

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Wednesday, June 21, 2023 5:27 PM

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Subject: **2023 NYC ELECTIONS -- INFORMING THE VOTERS: 3 District Attorneys, 51 City Council Members -- & the record of their "wilful misconduct in office" with respect to their public integrity/anti-corruption duties, precluding re-election & mandating indictments**

Attachments: [bronx-7-29-20-da-foil.pdf](#);
[queens-7-29-20-da-foil.pdf](#);
[richmond-7-29-20-da-foil.pdf](#)

TO: The City

Following up my [June 18th e-mail](#) to you entitled "Investigative Reporting Required: NYC's Re-Election-Seeking D.A. and City Council Incumbents", to which I have received no response, shouldn't The City be investigating and reporting to Bronx, Queens, and Staten Island voters whether their three re-election-seeking D.A.s have discharged their duties under [Article I, §6 of the New York State Constitution](#) and [Criminal Procedure Law Article 190](#) to protect them against "wilful misconduct in office of public officers"?

Also, shouldn't The City be investigating and reporting to the voters of these three boroughs – and of Manhattan and Brooklyn – whether their 51 incumbent City Council members, virtually all running for re-election, have discharged their duties, required by [Chapter 2, §29 of the New York City Charter](#), to oversee the City's five D.A.s and the City officer and agencies charged with ensuring that complaints against the D.A.s are properly handled, *to wit*, the New York City Public Advocate, the New York City Conflicts of Interest Board, and the New York City Department of Investigation?

And what about investigating and reporting to New York City voters about the salaries and other compensation they are paying the five City D.A.s and 51 City Council members on the premise that they are doing their jobs?

To assist The City with such electorally-essential investigative reporting, establishing that the re-election-seeking D.A. and City Council incumbents are corrupters of New York City governance – and cannot be re-elected because they must be indicted for their wilful nonfeasance and public corruption – above-attached and linked [here](#), [here](#), and [here](#) are my July 29, 2020 FOIL requests to Bronx D.A. Clark, Queens D.A. Katz, and Staten Island D.A. McMahon for records pertaining to their handling of public corruption complaints from members of the public and pertaining to access to the grand jury with respect thereto. My September 8, 2022 FOIL request to the City Council for records as to its oversight is below.

CJA's website, www.judgewatch.org, posts my prior and subsequent correspondence to the D.A.s and City Council, accessible *via* the prominent center link entitled "NYC's 2023 Elections of its Bronx, Queens, & Staten Island D.A.s & All 51 City Council Members". Also posted there are my yesterday's e-mails to D.A. Candidates Cohen, Grasso, and Daniels, who are herein cc'd so that they can prepare themselves for your questions as to the criminal and electoral significance of the foregoing.

I am available to assist you, to the max – no matter how early or late. When can I expect your call?

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From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Thursday, September 8, 2022 12:07 PM

To: dbarbato@council.nyc.gov
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Subject: FOIL -- Compliance with Chapter 2, §29 of the NYC Charter: NYC Conflicts of Interest Board, NYC Dept of Investigation, NYC's 5 D.A.s, & the Office of the Public Advocate -- plus "allowance[s]" to City Council Committee chairs & officers,

TO: New York City FOIL Officer Danielle Barbato

[Chapter 2, §29 of the New York City Charter](#), entitled "Power of investigation and oversight", reads, in pertinent part:

"a. The council, acting as a committee of the whole, and each standing or special committee of the council, through hearings or otherwise:

...

1. shall review on a regular and continuous basis the activities of the agencies of the city, including their service goals and performance and management efficiency. Each unit of appropriation in the adopted budget of the city shall be assigned to a standing committee. Each standing committee of the council shall hold at least one hearing each year relating to the activities of each of the agencies under its jurisdiction.

b. Any standing or special committee shall have power to require the attendance and examine and take testimony under oath of such persons as it may deem necessary and to require the production of books, accounts, papers and other evidence relative to the inquiry. Copies of all reports or studies received by the council pursuant to section [eleven](#)

[hundred thirty-four](#) and subdivision c of section [ninety-three](#) shall be assigned to the appropriate standing committees for review and action, as necessary.”

Among the “agencies of the city” are:

- (1) the New York City Conflicts of Interest Board – which the [Committee on Standards and Ethics](#) expressly identifies as within its jurisdiction;
- (2) the New York City Department of Investigations – which the [Committee on Oversight and Investigations](#) expressly identifies as within its jurisdiction;
- (3) New York City’s five District Attorneys – which the [Committee on Public Safety](#) expressly identifies as within its jurisdiction;
- (4) the Office of the Public Advocate – presumably within the jurisdiction of the [Governmental Operations Committee](#).

[Pursuant to FOIL](#), this is to request public records reflecting “review on a regular and continuous basis” of the aforesaid four “agencies of the city” and of the yearly hearings required to be held of their “activities”, presumably including of their annual reports, since 2016 by any of the City Council’s committees.

Additionally, this is to request public records reflecting whether, as [Chapter 2, §26\(b\) of the Charter](#) allows, committee chairs and officers of the Council are being paid “allowance[s] fixed by resolution, after a hearing” – and, if so, for what “particular and additional services pertaining to the additional duties of [their] position[s]”?

Thank you.

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