

ULSTER COUNTY
OFFICE OF THE DISTRICT ATTORNEY

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August 17, 2020

Elena Sassover
Center for Judicial Accountability, Inc.
P.O. Box 8101
White Plains, New York 10602

Re: Freedom of Information
Law Request

Dear Ms. Sassover:

This letter is written in response to your Freedom of Information Law Request dated July 30, 2020. Please be advised that I have now had the opportunity to review the criminal database maintained by the Ulster County District Attorney's Office in an attempt to comply with your request for records with respect to "public corruption" complaints filed in this office by "members of the public" from 2017 to the present.

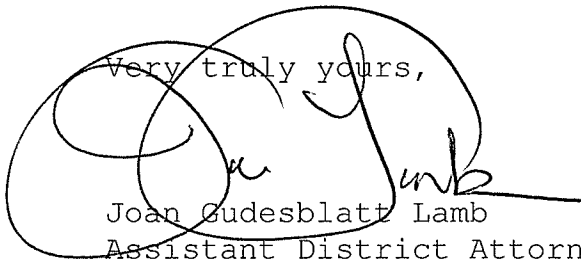
Please be advised that while I can provide the number of cases during the four year period you were interested in where one of the designated crimes which fall under the list of crimes set forth in your letter to Ulster County District Attorney David Clegg dated June 19, 2020 was charged, there is no way this office can ascertain whether that or any other charge for that matter was brought against a public official or public servant.

1. With respect to your FOIL request for the number of cases from this case involving one of the designated crimes that fall under the category of "public corruption," please be advised that during the four year time period in question, there were 27 cases where a defendant was charged with offering a false instrument for filing in the first degree and one scheme to defraud in the first degree charge.

2. Please be advised that none of the 28 cases set forth above were presented to a grand jury.
3. Since none of the 28 cases referenced above were presented to a grand jury, obviously no indictments resulted.
4. Since there were no indictments on any of the 28 charges listed above, your requests set forth in (5) and (6) below are denied as being irrelevant.
5. See (4) above
6. See (4) above
7. Similarly, your request for "manuals, guides and other records setting forth policies and procedures of the District Attorney's Office in instances of conflicts of interests of the District Attorney or assistant district attorneys, to wit, financial interest and professional, political and social relationships" is in all respects denied as this Office has no such manuals, guides or other records.
8. Similarly, your request for "manuals, guides and other records of the District Attorney's Office setting forth its procedures for handling public corruption complaints" is in all respects denied as this Office has no such manuals, guides or other records relating thereto.
9. Finally, your request for records regarding the number of grand jury indictments this Office has obtained against a "public servant" and/or persons "acting in concert" with a public servant pursuant to Penal Law §496 is granted. Please be advised that during the four year period in question, there were no indictments filed against public servants or persons acting in concert with a public servant.

Please be advised that with respect to those portions of your FOIL request which has been denied, you have the right to appeal the denial of your request to the Ulster County Executive.

Very truly yours,

A handwritten signature in black ink, appearing to read "Joan Gudesblatt Lamb", is written over the typed name. The signature is enclosed within a large, hand-drawn oval.

Joan Gudesblatt Lamb
Assistant District Attorney
Freedom of Information Records
Access Officer

JGL:jdf