

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Saturday, February 8, 2025 2:12 AM
To: 'records@ethics.ny.gov'
Cc: 'coog@dos.ny.gov'

Subject: **FOIL APPEAL: CJA's Nov. 15, 2024 FOIL Request "COELIG's 2023 Annual Report -- & its Chart of 'matters incepted...in 2023"**

Attachments: [2023 chart.pdf](#)

TO: COELIG APPEALS OFFICER – Presumably General Counsel Keith St. John

I hereby appeal from COELIG's below [January 10, 2025 FOIL response](#), with the above-attached [chart](#), to my [November 15, 2024 FOIL request](#) entitled "COELIG's 2023 Annual Report – & its Chart of 'matters incepted...in 2023".

The basis of the appeal is that the attached chart is not responsive, at all, to five of my six records requests – and as to the one it is responsive, request #3, it is incomplete and peculiar.

If, by the failure to address requests #1, #2, #4, #5, and #6, COELIG is implicitly denying me access to records I am seeking, I hereby appeal that denial, for which no explanation is given. If, on the other hand, COELIG is implying that it "does not have possession" of the requested records or that such records "cannot be found after diligent search", I request a certification of same pursuant to [Public Officers Law §89.3\(a\)](#).

As to your chart responding to request #3 for records reflecting "information pertaining to the missing 106 entries, *to wit*, 'Reference ID', 'Agency', 'Law', 'Nature of Allegation', 'Status', and 'Closed Date'", the new chart you have furnished:

- (1) peculiarly leaves blank the "Agency" field for the following "Reference ID" numbers: 23-003, 23-009, 23-020, 23-028, 23-034, 23-035, 23-036, 23-038, 23-039, 23-053, 23-064, 23-065, 23-066, 23-068, 23-069, 23-084, 23-096, 23-097, 23-098, 23-115, 23-116, 23-119, 23-122, 23-123, 23-125, 23-128, 23-133, 23-136, 23-137, 23-146, 23-148, 23-150;
- (2) peculiarly removes the "Agency" field for the following "Reference ID" numbers which had been identified in the chart from COELIG's 2023 Annual Report: 23-008, 23-016, 23-025, 23-031, 23-040, 23-100, 23-106, 23-107, 23-108, 23-109, 23-113, 23-118;
- (3) peculiarly removes the designation "N/A" in the "Agency" field for the following "Reference ID" numbers that had appeared in the chart from COELIG's 2023 Annual Report, leaving the field blank: 23-037, 23-049, 23-061, 23-062, 23-070, 23-072, 23-073, 23-076, 23-082, 23-088, 23-094, 23-103, 23-105;
- (4) changes the designation of the "Agency" field that had appeared in the chart from COELIG's 2023 Annual Report for the following "Reference ID" numbers: 23-029 (changed to JCOPE from COELIG); 23-030 (changed to JCOPE from COELIG); 23-086 (changed to JCOPE from COELIG);

(5) skips "Reference ID" number 23-017.

I am entitled to rectification of these deficiencies or clarification/certification with respect thereto.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
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914-421-1200
elena@judgewatch.org

From: ethics.sm.records <records@ethics.ny.gov>
Sent: Friday, January 10, 2025 2:11 PM
To: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Subject: Your Nov. 15, 2024 FOIL Request

Ms. Sassower,

Attached are the records responsive to your November 15, 2024 FOIL request for:

- "(1) why the last entry on the chart is #23-118, not #23-156 – representing another 38 entries;
- (2) why the above 68 numbers are missing from the chart;
- (3) the information pertaining to the missing 106 entries, to wit, "Reference ID", "Agency", "Law", "Nature of Allegation", "Status", and "Closed Date";
- (4) which of the "156 tips, complaints, referrals, and reports" were the 11 "elevated" by "15-day letters";
- (5) why the chart does not identify which numbers are "tips", which numbers are "complaints", which numbers are "referrals", and which numbers are "reports";
- (6) what is the difference between "referrals" and "reports"."

You have 30 days to appeal this response. You may send your appeal to:

Appeals Officer
540 Broadway
Albany, NY 12207
records@ethics.ny.gov

Sincerely,

Records Access Officer