



NEW YORK STATE SENATOR

Ruben Diaz

## Calling Upon Governor Andrew Cuomo to End the War Against One Woman

SEN. RUBEN DIAZ March 9, 2016

### WHAT YOU SHOULD KNOW

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**By Senator Rev. Rubén Díaz**

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### Calling Upon Governor Andrew Cuomo to End the War Against One Woman

You should know that I am calling upon Governor Andrew Cuomo and the New York State Department of Corrections to help provide justice for Mrs. Janis Middlebrooks, a widow of a former NYS Corrections Officer who has been pleading for assistance for more than 10 years and who has been pushed around by New York's bureaucracy and denied the survivor benefits her husband worked for.

When I read Mrs. Middlebrooks' email, it broke my heart.

Mrs. Middlebrooks has given me permission to share her email, which appears in its entirety below, hoping that Governor Andrew Cuomo or any elected or government official, member of the media, or someone with a heart will find a way to provide her justice.

Ladies and gentlemen, they want to talk about the War Against Women. Well, as the Ranking Member of the Senate Committee on Aging, I have to say that it is a disgrace to learn about the war that Mrs. Janis Middlebrooks has been fighting.

I hope and pray that as we begin Women's History Month, Governor Andrew Cuomo will help her to finally obtain the relief that she is entitled to receive.

I am Senator Reverend Rubén Díaz, and the following information is what you should know.

From: "janis middlebrooks" <janismiddlebrooks@yahoo.com>

Date: March 1, 2016 at 5:43:10 PM EST

To: diaz@nysenate.gov

Subject: Pension Denial

Reply-To: "janis middlebrooks" <janismiddlebrooks@yahoo.com>

I am a widow of a former New York State Correction Officer. My husband worked for the State of New York for 18 years before he retired due to cancer. My husband lost his fight with colon cancer on December 3, 2006. We were married for 38 years and was still together at the time of his death. We raised three wonderful men, who became good citizens, husbands, taxpayers and homeowners for New York State. One of my sons has been a New York State Trooper for over 10 years, I took care of my husband at home until he passed away from the agony of this terrible disease. I watched him deteriorate right before my eyes, and it was something I will never forget.

After my husband passed away, I notified the State of New York Retirement System, and at this time I was told that I would not be entitled to my husband's pension because they say

he had never returned a letter that they say they mailed to him. Since this time the State of New York has denied me the right to receive my husband's pension, when this is what he had wanted me to have. How the State of New York can deny me this money is mind boggling to me. My husband had me named on all of the paperwork as his beneficiary and the State is trying to keep what my husband worked so many years for. I do not know how many spouses they have done this to but it is down right robbery to me. I want the people of New York State to know that Albany is treating widows/widowers unfairly after they have lost their loved ones and then to be told they will not receive their pension. I pray that the people who have made this decision are able to sleep peacefully at night knowing what they are doing to people like me. When the State of New York was in a budget crisis, there seemed to be no crisis when they outright stole money from widows/widowers who were entitled to their spouses pensions. Where did this money go, if not to the family members?

My family and I have written to numerous people to get assistance with getting this matter resolved. There is currently a proposed bill by Senator Timothy Kennedy (S3527) and Assemblywoman Crystal Peoples-Stokes (A6100) on my behalf to help me pick an election option on behalf of my late husband, which has been sitting in committee for quite some time.

I have written to so many people for help in getting my husband's pension after his death and I am now writing to you, hoping for your assistance. I have been in constant contact with Comptroller Thomas DiNapoli's office, Michael Johnson, for the past nine (9) years, and I have also written to Governor Cuomo a couple of times. Whatever you can do to assist me in this matter would be greatly appreciated. No person should have to go through the ordeal I have been dealing with for these many years.

I heard that Gov. Cuomo was thinking about a bill that would take away politicians pensions that were convicted of felony crimes. I have been addressing this for quite a while. I am so

pleased to hear that another politician is willing to champion this bill. My husband never committed any crimes and I have suffered the loss of his pension. I know justice will prevail, and I pray that you and your colleagues will support my bill.

I am hoping that your office will be able to approve this bill when it comes before you.

I trust that you will be a fair and law abiding individual who is in office to help the people and make changes where it is necessary, and to make a wrong a right when necessary. Since they were convicted, these gentlemen should not be able to collect their pension. All my husband ever did was to work hard and try to make a worry free life for his family after his passing. Since his passing in December 2006, the State of New York has denied me this right.

I have told Senator Timothy Kennedy and Assemblywoman Crystal Peoples-Stokes that I will not give up, because my husband did not give up with his fight with cancer, and the money the State of New York is holding is due to him for his 18 years of service with the New York State Department of Corrections. I pray that all the politicians who are still in office and being corrupt will suffer the loss that I have been dealing with for the past nine years.

Thank you.

Very truly yours

Mrs. Janis Middlebrooks