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**OPEN LETTER**

December 26, 2012

TO: Senate Republican Conference Leader Dean Skelos  
Senate Democratic Conference Leader Andrea Stewart-Cousins

FROM: Elena Ruth Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)

RE: **ENSURING AN INFORMED SENATE VOTE ON SENATE LEADERSHIP & SENATE RULES: Your Response to CJA's December 7, 2012 Letter to the Independent Democratic Conference on "ACHIEVING A 'FISCALLY RESPONSIBLE, FULLY FUNCTIONAL SENATE'"**

On Wednesday, January 9, 2013, the New York State Senate begins its new session. Its first order of business is the election of a Temporary Senate President and Senate rules, each to be the subject of resolutions to be voted on by the Senate's 63 members.

Would you not agree that Senate members are entitled to make informed decisions as to the fitness of any senator seeking their votes for Temporary Senate President – and as to rules which will subjugate them to the dictates of the Temporary Senate President and impede their ability to exercise independent judgment on behalf of the constituents they serve?

We have already written the five senators of the Independent Democratic Conference – Senators Jeffrey Klein, David Valesky, Diane Savino, David Carlucci, and Malcolm Smith – on both these subjects. Our December 7, 2012 letter to them, entitled "ACHIEVING A 'FISCALLY RESPONSIBLE, FULLY FUNCTIONAL SENATE'", called upon the Independent Democratic Conference:

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*Skelos*

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**OPEN LETTER**

December 21, 2012

TO: Independent Democratic Conference:  
Senator Jeffrey D. Klein; Senator David J. Valesky;  
Senator Diane J. Savino; Senator David Carlucci;  
Senator Malcolm A. Smith

FROM: Elena Ruth Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)

RE **What is Your Response to CJA's December 7, 2012 Letter?**  
**"ACHIEVING A 'FISCALLY RESPONSIBLE, FULLY FUNCTIONAL SENATE':**

(1) Repudiation of your 'historic bipartisan partnership' with a Senate Republican Conference headed by Senator Dean Skelos;

(2) Legislative override of the second and third phases of the judicial pay raises recommended by the August 29, 2011 Report of the Commission on Judicial Compensation, initiated by referring the evidence of unconstitutionality, statutory violations, and fraud to all relevant Senate Committees for discharge of their oversight responsibilities, pursuant to Senate Rules;

(3) Revision of Senate Rules to embody democracy-invigorating recommendations, made in 2009, by the bipartisan Temporary Committee on Rules and Administration Reform and, in 2011, by Resolution #357 introduced by Senators Liz Krueger and Daniel Squadron"

We have received no response from you to our above-entitled December 7, 2012 letter – a copy of which we enclose for your convenience. Have you responded? Please advise and confirm that each of you has personally examined the Verified Complaint in our People's lawsuit against Temporary Senate President Skelos and the Senate, *et al.*, including its most important exhibit: our October 27, 2011 Opposition Report.

Do not deny or dispute that these establish that the 27% judicial pay raises recommended by the



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*Stalos*

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*Elena Ruth Sassower, Director*

**BY E-MAIL & BY HAND**

December 4, 2012

New York State Assemblyman Steve Katz  
 99<sup>th</sup> Assembly District  
 824 Route 6  
 Mahopac, New York 10541

RE: ABOVE POLITICS: Championing an Honest, Accountable Legislature:  
 Voting Out Assembly Speaker Sheldon Silver &  
 Voting In Non-Partisan, Good-Government Assembly Rule Changes

Dear Assemblyman Katz:

Thank you for your courageous leadership in urging your fellow Assembly members not to re-elect Sheldon Silver as Assembly Speaker when they reconvene in January for the new legislative session.

However, Assembly Speaker Silver's cover-up of the sexual improprieties of Assemblyman Vito Lopez and use of taxpayer dollars for an out-of-court settlement – which is the sole basis upon which your letter to your Assembly colleagues entreats them to vote against the Assembly Speaker – is but the smallest fraction of the governmental corruption for which Mr. Silver, as Assembly Speaker, is directly responsible and for which he must be repudiated by Assembly members.

Illustrative is Assembly Speaker Silver's cover-up of the corruption of the Commission on Judicial Compensation and with it the corruption of New York's state judiciary, whose result – this year