

Center for Judicial Accountability, Inc. (CJA)

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Wednesday, May 27, 2020 6:06 PM
To: 'Lupe Todd-Medina'
Subject: Scandal changes everything, immediately -- & will wipe out Assemblywoman Niou's advantages of incumbency, money, endorsements....
Attachments: 3-18-20-ltr-to-gov-revised-fn1.pdf

Dear Lupe,

As discussed, I am forwarding, for your convenience – and that of Candidate Lee – my April 2, 2020 e-mail to Assemblywoman Niou, with its live links and attached March 18, 2020 letter to the Governor – the pdf of which you saw from the webpage I created for the 65th Assembly District: <http://www.judgewatch.org/web-pages/elections/2020/assembly-districts/AD-65.htm>.

Upon Assemblywoman Niou's receipt of this e-mail on April 2nd, what did she do? Based on my conversation with her office manager, didn't she examine the attached March 18th letter, promptly -- hours before she spoke a second time, on the floor of the Legislature, in opposition to a budget bill that was going to pass precisely because she did not "blow the whistle" about its unconstitutionality – and about a budget "process" that is utterly "OFF THE CONSTITUTIONAL RAILS"? When she swore her oath of office, to support the NYS Constitution, had she never read it? What is her interpretation of Article VII, Sec. 4, quoted at page 2 of the letter? Remember, Assemblywoman Niou was not a complete "newbie" when she took office on January 1, 2019, having been chief of staff to Assemblyman Ron Kim.

As for the "force of law" December 10, 2018 Report of the Committee on Legislative and Executive Compensation that boosted her legislative salary by \$30,500 -- from the \$79,500 it had been when the voters of the 65th Assembly District elected her in November 2018 – did Assemblywoman Niou know nothing about CJA's July 15, 2019 NOTICE and substantiating analysis? Had it not been distributed to her by the Legislature's "leadership", as my July 16, 2019 e-mail had requested: <http://www.judgewatch.org/compensation/2018-compensation-committee/7-15-19-analysis/7-16-19-email-to-stipend-recipients.pdf>? If not, when did she learn about it? At some point, she read my March 18th letter – and saw its 1st paragraph reference to my March 3rd letter to the Governor regarding the pay raises. Didn't she then read the March 3rd letter, prominently posted on CJA's webpage for the March 18th letter: <http://www.judgewatch.org/web-pages/searching-nys/2020-legislative/3-18-20-ltr-to-gov.htm>?

In any event, what does Assemblywoman Niou have to say about the July 15, 2019 NOTICE and analysis now: <http://www.judgewatch.org/web-pages/searching-nys/force-of-law-commissions/part-hhh-chapter59-laws-2018/7-15-19-analysis-of-report.htm>? ELECTIONS ARE ABOUT ACCOUNTABILITY – and Candidate Lee has a perfect opportunity to ask her. Does Assemblywoman Niou contest its accuracy – and, if not, will she be returning the extra \$30,500 she received last year and the nearly \$15,000 she has received, thus far, this year? – in other words, approximately \$45,000. And what other steps will Assemblywoman Niou take? Will she "blow the whistle" on the pay raises – and secure their return? Candidate Lee can "go to town", based on the July 15, 2019 NOTICE and analysis and March 3, 2020 letter – and demonstrate her own honesty and integrity by declaring that she will NOT accept more than the \$79,500 salary – and will take steps to void the December 10, 2018 Report of the Committee on Legislative and Executive Compensation, to recover, for the taxpayers, the monies paid out – and to secure criminal prosecutions of what has gone on.

Although Candidate Lee has a lovely website: <https://www.graceleeforassembly.com/> – and has obviously invested considerable money for her candidacy -- she does not distinguish herself from Assemblywoman Niou – and has no critique of Assemblywoman Niou's record in office. On top of this, Assemblywoman Niou's many, many endorsements, featured by her website <https://www.nioufornewyork.com/endorsements> will be viewed by voters as proof that she has

done a good job. Voter need to know the truth. Assemblywoman Niou is a posturer, covering up and perpetuating the Legislature's corruption – as to which CJA's "Background Primer for the Candidates": <http://www.judgewatch.org/web-pages/elections/2020/message-2020/primer-for-candidates.htm>, which I showed you, furnishes the EVIDENCE – and the soundbites: (1) the Legislature is not operating at a constitutional level and the legislators are NOT doing their job; (2) the legislators are stealing taxpayer money, *via* the budget, which is "OFF THE CONSTITUTIONAL RAILS"; and (3) the legislators are rewarding themselves with pay raises for their crimes. This is EASY for voters to understand.

I look forward to continuing our conversation after you have reviewed the "Message to the Candidates" webpage I showed you: <http://www.judgewatch.org/web-pages/elections/2020/menu-message-to-candidates.htm>. I also invite Candidate Lee to call me with questions.

Five other primary candidates have already spoken with me – and a coordinated strategy makes sense – including holding a joint/zoom press conference challenging the legislative incumbents.

I'll get back to you on that in a couple of days.

Elena
914-421-1200

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

Sent: Thursday, April 2, 2020 5:43 PM

To: 'niouy@nyassembly.gov' <niouy@nyassembly.gov>; 'patelosm@nyassembly.gov' <patelosm@nyassembly.gov>

Subject: Thank you, Assemblywoman Niou, for your principled opposition, on the floor of the Assembly, to the Gov's inclusion of policy in budget bills. Did your Assembly "Leaders" tell you such inclusion is UNCONSTITUTIONAL?

TO: Assemblywoman Yuh-Line Niou

This follows my phone conversation with your Albany office manager, Marie Patelos (518-455-3640), expressing my admiration for your remarks, on the floor of the Assembly, of principled opposition to Governor Cuomo's inclusion of policy in his budget bills.

Am I correct that Assembly's stipend-receiving Legislative Leaders did NOT inform you of the Center for Judicial Accountability's above-attached March 18, 2020 letter to the Governor – e-mailed, simultaneously, to them – detailing that the inclusion of policy in the budget is not only undesirable, but UNCONSTITUTIONAL. Below is an e-mail chain of relevant correspondence – including to rank-and-file fellow Assembly members.

Based on your remarks today – and your equally powerful remarks on March 2nd, when you also presented principled opposition to the expansion of emergency powers to the Governor – it appears you have the integrity to act, with other courageous legislators, to be among the "first responders" to rescue our New York State Constitution from the flagrant violations and subversions that have been taking place.

I am available to answer your questions and assist you. I would welcome your call.

Thank you.

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