

Center for Judicial Accountability, Inc. (CJA)

From: Brittany Kolbe <bkolbe@co.montgomery.ny.us>
Sent: Tuesday, August 18, 2020 11:19 AM
To: Center for Judicial Accountability, Inc. (CJA); Kelli McCoski
Cc: Meghan M. Manion
Subject: RE: Clarification: June 13, 2020 public corruption/grand jury complaint & July 24, 2020 FOIL/information request
Attachments: FOIL Request 07-28-2020.pdf

Good morning Elena,

Your FOIL request was responded to and mailed on July 28th, 2020 by my Deputy County Clerk as I was out of the office. See attached for copies of the time stamped FOIL and the acknowledgment letter. The letter was mailed to the address you provided on the FOIL.

From: Center for Judicial Accountability, Inc. (CJA) [mailto:elena@judgewatch.org]
Sent: Tuesday, August 18, 2020 9:03 AM
To: Kelli McCoski
Cc: Meghan M. Manion; Brittany Kolbe
Subject: Clarification: June 13, 2020 public corruption/grand jury complaint & July 24, 2020 FOIL/information request

TO: Montgomery County District Attorney McCoski

I am at a loss to understand your July 27, 2020 e-mail to me – a copy of which I have attached for your convenience.

Your e-mail sits atop my July 24, 2020 e-mail to you, which you state is "the first correspondence received from [me]". Are you saying you did not receive my June 13, 2020 e-mail – which, as the July 24, 2020 e-mail reflects – was sent to you at the same e-mail address as the July 24, 2020 e-mail?

You then state that you have "forwarded it" -- meaning my July 24, 2020 e-mail -- "to our County Attorney, Meghan Manion" because you "will only present cases to the Grand Jury that have been fully and completely investigated by law enforcement." That makes no sense. 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]" – and, additionally, of the July 24, 2020 FOIL/information request, to which you make no mention -- and as to which I have received no acknowledgment or response from Montgomery County Records Access Officer/County Clerk Brittany Kolbe.

So that Records Access Officer/County Clerk Kolbe may additionally respond with a status clarification as to the July 24, 2020 FOIL/information request, I am copying her on this e-mail. The July 24, 2020 transmitting e-mail I had sent her is below, with the FOIL/information request above-attached.