

Center for Judicial Accountability, Inc. (CJA)

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Wednesday, March 13, 2013 11:03 AM
To: 'nozzolio@nysenate.gov'; 'mfitzger@nysenate.gov'; 'gball@nysenate.gov';
'sritz@ball4ny.com'; 'gallivan@nysenate.gov'; 'bryan@nysenate.gov';
'aldinger@nysenate.gov'; 'golden@nysenate.gov'; 'eilts@nysenate.gov'
Cc: 'skelos@nysenate.gov'; 'jdklein@nysenate.gov'; 'masmith@senate.state.ny.us';
'scousins@nysenate.gov'; 'susangrelick@yahoo.com'; 'jltomlin@gmail.com';
'speaker@assembly.state.ny.us'; 'KolbB@assembly.state.ny.us'; 'jdefranc@nysenate.gov';
'luther@nysenate.gov'; 'lkrueger@senate.state.ny.us'; 'usher@nysenate.gov';
'bonacic@nysenate.gov'; 'judiciary@nysenate.gov'; 'winchell@nysenate.gov';
'sampson@senate.state.ny.us'; 'spotts@senate.state.ny.us';
'FarrelH@assembly.state.ny.us'; 'OaksR@assembly.state.ny.us';
'WeinstH@assembly.state.ny.us'; 'MckeviT@assembly.state.ny.us';
'mujica@nysenate.gov'; 'burman@nysenate.gov'; 'gruenber@nysenate.gov';
'jreilly@nysenate.gov'; 'slattimo@nysenate.gov'; 'flood@nysenate.gov';
'lwood@nysenate.gov'; 'kowalsa@assembly.state.ny.us'; 'foustt@assembly.state.ny.us';
'johnsonm@assembly.state.ny.us'; 'dagatir@assembly.state.ny.us';
'mertzj@assembly.state.ny.us'; 'Heather Sousa'; 'latimer@nysenate.gov';
'ferris@nysenate.gov'; 'mallison@nysenate.gov'; 'buchwaldd@assembly.state.ny.us';
'weisfeldd@assembly.state.ny.us'; 'roithmayra@assembly.state.ny.us';
paternol@assembly.state.ny.us
Subject: The Uselessness of the Legislature's "White", "Blue", "Yellow", and "Green" Books as Aids
to Legislators in Understanding the Judiciary Budget & District Attorney Salary
Reimbursement

To further demonstrate the Legislature's duty to reject the Judiciary budget and the judicial salary increases, the analysis of its "White", "Blue", "Yellow" and "Green" Books – which CJA's March 11th letter stated (at p. 12) would be "shortly supplied" -- is now furnished herewith by this hyperlink to the webpage of CJA's website on which it is posted, with substantiating exhibits. Here it is: <http://www.judgewatch.org/web-pages/judicial-compensation/legislative-oversight-judicial-raises.htm> .

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
914-455-4373

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Sent: Wednesday, March 13, 2013 11:32 AM
To: nozzolio@nysenate.gov; mfitzger@nysenate.gov; gball@nysenate.gov; sritz@ball4ny.com; gallivan@nysenate.gov; bryan@nysenate.gov; alding@nysenate.gov; golden@nysenate.gov; eilts@nysenate.gov; 'skelos@nysenate.gov'; jdklein@nysenate.gov; masmith@senate.state.ny.us; scousins@nysenate.gov; susangrelick@yahoo.com; jltomlin@gmail.com; speaker@assembly.state.ny.us; KolbB@assembly.state.ny.us; 'jdefranc@nysenate.gov'; luther@nysenate.gov; 'lkrueger@senate.state.ny.us'; usher@nysenate.gov; 'bonacic@nysenate.gov'; 'judiciary@nysenate.gov'; winchell@nysenate.gov; 'sampson@senate.state.ny.us'; 'spotts@senate.state.ny.us'; FarrelH@assembly.state.ny.us; 'OaksR@assembly.state.ny.us'; WeinstH@assembly.state.ny.us; MckeviT@assembly.state.ny.us; mujica@nysenate.gov; burman@nysenate.gov; 'gruenber@nysenate.gov'; jreilly@nysenate.gov; slattimo@nysenate.gov; flood@nysenate.gov; lwood@nysenate.gov; kowalsa@assembly.state.ny.us; foustt@assembly.state.ny.us; johnsonm@assembly.state.ny.us; dagatir@assembly.state.ny.us; mertzj@assembly.state.ny.us; Heather Sousa (sousah@assembly.state.ny.us); latimer@nysenate.gov; mallison@nysenate.gov; ferris@nysenate.gov; buchwaldd@assembly.state.ny.us; weisfeldd@assembly.state.ny.us; roithmayra@assembly.state.ny.us; paternol@assembly.state.ny.us
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Sent: Wednesday, March 13, 2013 5:45 PM
To: senator@senatorlibous.com; morellej@assembly.state.ny.us;
LentolJ@assembly.state.ny.us; 'lavignij@assembly.state.ny.us'; 'little@nysenate.gov';
hassellt@nysenate.gov; gsavage@nysenate.gov; EngleS@assembly.state.ny.us;
CamaraK@assembly.state.ny.us; GiglioJ@assembly.state.ny.us;
MontesanoM@assembly.state.ny.us
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gallivan@nysenate.gov; bryan@nysenate.gov; aldinge@nysenate.gov;
golden@nysenate.gov; eilts@nysenate.gov; OdorinellD@assembly.state.ny.us
Subject: The Legislature's Duty to Reject Judiciary Appropriations Bill S2601-A3001 & its
Unidentified Judicial Salary Increases that are Fraudulent, Statutorily-Violative &
Unconstitutional

TO: General Conference Committee

Senator Thomas Libous

Assembly Members Joseph Morelle and Earlene Hooper

Joint Budget Subcommittee on "Public Protection", Criminal Justice, & the Judiciary

Assembly Co-Chair Joseph Lentol

Senators Elizabeth Little & Ruth Hassell Thompson

Assembly Members Steven Englebright, Karim Camara, Joseph Giglio, & Michael Montesano

This follows up my phone calls to each of your offices earlier today to alert you to what Senate and Assembly leadership and knowledgeable colleagues and staff should have already told you: that the judicial salary increases for which the Judiciary's budget seeks funding are fraudulent, statutorily-violative and unconstitutional, so-demonstrated by documentary proof in their possession -- and that the Judiciary's failure to identify the dollar amount of those increases in its budget and in any line-item of its "single budget bill" -- as, likewise, the Governor's failure to identify their dollar amount in any line-item of his Judiciary appropriations bill based thereon (S2601; A3001) -- is illustrative of the insufficient itemization of the appropriations bill, precluding meaningful review and requiring that the Legislature reject it, in its entirety, as unconstitutional.

Indeed the Governor's appropriations bill for the Judiciary, like the Judiciary's own, provides no cumulative tally of the appropriations it contains. Is the \$50,095,000 of "Reappropriations" a sum on top of the "All Funds", and "General State Charges" -- in which case isn't the total monies being appropriated \$2,683,991,476? Or does the bill contain more appropriations, as, for instance, \$15,000,000 for "New Appropriations (Supplemental)" and \$51,000,000 for "Capital Projects-Reappropriations", both tucked in the back.

The foregoing and other constitutional infirmities of the Judiciary appropriations bill (S2601; A3001) are detailed by my March 11, 2013 letter to the Senate Budget Subcommittee for "Public Protection" -- Senators Nozzolio, Ball, Gallivan, and Golden -- expanding upon my testimony on February 6, 2013 at the Senate and Assembly joint budget hearing on "public protection", at which I spoke in opposition to the judicial salary increases and the Judiciary budget.

I respectfully request that you read the March 11, 2013 letter and view the video of my 10-minute February 6, 2013 testimony so that you can understand that you cannot approve a Judiciary appropriations bill that includes the judicial salary increases without being chargeable with official misconduct that is both criminal and impeachable.

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914-455-4373

cc: Senate Leaders Skelos, Klein, and Stewart-Cousins
Assembly Speaker Silver & Minority Leader Kolb
Senate Finance Committee Chairman DeFrancisco
Assembly Ways & Means Committee Chairman Farrell
Senate Judiciary Committee Ranking Member Sampson
Assembly Judiciary Committee Chairwoman Weinstein
Senator Nozzolio, Senator Ball, Senator Gallivan, Senator Golden
Assemblyman O'Donnell

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golden@nysenate.gov; eilts@nysenate.gov; OdonnellD@assembly.state.ny.us
Subject: The Legislature's Duty to Reject Judiciary Appropriations Bill S2601-A3001 & its
Unidentified Judicial Salary Increases that are Fraudulent, Statutorily-Violative &
Unconstitutional

*3/13/13
7:10 PM*
As requested -
By Fax
518-455-5861
4329
5861
per Ms. Jackson the
who stated that the
Assembly
Speaker has
e-mail.

TO: General Conference Committee
Senator Thomas Libous
Assembly Members Joseph Morelle and Earlene Hooper *

Joint Budget Subcommittee on "Public Protection", Criminal Justice, & the Judiciary
Assembly Co-Chair Joseph Lentol
Senators Elizabeth Little & Ruth Hassell Thompson
Assembly Members Steven Englebright, Karim Camara, Joseph Giglio, & Michael Montesano

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*** TX REPORT ***

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TX/RX NO. 0113
DESTINATION NUMBER 15184554329
DESTINATION ID
ST. TIME 03/13 19:09
COMMUNICATION TIME 00'39
PAGES SENT 2
RESULT OK

*Deputy
Assembly Speaker
Earlene
Hooper*

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TO: General Conference Committee
Senator Thomas Libous
Assembly Members Joseph Morelle and Earlene Hooper *

*3/13/13
7:10 PM
As requested -
By FAX
518-455-5864
per Ms. Jackson
who stated that they
Dep. Speaker had
no mail.*

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Center for Judicial Accountability, Inc. (CJA)

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Wednesday, March 13, 2013 5:59 PM
To: 'lavignj@assembly.state.ny.us'
Subject: The Legislature's Duty to Reject Judiciary Appropriations Bill S2601-A3001 & its Unidentified Judicial Salary Increases that are Fraudulent, Statutorily-Violative & Unconstitutional

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Senate Finance Committee Chairman DeFrancisco
Assembly Ways & Means Committee Chairman Farrell
Senate Judiciary Committee Ranking Member Sampson
Assembly Judiciary Committee Chairwoman Weinstein
Senator Nozzolio, Senator Ball, Senator Gallivan, Senator Golden
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Sent: Wednesday, March 13, 2013 7:02 PM
To: 'briskym@assembly.state.ny.us'; 'nostrande@assembly.state.ny.us';
'battistajulia@gmail.com'
Subject: The Legislature's Duty to Reject Judiciary Appropriations Bill S2601-A3001 & its Unidentified Judicial Salary Increases that are Fraudulent, Statutorily-Violative & Unconstitutional

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Cc: 'skelos@nysenate.gov'; jdklein@nysenate.gov; scousins@nysenate.gov; susangrelick@yahoo.com; jtomlin@gmail.com; speaker@assembly.state.ny.us; KolbB@assembly.state.ny.us; 'jdefranc@nysenate.gov'; luther@nysenate.gov; FarrelH@assembly.state.ny.us; 'sampson@senate.state.ny.us'; 'spotts@senate.state.ny.us'; [WeinstH@assembly.state.ny.us](mailto>WeinstH@assembly.state.ny.us); nozzolio@nysenate.gov; mfitzger@nysenate.gov; gball@nysenate.gov; sritz@ball4ny.com; gallivan@nysenate.gov; bryan@nysenate.gov; aldinger@nysenate.gov; golden@nysenate.gov; eilts@nysenate.gov; OdonnellD@assembly.state.ny.us
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