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BEFORE THE NEW YORK STATE SENATE
STANDING COMMITTEE ON JUDICIARY

Public Hearing on the
Appellate Division First Department
Departmental Disciplinary Committee,
the Grievance Committees of the
Various Judicial Districts, and the
New York State Commission on Judicial Conduct

Hearing Room 6
Empire State Plaza
Albany, NY

June 8, 2009
10:35 a.m.

PRESIDING:

Senator John Sampson
Chair
Senate Standing Committee on Judiciary

PRESENT:

Senator John A. DeFrancisco (R)
Senator Bill Perkins

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1 CHAIRMAN SAMPSON: Mr. Aretakis,
2 thank you very much, and we will definitely
3 look into it.

4 MR. ARETAKIS: Thank you.

5 (Recording ends and resumes during
6 testimony of Michael Kelly.)

7 MR. KELLY: -- judge assigned to my
8 case. And for the last three years, because
9 I am trying to uncover forgeries outside of
10 Rockland County that I believe are coming
11 out of the Surrogate Court using deceased
12 people's names, I am being targeted by the
13 judges and district attorney's office in
14 Rockland County.

15 The gentleman, Gary Casella, says that
16 my complaint of my former defense attorney
17 being promoted to the district attorney's
18 office in the middle of my case now being a
19 district attorney, a senior district
20 attorney in the Rockland County District
21 Attorney's Office -- for four months after
22 he swore the oath of office, he acted as my
23 defense attorney on my criminal matter in
24 the same court he is sworn to be a

1 prosecutor with.

2 I have a sworn oath or office in that
3 package, I have forgeries with naming a
4 person, named forgeries out of Rockland
5 County with a handwriting analysis expert's
6 opinion on there on who forged those
7 documents. There's more in that.

8 My daughter, they kept me away from my
9 daughter with illegal court orders saying I
10 can't see my 17-year-old daughter where she
11 wrote letters to the court asking the judge
12 for unrestricted visitation with her father.
13 The judge ignored those.

14 I am being retaliated against in
15 Rockland County. They recently incarcerated
16 me, as a first-time offender, for
17 harassment, as a retired New York City
18 policeman, for 14 days in jail with a \$250
19 fine. No docket of that decision and order.
20 The only thing on the docket is that I paid
21 a fine and I paid restitution.

22 Everything in Rockland County, when it
23 comes my case in that package, sir, is
24 fraudulent in nature, to cover up for the

1 crimes that the lawyers and judges in that
2 county have committed. And I'm being
3 retaliated against. And if somebody would
4 look at that package and hear what I'm
5 saying, you will find that it's undisputable
6 evidence. Like I told you, a three-year
7 litigation in Rockland County Court with no
8 docket.

9 I'm in a court right now for criminal
10 charges going back three years ago. No
11 grand jury, no indictment, no anything. And
12 for three years later they reduced the
13 charge to harassment and want to send me to
14 jail -- right on the brink of me coming to
15 this hearing because they want to stop me
16 from coming here.

17 CHAIRMAN SAMPSON: Well, I mean, I'm
18 glad you made it here, and I will make sure
19 that we go through this and get a response
20 back to you very quickly.

21 MR. KELLY: I appreciate it. And all
22 the committee letters where I'm -- they're
23 all rubber-stamps: We see nothing, we see
24 no problems. They always have like a catch

1 phrase: Your complaint doesn't fall in our
2 jurisdiction, et cetera, et cetera.

3 But based on -- following those
4 complaints is fact, sir, that you can
5 verify. And there is corruption, and it's
6 happening now. And you can catch these
7 people.

8 CHAIRMAN SAMPSON: Thank you very
9 much, Mr. Kelly. I'll make sure we
10 definitely follow it up. Thank you.

11 The next witness is Kathryn Grace
12 Jordan, of New York.

13 MS. JORDAN: Good afternoon, Your
14 Honor. I'm here to talk about the
15 Commission on Judicial Conduct.

16 By way of background, though, I do want
17 to identify myself as the president of END,
18 End Discrimination Now, an organization that
19 I started in 2008 after it became apparent
20 to me that our nation's and state's
21 antidiscrimination laws are not being
22 enforced by the judiciary and that many
23 activist judges are actually rewriting the
24 laws on a regular basis.