

CENTER for JUDICIAL ACCOUNTABILITY, INC.

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June 28, 2021

TO: New York City Conflicts of Interest Board (COIB)

FROM: Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)

RE: FOIL – (1) delegations/assignment of powers from the five COIB members to counsel, other staff, and its chair; (2) COIB’s interpretation that §2603(k) of the New York City Charter and §2-02(f) of its Rules preclude COIB from informing complainants of the status of their own complaints

§2602 (g) of the New York City Charter states, as follows, with respect to the Conflicts of Interest Board:

“g. The board shall appoint a counsel to serve at its pleasure and shall employ or retain such other officers, employees and consultants as are necessary to exercise its powers and fulfill its obligations. The authority of the counsel shall be defined in writing, provided that neither the counsel, nor any other officer, employee or consultant of the board shall be authorized to issue advisory opinions, promulgate rules, issue subpoenas, issue final determinations of violations of this chapter, or make final recommendations of or impose penalties. The board may delegate its authority to issue advisory opinions to the chair.”

Pursuant to FOIL, this is to request all “writing(s)” by which the Board has “defined” the authority of its counsel, as well as delegated to him or staff any other powers, or made delegations to its chair.

Additionally, this is to request any records establishing that the Conflicts of Interest Board ever:

- (1) notified the city council or mayor that it was interpreting §2603(k) of the Charter and §2-02(f) of the Board’s Rules as prohibiting it from informing a complainant as to the status of his/her own complaint, including that it had been dismissed and the basis therefor;
- (2) sought the city council’s guidance – or that of the mayor – on the subject; or
- (3) made any recommendation with respect thereto pursuant to §2603(j) of the Charter.

Thank you.