

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewidth.org>
Sent: Thursday, February 6, 2025 1:32 PM
To: 'investigations@osc.ny.gov'; 'inspectorgeneral@osc.ny.gov'

Subject: **Complaint pertaining to the FY2025-26 state budget -- starting with its \$34.6M further larceny for judicial pay raises, plus unknown sums for larcenous pay raises for Executive Law §169 state officers**

Attachments: [feb-3-2025-opposition-report.pdf](#)

TO: Office of the NY State Comptroller – Division of Investigations AND Inspector General

This follows my phone conversation a short time ago with Melissa Walker, Administrator for Investigative Operations, who, picked up the phone upon my calling your hotline #1-888-672-4555 “To report fraud outside of OSC”. The basis of the complaint is, for starters, two larcenous appropriations in the FY2025-25 state budget:

- (1) \$34.6M or so for judicial pay raises, embedded in Legislative/Judiciary Budget Bill #S.3001/A.3001, arising from the statutorily-violative, fraudulent, and unconstitutional December 4, 2023 Report of the Commission on Legislative, Judicial and Executive Compensation; and
- (2) unknown sums for pay raises for Executive Law §169 state officers, embedded in State Operations Budget Bill #S.3000/A.3000, arising from the statutorily-violative, fraudulent, and unconstitutional November 14, 2024 Report also of the Commission on Legislative, Judicial and Executive Compensation.

These two larcenies are highlighted by my [two-page February 4, 2025 written testimony to the Legislature for its budget hearing on “local government officials/general government”](#), which attached, in substantiation, CJA’s February 3, 2025 Opposition Report to the Commission’s November 14, 2024 Report.

Comptroller DiNapoli is likely already familiar with the February 3, 2025 Opposition Report, as I already sent it to him, twice, *via* his Counsel for State Audit & Litigation Michael Kogut, by the below February 3rd and 4th e-mails. It is above-attached.

As I stated last year by my [January 30, 2024 e-mail to you](#), a copy of which Ms. Walker accessed while we spoke and which, on January 30, 2024, I had sent shortly after a hotline conversation with Investigator Patrick Lanza, who Ms. Walker stated still works in your office:

“please deem this as a formal complaint for investigation – including as to corruption and conflict-of-interest inside the OSC with respect to this issue – a matter over which the OSC Inspector General has jurisdiction.”

Thank you.

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

www.judgewatch.org
914-421-1200
elena@judgewatch.org

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Tuesday, February 4, 2025 12:20 PM
To: 'records.access@exec.ny.gov' <records.access@exec.ny.gov>; 'lgny@exec.ny.gov' <lgny@exec.ny.gov>; 'scousins@nysenate.gov' <scousins@nysenate.gov>; 'Ortt@nysenate.gov' <Ortt@nysenate.gov>; 'Speaker@nyassembly.gov' <Speaker@nyassembly.gov>; 'BarclaW@nyassembly.gov' <BarclaW@nyassembly.gov>; 'jzayas@nycourts.gov' <jzayas@nycourts.gov>; 'cmartucc@nycourts.gov' <cmartucc@nycourts.gov>; 'NYAG.Pressoffice@ag.ny.gov' <NYAG.Pressoffice@ag.ny.gov>; 'mkogut@osc.ny.gov' <mkogut@osc.ny.gov>

Subject: Your duty to VOID the Nov 14, 2024 Report of the Commission on Legislative, Judicial & Executive Compensation, to "claw back" the Executive Law §169 salary increases paid out, & to strike/reduce appropriations for such increases in the FY25-26 budget

TO: Governor Kathy Hochul & Lieutenant Governor Antonio Delgado
All Senators: c/o Senate Leaders Andrea Stewart-Cousins & Robert Ortt
All Assembly Members: c/o Assembly Leaders Carl Heastie & William Barclay
Chief Judge Rowan Wilson & Chief Administrative Judge Joseph Zayas, Etc.
Attorney General Letitia James & Comptroller Thomas DiNapoli

The above-attached is identical to the Opposition Report sent yesterday, by the below, apart from correcting minor typographic and grammatical errors, adding a few further hyperlinks, and a minor substantive addition. That addition is at page 37, identifying that [the appeal in CJA v. JCOPE, et al.](#) was "thrown" by the Appellate Division, Third Department, as I had recounted in testifying on October 10, 2024 before the Commission ([VIDEO](#)) – with an annotating footnote 20 that the last of the Appellate Division's fraudulent decisions was on [October 10, 2024](#), received by me less than half an hour before testifying.

Please supersede – and, as below requested, forward to those whose direct e-mail addresses I do not have.

Thank you.

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

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>

Sent: Monday, February 3, 2025 11:21 PM

To: 'records.access@exec.ny.gov' <records.access@exec.ny.gov>; 'lgny@exec.ny.gov' <lgny@exec.ny.gov>; 'scousins@nysenate.gov' <scousins@nysenate.gov>; 'Ortt@nysenate.gov' <Ortt@nysenate.gov>; 'Speaker@nyassembly.gov' <Speaker@nyassembly.gov>; 'BarclaW@nyassembly.gov' <BarclaW@nyassembly.gov>; 'jzayas@nycourts.gov' <jzayas@nycourts.gov>; 'cmartucc@nycourts.gov' <cmartucc@nycourts.gov>; 'NYAG.Pressoffice@ag.ny.gov' <NYAG.Pressoffice@ag.ny.gov>; 'mkogut@osc.ny.gov' <mkogut@osc.ny.gov>

Subject: Your duty to VOID the Nov 14, 2024 Report of the Commission on Legislative, Judicial & Executive Compensation, to "claw back" the Executive Law §169 salary increases paid out, & to strike/reduce appropriations for such increases in the FY25-26 budget

TO: Governor Kathy Hochul & Lieutenant Governor Antonio Delgado
All Senators: c/o Senate Leaders Andrea Stewart-Cousins & Robert Ortt
All Assembly Members: c/o Assembly Leaders Carl Heastie & William Barclay
Chief Judge Rowan Wilson & Chief Administrative Judge Joseph Zayas, Etc.
Attorney General Letitia James & Comptroller Thomas DiNapoli

The [November 14, 2024 Final Report on Legislative and Executive Compensation](#) of the [Commission on Legislative, Judicial and Executive Compensation](#) is a fraud on the People of the State of New York and a grand larceny of taxpayer monies by its salary increases to [Executive Law §169](#) state officers and possibly to others that its manipulations of Executive Law §169, by [a chart](#), enables. This is demonstrated by CJA's February 4, 2025 Opposition Report, above-attached and here [linked](#). It is addressed to all of you so that individually and collectively you can discharge your constitutional and oversight responsibilities:

- (1) to void the Commission's "force of law" November 14, 2024 Final Report on Legislative and Executive Compensation because it is statutorily-violative, fraudulent, and unconstitutional, to "claw back" the Executive Law §169 salary increases paid out since January 1, 2025 based thereon, and to strike/reduce appropriations for such increases in the FY2025-2026 state budget;
- (2) to refer the Commission's seven members and their co-conspirators in the Office of Court Administration and Division of the Budget for criminal prosecution based on penal law violations including:

[Penal Law §175.35](#): 'Offering a false instrument for filing in the first degree';

[Penal Law §195](#): 'Official misconduct';

[Penal Law §105.15](#): 'Conspiracy in the second degree';

[Penal Law §20.00](#): 'Criminal liability for conduct of another';

[Penal Law Article 496: 'PUBLIC TRUST ACT'](#)

[§496.06](#): 'Public corruption';

[§496.05](#): 'Corrupting the government in the first degree'".

(3) to investigate and rectify the “elephant in the room” HUGE salaries of the SUNY Chancellor and State Education Department Commissioner, *et al.*, arising from abuses of Executive Law §169.3, without oversight by the executive and legislative branches.

CJA’s menu webpage for the Opposition Report, from which you can access the responses, received and yet to be received, to the related FOIL requests, is [here](#).

Finally, to those whose direct e-mail addresses I do not have, kindly forward.

Thank you.

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

www.judgewatch.org

914-421-1200

elena@judgewatch.org