

Center for Judicial Accountability, Inc. (CJA)

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Subject: ELECTION ISSUE #1: What salary is to be paid the winners of NYC's 92 state legislative races? Is it \$110,000 - or \$79,500? The answer upends all the legislative races -- & that's for starters

TO: GOTHAMIST & WNYC

What salary is to be paid the winners of NYC's 92 state legislative races? Is it \$110,000 – or \$79,500?

Will you ask that **straight-forward question** of New York City's five district attorneys who, in tandem with New York's 57 other district attorneys, are "sitting on" 62 public corruption/grand jury complaints against New York's 213 state legislators elected in 2018 – complaints establishing, with EVIDENCE, that the \$110,000 legislative salary is fraudulent, that the 213 state legislators – most running for re-election or higher office – have not been doing their jobs, and that, indeed, the Legislature does not operate at a constitutional level.

The five New York City district attorneys are (1) Manhattan District Attorney Cyrus Vance; (2) Bronx District Attorney Darcel Clark; (3) Brooklyn District Attorney Eric Gonzalez; (4) Queens District Attorney Melinda Katz; and (5) Staten Island District of Michael McMahon – and the complaints filed with them by the Center for Judicial Accountability, Inc. (CJA) are here linked to their names. The complaints are also posted, with the other 57 complaints, on CJA's website, www.judgewatch.org. The direct link to the webpage of complaints is here: <http://www.judgewatch.org/web-pages/searching-nys/2020-legislative/da-complaints-to-soares-plus-61-more.htm>. The direct link to CJA's separate webpage of the EVIDENCE substantiating the complaints is here: <http://www.judgewatch.org/web-pages/searching-nys/2020-legislative/grand-juries.htm>.

The EVIDENCE presented by the complaints on the salary issue more than meets the standard of "probable cause" for a grand jury to indict. It is open-and-shut, *prima facie* – and would compel any trial jury to convict, speedily. Its starting point is my July 16, 2019 e-mail to the Legislature's 15 stipend-receiving leaders requesting that they forward it to the 198 other legislators, with its attached July 15, 2019 written NOTICE and substantiating analysis that the December 10, 2018 Report of the Committee on Legislative and Executive Compensation – raising their legislative salaries from \$79,500 to \$110,000 – was "a fraud on the People of the State of New York – and a larceny of their tax dollars", violating a succession of penal laws, and that their duty was to void it, to return the pay-raise monies they had already received, and to initiate criminal prosecutions of the Committee's four members and abetting attorneys."

Six of these 15 legislative leaders are from New York City:

- Assembly Speaker Carl Heastie,
- Deputy Senate Majority Leader Michael Gianaris,
- Senate Finance Committee Chair Liz Krueger,
- Assembly Ways and Means Committee Chair Helene Weinstein,
- Assembly Speaker *Pro Tempore* Jeffrion Aubry, and
- Assembly Codes Committee Chair Joseph Lentol.

Five of these legislators are running for re-election. The exception is Lentol, whose re-election bid ended when he was defeated in a primary – and whose pension will be calculated with the \$110,000 figure.

Will you ask these six top New York City state legislators – three of them lawyers – what they did upon receiving the July 15, 2019 NOTICE and analysis. Did they not furnish it to their 198 legislative colleagues, as requested – most also running for re-election in races either uncontested or not competitive, thanks to their self-interested derelictions as legislators in failing to oversee what has been going on with New York’s eight recognized political parties and elections. The analysis is 46 pages, excluding exhibits. Will these six top legislators – so instrumental in the Legislature’s “dysfunction” – furnish you with their findings of fact and conclusions of law? How about other New York City state legislators, such as those specified by the complaints, including:

- Senate Judiciary Committee Chair Brad Hoylman, a Harvard Law School graduate (like Deputy Senate Majority Leader Gianaris) and member of the Senate Finance Committee and Senate Rules Committee,
- Assembly Judiciary Committee Chair Jeffrey Dinowitz, a lawyer and member of the Assembly Ways and Means Committee and Assembly Rules Committee,
- Senate Committee on Ethics and Internal Governance Chair Alessandra Biaggi, a lawyer and member of the Senate Committee on Investigations and Government Operations.

New York City’s five district attorneys have had the complaints for three months, but have not called for further information, or with questions, or to get testimony from me, under oath. Have they communicated with any of the complained-against 92 state legislators? How about the above nine? Have they questioned them – and not only as to their legislative salaries, but as to the balance of the complaints as, for example, their very next issue: the larceny in the Legislature’s own fiscal year 2020-21 budget.

To facilitate your inquiries of the five New York City district attorneys and the above-nine New York City state legislators, I have already sent them this identical e-mail, addressed to The New York Times, advising that rather than inundating them with my identical e-mails to other New York City press on this **Election Issue #1**, I would post them on CJA’s webpage of 2020 election outreach to such press. The direct link to that webpage, on which the e-mail to The New York Times is posted, is here: <http://www.judgewatch.org/web-pages/press-suppression/2020/local-news-project/local-news-project-nyc.htm>.

I am available to answer your questions and assist you, to the max. As is obvious from the complaints – and their starting point, CJA’s July 15, 2019 analysis – your reporting will upend this year’s elections for ALL 213 state legislative seats and 15 district attorney offices – **and that’s for starters**.

Thank you.

Elena Sassower, Director
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