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March 15, 2013

ALERT: Is the Judiciary Budget a "Slush Fund"?

TO: All Senate & Assembly Members

FROM: Elena Ruth Sassower, Director
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What is the precise dollar cost of the Judiciary budget being approved by you?

According to the Senate's "White Book" of its Finance Committee's Majority Coalition (at p. 75), the total is $2,662,000,000. According to the Senate's "Blue Book" of its Finance Committee's Democratic Minority (at p. 232), it is $2,660,128,900. The difference is $1,871,000 between them.

What about the Assembly? The "Yellow Book" of its Ways and Means Committee (at p. 73-1), controlled by Majority Democrats, gives a far different total: $1,973,235,869. The "Green Book" of the Ways and Means Minority Republicans gives no figure at all.

Who's right? Chief Administrative Judge Gail Prudenti, testifying in support of the Judiciary's budget at the February 6th joint budget hearing on "public protection" wasn't asked – and didn't say. She gave no dollar amount for the Judiciary's budget – and, tellingly, its total cost was not set forth in the Judiciary's budget documents, whose two parts add up to $2,630,896,476.   Nor was a total cost identified by the "single budget bill" that the Judiciary passed on to the Governor – and which the Governor passed on to you with the "Commentary" that it was "$2.6 billion" – a rounded figure that can conceal many tens of millions of dollars. As for the budget resolutions you passed on March 11th, the Senate resolution "concurs with the Executive recommendation of $1.75 billion."

Is the Judiciary budget a "slush fund"? That's what I have called it in a March 11th letter sent to all members of the General Conference Committee and its Joint Budget Subcommittee on "Public Protection", Criminal Justice, and the Judiciary. The letter suggests (at p. 10) that the untallied total cost of the Judiciary appropriations bill might be $2,683,991,476 or more and summarizes and expands upon my testimony at the February 6th budget hearing, calling upon you to reject the Judiciary budget as unconstitutional for lack of appropriate itemization, including its omission of the dollar cost of the judicial salary increase it contains, also nowhere identified in the appropriations bill.

<u>All</u> Senate and Assembly Members are indicated recipients of the March 11th letter, <u>expressly</u> so "they might be held accountable for their votes" (at p. 13). The letter, the video of the February 6th hearing with my 10-minute testimony, and the documentary proof substantiating both the letter and my testimony are posted on CJA's website, www.judgewatch.org, on a webpage entitled "Securing Legislative Oversight & Override of…the judicial pay raises…", accessible *via* the top panel "Latest News".

To facilitate your review – so that you may discharge your duty to your constituents and the People of the State of New York to reject the Judiciary budget and appropriations bill or, at very least, the judicial salary increase, demonstrated to be fraudulent, statutorily-violative, and unconstitutional – here's the direct link: http://www.judgewatch.org/web-pages/judicial-compensation/legislative-oversight-judicial-raises.htm.

Thank you.

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Subject:

Is the Judiciary Budget a "Slush Fund"?   What is its Dollar Cost ?-- and that of the Appropriations Bill?