



NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT

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NEWS RELEASE

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Town Justice in Columbia County Should Be Admonished for Drinking and Driving

The New York State Commission on Judicial Conduct has determined that Eric T. Mortenson, a Justice of the Gallatin Town Court (Columbia County), should be admonished for driving while under the influence of alcohol.

Judge Mortenson agreed to the admonition.

In May 2024, Judge Mortenson operated his vehicle after consuming alcohol. He was stopped by New York State Police for failing to signal. He exhibited signs of impairment, failed three field sobriety tests, and registered a Blood Alcohol Content of .07%. He was charged with Driving While Ability Impaired and a traffic infraction.¹

In its determination, the Commission noted that the judge did not assert his judicial office to avoid arrest and that “he acknowledged that it was inappropriate and dangerous for him to have driven while under the influence of alcohol and that public discipline is warranted.”

¹ Both charges were ultimately dismissed on the recommendation of the prosecution.

Judge Mortenson, who is not an attorney, has been a Justice of the Gallatin Town Court since 2020. His current term expires on December 31, 2027.

Statement by Commission Administrator

Commission Administrator Robert H. Tembeckjian made the following statement.

“Driving after excessive drinking violates the law, which judges are obliged to observe. It also puts everyone at risk of serious injury or death: operator and passengers, pedestrians, and those in other cars. To his credit, Judge Mortenson took responsibility and did not invoke his title to try to evade the consequences, unlike others whose discipline was increased for trying to leverage their public office for leniency.”

The Commission Proceedings

Judge Mortenson was served with a Formal Written Complaint dated November 25, 2025, containing one charge.

On January 5, 2026, the Administrator of the Commission, Judge Mortenson and his 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 January 29, 2026.

The Commission Determination

The Commission filed a determination dated February 20, 2026, in which 10 members concurred. One member dissented as to sanction and voted that a private letter of caution was the appropriate disposition.²

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

² At the time the determination was filed, one seat on the Commission was vacant. Judge David Fried was appointed to the Commission on March 3, 2026.

was notified on March 4, 2026, that Judge Mortenson 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 Mortenson 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 292 determinations of admonition against judges in New York State. The Commission has issued 185 determinations of removal and 359 determinations of censure.

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.](#)"

Counsel

Judge Mortenson was represented by James Kleinbaum, 18 Park Row, Chatham, New York 12037, (518) 794-8708.

The Commission was represented by Deputy Administrator Cathleen S. Cenci, Principal Attorney S. Peter Pedrotty and Senior Investigator Laura Misjak.

Background Information on Judge Mortenson

First Took Office: 2020
 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.

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
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
Hon. David Fried	Governor Kathy Hochul	March 31, 2030
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