

## Center for Judicial Accountability, Inc. (CJA)

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**From:** Center for Judicial Accountability, Inc. (CJA) <elena@judgewidth.org>  
**Sent:** Tuesday, May 8, 2018 3:51 PM  
**To:** 'frankmackay@yahoo.com'  
**Cc:** 'Cartagena, Nicholas (ELECTIONS)'  
**Subject:** Complaint/ELECTION-LAW VIOLATIONS & FRAUD: Independence Party Endorsement/Designation of Cuomo for Governor  
**Attachments:** 8-10-17-open-ltr.pdf

**TO: Frank MacKay, NYS Independence Party Chair**

It doesn't appear that much is happening at the Independence Party. The party's website, <http://www.independencepartyny.com/>, is essentially static, containing no news or other information about activity. Indeed, the only reference to an event, almost six months ago, is *via* the "Donate" link – to an upcoming December 21, 2017 event at the Capital Grille with Governor Cuomo. Coincidentally, on December 21, 2017, at 8:22 p.m. the New York Post posted an article "[Independence Party endorses Cuomo for re-election](#)", by Carl Campanile. Yet, seven months later, the Independence Party website includes NO press release or other announcement of that endorsement.

Nor does the Independence Party's website post the Independence Party's rules, nor its procedures for endorsing statewide candidates, or any other. For that matter, the website gives no indication that candidates may apply for Independence Party endorsement and does not post blank questionnaires for applicants to fill out and return, as do the websites of the Working Families Party: <http://workingfamilies.org/endorsement/new-york/apply-wfp-endorsement/> and of the Reform Party: <https://www.nyreformparty.com/>. Of course, the term "endorsement", as used by the Independence Party, is a euphemism for designating a candidate to run on its line.

Am I correct that the 21 individuals whose names are listed *via* the "Party Leadership" tab – yourself as chairman, a secretary, a treasurer, 7 vice chairs, and 11 at large members – comprise the Independence Party's executive committee? Based on Mr. Campanile's article, it inferentially appears that the Cuomo endorsement was made by the executive committee. Is that correct? What about the state committee? Did the members of the state committee vote on Cuomo's designation as the Independence Party's candidate – and, if so, at what meeting?

And when, if at all, did you inform the members of the executive committee and of the state committee of my attached August 10, 2017 OPEN LETTER, detailing that Cuomo could not be re-elected because he must be indicted for "grand larceny of the public fisc' and other corruption" – and that the EVIDENCE is laid out by a citizen-taxpayer action against him and his co-defendants – Temporary Senate President Flanagan, his fellow Senators, Assembly Speaker Heastie, his fellow Assembly Members, Attorney General Schneiderman, and Comptroller DiNapoli – involving commission-based judicial/district attorney pay raises and the state budget – and that all these public officers are the subject of corruption and ethics complaints that prosecutorial and disciplinary authorities have been "sitting" on, since 2013. My August 10, 2017 e-mail, transmitting to you the OPEN LETTER, is below. Did you forward it on to all the executive and state committee members? And what investigation, if any, did you personally make of the referred-to and accessible EVIDENCE of Cuomo's corruption. Or is EVIDENTIARY PROOF OF CORRUPTION IN OFFICE by an incumbent public officer NOT disqualifying?

Kindly e-mail me the Independence Party's rules and its instructions and vetting procedures for candidates seeking designation to run on the Independence Party line, including questionnaires required to be completed. Additionally, I request contact information for all members of the Independence Party's executive and state committees and for county chairs.

Finally, I draw your attention to Election Law §6-104(6) entitled “Party designation; statewide office”, which the Independence Party’s December 21, 2017 designation of Cuomo violated, in letter and in spirit both:

“The meeting of the state committee for the purpose of designating candidates shall be held not earlier than twenty-one days before the first day to sign designating petitions and not later than the first day to sign designating petitions for the primary election.”

Surely the Independence Party is advised by Election Law attorneys. What do they say? And what say the members of the Independence Party’s executive committee, state committee, and its county chairs – to whom I request you forward this e-mail, which, for their convenience and yours, will be posted on CJA’s webpage for the Independence Party, here: <http://www.judgewatch.org/web-pages/elections/parties/independence-party.htm>. That is where is also posted my August 9, 2017 e-mail to you to which, like my August 10, 2017 e-mail attaching my OPEN LETTER, I received no response from you or anyone on your behalf.

To encourage your response, a copy of this e-mail is being sent to the New York State Board of Elections, in support of my oral complaint against the Independence Party, made yesterday.

Thank you.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
[www.judgewatch.org](http://www.judgewatch.org)  
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**From:** Center for Judicial Accountability, Inc. (CJA) <[elena@judgewatch.org](mailto:elena@judgewatch.org)>  
**Sent:** Thursday, August 10, 2017 12:27 PM  
**To:** 'curtis@curtissliwa.com' <[curtis@curtissliwa.com](mailto:curtis@curtissliwa.com)>; 'PopulistReformNY@gmail.com' <[PopulistReformNY@gmail.com](mailto:PopulistReformNY@gmail.com)>; 'mjmesq@aol.com' <[mjmesq@aol.com](mailto:mjmesq@aol.com)>; 'rluthmann@luthmannfirm.com' <[rluthmann@luthmannfirm.com](mailto:rluthmann@luthmannfirm.com)>; 'morano@nycradio.com' <[morano@nycradio.com](mailto:morano@nycradio.com)>  
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**Subject: OPEN LETTER: The NYS Reform Part of Curtis Sliwa MUST Rescind its Endorsement of, & Party Line to, Senator Geo. Latimer for Westchester Co. Executive & the Other Parties Must Follow Suit -- Unless They Deem Corruption in Office a Qualification**

Attached is the Center for Judicial Accountability’s OPEN LETTER of today’s date entitled “**The NYS Reform Party of Curtis Sliwa MUST Rescind its Endorsement of, & Party Line to, Senator George Latimer for Westchester County Executive & the Other Parties Must Follow Suit – Unless they Deem Corruption in Office a Qualification**”, herewith sent to ALL eight recognized political parties and to the three candidates seeking election/re-election to the office of Westchester County Executive: Messrs. Latimer, Astorino, and Jenkins.

The OPEN LETTER is already posted on CJA’s website, [www.judgewatch.org](http://www.judgewatch.org), accessible *via* the prominent link “**OUTING CORRUPT & COLLUSIVE INCUMBENTS & Ending their Road to Re-Election &**

**Higher Office in 2017, 2018, & Beyond – WITH EVIDENCE”**. The direct link to the webpage for the letter, which also furnishes THE EVIDENCE on which it is based, is here:

<http://www.judgewatch.org/web-pages/elections/ending-the-road-latimer.htm>.

I am available to answer questions, under oath, and to assist you to the max, toward what should be our common goal of open, honest, fiscally-responsible, responsive, and accountable government, such as we do NOT remotely have on the state level... You can change that!

Thank you.

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

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