

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

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