

Center for Judicial Accountability, Inc. (CJA)

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Monday, August 24, 2020 2:55 PM
To: 'contact@benedictforjudge.com'
Cc: 'seamanforda@gmail.com'; 'johncerettoii@yahoo.com'
Subject: You can WIN election as Niagara County court judge against your rival, Niagara County D.A. Wojtaszek, easily & without \$. It requires nothing more than that you use the bully-pulpit of your candidacy to "whistle-blow"
Attachments: niagara-6-18-20-complaint-wojtaszek.pdf; niagara-signature.pdf; niagara-7-27-20-da-foil.pdf

TO: Niagara County Court Judge Candidate Michael Benedict

You can WIN election as Niagara County court judge against your rival, Niagara County District Attorney Wojtaszek – EASILY & WITHOUT MONEY. It requires nothing more than that you use the bully-pulpit of your candidacy to "whistle-blow" about the fraudulence of the \$200,400 Niagara County court judge salary of which you wish to be beneficiary – and of the identical Niagara County district attorney salary linked to it, of which D.A. Wojtaszek is already the beneficiary. The details of the salary increases that since 2012 have raised judicial and D.A. pay by more than \$80,000 – the product of two "force of law" commission reports that are each "false instruments", violative of a succession of penal laws – are furnished by the above-attached June 18, 2020 public corruption/grand jury complaint that D.A. Wojtaszek has been "sitting on". As stated by the below e-mail, sent earlier today to the two D.A. candidates competing to succeed D.A. Wojtaszek, her "wilful misconduct" in 'sitting on' the complaint [is] itself criminal and plainly disqualif[ies] her to be a judge"

Obviously, like D.A. Wojtaszek, you have conflicts of interest over and beyond your financial interest in maintaining the Niagara County court judicial salary at \$200,400, rather than the \$119,800 it should rightfully be. Like D.A. Wojtaszek, you suffer from conflicts of interest born of professional, personal, and political relationships with those involved in the corruption at issue or benefitting from it. As a candidate, will you rise above these conflicts of interest to confront the EVIDENCE presented by the June 18, 2020 complaint – and, if not, why should Niagara County voters believe that if they elect you as Niagara County court judge you will do your duty to rise above conflicts of interest, or even disclose them?

I would be pleased to speak with you about the foregoing – and answer your questions. Meantime, I am cc'ing D.A. Candidates Seaman and Ceretto, preliminary to my contacting the press.

Thank you.

Elena Sassower, Director
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From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Monday, August 24, 2020 9:35 AM
To: 'seamanforda@gmail.com' <seamanforda@gmail.com>; 'johncerettoii@yahoo.com' <johncerettoii@yahoo.com>

Subject: WINNING ELECTION as Niagara County district attorney belongs to the candidate who recognizes his duty to confront & rise above conflicts of interest

TO Niagara County District Attorney Candidates Brian Seaman and John Ceretto, II

Are you aware that the dramatic jump in the Niagara County district attorney salary, from \$119,800 in 2012 to \$200,400 last year, is the result of two “force of law” commission reports raising judicial salaries – and that each report is a “false instrument”, violative of a succession of penal laws? And are you aware that Niagara County state legislators also got a salary jump, from \$79,500 in 2018 to \$110,00 last year, as a result of a comparable “force of law” committee report that is a “false instrument, violative of the same succession of penal laws”?

The facts – and evidence – pertaining to this – are presented by the above-attached June 18, 2020 public corruption/grand jury complaint against Niagara County state legislators that I sent to Niagara County District Attorney Caroline Wojtaszek by the below two e-mails. Would it surprise you to know that D.A. Wojtaszek has been “sitting on” the complaint? And would you agree among the most obvious reasons is because she is financially interested in maintaining her current \$200,400 district attorney salary – and in ensuring that if elected to the Niagara County judgeship for which she is running, she will get the hiked pay for that office – the same as for D.A.s -- \$200,400.

As you are candidates running against each other to succeed D.A. Wojtaszek, will you speak out about her “wilful misconduct” in “sitting on” the complaint, itself criminal and plainly disqualifying her to be a judge. And if not, is it because each of you – like D.A. Wojtaszek -- suffer from a multitude of conflicts-of-interest? Apart from your own financial interests in a D.A. salary that is more than \$80,000 higher than it should lawfully be, Assemblyman Michael Norris, Esq. – one of the five Niagara County state legislators against whom the complaint is directed – is, according to [Candidate Seaman’s campaign website](#) – a “long-time friend”, with whom Candidate Seaman and his father are law firm partners. And although Candidate Ceretto’s father is not a current Niagara County state legislator, his tenure as [assemblyman from January 1, 2011 through December 31, 2016](#) means that he was part of the Legislature’s corruption in those years involving the state budget and the two commission reports raising judicial and district attorney salaries, encompassed by the complaint.

Absent action by D.A. Wojtaszek, the June 18, 2020 public corruption/grand jury complaint will be before whichever one of you wins election as Niagara County D.A. How will you handle the complaint, beginning with the threshold issue of your financial and other conflicts of interest. Will you present the complaint to a Niagara County grand jury for its inquiry pursuant to Article I, §6 of the New York State Constitution and Criminal Procedure Law Article 190? And what D.A. salary would you be expecting to draw -- \$119,800 or \$200,400 – a salary paid by Niagara County taxpayers from the Niagara County budget.

I am eager to speak with you directly about the foregoing – and, additionally, about my July 27, 2020 FOIL/information request to Niagara County’s FOIL Officer/Clerk of the Legislature Mary Jo Tamburlin pertaining to: (1) the functioning of the Niagara County district attorney’s office & performance of its duties with respect to public corruption complaints filed by members of the public; and (2) access to the Niagara County grand jury. The July 27, 2020 FOIL/information request is above-attached, transmitted by the below.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
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914-421-1200

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

Sent: Monday, July 27, 2020 2:16 PM

To: 'ncda@niagaracounty.com' <ncda@niagaracounty.com>; 'caroline.wojtaszek@niagaracounty.com'

<caroline.wojtaszek@niagaracounty.com>

Subject: Reasonable questions arising from your nonfeasance: June 18, 2020 public corruption complaint in support of grand jury inquiry, pursuant to Article I, §6 of the NYS Constitution, of Niagara County state legislators...

TO: Niagara County District Attorney Caroline Wojtaszek

I have received no acknowledgment or other response to my June 18, 2020 public corruption/grand jury complaint against Niagara County state legislators, which I sent you by the below e-mail, with a direct link to the substantiating evidentiary webpage: <http://www.judgewatch.org/web-pages/searching-nys/2020-legislative/grand-juries.htm>.

As the complaint presents evidence so *prima facie* and open-and-shut as to leave no doubt that a grand jury would speedily indict – and a trial jury speedily convict – the complained-against Niagara County state legislators and their accomplices, your nonfeasance raises reasonable questions as to your performance with respect to *other* public corruption complaints filed by *other* members of the public. To help answer these questions, I have today filed a FOIL/information request with Niagara County's FOIL Officer – to which you are a cc. It is attached.

Thank you.

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From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Thursday, June 18, 2020 11:10 AM
To: 'ncda@niagaracounty.com' <ncda@niagaracounty.com>; 'caroline.wojtaszek@niagaracounty.com' <caroline.wojtaszek@niagaracounty.com>

Subject: CORRUPTION COMPLAINT in support of grand jury inquiry, pursuant to Article I, §6 of the NYS Constitution, of Niagara County state legislators for "wilful misconduct in office", including larceny & fraud...

TO: Niagara County District Attorney Caroline Wojtaszek

Attached is my above-entitled corruption/grand jury complaint of today's date addressed to you – with a separate scanned signature page. The link for CJA's "Grand Juries" webpage for the complaint, hyperlinking, linking, and posting all referred-to evidence, is here: <http://www.judgewatch.org/web-pages/searching-nys/2020-legislative/grand-juries.htm>.

Should you require an original signed complaint, please notify me – and I will send it, immediately.

Thank you.

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