

CENTER for JUDICIAL ACCOUNTABILITY, INC.

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August 30, 2018

TO: Walter McClure, JCOPE Director of Communications/Public Information Officer
Valerie Lubanko, Records Access Officer to Governor Cuomo
Francis Patience, Secretary of the Senate/Records Access Officer for the Senate
Robin Marilla, Records Access Officer for the Assembly

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

RE: FOIL/Records Request: JCOPE/LEC Review Commission Report
(Part DD of Fiscal Year 2015-2016 Budget Bill S.2006-B/A-3006-B)

On November 2, 2015, JCOPE issued a two-sentence “Statement Regarding Release of Ethics Review Commission Report”, reading:

“We are pleased that the New York Ethics Review Commission has released its report. It is a comprehensive report, and the Commission will read and review its findings and recommendations.”

It is posted on JCOPE’s website, here: <https://jcope.ny.gov/news/statement-regarding-release-ethics-review-commission-report>.

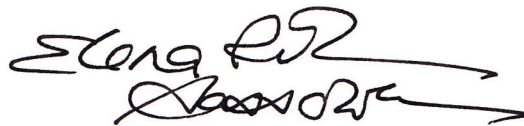
Pursuant to Public Officers Law, Article VI [Freedom of Information Law (F.O.I.L.)], Senate Rule XV, “Freedom of Information”, and Assembly Rule VIII, “Public Access to Records”, this is to request:

- (1) a copy of the referred-to report of the “New York Ethics Review Commission” dated on or about November 2, 2015;
- (2) all records reflecting “review” of the report by JCOPE’s commissioners, including at any of their meetings – especially as JCOPE’s 2015 Annual Report to the Governor and Legislature, dated April 7, 2016, does not appear to mention “the New York Ethics Review Commission”, its report, or review of its “findings and recommendations” by the JCOPE commissioners;

- (3) all records reflecting any hearings by the Legislature on the misnomered “New York Ethics Review Commission” report – and, particularly by any of the most pertinent Senate and Assembly committees, *to wit*,
- the Senate Ethics Committee;
 - the Assembly Committee on Ethics and Guidance;
 - the Senate Committee on Investigations and Government Operations;
 - the Assembly Committee on Governmental Operations;
 - the Assembly Committee on Oversight, Analysis & Investigation.
- (4) all records reflecting that these legislative committees ever placed the “New York Ethics Review Commission” report on the agenda of any of its committee meetings for review and discussion;
- (5) All records pertaining to the whereabouts of the records of the “New York Ethics Review Commission”, including the video of its one and only hearing, on October 14, 2015, in Manhattan – at which I testified – and any transcription thereof – and pertaining to the evaporation of its website, www.nyethicsreview.org, at some unknown date following issuance of its report.

Public Officers Law §89.3 requires your response “within five business days” of receipt of this request – which I request you e-mail to me at elena@judgewatch.org.

Thank you.

A handwritten signature in black ink, appearing to read "Elena", with a long horizontal flourish extending to the right.