

Center for Judicial Accountability, Inc. (CJA)

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Wednesday, March 13, 2013 3:48 PM
To: paternol@assembly.state.ny.us; buchwaldd@assembly.state.ny.us
Cc: weisfeldd@assembly.state.ny.us; roithmayra@assembly.state.ny.us
Subject: What is the cumulative dollar amount of the appropriations bill for the Judiciary -- A3001? And of the Judiciary's budget request?
Attachments: 3-11-13-ltr-sen-budget-subcom-public-protection.pdf; 2-15-13-note-to-buchwald.pdf

TO: Lauren Paterno, Legislative Director to Assemblyman Buchwald

Here's the paragraph that I just read to you over the phone, from page 10 of my March 11th letter, particularizing the information I'm seeking as to the cumulative dollar amount of the appropriations bill for the Judiciary – A3001. Please get me this information as soon as possible, as likewise the dollar amount requested by the Judiciary's budget – as to which the “Yellow Book”, “White Book”, “Blue Book” all give different numbers – with no number given by the “Green Book”.

“The Judiciary's ‘single budget bill’ also 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.”

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
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From: Center for Judicial Accountability, Inc. (CJA) [mailto:elena@judgewatch.org]
Sent: Tuesday, March 12, 2013 12:32 PM
To: paternol@assembly.state.ny.us
Cc: buchwaldd@assembly.state.ny.us; weisfeldd@assembly.state.ny.us; roithmayra@assembly.state.ny.us
Subject: Judiciary Budget -- A Slush Fund as the Dollar Figures Would Show

TO: Lauren Paterno, Legislative Director to Assemblyman Buchwald

Following up our phone conversation a short time ago, attached is the letter I sent yesterday. Kindly read it and bring to Assemblyman Buchwald's attention IMMEDIATELY. It sums up much of what I stated to Chief of Staff Dan Weissfeld, when I met with him on Monday, March 4th, in the absence of Assemblyman Buchwald, who I understood was in Albany, hard at work on the budget – and with whom I spoke briefly, by phone, on February 15th, while en route to his office to drop off the documentary materials I had handed up when I testified before the Legislature, on February 6th, at its joint budget hearing on “Public Protection”. A copy of the note that I had written to the Assemblyman, when I dropped off the materials on February 15th, is annexed. The direct link to the video of the February 6th hearing with my testimony,

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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.

Both the letter and video are posted on the website of our non-partisan, non-profit citizens' organization, Center for Judicial Accountability, Inc. (CJA). Here's the direct link to the webpage on which they are posted together with the substantiating documentary proof which I handed up when I testified and to which I referred:

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

I would be pleased to speak with you directly and to answer your questions, including under oath.

Thank you.

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