

Center for Judicial Accountability, Inc. (CJA)

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Tuesday, January 19, 2021 8:39 AM
To: 'ldiamond@co.montgomery.ny.us'; 'mmanion@co.montgomery.ny.us';
'bkolbe@co.montgomery.ny.us'
Subject: Public corruption/grand jury complaint vs Montgomery County state legislators & other public officers for "wilful misconduct in office" including fraud and larceny pertaining to their own salary raises & the state & county budgets -- plus FOIL request
Attachments: 6-13-20-complaint-montgomery-da-mccoski.pdf; montgomery-signature.pdf; montgomery-7-24-20-da-foil.pdf

TO: Montgomery County District Attorney Lorraine Diamond

Above attached for presentment to a Montgomery County grand jury, so that it may discharge its duty pursuant to Article I, §6 of the New York State Constitution "to inquire into the wilful misconduct in office of public officers and to find indictments", is the June 13, 2020 public corruption complaint I filed with your Montgomery County D.A. predecessor, Kelli McCoski, involving the Montgomery D.A. salary and the Montgomery county budget, about which I gave you notice, twice, when you were running to be elected Montgomery County D.A. – by a June 13, 2020 facebook message and then by an August 17, 2020 e-mail. I received no response from you.

Below, as part of my August 17, 2020 e-mail to you, are my two e-mails transmitting the June 13, 2020 complaint to D.A. McCoski: the first, on June 13, 2020, and the second, on July 24, 2020, which additionally attached the above FOIL request. D.A. McCoski responded by a July 27, 2020 e-mail which read:

"Please be advised that this is the first correspondence received from you and I have forwarded it to our County Attorney, Meghan Manion as I will only present cases to the Grand Jury that have been fully and completely investigated by law enforcement."

My reply to D.A. McCoski, by an August 18, 2020 e-mail, stated, in pertinent part:

"The County Attorney is NOT 'law enforcement', you are. Is it your view that the June 13, 2020 complaint does not furnish 'probable cause' for a Montgomery County grand jury to inquire and find indictments against Montgomery County public officers for 'wilful misconduct in office', pursuant to Article I, §6 of the New York State Constitution? How about a 'grand jury report', pursuant to Criminal Procedure Law Article 190? What preliminary investigation did you do to verify the complaint's identified – and website-provided: <http://www.judgewatch.org/web-pages/searching-nys/2020-legislative/grand-juries.htm> -- *prima facie*, open and shut evidence before forwarding the July 24, 2020 e-mail to County Attorney Manion? Did you not believe an interview of me for further details was appropriate?

By copy of this e-mail to County Attorney Manion, from whom I have received no communication, I ask that she clarify the status of the June 13, 2020 corruption/grand jury complaint in the three weeks since your asserted 'forward[ing]'..."

I received nothing from County Attorney Manion. As for D.A. McCoski, I received an August 24, 2020 letter, but it responded only to the July 24, 2020 FOIL request.

For your convenience, you can find this correspondence pertaining to the June 13, 2020 complaint -- and the July 24, 2020 FOIL request -- posted on a webpage I have created for this complaint. The direct link is [here](#) — and I hereby re-file the July 24, 2020 FOIL request with you, for your own response thereto.

Needless to say, should you – like former D.A. McCoski -- ignore, without response, the FULLY-DOCUMENTED June 13, 2020 public corruption complaint and your financial and other conflicts of interest arising therefrom, you, like she, will be guilty of “wilful misconduct in office” – and ANY grand jury would so-find. You are plainly drawing a salary – and, presumably, it is not \$119,800, but the \$200,400 resulting from the two commission reports that are each “false instruments”, of which the June 13, 2020 complaint alerted you.

As the injury caused to the People of Montgomery County – and New York State – by the systemic governmental corruption laid out by the June 13, 2020 complaint is on-going and irreparable, time is of the essence. Will you – or will you not – be upholding the grand jury’s constitutionally-guaranteed “power...to inquire into” it?

Thank you.

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

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Monday, August 17, 2020 6:47 PM
To: 'diamondfordistrictattorney@gmail.com' <diamondfordistrictattorney@gmail.com>

Subject: You can win election as Montgomery Co. D.A., easily & without \$. All it requires is "whistleblowing" about D.A. McCoski's nonfeasance with respect to a public corruption complaint involving her own D.A. salary,

TO: Montgomery County District Attorney Candidate Lorraine Diamond

I am glad to have found your [candidate website](#), posting an e-mail address for you, as I received no response to the message I sent you on June 13, 2020, *via* your [campaign facebook page](#). It had read:

“Dear Candidate Diamond -- I am the director & co-founder of a non-partisan, non-profit citizens' organization, Center for Judicial Accountability, Inc. (CJA). Thank you for your D.A. candidacy, predicated on changing the status quo. I have today e-mailed D.A. McCoski a corruption complaint in support of a grand jury inquiry pursuant to Article I, Sec. 6 of the NYS Constitution. As it is relevant to the question of D.A. McCoski's fitness for the constitutional office she holds -- and also to your own fitness for that same office -- I would like to forward it to you. Kindly furnish me your e-mail. Mine is elena@judgewatch.org -- and my phone # is 914-421-1200. Thank you. Elena Sassower.”

Did you receive the message?

Above-attached is my June 13, 2020 corruption/grand jury complaint to District Attorney McCoski, which I sent her by the below e-mail. What would your procedure be for handling such a complaint, if you were district attorney. And, as a candidate, will you speak out about how District Attorney McCoski should be handling it? If not, is it because you suffer from conflicts-of-interest? What salary would you expect Montgomery County taxpayers to pay you, should you be elected? Is it \$119,800 or \$200,400?

I am eager to speak with you directly about the foregoing – and, additionally, about my July 24, 2020 FOIL/public information request to Montgomery County Records Access Officer/County Clerk Brittany Kolbe pertaining to: (1) the functioning of the Montgomery 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 Montgomery County grand jury. It is also above-attached.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
www.judgewatch.org
elena@judgewatch.org
914-421-1200

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

Sent: Saturday, June 13, 2020 3:29 PM

To: 'kmccoski@co.montgomery.ny.us' <kmccoski@co.montgomery.ny.us>

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

TO: Montgomery County District Attorney Kelli McCoski

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.

Elena Sassower, Director
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