

CENTER for JUDICIAL ACCOUNTABILITY, INC.

Post Office Box 8101
White Plains, New York 10602

Tel. (914)421-1200

E-Mail: mail@judgewatch.org
Website: www.judgewatch.org

January 25, 2018

TO: Valerie Friedlander, Records Access Officer/Division of Criminal Justice Services
Alan Lebowitz, Records Access Officer/Division of the Budget

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

RE: FOIL REQUEST: The “plan” for reimbursement to counties for district attorney salaries – and the dollar reimbursement for each county:
(1) Governor Cuomo’s Aid to Localities Budget Bill for fiscal year 2018-2019: #S.7503/A.9503;
(2) Governor Cuomo’s Aid to Localities Budget Bill for fiscal year 2017-2018: #S.2003-D/A.3003-D.

Governor Cuomo’s Aid to Localities Budget Bill for fiscal year 2018-2019 – #S.7503/A.9503 – contains an entry for the Division of Criminal Justice Services (at p. 47) which begins with the words: “For grants to counties for district attorney salaries”. It reads:

“Notwithstanding the provisions of subdivisions 10 and 11 of section 700 of the county law or any other law to the contrary, for state fiscal year 2018-19 the state reimbursement to counties for district attorney salaries shall be distributed according to a plan developed by the commissioner of criminal justice services, and approved by the director of the budget (20244)..... 4,212,000”
(underlining added).

Pursuant to FOIL, request is made for the referred-to “plan prepared by the commissioner of criminal justice services and approved by the director of the budget” for fiscal year 2018-2019, as well as records identifying the plan’s dollar reimbursement for district attorney salaries to each county.

For the current fiscal year, 2017-2018, Governor Cuomo’s Aid to Localities Bill #S.2003-D/A.3003-D, reads, as follows, for its entry “For grants to counties for district attorney salaries” (at pp. 64-65), unchanged by “amendings” elsewhere in the bill:

“Notwithstanding the provisions of subdivisions 10 and 11 of section 700 of the county law or any other law to the contrary, for state fiscal year 2017-18 the state reimbursement to counties for district attorney salaries shall be equal to the amount received by a county for such purpose in 2013-14 and 100 percent of the difference between the minimum salary for a full-time district attorney established pursuant to

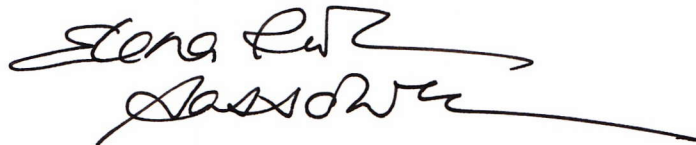
section 183-a of the judiciary law prior to April 1, 2014, the minimum salary on or after April 1, 2014. For those counties whose salaries are not covered by section 183-a of the judiciary law, the state reimbursement for these counties will be pursuant to a plan prepared by the commissioner of criminal justice services and approved by the director of the budget (20244)..... 4,212,000”
 (underlining added).

Here, too, pursuant to FOIL, request is made for the referred-to “plan prepared by the commissioner of criminal justice services and approved by the director of the budget” for fiscal year 2017-2018, as well as records identifying the plan’s dollar reimbursement for district attorney salaries to each county.

Additionally, please furnish records reflecting what the indicated “(20244)” refers to.

Pursuant to Public Officers Law §89.3, your response/acknowledgment is required “within five business days” of your receipt of this request. I would appreciate if you e-mailed it to me at elena@judgewatch.org.

Thank you.



A handwritten signature in black ink, appearing to read "Elena Ruiz", with a long horizontal flourish extending to the right.