

## Center for Judicial Accountability

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**From:** Center for Judicial Accountability <elena@judgewatch.org>  
**Sent:** Friday, September 06, 2013 1:17 PM  
**To:** comments@moreland.ny.gov; williamfitzpatrick@ongov.net; cheryl.rice@nassauda.org; mwilliams@vladeck.com; david.soares@albanycounty.com; Eric Galarneau (egalarneau@albanycounty.com)  
**Subject:** MISSING PRESS RELEASES: What's Going On with the Commission to Investigate Public Corruption's Public Hearings?  
**Attachments:** 8-5-13-ltr-calcaterra-8pp.pdf  
**Importance:** High

This follows up my phone conversation with Bryce Jones, a short time ago. Mr. Jones called to alert me to the Commission's new registration requirement for its September 17<sup>th</sup> public hearing in Manhattan, which the Commission did not have when I called on July 19<sup>th</sup> to request to testify.

Mr. Jones told me that the Commission's website had been modified after 5 pm yesterday – and that it now included a button opening to a form that I would be required to complete and send to the Commission, via its website, in order to be able to testify at the September 17<sup>th</sup> hearing.

In fact, I had already seen the website change and the form – and was able to ask Mr. Jones questions. Among these, whether the Commission actually has a further requirement for testifying at the September 17<sup>th</sup> hearing, namely, that “a copy of prepared testimony must be submitted via email...by noon on Monday, September 16, 2013”, to which he did not have the answer. Mr. Jones also did not know whether these one or two requirements for testifying would also apply to the September 24<sup>th</sup> Albany hearing. Mr. Jones was able to confirm for me that the September 18<sup>th</sup> Buffalo hearing had been cancelled, with the rescheduling not yet announced.

Mr. Jones had an excellent suggestion for me. He suggested that I send in my questions to the Commission *via* its comments e-mail, which he told me is read by others who would have the answers.

I stated to Mr. Jones that these questions were already embodied in a press alert I had sent to the media earlier this morning – and that I would forward it to the Commission at its comments e-mail address, notwithstanding I had received no response to my previous e-mails sent to the Commission at that address.

The press alert, containing a chain of my prior e-mails to the Commission *via* its comments address, is below.

Thank you.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
914-455-4373

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**From:** Center for Judicial Accountability [mailto:elena@judgewatch.org]  
**Sent:** Friday, September 06, 2013 7:49 AM  
**To:** 'Alyssa\_Plock@wcny.org'; amity.paye@amsterdamnews.com; 'ashort@cityandstateny.com'; azi@capitalnewyork.com; Beth DeFalco (bdefalco@nypost.com); 'Betty Flood (EFMNEWS@aol.com)'; Bill Hammond (whammond@nydailynews.com); Blake Zeff (bzeff@salon.com); blambdin@wnyt.com; Bob McManus

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**Subject:** MISSING PRESS RELEASES: What's Going On with the Commission to Investigate Public Corruption's Public Hearings?

**Importance:** High

### **MISSING PRESS RELEASES: What's Going On with the Commission to Investigate Public Corruption's Public Hearings?**

Without explanation, the Commission to Investigate Public Corruption has removed the September 18<sup>th</sup> public hearing in Buffalo from its website and is now requiring advance registration and "a copy of prepared testimony" from those wishing to testify at its September 17<sup>th</sup> public hearing in Manhattan, limiting testimony time to 3 minutes and cautioning that "time constraints may require that those wishing to provide oral testimony provide written testimony only" and that persons orally testifying may find themselves before "an issue orientated panel". As for whether these requirements and cautions apply to its September 24<sup>th</sup> Albany hearing, the Commission's website does not say.

Has the Commission issued no press releases about this? The only press releases posted on its website are the Governor's July 2<sup>nd</sup> press release announcing the Commission and its own July 16<sup>th</sup> press release announcing the Manhattan, Buffalo, and Albany public hearings, more than two months in advance of when they were going to be held. Does the Commission think that the press should not be alerting the public to what the situation is with respect to these now upcoming hearings: whether the Buffalo hearing is cancelled and what requirements and restrictions apply to the Manhattan and Albany hearings? What do you think?

Meantime, the Commission remains completely NON-RESPONSIVE to those who do not have the "inside-track". We still have received no response to our attached August 5<sup>th</sup> letter to the Commission, raising threshold questions about its integrity, including its "procedures and rules" for handling its own conflicts of interest. Nor have we received response to our below September 3<sup>rd</sup> e-mail requesting confirmation that the upcoming public hearings will be live-streamed, videoed and stenographically recorded. Will they be?

For your convenience, here's the Commission's website <http://www.publiccorruption.moreland.ny.gov/> – and here is our NEW MENU WEBPAGE for the Commission. Like our August 5<sup>th</sup> letter, it is entitled "Keeping the Commission True to its Name & Announced Purpose": <http://www.judgewatch.org/web-pages/searching-nys/commission-to-investigate-public-corruption/menu-commission-on-public-corruption.htm> .

As always, I am available to be interviewed – and to answer your questions.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
914-455-4373  
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**From:** Center for Judicial Accountability [<mailto:elena@judgewatch.org>]  
**Sent:** Tuesday, September 03, 2013 9:14 AM  
**To:** [comments@moreland.ny.gov](mailto:comments@moreland.ny.gov); [williamfitzpatrick@ongov.net](mailto:williamfitzpatrick@ongov.net); [cheryl.rice@nassaуда.org](mailto:cheryl.rice@nassaуда.org); [mwilliams@vladeck.com](mailto:mwilliams@vladeck.com); [david.soares@albanycounty.com](mailto:david.soares@albanycounty.com); Eric Galarneau ([egalarneau@albanycounty.com](mailto:egalarneau@albanycounty.com))  
**Cc:** 'robert.freeman@dos.state.ny.us'  
**Subject: Request that the Upcoming Public Hearings of the Commission to Investigate Public Corruption be Live-Streamed, Videoed, & Stenographically Recorded, Etc.**

Dear Executive Director Calcaterra:

This is to request that the upcoming public hearings of the Commission to Investigate Public Corruption be streamed live and video recorded, in addition to being recorded and transcribed stenographically.

Please confirm that this will be done – and explain why the Commission’s website now indicates no public hearing on Wednesday, September 18<sup>th</sup> (in Buffalo), but only on Tuesday, September 17<sup>th</sup> (in Manhattan) and Tuesday, September 24<sup>th</sup> (outside Albany).

Finally, it appears that in response to our August 5<sup>th</sup> letter (at p. 5), the Commission has now expanded its website to include a button entitled “EXECUTIVE STAFF”, furnishing their names and brief bios. However, where is the Commission’s response to the balance of our August 5<sup>th</sup> letter? We have received none – and our below e-mail to you and Commission co-chairs D.A. William Fitzpatrick, D.A. Kathleen Rice, and Milton Williams, Jr. , sent last week, alerted you and them of that fact. Please advise.

Thank you.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
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**From:** Center for Judicial Accountability [<mailto:elena@judgewatch.org>]  
**Sent:** Tuesday, August 27, 2013 4:52 PM  
**To:** [comments@moreland.ny.gov](mailto:comments@moreland.ny.gov); [williamfitzpatrick@ongov.net](mailto:williamfitzpatrick@ongov.net); [cheryl.rice@nassaуда.org](mailto:cheryl.rice@nassaуда.org); [mwilliams@vladeck.com](mailto:mwilliams@vladeck.com); [david.soares@albanycounty.com](mailto:david.soares@albanycounty.com); Eric Galarneau ([egalarneau@albanycounty.com](mailto:egalarneau@albanycounty.com))  
**Cc:** 'robert.freeman@dos.state.ny.us'  
**Subject: Status: Our August 5, 2013 Letter --"Keeping the Commission to Investigate Public Corruption True to its Name & Announced Purpose"**

Dear Executive Director Calcaterra:

We have received no response from you to our attached August 5, 2013 letter, sent by the below e-mail. Nor have we received any response from the Commission's three co-chairs – D.A. William Fitzpatrick, D.A. Kathleen Rice, and Milton Williams.

Have you or they responded?

As stated at the conclusion of the letter:

“As the issues here presented are threshold – the integrity of the Commission and its ability to be true to the announced purposes for which it was established – we trust you, if not the Commission's three co-chairs, will be responding without delay.” (at p. 8, underlining in original)

Please advise.

Thank you.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
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**From:** Center for Judicial Accountability [<mailto:elena@judgewatch.org>]  
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**To:** [comments@moreland.ny.gov](mailto:comments@moreland.ny.gov); 'williamfitzpatrick@ongov.net'; 'cheryl.rice@nassauda.org'; 'mwilliams@vladeck.com'; 'david.soares@albanycounty.com'; 'Eric Galarneau'  
**Cc:** 'robert.freeman@dos.state.ny.us'  
**Subject: Superseding Letter -- Keeping the Commission to Investigate Public Corruption True to its Name & Announced Purpose**

The attached corrects typos and makes non-substantive changes to our above-entitled August 5<sup>th</sup> letter, which it supersedes. It has also been posted on our identically-entitled webpage for the Commission. Here's the direct link: <http://www.judgewatch.org/web-pages/judicial-compensation/commission-on-public-corruption.htm>

Apologies for any inconvenience.

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**From:** Center for Judicial Accountability [<mailto:elena@judgewatch.org>]  
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**Subject: Keeping the Commission to Investigate Public Corruption True to its Name & Announced Purpose**

Attached is the Center for Judicial Accountability's above-entitled letter of today's date to Commission Executive Director Regina Calcaterra – to which the Commission's three co-chairs are indicated recipients, as is Commission member Soares.

The letter is already posted, with substantiating evidence, on the webpage we created for the Commission, on our website, [www.judgewatch.org](http://www.judgewatch.org), accessible *via* the top panel "Latest News" by its hyperlink "Holding Government Accountable for its Grand Larceny of the Public Fisc and Other Corruption". Here's the direct link: <http://www.judgewatch.org/web-pages/judicial-compensation/commission-on-public-corruption.htm> .

Thank you.

Elena Sassower, Director  
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