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November 19, 2025

Jeffrey Klein  
c/o Richard A. Portale, Esq.  
Portale Randazzo, LLP  
245 Main Street, Suite 605  
White Plains, New York 10601

RE: Case No. 18-015

Dear Mr. Klein:

On December 30, 2019, the Joint Commission on Public Ethics (JCOPE), the predecessor to the Commission on Ethics and Lobbying in Government (COELIG), notified you of a hearing to determine whether you violated Public Officers Law § 74(3)(h) by kissing staff member Erica Vladimer outside a bar in Albany, on April 1, 2015, without her consent. After litigation delays outside the Commission's control, the hearing was held on June 9, 10, 16, and 17, 2025.

After reviewing the full hearing record and discussing the matter at length, the Commission voted not to issue a Substantial Basis Investigation Report and to close the case.

Under Executive Law § 94(4)(h), the Commission may act only by a majority vote of its full membership. With an eleven-member Commission, six votes are required. Because the Commission currently has seven members, two "no" votes prevent a finding or an action.

In this case, the Commission voted on two questions:

1. Is there sufficient evidence in the record to find that you kissed Ms. Vladimer, on April 1, 2015, without her consent; and
2. If there is sufficient evidence in the record to find that a single kiss occurred, and was immediately rejected by Ms. Vladimer, would that constitute a violation of Public Officers Law § 74(3)(h).

Both votes failed to achieve the required majority.

Question 1: 5–2 vote [Yes: Vice Chair Ayers, Caraballo, Caras, Edwards, and Groenwegen; No: Austin and Chair James]

Question 2: 2–5 vote [Yes: Chair James and Vice Chair Ayers; No: Austin, Caras, Caraballo, Edwards, and Groenwegen]

Because neither question received the necessary six votes, the Commission will not issue a Substantial Basis Investigation Report. This matter is now closed.

This decision should not be read as an approval of the way in which you handled the complaint. The record shows that you failed to comply with New York State Senate Harassment Policy requiring the reporting of this incident to designated independent Senate staff. However, this issue was not part of the allegations against you.

Please be advised that, pursuant to 19 NYCRR Part 941.16, the Commission has determined that disclosure of this letter is in the public interest and, therefore, the letter will be disclosed to the public.

Sincerely,

A handwritten signature in black ink, appearing to read "Seymour W. James, Jr.", written in a cursive style.

Seymour W. James, Jr.  
Chair