



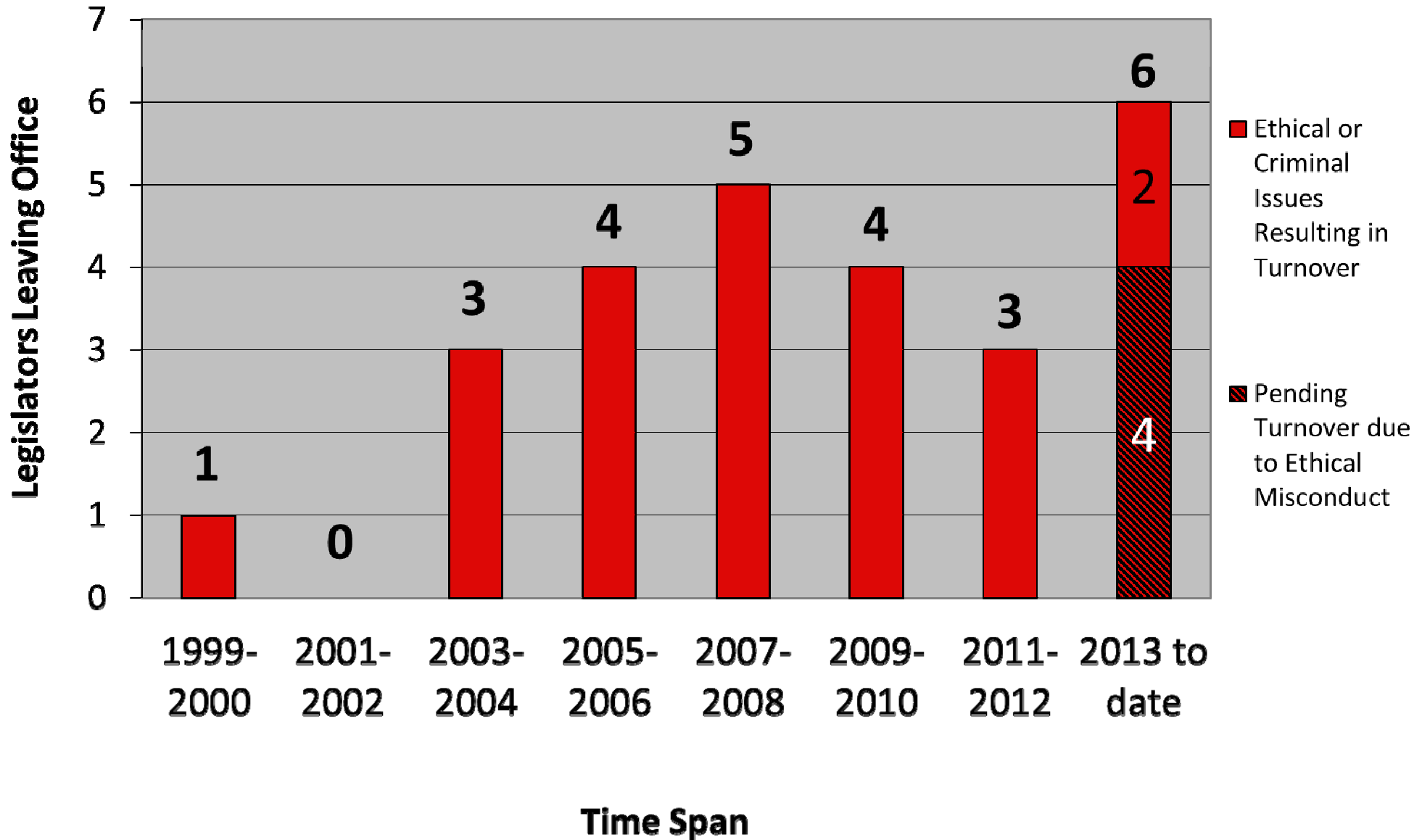
CITIZENS UNION OF THE CITY OF NEW YORK
SUMMARY OF TURNOVER IN THE NYS LEGISLATURE DUE TO ETHICAL OR CRIMINAL ISSUES, 1999 to 2013
June 18, 2013

Citizens Union in 2009 and 2011 released groundbreaking reports on turnover in the state legislature which found that **legislators are more likely to leave office due to ethical or criminal issues than to die in office, or be redistricted out of their seat.**ⁱ Given corruption scandals continually breaking in Albany this year, Citizens Union provides on the following pages an updated list of all legislators who have left to date due to ethical or criminal misconduct.

Since 1999, 22 state legislators have left office due to criminal or ethical issues, most recently with Assemblymember Vito Lopez's resignation following the release of a substantial basis report by the Joint Commission on Public Ethics regarding his misconduct as it related to sexual harassment of his staff. Given current federal complaints against **Senators John Sampson, Malcolm Smith,** and **Assemblymembers Boyland and Stevenson,** **there are as many as 4 additional seats which could be vacated due to corruption or criminal issues this year.** Should all four of these legislators leave office this year, **the total number of legislators leaving office due to criminal or ethical issues could be as high as 26,** as shown in the chart on the next page. The table on the page 3 lists all legislators who have left office since 1999 due to criminal or ethical issues.



CITIZENS UNION
Ethical/Criminal Issues Resulting in Turnover:
New York State Legislature from 1999 to 2013
June 18, 2013



**LEGISLATIVE TURNOVER DUE TO ETHICAL/CRIMINAL ISSUES
 BY DISTRICT: 1999-2013**

DISTRICT	YEAR LEFT OFFICE	HOUSE	LEGISLATOR	REASON LEAVING OFFICE	SUCCEEDED BY (CURRENT INCUMBENTS IN BOLD)
53	2013	Assembly	Vito Lopez (D)	Resigned due to ethical misconduct and sexual harassment scandal: following the release of report by the Joint Commission on Public Ethics (JCOPE) which found a substantial basis for violations of the Public Officers Law, Lopez resigned amidst public pressure. ⁱⁱ	VACANT
86	2013	Assembly	Nelson Castro (D)	Resigned due to ethical misconduct: has been arraigned for lying under oath regarding an election fraud investigation. ⁱⁱⁱ	VACANT
10	2012	Senate	Shirley Huntley (D)	Lost primary due to ethical issue: indictment over conspiracy to funnel money intended for her non-profit to aides and tampering with an open investigation. ^{iv}	James Sanders, Jr. (D)
17*	2012	Senate	Carl Kruger (D)	Resigned due to ethical misconduct: Charged with bribery and pleaded guilty to conspiring to take at least \$1 million in bribes in exchange for various favors to sponsor legislation and direct grants. ^v	David Storobin (R)
80	2012	Assembly	Naomi Rivera (D)	Lost primary due to ethical issue: allegations of providing her boyfriends with no-show government jobs. Rivera is under investigation but has yet to be charged. ^{vi}	Mark Gjonaj (D)
13	2010	Senate	Hiram Monserrate (D)	Expelled mid-term due to criminal issue: by vote of Senate due to misdemeanor assault charges. ^{vii}	Jose Peralta (D) (special election)
33	2010	Senate	Pedro Espada (D)	Lost primary due to ethical issues: corruption investigation and was later indicted on various corruption charges by the State Attorney General and F.B.I. ^{viii} He later pleaded guilty to federal tax evasion in 2012. ^{ix}	Gustavo Rivera (D)

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40	2010	Senate	Vincent Leibell (R)	Resigned due to ethical misconduct: before end of Senate term pleaded guilty to felony corruption charges stemming from federal investigation. He had also won the 2010 General Election for Putnam County Executive, and was forced to resign from that post. ^x	Gregory Ball (R)
38	2009	Assembly	Tony Seminerio (D)	Resigned due to ethical misconduct: federal indictment; pled guilty to single count of theft of honest services for acceptance of “consulting fees” from those promised inside access in Albany ^{xi}	Michael Miller (D) (special election)
13	2008	Senate	John Sabini (D)	Took another office with criminal issue: Appointed head of the State Racing and Wagering Board due to concerns that he would not win re-election due to a guilty plea for a DWI earlier that year ^{xii}	Hiram Monserrate (D)
33	2008	Senate	Efrain Gonzalez (D)	Lost election due to ethical issues: Was indicted on federal mail fraud and lost election as result of federal investigation; he later pled guilty to two charges of mail fraud and two charges of conspiracy to commit mail fraud ^{xiii}	Pedro Espada, Jr. (D)
43	2008	Senate	Joseph Bruno (R)	Retired with ethical issues: was indicted on eight counts, including corruption and theft of honest services; shortly after resigning, he became the chief executive officer of CMA Consulting, an information technology company that has contracts with several executive branch offices and agencies and was registered as a lobbyist. ^{xiv}	Roy McDonald (R)
40	2008	Assembly	Diane Gordon (D)	Resigned due to ethical misconduct: Found guilty of taking bribes; tried to steer city-owned land to a private developer in exchange for a house – result of Brooklyn District Attorney investigation ^{xv}	Inez Barron (D) (special election)

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142	2008	Assembly	Michael Cole (R)	Lost primary election due to ethical issues: was censured by Assembly and stripped of committee posts due to his spending the night in the apartment of an Albany intern ^{xvi}	Jane Corwin (R)
10	2006	Senate	Ada Smith (D)	Lost primary due to ethical misconduct: was found guilty of harassment after being accused of throwing coffee in a staffer's face at her Albany office. Was censured by then Senate Minority Leader Paterson for "a pattern of inappropriate, unprofessional and often abusive behavior." ^{xvii}	Shirley Huntley (D)
25	2006	Assembly	Brian McLaughlin (D)	Resigned due to ethical issues: pleaded guilty to racketeering after being arrested on charges of embezzling more than \$2 million in state and labor funds – result of federal investigation. ^{xviii}	Rory Lancman (D)
95	2006	Assembly	Ryan S. Karben (D)	Resigned due to ethical issues: improper fraternization with interns ^{xix}	Ellen Jaffee (D)
43	2005	Assembly	Clarence Norman (D)	Resigned due to ethical misconduct: Found guilty on three felony counts in 2005 including intentionally soliciting illegal campaign contributions, stealing \$5,000 donated to his reelection, and falsifying business records; was later sentenced to one to three years in prison for judicial extortion scheme – result of Brooklyn District Attorney investigation ^{xx}	Karim Camara (D) (special election)
34	2004	Senate	Guy Velella (R)	Resigned due to ethical misconduct: after pleading guilty to bribery – result of Manhattan District Attorney investigation ^{xxi}	Jeffrey Klein (D)

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DISTRICT	YEAR LEFT OFFICE	HOUSE	LEGISLATOR	REASON LEAVING OFFICE	SUCCEEDED BY (CURRENT INCUMBENTS IN BOLD)
57	2004	Assembly	Roger Green (D)	Resigned due to ethical misconduct: pleaded guilty to two counts of petty larceny and one count of filing a false instrument (false billing of Assembly travel expenses) stemming from Albany County District Attorney investigation, then briefly resigned from office after being asked to resign by Speaker Silver. He ran for re-election, however, in November 2004 and won. In 2006, he unsuccessfully ran for Congress, leaving his seat open ^{xxii}	Hakeem Jeffries (D)
79	2003	Assembly	Gloria Davis (D)	Resigned due to ethical misconduct: pleaded guilty to taking bribes – result of Manhattan District Attorney investigation ^{xxiii}	Michael Benjamin (D) (special election)
136	2000	Assembly	Jerry Johnson (R)	Resigned due to criminal misconduct: Pleased guilty to second degree attempted burglary. ^{xxiv}	Joseph Errigo (R)

ⁱ Available at: http://www.citizensunion.org/www/cu/site/hosting/Reports/CU_ExaminingTurnover_Update_Feb2011.pdf and http://www.citizensunion.org/www/cu/site/hosting/Reports/CUF_Turnover_Report-November%202009.pdf

ⁱⁱ Seiler, Casey. "Lopez Resigns, Effective 9 a.m. Monday." Times Union Capital Confidential Blog. May 18, 2013. Available at: <http://blog.timesunion.com/capitol/archives/187364/lopez-resigns-effective-9-a-m-monday/>

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^v New York Times. "Carl Kruger Topic Page." Available at: http://topics.nytimes.com/topics/reference/timestopics/people/k/carl_kruger/index.html

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