

Center for Judicial Accountability

From: Center for Judicial Accountability <elena@judgewatch.org>
Sent: Monday, September 16, 2013 12:47 PM
To: comments@moreland.ny.gov
Subject: draft testimony
Attachments: 9-16-13-draft-testimony.pdf

Importance: High

I protest the Commission's failure to respond to my below e-mail – and to all my preceding e-mail, also below.

Herewith furnished, pursuant to the Commission's "Procedures" for tomorrow's public hearing in Manhattan, is a draft of my testimony.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
914-455-4373

From: Center for Judicial Accountability [mailto:elena@judgewatch.org]
Sent: Friday, September 06, 2013 1:17 PM
To: comments@moreland.ny.gov; williamfitzpatrick@ongov.net; cheryl.rice@nassauda.org; mwilliams@vladeck.com; david.soares@albanycounty.com; Eric Galarneau (egalarneau@albanycounty.com)
Subject: MISSING PRESS RELEASES: What's Going On with the Commission to Investigate Public Corruption's Public Hearings?
Importance: High

This follows up my phone conversation with Bryce Jones, a short time ago. Mr. Jones called to alert me to the Commission's new registration requirement for its September 17th public hearing in Manhattan, which the Commission did not have when I called on July 19th to request to testify.

Mr. Jones told me that the Commission's website had been modified after 5 pm yesterday – and that it now included a button opening to a form that I would be required to complete and send to the Commission, via its website, in order to be able to testify at the September 17th hearing.

In fact, I had already seen the website change and the form – and was able to ask Mr. Jones questions. Among these, whether the Commission actually has a further requirement for testifying at the September 17th hearing, namely, that "a copy of prepared testimony must be submitted via email...by noon on Monday, September 16, 2013", to which he did not have the answer. Mr. Jones also did not know whether these one or two requirements for testifying would also apply to the September 24th Albany hearing. Mr. Jones was able to confirm for me that the September 18th Buffalo hearing had been cancelled, with the rescheduling not yet announced.

Mr. Jones had an excellent suggestion for me. He suggested that I send in my questions to the Commission *via* its comments e-mail, which he told me is read by others who would have the answers.

I stated to Mr. Jones that these questions were already embodied in a press alert I had sent to the media earlier this morning – and that I would forward it to the Commission at its comments e-mail address, notwithstanding I had received no response to my previous e-mails sent to the Commission at that address.

The press alert, containing a chain of my prior e-mails to the Commission *via* its comments address, is below.

Thank you.

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From: Center for Judicial Accountability [<mailto:elena@judgewatch.org>]

Sent: Friday, September 06, 2013 7:49 AM

To: 'Alyssa_Plock@wcny.org'; amity.paye@amsterdamnews.com; 'ashort@cityandstateny.com'; azi@capitalnewyork.com; Beth DeFalco (bdefalco@nypost.com); 'Betty Flood (EFMNEWS@aol.com)'; Bill Hammond (whammond@nydailynews.com); Blake Zeff (bzeff@salon.com); blambdin@wnyt.com; Bob McManus (rmcmanus8@gmail.com); Brian Terry (bryan.terry@ynn.com); Casey Seiler (cseiler@timesunion.com); 'Chuck Custer (news@wgy.com)'; Colin Campbell (ccampbell@observer.com); Curtis Schick (Curtis_Schick@wcny.org); Dan Janisen (dan.janison@newsday.com); Dana Rubinstein (dana@capitalnewyork.com); Daniel Beekman (dbeekman@nydailynews.com); 'David King'; 'dlombardo@dailygazette.net'; editor@legislativegazette.com; editorial@nytimes.com; Elizabeth Benjamin (liz.benjamin@ynn.com); fklopott@bloomberg.net; Fredric Dicker (fdicker@nypost.com); Fredric Dicker (fud31@aol.com); gcoin@syracuse.com; Gothamist (jake@gothamist.com); Gothamist (jen@gothamist.com); Gothamist (tips@gothamist.com); Graham Rayman (grayman@villagevoice.com); Greg David (gregdavid49@gmail.com); 'Greg Fischer'; Greg Smith (gsmith@nydailynews.com); 'hakim@nytimes.com'; Huffington Post (john.celock@huffingtonpost.com); Jacob Gershman (jacob.gershman@gmail.com); Jeremey Boyer (jeremey.boyer@lee.net); Jeremey Boyer (robert.harding@lee.net); 'Jessica Bakeman'; Jill Colvin (jcolvin@observer.com); Jim Odato (jodato@timesunion.com); 'Jimmy Vielkind (jvielkind@timesunion.com)'; 'Joe Spector (jspector@gannett.com)'; joe@capitalnewyork.com; 'joelstashenko@aol.com'; 'John Caher'; John O'Brien (jobrien@syracuse.com); John Surico (jsurico15@gmail.com); Jon Campbell; Jon Lentz (jlentz@cityandstateny.com); josh@capitalnewyork.com; 'kaplan@nytimes.com'; Karen DeWitt (kdewitt@wxxi.org); Ken Lovett (klnynews@aol.com); kfischer@alm.com; Kris Fischer (wstorey@alm.com); Larry McShane (lmcshane@nydailynews.com); Marie Cusick; Matt Ryan (mryan@wmht.org); metro@nytimes.com; Michael Gannon (MichaelG@qchron.com); 'Michael Gormley (mgormley@ap.org)'; 'Michael Virtanen (mvirtanen@ap.org)'; milton@blackstarnews.com; Morgan Pehme (mpehme@cityandstateny.com); 'nick.reisman@ynn.com'; 'Pat Bailey'; Phil Reisman (preisman@lohud.com); rbarkan@observer.com; Reid Pillifant (reid@capitalnewyork.com); Rich Bockmann (rbockmann@cnglocal.com); Rick Karlin (rkarlin@timesunion.com); Robert Kessler (robert.kessler@newsday.com); Robert McCarthy (rmccarthy@buffnews.com); Sara Patterson (sepatterson@syracuse.com); Stephen Acunto Jr. (sacunto@cinn.com); Steve Billmyer (sbillmyer@syracuse.com); 'Susan Arbetter (susan_arbetter@wcny.org)'; 'Teri Weaver (tweaver@syracuse.com)'; Thurman William Mathis (thurman2c@yahoo.com); 'Tom Precious (tprecious@buffnews.com)'; tom@capitalnewyork.com; William McGurn (william.mcgurn@nypost.com); 'Yancey Roy (yancey.roy@newsday.com)'; 'zack.fink@ny1news.com'

Subject: MISSING PRESS RELEASES: What's Going On with the Commission to Investigate Public Corruption's Public Hearings?

Importance: High

MISSING PRESS RELEASES: What's Going On with the Commission to Investigate Public Corruption's Public Hearings?

Without explanation, the Commission to Investigate Public Corruption has removed the September 18th public hearing in Buffalo from its website and is now requiring advance registration and "a copy of prepared testimony" from those wishing to testify at its September 17th public hearing in Manhattan, limiting testimony time to 3 minutes and cautioning that "time constraints may require that those wishing to provide oral testimony provide written testimony only" and that persons orally testifying may find themselves before "an issue orientated panel". As for whether these requirements and cautions apply to its September 24th Albany hearing, the Commission's website does not say.

Has the Commission issued no press releases about this? The only press releases posted on its website are the Governor's July 2nd press release announcing the Commission and its own July 16th press release announcing the Manhattan, Buffalo, and Albany public hearings, more than two months in advance of when they were going to be held. Does the Commission think that the press should not be alerting the public to what the situation is with respect to

these now upcoming hearings: whether the Buffalo hearing is cancelled and what requirements and restrictions apply to the Manhattan and Albany hearings? What do you think?

Meantime, the Commission remains completely NON-RESPONSIVE to those who do not have the “inside-track”. We still have received no response to our attached August 5th letter to the Commission, raising threshold questions about its integrity, including its “procedures and rules” for handling its own conflicts of interest. Nor have we received response to our below September 3rd e-mail requesting confirmation that the upcoming public hearings will be live-streamed, videoed and stenographically recorded. Will they be?

For your convenience, here’s the Commission’s website <http://www.publiccorruption.moreland.ny.gov/> – and here is our NEW MENU WEBPAGE for the Commission. Like our August 5th letter, it is entitled “Keeping the Commission True to its Name & Announced Purpose”: <http://www.judgewatch.org/web-pages/searching-nys/commission-to-investigate-public-corruption/menu-commission-on-public-corruption.htm> .

As always, I am available to be interviewed – and to answer your questions.

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From: Center for Judicial Accountability [<mailto:elena@judgewatch.org>]

Sent: Tuesday, September 03, 2013 9:14 AM

To: comments@moreland.ny.gov; williamfitzpatrick@ongov.net; cheryl.rice@nassauda.org; mwilliams@vladeck.com; david.soares@albanycounty.com; Eric Galarneau (egalarneau@albanycounty.com)

Cc: 'robert.freeman@dos.state.ny.us'

Subject: Request that the Upcoming Public Hearings of the Commission to Investigate Public Corruption be Live-Streamed, Videoed, & Stenographically Recorded, Etc.

Dear Executive Director Calcaterra:

This is to request that the upcoming public hearings of the Commission to Investigate Public Corruption be streamed live and video recorded, in addition to being recorded and transcribed stenographically.

Please confirm that this will be done – and explain why the Commission’s website now indicates no public hearing on Wednesday, September 18th (in Buffalo), but only on Tuesday, September 17th (in Manhattan) and Tuesday, September 24th (outside Albany).

Finally, it appears that in response to our August 5th letter (at p. 5), the Commission has now expanded its website to include a button entitled “EXECUTIVE STAFF”, furnishing their names and brief bios. However, where is the Commission’s response to the balance of our August 5th letter? We have received none – and our below e-mail to you and Commission co-chairs D.A. William Fitzpatrick, D.A. Kathleen Rice, and Milton Williams, Jr. , sent last week, alerted you and them of that fact. Please advise.

Thank you.

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

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elena@judgewatch.org

From: Center for Judicial Accountability [<mailto:elena@judgewatch.org>]

Sent: Tuesday, August 27, 2013 4:52 PM

To: comments@moreland.ny.gov; williamfitzpatrick@ongov.net; cheryl.rice@nassauda.org; mwilliams@vladeck.com; david.soares@albanycounty.com; Eric Galarneau (egalarneau@albanycounty.com)

Cc: 'robert.freeman@dos.state.ny.us'

Subject: Status: Our August 5, 2013 Letter -- "Keeping the Commission to Investigate Public Corruption True to its Name & Announced Purpose"

Dear Executive Director Calcaterra:

We have received no response from you to our attached August 5, 2013 letter, sent by the below e-mail. Nor have we received any response from the Commission's three co-chairs – D.A. William Fitzpatrick, D.A. Kathleen Rice, and Milton Williams.

Have you or they responded?

As stated at the conclusion of the letter:

“As the issues here presented are threshold – the integrity of the Commission and its ability to be true to the announced purposes for which it was established – we trust you, if not the Commission's three co-chairs, will be responding without delay.” (at p. 8, underlining in original)

Please advise.

Thank you.

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From: Center for Judicial Accountability [<mailto:elena@judgewatch.org>]

Sent: Wednesday, August 07, 2013 9:22 AM

To: comments@moreland.ny.gov; 'williamfitzpatrick@ongov.net'; 'cheryl.rice@nassauda.org'; 'mwilliams@vladeck.com'; 'david.soares@albanycounty.com'; 'Eric Galarneau'

Cc: 'robert.freeman@dos.state.ny.us'

Subject: Superseding Letter -- Keeping the Commission to Investigate Public Corruption True to its Name & Announced Purpose

The attached corrects typos and makes non-substantive changes to our above-entitled August 5th letter, which it supersedes. It has also been posted on our identically-entitled webpage for the Commission. Here's the direct link: <http://www.judgewatch.org/web-pages/judicial-compensation/commission-on-public-corruption.htm>

Apologies for any inconvenience.

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From: Center for Judicial Accountability [<mailto:elena@judgewatch.org>]

Sent: Monday, August 05, 2013 2:04 PM

To: comments@moreland.ny.gov

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'david.soares@albanycounty.com'; Eric Galarneau (egalarneau@albanycounty.com); 'robert.freeman@dos.state.ny.us'

Subject: Keeping the Commission to Investigate Public Corruption True to its Name & Announced Purpose

Attached is the Center for Judicial Accountability's above-entitled letter of today's date to Commission Executive Director Regina Calcaterra – to which the Commission's three co-chairs are indicated recipients, as is Commission member Soares.

The letter is already posted, with substantiating evidence, on the webpage we created for the Commission, on our website, www.judgewatch.org, accessible *via* the top panel "Latest News" by its hyperlink "Holding Government Accountable for its Grand Larceny of the Public Fisc and Other Corruption". Here's the direct link: <http://www.judgewatch.org/web-pages/judicial-compensation/commission-on-public-corruption.htm> .

Thank you.

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