

From: ethics.sm.records <records@ethics.ny.gov>
Sent: Tuesday, January 9, 2024 11:34 AM
To: Center for Judicial Accountability, Inc. (CJA)

Subject: RE: FOIL Request for COELIG's written procedures/manual for receipt, docketing, acknowledgment, preliminary review, investigation of complaints, notification of disposition to complainants - & reconsideration

Ms. Sassower,

Regarding your December 5, 2023 FOIL request for “the Commission’s written procedures/manual for receipt, docketing, acknowledgment, preliminary review, investigation of complaints, notification of disposition to complainants – and reconsideration,” you may find an overview of these procedures on pp. 53-56 of the 2022 COELIG annual report here:

<https://ethics.ny.gov/system/files/documents/2023/08/final-2022-coelig-annual-report.pdf>. Further, Executive Law § 94(10) sets forth certain required procedures with respect to the Commission’s investigative authority, and 19 NYCRR Part 941 provides guidance and procedures relating to the Commission’s adjudicatory proceedings, both of which are located on our website: <https://ethics.ny.gov/ethics-laws-and-regulations-0>.

Written procedures that align with the Ethics Commission Reform Act are in preparation but, at this time, are not yet final. Records are exempt from disclosure under Public Officers Law Article 6 Section 87(2)(g) when such records include: “inter-agency or intra-agency materials which are not: i. statistical or factual tabulations or data; ii. instructions to staff that affect the public; iii. final agency policy or determinations; or iv. external audits, including but not limited to audits performed by the comptroller and the federal government[.]”. As such, the Commission is withholding non-final intra-agency drafts of its written procedures concerning the topics referenced in your request at this time.

You have 30 days to appeal this response. You may send your appeal to:

Appeals Officer
540 Broadway
Albany, NY 12207
records@ethics.ny.gov

Sincerely,

Record Access Officer

From: ethics.sm.records
Sent: Wednesday, December 6, 2023 8:41 AM
To: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>

Subject: FW: FOIL Request for COELIG's written procedures/manual for receipt, docketing, acknowledgment, preliminary review, investigation of complaints, notification of disposition to complainants - & reconsideration

Good morning,

The Commission has received your December 5, 2023 request seeking “the Commission’s written procedures/manual for receipt, docketing, acknowledgment, preliminary review, investigation of complaints, notification of disposition to complainants – and reconsideration.”

The Commission expects to respond to your request on or before January 5, 2024.

Sincerely,

Records Access Officer

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>

Sent: Tuesday, December 5, 2023 11:16 AM

To: ethics.sm.records <records@ethics.ny.gov>

Subject: FOIL Request for COELIG's written procedures/manual for receipt, docketing, acknowledgment, preliminary review, investigation of complaints, notification of disposition to complainants - & reconsideration

TO: Records Access Officer/Commission on Ethics & Lobbying in Government (COELIG)

As reflected by the below e-mail, sent a short time ago, I request, pursuant to FOIL:

“the Commission’s written procedures/manual for receipt, docketing, acknowledgment, preliminary review, investigation of complaints, notification of disposition to complainants – and reconsideration. As illustrative, here is what I received, pursuant to FOIL, to comparable requests, [from the State Inspector General](#) and [from the New York City Department of Investigation](#).”

Thank you.

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

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>

Sent: Tuesday, December 5, 2023 10:15 AM

To: 'Investigations' <Investigations@ethics.ny.gov>; 'Fdavie@uts.columbia.edu' <Fdavie@uts.columbia.edu>; 'claudialedwards2@gmail.com' <claudialedwards2@gmail.com>; 'ngroenwegen@gmail.com' <ngroenwegen@gmail.com>; 'sjames@barketepstein.com'

<sjames@barketepstein.com>; 'Help@whittinghamlaw.com' <Help@whittinghamlaw.com>;
'dolly@caramanlaw.com' <dolly@caramanlaw.com>; 'aayer@albanylaw.edu' <aayer@albanylaw.edu>;
'm@michaelcardozo.com' <m@michaelcardozo.com>; 'ecarni@hancocklaw.com'
<ecarni@hancocklaw.com>

Subject: STATUS? -- CJA's Oct 2, 2023 Sworn Complaint & Request for Reconsideration of CJA's July 8, 2022 Sworn Complaint & Sworn Oct 6, 2022 Supplement -- PLUS FOIL for written procedures/manual

TO: Commission on Ethics & Lobbying in Government (COELIG)

I have received no notification from the Commission of its receipt of CJA's October 2, 2023 sworn complaint, sent by the below e-mail. Did you send me a notification, as required by Executive Law §94.10(e) which states: "The commission shall notify the complainant, if any, that the commission has received their complaint". The complaint is above-attached, with the typographical errors on pages 16 and 30 now corrected.

What is the status of the October 2, 2023 complaint – and, additionally, the status of its request for reconsideration of CJA's July 8, 2022 sworn complaint and its October 6, 2022 sworn supplement?

Please advise – and also furnish, pursuant to FOIL, the Commission's written procedures/manual for receipt, docketing, acknowledgment, preliminary review, investigation of complaints, notification of disposition to complainants – and reconsideration. As illustrative, here is what I received, pursuant to FOIL, to comparable requests, [from the State Inspector General](#) and [from the New York City Department of Investigation](#).

Thank you.

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

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Wednesday, October 4, 2023 2:34 PM
To: 'Investigations' <Investigations@ethics.ny.gov>; 'Fdavie@uts.columbia.edu' <Fdavie@uts.columbia.edu>; 'claudialedwards2@gmail.com' <claudialedwards2@gmail.com>; 'ngroenwegen@gmail.com' <ngroenwegen@gmail.com>; 'sjames@barketepstein.com' <sjames@barketepstein.com>; 'Help@whittinghamlaw.com' <Help@whittinghamlaw.com>; 'dolly@caramanlaw.com' <dolly@caramanlaw.com>; 'aayer@albanylaw.edu' <aayer@albanylaw.edu>; 'm@michaelcardozo.com' <m@michaelcardozo.com>; 'ecarni@hancocklaw.com' <ecarni@hancocklaw.com>
Cc: 'Peter.Smith@ethics.ny.gov' <Peter.Smith@ethics.ny.gov>

Subject: Superseding Oct 2, 2023 Sworn Complaint & Official Testing of Your Unofficial Reconsideration/Renewal Remedy.

The attached corrects, clarifies, and slightly expands CJA's October 2, 2023 sworn complaint/TEST, sent by the below and inadvertently e-mailed to a wrong Smith, not COELIG Investigator Peter Smith, as intended. Kindly supersede – and forward to Vice Chair Austin, whose e-mail address I do not have.

Apologies for the inconvenience.

Thank you.

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

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Monday, October 2, 2023 11:57 PM
To: 'Investigations' <Investigations@ethics.ny.gov>; 'Fdavie@uts.columbia.edu' <Fdavie@uts.columbia.edu>; 'claudialedwards2@gmail.com' <claudialedwards2@gmail.com>; 'ngroenwegen@gmail.com' <ngroenwegen@gmail.com>; 'sjames@barketepstein.com' <sjames@barketepstein.com>; 'Help@whittinghamlaw.com' <Help@whittinghamlaw.com>; 'dolly@caramanlaw.com' <dolly@caramanlaw.com>; 'aayer@albanylaw.edu' <aayer@albanylaw.edu>; 'm@michaelcardozo.com' <m@michaelcardozo.com>; 'ecarni@hancocklaw.com' <ecarni@hancocklaw.com>
Cc: 'rsmith@thecity.nyc' <rsmith@thecity.nyc>

Subject: Sworn Complaint & Official Testing of Your Unofficial Reconsideration/Renewal Remedy.

Attached is my sworn complaint -- & official testing of your unofficial reconsideration/renewal remedy.

Thank you.

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