



NEW YORK STATE SENATOR

Ruben Diaz

## What You Should Know

RUBEN DIAZ February 6, 2013

### WHAT YOU SHOULD KNOW

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#### Divide and Conquer

You should know that even though it is impossible to say for certain, it is Julius Caesar who has been attributed to the quote "Divide et impera" which translates from Latin to mean "Divide and Conquer."

You should also know that New York State Governor Andrew Cuomo – one more time – has proven to be a very Machiavellian and skillful politician. This time, using that old tactic of "divide and conquer" to pit the Hispanic community against the non-Hispanic community, especially the Republicans in the New York State Senate to secure the nomination of Miss Jenny Rivera, a "Puerto Rican," to the State of New York's top Court, the Court of Appeals.

I am a Puerto Rican, born and raised in Bayamon, Puerto Rico, and I have to agree with those who are of the opinion that Jenny Rivera does not have the necessary experience, due to the

fact that she has neither been a judge nor a litigator, and now she has been appointed to the Court of Appeals, the highest judicial system in New York State.

Do not misunderstand me. I am very honored and glad that the Governor is appointing a Hispanic. However, to me, it is disrespectful and offensive for the Governor to jump over so many men and women who have been serving in the judicial system for many years and have vast experience.

I have to question why it is that judges such as the Honorable Luis Gonzalez, "of Puerto Rican descent," who is the Presiding Justice of the Appellate Division of the Supreme Court, First Judicial Department and has a wealth of experience in the Supreme Court, was overlooked. He seems to be the most qualified and has been considered the next in line to serve in this capacity. He has served as a New York City Housing Court Judge, a New York City Civil Court Judge, and a New York State Supreme Court Justice.

Also, a person like the Honorable Rolando Acosta could have been appointed. He is an Associate Justice of the New York Appellate Division of the Supreme Court, First Judicial Department. He has additional judicial experience as a New York Supreme Court Justice, 1st Judicial District; a member of the New York State Commission on Judicial Conduct; and a Judge on the New York City Civil Court.

There are many more qualified Judges and Justices who were not selected and whose experience deserve mention:

- The Honorable Sallie Manzanet-Daniels is an Associate Justice of the New York Appellate Division of the Supreme Court, First Judicial Department. She has additional judicial experience as a Justice on the New York Supreme Court and a Judge in the Civil Court of the City of New York.

- The Honorable Faviola Soto, "first Judge of Dominican descent to sit on any court of the State of New York," is a Judge in the New York City Court of Claims in New York and serves on the Bronx County Supreme Court, Civil Term. She has additional judicial experience as an Acting Justice in the Supreme Court, New York County and a Judge in the Civil Court of the City of New York.
- The Honorable Doris Gonzalez is an Acting Justice in the Supreme Court, Bronx County. She has additional judicial experience as a Judge in the Civil Court of the City of New York, Bronx County;
- The Honorable Lizbeth Gonzalez is a Judge of the New York City Civil Court of Bronx County, New York. She has additional judicial experience as an Acting Justice of the Bronx County/12th Judicial District Supreme Court.
- The Honorable Nelson Roman is an Associate Justice of the New York Appellate Division of the Supreme Court, First Judicial Department. He has additional judicial experience as a Judge of the New York City Civil Court, and as a Justice of the New York Supreme Court in Bronx County.
- The Honorable Lucindo Suarez is the Statewide Coordinating Judge for Summary Jury Trials, and a Justice for the Supreme Court, New York County. He has additional judicial experience as a Judge in the Civil Court of the City of New York.
- The Honorable Charles Ramos is a Justice in the Supreme Court, New York County, and a Senior Justice in the Commercial Division, New York County. He has additional judicial experience as a Supreme Court Justice in New York County; a Supervising Judge in the Civil Court of the City of New York, New York County; an Acting Justice in the Supreme Court, 1st Judicial District; and a Judge in the Civil Court of the City of New York.

- The Honorable Ruben Franco is a Judge in the Criminal Court of the City of New York, Bronx County, and a Judge in the Civil Court of the City of New York, Bronx County.
- The Honorable Manuel Mendez is a Justice in the Supreme Court, New York County, and a Judge in the Civil Court of the City of New York.

Apparently Governor Cuomo knew that this tactic of divide and conquer could be used with skill to appoint one of his friends, knowing that she is not the most qualified and does not have the necessary experience compared to others, but knowing that any non-Hispanic who would vote against her would create the perception that he or she was Anti-Hispanic. Governor Cuomo could win points with the Hispanic community and Hispanic media by defending her nomination.

You should know that I believe that if Governor Cuomo wanted to appoint a Hispanic and not create the mess as he has done now by bringing more division to the Senate Floor, he should have spent some time with the Senate Leadership and Hispanic Senators. If he really wanted to appoint a Hispanic, the least he could have done was to select the Honorable Luis Gonzalez – or any of the other judges who I have previously mentioned , who all have more court experience and judicial experience than Jenny Rivera.

So we have to give Governor Cuomo a special prize for creating this mess and bringing chaos to the New York State Senate and getting away with his will, and using the Hispanic community and Hispanic media – this time.

You should know – and the world should know – that we in New York State have many Puerto Rican, Dominican and other Hispanic Judges with a lot more experience and better qualifications than Jenny Rivera. She's not - and I repeat, not the best we have, and the Governor knows it. But it's a lot better for Governor Andrew Cuomo's presidential ambitions

to use the Hispanic community and the Hispanic media to create a “divide and conquer” crisis.

This is Senator Reverend Rubén Díaz, and this is what you should know.