

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Wednesday, January 24, 2024 7:46 AM
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'harckham@nysenate.gov'; 'hoylman@nysenate.gov';
'kavanagh@nysenate.gov'; 'murray@nysenate.gov'; 'myrie@nysenate.gov';
'omara@nysenate.gov'; 'persaud@nysenate.gov'; 'ryan@nysenate.gov';
'sepulveda@nysenate.gov'
Subject: Tomorrow's "Public Protection" Budget Hearing -- ALERT: \$34.6M at pp. 18-19 of Budget Bill #S.8301/A.8801 must be stricken, as it is the product of statutory violations & fraud by the Commission on Legislative, Judicial & Executive Compensation
Attachments: [1-18-24-opposition-report.pdf](#)

Senate Codes Committee

Chair: Jamaal Bailey, Esq.

Ranking Member: Anthony Palumbo, Esq.

Rank & File Members: Jabari Brisport; Patrick Gallivan; Pete Harckham;
Brad Hoylman-Sigal, Esq.; Brian Kavanagh, Esq.; Dean Murray;
Zellnor Myrie, Esq.; Thomas O'Mara, Esq.; Roxanne Persaud;
Sean Ryan, Esq.; Luis Sepulveda, Esq.

The \$34.6M line item for so-called "adjustment of the salaries of judges and justices" in [Legislative/Judiciary Budget Bill S.8301/A.8801 \(at pp. 18-19\)](#) must be stricken as it is the product of statutory violations and fraud by the Commission on Legislative, Judicial and Executive Compensation whose December 4, 2023 misnomered "Final Report on Judicial Compensation" is a "false instrument". The details are set forth by CJA's above-attached January 18, 2024 Opposition Report to the Commission's December 4, 2023 Report, which was e-mailed to Senate Leaders Stewart-Cousins and Ortt for distribution to you so that you could be alerted to your constitutional and oversight responsibilities.

The e-mail, addressed and also sent to Chief Administrative Judge Zayas, is below. Presumably Chief Administrative Judge Zayas will be your first witness at tomorrow's [January 25th budget hearing on "public protection"](#) -- and you should be prepared to grill him about it.

I am available to assist you – and am reachable by phone and e-mail.

Thank you.

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

Sent: Friday, January 19, 2024 8:45 AM

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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 3rd 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>

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

To: 'records.access@exec.ny.gov' <records.access@exec.ny.gov>; 'lgny@exec.ny.gov' <lgny@exec.ny.gov>; 'scousins@nysenate.gov' <scousins@nysenate.gov>; 'Ortt@nysenate.gov' <Ortt@nysenate.gov>; 'Speaker@nyassembly.gov' <Speaker@nyassembly.gov>; 'BarclaW@nyassembly.gov' <BarclaW@nyassembly.gov>; 'rwilson@nycourts.gov' <rwilson@nycourts.gov>; 'jzayas@nycourts.gov' <jzayas@nycourts.gov>; 'cmartucc@nycourts.gov' <cmartucc@nycourts.gov>; 'NYAG.Pressoffice@ag.ny.gov' <NYAG.Pressoffice@ag.ny.gov>; 'mkogut@osc.ny.gov' <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, [link removed]."

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

Thank you.

Elena Sassower, Director
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