



NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT

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NEWS RELEASE

December 23, 2025

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Town Justice in Dutchess County Should Be Admonished for Inappropriate Campaign Mailer

The New York State Commission on Judicial Conduct has determined that Michael H. Plass, a Justice of the Hyde Park Town Court, Dutchess County, should be admonished for distributing a campaign mailer that included pledges suggesting bias in favor of law enforcement.

In October 2023, while running for Hyde Park Town Justice, Judge Plass distributed a mailer that made or appeared to make pledges or promises of how he would rule on matters that might come before him in court.¹ Upon learning that judges and judicial candidates are prohibited from doing so, he promptly issued a new mailer that complied with campaign ethics rules.

Judge Plass also sought advice from the Advisory Committee on Judicial Ethics, which concluded that for his entire judicial term, he must disqualify himself from all criminal cases, cases involving allegations of domestic violence, Vehicle and Traffic Law matters, and cases involving purported drug dealers.²

¹ A copy of the mailer is appended.

² A copy of the Opinion is appended.

In its determination the Commission found that Judge Plass acknowledged the impropriety of his campaign mailer, and that admonition was the appropriate discipline, noting Judge Plass's contrition, that the misconduct involved a single incident, that he "took immediate remedial action," and that admonition was consistent with precedents. It also found that his disqualification from a broad array of cases placed an undue burden on his co-judge.

The Commission also determined that Judge Plass may now preside over the "full range of cases" in Hyde Park Town Court, needing only to disqualify where appropriate in individual cases.

Judge Plass has been a Justice of the Hyde Park Town Court, since 2024. His current term expires on December 31, 2027.

Statement by Commission Administrator

Commission Administrator Robert H. Tembeckjian made the following statement.

"Judicial campaign literature must avoid even the appearance of bias or favoritism, and refrain from making pledges or promises about how the judge will rule on matters that may come before the court. The public admonition of Judge Plass for an isolated incident of misconduct frees him to handle his fair share of the court's caseload."

The Commission Proceedings

Judge Plass was served with a Formal Written Complaint dated July 15, 2024, containing one charge, and filed an Answer dated July 29, 2024.

The Commission designated Steven E. North, Esq., as referee to hear and report proposed findings of fact and conclusions of law. A hearing was held on March 24 and 25, 2025 in New York City. The referee filed a report dated July 30, 2025.

The parties submitted briefs with respect to the referee's report and the issue of sanctions. Both sides recommended that the referee's findings and conclusions be confirmed in part and disaffirmed in part. Counsel to the Commission recommended that Judge Plass be removed from office. The

judge argued that admonition was the appropriate sanction. On September 18, 2025, the Commission heard oral argument.

The Commission Determination

The Commission filed a determination dated December 11, 2025, in which all 11 members concurred.

Court of Appeals Review

The Commission transmitted its determination to the Chief Judge of the Court of Appeals, pursuant to Judiciary Law Section 44, subdivision 7. The Commission was notified on December 22, 2025, that Judge Plass had received the determination. Consequently, the matter is now public.

A judge may either accept the Commission's determination or, within 30 days from receipt, make a written request to the Chief Judge for a review of the determination by the Court of Appeals.

Pursuant to Judiciary Law Section 44, subdivision 7, if Judge Plass does not request review by the Court of Appeals, the Commission will admonish him in accordance with the determination.

If a Commission determination is reviewed by the Court of Appeals, the Court may accept the determined sanction, impose a different sanction including admonition, censure or removal, or impose no sanction.

Statistics Relating to Prior Determinations

Since 1978, the Commission has issued 291 determinations of admonition against judges in New York State. The Commission has issued 185 determinations of removal and 358 determinations of censure.

The Commission has accepted 158 permanent resignation stipulations, in which the judge has agreed to leave office and never seek or accept judicial office in the future, since the procedure was instituted in 2003.

The Court of Appeals has reviewed 102 Commission determinations. The results are available on the Commission's website at "[Appealed Decisions](#)."

Counsel

Judge Plass was represented by Steven G. Leventhal of Leventhal, Mullaney & Blinkoff, LLP, 15 Remsen Avenue, Roslyn, New York 11576, (516) 484-5440.

The Commission was represented by Deputy Administrator Mark Levine, Senior Attorney Eric Arnone, Senior Litigation Counsel David Stromes and Investigator Hamza Khan.

Background Information on Judge Plass

First Took Office:	January 1, 2024
Current Term Expires:	December 31, 2027

Members of the Commission

The Commission members serve four-year terms. A list of members is noted below.

The Public File

The determination and other records are available on the Commission's website: www.cjc.ny.gov.

*December 23, 2025**Page 5***MEMBERS OF THE STATE COMMISSION ON JUDICIAL CONDUCT**

Member	Appointing Authority	Term End
Joseph W. Belluck, Esq., Chair	Governor Kathy Hochul	March 31, 2028
Taa Grays, Esq., Vice Chair	Senate President Pro Tem Andrea Stewart-Cousins	March 31, 2027
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Brian C. Doyle, Esq.	Senate Minority Leader Robert G. Ort	March 31, 2028
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Nina M. Moore, Ph.D.	Governor Kathy Hochul	March 31, 2027
Hon. Peter H. Moulton	Chief Judge Rowan D. Wilson	March 31, 2026
Marvin Ray Raskin, Esq.	Assembly Speaker Carl E. Heastie	March 31, 2026



Trust Honesty Integrity

Michael Plass

for Hyde Park Town Justice

**As a Hyde Park Police Officer, I have seen
first hand the problems Hyde Park Faces.**

As your Town Justice, I pledge to:

- * Keep drug dealers off our streets and out of our hotels.**
- * Incarcerate offenders and protect victims of domestic violence**
- * Assure repeat offenders are sentenced to the full extent of the law**

EVERY VOTE COUNTS!

**Together we can make
a change in the safety
of our community**

Paid for by The Friends to Elect Michael Plass



Hyde Park NY 12538

PRSRT STD
U.S. POSTAGE
PAID
NEWBURGH, NY
PERMIT #44

1-511

COMMISSION
EXHIBIT

1

Michael Plass for Hyde Park Town Justice



"Michael Plass has protected Hyde Park for 10 years as a Police Officer. Now we will send Mike to the bench to defend Hyde Park."

Hyde Park Town Supervisor Al Torreggiani

"As a member of law enforcement, Mike has protected our community with dedication and honor. As our Town Justice, I know he will continue to do just that - protect and serve. Mike will bring that same commitment to the bench to ensure victims rights are always a priority. As a Hyde Park resident, I am honored to support Mike for our Town Justice".

Sue Serino



"I've known Mike for many years as a friend, a law enforcement officer and a member of the Hyde Park community. There is no one better to elect as a fair and impartial judge".

Dutchess County Sheriff Kirk Imperati

ADVISORY COMMITTEE ON JUDICIAL ETHICS
c/o OFFICE OF COURT ADMINISTRATION
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2

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PERSONAL & CONFIDENTIAL

23-158

January 8, 2024

Hon. Michael H. Plass
Hyde Park Town Court
1 Cardinal Road
Hyde Park, NY 12538

Dear Judge Plass:

The Advisory Committee on Judicial Ethics has considered your inquiry (23-158) and has rendered the enclosed opinion.

Very truly yours,

Hon. Margaret Walsh
Justice of the Supreme Court (ret.)
Committee Co-Chair

Hon. Lillian Wan
Associate Justice
Appellate Division, Second Department
Committee Co-Chair

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Enclosure

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Opinion 23-158

December 14, 2023

Digest: A judge who assumes judicial office on an apparently unequivocal campaign pledge to incarcerate offenders, exclude drug dealers from the community, ensure maximum sentencing of repeat offenders, and protect victims of domestic violence, thus effectively promising to aid law enforcement rather than apply the law neutrally and impartially in such matters, is disqualified during his/her entire judicial term from: (1) all criminal cases; (2) cases in any court involving allegations of domestic violence; (3) all Vehicle and Traffic Law matters; and (4) cases in any court involving purported drug dealers. Disqualification on this ground is not subject to remittal.

Rules: 22 NYCRR 100.2; 100.2(A); 100.3(B)(4); 100.3(B)(7); 100.3(E)(1); 100.3(E)(1)(f); Opinion 19-47; *Matter of Watson*, 100 NY2d 290 (2003).

Opinion:

During a recent judicial campaign, the inquirer promised, if elected, to: (1) keep drug dealers off our streets and out of our hotels; (2) incarcerate offenders and protect victims of domestic violence; and (3) assure repeat offenders are sentenced to the full extent of the law. These statements were made in the inquirer's written campaign literature without qualifiers or caveats, and were expressly identified as pledges or promises. Further, they were made in the context of the candidate's law enforcement and/or prosecutorial background. The inquirer now asks if these campaign promises will require disqualification under Section 100.3(E)(1)(f).

A judge must always avoid even the appearance of impropriety (see 22 NYCRR 100.2) and must always act in a manner that promotes public confidence in the judiciary's integrity and impartiality (see 22 NYCRR 100.2[A]). A judge must "perform judicial duties without bias or prejudice against or in favor of any person" (22 NYCRR 100.3[B][4]) and "dispose of all judicial matters promptly, efficiently and fairly" (22 NYCRR 100.3[B][7]). A judge is disqualified in a proceeding in which the judge's impartiality

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“might reasonably be questioned” (22 NYCRR 100.3[E][1]), including in instances where:

(f) the judge, while a judge or while a candidate for judicial office, has made a pledge or promise of conduct in office that is inconsistent with the impartial performance of the adjudicative duties of the office or has made a public statement not in the judge’s adjudicative capacity that commits the judge with respect to (i) an issue in the proceeding; or (ii) the parties or controversy in the proceeding.

The present inquiry appears to be a matter of first impression for us. We note initially that members of the public who may appear before the judge, much like those who may have voted for or against the inquirer on election day, have no information about the inquirer’s subjective intent. They can only review and draw inferences from the actual statements made and circulated in the inquirer’s campaign literature. In our view, the inquirer’s campaign promises, seen as a whole, create a distinct impression that he/she would, if elected, aid law enforcement rather than apply the law neutrally and impartially (*cf. Matter of Watson*, 100 NY2d 290, 296 [2003] [judge invited voters to “put a real prosecutor on the bench”]).

In our view, the wording of these campaign promises creates a clear impression that the inquirer was promising to “incarcerate offenders” and to ensure maximum sentencing of “repeat offenders.” Both in criminal cases and Vehicle and Traffic Law matters, there is typically a statutory range of permissible sentences. We have said that adjudication of such matters requires “individualized consideration” taking into account all relevant legal factors (Opinion 19-47). Indeed, we advised that a judge may not have a court clerk enter the proposed fine on a motorist’s mail plea from a fixed schedule of fines developed by the judge, where the underlying fixed schedule “pre-selects specific fines from the statutory range and therefore is likely to create an appearance that the judge has pre-judged certain categories of cases without individualized consideration of relevant legal factors” (*id.*). Here, likewise, the inquirer’s campaign promises appear to commit him/her to impose incarceration and/or maximum sentencing where possible, as if the inquirer has pre-judged such matters, especially with respect to “repeat offenders.” We therefore conclude that the inquirer’s impartiality “might reasonably be questioned” in all criminal cases and in all Vehicle and Traffic Law matters based on the apparent promises he/she made about incarceration and maximum sentencing.

Moreover, the inquirer's campaign promises also appear to single out two classes of people who would be treated differently from others that might appear before the court. That is, the inquirer promised unfavorable treatment for "drug dealers" (creating an impression the judge would work to exclude purported drug dealers from the community) and favorable treatment for "victims of domestic violence" (apparently singling them out for special protection). Given that a judge must "perform judicial duties without bias or prejudice against or in favor of any person" (22 NYCRR 100.3[B][4]), we conclude the judge's impartiality "might reasonably be questioned" on the basis of this promise as well, with respect to cases in any court involving purported drug dealers or allegations of domestic violence.¹

We do not see how the judge can meaningfully disavow express campaign promises. Accordingly, on these facts, remittal of disqualification is not available.

We conclude the inquiring judge is disqualified during his/her entire judicial term from: (1) all criminal cases; (2) cases in any court involving allegations of domestic violence; (3) all Vehicle and Traffic Law matters; and (4) cases in any court involving purported drug dealers. Disqualification on this ground is not subject to remittal.

¹ The question we ask ourselves here is: Would a reasonable person, after reading the inquirer's campaign promises, believe that those *accused of* domestic violence or *suspected of* selling drugs would receive a fair hearing from the inquirer?