

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewidth.org>
Sent: Wednesday, December 9, 2020 4:16 PM
To: ns2333@columbia.edu; mak67@adcu.columbia.edu
Subject: [#4 of 5] -- Research Misconduct, Conflict-of-Interest, Ethics Complaint: "Media Mecca or News Desert?: Covering local news in New York City" (Jan. 7, 2020, Columbia Journalism Review, Tow Center Senior Research Fellow Sara Rafsky)

**CJA's e-mail chain, from Oct 26, 2020 (at bottom) to November 19, 2020 (at top))
in substantiation of December 9, 2020 Research Misconduct, Conflict-of-Interest, Ethics Complaint**

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewidth.org>
Sent: Thursday, November 19, 2020 2:24 PM
To: 'sdleath@email.unc.edu' <sdleath@email.unc.edu>; 'bgosney@email.unc.edu' <bgosney@email.unc.edu>
Cc: 'pennyma@email.unc.edu' <pennyma@email.unc.edu>; 'ebell@columbia.edu' <ebell@columbia.edu>; 'sr3617@columbia.edu' <sr3617@columbia.edu>; 'kylepope01@gmail.com' <kylepope01@gmail.com>; 'editors@cjr.org' <editors@cjr.org>; 'bim2102@columbia.edu' <bim2102@columbia.edu>; 'leh2178@columbia.edu' <leh2178@columbia.edu>; 'pb2616@columbia.edu' <pb2616@columbia.edu>; 'Brad@SMGstrategy.com' <Brad@SMGstrategy.com>; 'briant@hey.com' <briant@hey.com>; 'news@metricmedianews.com' <news@metricmedianews.com>; 'habegg@wc-b.com' <habegg@wc-b.com>; 'Donna Englert' <denglert-skelton@wc-b.com>

Subject: AGAIN --Ensuring the accuracy & legitimacy of the scholarship of the University of North Carolina's Center for Innovation & Sustainability in Local Media of its Hussman School of Journalism -- upon which other academic institutes & funders rely

TO: Center for Innovation and Sustainability in Local Media /University of North Carolina Hussman School of Journalism and Media

**ATT: Susan Leath/Director
Blair Gosney/Staff**

I have received no response from you – or from Knight Chair/Faculty Member Abernathy – to my below November 12th e-mail. Have you responded? And if not, is it because you are unwilling to confront EVIDENCE:

(1) that the entirety of New York State is a “news desert” when it comes to investigating and reporting on open-and-shut, *prima facie* PROOF of the corruption, in office, of New York’s highest public officers in all three government branches, involving their pay raises and the state budget;

(2) that New York’s 62-county “local journalism” —and its statehouse press – is a charade of “fake news”, journalistic fraud, and election-rigging;

(3) that scholars of Columbia University's Tow Center for Digital Journalism and Columbia Journalism Review – each part of its Graduate School of Journalism – have been complicit in same.

Please respond by Tuesday, November 24th, as I will otherwise have no choice but to file a complaint of research misconduct against Ms. Abernathy and you with the University of North Carolina and other authorities.

Finally, I take this opportunity to give notice to the Columbia Graduate School of Journalism recipients of this e-mail that unless I receive a response from them by November 24th to my below succession of prior e-mails to them – to which I have received no response – I will also be forced to file a complaint of research misconduct against them with Columbia University and other authorities.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
www.judgewatch.org
914-421-1200

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Thursday, November 12, 2020 10:52 AM
To: 'sdleath@email.unc.edu' <sdleath@email.unc.edu>; 'bgosney@email.unc.edu' <bgosney@email.unc.edu>
Cc: 'pennyma@email.unc.edu' <pennyma@email.unc.edu>; 'ebell@columbia.edu' <ebell@columbia.edu>; 'sr3617@columbia.edu' <sr3617@columbia.edu>; 'kylepope01@gmail.com' <kylepope01@gmail.com>; 'editors@cjr.org' <editors@cjr.org>; 'bim2102@columbia.edu' <bim2102@columbia.edu>; 'leh2178@columbia.edu' <leh2178@columbia.edu>; 'pb2616@columbia.edu' <pb2616@columbia.edu>; 'Brad@SMGstrategy.com' <Brad@SMGstrategy.com>; 'briant@hey.com' <briant@hey.com>; 'news@metricmedianews.com' <news@metricmedianews.com>; 'habegg@wc-b.com' <habegg@wc-b.com>; 'Donna Englert' <denglert-skelton@wc-b.com>

Subject: Ensuring the accuracy & legitimacy of the scholarship of the University of North Carolina's Center for Innovation & Sustainability in Local Media of its Hussman School of Journalism -- upon which other academic institutes & funders rely

TO: Center for Innovation and Sustainability in Local Media /University of North Carolina Hussman School of Journalism and Media

ATT: Susan Leath/Director
Blair Gosney/Staff

This is to request your “adult supervision”/oversight of the unprofessional behavior of [the Center’s sole faculty member, Knight Chair Penny Muse Abernathy](#), who has seemingly ignored, without response, two separate e-mails, furnishing her with primary-source, documentary EVIDENCE empirically testing her scholarship – and requesting her assistance in furnishing such EVIDENCE to fellow scholars so that philanthropic and other funders of “local journalism” are not misled as to how purportedly trustworthy, reputable news entities are actually functioning.

Below are those two e-mails, dated October 29th and November 5th, each entitled “Building scholarship on the ‘news desert’ problem with EVIDENCE, DISPOSITIVE OF ACTUAL PERFORMANCE of ‘for profit’, supposedly credible & legacy press -- & of the new press that is ‘non-profit’ and philanthropically or publicly-supported” – with the latter e-mail adding a single prefatory word “AGAIN – “ in capitalized lettering.

Please advise.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
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From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Thursday, November 5, 2020 11:54 AM
To: 'pennyma@email.unc.edu' <pennyma@email.unc.edu>
Cc: 'Brad@SMGstrategy.com' <Brad@SMGstrategy.com>; 'news@metricmedianews.com' <news@metricmedianews.com>; 'habegg@wc-b.com' <habegg@wc-b.com>; 'Donna Englert' <denglert-skelton@wc-b.com>; 'ebell@columbia.edu' <ebell@columbia.edu>; 'sr3617@columbia.edu' <sr3617@columbia.edu>; 'kylepope01@gmail.com' <kylepope01@gmail.com>; 'editors@cjr.org' <editors@cjr.org>; 'bim2102@columbia.edu' <bim2102@columbia.edu>; 'pb2616@columbia.edu' <pb2616@columbia.edu>; 'leh2178@columbia.edu' <leh2178@columbia.edu>

Subject: AGAIN -- Building scholarship on the "news desert" problem with EVIDENCE, DISPOSITIVE OF ACTUAL PERFORMANCE of "for profit", supposedly credible & legacy press -- & of the new press that is "non-profit" and philanthropically or publicly-supported

**TO: Penelope Muse Abernathy/Knight Chair in Journalism and Digital Media Economics
University of North Carolina Hussman School of Journalism and Media – Center for Innovation
and Sustainability in Local Media**

I have received no response from you to my below October 29th e-mail. Did you e-mail or phone me? And if not, why not?

What is your assessment of my below “first piece of ‘primary-source, documentary evidence’” establishing the “news desert” situation that exists in New York -- *to wit*, my September 7, 2020 “**TIP** –

TIME-SENSITIVE LEAD – Election Issue #1...” sent to [The City](#) -- and, thereafter, to [other “local journalism” of New York City’s five counties](#) and replicated in [similar election outreach to the “local journalism” of the other 57 counties of New York State](#) – using, as a starting point, your [62-county inventory of New York’s “local journalism”](#).

As I have also received no response from any of the cc’s to this same “first piece of ‘primary-source, documentary evidence’”, I am again cc’ing them as a reminder. Where, in New York City and/or New York State, is the “local journalism” to investigate and report on what is now **Post-Election Issue #1**, *to wit*, “**What salary is to be paid the winners of [NYS’ 213] state legislative races? Is it \$110,000 - or \$79,500?**”. Likewise, to investigate and report on what is **Election Issue #1 in the 2021 race for New York City mayor** inasmuch as lead mayoral candidate New York City Comptroller Scott Stringer was a member of the 4-member Committee on Legislative and Executive Compensation, criminally liable for its pay raise fraud.

Thank you.

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From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Thursday, October 29, 2020 10:58 AM
To: 'pennyma@email.unc.edu' <pennyma@email.unc.edu>
Cc: 'Brad@SMGstrategy.com' <Brad@SMGstrategy.com>; 'news@metricmedianews.com' <news@metricmedianews.com>; 'habegg@wc-b.com' <habegg@wc-b.com>; 'Donna Englert' <denglert-skelton@wc-b.com>; 'ebell@columbia.edu' <ebell@columbia.edu>; 'sr3617@columbia.edu' <sr3617@columbia.edu>; 'pb2616@columbia.edu' <pb2616@columbia.edu>; 'editors@cjr.org' <editors@cjr.org>; 'kylepope01@gmail.com' <kylepope01@gmail.com>; 'bim2102@columbia.edu' <bim2102@columbia.edu>; 'leh2178@columbia.edu' <leh2178@columbia.edu>

Subject: Building scholarship on the "news desert" problem with EVIDENCE, DISPOSITIVE OF ACTUAL PERFORMANCE of "for profit", supposedly credible & legacy press -- & of the new press that is "non-profit" and philanthropically or publicly-supported

TO: Penelope Muse Abernathy/Knight Chair in Journalism and Digital Media Economics
University of North Carolina Hussman School of Journalism and Media – Center for Innovation and Sustainability in Local Media

Thank you for your important work on “news deserts” – and on finding “business models” and revenue sources to irrigate an eroding press landscape. The situation, however, is more serious, by far, than what you have chronicled – and this is the subject of my below October 26th e-mail to Metric Media, furnishing, by its content and links, a gold-mine of primary-source, documentary EVIDENCE as to what is going on currently – and what has been going on, for years. Indeed, the trail of EVIDENCE, which is

comprehensive and sustained, not only goes back 30 years, to when the size and number of newspapers was robust and their advertising-“business model” was unimpaired by the internet, but builds on EVIDENCE, also primary-source and documentary, spanning more than a decade before that.

Kindly call me, by Tuesday of next week, “Election Day”, if not before then, so that we can discuss how best to furnish this EVIDENCE to your fellow scholars whose work, like your own, becomes the basis for funding by philanthropic foundations and others.

Thank you.

Elena Sassower, Director
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From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Monday, October 26, 2020 1:48 PM
To: 'Brad@SMGstrategy.com' <Brad@SMGstrategy.com>; 'news@metricmedianews.com' <news@metricmedianews.com>; 'habegg@wc-b.com' <habegg@wc-b.com>; 'news@capitaldistricttimes.com' <news@capitaldistricttimes.com>; 'news@nycgazette.com' <news@nycgazette.com>; 'news@buffaloledger.com' <news@buffaloledger.com>; 'news@monroenynews.com' <news@monroenynews.com>; 'news@nassaustandard.com' <news@nassaustandard.com>; 'news@niagaraleader.com' <news@niagaraleader.com>; 'news@niagaratimes.com' <news@niagaratimes.com>; 'news@rochesterreporter.com' <news@rochesterreporter.com>; 'news@rocklandreporter.com' <news@rocklandreporter.com>; 'news@saratogastandard.com' <news@saratogastandard.com>; 'news@statenlandreporter.com' <news@statenlandreporter.com>; 'news@suffolkreporter.com' <news@suffolkreporter.com>; 'news@syracusesun.com' <news@syracusesun.com>; 'news@westchesterreporter.com' <news@westchesterreporter.com>; 'news@empirestatetoday.com' <news@empirestatetoday.com>; 'news@easthudsonvalleynews.com' <news@easthudsonvalleynews.com>; 'news@fingerlakestoday.com' <news@fingerlakestoday.com>; 'news@mohawkvalleytimes.com' <news@mohawkvalleytimes.com>; 'news@nenewyorktoday.com' <news@nenewyorktoday.com>; 'news@northcountryleader.com' <news@northcountryleader.com>; 'news@scnewyorknews.com' <news@scnewyorknews.com>; 'news@westhudsonvalleynews.com' <news@westhudsonvalleynews.com>; 'news@westnynews.com' <news@westnynews.com>
Cc: 'ebell@columbia.edu' <ebell@columbia.edu>; 'editors@cjr.org' <editors@cjr.org>; 'kylepope01@gmail.com' <kylepope01@gmail.com>; 'bim2102@columbia.edu' <bim2102@columbia.edu>; 'sr3617@columbia.edu' <sr3617@columbia.edu>

Subject: GOOD NEWS! Metric Media can easily PROVE its worth by an EVIDENCE-BASED expose of the fake, fraudulent, election-rigging journalism of The New York Times & NY's other "local journalism", covered up by Columbia School of Journalism & its Journalism Review

TO: MEDIA METRIC

Bradley Cameron, CEO
Kyle Barnett, General Manager
Brian Timpone/Locality Labs
ATT: Webster, Chamberlain & Bean, LLP – Heidi K. Abegg, Esq.

RE: New York Times --
October 18, 2020 "[As Local News Dies, a Pay-for-Play Network Rises in Its Place](#)" (Davey Alba, Jack Nicas)
October 20, 2020 "[Here Are the Hundreds of Sites in a Pay-to-Play News Culture](#)" (Davey Alba, Jack Nicas)
October 21, 2020 "[Mimicking Local News, a Network of Michigan Websites Pushes Politics](#)" (Dan Levin)

Columbia Journalism Review –
October 4, 2020 "[As election looms, the network of 'pink slime' local news outlets nearly triples in size](#)" (Priyanjana Banjani, Tow Center Computational Research Fellow)
December 18, 2019 "[Hundreds of 'pink slime' local news outlets are distributing algorithmic stories and conservative talking points](#)" (Priyanjana Banjani, Tow Computational Research Fellow)

Why doesn't Metric Media respond to the above articles by The New York Times and Columbia Journalism Review by PROVING its worth – and its stated commitment to "100% original reporting" derived from "objective, data-driven information without political bias" – by an EVIDENCE-BASED expose that The New York Times and New York's other purportedly credible press -- including the journalism non-profits that are philanthropically or publicly-supported – are **the most shameless exemplars of not just "fake news", but journalistic fraud and election-rigging** – and that this is **known and abetted** by Columbia University's Graduate School of Journalism, with its financial and other ties to The New York Times, and by its two academic entities engaged in "scholarship" of "news deserts", the demise of "local news", and "the journalism crisis", namely, its Columbia Journalism Review and its Tow Center for Digital Journalism.

Such EVIDENCE-BASED expose would be EASY to accomplish, as our non-partisan, non-profit citizens' organization, Center for Judicial Accountability, Inc. (CJA), has a gold-mine of primary-source, documentary EVIDENCE, spanning 30 years, proving what has been going on, all accessible from our website, www.judgewatch.org – *via* such side panel links as "[Press Suppression](#)", "[Suing The New York Times](#)", and "[Elections: Informing the Voters](#)". The most recent of this EVIDENCE empirically tests the "local journalism" of the 62 counties of New York State by outreach to their press entities – including the entities identified by CJR's January 7, 2020 report "[Media Mecca or News Desert?: Covering local news in New York City](#)" by Tow Center Senior Research Fellow Sara Rafsky and by the "[Expanding News Desert](#)" research to which it refers by Penelope Muse Abernathy, Knight Chair in Journalism and Digital Media Economics at the University of North Carolina's Hussman School of Journalism and Media. The context for this now-concluding outreach has been the 2020 elections in New York's 62 counties to fill 213 state Senate and Assembly seats and, in 15 counties, the office of district attorney – positions of critical importance to the integrity and functioning of New York state and county governance, where the incumbents were overwhelmingly running for re-election.

The direct link to CJA's webpage for this 2020 election outreach, spanning from July 3rd, is [here](#) – and it identifies, at the outset, “A more serious problem than ‘news deserts’”. This unspecified problem is “fake news”, fraudulent “local journalism”, covering up public corruption and election-rigging – and it is proven by the performance of New York's 62-county “local journalism” upon being e-mailed TIPS, LEADS, and ELECTION ALERTS of a fully-documented story of fraud and larceny by each county's state legislators involving their *own* legislative salaries & the Legislature's *own* budget – and also involving district attorney salaries and the county budgets – embodied in 62 materially-identical public corruption/grand jury complaints that the 62 district attorneys of the 62 counties have been “sitting on”. The e-mailed TIPS, LEADS, and ELECTION ALERTS are posted on 11 separate webpages, #1 being “[Outreach to New York's Legislative Correspondents Association Reporters](#)” – these being the statehouse reporters on whom New York's 62-county “local journalism” relies for the larger, contextual picture – and whose performance is of the same ilk. #11 is entitled “[Will Metric Media Come to the Rescue?](#)” – and this is where this e-mail will be posted, along with additional EVIDENCE germane to the proposed expose. Of particular significance, my e-mails to philanthropically-supported, New York-based non-profit *ProPublica*, in January, beseeching its investigative journalism – or its help in securing investigative journalism – of the mountain of primary-source, documentary EVIDENCE I proffered it, establishing that New York's press, for years, has knowingly suppressed ALL report of the fraud and larceny involving pay raises and the New York state budget, committed by the constitutional officers of New York's three government branches – for whom it has knowingly election-rigged, again and again, and again. I predicted that the New York press would do the same, in this election cycle, with respect to the 213 state legislative races, which, of course, is precisely what has happened – and with *ProPublica*'s knowledge and participation, as established by link #4: “[Outreach to the Five County New York City Press](#)”.

This link #4 also establishes, also by primary-source, documentary evidence, the knowledge and complicity of *Columbia Journalism Review* and the Tow Center in what has been going on. The webpage it brings up features, at the top, “[Media Mecca or News Desert?: Covering local news in New York City](#)”, with its assertion and posited questions:

“it's worth examining the availability of [credible and comprehensive news](#) across New York City's five boroughs. Could New York City be both a media mecca and a collection of localized, topical news deserts? ... or are those potential gaps issue-based and citywide?”

This is then followed by my three e-mails to Ms. Rafsky – on September 21st, on September 24th, and on October 1st – the latter two e-mails furnishing a “first piece of ‘primary-source, documentary evidence’” from which to answer those “worth examining” questions. The subject line of both e-mails was: “Building scholarship on ‘local news in New York City’ and ‘news deserts’ based on PRIMARY-SOURCE, DOCUMENTARY EVIDENCE...& pitching such scholarship & a NYC elections news story to CJR Editor/Publisher Kyle Pope”. Both were sent not only to Ms. Rafsky, but, additionally, to *CJR* Editor/Publisher Pope, to *CJR* Managing Editor Betsy Morais, and to Ms. Rafsky's boss at the Tow Center, its Director Emily Bell, who is a member of the *CJR*'s Board of Overseers. I received NO response from any of these four to either e-mail – and the entirety of my very short October 1st e-mail was:

“It's now a full week since I sent you my below September 24th e-mail – and I have received no response. Have you responded? Please advise – and identify, as immediately as possible, where in the five counties of New York City – and/or in the 57 other counties of New York State – I

can find the “local journalism” for my below **“TIP -- TIME-SENSITIVE LEAD -- Election Issue #1: What salary is to be paid the winners of NYC's 92 state legislative races? Is it \$110,000 - or \$79,500? The answer upends all the legislative races -- & that's for starters”**. Or is it your professional judgment that it is not a MAJOR, MAJOR news story, as to which **TIME IS OF THE ESSENCE**.

Thank you.” (underlining, capitalization, bold in the original).

The referred-to **“TIP – TIME SENSITIVE LEAD – Election Issue #1...”** is the “first piece of ‘primary-source, documentary EVIDENCE’ I had furnished them. As it is the best starting point for your expose, it is below with the October 1st and September 24th e-mails, so that you can have the benefit of the LIVE links it contains. What is your professional judgment of it? Exactly how long does it take you to click on its LIVE links and be convinced of what CJR and Tow would have known, for a certainty, *to wit*, that no competent, ethical journalist or press outlet mindful of its constitutional function and the most basic journalistic standards, could fail to seize upon a TIP so immediately and verifiably true and critical to governance and the elections – and that something is catastrophically – and systemically -- wrong with how New York’s press operates and in matters unconnected with ANY partisanship. Indeed, obvious is that the so-called “accountability journalism” by which the press promotes itself and wins prizes -- The New York Times and ProPublica, leading the pack – is a camouflage for how it is actually functioning – and collusively so.

Finally – and in that connection – please be advised that I was completely unaware of Metric Media until late in the afternoon on Thursday, October 22nd, when I discovered a webinar, from September 28th on “Partisan Media and the 2020 Elections”, moderated by Tow Director Bell, who commented that Metric Media had been invited to participate, but had declined because “they don’t like some of the research we have done, which is fair enough” (VIDEO: at 53 mins). I immediately jumped to the Metric Media website and its links for its 23 New York publications. Just as immediately, I sent e-mails to 14 of them, all titled “TIP...” and forwarding to each publication the e-mail most relevant to it that I had sent to the county-corresponding “local journalism”, identifying, in my transmitting e-mail, that “local journalism” had reported nothing. Thus, to your NYC Gazette, I forwarded the “Election Issue #1”, as e-mailed to The New York Times on September 8th, and to your Capital District Times, I forwarded the October 4th e-mail I had sent to the reporters of the Legislative Correspondents Association entitled “ELECTION ALERT: NYS’ 15 D.A. races -- & the rigging of the 213 races for state Senate & Assembly seats”, as well as the further e-mail I had sent them on October 5th entitled “GUIDE TO NYS’ 15 D.A. RACES -- & the unfitness of ALL 15 D.A. incumbents & the few candidates running to succeed them”. All these e-mails, 15 in total – to which I have received no inquiring call or e-mail from a single one of your 14 publications -- are posted on CJ’s “Will Metric Media Come to the Rescue?” webpage. My discovery of the above unflattering articles about Metric Media – depicting your publications as illegitimate, agenda-driven fronts – unlike The New York Times, ProPublica, and other supposedly-reputable “local journalism” – was several hours after sending the 15 e-mails, when I was collapsed on the sofa with my laptop, searching for more information.

I am available to assist you, to the max – and invite you to call me. Meantime – and preliminary to my forwarding this e-mail to Ms. Abernathy and other scholars of the “local journalism”, “news desert” scene and to the philanthropic foundations that rely on their scholarship for their funding decisions -- I am cc’ing Tow Director Bell, CJR Editor/Publisher Pope, CJR Managing Editor Morais, and Tow Senior Research Fellow Rafsky so that they can explain why – as it plainly appears – they did not respond to my

September 24th and October 1st e-mails. Is there any explanation other than the obvious – that they could not respond without exposing the REALITY of “fake news”/fraudulent journalism by the very press they purport, by their “scholarship”, to be credible, objective, and worthy of the public’s trust and support.

Thank you.

Elena Sassower, Director
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From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Thursday, October 1, 2020 4:24 PM
To: 'sr3617@columbia.edu' <sr3617@columbia.edu>
Cc: 'kylepope01@gmail.com' <kylepope01@gmail.com>; 'editors@cjr.org' <editors@cjr.org>; 'bim2102@columbia.edu' <bim2102@columbia.edu>; 'ebell@columbia.edu' <ebell@columbia.edu>

Subject: AGAIN -- Building scholarship on "local news in New York City" and "news deserts" based on PRIMARY-SOURCE, DOCUMENTARY EVIDENCE -- NOT interviews -- & pitching such scholarship & a NYC elections news story to CJR Editor/Publisher Kyle Pope

TO: Sara Rafsky, Kyle Pope, Betsy Morais, Emily Bell

It’s now a full week since I sent you my below September 24th e-mail – and I have received no response. Have you responded? Please advise – and identify, as immediately as possible, where in the five counties of New York City – and/or in the 57 other counties of New York State – I can find the “local journalism” for my below “**TIP -- TIME-SENSITIVE LEAD -- Election Issue #1: What salary is to be paid the winners of NYC's 92 state legislative races? Is it \$110,000 - or \$79,500? The answer upends all the legislative races -- & that's for starters**”. Or is it your professional judgment that it is not a MAJOR, MAJOR news story, as to which **TIME IS OF THE ESSENCE**.

Thank you.

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From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Thursday, September 24, 2020 3:39 PM
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Cc: 'kylepope01@gmail.com' <kylepope01@gmail.com>; 'editors@cjr.org' <editors@cjr.org>;
'bim2102@columbia.edu' <bim2102@columbia.edu>; 'ebell@columbia.edu' <ebell@columbia.edu>

Subject: Building scholarship on "local news in New York City" and "news deserts" based on PRIMARY-SOURCE, DOCUMENTARY EVIDENCE -- NOT interviews -- & pitching such scholarship & a NYC elections news story to CJR Editor/Publisher Kyle Pope

Dear Sara,

Thank you for your yesterday's e-mail. However I did not offer to share with you "insights on local news in New York City". I offered to furnish you with "primary-source, documentary evidence" pertaining to "the integrity of [your] sources". Your January 7, 2020 report "[Media Mecca or News Deserts? Covering local news in New York City](#)" in the [Columbia Journalism Review](#) identifies its "**METHODOLOGY**", under that heading, at the outset, stating: "This study relied upon a series of interviews with 39 participants from 28 news outlets, one journalism academic center, and a philanthropic foundation." In other words, you relied on interviews of persons you believed would be truthful. But were they? Let's take one example – [The City](#) – which you prominently featured, as by the following:

INTRODUCTION

...

[The City](#), an online nonprofit news outlet, also launched in the spring of 2019 with 10 million dollars in funding from the Leon Levy Foundation, Craig Newmark Philanthropies, and the Charles H. Revson Foundation, among other individual contributors.

Addressing what it [classified](#) as a "life-or-death moment for local news in New York City," the organization focused on filling the increasing void in citywide beat coverage.

...

**MAPPING DESERTS
AND ASSESSING
THE HEALTH OF
MEDIA**

ECOSYSTEMS

...

At the same time, the city has become a laboratory for the same kinds of business model experimentation that are taking place across the country: the move by public radio station WNYC to resurrect the shuttered Gothamist digital publication, the proliferation of nonprofit news websites like The City...

...

PRIORITIZING BEATS AND AREAS OF COVERAGE

...

Geographic versus thematic beats

...

One notable exception is The City, a nonprofit local news website launched in April 2019 with a staff of nearly 20, thanks to 10 million dollars in funding from several leading philanthropic foundations and individual contributors. The news outlet was created with the mission of filling the void in consistent, citywide beat coverage left by the retreat of the daily newspapers and the 2017 closure of the neighborhood news online newspaper, DNAinfo. The website follows both geographic and thematic beats,

according to Editor-in-Chief Jere Hester, a *Daily News* veteran. The newsroom has a reporter in each borough, along with a handful of thematic beats like transportation and City Hall. An additional reporter covers juvenile justice issues in the Bronx as part of a Report for America fellowship. The South Bronx, according to the Report for America [website](#), is “the poorest congressional district in the country, [and] is home to Horizon Juvenile Center, which . . . made headlines recently amid outbreaks of violence.”

...

Murphy [of City Limits] said that rather than compete with well-funded nonprofits like The Marshall Project or ProPublica or The City on criminal justice, or Chalkbeat on education, City Limits has chosen to focus on other areas. ... And lastly, election coverage of local races, which he said, despite the number of outlets covering politics, still goes underreported. York, from the *Daily News*, also mentioned increased competition from the nonprofit

sector in the context of difficulties with “staff retention,” and the loss of well-sourced veteran reporters with deep institutional knowledge. Three former *Daily News* reporters left to work for The City.

Initially, Murphy said, City Limits’ pitch to funders was “no one’s doing investigative work. You’ve got to fund this.” While enterprise reporting is still rare in the wider NYC media ecosystem, within the ever-growing field of nonprofit journalism “that has changed to a great degree,” he said.

...

CHASING DAILY BEATS VERSUS LOOKING FOR IMPACT

The City, while itself a nonprofit news outlet, would like to fill that void of day-to-day reporting. Describing the organization’s mission, Editor-in-Chief Jere Hester said:

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to get
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stories.*

This mission to find stories that “transcend” a specific community came up repeatedly in interviews with news outlets of varying sizes, and gets at a tension that is at the heart of editorial decision making for local newsroom in an era of limited resources.

...

Hester said some of the The City’s scoops have come from “just being there” at meetings. He highlighted a series the outlet published about dubious use of public funds by community

boards on things like an [SUV](#) and [branded swag](#), which led to the city council [placing limits](#) on how community boards can spend funds. At the same time, he said, he couldn't expect his one Brooklyn reporter to cover the borough's 18 community boards *and* have time to report bigger stories. "I want those daily beat stories," he said. "But I want the good ones that can lead to the great ones three weeks away, and then the one shaking the city to its very core that's three months away. As long as we've got people working on these tracks all the time, I think that's where we're gonna find our balance."

...

FINDING THE GAPS IN COVERAGE

"The courts in New York City have been woefully under covered," said Hester of The City. He mentioned not just the criminal courts, but also "civil court, which really speaks to people's challenges."

...

IMAGINING A NEWSROOM WITH MORE RESOURCES

...

Hinman [of *The Riverdale Press*] said he worried about the long-term financial sustainability of new organizations like The City, because he'd seen what happens when media owners "dump a bunch of money and they spend it all . . . And then the whole thing kind of collapses on itself." In an interview, The City's publisher John Wotowicz stressed that the outlet was being run on a very lean budget, with an eye toward long-term sustainability. At the time of its launch, the publication had [enough money](#) to last until 2022. In November, The City conducted a membership campaign that sought to raise funds from 2,000 readers and succeeded in collecting 147,694 dollars (including a 20,000-dollar NewsMatch Grant) from 1,084 new members, according to Wotowicz. The publication also completed a corporate sponsorship pilot program that raised 300,000 dollars and will launch a more expansive corporate sponsorship initiative this year, he said.

...

Engaging with the Community

...

A fair number of the other interviewed news outlets grumbled and were incredulous about the decision to pour so much money into the launch of The City, rather than disperse it to existing organizations.

Beyond the founding of The City by major philanthropic foundations...

...the better-resourced nonprofit news organizations like The City and WNYC have carefully designed “community engagement” plans and strategies...

...

In response to The City’s initiative to hold a series of open meetings with communities in public libraries throughout Brooklyn, Witt [of Kings County Politics and Queens County Politics] said:

*I’m a
little
skeptical of it
but it’s
interesting . . .
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to go in
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nice try.
I'm not
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Hester said that before launching The City, the borough-based reporters did significant outreach in their communities and that reporters “are going out during the day and weekends in the parks and just talking to people.”

Enriching the Media Ecosystem

While some media outlets may see The City as competition, the news organization and

its funders view its role as “first and foremost, hopefully, a catalyst for local news in New York City overall,” said publisher John Wotowicz. “We can achieve success if others grow their news gathering and reporting capabilities, either directly or indirectly, as a result of the fact that the broader local news arena has been energized.” Besides injecting some constructive competitive spirit into the media market, one element of that plan has been encouraging media outlets to republish The City’s work. Hester said that, as of late October 2019, outlets ranging from community newspaper the *Queens Courier* to WNYC had republished their stories 768 times since The City’s launch in April. The publication has also collaborated on reporting with others nonprofit news outlets like Chalkbeat and [The Trace](#), as well as *New York Magazine*, which [provided](#) The City’s content management system and initial design and tech support.

For the Revson Foundation, a key funder of The City, as

well as WNYC and other local media organizations, this is a critical part of the foundation's long-term move to fortify the NYC media ecosystem. The foundation's president, Julie Sandorf, [wrote](#) of their investment strategy:

Investigative journalism is essential but content must be amplified by distributors who can reach as wide an audience as possible.
Nothing can replace experienced and expert journalists—investment in expanding the number of high

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IS NEW YORK CITY A NEWS DESERT?

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...Julie Sandorf of the Revson Foundation said it was unreasonable to use the same frame of reference to compare New York City with a “town in North Carolina.” She said there were clear content gaps in the media ecosystem, one of them being authoritative, borough-wide beat accountability reporting, which The

City had been founded to address.

...

The general bundle of local accountability news that The City represents, [Levy of The New York Times] said, while vitally important, “is much harder to get people to pay for.

...

CONCLUSION

...

It remains to be seen what the future holds for new publications like The City, upon whose editorial and financial nonprofit model so much hope rests. As ambitious as its newsroom and funders may be, no one outlet—particularly one with 20 reporters—can fill the void left by the cessation of both DNAinfo’s community-based coverage and the *Daily News*’s aggressive, borough-wide accountability reporting. But if its vision of consistent beat reporting that reaches a diverse audience is realized along with a path to long-term financial sustainability, it will be an important accomplishment. Any ecosystem’s health relies on that of all its organisms, and so every media organization—and residents in the

city—should have a vested interest in its survival. If the world’s media capital cannot succeed in doing so, the implications will be grave for the future of local news far beyond the five boroughs.”

[Based on your report](#), what would you suppose The City’s response would be to the below September 7, 2020 e-mail entitled “**TIP – TIME-SENSITIVE LEAD -- Election Issue #1: What salary is to be paid the winners of NYC’s 92 state legislative races? Is it \$110,000 - or \$79,500? The answer upends all the legislative races -- & that’s for starters**”, which I sent to virtually its entire “[Team](#)”, including its editor-in-chief, Jere Hester, and its publisher, John Wotowicz, both of whom you interviewed. And what about other news outlets about which you wrote and whose personnel you interviewed? According to your report, “Of the topic-based beats that news outlets said they cover, the clear winner was politics...”. These news outlets included The New York Times, Daily News, Gothamist, City Limits, Pro Publica – and news outlets whose “sole focus” you explicitly identified as politics: “[City & State](#), [POLITICO NY](#), [Gotham Gazette](#), [Kings County Politics](#)/[Queens County Politics](#)”.

I look forward to your answers, *as soon as possible*, with respect to the below first piece of “primary-source, documentary evidence”, whose only correction is as to the number of New York City state legislative seats, which I now believe to be 91, rather than 92.

By the way, since [Columbia Journalism Review](#) Editor-in-Chief & Publisher Kyle Pope is cc’d on this exchange – and was, according to his [entry on Linked-In](#), “editor-in-chief of a chain of hyperlocal weeklies in Manhattan” – what would his response be, if he were furnished, as he now is, with this “TIP – TIME SENSITIVE LEAD”? I look forward to his answer as well – especially as the [Columbia Journalism Review](#) describes its “[Mission](#)” to be: “the intellectual leader in the rapidly changing world of journalism” – and thereupon states “It is the most respected voice on press criticism”, providing “fast-turn analysis and deep reporting” that makes it “an essential venue not just for journalists, but also for the thousands of professionals in communications, technology, academia, and other fields reliant on solid media industry knowledge.” Its website also features “[Local News](#)” and “[Politics](#)” as the first two of its four prominent top panel links.

Parenthetically, because the [Columbia Journalism Review](#) website, surprisingly, does not furnish any bio for Mr. Pope or its “[Masthead](#)”, I had to do a “google search” to discover the identity of the “chain of hyperlocal weeklies in Manhattan” of which Mr. Pope had been editor-in-chief. I found it in a March 9, 2014 New York Times article “[Manhattan Community Papers Revamped Under New Editor](#)”, which, consistent with conflict-of-interest rules, disclosed that [the chain is owned by the Straus family, with familial ties to The New York Times’ Sulzberger family](#) – and that the weeklies were: [Our Town](#), [Our Town Downtown](#), [The West Side Spirit](#), [The Chelsea-Clinton News](#) and [The Westsider](#). According to a November 2, 2016 Daily News article, “[Straus News names new editor-in-chief](#)”, Mr. Pope left that position when he became editor-in-chief of the [Columbia Journalism Review](#).

That is another fatal flaw in your [January 7, 2020 report](#). You do **not** identify **any** questioning of interviewees about conflicts of interests and their codes of professional responsibility – and they,

obviously, did not alert you to what is a key, key issue in **any** true understanding of the “news desert” problem and the **mirage** of “local journalism” in New York City and elsewhere, whose flagrant disregard by news outlets, journalism schools, and entities engaged in “scholarship” and reporting about the press, has been utterly catastrophic to our democracy and an informed electorate capable of exercising a meaningful vote.

With the November 3, 2020 elections rapidly approaching – and even more so because of the supposed “reform” that establishes early voting, from October 24th to November 1st – **time is of the essence**. For that reason, I have additionally cc’d [Columbia Journalism Review’s Managing Editor Betsy Morais](#) and [Emily Bell, Founding Director of Columbia Journalism School’s Tow Center for Digital Journalism and member of the Columbia Journalism Review’s Board of Overseers](#). In that regard, I end by noting that [Columbia Journalism Review’s](#) webpage for your [January 7, 2020 report](#) prominently describes the Tow Center, of which you are a senior research fellow, as “a research center exploring the ways in which technology is changing journalism, its practice and its consumption — as we seek new ways to judge the reliability, standards, and credibility of information online.” I respectfully submit that the “new ways to judge the reliability, standards and credibility of information online” are no different than for judging “the reliability, standards and credibility” of other journalism – or anything else – *to wit*, by PRIMARY-SOURCE, DOCUMENTARY EVIDENCE.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
www.judgewatch.org
914-421-1200

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Monday, September 7, 2020 4:37 PM
To: 'tips@thecity.nyc' <tips@thecity.nyc>; 'tparris@thecity.nyc' <tparris@thecity.nyc>
Cc: 'jere@thecity.nyc' <jere@thecity.nyc>; 'john@thecity.nyc' <john@thecity.nyc>; 'akatz@thecity.nyc' <akatz@thecity.nyc>; 'hgittens@thecity.nyc' <hgittens@thecity.nyc>; 'JVelasquez@thecity.nyc' <JVelasquez@thecity.nyc>; 'vandre@thecity.nyc' <vandre@thecity.nyc>; 'cirizarry@thecity.nyc' <cirizarry@thecity.nyc>; 'rbalu@thecity.nyc' <rbalu@thecity.nyc>; 'achoi@thecity.nyc' <achoi@thecity.nyc>; 'cchung@thecity.nyc' <cchung@thecity.nyc>; 'bfractenberg@thecity.nyc' <bfractenberg@thecity.nyc>; 'rgoldensohn@thecity.nyc' <rgoldensohn@thecity.nyc>; 'ygonen@thecity.nyc' <ygonen@thecity.nyc>; 'cmichel@thecity.nyc' <cmichel@thecity.nyc>; 'eolumhense@thecity.nyc' <eolumhense@thecity.nyc>; 'gsandoval@thecity.nyc' <gsandoval@thecity.nyc>; 'gsmith@thecity.nyc' <gsmith@thecity.nyc>; 'rsmith@thecity.nyc' <rsmith@thecity.nyc>; 'vbreen@thecity.nyc' <vbreen@thecity.nyc>; 'gdavid@thecity.nyc' <gdavid@thecity.nyc>; 'tdowd@thecity.nyc' <tdowd@thecity.nyc>; 'lcostantino@thecity.nyc' <lcostantino@thecity.nyc>; 'adikanovic@thecity.nyc' <adikanovic@thecity.nyc>; 'dlaplaza@thecity.nyc' <dlaplaza@thecity.nyc>

Subject: TIP -- TIME-SENSITIVE LEAD -- Election Issue #1: What salary is to be paid the winners of NYC's 92 state legislative races? Is it \$110,000 - or \$79,500? The answer upends all the legislative races -- & that's for starters

TO: Terry Parris Jr./Engagement Director – The City

This follows up the voice mail message I left at 1:25 this afternoon on The City's tips phone number, 718-866-8674, which I could not resist calling inasmuch as your "[Send Us a Tip](#)" webpage states: "You can always call or text our newsroom, too. Someone will be on the other end of the line". I guess that "someone" is sometimes a recording.

The message I left requested a call back, as soon as possible, to 914-421-1200, stating that at 7 a.m. tomorrow morning I was going to be e-mailing a news story on the above topic to New York City's press – and that I was calling your tip number to give you the LEAD. I now do so, by e-mail, with cc's to The City's "team".

Please let me know, by phone or e-mail, if The City wants this LEAD – and wishes me to hold off on my intended dissemination of the below e-mail to other New York City press.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
www.judgewatch.org
914-421-1200
elena@judgewatch.org

TO: The City

What salary is to be paid the winners of NYC's 92 state legislative races? Is it \$110,000 – or \$79,500?

Will you ask that **straight-forward question** of New York City's five district attorneys who, in tandem with New York's 57 other district attorneys, are "sitting on" 62 public corruption/grand jury complaints against New York's 213 state legislators elected in 2018 – complaints establishing, with EVIDENCE, that the \$110,000 legislative salary is fraudulent, that the 213 state legislators – most running for re-election or higher office – have not been doing their jobs, and that, indeed, the Legislature does not operate at a constitutional level.

The five New York City district attorneys are (1) [Manhattan District Attorney Cyrus Vance](#); (2) [Bronx District Attorney Darcel Clark](#); (3) [Brooklyn District Attorney Eric Gonzalez](#); (4) [Queens District Attorney Melinda Katz](#); and (5) [Staten Island District of Michael McMahon](#) – and the complaints filed with them by the Center for Judicial Accountability, Inc. (CJA) are here linked to their names. The complaints are also posted, with the other 57 complaints, on CJA's website, www.judgewatch.org. The direct link to the webpage of complaints is here: <http://www.judgewatch.org/web-pages/searching-nys/2020-legislative/da-complaints-to-soares-plus-61-more.htm>. The direct link to CJA's separate webpage of the

EVIDENCE substantiating the complaints is here: <http://www.judgewatch.org/web-pages/searching-nys/2020-legislative/grand-juries.htm>.

The EVIDENCE presented by the complaints on the salary issue more than meets the standard of “probable cause” for a grand jury to indict. It is open-and-shut, *prima facie* – and would compel any trial jury to convict, speedily. Its starting point is [my July 16, 2019 e-mail to the Legislature’s 15 stipend-receiving leaders](#), requesting that they forward it to the 198 other legislators, with its attached [July 15, 2019 written NOTICE](#) and [substantiating analysis](#) that the [December 10, 2018 Report of the Committee on Legislative and Executive Compensation](#) – raising their legislative salaries from \$79,500 to \$110,000 – was “a **fraud** on the People of the State of New York – and a **larceny** of their tax dollars’, violating a succession of penal laws, and that their duty was to void it, to return the pay-raise monies they had already received, and to initiate criminal prosecutions of the Committee’s four members and abetting attorneys.”

Six of these 15 legislative leaders are from New York City:

- Assembly Speaker Carl Heastie,
- Deputy Senate Majority Leader Michael Gianaris,
- Senate Finance Committee Chair Liz Krueger,
- Assembly Ways and Means Committee Chair Helene Weinstein,
- Assembly Speaker *Pro Tempore* Jeffrion Aubry, and
- Assembly Codes Committee Chair Joseph Lentol.

Five of these legislators are running for re-election. The exception is Lentol, whose re-election bid ended when he was defeated in a primary – and whose pension will be calculated with the \$110,000 figure.

Will you ask these six top New York City state legislators – three of them lawyers – what they did upon receiving [the July 15, 2019 NOTICE and analysis](#). Did they not furnish it to their 198 legislative colleagues, as requested – most also running for re-election in races either uncontested or not competitive, thanks to their self-interested derelictions as legislators in failing to oversee what has been going on with New York’s eight recognized political parties and elections. The analysis is 46 pages, excluding [exhibits](#). Will these six top legislators – so instrumental in the Legislature’s “dysfunction” – furnish you with their findings of fact and conclusions of law? How about other New York City state legislators, such as those specified by the complaints, including:

- Senate Judiciary Committee Chair Brad Hoylman, a Harvard Law School graduate (like Deputy Senate Majority Leader Gianaris) and member of the Senate Finance Committee and Senate Rules Committee,
- Assembly Judiciary Committee Chair Jeffrey Dinowitz, a lawyer and member of the Assembly Ways and Means Committee and Assembly Rules Committee,
- Senate Committee on Ethics and Internal Governance Chair Alessandra Biaggi, a lawyer and member of the Senate Committee on Investigations and Government Operations.

New York City’s five district attorneys have had the complaints for three full months, but have not called for further information, or with questions, or to get testimony from me, under oath. Have they communicated with any of the complained-against 92 state legislators? How about the above

nine? Have they questioned them – and not only as to their legislative salaries, but as to the balance of the complaints as, for example, their very next issue: the larceny in the fiscal year 2020-21 legislative budget.

To facilitate your inquiries of the five New York City district attorneys and the above-nine New York City state legislators, I am cc'ing them on this e-mail. So as not to inundate them with cc's of my e-mails to other press on this same "Election Issue #1", I hereby give them notice that e-mails identical to this will be sent to other New York City press and will be posted on CJA's webpage of 2020 election outreach to the five-county New York City press. The direct link to that webpage is here: <http://www.judgewatch.org/web-pages/press-suppression/2020/local-news-project/local-news-project-nyc.htm>.

I am available to answer your questions and assist you, to the max. As is obvious from the complaints – and their starting point, CJA's July 15, 2019 analysis – your reporting will upend this year's elections for ALL 213 state legislative seats and 15 district attorney offices – **and that's for starters**.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
www.judgewatch.org
914-421-1200