

Center for Judicial Accountability, Inc. (CJA)

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Friday, August 20, 2021 8:54 PM
To: 'dsirota@davidsirota.com'
Cc: 'editor@dailyposter.com'; 'tips@dailyposter.com'; 'support@dailyposter.com'
Subject: Message for David Sirota, from your new Daily Poster subscriber Elena Sassower/Center for Judicial Accountability & pursuant to your "Citizens' Guide to Following the Money and Holding the Powerful Accountable"
Attachments: 6-4-20-complaint-albany-da-soares-revised.pdf

TO: David Sirota/The Daily Poster

For about a year – after discovering your excellent May 26, 2020 article "[Cuomo gave immunity to nursing home executives after big campaign donations](#)" in *The Guardian* and reinforced by your subsequent investigative reporting on the immunity provision and Governor Cuomo in *The Guardian*, your *Daily Poster*, and other publications – I have been meaning to contact you with primary-source, documentary evidence so that you could understand: (1) that when Governor Cuomo inserted the immunity provision into the state budget, which he did with Temporary Senate President Andrea Stewart-Cousins and Assembly Speaker Carl Heastie, and which the Legislature then voted to approve, they were knowingly violating a succession of New York state constitutional and statutory provisions – and legislative rules; (2) that the New York state budget is "OFF THE CONSTITUTIONAL RAILS" -- flagrantly; (3) that the Legislature does NOT operate at a remotely constitutional level, either as to the budget or its other law-making and oversight responsibilities; and (4) that Assemblyman Ron Kim and Senator Alessandra Biaggi, who you and other media have elevated as heroes, have materially deceived you as to what has been going on, including by their heaping of blame onto Governor Cuomo, as if they bear no responsibility, including for the immunity provision, the delay in its repeal, and the nursing home COVID deaths.

In May of last year, I created a webpage about the immunity provision, outlining its unconstitutional insertion into the budget and enactment. It is accessible from CJA's homepage, www.judgewatch.org, via the prominent center link "Legislative Sessions – Comparing NY's Legislature BEFORE & AFTER its Fraudulent Pay Raise – *No Change: The Legislators are the SAME Posturing Fraudsters, Perpetuating a Legislature that does NOT Function at a Constitutional Level*". It is part of the 2020 Legislative Session. The direct link is here: <http://www.judgewatch.org/web-pages/searching-nys/2020-legislative/part-ggg-health-law.htm>.

Last week, *Daily Poster* sent me an e-mail about the "Cuomo Resignation Live Chat" between yourself, Assemblyman Kim, and Senator Biaggi, available to both paid and free subscribers, which would additionally discuss "the fight to rid the halls of power of abuse and corruption". As I was unsuccessful in activating the free subscribers' link, I sent an August 12th e-mail entitled "how do I access tonight's live chat?", stating:

"I am happy to become a paid subscriber, but I would [like] to take advantage of the free trial subscription to check out whether the promise of 'accountability' is real or sham. I have a mountain of primary-source, documentary EVIDENCE to offer Daily Poster & David Sirota about the posturers who are presenting themselves as honest, clean-government champions."

The responding e-mail, from Joel – presumably Joel Warner – sent from support@dailyposter.com, was as follows:

"Hi Elena,

If you want to check out our options before a long-term subscription, perhaps opt for a monthly subscription for a month or two, to get a feel for our accountability journalism? We really need

subscriber support to keep going, which is why we offer exclusive benefits like live chats to paying subscribers.

Best”.

To this, I replied, by an e-mail entitled “okay, thank you, Joel...”, stating:

“I appreciate your e-mail & personal message. Will sign up, in the hope that yours really will be the kind of honest, accountability journalism that does NOT exist. I have much to contribute – and look forward to doing so.

Thank you, again.”

I then signed up for the full one-year subscription – and logged in for the chat. I raised the following questions for Assemblyman Kim and Senator Biaggi, in response to what they were saying, *via* the indicated window. Commendably, [your recording of the “live chat”](#) preserves these, as follows:

- **Elena Sassower-Center for Judicial Accountability** Can Assemblyman Kim explain why the Assembly's impeachment proceedings have not included Gov Cuomo's corruption involving the state budget & pay raises ?
- **Elena Sassower-Center for Judicial Accountability** Can Senator Biaggi answer the same question as above asked to Assembly Kim -- why the Assembly's impeachment proceedings have not included Gov Cuomo's corruption involving the state budget & pay raises. Is it because it involves the Assembly & Senate in the unconstitutionality, fraud, and larceny that has been going on?
- **Elena Sassower-Center for Judicial Accountability** Do Senator Biaggi & Assemblyman Kim believe that ALL the corruption is attributable to Cuomo? What has been the Legislature's role? Where is its accountability?
- **Elena Sassower-Center for Judicial Accountability** How about the media's coverage of the legislators? Doe Biaggi think it's critical and investigative?

In that same window I also wrote closing comments:

- **Elena Sassower-Center for Judicial Accountability** Thank you for this live chat. Appreciate, greatly, what you are doing. Will be in touch!
- **Elena Sassower-Center for Judicial Accountability** I will contribute something more important than \$. Primary-source, documentary EVIDENCE of what's been going on.

I then repeated this, with further elaboration, in your further window for comments:

“Thank you for hosting this important chat. I will be in touch -- &, for immediate purposes, make a contribution more important than \$: primary-source, documentary EVIDENCE of the collusion of the legislators, the AG, the comptroller, the judiciary -- & yes, Hochul, too -- in Cuomo's corruption of state governance, so that all can be held accountable to the People. Thank you, again.”

Hoping that my e-mails and chat questions and comments might elicit an inquiring follow-up from you or [Daily Poster](#) staff, I held off contacting you. That changed on Sunday, August 15th, when I received in my inbox an “exclusive” benefit of my [Daily Poster](#) subscription: your “WEEKEND READER”. I then saw, to my horror, under the heading “Stuff We’re Reading” – and featured as #1 – Ronan Farrow’s August 10th [New Yorker](#) article “[Andrew Cuomo’s War Against A Federal Prosecutor](#)”. This you were recommending to subscribers because – quite obviously— you believe Mr. Farrow to be a reputable journalist, whose reporting is accurate – and who would assuredly correct material errors brought to his attention and verifiable from contemporaneous, primary-source EVIDENCE, provided to him.

And no less horrifying – perhaps more so – is that not only were you recommending Mr. Farrow’s August 10th New Yorker article to Daily Poster subscribers, but you had relied on it in your own August 10th Daily Poster article "Cuomo's Legacy: Normalizing Corruption And Lawlessness", reprised by your "WEEKEND READER" – and additionally published in Newsweek on August 10th by the title "The Democrats Turned on Cuomo to Protect the Systemic Corruption He Leaves Behind" and in The Guardian on August 11th by the title "Andrew Cuomo is gone, but his lawless legacy will live on". Significantly, you railed against the media’s protectionism and cover-up of Cuomo’s corruption – a problem you had also featured in your February 12th Daily Poster article "Cuomo And The Lincoln Project Are Media-Created Monsters", also published in The Guardian on February 21st as "Andrew Cuomo and the Lincoln Project were media-created debacles. What now?"

So that you can do what needs to be done -- expose the completely intact "systemic corruption" that Governor Cuomo leaves behind – all aspects of which the press has either concealed entirely or materially falsified – and embracing the posturings of Senator Biaggi and Assemblyman Kim, including at the August 12th live chat – below is my self-explanatory August 15th e-mail to Mr. Farrow about your "WEEKEND READER" and beneath it my August 10th e-mail to him, to which I had received no response, calling upon him to correct the "false narrative" in his August 10th New Yorker article about Cuomo, former U.S. Attorney Preet Bharara, and the Commission to Investigate Public Corruption, based on the contemporaneous, primary-source documentary EVIDENCE I supplied him by the below links and above attachment.

What do you suppose Mr. Farrow’s response was to my August 15th e-mail?

I look forward to discussing it with you, after you have reviewed my below two e-mails to him – and my further August 15th e-mail to him which forwarded the Daily Poster’s "WEEKEND READER" and asked, by my accompanying message:

"Don't you think it appropriate that we have a conversation about the MOUNTAIN OF EVIDENCE that the sources on whom you relied for your New Yorker article OBVIOUSLY concealed from you, including by the 'hundreds of pages of internal documents, text messages, and personal notes' they furnished you to support the 'false narrative' of a powerful Cuomo against whom they were powerless."

I will forward you that e-mail, after sending you this one.

As will be obvious to you, the extraordinary, FULLY-DOCUMENTED corruption story I furnished Mr. Farrow – all aspects of which the media has concealed and is still concealing – is directly germane to much of what you’ve written – and what needs to be written, including about the immunity provision and the fate of lawsuits brought by the families of nursing home/COVID fatalities. I look forward to discussing this with you, directly.

Please let me hear from you soon. I am eager to partner with the The Daily Poster in furtherance of your mission of "accountability journalism" – and consistent with your "Citizens' Guide to Following the Money and Holding the Powerful Accountable", whose closing instruction – before its final reminder to "Rock The Boat!" -- is "If the story seems big enough, let us know! Email us at editor@dailyposter.com."

Apart from the HUGE story of systemic corruption here presented, all of whose open-and-shut, *prima facie* documentary EVIDENCE has been covered-up by the media, including Mr. Farrow, I wish to offer you the LEAD on a HUGE, "happening now", national story about the "process" by which this county’s 93 U.S. Attorneys are nominated by the President and confirmed by the U.S. Senate – as exemplified by the four U.S. Attorney nominees for New York, announced by The White House in its first two batches of U.S. Attorney nominations, on July 26th and August 10th, and now before the U.S. Senate Judiciary Committee for confirmation, whose vetting involves the same EVIDENCE you here have before you. My written communications with The White House on March 23rd and April 27th and with the U.S. Senate Judiciary Committee this month are posted on CJA’s webpage entitled: "President Biden’s New U.S. Attorneys for NY -- Will they be non-partisan enforcers of the Rule of Law and Equal Justice when doing so will require them to prosecute NY’s mostly Democratic top state officers -- & expose that their U.S. Attorney predecessors politicized and corrupted their own offices?", accessible from our website’s top panel "Latest News". The direct link is here:

<http://www.judgewatch.org/web-pages/searching-federal/2021-new-us-attorneys-for-ny.htm>.

Feel free to forward this e-mail to Mr. Farrow. For now, I am not cc'ing him – or anyone else – simply so that you and Daily Poster staff can have an undisturbed opportunity to review it first, including the LEAD.

Thank you.

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From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Sunday, August 15, 2021 1:45 PM
To: 'ronan_farrow@thenewyorker.com' <ronan_farrow@thenewyorker.com>
Cc: 'jrodgers@law.columbia.edu' <jrodgers@law.columbia.edu>; 'dperry@perryguha.com' <dperry@perryguha.com>

Subject: STATUS? -- CORRECTION REQUIRED: "Andrew Cuomo's War Against a Federal Prosecutor" (New Yorker, Aug. 10, 2021), with its 1st interviews of Danya Perry & Kathleen Rice

TO: Ronan Farrow, ESQ.

Shortly before 11 am this morning I received, in my Inbox, a "WEEKEND READER" from The Daily Poster featuring your August 10th New Yorker article "[Andrew Cuomo's War Against A Federal Prosecutor](#)", under the heading "Stuff We're Reading" – and in the #1 position. Obviously, Daily Poster is promoting your article among its subscribers because it believes in the integrity of your journalism – and that you would correct any material inaccuracy.

As I have received no response from you to my below August 10th e-mail for correction of the "false narrative" presented by your article, kindly advise as to the status of your review of the contemporaneous, primary-source EVIDENCE the e-mail furnished in substantiation – and whether, as requested, you forwarded the e-mail to your editors, from whom I have also received no response.

By the way, have you received any responses from Danya Perry and Jennifer Rodgers, to whom I simultaneously sent the e-mail? How about Preet Bharara and Kathleen Rice? I have received nothing from them – and, as you know, what is not denied or disputed is deemed conceded – and the reason here is because the e-mail is completely true.

Please advise – and no later than tomorrow.

Obviously, if you are not going to correct your article, based on contemporaneous, primary-source EVIDENCE – or report on the EVIDENCE of Lieutenant Governor Hochul's complicity in the systemic corruption of state governance that Bharara and the Commission to Investigate Public Corruption corruptly preserved, which my e-mail also furnished – I will ask The Daily Poster to do so, or to assist me in finding the "accountability" journalists who will.

Thank you.

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

Sent: Tuesday, August 10, 2021 7:26 PM

To: 'ronan_farrow@thenewyorker.com' <ronan_farrow@thenewyorker.com>

Cc: 'jrodgers@law.columbia.edu' <jrodgers@law.columbia.edu>; 'dperry@perryguha.com' <dperry@perryguha.com>

Subject: CORRECTION REQUIRED: "Andrew Cuomo's War Against a Federal Prosecutor" (New Yorker, Aug. 10, 2021), with its 1st interviews of Danya Perry & Kathleen Rice

TO: Ronan Farrow, ESQ.

Your today's article "[Andrew Cuomo's War Against A Federal Prosecutor](#)" (New Yorker, August 10, 2021) requires corrective follow-up, as it continues a materially false narrative about U.S. Attorney Preet Bharara and the Commission to Investigate Public Corruption, as verifiable from contemporaneous, primary-source documentary EVIDENCE. Such establishes that Bharara is a posturing fraudster, who could have EASILY brought down Cuomo in 2013 – and cleaned up the systemic corruption infesting all three of NY's government branches – and including NY's important ethics enforcer: JCOPE. Likewise, the Commission to Investigate Public Corruption could have EASILY brought down Cuomo in 2013 and cleaned up NY's corruption, and without any expensive software programs, or even subpoenas. In other words, the Commission's chief investigator, Danya Perry, and co-chair, Kathleen Rice – who, according to your article, gave you their first interviews since resigning from the Commission in 2014 -- materially misled you, as did Bharara.

The contemporaneous, primary-source, documentary EVIDENCE establishing this is posted on CJA's website, www.judgewatch.org, on innumerable dedicated webpages – none more important than these two:

- (1) [CJA's webpage for the FULLY-DOCUMENTED April 15, 2013 corruption complaint against Cuomo, et al. that I hand-delivered to Bharara's Manhattan U.S. Attorney's office](#), from which you can examine the mountain of open-and-shut, *prima facie* EVIDENCE from which Bharara, at that time, could have readily indicted Cuomo and secured his conviction for "grand larceny of the public fisc" involving pay raises and the state budget, and likewise of NY's other highest constitutional officers in all three government branches – obviating the entire below subsequent chain of events;
- (2) [CJA's webpage for my September 17, 2013 testimony before the Commission to Investigate Public Corruption](#), posting not only the EVIDENCE I handed up in substantiation of my testimony and the mountain of my correspondence to the Commission, both before and after the hearing, but the 12-minute VIDEO clip of my explosive testimony, sufficient to enable you to discern what a rigged, corrupted entity it was, from the start – and in plain view of the press, which reported nothing about what I said.

Other important EVIDENTIARY webpages – germane to correction of your article – include the two entitled:

- (1) ["Paper Trail of Complaints & Correspondence with U.S. Attorney Bharara -- & with his underling-successor Joon Kim"](#), from which you can verify Bharara's cover-up of – and perpetuation of – JCOPE's readily-remediable corruption;
- (2) ["What's Taking You So Long, Preet?: CJA's Three Litigations whose Records are Perfect 'Paper Trails' for Indicting New York's Highest Public Officers for Corruption"](#), from which Bharara's posturing as an anti-corruption crusader is further evidenced, as likewise the Commission's posturing and fraud, particularized by the third litigation, *to wit*, my [April 23, 2014 order to show cause to intervene in the Legislature's declaratory judgment action against the Commission](#), also containing an analysis of the Commission's methodologically-indefensible and fraudulent December 2, 2013 report – the product of undisclosed self-interest and bias.

NY's press has covered up ALL of the above primary-source EVIDENCE – in favor of false narratives about Bharara, the Commission, and a “who’s who” of NY’s public officers and entities – starting with Cuomo, but including essentially all other highest constitutional officers and prosecutorial and ethics authorities.

Kindly call me so that we can discuss the foregoing – and the extraordinary corruption story that continued after Cuomo’s March 2014 disbanding of the Commission and President Trump’s March 2017 firing of Bharara. For immediate purposes, that story is summarized by the above-attached June 4, 2020 grand jury/public corruption complaint against Cuomo, *et al* that I filed with Albany County District Attorney P. David Soares, a member of the Commission to Investigate Public Corruption, whose cover-up for Cuomo began with the [July 19, 2013 complaint I filed with him](#), incorporating, *inter alia*, my [April 15, 2013 complaint to Bharara](#) and my [June 27, 2013 complaint to JCOPE](#) – and about which I testified at the Commission’s September 17, 2013 hearing. NY’s press has refused to report anything about the June 4, 2020 grand jury/public corruption complaint – or about my subsequent [March 5, 2021 complaint to JCOPE](#), based thereon – just as, prior thereto they refused to report ANY of the facts on which those complaints rest, the progression of which are chronologically posted on CJA’s webpage entitled “[VIDEO & PAPER TRAIL CHRONOLOGY: The Corrupt Commission Scheme to Raise Salaries of Corrupt Public Officers](#)”.

My below August 5, 2021 e-mail sent to the [entire roster of NY’s Legislative Correspondents Association](#), entitled “When will you be reporting on Gov. Cuomo's corruption involving the ENTIRETY of the state budget -- & the pay raises -- in which EVERYONE in a line of succession is complicit”, summed up the situation, also unreported by the press, that:

“the state Senate and Assembly members clamoring for Cuomo’s resignation and/or impeachment – and the senators and Court of Appeals judges who would constitute a court of impeachment ([NYS Constitution, Article VI, §24](#)) -- must themselves resign and/or be impeached – and...everyone in a line of gubernatorial succession, beginning with Lieutenant Governor Hochul, must be criminally prosecuted – and will be convicted.”

How about you? Now that Cuomo has just resigned, effective in two weeks, will you report on the EVIDENCE of Hochul’s corruption, for which she must be indicted and will be convicted, based on the FULLY-DOCUMENTED June 4, 2020 grand jury/public corruption complaint to D.A. Soares, whose substantiating EVIDENTIARY webpage is [here](#). To further help you, here’s my [May 4, 2018 e-mail to her](#) and the referred-to [webpage for her electoral opponent, Jumaane Williams, posting my May 4, 2018 message to him](#).

Please let me hear from you, soon – and, if not, please at least confirm that you are forwarding this e-mail to your editors, from whom I request their response with regard to corrective follow-up of your today’s article.

Finally, so that Preet Bharara can deny or dispute the foregoing, as relates to him, starting with the DISPOSITIVE significance of my [FULLY-DOCUMENTED April 15, 2013 corruption complaint against Cuomo, et al.](#), please forward this e-mail to him, as his e-mail address does not appear to be publicly-available. I am requesting the same of Jennifer Rodgers, here cc’d, whose ethics opinion you quote in your article – and who, presumably, at my request, previously forwarded to Bharara my [June 14, 2021 e-mail](#) concerning their endorsements of Alvin Bragg’s candidacy for Manhattan district attorney. I am also cc’ing Danya Perry, with a request that she forward to Kathleen Rice, so that they, too, can deny or dispute the foregoing, as relates to the Commission to Investigate Public Corruption, by which I do not mean Executive Director Regina Calcaterra, but the Commission’s three co-chairs and their 22 fellow commissioners.

Suffice to add that with regard to your comment, “By some measures, New York continues to rank among the most corrupt states in the country”, we have Bharara and the Commission to Investigate Public Corruption to thank for that – and their ignominious role has been featured on CJA’s homepage, [www.judgewatch.org](#), for years and years, by the prominent center link: “[Exposing the Fraud of the Commission to Investigate Public Corruption -- & Preet: NY's UNTOUCHED "culture of corruption" -- Pay Raises, JCOPE, Judicial & Attorney Discipline, etc](#)”.

Thank you.

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

Sent: Thursday, August 5, 2021 11:20 AM

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Subject: When will you be reporting on Gov. Cuomo's corruption involving the ENTIRETY of the state budget -- & the pay raises -- in which EVERYONE in a line of succession is complicit

TO: Legislative Correspondents Association Reporters

When will you be reporting on Governor Cuomo's corruption involving the ENTIRETY of the state budget -- & the pay raises -- in which EVERYONE in a line of succession is complicit?

To remind you of the EVIDENCE, above-attached is CJA's FULLY-DOCUMENTED June 4, 2020 grand jury/public corruption complaint against Cuomo and his co-conspirators, filed with Albany D.A. Soares. Its substantiating EVIDENTIARY webpage is here: <http://www.judgewatch.org/web-pages/searching-nys/2020-legislative/grand-juries.htm>. The 61 materially-identical complaints filed with NY's 61 other D.A.s, including those of Manhattan, Westchester, Nassau, and

Oswego, are here: <http://www.judgewatch.org/web-pages/searching-nys/2020-legislative/da-complaints-to-soares-plus-61-more.htm>.

As is obvious from the June 4, 2020 complaint – and as stated to you months ago, in furnishing you with [CJA's March 5, 2021 complaint, filed with JCOPE](#):

“the state Senate and Assembly members clamoring for Cuomo’s resignation and/or impeachment – and the senators and Court of Appeals judges who would constitute a court of impeachment ([NYS Constitution, Article VI, §24](#)) -- must themselves resign and/or be impeached – and...everyone in a line of gubernatorial succession, beginning with Lieutenant Governor Hochul, must be criminally prosecuted – and will be convicted.” (bold in the original).

Do you disagree that this is proven by the EVIDENCE substantiating those complaints? And what about your editors, to whom I request you forward this e-mail.

Please advise.

Thank you.

Elena Sassower, Director
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