

CENTER for JUDICIAL ACCOUNTABILITY, INC.

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July 29, 2024

TO: Bruce A. Hidley/Albany County Clerk & County FOIL Officer

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

RE: FOIL Request: CJA's July 15, 2024 FOIL Request #24-355 pertaining to CJA's July 12, 2016 e-mail "Notice to Albany Co. Government: Your duty to repudiate & challenge the state-imposed D.A. salary increases based on your own D.A. Soares' findings of facts and conclusions of law"

Reference is made to [my July 15, 2024 FOIL request](#), to which you assigned #24-355 and responded, on July 26, 2024, with a single document, [an e-mail chain](#) germane to a single question: whether, as I had expressly requested by [my July 12, 2016 e-mail](#), the Legislature's then First Deputy Clerk Necole Chambers had forwarded its attached and linked [July 8, 2016 NOTICE](#) to "all Albany County legislators".

The answer to that question is **NO** because, upon First Deputy Clerk Chambers promptly forwarding the July 12, 2016 e-mail to Sean Ward, Nick Crudo, Patrick Jeffers, and Frank Commisso – and then following up by an August 2, 2016 e-mail solely to Mr. Ward, the Legislature's then chair, with the question "Should I forward to the Legislators or just file it away?", Chair Ward responded: Just file it away. Pat from the Majority Office has already looked into this and found that it is without merit."

Presumably, "Pat" is Mr. Jeffers, who was then the Legislature's majority counsel. The majority leader was then Mr. Commisso.

Pursuant to FOIL, this is to request:

- records reflecting Mr. Crudo's title in July-August 2016, how long he was in that position prior thereto and thereafter, and his subsequent employment by Albany County, if any;
- records reflecting the dates of Legislative Majority Counsel Jeffers' tenure in that position, and his subsequent employment by Albany County, if any;
- records reflecting the basis for Chair Ward's assertion, by his August 2, 2016 e-mail, that "Pat has already looked into this and found that it is without merit";

- records establishing that Legislative Majority Counsel Jeffers had, in fact, “looked into this” and “found” that it was “without merit” – and reflecting his communications with Chair Ward, Majority Leader Commisso, Mr. Crudo, and anyone else with respect thereto – and their communications with him concerning my July 8, 2016 NOTICE and their obligations;
- records of such “findings of fact and conclusions of law” as Legislative Majority Counsel Jeffers would have made – or would have procured from D.A. Soares or from then County Attorney Daniel Lynch, as expressly requested by my July 8, 2016 NOTICE;
- records of communications between then First Deputy Legislative Clerk Chambers and then County Attorney Lynch as to which of them would be forwarding my July 8, 2016 NOTICE to “executive officers & the treasurer/comptroller”, as my July 12, 2016 e-mail expressly requested – and/or reflecting involvement by the Legislature’s then Clerk, whose name I additionally request – and copies of the forwarding and subsequent e-mails to the “executive officers & the treasurer/comptroller”;
- records as to whether any consideration was given to forwarding my July 8, 2016 NOTICE to the [Albany County Ethics Commission](#), consistent with the sentence that appears in [Legislator Ward’s current bio](#) – presumably also appearing in July - August 2016: “The Ethics Board was convened by Chairman Ward in May of 2016 and is a viable and active body today serving the people of Albany County” – or to alerting me of the existence of such body so that I might file a complaint against D.A. Soares for violation of [Albany County’s Code of Ethics](#) barring financial conflicts of interest and mandating recusal (§5, ¶¶1(a) and 2).

Finally, at the top of the chain, is a July 23, 2024 e-mail from Edward Walsh of the Law Department to Patrick Collins and, beneath it a July 15, 2024 e-mail from Legislative Clerk Necole Chambers to both of them. Pursuant to FOIL, please furnish me with records as to their titles and their responsibilities in those positions.

Thank you.

s/ ELENA SASSOWER