

Center for Judicial Accountability, Inc. (CJA)

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Wednesday, January 31, 2018 3:33 PM
To: 'JVielkind@politico.com'; 'LNahmias@politico.com'; 'daniel@politico.com'
Subject: Politico-NY's Budget Guide is SERIOUSLY inaccurate, misleading -- & deprives readers of what they most need to know about incumbent public officers seeking re-election & higher office in this election year

Your below Politico New York Playbook includes the following:

"YOUR GUIDE TO THE BUDGET: Unsure of where Cuomo's budget stands on policy priorities or when the state Legislature will introduce its one-house budgets? POLITICO New York Pro's essential guide has those answers and more - including a handy refresher on the budget process. [Download here.](#)"

Who is the author of this "essential guide" with its "handy refresher on the budget process"? Kindly call me, ASAP, to discuss, as it is SERIOUSLY inaccurate, misleading – and deprives readers of what they most need to know, namely, the flagrant corrupting of New York's constitutionally-ordained budget process and the constitutional command of openness by incumbent public officers, seeking re-election and higher office in this year's elections.

Have you never examined the pleadings in CJA's citizen-taxpayer actions? The most recent, relating to the current 2017-2018 fiscal year, is here: <http://www.judgewatch.org/web-pages/searching-nys/budget/citizen-taxpayer-action/2nd/9-2-16-osc-complaint/3-29-17-osc.htm>.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
www.judgewatch.org
914-421-1200

From: Laura Nahmias and Jimmy Vielkind [mailto:newyorkplaybook@politico.com]

Sent: Wednesday, January 31, 2018 7:21 AM

To: elena@judgewatch.org

Subject: POLITICO New York Playbook: How New York pols saw the State of the Union — Percoco trial testimony reveals HOTEL CUOMO-FORNI — MANGANO's de Blasio defense

01/31/2018 07:19 AM EDT

By Jimmy Vielkind in Albany and Laura Nahmias in Manhattan, with Daniel Lippman

The State of the Union remains divided, as judged by reactions in New York to Donald Trump's prime-time address to Congress. You could see Senate Minority Leader Chuck Schumer scowling at the president and Rep. Hakeem Jeffries, a Brooklyn Democrat, [ask on Twitter](#), "At what point do we chant lock HIM up?" [As our colleague Nancy Cook writes](#), "Much of the speech sought to paint a portrait of a country moving ahead in a united fashion to ensure Americans a better political and financial future - a contrast in tone to the president's often divisive rhetoric during the 2016 presidential campaign where his opponents received derogatory nicknames. But Trump focused largely on familiar

policy proposals, including on immigration and infrastructure, which he positioned as common-sense, mainstream ideas - even though Democrats have been cool or outright rejected them."

Instead of emphasizing a path forward with a narrow solution for people benefiting from the DACA program - known as Dreamers - Trump invited trench warfare: a path to citizenship for a larger pool of people in exchange for full funding of a border wall and the elimination of a visa lottery. He decried "chain migration," a term which many advocates find racist, and declared, "Americans are dreamers, too."

Republicans appreciated Trump's extensive recap of the just-passed tax bill, which prompted Erie County Republican Rep. Chris Collins to praise the president for a "[record-setting first year](#)." More than a half-dozen honorees all drew applause. Gov. Andrew Cuomo got ahead of the speech and warned that it [would be worth nothing](#) if Trump's words weren't backed with specific policies. "Just like his 'tax cut' really gave away millions to the world's biggest corporations, we know Trump's performance tonight was another distraction to cover up for his divisive, hateful agenda," Mayor Bill de Blasio [tweeted](#).

IT'S WEDNESDAY. Got tips, suggestions or thoughts? Let us know ... By email: JVielkind@politico.com, L Nahmias@politico.com, and daniel@politico.com, or on Twitter: [@JimmyVielkind](#), [@nahmias](#), and [@dlippman](#).

WHERE'S ANDREW? Appearing at a pair of events in Plattsburgh.

WHERE'S BILL? Delivering remarks at the Mayor's Fund Advisory Board Meeting, with his wife Chirlane McCray.

The Tabloids - Daily [News: "WHAT A LOAD OF CLAP"](#) - New York Post: "STATE OF THE SCHMOOZIN'"- [See Them](#)

More Tabloids: - Newsday: "TRUMP CALLS FOR 'A NEW AMERICAN MOMENT'" - El Diario New York: "Todos con cámaras" - TRANSLATION: "All with cameras" - [See Them](#).

The Free Papers - Metro New York: "THE GRA\$\$ IS GREENER" - AM New York: "CAMS FOR ALL COPS THIS YEAR" - [See Them](#).

The Broadsheets - New York Times:- 2 col., above the fold: "PRESIDENT ISSUES APPEAL FOR UNITY IN STATE OF UNION" - 3 col., above the fold: "3 Giants Form Health Alliance, Rocking Insurers" - 2 col., below the fold: "Los Angeles Times Unravels As an Ambivalent City Shrugs" - Wall Street Journal: - 5 col. Headline: "Trump Hails 'New American Moment'" - 1 col., below the fold: "Millennials Kick-Start Housing Market" - [See Them](#).

QUOTE OF THE DAY: "That statement is about as real as his hairline." ~ [Cuomo spokesman Rich Azzopardi](#) on something Sen. John DeFrancisco said.

BONUS QUOTE OF THE DAY: "I think the big thing is really getting folks to understand how little will be done at the end of this plan, given the scale of the plan and the scale of homelessness," - Giselle Routhier of Coalition for the Homeless, [criticizing Mayor de Blasio's plan](#) to set aside 15,000 units of affordable housing out of the city's promised 300,000 for the homeless, as the city's homeless census reached 60,903

GREEN OR BLUE: We talked about how this Super Bowl is prompting a moral dilemma for all good-hearted New Yorkers who will be forced to cheer on either the Giants' arch-enemies from Philadelphia, or the cheating New England Patriots. Here's Assembly Speaker **Carl Heastie** (D-Bronx):

"I'm a Cowboys fan and will never root for the Philadelphia Eagles. No way, no how. I will never forget the Bounty Bowl where they targeted a defenseless kicker. So go Pats ... at least for this game."

Is Carl wrong? Do you have a better answer? Drop us a note. We'll be running them until Super Bowl weekend.

YOUR GUIDE TO THE BUDGET: Unsure of where Cuomo's budget stands on policy priorities or when the state Legislature will introduce its one-house budgets? POLITICO New York Pro's essential guide has those answers and more - including a handy refresher on the budget process. [Download here.](#)

WHAT ALBANY IS READING:

- WELCOME TO THE HOTEL CUOMO-FORNIA - New York Daily News' Noah Goldberg and Victoria Bekiempis: "Just when they thought they were out, he'd pull them back in. Two witnesses testifying against one time Gov. Cuomo confidant Joseph Percoco said Tuesday that high level officials used heavy handed tactics to keep executive chamber staff from leaving. Percoco, who is on trial in Manhattan Federal Court for allegedly pocketing more than \$300,000 from several upstate businessmen who sought lucrative state contracts, could place a call asking a staffer to stay in the executive chamber, said Seth Agata, a former Cuomo administration lawyer.

- Or Percoco could call a prospective employer and ask the new company to hold off on hiring the job-seeker, said Agata, who is now executive director of the state Joint Commission on Public Ethics. Andrew Kennedy, Cuomo's former deputy director of state operations, said he was considering leaving the executive chamber in summer 2014 for a job offer at SUNY's University at Albany. But a Cuomo official suggested Kennedy should stay since there were some departures in the administration and a looming gubernatorial election. If Kennedy went for the job against this advice, an official warned that someone from the governor's office would call the college and ask that the offer be rescinded, he testified. Kennedy decided not to accept the job offer." [Read more here](#)

- Sources told POLITICO [the three unnamed employees](#) whose attempts to leave the Cuomo administration were allegedly blocked by Percoco were Peter Cutler, Joe Rabito, and Dan Brown. The men either didn't respond to messages seeking comment or declined comment.

- Kennedy testified that Percoco profanely told him to [work Cor Development's Inner Harbor complex](#) into the itinerary for a 2015 gubernatorial visit.

- SAVE THE DATE, SPECIAL ELECTION SET - Gannett's Joe Spector: "A special election to fill two vacant Senate seats, including a critical one in Westchester, is expected to be held April 24. Cuomo, according to state officials, has settled on April 24 as the election for the two Senate seats and nine openings in the state Assembly. The special elections have been hotly anticipated in New York politics because control of the Senate hangs in the balance. If Democrats can win both seats and all Democrats reconcile into one conference, they would have a one-seat majority for the first time since 2010.

- 'I look forward to electing Democrats to both open seats and finally giving New York voters the functioning Senate Democratic Majority they have repeatedly voted into office, yet been denied,' Senate Democratic Leader Andrea Stewart-Cousins, D-Yonkers, said in a statement Tuesday. Cuomo had been urged to call the special elections prior to April 1 so the new elected lawmakers could participate in budget negotiations -- and also potentially give Democrats control during the debate over the state's fiscal policies. But Cuomo questioned whether it would be prudent to do so, saying he didn't want to interject political races into the budget talks for the fiscal year that starts April 1." [Read more here](#)

- SENATE UPDATES HARASSMENT POLICY - New York Times' Jesse McKinley: "With the nation in the midst of a profound national reckoning over sexual harassment in the workplace, the New York State Senate has revamped its decade-old policy on the topic - but some of the changes are not exactly what one might expect. To be sure, the definition of harassment was expanded, more protected classes were included and disciplinary warnings were included if supervisors failed to report harassing behavior. But the new [four-page policy](#), distributed to members of the Senate and staff on Monday and obtained by The New York Times, also contains a new sentence stating that "reporting a false complaint is a serious act," and then - as it did before - warned that such false accusations or false statements to investigators can result in disciplinary actions or firing. ... Those particular changes struck Senator Andrea Stewart-

Cousins, the leader of the Senate Democratic Conference, and the only female leader in either chamber of the Legislature, as tone-deaf amid the clamor of the #MeToo movement." [Read more here](#)

- **Erica Vladimer**, a former staffer for Sen. Jeff Klein who recently accused him harassment, [responded to the proposed change](#): "I look forward to the day when the old boys' club of dysfunction and protection of power is a thing of the past. But today, I feel sick."

WHAT CITY HALL IS READING:

A TASK FORCE OR WHATEVER- Crain's Will Bredderman: "Something is afoot on one of the city's diciest policy issues: property taxes. Mayor Bill de Blasio promised Tuesday his office would soon move to reform property taxes-two days before his finance commissioner will appear at an event with a group suing to change them. The mayor made the remarks at an unrelated afternoon press conference in Brooklyn, more than a year after he said he would assemble "a task force or whatever" to examine the city's patchwork, piecemeal property tax system." [Read it here](#).

- **City Councilman and former State Sen. Bill Perkins** [wrote an op-ed in the Daily News criticizing de Blasio for fighting a lawsuit over the property tax system.](#)

WHY NOT DE BLASIO? - Newsday's Robert E. Kessler: "Former Nassau County Executive Edward Mangano wants the political corruption case against him thrown out, saying the government engaged in 'selective prosecution' by indicting him but not New York Mayor Bill de Blasio for getting financial benefits from Long Island restaurateur Harendra Singh. The argument by Mangano's attorney, Kevin Keating of Garden City, is based on the recent disclosure by prosecutors that Singh secretly pleaded guilty to bribing Mangano in return for millions of dollars in indirect loan guarantees and county contracts.

- **The revelations also included that Singh pleaded guilty** to bribing an unnamed city official for help in obtaining the renewal on favorable terms of the lease on city land for the Water's Edge, his restaurant on the Queens waterfront. The city official whom Singh pleaded guilty to bribing is identified in the proceedings only as Official #2. The mayor is not identified by name in the superseding information Singh pleaded to, or in the official transcript of Singh's plea. But de Blasio's interaction with Singh coincides with the details in the restaurateur's plea." [Read more here](#)

RELATED - De Blasio Dodges on Donor Questions - New York Post's Michael Gartland: "Mayor de Blasio ducked a fusillade of questions Tuesday about a major donor who pleaded guilty to trying to bribe him during a press conference he called to discuss NYPD body cameras. 'Everything we did on that matter and everything else we've done in this administration was legal, was appropriate,' the mayor said at the 79th Precinct in Brooklyn.

'I really have nothing else to say...' Asked to explain top advisor Emma Wolfe's involvement in the negotiations with Singh, de Blasio claimed to have already addressed the question. Asked to described his role in getting Wolfe involved, de Blasio again demurred, saying 'we've covered these matters.' And when questioned about prosecutors' claims that de Blasio violated 'the spirit of the law,' he again punted. 'I will say again, I know that my administration acted legally and ethically in everything we do,' the mayor said." [Read it here](#).

TALE OF TWO SCHOOLS - Report: NYC's achievement gaps persist even within individual schools, by POLITICO's Eliza Shapiro: A new report by the Center for New York City Affairs found that wide achievement gaps between students persist within individual schools, a striking finding that helps reveal the continued depth of the city's inequality crisis. It's a well-known fact of schooling in New York City that white and Asian students outperform their black and Latino peers on exams, and that students from higher-income families tend to outperform their lower-income peers. But researchers, who mapped student performance on the 2016 state math exams, found that socio-economically diverse schools have some of the highest achievement gaps among their own internal student populations. The trend held up in some of the city's most popular, best-resourced schools in some of New York's wealthiest neighborhoods, including PS 8 in Brooklyn Heights and PS 183 on the Upper East Side. Read more [here](#).

- **NYPD officer involved in immigration protest arrests reassigned, by POLITICO's Gloria Pazmino:** One of the police officers involved in an immigration protest that resulted in several arrests - including the detention of two City Council members - has been reassigned from a specialized unit, NYPD Commissioner James O'Neill said Tuesday. The unidentified officer was moved from the Strategic Response Unit to patrol as part of an ongoing investigation into the events that transpired that day. Video clips show a tussle between police and protesters including Council Members Jumaane Williams and Ydanis Rodriguez. Williams was thrown onto the hood of a car. Read more [here](#).

- **"De Blasio Steps Up Plan to Equip NYPD Officers With Body Cameras," by The Wall Street Journal's Mara Gay:** "New York City Mayor Bill de Blasio said he will speed up an initiative to outfit police officers with body cameras-a move that could increase tensions between his administration and the police union. All of the New York Police Department's roughly 18,000 officers and detectives on patrol will wear body cameras by the end of this year, the mayor said Tuesday at a news conference in Brooklyn. Previously, Mr. de Blasio had said they would receive the cameras by the end of 2019. 'It's something that's going to give people a little more faith that there's going to be more and more transparency,' Mr. de Blasio said...The body-camera program stems from a federal judge's 2013 decision that ruled the NYPD's stop-and-frisk practice violated the rights of minorities." Read it [here](#).

TRUMP'S NEW YORK

- **BLASTED FROM THE BENCH - Wall Street Journal's Nicole Hong:** "A Brooklyn federal judge criticized President Donald Trump's comments about Latino immigrants as 'vicious' and 'extremely volatile' during court arguments Tuesday over whether to stop the Trump administration from rescinding protections for undocumented immigrants who entered the U.S. as children. In a 90-minute hearing, U.S. District Judge Nicholas Garaufis, an appointee of President Bill Clinton, repeatedly denounced Mr. Trump's previous comments about Latinos, saying they were 'incendiary' and often 'completely erroneous.' In the country's history, 'this is not ordinary,' Judge Garaufis said. 'It's not what we see from our leaders.' The plaintiffs who sued the Trump administration, including 16 states, have argued the decision to terminate the Deferred Action for Childhood Arrivals program was driven by animus toward Latinos, which could violate equal protection under the U.S. Constitution. They are seeking an injunction that would keep DACA in place. [Read more here](#)

SOCIAL DATA:

HAPPY BIRTHDAY: Heather Riley, VP for comms at ABC News ... Katherine Miller, BuzzFeed political editor (hat tip: Ben Smith) ... Christine Romans, co-anchor of CNN's "Early Start" ... Michael Kempner, founder, president and CEO of MWW, is 6-0 ... Tim Naftali, former head of Nixon Library now clinical associate professor of public service at NYU ... Eli Nachmany, Dept. of Interior speechwriter (h/t Heather Swift) ... Mike Rabinowitz, managing director at BerlinRosen ... Jarrett Murphy, executive editor and publisher of City Limits ... Matthew Gottlieb, director of analytics and insights at Whistle Sports ... State Sen. Jesse Hamilton of Brooklyn ... former Rep. Gregory Carman (R-N.Y.) is 81

- DOE's Communications Director Devora Kaye in WSJ - she's [sponsoring artist residencies at her home in the Hudson Valley](#).

MORNING MEDIA, with POLITICO's Michael Calderone:

HILLARY CLINTON JABS NYT OVER THRUSH DECISION: As the political world turned to the State of the Union on Tuesday night, Clinton responded on Facebook to a Friday New York Times [report](#) that she shielded 2008 campaign faith adviser Burns Strider after he was accused of sexual harassment. In [explaining her actions, she mentioned the Times'](#) decision to reinstate reporter Glenn Thrush following a two-month suspension over sexual misconduct allegations.

- **"While we are revisiting whether my decision from a decade ago was harsh enough, many employers would be well served to take actions at least as severe when confronted with problems now - including the very media outlet that broke this story,"** Clinton wrote. "They recently opted to suspend and reinstate one of their journalists who exhibited similarly inappropriate behavior, rather than terminate him."

- Thrush was also on Facebook on Tuesday, [writing](#) a few hours before the Clinton comment about his new post-suspension role: "Covering poverty and the fraying social safety net under Trump... A dream (beat) come true."

You can read the full Morning Media column and sign up to receive it in your inbox by clicking [here](#).

REAL ESTATE, with POLITICO New York's Sally Goldenberg:

- **NEW: City halts funding for affordable housing at Durst development, by POLITICO's Sally Goldenberg:** Mayor Bill de Blasio's administration abruptly and inexplicably halted funding for an affordable housing project in Astoria last fall, months after he and the developer, Douglas Durst, had a public argument over campaign donations. The city's Housing Development Corporation was planning to issue \$43.5 million in financing for a 163-unit development that is part of the sprawling Hallets Point project Durst is developing in Queens. This particular building is planned for tenants earning up to 60 percent of the area median income, which amounts to \$51,540 for a three-person household.
- **But the corporation pulled it from its agenda just days before its Nov. 17 meeting and reallocated the bonding authority, POLITICO recently learned.** The shift doesn't only impact the building in question and the seven-building, mixed-income Hallets project. It also stalls Durst's agreement to spruce up the grounds of the New York City Housing Authority's Astoria Houses development on which the building would be erected, and retrofit four boilers. Read the story [here](#)
- **After boiler breakdowns, de Blasio allocates \$200M for heating fixes at housing authority, by POLITICO New York's Sally Goldenberg:** Mayor Bill de Blasio is allocating \$200 million in his upcoming budget proposal for new heating systems at the New York City Housing Authority, following a breakdown in boilers at public housing developments across the city this winter. The money will replace outdated boilers at 10 developments with constant heat outages, upgrade hot water systems at 12 sites and install new heating controls to regulate temperatures at 15 complexes, city officials said. They projected the renovations would begin in the upcoming fiscal year, which starts July 1, and be completed by 2022. The funding, which is set to be announced Wednesday, is a fraction of what the cash-strapped housing authority needs to fix its entire heating system. Read the story [here](#)
- **"TIAA Selling HQ Building at 730 Third Avenue," by Commercial Observer's Lauren Elkies Schram:** "National financial services organization the Teachers Insurance and Annuity Association, also known as TIAA, is putting its Midtown headquarters building at 730 Third Avenue on the market, Commercial Observer has learned. The decision to sell is purely financial, according to a source briefed on TIAA's plans but not authorized to discuss them publicly. An investment sales broker who is not involved with the property weighed in on the building's value. 'I would say, off the cuff, without knowing the [net operating income] or occupancy, it should trade for more than \$600 per square foot and even as high as \$850 a square foot given its proximity to the [United Nations],' the broker said. That amounts to as much as \$462.5 million." Read the story [here](#)

You can find the free version of Sally's real estate newsletter here: <http://politi.co/2a1DgJk>

AROUND NEW YORK:

- **New York City has been [using the Wellington Hotel](#), on Midtown's "Billionaire's Row" as a homeless shelter.**
- **Two female firefighters are [receiving promotions in the FDNY](#)**
- **Ritchie Torres and Donovan Richards are [proposing legislation today](#) that would require the city to do more to help residents of public housing stop smoking, arguing the city has done little to prepare residents for a ban on smoking in NYCHA.**

- Legal Aid is [launching a book drive](#) to give incarcerated New Yorkers copies of "The New Jim Crow" about the country's mass incarceration of African-Americans, after the state tried to implement a policy that would have restricted what books inmates can read.
- Columbia University [will not negotiate](#) with the union representing its graduate students, forcing a resolution in federal court.
- County sales-tax revenue [increased](#) four percent over last year, according to data from the comptroller's office.
- Two New York City Council members have [introduced a bill](#) that would prevent people convicted of corruption - like Hiram Monserrate - from running for seats in the body.

THE HOME TEAMS - Howard Megdal:

Knicks 111, Nets 95: They may not be world-beaters, but the Knicks can certainly beat the Nets. 28 for Kristaps Porzingis included six threes, and the Knicks swept the season series, 4-0. For Knicks fans who only watch the Nets when they play the Knicks, Brooklyn is much better than this.

The Devils beat the Sabres, 3-1. The Panthers defeated the Islanders, 4-1.

The day ahead: the Knicks head to Boston. The Nets host the Sixers. The Islanders are in Toronto.

The day ahead: The lurching NBA teams of the city meet up at The Garden. The Islanders host the Panthers. The Devils are in Buffalo.

#UpstateAmerica: You'll laugh at the UAlbany Men's Lacrosse team's [latest team photos](#).

#ZooYork: Ray of "Ray's Candy Store" has a [raucous 85th Birthday Party](#)

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