

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

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**From:** Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>  
**Sent:** Tuesday, November 1, 2016 4:30 PM  
**To:** 'koconnor@ithacajournal.com'  
**Cc:** 'msmith@ithacavoiced.com'; 'mvh@v-h-law.com'; 'contact@kopkolaw.com';  
'BDSHARP@DemocratandChronicle.com'  
**Subject:** AGAIN -- Who is the "Whistleblower" between the two Tompkins Co. D.A. Candidates:  
Van Houten? Kopko? Both? Neither?  
**Attachments:** 10-14-16-complaint-vs-soares-das.pdf

TO: Kelsey O'Connor, Ithaca Journal

Following up our phone conversation earlier this afternoon – and the below substantiating October 14, 2016 e-mail I thereupon sent you so that you could get a head-start on this electorally-explosive story – this is to request that you ask Tompkins County district attorney candidates Van Houten and Kopko two simple questions:

- (1) If elected, what would your procedures be for handling public corruption complaints, filed with your district attorney office, where you have financial and other conflicts of interest?; and
- (2) If elected, what salary would you expect to receive as Tompkins County district attorney?

As discussed, whichever candidate is elected will have to confront both issues threshold -- or become the subject of the same October 14, 2016 conflict-of-interest/misconduct complaint as has been filed against the district attorneys of all New York's 62 counties for colluding in high-level government corruption involving district attorney salary increases they know to be fraudulent, statutorily-violative, and unconstitutional. These are the same district attorney salary increases that D.A. candidates Van Houten and Kopko are presumably expecting to be the beneficiary of, if elected.

It is now over two weeks that D.A. candidates Van Houten and Kopko have had the October 14, 2016 complaint. This is more than enough time for each of them to have verified that the \$60,000 salary increases that the state's district attorneys have received since 2012 rest on an August 29, 2011 report of the Commission on Judicial Compensation and on a December 24, 2015 report of the Commission on Legislative, Judicial and Executive Compensation that are each "false instruments". Based thereon, their duty is to show their commitment to "public integrity" and the "rule of law" – including the penal law they would be charged with enforcing -- by announcing NOW that they will disavow the \$60,000 salary increases of which they would otherwise benefit and will advise Tompkins County government to take appropriate steps to void them. Will they do that, if elected?

Page 7 of the October 14, 2016 identifies the pending citizen-taxpayer action, *CJA v. Cuomo, et al.* (Albany Co. #5122-16), in a posture of SUMMARY JUDGMENT for the plaintiffs, including as to its 6<sup>th</sup>, 7<sup>th</sup>, and 8<sup>th</sup> causes of action to void the two commission reports on which the D.A. salary increases are based: <http://www.judgewatch.org/web-pages/searching-nys/budget/citizen-taxpayer-action/2016/menu-2nd-citizen-taxpayer-action.htm>. Do D.A. candidates Van Houten and Kopko deny or dispute that plaintiffs are entitled to SUMMARY JUDGMENT, *as a matter of law*. If so, they must furnish their findings of fact and conclusions of law with respect to the posted record.

Any district attorney candidate who will not answer the above straight-forward questions pertaining to conflicts-of-interest and the D.A. salary they will be accepting, if elected – and who will not furnish findings of fact and conclusions of law with respect to the EVIDENCE presented by the October 14, 2016 conflict-of-interest/misconduct complaint and pending citizen-taxpayer action -- must be deemed UNFIT for so important a public office – or any other.

I am available to assist you to the max, including at night and over the weekend, and will happily answer all questions so that the Ithaca Journal can lead on this explosive, corruption-busting story, with ramifications on all 13 of New York State's other district attorney electoral races, on local county government races, on all 213 state senate and assembly seats – and on the charade that has been playing out with respect to the Commission on Legislative, Judicial and Executive Compensation and its upcoming report on legislative and executive compensation, due to be rendered AFTER the November 8, 2016 elections.

Meantime, please forward this on to Ithaca Journal's editorial writers so that they can hold off on any endorsements in the Tompkins County district attorney race.

Thank you.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
914-421-1200  
[www.judgewatch.org](http://www.judgewatch.org)

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**From:** Center for Judicial Accountability, Inc. (CJA) [<mailto:elena@judgewatch.org>]

**Sent:** Tuesday, November 1, 2016 3:12 PM

**To:** 'koconnor@ithacajournal.com' <[koconnor@ithacajournal.com](mailto:koconnor@ithacajournal.com)>

**Cc:** 'msmith@ithacavoiced.com' <[msmith@ithacavoiced.com](mailto:msmith@ithacavoiced.com)>

**Subject: FW: Who is the "Whistleblower" between the two Tompkins Co. D.A. Candidates: Van Houten? Kopko? Both? Neither?**

Dear Kelsey,

Thank you for your prompt return call.

As discussed, below is my October 14<sup>th</sup> e-mail to Ithaca Voice reporter Michael Smith, simultaneously transmitting the just-completed October 14<sup>th</sup> conflict-of-interest/misconduct complaint to D.A. candidates Van Houten & Kopko for their response.

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**From:** Center for Judicial Accountability, Inc. (CJA) [<mailto:elena@judgewatch.org>]

**Sent:** Friday, October 14, 2016 11:44 AM

**To:** 'msmith@ithacavoiced.com' <[msmith@ithacavoiced.com](mailto:msmith@ithacavoiced.com)>

**Cc:** 'mvh@v-h-law.com' <[mvh@v-h-law.com](mailto:mvh@v-h-law.com)>; 'contact@kopkolaw.com' <[contact@kopkolaw.com](mailto:contact@kopkolaw.com)>

**Subject: Who is the "Whistleblower" between the two Tompkins Co. D.A. Candidates: Van Houten? Kopko? Both? Neither?**

Dear Michael,

Following up our phone conversation earlier this morning, attached is the Center for Judicial Accountability's conflict-of-interest/misconduct complaint against NY's district attorneys for their complicity in the larcenous district attorneys salary increases of which they are beneficiaries.

By copy of this e-mail, I am furnishing it to Tompkins County D.A. candidates Matthew Van Houten & Edward Kopko – whose names I have already posted on CJA's webpage: "Making the 2016 District Attorney Elections Competitive". The direct link is here: <http://www.judgewatch.org/web-pages/searching-nys/budget/budget-2016-17/2016-da-elections.htm>.

Which of the two of them will demonstrate his fitness for public office by "blowing the whistle"? **Would they not agree that no candidate can be deemed fit who keeps silent in the face of dispositive EVIDENCE of penal law violations and disregard of fundamental conflict-of-interest rules?**

I am available to assist you – and them – to the max so that by their electoral contest for Tompkins County district attorney you can take the lead in exposing the corruption that pervades our state government, thanks to New York's complicit district attorneys – covered-up by the D.A. stacked Commission to Investigate Public Corruption.

Thank you.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
914-421-1200  
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**From:** Center for Judicial Accountability, Inc. (CJA) [<mailto:elena@judgewatch.org>]

**Sent:** Friday, October 14, 2016 10:46 AM

**To:** 'dsoares@albanycounty.com' <[dsoares@albanycounty.com](mailto:dsoares@albanycounty.com)>; 'egalarnau@albanycounty.com' <[egalarnau@albanycounty.com](mailto:egalarnau@albanycounty.com)>; 'scornwell@co.broome.ny.us' <[scornwell@co.broome.ny.us](mailto:scornwell@co.broome.ny.us)>; 'districtattorney@co.chenango.us' <[districtattorney@co.chenango.us](mailto:districtattorney@co.chenango.us)>; 'wwetmore@co.chemung.ny.us' <[wwetmore@co.chemung.ny.us](mailto:wwetmore@co.chemung.ny.us)>; 'da@clintoncountygov.com' <[da@clintoncountygov.com](mailto:da@clintoncountygov.com)>; 'msuben@cortland-co.org' <[msuben@cortland-co.org](mailto:msuben@cortland-co.org)>; 'paul.czajka@columbiacountyny.com' <[paul.czajka@columbiacountyny.com](mailto:paul.czajka@columbiacountyny.com)>; 'john.hubbard@co.delaware.ny.us' <[john.hubbard@co.delaware.ny.us](mailto:john.hubbard@co.delaware.ny.us)>; 'KSprague@co.essex.ny.us' <[KSprague@co.essex.ny.us](mailto:KSprague@co.essex.ny.us)>; 'cbrown@co.fulton.ny.us' <[cbrown@co.fulton.ny.us](mailto:cbrown@co.fulton.ny.us)>; 'carriero@co.franklin.ny.us' <[carriero@co.franklin.ny.us](mailto:carriero@co.franklin.ny.us)>; 'jstanzione@discovergreene.com' <[jstanzione@discovergreene.com](mailto:jstanzione@discovergreene.com)>; 'districtattorney@hamiltoncountyny.gov' <[districtattorney@hamiltoncountyny.gov](mailto:districtattorney@hamiltoncountyny.gov)>; 'william.gabor@madisoncounty.ny.gov' <[william.gabor@madisoncounty.ny.gov](mailto:william.gabor@madisoncounty.ny.gov)>; 'jedconboy@co.montgomery.ny.us' <[jedconboy@co.montgomery.ny.us](mailto:jedconboy@co.montgomery.ny.us)>; 'muehlj@otsegocounty.com' <[muehlj@otsegocounty.com](mailto:muehlj@otsegocounty.com)>; 'jabelove@renesco.com' <[jabelove@renesco.com](mailto:jabelove@renesco.com)>; 'kheggen@saratogacountyny.gov' <[kheggen@saratogacountyny.gov](mailto:kheggen@saratogacountyny.gov)>; 'districtattorney@schenectadycounty.com' <[districtattorney@schenectadycounty.com](mailto:districtattorney@schenectadycounty.com)>; 'sacketj@co.schoharie.ny.us' <[sacketj@co.schoharie.ny.us](mailto:sacketj@co.schoharie.ny.us)>; 'jfazzary@co.schuyler.ny.us' <[jfazzary@co.schuyler.ny.us](mailto:jfazzary@co.schuyler.ny.us)>; 'mrain@co.st-lawrence.ny.us' <[mrain@co.st-lawrence.ny.us](mailto:mrain@co.st-lawrence.ny.us)>; 'mrain@stlawco.org' <[mrain@stlawco.org](mailto:mrain@stlawco.org)>; 'james.farrell@co.sullivan.ny.us' <[james.farrell@co.sullivan.ny.us](mailto:james.farrell@co.sullivan.ny.us)>; 'martink@co.tioga.ny.us' <[martink@co.tioga.ny.us](mailto:martink@co.tioga.ny.us)>; 'abonavia@tompkins-co.org' <[abonavia@tompkins-co.org](mailto:abonavia@tompkins-co.org)>; 'ucda@co.ulster.ny.us' <[ucda@co.ulster.ny.us](mailto:ucda@co.ulster.ny.us)>; 'hogank@warrencountyny.gov' <[hogank@warrencountyny.gov](mailto:hogank@warrencountyny.gov)>; 'ksomich@co.washington.ny.us' <[ksomich@co.washington.ny.us](mailto:ksomich@co.washington.ny.us)>  
**Cc:** 'ad3agc@nycourts.gov' [ad3agc@nycourts.gov](mailto:ad3agc@nycourts.gov)

**Subject:** Conflict-of-Interest/Misconduct Complaint vs the DAs to the 3rd Dept. Attorney Disciplinary Committees, with FOIL records request

**TO: New York's District Attorneys, Acting District Attorneys, & Former District Attorneys within the 3<sup>rd</sup> Judicial Department**

In the absence of your response to the Center for Judicial Accountability's correspondence to you, attached is our conflict-of-interest/misconduct complaint against you of today's date, being mailed to the Third Judicial Department's attorney disciplinary committee.

The complaint is posted – with the substantiating evidence to which it refers – on CJA's website, [www.judgewatch.org](http://www.judgewatch.org), accessible from the prominent center link: "No Pay Raises for New York's Corrupt Public Officers – The Money Belongs to their Victims!", via its #14 menu listing "A New Round of

Disciplinary & Criminal Complaints". The direct link is here: <http://www.judgewatch.org/web-pages/searching-nys/budget/budget-2016-17/10-14-16-complaint-vs-soares-etc.htm>.

As set forth at p. 8, the complaint is ALSO a FOIL request for records responsive to the question posed by the penultimate paragraph of CJA's July 8, 2016 letter, which each district attorney/acting district attorney could have voluntarily answered, but did not:

"What are your procedures for handling public corruption complaints, filed with your district attorney offices, where you have financial and other conflicts of interest?" (Exhibit F: at p. 6).

Thank you.

Elena Sassower, Director  
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914-421-1200