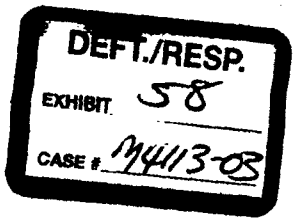

CENTER *for* JUDICIAL ACCOUNTABILITY, INC.

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Elena Ruth Sassower, Coordinator

DATE: July 7, 2003

TO: ...

FROM: Elena Ruth Sassower, defendant
United States v. Elena Ruth Sassower, M-4113-03
"Disruption of Congress"

RE: ...

...

The true facts as to what occurred are best evidenced by the video -- which is why, upon my arrest, I made known to Sergeant Bignotti and Officer Jennings that it needed to be immediately secured. ...Such is vastly superior to the stenographic transcript...since it presents, in real time, simultaneously occurring events, which the transcript only imperfectly records, if at all.

To begin with, both the videotape and transcript reflect that the so-called "disruption" did NOT occur "during a Judiciary Committee hearing"...but upon its being "adjourned". Only AFTER Senator Chambliss said:

> "...if there are no further questions or participation from anyone on the Committee, we will stand adjourned." [Tr. 65, lns. 15-17]

did I begin I commence to speak -- which was for a total of eight seconds.

As to Chairman Chambliss striking his gavel "twice", the transcript of the May 22nd "hearing" indicates nothing about a gavel. From the video, the reason is obvious. The single strike of the gavel was NOT at all significant. It certainly was not to quell any "disruption"... Rather, Chairman Chambliss struck the gavel to symbolize the close of the "hearing" – while saying, "Thank you very much" [Tr. 65, ln. 18].

The video also makes plain that I began speaking as Chairman Chambliss was saying, "Thank you very much" [Tr. 65, ln. 18] – and not, as the transcript makes it appear,

after [Tr. 65, ln. 20]. Indeed, it is because our words are simultaneous -- with mine coming from the back of the room – that my initial words are not audible from the video.

Presumably, these initial words were also not audible to the stenographer. However, her transcript fails to reflect such fact – while altering my words immediately following "Mr. Chairman". Her transcript also omits my final words "May I testify?", which, although eclipsed by the beginning of Chairman Chambliss' response, "I will issue a warning that we will have order" [Tr. 65, lns. 23-24], can nonetheless be discerned from the video.

The entirety of what the stenographer has me saying before any response from Chairman Chambliss is:

> "Mr. Chairman, we are in opposition to Judge Wesley based on his documented corruption at the New York Court of Appeals." [Tr. 65, lns. 20-22].

Thus, the transcript, although imprecise[fn8], nonetheless suffices to establish that I did NOT say..., "Judge Wesley, look into the corruption of the New York Court of Appeals".

Further, the video makes plain that I had finished my concluding words, "May I testify?" by the time Chairman Chambliss had responded, "I will issue a warning that we will have order". [Tr. 65, lns. 23-24]. Indeed, as reflected by the video, his immediately following words, "The Committee will stand in recess until the police can restore order. Everyone remain seated." – as if there was some on-going, continued disturbance or ruckus -- were wholly superfluous, since, after asking, "May I testify?" I was completely silent.

The heads of Officer Jennings and Sergeant Bignotti are not seen passing the video camera until this further, wholly unnecessary statement "until the police can restore order". They then pass from left to right.

It must be noted that the video, which is focused on Chairman Chambliss as he closes

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[fn8] The discrepancy in the transcript was the subject of my May 30, 2003 letter to the Miller Reporting Company, which asked that the stenographer preserve her "raw, untranscribed notes", as well as what I understand to be an audiotape of the "hearing" which the Company also records.

the hearing, shows no surprise on his face as I begin to speak from the back of the room. Rather, it shows him reaching for his reading glasses and then, presumably, for the paper from which, after I am taken out of the "hearing" room, he seems to read.

Before I am taken out, however, the transcript reflects a "pause". This can be timed from the video at eight seconds -- a period during which Sergeant Bignotti demanded that I step out of the "hearing" room. Although she did not state that I would be arrested, the very demand that I leave the "hearing room" was a significant enough departure from the precedent set at the June 25, 1996 Senate Judiciary Committee "hearing" as to lead me to believe -- based upon what Detective Zimmerman had threatened -- that I might be arrested. Because my stated position to Detective Zimmerman -- reiterated by my May 21st letter -- was that it was for the presiding chairman to decide whether a respectful request to testify should be punished by arrest, I then asked Chairman Chambliss:

> "Are you directing that I be arrested? Are you directing that I be arrested" [Tr. 66, lns. 3-4]

Chairman Chambliss did not respond to this straightforward question -- much as he had not responded to my straightforward question "May I testify?". Instead, he answered, "I am directing that the police restore order." [Tr. 66, lns. 5-6]. Sergeant Bignotti then again demanded me to step out of the "hearing" room, prompting me to again ask Chairman Chambliss, "Are you directing that I be arrested?" [Tr. 66, ln. 7]. The transcript shows no response, but only a "[Pause.]".

The video reflects what occurs in this nine second "[Pause]". The head of Sergeant Bignotti passes from right to left, followed by my head and the head of Officer Jennings. The sound of a door is then heard. Although the video does not zoom on Chairman Chambliss' face, the tempo of his immediately following words gives the impression that he is reading a prepared text:

> "Outside witness are welcome to submit letters supporting or opposing nominees for the Committee's consideration, but it is not our usual procedure to invite outside witnesses to testify either in support or in opposition to the nomination.
>
> I realize this lady is disappointed that she is not able to make any statement this afternoon, but her disappointment in no way condones any disruption of this hearing." [Tr. 66, lns. 9-17].

He then states, "Again, we will stand adjourned. Thank you very much." [Tr. 66, lns.

18-19].

As my voluminous correspondence with the Senate Judiciary Committee reflects, "letters" submitted by "outside witnesses" -- no matter how serious and substantial -- are simply ignored by the Committee, whose leadership refuses to respond to written requests to testify. Indeed, from the prepared statement read by Senator Chambliss, it appears that the Committee's leadership "set me up" to be arrested. Were it otherwise, Senator Chambliss would have been provided with a statement to be read BEFORE I rose to request to testify -- a statement which acknowledged that the Committee had received a written request to testify, which was being denied because it was "not our usual procedure" -- and because such request did not fall within an exception thereto.