

Center for Judicial Accountability

From: Center for Judicial Accountability <elena@judgewatch.org>
Sent: Monday, January 18, 2016 12:04 PM
To: 'michael.gormley@newsday.com'
Cc: 'yancey.roy@newsday.com'
Subject: FOLLOW-UP: Yancey's article -- "Cuomo ally Janet DiFiore up for approval as top judge...expected to be confirmed this week..."
Attachments: deskovic-request-to-testify.pdf; neroni-request-to-testify.pdf; 1-11-16-email-to-cherry.pdf; 12-31-15-ltr-to-difiore.pdf

Dear Mike –

This follows up our conversation earlier this morning, when you picked up the phone upon my calling to speak with Yancey Roy, whose article "*Cuomo ally Janet DiFiore up for approval as top judge*" opens with the sentence, "An ally of Gov. Andrew M. Cuomo is expected to be confirmed this week as New York's top judge, with the governor's appointees now closing in on complete control of the state's highest court".

Of course, DiFiore is "expected to be confirmed this week". How can she not be confirmed when the Senate Judiciary Committee is RIGGING its January 20th confirmation hearing to prevent the public – and other Senators – from hearing the evidence of her unfitness that would preclude a vote for her confirmation.

Below is the E-MAIL CORRUPTION ALERT that I was writing to send to the press when I saw Yancey's article minutes before calling you. You are the FIRST to have it – and the FIRST to have been personally escorted by me to CJA's webpages where all the substantiating evidence appears: <http://www.judgewatch.org/web-pages/judicial-selection/nys/judicial-selection-ny-difiore-menu.htm>. As I do not have a Newsday subscription, kindly send me Yancey's FULL article, so that I can see what else he says about DiFiore's confirmation.

I am available to assist you and Yancey, to the max, so that you can do your jobs of informing the public about how the Senate Judiciary Committee – and Senate – are operating – and about the serious and substantial questions and dispositive evidence of DiFiore's unfitness that is before it.

Thank you.

Elena
914-421-1200

CORRUPTION ALERT:

The Senate Judiciary Committee is barring ALL opposition testimony at its Jan. 20th hearing to confirm D.A. DiFiore's nomination as Chief Judge

You won't be hearing ANY opposition testimony from witnesses at the Senate Judiciary Committee's Jan. 20th public hearing on Governor Cuomo's nomination of D.A. Janet DiFiore as New York's Chief Judge. The Committee is ONLY allowing testimony from bar associations that approved her nomination and from D.A. DiFiore herself. NOT allowed is ANY opposition

testimony from the public – a fact the Committee is concealing by its deceitful public notice of the hearing which states: “ORAL TESTIMONY BY INVITATION ONLY”: <http://www.nysenate.gov/calendar/public-hearings/january-20-2016/nomination-janet-difiore-chief-judge-court-appeals>. The inference is that the Committee will grant requests for invitations having a legitimate basis. This is false.

Among those whose requests to testify in opposition have been denied: Jeffrey Deskovic, exonerated of rape and murder after serving 16 years – and whose name is invoked as if he supports her nomination, when he does not – and Tatiana Neroni, an attorney, turned blogger, who represented a client wrongfully prosecuted by D.A. DiFiore’s office. They have important, devastating things to say about how D.A. DiFiore has conducted her D.A. office. I, too, as director of the non-partisan, non-profit citizens’ organization, Center for Judicial Accountability, Inc. (CJA), have important, devastating things to say.

Indeed, what I have to say, laid out in a December 31, 2015 letter to D.A. DiFiore, is dispositive of her unfitness – as she has not responded. The letter particularizes her conflicts of interest relating to documentary and video PROOF that the December 24, 2015 Report of the Commission on Legislative, Judicial and Executive Compensation recommending HUGE judicial salary increases is a criminal fraud and that the Judiciary budget is a “slush fund”. Both the judiciary salary increases, which take effect on April 1st unless overridden by the Legislature before then, and the Judiciary budget, which the Legislature must approve by April 1st, will be on her desk for her **immediate action, as Chief Judge, should she be confirmed.** And, of course, her REFUSAL to respond is all the more disqualifying as she was the Governor’s first appointed chair of the Joint Commission on Public Ethics (JCOPE) whose principle duty is as enforcer of conflict of interest rules for executive and legislative branch public officers. Should she be elevated to Chief Judge, she will have expanded powers pertaining to conflicts of interest: embracing not only New York’s judiciary, but everyone, in government and out: the Court of Appeals being the ultimate interpreter of all legal and ethics issues.

So that you can independently evaluate the significance of the above-three citizen requests to testify, they are attached. Additionally, they are posted on CJA’s website, www.judgewatch.org, on a webpage entitled “The Senate Judiciary Committee’s Uninvited Witnesses”. The webpage is most easily accessible from our “LATEST NEWS” top panel, which leads to a menu page for D.A. DiFiore’s nomination/confirmation as Chief Judge. Here’s the direct link to the menu page: <http://www.judgewatch.org/web-pages/judicial-selection/nys/judicial-selection-ny-difiore-menu.htm>

Finally, below is the e-mail I sent to all pertinent legislative leaders on Friday, January 15th, transmitting, for their IMMEDIATE ATTENTION & LEGISLATIVE OVERSIGHT, my letter of that date addressed to Temporary Senate President Flanagan and Assembly Speaker Heastie. The direct link to the webpage on which the letter appears is here:

<http://www.judgewatch.org/web-pages/judicial-compensation/2015/legislative-oversight.htm>.

I am available to answer your questions.

Thank you.

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

From: Center for Judicial Accountability [<mailto:elena@judgewatch.org>]

Sent: Friday, January 15, 2016 3:11 PM

To: 'flanagan@nysenate.gov'; 'speaker@assembly.state.ny.us'

Cc: Andrew J. Lanza (lanza@senate.state.ny.us); 'scousins@nysenate.gov'; Assembly Minority Leader Brian M. Kolb; 'bonacic@nysenate.gov'; 'hasselt@senate.state.ny.us'; hoylman@nysenate.gov; 'cyoung@nysenate.gov'; 'lkrueger@senate.state.ny.us'; 'weinstH@assembly.state.ny.us'; 'montesanoM@assembly.state.ny.us'; 'peoplec@assembly.state.ny.us'; 'DupreyJ@assembly.state.ny.us'; 'JaffeeE@assembly.state.ny.us'; 'LawrenceP@assembly.state.ny.us'; 'farrelh@assembly.state.ny.us'; 'oaksR@assembly.state.ny.us'; 'goodella@assembly.state.ny.us'; 'LopezP@assembly.state.ny.us'; 'NojayW@assembly.state.ny.us'; 'JohnsM@assembly.state.ny.us'; garvey@nysenate.gov; 'grelick@nysenate.gov'; 'Jessica Cherry'; 'j.deskovic@hotmail.com'; tatiana.neroni@gmail.com

Subject: Immediate Oversight Required: Jan. 20, 2016 Senate Judiciary Confirmation Hearing of Chief Judge Nominee DiFiore AND "Force of Law" Judicial Salary Recommendations of Dec. 24, 2015 Report of Commission on Legislative, Judicial & Executive Compensation

Attached is the Center for Judicial Accountability's letter of today's date requiring IMMEDIATE ATTENTION & LEGISLATIVE OVERSIGHT, particularly as it involves the January 20th Senate Judiciary Committee confirmation hearing of Chief Judge Nominee Janet DiFiore, at which NO ONE OTHER THAN THE NOMINEE & THE BAR ASSOCIATIONS IS BEING PERMITTED TO TESTIFY – a fact deceptively not revealed by the Senate Judiciary Committee's public notice that "ORAL TESTIMONY IS BY INVITATION ONLY". Among those being denied the opportunity to testify, in addition to myself, are Jeffrey Deskovic, whose name and case are used as if he supports her nomination, when he does NOT, and Tatiana Neroni, Esq. Each have devastating things to say about how the nominee has conducted her office as Westchester County District Attorney, as may be seen from the Senate Judiciary Committee's pdf compilation of their requests to testify: <http://www.nysenate.gov/newsroom/press-releases/john-j-bonacic/current-written-testimony-submitted-court-appeals-nominee>

The attached letter is also posted, with all substantiating exhibits, on CJA's website, www.judgewatch.org, accessible *via* the prominent homepage link "NO PAY RAISES FOR NEW YORK'S CORRUPT PUBLIC OFFICERS: The Money Belongs to their Victims!" The direct link to the webpage is here: <http://www.judgewatch.org/web-pages/judicial-compensation/2015/legislative-oversight.htm>. Additionally,

the referred-to Assembly Bill #7997 is

here: http://assembly.state.ny.us/leg/?default_fld=&bn=A07997&term=&Summary=Y&Actions=Y&Votes=Y&Memo=Y&Text=Y

As requested by the letter, please forward & furnish to all members of the referred-to relevant oversight committees.

Thank you.

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