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BY CERTIFIED MAIL

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August 26, 2021

TO: Acting U.S. Attorney for the Eastern District of New York Jacquelyn Kasulis

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

RE: HOW IT “GOT IN THE STATE BUDGET” –

(1) your investigation, with the FBI, of how the immunity provision expanding protections for nursing homes and other health care facilities during the COVID emergency “got in the state budget”;

(2) initiation of a criminal complaint vs Davis Polk & Wardwell, LLP, for larceny of taxpayer money, in addition to conspiracy and fraud for concealing, *inter alia*, that the immunity provision “got in the state budget” through knowing and deliberate violations of constitutional, statutory, and legislative rule provisions, so-proven by CJA’s FULLY-DOCUMENTED 62 grand jury/public corruption complaints filed with NY’s 62 district attorneys pertaining to the FY2020-21 state budget;

(3) supplement to CJA’s December 19, 2020 public corruption complaint to former Acting U.S. Attorney DuCharme, embodying CJA’s October 16, 2020 public corruption complaint to the FBI

This follows up the half-hour phone conversation I had with Danielle Williams of your office, on Friday, July 9, 2021 (10:05 – 10:35 a.m.), when she called me in response to two voice messages I had left at your main office (718-254-7000) on Thursday, July 8, 2021 (12:06 p.m. and 4:35 p.m.).

The reason for my calls were news articles reporting that the FBI and U.S. Attorney for the Eastern District of New York were investigating how the immunity provision that had expanded protections for New York nursing homes and other health care facilities during the COVID emergency “got in the state budget”. I so-stated this in my voice messages, requesting to speak with personnel from the unit involved in that investigation.

Ms. Williams was not from such unit. Seemingly, her job is to do initial intake of phone calls and the like. She knew nothing about the investigation to which I referred, stated she could not confirm

such investigation, and initially resisted acknowledging its possible existence – even after I showed her illustrative news articles from March to June that I had posted on CJA’s website, www.judgewatch.org. Among these, the March 18, 2021 article [*“FBI Cuomo Probe Seeks Details on Deal to Shield Nursing Homes from COVID Lawsuits”*](#) (The City), whose pertinent portion I read to her:

“In recent weeks, FBI officials have been looking to interview members of Gov. Andrew Cuomo’s staff and other state officials about the eleventh-hour addition to the state budget last March, according to three people familiar with the matter. . . . FBI officials started to make house calls this month, showing up at people’s residences and leaving business cards, according to the three sources. Investigators’ questions have focused primarily on the nursing home immunity provision and how it ‘got in the state budget.’ said one legislative source. . . .” (underlining added).

I stated my belief that the legislators who had been interviewed had concealed the flagrant constitutional, statutory, and legislative rule violations by which the immunity provision “got in the state budget”, for which they were equally responsible, with Governor Cuomo – and my further belief that you had not been apprised of this by the law firm of Davis Polk & Wardwell, LLP, retained by the Assembly, at taxpayer expense, to assist the Assembly Judiciary Committee “in determining whether evidence exists to support a finding that the Governor has engaged in conduct which merits impeachment under the New York State Constitution and under the laws of the State of New York” and “to examine all credible allegations”¹ – and which publicly promised to “coordinate to the extent possible with the relevant investigators” engaged in “parallel investigations”.²

In substantiation, I showed Ms. Williams a series of webpages on CJA’s website:

- [a webpage for the immunity provision](#), furnishing an overview of the constitutional, statutory, and legislative rule violations pertaining to the FY2020-21 state budget – without which it could not have been inserted into the budget, let alone without legislators knowing about it;
- [a webpage](#) pertaining to the collusion between Governor Cuomo, Senate Majority Leader Stewart-Cousins, Assembly Speaker Heastie and the other 211 state legislators in knowingly and deliberately violating a mountain of constitutional, statutory, and legislative rule provisions pertaining to the FY2020-21 state budget, established by my [June 4, 2020 grand jury/public corruption complaint](#) against them and Lieutenant Governor Hochul, Attorney General James, Comptroller DiNapoli, all seven New York Court of Appeals judges, and other Albany judges, filed with Albany County District Attorney P. David Soares – and then

¹ AUDIO of Assembly Judiciary Committee’s March 23, 2021 meeting (at 2-3 mins).

² AUDIO of Assembly Judiciary Committee’s March 23, 2021 meeting (at 47-48 mins).

materially replicated in 61 other grand jury/public corruption complaints solely against the legislators filed with New York's 61 other district attorneys – each complaint resting on, and accompanied by, an identical [EVIDENTIARY webpage of substantiating proof](#);

- [a webpage entitled “Bringing In the Feds”](#), posting the public corruption complaints I had filed with federal authorities, based on the 62 grand jury/public corruption complaints: (1) my October 16, 2020 complaint to the FBI; (2) my November 4, 2020 complaint to Acting U.S. Attorney for the Northern District of New York Antoinette Bacon; and (3) my December 19, 2020 public corruption complaint to Acting U.S. Attorney for the Southern District of New York Audrey Strauss; to then Acting U.S. Attorney for the Eastern District of New York Seth DuCharme, and to Acting U.S. Attorney for the Western District of New York James P. Kennedy;
- [a webpage pertaining to the taxpayer-paid impeachment investigation of Governor Cuomo by Davis Polk, on behalf of the Assembly Judiciary Committee](#), establishing Davis Polk's knowledge, the Committee members' knowledge, and the knowledge of Assembly Administrative Counsel in the flagrant violations of constitutional, statutory, and legislative rule provisions pertaining to the FY2020-21 state budget – without which the immunity provision could NOT have “got[ten] in the state budget” – constituting open-and-shut, *prima facie* grounds and EVIDENCE to not only impeach and convict Governor Cuomo, but Senate Majority Leader Stewart-Cousins, Assembly Speaker Heastie, the 211 other state legislators, Lieutenant Governor Hochul, Attorney General James, Comptroller DiNapoli, the Court of Appeals judges, Albany judges – and the 62 district attorneys “sitting on” the 62 grand jury/public corruption complaints.

It is now nearly seven weeks since that EVIDENCE-BASED July 9, 2021 phone conversation with Ms. Williams and I have received no communication from any member of your office – or from the FBI with which you partner – about the immunity provision, about the FY2020-21 state budget, or about my EVIDENCE-BASED December 19, 2020 public corruption complaint to former Acting U.S. Attorney DuCharme, to which I had received no response from him or from New York's other three acting U.S. Attorneys.

As prior to your taking over as acting U.S. Attorney in June 2021, you were chief of the office's Criminal Division, operating a Public Integrity Section³ – a position in which you remained when First Assistant Mark Lesko became acting U.S. Attorney in March 2021 – I assume the December 19, 2020 complaint would have been referred to you and/or that you would have been made aware of it. Is that correct? And were you made aware of my July 9, 2021 phone conversation with Ms. Williams?

³ According to [your webpage for the Criminal Division](#), “The Public Integrity Section investigates and prosecutes public officials at all levels of government, whether elected or appointed, who would further their own interests in violation of the public trust.”

To assist you in reviewing the situation – and your obligations, going forward to ensure that I be put before a grand jury, be it federal, state, or both – I have created an EVIDENTIARY webpage in substantiation of this letter/complaint/supplement – accessible from CJA’s “[Bringing In the Feds](#)” webpage. The direct link is here: <http://www.judgewatch.org/web-pages/searching-federal/8-26-21-ltr-to-edny-kasulis-immunity.htm>.⁴

The EVIDENCE it posts is organized in six sections, as follows:

Section I posts news articles I had shown Ms. Williams pertaining to your investigation, with the FBI, into how the immunity provision “got in the state budget”.

Section II posts the AUDIOS of the Assembly Judiciary Committee’s five meetings to date pertaining to impeachment – on [March 23, 2021](#), [April 21, 2021](#), [May 26, 2021](#), [June 30, 2021](#), and [August 9, 2021](#) – from which it appears that notwithstanding all the grandstanding by Senate and Assembly members posturing that the immunity provision had been “slipped” into the budget by the Governor – the closest any of the Committee’s 21 members came to the issue was newbie Assemblyman Keith Brown, in stating, at the March 23, 2021 meeting:

“with respect the allegations, the scope, I understand it’s all on the table, but just to be more specific and to drill down ...the specified immunity that was granted to nursing home operators and whether there is any correlations to any contributions to political campaigns to that effect” (at 59 mins, 30 secs).

Section III posts, chronologically, my five e-mails to Davis Polk pertaining to how the immunity provision “got in the state budget”.

- [My first e-mail, on April 7, 2021](#), entitled “Voice mail left on your hotline, 212-450-3600, on April 5th, pertaining to impeachable acts by Gov. Cuomo, starting with insertion of the immunity provision for nursing homes/hospitals in the 2020 budget”, and furnishing the link to [CJA’s webpage for the immunity provision – Part GGG of Budget Bill #S.7506-B/A/9506-B](#).
- [My second e-mail, also on April 7, 2021](#), sent after Davis Polk partner Greg Andres called me, in response to my first e-mail, and stating:

“...As discussed, the immunity provision for nursing homes and hospitals, inserted into the FY 2020-21 budget, was accomplished by subverting the New York State Constitution and a succession of safeguarding statutory and legislative rule provisions – which is what Governor Cuomo has been wilfully and deliberately doing, for years, in concert with Senate Majority Leader Stewart Cousins and Assembly Speaker Heastie, the Legislature’s 211 other

⁴ The hyperlinks herein are LIVE in the posted pdf letter – to further assist your review.

members, Attorney General James, Comptroller DiNapoli, and the Judiciary's top judges, including those of the NY Court of Appeals – all of whom have been rewarding themselves for their corrupting of state governance with statutorily-violative, fraudulent, and unconstitutional pay raises – the product of 'force of law' commission/committee reports that are 'false instruments. This conduct is not just impeachable – which, of course it is – but criminal – and the best overview of the situation, as it relates to the FY2020-2021 budget and my March 18, 2020 letter to Governor Cuomo (to whose significance, vis-à-vis the immunity provision, I alerted you) – is set forth in the [FULLY-DOCUMENTED June 4, 2020 grand jury/public corruption complaint I filed with Albany County District Attorney Soares](#) – which, on March 5, 2021, at his direction/advice, I filed with the Joint Commission on Public Ethics (JCOPE) and the Legislative Ethics Commission (LEC), updated to encompass the FY2021-2022 budget and the newbie state legislators elected in November 2020. The open-and-shut, *prima facie* EVIDENCE substantiating the March 5, 2021 JCOPE/LEC complaint, including the VIDEO of my testimony at the Legislature's February 10, 2021 'public protection' budget hearing before Assembly Judiciary Committee Chair Lavine AND the VIDEO of my February 16, 2021 budget testimony before my own state senator, Senate Majority Leader Stewart-Cousins, is accessible from CJA's EVIDENTIARY webpage for the March 5, 2021 complaint, here: <http://www.judgewatch.org/web-pages/searching-nys/jcope/3-5-21-complaint-to-jcope-lec.htm>.

Suffice to add – and I tried to quickly explain this to you – **the [March 5, 2021 JCOPE/LEC complaint](#) – like the [June 4, 2020 grand jury/public complaint to D.A. Soars](#) on which it principally relies – EVIDENTIARILY establishes that the state Senate and Assembly members clamoring for Cuomo's resignation and/or impeachment – and the senators and Court of Appeals judges who would constitute a court of impeachment ([NYS Constitution, Article VI, §24](#)) -- must themselves resign and/or be impeached – and that everyone in a line of gubernatorial succession, beginning with Lieutenant Governor Hochul, must be criminally prosecuted – and will be convicted."**

Above attached is my March 18, 2020 letter to Governor Cuomo – and below is my e-mail transmitting it to him and to the Legislature's 15-stipend-receiving leaders, starting with Senate Majority Leader Stewart-Cousins and Assembly Speaker Heastie, entitled 'GOOD NEWS DURING THE CORONOVIRUS EMERGENCY: You Can Chuck 6 of the 7 'Article VII BILLS' Because They are Unconstitutional. Here's why...'. The substantiating EVIDENTIARY webpage for it is here: <http://www.judgewatch.org/web-pages/searching-nys/2020-legislative/3-18-20-ltr-to-gov.htm>. For your convenience, my August 21, 2013 letter to

Governor Cuomo entitled ‘Achieving BOTH a Properly Functioning Legislature & Your Public Trust Act (Program Bill #3) – the *Sine Qua Non* for ‘Government Working’ & ‘Working for the People’’, enclosed with the March 18, 2020 letter, is also above-attached.

I am available to assist you, to the max, with the mountain of open-&-shut, *prima facie* EVIDENCE of impeachable, criminal conduct you now have – whose chronological webpage, spanning from 2011, is here: <http://www.judgewatch.org/web-pages/judicial-compensation/menu-ny-judicial-compensation.htm>.” (underlining, hyperlinking, and bold in the original).

- [My third e-mail, sent April 29, 2021](#), inquiring as to the status of Davis Polk’s review of the mountain of EVIDENCE attached, linked, and forwarded by my second April 7, 2021 e-mail, and asking:

“did you apprise all 21 Assembly Judiciary Committee members of it – and supply them with such findings of fact and conclusions of law as you made with respect to the Governor – and those collusive with him, such as themselves?”

Please advise as, until now, I have kept my April 7, 2021 e-mail and prior contacts with you completely confidential.”

I received no response.

- [My fourth e-mail, sent in the morning on May 25, 2021](#) entitled “Tomorrow’s Assembly Judiciary Committee meeting – & your duties under your contract with the Assembly, owed to & paid by, the People of the State of New York”, and asking:

“Is there anything in the April 7th e-mail that you determined to be not TRUE – and that could not be EASILY VERIFIED by you? Indeed, with respect to the immunity provision inserted into the FY2020-21 budget, being investigated by the U.S. Attorney for the Eastern District of New York – about which legislators have blamed the Governor, as if they bear NO culpability – did you forward my April 7th e-mail to the U.S. Attorney? Wasn’t this what you were required to do, consistent with Mr. Andres’ assurances at the March 23rd meeting (at 47-48 mins) that you would ‘coordinate to the extent possible with the relevant investigators’ engaged in ‘parallel investigations’. And if you did not do so, is there any explanation other than your conflicts of interest?”

Prior to your April 20th signing of the contract, did you furnish Chair Lavine, Ranking Member Montesano, and the Assembly Judiciary Committee's 19 other members with my clearly game-changing April 7th e-mail? And what about the Assembly's lawyers – as, for instance, Administrative Counsel Mushett? Did you advise them that examination of the EVIDENCE provided by the April 7th e-mail revealed a rock-solid, open-and-shut case for Governor Cuomo's impeachment and conviction – AND for his criminal indictment and conviction. And did you discuss with them **the significance of this to the contract**, namely, that you now had answered the question 'whether evidence exists to support a finding that the Governor has engaged in conduct which merits impeachment under the Constitution and under the laws of the State of New York'. In other words, the job was done – and there was no need to spend further time and taxpayer money in investigating the Governor's other potentially impeachable conduct. And, if you did not have this discussion with the Committee members and the Assembly's lawyers, is it because of your \$250,000 financial interest in the contract – which was an 'actual conflict of interest' that the contract's above-quoted section O, subdivision 1 required you to notify the Assembly of 'promptly'." (capitalization, bold, and underlining in the original).

I received no response.

- [My fifth e-mail, sent in the evening of May 25, 2021](#), to which Davis Polk was cc'd, was addressed to Assembly Judiciary Committee Chair Lavine, Ranking Member Montesano, the 19 other Committee members, and Assembly Administrative Counsel Mushett, who had signed the Assembly's contract retaining Davis Polk. It stated, in full:

“Since April 7th, your counsel Davis Polk & Wardwell LLP – paid for by New York's taxpayers – has had the rock-solid EVIDENCE to answer the question it was retained to investigate and answer: 'whether evidence exists to support a finding that the Governor has engaged in conduct which merits impeachment under the New York State Constitution and the laws of the State of New York'. April 7th was also the date that Davis Polk knew it had a multitude of conflicts of interest, arising from this EVIDENCE.

The particulars are set forth by my below e-mail to Davis Polk, sent shortly before 10 am this morning and requesting its response by 4 pm this afternoon to the various questions asked. The last of these questions was whether it did not agree that the e-mail – and Davis Polk's answers to its questions – should be on the agenda of the Committee's meeting with Davis Polk at 4 pm tomorrow. I received no response from Davis Polk.

On behalf of the taxpaying public, I request your emergency action and oversight by placing the e-mail as #1 on the agenda of the Committee's meeting – and requiring Davis Polk's response to each of its questions.

As for myself, I am available to answer your questions at any time and under oath – and would be available to do so at tomorrow's meeting, including in executive session.

In view of Davis Polk's public promises at [the Committee's March 23rd meeting](#) as to how it would be safeguarding against conflicts of interest, the public is entitled to know what a flagrant deceit this turned out to be – and to your forceful action, on its behalf, beginning with your discharging Davis Polk, *for cause*, and disavowing any payment for services it rendered after April 7th."

For the convenience of all, a webpage will be created on CJA's website for this and other impeachment issues, to be accessible from CJA's webpage for the Assembly Judiciary Committee in the 2021 legislative session, here: <http://www.judgewatch.org/web-pages/searching-nys/leg-committees-commissions/judiciary/assembly/2021-assembly-judiciary.htm>.

Thank you." (capitalization and hyperlinking in the original).

I received no response from Davis, Polk – and none from Assembly Administrative Counsel or from any member of the Assembly Judiciary Committee, two of whom I had also sent e-mails the day earlier, raising alerts as to Davis Polk, without response from them.⁵

Instead – and consistent with the fraud and posturing that characterizes how the legislators operate on matters pertaining to the integrity of state governance and taxpayer monies – Chair Lavine stated, at the brief public portion of the next day's meeting, to be "very pleased" with Davis Polk's progress in its exhaustive investigation, including of hotline telephone tips and e-mails, and that further payment would be coming to it. He stated:

⁵ These were Assemblywoman Catalina Cruz, to whom I sent a [May 24, 2021 e-mail](#) alerting her to Davis Polk's "misrepresentation as to conflicts of interest in the contract with the Assembly" and "apparent failure to carry through on its assurances" to her at the March 23, 2021 committee meeting to notify the Committee "absolutely" and "certainly...in the event there was anything at all that was creating a conflict", and Assemblywoman Mary Beth Walsh, to whom I sent a [May 24, 2021 e-mail](#) about "Davis Polk's failure to adhere to its mandate, failure to inform the Judiciary Committee members of what it has had 'on the table', presented to it, as to Governor Cuomo's impeachable conduct, and its conflicts-of-interest with respect thereto". These e-mails are also posted in Section III of CJA's webpage for this letter/complaint/supplement.

“...I want to speak about the fee of \$250,000 that was subject to some press coverage. There’s been some criticism that the Assembly has failed to properly resource the investigation led by Davis Polk because only 250,000 has been allocated for that investigation. It is not true that only 250,000 has been allocated for the entirety of the investigation. Rather, the Assembly puts an initial cap on its contracts in order to allow the Comptroller to disburse that amount. The cap may be amended as needed and it will need to be amended here. This is the payment mechanism routinely followed by the Legislature in the State of New York. In conclusion and in short, I am very pleased with the progress so far and I look forward to the opportunity to have the Davis Polk attorneys update my colleagues on the Judiciary Committee. We will now proceed to executive session...”

None of the Committee’s 20 other members publicly took exception to this larceny of public monies of which my May 25, 2021 e-mail to them gave EVIDENCE-supported notice. Their behavior was the same in the brief public portions of the Committee’s subsequent meetings, allowing Chair Lavine to comparably extol Davis Polk for work that was a superfluous, wasteful deceit.

Section IV posts other manifestations of the concealment of the issue of how the immunity provision “got in the state budget” by Assembly Speaker Heastie and Chair Lavine, most notably:

- [Speaker Heastie’s August 13, 2021 press release](#), announcing that the Assembly would terminate its proceedings to impeach Governor Cuomo as a result of his resignation, effective August 24, 2021. The press release further stated that Speaker Heastie had “asked Chair Lavine to turn over to the relevant investigatory authorities all the evidence the committee has gathered”, identifying that “the Eastern District of the United States attorney has been investigating the administration’s actions concerning nursing home data...” – in other words, concealing that you are also investigating how the immunity provision “got in the state budget”, involving all 213 state legislators – beginning with Speaker Heastie himself and Temporary Senate President Stewart-Cousins, both of whom should have been interviewed by the FBI and/or your office long, long ago.
- [Speaker Heastie’s joint August 16, 2021 press release with Chair Lavine](#), which followed upon the clamoring of legislators and others demanding “accountability” and – if not continued impeachment proceedings – a report reflecting the results of Davis Polk’s taxpayer-paid investigation. The joint release asserted that the Committee would “continue to review evidence and issue a final report on its investigation of Governor Cuomo” and “take all appropriate steps to ensure that this effort does not interfere with various ongoing investigations by the United States Attorney concerning nursing home data” – once again concealing your investigation of how the immunity provision “got in the state budget”.

Section V posts my [August 16, 2021 FOIL request to the Assembly and Comptroller](#), including for:

- all invoices and billings of, and payments to, Davis Polk pursuant to its contract;
- records of action taken with respect to my May 25, 2021 e-mail notifying the Assembly Judiciary Committee and Assembly Administrative Counsel of Davis Polk's breach of contract, requiring its discharge *for cause* and repudiation of payment for services rendered after April 7, 2021;
- records of Davis Polk's response to that May 25, 2021 e-mail;
- the transcription, if any, of Chair Lavine's public comments at the outset of the Committee's May 26, 2021 meeting, before it went into executive session – unobjected-to by Ranking Member Montesano and rank-and-file Committee members;
- the agenda and minutes of the executive session of the Committee's May 26, 2021 meeting reflecting – if it does – discussion of my May 25, 2021 e-mail.

Section VI is entitled “SPOTLIGHT: NYS Legislators Responsible for the Immunity Provision They Decry – & for Perpetuating a Legislature NOT Operating at a Constitutional Level”. It posts the link to CJA's “[BACKGROUND PRIMER FOR THE GRAND JURIES](#)”, featured at the end of the 62 grand jury/public corruption complaints in substantiation of their three “soundbites”...:

- (1) the legislators are NOT doing their jobs of oversight and law-making, resulting in a Legislature that is sham and NOT operating at a constitutional level;
- (2) the legislators are stealing our money by slush-fund budgets that are “OFF THE CONSTITUTIONAL RAILS”, rife with constitutional, statutory, and legislative rule violations;
- (3) the legislators have rewarded themselves with PAY RAISES FOR THEIR CRIMES, procured by a December 10, 2018 report they know to be a “false instrument” (Penal Law §175.35)” [capitalization in original],

and, additionally, two “REALITY CHECK” webpages for the Legislature's two most vocal critics of the immunity provision and how it “got in the state budget” – the self-dealing, corruption-abetting, or otherwise incompetent sponsors of the bills that resulted in belated [partial](#) and [full repeal](#) – [Senator Alessandra Biaggi](#) and [Assemblyman Ron Kim](#) – so that their responsibility, with Governor Cuomo, for the calamitous, death-causing situation can be discerned.

* * *

The above contribution to your joint investigation, with the FBI, as to how the immunity provision “got in the state budget” and criminal complaint against Davis Polk relating thereto also constitute a first updating supplement to my December 19, 2020 public corruption complaint to former Acting U.S. Attorney DuCharme. This includes with respect to the FY2021-22 state budget, which repeated ALL the constitutional, statutory, and legislative rule violations of the FY2020-21 state budget, chronicled by the 62 grand jury/public corruption complaints, and so-stated with EVIDENTIARY particulars, at pp. 2-4 of my [March 5, 2021 conflict-of-interest/ethics complaint to JCOPE](#), furnished to Davis Polk by my [second April 7, 2021 e-mail](#) and thereafter furnished by my [May 25, 2021 e-mail](#) to all 21 Assembly Judiciary Committee members and Assembly Administrative Counsel.⁶

To enable you to respond as expeditiously as possible, I have phoned your main office number (718-254-7000) and left a message (at 2:00 p.m.) that this letter, addressed to you and for your PRIORITY attention, will momentarily be posted on CJA’s website, www.judgewatch.org, on a webpage created for it, accessible from the top panel “Latest News”, by the link “Bringing In the Feds”.

In any event, I ask for your response by no later than Monday, September 6, 2021 – including as to whether you will take steps to secure an independent prosecutor, in light of the multitudinous conflicts of interest that you and your office face, arising from professional and personal relationships with the many, many participants in, and abetting facilitators of, the systemic

⁶ The status of the March 5, 2021 complaint to JCOPE is unknown. JCOPE’s executive director, Sanford Berland, has not responded to my correspondence about it: [my July 20, 2021 letter](#), primarily concerning JCOPE’s annual reports, and my follow-up [August 13, 2021 e-mail](#), expressly inquiring as to the status of the March 5, 2021 complaint, as follows:

“...inasmuch as Lieutenant Governor Hochul is a named-subject of [CJA’s March 5, 2021 conflict-of-interest/ethics complaint](#) pertaining to her pay raise, arising from the December 10, 2018 report of the Committee on Legislative and Executive Compensation, whose fraudulence [CJA’s July 15, 2018 NOTICE](#) and [analysis](#) alerted her to, do I assume correctly – based on Executive Law §94.13(a) – that she is familiar with the complaint because JCOPE sent her the required 15-day letter concerning it? Likewise, that 15-day letters were sent, at very least, to all its other specifically named-subjects: Governor Cuomo, Attorney General James, Comptroller DiNapoli, Temporary Senate President, and Assembly Speaker Heastie?”

Yesterday, Senator Biaggi, who chairs the Senate Committee on Ethics and Internal Governance, held a rigged, deceit-spreading hearing on “New York State’s System of Ethics Oversight and Enforcement” – primarily focused on JCOPE – to which I was not “invited” to testify about JCOPE’s *readily-remediable* corruption or that of other ethics entities, such as the Commission on Judicial Conduct and the attorney grievance committees. CJA’s EVIDENTIARY webpage for what was originally a July 12, 2021 hearing – posting, with EVIDENCE, my [July 9, 2021 written statement in support of testimony](#) and my [July 12, 2021 written testimony in lieu of oral testimony](#), is here: <http://www.judgewatch.org/web-pages/searching-nys/2021-legislative-session/july-12-2021-ethics-oversight-enforcement.htm>.

governmental corruption that is the subject of the December 19, 2020 public corruption complaint. This includes Davis Polk partner Greg Andres, to whom I sent my above five e-mails – and whose phone call to me in response to my [first April 7, 2021 e-mail](#) is recited by my [second](#). Mr. Andres worked in the criminal division from 1999-2010, and, quite possibly, was your boss and Mr. DuCharme's in 2008-2010 when he was its chief.⁷

I am available to answer questions, including under oath. Meantime, I ask that you deem the foregoing as sworn by me as true under the penalties of perjury.

Thank you.

s/Elena Ruth Sassower

⁷ Your website bio is [here](#), Mr. Andres' is [here](#), and Mr. DuCharme's is [here](#).