

**From:** Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>  
**Sent:** Sunday, March 16, 2025 11:53 PM  
**To:** 'epsteinh@nyassembly.gov'  
**Cc:** 'harvey@peopleforharvey.com'  
  
**Subject:** **ELECTIONS ARE A TIME OF ACCOUNTABILITY: Your Performance, in Office, as a NYS Assemblyman since 2018 & Your 2025 Electoral Race for the NYC Council District 2 Seat**

**TO:** [Assemblyman](#) & [Would-Be New York City Councilman](#) Harvey Epstein, ESQ.

Elections are a time of accountability. Based on your on-the-job performance as a state assemblyman, why do you believe yourself fit to be a New York City councilman – or for any office of public trust?

In reports issued in [2004](#), [2006](#), and [2008](#), New York University's Brennan Center for Justice described New York's Legislature as the most dysfunctional in the nation. This dysfunction, reflected in sham committees that do not meaningfully discharge their lawmaking and oversight responsibilities, would have been obvious to you – a lawyer – upon taking office after a special election in 2018. What actions, if any, did you take to rectify that dysfunction?

Among the committees to which you were first assigned – and of which you remained a member until January 2023 – was the [Assembly Committee on Governmental Operations](#) – and my first contact with you was in that connection, a [February 22, 2019 e-mail, resent on February 25](#), entitled “The Budget & the M.I.A. Assembly Committee on Governmental Operations in the Legislature's Own Operations”. It identified that no member of the Committee had asked any questions at the Legislature's budget hearing on “local government officials/general government” and that at the Legislature's budget hearing on “public protection”, you were the only Committee member to ask questions: “two questions, at the outset of the hearing...of the first witness, the Judiciary's Chief Administrative Judge, pertaining to policy, *to wit*, the presence of ICE in courthouses and increased funding for civil legal services.”. The e-mail stated:

“This is concerning – as there is much within the purview of the Assembly Committee on Governmental Operations, pertaining to the budget, that its members should have been addressing at those two budget hearings, beginning with the appropriations sought by the Legislature's OWN proposed budget – which, if the Legislature were functioning on any constitutional level, would have been fashioned from “itemized estimates of the financial needs of the legislature” compiled under the aegis of the Assembly Committee on Governmental Operations and the Senate Committee on Investigations and Government Operations, for certification by Assembly Speaker Heastie and Temporary Senate President Flanagan/Stewart-Cousins.” (capitalization in the original).

I received no response from you or anyone else to my February 25, 2019 e-mail – and in March and April 2019 you would vote to approve a state budget that was flagrantly “OFF THE CONSTITUTIONAL RAILS”, rife with constitutional, statutory, and legislative rule violations and filled with larcenies in its legislative/judiciary budget bill – of which you had notice and proof by that e-mail and its linked-to [written testimony](#) that I had submitted for the February 11, 2019 “local government officials/general government” budget hearing, with its two accompanying sets of questions, about the [Legislature's budget](#) and the [Judiciary's budget](#).

As part of that FY2019-20 state budget, you and your fellow legislators approved, on a “message of necessity”, a revenue budget bill that had been “amended”, behind closed doors, by the “three men in the room”, including by [inserting a Part XXX](#) creating a “public campaign financing and election commission” whose recommendations would have the “force of law”. This was the context of my second contact with you, *in person*, at that [Commission’s September 10, 2019 public hearing in Manhattan](#). You were a scheduled witness, as was I, and upon approaching you to discuss the enactment and content of Part XXX and furnishing you with my letter to the editor about it, published by the [August 21, 2019 New York Law Journal](#), you responded NOT with interest, but hostility.

Nine months later, following a repetition of unconstitutionality, fraud, and larceny by the FY2020-21 state budget, I filed with then Manhattan D.A. Cyrus Vance, Jr. a [June 9, 2020 grand jury/public corruption complaint](#) against you and your fellow Manhattan state legislators for larceny and fraud with respect to budget and its embedded “false instrument”/“force of law” pay raises – and, specifically, the 2019 legislative pay raise and the Legislature’s budget. Three and a half months later, by a [September 21, 2020 e-mail](#), I sent the complaint to NYC’s “local journalism”, cc’ing you, your fellow Manhattan state legislators, and D.A. Vance. Entitled “Manhattan Elections 2020 – Informing Voters with EVIDENCE...”, the e-mail identified that D.A. Vance was “sitting on” the complaint, knowing that it established that you and your fellow Manhattan state legislators had to be indicted and would be convicted. I received no response from you or anyone else.

I also received no response from you or anyone else to my [March 25, 2022 e-mail](#) entitled “NYS BUDGET: What findings of fact & conclusions of law did you make regarding my testimony at the Jan 25, 2022 ‘public protection’ budget hearing?” which I sent you because you were present for my [oral testimony at that budget hearing](#). I also sent you two further e-mails, to which, likewise, I received no response from you or anyone else:

- [my January 24, 2024 e-mail](#), sent to you as an member of the Assembly Codes Committee – “Tomorrow’s ‘Public Protection’ Budget Hearing -- ALERT: \$34.6M at pp. 18-19 of Budget Bill #S.8301/A.8801 must be stricken, as it is the product of statutory violations & fraud by the Commission on Legislative, Judicial & Executive Compensation”; and
- [my February 24, 2025 e-mail](#), sent to you as a member of the Assembly Committee on Higher Education – “Your Tomorrow’s Budget Hearing on ‘Higher Education’ -- & Questions for SUNY Chancellor King, CUNY Chancellor Matos Rodriguez, & NYS Education Commissioner Rosa”.

In addition to my above-recited [written testimony for the Legislature’s February 11, 2019 budget hearing](#) and my [oral \(written\) testimony at the January 25, 2022 budget hearing](#), I furnished testimony at and for the following budget hearings:

- [\(written\) oral testimony at the February 10, 2021 budget hearing on “public protection”](#);
- [written testimony for the February 7, 2023 budget hearing on “public protection”](#);
- [written testimony for the January 25, 2024 budget hearing on “public protection”](#);
- [written testimony for the February 6, 2024 budget hearing on “local gov’t officials/general gov’t”](#);

- [written testimony for the February 4, 2025 budget hearing on “local gov't officials/general gov't”](#);
- [written testimony for the February 13, 2025 budget hearing on “public protection”](#);
- [written testimony for the February 25, 2025 budget hearing on “higher education”](#).

The ONLY difference in my testimony, from year to year, is that, with each year, there is that much more evidence substantiating the previous year’s testimony and the [June 9, 2020 grand jury/public corruption complaint](#) that, to date, remains pending before Manhattan D.A. Alvin Bragg. Are you unaware of this – and the two citizen-taxpayer action lawsuits I brought “on behalf of the People of the State of New York & the Public Interest” in June 2022 and March 2024, suing all three government branches, including you, as a member of the Assembly, and seeking declarations of unconstitutionality, unlawfulness and cessation/claw-backs of larcenous disbursements. Has it not been discussed with you by your legislative colleagues, including at the closed-door party conferences that substitute for discussion and debate at open committee meetings?

New York City voters, whose votes and financial support you are soliciting for your NYC Council run, are entitled to your responses to the above e-mails, testimony, complaint, and lawsuits because they establish corrupt, posturing, and larcenous conduct by you and your fellow state legislators, inexplicable except as a manifestation of self-interest, over the public interest. What, if anything, do you deny or dispute?

To assist you in furnishing that measure of accountability by your answers, I have created a [webpage for your NYC Council run](#) from which everything is accessible. It is part of a series of webpages, featured by the first prominent center link on CJA’s homepage, [www.judgewatch.org](http://www.judgewatch.org), entitled “**ELECTIONS 2025 -- INFORMING THE VOTERS -- ALERT: Corrupt candidates & incumbents are on the ballot**”.

If you have anything to say in your own defense – including as pertains to the now-being-enacted FY2025-26 state budget, as to which I submitted three separate written testimonies, [here](#), [here](#), and [here](#), plus a [letter/FOIL request to the Chief Administrative Judge pertaining to the Judiciary’s budget](#), simultaneously [e-mailed](#) to the chairs and ranking members of the fiscal committees and judiciary committees – send it to me and I will post it directly beneath this e-mail, to be featured at the top of CJA’s webpage for your candidacy and furnished to the other candidates vying for the NYC district 2 council seat and the media.

Thank you.

Elena Sassower, Director  
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