

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

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**Sent:** Wednesday, July 21, 2021 9:33 AM  
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**Subject:** JCOPE's violations of Executive Law §94.9(l)(i) by its July 8, 2021 annual report for 2020 -  
and by ALL its prior annual reports - and DEMAND that it rectify same  
**Attachments:** 7-20-21-ltr-to-berland.pdf

### **TO: Legislative Committees with Oversight Responsibilities Over the Joint Commission on Public Ethics (JCOPE) & Legislative Ethics Commission (LEC)**

- (1) Senate Committee on Ethics and Internal Governance – all 7 members
- (2) Assembly Committee on Ethics and Guidance – all 8 members
- (3) Senate Committee on Investigations and Government Operations
- (4) Assembly Committee on Governmental Operations
- (5) Assembly Committee on Oversight, Analysis and Investigation
- (6) Senate Committee on Corporations, Authorities, and Commissions
- (7) Assembly Committee on Corporations, Authorities, and Commissions
- (8) Legislative Commission on Government Administration

To assist you in discharging your oversight responsibilities over the Joint Commission on Public Ethics (JCOPE) and the Legislative Ethics Commission (LEC), attached is CJA's above-entitled letter of yesterday's date to JCOPE's executive director, sent by the below e-mail – to which LEC's executive director was cc'd. At issue are violations by JCOPE and LEC of parallel statutory provisions designed to enable you to track their handling of ethics complaints.

As the Senate and Assembly ethics committees are most immediately responsible for JCOPE and LEC, this e-mail is being sent to all their members, four of whom are themselves members of LEC – Senator Breslin, Assemblywoman Simon, Senator Lanza, and Assemblyman Montesano. To the other committees, this e-mail is being sent only to their chairs and ranking members, with a request that they forward same to all members of their respective committees so that all can participate in the EASY lift of ensuring the functioning of New York's ethics safeguards, which is their duty.

In the event you are unaware of the importance of independent examination of **the records of complaints filed with JCOPE and LEC** to your assessment of how those bodies are functioning – and what must be changed – here's what the state comptroller had to say, 32 years ago, in the context of the Commission on Judicial Conduct, by his 1989 report [Not Accountable to the Public: Resolving Charges Against Judges is Cloaked in Secrecy](#), whose accompanying press release was entitled "[Commission on Judicial Conduct Needs Oversight](#)". The SAME principles

apply – and any legislative hearings on JCOPE, LEC, or on New York’s other key ethics bodies as the Commission on Judicial Conduct, the attorney grievance committees, and the state and agency inspectors general – must begin and feature the testimony of complainants about their filed complaints.

I am available to answer questions and would welcome calls from you and your staff.

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:** Tuesday, July 20, 2021 10:00 AM  
**To:** 'kelly.mccready@jcope.ny.gov' <[kelly.mccready@jcope.ny.gov](mailto:kelly.mccready@jcope.ny.gov)>  
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**Subject: JCOPE’s violations of Executive Law §94.9(l)(i) by its July 8, 2021 annual report for 2020 – and by ALL its prior annual reports – and DEMAND that it rectify same**

TO: Sanford N. Berland, Executive Director  
Joint Commission on Public Ethics (JCOPE)

This follows my brief conversation with your confidential clerk, Kelly McCready, a short time ago, who gave me her e-mail address so that this would reach you, directly.

Attached is the Center for Judicial Accountability’s above-entitled letter of today’s date to which Legislative Ethics Commission Executive Director/Counsel Lisa Reid is its sole cc. Later today, or tomorrow, I will be forwarding the letter to the appropriate committees of the Legislature under a coverletter to which you and Ms. Reid will be cc’d – and which I will e-mail to all simultaneously.

CJA’s EVIDENTIARY webpage for the letter is here: <http://www.judgewatch.org/web-pages/searching-nys/jcope/july-20-2019-ltr-to-berland.htm>.

By the way, I am NOT among those looking to “scrap” JCOPE – not the least reason because of the exemplary safeguarding provisions of Executive Law §94.13 and Executive Law §94.9(l)(i).

Thank you.

Elena Sassower, Director  
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