

## Center for Judicial Accountability, Inc. (CJA)

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**From:** Center for Judicial Accountability, Inc. (CJA) [elena@judgewatch.org]  
**Sent:** Wednesday, August 22, 2012 2:40 PM  
**To:** 'pswicicki@yahoo.com'  
**Cc:** 'wavefchanfornysassembly@hotmail.com'; 'hymansilverglad@yahoo.com'  
**Subject:** Developing a Winning Strategy for Ousting Assembly Speaker Silver--& the "Three Men in the Room" Perversion of Democracy He has Perpetuated

Dear Pat,

As discussed, the three reports on New York's dysfunctional & sham legislature by NYU Law School's Brennan Center for Justice are powerful ammunition against Assembly Speaker Silver, as they make plain that he always had it in his power to make the State Assembly a model of good government. All that was necessary was for him to change the Assembly rules, which he could easily have done – but never did.

The Brennan Center's three reports, from 2004, 2006, and 2008 – and the 1997 article "*Albany's Travesty of Democracy*" by Hofstra Law School's now interim dean, Eric Lane, that inspired them -- are a MUST READ for you and Wave in developing a winning strategy against Speaker Silver. They should be featured on Wave's website, in his campaign literature, and by his public appearances – all of which should challenge Assembly Speaker Silver to account to the voters for why he failed to make the recommended rule changes listed by these reports so that our state government might function properly. Wave should pledge to the voters that, if elected, his first order of business will be to build a coalition of Assembly members to overhaul Assembly rules in January 2013, consistent with the Brennan Center recommendations.

On this basis alone, Wave should rightfully expect newspaper editorial boards to endorse his candidacy – and you and he should contact the editorial boards to make sure that they are fully familiar with these reports and that they will be interrogating Assembly Speaker Silver about them and his failure to make the recommended Assembly rule changes when they interview him and Wave for purposes of determining their endorsements.

Our website, [www.judgewatch.org](http://www.judgewatch.org), posts the reports and Professor Lane's 1997 article on a webpage entitled "Easily-Accomplished Recommended Legislative Rule Changes" – and the hyperlink is part of the below section of our "Latest News" webpage, which sets forth four questions to be asked of incumbents. Wave should be calling for answers from Speaker Silver to all four. The first of these four question pertains to CJA's public interest lawsuit against Speaker Silver and New York's other highest constitutional officers, suing them for collusion and fraud against the People of the State, costing its taxpayers millions, and ultimately billions, of dollars and depriving them of judicial accountability. I spoke to you and Wave about this groundbreaking lawsuit in June – and furnished a copy of the verified complaint and its exhibits to the Progress Republican Club so that it could verify its potential to END Speaker Silver's political career – and that of other incumbent legislative leaders, such as Speaker Silver's Senate counterpart, Senate Majority Leader Skelos.

I have just now left a phone message for the Progress Republican Club's counsel, Hyman Silverglad, Esq. (212-674-0066), inquiring about the status of the Club's review.

However, it is also appropriate that you, as Wave's counsel, in addition to his campaign manager, also review it and assess its significance. By this e-mail, I request Mr. Silverglad – and Progress Republican Club President Steven Sinclair, with whom I left it -- share it with you. Meantime, the lawsuit record is accessible from the below hyperlink "The People's Lawsuit vs NY's Legislative & Highest Constitutional Officers to Void the Judicial Pay Raises -- & Secure Judicial Accountability".

Thank you.  
Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
646-220-7987

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## LATEST NEWS

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Holding Government Accountable

### THE PEOPLE FIGHT BACK!

**ELECTIONS 2012 -- when ALL 213 seats in NY's Legislature  
are Up for Election  
Making Judicial Corruption & Fraudulent Judicial Pay Raises  
Campaign Issues in 2012,  
as Likewise the Convening of a People's Constitutional Convention**

SCOREBOARD: PUTTING INCUMBENT NYS LEGISLATORS ON  
RECORD --

1. What is their answer to The People's lawsuit vs them to void the  
judicial pay raises -- & secure judicial accountability?

-- [click here for The People's Lawsuit vs NY's Legislative & Highest  
Constitutional Officers to Void the Judicial Pay Raises -- & Secure Judicial  
Accountability](#)

2. After the November 2012 elections, will they be coming back into  
session to vote themselves pay raises, either directly or by the establishment of a  
Special Commission, whose recommendations will automatically become law?

-- [click here for Press Reports on Legislative Pay Raises](#)

3. What is their position on the convening of a NYS constitutional  
convention -- & legislation to make it a "People's convention"?

-- [click here for Building for a People's Constitutional Convention -- &  
Scholarship on NYS Constitutional Issues & Governance -- Beginning with CJA's Public  
Interest Lawsuit vs NYS' Highest Constitutional Officers & 3 Government Branches](#)

4. What have they done to reform the legislature rules, which they could  
readily have done, to make the Legislature an effective governing body, not the  
sham controlled by the Senate Majority Leader and Assembly Speaker?

-- [click here for Easily-Accomplished Recommended Legislative Rule  
Changes](#)

-- [click here for:](#)

*ELECTIONS 2012: Making NY's Legislative Elections Competitive --  
Outreach to Reformers, Insurgent Candidates & Political Parties*