111 Washington Avenue
Suite 107
Albany, NY 12207

518-434-1262
NFIB.com

October 2, 2025

Comment on behalf of the National Federation of Independent Business (NFIB) to the New York State Commission on Ethics and Lobbying in Government

NFIB is a member-driven organization representing nearly 300,000 small businesses across this country and more than 11,000 across New York State. As the "Voice of Small Business," NFIB's mission is to advocate for the small business community on policy matters, such as taxes, regulations, healthcare, and insurance, that have a direct impact on Main Street. NFIB is a grassroots organization helping to bridge the gap between policy makers and small businesses in every community. As an advocacy organization, NFIB is a registered lobbying entity that complies with the rules and regulations promulgated by the New York State Commission on Ethics and Lobbying in Government (COELIG).

While NFIB appreciates COELIG's mission to ensure integrity, transparency, and trust in Government, many of the potential proposals outlined in the comprehensive review will have a chilling effect on the ability of associations, like NFIB, to advocate on behalf of its members. The State should always strive to increase engagement, civil discourse, and the right to exercise free speech, not find ways to make it more difficult.

NFIB urges the Commission to reconsider or reject the following proposals:

1. **Implement Training Non-Compliance Monetary Late Fees for Lobbyists and Clients**

   Ethics training is not solely required of in-house or contract lobbyists, but often board members or executive officers of associations who may engage in lobbying activity. As such, the proposal to increase late fees and penalties

will further dissuade everyday citizens and New Yorkers from engaging with government officials simply because they serve on a civic board. Instead of imposing additional fees, the Commission should instead focus on compliance, education, and making it easier for lobbyists and non-lobbyists to complete ethics training.

2. **Prohibit or Restrict Campaign Donations from Lobbyists and Clients, or Prohibit Lobbyists and Clients from Lobbying Officials to Whose Campaigns They Have Contributed**

   Prohibiting or restricting lobbyists from contributing to incumbents or candidates running for office will in no way improve integrity, transparency, or trust in Government, and is instead a violation of an individual's own freedom to engage in the political process. Associations and those working for associations have every right to continue to contribute to candidates based on campaign finance laws. Furthermore, if lobbyists or clients do contribute they should still be able to discuss and engage with elected officials as any other member of the public can after making political donations. This proposal will only tip the scale away from association engagement, which is representative of large swaths of the public, towards individuals that can “afford” to participate in the process.

3. **Require Lobbyists and Clients to Report Their Campaign Contributions to COELIG**

   This is unnecessary and duplicative. Campaign contributions are already disclosed to the New York State Board of Elections under campaign finance laws. Every citizen has access to disclosure reports online and can easily see who is contributing to a candidate and how much, including contributions made by registered lobbyists. Requiring lobbyists and clients to report this to COELIG is an added step for no rational reason.

4. **Make Accessorial (Accomplice) Liability Explicit for Lobbying Act Violations**

   The inclusion of “accessorial liability” in circumstances of “soliciting, aiding, or importuning” others is dangerous, especially for associations. Many associations will provide their members with guidance, advice, and the best information possible; however, there are circumstances in which an individual may misinterpret or misunderstand a rule or regulation. The broadness of this proposal could lead to an association being held liable for

the ill-thought-out action of others. This standard could be used against associations and will become a tremendous liability, leading to organizations deciding to no longer provide any guidance or education, which does nothing to help the Commission achieve its objectives.

5. **Require Lobbyists to Provide Additional Details on the Lobbying Activity in which They Engage, Including the Details of Time Spent Lobbying Each Bill, Subject, and Target**

   Requiring lobbyists to provide "summaries of meetings, including the location and duration of meetings and matters discussed, and any materials or data provided" and requiring "lobbyists in bi-monthly report to indicate how much of their time they spent lobbying each specific bill, subject, and target" is the epitome of government overreach and regulation for the sake of regulation. Does it matter if an issue is discussed in a lawmaker's office, off the floor of the Assembly, or in the hallways of the Legislative Office Building? What purpose does this granular level or reporting serve? Association employees and advocates will spend virtually all their time filling out bi-monthly reports rather than engaging in government affairs and civil discourse. NFIB lobbyists already spend countless hours accurately and thoroughly complying with the existing requirements of reporting the (1) party lobbied; (2) public entity lobbied; (3) the lobbying subject and bill/EO/rule/rate making number; and (4) compensation for lobbying, as well as any itemized lobbying expenditures and other activities. All the information lobbyists are currently required to file provide the Commission and the public with what they need to know: who is lobbying, what are they lobbying on, and how much money are they spending? Anything beyond that is unnecessary and does not provide a clear public benefit.

6. **Consider Imposing Late Fees for Amendments to Client Semi-Annual and Bi-Monthly Reports**

   Imposing additional fines on amendments to reports will not encourage disclosure, transparency, or accuracy, but instead will lead to fewer corrections to filed reports from the regulated community. The Commission should focus on encouraging and allowing corrections to be made, not penalizing mistakes or the late correction of mistakes.

7. **Clarify the Commission's Authority to Impose Non-financial Penalties**

> This proposal is overly broad, especially as it relates to “suspension or discharge,” which should be reserved for the most egregious and severe of circumstances. When Commissions are given broad authority over penalties, these can often become politically motivated against registered entities with whom individuals may disagree. The public should trust that the Commission is not going to be used as a political tool for or against any particular interest. Granting such powerful authority to a Commission, whose members are appointed by elected officials does nothing to build trust in government.

As a regulated lobbying entity, NFIB consistently and thoroughly complies with the Commission’s reporting requirements and conducts itself to the highest standards. NFIB and other associations like NFIB are not the issue, and drafting new policies targeting or making it more difficult for upstanding organizations should not be the Commission’s priority. Instead, the Commission should spend its time and resources investigating and penalizing the advocacy organizations and lobbyists that are frequently engaging with policy makers and government officials but never register or file. There are far too many instances where so-called “advocates” are clearly eclipsing lobbying thresholds; however, are never held to the same standards as other lobbying entities. NFIB urges COELIG to reconsider the above-mentioned proposals and instead focus on enforcing existing laws and regulations or closing legitimate loopholes to capture advocates and entities that should be disclosing their lobbying activities.

Thank you for your time and attention.

The Business Council

memo

TO:	Members, NYS Commission on Ethics and Lobbying in Government
FROM:	Ken Pokalsky
SUBJECT:	"Potential Proposals for Public Comment"
DATE:	10/2/25

We welcome the opportunity to provide comments on COELIG's potential legislative and regulatory reform agenda for 2026.

The Business Council appreciates the public's interest in meaningful and timely information about lobbying activities, and we devote substantial time and effort to meeting the requirements of the Lobbying Act. As such, we stress the need for reasonable and clear compliance standards, with regulations consistent with specific statutory provisions, efficient reporting processes and technology, and a focus on the collection and reporting of meaningful and accurate data and information.

The following provides comments on several of COELIG's more significant proposals.

As always, we welcome the opportunity to discuss our comments and recommendations with Commission members and staff.

Should the legislature authorize the Commission to impose late fees on lobbyists and clients who fail to timely complete mandatory training.

> **Comment:** Any proposal to impose late fees should also require COELIG to notify lobbyists of their pending obligation to renew their ethics training, which is now required at least once in any three-year period during which a person is registered as a lobbyist. Other agencies routinely provide such notifications. We are unaware of any mechanism now provided by COELIG through which lobbyists can check and confirm the status of their ethics training compliance.

Should campaign donations and services provided directly by lobbyists for offices within the Commission's jurisdiction be limited or altogether, either broadly or with respect to targets of such lobbyist's lobbying efforts? Should lobbyists and clients report campaign contributions to COELIG?

> **Comment:** We do not support limitations on lobbyists or clients participation in political advocacy. Businesses, and corporations in particular, are already subject to strict limits on political contributions, and it would be unreasonable to further restrict such activities in order for businesses to engage in lobbying on issues that directly impact them. Moreover, political contributions are already well regulated under the Election Law, which includes mandatory periodic reporting of contributions made by political action committees, and contributions received by candidates and committees. Finally, an individual lobbyist may make political contributions based on personal factors wholly unrelated to their professional activities. For these reasons, we see such restrictions as unreasonable, and we don not support additional restrictions on political advocacy.

Should the Commission's Part 938 source of funding regulations be clarified and threatened to thwart recurring attempts by funders of lobbying activities to use intermediate pass-through vehicles to evade true source of funding disclosure.

Comment: Our concerns regard source of funding disclosures lie elsewhere. We reiterate comments submitted in response to the Commission's 2017 comprehensive regulatory program. The disclosure threshold of $2,500 from a single source that was used to fund lobbying activities requires entities such as trade associations to calculate all contributors of that amount in total, regardless of what share of those payments is in fact used to pay for lobby expenses. While we supported and applauded the statutory amendments adopted in 2016 that excludes the reporting of funds received for membership dues, the Commission's regulatory approach still requires an extensive amount of work to determine which members exceed the threshold. Generally, trade associations receive little or no payments specifically for lobbying. Instead, their lobbying activities are funded from a portion of dues payments and other revenue sources. Our past filings illustrate the incongruous outcome from this compliance mandate, as we often report nearly double in reportable sources of lobbying fund receipts than we report in actual lobbying expenses. More important, since this type of calculation is not automated in most accounting systems, it requires the review of thousands of separate transactions to identify payers of more than $2,500 in aggregate in order to compile this source of funding report.

As an alternative, we continue to support a workable, common-sense approach, under which the Commission would use existing reportable lobby expense data to define the "source of funds" required to be disclosure. Specifically, an entity's ratio of reportable lobby expenses to total expenses would be applied to total payments from a single source. As example, for an organization whose ratio of lobbying expenditures to total expenditures is 25 percent, the organization would disclose the source, amount and date of payments exceeding $10,000 in the aggregate. We urge this approach be considered as part of any regulatory reform effort.

Should there be mandatory training of lobbyists, clients and public corporation filing personnel and responsible parties in the requirement for preparing and submitting lobbying filings?

Comment: We are not convinced of the need for mandatory training, however we do agree that the Commission needs to provide accessible, high-quality training on not only the substance of mandatory reporting, but also on the intricacies of its on-line reporting systems.

Is the data the Commission collects sufficient to achieve the full disclosure of all efforts to influence government decision-making? Should modifications or expansion to enhance the effectiveness of that work be identified (e.g., summaries of meetings, including the location, duration and matters discussed and any materials or data provided). Bi-monthly reports could indicate how much time spent lobbying each specific bill, subject and target, with records made available to COELIG auditors upon request.

Comment: We strongly oppose the expanded recordkeeping and disclosure of specific lobbying activities suggested. These proposals would result in intrusive, excessive and likely unenforceable compliance mandates, e.g., what would COELIG do upon review of such reports, and how would they assess their veracity? These suggestions would certainly provide **more** information, but the information would be of limited practical value – e.g, it seems to argue that the volume of time spent in a specific meeting determines it potential impact on policy-making. Would this require the recording of each and every interaction between a lobbyist and public official, regardless of its formality and duration? Would it require the recording of discussions of topics not specifically regulated by COELIG? In short, this would be an impractical and limited-value expansion of mandatory reporting.

Are portions of the Commission's lobbying regulations too complicated (e.g., those related to source of funding, coalitions and grassroots lobbying.)

Comment: We provided comments and recommendations regarding the Commission's source of funding regulations above. Here, we reiterate our concerns about the significant overreach imposed under §943.14(b)(2) and (c)(6), which says, in cases where a regulated "client" is an organization, the term "client" term includes proprietors, partners, directors, or executive management of the organization. The proposed rule goes on to require that client organizations report on the business relationships of

proprietors, partners, directors, or executive management of the organization. We have two concerns. First, Legislative Law §1-c.(b) provides a specific definition of the term “client," which “shall mean every person or organization who retains, employs or designates any person or organization to carry on lobbying activities on behalf of such client.” The definition of “client” in §943.14 is not authorized or supported by the statutory definition. Second, it requires reporting by individuals who have no actual or practical role in the designation of an organization’s lobbyists. As such, this regulatory mandate adds additional complexity and uncertainty to compliance obligations. The rule should be amended to be consistent with statute.

Should lobbyists and clients be required to state positions for each bill they lobby on during a filing period?

Comment: While we do not have strong objections to intent of this proposal, we point out that it will add complexity and compliance uncertainty to already extensive and complex reporting obligations. As a practical issue, we question how nuanced such designations would be? Lobbyists often have conversations with lawmakers on legislative proposals without taking specific positions. Moreover, the position taken by lobbyists and clients on specific bills can change as those bills are amended, which can occur during a specific bimonthly lobbyist reporting period. Would the lobbyist have to list a position on each version of a bill? How would a lobbyist report in cases where there are ongoing negotiations that would make significant changes to a bill? Again, this requirement would seem to add to the complexity of reporting while providing more information of questionable value or relevance. Because of these practical concerns, we would recommend against this reporting mandate.

Should the legislature authorize COELIG to direct the imposition of discipline, including suspension or discharge, upon a substantial basis determination, regardless of whether financial penalties are being or may be imposed.

Comment: The Lobbying Act already provides significant enforcement tools, including felony provisions and disbarment authority for repeated willful violations of the Lobby Act’s filing and reporting requirements, as well as substantial civil penalty provisions for lesser violations. We do not see a need to temporarily or permanently bar lobbyists for lesser violations.

CITIZENS UNION OF THE CITY OF NEW YORK

Testimony Before the New York State Commission on Ethics and Lobbying in Government, Annual Public Hearing
September 25, 2025

Good afternoon, members of the Commission on Ethics and Lobbying in Government. My name is Ben Weinberg, and I am the Director of Public Policy at Citizens Union. We are a good government group working to reform New York City and state governments. Thank you for inviting us to speak at COELIG's annual public hearing.

Before beginning my remarks, I want to take a moment to note the passing of COELIG commissioner Michael Cardozo. Michael was a truly devoted public servant who always kept the public's interest at heart. Among his any roles prior to his appointment to COELIG, he was long-time Board member of Citizens Union, and was always generous with his time, advice, and counsel. I mourn his loss and recognize the deep mark he left on New York's civic and legal life.

Turning to today's hearing: I want to begin by acknowledging the sheer amount of work that went into producing the comprehensive review document before us. The framing questions and the thoughtful presentation of potential solutions reflect a seriousness of purpose. A periodic review process like this - open to the public and structured to assess weaknesses and explore remedies - should be replicated in many other areas of New York State government.

Because of the quality of this work, the caliber of this Commission, and the backing it enjoys from state leadership, you have a rare opportunity: the opportunity not only to study these issues but also to be truly heard. Besides the policy discussion, our main message to you here is to seize that rare opportunity by recommending even those proposals you think may not be immediately feasible under current political circumstances, if you believe they are worthy and important. Your endorsement of proposals, even those ambitious, helps set the stage for progress in the near and long-term future.

Today, I will only touch briefly on a few issues, and will follow up with a fuller written submission.

Lobbying and Campaign Contributions

The Commission was wise to identify the nexus between lobbying and campaign contributions in section 4 of your report as an issue worth exploring. If the goal is to strengthen public transparency around who is trying to influence government actions and how, then we cannot ignore the central role campaign contributions play in these efforts.

There are several ways to address this:

Donation Limits

The Commission asks whether to prohibit or restrict campaign donations from lobbyists and clients. A full prohibition on donations from lobbyists and clients may be difficult to sustain legally. But New York City's model, which imposes lower contribution limits for registered lobbyists, is an effective one.

Lower limits reduce both the perception and the reality that access can be purchased. In jurisdictions where they are implemented, lobbyists continue to work effectively but the electoral system turns cleaner.

Of course, to ensure important government decisions are not unduly influenced by campaign donations, similar donation limits should apply not only to registered lobbyists but also to those doing business with the state or seeking state contracts. This is the model in New York City, and proposals for that effect have been introduced in the state in past years. However, we acknowledge that this might not be within the area of focus of this Commission.

Limits are best applied broadly – to all registered lobbyists - rather than narrowly tied to whether a lobbyist has specifically targeted an official or plans to do so, as the Commission considers in the report. That is because lobbying priorities and targets shift all the time. In addition, if the boundaries for applying a regulation such as this are too narrow, they risk being easily circumvented. A clear blanket rule that applies to all lobbyists has an added benefit. It removes the expectation from all parties that campaign money should change hands, thus allowing the act lobbying to remain what it is supposed to be: informing, persuading, and petitioning—not trading.

Fundraising Limits

Often the greater concern is not direct donations but the fundraising that lobbyists undertake on behalf of candidates. This is especially true for large lobbying firms and can take the form of organizing fundraisers or directly collecting funds. We recommend clarifying that any limitation or disclosure requirements on lobbyists' donations apply to fundraising activities as well. The conflict of interest is too direct, and the leverage it creates is far greater than any individual contribution.

Disclosure of Donations or Campaign Services

The commission also asked whether further disclosures in this area are warranted. We believe so. We reiterate our recommendation that lobbyists be required to disclose their fundraising or campaign consulting activities in their lobbying reports. This should cover services for campaigns for state offices but also the services for state public servants who themselves are running for another office, even if not the legislature or statewide office.

New York City already requires such reporting, and even though compliance and enforcement there remain inconsistent, these disclosure rules allow the public, the media, and civic watchdog like ours to shine light on lobbying activities that began or developed around campaign services and fundraising. Lobbying firms often leverage the bonds made when serving campaigns to advance their clients and the business they seek before government.

Cooling-off Period for Campaign Consultants-Turned Lobbyists

Finally, the Commission should consider recommending a cooling-off period on lobbying an elected official whose campaign one worked on. Some lobbying firms offer both campaign and lobbying services. This means lobbyists can provide political consulting services or manage a campaign and then immediately lobby the candidate who just assumed office on behalf of clients, turning political relationships into financial gain. Millions are spent on such dual-purpose firms.

As an example, a bill before the New York City Council proposes prohibiting certain persons and organizations who provided paid political advice for candidates or solicited contributions for candidates from lobbying those candidates for one year after they were elected to city office. Other jurisdictions have addressed this issue too. San Francisco forbids campaign consultants and their companies to lobby elected officials who are current clients or were clients in the five years prior, with some exceptions. Some states, like Alaska and Maryland, approach this conflict through campaign restrictions, by prohibiting lobbyists from serving as campaign managers or treasurers.

Lastly, Citizens Union reiterates its support for:

- Explicitly codify sexual harassment as conduct that violates the code of ethics.
- Requiring electronic filing of financial disclosure statements and lobbying reports.
- Requiring that lobbying filings clarify whether lobbyists support, oppose, or take some other position on bills.

For more information, please contact Ben Weinberg, Director of Public Policy, at bweinberg@citizensunion.org

GUIDE. EMPOWER. LEAD.
ESSAE
EMPIRE STATE SOCIETY OF ASSOCIATION EXECUTIVES

300 Great Oaks Blvd, Suite 300
Albany, NY 12203
518.313.7167
executive@essae.org
www.essae.org
@EmpireStateSAE

The New York State Commission on Ethics and Lobbying in Government

Comments on Proposals to Improve and Better Uphold NYS Ethics and Lobbying Laws and Regulations

October 1, 2025

Comments Submitted by:

The Empire State Society of Association Executives

INTRODUCTION

The Empire State Society of Association Executives (ESSAE) is a nonprofit professional organization for persons engaged in the management of voluntary trade and professional organizations. ESSAE provides quality educational, leadership, and professional development opportunities to association executives and supplier members, to encourage high professional standards in the management of associations. ESSAE membership comprises four-hundred members statewide and is an approved provider of continuing education for those holding the CAE designation.

THE ROLE OF ADVOCACY

Economic and civic activity at every level of our society is championed by thousands of trade and professional associations across this State and the country. These activities, which form the basis of any functioning democratic society dedicated to an open exchange of ideas, often involve direct and indirect contact with governmental and regulatory representatives by professional staff and volunteer members. Constitutional rights guaranteeing freedom of speech and the petition of government, along with the implied freedom of association, form the foundation for all other rights in this country. Associations play a vital role in the continued vibrancy and participation in civic life and ensure a broad spectrum of voices are heard.

REGULATION OF LOBBYING ACTIVITIES

ESSAE agrees that New York State, through the Commission on Ethics and Lobbying in Government (COELIG), has a compelling interest in the regulation of lobbying activities to help protect the public's trust in government and to illuminate the processes that influence public policy making. Notwithstanding the compelling need to mitigate and prosecute unethical and illegal practices, COELIG and partners in government should always be wary of laws, rules, and regulations that may have the potential to create a chilling effect on public participation in civil discourse.

Unlike individuals whose sole professional focus and basis of compensation is the influence of government actions, association leadership is voluntary and their roles transient. While advocacy is a core function for most associations, it is one of many mission-driven services provided on behalf of members. Associations do not choose to engage in lobbying activities because it generates revenue.

Associations and their members engage in advocacy because it is a necessity and the primary conduit for citizens with collective interests to interface with their elected officials and exercise their rights to free speech.

When drafting and implementing new laws and regulations governing lobbying, it is critical for the State and COELIG to recognize the distinction between professional lobbyists and volunteers, and to shape standards accordingly. New York should strive to be a leader in encouraging participation at the voting booth and in civic life—not creating arbitrary obstacles.

COELIG and its partners in government should focus on working collaboratively with all stakeholders to improve education, training, and compliance with the myriad and complex framework of laws, rules and regulations governing lobbying.

COMMENTS ON COELIG PROPOSALS

Clarify Gift Threshold Regulations- ESSAE supports raising the gift threshold from $15 to $25 and clarification of the rule's application.

Ethics Training Late Fees- ESSAE is pleased to see that COELIG has taken steps to make it easier for associations to provide their boards and executive officers with ethics training. In that vein, ESSAE cautions against imposing late fees for ethics training. Instead, COELIG should increase its outreach to the regulated community on ethics training requirements, including outreach to those organizations that operate on the margins of what is deemed to constitute "lobbying activities." This may include a dedicated public outreach campaign to inform stakeholders, potential stakeholders, and the public at-large regarding the importance of self-identifying as a lobbyist and undergoing mandatory training and registration.

In our training sessions, presentations, and discussions with members, it is apparent that information on the laws and regulations governing advocacy are not reaching the vast array of the population who participate in New York's civil society. The increase in regulation and punitive measures should run parallel with increased public outreach.

Campaign Contribution Prohibitions- The proposal to introduce a ban on lobbyist contributions and/or prohibit lobbyists from contributing to the campaigns of the elected officials they lobby, may in fact exacerbate inequity and access to decision makers in the state. The expenditure threshold to trigger lobbying activity is relatively low, hence groups that may not be a lobbying powerhouse may still need to register as a lobbyist. Prohibiting hundreds of associations from participating in the political arena, while allowing wealthy individuals to fill campaign coffers, would tip the scales away from broad-based agendas supported by the many, toward self-serving agendas favored and funded by a party of one. ESSAE believes this proposal would place associations at a disadvantage relative to individual power players, who have the means to shield their involvement in influence campaigns.

Political Contribution Reporting- Requiring lobbyists to report political contributions would be redundant, as these filings are already made public on the State Board of Elections Website. If lobbyists have a PAC, it may be determined in the public's interest to be aware of this fact, and for the lobbyist to list the name of their PAC and the filing ID on their lobbyist registration. However, requiring registrants to list their individual contributions would be onerous, duplicative, and unnecessary.

Accessorial Liability- Levying accessorial liability upon those who may solicit, aid, or importune others to engage in misconduct is a slippery slope, especially when these circumstances have yet to be defined. For example, ESSAE provides at least one program per year on the State's lobbying laws, regulations, and how associations may best comply with these requirements. Would ESSAE, or any other association, be liable for an actor using the information in a presentation to choose to "do" or "not do" something? Simply giving advice based on the interpretation of the laws and regulations could easily be turned against a party who is merely asked to provide guidance as it is construed and used in practice by the majority of the regulated community.

Detailed Lobbying Activity- Lobbyists are already required to report the (1) Party lobbied; (2) public entity lobbied; (3) the lobbying subject and bill/EO/rule/rate making number; and (4) compensation for lobbying, which is derived from the amount of time multiplied by the compensation rate. In some meetings, such as general lobby days, multiple bills are discussed and it may be difficult to determine how much time is spent on each bill. To that end, how would COELIG be able to verify that the information provided is accurate? How long would lobbyists need to keep these records in the event of an audit? The existing reporting requirements already provide enough information to the public about who is lobbying and on which topics.

In many ways, the information provided to the public through COELIG is not used to uncover wrongdoing, it is actually used by parties to gather opposition research. COELIG should provide a clear justification and public benefit for any additional record keeping and reporting requirements.

Late Fees for Amended Filings- COLEIG should be interested in timely and accurate reporting. Penalizing registrants for amending filings to enhance accuracy is most likely not in the best interests of transparency and may in fact discourage the regulated community from correcting mistakes on their filings. Further, the proposal to use technology to automate audits of filings may cause a slew of notices for filings to be corrected, and the subsequent payment of fees.

Associations use a variety of accounting practices, and there are circumstances when a bi-monthly report is due on the 15th of a given month and the costs associated with advocacy activities have not been received for the preceding month. If COELIG is to move forward with this proposal, the guidelines need to be clear and consider the reality of associations to turn this information around, when most associations operate with small staff and accounting consultants who work part-time.

Simplifying Complex Lobbying Regulations- ESSAE welcomes proposals to make it easier for the regulated community to understand and comply with various types of reporting requirements.

CONCLUSION

We would like to thank COELIG for the opportunity to comment on these proposals. As always, we would be happy to engage in follow-up conversations on these issues and identify areas of collaboration and reform.

ethics.sm.PublicHearing

From: William Dawe <wdaweiv@gmail.com>
Sent: Monday, September 29, 2025 8:46 AM
To: ethics.sm.PublicHearing
Subject: Comprehensive Review Process

Categories: Written Comment

You don't often get email from wdaweiv@gmail.com. Learn why this is important

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

1) I do not believe that NY state's ethics and lobbying guidelines are effective. The focus should be on keeping politicians and high ranking government employees out of the private sector, where their influence, former actions, and political connections will give them an unfair edge at best or reveal blatant corruption at worst. However as is, it is low level employees in the state government that end up screwed by your policies. A two year ban is huge for a middle to lower income individual looking to build their career and can serve to trap workers in jobs they do not want. You also discourage talent from enter civil service if they feel they will be trapped after signing on. But, for the wealthy and powerful, who you claim to be stopping with these laws, two years is hardly an inconvience as they can afford to wait and reap the benefits of high paying jobs based off their government service after their time has passed.

2) The first step to fixing this problem is separating low/mid level civil servants from elected officials and high ranking civil servants. Regular people should not be barred from working with their former agency for any period of time, especilly if they plan to work with a non-profit. However high ranking civil servants and elected officials should be barred for longer from transferring into jobs affiliated with their former agencies and/or the government more generally. As over years and through political favors these are the people that are actually feeding the corrupt machine in Albany.

Best.

NYPIRG NEW YORK PUBLIC INTEREST RESEARCH GROUP

TESTIMONY
OF THE
NEW YORK PUBLIC INTEREST RESEARCH GROUP
BEFORE THE
NEW YORK STATE COMMISSION ON ETHICS AND LOBBYING IN GOVERNMENT
REGARDING
NEW YORK STATE'S SYSTEM OF ETHICS OVERSIGHT AND ENFORCEMENT
September 25, 2025
New York, N.Y.

Good afternoon. My name is Blair Horner and I am the Senior Policy Advisor of the New York Public Interest Research Group (NYPIRG). NYPIRG is a non-partisan, not-for-profit, research and advocacy organization. Consumer protection, environmental preservation, health care, higher education, mass transit, voting rights and governmental reforms are our principal areas of concern. We appreciate the opportunity to testify to the need for reforming and strengthening oversight of New York State's ethics laws.

In terms of the specific draft recommendations advanced by the Commission, NYPIRG's reactions are as follows:

Ethics filings: NYPIRG agrees that filings be submitted electronically and that ethics filings by electoral challengers be posted on the Commission's website. Moreover, we agree that such filings should be made simultaneously to COELIG and the Legislative Ethics Commission. We also agree with the removal of the $1,000 threshold for reporting gifts, and to require disclosure of significant transactions affecting relevant assets and holdings,

Requiring lobbyists to require that their filings clarify whether they advocate in support or opposition or take some other position on bills. NYPIRG supports this measure, although we urge that positions other than "support" or "oppose" be specifically defined.

Additional details on lobbying activities. NYPIRG does *not* agree with the proposal to require lobbyists to provide additional details on the lobbying activities in which they engage, including the details of time spent lobbying each bill, subject, and target by amending the Lobbying Act to require lobbyists to keep records of and report specific detail on their lobbying activity. The more detailed the reporting on individual meetings, the more likely smaller entities will avoid participating in state policymaking. New York's lobbying reporting system is already extremely detailed in terms of reporting. We have more thoughts on this issue later.

Requiring limits on lobbyists' involvement in campaign fundraising. Special interests attempt to influence legislation and policy primarily through lobbying *and* campaign donations. Disclosing lobbying activity alone does not give the public a full picture of who is trying to influence decisions and how they are trying to do it. And New York's lax rules make it easy for those two types of spending to occur simultaneously by allowing campaign fundraisers to occur in Albany during the nights of the legislative session. Half the country puts restrictions on that type of activity.[1] New York could beef up the laws by limiting the size of campaign donations that lobbyists make; it could curtail fundraising during the

[1] Multistate, "A Campaign Finance Guide for Lobbyists: What to Know About Making Political Contributions (Part 2)," September 8, 2025, https://www.multistate.us/insider/2025/9/8/a-campaign-finance-guide-for-lobbyists-what-to-know-about-making-political-contributions-part-2.

legislative session days; and it could require more information about who is making and delivering campaign donations.

Additional recommendations

Expand the definition of lobbying: As we recommended last year, New York's lobbying law currently does not require public disclosure of efforts to influence the nomination or confirmation process for positions requiring Senate approval. This loophole allows lobbying to go unreported and thus allows efforts to influence the appointment of important state positions occur out of the public's view.

NYPIRG urges the Commission to support S.374/A.7456, which addresses the lack of transparency around this type of lobbying, which was highlighted after a recent nomination of a new Chief Justice of the New York State Court of Appeals. The Albany *Times Union* revealed that tens of thousands of dollars were spent to influence this most recent appointment.[2] However, due to the lack of disclosure of such lobbying, the public would have been completely unaware of this effort but-for the *Times Union*.

The possibility of lobbying to influence nominations for public office does not apply solely to the Court. The current loophole, for example, hypothetically would allow utility companies to lobby for nominees to the Public Service Commission and be able to do so outside of public view.

In that case, advocating to influence utility rates *is* lobbying, but advocating to determine who makes the decision on those rates is *not*.

Lobbying on efforts to influence nominations should be publicly reported. State agency heads set the regulatory agenda for government agencies and the Court interprets state law. Influencing which individuals are appointed is a clear example of lobbying to impact the policies of New York State. As such, those activities should *at least* be publicly disclosed. W**e strongly urge you to adopt this measure as an obvious and necessary measure.**

It is crucial for the public accountability of New York's government that efforts to advance or oppose a nomination be regularly and publicly disclosed.

Raise the reporting threshold: The minimum reporting requirement has always existed in New York State law and has been periodically increased due to inflation. In 1977, the reporting requirement kicked in at $1,000. Since that time the reporting minimum has been increased, but other changes to the law have been enacted as well. For example, in the early years the law covered efforts to "influence legislators, the Governor, and State agencies on certain rules and regulations and the outcome of any rate making proceeding by a state agency."[3]

Current law has been expanded to include "the adoption, issuance, rescission, modification or terms of a gubernatorial executive order;" and "the outcome of any rate making proceeding by a state agency; any determination: (A) by a public official, or by a person or entity working in cooperation with a public official related to a governmental procurement, or (B) by an officer or employee of the unified court system, or by a person or entity working in cooperation with an officer or employee of the unified court system related to a governmental procurement; (vi) the approval, disapproval, implementation or administration of tribal-state compacts, memoranda of understanding, or any other tribal-state agreements and any other state actions related to Class III gaming as provided in 25 U.S.C. § 2701, except to the extent designation of such

[2] *Lobbying on LaSalle Nomination Shows Apparent Gap in Reporting Requirements, Times Union, 1/30/23* https://www.timesunion.com/state/article/lasalle-nomination-shows-apparent-gap-lobbying-law-17747192.php

[3] New York Temporary State Commission on the Regulation of Lobbying, "Annual Report 1979," p. 1.

activities as "lobbying" is barred by the federal Indian Gaming Regulatory Act, by a public official or by a person or entity working in cooperation with a public official in relation to such approval, disapproval, implementation or administration; (vii) the passage or defeat of any local law, ordinance, resolution, or regulation by any municipality or subdivision thereof; (viii) the adoption, issuance, rescission, modification or terms of an executive order issued by the chief executive officer of a municipality; (ix) the adoption or rejection of any rule, regulation, or resolution having the force and effect of a local law, ordinance, resolution, or regulation; or (x) the outcome of any rate making proceeding by any municipality or subdivision thereof."[4]

In the early years, the reporting of lobbying was confined to quarterly reports, with, as mentioned earlier, less detailed information being required to be disclosed.[5] Under current law, lobbyists must report every two months and report on far more advocacy and in greater detail than in years past.[6]

Also in the early years, while enforcement existed, it was triggered by failures to report or media coverage. Current law now subjects lobbyists to a random auditing process, significant penalties, and a public reporting system that is accessible and searchable on the Internet. Those penalties include a bar on lobbying.[7]

This more sophisticated enforcement structure, coupled with a more expansive definition of lobbying and reporting requirements, has an impact of smaller entities seeking to impact policymaking. As a result, nonprofits today spend more time and resources producing lobby reports. Commenting on the current system, the organization "Nonprofit New York" said: "This effectively takes the voices of organizations often closest to communities out of the legislative process in New York."[8] *Thus, New York's system can have a chilling effect on these entities' constitutional right to petition the government.*

NYPIRG urges you to endorse legislation (S.2224-A/A.8933) that *narrowly focuses* on the impact of Lobbying Act compliance on the not-for-profit community. This legislation would set a reporting "floor" of $10,000, instead of the current $5,000. This targeted approach would focus on New York's charities,[9] which are already heavily regulated by the Internal Revenue Service and the state Attorney General's office, ensuring that adequate oversight is continued. We expect that raising this "floor" would allow smaller charities to participate in advocacy without having to be concerned about devoting additional resources to lobbying compliance. Given the complexity of New York's current law and the impact it is having on smaller nonprofits, NYPIRG recommends your support of this legislation.

Recommend stricter limits on outside income of members of the Executive. Former Governor Cuomo's ongoing efforts to protect his $5 million payment for a book written about and during the Covid pandemic underscores the need for strong legislation. No future governor, nor any member of the Executive, should be allowed to obtain outside income without the expressed approval of the Commission and that any such decision must be made public.

Recommend that State and New York City ethics regulators work to harmonize their requirements. As noted, disclosure requirements by the state and city lobbying laws are similar, but different. Penalties for errors can be significant. This sophisticated enforcement structure, coupled with a more expansive definition of lobbying and reporting requirements, has an impact on smaller entities seeking to influence

[4] New York State Legislative Law, section 1-c.
[5] New York Temporary State Commission on the Regulation of Lobbying, "Annual Report 1979," p. 1.
[6] New York State Legislative Law, section 1-h.
[7] New York State Legislative Law, section 1-o.
[8] Nonprofit New York, "A Place at the Table Policy Brief: New York State's Lobbying Act," May 9, 2022.
[9] IRS 501 (c)(3).

policymaking. As a result, nonprofits today spend more time and resources producing lobby reports. Thus, New York's system can have a *chilling effect* on these entities' constitutional right to petition the government. This cuts against the laudable policies that encourage and invite constituents into the public decision making process.

NYPIRG urges that the Commission initiate direct discussions with your City counterparts to review the state and city laws, develop materials to help the advocacy community meet compliance standards, and propose measures to "harmonize" those laws.

Both city and state regulators review each other's filings to identify organizations that report lobbying on city issues and yet do not report to the state or vice versa. Of course, that situation can exist given the differences in lobbying definitions. However, not only would the development of a standard approach to lobbying help those currently involved in such advocacy, but it may bring "off the sidelines" entities that are too cautious and thus whose voices are currently not heard. That would be good for democracy and not diminish overall transparency.

We continue to recommend that the Commission work with the Executive and the Legislature to fashion an amendment to the state Constitution to establish a code of ethics enforced by an independent commission. As we recommended last year, one such model is New York State's Commission on Judicial Conduct. The Commission is established in the state Constitution, which helps limit political pressures on decision making. Under this model, most of the appointments to this new Ethics Commission would be made by the courts, thus granting it sufficient independence. It is essential that the law protects the budget of the new ethics watchdog, perhaps as a percentage of the net total expense budget of the state or as a fixed amount with an inflation adjustment.

Lobbying has the potential to contribute to democracy and the public policy formation process by providing decision makers directly with valuable insights and data. However, without transparency and integrity, it can be used to steer public policies away from the public interest – particularly if a small group of powerful interests use their wealth, power and dominant positions to unfair advantage.

Citizens' trust in government provides the foundation for good governance and effective policymaking. This is especially true in the current post-crisis context in which structural reforms involve difficult choices, and where the confidence of citizens and markets is critical for fostering economic and social development. However, public opinion surveys suggest that trust in government is waning. This is at least partly due to the perception that policy decisions are driven by private interests at the expense of the public good.

We urge your support for the measures under consideration. We urge that you also take steps to get state and city lobbying requirements to match.

Thank you for the opportunity to testify.

Testimony to New York State Commission on Ethics and Lobbying in Government (COELIG)

Re: Stronger Ethics Commission and Laws, Stronger Public Trust

September 25, 2025

Good morning, members and staff of the Commission on Ethics and Lobbying in Government (COELIG). My name is Rachael Fauss, the Senior Policy Advisor for Reinvent Albany. We advocate for a more transparent and accountable New York government.

First, thank you for holding this hearing and conducting this comprehensive review as required by the 2022 Ethics Commission Reform Act (ECRA). We appreciate you regularly asking New Yorkers what would make them more confident that their state government is working for the broader public good and is not warped by special interests, cronyism, and corruption.

Starting with the positive, Reinvent Albany especially supports your proposal to improve technology systems and update the lobbying and financial disclosure platforms. These improvements are a win-win for both those having to file statements and the COELIG staff overseeing compliance with lobbying and ethics laws. We look forward to providing specific recommendations in these areas as staff further develop the technology upgrades.

We are glad you put the most important question to the public first: "Is New York State's ethics and lobbying regulation system effective?" Unfortunately, our answer is a resounding "No." This is not COELIG's fault. The problem here is the Governor and Legislature have not been willing to pass laws that illuminate the obvious potential conflicts of interest that occur when people attempting to influence state government contribute to the political campaigns of elected officials. Until this changes, the public is right to question whether Albany is putting their needs first or the desires of special interests.

Below are our comments on dozens of the proposals in the review. However, we want to highlight what we believe are the top five proposals for strengthening New York's ethics rules and laws in your comprehensive review.

Reinvent Albany's Top 5 Proposals for COELIG to Implement and Support

1. **Reporting by lobbyists of their campaign contributions.** This is currently required in New York City.
2. **Reporting of position on lobbying**, i.e., whether action was taken in support or opposition to legislation or a governmental action.
3. **Overhauling COELIG's technology systems** to modernize filing systems for both lobbying statements and financial disclosures.
4. **Overhauling the financial disclosure questions and form**; this simply should not be in state law, but subject to rulemaking by COELIG.
5. **Streamlining and tightening investigation and enforcement processes and timelines**; this is crucial to building public confidence and ensuring that enforcement matters are handled swiftly. Whatever COELIG can do administratively here, it should.

Comments on Specific Proposals in Comprehensive Review

Our comments below address the various categories of proposals in your comprehensive review – **note that we have also catalogued our positions on all 43 proposals in the review.** Below presents more thorough commentary and prioritization of proposals we would most like to see advanced.

Lobbying Proposals

We are generally supportive of all the lobbying proposals in your comprehensive review. We note that several items we have already supported from your legislative agenda, including electronic filing of lobbying reports, and establishing late fees for failure to complete training on time. Regarding the other proposals:

1. **STRONGLY SUPPORT: Explore technological options and legislation to enhance the Commission's automation of review of lobbying filings.** We encourage the Commission to do everything it can in this area outside of legislation, however, given that improvements should not wait for a legislative change that could take years.
2. **STRONGLY SUPPORT: Reporting of position on lobbying.** We were pleased to see our recommendation to require reporting of position on lobbying among the potential proposals. Please see our draft legislation that was provided to you in our 2024 testimony.
3. **STRONGLY SUPPORT: Requiring lobbyists to report their campaign contributions among its potential proposals.** This system works well in

NYC, and should be adopted at the state level. Because New York State no longer allows lobbyists' contributions to be matchable under the new public matching system, we believe lobbyists' contributions should be subject to greater transparency.

4. **STRONGLY SUPPORT: Prohibit or restrict campaign donations from lobbyists and clients, or prohibit lobbyists and clients from lobbying officials to whose campaigns they have contributed.** We strongly support limiting campaign donations from lobbyists as part of doing business restrictions, like those used in NYC. At the state level, lobbyists' contributions are currently not eligible to be matched under the public matching program. It is only logical to also limit the donations. We caution, however, that *prohibitions* on contributions are subject to greater constitutional scrutiny than *limits*, so any proposal must be carefully drafted.
5. **STRONGLY SUPPORT: Requiring lobbyists to provide additional details on the lobbying activity in which they engage**, including the time spent lobbying each bill, subject, and target. Reinvent Albany already collects this data as part of our own internal lobbying reporting, and we believe this data would vastly improve the usefulness of lobbying filings and data. We note, however, that the regulated community will likely have concerns about this and it should be carefully delineated.

Regarding items not on your list, we continue to support S7883 (Gianaris) / A8618 (McDonald), to **require reporting of lobbying on nominations subject to Senate confirmation**. The bill was amended in 2024 to no longer be retroactive following a veto from Governor Hochul in 2023. We urge COELIG to include this bill in its legislative agenda.

Financial Disclosure Proposals

We appreciate COELIG's past support for posting the financial disclosure statements of candidates for office and electronic filing of all disclosure statements. Regarding your other proposals, below are our positions:

1. **STRONGLY SUPPORT: COELIG developing and implementing a modernized financial disclosure system.** Similar to improvements to the lobbying database, this will greatly aid both filers and COELIG in conducting reviews of the data. We also support corresponding proposals for increasing the number of audits using automated tools that flag for risks.
2. **STRONGLY SUPPORT: Revising the current FDS forms, and giving COELIG authority to update forms via regulation.** The forms for financial disclosure statements do not belong in statute. The Legislature has passed amendments to the FDS forms in recent years that should have been subject to

simple rulemaking – clarifying that cryptocurrency holdings must be reported (signed by Governor), and deleting archaic questions (passed only by the Senate). The forms are confusing, and we have found numerous errors made by filers because there are two separate classifications of income ranges, depending on the question, among other unnecessarily confusing features.

3. **SUPPORT: Lawmakers should be required to file FDS forms directly with COELIG** and to respond directly to COELIG's requests for additional information.
4. **SUPPORT: COELIG should promulgate regulations to provide greater clarity and uniformity in the designation of policymakers.** As part of this rulemaking, COELIG should consider requiring state agencies to file lists of policymakers, which should also be made available to the public, as done by the NYC Conflicts of Interest Board.
5. **SUPPORT: Additional enforcement recommendations, including legislation to provide the Commission with subpoena power to compel recalcitrant FDS filers** and third parties to comply with requests for additional information or verify the accuracy or completeness of filings.

Ethics Advice and Guidance Proposals

See our positions below regarding COELIG's proposals for ethics advice and guidance:

1. **SUPPORT: Clarifying outside activity approval regulations**, and agree there should be uniform handling across all agencies. We also strongly support the Commission approving activities for agency heads.
2. **SUPPORT: Reviewing travel approvals for agency heads** to reduce the appearance of conflict of interest and ensure that it is not to curry favor.
    a. **However, we strongly believe that a ban on outside travel payments from third parties is far preferable**, particularly given recent scandals in New York City regarding the Adams administration. See our recent comments to the NYC Conflicts of Interest Board on this topic; COIB is in the process of amending their own regulations in this area.
3. **OPPOSE IN PART: We support clarifying gift regulations to clearly state that the limit applies to all gifts, not just food and beverage.**
    a. **However, we are concerned about changes being made to the thresholds for the state.** COELIG questioned whether increasing the threshold to $25 makes sense. We note that there is currently a different threshold for gifts in New York City of $50. We support aligning the levels at the state and city levels, however, we think that NYC's limit of $50 is currently too high. We have also not seen a rationale articulated as to why New York State's limit should be increased above $15.

4. **OPPOSE: We are concerned about extending advice and guidance confidentiality beyond agency heads to employees** seeking guidance from their agency ethics officers. We supported COELIG issuing an advisory opinion to ensure that confidentiality of guidance is waived in certain instances – including when the requestor makes misleading, inaccurate, or incomplete statements regarding the request or guidance provided – but we do not know if it is feasible to extend this waiver to agency-provided advice, or whether agencies would have the right incentives to correct misleading statements by their own employees.

Investigations and Enforcement/Audits

We were glad to see COELIG's legislative agenda would add sexual harassment to the NYS Code of Ethics; this proposal is also included in the comprehensive review. However, we ask COELIG to support S7137-A (Gounardes) / A9279 (Kelles) because it includes both sexual harassment and discrimination as ethics violations and is already supported by legislators and advocates. We also continue to support the proposal to add accessorial liability. See below our positions on other new proposals:

1. **SUPPORT: Simplify and streamline the investigative and enforcement process for certain matters.** Enact legislation to simplify and streamline investigative procedures to afford due process in an efficient and timely manner for certain minor violations. We support efforts to speed up the enforcement process, as public confidence can be eroded when it appears that enforcement matters are not handled promptly.
2. **SUPPORT: Re-assess the enforcement process for tighter timeframes and enhanced opportunities for consensual resolution.** We urge COELIG to do everything it can to speed up enforcement timeframes through regulations and administrative action while it assesses legislative fixes.
3. **SUPPORT IN CONCEPT: Enact legislation to create uniform rules of discovery and evidentiary procedures** while continuing to vest a necessary quantum of discretion in hearing officers in their management of discovery and evidentiary matters to prevent abuse, delay, and unfairness but confine that discretion within practical, consistent, and predictable limits.
    a. **However, COELIG should also pursue regulatory and administrative improvements.** Given that COELIG's hearing officers have only begun their work due to delays from the *Cuomo v. COELIG* lawsuit, we urge the Commission to pursue other means of improving to the hearing process including:
        i. **Requiring training for hearing officers regarding sexual harassment cases** to ensure trauma-informed handling of cases with appropriate sensitivity.

ii. **Creating uniform standards of proof** for demonstrating whether there is a substantial basis to support hearing officers' decisions.

4. **SUPPORT IN CONCEPT: Clarify the Commission's authority to impose non-financial penalties**. Enact legislation to authorize COELIG to direct the imposition of discipline, including suspension or discharge, upon a substantial basis determination, whether or not financial penalties are being or may be imposed. We support this conceptually, however we note that this authority was discussed at length by the Court of Appeals as part of the *Cuomo v. COELIG* lawsuit, so may raise constitutional separation of powers concerns.
5. **NEEDS REVIEW: Authorize the Commission to seek emergent relief.** The proposal would require legislation to authorize COELIG to render or seek swift emergent relief when necessary to interdict current or ongoing violations of statutes over which it has jurisdiction. We urge COELIG to share with the public the types of instances where this would be appropriate – while we understand its use in other legal contexts, its application in the ethics realm would be novel.

Communications and Data Accessibility

We appreciate that COELIG's recommendations in this category overlap with its efforts to improve lobbying and financial disclosure filing systems – which we support. Our comments below address COELIG's proposals related to communications with the public about pending investigations and records disclosures under the Freedom of Information Law.

1. **SUPPORT: Allow the Commission greater latitude to comment on pending investigative matters.** We support this proposal, provided that due process considerations are taken into account. One source of frustration from the public has been the lack of information after a complaint has been filed. If a matter is already out in the public realm, the public should be able to know if a complaint has been dismissed, or is still under investigation.
2. **SUPPORT: Allow the Commission greater latitude to comment on advice and guidance requests.** We supported COELIG's advisory opinion to establish a waiver process for advice if it is misrepresented by the requester, and also support legislation to give the Commission greater latitude to comment on advice and guidance requests when they are already in the public realm.
3. **OPPOSE AS WRITTEN: Delineate statutorily those records the Commission must disclose and those that must remain confidential.** An important feature of ECRA was ensuring that COELIG is subject to the Freedom of Information Law. We oppose changing the ECRA in a way that would be inconsistent with how enforcement matters are handled for other agencies under FOIL. We suggest instead that all remaining exemptions to FOIL be

removed from ECRA. For example in Executive Law Section 94(10(m):: *"If the commission determines a complaint or referral lacks specific and credible evidence of a violation of the laws under its jurisdiction, or a matter is closed due to the allegations being unsubstantiated prior to a vote by the commission,* ***~~such records and all related material shall be exempt from public disclosure under article six of the public officers law, except~~*** *the commission's vote shall be publicly disclosed in accordance with articles six and seven of the public officers law."*

Thank you for your consideration.

Proposal Category	Proposal Number	Summary of Proposal (See full document here)	Statute, Budget, Regulation, or Administrative Change?	Reinvent Albany Position	Additional Comment
Ethics and Guidance	1	Clarify Outside Activity Approval Regulations for Agency Leadership and Subordinate Employees and develop a mechanism for uniform handling across all agencies	Regulations	Support	
Ethics and Guidance	2	Clarify Gift Threshold Regulations	Regulations	Oppose in Part	We support clarifications to ensure gifts beyond food and beverages are included, but not changing the threshold. There is currently a different threshold for gifts in New York City of $50. We support aligning the levels at the state and city levels, however, we think that NYC's limit of $50 is currently too high. We have also not seen a rationale articulated as to why New York State's limit should be increased above $15.
Ethics and Guidance	3	Review Travel Approval for Agency Heads	Regulations	Support	A ban on outside travel payments from third parties is far preferable, particularly given recent scandals in New York City regarding the Adams administration. See our recent comments to the NYC Conflicts of Interest Board on this topic; COIB is in the process of amending their own regulations in this area.
Ethics and Guidance	4	Extend Advice and Guidance Confidentiality	Statute	Oppose	We support COELIG's advisory opinion to ensure that confidentiality of guidance is waived in certain instances but do not know if it is feasible to extend this waiver to agency-provided advice, or whether agencies would have the right incentives to correct misleading statements by their own employees.
Ethics and Guidance	5	Create an Ethics Officer Mentorship Program	Administrative	Support	

Proposal Category	Proposal Number	Summary of Proposal (See full document here)	Statute, Budget, Regulation, or Administrative Change?	Reinvent Albany Position	Additional Comment
Training and Education	1	Implement Training Non-Compliance Monetary Late Fees for Lobbyists and Clients	Statute	Support	
Financial Disclosure	1	Require Electronic Filing of All Financial Disclosure Statements	Statute	Strongly Support	
Financial Disclosure	2	Require Lawmakers to File Their FDSs Directly with COELIG and to Respond Directly to COELIG RAILs	Statute	Support	
Financial Disclosure	3	Consider Imposing FDS Late Filing Fees	Statute	Support	
Financial Disclosure	4	Promulgate Regulations Articulating Criteria and Process for Policymaker Designations	Regulations	Support	As part of this rulemaking, COELIG should consider requiring state agencies to file lists of policymakers, which should also be made available to the public, as done by the NYC Conflicts of Interest Board.
Financial Disclosure	5	Develop and Implement a Modernized Financial Disclosure System	Administrative	Strongly Support	
Financial Disclosure	6	Revise the Current FDS Forms to, Improve Accessibility, and Require the Disclosure of Currently Omitted Information Relevant to Conflict of Interest Avoidance and Detection	Statute	Strongly Support	
Financial Disclosure	7	Authorize the Commission to Post the Financial Disclosure Statements of Candidates for State Office	Statute	Support	See Reinvent Albany's memo of support for S4857-C

Proposal Category	Proposal Number	Summary of Proposal (See full document here)	Statute, Budget, Regulation, or Administrative Change?	Reinvent Albany Position	Additional Comment
Lobbying Activity	1	Prohibit or Restrict Campaign Donations from Lobbyists and Clients, or Prohibit Lobbyists and Clients from Lobbying Officials to Whose Campaigns They Have Contributed	Statute	Strongly Support	Lobbyists' contributions are currently not eligible to be matched under the state public matching program. It is only logical to also limit the donations. We caution, however, that prohibitions on contributions are subject to greater constitutional scrutiny than limits, so any proposal must be carefully drafted.
Lobbying Activity	2	Require Lobbyists and Clients to Report Their Campaign Contributions to COELIG	Statute	Strongly Support	
Lobbying Activity	3	Make Accessorial (Accomplice) Liability Explicit for Lobbying Act Violations	Statute	Support	
Lobbying Activity	4	Make Explicit that Violations of the Lobbying Regulations Constitute Violations of the Lobbying Act and Subject Violators to Penalties	Statute	Support	See Reinvent Albany's memo of support for S5590
Lobbying Activity	5	Require Training for Filings Preparers	Statute	Support	
Lobbying Activity	6	Explore Technological Options and Legislation to Enhance the Review and Audit of Lobbying Filings for Compliance	Statute/Regulations/Administrative	Strongly Support	
Lobbying Activity	7	Clarify and Strengthen Source of Funding Regulations	Regulations	Support	

Proposal Category	Proposal Number	Summary of Proposal (See full document here)	Statute, Budget, Regulation, or Administrative Change?	Reinvent Albany Position	Additional Comment
Lobbying Activity	8	Require Lobbyists to Provide Additional Details on the Lobbying Activity in which They Engage, Including the Details of Time Spent Lobbying Each Bill, Subject, and Target	Statute	Strongly Support	
Lobbying Activity	9	Enact Conforming Changes to the Lobbying Act with Respect to Mandatory Ethics Training and Other ECRA Requirements	Statute	Support	
Lobbying Activity	10	Require Electronic Submission of All Lobbying Filings	Statute	Support	See Reinvent Albany's memo of support for S5843
Lobbying Activity	11	Consider Imposing Late Fees for Amendments to Client Semi-Annual and BiMonthly Reports	Statute	Support	
Lobbying Activity	12	Require Lobbyists and Clients to State Positions on Legislation in Statements and Reports	Statute	Strongly Support	Reinvent Albany included draft legislation in our 2024 testimony to COELIG that would implement this proposal.
Lobbying Activity	13	Explore Simplifying Certain Complex Lobbying Regulations	Regulations	Support	
Communications and Data Accessibilit	1	Allow the Commission Greater Latitude to Comment on Pending Investigative Matters	Statute	Support	
Communications and Data Accessibilit	2	Allow the Commission Greater Latitude to Comment on Advice and Guidance Requests	Statute	Support	
Communications and Data Accessibilit	3	Explore Technological Options to Improve the Systems for Reporting and Searching Lobbying Filings	Administrative	Strongly Support	

Proposal Category	Proposal Number	Summary of Proposal (See full document here)	Statute, Budget, Regulation, or Administrative Change?	Reinvent Albany Position	Additional Comment
Communications and Data Accessibilit	4	Procure Additional Tools to Enhance the Commission's Ability to Provide Data and Analyses More Efficiently	Administrative	Strongly Support	
Communications and Data Accessibilit	5	Implement the Survey Response Plans	Administrative	Support	
Communications and Data Accessibilit	6	Delineate Statutorily Those Records the Commission Must Disclose and Those That Must Remain Confidential:	Statute	Oppose as Written	Rather than delineating which records are subject to release and not outside of FOIL, we suggest that all remaining exemptions to FOIL be removed from ECRA.
Compliance Audit and Review	1	Provide Increased Resources to COELIG for Audit and Review Activities	Budget	Strongly Support	See letter supporting budget request
Compliance Audit and Review	2	Authorize Audits and Reviews Based on Risk	Statute/Regulations	Strongly Support	
Compliance Audit and Review	3	Allow COELIG to Contact Legislators and Staff Regarding RAILs	Statute	Support	
Compliance Audit and Review	4	Empower Commission Staff to Compel FDS Filers to Provide Information	Statute	Support	
Investigations and Enforcement	1	Authorize the Commission to Seek Emergent Relief	Statute	Needs further review	We urge COELIG to share with the public the types of instances where this would be appropriate – while we understand its use in other legal contexts, its application in the ethics realm would be novel.
Investigations and Enforcement	2	Simplify and Streamline the Investigative and Enforcement Process for Certain Matters	Statute	Support	

Proposal Category	Proposal Number	Summary of Proposal (See full document here)	Statute, Budget, Regulation, or Administrative Change?	Reinvent Albany Position	Additional Comment
Investigations and Enforcement	3	Re-assess the Enforcement Process for Tighter Timeframes and Enhanced Opportunities for Consensual Resolution	Statute/Regulations	Support	
Investigations and Enforcement	4	Add Accessorial (Accomplice) Liability (Executive Law, Public Officers Law, Civil Service Law and Lobbying Act)	Statute	Support	
Investigations and Enforcement	5	Enact Legislation to Create Uniform Hearing Discovery and Evidentiary Rules:	Statute	Support in Concept	COELIG should also pursue regulatory and adminstrative improvements, including: (1) Requiring training for hearing officers regarding sexual harassment cases; and (2) Creating uniform standards of proof for demonstrating whether there is a substantial basis to support hearing officers' decisions.
Investigations and Enforcement	6	Add Penalties for Certain Violations of the Public Officers Law which Have None; Codify sexual harassment as conduct that violates the code of ethics	Statute	Support	See Reinvent Albany's memo of support for S6201
Investigations and Enforcement	7	Clarify the Commission's Authority to Impose Non-financial Penalties	Statute	Support in Concept	We support this conceptually, however we note that this authority was discussed at length by the Court of Appeals as part of the *Cuomo v. COELIG* lawsuit, so may raise constitutional separation of powers concerns.

Testimony Before the NYS Commission on Ethics and Lobbying in Government

September 25, 2025

New York City

Good morning, Commissioners. Thank you for the opportunity to speak today.

My name is Jim McCabe and I am here on behalf of Break the Bonds New York State, a campaign of community, faith, and labor groups with thousands of supporters across the state — from Buffalo to Brooklyn. We are united by one concern: that public trust is being undermined by Comptroller Thomas DiNapoli's investment of pension funds in Israel Bonds.

The Comptroller's unusually close relationship with the Development Corporation of Israel, the exclusive underwriter of Israel Bonds in the U.S., raises questions about openness, accountability, and compliance with New York's ethics laws.

This Commission exists to strengthen public trust in government by ensuring compliance with ethics and lobbying laws. That mission goes to the heart of my testimony. I will focus on three provisions of the Public Officers Law §74 (Code of Ethics):

- §74(3)(c): No officer or employee of a state agency, member of the legislature or legislative employee should disclose confidential information acquired by him in the course of his official duties nor use such information to further his personal interests.
- §74(3)(f): An officer or employee of a state agency, member of the legislature or legislative employee should not by his conduct give reasonable basis for the impression that any person can improperly influence him or unduly enjoy his favor in the performance of his official duties, or that he is affected by the kinship, rank, position or influence of any party or person.
- §74(3)(h): An officer or employee of a state agency, member of the legislature or legislative employee should endeavor to pursue a course of conduct which will not raise suspicion among the public that he is likely to be engaged in acts that are in violation of his trust.

I will begin by addressing the Improper Disclosure of Confidential Information

Since August 2024, the Break the Bonds New York State Campaign has filed four FOIL requests. The requests sought basic information about the New York State Common Retirement Fund's investments in Israel Bonds. The retirement fund is managed by Comptroller DiNapoli, who serves as the sole decision-maker on all investment decisions. All four requests were denied, with three justifications:

1. The Fund is not subject to FOIL.[1]

[1] On August 13, 2025, the NYS Committee on Open Government issued an advisory opinion rejecting the first argument outright. It stated: "While the Fund may not be an 'agency' under FOIL, the Office of the Comptroller is…. [I]f records of the Fund are maintained by the Comptroller, access to the records is governed by FOIL."

2. The records are “inter-agency” or “intra-agency” communications.
3. The records qualify as trade secrets.

Despite this, Comptroller DiNapoli disclosed the same information publicly — but not to the pensioners he serves, who requested this information through FOIL. On April 2, 2024, DiNapoli appeared at an economic briefing event organized by Israel Bonds alongside Yali Rothenberg, the Israeli Ministry of Finance’s accountant general. Two days later, Israel Bonds posted a video of the event on Instagram, where Comptroller DiNapoli told the attendees: “We’ve done well over 100 million since October 7, and we welcome that opportunity. Just keep letting us know what more we can do to support Israel Bonds!”

This is a contradiction: denying information to New York pensioners while promoting it at an Israel Bonds event to the bond underwriters. If the information is truly confidential, it should not be broadcast for political gain. If it is not confidential, it should be shared with the public, especially pensioners. Selective disclosure violates both §74(3)(c) and public trust.

Next, I will address Improper Influence and Undue Favor

In February 2024, Comptroller DiNapoli made his sixth trip to Israel as Comptroller. The trip was organized and funded by the Jewish Community Relations Council of New York (JCRC). The JCRC, which coordinates over 60 Jewish organizations in NYC, receives institutional donations directly from Israel Bonds.

During the trip, DiNapoli toured Gaza border areas, described himself as “a New Yorker with a long association with the Jewish people and the State of Israel,” and defended expanded bond purchases as “good business sense.”

By participating in a trip organized and paid for by an organization that receives institutional donations and is closely and publicly aligned with Israel Bonds, while simultaneously promoting his office’s ongoing investments in Israel Bonds, Comptroller DiNapoli engaged in a foreign policy function far outside his statutory mandate as a fiduciary to millions of pensioners and public employees. Not only did he seek to align the state’s financial resources with the interests of a foreign government, but more gravely, he has given the public reasonable basis to believe that his judgment is subject to improper influence. This represents a serious violation of his ethical obligation under §74(3)(f) to avoid any impression that his official duties can be swayed by outside groups. At minimum, it undermines public trust in the independence of the Comptroller’s office and the integrity of the state’s investment decisions.

Lastly, I will address the Suspicion of Violating Public Trust

Since October 7, 2023, Israel’s credit rating has been downgraded by the Big Three credit rating agencies: twice by Moody’s and S&P, and once by Fitch. According to Moody’s, Israel’s credit rating now sits at Baa1, the lowest in its history, putting Israel Bonds just three notches above junk. All three agencies have assigned a negative outlook, indicating that more downgrades are possible.

Meanwhile, Israel faces mounting legal and political risks. Multiple independent UN bodies, international human rights groups, and the International Association of Genocide Scholars have all concluded that Israel is committing acts of genocide in Gaza. The International Court of Justice is currently hearing a genocide case against the State of Israel, and the International Criminal Court has indicted Israel's prime minister and the former defense minister for war crimes. In September 2025, Prime Minister Netanyahu himself warned that Israel may have to deal with an "autarkic" economy in the near future due to isolation and sanctions.

In the face of these unprecedented risks, the Comptroller has not shown the heightened due diligence that any fiduciary would be expected to exercise. Instead, since October 2023, Comptroller DiNapoli has added at least $100 million in new Israel Bonds, bringing the Fund's total to $352.7 million as of March 31, 2024. Based on the latest publicly available data, 75% of all foreign sovereign bonds in the Fund are concentrated in Israel Bonds, making the NYS Common Retirement Fund one of the largest holders in the U.S.

Even more troubling, 90% of these holdings ($317.5 million) are a specific type of bond issued by the Development Corporation of Israel through private placements, which happens behind closed doors, away from the transparency and economic disciplines of open markets. These bonds have no transparent pricing, which prevents the public from calculating yield. Additionally, they have no secondary market, so they can't be sold for cash if Israel's credit rating further declines, which is exactly what happened over the past two years.

This means that the Comptroller has voluntarily tied the Fund's hands to opaque, high-risk debt instruments during a time when economic conditions in Israel are the worst in decades.

The Comptroller's decision violates §74(3)(h) by raising obvious suspicion: that decisions are being driven by political considerations, not fiduciary prudence. That suspicion itself violates the ethical duty to maintain public trust.

Let me now Conclude

Comptroller DiNapoli's conduct — selectively disclosing information, creating the impression of outside influence, and committing pension funds to opaque, high-risk securities — raises serious concerns under multiple provisions of Public Officers Law §74 (Code of Ethics).

As pensioners and citizens, we are deeply troubled that the state's chief fiduciary may be violating both the letter and spirit of the Code of Ethics. We urge this Commission to give our testimony full consideration and to exercise its mandate to uphold transparency, accountability, and ethical conduct in government.

At a time when democracy is threatened not only by autocratic tendencies but also by political favoritism and the erosion of ethical standards, we call upon this Commission to act in a way that addresses the concerns of New Yorkers and restores confidence in the integrity of our state institutions.

DeSantis, Emily (ETHICS)

From: Tatsiana Sokhar <tatsiana.sokhar@gmail.com>
Sent: Friday, September 19, 2025 10:10 PM
To: Halfi, Ilan (HCR); Moro, Sev (HCR); ethics.sm.PublicHearing; dob.sm.icreporting; Visnauskas, RuthAnne (HCR); investigations@osc.ny.gov
Subject: Performance Cycle Policy and Requirements for Counceling

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Written Comment

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Hello Ilan,

The Employee Handbook does not specify the requirements for Performance reviews (how it is done, what the requirements are) as somewhat discussed during the associated voluntary training which many supervisors prefer not to attend and then claim they were not trained. It also does not outline the requirements for counseling and discipline, to ensure it is done in a consistent and fair manner and not as a retaliatory and discriminatory mechanism. I brought it up multiple times but did not receive a response.

Since there are no associated controls that exist pertaining to pefrormance and associated aspects, which is required by COSO Internal Controls Principle, please advise where employees, including myself, can get clear and transparent understanding of the entire process? Especially it is concerning that the Internal Controls Officer in a phone conversation with you stated that she never had to do annual performance reviews before for her employees. The unit exists since 2016.

So apparently there is a huge disconnect in the agency on the subject matter, leading to discrimination, retaliation and harassment, as expressed by many employees, and the response that HR is working on it is not sufficient enough. While HR is working on it, the careers and livelihoods continue to be destroyed.

Dear DOB and OSC, please kindly review the system of internal controls at HCR since the inception of the unit. The facts are misrepresented, undermined, hidden; and those employees who see what is happening choose to leave (thus, a constant revolving door) or risk being retaliated against and harassed if they speak up.

Thank you,
-Tatsiana Sokhar

DeSantis, Emily (ETHICS)

From: Denis, Marie A (OMH)
Sent: Thursday, September 18, 2025 9:08 AM
To: ethics.sm.PublicHearing
Subject: issues

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Written Comment

Good Morning
I would like to know why a member was demoted or terminated without due process. Why Goer does not really interview a claimant/or a person who complaint about a facility that violates the code of ethics. I have never once been interviewed by anyone. I was told my complaint was received.

Marie Denis RN BSN, NS1
Mid-Hudson Forensic Psychiatric Center
Office of Mental Health
2834 Route 17M
New Hampton, NY 10958-0158
P (845)-374-8700 x-8793
Marie.Denis2@omh.ny.gov

Pronouns: she, her, hers

Are you in crisis, experiencing emotional distress, or worried about someone you know? Call or text 988 or chat at
988lifeline.org
24 hours a day, 7 days a week.

IMPORTANT NOTICE:
This e-mail is meant only for the use of the intended recipient. It may contain confidential information which is legally privileged or otherwise protected by law. If you received this e-mail in error or from someone who was not authorized to send it to you, you are strictly prohibited from reviewing, using, disseminating, distributing or copying the e-mail. PLEASE NOTIFY US IMMEDIATELY OF THE ERROR BY RETURN E-MAIL AND DELETE THIS MESSAGE FROM YOUR SYSTEM. Thank you for your cooperation.

DeSantis, Emily (ETHICS)

From: Seidman, Roberta <Roberta.Seidman@stonybrookmedicine.edu>
Sent: Wednesday, September 17, 2025 2:12 PM
To: ethics.sm.PublicHearing
Subject: suggestions for 2 ethics issues

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Written Comment

You don't often get email from roberta.seidman@stonybrookmedicine.edu. Learn why this is important

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

1. Annual ethics training is a waste of time. It allows NY State to say that you have done your part, but the people who are going to cheat are going to do so regardless of whether they take your training every year. It would be all right to take the training once, so as to become familiar with the rules, or once every 5 years, but every year is too often.

- **Suggestion**: After initial training at the time of beginning work for the state, decrease the frequency of the required training to once every 5 years.

    - Also, the people who do the training are not very good presenters - the words that they are speaking are often not the words that appear on the screens. It is not possible to listen to one thing and to simultaneously read something that is different.
    - This ethics training is in addition to the numerous required training activities that I must perform as faculty member and physician at Stony Brook University, much of which is irrelevant to my professional work and adds up to many hours of essentially wasted time every year throughout the year. It would be in the state's best interest not to make workers spend time on irrelevant tasks.
        - For example, every year, I have to train in recognizing sepsis, treating sepsis, the orders that are required for sepsis and documentation that is required in the patient medical record for how sepsis was diagnosed for the patient and I have to train in the rules and regulations related to ordering restraints for patients and other multiple other clinical issues, but, as a pathologist, I NEVER SEE PATIENTS AND I NEVER DEAL WITH ANY OF THESE ISSUES. I have not seen a patient since late 1989 or early 1990. Yet, they make me spend multiple hours every year training in something that has nothing to do with my professional activities. This does not make me a better doctor. It has no benefit for any patient, ever. It is just to satisfy the rule-makers.

2. Regarding annual financial disclosure that we must file every year: I have no idea what my investments are because a financial manager oversees the investments. Therefore, since I do not know what my investments are, it is not possible for me to have a conflict of interest. Every year, I have to contact the financial manager and ask him to send me a list of updates so that I can enter them into the financial disclosure document. This use of my time is of no benefit to anyone.

- **Suggestion**: Allow people who have no knowledge of what their investments are to sign an attestation to this effect in the annual financial disclosure, instead of having to spend time obtaining and entering information for you.

Thank you.

Roberta Seidman, M.D., M.S.

Associate Professor of Pathology
Director of Neuropathology
Diplomate, American Board of Pathology- Neuropathology
Diplomate, American Board of Psychiatry and Neurology- Neurology
M.S. in Neuroscience
Stony Brook Medicine
Renaissance School of Medicine at Stony Brook University
Stony Brook University
101 Nicolls Road
Stony Brook, New York 11794-7025
voice: 631 444 2227
fax: 631 444 3419

This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by e-mail and destroy all copies of the original.

DeSantis, Emily (ETHICS)

From: Janet Sorell <jwsorell@gmail.com>
Sent: Monday, September 15, 2025 8:18 AM
To: ethics.sm.PublicHearing
Subject: COMMENT re 9/25 PUBLIC MEETING

Categories: Written Comment

You don't often get email from jwsorell@gmail.com. Learn why this is important

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Please record my comment for the upcoming meeting:

NYS legislators should not be permitted to accept donations from corporations or PAC and should have a limit of $1000 per individual. Money in politics is destroying our democracy. Let's end it, at least at the state level.

Thank you,
Janet Sorell
94 Fernbank Ave
Delmar, NY 12054

DeSantis, Emily (ETHICS)

From: Matthew Arnold <marnold1225@gmail.com>
Sent: Monday, August 25, 2025 4:12 PM
To: ethics.sm.PublicHearing
Subject: Government Can't Regulate Itself Into Virtue — Scrap the Ethics Circus

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Written Comment

You don't often get email from marnold1225@gmail.com. Learn why this is important

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

To Whom It May Concern,

As a lifelong New Yorker and someone who deeply values liberty, I'm writing to express my frustration with this so-called "New York State Commission on Ethics and Lobbying in Government." Your upcoming public hearing and endless regulatory reviews are nothing more than political theater designed to justify more bureaucracy, more spending, and more intrusion into the lives of everyday people like me.

Government cannot regulate itself into virtue. No number of commissions, hearings, or advisory opinions will ever erase the truth: the state is the primary source of corruption, and creating new layers of oversight only entrenches that corruption further. The notion that career politicians and bureaucrats can restore trust in government through endless regulations is absurd. Real ethics come from personal responsibility, voluntary association, and a government strictly restrained by the Constitution—not from another taxpayer-funded agency micromanaging over 330,000 individuals.

This commission doesn't promote transparency or liberty; it centralizes power. It surveils and controls, all while draining resources from the very citizens it claims to serve. The existence of a state-run "ethics" board is proof of systemic failure. Instead of growing the administrative state, Albany should be shrinking its reach, cutting spending, and respecting the rights of New Yorkers to live free from bureaucratic meddling.

If this state truly wishes to rebuild trust, the answer isn't another hearing. It's freedom. Roll back the commissions, the oversight boards, and the suffocating regulations. Give liberty back to individuals and communities—where real ethics and accountability live.

Sincerely,
Matt Arnold
30 Walnut St, Apt 3
Cohoes, NY 12047
(607) 759-5692

DeSantis, Emily (ETHICS)

From: Claire King <Claire.King@guttman.cuny.edu>
Sent: Friday, August 22, 2025 1:47 PM
To: ethics.sm.PublicHearing
Subject: feedback on annual mandatory ethics trainings

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Written Comment

You don't often get email from claire.king@guttman.cuny.edu. Learn why this is important

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Dear Members of the Committee,

I am speaking only for myself, and not for my employer, but I am wondering if the Commission is gathering data on the cost effectiveness of time and resource expense of employee participation in the synchronous virtual annual mandatory ethics trainings in terms of monitoring instances of reported ethical violations since these yearly trainings for all employees have been required.

As a part-time hourly employee in a role that is primarily internet-based research and writing, the ethical dimensions of my work are largely in the domains of intellectual honesty, accuracy and truthfulness in academic documentation.

It is very disheartening to see the ill-gotten monetary gains, inappropriate relations, cronyism and patronage that seems all too common among our elected officials, their advisors, and those running for office. The stakes are so much higher and the ramifications of their ethical lapses and abuse of public trust have so many more ramifications than the scope of many of us participating in the trainings will ever have.

It feels disrespectful of our professionalism, time, and energies to require us to take trainings in this mode year after year when a simple signed statement attesting to our having re-read the pertinent codes and laws would suffice.

I doubt that it is cost effective for the City of New York to pay for hourly part-time workers to be trained this way annually. What data do you have to justify the expense?

Thank you.
Dr. Claire King

Get Outlook for iOS

DeSantis, Emily (ETHICS)

From: Piscitelli, John P. (DOT)
Sent: Friday, August 22, 2025 12:55 PM
To: ethics.sm.PublicHearing
Subject: Ethics commission suggestion

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Written Comment

End an investigation long before it is completed when frivolous accusations are made, to much time is wasted when things can be handled “in house.”

Thanks,

JOHN PISCITELLI
Highway Maintenance
Supervisor 2- Cayuga/Seneca

NYS DOT
(315)534-3608
john.piscitelli@dot.ny.gov

CENTER for JUDICIAL ACCOUNTABILITY, INC.

Post Office Box 8101 *Tel: 914-421-1200* *E-Mail: mail@judgewatch.org*
White Plains, New York 10602 *Website: www.judgewatch.org*

A Tale of Six Complaints – & Now Seven

Written Testimony for the September 25, 2025 Third Annual Hearing of the Commission on Ethics & Lobbying in Government (COELIG)

I am Elena Sassower, director of the non-partisan, non-profit citizens' organization, Center for Judicial Accountability, Inc. (CJA). Our website is www.judgewatch.org, and from its left side panel "Testimony", you can find a link for this testimony entitled "A Tale of Six Complaints – & Now Seven"[1] and to the open-and-shut, *prima facie* EVIDENCE substantiating it.

At your last year's November 13, 2024 second annual hearing, my written testimony, which I read, was entitled "A Tale of Four Complaints – & Now Five". It summarized my written testimony at your March 29, 2023 first annual hearing, which I had also read, as well as the four complaints CJA had filed with COELIG.

CJA's first July 8, 2022 complaint was filed on COELIG's "DAY 1" of operations and consisted of eight complaints. The first seven were a resubmission of CJA's complaints to JCOPE, since 2013:

> "All involved the 'false instrument' reports by which New York's 4 statewide-elected executive officers and all its 213 state legislators have procured unlawful and unconstitutional pay raises for themselves – and for judges and district attorneys – embedded in a state budget that they have driven 'OFF THE CONSTITUTIONAL RAILS' to steal more taxpayer monies and subvert constitutional, lawful state governance through massive insertions of non-fiscal/non-revenue-producing policy." (quoting November 13, 2024 written testimony, capitalization in the original).

This non-fiscal/non-revenue-producing policy included the so-called "ethics commission reform act of 2022", which, on July 8, 2022, would replace JCOPE with COELIG. In response, CJA sued JCOPE and its enablers in New York's executive and legislative branches in June 2022 – and the eighth complaint was against Attorney General Letitia James, who, having no legitimate defense to the lawsuit, *CJA v. JCOPE, et al.*, corrupted the judicial process by litigation fraud to prevent the granting of the TRO and preliminary injunction to which CJA was entitled, *as a matter of law*. AG James' further litigation fraud, by a fraudulent motion to dismiss the lawsuit, was the subject of an October 6, 2022 supplement to the complaint – and, by an unsigned November 17, 2022 letter, your Investigations Division purported you had voted to close both – furnishing no basis for your doing so, and without identifying any of your multitude of conflicts of interest.

In testifying at your March 29, 2023 first annual hearing, I summarized the fraud of that November 17, 2022 letter – and of your conduct during your first 6-1/2 months of operation – and that such warranted:

> "a complaint against you, to you, for your 'substantial neglect of duty' and 'misconduct in office'[fn2] arising from your willful violations of Public Officers Law §74, proscribing conflicts of interest that is your duty to enforce as to others,[fn3] and of Executive Law §94.10(b), explicitly mandating that you each disclose personal, professional, and financial conflicts of interest with respect to complaints – and recuse yourselves or be recused by vote of your fellow commissioners.[fn4]" (underlining and links in the original).

Your response to that testimony, whose sole recommendation was for a reconsideration procedure for complaints, was further fraud at your subsequent public meetings and by your Annual Report for 2022. This was chronicled by CJA's second complaint, filed October 2, 2023, which was against you, your executive director, your general counsel, and high-ranking staff, and additionally sought reconsideration of CJA's July 8, 2022 complaint and supplement, consistent with your publicly-stated assertion that reconsideration exists "unofficially".

"[fn2] Executive Law §94.4(c) identifies 'substantial neglect of duty' and 'misconduct in office' as grounds upon which 'Members of the commission may be removed by majority vote of the commission.'"

"[fn3] This Commission, with three members appointed by the governor, is a 'state agency', pursuant to Public Officers Law §74, and the commissioners are, presumably, its 'officers' – and reinforcing this is Executive Law §94.3(l) in specifying that 'The independent review committee shall neither be public officers nor be subject to the requirements of the public officers law.' No parallel provision appears in Executive Law §94.4 as to commissioners. Certainly, the Commission's paid staff is within the purview of Public Officers Law §74."

"[fn4] Executive Law §94.10(b) reads:

'Upon the receipt of a complaint, referral, or the commencement of an investigation, members of the commission shall disclose to the commission any personal, professional, financial, or other direct or indirect relationships a member of the commission may have with a complainant or respondent. If any commissioner determines a conflict of interest may exist, the commissioner shall, in writing, notify the other members of the commission setting forth the possible conflict of interest. The commissioner may recuse themself from all subsequent involvement in the consideration and determination of the matter. If, after the disclosure, the commissioner does not recuse themself from the matter, the commission, by a majority vote finding that the disclosed information creates a substantial conflict of interest, shall remove the conflicted commissioner from all subsequent involvement in the consideration and determination of the matter, provided the reason for the decision is clearly stated in the determination of the commission.'

CJA's third complaint, filed January 29, 2024, was against the seven members of the (3rd) Commission on Legislative, Judicial and Executive Compensation for their "false instrument" December 4, 2023 report that, effective April 1, 2024, would give judges – and district attorneys – further salary increases – and which would also result in further increases in your *per diems* which are linked to Supreme Court salaries.

CJA's fourth complaint, filed October 29, 2024, was against the 4 statewide-elected executive officers and all 213 state legislators for colluding in the (3rd) Commission on Legislative, Judicial and Executive Compensation's "false instrument" December 4, 2023 report to benefit themselves.

I summarized these further complaints in testifying at your November 13, 2024 second annual hearing, simultaneously filing my written testimony as a fifth complaint – CJA's now second complaint against you, your executive director, your general counsel, and high-ranking staff. Its basis was the fraud of your Annual Report for 2023 as to which your handling of CJA's four complaints was further proof.

And how had you handled those complaints, apart from the unsigned November 17, 2022 letter of your Investigations Division to the first complaint? In response to my many e-mails, inquiring as to the numbers you had assigned to the second, third, and fourth complaints and their status, your public information officer sent me a November 7, 2024 e-mail. It stated that the status of CJA's October 2, 2023 complaint was "closed" and that its complaint number was 22-099 – which meant that no number had been assigned to it, as that was the number you had assigned for the July 8, 2022 complaint. It additionally stated that the status of CJA's January 29, 2024 complaint, was "open" and that its number was 24-141 – a number indicating that it was NOT assigned until late October or early November 2024 – and possibly only in response to CJA's October 29, 2024 complaint, for which it furnished no number.

The November 7, 2024 e-mail also attached, in response to my repeated FOIL requests, a pdf entitled "Internal Controls and Procedures" for complaints – which, as stated by my last year's testimony, you had flagrantly violated with respect to CJA's complaints.

As with my March 29, 2023 testimony, which made a single recommendation, so did my November 13, 2024 testimony make a single recommendation, stating:

> "As CJA's October 2, 2023 complaint is DISPOSITIVE of the situation then, now, and of what must happen, going forward – including with respect to the lawsuits *CJA v. JCOPE, et al.* and *Cuomo v. COELIG* (APL-2024-00076), now both at the Court of Appeals – my recommendation, in closing, is that you do your duty by confronting, with findings of facts and conclusions of law, its 'specific and credible evidence' of your conflict-of-interest-driven 'substantial neglect of duty' and 'misconduct in office' – and its continuation to the present, as herein summarized." (hyperlinking and capitalization in the original).

This recommendation you plainly ignored – and with it my fifth complaint, based thereon, for which I had submitted a November 13, 2024 complaint form and November 15, 2024 substantiating supplement, as I received no acknowledgment, no complaint number, indeed, no communication of any sort about the complaint.

On February 27, 2025, CJA filed a sixth complaint, again against the seven members of the (3rd) Commission on Legislative, Judicial & Executive Compensation, this time pertaining to their "false instrument" November 14, 2024 report giving salary increases to Executive Law §169 officers. Again, I received no acknowledgment, no complaint number, nor any other communication about it.

On June 2, 2025, you released your Annual Report for 2024, reprising, now for a third time, frauds from your two prior annual reports, including with respect to *Cuomo v. COELIG* and *CJA v. JCOPE, et al.*. These are the first two lawsuits in your "summary of the litigation matters in which the Commission was involved in 2024"(at pp. 124-128). As previously, you conceal that the trial and Appellate Division, Third Department decisions in *CJA v. JCOPE, et al*, which you recite, are judicial frauds, rewarding the litigation fraud of AG James, who had no legitimate defense – so-demonstrated by CJA's "legal autopsy"/analyses[1] – and conceal that this pattern continued at the Court of Appeals[2] – and that *CJA v. JCOPE, et al*. and *Cuomo v. COELIG* were at the Appellate Division, Third Department and the Court of Appeals, simultaneously, and that CJA made motions to have the appeals heard together, or to file *amicus curiae* submissions to prevent fraud,[3]

---

[1] With respect to *CJA v. JCOPE, et al.*, *see*, *inter alia*, on the Appellate Division, Third Department electronic docket CV-23-0115:

- CJA's "legal autopsy"/analysis of Supreme Court Justice Gandin's appealed-from November 23, 2022 decision, order and judgment, annexed to its December 16, 2022 notice of appeal (NYSCEF #1);
- CJA's "legal autopsy"/analysis of Justice Gandin's February 15, 2023 decision and order, annexed to its February 23, 2023 notice of appeal (NYSCEF #3);
- CJA's "legal autopsy"/analysis of the Appellate Division's June 20, 2024 memorandum and order, annexed to its July 4, 2024 motion for reargument/leave to appeal to the Court of Appeals/vacatur for fraud and lack of jurisdiction (NYSCEF #54).

[2] At the Court of Appeals, which does not have a publicly accessible electronic docket for *CJA v. JCOPE, et al.*, *see* CJA's webpage of the record, *inter alia*:

- CJA's October 21, 2024 preliminary appeal statement in support of appeal of right;
- CJA's "legal autopsy"/analysis of the Court of Appeals' March 18, 2025 Order, annexed to its April 17, 2025 motion for reargument/transfer-certification.

[3] At the Appellate Division, Third Department, *see*, on the *CJA v. JCOPE, et al.* docket CV-23-0115, CJA's January 12, 2024 motion for the appeals to be heard together (NYSCEF #26, #27, #28, #29, #30, #31, #32, #33); and, on the *Cuomo v. COELIG* docket CV-23-1778, the Appellate Division's February 1, 2024 order, behind which is CJA's January 12, 2024 motion for the appeals to be heard together or for leave to file an *amicus* submission to prevent fraud (NYSCEF #31).

At the Court of Appeals, *see* CJA's webpage for *Cuomo v. COELIG* with its December 16, 2024 motion for leave to file an *amicus curiae* brief to prevent fraud & for enforcement of Court Rule 500.1 and its accompanying *amicus*

demonstrating that the sixth and seventh causes of action in *CJA v. JCOPE, et al.*, establishing the unconstitutionality of the "ethics commission reform act of 2022", enacted, through the budget, mooted the *Cuomo v. COELIG* challenge to its constitutionality, *as written* – and that both the Appellate Division and the Court of Appeals decisions in *Cuomo v. COELIG* are judicial frauds, rewarding the litigation fraud of AG James, of Cuomo and of the so-called "good government" *amici* – also demonstrated by CJA's "legal autopsy"/analyses.[4]

As with your prior two annual reports, so, too, your 2004 Annual Report reprise frauds by its "Investigations and Enforcement" section (at pp. 88-113). For example, in your "2024 Enforcement Activity" chart (at pp. 96-113), "Reference ID" 24-141 (at p. 111) – which your November 7, 2024 e-mail had stated to be the number for CJA's January 29, 2024 complaint – purports that the complained-against "Agency" is the "Executive Chamber", rather than, as it is, the seven members of the (3rd) Commission on Legislative, Judicial and Executive Compensation, and lists its "Status" as "Pending". As for the subsequent 28 numbers in the chart for 2024 (at pp. 111-113), none reflect an entry that describes either the October 29, 2024 complaint or the November 13, 2024 complaint. What numbers did you assign to them and how were they handled consistent with your "Internal Controls and Procedures"?

The foregoing, causing vast, irreparably injury to the People of New York and to constitutional, lawful state governance, has enabled public officers, whose conflict-of-interest-driven corruption was the subject of CJA's repeated complaints to you, to run for higher public offices. Topping the list, in 2025, are Queens NYS Assemblyman Zohran Mamdani, running to be New York City mayor, and Manhattan NYS Senator Brad Hoylman-Sigal, running to be Manhattan borough president – with their candidacies boosted by endorsements from so many other public officers, whose conflict-of-interest-driven corruption is part of those same complaints, such as Governor Hochul, Temporary Senate President Stewart-Cousins, and Assembly Speaker Heastie, in addition to, of course, AG James.

These complaints all furnished you with "specific and credible evidence" of violations of Public Officers Law §74 proscribing conflicts of interest – which, pursuant to Executive Law §§94.10(d) and (f), is the predicate for investigation signified by 15-day written notice to persons within your jurisdiction. CJA, therefore, files this testimony as now a seventh complaint, specifically against Mamdani and Hoylman-Sigal, further substantiating same by the e-mails I sent to them this past March, particularizing their conflict-of-interest-driven corruption, in office, *to wit*:

- my March 14th e-mail to Mamdani entitled "ELECTIONS ARE A TIME OF ACCOUNTABILITY…" (Exhibit A-1), supplemented by my March 17th e-mail to him (Exhibit A-2);

---

curiae brief to prevent fraud on the court.

[4] As to the fraudulence of the Appellate Division, Third Department's May 9, 2024 decision in *Cuomo v. COELIG*, *see* CJA's December 16, 2024 *amicus curiae* brief to prevent fraud on the court – the "court" being the Court of Appeals. As to the fraudulence of the Court of Appeals' February 18, 2025 majority and minority opinions on *COELIG v. Cuomo*, see pp. 18-21 of CJA's "legal autopsy"/analysis of its March 18, 2025 order in *CJA v. JCOPE, et al.*, annexed to its April 17, 2025 motion for reargument/transfer-certification.

- my March 16th e-mail to Hoylman-Sigal entitled "ELECTIONS ARE A TIME OF ACCOUNTABILITY…" (Exhibit B).

I sent these e-mails to Mamdani and Hoyman-Sigal two further times, as *cc*'s to my March 18th e-mail to the Albany Legislative Correspondents Association roster of reporters (Exhibit C) and to my March 20th e-mail to New York City "local journalism (Exhibit D) – and they responded to none of them, reflective of their knowledge that they could not do so without conceding their truth.

Under the exigent circumstances presented by the upcoming elections, for which early voting starts in less than a month, IMMEDIATE 15-day notices to Mamdani and Hoylman-Sigal must issue for their responses to the "specific and credible evidence" of my March e-mails – with notification to the district attorneys having criminal jurisdiction over them, Queens D.A. Melinda Katz, Manhattan D.A. Alvin Bragg, and Albany D.A. Lee Kindlon, to IMMEDIATELY summon me to appear before grand juries to give testimony under oath in support of felony indictments against them, forthwith – because, in fact, the evidence against them is not just "specific and credible", but open-and-shut and *prima facie*, guaranteeing that each will be convicted of the multitude of penal law violations, of which they had notice, repeatedly, for years. This is my sole and EMERGENCY recommendation.

Finally, this seventh complaint is also against you, your executive director, your general counsel, and other high-ranking staff – and so-reflected by my written complaint form accompanying this testimony. This is now the third such complaint – the predecessors being CJA's October 2, 2023 complaint and CJA's November 13, 2024 complaint, to which no complaint numbers were assigned.

Like all complaints, this complaint must be processed consistent with your "Internal Controls and Procedures", both as to Mamdani and Hoylman-Sigal and as to COELIG.

I affirm this testimony and the complaint it embodies as true, under penalties of perjury, pursuant to CPLR §2106.

Thank you.

Exhibit A-1: March 14, 2025 e-mail to NYS Assemblyman Zohran Mamdani

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Friday, March 14, 2025 3:42 PM
To: 'mamdaniz@nyassembly.gov'

Subject: **ELECTIONS ARE A TIME OF ACCOUNTABILITY: Your 2020 Electoral Race for the NYS Assembly, Your performance, in Office, as an Assemblyman, & Your 2025 Electoral Race for NYC Mayor**

Attachments: 6-9-20-complaint-queens-da-katz.pdf

TO: Assemblyman & Would-Be New York City Mayor Zohran Mamdani

Elections are a time of accountability. Based on your on-the-job performance as a state assemblyman, why do you believe yourself fit to be mayor of New York City – or for any office of public trust?

Five years ago, when you were running for election to the Assembly, I sent you four e-mails to help you win, easily and without money – and to test your integrity for public office. The first three e-mails were to help you win your Democratic primary against the incumbent.

I sent you my first e-mail entitled "I can help you win –" on April 28, 2020. As I received no response, I re-sent it on May 22, 2020 as part of my second e-mail entitled "You can win, easily & without money, NY's 36th Assembly seat. All it takes is 'whistle-blowing'". Again, I received no response. I then resent both by a June 14, 2020 third e-mail entitled "You can win! – corruption/grand jury complaint vs Assemblywoman Simotas, filed with Queens D.A., for 'wilful misconduct in office', involving larceny & fraud, including as to her OWN legislative salary & the Legislature's OWN budget". Again, I received no response.

The original chain of these three unresponded-to e-mails is below and its attachment is above: my June 9, 2020 grand jury/public corruption complaint to Queens District Attorney Melinda Katz, which I thereafter sent you, a second time, by a September 28, 2020 fourth e-mail entitled "GOOD NEWS: You have an open-&-shut public corruption issue that will WIN you election – and demonstrate your fitness for public service". To this I also received no response.

Of course, by then, by a scant 423 votes, you had won your June 2020 Democratic primary over the incumbent – the total votes cast being a measly 16,427. This assured you your Assembly seat, representing, according to the Legislature's FY2020-21 budget (at p. 2), "approximately 129,000 constituents", as no candidate was on the November 2020 general election ballot running against you. This was also how you won re-election in 2022 and 2024, where, likewise, there was only one candidate on the general election ballots for the 36th Assembly seat – you. And compounding this affront to democracy is that in 2022 and 2024, you faced no primaries for your Democratic and Working Families Party lines. In other words, your 2022 and 2024 re-elections were without ever having had to defend your record as an assemblyman.

Today, you are in a hotly contested Democratic primary race to be New York City's next mayor – and my four e-mails to you from five years ago are again relevant to the issue of your fitness for public office. Please confirm that you received them – and explain why you did not respond.

In reports issued in 2004, 2006, and 2008, New York University's Brennan Center for Justice described New York's Legislature as the most dysfunctional in the nation. This dysfunction, reflected in sham committees that do not meaningfully discharge their lawmaking and oversight responsibilities, would have been obvious to you upon taking office in January 2021 and before voting on the state budget in March and April 2021, especially in light of the June 9, 2020 grand jury/public corruption complaint I had sent you twice.

Six weeks into your tenure as an assemblyman and every year thereafter I have furnished testimony for the Legislature's budget hearings:

- Here's my (written) oral testimony at the February 10, 2021 budget hearing on "public protection";
- Here's my (written) oral testimony at the January 25, 2022 budget hearing on "public protection";
- Here's my written testimony for the February 7, 2023 budget hearing on "public protection";
- Here's my written testimony for the January 25, 2024 budget hearing on "public protection";
- Here's my written testimony for the February 6, 2024 budget hearing on "local gov't officials/general gov't";
- Here's my written testimony for the February 4, 2025 budget hearing on "local gov't officials/general gov't";
- Here's my written testimony for the February 13, 2025 budget hearing on "public protection";
- Here's my written testimony for the February 25, 2025 budget hearing on "higher education".

The ONLY difference in the testimony, from year to year, is that, with each year, there is that much more evidence substantiating the previous year's testimony and the June 9, 2020 grand jury/public corruption complaint that, to date, remains pending before Queens D.A. Katz. Are you unaware of this testimony – and the two citizen-taxpayer action lawsuits I commenced "on behalf of the People of the State of New York & the Public Interest, in June 2022 and March 2024, suing all three government branches, including you as a member of the Assembly, and seeking declarations of unconstitutionality, unlawfulness and cessation/claw-backs of larcenous disbursements. Has it not been discussed by your legislative colleagues, including at the closed-door party conferences that substitute for discussion and debate at open committee meetings?

New York City voters, whose votes and financial support you are soliciting for your mayoral run, are entitled to your responses to these e-mails, testimony, and lawsuits because they establish corrupt, posturing, and larcenous conduct by you and your fellow legislators, inexplicable except as a manifestation of self-interest, over the public interest. What, if anything, do you deny or dispute?

To assist you in furnishing that measure of accountability by your answers, I have created a webpage for your mayoral run from which the foregoing is accessible, plus the complaints I have filed with ethics and criminal authorities against you and your co-conspirators. It is part of a series of webpages, featured by

the first prominent center link on CJA's homepage, www.judgewatch.org, entitled "ELECTIONS 2025 -- INFORMING THE VOTERS -- ALERT: Corrupt candidates & incumbents are on the ballot".

To further encourage your response, this e-mail will be posted on CJA's webpage for your mayoral candidacy – and sent to the other New York City mayoral candidates and the media.

Thank you.

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

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Sunday, June 14, 2020 6:45 AM
To: press@zohranforassembly.com; volunteer@zohranforassembly.com

Subject: You can win! -- corruption/grand jury complaint vs Assemblywoman Simotas, filed with Queens D.A., for "wilful misconduct in office", involving larceny & fraud, including as to her OWN legislative salary & the Legislature's OWN budget

Dear Candidate Mamdani --

I was disappointed not have heard from you, in response to my below two e-mails.

Attached it the corruption/grand jury complaint I filed against Assemblywoman Simotas with Queens District Attorney Katz, on June 9th. The substantiating EVIDENCE to which it refers is all accessible from CJA's webpage for the complaint, here: http://www.judgewatch.org/web-pages/searching-nys/2020-legislative/grand-juries.htm.

I again invite you to call me, directly – as with this, you can win!

Thank you.

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

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Friday, May 22, 2020 9:56 AM
To: 'press@zohranforassembly.com' <press@zohranforassembly.com>;
'volunteer@zohranforassembly.com' <volunteer@zohranforassembly.com>

Exhibit A-1: March 14, 2025 e-mail to NYS Assemblyman Zohran Mamdani

Subject: You can win, easily & without money, NY's 36th Assembly seat. All it takes is "whistle-blowing".

Dear Candidate Zohran Kwame Mamdani,

I am director & co-founder of the non-partisan, non-profit citizens' organization, Center for Judicial Accountability, Inc. (CJA), based in White Plains, New York.

You can win your Democratic primary for New York's 36h Assembly seat, easily and without money – and the general election – against Incumbent Assemblyman Aravella Simotas, a lawyer. All it takes is "whistle-blowing" from the bully-pulpit of your candidacy. Please call me for details – and the EVIDENCE that backs it up, accessible from CJA's website, www.judgewatch.org.

On the assumption that you are unfamiliar with Article VII, §§1-7 of the New York State Constitution pertaining to the fashioning and enactment of the state budget, here it is: https://codes.findlaw.com/ny/constitution-of-the-state-of-new-york/#!tid=N9A526E8102AB49058F336F851D9B3DA7. I'd like to begin our conversation by discussing it – followed by a discussion of Assemblywoman Simotas' on-the-job performance as a member of the Assembly Ways & Means Committee and Assembly Judiciary Committee – and as the former co-chair of the Legislative Commission on Administrative Regulations Review. The issues will include Assemblywoman Simotas' OWN legislative pay and the Legislature's OWN budget, both of which are larcenous.

Although I previously contacted you, by the below April 28, 2020 e-mail, I received no response. Perhaps it was overlooked.

I look forward to hearing from you soon. Please be in front of your computer, when you call.

Thank you.

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

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Tuesday, April 28, 2020 11:06 PM
To: 'volunteer@zohranforassembly.com' <volunteer@zohranforassembly.com>

Subject: I can help you win --

TO: CANDIDATE ZOHRAN KWAME MAMDANI

Thank you for running against Assemblywoman Aravella Simotas, a lawyer, whose important committee assignments include the Assembly Judiciary Committee and Assembly Ways and Means Committee, and,

previously, co-chair of the Legislative Commission on Administrative Regulations Review. I can furnish you with documentary proof of her corruption, in office – for which she and her fellow legislative incumbents must not only be voted out, but indicted.

Call me.

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

Exhibit A-2: March 17, 2025 e-mail to NYS Assemblyman Zohran Mamdani

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Monday, March 17, 2025 12:47 PM
To: 'mamdaniz@nyassembly.gov'
Cc: 'volunteer@zohranfornyc.com'; 'press@zohranfornyc.com'

Subject: **Supplementing -- ELECTIONS ARE A TIME OF ACCOUNTABILITY: Your 2020 Electoral Race for the NYS Assembly, Your performance, in Office, as an Assemblyman, & Your 2025 Electoral Race for NYC Mayor**

Attachments: 6-9-20-complaint-queens-da-katz.pdf

TO: Assemblyman & Would-Be New York City Mayor Zohran Mamdani

Here linked is my written testimony for the Legislature's February 15, 2023 budget hearing on "local government officials/general government", inadvertently omitted from my below March 14th e-mail to you, listing my testimonies at and for the Legislature's budget hearings since you took office as an assemblyman in January 2021.

I have already posted it on CJA's webpage for your mayoral candidacy, which now also includes a helpful link to an "Archive of CJA's Testimonies, since 2013, at & for the Legislature's Budget Hearings -- WITH EVIDENTIARY WEBPAGES".

As stated by my March 14th e-mail:

> "The ONLY difference in the testimony, from year to year, is that, with each year, there is that much more evidence substantiating the previous year's testimony and the June 9, 2020 grand jury/public corruption complaint that, to date, remains pending before Queens D.A. Katz." (capitalization, underlining, and hyperlinking in the original).

Thank you.

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

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Friday, March 14, 2025 3:42 PM
To: 'mamdaniz@nyassembly.gov' <mamdaniz@nyassembly.gov>

Subject: ELECTIONS ARE A TIME OF ACCOUNTABILITY: Your 2020 Electoral Race for the NYS Assembly, Your performance, in Office, as an Assemblyman, & Your 2025 Electoral Race for NYC Mayor

TO: Assemblyman & Would-Be New York City Mayor Zohran Mamdani

Elections are a time of accountability. Based on your on-the-job performance as a state assemblyman, why do you believe yourself fit to be mayor of New York City – or for any office of public trust?

Five years ago, when you were running for election to the Assembly, I sent you four e-mails to help you win, easily and without money – and to test your integrity for public office. The first three e-mails were to help you win your Democratic primary against the incumbent.

I sent you my first e-mail entitled "I can help you win –" on April 28, 2020. As I received no response, I re-sent it on May 22, 2020 as part of my second e-mail entitled "You can win, easily & without money, NY's 36th Assembly seat. All it takes is 'whistle-blowing'". Again, I received no response. I then resent both by a June 14, 2020 third e-mail entitled "You can win! – corruption/grand jury complaint vs Assemblywoman Simotas, filed with Queens D.A., for 'wilful misconduct in office', involving larceny & fraud, including as to her OWN legislative salary & the Legislature's OWN budget". Again, I received no response.

The original chain of these three unresponded-to e-mails is below and its attachment is above: my June 9, 2020 grand jury/public corruption complaint to Queens District Attorney Melinda Katz, which I thereafter sent you, a second time, by a September 28, 2020 fourth e-mail entitled "GOOD NEWS: You have an open-&-shut public corruption issue that will WIN you election – and demonstrate your fitness for public service". To this I also received no response.

Of course, by then, by a scant 423 votes, you had won your June 2020 Democratic primary over the incumbent – the total votes cast being a measly 16,427. This assured you your Assembly seat, representing, according to the Legislature's FY2020-21 budget (at p. 2), "approximately 129,000 constituents", as no candidate was on the November 2020 general election ballot running against you. This was also how you won re-election in 2022 and 2024, where, likewise, there was only one candidate on the general election ballots for the 36th Assembly seat – you. And compounding this affront to democracy is that in 2022 and 2024, you faced no primaries for your Democratic and Working Families Party lines. In other words, your 2022 and 2024 re-elections were without ever having had to defend your record as an assemblyman.

Today, you are in a hotly contested Democratic primary race to be New York City's next mayor – and my four e-mails to you from five years ago are again relevant to the issue of your fitness for public office. Please confirm that you received them – and explain why you did not respond.

In reports issued in 2004, 2006, and 2008, New York University's Brennan Center for Justice described New York's Legislature as the most dysfunctional in the nation. This dysfunction, reflected in sham committees that do not meaningfully discharge their lawmaking and oversight responsibilities, would have been obvious to you upon taking office in January 2021 and before voting on the state budget in March and April 2021, especially in light of the June 9, 2020 grand jury/public corruption complaint I had sent you twice.

Six weeks into your tenure as an assemblyman and every year thereafter I have furnished testimony for the Legislature's budget hearings:

- Here's my (written) oral testimony at the February 10, 2021 budget hearing on "public protection";

- Here's my (written) oral testimony at the January 25, 2022 budget hearing on "public protection";
- Here's my written testimony for the February 7, 2023 budget hearing on "public protection";
- Here's my written testimony for the January 25, 2024 budget hearing on "public protection";
- Here's my written testimony for the February 6, 2024 budget hearing on "local gov't officials/general gov't";
- Here's my written testimony for the February 4, 2025 budget hearing on "local gov't officials/general gov't";
- Here's my written testimony for the February 13, 2025 budget hearing on "public protection";
- Here's my written testimony for the February 25, 2025 budget hearing on "higher education".

The ONLY difference in the testimony, from year to year, is that, with each year, there is that much more evidence substantiating the previous year's testimony and the June 9, 2020 grand jury/public corruption complaint that, to date, remains pending before Queens D.A. Katz. Are you unaware of this testimony – and the two citizen-taxpayer action lawsuits I commenced "on behalf of the People of the State of New York & the Public Interest, in June 2022 and March 2024, suing all three government branches, including you as a member of the Assembly, and seeking declarations of unconstitutionality, unlawfulness and cessation/claw-backs of larcenous disbursements. Has it not been discussed by your legislative colleagues, including at the closed-door party conferences that substitute for discussion and debate at open committee meetings?

New York City voters, whose votes and financial support you are soliciting for your mayoral run, are entitled to your responses to these e-mails, testimony, and lawsuits because they establish corrupt, posturing, and larcenous conduct by you and your fellow legislators, inexplicable except as a manifestation of self-interest, over the public interest. What, if anything, do you deny or dispute?

To assist you in furnishing that measure of accountability by your answers, I have created a webpage for your mayoral run from which the foregoing is accessible, plus the complaints I have filed with ethics and criminal authorities against you and your co-conspirators. It is part of a series of webpages, featured by the first prominent center link on CJA's homepage, www.judgewatch.org, entitled "ELECTIONS 2025 -- INFORMING THE VOTERS -- ALERT: Corrupt candidates & incumbents are on the ballot".

To further encourage your response, this e-mail will be posted on CJA's webpage for your mayoral candidacy – and sent to the other New York City mayoral candidates and the media.

Thank you.

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

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Sunday, June 14, 2020 6:45 AM
To: press@zohranforassembly.com; volunteer@zohranforassembly.com

Subject: You can win! -- corruption/grand jury complaint vs Assemblywoman Simotas, filed with Queens D.A., for "wilful misconduct in office", involving larceny & fraud, including as to her OWN legislative salary & the Legislature's OWN budget

Dear Candidate Mamdani --

I was disappointed not have heard from you, in response to my below two e-mails.

Attached it the corruption/grand jury complaint I filed against Assemblywoman Simotas with Queens District Attorney Katz, on June 9th. The substantiating EVIDENCE to which it refers is all accessible from CJA's webpage for the complaint, here: http://www.judgewatch.org/web-pages/searching-nys/2020-legislative/grand-juries.htm.

I again invite you to call me, directly – as with this, you can win!

Thank you.

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

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Friday, May 22, 2020 9:56 AM
To: 'press@zohranforassembly.com' <press@zohranforassembly.com>;
'volunteer@zohranforassembly.com' <volunteer@zohranforassembly.com>

Subject: You can win, easily & without money, NY's 36th Assembly seat. All it takes is "whistle-blowing".

Dear Candidate Zohran Kwame Mamdani,

I am director & co-founder of the non-partisan, non-profit citizens' organization, Center for Judicial Accountability, Inc. (CJA), based in White Plains, New York.

You can win your Democratic primary for New York's 36h Assembly seat, easily and without money – and the general election – against Incumbent Assemblyman Aravella Simotas, a lawyer. All it takes is "whistle-blowing" from the bully-pulpit of your candidacy. Please call me for details – and the EVIDENCE that backs it up, accessible from CJA's website, www.judgewatch.org.

On the assumption that you are unfamiliar with Article VII, §§1-7 of the New York State Constitution pertaining to the fashioning and enactment of the state budget, here it is: https://codes.findlaw.com/ny/constitution-of-the-state-of-new-york/#!tid=N9A526E8102AB49058F336F851D9B3DA7. I'd like to begin our conversation by discussing it – followed by a discussion of Assemblywoman Simotas' on-the-job performance as a member of the Assembly Ways & Means Committee and Assembly Judiciary Committee – and as the former co-chair of the Legislative Commission on Administrative Regulations Review. The issues will include Assemblywoman Simotas' OWN legislative pay and the Legislature's OWN budget, both of which are larcenous.

Although I previously contacted you, by the below April 28, 2020 e-mail, I received no response. Perhaps it was overlooked.

I look forward to hearing from you soon. Please be in front of your computer, when you call.

Thank you.

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

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Tuesday, April 28, 2020 11:06 PM
To: 'volunteer@zohranforassembly.com' <volunteer@zohranforassembly.com>

Subject: I can help you win --

TO: CANDIDATE ZOHRAN KWAME MAMDANI

Thank you for running against Assemblywoman Aravella Simotas, a lawyer, whose important committee assignments include the Assembly Judiciary Committee and Assembly Ways and Means Committee, and, previously, co-chair of the Legislative Commission on Administrative Regulations Review. I can furnish you with documentary proof of her corruption, in office – for which she and her fellow legislative incumbents must not only be voted out, but indicted.

Call me.

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

Exhibit B: March 16, 2025 e-mail to NYS Senator Brad Hoylman-Sigal

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Sunday, March 16, 2025 11:14 PM
To: 'hoylman@nysenate.gov'
Cc: 'caroline@bradhoylmansigal.com'; 'press@bradhoylmansigal.com'

Subject: **ELECTIONS ARE A TIME OF ACCOUNTABILITY: Your Performance, in Office, as a NYS Senator since 2013 & Your 2025 Electoral Race for Manhattan Borough President**

TO: Senator and Would-Be Manhattan Borough President Brad Hoylman-Sigal, ESQ.

Elections are a time of accountability. Based on your performance as a state senator, why do you believe yourself fit to be Manhattan borough president – or for any office of public trust?

In reports issued in 2004, 2006, and 2008, New York University's Brennan Center for Justice described New York's Legislature as the most dysfunctional in the nation. This dysfunction, reflected in sham committees that do not meaningfully discharge their lawmaking and oversight responsibilities, would have been obvious to you – a lawyer – upon taking office on January 1, 2013, especially as it was reinforced by my correspondence to you, starting two days later and which, by April 15, 2013, necessitated my filing a public corruption complaint to then U.S. Attorney Preet Bharara against you, your fellow legislators, and New York's other highest constitutional officers, which I furnished you repeatedly, including by a June 4, 2013 letter addressed to you as ranking member of the Senate Committee on Investigations and Government Operations, bearing the title: "**DOING YOUR PART TO END PUBLIC CORRUPTION**: PART III: Request for Legislative Oversight, Analysis and Investigation of CJA's April 15, 2013 corruption complaint to U.S. Attorney Bharara…".

Just as you did not respond to ANY of my prior correspondence, so you did not respond to this June 4, 2013 letter. Nor did you respond to ANY of the mountain of subsequent correspondence I sent you, ALL chronicling the corruption and unconstitutionality of state governance involving the state budget and the "false instrument" pay raises it embeds, enabled by a corrupt state Judiciary "throwing" litigation challenges by fraudulent judicial decisions – aided and abetted by the litigation fraud of the state Attorney General, a corrupt Commission on Judicial Conduct, and corrupt court-controlled attorney grievance committees. To no avail I repeatedly sought meetings with you, without success. This, notwithstanding you were, until January 2019, the ranking member of the Senate Committee on Investigations and Government Operations, for which, each year, you got a $9,500 stipend – and notwithstanding, since January 2014, you were a member of the Senate Judiciary Committee, becoming its ranking member in January 2017, with a $11,000 yearly stipend until you became its chair in January 2019 – a position you hold to date. You were also a member of the Senate Finance Committee, from January 2019 to January 2025. Currently, in addition to chairing the Senate Judiciary Committee, your committee assignment include the Senate Committee on Investigations and Government Operations, the Senate Committee on Ethics and Internal Governance, and the Senate Rules Committee.

All my correspondence to you, spanning more than a dozen years, since January 2013, all my testimony at the Legislature's budget hearings since February 2013, and the FOUR citizen-taxpayer action lawsuits that, since March 2014, I have brought against you and your fellow legislators – the latter two live and at the Court of Appeals on appeals of right, here and here – are fully substantiated by open-and-shut, *prima facie* EVIDENCE. You have not denied the accuracy and truth of any of it. Instead, you have used your positions of power and leadership to further defraud the public, such as by extolling and praising New York's Judiciary and the Commission on Judicial Conduct, as if they are not corrupt. This has been your

modus operandi, particularly at the Legislature's budget hearings on "public protection", whose first witnesses are the Chief Administrative Judge and the Commission on Judicial Conduct's Administrator.

Turning to 2019, the first year of your Senate Judiciary Committee chairmanship, I sent you and all Senate and Assembly Judiciary Committees members a February 28, 2019 e-mail entitled "AGENDA: Judiciary budget & budget for the Commission on Judicial Conduct for Fiscal Year 2019-2020", furnishing, in substantiation, the written testimony I had submitted for the Legislature's February 11, 2019 budget hearing on "local government officials/general government" with its set of 41 questions about the Judiciary's budget and its set of 27 questions about the Legislature's budget and asking, by my e-mail message:

> "whether ANY of the 15 members of the Senate Judiciary Committee or 21 members of the Assembly Judiciary Committee have ever themselves filed a complaint of judicial misconduct with the Commission on Judicial Conduct – or filed a complaint of attorney misconduct with the court-controlled attorney grievance committees. If not, on what EVIDENTIARY basis does any Committee member, all but two of whom are lawyers, purport that these entities are properly functioning?" (capitalization in the original).

You ignored it – and your business-as-usual corrupting of the state budget for FY2019-20 and willful failure to effect any oversight over the December 10, 2018 report of the Committee on Legislative and Executive Compensation, which, on January 1, 2019, by "force of law", had raised legislative salaries from $79,500 to $110,000, and which, *on its face*, was violative of the statute pursuant to which it purported to be rendered, Part HHH of the FY2018-19 revenue budget bill, to which it had been unconstitutionally inserted by the "three men in the room", and your reprise of corruption by the even more indefensible FY2020-21 state budget, to which I had alerted you by a February 19, 2020 e-mail, attaching my February 18, 2020 letter to then Governor Cuomo with its set of 50 questions about the Judiciary's budget and set of 47 questions about the Legislature's budget resulted in my filing with then Manhattan D.A. Cyrus Vance, Jr. a June 9, 2020 grand jury/public corruption complaint against you and your fellow Manhattan state legislators. You were then running for re-election, now for a fifth term, and I sent you the complaint by *cc*'ing you, your fellow Manhattan legislators, and D.A. Vance, on a September 21, 2020 e-mail to NYC's "local journalism" entitled "Manhattan Elections 2020 – Informing Voters with EVIDENCE…". The e-mail identified that D.A. Vance was "sitting on" the complaint, knowing that it established that you and your Manhattan state legislative colleagues, starting with Senate Finance Committee Chair Liz Krueger, had to be indicted and would be convicted.

Like my April 15, 2013 public corruption complaint, this June 9, 2020 grand/jury public corruption complaint did not restrain you in the slightest. To the contrary, you went on to brazenly corrupt "merit selection" to the Court of Appeals. Chronicling this are my two e-mails to you, in 2021:

- my June 1, 2021 e-mail – "Senate Judiciary Committee procedures for vetting Gov. Cuomo's nominations of Singas & Cannataro to the NY Court of Appeals -- & request to testify in strong opposition at their confirmation hearings, with EVIDENCE, decisive of their unfitness"; and

- my June 7, 2021 e-mail – "Your tomorrow's 'meeting' on the nominations of Singas & Cannataro to the NY Court of Appeals -- UNCONSTITUTIONAL & FRAUDULENT, as it has not been preceded by vetting of the EVIDENCE decisive of their unfitness, of which you have had NOTICE",

and, in 2023, my two e-mails to you pertaining to Governor Hochul's two nominations to the Court of Appeals:

- my April 16, 2023 e-mail – "Request to testify in opposition to Rowan Wilson's confirmation as chief judge & Caitlin Halligan's confirmation as associate judge, plus FOIL request"; and

- my April 17, 2023 e-mail – "AGAIN: Request to testify vs Rowan Wilson's confirmation as chief judge & Caitlin Halligan's confirmation as associate judge -- & the duties of the Senate Judiciary Committee".

Six and a half months later, you would go on to rig a November 1, 2023 "oversight hearing of the Family Court", held by the Senate Judiciary Committee and the Senate Committee on Children and Families, of which you were then a member, including by excluding, as witnesses, myself and others able to testify with evidence against your desired narrative – a fact highlighted by my timely-submitted written testimony.

In that connection, your ZERO interest in a Legislature functioning in a legitimate, constitutional way, *to wit*, by actual legislative due process, with findings of fact and conclusions of law based on evidence that is not cherry-picked, may be attributed to your knowledge that such would be an impediment to your hard-left, "woke" political and sexual agenda, whose enactment into law you have unconstitutionally achieved through behind-closed-doors deals, legislatively-passed in steamrolling, rubber-stamp fashion.

To enable Manhattan voters to see for themselves how flagrantly you have put your own interests over theirs and jettisoned your duty to ensure the integrity of state governance, all the while posturing as a great defender of the rule of law and equal justice, I have created a webpage for your 2025 run for Manhattan borough president on which the EVIDENCE of your corruption as a state senator is posted and accessible, together with the complaints I have filed against you and your co-conspirators with ethics and criminal authorities. It is part of a series of webpages, featured by the first prominent center link on CJA's homepage, www.judgewatch.org, entitled "ELECTIONS 2025 -- INFORMING THE VOTERS -- ALERT: Corrupt candidates & incumbents are on the ballot".

If you have anything to say in your own defense – including as relates to the now-being-enacted FY2025-26 state budget, as to which I submitted three separate written testimonies, here, here, and here, plus a letter/FOIL request to Chief Administrative Judge Zayas pertaining to the Judiciary's budget, to which you were *cc*'d and which I furnished you by e-mail – send it and I will post it directly beneath this e-mail, to be featured at the top of CJA's webpage for your Manhattan borough president candidacy, and furnished to the other candidates vying for that office and the media.

Thank you.

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

Exhibit C: March 18, 2025 e-mail to Legislative Correspondents Association roster

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Tuesday, March 18, 2025 8:17 AM

To: 'susan.arbetter@charter.com'; 'jack.arpey@charter.com'; 'grace.ashford@nytimes.com'; 'jbeeferman@politico.com'; 'editor@nysfocus.com'; 'jcampbell@nypublicradio.org'; 'Dan.Clark@timesunion.com'; 'Keshia.clukey@newsday.com'; 'tconnolly514@gmail.com'; 'kcordero@politico.com'; 'gwen@adirondackexplorer.org'; 'jdeline@news10.com'; 'SDestra@wmht.com'; 'SDestra@wmht.org'; 'bianca@nysfocus.com'; 'mfrench@politico.com'; 'agault@wdt.net'; 'rgavin@buffnews.com'; 'chris@nysfocus.com'; 'vgolden@nypost.com'; 'michael.gormley@newsday.com'; 'lynn.halliburton@statewatch.com'; 'Jeongyoon Han'; 'mhill@ap.org'; 'lucy.hodgman@hearst.com'; 'bernadettejhogan@gmail.com'; 'kevin@statewatch.com'; 'Kyle Hughes'; 'aizaguirre@ap.org'; 'Ajefferson@cityandstateny.com'; 'raga.justin@hearst.com'; 'shaneking@statewatch.com'; 'colin@nysfocus.com'; 'EKline@wmht.org'; 'kkozak@wmht.org'; 'blee@alm.com'; 'rlewis@cityandstateny.com'; 'Kate.Lisa@charter.com'; 'David.lombardo@wcny.org'; 'seamus.lyman@charter.com'; 'BLyons@TimesUnion.com'; 'billmahoney@politico.com'; 'akash@nysfocus.com'; 'sam@nysfocus.com'; 'matthew.mirro@statewatch.com'; 'ben.oreskes@nytimes.com'; 'bphillip@nysenate.gov'; 'nreisman@politico.com'; 'julia@nysfocus.com'; 'jay.root@nytimes.com'; 'yancey.roy@newsday.com'; 'JSheridan@news10.com'; 'Maryfrancis.Stoute@charter.com'; 'jvielkind@wnyc.org'; 'Peter.Wendler@wcny.org'; 'zwilliams@bloombergindustry.com'; 'timothy.p.williams@charter.com'; 'jenny@nyfocus.com'

Cc: 'myrie@nysenate.gov'; 'ramos@nysenate.gov'; 'mamdaniz@nyassembly.gov'; 'rajkumarj@nyassembly.gov'; 'hoylman@nysenate.gov'; 'epsteinh@nyassembly.gov'

Subject: **The NYS Budget -- & the 6 NYS Legislators Running for NYC Mayor, NYC Public Advocate, Manhattan Borough President, & NYC Council**

TO: Albany Legislative Correspondents Association Roster

The New York state budget is OFF THE CONSTITUTIONAL RAILS, rife with constitutional, statutory and legislative rule violations, stealing taxpayer monies on a massive scale, including for salary raises that are the product of "false instrument" reports. This has been proven, since 2013, by our non-partisan, non-profit citizens' organization, Center for Judicial Accountability, Inc. (CJA), in correspondence, testimony, complaints, and lawsuits – all fully-documented and establishing that the Legislature is NOT functioning at a constitutional level, remotely. CJA's testimony, this year, was three separate, attested-to as true, written statements for three separate budget hearings: (1) for "local government officials/general government"; (2) for "public protection", and (3) for "higher education".

Elections are a time of accountability. What do the six state legislators running in this year's elections for New York City's highest offices have to say about this? I have asked them, in e-mails, here linked to their names:

- Senator Zellnor Myrie, running for NYC mayor – a lawyer, who now chairs the Senate Codes Committee and whose other committee memberships include the Senate Judiciary Committee and Senate Rules Committee. My supplementing e-mail to him is here;

- Senator Jessica Ramos, running for NYC mayor – whose committee memberships include the Senate Finance Committee, Senate Budget and Revenues Committee, and Senate Judiciary Committee. My supplementing e-mail to her is here;

- Assemblyman Zohran Mamdani, running for NYC mayor. My supplementing e-mail to him is here;

- Assemblywoman Jenifer Rajkumar, running for NYC public advocate – a lawyer, whose committee memberships include the Assembly Judiciary Committee. My supplementing e-mail to her is here;

- Senator Brad Hoylman-Sigal, running for Manhattan borough president – a lawyer, who has chaired the Senate Judiciary Committee since 2019 and whose other memberships include the Senate Finance Committee, Senate Committee on Investigations and Government Operations, Senate Rules Committee, and Senate Committee on Ethics and Internal Governance;

- Assemblyman Harvey Epstein, running for a seat on the NYC Council – a lawyer, whose committee memberships include the Assembly Ways and Means Committee and Assembly Codes Committee and is purported to chair the Legislative Commission on State-Local Relations. My supplementing e-mail to him is here.

For each of them I have created webpages for their candidacies, accessible from CJA's homepage, www.judgewatch.org, *via* the prominent center link: "ELECTIONS 2025 -- INFORMING THE VOTERS -- ALERT: Corrupt candidates & incumbents are on the ballot".

I am *cc*'ing the six candidates so that they can additionally prepare themselves for your inquiries. I am available to answer questions, including under oath. Are they?

Thank you.

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

Exhibit D: March 20, 2025 e-mail to NYC "local journalism"

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Thursday, March 20, 2025 8:21 AM

To: 'metro@nytimes.com'; 'editorial@nytimes.com'; 'ben.oreskes@nytimes.com'; 'jay.root@nytimes.com'; 'grace.ashford@nytimes.com'; 'leustachewich@nypost.com'; 'kpoole@nypost.com'; 'cunningham@nypost.com'; 'tips@nypost.com'; 'online@nypost.com'; 'letters@nypost.com'; 'vgolden@nypost.com'; 'ajulien@nydailynews.com'; 'rdominguez@nydailynews.com'; 'dcruz@nydailynews.com'; 'maronson@nydailynews.com'; 'csommerfeldt@nydailynews.com'; 'jstratman@nydailynews.com'; 'voicers@nydailynews.com'; 'blee@alm.com'; 'edit.features@wsj.com'; 'wsj.ltrs@wsj.com'; 'wsjcontact@wsj.com'; 'editors@barrons.com'; 'mail@barrons.com'; 'mhall@ap.org'

Cc: 'myrie@nysenate.gov'; 'ramos@nysenate.gov'; 'mamdaniz@nyassembly.gov'; 'rajkumarj@nyassembly.gov'; 'hoylman@nysenate.gov'; 'epsteinh@nyassembly.gov'

Subject: **The NYS Budget -- & the 6 NYS Legislators Running for NYC Mayor, NYC Public Advocate, Manhattan Borough President, & NYC Council**

TO: New York City's "Local Journalism"
New York Times
New York Post
New York Daily News
New York Law Journal
Wall Street Journal
Associated Press

Have you read what the New York State Constitution says about how the state budget is to be fashioned and enacted? It is Article VII, §§1-7 – and you need only read its §4 to see that the budget is "OFF THE CONSTITUTIONAL RAILS", as it mandates that the Governor's appropriation bills – other than for the legislative and judiciary budgets – "shall…be a law immediately without further action by the governor" once the Senate and Assembly reconcile their separate amendments of those bills, limited to striking out or reducing items of appropriation. In other words, New York has a financially constrained, ROLLING BUDGET – with most of the budget NEVER going back to the Governor.

Since 2013, our non-partisan, non-profit citizens' organization, Center for Judicial Accountability, Inc. (CJA) has proven that the state budget violates a multitude of constitutional, statutory, and legislative rule provisions in a "grand larceny" of billions of dollars in taxpayer monies, including for "false instrument" pay raises. We have done this by correspondence, testimony, complaints, and lawsuits, all fully documented and establishing, additionally, that the Legislature is NOT functioning at a constitutional level, remotely. This year, for three separate legislative budget hearings, we submitted written testimony: (1) for "local government officials/general government"; (2) for "public protection", and (3) for "higher education".

Elections are a time of accountability. What do the six state legislators running in this year's elections for New York City's highest offices have to say about this written testimony? I have asked them in e-mails below-linked to their names:

- Senator Zellnor Myrie, running for NYC mayor – a lawyer, who now chairs the Senate Codes Committee and whose other committee memberships include the Senate Judiciary Committee and Senate Rules Committee. My supplementing e-mail to him is here;

- Senator Jessica Ramos, running for NYC mayor – whose committee memberships include the Senate Finance Committee, Senate Budget and Revenues Committee, and Senate Judiciary Committee. My supplementing e-mail to her is here;

- Assemblyman Zohran Mamdani, running for NYC mayor. My supplementing e-mail to him is here;

- Assemblywoman Jenifer Rajkumar, running for NYC public advocate – a lawyer, whose committee memberships include the Assembly Judiciary Committee. My supplementing e-mail to her is here;

- Senator Brad Hoylman-Sigal, running for Manhattan borough president – a lawyer, who has chaired the Senate Judiciary Committee since 2019 and whose other committee memberships include the Senate Finance Committee, Senate Committee on Investigations and Government Operations, Senate Rules Committee, and Senate Committee on Ethics and Internal Governance;

- Assemblyman Harvey Epstein, running for a seat on the NYC Council – a lawyer, whose committee memberships include the Assembly Ways and Means Committee and Assembly Codes Committee and is purported to chair the Legislative Commission on State-Local Relations. My supplementing e-mail to him is here.

For each candidate I have created a webpage posting evidence additional to what is presented by my above e-mails. These are accessible from CJA's homepage, www.judgewatch.org, *via* the prominent center link: "ELECTIONS 2025 -- INFORMING THE VOTERS -- ALERT: Corrupt candidates & incumbents are on the ballot".

I am *cc*'ing the six candidates so that they can further ready themselves for your inquiries – and am available to answer questions, including under oath. Are they? Let them start with Article VII, §4.

Thank you.

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