

CENTER *for* JUDICIAL ACCOUNTABILITY, INC.

Post Office Box 8101
White Plains, New York 10602

Tel. (914)421-1200

E-Mail: mail@judgewatch.org
Website: www.judgewatch.org

March 27, 2025

TO: Albany County District Attorney Lee Kindlon
New York County District Attorney Alvin Bragg
Erie County District Attorney Michael Keane
Westchester County District Attorney Susan Cacace
Kings County District Attorney Eric Gonzalez

FROM: Elena Ruth Sassower, Director
Center for Judicial Accountability, Inc. (CJA)

RE: Reiterating CJA's March 3, 2025 Grand Jury/Public Corruption Complaint against the (3rd) Commission on Legislative, Judicial & Executive Compensation for its "false instrument" November 14, 2024 Report – & NOW expanding it, explicitly, to a Grand Jury/Public Corruption Complaint against the Conspiring Recipients of CJA's February 3, 2025 Opposition Report and against all seven New York Court of Appeals Judges, including for their own "false instrument" crimes pertaining to the FY2025-26 state budget

It is more than three weeks since my [March 3, 2025 e-mail to you](#) attaching my [March 3, 2025 grand jury/public corruption complaint](#) against the seven members of the Commission on Legislative, Judicial and Executive Compensation for their "false instrument" November 14, 2024 Report, proven by CJA's February 3, 2025 Opposition Report.

I received not a single response from you.

Simultaneously, to test how your underlings would handle so serious and substantial a complaint wherein you are interested financially and otherwise by reason of your willful nonfeasance with respect to my [July 18, 2024 NOTICE & grand jury/public corruption complaint](#) pertaining to the Commission's prior December 4, 2023 "false instrument" Report, proven by CJA's January 18, 2024 Opposition Report, I communicated with your staff by phone, thereupon forwarding the March 3, 2025 e-mail to them, as follows:

- by a [March 4, 2025 e-mail to D.A. Kindlon's Assistant Confidential Secretary Teresa Berghela](#), for transmittal of the complaint to Assistant District Attorney Joe Meany;
- by a [March 3, 2025 e-mail to fraudcomplaints@dany.nyc.gov](#), the e-mail address for D.A. Bragg's "major economic crimes bureau", which, because he has no "public integrity bureau", handles complaints involving larceny of taxpayer monies by public officers;

- by a [March 3, 2025 e-mail to “DAaction@BrooklynDA.org”](#), the e-mail address for D.A. Gonzalez’ Public Integrity Bureau, whose deputy bureau chief is Adam Libove;
- by a [March 3, 2025 e-mail to “complaintresponse@westchesterda.net”](#), to the attention of D.A. Cacace’s Senior Investigator William Halpern, with whom I directly discussed the complaint by phone;
- by a [March 3, 2025 e-mail to D.A. Keane’s Public Integrity Unit Chief Gary Ertel](#), with whom I directly discussed the complaint by phone.

From the offices of D.A. Kindlon, Gonzalez, and Cacace, I received no response. From the other two offices, I received:

- a [March 6, 2025 e-mail from D.A. Bragg’s “Financial Crimes Bureau”](#) attaching a “[Letter of Declination](#)”, signed by Assistant District Attorney A. Dennis Dillon, stating:

“...We have carefully reviewed all the information you have provided. After this review, we have concluded that we will not be proceeding with an investigation into the matter at this time.

Thank you for informing us of this matter, and we hope it can be resolved through other channels.” (underlining added).

No identification of any conflict of interest issue – and how it had been addressed by the persons constituting the “we”; no specifics as to why the Financial Crimes Bureau would “not be proceeding into the matter at this time”; and no specifics as to the “other channels” for resolving the “matter”, let alone why the Financial Crimes Bureau was not itself referring the complaint to those “other channels” for resolution.

- a [March 10, 2025 letter from D.A. Cacace’s “Complaints Unit”](#), unsigned and not indicating the name of any person, stating:

“Based on the information provided, it appears that the matter you described took place outside the jurisdiction of this Office and Westchester County. As such, this Office can take no further action in connection with this matter at this time.

Thank you for bringing this matter to our attention.”

No identification of any conflict of interest issue – and how it had been addressed; no explanation for purporting that “it appears that the matter...took place outside the jurisdiction of this Office and Westchester County”, when the complaint specifically stated “Commissioner Jeremy Weinstein is within Westchester D.A. Cacace’s jurisdiction” – and

that one Commission meeting had been virtually attended from Westchester.

D.A.s Bragg and Cacace, are you aware of these letters – and do you consider them procedurally and substantively proper? **And D.A.s Kindlon, Keane, and Gonzalez**, are you aware of the complaints I sent to your underlings, seemingly without response? Is this acceptable to you?

* * *

Much as my underlying July 18, 2024 NOTICE & grand jury/public corruption complaint was not only against the seven Commission members, but, explicitly, “against the conspiring constitutional officers” – most of whom have “residences and offices in counties other than Albany” – I now expand my March 3, 2025 grand jury/public corruption complaint to explicitly include the “conspiring constitutional officers” identified by the cover of CJA’s February 3, 2025 Opposition Report, *to wit*:

“Governor Kathy Hochul & Lieutenant Governor Antonio Delgado
All Senators: *c/o* Senate Leaders Andrea Stewart-Cousins & Robert Ort
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”.

All these constitutional officers were furnished with the Opposition Report by my [February 3, 2025](#) and [February 4, 2025](#) e-mails entitled:

“Your duty to VOID the Nov 14, 2024 Report of the Commission on Legislative, Judicial & Executive Compensation, to ‘claw back’ the Executive Law §169 salary increases paid out, & to strike/reduce appropriations for such increases in the FY25-26 budget” (capitalization in the original).

Thereafter, I additionally furnished the February 3, 2025 Opposition Report:

- **to Attorney General James** by a [February 5, 2025 e-mail to her Public Integrity Unit](#) entitled: “New Complaint vs Commission on Legislative, Judicial & Executive Compensation – ‘False Instrument’ Nov 14, 2024 Report, Stealing Taxpayer Money”;
- **to Comptroller DiNapoli** by a [February 6, 2025 e-mail to his Division of Investigations and Inspector General](#) entitled: “Complaint pertaining to the FY2025-26 state budget -- starting with its \$34.6M further larceny for judicial pay raises, plus unknown sums for larcenous pay raises for Executive Law §169 state officers”;

- **to Senate and Assembly members** by written testimony for the Legislature's budget hearings on the FY2025-26 state budget, *to wit*,

(1) my [February 4, 2025 two-page written testimony for the Legislature's budget hearing on "local government officials/general government"](#), appending the Opposition Report, and stating, in pertinent part:

"The focus of my testimony last year was your duty to strike the \$34.6M line-item for judicial salary increases in [Legislative/Judiciary Budget Bill #S.8301/A.8801](#) because it was the product of a statutorily-violative and fraudulent [December 4, 2023 Report of the Commission on Legislative, Judicial and Executive Compensation](#), so-demonstrated by [CJA's January 18, 2024 Opposition Report](#). That \$34.6M was not a one-time expense, but would be recurring, in perpetuity, as part of the budget, though no longer as a line-item. Consequently, this year's [Legislative/Judiciary Budget Bill #S.3001/A.3001](#) embeds a further appropriation on the magnitude of \$34.6M for the continuation of the judicial salary increases resulting from the December 4, 2023 Report that you were duty-bound to void, but did not.

...

To prevent yet more larceny and unconstitutionality, CJA now presents its February 3, 2025 Opposition Report, demonstrating the statutory violations and fraud of the [Commission on Legislative, Judicial and Executive Compensation's November 14, 2024 Report](#) giving salary increases to [Executive Law §169](#) state officers. The appropriations for these salary increases are not itemized by the Governor's [State Operations Bill #S.3000/A.3000](#), but embedded throughout." (hyperlinking in the original);

(2) my [February 13, 2025 three-page written testimony for the Legislature's budget hearing on "public protection"](#), which, in addition to linking to my February 4, 2025 written testimony, appended a set of 39 questions for Temporary Senate President Stewart-Cousins and Assembly Speaker Heastie to answer about the Legislature's own FY2025-26 budget and the legislative portions of Governor Hochul's Legislative/Judiciary Budget Bill #S.3001/A.3001;

(3) my [February 25, 2025 three-sentence written testimony for the Legislature's budget hearing on "higher education"](#), appending my February 24, 2025 e-mail to the Legislature's fiscal and higher education committees, highlighting their duty, as identified on the cover of the [February 3, 2025 Opposition Report](#), to:

"(3) investigate and rectify the 'elephant in the room' HUGE salaries of the SUNY Chancellor and State Education Department Commissioner, *et al.*, arising from abuses of Executive Law §169.3, without oversight by the executive and legislative branches". (capitalization in the original).

The accuracy of the Opposition Report has not been denied by any of the recipient constitutional officers. Nor have the legislators denied the accuracy of my three written testimonies that the FY2025-26 state budget is “OFF THE CONSTITUTIONAL RAILS”, stealing massive sums of taxpayer monies by a mountain of constitutional, statutory, and legislative rule violations, repeating, identically, the violations of previous years – the subject of years of testimony by me at prior budget hearings and embodied by CJA’s lawsuits.

With respect to the Judiciary’s own larcenous “false instrument” FY2025-26 budget, certified by Chief Judge Wilson and approved by all seven Court of Appeals judges, I filed a [March 11, 2025 FOIL/records request](#) to Chief Administrative Judge Zayas, which I simultaneously [e-mailed](#) to the chairs and ranking members of the Senate and Assembly Fiscal and Judiciary Committees. This and other FOIL requests pertaining to the FY2025-26 state budget – and the responses I have received or have yet to receive – are posted on [CJA’s webpage of 2025 FOIL requests](#).

Finally, and further substantiating the expansion of my March 3, 2025 grand jury/public corruption complaint to all seven of the Court of Appeals judges, here’s an UPDATE to CJA’s two live lawsuits, about which my written testimony for the Legislature’s February 4, 2025 budget hearing stated:

“To prevent the larceny and corruption of constitutional governance, arising from the December 4, 2023 Report, CJA sued you and the Commission, Governor Hochul, Lieutenant Governor Delgado, Attorney General James, Comptroller DiNapoli, Chief Judge Wilson, and Chief Administrative Judge Zayas, so that the Report might be voided, the \$34.6M line-item stricken, and the Commissioners referred to prosecutorial authorities. This did not happen, at least not yet, because – as is your *modus operandi* – Attorney General James defended you with litigation fraud and a self-interested judiciary rewarded itself and you with fraudulent judicial decisions. The case, [CJA v. Commission on Legislative, Judicial and Executive Compensation, et al.](#), is now before the Court of Appeals, on a direct appeal, of right.

Simultaneously, the [Court of Appeals has before it, on an appeal of right, CJA v. JCOPE, et al.](#), suing you, Governor Hochul, Attorney General James, and Comptroller DiNapoli for corrupting the state budget, enabled by your sham ‘public protection’ entities – JCOPE, the Legislative Ethics Commission, and the State Inspector General, also sued. There, too, you have survived and persisted in your corrupting of the state budget and constitutional governance because of the double whammy of litigation fraud by Attorney General James and fraudulent judicial decisions.” (hyperlinking in the original).

On March 18, 2025, the Court of Appeals disposed of both appeals by a “false instrument” [Order](#). Unsigned by any judge and purporting that “Chief Judge Wilson took no part”, it made no disclosure that the six associate judges all have \$106,300 salary interests in the appeals¹, plus claw-back liabilities, most in the million dollar range, on top of which are their other interests, including criminal liabilities, and that, pursuant to [Judiciary Law §14](#) and the Court’s interpretive caselaw,² they are divested of jurisdiction to do anything but transfer the appeals to federal court pursuant to Article IV, §4 of the United States Constitution: “The United States shall guarantee every State in this Union a Republican Form of Government” – or to certify the jurisdictional question to the U.S. Supreme Court.

The Order conceals this threshold issue. Likewise, it conceals the threshold issue of appellants’ entitlement, pursuant to [Executive Law §63.1](#) and [State Finance Law Article 7-A](#), to the Attorney General’s representation, including *via* independent counsel. Both are dispositive.

Instead, the March 18, 2025 Order dismisses CJA’s appeals of right because I am not its “authorized legal representative”, citing, with an inferential “*see*”,³ [“CPLR 321\[a\]”](#). As to my appeals of right:

- it dismisses my *CJA v. JCOPE, et al.* appeal of right with the conclusory LIE that the appealed-from October and June 2024 Appellate Division orders do not “finally determine the proceeding/action within the meaning of the Constitution” – when there is NOTHING left of the case below – further purporting, as to the June 2024 order, that “no substantial constitutional question is directly involved” – when this is NOT the standard pursuant to [Article VI, §3\(b\)\(1\) of the NYS Constitution](#) and [CPLR §5601\(b\)\(1\)](#), neither of which the Order cites – and even were it the standard, my appeal of right meets it, resoundingly and I stated and showed this by my [December 3, 2024 response](#) (at pp. 2-8) to the baseless *sua sponte* jurisdictional inquiry of the Court’s Clerk (APL #2024-150).
- it transfers my *CJA v. Commission on Legislative, Judicial and Executive Compensation, et al.* direct appeals of right for August 2024 and November 2024 “Supreme Court” orders to the Appellate Division, Third Department “upon the ground that direct appeals do not lie when questions other than the constitutional validity of a statute is involved”, citing, with an inferential “*see*”,

¹ Their salaries are each \$257,500 as a result of the Commission on Legislative, Judicial and Executive Compensation’s December 4, 2023 Report – so-identified by Comptroller DiNapoli’s [March 19, 2024 bulletin](#) – not, as [Judiciary Law §221](#) still reflects, 13-1/2 years after the Commission on Judicial Compensation’s August 29, 2011 Report, \$151,200.

² [Oakley v. Aspinwall](#), 3 NY547 (1850), and [Wilcox v. Royal Arcanum](#), 210 NY 370 (1914).

³ “‘*See*’ is used...when the proposition is not directly stated by the cited authority...there is an inferential step between the authority cited and the proposition it supports”, [The Bluebook: A Uniform System of Citation](#) (18th Ed.), §1.2 “Introductory Signals”.

“[NY Const. art VI, §§3\[b\]\[2\]](#), 5[b]; [CPLR 5601 \[b\]\[2\]](#)” – when this conclusory LIE was exposed by my separate [December 3, 2024 response](#) (at pp. 3-4) to the baseless *sua sponte* jurisdictional inquiry of the Court’s Clerk (APL #2024-149); (APL #2024-175).

Having thus dumped the appeals of right, the Order dumps [appellants’ motion](#) (Mo. No. 2025-25) identifying it only as “for sanctions &c.”. As made on CJA’s behalf, the Order dismisses it because I am not CJA’s “authorized legal representative (*see* CPLR 321[a])”, concealing that it sought determination of appellants’ entitlement to the Attorney General’s representation. As made on my own behalf, the Order denies the motion, without reasons.

The foregoing flagrant, without-jurisdiction frauds will be the subject of a reargument/vacatur/transfer motion with respect to both appeals of right and the motion – and for leave to appeal/transfer in *CJA v. JCOPE, et al.*

Please advise by no later than 10:00 a.m., April 3, 2025 – on what would have been the 101st birthday of my beloved father, [George Sassower, ESQ.](#) – as to how you will be handling my fully-documented “TIME IS OF THE ESSENCE” [March 3, 2025 grand jury/public corruption complaint](#) – and this fully-documented expansion thereof.

As previously stated, I am eager to answer questions, under oath, and before the grand juries of your counties – and unreservedly affirm the truth of the foregoing under penalties of perjury, pursuant to [CPLR §2106](#).

Thank you.

s/Elena Ruth Sassower