

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Friday, March 1, 2024 1:53 PM
To: 'criminal.division@usdoj.gov'

Subject: **Public Integrity Section/Criminal Division -- public corruption complaint involving NYS' top public officials & HUGE conflicts of interest by your 4 US Attorneys for NY, particularized by an unresponded-to Oct 13, 2021 letter, sent to all 4**

Attachments: [2-28-24-complaint-to-fbi.pdf](#)

TO: US Department of Justice/Public Integrity Section-Criminal Division

This follows my nearly half-hour phone conversation two days ago with Assistant U.S. Attorney Matthew McCrobie of the Office of U.S. Attorney for the Northern District of New York Carla Freedman, concerning the above-attached public corruption complaint I showed him, as posted on the [“Latest News” webpage](#) of the non-partisan, non-profit citizens’ organization, Center for Judicial Accountability, Inc. (CJA), of which I am director and co-founder.

As I discussed with him, this public corruption complaint, involving New York’s highest constitutional officers of its three state government branches, must be handled by the Justice Department’s Public Integrity Section of its Criminal Division, consistent with the protocol identified by your annual reports to Congress, which states:

“Public corruption cases tend to raise unique problems of public perception that are generally absent in more routine criminal cases. An investigation of alleged corruption by a government official, whether at the federal, state or local level, or someone associated with such an official, always has the potential of becoming a high-profile case simply because its focus is on the conduct of a public official. In addition, these cases are often politically sensitive because ultimate targets tend to be politicians or government officials appointed by politicians.

A successful public corruption prosecution requires both the appearance and the reality of fairness and impartiality. This means that a successful corruption case involves not just a conviction but public perception that the conviction was warranted, not the result of improper motivation by the prosecutor, and is free from conflicts of interest. In a case in which the local conflict of interest is substantial, the local office is removed from the case by a procedure called recusal. Recusal occurs when the local office either asks to step aside, or is asked to step aside by Department headquarters, as primary prosecutor. Federal cases involving corruption in which the conflict is substantial are usually referred to the Public Integrity Section either for prosecution or direct operational supervision.” (underlining added).

Such “direct operational supervision” is here required because the public corruption at issue, arising from a “false instrument” December 4, 2023 Report of the NYS Commission on Legislative, Judicial and Executive Compensation and the impending larceny of \$34.6M of taxpayer money for judicial pay raises based thereon, directly result from US Attorney Freedman’s wilful nonfeasance, born of conflicts of interest – and that of NY’s other three U.S. Attorneys, Damien Williams (SDNY), Breon Peace (EDNY), and Trini Ross (WDNY) – with respect to my [October 13, 2021 letter](#) and [December 23, 2021 letter](#), mailed to

all four of them, concerning the [public corruption complaint I filed on October 16, 2020 with the FBI](#), via its electronic portal, at the instruction of the Office of US Attorney Freedman's predecessor pertaining to the then three prior "false instrument" compensation commission/committee reports that were the basis for judicial, legislative, and executive pay raises – and of D.A. pay raises that are statutorily-linked to judicial pay raises – an annual recurring "grand larceny of the public fisc" that was then on the order of half a billion dollars and now hovers closer to a billion.

The title of those October 13, 2021 and December 23, 2021 letters identically asked: "...How will you be confronting your conflicts of interest arising from CJA's October 16, 2020 public corruption complaint against NY's top constitutional officers & its 62 D.A.s for fraud and larceny involving their salary raises & the state budget, established by open-and-shut, *prima facie* EVIDENCE – & what about your mandated reporting obligations?" To this two-fold question, twice-repeated, I received no answers from U.S. Attorneys Freedman, Williams, and Peace, nor from U.S. Attorney Ross, to whom I had additionally asked these same two questions by an [October 6, 2021 letter](#). I also received no answers from their designated ethics advisors, who, for US Attorney Freedman was then Ransom Reynolds, with whom I spoke on September 22, 2021 and for whom I thereafter left a message alerting him to my October 13, 2021 letter.

Assistant U.S. Attorney McCrobie would not answer my question as to who the current designated ethics advisor is – and it was not until I read to him from my [October 13, 2021 letter](#) (fn. 15, at p. 10, see also p. 12), identifying Reynolds, that he confirmed that Reynolds is still the designated ethics advisor.

As I stated to Assistant U.S. Attorney McCrobie, my instant public corruption complaint brings up all the conflicts of interest that my October 13, 2021 letter particularized – and it was U.S. Attorney Freedman's duty, back in 2021, to confront same, assisted by Ethics Advisor Reynolds, and to refer my [October 16, 2020 public corruption complaint](#) to the Justice Department's Public Integrity Section for investigation and prosecution.

I offered to e-mail Assistant U.S. Attorney McCrobie links for the October 13, 2021 and December 21, 2021 letters, but he would not furnish me any e-mail address. He did, however, at my insistence, provide me with the above e-mail address for "Main Justice" so that I could send you the attached complaint that is posted on CJA's "Latest News" webpage – and which, as I explained to him, I was unable to file, electronically, with the FBI, via its website portal, because its complaint feature, which is for "[TIPS](#)", asks for information not germane to a public corruption complaint and I was unable to get beyond that hurdle to electronically file it. I believe, as we spoke, he confirmed as much. In any event, I stated that I assumed that the current questions that the FBI's portal would have had me answer were the same as it had asked me for my October 16, 2020 complaint – and so I used them as the model for my instant complaint.

Finally, it appears that the deficiencies, unprofessionalism, and problems that were evident in 2020 and 2021 as to how public corruption complaints are handled by the Offices of NY's four U.S. Attorneys and the FBI – and which I complained about then – are unchanged and, with respect to filing public corruption complaints via FBI.gov, are worse. I respectfully request that you access all recordings of my phone calls on February 27-28 for "quality assurance" purposes. The sole reason these phone calls were necessary was because of the inadequacy of the [website of the U.S. Attorney for the Northern District of NY](#). Notwithstanding it is that Office which has geographic jurisdiction over the state capital in Albany, in other words, where public corruption involving NYS' highest state officers would be taking place, its website:

- does not identify that the Office has a public corruption/public integrity unit – or even that it prosecutes public corruption (see, for example, the scant webpage for its “Criminal Division”);
- does not identify how to file with the Office a public corruption complaint against public officers within its geographic jurisdiction. Its easy-to-overlook “Action Center” that appears toward the bottom of its homepage does have a link “Report a Crime”, but does not include “public corruption” as a category. One has to select the category “Fraud” to find a drop-down reading “Report Other Fraud or Public Corruption – Call FBI Hotline 800-CALL-FBI (800-225-5324)”;
- does not identify that the Office has a designated ethics officer/advisor (Dept of Justice Manual: 1-4.020) – such being especially germane to public corruption complaints.

This, therefore, required the following calls:

- to the Office of the U.S. Attorney for the Northern District of NY (315-448-0672, Feb 27, at 11:20 am), where my call was answered by a man who was unable to answer my questions as to whether the Office has a public corruption/public integrity unit; how to file a public corruption complaint with the Office; who is the designated ethics officer/advisor. Nor did he offer to connect me to anyone with that information – and I had to request to be connected with managerial/administrative staff. After putting me on hold, a recording kicked in that the U.S. Attorney’s Office was closed and that I could leave a voice message, which I did – with no return call thereafter forthcoming;
- to the FBI hotline (800-225-5324, Feb 27, at 2:04 pm), where, after answering recorded inquiries as to my name and where I live, etc., an electronic voice told me my wait time would be “over 5 minutes”—which, in fact, turned out to be over half an hour. I was then asked the identical questions of my name and where I live, etc. by a woman who picked up the call. For some reason, she asked me if I was recording the call and that she did not consent. I told her I was not, but that I assumed and understood from the preliminary recorded instructions that the call was being recorded from her end. We spoke for nearly a half hour, from 2:38 pm to 3:05 pm, and in addition to describing the complaint, I told her that the evidence substantiating it was accessible from CJA’s website, www.judgewatch.org, from the top panel “Latest News”. In response to my question about “next steps”, she told me I could go to the FBI field office in Manhattan, open weekdays from 8 am to 5 pm, with a “walk-in” for complaints. She gave me the address and phone number (212-384-1000) and also told me that I could make a written complaint, electronically, to FBI.gov. As for my request for a reference number for our phone conversation together, she stated that either there was no reference number or none that she could give me. Her ID #, which I requested, is #9575;
- to the FBI field office in Manhattan (212-384-1000, Feb. 27, at 4:45 pm), where the man who answered the call, after hearing my summary of the complaint, asked me its connection to New York City – and upon my stating that it concerned New York State, told me that I needed to speak to the FBI field office in Albany and, at my request, transferred the call and additionally furnished me with its number (518-465-7551);

- to the FBI field office in Albany (518-465-7551, Feb. 27, at 5:51 pm), where the man who answered refused to give me his ID # and whose only response to my statement that “I hope and trust” that the call was being recorded was to tell me “have a good day, ma’am” and to hang up;
- to the FBI field office in Albany (518-465-7551, Feb. 28, at 8:45 am), where the woman with whom I spoke for 45 minutes (to 9:25 am), told me that she was “not allowed” or “not permitted” to give me her ID #; that there was no e-mail for complaints that she could give me, and, as I recollect, no reference number for our conversation. Aside from her lack of concern that FBI.gov was not enabling the filing of public corruption complaints and that I had not been able to file mine the *coup de gras* was her telling me, by way of concluding the conversation, that if anything further was needed, I would be contacted, though she had not asked me for my phone number, e-mail address, or to spell my name. She justified this by stating that she had the number from caller-ID, to which I replied that I wasn’t even sure that she had my name or that I had identified CJA’s website as posting the substantiating evidence, or where;
- to the Office of the U.S. Attorney for the Northern District of NY (315-448-0672, Feb. 28, at 9:37 am), where, upon my summarizing my unsuccessful efforts to obtain basic information about whether the Office had a public corruption/public integrity unit and the name of the required ethics officer/advisor and my unsuccessful efforts to file a complaint, electronically *via* FBI.gov, the woman who picked up the call stated she would connect me to the “duty attorney”. I then got a voice recording of a “Lisa Fletcher”, which told me I needed a “passcode”. Upon calling back (at 9:42 am), I was then connected to a voice mail of a man whose name appeared to have been cut off, for whom I left a voice message, indicating that I assumed he was the “duty attorney” and that the matter about which I was calling was a public corruption complaint involving, most immediately, an impending larceny of \$34.6M. This, apparently, was Assistant U.S. Attorney McCrobie’s voice mail – and he called me back at 11 am. Our conversation lasted nearly half an hour, until 11:26 am.

I look forward to receiving a phone call, from an investigative agent, with respect to the foregoing – and answering questions, under oath.

For the convenience of all, this e-mail and subsequent correspondence relating to it will be posted on CJA’s webpage “[RETURNING TO THE FEDS -- CJA's February 28, 2024 public corruption complaint to the US Attorney for the Northern District of NY & via the FBI.](#)”

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
www.judgewatch.org
914-421-1200
elena@judgewatch.org