



NEW YORK  
CITY BAR

**COMMITTEE ON GOVERNMENT  
ETHICS & STATE AFFAIRS**

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EDWARD L. MURRAY  
CHAIR

May 4, 2021

Hon. Andrea Stewart-Cousins  
Majority Leader  
New York State Senate  
Legislative Office Building 907  
Albany, NY 12247

Hon. Carl Heastie  
Speaker  
New York State Assembly  
Legislative Office Building 932  
Albany, NY 12248

Hon. Robert Ort  
Minority Leader  
New York State Senate  
Legislative Office Building 909  
Albany, NY 12247

Hon. William Barclay  
Minority Leader  
New York State Assembly  
Legislative Office Building 933  
Albany, NY 12248

Hon. Alessandra Biaggi  
Chair, Committee on Ethics & Oversight  
New York State Senate  
Legislative Office Building 905  
Albany, NY 12247

Hon. Kenneth Zebrowski  
Chair, Committee on Governmental Operations  
New York State Assembly  
Legislative Office Building 625  
Albany, NY 12248

**Re: Request for Legislative Oversight Hearing on the Joint Commission on Public Ethics (JCOPE)**

Dear Majority Leader Stewart-Cousins, Speaker Heastie, Senate Minority Leader Ort, Assembly Minority Leader Barclay, Senator Biaggi, and Assembly Member Zebrowski:

I write on behalf of the New York City Bar Association's Committee on Government Ethics and State Affairs to join the call by civic groups for a legislative oversight hearing on the Joint Commission on Public Ethics ("JCOPE").<sup>1</sup>

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<sup>1</sup> See, e.g., Clark, Dan, "Good government groups urge Albany to hold new hearings on ethics reform," WBFO/NPR, Apr. 22, 2021, <https://news.wbfo.org/post/good-government-groups-urge-albany-hold-new-hearings-ethics-reform>.

**About the Association**

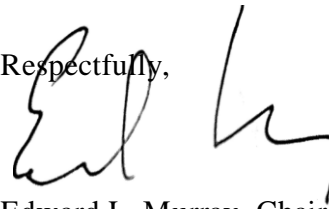
*The mission of the New York City Bar Association, which was founded in 1870 and has 25,000 members, is to equip and mobilize a diverse legal profession to practice with excellence, promote reform of the law, and uphold the rule of law and access to justice in support of a fair society and the public interest in our community, our nation, and throughout the world.*

In February 2021, the Committee hosted a panel discussion on JCOPE with members of the legislature, JCOPE staff, lobbyists, and experts.<sup>2</sup> It was our attempt to host a frank discussion and shed light on the problems plaguing JCOPE. In the end, the discussion made clear that much more is needed, namely, that the legislature must exercise its oversight responsibilities and support a broader discussion about JCOPE and the need for reform.

JCOPE's structural flaws, which were detailed in a recent Committee report, are well known.<sup>3</sup> And although we are encouraged to see that the State Senate is now advancing bills to address some of these issues, fundamentally, JCOPE suffers from a lack independence and a lack of transparency, which prevents the public from knowing much of what JCOPE is doing and thus encourages political interference.<sup>4</sup> Indeed, it was recently reported that the JCOPE Chair reorganized the Commission meeting agenda in an apparent attempt to limit further public discussion of JCOPE business.<sup>5</sup>

We encourage the legislature to schedule a prompt oversight hearing and to solicit views from a broad range of groups who seek to improve the administration of the state's ethics law and restore trust in our state government.

Respectfully,



Edward L. Murray, Chair

#### Contact

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<sup>2</sup> Event Video: "Ten Years In, JCOPE and Its Future," Feb. 16, 2021 <https://www.nycbar.org/media-listing/media/detail/ten-years-in-jcope-and-its-future>.

<sup>3</sup> Report of the New York City Bar Association, "Ten Years In, Is There Still Hope for JCOPE," Feb. 16, 2021, <https://s3.amazonaws.com/documents.nycbar.org/files/2020852-JCOPE10YearReport.pdf>.

<sup>4</sup> Report of the New York City Bar Association, "Support for Removing the Political Party Veto Which Hinders JCOPE's Ability to Enforce New York's Ethics Laws," April 13, 2021, <https://www.nycbar.org/member-and-career-services/committees/reports-listing/reports/detail/jcope-voting-amendment-removing-political-party-veto>.

<sup>5</sup> Bragg, Chris, "JCOPE chair's agenda shift may bury controversial discussions," Times Union, Apr. 27, 2021, [https://www.timesunion.com/news/article/JCOPE-chair-s-shift-may-bury-controversies-16133493.php?utm\\_source=newsletter&utm\\_medium=email&utm\\_content=headlines&utm\\_campaign=tu\\_capitolconfidential&sid=593181b93f92a45314a62d5c](https://www.timesunion.com/news/article/JCOPE-chair-s-shift-may-bury-controversies-16133493.php?utm_source=newsletter&utm_medium=email&utm_content=headlines&utm_campaign=tu_capitolconfidential&sid=593181b93f92a45314a62d5c).