

## Center for Judicial Accountability

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**From:** Center for Judicial Accountability <elena@judgewatch.org>  
**Sent:** Monday, October 21, 2013 7:46 PM  
**To:** Jimmy Vielkind (Jimmy@CapitalNewYork.com); azi@capitalnewyork.com  
**Cc:** josh@capitalnewyork.com; 'tom@capitalnewyork.com'; joe@capitalnewyork.com; 'reid@capitalnewyork.com'; Dana Rubinstein (dana@capitalnewyork.com); 'jessica@capitalnewyork.com'  
**Subject:** "Cuomo's Poll Numbers Rise...": Your query about your newsletter format: your daily read, substituting for journalism  
**Attachments:** 10-4-13-letter-to-commission-with-enclosures.pdf

### **"Cuomo's Poll Numbers Rise...": Your query about your newsletter format: your daily read, substituting for journalism**

Dear Messrs. Vielkind & Paybarah,

How does a newsletter (yet another to City & State; Gotham Gazette; Capitol Confidential, etc.) collecting and summarizing other reporting – all relying on the same stable of self-serving sources tied to the establishment or reflecting your own political biases and agendas, cynically rigging polls and using so-called “good government groups” as stand-ins for the People – substitute for investigative journalism based on primary-source, documentary evidence, furnished by the People, such as below?

How about reporting about what the People who testified before the Commission to Investigate Public Corruption – or who are trying to – have to say about the Commission? They, of course, have first-hand experience and testimonial capacity, unlike respondents to polls, whose opinions about the Commission rest on superficial and skewed journalism.

Or do you actually believe – based on the multitude of evidence-substantiated e-mails I’ve sent you and the press, all ignored, including the below which was sent and resent before 10 am this morning -- that there has been appropriate reporting of the Commission, the Governor, the Attorney General, the Legislature, etc. ?

Please pass this e-mail on to Robert Allbritton, if you think you should not be calling me for game-changing, political stories, such as below – or if you believe that Capital New York’s article “*Moreland’s next public hearing will be in a convention center*”, by Jessica Alaimo, posted at 3:53 p.m. today, is the kind of reporting that should be emanating from Mr. Allbritton’s publication.

Thank you.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
914-455-4373

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The below sent early this morning, which bounced back due to capacity limits, was resent with only our October 4<sup>th</sup> letter to the Commission to Investigate Public Corruption attached. Our October 17<sup>th</sup> letter to the Commission is posted on our website, as indicated below.

-----Latest

**Press Reporting on the Commission to Investigate Public Corruption's Public Hearings --  
Unsubstantiated by the Commission's Website**

Zack Fink of NY 1 reported, on Saturday afternoon, October 19<sup>th</sup>, that the Commission to Investigate Public Corruption would be holding "a second public hearing in New York City on October 29". "[Questions Arise Over Moreland's Access to Gov's Inner Circle](#)". This was then repeated, in further reporting, by YNN "web staff": "[Moreland Commission taking heat](#)" – without any identification that the scope would be limited.

Nine days earlier, on October 10<sup>th</sup>, Michelle Breidenbach of the Syracuse Post-Standard, reported that the Commission's "next hearing, scheduled for Oct. 28, is on the topic of enforcement at the board of elections". [DA Fitzpatrick: NYC media would not question independence of corruption panel if they knew him](#)"

**THE COMMISSION'S WEBSITE, <http://www.publiccorruption.moreland.ny.gov/>, POSTS NOTHING ABOUT ANY FURTHER PUBLIC HEARINGS – in New York City or elsewhere, including as to their scope or registration procedures.**

Don't you think the public needs to know that the Commission's website has no information about, or registration procedures for, further public hearings – and about the Commission's cancellation of the September 18<sup>th</sup> Buffalo hearing, which simply evaporated from its website, and about the exclusion of much of the public and public testimony at the Commission's September 17<sup>th</sup> New York City hearing, and the Commission's exclusion from its September 24<sup>th</sup> Albany hearing of virtually all testimony from members of the public as to public corruption within their knowledge and experience? And don't you think the public needs to know how the Commission has just ignored inquiries and correspondence on the subject – as, for instance, the Center for Judicial Accountability's October 4<sup>th</sup> letter?

Attached is that October 4<sup>th</sup> letter – to which there was NO response – and our October 17<sup>th</sup> letter, protesting that non-response. Both letters are also posted on our website, [www.judgewatch.org](http://www.judgewatch.org) – on the same page as our August 5<sup>th</sup> letter to the Commission, which first inquired about the Commission's public hearings, to which there had been NO response. Here's the direct link: <http://www.judgewatch.org/web-pages/searching-nys/commission-to-investigate-public-corruption/aug-5-2013-ltr-etc.htm>.

Finally, in the event you have not seen the video of my testimony before the Commission at its September 17<sup>th</sup> New York City hearing, publicly protesting what the Commission had done with respect to its public hearings, here is the direct link to it on youtube: <http://www.youtube.com/watch?v=-1hXstP0Uhw>

As always, I am available to be interviewed & to answer your questions. Below, for your convenience, is my previous e-mail to you, on Saturday morning, October 19<sup>th</sup>, about our October 17<sup>th</sup> letter to the Commission.

**Do you not believe that the question posed by the title of that e-mail "Has the Commission to Investigate Public Corruption shut-down public hearings because of conflicts of interest?" warrants press investigation & answer?**

Thank you.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
914-455-4373

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**Has the Commission to Investigate Public Corruption shut-down public hearings because of conflicts of interest?**

According to the terse October 15<sup>th</sup> "Statement From Moreland Commission Co-Chairs", the Commission "will continue its mandate of investigating corruption...holding public hearings..." <http://www.publiccorruption.moreland.ny.gov/press-release/moreland-commission-statement-from-co-chairs>

**When might those next "public hearings" be?**

Is the reason the Commission is NOT holding "public hearings" because they expose conflicts of interest of Commission members, advisors, and staff? To date, the Commission has afforded the public only an hour and a half at a single public hearing – the Manhattan hearing – to testify as to the breadth of public corruption within its knowledge and experience.

The Commission's conflicts of interest were highlighted by my testimony at the Commission's September 17<sup>th</sup> Manhattan hearing and by the testimony of Mark Sacha at the Commission's September 24<sup>th</sup> Albany hearing, to which I gave audible comment from the audience. The video clips, as well as the full hearings, are here: [www.judgewatch.org/web-pages/searching-nys/commission-to-investigate-public-corruption/people-evidence/menu-people-evidence.htm](http://www.judgewatch.org/web-pages/searching-nys/commission-to-investigate-public-corruption/people-evidence/menu-people-evidence.htm)

Attached is my October 17<sup>th</sup> letter to Commission members and special advisors on the subject. It is posted, with my prior correspondence to the Commission, most importantly, my August 5<sup>th</sup> and October 4<sup>th</sup> letters, here: <http://www.judgewatch.org/web-pages/searching-nys/commission-to-investigate-public-corruption/aug-5-2013-ltr-etc.htm> .

I am available to answer your questions and to be interviewed.

Thank you.

Elena Sassower, Director  
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