



# NO NEW TERMS FOR UNFIT JUDGES

## JUDGES SHOULD HAVE TO EARN NEW TERMS

- New York's judges are appointed or elected to terms in office. The choice to give judges limited terms rather than life tenure was intentional: New Yorkers believe that as public servants, our judges should be accountable to us, the people of the state. For both appointed and elected judges, our systems of judicial selection are designed so New Yorkers and our elected officials can evaluate judges' records—and to ensure that judges earn additional terms on the bench.
- Judges who mistreat and disrespect the people in their courtrooms, who do not hold themselves to the high standard of conduct that we expect of judges, or who are so punitive that they must be repeatedly reined in by other judges, do not belong on the bench. They hurt our communities and damage the integrity of the court system.
- In a system rife with injustices and inequities that disproportionately harm communities of color and poor New Yorkers, our political leaders must not protect and promote the worst offenders on the bench. Judges must no longer be automatically renominated and reappointed to new terms, without evaluation or scrutiny of their records.

## JUSTICE VINCENT DEL GIUDICE HAS SHOWN HE IS UNFIT FOR THE BENCH

- Over more than 20 years as a judge, Justice Vincent Del Giudice has been by far the most punitive active judge in New York City, Long Island, or the Hudson Valley. The sentences he has imposed and the statements he has made toward people in his courtroom show that he is a cruel and unfit judge.
- In 19 different cases, appeals courts have reduced sentences that Del Giudice imposed because they were so excessive that they violated "the interest of justice." The next highest total of such reversals among active judges is 8, meaning Del Giudice has more than twice as many such reversals as any other active judge.
- Even worse, appeals courts have reduced Del Giudice's sentences by over 500 years. The active judge with the next highest total has had 80 years reduced off excessive sentences, meaning appeals courts have taken more than six times as many years off Del Giudice's sentences than they have for any other active judge.
- In five cases, appeals courts have underscored their distrust of Del Giudice's judgment by taking the extraordinarily rare step of reassigning cases away from him, ordering that the cases be heard by different judges.
- This data proves what New Yorkers have known about Del Giudice for years. As far back as 2004 Del Giudice had become "notorious for his tough sentences."

- Del Giudice is also well known for being disrespectful toward defendants and attorneys. Most egregiously, he sentenced one teenage defendant to life in prison while telling him, “You are a lost soul. You are almost beyond redemption”—only for him to be exonerated and freed after 18 years in prison.
- Del Giudice’s improper judicial temperament shows itself in other ways too: He has attracted media attention for vaping during a murder trial, even though smoking or vaping in courtrooms is illegal. Del Giudice’s violation of the law from on the bench, while wielding the law as harshly as possible against others, demonstrates hypocrisy, disrespect for his position, and a sense of impunity.

### **Our Demand: A Small Step Toward a Better Court System**

- Del Giudice’s most recent term has expired. He is now serving in “holdover” status, continuing to hear cases until a new judge is appointed to replace him.
- Governor Hochul recently said that we must “transform the judiciary and make it more responsive to the people.” If she really believes this, and if she believes that New York’s court system must operate with integrity and provide justice for all, she must immediately nominate someone to replace Del Giudice, not allowing him to remain on the bench any longer.
- Accountability for the most punitive, cruel, unfit judges is a critical step toward a court system that delivers equal justice for all New Yorkers—but it will be only a small one. Far more will remain to be done.