

CENTER for JUDICIAL ACCOUNTABILITY, INC.

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TO: Brad Hamilton, New York Post

FROM: Elena Ruth Sassower, Coordinator

RE: Investigative Expose of the *Readily-Verifiable* Corruption of the
New York State Commission on Judicial Conduct

DATE: December 31, 2002

As discussed, I do not believe that there has ever been an investigative expose of the New York Commission on Judicial Conduct in the 27 years since its founding. You might want to do a nexus search to confirm that yours would be the first.

When we meet together on Friday, January 3rd, I will bring with me and review with you the three categories of evidence from which you can *independently* verify that the Commission is corrupt. That evidence consists of

- (1) the law pertaining to the Commission, including comparison of Judiciary Law §44.1 and 22 NYCRR §7000.3;
- (2) *facially-meritorious* judicial meritorious filed with the Commission, dismissed *without* investigation;
- (3) the files of three lawsuits against the Commission, each brought in Supreme Court/New York County and each based on the Commission's unlawful dismissals, *without* investigation, of *facially-meritorious* judicial misconduct complaints in violation of Judiciary Law §44.1.

Meantime, enclosed is Al Guart's February 23, 1996 story, "*Critics: Review Panel Protects Worst Jurists*" and which was based on a sampling of *facially-meritorious* complaints from CJA's archive that I provided him. Please ask Al to give you the copies of the pertinent papers which I gave him last April in the hope he would write a story about my important public interest lawsuit against

the Commission, then winding its way to the Court of Appeals. A story did subsequently appear, "*Appeal for Justice*", but not by Al and not in the Post. Enclosed is a copy from the April 25th-May 1st issue of Metroland – Albany's alternative newspaper.

As discussed, there has been NO legislative oversight hearing of the Commission in over 15 years – notwithstanding the 1989 Comptroller's report, "*Not Accountable to the Public*". Enclosed is a copy of that 7-page report.

The City Bar did hold its own public hearing about the Commission on May 14, 1997 – at which Al was present. Enclosed is a copy of the testimony of former Bronx Surrogate Bertram Gelfand, who described the Commission as "an exercise in institutional corruption".

As I do not want to overload the fax, I will refer you to CJA's website, www.judgewatch.org for my own May 14, 1997 testimony before the City Bar, as well as for CJA's published pieces about the Commission -- "*Commission Abandons Investigative Mandate*" (NYLJ, 8/14/95); "*A Call for Concerted Action*", (NYLJ, 11/20/96); and "*Restraining 'Liars in the Courtroom' and on the Public Payroll*" (NYLJ, 8/27/97) – the latter of which describes the response to my testimony at the May 14, 1997 public hearing.

This should be more than sufficient to tide you over until our 1 p.m. meeting on Friday.

Thank you and Happy New Year.



ELENA RUTH SASSOWER, Coordinator
Center for Judicial Accountability, Inc. (CJA)

Enclosures