

**From:** Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>  
**Sent:** Thursday, August 8, 2024 11:32 AM

**To:** 'jheaney@investigativepost.org'; 'sschulman@investigativepost.org';  
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'brushton@investigativepost.org'; 'slawson@investigativepost.org'

**Cc:** 'Michael.Keane@erie.gov'; 'info@mikekeaneforda.com';  
'info@gardnerforda.com'; 'jamesgardner5@gmail.com'

**Subject:** **YOUR 2024 ELECTIONS REPORTING: Erie County D.A. Candidates Keane & Gardner -- & Erie County's 13 re-election-seeking state legislative incumbents, etc.**

**Attachments:** [7-18-24-daasny-notice-complaint.pdf](#);  
[7-17-24-complaint-vs-soares-to-albany-ethics.pdf](#);  
[7-17-24-transmittal-to-soares.pdf](#)

**TO:** [Investigative Post](#)

The Erie County D.A. annual salary is \$232,600 – \$95,900 of which is the product of three “false instrument”, penal law-violating commission reports. This is the subject of my above-attached fully-documented July 18, 2024 NOTICE/grand jury public corruption complaint that the two Erie County D.A. candidates have had for weeks.

Below is my July 24<sup>th</sup> transmitting e-mail to [D.A. Candidate James Gardner](#), running on the Republican and Conservative lines, and, beneath it, my July 18<sup>th</sup> transmitting e-mail to [Acting D.A. Michael Keane](#), running on the Democratic and Working Families lines, requesting their responses by August 1<sup>st</sup>. I have received none.

As D.A. Candidates Keane and Gardner would presumably be more responsive to the [Investigative Post](#), I am cc'ing them so that no time is wasted. What do they have to say about the \$232,600 Erie County D.A. salary – and about the 13 Erie County state legislators running for re-election whose public corruption is prioritized by the July 18, 2024 NOTICE/grand jury complaint (at p. 2) and with whom and such others as Erie County residents Governor [Cathy Hochul](#) and (3<sup>rd</sup>) Commission on Legislative, Judicial and Executive Compensation Chair [Eugene Fahey](#), they have political, professional and personal relationships?

Please call me so that we can discuss the information that Erie County voters must have if they are to cast informed votes in [the D.A. race and in ALL 15 state legislative races on the Erie County ballots](#) – and that's for starters.

Thank you.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
[www.judgewatch.org](http://www.judgewatch.org)  
914-421-1200  
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**From:** Center for Judicial Accountability, Inc. (CJA) <[elena@judgewatch.org](mailto:elena@judgewatch.org)>

**Sent:** Wednesday, July 24, 2024 3:28 PM

**To:** 'jamesgardner5@gmail.com' <[jamesgardner5@gmail.com](mailto:jamesgardner5@gmail.com)>

**Subject: Winning Your Erie D.A. Race & Demonstrating Your Fitness for the Office: NOTICE & Grand Jury/Public Corruption Complaint**

**TO:** [Would-Be Erie County D.A. James Gardner](#)

This follows the two messages I sent you, via [your D.A. campaign facebook page](#), on July 19<sup>th</sup> and July 21<sup>st</sup>, requesting your e-mail address, without response. Fortunately, I was able to discover an e-mail address for you on the Office of Court Administration webpage of your attorney registration.

I am director and co-founder of the non-partisan, non-profit citizens' organization Center for Judicial Accountability, Inc. (CJA), which, for several decades, has documented the collusion of all three branches of our state government in the subversion and collapse of lawful, constitutional governance. New York's 62 D.A.s, whose duty it is to enforce the state's penal laws, including against law-breaking public officers, are key participants in this.

Only five of this year's 14 D.A. races are uncontested, and, among them, your D.A. race against Erie County Acting D.A. Michael Keane – the hand-picked successor of former Erie County D.A. John Flynn.

Last week, I sent Acting D.A. Keane – and all 61 of New York's other D.A.s and acting D.A.s – the above three attachments by the below July 18<sup>th</sup> e-mail entitled "NOTICE & grand jury/public corruption complaint – Your D.A. salary increases, the judicial salary increases on which they are based, & the violations of NY penal laws by state legislators within your jurisdictions", requesting their answers, by August 1<sup>st</sup>, to two simple questions:

- (1) whether they will be repudiating their state-mandated D.A. salary increases, paid from their county budgets, because they are based on three "false instrument", penal law-violating commission reports raising judicial salaries;
- (2) confirmation that they will be recusing themselves from CJA's July 18, 2024 grand jury/public corruption complaint pertaining thereto and securing an independent prosecutor.

If elected, what would your answers be? Please let me hear from you by August 1<sup>st</sup> so that, based on your answers, Erie county voters may be apprised as to whether a write-in campaign must be launched for suitable D.A. candidates who will abide by their duty of enforcing New York's penal laws, without fear or favor, including by recusing themselves when compromised by self-interest and relationships.

I am available to answer questions, including as to the particulars of my communications with former Erie County D.A. Flynn and his predecessor Acting D.A. Michael Flaherty.

Thank you.

Elena Sassower, Director

Center for Judicial Accountability, Inc. (CJA)

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

**Sent:** Thursday, July 18, 2024 8:49 PM

**To:** 'president@daasny.org' <[president@daasny.org](mailto:president@daasny.org)>; 'mcmahonda@rcda.nyc.gov' <[mcmahonda@rcda.nyc.gov](mailto:mcmahonda@rcda.nyc.gov)>; 'david.soares@albanycountyny.gov' <[david.soares@albanycountyny.gov](mailto:david.soares@albanycountyny.gov)>; 'ian.jones@alleganyco.com' <[ian.jones@alleganyco.com](mailto:ian.jones@alleganyco.com)>; 'clarkda@bronxda.nyc.gov' <[clarkda@bronxda.nyc.gov](mailto:clarkda@bronxda.nyc.gov)>; 'paul.battisti@broomecounty.us' <[paul.battisti@broomecounty.us](mailto:paul.battisti@broomecounty.us)>; 'LPRieman@cattco.org' <[LPRieman@cattco.org](mailto:LPRieman@cattco.org)>; 'bantonacci@cayugacounty.us' <[bantonacci@cayugacounty.us](mailto:bantonacci@cayugacounty.us)>; 'schmidtj@chqgov.com' <[schmidtj@chqgov.com](mailto:schmidtj@chqgov.com)>; 'wwetmore@chemungcountyny.gov' <[wwetmore@chemungcountyny.gov](mailto:wwetmore@chemungcountyny.gov)>; 'mferrarese@co.chenango.ny.us' <[mferrarese@co.chenango.ny.us](mailto:mferrarese@co.chenango.ny.us)>; 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Cc: 'morgan.bitton@daasny.org' <[morgan.bitton@daasny.org](mailto:morgan.bitton@daasny.org)>

**Subject: NOTICE & grand jury/public corruption complaint -- Your D.A. salary increases, the judicial salary increases on which they are based, & the violations of NY penal laws by state legislators within your jurisdictions**

**District Attorneys Association of the State of New York (DAASNY)**

**ATT: President/Richmond County D.A. Michael McMahon  
NYS' 61 Other D.A. and Acting D.A. Members**

Above-attached are CJA's July 18, 2024 NOTICE & grand jury/public corruption complaint and underlying July 17, 2024 ethics complaint to the Albany County Ethics Commission against Albany County D.A. Soares and its accompanying transmittal letter to him.

So that I may be guided accordingly, please let me hear from each of you by no later than two weeks from today, August 1, 2024, with respect to both the NOTICE and July 18, 2024 grand jury/public corruption complaint, herewith filed with you.

Thank you.

Elena Sassower, Director  
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