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NEW YORK STATE ETHICS COMMISSION
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November 26, 1993

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Elena Ruth Sassower
Coordinator, Ninth Judicial Committee
Box 69, Gedney Station
White Plains, New York 10605-0069

Dear Ms. Sassower:

The New York State Ethics Commission ("Commission") has completed its investigation of your allegations that the New York State Board of Elections ("Board") improperly exercised its mandate under the Election Law and thus violated certain provisions of the Public Officers Law. Specifically, your complaint alleges, inter alia, that, by failing to investigate what you perceive as the improper nomination of certain judges in the Ninth Judicial District, the Board violated the Public Officers Law.

In response to your allegations, originally filed with the Commission on Local Government Ethics, the Commission investigated whether the actions of the Board constituted a violation of any of the provisions of the Public Officers Law over which the Commission has jurisdiction. We interviewed witnesses and reviewed documents. By letter dated December 30, 1992, the Commission advised you that, absent a showing of specific wrongdoing by the Board, the Commission would not substitute its judgment for the Board's interpretation of the Election Law, and that the Commission did not have reason to believe there was any violation of the Public Officers Law in the Board's action on this matter.

Subsequently, you indicated to the Commission that you possessed additional information, which you were willing to provide, that the Board, in its administration of



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your complaint, violated the Election Law, the Board's internal rules and procedures and the Public Officers Law. In an interview with the Commission's staff, you submitted the documentation which you believed substantiated your position. The Commission has completed its review of that additional material and has concluded that no evidence exists to support a finding of reasonable cause that the Board's officers and/or employees violated the Public Officers Law with respect to this matter. Consequently, the Commission will conduct no further inquiry into this matter.

As the complainant of a possible violation of Public Officers Law §§73, 73-a or 74, the Commission is required by Executive Law §94(12)(a) to notify you of the results of its investigation. Your cooperation in the Commission's review of this matter has been most appreciated.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Alan Hoels".