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May 17, 2021

TO: New York City Department of Investigation
New York City Conflicts of Interest Board

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

RE: Conflict-of-Interest/Public Corruption Complaint vs New York City's Five District Attorneys – & vs New York City Public Advocate Jumaane Williams for Subversion of the Duties of his Office

Two weeks ago, on May 3, 2021, I e-mailed the enclosed conflict-of-interest/public corruption complaint against New York City's five district attorneys to New York City Public Advocate Jumaane Williams, pointing out that Sections 24(f) and (k) of the New York City Charter required him to "promptly refer" the complaint to the Department of Investigation and Conflicts of Interest Board.

Eight days later, in the absence of even an acknowledgment of the complaint, I sent Public Advocate Williams a May 11, 2021 e-mail, stating that I had received no acknowledgment, let alone response, and once again furnished him the conflict-of-interest/public corruption complaint against New York City's five district attorneys.

Another six days have now elapsed, and I have still not received even an acknowledgment of the complaint from Public Advocate Williams.

Therefore, and after verifying your jurisdiction and procedures,¹ I now DIRECTLY file with you the

¹ I telephoned both the Department of Investigation and Conflicts of Interest Board on Monday, May 11, 2021.

I was told by Alissa in the Department of Investigation's complaint unit (212-825-5900) that the complaint is within the jurisdiction of its Squad 5 ("Squad 5 investigates corruption involving City-elected officials"), on whose phone line I then left a voice mail message (212-825-5967). The call was returned this morning by Special Investigator Evelyn McCorkle (347-203-0263), with whom I had a lengthy conversation.

I also left a voice mail message with the Conflicts of Interest Board (212-442-1400) – and received a prompt return call from its Director of Enforcement Jeff Tremblay. I stated to him that I had just sent Public Advocate Williams a second e-mail with my complaint – and would give him a further opportunity to respond before directly filing the complaint with the Conflicts of Interest Board and Department of Investigation, with an additional complaint against Public Advocate Williams based thereon.

same May 3, 2021 conflict-of-interest/public corruption complaint against New York City's five district attorneys that was Public Advocate Williams' duty to "promptly refer" to you. Simultaneously, I am filing with you an additional conflict-of-interest/public corruption complaint against Public Advocate Williams for subverting the duties of his office, of which I believe his nonfeasance with respect to the May 3, 2021 complaint is merely illustrative.

The facts giving rise to the May 3, 2021 complaint against New York City's five D.A.s are set forth by that complaint and further particularized by the five materially-identical grand jury/public corruption complaints and five materially-identical FOIL requests on which it rests, filed with the five D.A.s, who are each "sitting on" them.² No repetition is necessary.

As to this complaint against Public Advocate Williams, in addition to what is above-recited are my three FOIL requests filed with him and the City Council – from which his nonfeasance may be readily discerned:

- (1) my May 3, 2021 FOIL request for the public advocate's 2010-2020 annual reports that Section 24(n) of the New York City Charter required be yearly presented to the City Council – as I have not been able to find them on Public Advocate Williams' website, on the NYC "government publications portal", or *via* a google search;
- (2) my May 11, 2021 FOIL request for the public advocate's procedures that Section 24(g) of the New York City Charter required him to establish – as I have not been able to find them on Public Advocate Williams' website "particularly with regard to 'procedures for...processing complaints, responding to complainants' – and 'inform[ing] the public about such procedures'";
- (3) my May 17, 2021 FOIL request for any proposals that Public Advocate Williams made to the City Council to clarify what his website purports to be the "ambiguously" worded duties of the public advocate "laid out in Section 24 of the City Charter".

Upon information and belief, Public Advocate Williams has transformed his office from that of a non-partisan ombudsman – which is what Section 24 of the City Charter contemplates – to a partisan, ideologically-slanted office for advancing his own personal preferences, goals, and "progressive" agenda – and on a scale unrivaled by his public advocate predecessors.

² Each of the five grand jury/public corruption complaints raised the conflict of interest issue, arising from their relationships: (1) the June 8, 2020 complaint, filed with Bronx D.A. Darcel Clark (at pp. 8-9); (2) the June 9, 2020 complaint, filed with Manhattan D.A. Cyrus Vance, Jr. (at p. 8); (3) the June 9, 2020 complaint, filed with Brooklyn D.A. Eric Gonzalez (at pp. 8-9); (4) the June 9, 2002 complaint, filed with Queens D.A. Melinda Katz (at pp. 8-9); and (5) the June 9, 2020 complaint, filed with Staten Island D.A. Michael McMahon (at pp. 7-8).

In that regard, it deserves note that Public Advocate Williams' disregard of non-partisan, public integrity issues was manifest from my two prior contacts with him:

- on May 4, 2018, when, as a member of the City Council, he ran for the Democratic nomination for lieutenant governor against incumbent Kathy Hochul, and I sent him an extensive message *via* his campaign website about public corruption infesting the highest levels of New York State government and all three government branches, involving the state budget and the “force of law” pay raise commission scheme in which his fellow “progressives” were complicit; and
- on September 10, 2019, when, as public advocate, he was chummily fraternizing with “progressive” New York City state legislators at the New York City hearing of the “force of law” Public Campaign Financing and Election Commission, at which he also testified – and I gave him and them, *in hand*, a copy of my letter to the editor, published, three weeks earlier, by The New York Law Journal, about its unconstitutionality – and about the corruption of the judicial process, including at the New York Court of Appeals, that had enabled it

For your convenience, the 2018 message and 2019 letter to the editor, with links to the substantiating EVIDENCE to which they refer, are posted on the webpage I have created for this complaint, here: <http://www.judgewatch.org/web-pages/searching-nys/district-attorneys/NYC/nyc-doi-coib.htm>. That is where, additionally, you will find a link to the webpage I created for the May 3, 2021 complaint, with links to the EVIDENCE to which it refers and on which it rests, *to wit*, the five materially-identical grand jury/public corruption complaints I filed with New York City's five district attorneys – and the five materially-identical FOIL requests I thereafter sent them.

Suffice to add that the SAME EVIDENCE of public corruption that I had furnished Public Advocate Williams by my two prior contacts underlies the May 3, 2021 complaint against New York City's five district attorneys – and Public Advocate Williams may have reasonably recognized this from examining the five grand jury/public corruption complaints. Apart from whether, as a public officer, he might be criminally charged for complicity in the public corruption of which my 2018 message and 2019 letter to the editor alerted him, his wilful and deliberate violation of his unequivocal mandatory duties under Section 24 of the New York City Charter with respect to the May 3, 2021 complaint – inexplicable except as a manifestation of his conflicts of interest born of his multitudinous relationships with “progressives” and others whose public corruption the five New York City district attorneys are “sitting on” – would easily support corruption charges against him – and removal from office pursuant to Section 24(b) of the New York City Charter.

I am available to assist you, to the max, in investigating this open-and-shut, readily-verifiable, fully-documented complaint – and would welcome answering questions and giving testimony, under oath. Threshold, of course, is confronting your own conflicts of interest with respect to this complaint – particularly those of the Department of Investigation directly involving its Commissioner and First

Deputy Commissioner.³ And compounding the situation is that the Conflicts of Interest Board's

³ The five materially-identical grand jury/public corruption complaints involve – and arise from – the corruption of the judicial process by New York judges, in tandem with the state attorney general. The complaints themselves specify this, identifying that CJA's declaratory judgment action and two citizen-taxpayer actions, challenging the "force of law" commission scheme – and the "false instrument" August 29, 2011 and December 24, 2015 commission reports that have given pay raises to judges and district attorneys were "each 'thrown' by fraudulent decisions of New York judges financially interested in preserving their judicial pay raises and the larcenous, slush-fund Judiciary budget embedding them" and that this "obliteration of any cognizable judicial process" – setting the stage for the "force of law" "false instrument" December 10, 2018 committee report that gave pay raises to the legislators and such executive officers as the attorney general – had also occurred in CJA's "motion to intervene in the Legislature's declaratory judgment action against the Commission to Investigate Public Corruption".

Department of Investigation Commissioner Margaret Garnett was, immediately prior to being appointed and confirmed to that position in November 2018 by Mayor De Blasio and the City Council, executive deputy attorney general for criminal justice. For this reason, beginning May 16, 2018 – ten days after Attorney General Schneiderman's resignation I cc'd her and other executive/managerial A.G. staff on a succession of e-mails to Acting/Interim Attorney General Underwood. The purpose was to alert them to A.G. Schneiderman's *modus operandi* of litigation fraud – and to prevent a continuation of such tactics under A.G. Underwood and, specifically, in the *CJA v. Cuomo...Schneiderman...DiFiore* citizen-taxpayer action (Albany Co. #5122-16), then at the Appellate Division, Third Department. The e-mails, spanning to December 17, 2018, furnished Ms. Garnett with the record EVIDENCE of what had taken place in the lawsuit – and what was then unfolding. She ignored it ALL and allowed A.G. Underwood to repeat, on appeal, what A.G. Schneiderman had done in Supreme Court/Albany County: corrupt the judicial process with litigation fraud – and to be rewarded by fraudulent judicial decisions. CJA's webpage for this complaint posts an illustrative sampling of the e-mails I sent Ms. Garnett, accessible from a separate webpage for this footnote 3: <http://www.judgewatch.org/web-pages/searching-nys/district-attorneys/NYC/fn-3-may17-2021-complaint-conflict-of-interest.htm>. Among the most important are my initial e-mails transmitting, repeatedly, my May 16, 2018 letter/complaint to A.G. Underwood entitled "NOTICE: Corruption and Litigation Fraud by Former Attorney General Eric Schneiderman and his Office – and Your Duty to Take Investigative and Remedial Action, most immediately, in the Citizen-Taxpayer Action *Center for Judicial Accountability, et al. v. Cuomo, ...Schneiderman, et al.* (Albany Co. #5122-16; RJI #01-16-122174) and pursuant to 'The Public Trust Act' (Penal Law §496: 'Corrupting the government')" – a letter/complaint that, on July 16, 2018 and August 15, 2018, I would give, *in hand*, to then New York City Public Advocate Letitia James, running to be the Democratic nominee for attorney general.

As for First Deputy Commissioner Daniel Cort, Commissioner Garnett brought him over from the A.G.'s office, where he had been chief of the Public Integrity Bureau for A.G. Schneiderman since March 31, 2014, then continuing under A.G. Underwood. As such, he may be presumed knowledgeable of my exhaustive efforts to obtain supervisory oversight of A.G. Schneiderman's litigation fraud in defending against the predecessor citizen-taxpayer action, *CJA v. Cuomo...Schneiderman...* (Albany Co. #1788-14), commenced March 28, 2014 – and in defending against my April 23, 2014 order to show cause to intervene in the Legislature's declaratory judgment action against the Commission to Investigate Public Corruption (NY Co. #160941-13) – and of what was taking place in the culminating *CJA v. Cuomo...Schneiderman...DiFiore* citizen-taxpayer action, commenced on September 2, 2016. In any event, Mr. Cort was knowledgeable of what had taken place in the 2012 declaratory judgment action, *CJA v. Cuomo...Schneiderman, et al.* (Bronx Co. #302951-12; NY Co. #401988-12) as he was then chief of Manhattan D.A. Morgenthau's Public Integrity Unit. It was in that capacity that I had turned to him with an October 26, 2012 complaint about the record

investigations are, in whole or in part, undertaken by the Department of Investigation.

Needless to say, expedition is imperative. Not only is Public Advocate Williams running for re-election to an office he has corrupted, but, by his wilful nonfeasance, he has enabled a dozen of New York City's 92 corrupt state legislators, who are the subjects of the five grand jury/public corruption complaint, to run in this year's fast-approaching Democratic primary elections for New York City comptroller, Manhattan borough president, Brooklyn borough president, Bronx borough president, and Manhattan district attorney – and enabled a corrupt Democratic incumbent Brooklyn district attorney to run for re-election, presently unopposed because of the presumption that he is doing his job – where the starting point of the grand jury/public corruption complaints pertaining to the “false instrument” December 10, 2018 report of the Committee on Legislative and Executive Compensation involves the corruption of the New York City comptroller, running in the Democratic primary to be New York City's next mayor.

Consistent with the five grand jury/public corruption complaints I filed with New York City's five district attorneys, which are now before you, I close by here stating, what I stated to them:

“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.”

Thank you.

Enclosures: (1) CJA's May 3, 2021 conflict-of-interest/corruption complaint
vs New York City's five district attorneys, filed with Public Advocate Williams
(2) CJA's May 11, 2021 e-mail to Public Advocate Williams
(3) CJA's three FOIL requests to Public Advocate Williams & the City Council
(May 3, 2021; May 11, 2021; May 17, 2021)

tampering and harassment of me by court personnel that had taken place in that case. CJA's webpage for this footnote posts the October 26, 2012 complaint, Mr. Cort's responding November 16, 2012 letter purporting there was “an insufficient investigative predicate to support opening up a criminal investigation”, and the subsequent correspondence I sent him.

Suffice to add that A.G. Underwood's litigation fraud at the Appellate Division, Third Department in the appeal of the *CJA v. Cuomo...Schneiderman...DiFiore* citizen tax-payer action and A.G. James' litigation fraud in the subsequent appeals to the Court of Appeals are the subject of a fully-documented February 11, 2021 conflict-of-interest/misconduct complaint against both of them that the Manhattan-based Attorney Grievance Committee for the First Judicial Department has been “sitting on”. Enclosed therewith and incorporated therein is the fully-documented February 7, 2021 conflict-of-interest/misconduct complaint I filed with the Commission on Judicial Conduct against the judges who colluded in their fraud – the Court of Appeals judges, the Appellate Division, Third Department justices, and Chief Administrative Judge Marks. This comprehensive February 11, 2021 attorney misconduct complaint – and my supplement to it on April 27, 2021 – is also accessible from the webpage for this footnote.