

## CENTER for JUDICIAL ACCOUNTABILITY, INC.

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February 27, 2014

TO: Secretary of the Senate Francis W. Patience

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

RE: RECORDS REQUEST: Video & Stenographic Transcripts of the Senate "Coups":  
June 8, 2009 – July 8, 2009; and Subsequent Senate Floor Transcripts

On Monday, June 8, 2009 – while then Senate Judiciary Committee Chairman John Sampson was singly conducting history-making, if not unprecedented, public hearings on the Commission on Judicial Conduct and the court-controlled attorney disciplinary system in a legislative hearing room at the Capitol – another history-making, if not unprecedented, event was taking place on the Senate floor: a “coup”.

The Senate’s website identifies the June 8, 2009 Senate floor proceeding, but does not post the video. Likewise, and with the exception of June 30, 2009, it does not post videos of subsequent Senate floor proceedings until July 9, 2009.

The Senate’s website indicates this span of Senate floor proceedings from June 8, 2009 to July 8, 2009 as follows:

“Session  
Monday, June 8th, 2009, 3:00 pm - 5:00 pm  
NYS Legislature in Session  
...  
Session  
Tuesday, June 9th, 2009, 3:00 pm - 6:00 pm  
NYS Legislature in Session  
...  
Session  
Wednesday, June 10th, 2009, 3:00 pm - 6:00 pm  
NYS Legislature in Session  
...  
Session  
Thursday, June 11th, 2009, 11:00 am - 3:00 pm  
NYS Legislature in Session  
...”

Session  
Monday, June 15th, 2009, 3:00 pm - 6:00 pm  
NYS Legislature in Session  
...  
Session  
Tuesday, June 16th, 2009, 3:00 pm - 6:00 pm  
NYS Legislature in Session  
...  
Session  
Wednesday, June 17th, 2009, 3:00 pm - 7:00 pm  
NYS Legislature in Session  
...  
Session  
Thursday, June 18th, 2009, 11:00 am - 3:00 pm  
NYS Legislature in Session  
...  
Session  
Monday, June 22nd, 2009, 11:00 am - 3:00 pm  
NYS Legislature in Session  
...  
Session  
Tuesday, June 23rd, 2009, 3:00 pm - 3:05 pm  
Extraordinary Session - Day 1  
...  
Session  
Tuesday, June 30th, 2009, 11:00 am - 5:00 pm  
Extraordinary Session - Day 2  
...  
Session  
Wednesday, July 1st, 2009, 3:00 pm - 3:05 pm  
Extraordinary Session - Day 3  
...  
Session  
Thursday, July 2nd, 2009, 3:00 pm - 3:05 pm  
Extraordinary Session - Day 4  
...  
Session  
Friday, July 3rd, 2009, 3:00 pm - 3:05 pm  
Extraordinary Session - Day 5  
...  
Session  
Saturday, July 4th, 2009, 11:00 am - 11:10 am  
Extraordinary Session - Day 6  
...

Session  
Sunday, July 5th, 2009, 6:00 pm - 6:05 pm  
Extraordinary Session - Day 7  
...  
Session  
Monday, July 6th, 2009, 3:00 pm - 3:05 pm  
Extraordinary Session - Day 8  
...  
Session  
Tuesday, July 7th, 2009, 3:00 pm - 3:05 pm  
Extraordinary Session - Day 9  
...  
Session  
Wednesday, July 8th, 2009, 3:00 pm - 3:05 pm  
Extraordinary Session - Day 10"

Consistent with Senate Rule VI, §1b: "Video of Senate proceedings"<sup>1</sup>, please advise why the Senate's website has selectively not posted these specific videos – and confirm they will be promptly posted.

Also, and consistent with Senate Rule XV, §1a: "Freedom of Information – Publication of records relating to Senate legislative and administrative records"<sup>2</sup>, please additionally advise where, on the Senate's website, are the stenographic transcripts of these specific Senate floor proceedings, as I am unable to find and access them, including by the "search" feature.

Indeed, I am also unable to find the stenographic transcripts of the Senate's subsequent floor proceedings, as for instance, of July 9, 2009, July 15, 2009, and July 16, 2009. Therefore, kindly advise where, on the Senate's website, I might find them, as well.

Thank you.



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<sup>1</sup> Rule VI, §1b. "Video of Senate proceedings. The Senate shall video record its proceedings and make such video available through the Senate web site."

<sup>2</sup> Rule XV, §1a. "Publication of records relating to Senate legislative and administrative records. Recognizing that legislative records available by request under the 'freedom of information law' are of important public interest, the Senate shall make available through a searchable and sortable database on the Senate website: records of committees, agendas, votes, minutes, reports, attendance, fiscal notes, and records of the chamber including, active lists, votes, transcripts, calendars, the Senate payroll report and expenditure reports." (underlining added).