



June 24, 2021

Via Email: elena@judgewatch.org

Elena Sassower
Center for Judicial Accountability, Inc.
P.O. Box 8101
White Plains, New York 10602

FOIL Request: #3294

Dear Elena Sassower:

This letter responds to your correspondence dated March 8, 2021, which pursuant to FOIL, requested:

Legislative Law §80 establishes the Legislative Ethics Commission. Its mandatory duties are set forth at paragraph 7, stating, as follows, at subdivision 1 [e1]:

“The Commission shall –

Prepare an annual report to the governor and legislature summarizing the activities of the commission during the previous year and recommending any changes in the laws governing the conduct of persons subject to the jurisdiction of the commission, or the rules, regulations and procedures governing the commission’s conduct. Such report shall include: (i) a listing by assigned number of each complaint and report received from the joint commission on public ethics which alleged a possible violation within its jurisdiction, including the current status of each complaint, and (ii) where a matter has been resolved, the date and nature of the disposition and any sanction imposed, subject to the confidentiality requirements of this section. Such annual report shall not contain any information for which disclosure is not permitted pursuant to subdivision twelve of this section.”

Article VI of the Legislative Ethics Commission’s By-Laws is entitled “Annual Report” and reads:

“The Commission shall prepare an annual report to the Legislature summarizing its activities and recommending changes in the laws governing the conduct of Members of the Legislature and legislative employees. Such report shall include a listing of each complaint and referral received by the Commission, the current

status of each complaint, and the nature and date of any disposition and any sanction imposed.”

Pursuant to Public Officers Law VI [“Freedom of Information”], Senate Rule ___ [“Freedom of Information”], and Assembly Rules VIII [“Public Access to Records”], request is made for the Legislative Ethics Commission’s annual reports from 2012 to the present – none of which are posted on the Legislative Ethics Commission’s website: <https://legethics.ny.gov/>.

The New York State Executive Chamber has conducted a diligent search of available records and has not located any records responsive to your request.

Pursuant to Public Officers Law § 89(4)(a), you have thirty (30) days to take a written appeal of this determination. You may appeal by writing: FOIL Appeals Officer, Executive Chamber, State Capitol, Albany, New York, 12224.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Jaelyn Clemmer', written in a cursive style.

Jaelyn Clemmer
FOIL Counsel &
Records Access Officer