



**OFFICE OF THE ALBANY COUNTY DISTRICT ATTORNEY  
PUBLIC INTEGRITY UNIT**  
Albany County Judicial Center  
Albany, New York 12207  
Fax Number (518) 487-5093

**COMPLAINT FORM**

PLEASE TYPE OR PRINT CLEARLY IN DARK INK.  
COMPLETE THE ENTIRE FORM AND SIGN.  
RETURN/SEND FORM TO THE PUBLIC INTERGRITY UNIT.

**YOUR CONTACT INFORMATION**

Your name: Stano Stasov Home Phone: 646-220-7987  
Street Address: Box 8101 Business Phone: 914-455-4373  
City/Town: White Plains State: Ny Zip: 10602 County: Westchester

**YOUR COMPLAINT**

Public Agency/Individual you are complaining about: NYS Governor Andrew Cuomo, Skolas  
Street Address (if known): Executive Chamber, Capital + Assembly, Speaker  
City/Town: Albany State: Ny Zip: State County: Albany  
Has this matter been submitted to another agency?  Yes  No State Chief Judge Cappa  
If so, which agency? Offices Attorney General Schneiderman  
Is there any legal action pending?  Yes  No #401988/2012  
If so, where and what? Supreme Ct / NY Co. Grand + Comptroller DiNapoli  
declaratory judgment action. Constitutional + other constitutional  
laws + public officers +  
their counsel + professional  
staffs

PLEASE BRIEFLY DESCRIBE YOUR COMPLAINT BELOW  
(use back of form or attach additional documentation if necessary)

Grand Larceny of the Public Fisc  
+ other Corrupt Acts  
see accompanying July 19, 2013 letter

**READ THE FOLLOWING BEFORE SIGNING BELOW:**  
I understand that any false statements made in this complaint are punishable as a Class A Misdemeanor under Section 175.30 and/or Section 210.45 of the Penal Law.  
Signature: Stano Stasov Date: July 19, 2013  
Return to: **OFFICE OF THE ALBANY COUNTY DISTRICT ATTORNEY**  
**PUBLIC INTEGRITY UNIT**  
Albany County Judicial Center, 6 Lodge St 4<sup>th</sup> Floor, Albany, New York 12207  
Fax Number (518) 487-5093

Received by: \_\_\_\_\_ Date: \_\_\_\_\_

① 11/29/11 corruption complaint to Attorney General Schneiderman  
② 3/1/12 corruption complaint to Comptroller DiNapoli  
③ 4/15/13 corruption complaint to US Attorney Bharara (SDNY)  
④ 5/13/13 corruption complaint to US Attorney Lynch (EDNY)  
⑤ 6/13/13 corruption complaint to US Attorney Hardman  
⑥ 6/17/13 ethics complaint to NYS Joint Commission on Public Ethics

6/4/13 letter to  
Senate Committee  
on Investigating  
+ Gov't Oversight  
Assembly  
Committee on  
Oversight  
Analysis  
Investiga.

## CENTER for JUDICIAL ACCOUNTABILITY, INC.\*

Post Office Box 8101  
White Plains, New York 10602

Tel. (914)455-4373

E-Mail: [cja@judgewatch.org](mailto:cja@judgewatch.org)  
Website: [www.judgewatch.org](http://www.judgewatch.org)

Elena Ruth Sassower, Director

July 19, 2013

Albany County District Attorney P. David Soares  
Albany County Judicial Center  
6 Lodge Street, 4<sup>th</sup> Floor  
Albany, New York 12207

ATT: Eric M. Galarneau, Bureau Chief, Public Integrity Unit

RE: (1) Governor Cuomo's "Public Trust Act" – His Program Bill #3 – and the Moreland Commission to Investigate Public Corruption  
(2) Criminal Complaint against NYS' Highest Constitutional Officers for Grand Larceny of the Public Fisc and Additional Corrupt Acts – as, likewise, against NYS' Other Constitutional and Public Officers and their Taxpayer-paid Counsel and Professional Staffs;  
(3) Intervention in *Center for Judicial Accountability, et al. v. Andrew Cuomo, et al.* (NY Co. #401988/2012) & Transfer to Albany County, with Amendment of the Verified Complaint to Embody Additional Causes of Action and Supervening Facts, Including: (a) Violations of Constitutional, Statutory, and Rule Provisions Underlying Passage of the NYS Budget for Fiscal Year 2013-2014 and Judiciary/Legislative Appropriations Bill S.2601-A/A.3001-A; and (b) the Unconstitutionality of the Senate and Assembly Rules, *as Written and as Applied*, Vesting Disproportionate Power in the Temporary Senate President and Assembly Speaker, Eviscerating Legislative Process & Functioning

Dear Bureau Chief Galarneau:

This follows our brief conversation together yesterday, in which I alerted you that I would today be filing this corruption complaint with District Attorney Soares' Public Integrity Unit. I also guided you to the "Latest News" top panel of our website, [www.judgewatch.org](http://www.judgewatch.org), so that you could see the hyperlink "Holding Government Accountable for its Grand Larceny of the Public Fisc & Other Corruption", furnishing access to our already-filed corruption and ethics complaints with other public officers and entities. It is where this complaint has now been posted, with supporting evidentiary proof.

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\* **Center for Judicial Accountability, Inc.** (CJA) is a national, non-partisan, non-profit citizens' organization, working to ensure that the processes of judicial selection and discipline are effective and meaningful.

The background facts leading up to this complaint are as follows:

On April 2, 2013 and April 4, 2013, U.S. Attorney for the Southern District of New York Preet Bharara held press conferences announcing the indictments of two sitting members of the New York State Legislature, Senator Malcolm Smith and Assemblyman Eric Stevenson, and the resignation of a third, Assemblyman Nelson Castro. At the same time, he railed against New York's "rampant" and "pervasive" public corruption, pledging his determination to root it out and urging others to do their part.<sup>1</sup>

On April 9, 2013, Governor Cuomo responded with his own press conference. Flanked by five district attorneys – including the President of the District Attorneys Association of the State of New York, Manhattan District Attorney Cyrus Vance, he stated "Today, we start at the beginning and we start with stricter and more effective criminal deterrents. Let us affirm and expand a simple fact: If you are a public official and if you break the law, you will get caught, you will be prosecuted, and you will go to jail" (03:11 mins). To that end, the Governor announced his "Public Trust Act", designed to strengthen the ability of New York's district attorneys to investigate and prosecute public corruption. In his words, "Today we propose measures to ensure that all our 62 district attorneys have the proper laws to expeditiously investigate and prosecute public integrity violations." (at 03:51 mins.)<sup>2</sup>.

What became of the "Public Trust Act"? – which closed loopholes that gave federal prosecutors the advantage in pursuing public corruption cases; proposed "three new laws: bribing a public official, scheming to corrupt the government, and failure to report public corruption"; and "increase[ed] criminal penalties on existing laws in terms of public officials and public acts." (at 04:04 mins.). Upon information and belief, not a single legislator opposed the "Public Trust Act" – or could have opposed it, certainly not publicly.

We have filed a Freedom of Information Law request to find out. It appears that notwithstanding the Governor's declaration: "I will seek legislative approval this session because we need progress and we need progress now" (at 04:48 mins.), he did not promptly send the "Public Trust Act" to the Legislature – and when he did, as his Program Bill #3, he so totally failed to shepherd it that it had no Senate or Assembly sponsors, was never introduced in either the Senate or Assembly, and was never assigned a Senate or Assembly number.<sup>3</sup>

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<sup>1</sup> The videos of these April 2, 2013 and April 4, 2013 press conferences are posted on our webpage for our April 15, 2015 corruption complaint to U.S. Attorney Bharara.

<sup>2</sup> Our webpage for this complaint posts the video of the Governor's April 9, 2013 press conference, as well as of his June 11, 2013 and July 2, 2013 press conferences, and the referred-to legislation, beginning with the "Public Trust Act" and the district attorneys' June 11, 2013 letter to Assembly Speaker Silver and Senate Majority Coalition Leaders Skelos and Klein, *infra*.

<sup>3</sup> See our July 16, 2013 FOIL requests to the Governor's Office, the Senate, and the Assembly pertaining to Program Bill #3, the "Public Trust Act", posted on our webpage for this complaint.

The Governor made no mention of this, two months later, upon holding a June 11, 2013 press conference, reiterating the “Public Trust Act” and the key role of district attorneys in investigating and prosecuting public corruption. He was now flanked by 16 district attorneys and had a letter of the District Attorneys Association of the State of New York, signed by all 62 district attorneys of New York’s 62 counties, addressed to Assembly Speaker Silver, and Senate Majority Coalition Leaders Skelos and Klein, urging enactment of his Program Bill #3. Yet he never revealed that Assembly Speaker Silver and Senate Majority Coalition Leaders Skelos and Klein were withholding his “Public Trust Act” from legislators to prevent it from being sponsored – which, had he revealed, they could not have done, aborting the legislative process.<sup>4</sup>

In any event, the “Public Trust Act” put the Governor and all 62 New York district attorneys on record that investigating and prosecuting public corruption in this state is the district attorneys’ job. The Governor’s Moreland Act Commission to Investigate Public Corruption, which he announced at his July 2, 2013 press conference, reinforces this. Of its 25 members, 10 are current district attorneys, including District Attorney Soares and two of its three co-chairs.

You head District Attorney Soares’ Public Integrity Unit – the most important of all such district attorney units in the state as the state capital is within its geographic jurisdiction.

Consequently, and in keeping with Governor Cuomo’s assertion at his April 9, 2013 press conference that “when it comes to public integrity, you can’t have enough police officers on the beat, [], you can’t have enough sets of eyes” (at 20:52 mins.), our nonpartisan, nonprofit citizens’ organization, Center for Judicial Accountability, Inc. (CJA), now files with you the same corruption complaint for investigation and prosecution as we filed on April 15, 2013 with U.S. Attorney Bharara. Indeed, just as the “Public Trust Act” was the Governor’s response to U.S. Bharara’s April 2, 2013 and April 4, 2013 press conferences, so the April 15, 2013 complaint was our response to those same two press conferences.

Our April 15, 2013 corruption complaint is, in the first instance, against Governor Cuomo, Temporary Senate President Skelos, Assembly Speaker Silver, and Chief Judge Lippman – our highest constitutional officers in our three government branches. It details their grand larceny of the public fisc and other corrupt acts, committed in Albany, arising from the judicial salary increases recommended by the 2011 Commission on Judicial Compensation, whose seven members they

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<sup>4</sup> Nor could they have done the same with the other reform legislation which the Governor newly-announced at his June 11, 2013 press conference: his Program Bill #4 (Board of Elections Enforcement Counsel; Wilson-Pakula; Party Enrollment Deadline), his Program Bill #5 (Voter Registration; Ballot Access; Ballot Simplification), and his Program #12 (“Campaign Finance Reform Act of 2013”). All were withheld by Assembly Speaker Silver and Senate Coalition Majority Leaders Skelos and Klein, with the consequence that they, too, had no Assembly or Senate sponsors, were never introduced by the Assembly or Senate, and have no Assembly or Senate numbers. See our July 18, 2013 FOIL requests to the Governor’s Office, Assembly and Senate pertaining to these three additional Program Bills, also posted on our webpage of this complaint.

appointed and which operated out of the Executive Chamber. The facts, law, and evidence against these and other highest constitutional and public officers within your geographic jurisdiction: Attorney General Schneiderman, Comptroller DiNapoli, Budget Director Megna, as well as top state legislators and committee heads, their counsel and professional staffs are summarized by the complaint and, in the interest of economy, not here repeated.

Suffice to say that even without the statutory enhancements of the “Public Trust Act”, you are not unduly handicapped in either investigating or prosecuting this complaint – as it presents an open-and-shut, *prima facie* case of plunder of public monies, verification of which can be accomplished in minutes from comparison of the Commission on Judicial Compensation’s August 29, 2011 ‘Final’ Report and our October 27, 2011 Opposition Report – as to which the Executive Summary to our Opposition Report provides a handy guide.<sup>5</sup> Indeed, because verification of the fraud, statutory violations, and unconstitutionality of what the Commission on Judicial Compensation did is so simple, you can readily see that something is amiss in the office of U.S. Attorney Bharara, which, having had the April 15, 2013 corruption complaint for over three months, should have, by now, called me in to give testimony under oath, including before a grand jury, and brought indictments against Governor Cuomo, *et al.*, based on the dispositive proof already furnished and such subpoenaed evidence as it obtained. As stated by our April 15, 2013 complaint:

“Here presented is an open-and-shut case. A simple subpoena to our highest constitutional officers for their records with respect to [our October 27, 2011 Opposition Report, the March 30, 2012 verified complaint in *Center for Judicial Accountability, Inc., et al., v. Cuomo, et al.* (NY Co. #401988/2012), and our] communications and correspondence with them thereafter will suffice to indict and convict them for grand larceny of the public fisc and other crimes against the People.” (at p. 8, underlining in the original).

A copy of our April 15, 2013 corruption complaint is enclosed, as are our May 13, 2013 letter to U.S. Attorney for the Eastern District of New York Loretta Lynch and our June 13, 2013 letter to U.S. Attorney for the Northern District of New York Richard Hartunian based thereon, constituting identical complaints filed with them for investigation and prosecution. All three complaints additionally seek their intervention in *CJA, et al. v. Cuomo, et al.*, our lawsuit brought in the public interest on behalf of the People of the State of New York to void the fraudulent, statutorily-violative and unconstitutional judicial salary increases resulting from the Commission on Judicial Compensation’s August 29, 2011 Report. This intervention relief we also now seek of District Attorney Soares, with a motion to transfer the case to Albany County, either to the state Supreme Court or U.S. District Court.

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<sup>5</sup> For your convenience, the Executive Summary – the same as I furnished the Legislature (by 40 copies) on February 6, 2013, in conjunction with my testimony at its budget hearing on “Public Protection” and which can be seen distributed in the video and acknowledged by Senate Finance Committee Chairman John DeFrancisco, who holds it up (at 07:20:42 – 07:24:05 mins.) – is enclosed. *See* fn. 7, *infra*.

Because most of the corrupt activity detailed by our April 15, 2013 complaint is centered in Albany, our June 13, 2013 letter to U.S. Attorney Hartunian stated that he, not U.S. Attorneys Bharara and Lynch, had geographic jurisdiction of the complaint and concluded with the request:

“Please confirm that you will be taking jurisdiction of the April 15<sup>th</sup> corruption complaint, or advise how you will be coordinating with U.S. Attorney Bharara and U.S. Attorney Lynch with respect thereto.” (at p. 5).

Nevertheless, as of this date, more than a month later, we have received no response from U.S. Attorney Hartunian, no response from U.S. Attorney Lynch, and the only response we have received from U.S. Attorney Bharara – beyond what our June 13, 2013 letter recounts – is a second form letter which, though referencing our “recent communication on May 13, 2013”, was mailed in an envelope postmarked “06/11/2013” and plainly prompted by the voice message I left on that date for Brendan McGuire, Chief of U.S. Attorney Bharara’s Public Corruption Unit, requesting a call-back to discuss transmittal to U.S. Attorney Hartunian of the documentary evidence I had hand-delivered in substantiation of the April 15, 2013 complaint. However, I received no call back from Mr. McGuire – nor from Judy Philips, head of U.S. Attorney Lynch’s Criminal Intake Unit, for whom I left a similar message on June 11, 2013.

Nor has there been any response, from any of these three U.S. Attorneys to our request for intervention in *CJA, et al. v. Cuomo, et al.*

Obviously, the same evidence as I hand-delivered for U.S. Attorneys Bharara and Lynch in substantiation of our April 15, 2013 corruption complaint – most importantly, the verified complaint in *CJA, et al. v. Cuomo, et al.* with its most important exhibit, our October 27, 2011 Opposition Report – should now be transmitted or shared with you. Although this evidence and more is posted on our website, [www.judgewatch.org](http://www.judgewatch.org), accessible from our webpage for our April 15, 2013 complaint to U.S. Attorney Bharara, it would obviously be easier for you to work from paper records. As I stated to you when we spoke yesterday, should you be unable to procure them from U.S. Attorneys Bharara and Lynch, I will furnish you with duplicates.

As District Attorney Soares is a member of the Moreland Commission to Investigate Public Corruption, we request that he personally review this corruption complaint, whose handling by his Public Integrity Unit, as likewise by the U.S. Attorneys and other investigative bodies, is plainly germane to the Commission’s mandate:

“Investigate weaknesses in existing laws, regulations and procedures relating to addressing public corruption, conflicts of interest, and ethics in State Government, including but not limited to criminal laws protecting against abuses of the public trust; and make recommendations to reform any weaknesses uncovered in existing State laws, regulations and procedures.” (July 2, 2013 Executive Order #106, §IIc).

In that connection and also relevant to this complaint are:

- our June 4, 2013 letter to the Senate Committee on Investigations and Government Operations and Assembly Committee on Oversight, Analysis and Investigation;
- our June 27, 2013 complaint to the New York State Joint Commission on Public Ethics; and
- our July 11, 2013 complaint to New York State Inspector General Catharine Leahy Scott.

Each rests on our April 15, 2013 corruption complaint to U.S. Attorney Bharara – and copies are enclosed. Additionally enclosed are the very first complaints we filed, identified by our April 15, 2013 complaint (at p. 3 & the complaint form, at p. 2), these being:

- our November 29, 2011 complaint to Attorney General Schneiderman’s Public Integrity Bureau – to which the response was “does not warrant action by this office at this time”; and
- Our March 1, 2012 complaint to Comptroller DiNapoli’s Investigations Unit – to which we received no response.<sup>6</sup>

Needless to say, your handling of this complaint necessarily begins with acknowledging and confronting conflicts of interest – starting with District Attorney Soares’ own financial interest and that of every other New York district attorney in perpetuating the “grand larceny of the public fisc” here at issue inasmuch as district attorneys salaries are statutorily linked to judicial salaries.<sup>7</sup>

I propose we discuss this and other equally substantial conflicts of interest so that an appropriate threshold determination may be made as to whether District Attorney Soares can and should be handling this corruption complaint and intervention request – or whether referral to some other public officer or body is in order so that the public fisc and public interest may be served and protected.

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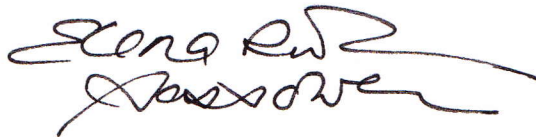
<sup>6</sup> The particulars of these two complaints are recited at footnote 1 of our March 2, 2012 letter to Governor Cuomo, Temporary Senate President Skelos, Assembly Speaker Silver, and Chief Judge Lippman – to which Attorney General Schneiderman and Comptroller DiNapoli were indicated recipients. It is Exhibit Q to the verified complaint in *CJA, et al. v. Cuomo, et al.* – and forms the basis upon which they are named defendants therein.

<sup>7</sup> A significant portion of my testimony at the Legislature’s February 6, 2013 budget hearing on “Public Protection” concerned the statutory link between judicial salaries and district attorney salaries (at 07:30:10 - 07:32:35 mins), raised by our Opposition Report (at p. 24). The video is posted on our webpage for this complaint.

I stand ready to assist you to the fullest, to be interviewed under oath, and to give testimony before a grand jury. For immediate purposes, I am – as you requested – accompanying this letter with your complaint form which requires that I acknowledge that “any false statements made in this complaint are punishable as a Class A Misdemeanor under Section 175.30 and/or Section 210.45 of the Penal Law.” This I have done.

As the Moreland Commission to Investigate Public Corruption will be holding its first public hearing on September 17, 2013, and I have already telephoned and requested to testify, it would be additionally beneficial for us to work together to resolve the conflict of interest issues and straightforward evidentiary matters pertaining to this complaint – and not unique to this complaint.

Thank you.



Enclosures:

- (1) Executive Summary to CJA’s October 27, 2011 Opposition Report;
- (2) CJA’s November 29, 2011 corruption complaint to Attorney General Schneiderman;
- (3) CJA’s March 1, 2012 corruption complaint to Comptroller DiNapoli;
- (4) CJA’s April 15, 2013 corruption complaint to U.S. Attorney Bharara;
- (5) CJA’s May 13, 2013 corruption complaint to U.S. Attorney Lynch;
- (6) CJA’s June 13, 2013 corruption complaint to U.S. Attorney Hartunian;
- (7) CJA’s June 4, 2013 letter to Senate Committee on Investigations & Government Operations & Assembly Committee on Oversight, Analysis & Investigation;
- (8) CJA’s June 27, 2013 ethics complaint to the NYS Joint Commission on Public Ethics;
- (9) CJA’s July 11, 2013 corruption complaint to NYS Inspector General Scott;

cc: U.S. Attorney for the Southern District of New York Preet Bharara  
 U.S. Attorney for the Eastern District of New York Loretta Lynch  
 U.S. Attorney for the Northern District of New York Richard Hartunian  
 Senate Committee on Investigations and Government Operations  
 Chairman Carl Marcellino, Ranking Member Brad Hoylman  
 & Members David Carlucci, Michael Nozzolio, Thomas O’Mara,  
 Daniel Squadron, Lee Zeldin  
 Assembly Committee on Oversight, Investigation and Analysis  
 Chairman Andrew Hevesi, Ranking Member Michael Montesano  
 & Members Michael Kearns, William Magnarelli, Philip Palmesano,  
 Annette Robinson, Fred Thiele  
 New York State Joint Commission on Public Ethics  
 New York State Inspector General Catherine Leahy Scott  
 The Public & The Press