

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

COREY E. KLEIN,

a Judge of the Long Beach City Court,
Nassau County.

**AGREED
STATEMENT OF FACTS**

Subject to the approval of the Commission on Judicial Conduct:

IT IS HEREBY STIPULATED AND AGREED by and between

Robert H. Tembeckjian, Administrator and Counsel to the Commission, and the
Honorable Corey E. Klein (“Respondent”), who is represented in this
proceeding by Deborah A. Scalise, that further proceedings are waived and that
the Commission shall make its determination upon the following facts, which
shall constitute the entire record in lieu of a hearing.

1. Respondent was admitted to the practice of law in New York in 1995.
He has been a Judge of the Long Beach City Court, Nassau County, since January
1, 2015. Respondent’s current term expires on December 31, 2034.

2. Respondent was served with a Formal Written Complaint dated
February 20, 2025. He enters into this Agreed Statement of Facts in lieu of filing
an Answer.

As to Charge I

3. On October 25, 2022, Respondent contacted the City of Long Beach Police Department and attempted to influence officers to stop the placement of a mechanical boot on the vehicle of Ingrid Dodd, a professional acquaintance.

As to the Specifications to Charge I

4. Respondent has been professionally acquainted with Ingrid Dodd, who works in public relations, since in or around 2013.

5. On October 20, 2022, Respondent sent a text message to Ms. Dodd asking her to call him because he needed advice. The next day, Respondent spoke with Ms. Dodd on the telephone about fundraising strategies to help his son construct an adaptable surfboard for disabled children.

6. On October 24, 2022, Respondent sent a text message to Ms. Dodd asking if she was available to meet with him and his son that day. Ms. Dodd was unavailable, but they tentatively arranged for the three of them to meet the following weekend.

7. On October 25, 2022, at 10:24 AM, Respondent was in his car when Ms. Dodd sent him the following text message: “I’m getting a boot on my car – I got tickets near the board walk doing news segments – never paid them[.] I can pay now.” Respondent replied, “Where are you[?]” and Ms. Dodd responded, “[I]’m at pod spa[.]”

8. Approximately two minutes later, Respondent called the cell phone of Special Police Officer (“SPO”) Ingrid Rushing, who at the time was assigned to the Traffic Bureau of the Long Beach Police Department (“LBPD”), located on the first floor of Long Beach City Hall. She had previously worked as a clerk in the Long Beach City Court, located on the second floor of Long Beach City Hall, handling parking tickets.

9. When SPO Rushing answered her cell phone, Respondent immediately said, in words or substance, “Stop the boot,” and that SPOs were “booting the car right now.” SPO Rushing walked to the desk of SPO Jamie Price while on the phone with Respondent. She told SPO Price, in words or substance, that Respondent said to stop booting the vehicle and that the vehicle’s owner was coming to court. SPO Rushing showed SPO Price that her cell phone displayed Respondent’s name. SPO Price told SPO Rushing that she could not stop the boot because an event number had already been created and that Respondent should call the desk. SPO Rushing then relayed this information to Respondent.

10. While Respondent was on the phone with SPO Rushing, he received a text message from Ms. Dodd containing a video of a boot being placed on a black Mini Cooper. She then texted Respondent, “[I] asked them to please give me 5 minutes to make a call[.] They are such assholes.”

11. At 10:28 AM, Respondent called the sergeant’s desk phone line, which was answered by Dispatcher George Colberg. Respondent asked the

dispatcher if a car was being booted and told him, in words or substance, to “hold on with that boot.” Respondent then stated, in words or substance, that there were four tickets on the desk and that they are being taken care of. The dispatcher transferred the call to the sergeant on duty, Joseph Wiemann.

12. Sergeant Wiemann answered the transferred call, and Respondent immediately said, in words or substance, “Don’t boot the car.” Sergeant Wiemann asked, “[W]hat car?” and Respondent replied, “[T]he specials are there now.” Sergeant Wiemann asked Respondent if the car was a black Mini Cooper, and Respondent responded affirmatively. Respondent then said, in words or substance, “[T]he tickets are on the desk, and they are being taken care of.”

13. Based on Respondent’s statements, Sergeant Wiemann believed that Respondent was acting in judicial capacity when he said not to boot the vehicle, and that Respondent was at the Long Beach City Court preparing to adjudicate the vehicle’s unpaid tickets at the time of his call. As a result, Sergeant Wiemann told Respondent that they were not booting the vehicle and instructed the dispatcher to notify the SPOs not to boot the vehicle.

14. Respondent was not at the Long Beach City Court at the time of his conversation with Sergeant Wiemann. Ms. Dodd did not have cases on the court’s calendar on October 25, 2022, in connection with any of her outstanding and/or unpaid tickets. Only after officers started the process of placing a boot on Ms.

Dodd's vehicle did she communicate to Respondent that she would pay the outstanding and/or unpaid tickets and that she could "pay now."

15. During his phone call with Sergeant Wiemann, Respondent sent a text message to Ms. Dodd stating, "They are not booting [] [i]t[.] What's your license plate number[?]" Ms. Dodd responded with her license plate number and said that she thought she owed "[§]500 in tickets[.]" Respondent then replied, "Ok. Just come into Court[.]" Around the same time, Respondent called Ms. Dodd on her cell phone and told her that they were not booting her vehicle.

16. At 10:31 AM, SPO Rushing sent a text message to Respondent stating, "They are not booting. Sorry about that[.] You know I always have your back[.]" Respondent replied, "No worries[.]"

17. The dispatcher notified the SPOs on the scene that "Judge Klein called. Do not boot it." The boot was then removed from Ms. Dodd's vehicle.

18. Later that afternoon, at 2:15 PM, Ms. Dodd appeared at the Long Beach City Court and paid the \$465 she owed on four outstanding tickets: one for No and/or Expired Inspection, one Parking in a No Parking Zone, and two for Expired License Plates. She did not pay any boot-related fees.

19. Ms. Dodd did not appear before Respondent or in court on October 25, 2022. She paid off her tickets at the Clerk's Office.

20. 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 of the Chief Administrator of the Courts Governing Judicial Conduct (“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 social or other relationship to influence the judge’s judicial conduct, in violation of Section 100.2(B) of the Rules, and lent the prestige of judicial office to advance the private interests of the judge or others, in violation of Section 100.2(C) of the Rules.

As to Charge II

21. On April 11, 2024, at a public meeting of a local School District’s Board of Education (“Board of Education”), Respondent referenced his judicial office, repeatedly shouted and/or raised his voice and otherwise acted in a discourteous manner in an effort to challenge the Board of Education’s policy for selecting class valedictorians and to have his son named as a valedictorian.

As to the Specifications to Charge II

22. On April 11, 2024, Respondent attended a public meeting of the School District’s Board of Education to challenge (A) the high school’s process

for selecting the school's valedictorians, and (B) the school administration's determination not to name his son as a valedictorian. Superintendent Henry Grishman, School District Attorney Christopher M. Powers, Board President Jill Citron, other Board members, and spectators were among those who were present. Respondent and Mr. Powers had never met or been introduced prior to this meeting.

23. The Board of Education meeting was made publicly available on the School District's website on YouTube.

24. At the start of the portion of the meeting at which the public may be heard, the President of the Board of Education read a statement, which included the following guideline for addressing the Board: "As always, public discussion on matters relating to staff and students at which their reputation, privacy or right to due process or those of others could in some way be violated is prohibited."

25. Respondent spoke about his son, a minor, during the public comment portion of the meeting entitled "Opportunity to Be Heard," stating that he attended the meeting "to discuss the implications of this Board's policies as it relates to COVID and the selection of the valedictorian," and that the Board's policies conflict "to the impact of one person and one person only this year, my son," who was "not selected as a valedictorian because of this Board's policies." Respondent and his son had previously appealed Mr. Grishman's decision denying the son's request to be named a valedictorian.

26. The video of the meeting depicts Superintendent Grishman looking in the direction of Mr. Powers during Respondent's statement and uttering an indecipherable comment, which Respondent heard as "Stop him." At that point Respondent remarked, "Now Mr. Grishman, you don't have to give him any tips, okay. Please, okay, give me the credit for that."

27. Respondent continued his statement, saying that his son "got an A+ in every single class except back in eighth grade." At that point, Mr. Grishman interjected and asked, "Mr. Powers, are we okay having this conversation?" Respondent said in a raised voice, "Of course you are" and "You know what, Mr. Grishman, don't try to outlawyer me with the law. Don't try to outlawyer me with the law."

28. Respondent insisted that he be allowed to finish what he wanted to say before Mr. Grishman consulted with Mr. Powers. Respondent referred to "the Open Meetings Government Law" and stated, "Don't try to outlawyer me. I'm going to continue."

29. As Mr. Powers attempted to explain that there was "a process that must be respected," Respondent interrupted and said, "No there's not a process" and referred to Mr. Powers as "Counsel." Mr. Powers attempted to speak and Respondent spoke over him, again referring to him as "Counsel," at which point Respondent's microphone was turned off for approximately 30 seconds.

30. Respondent continued speaking and gesticulating while his microphone was off, as the video depicts. Respondent, whose voice is partially audible during this portion of the video recording, said in words or substance, “You can refer to me, Counsel, as judge.”

31. Immediately thereafter, Respondent’s microphone was turned back on, and Respondent remarked, “If you are going to try to be a lawyer, then refer to me by my title as well, okay. Thank you.”

32. Mr. Powers responded, “Sir, I did not know you were a judge. I am respecting you.” Respondent interjected, stating, in a loud voice, “Counsel. Counsel. Counsel. Let me finish.”

33. Mr. Powers replied, “No, sir. What I’m trying –,” at which point Respondent said, “Counsel, don’t put yourself into a perilous position where you are going to give bad legal advice,” then continued to insist that he be allowed to finish his statement.

34. Mr. Powers attempted to explain to Respondent that the Board meeting was not the proper forum to appeal the determination by school administration, but Respondent continued to speak over Mr. Powers and shouted, “Don’t preempt me,” “You can’t preempt me,” and “I’m gonna stay here.”

35. In response, Mr. Powers said “This is not the forum,” but Respondent interjected and insisted, “It is the forum.”

36. As Mr. Powers attempted to speak, Respondent repeated, “It is the forum.” Mr. Powers again referred to the appeal process, but Respondent interjected, saying, “No, it’s not an appeal process.”

37. As Mr. Powers attempted to continue, Respondent interjected again and said, “I’m gonna stay up here now and I’m going to continue speaking.”

38. When Mr. Powers deferred to Board President Jill Citron as to whether the Board would consider Respondent’s statement, Respondent said, “You’re the President of the School Board. You’re not going to let me speak?” Ms. Citron advised Respondent that he “should just listen to what Mr. Powers has to say because –,” at which point Respondent interrupted and shouted, *inter alia*, “Let me speak,” “I don’t need to listen to your lawyer, I know the law,” and “Don’t try to out law me. That’s ridiculous.”

39. Respondent continued making his statement and Mr. Powers interjected and again attempted to explain the appeal process. Respondent shouted, “Thank you, Thank you, Counselor.” Mr. Powers responded, “Excuse me, Sir. Judge. Your Honor. Please. I am respecting you. I would ask that you respect me as well. Here is my recommendation to the Board,” yet Respondent shouted over him, “Make your recommendation after I speak.”

40. Mr. Powers continued to attempt to explain the appeal process while Respondent continued to interject and referred to Mr. Powers as “Counselor” and “Counsel.” Mr. Powers stated, “Your Honor. We are not in court at this point.”

41. Respondent resumed addressing the school Board and made the following statements to Mr. Grishman and the Board about Mr. Powers:

- A. “And if I can have your attention, I’m sorry that your attorney needed to go at me. Okay. When all I wanted to do was come up here and politely address, okay, one simple question. Okay.”
- B. “The fact that I’d have the audacity, okay, because it’s the end of my kid’s career, to come up here and question a decision that you made, okay, so you try to sic your pit bull attorney on me. It’s beyond reproach that you don’t do something like that, okay.”

42. After he finished addressing the Board, Respondent expressed contrition for his conduct toward Mr. Powers, stating, “Counsel, I just want to say I know you’re doing your job. I’ve sat in your chair for many years. I hold the most respect for you, okay, you’re doing your job well, okay. Unfortunately, I was going to get my say and so please don’t take any notion that your attorney didn’t try to shut me up quickly. Thank you very much.”

43. 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, allowed a family relationship to influence the judge's judicial conduct, in violation of Section 100.2(B) of the Rules, and lent the prestige of judicial office to advance the private interests of the judge or others, in violation of Section 100.2(C) of the Rules; and failed to so conduct his extra-judicial activities as to minimize the risk of conflict with his 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.

Additional Factors

44. Respondent has been fully cooperative with the Commission during its inquiry into this matter.

45. As to Charge I, Respondent recognizes that he improperly intervened on Ms. Dodd's behalf and, on these facts, appeared to be using his judicial office to obtain special treatment from police for Ms. Dodd, whose assistance he sought with fundraising strategies for his son's surfboard project. He avers that was not his intention but, on reflection, realizes that his conduct undermined public confidence in the judiciary, even though Ms. Dodd did not meet with Respondent's child or help with fundraising strategies.

46. Although Respondent had concerns about local policies and practices

concerning the booting of automobiles, he recognizes that those concerns in no way justified his attempt to stop the police department's booting of a scofflaw's car, and that his doing so undermined his judicial role as an impartial arbiter of cases and made him an active participant in a pending controversy.

47. As to Charge II, Respondent recognizes that although he was appearing in a non-judicial capacity as a father and a member of the public, it was improper for him to invoke his judicial office at a public school board meeting, and his conduct toward the school district attorney was discourteous. Respondent acknowledges that he allowed his emotions to influence his conduct and acknowledges his failure to promote the high standards of conduct required of judges both on and off the bench.

48. Respondent has no prior disciplinary history with the Commission.

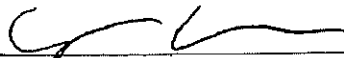
49. With respect to both charges, Respondent apologizes for his behavior and commits to avoiding such conduct in the future.

IT IS FURTHER STIPULATED AND AGREED that the parties to this Agreed Statement of Facts respectfully recommend to the Commission that the appropriate sanction is public Censure based upon the judicial misconduct set forth above.


IT IS FURTHER STIPULATED AND AGREED that if the Commission accepts this Agreed Statement of Facts, the parties waive oral

argument and waive further submissions to the Commission as to the issues of misconduct and sanction, and that the Commission shall thereupon impose a public Censure without further submission of the parties, based solely upon this Agreed Statement. If the Commission rejects this Agreed Statement of Facts, the matter shall proceed to a hearing and the statements made herein shall not be used by the Commission, Respondent or the Administrator and Counsel to the Commission.

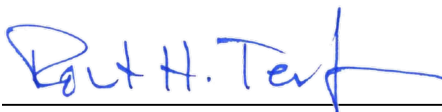
Dated: 4/21/25


Honorable Corey E. Klein
Respondent

Dated: 4/21/25


Deborah A. Scalise, Esq.
Scalise & Hamilton, P.C.
Attorney for Respondent

Dated: 4/24/25


Robert H. Tembeckjian
Administrator & Counsel to the Commission
(Mark Levine and Melissa DiPalo, Of Counsel)