

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Friday, April 18, 2025 4:23 PM
To: 'acooper@nypublicradio.org'; 'blehrer@wnyc.org'; 'bbergin@wnyc.org';
'elkim@nypublicradio.org'; 'rkhalifeh@nypublicradio.org';
'smax@nypublicradio.org'; 'sbrown@wnyc.org'; 'cwerth@wnyc.org';
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Cc: 'jimmy.vielkind@gmail.com'; 'jvielkind@wnyc.org'; 'jcampbell@wnyc.org';
'jcampbell@nypublicradio.org'; 'Jeongyoon Han'; 'sclary@nypublicradio.org';
'thanssen@wnyc.org'
Subject: Fact-Checking Your Journalism on the NYS Budget -- & Now Some New Facts

TO: [WNYC/New York Public Radio - Gothamist](#)

My below self-explanatory e-mail, sent earlier this morning to the entire roster of the [Albany Legislative Correspondents Association](#), bounced back with respect to your two reporters Jimmy Vielkind and Jon Campbell. The bounce-back message read:

“* [jvielkind@wnyc.org]: 550 Administrative prohibition - envelope blocked -
<https://community.mimecast.com/docs/DOC-1369#550>
[ZNw_181cNgOLCuhCU6kvqg.us624]
* [jcampbell@nypublicradio.org]: 550 Administrative prohibition - envelope blocked -
<https://community.mimecast.com/docs/DOC-1369#550>
[uXubJv7WPAeUola9spKu5g.us184] Server "216.69.141.84:25" returned an error:”.

I have repeatedly alerted you to the block, which you have not removed. Quite obviously, it has STILL not been removed, following [my most recent April 7th e-mail to you, sent from my personal e-mail address](#).

Please IMMEDIATELY forward this e-mail to [President & CEO LaFontaine E. Oliver and General Counsel Ivan Zimmerman](#) for appropriate explanation and action – and, additionally, to each and every member of your Board of Trustees and Honorary Board, so that they can be alerted to the situation.

Thank you.

Elena Sassower, Director
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'kcordero@politico.com' <kcordero@politico.com>; 'gwen@adirondackexplorer.org' <gwen@adirondackexplorer.org>; 'jdeline@news10.com' <jdeline@news10.com>; 'SDestra@wmht.com' <SDestra@wmht.com>; 'SDestra@wmht.org' <SDestra@wmht.org>; 'bianca@nysfocus.com' <bianca@nysfocus.com>; 'mfrench@politico.com' <mfrench@politico.com>; 'agault@wdt.net' <agault@wdt.net>; 'rgavin@buffnews.com' <rgavin@buffnews.com>; 'chris@nysfocus.com' <chris@nysfocus.com>; 'vgolden@nypost.com' <vgolden@nypost.com>; 'michael.gormley@newsday.com' <michael.gormley@newsday.com>; 'lynn.halliburton@statewatch.com' <lynn.halliburton@statewatch.com>; 'Jeongyoon Han' <jhan@wxxi.org>; 'mhill@ap.org' <mhill@ap.org>; 'lucy.hodgman@hearst.com' <lucy.hodgman@hearst.com>; 'bernadettejohan@gmail.com' <bernadettejohan@gmail.com>; 'kevin@statewatch.com' <kevin@statewatch.com>; 'Kyle Hughes' <khughes@nysnys.com>; 'aizaguirre@ap.org' <aizaguirre@ap.org>; 'Ajefferson@cityandstateny.com' <Ajefferson@cityandstateny.com>; 'raga.justin@hearst.com' <raga.justin@hearst.com>; 'shaneking@statewatch.com' <shaneking@statewatch.com>; 'colin@nysfocus.com' <colin@nysfocus.com>; 'EKline@wmht.org' <EKline@wmht.org>; 'kkozak@wmht.org' <kkozak@wmht.org>; 'blee@alm.com' <blee@alm.com>; 'rlewis@cityandstateny.com' <rlewis@cityandstateny.com>; 'Kate.Lisa@charter.com' <Kate.Lisa@charter.com>; 'David.lombardo@wcny.org' <David.lombardo@wcny.org>; 'seamus.lyman@charter.com' <seamus.lyman@charter.com>; 'BLyons@TimesUnion.com' <BLyons@TimesUnion.com>; 'billmahoney@politico.com' <billmahoney@politico.com>; 'akash@nysfocus.com' <akash@nysfocus.com>; 'matthew.mirro@statewatch.com' <matthew.mirro@statewatch.com>; 'ben.oreskes@nytimes.com' <ben.oreskes@nytimes.com>; 'bphillip@nysenate.gov' <bphillip@nysenate.gov>; 'nreisman@politico.com' <nreisman@politico.com>; 'julia@nysfocus.com' <julia@nysfocus.com>; 'jay.root@nytimes.com' <jay.root@nytimes.com>; 'yancey.roy@newsday.com' <yancey.roy@newsday.com>; 'JSheridan@news10.com' <JSheridan@news10.com>; 'Maryfrancis.Stoute@charter.com' <Maryfrancis.Stoute@charter.com>; 'jvielkind@wnyc.org' <jvielkind@wnyc.org>; 'Peter.Wendler@wcny.org' <Peter.Wendler@wcny.org>; 'zwilliams@bloombergindustry.com' <zwilliams@bloombergindustry.com>; 'timothy.p.williams@charter.com' <timothy.p.williams@charter.com>; 'jenny@nyfocus.com' <jenny@nyfocus.com>; 'jenny@nysfocus.com' <jenny@nysfocus.com>

Subject: Fact-Checking Your Journalism on the NYS Budget -- & Now Some New Facts

TO: [Albany Legislative Correspondent Association Roster](#)

I have received NO responses from you to my below April 7th e-mail, supplying you, yet again, with primary-source, documentary EVIDENCE that the NYS budget is unconstitutional, unlawful, fraudulent, and massively larcenous. Meanwhile, your pack-journalism continues to identically conceal ALL four – as, likewise, their direct relevance to this year's elections, including to the TOP New York City offices that are on the ballot.

Who is fact-checking your journalism? Here are some new facts for you and your fact-checkers:

The [February 18th majority decision of the Court of Appeals in *Cuomo v. COELIG*](#), rejecting former Governor Cuomo's challenge to the constitutionality, *as written*, of the "ethics commission reform act of 2022" replacing JCOPE with COELIG – that you uniformly reported, as if legitimate – is a fraudulent cover-up of the unconstitutionality of the state budget and, specifically, the **inclusion of policy in the budget, unconnected with taxes and revenue** – and was so-demonstrated and proven by the [December 16th motion](#) I made to file an *amicus curiae* brief in the case to prevent "fraud on the court", to which I alerted you by my [January 4th e-mail](#).

Unlike Cuomo who did NOT move to reargue the Court of Appeals Feb 18th decision – although many of you reported his spokesman’s statement at the time that he would – I yesterday made a [reargument motion to the Court](#) highlighting the fraudulence of that decision and of the Court’s [January 9th order](#) denying my *amicus curiae* motion. This, at [pages 19-21](#) of its Exhibit B “legal autopsy”/analysis of [the Court’s March 18th order](#) in [CJA v. JCOPE, et al.](#) and [CJA v. Commission on Legislative, Judicial and Executive Compensation...Wilson, Zayas, et al.](#) – the two monumental appeals of right, brought on behalf of the People of the State of New York & the Public Interest”, whose records – like that of [CJA v. Cuomo...DiFiore](#) preceding them – establish CJA’s [open-and-shut, prima facie entitlement](#) to summary judgment on ALL causes of action, **bringing down the ENTIRETY of the state budget and the “false instrument” salary increases it embeds.**

When will you be reporting on these **three fully-documented cases** whose records are a “perfect paper trail” of “false filings” by AG Letitia James, rewarded by fraudulent judicial decisions, utterly corrupting state governance and so profoundly injuring New York’s 20 million people.

If you have not – as my below April 7th e-mail to you requested – forwarded it to “your editors and to managerial levels of your publications, including your legal counsel, so that there is no question as to culpability for your *knowingly* false journalism, having NO First Amendment protection and entitling the defrauded public to massive compensatory and punitive damages against all involved”, please now forward this e-mail to them.

As below stated, “I am available to answer your questions – and those of your editors, management, and legal counsel – no matter how early or law. TIME IS OF THE ESSENCE.”

Thank you.

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Subject: ALERT: NYS Budget is violating the NYS Constitution, statutes,& legislative rules to steal taxpayer money & corrupt governance by policy changes

TO: [Albany Legislative Correspondent Association Roster](#)

Why does your reporting on the New York State budget conceal that it is “OFF THE CONSTITUTIONAL RAILS”, rife with constitutional, statutory, and legislative rule violations – and that it is massively-larcenous?

Have you not read [Article VII, §§1-7](#) – whose [§4](#) mandates that the Governor’s appropriation bills – other than for the legislative and judiciary budgets – “shall...be a law immediately without further action by the governor” once the Senate and Assembly reconcile their separate amendments of those bills, limited to striking out or reducing items of appropriation. Do you dispute that New York has a financially constrained, ROLLING BUDGET – with most of the budget NEVER going back to the Governor.

How is the behind-the-closed doors, “three-men-in-a-room” budget dealmaking of Governor Hochul, Temporary Senate President Stewart-Cousins, and Assembly Speaker Heastie, that you have been reporting on for the past three weeks, remotely constitutional?

And what about the Senate and Assembly one-house budget resolutions – each respectively purporting that the [Senate](#) and [Assembly](#) amended the same eight budget bills. This is fraud. NONE of those eight bills were ever amended, in fact. There are NO votes by ANY senators and ANY assembly members on a single one of them.

And what about Governor Hochul's five so-called "Article VII" bills that contain policy? Here, too, these are fraud. Governor Hochul NEVER introduced any of these five bills, in fact. Rather, she submitted them to the Legislature, as draft bills, requiring Senate and Assembly sponsors. How did they then each mysteriously morph into actual bills, without Senate and Assembly sponsors, falsely stating that they were introduced by the Governor?

Here's [CJA's FOIL requests pertaining to the FY2025-26 state budget](#), from which you can verify the TRUTH about the ten budget bills comprising Governor Hochul's executive budget. Start with:

- [CJA's February 7, 2025 FOIL request](#) entitled "FY 2025-26 State Budget – for records reflecting: (1) how Governor Hochul's five proposed 'Article VII Bills' each became actual bills, allegedly submitted by her 'pursuant to article seven of the Constitution'; (2) why these actual bills are not posted on her Division of the Budget's website; and (3) findings of fact and conclusions of law made with respect to CJA's March 18, 2020 letter to Governor Cuomo";
- [CJA's March 21, 2025 FOIL request](#) entitled "Records reflecting how & where the Senate & Assembly 'amended' 8 of the Governor's FY2025-26 budget bills".

Will you be investigating and reporting this – and the billions and billions of dollars of larcenies of taxpayer monies contained in the Governor's ten budget bills, including for "false instrument" pay raises – whose cumulative cost, since 2012, is itself on the order of a billion dollars. If not, please explain why – and IMMEDIATELY forward this e-mail to your editors and to managerial levels of your publications, including your legal counsel, so that there is no question as to culpability for your *knowingly* false journalism, having NO First Amendment protection and entitling the defrauded public to massive compensatory and punitive damages against all involved.

Finally, as I have received no response from you to my fully-documented [March 18th press release](#) pertaining to the three testimonies I submitted for the Legislature's budget hearings and its direct relevance to this year's elections, including to the TOP New York City offices that are on the ballot, I take this opportunity to again bring it to your attention.

I am available to answer your questions – and those of your editors, management, and legal counsel – no matter how early or late. TIME IS OF THE ESSENCE.

Thank you.

Elena Sassower, Director
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