

Center for Judicial Accountability, Inc. (CJA)

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Friday, March 19, 2021 2:31 PM
To: 'foil@nysenate.gov'
Subject: AGAIN -- FOIL: Legislative Ethics Commission's rules and regulations for non-partisanship by staff, for records subject to public disclosure -- & for records identifying who the Commission's records access officer & records appeal officers are
Attachments: Rules and Regulations relating to Public Inspection and Copying of Legislative Records - January 2019_blue.pdf
Importance: High

TO: Senate Records Access Officer/Secretary of the Senate Alejandra Paulino, ESQ.

In response to my above-entitled March 10, 2021 FOIL/records request, embodied in the e-mail that is beneath your below March 11, 2021 e-mail, you state:

“Please be advised the information pursuant to your request can be found on the [Legislative Ethics] Commission’s website below.
<https://legethics.ny.gov/>”.

Neither last week, when I received your March 11, 2021 e-mail, nor now – more than a week later – have I been able to locate on <https://legethics.ny.gov/>, “the information pursuant to [my] request”.

Therefore, please furnish me with the links to the specific pages on <https://legethics.ny.gov/> that you contend post the rules and regulations that the Legislative Ethics Commission was required to promulgate pursuant to Article III and Article III-a of its By-Laws and that identify who its records access officer & records appeal officer are.

If you are unable to find such page(s), please furnish the requested promulgated rules and regulations and records identifying the names of the Commission’s required records access officer and records appeal officer – promptly and without further deceit.

Thank you.

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

From: Senate Foil <foil@nysenate.gov>
Sent: Thursday, March 11, 2021 9:53 AM
To: Center for Judicial Accountability, Inc.(CJA) <elena@judgewatch.org>

Subject: Re: FOIL/records request: Legislative Ethics Commission's rules and regulations for non-partisanship by staff, for records subject to public disclosure -- & for records identifying who the Commission's records access officer & records appeal officers are

Importance: High

March 11, 2021

Ms. Elena Ruth Sassower, Director
Center for Judicial Accountability, Inc.
www.judgewatch.org

Dear Ms. Sassower:

This is to acknowledge receipt of your email dated March 10, 2021 pursuant to the Freedom of Information Law.

You are requesting, "For the two aforesaid rules and regulations – and for records identifying who the Commission's records access officer and records appeal officer are..."

Please be advised the information pursuant to your request can be found on the Commission's website below.

<https://legethics.ny.gov/>

I have attached a copy of the Senate's Rules and Regulations Relating to the Public Inspection and Copying of Legislative Records for your information.

Sincerely,

Alejandra N. Paulino, Esq.
Secretary of the Senate

From: "Center for Judicial Accountability, Inc.\(CJA)" <elena@judgewatch.org>
To: <foil@nysenate.gov>, <marillar@nyassembly.gov>
Date: 03/10/2021 10:00 AM
Subject: FOIL/records request: Legislative Ethics Commission's rules and regulations for non-partisanship by staff, for records subject to public disclosure -- & for records identifying who the Commission's records access officer & records appeal officers are

**TO: Senate Records Access Officer/Secretary of the Senate Alejandra Paulino, ESQ.
Assembly Records Access Officer Robin Marilla**

Article III of the Legislative Ethics Commission's By-Laws is entitled "Operations" and its ¶4 entitled "Prohibited Activities" reads:

"In order to maintain fair and effective functioning of the Legislative Ethics Commission, it is necessary that employees of the Commission not participate in partisan politics. It is also necessary that such employees appear independent of partisan political involvement, if confidence in the functioning of the Legislative Ethics Commission is to be maintained. The Commission shall maintain a set of rules and regulations to assure that staff avoid partisanship and the appearance of partisanship at all times."

Article III-a is entitled "Confidentiality" and states, as follows, in its ¶4:

“The Commission shall promulgate rules and regulations for making available records subject to public disclosure. Under conditions set forth by the Commission, such records may be made available for inspection and copying at the office of the Commission. Public records of the Commission and any other records deemed appropriate by the commission shall be posted on the Commission's public web site pursuant to Legislative Law §80(13). The Commission shall establish a records access officer and a records appeal officer.”

Pursuant to Senate Rule ____ [“Freedom of Information”] and Assembly Rules VIII [“Public Access to Records”], request is made for the two aforesaid rules and regulations – and for records identifying who the Commission’s records access officer and records appeal officer are.

Thank you.

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

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