

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Monday, March 4, 2024 3:06 PM
To: 'ic_complaints@fbi.gov'

Subject: **MISSING: Your Response to CJA's Sept 10, 2021 complaint vs the FBI for violation of "written rules, protocols, and procedures" in its handling of CJA's October 16, 2020 public corruption complaint vs NYS' highest officials & its 62 D.A.s**

Attachments: [9-3-21-complaint-doj-inspector-general.pdf](#)

TO: FBI Deputy Designated Agency Ethics Official Catherine Bruno

Reference is made to my below September 10, 2021 e-mail to you, with the above-attached September 3, 2021 complaint to Inspector General Horowitz, entitled "Sept. 3, 2021 complaint vs the FBI, filed with the Inspector General – & request for info & for records, pursuant to FOIA".

The only response I received was a [September 24, 2021 e-mail](#) from the [FBI's Office of Integrity and Compliance](#), not bearing your name, acknowledging receipt of the September 10, 2021 e-mail and instructing, with respect to its included FOIA request, that I file it electronically to the "FBI's new eFOIPA submission portal at: [FBI Records: Freedom of Information/Privacy Acts \(FOIPA\)](#)". This I did and alerted you to the outcome by my [October 18, 2021 e-mail](#) entitled "Oct 2, 2021 FOIA request – responded-to by two FBI letters dated Oct. 7, 2021, with two different numbers: #1506312-000 & #15060307-000". I sent it to you a second time by an [October 19, 2021 e-mail](#), making a correction as to a further requested document.

As reflected by my below September 10, 2021 e-mail to you, the FOIA request it included was in substantiation of my complaint to you against the FBI. However, I never received from you any response to the complaint. What was your determination? And did you furnish it to Inspector General Horowitz, as the e-mail expressly requested you to do, immediately following the paragraph reading:

"Surely there are written rules, protocols, and procedures instructing the FBI about how to handle public corruption complaints, such as mine – perhaps requiring, preliminarily, consultation with the 'designated agency ethics official' as to the appropriate course. Were they followed? And were you consulted...?" (underlining added).

As I never received a response from FOIA to my October 18-19, 2021 e-mails for the requested documents, I cannot judge for myself what I reasonably believe to be the FBI's flagrant violation of "written rules, protocols, and procedures" in handling my FULLY-DOCUMENTED October 16, 2022 public corruption complaint against NYS' highest officials of its executive, legislative, and judicial branches and all 62 state D.A.s pertaining to their salaries and the state budget. You, however, have those "rules, protocols, and procedures" – and access to all FBI records as to what it did and did not do upon receipt of that politically-explosive complaint on October 16, 2020, three weeks before election day.

What determination did you make concerning my September 10, 2021 complaint to you – and did you furnish it to Inspector General Horowitz? Indeed, in light of [28 CFR Subpart E-4, §0.29e "Relationship to other departmental units"](#) and [28 CFR Subpart E-4, §0.29\(h\)\(e\)](#), isn't it reasonable to assume that the Inspector General would have referred the allegations in my September 3, 2021 complaint pertaining

to the FBI's handling of my October 16, 2020 public corruption complaint to you for investigation as the FBI's "Deputy Designated Agency Ethics Official"? Did he?

Please advise – and without delay – as the public corruption of NYS' highest officials documented by my October 16, 2020 complaint has led to a further “false instrument” commission report to raise judicial salaries and, based thereon, a larcenous appropriation of \$36.4M in the FY2024-25 legislative/judiciary budget bill. This is now the subject of a new election-impacting, FULLY-DOCUMENTED public corruption complaint that I filed with the FBI, the particulars of which are recited by my [March 1, 2024 e-mail to the Justice Department's Criminal Division for its Public Integrity Section](#) and by my [February 28, 2024 complaint to the FBI](#) to which it links.

Finally, by way of follow-up to my October 18-19, 2021 FOIA e-mails, I have today sent an e-mail to the FBI's Record/Information Dissemination Section Chief Michael Seidel with a subject line reading: “MISSING: FOIA responses to #1506312-000 and #15060307-000”. That March 4, 2024 e-mail is [here](#).

Thank you.

Elena Sassower, Director
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From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Friday, September 10, 2021 4:39 PM
To: ic_complaints@fbi.gov

Subject: **Sept. 3, 2021 complaint vs the FBI, filed with the Inspector General -- & request for info & for records, pursuant to FOIA**

TO: FBI Acting Deputy Designated Agency Ethics Official Catherine Bruno

This follow up my voice messages for you (202-324-9482) at 9:23 am and 1:53 pm today, upon discovering, from [Section 1-4.000 of the Justice Manual \(“Standards of Conduct”\)](#), that each “component” of the Justice Department has a “designated agency ethics official” – and that you serve in that capacity for the FBI: <https://www.justice.gov/jmd/ethics-officials>. At 2:35 pm, your assistant Marilyn returned my call, furnishing me with your e-mail address so that I could provide you with my September 3, 2021 complaint against the FBI, filed with Justice Department Inspector General Horowitz.

The complaint, with live links to the referred-to substantiating EVIDENCE, is above-attached. Further EVIDENCE is accessible from the webpage I created for the complaint: <http://www.judgewatch.org/web-pages/searching-federal/complaint-sept-3-2021-doj-inspector-general.htm>, to which I alerted the Inspector General on September 4, 2021.

[At issue is what the FBI did upon receipt of the FULLY-DOCUMENTED public corruption complaint I filed with it, electronically, on October 16, 2020](#) against “NYS Governor Cuomo, Lt. Governor Hochel,

Attorney General James, Comptroller DiNapoli, NYS Senators and Assembly Members, NYS Court of Appeals & other Albany judges -- & NYS' 62 county D.A.s, beginning with Albany County D.A. Soares" for "Fraud and larceny...involving their OWN pay raises... & the NYS budget"

As I briefly discussed with Marilyn, the FBI should have referred the October 16, 2020 complaint to "main Justice" and, specifically, to the Public Integrity Section of the Justice Department's Criminal Division, consistent with the Justice Department's annual reports to Congress on the activities and operations of the Public Integrity Section, which state:

"Public corruption cases tend to raise unique problems of public perception that are generally absent in more routine criminal cases. An investigation of alleged corruption by a government official, whether at the federal state, or local level, or someone associated with such an official, always has the potential of becoming a high-profile case simply because its focus is on the conduct of a public official. In addition, these cases are often politically sensitive because their ultimate targets tend to be politicians or government officials appointed by politicians.

A successful public corruption prosecution requires both the appearance and the reality of fairness and impartiality. This means that a successful corruption case involves not just a conviction but public perception that the conviction was warranted, not the result of improper motivation by the prosecutor, and is free of conflicts of interest. In a case in which the local conflict of interest is substantial, the local office is removed from the case by a procedure called recusal. Recusal occurs when the local office either asks to step aside, or is asked to step aside by Department headquarters, as primary prosecutor. Federal cases involving corruption in which the conflict is substantial are usually referred to the Public Integrity Section either for prosecution or direct operational supervision." ([latest annual report, for 2019, at pp. 1-2](#))

Surely there are written rules, protocols, and procedures instructing the FBI about how to handle public corruption complaints, such as mine – perhaps requiring, preliminarily, consultation with the "designated agency ethics official" as to the appropriate course. Were they followed? And were you consulted, including by any of NY's four acting U.S. Attorneys to whom I turned for oversight as to the status of the FBI's investigation of my October 16, 2020 public corruption complaint – first by [my November 4, 2020 complaint to Acting U.S. Attorney Antoinette Bacon \(NDNY\)](#) and then by [my December 19, 2020 complaint to NY's other three acting U.S. Attorneys \(SDNY\), \(EDNY\), \(WDNY\)?](#)

Please advise, furnishing the answers, as well, to Inspector General Horowitz.

Meantime – and pursuant to the Freedom of Information Act – I request the FBI's written rules, protocols and procedures for handling public corruption complaints of the type described by the Justice Department's annual reports to Congress on the activities and operations of the Public Integrity Section – and any records, available to me, as to the FBI's handling of my October 16, 2020 public corruption complaint.

Thank you.

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