Dr. Richard Cordero, Esq. Judicial Discipline Reform

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June 24, 2022

c/o: Mr. Rance Huff, Chief of Staff Jumaane D. Williams NYC Public Advocate 1 Centre Street, 15th Floor NY, NY 10007; tel. (212)669-7200 Bronx districts leaders Vanessa L Gibson, Diana Ayala, Eric Dinowitz, Kevin C. Riley, Marjorie Velázquez, Pierina Ana Sanchez, Oswald Feliz, Althea Stevens, Rafael Salamanca, Jr., Amanda Farías; Bronx Advocate Socrates Solano; and NYC Mayor Eric L. Adams

Dear Mr. Williams, Mr. Huff, and Bronx districts and NYC leaders,[‡]

I entered an official position upon swearing to discharge my duties "faithfully". While so discharging them, I acquired information involving judicial, prosecutorial, and police officers of substantial importance that you too should without delay acquire and investigate as part of your official duties. I have written down that information in an 8-page, 4,743-word sworn statement titled "Emergency Application" and dated May 26, 2022. I submitted it to Administrative Judge Alvin Yearwood of the Supreme Court, Bronx County Criminal Term, 265 East 161st Street, Bronx, NY 10451; tel. (718)618-3700.* Given its origin in a criminal court, the information concerns criminal matters and affects your constituents directly, being apt to deprive them of their property, liberty, and life. In fact, the Criminal Procedure Law provides serious penalties, including imprisonment, for the unauthorized disclosure of it. So, I proceed prudently.

Aware of the inherent conflict of interests in investigating one's colleagues and friends, and thus incriminating oneself, I wrote on May 28, to the six top judicial and police officers named in the letter hereunder. I asked that they contact Judge Yearwood and request that he send them a copy of the "Application". I have made numerous calls to each of them to find out how they have handled and intend to handle the information in it, to no avail. Yet, Judge Yearwood has a duty to "cooperate with other judges and court officials in the administration of court business". You are an "authority empowered to investigate or act upon such violation" of law as described in the "Application". Therefore, I respectfully request that you ask Judge Yearwood and those six top judicial and police officers to send you a copy of it so that you may conduct an investigation separately or jointly with other Bronx district leaders. The onus to investigate is now on you.

Would you expect and demand that an investigation be conducted "diligently" and "efficiently and effectively" if you were suffering the wrongdoing of public officers? Wrongdoing by police officers has eroded public trust in them so gravely as to spark the movement against their brutality and for defunding them. The involvement of national politicians in organizing the January 6 insurrection to overturn *We the People*'s electoral will has shocked many. The revelation by *The Wall Street Journal* in a series of articles beginning with that of September 28, 2021, titled "131 Federal Judges Broke the Law by Hearing Cases Where They Had a Financial Interest" has shown that judges can be risklessly corrupt in reliance on their colleagues' cover-up: not one of them has been disciplined, let alone prosecuted. They are held by themselves and friends unaccountable.

If people come to suspect that inaction is the result of a cover-up among officers of the three branches, all officers, including you, will suffer an unprecedented erosion of public trust. If such trust is of no concern to you, money should be: Ninety gymnasts sued the FBI and agents for over \$1 billion last June 8, for its failure to act on the complaints against sexual predator Dr. Larry Nassar filed with FBI agents and the FBI's cover-up of their inaction. The U.S. Court of Appeals for the Fourth Circuit held in *Strickland v. U.S.* that the Federal Judiciary itself and its officers in their official and individual capacities can on constitutional grounds be sued and held liable. You can whether motivated by principles or opportunism use the "Application" information to become nationally recognized by a grateful *People* as one of their Champions of Justice.

Sincerely, Dr. Richard Condero, Esa.

Dr. Richard Cordero, Esq.

Ph.D., University of Cambridge, England M.B.A., University of Michigan Business School D.E.A., La Sorbonne, Paris 2165 Bruckner Blvd., Bronx, NY 10472-6506 Dr.Richard.Cordero_Esq@verizon.net tel. +1(718)827-9521; follow @DrCorderoEsq

May 28, 2022

Chief Judge Janet DiFiore NYS Court of Appeals 20 Eagle Street Albany, New York 12207 tel.: (518)455-7700 Chief Administrative Judge Lawrence K. Marks NYS Court of Appeals 20 Eagle St., Albany, NY 12207 tel.: (212)428-2120; ucs-correspondence@nycourts.gov Deputy Chief Administrative Judge Deborah A. Kaplan Supreme Court, New York County, Civil Term 60 Centre St., NY, NY 10007 tel.: (646)386-5567

Chief of Internal Affairs David P. Barrere Internal Affairs Bureau NY Police Department PO Box 10001, New York, NY 10014 tel.: (212)741-8401; IAB@nypd.org, IABCmdCntr@nypd.org Sherrill Spatz, Esq. Carol M. Hamm, Esq. Inspector General Deputy Inspector General Office of Court Administration
25 Beaver Street, New York, NY 10004 tel.: (646)386-3500; fax: (212)514-7158 IG@nycourts.gov

Dear Chief Judge DiFiore, Judges Marks and Kaplan, Chief Barrere, and IGs Spatz and Hamm,[‡]

I entered an official position upon swearing to discharge my duties "faithfully". While so discharging them, I acquired information involving judicial, prosecutorial, and police officers of substantial importance that you too should without delay acquire and investigate as part of your official duties. I have written down that information in an 8-page, 4,743-word sworn "Emergency Application" of May 26, 2022. I submitted it to Administrative Judge Alvin Yearwood, Supreme Court, Bronx County Criminal Term, 265 East 161st St., Bronx, NY 10451; tel. (718)618-3700.*

The NY Criminal Procedure Law warns that a person who discloses such information, except under court order, is subject to serious penalties, including imprisonment. Therefore, I respectfully request that you contact Judge Yearwood and ask that he release to you a copy of my Application so that you may promptly start your joint and several investigation of it given that each of you is an "authority empowered to investigate or act upon" such information.

Indeed, I have a legal and ethical duty to bring this information to your attention. That duty flows from NY Rules Of Professional Conduct (22 N.Y.C.R.R. Part 1200), which provides thus:

Rule. 8.3. REPORTING PROFESSIONAL MISCONDUCT(a). A lawyer who knows that another lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question as to that lawyer's honesty, trustworthiness or fitness as a lawyer shall report such knowledge to a tribunal or other authority empowered to investigate or act upon such violation.

Conversely, Judge Yearwood has a duty under the Rules of the Chief Administrative Judge PART 100. Judicial Conduct, (C) Administrative Responsibilities.(1) to "diligently discharge the judge's administrative responsibilities without bias or prejudice" to protect fellow judges, staff, and others, and "cooperate with other judges and court officials in the administration of court business."

I also have a civic duty to report this information to you. That duty has been repeatedly declared and instilled in the citizenry in the guiding principle of civic conduct, "If you see something, say something". I did see something...and then some...so I am saying it to you.

After you request from Judge Yearwood my Application and I receive from you an order to discuss it with you in person in NYC or by video conference, I will comply. I look forward to your acknowledgment of receipt of this letter and your statement of what you intend to do about it.

Sincerely, Dr. Richard Condero, Esa.

[(718)618-3000] Greg Johnson, ACE [Acting Bureau Chief]
Doc Liaison J

Lamar Decasseres, enc [Bureau Chief,
Trial Support)

OF Supreme Court, Bronx County Crimi Nal Term



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June 18, 2022

Chief Judge Janet DiFiore NYS Court of Appeals 20 Eagle Street Albany, New York 12207 tel.: (518)455-7700 Chief Administrative Judge Lawrence K. Marks
NYS Unified Court System
25 Beaver St., NY, NY 10004
question@nycourts.gov; tel. (212)4282120; ucs-correspondence@nycourts.gov

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Chief of Internal Affairs David P. Barrere Internal Affairs Bureau NY Police Department PO Box 10001, New York, NY 10014 tel.: (212)741-8401; IAB@nypd.org, IABCmdCntr@nypd.org Sherrill Spatz, Esq. Carol M. Hamm, Esq.
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25 Beaver Street, New York, NY 10004
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IG@nycourts.gov

Dear Chief Judge DiFiore, Judges Marks and Kaplan, Chief Barrere, and IGs Spatz and Hamm,

This is a follow-up to my May 28 letter, where I informed you that after entering an official position, I acquired substantially important information involving judicial, prosecutorial, and police officers that you should investigate as part of your official duties. I stated that information in an 8-page, 4,743-word sworn "Emergency Application" dated May 26, 2022. I submitted it to Administrative Judge Alvin Yearwood, tel. (718)618-3700, of the Supreme Court, Bronx County Criminal Term, where the information originated, and requested that you ask him for a copy.

I have received no letter acknowledging your receipt of mine. Yet, that information concerns criminal matters. It is so sensitive that the Criminal Procedure Law provides serious penalties, including imprisonment, for the unauthorized disclosure of it. That should have alerted you to the need to act "efficiently and effectively" because you have a duty to "diligently discharge [your] responsibilities" and Judge Yearwood has a duty to "cooperate with other judges and court officials in the administration of court business". Moreover, you have the means of calling him and meeting virtually with him and others in a teleconference, as follows from Chief Administrative Judge Lawrence K. Marks' 2021 Annual Report on the NYS UCS. There he highlights that "we adopted and then mastered virtual technology to…ensure access to justice in the broadest range of cases".

Chief DiFiore's Excellence Initiative can only succeed if it promotes people's trust in officers with the integrity needed to deliver the "level of justice services people have a right to expect and deserve". That trust has been so battered as to spark the movement against police brutality and for defunding the police. The information at stake can so outrage people as to cause them to extend their distrust to prosecutors and judges. The suspicion that inaction is the result of a cover-up among the three branches will exacerbate such outrage. If public trust is of no concern to you, money should be: Ninety gymnasts sued the FBI for over \$1 billion last June 8, for its failure to act on the complaints against sexual predator Dr. Larry Nassar filed with FBI agents and the FBI's cover-up of their inaction. The Court of Appeals for the Fourth Circuit held in *Strickland v. U.S.* that the Federal Judiciary and its officers in their individual and official capacities can be sued and held liable.

Thus, I respectfully request that you inform me of the action that you have taken and intend to take concerning the information at stake. Conversely, I inform you that I am asking political leaders to do likewise by contacting you. Motivated by either principles or opportunism, whether to protect their constituents, in general, and those already, and yet to be, victimized, in particular, or to further their own careers, they may cause you to "diligently discharge [your] responsibilities".

Sincerely, Dr. Richard Cordero, Esa.