

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Thursday, August 15, 2024 1:01 PM
To: 'bnalepa@indianagazette.net'; 'hzerillo@batavianews.com';
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'bquinn@batavianews.com'
Cc: 'vhemming@wyomingco.net'
Subject: **INFORMING THE VOTERS: Wyoming County's Acting D.A. Hemming & State Senator Borrello, etc.**
Attachments: [7-18-24-daasny-notice-complaint.pdf](#);
[7-17-24-complaint-vs-soares-to-albany-ethics.pdf](#);
[7-17-24-transmittal-to-soares.pdf](#)

TO: [The Daily News](#)

Brian Nalepa, Regional Vice President
Heather Zerillo, General Manager
Ben Beagle, Managing Editor
Matt Surtel, Assistant Editor
Brian Quinn, Assistant Editor

The duty of the Wyoming County D.A. is to enforce New York's penal laws and obey conflict of interest protocols. That is the subject of the Center for Judicial Accountability's above-attached July 18, 2024 grand jury/public corruption complaint to Wyoming County Acting D.A. Vincent Hemming, sent to him by the below e-mail. It involves his \$221,100 D.A. salary, statutorily-linked to the Wyoming county court judge salary – \$101,300 of which is the product of three “false instrument”, penal law-violating commission reports that Wyoming County's three state legislators, Senator George Borrello and Assemblyman David DiPietro, running for re-election, and Assemblywoman Marjorie Byrnes, Esq., retiring, are knowledgeable of and complicit in.

Acting D.A. Hemming, who assumed his position because D.A. Donald O'Geen was elected to be Wyoming county court judge last November, on the Republican line, in an uncontested election, is now himself running an uncontested election to be D.A., on a Republican line for which he faced no primary challenge. So, too, Senator Borello is running for re-election uncontested – and on Republican and Conservative lines for which he faced no primary for either line. How is this possible in a county which, according to 2022 statistics, has a population of 40,338 and a median household income of \$65,066. New York's state legislative salaries – the highest in the nation – are \$142,000, plus, as with D.A. salaries, many thousands of dollars in non-salary compensation benefits.

I received no response from Acting D.A. Hemming to the July 18, 2024 grand jury/public corruption complaint, which requested his response by August 1, 2024 to two simple questions:

- (1) whether he would be repudiating the \$101,300 salary difference and advising Wyoming County to secure a judicial declaration voiding the three “false instrument”, penal law-violating commission reports?;

(2) whether he would be recusing himself from the July 18, 2024 grand jury/public corruption complaint and securing an independent prosecutor?

As Acting D.A. Hemming will surely be more responsive to inquiries from The Daily News, I am cc'ing him.

I look forward to discussing with you the above two questions and your election reporting and editorializing about Wyoming County's D.A. race, state legislative races, and judicial races – all involving “false instrument”, penal law-violating salaries for these offices.

Thank you.

Elena Sassower, Director
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From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
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Subject: NOTICE & grand jury/public corruption complaint -- Your D.A. salary increases, the judicial salary increases on which they are based, & the violations of NY penal laws by state legislators within your jurisdictions

District Attorneys Association of the State of New York (DAASNY)

**ATT: President/Richmond County D.A. Michael McMahon
NYS' 61 Other D.A. and Acting D.A. Members**

Above-attached are CJA's July 18, 2024 NOTICE & grand jury/public corruption complaint and underlying July 17, 2024 ethics complaint to the Albany County Ethics Commission against Albany County D.A. Soares and its accompanying transmittal letter to him.

So that I may be guided accordingly, please let me hear from each of you by no later than two weeks from today, August 1, 2024, with respect to both the NOTICE and July 18, 2024 grand jury/public corruption complaint, herewith filed with you.

Thank you.

Elena Sassower, Director
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