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## Citizens' Group Seeks To Void Repeal And Replacement of NY Ethics Watchdog

BY BRIAN LEE

THE CENTER for Judicial Accountability, a nonprofit citizens organization, is suing New York lawmakers, accusing them of watering down ethics monitoring to shield the public from complaints against state executive officers.

Legislators' repeal of a 2011 statute establishing the New York Joint Commission on Public Ethics is set to replace that panel on July 8 with the Commission on Ethics and Lobbying in Government.

The repeal came on the efforts of a coalition of 12 civic groups who argued New York is the only state where the ethics commission does not operate by majority vote. Instead, two of the governor's appointees to the 14-member JCOPE can veto an investigation or a finding of violation, as can three of the appointees of the legislative leaders.

The successor commission will operate by majority vote.

But Elena Ruth Sassower, director and co-founder of the Center for Judicial Accountability, says the new commission isn't required to do anything with complaints.

Sassower, a frequent filer of ethics complaints to the JCOPE, filed a lawsuit about the reform against the commission, the governor, the attorney general, the comptroller,

and the New York Senate and Assembly, among other entities.

New York Supreme Court of Albany County is set to hear oral arguments on June 17.

Sassower said lawmakers removed mandatory safeguarding provisions that are enforceable by



**Elena Ruth Sassower**  
of the  
Center for  
Judicial  
Accountability

an Article 78 appeal proceeding by mandamus.

The complaint notes that the new law doesn't mandate 15-day "ministerial" letters of notification to the subject of complaints, and that it removes an annual reporting requirement listing file numbers and statuses of each case.

"Incredibly," Sassower said, each of JCOPE's annual reports since 2012 haven't conformed to state law, in that they don't include file numbers and statuses.

A JCOPE spokesman could not be reached for comment about the lawsuit Friday.

Sassower has filed at least seven complaints regarding this year's budget and its » Page 8

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phase-in of ethics reform to JCOPE against the governor, the Senate and Assembly leaders, and all other 213 state legislators for their repeal and elimination of JCOPE.

Sassower accuses JCOPE of "sitting on" her ethics complaints.

She said JCOPE's mandatory, integrity requirements were removed by lawmakers "for no

reason other than self-interest."

The "JCOPE Must Go" Coalition members included lawyers such as Evan Davis, former counsel to Gov. Mario Cuomo, and manager of the Committee to Reform the State Constitution; Edward Murray, who chairs the New York City Bar Association; and Susan Lerner, executive director of Common Cause/New York State.

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