

NASSAU COUNTY DISTRICT ATTORNEY MADELINE SINGAS

“As relates to District Attorney Singas, the EVIDENCE is prima facie and open-and shut, not even requiring inquiry of her to establish that her nomination must be rejected, indeed, that she must be indicted for corruption, in office – and that she will be convicted.”

-- [CJA’s June 1, 2021 e-mail to Senate Judiciary Committee:](#)

[“Subject: Senate Judiciary Committee procedures for vetting Gov. Cuomo’s nominations of Singas & Cannataro to the NY Court of Appeals -- & request to testify in strong opposition at their confirmation hearings, with EVIDENCE, decisive of their unfitness” –](#)

EXPLANATORY NARRATIVE OF EVIDENCE – & QUESTIONS FOR D.A. SINGAS

(by CJA Director Elena Sassower, sworn to as true, under penalties of perjury, as likewise her above June 1, 2021 e-mail. The EVIDENCE herein recited is posted and accessible from CJA’s EVIDENTIARY webpage pertaining to D.A. Singas. The direct link is here: <http://www.judgewatch.org/web-pages/judicial-selection/2021-singas-cannataro/singas-evidentiary-webpage.htm>.

The EVIDENCE pertaining to Nassau County D.A. Singas is straight-forward, requiring no additional explanation. It was furnished to her, as attachments and links, in e-mails sent directly to her and to those who would discuss it with her, and its accuracy and truth were never contradicted by her or anyone else. It establishes, *prima facie*:

- (1) her pocketing of unlawful D.A. salary increases, paid for by Nassau County taxpayers – and collusion with the D.A.s of NY’s other counties in their comparable pocketing of unlawful salary increases, paid for by the taxpayers of those counties – these increases being predicated on statutorily-violative, fraudulent, and unconstitutional “force of law” commission reports giving salary increases to NY judges – and to D.A.s by virtue of a statutory link;
- (2) her collusion, with her fellow D.A.s and the constitutional officers of NY’s judicial, legislative, and executive branches in a whole mass of unlawfulness, fraud, and unconstitutionality involving, in addition to salary increases for all of them based on “false instrument” “force of law” commission/committee reports, a “slush-fund” state budget;
- (3) her wilful and deliberate violation of her constitutional and statutory duties to investigate and present to Nassau County grand juries the “wilful misconduct in office” of Nassau County public officers and to follow legal requirements

and appropriate protocols for public corruption complaints and conflicts of interest.

The e-mails sent to D.A. Singas are as follows:

- a July 1, 2016 e-mail to D.A. Singas, also sent to her fellow 61 D.A.s of NY's 61 other counties, entitled "Your D.A. Salary Increases, Next Week's Annual Meeting of DAASNY, & Your Duty to the Counties that Elected You" – requesting, by an attached July 1, 2016 letter addressed to them, entitled "How Many D.A.s Does It Take to Confront Evidence & Abide by Ethical Rules", that they place on DAASNY's agenda the two commission reports that were the basis for increases in their D.A. salaries because they were "false instruments, violating a succession of penal laws" – and stating that unless they disputed this, their duty was to apprise their county governments – from whose budgets the D.A. salary increases were being funded -- that they were disavowing the increases and advising their counties to secure a judicial declaration voiding the two reports;
- a July 14, 2016 e-mail to the Nassau County Legislative Clerk, to which D.A. Singas was cc'd – to which D.A. Singas was cc'd – entitled "Notice to Nassau Co. Government: Your duty to repudiate & challenge the state-imposed D.A. salary increases based on your own D.A. Singas' findings of facts and conclusions of law", reflecting my conversation with her and with counsel, attaching a July 8, 2016 letter for distribution to "all Nassau County legislators, executive officers, the treasurer/comptroller, as well as for Nassau County Attorney Carnell Foskey", entitled "GIVING NOTICE: Your duty to repudiate & challenge the state-imposed district attorney salary increases based on your own district attorney's findings of fact and conclusions of law with respect to rock-solid, *prima facie* evidence establishing them to be based on judicial salary increases that are statutorily-violative, fraudulent -- & unconstitutional", and further stating:

"...To assist Nassau County in taking protective steps, I am also directly sending this e-mail to Nassau County District Attorney Singas so as to reinforce her duty to promptly furnish her fellow Nassau County public officers with her findings of fact and conclusions of law with respect to the citizen taxpayer action *Center for Judicial Accountability, Inc. v. Cuomo, et al.* (Albany Co. #1788-2014). Does she deny or dispute its rock solid evidentiary showing that the judicial salary increases, on which her own district attorney salary increases rest, are statutorily-violative, fraudulent -- & unconstitutional? How about our June 21, 2016 corruption complaint, based thereon, filed with Albany County District Attorney Soares? Does she deny or dispute its sufficiency for founding criminal indictments for violations of the penal law – and convictions?..."

- an October 14, 2016 e-mail to D.A. Singas, also sent to her fellow D.As of the 2nd Judicial Department, entitled “Conflict-of-Interest/Misconduct Complaint vs the DAs to the 2nd Dept. Attorney Disciplinary Committees, with FOIL records request”, stating that in the absence of a response from them to the prior correspondence, a conflict-of-interest/misconduct complaint against each of them was being filed with the three attorney disciplinary committees of the 2nd Judicial Department – and attaching the complaint, noting that it was:

“ALSO a FOIL request for records responsive to the question posed by the penultimate paragraph of CJA’s July 8, 2016 letter, which each district attorney/acting district attorney could have voluntarily answered, but did not:

“What are your procedures for handling public corruption complaints, filed with your district attorney offices, where you have financial and other interests?’ (Exhibit F: at p. 6)”;

- a June 10, 2020 e-mail to D.A. Singas, resent to her the following day, entitled “CORRUPTION COMPLAINT in support of grand jury inquiry, pursuant to Article I, §6 of the NYS Constitution, of Nassau County state legislators for ‘wilful misconduct in office’, including larceny & fraud...”, and attaching a sworn June 10, 2020 grand jury/public corruption complaint against Nassau County’s 16 state legislators, specifically “with respect to their OWN legislative salaries & the Legislature’s OWN budget”, together with a separate scanned signature page;
- a July 27, 2020 e-mail to D.A. Singas, to which her Public Corruption Bureau Chief was cc’d, entitled “Reasonable questions arising from your nonfeasance: June 10, 2020 corruption complaint in support of grand jury inquiry, pursuant to Article I, §6 of the NYS Constitution, of Nassau County state legislators”, reading, in full:

“I have received no acknowledgment or other response to my June 10, 2020 public corruption/grand jury complaint against Nassau County state legislators, which I sent you by the below e-mail, with a direct link to the substantiating evidentiary webpage: <http://www.judgewatch.org/web-pages/searching-nys/2020-legislative/grand-juries.htm>. Likewise, I have received none from your Public Corruption Bureau to whose chief, Assistant District Attorney Christine Malone, I also sent the complaint, following her call back, on June 11th, to a voice mail message I had left with the Bureau (516-571-2100).

As the complaint presents evidence so *prima facie* and open-and-shut as to leave no doubt that a grand jury would speedily indict – and a trial jury speedily convict – the complained-against Nassau County state legislators and their accomplices, this nonfeasance raises reasonable questions as to

how you and your Public Corruption Bureau perform with respect to *other* public corruption complaints filed by *other* members of the public. To help answer these questions, I have today filed a FOIL/information request with your office. It is attached.”

The attached July 27, 2020 FOIL/information request bore the serious and substantial title:

“(1) the functioning of the Nassau County district attorney’s office and performance of its duties with respect to public corruption complaints filed by members of the public; (2) access to the Nassau County grand jury so that it can discharge its duty pursuant to Article I, §6 of the New York State Constitution and Criminal Procedure Law Article 190, unobstructed by the Nassau County district attorney.”;

- a September 22, 2020 e-mail to Newsday, to which D.A. Singas was cc’d, as likewise Nassau County’s 16 state legislators, entitled “Nassau County Elections 2000 – Informing Voters with EVIDENCE: public corruption/grand jury complaint vs Nassau County’s 16 state legislators – 14 running for re-election – which Nassau County D.A. Singas has been ‘sitting on’”, stating, in pertinent part:

“As you know, Nassau County’s 16 state legislators – 14 running for re-election, including Assembly Ways and Means Committee Ranking Member Edward Ra, Senate Committee on Local Government Chair James Gaughran, Assembly Elections Law Committee Chair Charles Lavine, Senator Todd Kaminsky, and Assemblyman Michael Montesano, all of whom are lawyers – are the subjects of a **fully-documented** public corruption/grand jury complaint, filed with Nassau County District Attorney Singas, who has been “sitting on” it. The complaint involves the “force of law” commission/committee scheme that gave all 17 of them pay raises – and a legislature not operating at a remotely constitutional level.

The June 10, 2020 complaint, by the Center for Judicial Accountability, Inc. (CJA), is above-attached – and below are the e-mails transmitting it and the above-attached July 27, 2020 FOIL request to D.A. Singas. CJA’s substantiating evidentiary webpage for the complaint is here: <http://www.judgewatch.org/web-pages/searching-nys/2020-legislative/grand-juries.htm>.

As stated by the complaint, Nassau County voters are entitled to know that their state legislators cannot be re-elected because they must be indicted for larceny and other corruption on EVIDENCE so DISPOSITIVE as to assure their convictions. So, too, Assemblyman LiPetri, a lawyer, defeated in a

congressional primary, and retiring Assemblyman D’Urso, whose *salary-based* pension will be a further larceny.

To facilitate your inquiries of the complained-against state legislators and D.A. Singas, I am cc’ing them on this e-mail. What, if anything, do they deny or dispute. Let them start where the complaint starts: [my July 16, 2019 e-mail to then Assembly Codes Committee Ranking Member Ra and the Legislature’s 14 other stipend-receiving leaders](#) requesting that they forward the e-mail to the 198 other state legislators, with its attached [July 15, 2019 written NOTICE](#) and [substantiating analysis](#) establishing that the [December 10, 2018 Report of the Committee on Legislative and Executive Compensation](#) – raising their legislative salaries from \$79,500 to \$110,000 – is “a **fraud** on the People of the State of New York – and a **larceny** of their tax dollars’, violating a succession of penal laws, and that their duty was to void it, to return the pay-raise monies they had already received, and to initiate criminal prosecutions of the Committee’s four members and abetting attorneys.’ The analysis is 46 pages, excluding [exhibits](#). Will they furnish you with their findings of fact and conclusions of law? If not, I’m sure ordinary Nassau County citizens would be able to help you with what is obvious. Just accompany your story with links to the complaint and the evidentiary webpage so that they can see for themselves the open-and-shut, *prima facie* EVIDENCE that D.A. Singas has been withholding from a Nassau County grand jury to maintain her own fraudulently-boosted D.A. salary, paid by Nassau County taxpayers.”

Clear from these e-mails and the mountain of EVIDENCE they furnished is that D.A. Singas could not respond without acknowledging their truth – and her duty to act consistent therewith, which she wilfully did not do because she was financially-interested in maintaining her own D.A. salary increases and was further compromised by a myriad of personal, professional, and political relationships with those involved in the larceny of taxpayer monies involving salary increases and the state budget – the most important and powerful being Governor Cuomo and state senators, without whom she could not fulfill her judicial ambitions for an appointive judgeship.

Because the foregoing is utterly disqualifying of her candidacy to be a judge on our state’s highest court, indeed because it mandates that a Nassau County grand jury be presented with all the foregoing EVIDENCE of her “wilful misconduct in office” so as to indict her, as it unquestionably would, D.A. Singas may be presumed to have perjured herself in responding to relevant questions on the publicly-inaccessible questionnaire she was required for complete, sign and verify for the Commission on Judicial Nomination – under penalties of perjury of which it gave her notice. Among these questions are:

29. “To your knowledge, has any complaint or charge ever been made against you as a lawyer? If so, furnish full details, including the Bar Association or other entity to which the charge was

referred, the nature of the complaint or charge, the outcome and the dates involved.^{fn1}

...

33. (b) Are you in violation of or default in the performance or discharge of any duty or obligation imposed upon you by any law, regulation, governmental agency decree or order of any court? If so, state the facts.

...

36. Set forth any information not elicited by this questionnaire which would affect, favorably or unfavorably, your eligibility for the office for which you are a candidate or bear upon the Commission's consideration of your candidacy.

Had D.A. Singas answered truthfully, she would have had to answer “Yes” to two, if not all three of these questions, supplying the requested “full details” and “facts”. This would have ended her candidacy.

Most specific – and clearest -- is Question #29, as D.A. Singas certainly knew of the October 14, 2016 complaint against her, as a lawyer, that I had filed with the Attorney Grievance Committee for the Tenth Judicial District. Indeed, in addition to having e-mailed it to her and her fellow D.A.s on October 14, 2016, I reminded her of it, last year, by the June 10, 2020 grand jury/public corruption complaint against Nassau County state legislators, where it was identified (at pp. 8-9) in the context of asking about conflicts of interest impacting her ability “to impartially discharge [her] duties to enforce the penal law and Article XIII, §I and Article I, §6 of the New York State Constitution”.

As to Question #33: “violation of or default in the performance or discharge of any duty or obligation imposed upon [her] by any law”, that would certainly fit her wilful nonfeasance with respect to the June 10, 2020 grand jury/public corruption complaint, to which I received no response – and with respect to my two FOIL requests pertaining to her handling of public corruption complaints, to which I received no response – suggestive that she could not respond, without incriminating herself. At very least, these would have been applicable in answering Question #36.

Suffice to say, that irrespective of how D.A. Singas answered these three questions, the Commission on Judicial Nomination’s investigation of her should have revealed my above-listed communications and complaints against and to her – eliminating her from further consideration. Thus, for example, as part of her application, she was required to sign and notarize two waivers:

(1) An “Information and Privacy Waiver (New York State and Miscellaneous)”, stating:

“I hereby waive the privilege of privacy and confidentiality including, without limitation, any confidentiality under Section 90

of the Judiciary Law, with respect to any information which concerns me and is known, recorded with, on file with or in the possession of any person or organization, including, without limitation, any government, judicial, investigative or other official agency, grievance or disciplinary committee, bod or court, any bar association or other professional association, and any educational institution, doctor or hospital; I hereby consent to the release of all such information to the New York State Commission on Judicial Nomination and consent to the issuance, without notice, of any order necessary or appropriate to obtain such information; I hereby authorize a representative of the New York State Commission on Judicial Nomination to request and (sic) any such information; and I hereby request any such organization or person in possession of such information to deliver it to a representative of the New York State Commission on Judicial Nomination.

I specifically consent to the release of any such information in the possession of the New York State Commission on Judicial Conduct and request that the same be delivered to a representative of the New York State Commission on Judicial Nomination.”

(2) An “Information and Privacy Waiver (Federal)”, stating:

“I, _____, am informed that as part of a routine check of my background in connection with possible appointment to a position on the New York State Court of Appeals, the Commission on Judicial Nomination may wish to make inquiries concerning me to various agencies of the Federal government. Having been advised that information from the files of Federal agencies may be unavailable to the Judicial Nomination Commission without my written consent due to the Privacy Act of 1974, 5 United States Code Section 552a, and the Freedom of Information Act, 5 U.S.C. Section 552, I hereby consent to inquiries concerning me to the Commission on Judicial Nomination to any Federal agency and to the disclosure to the Commission on Judicial Nomination by such Federal agency of any information the agency may have pertaining to me with the exception of any material which is specifically exempted from disclosure by a Federal statute other than the Privacy Act of 974 or the Freedom of Information Act.”

Pursuant to her signed “Information and Privacy Waiver (New York State and Miscellaneous)”, the Commission on Judicial Nomination would have contacted the Attorney Grievance Committee for the Tenth Judicial District – and obtained the October 14, 2016 complaint and the

Committee's records concerning same. This would have eliminated her as a candidate – including by reason of her perjury, in whole or in part, in answering Question #29. Of course, the Grievance Committee would have had reason to withhold ANY information about the complaint, as doing otherwise would expose its corruption with respect thereto: its fraudulent November 28, 2016 letter of its chief counsel that it was “unable to assist”, to which its chair adhered by his January 11, 2017 letter in disposing of my December 28, 2016 letter for reconsideration, in which he stated, *inter alia*, “Our Committee's responsibilities do not include the policing of District Attorney conflicts of interest,...or prosecutor's office's procedures for handling actual or potential conflicts of interest”.

As for her signed “Information and Privacy Waiver (Federal)”, the Commission on Judicial Nomination would have reasonably contacted the FBI and the U.S. Attorney for the Eastern District of New York. This should have produced the October 16, 2020 corruption complaint I had filed with the FBI and the December 19, 2020 corruption complaint I had filed with the Acting U.S. Attorney for the Eastern District – both involving D.A. Singas' wilful nonfeasance, born of conflicts of interest, with respect to the June 10, 2020 grand jury/public corruption complaint against Nassau County state legislators that she has been “sitting on”.

Here, too, if neither the FBI nor U.S. Attorney furnished these to the Commission on Judicial Nomination, such reflects a serious problem at those agencies whose duty, based on those FULLY-DOCUMENTED complaints, was to have promptly investigated and initiated criminal prosecutions of D.A. Singas and the scores of other governmental actors with whom she has been acting in concert and/or protecting from the consequences of their larcenies of public monies and fraud.

D.A. Singas must be questioned – and by a grand jury – as to each and every one of the above e-mails I sent her – as, likewise, about her likely perjury on her publicly-inaccessible questionnaire to the Commission on Judicial Nomination that she signed and verified.