



NEW YORK STATE  
COMMISSION ON JUDICIAL CONDUCT

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## NEWS RELEASE

*February 10, 2026*

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### **Mount Vernon City Court Judge Should Be Censured for Multiple Acts of Misconduct**

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The New York State Commission on Judicial Conduct has determined that Nichelle A. Johnson, a Judge of the Mount Vernon City Court (Westchester County), should be censured for engaging in improper *ex parte* communications, using the prestige of her judicial office to benefit acquaintances, and exhibiting poor demeanor.

Judge Johnson agreed to the censure.

The Commission found that the judge engaged in multiple acts of misconduct including:

- **Using Judicial Office to Advance Private Interests.** In two cases, Judge Johnson used her judicial position to benefit others when she (1) assisted her neighbor in having a traffic ticket dismissed and (2) intervened in a case involving an acquaintance's contracting company.
- **Improper *Ex Parte* Communications.** In three separate cases, Judge Johnson engaged in unauthorized out of court communications, such as calling an unrepresented litigant during an eviction proceeding, attempting

to contact a victim in a criminal matter, and providing guidance about the return of a vehicle to a court officer, who was standing with the defendant whose car had been impounded, and then failing to disclose the communication during a later court proceeding.

- **Poor Demeanor and Appearance of Bias.** On two occasions, Judge Johnson displayed impatience and hostility toward prosecutors, used inflammatory language and created at least the appearance that she was biased against the District Attorney’s Office.

In accepting the jointly recommended sanction of censure, the Commission noted that the judge “has pledged to take extra care to abide by her ethical obligations” and completed five relevant education programs.

Judge Johnson has been a Judge of the Mount Vernon City Court since April 2016. Her current term expires on December 31, 2026.

### **Statement by Commission Administrator**

Commission Administrator Robert H. Tembeckjian made the following statement.

“Leveraging judicial office for the benefit of friends leads to a dual system of justice – one for the well-connected, and one for everyone else. Judge Johnson’s acceptance of responsibility for this and other misconduct, and her efforts to improve by taking several remedial courses, are noteworthy.”

### **The Commission Proceedings**

Judge Johnson was served with a Formal Written Complaint dated May 29, 2025, containing three charges.

On November 26, 2025, the Administrator of the Commission, Judge Johnson and her attorney entered into an Agreed Statement of Facts, stipulating to the facts and sanction and waiving further submissions and oral argument.

The Commission accepted the Agreed Statement on December 11, 2025.

### **The Commission Determination**

The Commission filed a determination dated December 30, 2025, in which all 11 members concurred.<sup>1</sup>

### **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 February 9, 2026, that Judge Johnson 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 Johnson does not request review by the Court of Appeals, the Commission will censure her 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 359 determinations of censure against judges in New York State. The Commission has issued 185 determinations of removal and 291 determinations of admonition.

The Commission has accepted 162 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](#)."

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<sup>1</sup> Judge Robert Miller's term on the Commission ended on December 31, 2025, due to his retirement from the bench, a day after the determination in this case was filed.

### **Counsel**

Judge Johnson was represented by Deborah A. Scalise of Scalise & Hamilton, P.C., 111 Brook Street, Suite 202, Scarsdale, New York 10583, (914) 725-2801.

The Commission was represented by Deputy Administrator Mark Levine, Principal Attorney Vickie Ma and Investigator Annie Hagerty.

### **Background Information on Judge Johnson**

First Took Office:	April 2016
Current Term Expires:	December 31, 2026
Year Admitted to the NYS Bar:	1995

### **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](http://www.cjc.ny.gov).

**MEMBERS OF THE STATE COMMISSION ON JUDICIAL CONDUCT**

<b>Member</b>	<b>Appointing Authority</b>	<b>Term End</b>
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
Hon. Fernando M. Camacho	Chief Judge Rowan D. Wilson	March 31, 2028
Stefano Cambareri, Esq.	Assembly Minority Leader William A. Barclay	March 31, 2029
Brian C. Doyle, Esq.	Senate Minority Leader Robert G. Ort	March 31, 2028
Hon. John A. Falk	Chief Judge Rowan D. Wilson	March 31, 2029
Robin Chappelle Golston	Governor Kathy Hochul	March 31, 2029
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
Vacant	Governor Kathy Hochul	March 31, 2026