

Center for Judicial Accountability, Inc. (CJA)

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Tuesday, March 05, 2013 2:13 PM
To: 'flood@nysenate.gov'; lwood@nysenate.gov
Cc: 'lkrueger@senate.state.ny.us'; usher@nysenate.gov; scousins@nysenate.gov; susangrelick@yahoo.com; jltomlin@gmail.com
Subject: Senate Finance Committee Minority Procedures for Enabling Senate Members to Discharge their "Policy Making Role"

Dear Kit,

Following up my phone call to you a short time ago, upon receipt of your e-mail, this is to confirm that Joseph Pennisi, Secretary to the Senate Finance Committee's Democratic Minority, and Laura Wood, Counsel to the Democratic Conference, will NOT speak with me, directly -- and, apparently, will NOT e-mail me directly -- as to "who, on behalf of the Senate Finance Committee Democratic Minority and the Senate Democratic Conference, is reviewing the documents I handed up and to which I referred at the February 6, 2013 budget hearing on 'Public Protection' in support of my testimony in opposition to the Judiciary's budget and, in particular to the judicial salary increases" -- and will not disclose such "brief synopsis" as unnamed "Analysts and Counsel" "may give...to Senior Staff or the Members", in lieu of findings of fact and conclusions of law.

Based on the "Blue Book", Mr. Pennisi and Ms. Wood are the most "Senior Staff, to whom the unnamed "Analysts and Counsel" would have given their "brief synopsis", if, in fact, a "brief synopsis" was even rendered, which your e-mail does NOT state.

As for information I requested related to counsel staffing, financial resources, and costs of compiling the "Blue Book", I will make a FOIL request to the Secretary of the Senate, as you instruct.

Meantime, I await your response, on behalf of Mr. Pennisi and Ms. Wood, as to the question your e-mail did NOT answer pertaining to the "policy making role...reserved for the Elected Members of the New York State Senate", to wit, "the date(s) the Judiciary's budget is scheduled to be discussed and voted upon by the members of the Senate Finance Committee". Obviously, the "brief synopsis" of my document-supported February 6, 2013 testimony should be furnished to the members PRIOR thereto so that their discussion and Committee vote may be properly informed. PLEASE CONFIRM THAT THIS IS DONE.

Thank you.

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

-----Original Message-----

From: flood@nysenate.gov [mailto:flood@nysenate.gov]
Sent: Tuesday, March 05, 2013 11:46 AM
To: Center for Judicial Accountability, Inc. (CJA)
Subject: Re: Senate Finance Committee Minority: Verifying the Dispositive Nature of the February 6, 2013 Opposition Testimony to the Judiciary Budget & Judicial Pay Raises

Ms Sassower:

As a means of response to your emails I provide the following response from Counsel:

"The Senate has several Analysts and Counsel who review documents from the public budget hearings. They may give a brief synopsis of them to Senior Staff or the Members, but no one who is not an elected official has any policy making role. That is reserved for the Elected Members of the New York State Senate.

We are not a Court of Law, so findings of fact and conclusions of law are reserved for the Judicial Branch of our Government. We pass Laws, the Governor approves them, and the Judicial system interprets them.

As for staffing, other payroll issues and printing costs, they can be obtained through the Freedom of Information Act process (FOIL) from the Secretary of the Senate."

I hope this is of assistance to you.

Regards,
Kit Flood

Kit Flood
Executive Assistant to Secretary
Senate Finance Committee Minority
AESOB Suite 1630
Albany, NY 12247
518-455-3225

From: "Center for Judicial Accountability, Inc. \ (CJA)"
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To: <flood@nysenate.gov>, <lwood@nysenate.gov>
Cc: <lkrueger@senate.state.ny.us>, <usher@nysenate.gov>,
<scousins@nysenate.gov>, <susangrelick@yahoo.com>,
<jltomlin@gmail.com>
Date: 03/05/2013 10:34 AM
Subject: Senate Finance Committee Minority: Verifying the Dispositive
Nature of the February 6, 2013 Opposition Testimony to the
Judiciary Budget & Judicial Pay Raises

TO: Joseph Pennisi, Secretary to the Senate Finance Committee's
Democratic Minority
Laura Wood, Counsel to the Democratic Conference

This follows up my phone messages a short while ago, left with Kit Flood, assistant to Mr. Pennisi (518-455-2641), and with Carol Stockman, assistant to counsel's office (518-455-2711), requesting to speak with each of you and identifying that I have received no response to my below e-mail, sent on Wednesday, February 27th. Ms. Flood confirmed, absolutely, that she had forwarded the e-mail to you.

In addition to the questions therein set forth, for which I request your immediate response, please advise, immediately, as to the date(s) the Judiciary's budget is scheduled to be discussed and voted upon by the members of the Senate Finance Committee.

Thank you.

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

From: Center for Judicial Accountability, Inc. (CJA) [mailto:elena@judgewatch.org]
Sent: Wednesday, February 27, 2013 2:06 PM
To: flood@nysenate.gov
Cc: 'lkrueger@senate.state.ny.us'; usher@nysenate.gov; scousins@nysenate.gov; susangrelick@yahoo.com; jltomlin@gmail.com
Subject: FW: Verifying the Dispositive Nature of the February 6, 2013 Opposition Testimony to the Judiciary Budget & Judicial Pay Raises

Dear Kit,

Following up my phone call a short time ago (518-455-2641), requesting to speak with Mr. Pennisi, Secretary to the Senate Finance Committee's Democratic Minority, and Ms. Wood, Counsel to the Democratic Conference, here are the two most important questions I wish to discuss with them:

- (1) Who, on behalf of the Senate Finance Committee Democratic Minority and the Senate Democratic Conference, is reviewing the documents I handed up and to which I referred at the February 6, 2013 budget hearing on "Public Protection" in support of my testimony in opposition to the Judiciary's budget and, in particular to the judicial salary increases?;
- (2) When will the Senate Finance Committee Democratic Minority and the Senate Democratic Conference publicly release their findings of fact and conclusions of law with respect to their review of those documents and my testimony?

The video of the February 6, 2013 hearing on "Public Protection" is posted on the Center for Judicial Accountability's website, www.judgewatch.org, accessible via the top panel "Latest News", whose first hyperlink is to our webpage "Securing Legislative Oversight & Override of the 2nd & 3rd Phases of the Judicial Pay Raises...". The webpage also contains all the documents I handed up and referred-to during my testimony, as well as other substantiating materials. For your convenience, here's the direct link:

<http://www.judgewatch.org/web-pages/judicial-compensation/legislative-oversight-judicial-raises.htm>

Please additionally advise as to how many counsel work for the Senate Finance Committee Democratic Minority and the Senate Democratic Conference, as well as the dollar appropriations which the Senate Finance Committee Democratic Minority and Senate Democratic Conference are seeking for fiscal year 2013-2014 to fund their operations. Certainly, too, if there is a dollar figure for the cost of their compiling the "Staff Analysis of the 2013-2014 Executive Budget" that is the "Blue Book", I would appreciate that, as well.

Thank you.

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