

## Center for Judicial Accountability, Inc. (CJA)

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**From:** Center for Judicial Accountability, Inc. (CJA) <elena@judgewidth.org>  
**Sent:** Monday, October 19, 2020 7:28 AM  
**To:** 'bgyory@manatt.com'  
**Subject:** Questions about your article "New York State Senate Races Worth Watching" (10/18/20, Empire Report) -- on which the press will presumably reply  
**Attachments:** 6-4-20-complaint-albany-da-soares-revised.pdf; albany-7-23-20-da-foil.pdf

**TO: BRUCE GYORY – Democratic Political Consultant, Adjunct Professor of Political Science at the University of Albany, & LAWYER**

Posted on the website of yesterday's Empire Report – which aggregates press reporting – were the following "TOP HEADLINES":

- EXCLUSIVE GYORY: NY STATE SENATE RACES WORTH WATCHING...
- GYORY: 8 REPUBLICAN CHALLENGES TO INCUMBENT DEMOCRATIC SENATORS...
- GYORY: DEMOCRATS ARE MAKING 3 SUSTAINED CHALLENGES TO SEATS HELD BY REPUBLICANS...
- GYORY: THE 5 MARQUEE RACES UPSTATE...
- GYORY: STATE SENATE ELECTION CHEAT SHEET...

These all linked to the same article by you bearing yesterday's date entitled "New York State Senate Races Worth Watching", whose publication by the Empire Report is apparently its referred-to "EXCLUSIVE". Did Empire Report publish the article free of charge – or is it paid-content? I ask this because the description of who you are, at the end of the article, is "*Bruce N. Gyory is a Democratic political consultant and a senior advisor at Manatt, Phelps and Phillips LLP.*" In other words, it identifies you as a partisan – not as "Adjunct Professor of Political Science at the University of Albany" – a credential appearing on Manatt's webpage for you.

I assume you do not consider your article to be impartial scholarship. Is that correct? As a further example, your article evaluates and handicaps New York's state Senate races by focusing exclusively on such metrics as demographics, fund-raising, and campaigning activity. Wouldn't impartial scholarship properly include some evaluation of how the press has covered these races throughout the past many months – and whether it has been sufficient, in each race, to enable voters to vote intelligently, rather than defaulting to party designations, or to voting based on race, ethnicity, religion, gender, or name recognition resulting from incumbency or advertising – in short, whether the press has furnished voters with any independent means to evaluate the candidates' self-promoting claims about themselves and their framing of issues. Yet your article, which begins by stating that it is "a useful time to spotlight the key State Senate races here in New York", is completely silent about press reporting of what you purport to be "the key State Senate races".

Unless it is your view that press reporting – including investigative journalism of candidate self-promotion – is irrelevant to the current posture of each of New York's 213 state legislative races – will you supplement your article by assessing press coverage for the 213 races, both quantitatively and qualitatively – or at least for the 16 Senate races you identify as "key"? And what electoral weight do you give to the press' editorial endorsements of candidates that will be rolling out within the next two weeks? The closest you come to mentioning anything editorial in nature – or, for that matter, the press – is where you say that incumbent Senator LaValle, who is retiring and not running for re-election, was "once dubbed 'The Colossus' of Suffolk County politics by Larry Levy then the editorial board chair of Newsday". Have you at all examined how newspapers and editorial boards get their information – and how they make editorial endorsements and in which races.

Your article also omits – with but three exceptions – any evaluation of the “on-the-job” performance of state legislative incumbents. Is it your view that voters do not consider “on-the-job” performance of incumbents to be relevant – and that they would knowingly re-elect incumbents who have corrupted their offices, indeed, who are stealing and colluding in the theft of taxpayer monies? Are you unaware of any public corruption issues pertaining to the functioning of the Legislature, as a whole – or of the re-election-seeking incumbents?

As for the three exceptions in your article where you do mention legislative performance, as opposed to candidate performance, it is for three Senate Democrats, about whom you state:

“Martinez has proven herself as an effective and scrappy Senator with a disciplined constituent service operation.”

“Gounardes’ vulnerability is not due to any mistakes, for in fact he has had a productive first session in terms of bills passed into law.”

“Pete Harckham has been a genial, attentive and disciplined Senator...not...soft, lazy, or mistake prone...a nose to the grindstone district oriented incumbent”

What were your sources of information as to the performance, in office, of these particular Democratic senators – each first-term legislators, for whom this is their first re-election? I have interacted with each of them – and can prove, with EVIDENCE, that ANY competent opposing candidate could defeat them, EASILY, based on their substandard performance, in office – as to which they could not weasel out with ANY justification. Suffice to here note that Senator Martinez is a member of the Senate Committee on Budget and Revenues – and that my serious and substantial e-mails to her, in the 2019 legislative session, are posted here; that Senator Gounardes, a lawyer, is a member of the Senate Judiciary Committee -- and my serious and substantial e-mail to him, with accompanying written testimony, in the 2019 legislative session is here; and that in this 2020 legislative session, I both directly spoke to Senator Harckham, face-to-face, and then testified before him, at the February 18, 2020 local hearing on the New York State budget, sponsored by Westchester County’s state Senate delegation. This is the same hearing as is featured in the “SUMMARY” that identically appears in ALL 62 public corruption/grand jury complaints that I filed, from June 4, 2020 to July 1, 2020, with New York’s 62 district attorneys against ALL incumbent Senate and Assembly members, to indict them for “wilful misconduct in office” pursuant to Article I, §6 of the New York State Constitution.

New York’s press has known about these FULLY-DOCUMENTED public corruption/grand jury complaints since July 3<sup>rd</sup> – and, despite my exhaustive outreach, including to the “local journalism” of ALL 62 New York counties – has reported nothing about the complaints, including that the 62 D.A.s are ALL “sitting on” them, thereby effectively rigging the re-elections of the legislative incumbents. ALL the candidates running for the 213 state legislative seats – both the incumbent legislators and challengers – have been furnished with the complaints – and none have denied or disputed that they establish, by *prima facie*, open-and-shut EVIDENCE, that the legislative incumbents cannot be re-elected, because they must be indicted – and will be convicted.

As you are a LAWYER, you will have no difficulty in confirming, swiftly, not only the EVIDENTIARY sufficiency of the complaints – and that they blow open ALL 213 state Senate and Assembly races, most involving incumbents, most of whom are Democrats -- but, in so doing: (1) that the relatively nominal and superficial press reporting of state legislative races, during these past many months when the press was not reporting or investigating the complaints, qualifies as “fake news”; and (2) that the non-incumbent legislative candidates who, with knowledge of the complaints, failed to use the “bully-pulpit” of their candidacies to “whistle-blow” about what has been going on – beginning with the fraud and larceny of the legislative incumbents involving their OWN legislative salaries – are unfit for public service.

Everything is accessible *via* CJA’s website, [www.judgewatch.org](http://www.judgewatch.org), by its prominent center link “ELECTIONS 2020 -- Taking Out Corrupt & Collusive Legislative Incumbents & Conspiring D.A.s -- All Beneficiaries of Statutory-Violative, Fraudulent, Unconstitutional Pay Raises & Other Larcenies of Taxpayer Monies”. It will lead you to a menu page from which you can

access ALL 62 complaints, the EVIDENCE substantiating them, my exhaustive outreach to the press, and my e-mails to the incumbent legislators and non-incumbent candidates, furnishing them with the complaints.

To get you started, below, with the above two attachments, is my October 4<sup>th</sup> e-mail to the entire roster of Albany's Legislative Correspondents Association entitled "ELECTION ALERT: NYS' 15 D.A. races -- & the rigging of the 213 races for state Senate & Assembly seats".

I look forward to your answers – and to your scholarship or, alternatively, to your assistance in securing scholarship of the mountain of primary-source, documentary EVIDENCE, accessible from the above-link. As I recollect, I telephoned you two years ago, in connection with a radio interview you had given, I believe on Capitol Pressroom to Susan Arbetter, concerning the elections – or perhaps it was three years ago, concerning what you had to say about the constitutional convention, then on the ballot -- and that you hung up the phone as I tried to discuss with you the primary-source documentary EVIDENCE germane to what you had stated in the interview.

As New York's press will doubtless be relying on your article – and perhaps has already scheduled you for interviews about it – I would like to forward it this e-mail, as soon as possible. I will happily include even a preliminary response from you, which I request by 7:30 a.m. tomorrow morning, October 20<sup>th</sup> – time being of the essence. Otherwise my transmitting e-mail to the press, which I hope to send out by 9 a.m. tomorrow morning, will indicate that such response(s) as I receive from you will be accessible from CJA's webpages of 2020 election outreach to the press: [here](#).

Thank you.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
[www.judgewatch.org](http://www.judgewatch.org)  
914-421-1200

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**From:** Center for Judicial Accountability, Inc. (CJA) <[elena@judgewatch.org](mailto:elena@judgewatch.org)>  
**Sent:** Sunday, October 4, 2020 8:49 AM  
**To:** 'susan.arbetter@charter.com' <[susan.arbetter@charter.com](mailto:susan.arbetter@charter.com)>; 'cbragg@timesunion.com' <[cbragg@timesunion.com](mailto:cbragg@timesunion.com)>; 'rcabral-mota@univision.net' <[rcabral-mota@univision.net](mailto:rcabral-mota@univision.net)>; 'jcampbell1@gannett.com' <[jcampbell1@gannett.com](mailto:jcampbell1@gannett.com)>; 'ccappabianca@news10.com' <[ccappabianca@news10.com](mailto:ccappabianca@news10.com)>; 'DanClarkReports@Gmail.com' <[DanClarkReports@Gmail.com](mailto:DanClarkReports@Gmail.com)>; 'kclukey@bloombergglaw.com' <[kclukey@bloombergglaw.com](mailto:kclukey@bloombergglaw.com)>; 'gwen@adirondackexplorer.org' <[gwen@adirondackexplorer.org](mailto:gwen@adirondackexplorer.org)>; 'kdewitt@wxxi.org' <[kdewitt@wxxi.org](mailto:kdewitt@wxxi.org)>; 'luis.ferre@nytimes.com' <[luis.ferre@nytimes.com](mailto:luis.ferre@nytimes.com)>; 'zack.fink@charter.com' <[zack.fink@charter.com](mailto:zack.fink@charter.com)>; 'news@cbs6albany.com' <[news@cbs6albany.com](mailto:news@cbs6albany.com)>; 'mfrench@politico.com' <[mfrench@politico.com](mailto:mfrench@politico.com)>; 'afries@TimesUnion.com' <[afries@TimesUnion.com](mailto:afries@TimesUnion.com)>; 'michael.gormley@newsday.com' <[michael.gormley@newsday.com](mailto:michael.gormley@newsday.com)>; 'agonewald@politico.com' <[agonewald@politico.com](mailto:agonewald@politico.com)>; 'tessa.hickey@charter.com' <[tessa.hickey@charter.com](mailto:tessa.hickey@charter.com)>; 'bhogan@nypost.com' <[bhogan@nypost.com](mailto:bhogan@nypost.com)>; 'khughes@nysnys.com' <[khughes@nysnys.com](mailto:khughes@nysnys.com)>; 'shaneking@statewatch.com' <[shaneking@statewatch.com](mailto:shaneking@statewatch.com)>; 'editor@cityandstateny.com' <[editor@cityandstateny.com](mailto:editor@cityandstateny.com)>; 'klisa@columbiagreenemedia.com' <[klisa@columbiagreenemedia.com](mailto:klisa@columbiagreenemedia.com)>; 'David.lombardo@wcny.org' <[David.lombardo@wcny.org](mailto:David.lombardo@wcny.org)>; 'BLyons@TimesUnion.Com' <[BLyons@TimesUnion.Com](mailto:BLyons@TimesUnion.Com)>; 'jmahoney@cnhi.com' <[jmahoney@cnhi.com](mailto:jmahoney@cnhi.com)>; 'billmahoney@politico.com' <[billmahoney@politico.com](mailto:billmahoney@politico.com)>; 'morgan.mckay@charter.com' <[morgan.mckay@charter.com](mailto:morgan.mckay@charter.com)>; 'Edward.Mckinley@timesunion.com' <[Edward.Mckinley@timesunion.com](mailto:Edward.Mckinley@timesunion.com)>; 'jemcki@nytimes.com' <[jemcki@nytimes.com](mailto:jemcki@nytimes.com)>; 'mmikati@columbiagreenemedia.com' <[mmikati@columbiagreenemedia.com](mailto:mmikati@columbiagreenemedia.com)>; 'FMogul@wnyc.org' <[FMogul@wnyc.org](mailto:FMogul@wnyc.org)>; 'nniedzwiadek@politico.com' <[nniedzwiadek@politico.com](mailto:nniedzwiadek@politico.com)>; 'mikep@statewatch.com' <[mikep@statewatch.com](mailto:mikep@statewatch.com)>; 'tprecious@buffnews.com' <[tprecious@buffnews.com](mailto:tprecious@buffnews.com)>; 'nick.reisman@charter.com' <[nick.reisman@charter.com](mailto:nick.reisman@charter.com)>; 'yancey.roy@newsday.com' <[yancey.roy@newsday.com](mailto:yancey.roy@newsday.com)>; 'dslattery@nydailynews.com' <[dslattery@nydailynews.com](mailto:dslattery@nydailynews.com)>; 'jspector@gannett.com' <[jspector@gannett.com](mailto:jspector@gannett.com)>; 'maryfrancis.stout@charter.com' <[maryfrancis.stout@charter.com](mailto:maryfrancis.stout@charter.com)>; 'rtarinelli@alm.com' <[rtarinelli@alm.com](mailto:rtarinelli@alm.com)>; 'JVelasquez@thecity.nyc'

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**Subject: ELECTION ALERT: NYS' 15 D.A. races -- & the rigging of the 213 races for state Senate & Assembly seats**

**TO: ALBANY LEGISLATIVE CORRESPONDENTS ASSOCIATION MEMBERS**

**New York's 213 races for state Senate and Assembly seats are being rigged by New York's 62 district attorneys – 14 of whom are running for re-election/election and 1 defeated in a primary.** They are ALL “sitting on” FULLY-DOCUMENTED public corruption/grand jury complaints against state legislative incumbents – most running for re-election and higher office. The complaints – 62 in number – establish, with **open-and-shut, prima facie EVIDENCE**, that the legislative incumbents have stolen taxpayer monies, including by their **OWN** salary raises and by the Legislature's **OWN** budget, and that they have NOT been doing their jobs, indeed, that the Legislature does NOT function at a constitutional level.

The complaints, by the non-partisan, nonprofit citizens' organization Center for Judicial Accountability, Inc. (CJA), are posted on CJA's website, [www.judgewatch.org](http://www.judgewatch.org), accessible from its prominent center link: “ELECTIONS 2020 – Taking Out Corrupt & Collusive Legislative Incumbents & Conspiring D.A.s – *All Beneficiaries of Statutory-Violative, Fraudulent, Unconstitutional Pay Raises & Other Larcenies of Taxpayer Monies*”. The direct link is [here](#). The direct link to the separate substantiating EVIDENTIARY webpage is [here](#).

Each of the 62 complaints is materially-identical, except for the first, to Albany County District Attorney P. David Soares – and that is because he alone has criminal jurisdiction over ALL 213 state Senate and Assembly members, in addition to the Governor, Lt. Governor, Attorney General, Comptroller, and such Albany-based judges as the seven of the NY Court of Appeals. For that reason – and because D.A. Soares is himself running for re-election – that “master” June 4, 2020 complaint is above-attached – and the e-mails transmitting it and CJA's related above-attached July 23, 2020 FOIL request to D.A. Soares are below.

**On behalf of the voters of the State of New York – and in discharge of your constitutional press responsibilities – you MUST question D.A. Soares, the 61 other D.A.s, and the complained-against legislative incumbents.** To facilitate your doing so, I e-mailed ALL of them last month giving them notice to expect press inquiries. Is there anything in the FULLY-DOCUMENTED complaints they deny or dispute? Let them start where the complaints start: [my July 16, 2019 e-mail to the 15 stipend-receiving legislative 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 citizens** would be able to help you with what is [obvious](#). Just accompany your stories with links to [the 61 complaints](#) and [the evidentiary webpage](#) so that they can see [for themselves](#) the **open-and-shut, prima facie EVIDENCE** that New York's 62 D.A.s have been withholding from grand juries, enabling corrupt legislative incumbents -- who must be indicted and will be convicted – to freely posture as faithful public servants and run for re-election, mostly unopposed or in races not competitive, thanks to the legislators' self-dealing non-feasance in office.

I am available to answer your questions and assist you, [to the max](#) on this EASY-TO VERIFY major election news story upending **ALL** 15 of New York's district attorney races and **ALL** 213 of its state legislative races – and **that's for starters**.

Thank you.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
[www.judgewatch.org](http://www.judgewatch.org)  
914-421-1200

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**From:** Center for Judicial Accountability, Inc. (CJA) <[elena@judgewatch.org](mailto:elena@judgewatch.org)>

**Sent:** Thursday, July 23, 2020 3:17 PM

**To:** 'David.Soures@albanycountyny.gov' <[David.Soures@albanycountyny.gov](mailto:David.Soures@albanycountyny.gov)>; 'Linda.Griggs@albanycountyny.gov' <[Linda.Griggs@albanycountyny.gov](mailto:Linda.Griggs@albanycountyny.gov)>; 'AlbanyDA@albanycountyny.gov' <[AlbanyDA@albanycountyny.gov](mailto:AlbanyDA@albanycountyny.gov)>

**Cc:** 'Kimberly.Whipple@albanycountyny.gov' <[Kimberly.Whipple@albanycountyny.gov](mailto:Kimberly.Whipple@albanycountyny.gov)>

**Subject:** Your wilful nonfeasance & violation of duties: June 4, 2020 public corruption complaint in support of an Albany County grand jury inquiry of "wilful misconduct in office of public officers", pursuant to Article I, §6 of the NYS Constitution...

**TO: Albany County District Attorney P. David Soares**

I have received no acknowledgment or other communication from you or from your Public Integrity Unit to my June 4, 2020 public corruption/grand jury complaint – just as, likewise, I received none to my four prior public corruption complaints dated July 19, 2013, January 7, 2014, June 21, 2016, and March 6, 2018.

The standard for grand jury indictments, "legally sufficient evidence", is identified by your Public Integrity Unit, whose webpage about itself, <http://albanycountyda.com/Bureaus/PublicIntegrityUnit/about.aspx>, reads, in full:

"The Public Integrity Unit is a manifestation of the Albany County District Attorney's commitment to abide by one standard of justice for all. No person, no matter their rank or affiliation, is above the law. Nowhere does this principle apply more meaningfully than to our elected officials. Endowed with the public trust, our elected officials and government employees are expected to act for the benefit of the citizens of Albany County, and not for personal profit or gain. On the other hand, great caution must be exercised to ensure that no person suffers personal or professional disrepute because of the dissemination of baseless or unfounded allegations of criminal conduct. For that reason, no criminal charge can be leveled unless and until supported by **legally sufficient evidence**. Integrity means that criminal charges are prosecuted in the courtrooms of our state, in a manner that is fair, just and above reproach." (bold added).

Each of my five complaints not only furnished "legally sufficient evidence", but 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 public officers and their accomplices.

As your wilful nonfeasance and violation of duties with respect to these fully-documented complaints raises reasonable questions as to your performance with respect to *other* public corruption complaints filed by *other* members of the public, I have today filed a FOIL/public information request with Albany County's Public Information Officer to help answer those questions. A copy is attached.

Finally, I take this opportunity to correct the obvious error, at page 5 of the June 4, 2020 corruption/grand jury complaint, in the first name of Assemblywoman Fahy, which is Patricia, not Patrick. Please supersede with the attached complaint correcting page 5.

Thank you.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
[www.judgewatch.org](http://www.judgewatch.org)  
914-421-1200

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**From:** Center for Judicial Accountability, Inc. (CJA) <[elena@judgewatch.org](mailto:elena@judgewatch.org)>  
**Sent:** Thursday, June 11, 2020 4:49 PM  
**To:** 'David.Soares@albanycountyny.gov' <[David.Soares@albanycountyny.gov](mailto:David.Soares@albanycountyny.gov)>; 'Linda.Griggs@albanycountyny.gov' <[Linda.Griggs@albanycountyny.gov](mailto:Linda.Griggs@albanycountyny.gov)>  
**Cc:** 'Kimberly.Whipple@albanycountyny.gov' <[Kimberly.Whipple@albanycountyny.gov](mailto:Kimberly.Whipple@albanycountyny.gov)>

**Subject: Superseding CORRUPTION COMPLAINT in support of an Albany County grand jury inquiry of "wilful misconduct in office of public officers", pursuant to Article I, §6 of the NYS Constitution -- & indictments based on CJA's July 15, 2019 NOTICE and analysis...**

**TO: Albany County District Attorney P. David Soares**

Please supersede the corruption/grand jury complaint sent by the below June 4<sup>th</sup> e-mail, with the attached, correcting typos and making other essentially minor and clarifying changes. The superseding original will now be mailed.

Apologies for the inconvenience.

Thank you.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
[www.judgewatch.org](http://www.judgewatch.org)  
[elena@judgewatch.org](mailto:elena@judgewatch.org)  
914-421-1200

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**From:** Center for Judicial Accountability, Inc. (CJA) <[elena@judgewatch.org](mailto:elena@judgewatch.org)>  
**Sent:** Thursday, June 4, 2020 11:57 PM  
**To:** 'David.Soares@albanycountyny.gov' <[David.Soares@albanycountyny.gov](mailto:David.Soares@albanycountyny.gov)>; 'Linda.Griggs@albanycountyny.gov' <[Linda.Griggs@albanycountyny.gov](mailto:Linda.Griggs@albanycountyny.gov)>; 'AlbanyDA@albanycountyny.gov' <[AlbanyDA@albanycountyny.gov](mailto:AlbanyDA@albanycountyny.gov)>  
**Cc:** 'Kimberly.Whipple@albanycountyny.gov' <[Kimberly.Whipple@albanycountyny.gov](mailto:Kimberly.Whipple@albanycountyny.gov)>

**Subject: CORRUPTION COMPLAINT in support of an Albany County grand jury inquiry of "wilful misconduct in office of public officers", pursuant to Article I, §6 of the NYS Constitution -- & indictments based on CJA's July 15, 2019 NOTICE and analysis...**

Attached is the Center for Judicial Accountability's above-entitled corruption complaint of today's date. Original will be mailed. CJA's webpage on which it will be posted is here: <http://www.judgewatch.org/web-pages/searching-nys/2020-legislative/grand-juries.htm>

Thank you.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
[www.judgewatch.org](http://www.judgewatch.org)  
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