

Center for Judicial Accountability, Inc. (CJA)

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Wednesday, September 30, 2020 12:47 PM
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'pehret@buffnews.com'; 'dsheerman@buffnews.com'; 'cschlau@buffnews.com';
'mbecker@buffnews.com'; 'abesecker@buffnews.com'; 'cdewey@buffnews.com';
'pfairbanks@buffnews.com'; 'dherbeck@buffnews.com'; 'skirst@buffnews.com';
'jkwiatkowski@buffnews.com'; 'rmccarthy@buffnews.com'; 'hmcneil@buffnews.com';
'kmcshea@buffnews.com'; 'lmichel@buffnews.com'; 'aneville@buffnews.com';
'bobrien@buffnews.com'; 'toshei@buffnews.com'; 'mpasciak@buffnews.com';
'tprecious@buffnews.com'; 'tprohaska@buffnews.com'; 'jrey@buffnews.com';
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'stan@buffnews.com'; 'jtokasz@buffnews.com'; 'jzremski@buffnews.com'
Subject: GOOD NEWS for Erie County state legislative candidates! You have an open-&-shut
public corruption issue that will WIN you election -- & demonstrate your fitness for
public service
Attachments: 6-12-20-complaint-erie-da-flynn.pdf; erie-signature.pdf; erie-7-27-20-da-foil.pdf

TO: NON-INCUMBENT CANDIDATES FOR ERIE COUNTY STATE SENATE & ASSEMBLY SEATS

SD-59: Jason Klimek (D)
SD-60: Joshua Mertzluft (R, C)
SD-61: Jacqueline Berger (D); Edward Rath (R, C, I, SAM)

AD-140: William Conrad (D, WF, I); Robert Pecoraro (R, C); *Anthony Baney (G)
AD-141: Sean Miles (R)
AD-142: Matthew Szalkowski (R, C)
AD-143: Frank Smierciak (R, C)
AD-146: Robin Wolfgang (R, C, I); *Ruben Cartagena (G)
AD-149: Jonathan Rivera (D, WF, I); *Joseph Totaro (R)

This is to alert you to GOOD NEWS. You can EASILY win election to the state legislative seats you seek – and without expenditure of money. All it requires is using the “bully-pulpit” of your candidacy to whistle-blow about the above-attached FULLY-DOCUMENTED public corruption/grand jury complaint against Erie County’s re-election-seeking incumbent County state legislators – against whom you are running – and against incumbent Assemblyman Ryan, seeking election to the Senate -- which Erie County District Attorney Flynn, himself seeking re-election, has been “sitting on”. The complaint establishes, with EVIDENCE, that they both must be indicted on EVIDENCE so *prima facie* and open-and-shut as to assure convictions.

The Buffalo News and other Erie County “local journalism” have long known about the complaint – and illustrative is the below September 21st e-mail, to which Erie County’s state legislative incumbents and D.A. Flynn were cc’d so that they could be ready for press inquiries. Individually and collectively, if you stand up for honest, accountable government and

make the complaint your campaign issue, you will win – easily. Demand that the complained-against legislative incumbents respond to the complaint, that D.A. Flynn explain why he has not presented it to an Erie County grand jury, and that the press do its part to investigate and report.

I am available to answer your questions – and invite you to call me so that I can furnish you with specifics about the individual state legislative incumbents against whom you are running.

Needless to say, voters are entitled to know from you what salary you expect to be paid, if you were to be elected to the Legislature – and whether you will commit to ensuring: (1) public findings of fact and conclusions of law with respect to the complaint; (2) prosecution of all culpable public officers and their conspirators; and (3) “claw-backs” to recover the approximately half-a-billion dollars in fraudulent salary increases, already paid out. Please advise.

Finally, I ask your help in forwarding this e-mail to the above-listed three candidates whose names are preceded by an asterisk (*), as I have no e-mail addresses for them. Seemingly, they have no campaign websites or facebook pages.

As the Buffalo Times will doubtless be ramping up its election reporting in the coming weeks – and interviewing you for purposes of its candidate endorsements – I am cc’ing its publisher, highest editors, and relevant reporters on this e-mail.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
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914-421-1200
elena@judgewatch.org

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Monday, September 21, 2020 7:44 AM

To: 'bconnolly@buffnews.com' <bconnolly@buffnews.com>; 'editor@buffnews.com' <editor@buffnews.com>; 'mkenny@buffnews.com' <mkenny@buffnews.com>; 'djgee@buffnews.com' <djgee@buffnews.com>; 'kwalter@buffnews.com' <kwalter@buffnews.com>; 'citydesk@buffnews.com' <citydesk@buffnews.com>; 'bandriatch@buffnews.com' <bandriatch@buffnews.com>; 'rwatson@buffnews.com' <rwatson@buffnews.com>; 'plakamp@buffnews.com' <plakamp@buffnews.com>; 'mmcandrew@buffnews.com' <mmcandrew@buffnews.com>; 'cvogel@buffnews.com' <cvogel@buffnews.com>; 'pehret@buffnews.com' <pehret@buffnews.com>; 'dsherman@buffnews.com' <dsherman@buffnews.com>; 'cschlau@buffnews.com' <cschlau@buffnews.com>; 'mbecker@buffnews.com' <mbecker@buffnews.com>; 'abesecker@buffnews.com' <abesecker@buffnews.com>; 'cdewey@buffnews.com' <cdewey@buffnews.com>; 'pfairbanks@buffnews.com' <pfairbanks@buffnews.com>; 'dherbeck@buffnews.com' <dherbeck@buffnews.com>; 'skirst@buffnews.com' <skirst@buffnews.com>; 'jkwiatkowski@buffnews.com' <jkwiatkowski@buffnews.com>; 'rmccarthy@buffnews.com' <rmccarthy@buffnews.com>; 'hmcneil@buffnews.com' <hmcneil@buffnews.com>; 'kmcshea@buffnews.com' <kmcshea@buffnews.com>; 'lmichel@buffnews.com' <lmichel@buffnews.com>; 'aneville@buffnews.com' <aneville@buffnews.com>; 'bobrien@buffnews.com' <bobrien@buffnews.com>; 'toshei@buffnews.com' <toshei@buffnews.com>; 'mpasciak@buffnews.com' <mpasciak@buffnews.com>; 'tprecious@buffnews.com' <tprecious@buffnews.com>; 'tprohaska@buffnews.com' <tprohaska@buffnews.com>; 'jrey@buffnews.com' <jrey@buffnews.com>; 'sschulman@buffnews.com' <sschulman@buffnews.com>; 'msommer@buffnews.com' <msommer@buffnews.com>; 'mspina@buffnews.com' <mspina@buffnews.com>; 'stan@buffnews.com' <stan@buffnews.com>; 'jtokasz@buffnews.com' <jtokasz@buffnews.com>; 'jzremski@buffnews.com' <jzremski@buffnews.com>; 'jheaney@investigativepost.org' <jheaney@investigativepost.org>; 'gkelly@investigativepost.org' <gkelly@investigativepost.org>; 'aingersoll@investigativepost.org' <aingersoll@investigativepost.org>; 'pgambini@investigativepost.org' <pgambini@investigativepost.org>;

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'mmeaser@BeeNews.com' <mmeaser@BeeNews.com>; 'rmeaser@beenews.com' <rmeaser@beenews.com>;
'dsheer@BeeNews.com' <dsheer@BeeNews.com>; 'sflavell@BeeNews.com' <sflavell@BeeNews.com>;
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'investigates@wivb.com' <investigates@wivb.com>; 'newsroom@wben.com' <newsroom@wben.com>;
'mhetherly@wbfo.org' <mhetherly@wbfo.org>; 'ddebo@wbfo.org' <ddebo@wbfo.org>; 'aschneider@wbfo.org'
<aschneider@wbfo.org>; 'mscott@wbfo.org' <mscott@wbfo.org>; 'kdewitt9@gmail.com' <kdewitt9@gmail.com>;
'kdewitt@wxxi.org' <kdewitt@wxxi.org>; 'mmroziak@wbfo.org' <mmroziak@wbfo.org>; 'mdesmond@wbfo.org'
<mdesmond@wbfo.org>; 'tdinki@wbfo.org' <tdinki@wbfo.org>; 'hreidel@wbfo.org' <hreidel@wbfo.org>;
'cjamele@wbfo.org' <cjamele@wbfo.org>; 'neil-white@wbfo.org' <neil-white@wbfo.org>; 'kmacki@wbfo.org'
<kmacki@wbfo.org>; 'jfarrel@wbfo.org' <jfarrel@wbfo.org>; 'rzunner@wbfo.org' <rzunner@wbfo.org>

Cc: 'PeopleC@nyassembly.gov' <PeopleC@nyassembly.gov>; 'morinelloa@nyassembly.gov'
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<wallacem@nyassembly.gov>; 'norrism@nyassembly.gov' <norrism@nyassembly.gov>; 'mcmahonk@nyassembly.gov'
<mcmahonk@nyassembly.gov>; 'DiPietroD@nyassembly.gov' <DiPietroD@nyassembly.gov>; 'ryans@nyassembly.gov'
<ryans@nyassembly.gov>; 'john.flynn@erie.gov' <john.flynn@erie.gov>

Subject: ERIE COUNTY ELECTIONS 2020 -- Informing Voters with EVIDENCE: public corruption complaint vs Erie County's 13 state legislators --11 running for re-election or higher office -- which Erie County D.A. Flynn, also running for re-election, is "sitting on"

TO: Buffalo News
Investigative Post
Buffalo Rising (via its website)
AP-Buffalo
The Buffalo Chronicle (via its facebook)
Buffalo Rocket
Buffalo Pundit
Politicsandstuff.com
BeesNews.com
WGRZ TV 2 on Your Side
WIVB TV
WBEN Radio
WBFO-Public Radio

As you know, Erie County's 13 state legislators – 9 running for re-election and 2 running for higher offices – are the subjects of a **fully-documented** public corruption/grand jury complaint, filed with Erie County District Attorney Flynn, himself running for re-election, who has been "sitting on" it. The complaint involves the "force of law" commission/committee scheme that gave all 14 of them pay raises – and a legislature not operating at a remotely constitutional level.

The June 12, 2020 complaint, by the Center for Judicial Accountability, Inc. (CJA), is above-attached – and below are the e-mails transmitting it and the above-attached July 27, 2020 FOIL request to D.A. Flynn. CJA's substantiating evidentiary webpage for the complaint is here: <http://www.judgewatch.org/web-pages/searching-nys/2020-legislative/grand-juries.htm>.

As stated by the complaint, Erie County voters are entitled to know that their state legislators cannot be re-elected or elected to higher offices because they must be indicted for larceny and other corruption on EVIDENCE so DISPOSITIVE as

to assure convictions. So, too, retiring Senator Ranzenhofer and Assemblyman Schimminger, who will be pocketing *salary-based* pensions which are also larcenous.

To facilitate your inquiries of the complained-against state legislators and D.A. Flynn, I am cc'ing them on this e-mail. What, if anything, do they deny or dispute. Let them start where the complaint starts: my July 16, 2019 e-mail to Assembly Majority Leader Peoples-Stokes and the Legislature's 14 other stipend-receiving 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 Erie County citizens would be able to help you with what is obvious. Just accompany your story with links to the complaint and the evidentiary webpage so that they can see for themselves the open-and-shut, *prima facie* EVIDENCE that D.A. Flynn has been withholding from an Erie County grand jury to maintain his own fraudulently-boosted D.A. salary, paid by Erie County taxpayers.

I am available to answer your questions and assist you, to the max -- on a story not only upending Erie County’s state legislative and D.A. races, but, additionally, ALL New York’s other state legislative races and its 14 other D.A. races – and **that’s for starters**.

Thank you.

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

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

Sent: Monday, July 27, 2020 4:03 PM

To: 'John.flynn@erie.gov' <John.flynn@erie.gov>

Subject: Reasonable questions arising from your nonfeasance: June 12, 2020 public corruption complaint in support of grand jury inquiry, pursuant to Article I, §6 of the NYS Constitution, of Erie County state legislators...

TO: Erie County District Attorney John Flynn

I have received no acknowledgment or other response from you to my above-attached public corruption/grand jury complaint against Erie County state legislators, which I sent you at 11:49 am on Friday, June 12, 2020 by the below e-mail, with a direct link to the substantiating evidentiary webpage: <http://www.judgewatch.org/web-pages/searching-nys/2020-legislative/grand-juries.htm>. A short time earlier, I had submitted it to your Public Integrity Unit, *via* its website portal: <https://www2.erie.gov/da/index.php?q=public-integrity-complaint-form>. As the portal has NO attachment feature, I stated: “The complaint of today’s date, addressed to Erie County District Attorney Flynn, is posted on the website of the non-partisan, non-profit citizens’ organization, Center for Judicial Accountability, Inc. (CJA), here: <http://www.judgewatch.org/web-pages/searching-nys/2020-legislative/da-complaints-to-soares-plus-61-more.htm>.”

Seemingly, it was in response to that portal transmittal – or to the phone message I had left about the complaint, also on Friday morning June 12th (716-858-2424) – that I received a phone call on Monday, June 15th, at about 9:30 a.m., from a female staffer who tried to brush me off, without having read the complaint or examining its substantiating proof. My

reply was to guide her to CJA's website, www.judgewatch.org, and the relevant webpages. After eye-balling the posted complaint and the evidence substantiating it, the staffer quickly disconnected the call, as I was asking her name.

It takes no more than "eye-balling" the complaint and its substantiating evidence to know that a grand jury would speedily indict – and a trial jury speedily convict – the complained-against Erie County state legislators and their accomplices. Consequently, your nonfeasance raises reasonable questions as to your performance with respect to *other* public corruption complaints filed by *other* members of the public. So, too, the non-feasance of your "Public Integrity Unit". To help answer these questions, I have today filed a FOIL/information request with Erie County FOIL Officer & Second Assistant County Attorney Jeremy Toth – to which you are cc'd. It is attached.

Thank you.

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

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Friday, June 12, 2020 11:49 AM
To: 'John.flynn@erie.gov' <John.flynn@erie.gov>

Subject: CORRUPTION COMPLAINT in support of grand jury inquiry, pursuant to Article I, §6 of the NYS Constitution, of Erie County state legislators for "wilful misconduct in office", including larceny & fraud...

TO: Erie County District Attorney John Flynn

This follows the voice mail message I left a short time ago, requesting an e-mail address for you, because your electronic Public Integrity Unit complaint form, <https://www2.erie.gov/da/index.php?q=public-integrity-complaint-form>, which I have since utilized, does not have an attachment feature. I am assuming your e-mail follows the format of your predecessor, Acting District Attorney Michael Flaherty, which was Michael.flaherty@erie.gov.

Attached is my above-entitled corruption/grand jury complaint of today's date addressed to you – with a separate scanned signature page. The link for CJA's "GRAND JURIES" webpage for the complaint, hyperlinking, linking, and posting all referred-to evidence, is here: <http://www.judgewatch.org/web-pages/searching-nys/2020-legislative/grand-juries.htm>.

Thank you.

Elena Sassower, Director
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