

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Thursday, June 22, 2023 12:47 PM
To: 'adenney@alm.com'; 'esaul@alm.com'; 'jwester@aol.com'; 'blee@alm.com'
Cc: 'info@tesscohen.com'; 'contact@grassoforqueens.com';
'danielsforda@gmail.com'
Subject: **The re-election-seeking Bronx, Queens, & Staten Island D.A.s -- & the record of their "wilful misconduct in office" with respect to their public integrity/anti-corruption duties, precluding re-election & mandating indictments**

Attachments: [bronx-7-29-20-da-foil.pdf](#);
[queens-7-29-20-da-foil.pdf](#);
[richmond-7-29-20-da-foil.pdf](#)

TO: New York Law Journal

Missing from ALL reporting of this year's elections for Bronx, Queens, and Staten Island D.A., including your own, is whether the three re-election-seeking incumbents have been discharging their duties to protect those boroughs against public corruption, as [Article I, §6 of the New York State Constitution](#) and [Criminal Procedure Law Article 190](#) require – and whether the 51 incumbents of the New York City Council, virtually all running for re-election, have been discharging their duties to oversee how the City's five D.A.s operate and that complaints against the D.A.s are properly handled by the New York City Public Advocate, the New York City Conflicts of Interest Board, and the New York City Department of Investigation, as [Chapter 2, §29 of the New York City Charter](#) requires.

To assist in your reporting this, above-attached and linked [here](#), [here](#), and [here](#) are my July 29, 2020 FOIL requests to Bronx D.A. Clark, Queens D.A. Katz, and Staten Island D.A. McMahon for records pertaining to their handling of public corruption complaints from members of the public and pertaining to access to the grand jury with respect thereto. My September 8, 2022 FOIL request to the City Council for records as to its oversight is below.

CJA's website, www.judgewatch.org, posts my prior and subsequent correspondence to the D.A.s and City Council, accessible *via* the prominent center link entitled "NYC's 2023 Elections of its Bronx, Queens, & Staten Island D.A.s & All 51 City Council Members". The direct link is [here](#).

D.A. Candidates Cohen, Grasso, and Daniels, who I have already alerted to the situation, are herein cc'd, so that they can be ready to confirm for you the criminal and electoral significance of the foregoing, namely, that D.A.s Clark, Katz, and McMahon cannot be re-elected because, based on the posted EVIDENCE, they must be indicted for "wilful misconduct in office" and public corruption.

I am available to assist you, to the max – no matter how early or late. When can I expect your call?

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From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Thursday, September 8, 2022 12:07 PM

To: dbarbato@council.nyc.gov
Cc: icampagna@council.nyc.gov

Subject: FOIL -- Compliance with Chapter 2, §29 of the NYC Charter: NYC Conflicts of Interest Board, NYC Dept of Investigation, NYC's 5 D.A.s, & the Office of the Public Advocate -- plus "allowance[s]" to City Council Committee chairs & officers,

TO: New York City FOIL Officer Danielle Barbato

[Chapter 2, §29 of the New York City Charter](#), entitled "Power of investigation and oversight", reads, in pertinent part:

"a. The council, acting as a committee of the whole, and each standing or special committee of the council, through hearings or otherwise:

...

1. shall review on a regular and continuous basis the activities of the agencies of the city, including their service goals and performance and management efficiency. Each unit of appropriation in the adopted budget of the city shall be assigned to a standing committee. Each standing committee of the council shall hold at least one hearing each year relating to the activities of each of the agencies under its jurisdiction.

b. Any standing or special committee shall have power to require the attendance and examine and take testimony under oath of such persons as it may deem necessary and to require the production of books, accounts, papers and other evidence relative to the inquiry. Copies of all reports or studies received by the council pursuant to section [eleven hundred thirty-four](#) and subdivision c of section [ninety-three](#) shall be assigned to the appropriate standing committees for review and action, as necessary."

Among the "agencies of the city" are:

- (1) the New York City Conflicts of Interest Board – which the [Committee on Standards and Ethics](#) expressly identifies as within its jurisdiction;
- (2) the New York City Department of Investigations – which the [Committee on Oversight and Investigations](#) expressly identifies as within its jurisdiction;
- (3) New York City's five District Attorneys – which the [Committee on Public Safety](#) expressly identifies as within its jurisdiction;

(4) the Office of the Public Advocate – presumably within the jurisdiction of the [Governmental Operations Committee](#).

[Pursuant to FOIL](#), this is to request public records reflecting “review on a regular and continuous basis” of the aforesaid four “agencies of the city” and of the yearly hearings required to be held of their “activities”, presumably including of their annual reports, since 2016 by any of the City Council’s committees.

Additionally, this is to request public records reflecting whether, as [Chapter 2, §26\(b\) of the Charter](#) allows, committee chairs and officers of the Council are being paid “allowance[s] fixed by resolution, after a hearing” – and, if so, for what “particular and additional services pertaining to the additional duties of [their] position[s]”?

Thank you.

Elena Sassower, Director
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