

**From:** Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>  
**Sent:** Monday, June 13, 2022 1:07 PM

**To:** 'mmahoney@dailygazette.net'; 'reed@dailygazette.com';  
'news@dailygazette.net'; 'cbrown@dailygazette.net'

**Subject:** **Lawsuit vs JCOPE -- & to VOID the statute shutting it down & replacing it with a "commission on ethics and lobbying in government"(CELG) (Supreme Court/Albany Co. #904235-22)**

**TO: Daily Gazette –**

Thank you for your June 8<sup>th</sup> editorial [“The challenge to name an ethical ethics panel”](#), which alerted me to the letter that “Government watchdog groups” had written. I followed it up, the very next day, by a June 9<sup>th</sup> e-mail giving them notice of the lawsuit CJA had commenced to VOID the budget statute that has established the new “ethics panel” – and calling upon them to address it. It is [here](#).

I have yet to receive any response from the “Government watchdog groups” – or from the e-mail’s only cc’s -- the [Albany Times Union](#), which has reported NOTHING about it

How about some investigative reporting and editorializing from the [Daily Gazette](#)?

Below is the June 10<sup>th</sup> press release I sent out about the lawsuit to the roster of Legislative Correspondents Association reporters – including those of the [Albany Times Union](#) – which I now furnish to you

### **PRESS RELEASE – JUNE 10, 2022**

In less than a month, the “ethics commission reform act of 2022” is scheduled to take effect, replacing JCOPE with a “commission on ethics and lobbying in government” (CELG). This is NO “reform”, as the new statute is markedly INFERIOR to the old statute in that it strips complainants and the public of enforceable rights for no purpose other than to better “protect” New York’s statewide executive officers – the Governor, Lt. Governor, Attorney General, and Comptroller – and the 213 state legislators – from meritorious complaints.

To demonstrate the important rights that the “ethics commission reform act of 2022” eliminates – and to VOID the statute because it was enacted in flagrant violation of the New York State Constitution, statutes, legislative rules, and caselaw – the non-partisan, non-profit citizens’ organization Center for Judicial Accountability, Inc. (CJA), acting “on behalf of the People of the State of New York & the Public Interest”, has brought suit against JCOPE, against its statutory partner, the Legislative Ethics Commission (LEC), and against JCOPE’s statutory monitor, the New York State Inspector General (NYS-IG), plus those responsible for, and benefitting from, eliminating JCOPE and for corrupting constitutional, lawful state governance by the budget and otherwise, *to wit*, Governor Hochul, Temporary Senate President Andrea Stewart-Cousins, the Senate, Assembly Speaker Heastie, the Assembly, Attorney General James, and Comptroller DiNapoli.

Below is the NOTICE sent to them [on Thursday, June 9<sup>th</sup>] of the oral argument scheduled for 2 pm, next Friday, June 17, 2022, in Albany Supreme Court for a TRO to stay the “ethics commission reform act of 2022” from taking effect on July 8, 2022 and to enjoin JCOPE from closing, pending final determination of the lawsuit’s June 6, 2022 verified petition/complaint and its accompanying order to show cause. The direct link to the Court’s electronic docket of the case is [here](#). CJA’s own webpage for the case, entitled “**June 6, 2022 – D-DAY plus 78 years: CJA’s lawsuit vs JCOPE, LEC, NYS-IG – & the statewide & state legislative electeds they have ‘protected’, HOCHUL, STEWART-COUSINS, SENATE, HEASTIE, ASSEMBLY, JAMES, DiNAPOLI**”, is [here](#).

I am available to assist you, to the max, in discharging your First Amendment responsibilities to the People of the State of New York to report and investigate the facts and law pertaining to the case – responsibilities reinforced by its obvious significance to the 2022 electoral races. As time is of the essence, I invite you to call me no matter how early, late, and on the weekends.

Thank you.

Elena Sassower, Director  
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**From:** Center for Judicial Accountability, Inc. (CJA) <[elena@judgewatch.org](mailto:elena@judgewatch.org)>  
**Sent:** Thursday, June 9, 2022 11:35 AM  
**To:** 'jcope@jcope.ny.gov' <[jcope@jcope.ny.gov](mailto:jcope@jcope.ny.gov)>; 'Emily.Logue@jcope.ny.gov' <[Emily.Logue@jcope.ny.gov](mailto:Emily.Logue@jcope.ny.gov)>; 'jose.nieveslaw@gmail.com' <[jose.nieveslaw@gmail.com](mailto:jose.nieveslaw@gmail.com)>; 'glavine@bhlawpllc.com' <[glavine@bhlawpllc.com](mailto:glavine@bhlawpllc.com)>; 'sgerstman@magavern.com' <[sgerstman@magavern.com](mailto:sgerstman@magavern.com)>; 'marvin.jacob@retired.weil.com' <[marvin.jacob@retired.weil.com](mailto:marvin.jacob@retired.weil.com)>; 'dmcnamara@phillipslytle.com' <[dmcnamara@phillipslytle.com](mailto:dmcnamara@phillipslytle.com)>; 'lreid@nysenate.gov' <[lreid@nysenate.gov](mailto:lreid@nysenate.gov)>; 'inspector.general@ig.ny.gov' <[inspector.general@ig.ny.gov](mailto:inspector.general@ig.ny.gov)>; 'INTAKEUNIT' <[emailreply@ig.ny.gov](mailto:emailreply@ig.ny.gov)>; 'records.access@exec.ny.gov' <[records.access@exec.ny.gov](mailto:records.access@exec.ny.gov)>; 'josephj@nysenate.gov' <[josephj@nysenate.gov](mailto:josephj@nysenate.gov)>; 'haakb@nyassembly.gov' <[haakb@nyassembly.gov](mailto:haakb@nyassembly.gov)>; 'NYAG.Pressoffice@ag.ny.gov' <[NYAG.Pressoffice@ag.ny.gov](mailto:NYAG.Pressoffice@ag.ny.gov)>; 'andy.aujla@ag.ny.gov' <[andy.aujla@ag.ny.gov](mailto:andy.aujla@ag.ny.gov)>; 'mkogut@osc.ny.gov' <[mkogut@osc.ny.gov](mailto:mkogut@osc.ny.gov)>  
**Cc:** 'shetman@nycourts.gov' <[shetman@nycourts.gov](mailto:shetman@nycourts.gov)>

**Subject:** June 17, 2022 oral argument on TRO -- CJA, et al. v. JCOPE, et al. (#904235-22/Albany County)

**TO:** New York State Joint Commission on Public Ethics (JCOPE) –  
ATT: Sanford Berland/Executive Director  
Emily Logue/Director of Investigations & Enforcement

Chair Jose Nieves  
Commissioners: Gary Lavine, Sharon Gerstman,  
Marvin Jacob, David McNamara  
**Legislative Ethics Commission (LEC)** – ATT: Lisa Reid/Executive Director  
**New York State Inspector General (NYS-IG)** – ATT: Lucy Lang/NYS-IG  
**Governor Kathy Hochul** – ATT: [FOIL officer](#)  
**Temporary Senate President Andrea Stewart-Cousins & Senate** –  
ATT: Jellisa Joseph/Counsel to Secretary of the Senate  
**Assembly Speaker Carl Heastie & Assembly** – ATT: Brian Haak/Counsel  
**Attorney General Letitia James** – ATT: [AG-press](#); [Westchester Bureau Chief Andy Aujla](#)  
**Comptroller Thomas DiNapoli** – ATT: Mike Kogut/Associate Counsel

This follows my phone and e-mail communications with you and/or your offices on Tuesday, Wednesday, and today concerning the lawsuit against you, *Center for Judicial Accountability, Inc., et al. v. New York State Joint Commission on Public Ethics, et al.*, filed in Albany County (#904235-22).

Next Friday, June 17<sup>th</sup>, at 2 p.m., oral argument will be had, in Albany County Supreme Court at 16 Eagle Street, before Justice Peter Lynch, on petitioners/plaintiffs' request for a TRO to stay the "ethics commission reform act of 2022" – Part QQ of Education, Labor, Housing, and Family Assistance Budget Bill #S.8006-C/A.9006-C – from taking effect on July 8, 2022 and to enjoin JCOPE from closing, pending final determination of the lawsuit's June 6, 2022 verified petition/complaint and its accompanying order to show cause. At issue is the sixth cause of action (§§78-85) that Part QQ was enacted unconstitutionally, unlawfully, and by fraud.

On June 17<sup>th</sup>, I will serve you with hard copies of the papers. In the meantime, you will not be hampered in the slightest in preparing, **fully**, for the oral argument, as all the papers are available electronically, *via* NYSCEF (New York State Courts Electronic Filing). The direct link to the electronic docket of the case is [here](#). You can also access the verified petition/complaint, the order to show cause, and my accompanying affidavit from CJA's website, [www.judgewatch.org](http://www.judgewatch.org) – and the direct link is [here](#). Indeed, accessing the case *via* NYSCEF and CJA's website will enable you to access the scores, if not hundreds, of substantiating links petitioners/plaintiffs' papers contain, not accessible from the hard copies.

So that I might be guided accordingly in the number of copies to reproduce – a not inconsiderable expense – please advise if you will waive service of the hard copies, as superfluous.

Justice Lynch's principal law clerk, Stehle Hetman-Mika, is herewith cc'd, as discussed with her.

Thank you.

Elena Sassower, individual petitioner/plaintiff *pro se*  
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