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SEPTEMBER 7, 2022 TESTIMONY BEFORE THE NEW YORK CITY COUNCIL COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS

In Opposition to Confirmation of Milton Williams, Jr., Esq. to the New York City Conflicts of Interest Board & Anthony Crowell, Esq. to the New York City Planning Commission

My name is Elena Sassower. I am director and co-founder of the nonpartisan, nonprofit citizens' organization Center for Judicial Accountability, Inc. (CJA) Our website is www.judgewatch.org – and from its top panel “Latest News” you can find a link from which full evidentiary substantiation of this testimony is accessible.¹

Our specialty is documenting how judges “throw” cases by fraudulent judicial decisions, upending all cognizable adjudicative standards, in collusion with “officers of the court”, *to wit*, attorneys. The highest of these, in New York, is the state attorney general, who, in the absence of ANY legitimate defense to lawsuits suing state officers and entities, corrupts the judicial process with litigation fraud and is rewarded by fraudulent judicial decisions. I presented this *modus operandi*, readily verifiable from lawsuit records, to Milton Williams, Jr., as co-chair of the Commission to Investigate Public Corruption, by an [August 5, 2013 letter](#), thereafter expanded upon by my [September 17, 2013 written testimony](#).

The starting point for assessing Mr. Williams unfitness for any office of public trust – let alone as chair of the New York City Conflicts of Interest Board – is the August 5, 2013 letter. It not only furnishes an eye-opening glimpse into how, from the outset, the district attorney-stacked Commission to Investigate Public Corruption operated, but particularizes conflicts of interest pertaining to its members, advisors, and staff, and inquired about the Commission's rules, procedures, and protocol relating thereto. The conflicts specific to Co-Chair Williams were supplied by evidentiary links – the first of which was to a [webpage posting the record of a lawsuit against the](#)

* **Center for Judicial Accountability, Inc.** (CJA) is a national, non-partisan, non-profit citizens' organization working to ensure that mechanisms are in place to prevent judges from “throwing” cases by decisions that are judicial perjuries, obliterating and falsifying fact and law – and that processes of judicial selection and discipline are effective and meaningful.

¹ As the link will eventually be moved from “Latest News”, here's the website address for it: <https://www.judgewatch.org/web-pages/searching-nys/nyc/9-7-22-testimony.htm>

[Commission on Judicial Conduct](#), defended by litigation fraud of the attorney general and rewarded, at the Appellate Division, First Department, by a fraudulent decision of a five-judge appellate panel whose presiding judge was his father.

What was Co-Chair Williams' response to this August 15, 2013 letter – and what about his two district attorney co-chairs to whom it was also sent, as well as the Commission's executive director, to whom the letter was addressed? There was no response whatever – and I so-stated this in [my oral testimony](#) at the Commission's rigged September 17, 2013 hearing, at which – without response – I publicly and repeatedly asked as to the Commission's rules, procedures, and protocol for conflicts of interest. Again, no-response – and none to my subsequent correspondence, protesting how the Commission was operating.

Co-Chair Williams' flagrant violation of, and disregard for, conflict of interest rules, aiding and abetting the same from his fellow co-chairs and commissioners, was the necessary predicate for their rigged December 2, 2013 report. The report not only covered up, *in toto*, the readily-verifiable corruption evidentially before the Commission – such as of New York's judiciary involving the Commission on Judicial Conduct, the court-controlled attorney disciplinary system, and the state attorney general, but it heralded New York's district attorneys and U.S. attorneys as “on the job”, investigating and prosecuting governmental corruption, where found, which was utter fraud, so-established by the testimonial and evidentiary presentations made by ordinary citizens, I among them.

The chapter-and-verse particulars of how the conflict-ridden Commission operated throughout its nine-month life-span, shutting out what ordinary citizens were saying about their experiences in filing corruption complaints with relevant governmental offices and authorities, and its own shut-down by Governor Cuomo to which the (by-then) two-co-chairs and commissioners all meekly acquiesced, are set forth, with evidence, by my April 23, 2014 order to show cause to intervene in the Legislature's declaratory judgment action against the Commission. Supported by [my 41-page sworn affidavit](#) and a [46-page verified complaint](#), these are dispositive of Mr. Williams' unfitness – and of the fact that were the district attorneys and U.S. attorneys actually “on the job” fighting corruption – which thanks to the Commission they are not – he would long ago have been indicted for the public corruption there demonstrated – and convicted.

Instead, in 2015, as a member of the Commission on Statewide Attorney Discipline – before which [I testified at its August 11, 2015 hearing](#), though not in his presence – Mr. Williams perpetuated the corruption of the court-controlled attorney disciplinary system, *via* a sham September 24, 2015 report, covering up, *in toto*, what I and ordinary citizens testified to and substantiated by evidence.

Since 2019, he has been one of two vice-chairs of the First Department Attorney Grievance Committee – and it is in that capacity that he has colluded in its corruption with respect to a fully-documented [February 11, 2021 attorney misconduct complaint against Attorney General Letitia James and Solicitor General Barbara Underwood](#), on which the integrity of New York State governance rests –involving the very issues of attorney general litigation fraud and judicial corruption that were before him, in 2013 as co-chair of the Commission to Investigate Public

Corruption, embracing the same issues: fraudulent, statutory-violative, and unconstitutional judicial pay raises, to which district attorney pay raises are linked, embedded in a larcenous, slush-fund state budget – expanded by subsequent fraudulent, statutorily-violative, and unconstitutional pay raises for executive and legislative officers and further evidence as to unconstitutionality and unlawfulness of the state budget. This has culminated in an [August 15, 2022 attorney misconduct complaint](#) that I filed with the First Department Attorney Grievance Committee against Mr. Williams and those “in charge”, without response from it, him or anyone else, because conflicts of interest rules and rules of professional responsibility mean nothing to them, as applied to them or those with whom they have relationships.

In short, [based on the foregoing evidence](#), Mr. Williams cannot be confirmed to the New York City Conflicts of Interest Board as he does NOT meet the express standard required by [Chapter 68, §2602\(b\) of the New York City Charter](#) of “independence, integrity, civic commitment and high ethical standards.” When put to the test, he possesses none of these – and has, demonstrably, used the positions of public trust to which he has been appointed by public officers with whom he has relationships to irreparably injure the People of New York because of conflicts of interest that he has allowed as to himself and others.

* * *

As for Anthony Crowell, Esq., dean of New York Law School, who was a member of the New York City Conflicts of Interest Board from April 2013 to November 2021, he cannot be confirmed to the New York City Planning Board, to which he has been appointed because, [based on evidence](#), he, too, does not meet the express standard of “independence, integrity, and civic commitment” which [Chapter 8, §192\(a\) of the New York City Charter](#) requires for Planning Board members. He, too, when put to the test, possesses none of these qualities – and has, demonstrably, used positions of public trust, which he has derived from relationships, to irreparably injure the People of New York because of conflicts of interest that he has allowed as to himself and others.

The starting point of this evidence is [my June 18, 2015 letter](#) to Dean Crowell and to the other seven members of the review commission appointed to evaluate the Joint Commission on Public Ethics (JCOPE) and Legislative Ethics Commission (LEC). The letter, which also provides an eye-opening glimpse of how, from the outset, the JCOPE/LEC Review Commission operated, specified conflicts of interest faced by its members – one of whom had been a member of the Commission to Investigate Public Corruption – and inquired as to its protocol with respect thereto. There was no response whatever from the Commission – and Dean Crowell to whom the letter was directly sent, and who I believe was its *de facto* chair, may be presumed to have recognized that his conflicts included one arising from his membership on the Conflicts of Interest Board, as its then chair, Columbia University Law School Professor Richard Briffault, had also been a member of the Commission to Investigate Public Corruption.² .

² As with Milton Williams, Jr., whose conflicts of interest were identified by my August 5, 2013 letter (at p. 4) *via* evidentiary links, so, too, Professor Briffault’s – and with further particulars then furnished (at pp. 7-8).

[I testified about the June 18, 2015 letter](#), in Dean Crowell’s presence, at the JCOPE/LEC Review Commission’s rigged October 14, 2015 hearing, held at New York Law School – handing up hard copies of the evidence I had previously supplied by e-mail and website links, thereafter, sending the Commission a series of FOIL requests to further assist it in conducting an evidence-based, methodologically-sound review. Two weeks later, the JCOPE/LEC Review Commission rendered a sham report, making no findings as to any of the evidence I had furnished – and concealing all violations by JCOPE and LEC of their enabling statutes. Most important were their violations of safeguarding/accountability provisions that my correspondence and testimony had highlighted, *to wit*, that their annual reports list, by their assigned numbers, all complaints received and the status of each complaint and, as to JCOPE, the requirement that upon receipt of a sworn complaint of violations within its jurisdiction by an individual or entity within its jurisdiction, it was mandated to send out a 15-day letter to the complained-against so as to obtain a response, and, upon dismissal/closure of a complaint, to so-notify the complainant.

The consequence of the JCOPE/LEC Review Commission’s cover-up report was that JCOPE and LEC could then freely continue their statutory violations that enabled their corruption. Further, because the report concealed the very existence of such safeguarding/accountability provisions in the JCOPE and LEC statutes – and that they gave the public and complainants rights enforceable by mandamus – the governor and legislature were cynically able to delete them from the so-called “ethics commission reform act of 2022”, by which they replaced JCOPE with a “commission on ethics and lobbying in government” (CELG).

Concealing the actual regressiveness of the “ethics commission reform act of 2022” were features of illusory value. Among these, an “independent review committee” consisting of the 15 deans of New York’s 15 ABA-accredited law school, who were given the safeguarding power to vet and reject the nominations of CELG member made by appointing authorities, all subject to CELG’s jurisdiction. Dean Crowell being one of those deans, I alerted him and his 14 fellow deans, by [a June 12, 2022 letter](#), of the safeguarding/accountability provisions that the “ethics commission reform act of 2022” had wiped out, that the statute was enacted unconstitutionally and by fraud, *via* the state budget – and that the unconstitutionality and unlawfulness of its enactment was being challenged by [a lawsuit that CJA had commenced by a June 6, 2022 verified petition/complaint](#), as to which I requested their expert opinion, intervention, *amicus curiae* and other assistance, consistent with their ethical, professional, and civic responsibilities.

To this, I received no response from Dean Crowell or the other 14 law school deans. Three days later, however, on [June 15, 2022](#), the “independent review committee” announced its procedural rules for reviewing nominations to CELG, simultaneously disclosing that its chair was Dean Crowell who was quoted as saying:

“As stewards of a profession built on the highest ethical and professional standards, we take seriously our role in determining whether a candidate nominated by an elected official should be appointed to serve as an ethics commissioner. We will

conduct our work with the independence, transparency, and objectivity New Yorkers demand and deserve”.

This was utter posturing and deceit – and proving this, resoundingly, [my succession of subsequent correspondence to Dean Crowell and the other 14 law school deans](#), to which there was no response. Most important of these:

- [my July 27, 2022 e-mail](#) entitled: “IMMEDIATE CLARIFICATION REQUIRED: Which, if any, proposed nominees to CELG have been formally nominated by selection members – as no selection members have announced formal nominations, following public comment”;
- [my August 4, 2022 letter #1](#) entitled: “Your Undisclosed Conflicts of Interest – and the Direct Interests of Your Chair, New York Law School Dean Crowell, and of Hofstra Law School Dean Prudenti, Mandating their IMMEDIATE Withdrawal from the Independent Review Committee by Reason Thereof – or that You Disqualify Them IMMEDIATELY”;
- [my August 4, 2022 letter #2](#) entitled: “Violation of Vetting Rules & Investigative Protocols by Selection Members – & by the Independent Review Committee – Born of Conflicts of Interests”;
- [my August 22, 2022 e-mail](#) entitled: “UPDATE: CJA v. JCOPE, et al – AG James has NO defense to the 6th cause of action that the ‘ethics commission reform act of 2022’ was unconstitutionally & unlawfully enacted – & also none to the other 9 causes of action.”

It was in face of these unresponded-to communications that, on September 1st or 2nd, the “independent review committee”, apparently without a press release, [posted on its website](#) determinations as to the ten nominees it purported as having been before it – including the approval of three of the four nominees whose corruption I had proven, with evidence, and, among them, [former New York City Corporation Counsel Michael Cardozo under Mayor Bloomberg](#), with whom Dean Crowell had closely worked over the 12 years in which he had served as Mayor Bloomberg’s special counsel and then counselor.³

Suffice to add that the August 4, 2022 letter (#1) which particularized, with evidence, the direct interests of Dean Crowell, requiring his immediate withdrawal from the “independent review panel”, identified (at fn. 2) [the corruption of the New York City Conflicts of Interest Board in connection with May 17, 2021 and June 28, 2021 complaints](#) I filed with it, while he was a member thereof – the latter complaint specifying his disqualification for interest from the complaints, arising from his participation on the JCOPE/LEC Review Commission.

³ So reflected by my August 4, 2022 letter (#2), at p. 4.

Dean Crowell must be interrogated as to whether and to what extent he was involved in the disposition of my FULLY-DOCUMENTED [May 17, 2021 complaint](#) and [June 28, 2021 complaint](#), whose status is completely unaccounted for. Certainly, based on the complaints, investigation into the operations of the New York City Conflicts of Interest Board, the New York City Department of Investigation, the Office of the Public Advocate, and New York City’s five district attorneys is mandated – and especially as it appears that the City Council and its relevant committees have not been reviewing these entities “on a regular and continuous basis”, with yearly hearings on their “activities”, as [Chapter 2, §29 of the New York City Charter \(“Power of investigation and oversight”\)](#) requires.⁴

⁴ See my [September 6, 2022 e-mail](#) entitled “Tomorrow’s Hearing of the Rules Committee – Opposition to Confirmation of Milton Williams, Jr., Esq. & Anthony Crowell, Esq. to Offices of Public Trust”, posted on the webpage for this testimony – to which I received no response.