CENTER *for* JUDICIAL ACCOUNTABILITY, INC.

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June 28, 2021

TO: New York City Conflicts of Interest Board
New York City Department of Investigation

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

RE: (1) Conflict-of-Interest/Public Corruption Complaint vs the New York City Conflicts of Interest Board & the New York City Department of Investigation;
(2) FOIL requests

I herewith file this conflict-of- interest complaint with the New York City Conflicts of Interest Board (COIB) against itself and the New York City Department of Investigation (DOI) for violating §2604(b)(2) of the New York City Charter which states:

> "No public servant shall…have any financial or other private interest, direct or indirect, which is in conflict with the proper discharge of his or her official duties."

For the reasons below particularized, I believe their violations of §2604(b)(2) have been committed for purposes of thwarting rightful determination of the May 17, 2021 complaint I filed with each of them against Public Advocate Jumaane Williams and New York City's five district attorneys for conflicts of interest and corruption. This constitutes corruption at both COIB and DOI with respect to their duties – for which reason I am additionally filing this complaint with DOI against both.

As with the May 17th complaint, which was accompanied by an EVIDENTIARY webpage from which essentially EVERY component of the complaint was verifiable, readily, so, too, is this complaint substantiated by its own EVIDENTIARY webpage to speed verification.[1]

The background to this complaint is, as follows:

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[1] CJA's website, www.judgewatch.org, posts a menu page for COIB and DOI from which these two EVIDENTIARY webpages are accessible. The menu page can be reached *via* the left sidebar panel: "Searching for Champions (Correspondence): NYS". The direct link is here: http://www.judgewatch.org/web-pages/searching-nys/district-attorneys/NYC/nyc-doi-coib.htm.

On June 16th I telephoned COIB Deputy Director of Enforcement Jeffrey Tremblay to ascertain whether, pursuant to Board Rule §2-02(a), the COIB had commenced an enforcement action based on my May 17th complaint by sending a notice of initial determination of probable cause to Public Advocate Williams and New York City's five district attorneys.

Mr. Tremblay responded that this information is confidential – and referred me to his May 17th letter acknowledging receipt of my complaint, which had stated:

> "Because of the confidentiality provisions of the City Charter, the Board cannot disclose any action taken by this agency, if any action is warranted, unless the Board issues an order finding that a violation of the conflicts of interest law has occurred, at which time the order would be published."

According to Mr. Tremblay, the status of a complaint is confidential even from a complainant and so much so that if, at any juncture, a complaint is dismissed, the complainant is not notified or furnished with the reason.

In response to my further inquiry as to whether – as with JCOPE and the attorney grievance committees – the initial determination of probable cause is made by staff, Mr. Tremblay stated that it is made by the Board. Upon asking him how often the Board meets, he stated once a month – and that its most recent meeting was the previous day, June 15th, and, prior thereto, on May 18th, the day after I had filed the May 17th complaint. Because of confidentiality, Mr. Tremblay would not confirm that my complaint had been on the agenda of either meeting, or which one – or anything about its status. He did, however, appear surprised when I asked him whether Board Member Anthony Crowell had recused himself by reason of his facilitating role in the massive corruption that underlies the five grand jury/public corruption complaints that New York City's five district attorneys are "sitting on" – or had disclosed this to the four other Board members – and whether they had disclosed any conflicts of interest, as for example, arising from their professional and personal relationships with Member Crowell – or with former Board Chair Richard Briffault, another participant in, and facilitator of, the massive corruption at issue.

I pointed out to Mr. Tremblay that my May 17th complaint had expressly stated (at pp. 3-5) that "Threshold" for both COIB and DOI was for each to confront their own conflicts of interest – and that its lengthy footnote 3 had elaborated particulars as to the involvement in the underlying corruption of both DOI Commissioner Margaret Garnett and her First Deputy Commissioner Daniel Cort, without corresponding elaboration as to COIB members other than, in the body of the complaint, that COIB relies on DOI for investigation of complaints, either in whole or in part.

I told Mr. Tremblay that it was my expectation that COIB staff, as part of their preliminary review of the complaint, would have called me about the complaint, thereby affording me the opportunity to identify Member Crowell's disqualifying involvement – and the tie to former Chair Briffault. Mr. Tremblay disputed that this would have been normal and customary procedure. And he appeared undisturbed that not only had I had no follow-up from COIB, but none from DOI for a complaint

which is *prima facie* and open-and-shut in establishing the complained-against corruption and violations of official duties by Public Advocate Williams and the five D.A.s – and which itself emphasized the importance of expedition, stating:

> "Needless to say, expedition is imperative. Not only is Public Advocate Williams running for re-election to an office he has corrupted, but, by his wilful nonfeasance, he has enabled a dozen of New York City's 92 corrupt state legislators, who are the subjects of the five grand jury/public corruption complaint, to run in this year's fast-approaching Democratic primary elections for New York City comptroller, Manhattan borough president, Brooklyn borough president, Bronx borough president, and Manhattan district attorney – and enabled a corrupt Democratic incumbent Brooklyn district attorney to run for re-election, presently unopposed because of the presumption that he is doing his job – where the starting point of the grand jury/public corruption complaints pertaining to the 'false instrument' December 10, 2018 report of the Committee on Legislative and Executive Compensation involves the corruption of the New York City comptroller, running in the Democratic primary to be New York City's next mayor." (at p. 5, underlining in the original).

I told Mr. Tremblay that I would be back in touch, after I had reviewed the legal authorities he had given me as barring him from furnishing me with any information as to the status of my May 17th complaint: §2603(k) of the New York City Charter and §2-02(f) of the Board's Rules.

As against COIB, this complaint is the result of that review – and my examination of Chapter 68 of the New York City Charter entitled "Conflicts of Interest" (§§2600 *et seq.*) pertaining to the Conflicts of Interest Board, which, until Mr. Tremblay directed me to its §2603(k), I had not examined. It is also based on my examination of COIB's annual reports, required by the Charter's §2603(i). This has revealed what I believe are two falsehoods – which are further grounds for this complaint.

As against DOI, this complaint is the result of my review of Chapter 34 of the New York Charter entitled "Department of Investigation" (§§801 *et seq.*), as well as examination of DOI's reports required by the Charter's §808(b). It is also based on my June 22nd telephone call to DOI Special Investigator Evelyn McCorkle, with whom I discussed the foregoing and the below. Ms. McCorkle, likewise, responded to my request for information as to the status of my May 17th complaint by stating it was confidential – though she was unable to refer me to any provision of the law for that proposition or to direct me to the DOI's rules pertaining to its handling of complaints. She agreed that if these existed, I should be able to obtain same through FOIL, which I told her I was intending to do, as, likewise, to file a FOIL request pertaining to COIB's delegation of authority for handling complaints from the Board to staff.

Those FOIL requests are enclosed herewith and incorporated by reference. My further comments are below, appearing in three sections, prefaced by a sentence in bold – and followed by a

"CONCLUSION".

First, I believe Mr. Tremblay's assertion that COIB is precluded from apprising a complainant of the status of his/her own complaint to be FALSE.

New York City Charter §2603(k) – the first of Mr. Tremblay's cited authorities – reads:

> **"**Except as otherwise provided in this chapter, the records, reports, memoranda and files of the board shall be confidential and shall not be subject to public scrutiny."

This has no relevance. At issue, is not "public scrutiny", nor a request for "records, reports, memoranda, and files". Rather, I was simply requesting information as to the status of my own complaint, which no provision of Chapter 68 precludes.

As for Board Rule §2-02(f) – the second authority to which Mr. Tremblay cited – it reads:

> "(f) *Settlement.*
>
> (1) At any time after the service of the Notice of Initial Determination of Probable Cause, an enforcement action may be resolved by settlement agreement in the form of a Public Disposition or Public Warning Letter.
>
> i. A Public Disposition must include an admission of the relevant facts; an acknowledgment that the admitted conduct violated a specific provision of the Conflicts of Interest Law… and a penalty that addresses the admitted conduct.
>
> ii. A Public Warning Letter must include a statement of relevant facts, and a description of each violation of a specific provision of the Conflicts of Interest Law… .
>
> (2) The language and penalty of the proposed settlement agreement will be negotiated between the enforcement attorney and the respondent or the respondent's representative, if applicable. …
>
> (3) If the enforcement attorney and the respondent reach a proposed settlement agreement, it will be reduced to writing and signed by the respondent… Any monetary penalty to be paid to the Board is due upon signing unless otherwise specified in the proposed settlement agreement. Monetary penalty payments will be held by the Board in escrow until the proposed settlement agreement is fully executed by the Board.

> (4) After receiving the full payment of any monetary penalty to be paid to the Board, the enforcement attorney will present the proposed settlement agreement to the Board for its review and approval.
>
> i. If the Board approves the proposed settlement agreement, the settlement agreement will be signed by the Board Chair. The fully-executed settlement agreement will be made public, but all underlying records, reports, memoranda, and files of the enforcement action will remain confidential in accordance with Charter § 2603(k).
>
> ii. If the Board does not approve the proposed settlement agreement, the Board may direct the enforcement attorney to seek modification of the penalty or the language in the settlement agreement. The modified proposed settlement agreement must be reviewed and approved by the Board."

Here, too – and Mr. Tremblay drew my attention to ¶4(i) as the pertinent portion – nothing precludes COIB from informing me, as the complainant, that, based on my complaint, an enforcement action has been commenced by "*Notice of Initial Determination of Probable Cause*" – which is the title of §2-02(a) – and the sole information I had sought.

No sound argument can be made for denying a complainant information as to the status of his/her own complaint – and this is the obvious reason why neither the Charter nor COIB rules contain a provision to that effect. Plainly such would be utterly inimical to the express purpose of Chapter 68, stated in its §2600 "Preamble": "to promote confidence in government".

Moreover, where a complaint to COIB and DOI raises conflicts of interest issues as to the agencies themselves, there can be NO confidence, at all, when the agencies do not even assure the complainant that his/her conflict-of-interest concerns have been addressed, let alone advise as to how and the outcome.

That COIB had not concerned itself, in the slightest, with the conflict of interest issues raised by my May 17th complaint was obvious from my conversation with Mr. Tremblay – and such cannot be deemed other than a reflection of COIB acting on its conflicts – including to green light those of DOI, particularized by its fn. 3.

Suffice to say that an unconflicted COIB, doing its job, could not – under any circumstances – ignore fn.3 and not concern itself with how DOI was going to address it, *vis-à-vis* its own handling of the complaint, unconnected with COIB's handling of the complaint. However, in the context of COIB's handling of the complaint, DOI's conflicts were immediately relevant if it had any doubt that the ONLY "appropriate" disposition it could make with respect to the May 17th complaint was an initial determination of probable. This is obvious from §2603(e)(2) of the Charter, identifying COIB's four

options upon receipt of a complaint, as follows:

> "2. Whenever a written complaint is received by the board, it shall:
>
> (a) dismiss the complaint if it determines that no further action is required by the board; or
>
> (b) refer the complaint to the commissioner of investigation if further investigation is required for the board to determine what action is appropriate; or
>
> (c) make an initial determination that there is probable cause to believe that a public servant has violated a provision of this chapter; or
>
> (d) refer an alleged violation of this chapter to the head of the agency served by the public servant, if the board deems the violation to be minor or if related disciplinary charges are pending against the public servant.

Option (a) and (d) being clearly inapplicable, the only other possibility – aside from the correct one, option (c) of an initial determination of probable cause – would have been option (b): "refer the complaint to the commissioner of investigation if further investigation is required for the board to determine what action is appropriate". However, because of the complaint's fn.3, COIB could not make such referral without expressly directing a response to it from Commissioner Garnett and Deputy Commissioner Cort, which it was empowered to do by the Charter's very next subsection, §2603(f), reading:

> **"**1. The board shall have the power to direct the department of investigation to conduct an investigation of any matter related to the board's responsibilities under this chapter. The commissioner of investigation shall, within a reasonable time, investigate any such matter and submit a confidential written report of factual findings to the board.
>
> 2. The commissioner of investigation shall make a confidential report to the board concerning the results of all investigations which involve or may involve violations of the provisions of this chapter, whether or not such investigations were made at the request of the board."

The "reasonable time" for such "confidential written report" with "factual findings" should have been a day or two – if that long – as the TRUTH of fn.3 was verifiable, within minutes, from its substantiating EVIDENTIARY webpage establishing that Commissioner Garnett and Deputy Commissioner Cort were knowledgeable of, and had colluded in, the corruption particularized by the five grand jury/public corruption complaints that New York City's five D.A.s are "sitting on".

Certainly, from the EVIDENTIARY webpages and links accompanying the May 17th complaint, an unconflicted COIB would have discerned, within hours, precisely what an unconflicted DOI would just as speedily have discerned, *to wit*, that the complaint is TRUE, both as to the corruption, in office, of New York City's five D.A.s and Public Advocate Williams – and as to their conflicts of interest propelling same.

No unconflicted COIB could allow weeks to pass – during a primary election season, no less – without taking EMERGENY steps to coordinate with DOI its handling, by independent investigators, of such monumental complaint of corruption born of conflicts of interest.

I discussed with Mr. Tremblay that because of his claim that he was prohibited from informing me about what was happening with my complaint because of §2603(k) of the Charter and §2-02(f) of COIB Rules, I was left to speculate about what was happening. It was entirely possible — unbeknownst to me – that COIB had made initial determinations of probable cause as to Public Advocate Williams and the five D.A.s and served upon them notice, thereby commencing enforcement actions whose results, based on the *prima facie*, open-and-shut EVIDENCE of the complaint, could only be adverse to them, thereupon made public.

By contrast, and as I discussed with Ms. McCorckle, who was unable to furnish me with any DOI rules pertaining to its handling of complaints – or assure me that DOI investigates corruption complaints based on probable cause and fundamental evidentiary standards – it appears that DOI is a "black hole", in which complaints easily disappear. As I pointed out to her, the sum total of what Chapter 34 of the Charter has to say about complaints is:

> §804, entitled "Complaint bureau": "There shall be a complaint bureau in the department which shall receive complaints from the public" – not identifying that the complaint bureau's receipt of complaints is for purposes of investigating them and the evidentiary standard governing same;
>
> §808(a) – under "Public outreach and reporting" – that DOI "shall…provide information regarding how the public can submit complaints to the department" – also not identify that such is for purposes of DOI's investigation.
>
> §808(b) – under "Public outreach and reporting" – that DOI "shall post a report on its website by March 1st of each year regarding public complaints received by the department for the preceding year. Such reports shall include the total number of complaints disaggregated by the mechanism through which the complaint was submitted…." – not requiring DOI to identify by its report how the "submitted" complaints it "received" were handled pursuant to some basic evidentiary standard.

Nor is §808(a) – under "Evaluation and recommendations" – any more helpful with its reference to "complaints received pursuant to section 804" or by any reference to "complaints" in subsection (b).

I told Ms. McCorkle that even COIB's annual report, required by §2603(i) of the Charter, is mandated to "include…a statistical summary and evaluation of complaints and referrals received and their disposition…".[2]

Second, I believe that Mr. Tremblay's assertion that COIB members, not staff, make the initial determination of probable cause to be FALSE.

In examining COIB's annual reports, I found the following in the reports for 2013, 2014, 2015, and 2016:

> "The Board's enforcement powers include the authority to receive complaints, direct the New York City Department of Investigation ('DOI') to investigate matters within the Board's jurisdiction, create a public record of Conflicts of Interest Law violations, and impose fines on violators. With the exception of imposing fines, which only the Board itself may do, these functions are discharged by the Board's Enforcement Unit. (underlining added).

This would mean that whatever is happening at COIB with my May 17th complaint may be entirely without the knowledge of the COIB's five Board members, each of whom may be entirely unaware of the complaint, never furnished to them for review or on the agenda of either their May 18th or June 15th meetings.

If so, that situation must be IMMEDIATELY rectified – starting with enabling the Board members to confront the "Threshold" conflict of interests presented by my May 17th complaint as to themselves and DOI – and here now supplemented by the particulars of Board Member Crowell's knowledge of, and facilitating role in, the massive corruption that underlies the five grand jury/public corruption complaints that New York City's five district attorneys are "sitting on" – as likewise the knowledge and facilitating role of former Board Chair Briffault.[3]

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[2] I do not believe that COIB or DOI's annual reportings of complaints are compliant with the requirements of their respective Charter provisions. That being said, neither Charter provision is adequate for accountability purposes – as is obvious from comparing them to what JCOPE's annual reports are required to furnish by Executive Law §94.9(l)(i), *to wit*,

> "a listing by assigned number of each complaint and referral received which alleged a possible violation within its jurisdiction, including the current status of each complaint". (underlining added).

Tellingly, neither COIB nor DOI acknowledged my May 17th complaint by indicating any number(s) that had been assigned to it.

[3] Mr. Crowell's knowledge and facilitating role arises from his 2015 appointment to the commission that was supposed to "review and evaluate the activities and performance of the joint commission on public ethics and the legislative ethics commission" – a joint appointment by Governor Cuomo, Assembly Speaker

Heastie, and then Temporary Senate President Flanagan. My interactions with Mr. Crowell were in that regard and began with my June 18, 2015 letter, which – quoting from CJA's December 11, 2014 complaint filed with JCOPE – stated:

> "any legitimate review commission would have to 'blow the whistle' on JCOPE and expose its corrupt protectionism of the Governor and Legislative Leaders – as proven, resoundingly, by CJA's June 27, 2013 ethics complaint against them and other public officers that JCOPE has been sitting on, now going on 18 months.' (at p. 2, underlining in the original December 11, 2014 complaint, hyperlinking added).

The letter then elaborated, as follows:

> "JCOPE has now been sitting on CJA's June 27, 2013 ethics complaint for nearly 24 months – a dereliction that has cost New York taxpayers upwards of $120 million in statutorily-violative, fraudulent, and unconstitutional judicial salary raises that the Governor, Attorney General, Comptroller, and Legislators were duty-bound to void, *but did not, because judicial salary raises were the means to their own salary raises*. And reinforcing the truth of what pages 4-6 of the June 27, 2013 complaint particularize as to the violations of Public Officers Law §74 by the Governor, Attorney General, Comptroller, and Legislators, born of their 'self-interest in the judicial pay raises' and their 'self-interest in the 'success' of the statute creating the Commission on Judicial Compensation', is that in this year's 'three-men-in-a-room', behind-closed-doors, budget deal-making – to which rank-and-file Legislators gave their rubber stamp – the Governor, Temporary Senate President, and Assembly Speaker inserted into Budget Bill S.4610-A/A.6721-A a Part E, repealing the statute that had created the Commission on Judicial Compensation and putting in its place a Commission on Legislative, Executive, and Judicial Compensation, structured in materially-identical fashion.[fn3]" (underlining and italics in original June 18, 2015 letter).

The letter then particularized conflicts of interest that the eight members of the JCOPE/LEC Review Commission would face, stating:

> "Plainly, you have relationships and associations with the Governor, Temporary Senate President, and Assembly Speaker who appointed you to the review commission and with other persons who are the subject of CJA's two conflict-of-interest JCOPE complaints. Likewise you have relationships and associations with the multitude of persons complicit in JCOPE's corruption, as for instance, U.S. Attorney for the Southern District of New York Preet Bharara, a recipient of CJA's December 11, 2014 complaint…. What is your protocol for dealing with conflicts of interest?
>
> For example…Seymour James was a member of the Commission to Investigate Public Corruption. I testified before the Commission on September 17, 2013, furnishing the June 27, 2013 ethics complaint in support of my testimony. How will Mr. James be able to discharge his duties as a member of this review commission when doing so will expose his past dereliction and that of the Commission to Investigate Public Corruption with respect to the June 27, 2013 ethics complaint – and with respect to CJA's underlying April 15, 2013 criminal complaint to U.S. Attorney Bharara on which it rests, that U.S. Attorney Bharara has been sitting on.[fn4] Will he – and you – have the independence to follow the evidence of JCOPE's corruption that directly leads to U.S. Attorney Bharara and brings within its wake a 'who's who' of powerful, influential persons? These include the other indicated recipients of CJA's December 11, 2014 ethics complaint… Attorney General Eric Schneiderman, Albany

County District Attorney P. David Soares, U.S. Attorney for the Northern District of New York Richard Hartunian, and the former U.S. Attorney for the Eastern District of New York, the now United States Attorney General, Loretta Lynch."

There was no response from Mr. Crowell or his seven fellow members of the JCOPE/LEC Review Commission to this letter – or to my immediately following June 22, 2015 letter, highlighting JCOPE's violation of Executive Law §94.9(l)(i) by its annual reports and its significance – nor to my subsequent correspondence, spanning to October 27, 2015, that included five FOIL requests to JCOPE, whose express purpose was "Assisting the JCOPE/LEC Review Commission with a methodologically-sound review". I sent all of it to Mr. Crowell *via* his e-mail address at New York Law School where he was then, as now, dean. I also testified before him at the JCOPE/LEC Review Commission's one and only hearing on October 14, 2015, which was at New York law school. Everything I presented – ALL dispositive and capable of transforming JCOPE into a properly-functioning body capable of protecting the People of the State of New York from corruption, born of conflicts of interest by their highest public officers – was ignored, without findings, by the JCOPE/LEC Review Commission's superficial, cover-up November 1, 2015 report. This includes with respect to JCOPE's violation of Executive Law §94.9(l)(i) – a violation that has continued, to date, in each and every one of its annual reports, and its violation of Executive Law §94.13(a), requiring JCOPE to "vote on whether to commence a full investigation…to determine whether a substantial basis exists to conclude that a violation of law has occurred" within 45 days of receipt of a complaint, whose only change, thanks to the JCOPE/LEC review Commission, is that now JCOPE has 60 days following receipt of a complaint to vote, which it identically violates, in tandem with its Executive Law §94.13(b) violation that "If the commission determines at any stage that there is no violation…it shall so advise…the complainant, if any". Then, too, there is the further issue of JCOPE's delegation of authority to staff, with respect to the initial 15-day notices – about which, to no avail, I had also alerted Mr. Crowell and his fellow Commission members.

JCOPE's continuing corruption as to all of this – for which Mr. Crowell bears responsibility – underlies my May 17th complaint– and this may be seen, clearly, from CJA's most recent complaint to JCOPE that it has been "sitting on" – that of March 5, 2021, concerning the grand jury/public corruption complaints that ALL NY's 62 current D.A.s are "sitting on" – the exception being Albany D.A. Soares, who purported that the matter should be handled by JCOPE and LEC. Indeed, the March 5, 2021 complaint extensively details (at pp. 4-9) the underlying facts, starting with CJA's June 27, 2013 and December 11, 2014 complaints that JCOPE is still "sitting on" – and the sham of the belated 2015 JCOPE/LEC Review Commission.

As now, Mr. Crowell was in 2015 a COIB member. COIB's chair, at that time, was Richard Briffault, who, with Albany D.A. Soares, had been a member of the rigged, D.A.-stacked Commission to Investigate Public Corruption, before whom I had testified on September 17, 2013. Supporting my testimony was CJA's June 27, 2013 complaint to JCOPE, which I had furnished to D.A. Soares by a July 19, 2013 complaint that he was then, as now, "sitting on". In testifying on September 17, 2013, my direct question to the Commission to Investigate Public Corruption, without response then or thereafter, was as to its protocols and procedures for dealing with conflicts of interest – a question I had raised, prior to testifying, by an August 5, 2013 letter to the Commission, identifying those disqualified by interest to include Professor Briffault, a constitutional scholar who then, as now, is Columbia University Law School's Joseph P. Chamberlain Professor of Legislation, and director of the law school's Legislative Drafting Research Fund, with an expertise in constitutional law and state and local governance, including government ethics.

Indeed, my interaction with Professor Briffault – giving rise to his knowledge of, and complicity in, the corruption that is the subject of the grand jury/public corruption complaints that New York City's five D.A.s are "sitting on" – reaches back to a phone conversation I had with him in July 2012, reflected in a July 25, 2012 e-mail I sent him, seeking imperatively-needed scholarship and *amicus curiae* assistance. Such interaction, established by EVIDENCE-laden e-mails and letters, is a case study of his unethical, agenda-driven conduct as a scholar, advocate, and governmental participant – born of conflicts of interest – and

Third, the FOIL requests pertaining to Public Advocate Williams, accompanying my May 17th complaint, are bearing fruit.

On June 16th, a short time after my phone conversation with Mr. Tremblay, I received a partial response to the first of my three FOIL requests pertaining to Public Advocate Williams and the public advocate's office that were part of my May 17th complaint. That first FOIL request was for the 11 annual reports, from 2010 to 2020, required by §24(n) of the New York City Charter. The response I received flagrantly violates §24(n) in so many respect– and the situation has reached an extreme with Public Advocate Williams, reflected in the last of the supposed annual reports – his 2019 "Progress Report". Indeed, such "Progress Report" fully corroborates my belief, asserted in the complaint (at p. 2), that he is "subverting the duties of his office" and "has transformed his office from that of a non-partisan ombudsman – which is what Section 24 of the City Charter contemplates – to a partisan, ideologically-slanted office for advancing his own personal preferences, goals, and 'progressive' agenda – and on a scale unrivaled by his public advocate predecessors".

By the way, today is exactly eight weeks since I filed with Public Advocate Williams my May 3rd conflict-of-interest public corruption complaint against New York City's five D.A.s and I have still NOT received from him any acknowledgment thereof, let alone notification that he has referred it to DOI and COIB, as §§24(f) and (k) of the Charter require. Have DOI and COIB received from him a referral of that complaint? And what about referrals of other complaints since he took office in March 2019?

CONCLUSION

In establishing the Conflicts of Interest Board, the New York City Charter did so with safeguards including that the Board's five members be "chosen for their independence, integrity, civic commitment and high ethical standards" (§2602(b)) – and would be removable:

> "by their respective appointing authority for substantial neglect of duty, gross misconduct in office, inability to discharge the powers or duties of office or violation of this section, after written notice and opportunity for a reply." (§2602(f)).

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includes his corrupting of scholarship by entities within Columbia Law School. Among these, its so-called "Center for the Advancement of Public Integrity", on whose advisory board he has sat since its inception – and whose founding, announced August 1, 2013, included funding through DOI. Indeed, it would seem likely that *via* his connections, at that time, came his mayoral appointment in March 2014, to COIB – as its chair.

CJA's webpage for this complaint contains links and substantiating webpages for all of the above – and, as to Professor Briffault, includes a webpage spanning my interaction with him since 2012 – and the VIDEO of his participation at a February 16, 2021 program about JCOPE, co-sponsored by the New York City Bar Association, of which he is an active member – at which he was introduced as "a very distinguished professor at Columbia Law School,…former chair of the New York City Conflicts of Interest Board, and a former member of the Moreland Commission [to Investigate Public Corruption]."

So, too, did the Charter furnish safeguards in establishing the Department of Investigation, headed by a Commissioner. The Commissioner, appointed by the mayor, with confirmation by the city council, was to be removable, by the mayor:

> "upon filing in the office of the commissioner of citywide administrative services and serving upon the commissioner of investigation the reasons therefor and allowing such officer an opportunity of making a public explanation."

The responses of each of the five board members of COIB and of the DOI commissioner to this serious and substantial conflict-of-interest/corruption complaint against them will be determinative of what must happen, going forward, to protect the integrity of New York City governance from the corruption, born of interest, of New York City's Public Advocate Williams and of its five district attorneys: Manhattan D.A. Cyrus Vance, Bronx D.A. Darcel Clark, Brooklyn D.A. Eric Gonzalez; Queens D.A. Melinda Katz, and Staten Island D.A. Michael McMahon.

As I stated at the close of my May 17, 2021 complaint against Public Advocate Williams and New York City's five D.As, so now here:

> "I understand that any false statements made in this complaint are punishable as a Class A Misdemeanor under Section 175.30 and/or Section 210.45 of the Penal Law."

Thank you.

Enclosures: (1) CJA's June 28, 2021 FOIL request to COIB
(2) CJA's June 28, 2021 FOIL request to DOI