

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Sunday, October 13, 2024 1:37 PM
To: 'charlie.specht@wgrz.com'; 'sean.mickey@wgrz.com'
Cc: 'katie.daugherty@wgrz.com'

Subject: **Your Oct 11 & Oct 3 "WGRZ On Your Side" Investigative Reports --& the deceit & manipulation of you & the public by BOTH D.A. Candidate Gardner & Acting D.A. Keane**

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: **Channel 2-"WGRZ On Your Side" –**
Investigative Reporter Charlie Specht
Investigative Reporter Sean Mickey

I am director and co-founder of the non-partisan, non-profit [Center for Judicial Accountability, Inc. \(CJA\)](#).

Your October 11th investigative report, "[Gardner D.A. campaign criticized for misleading attack ad](#)" is correct in its subtitle, "Truth is at issue as the race for Erie County District Attorney heats up".

BOTH D.A. Candidate Gardner and Acting D.A. Keane are deceiving and manipulating you – and through you, the public.

When the Gardner campaign furnished you with police records of the 40-year-old DWI arrest case against the then 21-year-old Keane, it was NOT because Gardner did not have a current – and DISPOSITIVE example – of Keane "refusing to follow the law" – and of his doing so as Acting Erie County D.A, warranting that Keane be prosecuted for public corruption, of which he would be convicted. He did – and the proof is my below July 24th e-mail to Gardner, with its above three attachments.

As for Keane, when he sat down to be interviewed by you for your October 3rd investigative report "[Acting DA Keane speaks about DWI arrest from 1985](#)", he was fully aware of my July 24th e-mail to Gardner – and that Gardner had not responded to it. This, because I had cc'd both Keane and Gardner on three essentially-identical August 8th e-mails [to the Buffalo News](#), [to WBFO](#), and [to Investigative Post](#), each entitled: "YOUR 2024 ELECTIONS REPORTING: Erie County D.A. Candidates Keane & Gardner -- & Erie County's 13-re-election seeking state legislative incumbents, etc.", followed by a more extensive [August 28th e-mail to Spectrum News](#), to which they were both cc'd, entitled "INFORMING THE VOTERS: Erie County's D.A. Candidates Keane & Gardner, its 15 State Legislators, 4 Uncontested for Re-Election & its 4 Uncontested Supreme Court Judgeships".

I am available to answer questions about the above and below and to assist you in reporting the "Truth...at issue", namely, that BOTH D.A. candidates are demonstrably unfit for any office of public trust – and that Acting D.A. Keane must be indicted for public corruption with respect to CJA's [July 18, 2024 NOTICE/grand jury complaint](#) that he has been "sitting on" for nearly three full months – and that D.A. Candidate Gardner would "sit on", if elected – "protecting", from prosecution, corrupt Erie County state legislators on the Erie County 2024 election ballots, including, as with Assemblyman Norris, for an uncontested Supreme Court judgeship. This, in addition to "protecting" from prosecution Governor Hochul and Commission on

Legislative, Judicial and Executive Compensation Chair Fahey – as is obvious from the most cursory examination of [CJA's underlying January 18, 2024 Opposition Report to the Commission's December 4, 2023 "Report on Judicial Compensation"](#) to which the Governor was the first addressee.

By the way, when the Gardner campaign gave you the records from the “decades old arrest” of 21-year old Keane – and thereafter told you that “no amount of excuses can change the fact that Erie County taxpayers deserve better from their chief law enforcement officer” – do you know whether it had also peddled its “grasping at straws” story to the [Buffalo News](#), [Investigative Post](#), [WBFO](#), and [Spectrum News](#)...?

I look forward to speaking with you directly about this fully-documented, explosive “local journalism” story – which will deservedly win you every journalism prize there is to win.

For your convenience, CJA's webpage for the Erie County D.A. race, on which this e-mail will be posted, is [here](#).

Thank you.

Elena Sassower, Director
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From: Center for Judicial Accountability, Inc. (CJA) <elena@judgwatch.org>
Sent: Wednesday, July 24, 2024 3:28 PM
To: 'jamesgardner5@gmail.com' <jamesgardner5@gmail.com>

Subject: Winning Your Erie D.A. Race & Demonstrating Your Fitness for the Office: NOTICE & Grand Jury/Public Corruption Complaint

TO: [Would-Be Erie County D.A. James Gardner](#)

This follows the two messages I sent you, via [your D.A. campaign facebook page](#), on July 19th and July 21st, requesting your e-mail address, without response. Fortunately, I was able to discover an e-mail address for you on the Office of Court Administration webpage of your attorney registration.

I am director and co-founder of the non-partisan, non-profit citizens' organization Center for Judicial Accountability, Inc. (CJA), which, for several decades, has documented the collusion of all three branches of our state government in the subversion and collapse of lawful, constitutional governance. New York's 62 D.A.s, whose duty it is to enforce the state's penal laws, including against law-breaking public officers, are key participants in this.

Only five of this year's 14 D.A. races are uncontested, and, among them, your D.A. race against Erie County Acting D.A. Michael Keane – the hand-picked successor of former Erie County D.A. John Flynn.

Last week, I sent Acting D.A. Keane – and all 61 of New York’s other D.A.s and acting D.A.s – the above three attachments by the below July 18th e-mail entitled “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”, requesting their answers, by August 1st, to two simple questions:

- (1) whether they will be repudiating their state-mandated D.A. salary increases, paid from their county budgets, because they are based on three “false instrument”, penal law-violating commission reports raising judicial salaries;
- (2) confirmation that they will be recusing themselves from CJA’s July 18, 2024 grand jury/public corruption complaint pertaining thereto and securing an independent prosecutor.

If elected, what would your answers be? Please let me hear from you by August 1st so that, based on your answers, Erie county voters may be apprised as to whether a write-in campaign must be launched for suitable D.A. candidates who will abide by their duty of enforcing New York’s penal laws, without fear or favor, including by recusing themselves when compromised by self-interest and relationships.

I am available to answer questions, including as to the particulars of my communications with former Erie County D.A. Flynn and his predecessor Acting D.A. Michael Flaherty.

Thank you.

Elena Sassower, Director
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From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Thursday, July 18, 2024 8:49 PM
To: 'president@daasny.org' <president@daasny.org>; 'mcmahonda@rcda.nyc.gov' <mcmahonda@rcda.nyc.gov>; 'david.soares@albanycountyny.gov' <david.soares@albanycountyny.gov>; 'ian.jones@alleganyco.com' <ian.jones@alleganyco.com>; 'clarkda@bronxda.nyc.gov' <clarkda@bronxda.nyc.gov>; 'paul.battisti@broomecounty.us' <paul.battisti@broomecounty.us>; 'LPRieman@cattco.org' <LPRieman@cattco.org>; 'bantonacci@cayugacounty.us' <bantonacci@cayugacounty.us>; 'schmidtj@chqgov.com' <schmidtj@chqgov.com>; 'wwetmore@chemungcountyny.gov' <wwetmore@chemungcountyny.gov>; 'mferrarese@co.chenango.ny.us' <mferrarese@co.chenango.ny.us>; 'andrew.wylie@clintoncountygov.com' <andrew.wylie@clintoncountygov.com>; 'districtattorney@columbiacountyny.gov' <districtattorney@columbiacountyny.gov>; 'pperfetti@cortland-co.org' <pperfetti@cortland-co.org>; 'shawn.smith@co.delaware.ny.us' <shawn.smith@co.delaware.ny.us>; 'aparisi@co.dutchessny.gov' <aparisi@co.dutchessny.gov>;

'Michael.Keane@erie.gov' <Michael.Keane@erie.gov>; 'Kristy.Sprague@essexcountyny.gov' <Kristy.Sprague@essexcountyny.gov>; 'elizabeth.crawford@franklincountyny.gov' <elizabeth.crawford@franklincountyny.gov>; 'mpoulin@fultoncountyny.gov' <mpoulin@fultoncountyny.gov>; 'kevin.finnell@co.genesee.ny.us' <kevin.finnell@co.genesee.ny.us>; 'jstanzione@discovergreene.com' <jstanzione@discovergreene.com>; 'mpurdue@hamiltoncountyny.gov' <mpurdue@hamiltoncountyny.gov>; 'jcarpenter@herkimercounty.org' <jcarpenter@herkimercounty.org>; 'krystinam@co.jefferson.ny.us' <krystinam@co.jefferson.ny.us>; 'gonzalee@brooklynda.org' <gonzalee@brooklynda.org>; 'jefftompkins@lewiscounty.ny.gov' <jefftompkins@lewiscounty.ny.gov>; 'GMcCaffrey@co.livingston.ny.us' <GMcCaffrey@co.livingston.ny.us>; 'william.gabor@madisoncounty.ny.gov' <william.gabor@madisoncounty.ny.gov>; 'sdoorley@monroecounty.gov' <sdoorley@monroecounty.gov>; 'ldiamond@da.montgomery.ny.us' <ldiamond@da.montgomery.ny.us>; 'Anne.donnely@nassaуда.org' <Anne.donnely@nassaуда.org>; 'bragga@dany.nyc.gov' <bragga@dany.nyc.gov>; 'brian.seaman@niagaracounty.com' <brian.seaman@niagaracounty.com>; 'tcarville@ocgov.net' <tcarville@ocgov.net>; 'williamfitzpatrick@ongov.net' <williamfitzpatrick@ongov.net>; 'james.ritts@ontariocountyny.gov' <james.ritts@ontariocountyny.gov>; 'dhoovler@orangecountygov.com' <dhoovler@orangecountygov.com>; 'da@orleansny.com' <da@orleansny.com>; 'anthony.dimartino@oswegocounty.com' <anthony.dimartino@oswegocounty.com>; 'muehlj@otsegocounty.com' <muehlj@otsegocounty.com>; 'Robert.Tendy@putnamcountyny.gov' <Robert.Tendy@putnamcountyny.gov>; 'katz@queensda.org' <katz@queensda.org>; 'mdonnely@rensko.com' <mdonnely@rensko.com>; 'mcmahonda@rcda.nyc.gov' <mcmahonda@rcda.nyc.gov>; 'WalshT@rocklandda.org' <WalshT@rocklandda.org>; 'gpasqua@stlawco.org' <gpasqua@stlawco.org>; 'kheggen@saratogacountyny.gov' <kheggen@saratogacountyny.gov>; 'Robert.carney@schenectadycounty.com' <Robert.carney@schenectadycounty.com>; 'susan.mallery@co.schoharie.ny.us' <susan.mallery@co.schoharie.ny.us>; 'jfazzary@co.schuyler.ny.us' <jfazzary@co.schuyler.ny.us>; 'jjnabinger@co.seneca.ny.us' <jjnabinger@co.seneca.ny.us>; 'Bbaker@steubencounty.NY.gov' <Bbaker@steubencounty.NY.gov>; 'raymond.tierney@suffolkcountyny.gov' <raymond.tierney@suffolkcountyny.gov>; 'brian.conaty@co.sullivan.ny.us' <brian.conaty@co.sullivan.ny.us>; 'martink@tiogacountyny.gov' <martink@tiogacountyny.gov>; 'MVH@tompkins-co.org' <MVH@tompkins-co.org>; 'enne@co.ulster.ny.us' <enne@co.ulster.ny.us>; 'carusonej@warrencountyny.gov' <carusonej@warrencountyny.gov>; 'tjordan@washingtoncountyny.gov' <tjordan@washingtoncountyny.gov>; 'ccallanan@co.wayne.ny.us' <ccallanan@co.wayne.ny.us>; 'mrocah@westchesterda.net' <mrocah@westchesterda.net>; 'vhemming@wyomingco.net' <vhemming@wyomingco.net>; 'tcasella@yatescounty.org' <tcasella@yatescounty.org>;
Cc: 'morgan.bitton@daasny.org' <morgan.bitton@daasny.org>

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.

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