

## CENTER for JUDICIAL ACCOUNTABILITY, INC.

Post Office Box 8101  
White Plains, New York 10602

Tel. (914)421-1200

E-Mail: [mail@judgewatch.org](mailto:mail@judgewatch.org)  
Website: [www.judgewatch.org](http://www.judgewatch.org)

Elena Sassower, Director

August 10, 2017

### OPEN LETTER

**The NYS Reform Party of Curtis Sliwa MUST Rescind its Endorsement of,  
& Party Line to, Senator George Latimer for Westchester County Executive  
& the Other Parties Must Follow Suit – Unless they Deem Corruption in Office a Qualification**

#### TO: New York State Reform Party Chairman Curtis Sliwa

I am the co-founder and director of the non-partisan, non-profit citizens' organization, Center for Judicial Accountability, Inc. (CJA), based in White Plains, New York, with more than 25 years of in-the-trenches, corruption-fighting under my belt. I thank you for your many decades of civic activism, founding the Guardian Angels and speaking out, on your radio show, on issues of public concern and for justice. I thank you, even more, for taking on the chairmanship of the New York State Reform Party, the purpose of which, as I understand it, is to run candidates who will represent the People's interests by cleaning up the corruption of our state and local governments.

To that end, I am eager to assist you, to the max – which you greatly need because the Reform Party is careening off track – far away from its exemplary ten published “Principles”, the first five of which could not be more unequivocal that “the Reform Party is controlled exclusively by its membership, its agenda set by them and its direction guided by them...being a model of intra-party democracy. Our members know what is best”, that the party is “pro people”, aspires to “A more civically engaged and better informed citizenry”, espouses the “rights and interests of voters...[not] the interests of political parties and party bosses”, and that it aims to “make it easier for regular people to run for office”. In your public appearances, you have emphasized these very “Principles” of the Reform Party, under your leadership.

How is it then that the Reform Party's executive committee, in a closed-door vote, with no notice having been given to the People, including, I believe, the Reform Party's own membership, has conferred the party's good name and ballot line to incumbent state Senator George Latimer, a Democrat, running to become Westchester county executive, against the Republican incumbent, Westchester County Executive Rob Astorino. What “process”, consistent with the Reform Party's “Principles” – not to mention the Reform Party's own Rules and the spirit and intent of the Election Law – led up to this?

As a former constituent of Senator Latimer, I have more than four years of direct, first-hand experience with him and can attest to his corruption, in office. I so-stated this, publicly, 2-1/2 months ago, at a May 17, 2017 panel discussion of journalists in Westchester, entitled “*Fake News, The First Amendment, and Democracy*”, at which Senator Latimer was present. Indeed, I publicly stated that the reason New York's electoral races are non-competitive is that there is NO press

scrutiny of the records of incumbents – and that were the press to examine Senator Latimer’s record, as senator, it would expose his corruption, precluding his running for county executive. That very night, I constructed a webpage on CJA’s website, [www.judgewatch.org](http://www.judgewatch.org), to facilitate that scrutiny. It is now accessible from a prominent homepage link entitled: “OUTING CORRUPT & COLLUSIVE INCUMBENTS & Ending their Road to Re-Election & Higher Office in 2017, 2018, & Beyond – WITH EVIDENCE”.

Here’s the direct link to the “Ending the Road” webpage for Senator Latimer: <http://www.judgewatch.org/web-pages/elections/ending-the-road-latimer.htm> – from which you can verify THE EVIDENCE, for yourself. There posted are illustrative samples of my correspondence with Senator Latimer, going back to 2013 – as, for instance, my March 22, 2013 e-mail to him, entitled “Your Power and Duty to Reject the Budget: S2601/A.3001 – Judiciary Appropriations Bill”, worth quoting, at length:

“Just to let you know that my letter of today’s date to the General Budget Conference Committee & its Subcommittee on ‘Public Protection’, Criminal Justice, & Judiciary, which I e-mailed to you several hours ago, has now been sent to every member of the Senate and Assembly with the above subject line and & below message.

If you take to the Senate...floor tomorrow on this issue – calling upon your fellow legislators to reject a Judiciary appropriations bill they cannot meaningfully review and whose dollar amount they do not even know, as likewise the dollar cost of the judicial pay raises – not to mention the problems with the legislative appropriations which are part of the same bill (ie where are the ‘General State Charges’?, ie ‘fringe benefits’ – pensions, health coverage, social security, etc) – a budget controlled by leaders operating behind closed doors who make a mockery of any ‘process’, completely sidelining members and, as here, ignoring DISPOSITIVE DOCUMENTARY EVIDENCE to go full speed ahead with judicial pay raises that are utterly fraudulent, statutorily-violative, and unconstitutional – you will be leading the way to HISTORIC CHANGE.

Build alliances tonight & tomorrow with your fellow legislators. Through CJA’s correspondence on this issue & website, they – and you – have everything needed to protect the public’s rights and money. Only scandal makes change – and what is here at issue is a MAJOR SCANDAL that will rightfully topple our highest constitutional officers, whose obligation it was, long ago, to secure override of the judicial pay raises based on our October 27, 2011 Opposition Report. Call the press! Let them know you will be making a stand!

I am available to answer any questions you have – and to help you in doing what is your job to do.

Thank you...” (capitalization in the original)

Also posted are the succession of verified pleadings in CJA's two citizen-taxpayer actions against, *inter alia*, the Senate and Assembly – in other words, against Senator Latimer and his legislative colleagues – and links to the Senate and Assembly videos of my testimony before the Legislature at its budget hearings on February 6, 2013, January 30, 2017, and January 31, 2017.

I recommend that you start with the videos, as my testimony so tangibly summarizes the systemic government corruption, involving all three government branches – legislative, executive, and judicial – which Senator Latimer has known about, covered-up, and perpetuated over all these years. Moreover, I can attest that Senator Latimer viewed the video of my February 6, 2013 testimony since he watched it, in my presence, when we met together on March 8, 2013, in his district office.

In that first meeting with Senator Latimer, on March 8, 2013, I summarized for him where matters stood a full month after testifying as to the Legislature's duty to void the judicial pay raises recommended by the August 29, 2011 report of the Commission on Judicial Compensation because they are statutorily-violative, fraudulent, and unconstitutional – demonstrated as such by CJA's October 27, 2011 opposition report and CJA's March 30, 2012 verified complaint in a declaratory judgment action based thereon, copies of which I had handed up, in substantiation, when I testified. I told him there had been NO investigation by any legislative committee, NO findings of fact, NO conclusions of law, NO legislative committee meeting even discussing my testimony, and NO vote to void the judicial pay raises, whose precise dollar amount the judiciary budget concealed – and whose further consequence would be to raise district attorney salaries which are statutorily-linked to judicial salaries.

What was Senator Latimer's follow-up to this March 8, 2013 in-person meeting, to the February 6, 2013 video of my testimony that he watched, in my presence, and to the content of the March 30, 2012 verified complaint, which, as related to the Senate and its Judiciary Committee, I summarized for him:

- (1) its sham, rubber-stamp confirmations of New York state judges, disregarding and barring EVIDENCE-supported opposition testimony;
- (2) its refusal to confront EVIDENCE of the corruption of the Commission on Judicial Conduct;
- (3) its refusal to confront EVIDENCE of the corruption of the court-controlled-attorney disciplinary system;
- (4) its refusal to examine EVIDENCE of the attorney general's corrupting of the judicial process to defeat citizen lawsuits where he has no legitimate defense; and
- (5) its refusal to confront EVIDENCE of how New York State judges corrupt the judicial process by fraudulent judicial decisions obliterating ALL cognizable adjudicative standards to "throw" cases.

The answer is that there was NO follow-up by Senator Latimer to any of this – nor to the starting point of my presentation at our March 8, 2013 meeting, namely, the imperative for legislative rules reform – the *sine qua non* for a properly functioning legislature, so-recognized by both the April 2009 majority and minority reports of the Temporary Senate Committee on Rules and Administration Reform, copies of which I also brought to the meeting, along with the 2004, 2006, and 2008 reports of the Brennan Center for Justice, with which he was already familiar.

Instead, Senator Latimer allowed his fellow legislators to go full-speed-ahead to enact a slush-fund legislative/judiciary budget bill for fiscal year 2013-2014, whose dollar amount, both with respect to the legislative portion and with respect to the judicial portion neither he nor they knew or would reveal, a situation compelling me to file an April 15, 2013 corruption complaint against all of them to then U.S. Attorney Preet Bharara, summarizing the “grand larceny of the public fisc” taking place with respect thereto and the fraudulent, statutorily-violative, and unconstitutional judicial salary increases embedded therein – in support of which I furnished copies of ALL I had handed-up to the Legislature in testifying before it on February 6, 2013, plus additional correspondence. This I then filed with a succession of other prosecutorial and investigative authorities, including Albany County District Attorney P. David Soares, in support of a July 19, 2013 corruption complaint that I additionally filed with the district attorney-stacked Commission to Investigate Public Corruption, established by Governor Andrew Cuomo and Attorney General Eric Schneiderman, of which D.A. Soares was a member.

Senator Latimer was provided with the April 15, 2013 corruption complaint and with the July 19, 2013 corruption complaint, including by a July 24, 2013 e-mail, reiterating my constantly repeated entreaties for his “leadership”. Three weeks later, by an August 13, 2013 letter addressed to him, I laid before Senator Latimer the most breathtaking opportunity to champion and advance legislative rules reform in the context of the “Public Trust Act” – touted by Governor Cuomo and all 62 of New York’s district attorneys as essential to stemming public corruption. Here, as during the previous six months, there was ZERO responsiveness from him. Likewise, thereafter, as I continued to beseech his action and “leadership” in countless phone calls and e-mails which apprised him of the ever widening and deepening governmental corruption I was uncovering and documenting, including as to the fraudulence of the Commission to Investigate Public Corruption<sup>1</sup> and of the legislative and judiciary budgets, no longer limited to fiscal year 2013-2014, but replicated in fiscal year 2014-2015 and fiscal year 2015-2016 and fiscal year 2016-2017 and fiscal year 2017-2018 and reaching to the whole of the state budget.

---

<sup>1</sup> The true facts about the Commission on Public Corruption – suppressed and falsified by the press and their stable of so-called “good-government groups” and “experts”, which the press uses as stand-ins for the People – are particularized, with EVIDENCE, by CJA’s April 23, 2014 order to show cause to intervene in the declaratory judgment action against the Commission purportedly brought by the Senate and Assembly (Supreme Court/New York Co. #160941/2013). This was the subject of CJA’s August 6, 2017 e-mail entitled “PUTTING AN END TO ‘FAKE NEWS’...”, sent to all reporters listed on the roster of Albany’s Legislative Correspondents’ Association. It is posted as part of CJA’s menu of webpages pertaining to “OUTING CORRUPT & COLLUSIVE INCUMBENTS”.

The result? In the complete absence of any “leadership” from Senator Latimer or anyone else, CJA filled the leadership void: commencing two citizen-taxpayer actions, the first on March 28, 2014, the second on September 2, 2016, each expressly on behalf of the People of the State of New York and the Public Interest. The defendants, sued for their corruption, are essentially the same in both suits as in CJA’s 2012 declaratory judgment action, which, likewise, we had brought expressly on behalf of the People of the State of New York and the Public Interest.

In the still-unfolding second citizen-taxpayer action these defendants are: Governor Cuomo, Temporary Senate President John Flanagan, the Senate, Assembly Speaker Carl Heastie, the Assembly, Attorney General Schneiderman, Comptroller Tom DiNapoli, and Chief Judge Janet DiFiore, the latter being the former Westchester County district attorney, with whom Senator Latimer has a long-standing personal friendship – and who Governor Cuomo appointed as chief judge in December 2015 and who the Senate confirmed in January 2016, following a sham Senate Judiciary Committee confirmation hearing at which no opposition testimony was permitted, as for instance by those having direct knowledge and testimonial capacity as to her unfitness, such as myself and the exoneree-activist Jeffrey Deskovic. Needless to say, Senator Latimer, who is not a Senate Judiciary Committee member, was permitted to offer up supporting comment (at 1 hr-6 minutes) – and then, of course on the Senate floor (at 1 hr-12 seconds).<sup>2</sup>

The verified complaints and verified supplemental complaints in these two citizen-taxpayer actions chronicle the defendants’ flagrant violations of the New York State Constitution, of statutes, and of legislative rules with respect to the legislative budget, the judiciary budget, and the executive budget – the current executive budget being a \$160-plus-billion slush-fund, for which – were there any truly functioning prosecutorial checks, rather than the window-dressing we have – these defendants would all be indicted. This includes a fully knowledgeable and complicit Senator Latimer, who, before being elected as state senator was an assemblyman, with a stint as chair of the sham, essentially member-less Legislative Commission on Governmental Administration, for which he pocketed a lulu.

I am ready, willing, and eager to IMMEDIATELY meet with you and the Reform Party’s executive committee and to answer, under oath, your questions and furnish further details of Senator Latimer’s unfitness for ANY office of public trust, let alone for Westchester county executive, responsible for the Westchester County budget. Based on the videos of my testimony at the Legislature’s budget hearings, my correspondence with Senator Latimer, and the pleadings of the two citizen-taxpayer actions pertaining to the budget, furnishing chapter-and-verse details of the scamming of the public by elected public officers and a self-interested, corrupt state judiciary, the Reform Party’s executive committee, under your chairmanship, must demand Senator Latimer’s responses – because the record before you furnishes not a single response from him.

---

<sup>2</sup> CJA’s website, [www.judgewatch.org](http://www.judgewatch.org), posts the Senate Judiciary Committee and Senate floor videos on a webpage for Judge DiFiore’s confirmation. It is part of a series of webpages pertaining to her nomination and confirmation, including one entitled “The *UNINVITED* Senate Judiciary Committee Witnesses, with essential testimony as to DiFiore’s record & fitness”. The menu page is here: <http://www.judgewatch.org/web-pages/judicial-selection/nys/judicial-selection-ny-difiore-menu.htm>.

Upon confirming that Senator Latimer CANNOT answer, without incriminating himself, the executive committee must rescind its authorization of his candidacy on the Reform Party line. The sooner this happens, the sooner the other third parties – the Independence Party, the Women’s Equality Party, and the Working Families Party, which preceded the Reform Party in giving over their valuable party lines to Senator Latimer in similar authorizations, will be forced to follow suit. So, too, the Democratic Party because no party can field a candidate who should be indicted for public corruption, including pursuant to the “Public Trust Act” which, as part of the behind-closed-doors “three-men-in-a-room” budget deal for fiscal year 2014-2015, Senator Latimer and his fellow legislators voted to enact, without the slightest legislative due process, in exchange for shutting down the Commission to Investigate Public Corruption.

Needless to say, this will completely transform the 2017 race for Westchester county executive – and other presently non-competitive 2017 races, such as for district attorney in a host of counties. It will also blow open the 2018 races by ending the re-election prospects of Governor Cuomo, Attorney General Schneiderman, Comptroller DiNapoli, as likewise of incumbent legislative leaders and a huge swath of the rank and file legislators occupying the 53 state senate seats and 150 state assembly seats, ALL up for re-election next year. NONE will be able to justify the systemic corruption involving them that is described and reflected by my testimony before the Legislature on February 6, 2013, January 30, 2017 and January 31, 2017 and by the pleadings of the two citizen-taxpayer action lawsuits.

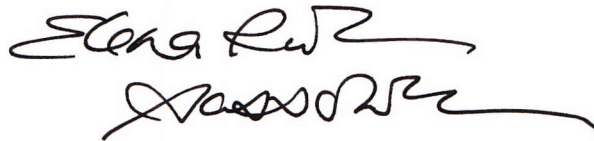
As time is of the essence – and no time must be wasted in ensuring that the Independence Party, the Women’s Equality Party, and the Working Families Party, as well as the Democratic Party, confront the EVIDENCE of systemic governmental corruption involving the legislative, executive, and judicial branches that Senator Latimer has knowingly and deliberately covered-up and perpetuated all these years – causing vast, irreparable injury to the People of the State of New York – I am sending this e-mail to them so that ALL can begin to examine the MOUNTAIN of politically-explosive EVIDENCE posted on CJA’s website, [www.judgewatch.org](http://www.judgewatch.org) – none more game-changing than the record of CJA’s two citizen-taxpayer actions – and the events relating thereto in the 2017 legislative session, largely chronicled by CJA’s block-buster, summarizing March 29, 2017 supplemental complaint in the second citizen-taxpayer action. CJA’s homepage posts the prominent links to each. For your convenience, they are additionally here: <http://www.judgewatch.org/web-pages/searching-nys/budget/menu-budget-reform.htm> and here: <http://www.judgewatch.org/web-pages/searching-nys/2017-legislature/new-year.htm>.

To enable the press to discharge its first amendment responsibilities to protect our democracy from such “fake news” as their incessant reporting of polls, which, by their reporting, they rig, this e-mail will also be furnished to the journalists who participated at the May 17, 2017 panel discussion and heard my comments about Senator Latimer at that time – as well as to their fellow journalists covering New York State politics, beginning, of course, with local press.

Finally, to expedite Senator Latimer's response, this e-mail will be sent to him – and to his Democratic primary challenger, Westchester County Legislator Ken Jenkins. In the interest of non-partisanship, it will also be sent to incumbent Westchester County Executive Rob Astorino, to the Republican Party, whose nomination he secured, and to the Conservative Party, which has authorized him to run on its line. Suffice to say, the same EVIDENCE that brings down Senator Latimer tarnishes County Executive Astorino. This, because the EVIDENCE that I had furnished to Senator Latimer as of January 2014, I also furnished to County Executive Astorino, then running for governor against incumbent Governor Cuomo. Like Senator Latimer, he also chose the path of silence and collusion in corruption – a choice that in November 2014 cost him and the Republican and Conservative parties, his election as governor, an electoral sweep of the other top statewide offices: attorney general and comptroller – and bragging rights as leaders of clean, honest, fiscally accountable government.

For the convenience of all,<sup>3</sup> this “Open Letter”, with links to the substantiating EVIDENCE on which it is based, will be posted on CJA's webpage on “Ending the Road” for Senator Latimer, accessible from our homepage link: “OUTING CORRUPT & COLLUSIVE INCUMBENTS & Ending their Road to Re-Election & Higher Office in 2017, 2018, & Beyond – WITH EVIDENCE”.

Thank you.



---

<sup>3</sup> I am also sending this letter to the Green Party, which, pursuant to Article 11 of its Rules, does “not nominate, designate, and/or authorize the candidates of the Democratic and Republican parties or any other party or independent body that has a policy that permits the nomination, designation, and/or authorization of candidates of the Democratic, Republican, and allied parties” and prohibits its own candidates from “accept[ing] ballot lines offered by the Democratic, Republican, and/or their allied parties”.