



New York

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Related Services

- Government Affairs
- Litigation

Education

LL.M., New York University School of Law, 1969; Concentration in Tax

J.D., New York University School of Law, 1967

A.B., Brooklyn College, 1965

Joel Cohen Senior Counsel

Joel Cohen, an experienced white-collar criminal lawyer, joined the firm in 1985 after ten years as a prosecutor, first with the New York State Special Prosecutor's Office and, second, as an Assistant Attorney-in-Charge with the U.S. Justice Department's Organized Crime & Racketeering Section (E.D.N.Y.). In those positions, he concentrated in the investigation, prosecution and trial of organized crime figures and corruption cases involving high-ranking public officials in New York, including the top leadership of the Colombo crime family, many members of the elite narcotics division of the New York Police Department, and the first ever prosecution of a sitting FBI agent.

Since arriving at Stroock, Mr. Cohen has represented and actively counseled individuals and corporations that have been investigated and/or prosecuted for alleged federal racketeering, securities violations, tax evasion, bribery, fraud, corruption, obstruction of justice, money laundering, environmental offenses, and customs violations involving alleged international frauds. He has also represented attorneys on ethical issues and in disciplinary proceedings in a number of jurisdictions in the New York area.

His representations, described here without names because of the sensitivity of most of his matters, have included:

- **Attorneys.** Mr. Cohen has represented attorneys under inquiry and investigation, both in criminal and in disciplinary proceedings, involving alleged contemptuous behavior, HUD fraud, bank fraud, estate fraud, false advertising, tax violations, racketeering, and insolvency proceedings.
- **Public Officials.** Mr. Cohen has represented high-ranking public officials in federal, state and municipal government, as well as judges and judicial assistants who were investigated, prosecuted or required to give testimony in various proceedings. Key representations include the then second highest elected New York State public official, a key member of the New York City Mayor's cabinet, and a high-ranking figure in New York's Democratic Party who was prosecuted for federal racketeering charges.
- **Securities Offenses.** Mr. Cohen has represented individuals regarding federal and state securities and commodities offenses, including, recently, a highly publicized federal securities criminal complaint in which there was a full dismissal of the criminal charge, and in another case, the successful withdrawal of an SEC Wells Notice

in Illinois.

- **Internal Investigations.** Mr. Cohen has conducted internal investigations on behalf of corporations, municipal unions and law firms. Such representations have resulted in exonerations as to wrongdoing on behalf of the entity clients, and successful referrals to criminal authorities on behalf of the corporate entity clients of the individuals whose conduct was under scrutiny.
- **Media.** Mr. Cohen represented a substantial print media enterprise that was charged criminally, and its individual owners, who had been under investigation, for conduct relating to false advertising. The representation of the enterprise involved grand jury subpoenas implicating a variety of First Amendment issues, including access to sealed court proceedings.
- **Charitable Organizations.** Mr. Cohen successfully represented one of the largest, worldwide communal organizations in an investigation by the New York State Attorney General's Office for alleged violations of its charitable status under New York law. He has also represented charitable institutions in connection with Attorney General approvals.
- **Insurance Industry.** Mr. Cohen has represented significant insurance companies, agencies, brokerages, and adjusters involving federal and state criminal charges and investigation relating to improper fee payments, overcharges, false SEC filings, kickbacks and false financial reporting.
- **Health Care.** Mr. Cohen successfully represented a large hospital involving alleged fraud in a municipal contract, as well as other private hospitals in connection with regulatory and criminal inquiries. Mr. Cohen has also represented a leading health care provider and pharmacists in investigations by state and federal authorities, including alleged Medicaid/Medicare fraud violations.
- **Taxes.** Mr. Cohen has represented accounting firms and professionals under investigation for criminal violations, including tax shelters and the facilitation of money laundering. He also represented a number of individuals charged with federal and state tax violations.
- **Forfeiture Proceedings.** Mr. Cohen has represented individuals whose funds were the subject of civil seizure orders and criminal forfeiture proceedings as a result of alleged illegal conduct in New York and Florida.
- **Environmental Violations.** Mr. Cohen has successfully represented a number of individuals and corporations, including one development in a lengthy federal court proceeding spanning more than a decade, which alleged violations of the Endangered Species Act and its New York State counterpart.
- **Customs Violations.** Mr. Cohen has represented both public and private corporations criminally charged with large conspiracies to violate federal customs statutes in New York and Florida.
- **Government Contracts.** Mr. Cohen has represented both public and private corporations charged with government contract fraud involving various types of military procurement in New York, California and Pennsylvania.
- **Sports, Gaming and Entertainment Industry.** Mr. Cohen represented a key sports trade group criminally charged with federal gaming violations in Louisville, Kentucky. He has also represented a

significant casino entity in a grand jury investigation by the New York County District Attorney's Office, as well as a number of New York nightclubs and owners in connection with state grand jury and SLA proceedings.

- **Business Consulting.** Mr. Cohen represents a number of business consulting entities with respect to grand jury investigations and subpoenas on an ongoing basis in various jurisdictions around the country.
- **Real Estate Industry.** Mr. Cohen has represented significant New York builders and real estate management companies in internal investigations, as well as relating to federal and state grand jury subpoenas and criminal investigations of improper business practices.
- **Banking.** Mr. Cohen has represented a number of domestic banks in New York and two Swiss banks (New York and Florida), as well as banking officials in connection with grand jury investigations of alleged money laundering.

Memberships

- Member, Federal Bar Council
- Former Member, New York State Judicial Conduct Commission
- Adjunct Professor, Fordham

Selected Activities

- Guest, Chicago Bar Association podcast, "The Peaking Beneath the Blindfold Edition," June 6, 2018
- Member, New York State Commission on Judicial Conduct, 2010-present
- Adjunct Professor of Law, Fordham University School of Law, Professional Responsibility, 2005-present
- Adjunct Professor of Law, Cardozo School of Law, 2019-present
- Adjunct Professor of Law, Brooklyn Law School, Professional Responsibility, 2002-2006

Speeches & Events

Mr. Cohen has participated as a lecturer, moderator and panelist in many legal symposiums and seminars.

Publications

Since 1987, Mr. Cohen has authored over 440 articles published in legal periodicals, primarily the *New York Law Journal*, *HuffPost*, *Slate*, *Law.com* and *Law & Crime*. Select articles include:

- "A Sitting Justice Speaks to Troubled Times: An Interview With Hon. Rolando T. Acosta," *New York Law Journal*, March 9, 2022
- Author, "Rakoff's 'Palin' Decision," *New York Law Journal*, March 2, 2022
- Author, "When Prosecutors 'Inform' the Public," *New York Law Journal*, February 7, 2022

- Author, "Progressive Justice and the Judges," *New York Law Journal*, January 31, 2022
- Author, "Is Andrew Cuomo guilty, innocent or something in between?" *New York Daily News*, January 19, 2022
- Author, "Questions and Answers on 'Illiberalism'," *New York Law Journal*, January 10, 2022
- Author, "A New Year's Resolution for Attorneys—No Client Emails (or Texts)!" *Bloomberg Law*, December 30, 2021
- "What Does the 'Giuliani' Decision Teach Us?," *New York Law Journal*, July 8, 2021
- "Should a Judge Seek To Help Repair the World?," *New York Law Journal*, June 16, 2021
- "George Floyd's Killing: What If You Were There?" *New York Law Journal*, July 7, 2020
- "Will There Be a Place for Statues Any Longer?" *The Times of Israel*, July 2, 2020
- "INSIGHT: Will It Matter Who Runs the U.S. Attorney's Office in Manhattan?" *Bloomberg Law*, June 29, 2020
- "Sometimes Common Sense Beats a Lawsuit Over Liberties," *The Hill*, June 26, 2020
- "Teaching Moments About Zealous Representation," *New York Law Journal*, June 22, 2020
- "'Good Works': Enhanced by a Pandemic?" *The Times of Israel*, June 15, 2020
- "Prosecuting George Floyd's Killing: A Timing Calculated to Keep the Peace?" *New York Law Journal*, June 11, 2020
- "Michael Flynn: The Trap, the Guilty Plea and Brady," *New York Law Journal*, June 8, 2020
- "Like Viral Videos, Technology Can Help Prove Financial Crimes," *Bloomberg Law*, June 3, 2020
- "When a 'Would-Be' Client Foolishly Relies on an Attorney," *New York Law Journal*, May 28, 2020
- "Has Justice Department Partisanship Finally Hit a Wall?," *The Hill*, May 22, 2020
- "The Meaning of an Oath — in Pandemic Times," *The Times of Israel*, May 20, 2020
- "Flynn: What Will Judge Sullivan Do?," *New York Law Journal*, May 11, 2020
- "Biden/Reade: The Dilemma of Whose Ox Is Gored," *New York Law Journal*, May 6, 2020
- "'The Law's Delay'—In Pandemic Times," *New York Law Journal*, April 30, 2020
- "Looking Your Client in the Eye — Today," *New York Law Journal*, April 16, 2020
- "When a Trial Lawyer Communicates Publicly With the Jury — During Trial," *New York Law Journal*, April 10, 2020

- "Jury Contamination in High Stakes Cases—A Conversation and Remedy," *Bloomberg Law Insight*, April 3, 2020
- "Courtroom Advocacy When This Is All Over," *New York Law Journal*, April 3, 2020
- "How Will Those Who Follow Judge Us?," *New York Law Journal*, March 26, 2020
- "How Impactful Can a District Judge's Opinion Be? Very," *Bloomberg Law Insight*, February 28, 2020
- "FCPA Benefits, Advantages Outweigh Opposition's Arguments," *Bloomberg Law Insight*, February 19, 2020
- "Romney and the Meaning of an Oath," *New York Law Journal*, February 14, 2020
- "When Will a Criminal Lawyer Report His Client?" *New York Law Journal*, February 11, 2020
- "Does No Cash Bail Make Any Sense?" *New York Law Journal*, January 21, 2020
- "The Senate Impeachment Oath - Is Impartiality Even Possible?" *Bloomberg Law Insight*, January 16, 2020
- "Lawyer Trust, and the John Bolton Chess Game," *New York Law Journal*, January 13, 2020
- "When One's Moral Code Would Override an Oath" *The Hill*, January 7, 2020
- "What Impeachment Reveals About the Oath of Office" *New York Law Journal*, December 19, 2019
- "When Prosecutors and Regulators 'Double Team'" *New York Law Journal*, December 9, 2019
- "Giuliani's 'Policy' Game" *New York Law Journal*, December 5, 2019
- "Can Trump Game the Legal System? Only if the Courts Cooperate" *New York Law Journal*, November 14, 2019
- "When a Prosecutor Lies (to Save Lives)" *New York Law Journal*, October 7, 2019
- "How Can Rudy Giuliani Still Be Trump's Lawyer?" *New York Law Journal*, October 4, 2019
- "We Should Have a 'Reasonable Idea' of How Judges Make Decisions," *New York Law Journal*, September 24, 2019
- "Shouldn't Prosecutors be All Over Epstein's Lawyers?" *Law & Crime*, August 16, 2019
- "What's the Prosecutor's Duty When an Injustice Later Surfaces?" *New York Law Journal*, August 12, 2019
- "What If Mueller Hadn't Been Appointed?" *New York Law Journal*, July 30, 2019
- "The University President's Role in Addressing Offensive Campus 'Speech,'" *New York Law Journal*, July 19, 2019
- "When Fortune Shines Its Light," *New York Law Journal*, July 11, 2019
- "When Litigators Get Overly Aggressive," *New York Law Journal*, June 10, 2019

- "Why Does the House Intel Committee Want to 'Kill the Lawyers'?" *New York Law Journal*, May 21, 2019
- "In Defense of Lawyers Taking Notes," *New York Law Journal*, April 30, 2019
- "Does Mueller Share Blame?" *The Hill*, April 22, 2019
- "What Did Mueller Know?" *The Hill*, March 31, 2019
- "What if Mueller is Fired?" *The Hill*, January 7, 2019
- "When Judges Struggle With Sentencing," *New York Law Journal*, December 14, 2018
- "Contingency Fee? When Hourly Fees Run too High in a Criminal Case," *New York Law Journal*, August 13, 2018
- "Do Talking Head 'Experts' Have Special Ethical Responsibilities?" *New York Law Journal*, June 11, 2018
- "When the Criminal Lawyer Shields the Client," *New York Law Journal*, April 9, 2018
- "Why Mueller Should Agree Not to Prosecute the President For Interview Lies," *Law & Crime*, March 6, 2018
- "Counseling About Criminal Exposure: Lessons From *The Post*," *New York Law Journal*, February 14, 2018
- "Judge Kozinski: Will Due Process Emerge?" *New York Law Journal*, December 14, 2017
- "When His Witness Has Lied... And the Prosecutor 'Knows' It," *New York Law Journal*, September 29, 2017
- "Are Today's 'Deep Throats' Doing the Right Thing?" *The New York Times*, May 31, 2017
- "Do Judges Contribute to Injustices? A Conversation with Judge Jed Rakoff," *ABA Journal*, April 13, 2017
- "The Ethics of 'Holding Out' on Your Client," *New York Law Journal*, April 6, 2017
- "Should Judges Consult Their Personal Moral Convictions?" *Slate.com*, March 28, 2017
- "Should the President Get to Pick Supreme Court Justices?" *Slate.com*, February 24, 2017
- "When Lawyers and Judges Criticize Jury Verdicts," *New York Law Journal*, February 10, 2017
- "Incrementalism and the 'Long View' of the Law" *Federal bar Council Quarterly*, Dec./Jan./Feb./2017, Vol. XXIV, No. 2
- "The Lawyer As 'Acquired' Friend," *Huffington Post*, May 12, 2016
- "When Adjournment Requests Are Critical," *New York Law Journal*, April 12, 2016
- "Helping Juries to Better Reach Untainted Verdicts," *Huffington Post*, February 16, 2016
- "Can the Superseding Indictment Process Be Abused?" *New York Law Journal*, February 9, 2016
- "Changing a Criminal Client's Social Media Pages," *New York Law Journal*, December 8, 2015

Mr. Cohen also recently published *Broken Scales: Reflections on Injustice* (ABA Publishing, 2017). The book explores and asks readers to think about how one can determine what is, in fact, an injustice. Other published works include *Blindfolds Off: Judges On How They Decide* (ABA Publishing, 2014) and *Truth Be Veiled: A Justin Steele Murder Case* (Coffeetown Press, 2010).

While not relating to his law practice, Mr. Cohen has also authored four books dealing with religion:

- *Gehinnom*, available gratis at joelcohen@gehinnom.com, 2011
- *David and Bathsheba: Through Nathan's Eyes*, Paulist Press, 2007
- *Moses and Jesus: A Conversation*, Dorrance Publishing Co. Inc., 2006
- *Moses: A Memoir*, Paulist Press, 2003

He has also conducted six mock trials under New York law of biblical figures relating to these books.

Admitted To Practice

New York

U.S. Tax Court; U.S. District Court for the Southern and Eastern Districts of New York; U.S. Supreme Court; U.S. Court of Appeals, Second Circuit; U.S. Court of Appeals, First Circuit; *Pro hac vice* in a number of federal districts

Honors & Awards

- *Best Lawyers in America*