

Center for Judicial Accountability

From: Center for Judicial Accountability <elena@judgewatch.org>
Sent: Thursday, February 27, 2014 3:08 PM
To: 'cherry@nysenate.gov'; 'Senator John J. Bonacic'
Cc: 'gsavage@nysenate.gov'; 'Senator Ruth Hassell-Thompson'
Subject: The Senate Judiciary Committee's duty to scrutinize the Judiciary's proposed budget -- & to forward to Chief Administrative Judge Prudenti the questions enclosed with our Feb. 21st letter
Attachments: 2-21-14-ltr-to-fiscal-committee-chairs-ranking-members.pdf; 2-21-14-enclosure-questions-for-prudenti.pdf

Dear Ms. Cherry,

Thank you for your call back.

As discussed, please get back to me as soon as you have read the attached February 21st letter. It is dispositive of the Senate Judiciary Committee's duty to scrutinize the Judiciary's proposed budget and the non-hearing thereon at the Feb. 5 "public protection" budget hearing – and to forward to Chief Administrative Judge Prudenti the attached, enclosed questions for her response.

The next meeting of the Senate Judiciary Committee must be for that express purpose – and, consistent with Senate Rule VIII(d), quoted by my below Feb 6th e-mail, I request that Chairman Bonacic invite me to make a presentation to the Committee and to answer questions at that time.

By copy of this letter to Ranking Member Hassell-Thompson's counsel, Gerald Savage – for whom I have left many message, all unreturned – I additionally request an invitation from Ranking Member Hassell-Thompson.

Please advise.

Thank you.

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From: Center for Judicial Accountability [mailto:elena@judgewatch.org]
Sent: Wednesday, February 26, 2014 1:32 PM
To: 'Senator John J. Bonacic'; 'Senator Ruth Hassell-Thompson'; speckhar@nysenate.gov; jenkinsc@nysenate.gov; 'cherry@nysenate.gov'; 'gsavage@nysenate.gov'
Cc: latimer@nysenate.gov; buchwaldd@assembly.state.ny.us; latimer@nysenate.gov; weisfeldd@assembly.state.ny.us; roithmayra@assembly.state.ny.us
Subject: At what committee meeting will the Senate Judiciary Committee be reviewing the Judiciary's proposed budget - & the Legislature's February 5th joint "public protection" budget hearing thereon?

Dear Senate Judiciary Committee Chairman Bonacic and Ranking Member Hassell-Thompson,

According to the Senate Judiciary Committee's website, <http://www.nysenate.gov/committee/judiciary>, a committee meeting is scheduled for tomorrow, February 27th. The posted agenda consists of three bills – two by you, Chairman Bonacic, and one by Senator Little, a member of the Senate Judiciary Committee. Not included on the agenda is review

of the Judiciary's proposed budget – or the Legislature's February 5th joint "public protection" budget hearing thereon, at which 17 of the Senate Judiciary Committee's 22 members were absent – you, Chairman Bonacic, among them. Why is that?

At what committee meeting will the Senate Judiciary Committee be reviewing the Judiciary's proposed budget – and the "public protection" budget hearing held thereon?

So far this year, there have been two Senate Judiciary Committee meetings. The first, on January 27th, was less than 9 minutes, with five senators present (Senator Hoylman, among them) and a sixth arriving as the meeting was half over. The second meeting, on February 4th, was less than 4 minutes, with four senators present (Senator Hoylman, among them). The Judiciary's proposed budget was not on the agenda of either meeting – and no mention was made of it.

Apart from the fact that the Senate Judiciary Committee is among the "appropriate committees of the legislature" whose jurisdiction is the Judiciary budget, I have, since December, been calling your offices and sending you particularized correspondence as to the fraudulence and unconstitutionality of the Judiciary's proposed budget, the proof of which is in your possession. You have each ignored all my repeated requests to meet with you – the latest being the February 6th e-mail below.

May I ask whether, as it additionally appears, you have also withheld from the Senate Judiciary Committee's rank-and-file members the significant correspondence about the Judiciary budget that I furnished you since December? Certainly, Senate Judiciary Committee Member Little – whose office I contacted following her appearance at the February 5th "public protection" budget hearing on the Judiciary's budget – knew nothing about it.

Of course, two rank-and-file Senate Judiciary Committee members are fully-knowledgeable as to what has been going on: Senator DeFrancisco, as Chair of the Senate Finance Committee and orchestrator of the February 5th "public protection" budget hearing, and Senator Hoylman, as Ranking Member of the Senate Committee on Investigations and Government Operations, each named recipients of our correspondence by virtue of their leadership positions on other "appropriate committees of the legislature", whose offices I have likewise repeatedly called and who have also ignored my requests for meetings.

Inasmuch as tomorrow's Senate Judiciary Committee meeting is the first since the February 5th "public protection" budget hearing on the Judiciary's budget, attached is my February 21st letter to Chairman DeFrancisco, detailing its sham and rigged nature and enclosing questions that Chief Administrative Judge Prudenti must be required to answer with respect to the Judiciary's budget. You may already have read the February 21st letter as I sent it as a "Heads Up" e-mail to all rank-and-file members of the Senate Finance Committee, like yourselves.

Please advise whether, as Chair and Ranking Member of the Senate Judiciary Committee, you will be forwarding these questions to Chief Administrative Judge Prudenti for her response – or placing the February 21st letter on the agenda of the Senate Judiciary Committee's next meeting for discussion and vote by the Committee's 22 members.

For your convenience, here's the direct link to our webpage for the February 21st letter, where it is posted with all substantiating proof, including an analysis of the Judiciary's two-part budget presentation and "single budget bill": <http://www.judgewatch.org/web-pages/searching-nys/budget-2014-2015/feb-21-ltr.htm>.

Thank you.

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

Sent: Thursday, February 06, 2014 4:34 PM

To: 'speckhar@nysenate.gov'; 'jenkinsc@nysenate.gov'; 'bonacic@nysenate.gov'; 'hassellt@senate.state.ny.us'

Cc: latimer@nysenate.gov; mallison@nysenate.gov; John Bonacic (cherry@nysenate.gov); gsavage@nysenate.gov

Subject: Request for a Meeting with Senators Bonacic & Hassell-Thompson and to make a Presentation to the Senate Judiciary Committee -- so that they can discharge their oversight responsibilities with respect to the Judiciary & its Budget

**TO: Tonya Speckhardt, Administrative Assistant for Senator John Bonacic
Jackie Jenkins Cox, Director of Albany Relations for Senator Ruth Hassell-Thompson**

This follows up my phone calls earlier this afternoon, requesting to schedule a joint meeting with Senator Bonacic, as Chair of the Judiciary Committee, and Senator Hassell-Thompson, as its Ranking Member, concerning the Judiciary's budget – whose unconstitutionality and fraudulence have been the subject of previous letters and phone calls to their offices, likewise requesting meetings.

I had, additionally, requested to testify in opposition to the Judiciary's budget at yesterday's February 5, 2014 joint budget hearing on "public protection" – which opportunity was denied me. For your convenience, here's the link to the webpage of the Center for Judicial Accountability's website on which my most pertinent recent letters to Senators Bonacic and Hasell-Thompson appear: my December 11, 2013 letter and January 14, 2014 letter: <http://www.judgewatch.org/web-pages/searching-nys/budget-2014-2015/menu-budget-reform.htm> .

Based on the serious and substantial nature of these letters, I would appreciate if such meeting could be arranged, as soon as possible. Indeed, consistent with Senator Bonacic's recognition of the importance of empowering legislative committees and legislators, which he so powerfully articulated in 2009 as co-chair of the Temporary Senate Committee on Rules and Administration Reform, I would also welcome the opportunity to make a presentation at the next Senate Judiciary Committee meeting – and to answer questions – so that the Committee and its members can discharge their oversight responsibilities with respect to the Judiciary and its budget. In that regard, here's Senate Rule VIII(d), entitled "Committee presentations", which I believe Senator Bonacic may have been instrumental in achieving in the Senate Rules:

"The chair of a committee may invite interested persons to offer a presentation for a given amount of time on a bill on the meeting agenda with notice provided to the ranking Democratic Conference member no less than 72 hours in advance. Where a committee chair makes such an invitation, the ranking member shall be afforded an equal number of speakers who may speak for an equal amount of time. In addition, the ranker, without consent of the chair, shall be able to schedule 3 committee presentations with notice provided to the chair at least 72 hours in advance. The chair shall be afforded in equal number of speakers who may speak for an equal amount of time."

Thank you.

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