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

RANDY A. HALL,

NOTICE OF FORMAL WRITTEN COMPLAINT

a Justice of the Dickinson Town Court, Broome County.

NOTICE is hereby given to Respondent, Randy A. Hall, a Justice of the Dickinson Town Court, Broome 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: March 15, 2023 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: Hon. Randy A. Hall

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

RANDY A. HALL,

a Justice of the Dickinson Town Court, Broome County.

1. Article VI, 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 Randy A. Hall ("Respondent"), a Justice of the Dickinson Town Court, Broome County.

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

 Respondent has been a Justice of the Dickinson Town Court, Broome County, since January 2022. His term expires on December 31, 2025.
Respondent is not an attorney.

CHARGE I

5. On or about March 3, 2022, during a dispute with another customer at one of the gas pumps at a service station in Binghamton, New York, Respondent repeatedly asserted his judicial office with the police, first when he called 911 to request their presence at the scene, and later when he sought to have the other party to the dispute charged with harassment.

Specifications to Charge I

6. On or about March 3, 2022, at approximately 12:40 PM, Respondent got into a dispute with John Dubrava over access to a particular gas pump at a gas station in Binghamton, New York. At approximately 12:43 PM, Respondent called 911 to report that he was being threatened in connection with a dispute over a gas pump. He requested that an officer be sent "right away" to his location, which was a service station on Upper Front Street in Binghamton.

7. When asked by the 911 operator to clarify his location, Respondent stated, "Yeah, this is Judge Hall. It's right by Sonic."

8. When asked by the 911 operator to provide his name, Respondent answered, "I'm Judge Hall. Randy Hall."

9. Within minutes, members of the Broome County Sheriff's Office responded to the location and remained on the scene for approximately 15

minutes, during which time Respondent gratuitously identified himself as a judge three additional times as follows:

- A. "I'm Judge Hall . . ." (as he extended his arm to shake hands with the deputy);
- B. "My name is Randy Hall . . . I'm the judge . . . from Dickinson . . . Town of Dickinson";
- C. "Officer . . . I'm a . . . I'm a judge . . . okay, I'm not lying . . . I'm just saying I am not lying to you. I'm telling you that this guy threatened my life."

 Respondent told the officers he wanted Mr. Dubrava charged with harassment, but the officers did not do so and let both Respondent and Mr.
Dubrava leave the scene.

11. By reason of the foregoing, Respondent should be disciplined for cause, pursuant to Article VI, 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, and lent the prestige of judicial office to advance his own private interest, in violation of Section 100.2(C) of the Rules; and failed

to conduct his extra-judicial activities so 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, do not detract from the dignity of judicial office, and are not incompatible with judicial office, in violation of Sections 100.4(A)(1)(2) and (3) of the Rules.

CHARGE II

12. From in or about January 2022, when Respondent became a Dickinson Town Justice, to on or about March 30, 2022, when his Deputy Chief Administrative Judge ordered that cases pending before him be reassigned and that he be confined to judicial chambers, Respondent (A) engaged in a pattern of sexually inappropriate, harassing, and unwelcome behavior toward his co-judge and court staff, and (B) made inquiries while in court and on the record about finding employment in the police department.

Specifications to Charge II

13. At all times pertinent to the charges herein, Stacy Thatcher and Bradley Wallace were employed as court clerks in the Dickinson Town Court, and Kathleen Groover was Respondent's co-judge in the Dickinson Town Court. Respondent and Judge Groover shared the court office that served as chambers.

14. In early January of 2022, when Dickinson Town Court Clerk Stacy Thatcher first met Respondent, he requested her assistance in donning a high school graduation gown that he wished to use as a judicial robe. The gown appeared to be too small or tight for him and could not be zipped past his midsection.

15. Ms. Thatcher obliged. While she crouched down to assist Respondent, she suggested he hold his tie so it would not become caught in the zipper of the robe. In reply, Respondent remarked that his tie was not the only thing he did not want caught in the zipper, which Ms. Thatcher understood to be a reference to the judge's genitalia, and which made her very uncomfortable.

16. In or about late January 2022, Respondent approached Judge Groover in their shared chambers with his arms outstretched and asked her to assist with zipping the graduation gown that he was still using as his judicial robe. The robe zipped in the front, and at the time the zipper's hasp was located near Respondent's groin area. Judge Groover, who was seated at her desk, sternly declined. Respondent laughed and stated, in sum and substance, that Judge Groover was not his mother.

17. In or about January 2022, while Respondent, Ms. Thatcher and Mr. Wallace attended a mandatory sexual harassment awareness and training program, Respondent repeatedly made comments mocking the training, including words to the following effect:

A. "So, I can't tell a joke like this?"

- B. "What about this joke?" and
- C. "So, I can't say, 'So that's what she said'?"

18. In or about January 2022, Respondent, while in the courtroom, told a crude and inappropriate joke to Court Clerk Bradley Wallace involving a farmer, marihuana, and sexual intercourse with a pig. When Mr. Wallace did not react to Respondent's joke, he asked if the joke was funny. Mr. Wallace responded that it was not.

19. On or about February 8, 2022, in the courtroom, Respondent offered Ms. Thatcher a cookie, which she declined, and initial

Respondent then commented on her personal appearance by stating, "You're a good lookin' girl now. You'll be a knockout" and "(inaudible)I'm going with a pretty girl, she made you look small. She's gonna go do that too, so she says."

20. On or about February 8, 2022, Respondent, while in the courtroom and on the record, engaged in a conversation with Port Dickinson Police Officer Domenico Rossi, who was serving as a court officer, about a "chick" Respondent was dating who "started going crazy on (him)." The officer asked Respondent if he dumped her yet. Respondent said, "Oh yeah, fuck yeah." Respondent said the woman "has…one of those multiple personalities" and would call and send him messages that led him to think, "I don't understand why you're like that?...You fucking called me up, call me every name in the book, threatening me, threatened to have me arrested, threatened my job. I said what the fuck? You know?" Respondent and the officer then spoke about how people have to be careful what they say, as it could be used against them, after which Respondent described for the officer an intimate picture on his phone, saying, "I told you about the tit thing, right?....Well, she sent me a...picture of her tit and her fingernail's pinching the nipple. I never asked for it . . . and her head wasn't in it or anything." Respondent then resumed presiding over matters.

21. In or about February or March 2022, while in chambers, Respondent approached Judge Groover, who was seated at her desk. Respondent told Judge Groover that that he liked her face mask, which had a leopard-print pattern. Respondent then asked whether her mask matched her underwear. Judge Groover responded in a stern tone demanding that Respondent step back. Respondent did not apologize or otherwise demonstrate awareness that he had said something inappropriate.

22. In or about mid-March 2022, while in chambers, Respondent asked Ms. Thatcher for assistance finding a flight to Florida so he could attend a family reunion, and she obliged. As Ms. Thatcher leaned over Respondent's desk to access the laptop, he laughed and stated that women do not need men like men need women and added "you know it when you hear the humming," which Ms.

Thatcher understood to be a reference to a vibrator, and which made her very uncomfortable.

23. In or about February 2022, Ms. Thatcher became so uncomfortable with Respondent's inappropriate comments that she refused to clerk for him on the bench.

24. On or about March 24, 2022, while Mr. Wallace and Ms. Thatcher were in their office, Mr. Wallace asked if she needed assistance with a file. Ms. Thatcher replied that she had already done the work and told Mr. Wallace, "I don't need you." Respondent, who was in chambers and not a party to the conversation, interjected by asking Mr. Wallace if he usually hears a loud humming sound when she says that. Mr. Wallace understood this to be a reference to a vibrator and told Respondent that he could not say things like that. Respondent replied that he knew and was only joking.

25. On or about February 8, 2022, Respondent, while in the courtroom and on the record, engaged in a conversation with Officer Rossi, who was serving as a court officer, about whether positions were available with the Port Dickinson Police Department. Respondent stated, "I want to work for the police department," and expressed an interest in part-time employment doing court duty, patrol or "anything." The officer explained that such employment would be a conflict of interest with Respondent's judicial position. They then discussed the idea of Respondent's running for Police Commissioner, after which Respondent continued presiding over court matters.

26. Judge Groover, Mr. Wallace and Ms. Thatcher ultimately reported their concerns about Respondent's conduct to the Sixth District Administrative Office of the Unified Court System. By Administrative Order dated March 30, 2022, Deputy Chief Administrative Judge Norman St. George directed that all judicial matters pending before Respondent be reassigned to Judge Groover, that no additional matters be assigned to Respondent, and that he be confined to chambers until further order.

27. By reason of the foregoing, Respondent should be disciplined for cause, pursuant to Article VI, 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; failed to perform the duties of judicial office impartially and diligently, in that he failed to maintain order and decorum in

proceedings before him, in violation of Section 100.3(B)(2) of the Rules, failed to be patient, dignified and courteous to court staff and others with whom he dealt in an official capacity, in violation of Section 100.3(B)(3) of the Rules, and failed to perform judicial duties without manifesting bias or prejudice based upon sex, in violation of Section 100.3(B)(4) of the Rules; and failed to conduct his extra-judicial activities so 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 detract from the dignity of judicial office, in violation of Section 100.4(A)(2)of the Rules.

CHARGE III

28. In or about March 2022, while presiding over cases in court, Respondent made comments that conveyed the impression that he had prejudged the guilt of various criminal defendants.

Specifications to Charge III

29. On or about March 8, 2022, while presiding over *People v Sarah Sivers*, Respondent was advised by the defendant's attorney that Ms. Sivers had been offered a plea to Resisting Arrest with a sentence of a six-month conditional discharge but needed time to consider the offer. Respondent addressed Ms. Sivers directly and asked, "How many cops did you take down?" 30. On or about March 10, 2022, Respondent conducted an arraignment on charges related to an arrest for Driving While Intoxicated in *People v Amanda Florance*. Respondent advised the defendant, who was represented by counsel and had entered a plea of not guilty, that she was being released on her own recognizance and would be contacted by the DMV regarding her license. At the conclusion of the proceeding, Respondent stated to the defendant, "It's going to be an expensive lesson."

31. On or about March 24, 2022, while arraigning a defendant identified only as Mr. Purnell, Respondent directly addressed the defendant, who was represented by counsel, and stated, "Purnell, look at me. Stay the hell out of trouble, will ya?"

32. By reason of the foregoing, Respondent should be disciplined for cause, pursuant to Article VI, 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; and failed to perform the duties of judicial office impartially and diligently, in that he failed to perform judicial duties without bias or prejudice against or in favor of any person and manifested bias or prejudice, in violation of Section 100.3(B)(4) of the Rules.

CHARGE IV

33. In or about January and February 2022, Respondent posted sexual and otherwise inappropriate content to his public Facebook page, some of which referenced his judicial office.

Specifications to Charge IV

34. Facebook is an internet social networking website and platform that *inter alia* allows users to post and share content on their own Facebook pages as well as on the Facebook pages of other users and on Facebook groups. Facebook users are responsible for managing the privacy settings associated with their accounts. At the option of the account holder, the content of one's Facebook page and posts may be viewable online by the public or restricted to one's Facebook "Friends."

35. At all times relevant to this charge, Respondent maintained a personal Facebook account under the name "Randy Hall," which was viewable by the public.

36. In January 2022, Respondent posted the following to his Facebook

page:

- A. "It was not a hung jury but they say the judge sure is," with a beaming face emoji. In a response to a comment made in response to that post asking Respondent what he was up to these days, Respondent wrote that he was "just truly trying to provide justice in the town of Dickinson." Another comment asked, "What is it up your robe your honor," to which Respondent replied, "You been peeking." A copy of the post is annexed as <u>Exhibit A</u>.
- B. A joke about a serial killer, a copy of which is annexed as Exhibit B.
- C. Commenting about the possibility of sneezing and "break[ing] wind just as you reach happy ending!" The post specified that such an experience was on Respondent's "bucket list." A copy of the post is annexed as <u>Exhibit C</u>.

37. By reason of the foregoing, Respondent should be disciplined for cause, pursuant to Article VI, 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; and failed to conduct his extra-judicial activities

so 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, do not detract from the dignity of judicial office, and are not incompatible with judicial office, in violation of Sections 100.4(A)(1)(2) and (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: March 15, 2023 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

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

RANDY A. HALL,

a Justice of the Dickinson Town Court, Broome County.

) : SS.:

STATE OF NEW YORK

COUNTY OF NEW YORK)

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

- I am the Administrator of the State Commission on Judicial Conduct. 1.
- I have read the foregoing Formal Written Complaint and, upon 2.

information and belief, all matters stated therein are true.

The basis for said information and belief is the files and records of the 3.

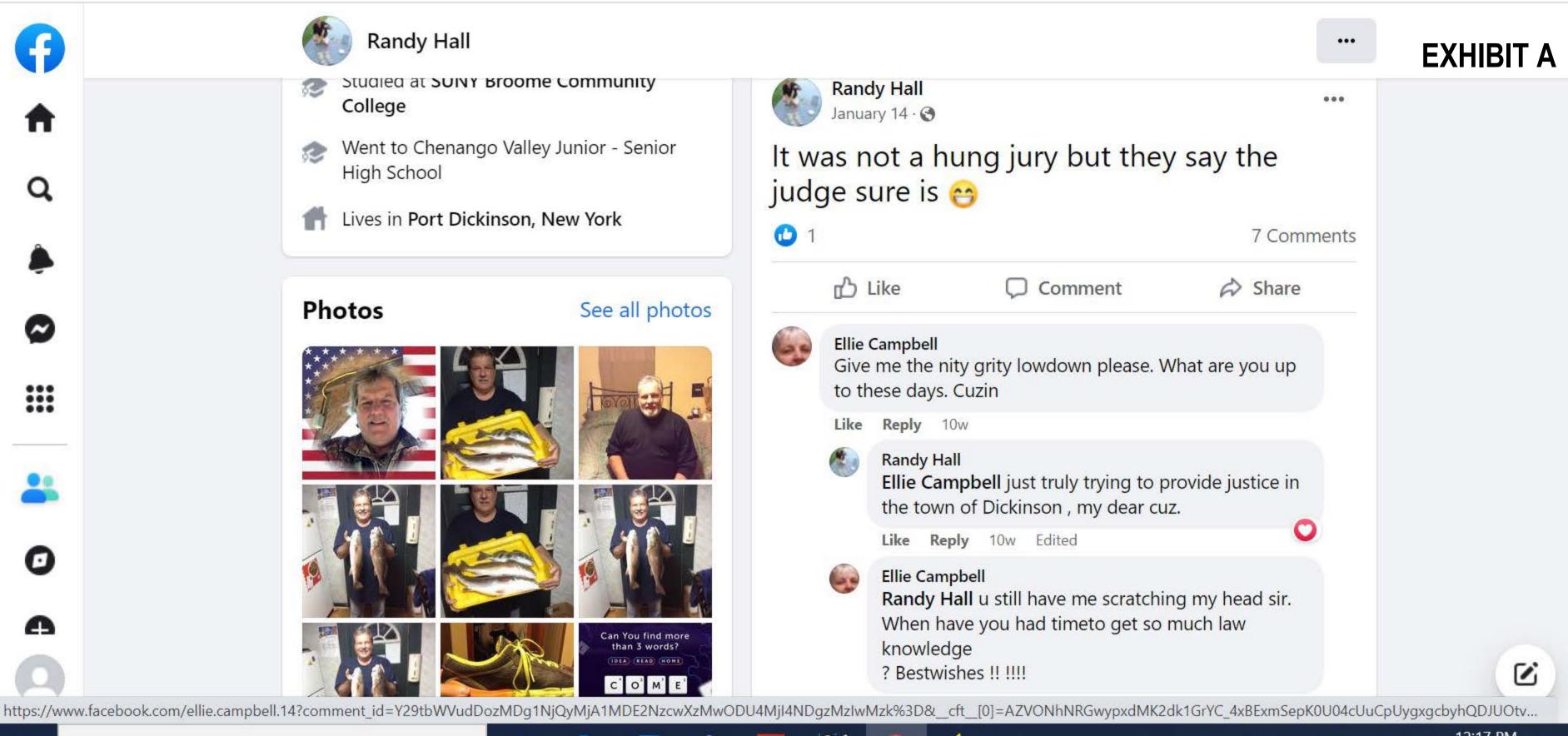
State Commission on Judicial Conduct.

Robert H. Tembeckjian

Sworn to before me this 15th day of March 2023

Notary Public

LATASHA Y. JOHNSON Notary Public, State of New York No.01JO6235579 Qualified in New York County Commission Expires February 14, 20 27



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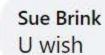
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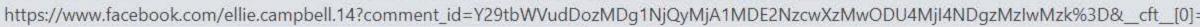
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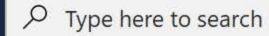


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Pete Westcott



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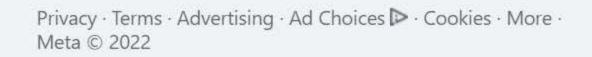
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Randy Hall February 13 · 🕄

PICKED UP A HITCH-HIKER. SEEMED LIKE A NICE GUY. AFTER A FEW MILES, HE ASKED ME IF I WASN'T AFRAID THAT HE MIGHT BE A SERIAL KILLER? I TOLD HIM THAT THE ODDS OF TWO SERIAL

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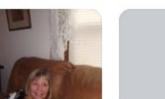
Bob Brown

THAT HE MIGHT BE A SERIAL KILLER? I TOLD HIM THAT THE ODDS OF TWO SERIAL KILLERS BEING IN THE SAME CAR WERE EXTREMELY UNLIKELY.

Elm Treason is with Lisa Hurley and 16 others. February 10 · 🕄

not music related, but damn funny....





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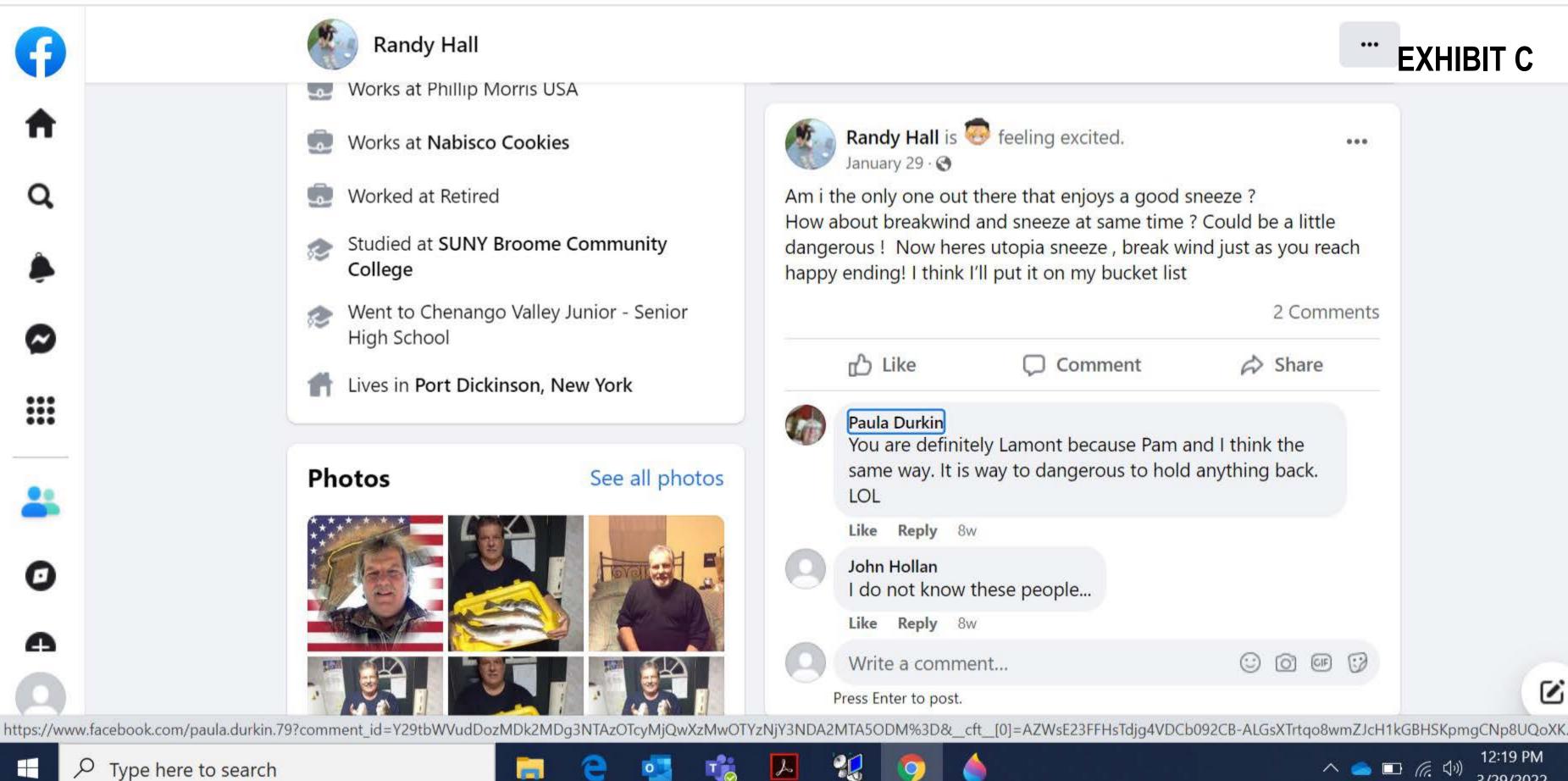
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EXHIBIT C ...

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3/29/2022

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

RANDY A. HALL,

a Justice of the Dickinson Town Court, Broome County.

Judge's Home Address

In the event that a determination of the Commission on Judicial Conduct is made in the above matter requiring transmittal to the Chief Judge and service upon the judge in accordance with Judiciary Law § 44, subd. 7, the Court of Appeals has asked the Commission to provide the judge's home address.

Judge's Home Address

Request and Authorization to Notify Judge's Attorney of Determination

In the event that a determination of the Commission on Judicial Conduct is made in the above matter requiring transmittal to the Chief Judge and service upon me in accordance with Judiciary Law § 44, subd. 7, the undersigned judge or justice:

(1) requests and authorizes the Chief Judge to cause a copy of my notification letter and a copy of the determination to be sent to my attorney(s) by mail:

Attorney's Name, Address, Telephone

(2) requests and authorizes the Clerk of the Commission to transmit this request to the Chief Judge together with the other required papers.

This request and authorization shall remain in force unless and until a revocation in writing by the undersigned judge or justice is received by the Commission.

Dated:

Signature of Judge or Justice

Acknowledgment:

Signature of Attorney for Judge or Justice

SEND TO: Clerk of the Commission State Commission on Judicial Conduct 61 Broadway, Suite 1200 New York, New York 10006