

16 Lake Street, Apt. 2C
White Plains, N.Y. 10603
June 9, 1989

The Honorable G. Oliver Koppell
Chairman, Judiciary Committee
N.Y. State Assembly
Albany, New York 12248

Dear Assemblyman Koppell:

I was deeply reassured by your phone call. It was more than a consolation to know that, despite your busy schedule, you would take the time to call me and to take affirmative steps to clarify this bizarre situation. I appreciate your contacting Congressman Theodore Weiss. His assistant, Michael Timmeny immediately phoned to assure me that he, too, would make appropriate inquiry. I am truly, truly grateful.

As I mentioned, my father's present confinement has caused us particular concern inasmuch as he underwent surgery in April--which, in fact, had to be halted mid-way due to his slowing heartrate.

At least two weeks prior to my father's arrest, Judge Nicholas Politan had before him a signed affidavit (attached herein) by the surgeon as to my father's medical condition and the need for him to recuperate in non-stressful conditions. This notwithstanding, U.S. Marshalls arrested him--and U.S. Magistrate Nina Gershon, who denied him a hearing to demonstrate before her the warrant's invalidity, likewise denied him bail for the underlying misdemeanor. Although she, too, was given the affidavit as to my father's recent surgery, she stated, on the record, that she was guided in her decision by her communication with Judge Politan.

As you know, Judge Politan denied a bail request--and, as an examination of the Court transcript will show, without any demonstration of mental incapacity or deficiency on my father's part, ordered him sent for 30 days psychiatric evaluation. The Judge explicitly refused to arrange such evaluation on an out-patient basis.

Mr. Koppell, this is not the first time that I have personally witnessed the usurpation of judicial power. I have been present in the past when my father has been deprived of a trial and incarcerated for non-summary contempt of Court, and when, without any prior notification--by phone, by letter, by summons--police have come to my apartment with an arrest warrant and taken my father away in handcuffs.

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As of the date of this letter, my father has been incarcerated for over three weeks. Of particular concern is that since Tuesday, June 6th, he has been held incommunicado. As a result, the full extent of this nightmare to which he is presently subjected is not known to us. However, Jonathan Ferziger of UPI was able to make limited contact with him on Friday, June 9th.

Mr. Ferziger called the federal prison in El Reno, Oklahoma--and spoke to their press official. He asked for confirmation of my father's "death"--inasmuch as his family, though advised by prison officials that he had phone privileges, had not heard from him. It would seem that by virtue of Mr. Ferziger's ingenious persistence--the press official thought it wisest to have my father summoned to the phone.

From the limited conversation--which my father advised Mr. Ferziger was monitored--my father related an odyssey no less bizarre than the Puccini matter from which this confinement has sprung. It seems that on Tuesday, June 6th, he was moved to Poughkeepsie, N.Y. From there, he was flown to Talladega, Alabama. From Talladega, he was shipped back to New Jersey, where he was flown to El Reno, Oklahoma. Allegedly, from there he is to be routed to Rochester, Minnesota.

Throughout this period, my father has been denied the phone privileges, which we have been told are available to him. Indeed, my father does sign up for said privileges--as he is instructed to do--but these privileges have been consistently denied him. He has not been allowed to make calls to either his children or his public defender.

My father further reports that he has been kept largely in solitary confinement. If that punishment is not sufficiently cruel and inhuman, we are told that he has been restrained not only by handcuffs but by leg irons as well.

There can be no doubt that such treatment is deleterious to my father's physical and mental wellbeing--and that the Court was aware of same when they ordered his confinement.

Mr. Koppell, in Russia, dissidents are sent either to the gulag or to mental institutions. In this great country--with its Constitution and Bill of Rights, men of conscience and principle suffer similar fates. The warrant of arrest by which my father has been incarcerated is defective. Likewise, defective is the order for psychiatric evaluation--made without any supporting evidence or even an affidavit.

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Mr. Koppell, the misdemeanor for which my father has been denied bail is the filing of a motion. I am informed by Professor Alan Dershowitz that there is an important constitutional question involved here as to whether a court can, in fact, ban the filing of legal papers. My father's position is that they cannot--that access to the Courts is a fundamental constitutional right. As you know, because of this position, my father has been repeatedly convicted and incarcerated for non-summary criminal contempt and denied the constitutional guarantee of trial. These trialless convictions were then made the basis for my father's disbarment after nearly 40 years in the practice of law.

As you are aware, my father has filed papers in the litigation of the Puccini matter in the firm belief that the system could "correct itself" and the rule of law vindicated. Indeed, the black-letter statutes and procedures for the management of involuntarily-dissolved corporations are specific as to the responsibilities of the receiver, the courts--and the Attorney General as statutory fiduciary. It should not require litigation on my father's part to ensure their enforcement. The Court's attempt to enjoin my father from filing papers--to incarcerate, disbar, and discredit him--do not change the documented and documentable fact that the disposition of Puccini Clothes is rife with "irregularities" and illegalities.

In view of my father's very significant allegations regarding a system of corruption involving the courts, the Attorney General's Office, and a panoply of other governmental agencies, a public inquiry into this matter is fully warranted.

Mr. Kenneth Munley, of your office, was also kind enough to speak with me by phone, and advised me that my request for a hearing should be made by letter to you. Please consider this then a formal request.

Mr. Koppell, as Chairman of the Assembly Judiciary Committee, you are doubtlessly concerned that the integrity of the law be maintained. How much more should you be concerned when abuses of the law are by the very branches and agencies of government that are charged with its faithful application. I urge that you take testimony and review evidence about this very serious matter.

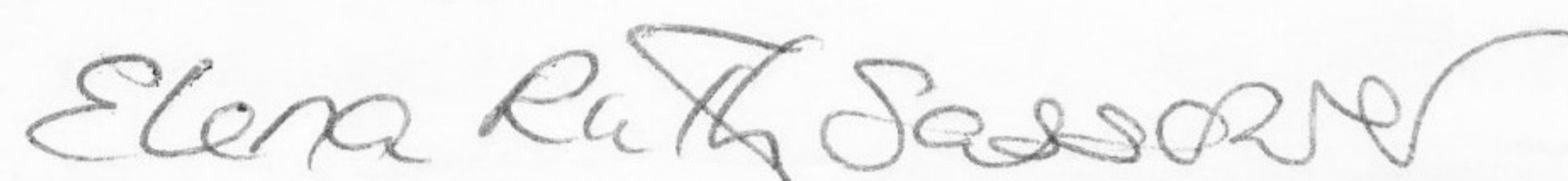
Mr. Koppell, in my conversations with Professor Dershowitz, he raised the issue as to whether a Court against which my father has made substantial allegations of corruption is an appropriate body to sit in judgment of him. I assert that the events of recent weeks give unequivocal answer to that question. I would hope that you would assist in securing his release--and would make arrangements for him to testify and present his documentation before an impartial body.

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Again, I appreciate your kind concern in calling me. Please let me know as to any additional information you might need. Meantime, I am enclosing materials which I have begun to circulate to members of the media as a "Press Kit".

With regards.

Sincerely,



ELENA RUTH SASSOWER

Enclosures

cc: Hon. Alfonse D'Amato
Hon. Theodore Weiss
Hon. Nita M. Lowey
✓ Professor Alan Dershowitz
Mr. Norman Siegel/ACLU
Mr. Alvin Bronstein/National Prison Project-ACLU
Mr. Marty Rosenbaum/NYS Defenders
Mr. Jonathan Ferziger, UPI
Media (unidentified)

Dr. Yale Fisher, a physician duly licensed to practice medicine in the State of New York, affirms the following under penalty of perjury:

I am a specialist in the field of vitreoretinal surgery for approximately 13 years. I graduated from Cornell Medical College in 1967. I have offices for the practice of medicine at 519 East 72nd Street, New York, New York, and am affiliated with Manhattan Eye, Ear & Throat Hospital.

This is to certify that George Sassower, 65 years of age, has been a patient of my office since October 1986. He has been suffering from vitreous hemorrhage and branch vein occlusion, which has partially blinded him.


On Monday, April 10, 1989, I had Mr. Sassower admitted to Manhattan Eye, Ear & Throat Hospital, where he remained hospitalized until April 15, 1989.

Ocular surgery was performed on his right eye on Tuesday, April 11, 1989, which could not be completed because of his slowing heart rate in the course of the surgery.

Further surgery with laser treatment was performed on him on Saturday, April 22, 1989 on an outpatient basis.

It is my considered professional opinion that Mr. Sassower requires continuing ophthalmological care, rest and avoidance of any stressful condition for a minimum of one month in order to avoid serious repercussions to his health.

Dated: New York, N.Y.
April 25, 1989



DR. YALE FISHER