

**From:** Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>  
**Sent:** Tuesday, January 30, 2024 12:35 PM

**To:** 'investigations@osc.ny.gov'; 'inspectorgeneral@osc.ny.gov'

**Subject:** **\$34.6M larceny for judicial pay raises in Legislative/Judiciary Budget Bill S.8301/A.8801 -- the product of a "false instrument" Dec 4, 2023 Report of the Commission on Legislative, Judicial & Executive Compensation**

**Attachments:** [1-18-24-opposition-report-superseding.pdf](#)

**TO: Office of the NY State Comptroller – Division of Investigations AND Inspector General**

A short time ago I called your hotline #1-888-672-4555 “To report fraud outside of OSC”. I spoke with Investigator Patrick Lanza about a larcenous appropriation of \$34.6M in Legislative/Judiciary Budget Bill #S.8301/A.8801 – about which, on January 18<sup>th</sup> and 19<sup>th</sup>, by the below e-mails, with the above-attached January 18<sup>th</sup> Opposition Report, I alerted Comptroller DiNapoli, *via* his Counsel for State Audit & Litigation Michael Kogut, whose e-mail I had.

I received no response from Counsel Kogut – despite the fact that the above-attached January 18<sup>th</sup> Opposition Report is DISPOSITIVE of Comptroller DiNapoli’s duty to take steps “**to VOID the Dec 4, 2023 Report of the Commission on Legislative, Judicial & Executive Compensation, STRIKE the \$34.6M for judicial pay raises from the Legislative/Judiciary budget bill, & REFER the commissioners for criminal prosecutions**”.

Please deem this as a formal complaint for investigation – including as to corruption and conflict-of-interest inside the OSC with respect to this issue – a matter over which the OSC Inspector General has jurisdiction.

Thank you.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
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**From:** Center for Judicial Accountability, Inc. (CJA) <[elena@judgewatch.org](mailto:elena@judgewatch.org)>  
**Sent:** Friday, January 19, 2024 8:45 AM  
**To:** 'records.access@exec.ny.gov' <[records.access@exec.ny.gov](mailto:records.access@exec.ny.gov)>; 'lgny@exec.ny.gov' <[lgny@exec.ny.gov](mailto:lgny@exec.ny.gov)>; 'scousins@nysenate.gov' <[scousins@nysenate.gov](mailto:scousins@nysenate.gov)>; 'Ortt@nysenate.gov' <[Ortt@nysenate.gov](mailto:Ortt@nysenate.gov)>; 'Speaker@nyassembly.gov' <[Speaker@nyassembly.gov](mailto:Speaker@nyassembly.gov)>; 'BarclaW@nyassembly.gov' <[BarclaW@nyassembly.gov](mailto:BarclaW@nyassembly.gov)>; 'jzayas@nycourts.gov' <[jzayas@nycourts.gov](mailto:jzayas@nycourts.gov)>; 'cmartucc@nycourts.gov' <[cmartucc@nycourts.gov](mailto:cmartucc@nycourts.gov)>;

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**Subject: \*\* Your Duty to VOID the Dec 4, 2023 Report of the Commission on Legislative, Judicial & Executive Compensation, STRIKE the \$34.6M for judicial pay raises from the Legislative/Judiciary budget bill, & REFER the commissioners for criminal prosecutions**

The above-attached supersedes the Opposition Report sent yesterday, by the below, which I have adjusted to reflect the 3<sup>rd</sup> branch of relief that had been omitted.

Apologies for the inconvenience.

Thank you.

Elena Sassower, Director  
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**From:** Center for Judicial Accountability, Inc. (CJA) <[elena@judgewatch.org](mailto:elena@judgewatch.org)>

**Sent:** Thursday, January 18, 2024 8:06 PM

**To:** 'records.access@exec.ny.gov' <[records.access@exec.ny.gov](mailto:records.access@exec.ny.gov)>; 'lgnny@exec.ny.gov' <[lgnny@exec.ny.gov](mailto:lgnny@exec.ny.gov)>; 'scousins@nysenate.gov' <[scousins@nysenate.gov](mailto:scousins@nysenate.gov)>; 'Ortt@nysenate.gov' <[Ortt@nysenate.gov](mailto:Ortt@nysenate.gov)>; 'Speaker@nyassembly.gov' <[Speaker@nyassembly.gov](mailto:Speaker@nyassembly.gov)>; 'BarclaW@nyassembly.gov' <[BarclaW@nyassembly.gov](mailto:BarclaW@nyassembly.gov)>; 'rwilson@nycourts.gov' <[rwilson@nycourts.gov](mailto:rwilson@nycourts.gov)>; 'jzayas@nycourts.gov' <[jzayas@nycourts.gov](mailto:jzayas@nycourts.gov)>; 'cmartucc@nycourts.gov' <[cmartucc@nycourts.gov](mailto:cmartucc@nycourts.gov)>; 'NYAG.Pressoffice@ag.ny.gov' <[NYAG.Pressoffice@ag.ny.gov](mailto:NYAG.Pressoffice@ag.ny.gov)>; 'mkogut@osc.ny.gov' <[mkogut@osc.ny.gov](mailto:mkogut@osc.ny.gov)>

**Subject: Your Duty to VOID the Dec 4, 2023 Report of the Commission on Legislative, Judicial & Executive Compensation, STRIKE the \$34.6M for judicial pay raises from the Legislative/Judiciary budget bill, & REFER the commissioners for criminal prosecutions**

**TO: Governor Kathy Hochul & Lieutenant Governor Antonio Delgado**  
**All Senators: c/o Senate Leaders Andrea Stewart-Cousins & Robert Ortt**  
**All Assembly Members: c/o Assembly Leaders Carl Heastie & William Barclay**  
**Chief Judge Rowan Wilson & Chief Administrative Judge Joseph Zayas, Etc.**  
**Attorney General Letitia James & Comptroller Thomas DiNapoli**

The [December 4, 2023 Final Report on Judicial Compensation](#) of the Commission on Legislative, Judicial and Executive Compensation is a fraud on the People of the State of New York and a grand larceny of taxpayer monies by its judicial pay raise “Conclusions”, if these are deemed to be its “force of law” “recommendations”. This is demonstrated by CJA’s January 18, 2024 Opposition Report, above-attached. It is addressed to all of you so that individually and collectively you can discharge your constitutional and oversight responsibilities:

- (1) to void the Commission's "force of law" December 4, 2023 Final Report on Judicial Compensation because it is statutorily-violative, fraudulent, and unconstitutional – and striking the \$34.6 million appropriation for judicial salary increases from the Governor's Legislative/Judiciary Budget Bill #S.8301/A.8801;
- (2) to refer the Commission's seven members for criminal prosecution – and for Attorney General James to herself bring such prosecution – based on penal law violations including:

Penal Law §175.35: "Offering a false instrument for filing in the first degree";

Penal Law §195: "Official misconduct";

Penal Law §105.15: "Conspiracy in the second degree";

Penal Law §20.00: "Criminal liability for conduct of another";

Penal Law Article 496: "PUBLIC TRUST ACT"

§496.06: "Public corruption";

§496.05: "Corrupting the government in the first degree";

- (3) to hold hearings on the corruption in New York's judiciary to which the three judicial pay raise opponents attested, with evidence – involving the corruption of the Commission on Judicial Conduct, the Appellate Division attorney grievance committees, and the OCA Inspector General.

Although the Opposition Report is filled with EVIDENTIARY hyperlinks, CJA's website has an [EVIDENTIARY webpage](#) for the Opposition Report, to further assist you. Please note that the posted Opposition Report removes the LIVE link in footnote 5 that reads:

"Because the Independent Expert Report pertains to a sealed Monroe County Family Court case, it and what occurred thereafter, recited by CJA's October 25, 2023 complaint, are posted on a publicly inaccessible webpage, [here](#)."

Finally, to those whose direct e-mails I do not have, kindly forward.

Thank you.

Elena Sassower, Director  
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