subject of a removal determination filed by the Commission with the Court may be suspended, with or without pay, pending the Court's disposition of the matter pursuant to Sections 44(7) of the Judiciary Law.

¹ The Commission only today received a copy of your letter, as an attachment to Judge Putorti's submission on the subject of suspension, via his counsel, Mr. Root.

Lisa LeCours, Esq.

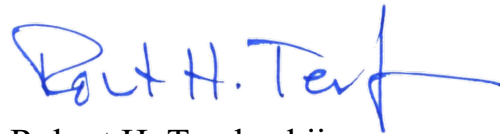
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It is the Commission's view that public confidence in the integrity of the judiciary, the courts and the administration of justice would be undermined were a judge to continue exercising the powers of office while subject to removal. That is especially true where, as here, the misconduct involved the brandishing of a loaded firearm in court at a defendant by the judge, which the judge admits was not justified.

Based upon the foregoing, and mindful of the Court's consistent practice to suspend with pay those judges as to whom the Commission has filed a removal determination, the Commission respectfully recommends that Judge Putorti be suspended with pay, pending the Court's final disposition of the matter.

Very truly yours,



Robert H. Tembeckjian

cc: Judges of the Court of Appeals (via Ms. LeCours)
Hon. Lawrence Marks, Chief Administrative Judge
Michael Root, Esq.