

Center for Judicial Accountability, Inc. (CJA)

From: Richard Tofel <Dick.Tofel@propublica.org>
Sent: Wednesday, January 22, 2020 9:37 AM
To: Center for Judicial Accountability, Inc. (CJA)
Subject: RE: FOLLOW-UP: Dec 3, 2019 Fair Media Council conference "Real & Powerful" -- & investigative journalism consistent with ProPublica's mission "to expose abuses of power and betrayals of the public trust...to hold power to account"

Dear Ms. Sassower, Thanks for this. What I said in December was that I would take your materials to our editors, and that they would review them to see if they saw a story for us. I did, they did, and unfortunately they did not see such a story. I know you disagree about this.
Regards, Dick Tofel

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Tuesday, January 21, 2020 5:05 PM
To: Richard Tofel <Dick.Tofel@propublica.org>
Subject: FOLLOW-UP: Dec 3, 2019 Fair Media Council conference "Real & Powerful" -- & investigative journalism consistent with ProPublica's mission "to expose abuses of power and betrayals of the public trust...to hold power to account"

TO: Richard Tofel, President/ProPublica

A belated happy new year on this historic day when, in addition to the opening of President Trump's impeachment trial in the U.S. Senate, Governor Cuomo has released his \$178 billion New York state budget for state fiscal year 2020-21. Both events are being exhaustively covered by the press – but, as to the state budget, without mention of any challenge to its constitutionality and lawfulness, let alone that such is before New York's highest state court – the New York Court of Appeals.

I would like to follow up on the question I publicly asked you, last year, when you were a keynote speaker at the opening session of the Fair Media Council's December 3, 2019 conference "Real & Powerful".

That question – whether ProPublica would be willing to investigate evidence of "fake news" and media election-rigging – was prompted by your public defense of media credibility, in which you compared poll responses about the media and Congress. You stated that just as polls show that the public has a low opinion of Congress, yet voters overwhelmingly re-elect their own members of Congress, so, too, the public's general distrust of media, reflected in polls, is counterbalanced by what the polls further reflect, namely, respondents' trust in the particular media on which they themselves rely.

To this I answered – based on my decades of direct, first-hand experience with the media – that the re-election of members of Congress and other public officers is rigged by the media, including by not informing voters of their records in office. Surely, too, poll respondents may be presumed to have little, if any, direct knowledge about how the specific media on which they rely actually operate. This was the context of my question as to whether ProPublica would be willing to investigate evidence on the subject.

I do not recall your answer to my question – other than that it was something of a brush off. I went up to you afterwards, furnishing you with a slim folder containing a hard copy of my below November 27, 2019 e-mail to Fair Media Council Executive Director Jaci Clement, entitled "THANKSGIVING THANKS for the Fair Media Council, its Dec 3, 2019 Conference – & for opportunities for evidence-based dialogue, scholarship – & solutions essential to our