

**From:** Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>  
**Sent:** Friday, July 7, 2023 4:02 PM

**To:** 'roger.hodge@theintercept.com'; 'jeremy.scahill@theintercept.com';  
'rashmee.kumar@theintercept.com'; 'ryan.grim@theintercept.com';  
'akela.lacey@theintercept.com'; 'akela.lacy@theintercept.com';  
'daniel.boguslaw@theintercept.com'; 'david.bralow@theintercept.com';  
'nick@nickpinto.net'

**Cc:** 'ken.klippenstein@theintercept.com'; 'jpaladino@pogo.org'

**Subject:** **NON-PARTISAN STORY PROPOSAL: Beyond the "follow-the-pack" partisanship of your June 26th & April 25th articles on conflicts of interest, ethics, and recusal at the Supreme Court**

**Attachments:** [6-29-23-proposal-to-propublica-corrected-7-2-23.pdf](#)

**TO: The Intercept**

Editor-in-Chief Roger Hodge  
Co-Founding Editor/Editor-at-Large Jeremy Scahill  
Deputy Managing Editor Rashmee Kumar  
D.C. Bureau Chief Ryan Grim  
Politics Reporter Akela Lacy  
Politics Reporter Daniel Boguslaw  
General Counsel David Bralow  
Nick Pinto

Daniel Boguslaw's June 26<sup>th</sup> article "[Samuel Alito's Wife Leased Land to An Oil and Gas Firm While the Justice Fought the EPA](#)" refers to and links to [ProPublica's June 20<sup>th</sup> article](#) about Justice Alito and [April 6<sup>th</sup> article](#) about Justice Thomas.

On [June 29<sup>th</sup>](#) and [July 2<sup>nd</sup>](#), I sent [ProPublica](#) the above-attached NON-PARTISAN STORY PROPOSAL pertaining to its professed non-partisan interest in the Supreme Court, its justices, and ethics. Although the proposal furnished a FULLY-DOCUMENTED corruption story, involving the justices' ACTUAL corruption, not "appearances" – and their cover-up of the same in the lower federal judiciary, the Administrative Office, and the Judicial Conference, aided and abetted by Congress, among others, I received no response from [ProPublica](#).

I am, therefore, furnishing the same proposal to [The Intercept](#) so that you can be true to your mission to "expose corruption and injustice wherever [you] find it" and "holding the powerful accountable through fearless, adversarial journalism", which, by virtue of your [501\(c\)\(3\) tax status](#) and [membership in the Institute for Nonprofit News \(INN\)](#), you purport to do without partisanship.

Such proposal will, additionally, enable you to correct the solicitation that appears at the bottom on the June 26<sup>th</sup> article, by its opening:

**“WAIT! BEFORE YOU GO** on about your day, ask yourself: How likely is it that the story you just read would have been produced by a different news outlet if The Intercept hadn’t done it?”

In fact, Mr. Boguslaw’s article is of the SAME ilk as the April 6<sup>th</sup> and June 20<sup>th</sup> [ProPublica](#) articles to which it cites and links and as it furnishes by its links to [Politico’s April 25<sup>th</sup> article on Justice Gorsuch](#) and [the New York Times’ January 31<sup>st</sup> article on Chief Justice Roberts](#). These, and its link to the [Intercept’s own April 25<sup>th</sup> article, in collaboration with POGO, about Justice Thomas’ benefactor Harlan Crow](#), itself copiously linking to articles by outlets such as [NPR](#), [CNN](#), and [Bloomberg](#), are all focused on appearances of conflicts of interest, mostly financial – with not even comparable reporting of appearance conflicts of the Court’s liberal justices, present or past.

Please confirm by Tuesday, July 11<sup>th</sup> that [The Intercept](#) will be investigating and reporting on the NON-PARTISAN STORY PROPOSAL here furnished of the justices’ actual conflicts of interest and corruption of the duties of their office, as to which there has been ZERO reporting by ANY “news outlet” – and, if not, the reason.

I note that Mr. Boguslaw has had a head-start on the proposal, resting, as it does on [CJA’s March 6, 2008 Critique of the Breyer Committee Report](#), whose significance I alerted him to 3-1/2 years ago, when – as a reporter for [New Republic](#) – he called me for information about “judicial accountability”. Reflecting this is my [November 18, 2019 e-mail](#) to him, posted on CJA’s webpage for [The Intercept](#), whose link I furnished you by my below June 16<sup>th</sup> e-mail, with its [attached complaint to INN](#), to which I have yet to receive any response.

I am available to answer questions. Call me, no matter how early or late.

Thank you.

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

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**From:** Center for Judicial Accountability, Inc. (CJA) <[elena@judgewatch.org](mailto:elena@judgewatch.org)>

**Sent:** Friday, June 16, 2023 10:53 PM

**To:** [roger.hodge@theintercept.com](mailto:roger.hodge@theintercept.com); [jeremy.scahill@theintercept.com](mailto:jeremy.scahill@theintercept.com);  
[rashmee.kumar@theintercept.com](mailto:rashmee.kumar@theintercept.com); [ryan.grim@theintercept.com](mailto:ryan.grim@theintercept.com); [akela.lacey@theintercept.com](mailto:akela.lacey@theintercept.com);  
[daniel.boguslaw@theintercept.com](mailto:daniel.boguslaw@theintercept.com); [david.bralow@theintercept.com](mailto:david.bralow@theintercept.com); [nick@nickpinto.net](mailto:nick@nickpinto.net)

**Cc:** [sue@inn.org](mailto:sue@inn.org)

**Subject:** Complaint vs The Intercept to INN for Violations of INN Membership Standards, the Code of Ethics of the Society of Professional Journalists, 501(c)(3) Proscriptions on Partisanship, & for Fraud

**TO:** [The Intercept](#)

Editor-in-Chief Roger Hodge  
Co-Founding Editor/Editor-at-Large Jeremy Scahill  
Deputy Managing Editor Rashmee Kumar  
D.C. Bureau Chief Ryan Grim  
Politics Reporter Akela Lacy  
Politics Reporter Daniel Boguslaw  
General Counsel David Bralow  
Nick Pinto

Above-attached is my complaint against The Intercept to the Institute for Nonprofit News (INN), transmitted to it by the below e-mail.

Please forward to such Board of Directors and Journalism Advisory Board as you have.

I am available to answer questions – and look forward to your constructive response. I would especially appreciate reconsideration of my December 22, 2020 “TIP/LEAD – How do the FBI and U.S. Attorneys handle public corruption complaints filed with them by members of the public?”. CJA’s webpage for The Intercept on which it is posted is [here](#).

Thank you.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
[www.judgewatch.org](http://www.judgewatch.org)  
914-421-1200  
[elena@judgewatch.org](mailto:elena@judgewatch.org)

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**From:** Center for Judicial Accountability, Inc. (CJA) <[elena@judgewatch.org](mailto:elena@judgewatch.org)>

**Sent:** Friday, June 16, 2023 7:16 PM

**To:** 'sue@inn.org' <[sue@inn.org](mailto:sue@inn.org)>

**Cc:** 'info@inn.org' <[info@inn.org](mailto:info@inn.org)>

**Subject: Complaint vs INN Members for Violations of INN Membership Standards, the Code of Ethics of the Society of Professional Journalists, 501(c)(3) Proscriptions on Partisanship, & for Fraud -- plus 3 Requests for Assistance Based Thereon**

**TO: Institute for Nonprofit News Executive Director/CEO Sue Cross**

Thank you for your below e-mail, responding to mine, also below.

INN is responsible, professionally, civically, and legally, for ensuring compliance by its members with the standards to which it proclaims they adhere. As stated unequivocally on your [“Membership Standards” webpage](#):

“Newsrooms in the INN network uphold standards that represent a promise of editorial excellence, ethical behavior and transparency about their funding and practices...

The public can be assured that INN member news organizations have met...standards...”  
(underlining added).

After you have reviewed the above-attached complaint, I trust you will agree – and that you will present it to the [INN Standards Task Force](#), of which you are the liaison, and the [Board of Directors](#), so as to develop appropriate procedures for handling it.

As for my own communications with your ten complained-against member organizations – and with an eleventh, described in the complaint – they are unavailing. Your INN members do not respond to me and simply persist in their violative conduct.

Upon e-mailing the complaint to the eleven, which I will begin to do shortly, I will include you as a cc – and all the transmitting e-mails will be posted on the webpage I have created for this complaint on CJA’s website, [here](#). That is where I will also post their responses and yours, when received, consistent with the INN standard of “transparency”.

My complaint also presents three requests for assistance based thereon – and all three requests are in furtherance of INN’s goal of ensuring “access to trustworthy sources of news”, “holding the powerful accountable and strengthening democracy”.

I look forward to discussing all of the foregoing with you directly.

Thank you.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
[www.judgewatch.org](http://www.judgewatch.org)  
914-421-1200  
[elena@judgewatch.org](mailto:elena@judgewatch.org)

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**From:** Sue Cross <[sue@inn.org](mailto:sue@inn.org)>

**Sent:** Wednesday, June 14, 2023 5:29 PM

**To:** Center for Judicial Accountability, Inc. (CJA) <[elena@judgewatch.org](mailto:elena@judgewatch.org)>

**Cc:** [info@inn.org](mailto:info@inn.org)

**Subject:** Re: Query: INN's procedures for complaints against its members for violations of INN standards & of 501(c)(3) proscriptions on partisanship

Hi Elena --

We do not have such a process and do not get involved in our members' editorial decisions; we are a support organization helping them build sustainability around their reporting.

I'd recommend you address your complaint and detail your concerns directly with the news outlet. If you believe the organization has fallen outside of the IRS guidelines on nonpartisanship, would include why you believe that is a concern in your communications with the news outlet. You're welcome to copy INN in. We would not likely get involved but we are of course interested in journalism standards.

Thanks,

Sue

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On Wed, Jun 14, 2023 at 2:03 PM Center for Judicial Accountability, Inc. (CJA) <[elena@judgewatch.org](mailto:elena@judgewatch.org)> wrote:

TO: [Institute for NonProfit News \(INN\)](#)

This follows the voice mail message I left nearly 3 hours ago at 818-582-3560.

I have not found any information on your website about procedures for filing complaints against INN members for violations of [INN standards](#) and of 501(c)(3) proscriptions on partisanship. Are there posted procedures and if not, what are the procedures?

I have drafted a complaint, which I have addressed to Executive Director/CEO Sue Cross. Is there anyone else who should be cc'd?

Please advise.

Thank you.

Elena Sassower, Director  
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914-421-1200  
[elena@judgewatch.org](mailto:elena@judgewatch.org)