

## Center for Judicial Accountability, Inc. (CJA)

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**From:** Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>  
**Sent:** Friday, October 28, 2016 11:27 AM  
**To:** 'sdonnelly@dailygazette.net'  
**Subject:** This year's contested election for Montgomery County D.A. -- Questioning the candidates!

Dear Scott –

Forgot to mention the obvious: The six-county Daily Gazette not only has within its ambit two UNCONTESTED district attorney races – in Albany and Fulton counties -- but a CONTESTED one – in Montgomery County.

This year's race for Montgomery County D.A. is the FIRST contested election for that position in at least 20 years ([http://www.dailygazette.com/news/2016/apr/08/0408\\_conboy/?print](http://www.dailygazette.com/news/2016/apr/08/0408_conboy/?print)), but is it really contested? There was never a republican candidate – only two Democrats – Howard Aison and Kelli McCoski. Did the Conservative, Reform, and Independence parties not have their own candidates interested in being Montgomery county D.A.? Why did they and the Republican party give over their lines to cross-endorse McCoski, who – for obvious reasons -- also got the Women's Equality line. Clearly, it was never a crowded field of contenders – notwithstanding the HUGE salary and non-salary benefit package of the Montgomery County D.A. – probably over \$200,000 annually. [see CJA's July 14, 2016 FOIL request, including with Montgomery County's response: <http://www.judgewatch.org/web-pages/searching-nys/budget/budget-2016-17/7-14-16-foil-to-counties.htm> .

Are D.A. candidates Aison and McCoski, who work or have worked in the “small” Montgomery County district attorney office of incumbent D.A. Jed Conboy, unaware of my correspondence to him on the district attorney salary issue? Montgomery County voters are entitled to know what they will each do with respect to the EVIDENCE that the district attorney salary increases, since 2012, are a grand larceny of the public fisc, being fraudulent, statutorily-violative, and unconstitutional. Each candidate should be called upon to come forward with findings of fact and conclusions with respect to the 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, and 10<sup>th</sup> causes of action of CJA's second citizen-taxpayer action, *CJA v. Cuomo, et al.* (Albany Co. #5122-16): <http://www.judgewatch.org/web-pages/searching-nys/budget/citizen-taxpayer-action/2016/menu-2nd-citizen-taxpayer-action.htm>; to state his/her views of CJA's October 14, 2016 conflict-of-interest/misconduct complaint: <http://www.judgewatch.org/web-pages/searching-nys/budget/budget-2016-17/10-14-16-complaint-vs-soares-etc.htm>; and to answer the question: “If elected, what would your procedures be for handling public corruption complaints, filed with your Montgomery County district attorney office, where you have financial and other conflicts of interest?”

Any district attorney candidate who will not respond to such straight-forward question pertaining to conflicts-of-interest – and to the evidence presented by the pending citizen-taxpayer action and October 14, 2016 conflict-of-interest/misconduct complaint-- must be deemed UNFIT for so important a public office – or any other.

I will call you in the early afternoon so that we can discuss this far-reaching election story, whose explosive nature is such that I request you to immediately forward this e-mail to all the Daily Gazette's relevant news editors, editorial writers, columnists – and, if deemed appropriate, to its publisher and officers. There is no time to waste. Only a week and a half remains until Election Day.

I am available to assist you and them, including over the weekend and at night, and will happily answer all questions.

Thank you.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)

914-421-1200

[www.judgewatch.org](http://www.judgewatch.org)

**From:** Center for Judicial Accountability, Inc. (CJA) [mailto:[elena@judgewatch.org](mailto:elena@judgewatch.org)]

**Sent:** Thursday, October 27, 2016 4:59 PM

**To:** 'sdonnelly@dailygazette.net' <[sdonnelly@dailygazette.net](mailto:sdonnelly@dailygazette.net)>

**Subject:** Why has the mighty Albany Times-Union not reported on the uncontested 2016 Albany & Fulton County D.A. races -- and beyond?

**TO: Scott Donnelly/DAILY GAZETTE**

Following up our conversation a short time ago – for which I thank you – below is the TIME-SENSITIVE, POLITICALLY-EXPLOSIVE election story that your mighty competitor, the Albany Times-Union – has been sitting on for nearly 10 days now. Indeed, I have received NO response to my below October 24<sup>th</sup> e-mail inquiring as to its status, sent to its ENTIRE “Capitol Confidential” reporting team.

In one fell swoop, this story enables the Daily Gazette to examine the uncontested district attorney race not only in Albany County, but in Fulton County – and, additionally, to raise questions as to what each of their highly-paid district attorneys did – and what the highly-paid district attorneys in Montgomery, Saratoga, Schenectady, and Schoharie counties did – upon receipt of my correspondence to them of their duty to repudiate district attorney salary increases that rest on commission reports that are violative of the penal law – being not just statutorily-violative, but fraudulent.

The ramifications of this story go way beyond the district attorneys in the six counties the Daily Gazette covers – and as to those counties extends to their county attorneys, county legislative boards, county executive officers, and county treasurers/comptrollers. What did they do upon receipt of my July 8, 2016 letter-notice to them? – Exhibit F to the October 14, 2016 conflict-of-interest/misconduct complaint: <http://www.judgewatch.org/web-pages/searching-nys/budget/budget-2016-17/10-14-16-complaint-vs-soares-etc.htm>. Was it the subject of ANY legislative board meeting, discussion, vote? Where are their findings of fact and conclusions of law with respect to the EVIDENCE, laid out for them by the July 8, 2016 letter-notice. How have they protected the counties’ taxpayers from outright larceny of the public fisc?

This story can powerfully put the Daily Gazette “on the map” – and showcase how betrayed are Albany, Fulton, Montgomery, Saratoga, Schenectady, and Schoharie counties – and the state’s other 56 counties – by the cover-up journalism practiced by the Times-Union.

Your reporting can make the difference to our ailing democracy, enabling the People to defend itself from the corruption and betrayal of the public trust by its public officers. I am available to assist you, to the max.

Thank you.

Elena Sassower, Director

Center for Judicial Accountability, Inc. (CJA)

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**From:** Center for Judicial Accountability, Inc. (CJA) [mailto:[elena@judgewatch.org](mailto:elena@judgewatch.org)]

**Sent:** Monday, October 24, 2016 10:19 AM

**To:** 'cbragg@timesunion.com' <[cbragg@timesunion.com](mailto:cbragg@timesunion.com)>

**Cc:** 'rkarlin@timesunion.com' <[rkarlin@timesunion.com](mailto:rkarlin@timesunion.com)>; 'cseiler@timesunion.com' <[cseiler@timesunion.com](mailto:cseiler@timesunion.com)>;

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**Subject: WHAT IS THE STATUS? Times-Union Coverage of the 2016 D.A. RACES: CJA's October 14, 2016 conflict-of-interest/misconduct complaint vs D.A. Soares & NY's other district attorneys...**

Dear Chris,

Following up my voice mail message an hour ago, what is the status of the below TIME-SENSITIVE, POLITICALLY-EXPLOSIVE news story that I discussed with you, at fair length, nearly a week ago?

Albany County District Attorney Soares is New York's MOST IMPORTANT district attorney because he has criminal jurisdiction over the Governor, Legislature, Chief Judge, Comptroller, Attorney General – all based in Albany. Where is the Times-Union examination of his record in office, particularly as an enforcer of public integrity and the vaunted "Public Trust Act"?

And where is the Times-Union examination – relevant to the work of the Commission on Legislative, Judicial, and Executive Compensation – as to why, notwithstanding the TOP salary and substantial benefits package of the Albany County district attorney position – the Albany County D.A. race is uncontested, as, likewise, this year's district attorney races in Madison, Orleans, Delaware, Fulton, and Niagara counties.

Please advise.

Thank you.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
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**From:** Center for Judicial Accountability, Inc. (CJA) [<mailto:elena@judgewatch.org>]  
**Sent:** Tuesday, October 18, 2016 11:20 AM  
**To:** 'cbragg@timesunion.com' [cbragg@timesunion.com](mailto:cbragg@timesunion.com)

**Subject: 2016 D.A. RACES: CJA's October 14, 2016 conflict-of-interest/misconduct complaint vs D.A. Soares & NY's other district attorneys...**

Dear Chris,

Thanks for your call back – and the time you gave to our conversation. This is an explosive story, encompassing many other explosive stories – each with HUGE political and other ramifications.

Everything is laid out in CJA's October 14, 2016 conflict-of-interest/misconduct complaint vs D.A. Soares and his collusive fellow district attorneys – with its accompanying exhibits, filed with the eight attorney disciplinary committees of New York's four judicial departments. For your convenience, the direct link to the webpage for the letter is here:  
<http://www.judgewatch.org/web-pages/searching-nys/budget/budget-2016-17/10-14-16-complaint-vs-soares-etc.htm>.

The direct link to CJA's webpage for "Making the 2016 District Attorney Elections Competitive" is here:  
<http://www.judgewatch.org/web-pages/searching-nys/budget/budget-2016-17/2016-da-elections.htm>.

I am available to help you, to the max, so that, by your journalism, we can do what is EASY to do: CLEAN-UP the public corruption infesting our state government. This is the province of the district attorneys: our "first-line-of defense" – and no district attorney is more important than the district attorney of Albany County because his jurisdiction is the Capitol.

Elena  
914-421-1200

**From:** Center for Judicial Accountability, Inc. (CJA) [<mailto:elena@judgewatch.org>]  
**Sent:** Tuesday, October 18, 2016 10:36 AM  
**To:** 'cbragg@timesunion.com' <[cbragg@timesunion.com](mailto:cbragg@timesunion.com)>

**Subject:** organized da list 2016 elections

## **District Attorneys running for “re-election” UNOPPOSED**

**ALBANY COUNTY** (population: 306,000)

District Attorney P. David Soares running **UNOPPOSED** for re-election on the Democratic, Working Families, & Independence lines

**MADISON COUNTY** (population: 72,000)

District Attorney William G. Gabor running **UNOPPOSED** for re-election on Republican & Conservative lines

**ORLEANS COUNTY** (population: 42,000)

District Attorney Joseph V. Cardone running **UNOPPOSED** for re-election on Republican line

## **Acting District Attorneys running for “re-election” UNOPPOSED**

**DELAWARE COUNTY** (population: 48,000)

Acting District Attorney John Hubbard running **UNOPPOSED** for election on Republican, Conservative, Independence, Reform lines

**FULTON COUNTY** (population: 55,000)

Acting District Attorney Chad Brown running **UNOPPOSED** for election on Republican line

## **Unopposed/multi-party endorsed District Attorney “Election”**

**NIAGARA COUNTY** (population: 215,000)

Caroline A. Wojtaszek running **UNOPPOSED** on Democratic, Republican, Working Families, Independence lines

## Contested District Attorney Elections

### **CORTLAND COUNTY** (population: 49,000)

District Attorney Mark D. Suben running for re-election on the Democratic and Working Families lines

Patrick Perfetti running on Republican, Conservative, Independence, Reform lines

### **CHAUTAUQUA COUNTY** (population 133,000)

Acting District Attorney Patrick Swanson running for election on Democratic , Working Families, Independence, Women's Equality lines

Jason L. Schmidt running on Republican, Conservative, Reform lines

### **HERKIMER COUNTY** (population: 65,000)

District Attorney Jeffrey S. Carpenter running for re-election on Republican, Conservative, & Reform lines

Mike Daley running on Democratic & Independence lines

### **LIVINGSTON COUNTY** (population: 65,000)

District Attorney Gregory J. McCaffrey running for re-election on Democratic, Conservative, Working Families, Independence lines

Raymond Sciarrino running on the Republican and Reform lines

### **ERIE COUNTY** (population: 919,000)

Joseph Treanor running on the Republican, Conservative, Independence, and Reform lines

John Flynn running on Democratic and Working Families lines

### **MONTGOMERY COUNTY** (population: 50,000)

Howard Aison running on the Democratic line

Kelli McCoski running on the Conservative, Democratic, Independence, Reform, Republican, and Woman's Equality lines

### **TOMPKINS COUNTY** (population: 103,000)

Matthew Van Houten running on the Democratic line

Edward Kopko running on the Independence line

**WESTCHESTER COUNTY** (population: 961,000)

Anthony Scarpino running Democratic, Conservative, and Women's Equality lines  
Bruce Bendish running on Republican and Reform lines