

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Wednesday, November 2, 2016 9:28 AM
To: 'John O'Brien'
Cc: gtkelder@law.syr.edu; 'Jeffrey Deskovic'; jeffreydeskovicfoundation@gmail.com
Subject: **Great! -- RE: Follow-up to your article: "Ex-prosecutor: Cayuga County DA secretly withheld key evidence in 15 cases" (Syracuse Post-Standard/Syracuse.com: Oct. 31, 2016)**

But there is more, much more to the story than that – including whether a commission on prosecutorial conduct should be modelled on the Commission on Judicial Conduct, which is what the DeFrancisco-Perry bills do. See my October 5, 2016 e-mail to Assemblyman Perry's legislative director – referenced at footnote 1 to the October 14, 2016 complaint – and posted on the webpage for the complaint: <http://www.judgewatch.org/web-pages/searching-nys/budget/budget-2016-17/10-14-16-complaint-vs-soares-etc.htm>.

Thank you.

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

From: John O'Brien [<mailto:jobrien@Syracuse.com>]
Sent: Wednesday, November 2, 2016 9:17 AM
To: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>

Subject: **RE: Follow-up to your article: "Ex-prosecutor: Cayuga County DA secretly withheld key evidence in 15 cases" (Syracuse Post-Standard/Syracuse.com: Oct. 31, 2016)**

Thanks for writing. I plan to interview Sen. DeFrancisco about this case and how it might affect the push to establish a prosecutorial misconduct committee.

From: Center for Judicial Accountability, Inc. (CJA) [<mailto:elena@judgewatch.org>]
Sent: 11/2/2016 9:04 AM
To: John O'Brien <jobrien@Syracuse.com>
Cc: gtkelder@law.syr.edu; 'Jeffrey Deskovic' <j.deskovic@hotmail.com>; jeffreydeskovicfoundation@gmail.com

Subject: **Follow-up to your article: "Ex-prosecutor: Cayuga County DA secretly withheld key evidence in 15 cases" (Syracuse Post-Standard/Syracuse.com: Oct. 31, 2016)**

Dear Mr. O'Brien

RE: *“Ex-prosecutor: Cayuga County DA secretly withheld key evidence in 15 cases”* (Syracuse Post-Standard – Syracuse.com: October 31, 2016):
http://www.syracuse.com/crime/index.ssf/2016/10/ex-prosecutor_cayuga_county_da_secretly_withholds_key_evidence_from_drug_defenda.html#incart_most-read_news_article

Your important article states:

“Domachowski filed complaints about Budelmann's practices with the state Attorney General's Office and the Grievance Committee for the Fourth Judicial Department, which investigates allegations of lawyer misconduct.”

When were these misconduct complaints filed? And what is their status?

How the Fourth Department attorney disciplinary committee is handling Domachowski's complaint against Cayuga County District Attorney Budelmann is relevant to the question as to whether there should be a commission on prosecutorial conduct. Senator DeFrancisco introduced a Senate bill to establish such a commission – and held a public forum at the Capitol in Albany on June 8, 2016, together with Assemblyman N. Nick Perry, who sponsored an identical Assembly bill. This was opposed by the District Attorneys Association of the State of New York (DAASNY) – whose now president Oneida County District Attorney McNamara testified in opposition, along with other district attorneys and high-level D.A. staff. Among their claims was that the attorney disciplinary committees are adequate enforcers of ethical standards for district attorneys.

This proposition is expressly being tested by another misconduct complaint against D.A. Budelmann – and against ALL New York State's other district attorneys, including the 10 district attorney members, past and present, of the D.A.-stacked Commission to Investigate Public Corruption (Onondaga County D.A. Fitzpatrick among them) – filed with all eight of this state's attorney disciplinary committees. Dated October 14, 2016, the complaint is from our non-partisan, non-profit citizens' organization, Center for Judicial Accountability, Inc. (CJA), and pertains to all these district attorneys' willful and deliberate violation of conflict-of-interest rules and mandatory reporting obligations with respect to high-level governmental corruption involving their own district attorney salaries.

The October 14, 2016 misconduct complaint, together with the video of the June 8, 2016 public forum on the bills to establish a commission on prosecutorial conduct, are posted on CJA's website, www.judgewatch.org, accessible *via* the prominent homepage link: “NO PAY RAISES FOR NEW YORK'S CORRUPT PUBLIC OFFICERS: The Money Belongs to their Victims!” (see #14 on menu page). For your convenience, here's the link directly: <http://www.judgewatch.org/web-pages/searching-nys/budget/budget-2016-17/10-14-16-complaint-vs-soares-etc.htm>.

I am available to answer your questions – and to be interviewed -- about this politically-explosive misconduct complaint against D.A. Budelmann and his fellow district attorneys and about the efficacy of the attorney disciplinary committees.

Thank you.

Elena Sassower, Director
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