



NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT

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July 23, 2024

Hon. Lisa LeCours
Chief Clerk and Legal Counsel
New York State Court of Appeals
20 Eagle Street
Albany, New York 12207-1095

*Re: Matter of Hon. Erin P. Gall, Justice of the Supreme Court,
Fifth Judicial District, Oneida County*

Dear Ms. LeCours:

Thank you for your letter of July 22, 2024, inviting comment by the Commission on Judicial Conduct regarding the Court's consideration of the suspension of Hon. Erin P. Gall from the exercise of the powers of the office of Justice of the Supreme Court, Fifth Judicial District, Oneida County.

The Commission filed a determination dated July 17, 2024, that Judge Gall 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 Section 44(7) of the Judiciary Law.

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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 a removal determination against her was before the Court. That is especially true where, as here, the misconduct involves a judge who engaged in an offensive, profane, and prolonged public diatribe during which she repeatedly invoked her judicial office, made racially offensive and otherwise insensitive remarks, threatened gun violence, urged the police to disregard the law, and pledged favored treatment for the police.

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 Gall 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. Joseph A. Zayas, Chief Administrative Judge
Robert F. Julian, Esq.