

CENTER for JUDICIAL ACCOUNTABILITY, INC.

P.O. Box 69, Gedney Station
White Plains, New York 10605-0069

Tel. (914) 421-1200
Fax (914) 428-4994

E-Mail: judgewatch@aol.com
Web site: www.judgewatch.org

Elena Ruth Sassower, Coordinator

BY FAX: 212-475-8944 (16 pages)

January 28, 2005

Kristen Lombardi
Village Voice

Following up the April 15th trial transcript excerpt which I sent you yesterday concerning the prejudicial effect of the marshal's presence behind me in the courtroom that I realized from that day's Washington Post, enclosed are pages from the April 15th transcript (pp. 85-97) so that you can see that the Post's pretense that my opening statement was "rambling" was untrue. There was nothing "rambling" about what I was saying. Rather, what I was saying underscored that the case needed to be thrown out on the papers.

The description of Judge Holeman's interruptions are described in the current draft of my appellate brief as follows:

When appellant stated that Capitol Police knew of her contention that they had no authority to arrest her for respectfully requesting to testify at the Senate Judiciary Committee hearing, unless they were so-directed by the presiding chairman and that this was "effectively conceded by Capitol police when they put the name of Saxby Chambliss as the complainant on the arrest reports" [Tr. 90], Judge Holeman interrupted and requested that she "move further" [Tr. 90, ln. 17]. He again told her to "move further" when she identified that, just as Senator Chambliss had not responded to her question as to whether she might testify, so he had not responded to her question whether he was directing her to be arrested – and thereafter, as she had stood in handcuffs in the hallway outside the Senate Judiciary Committee, had not responded whether he was directing her arrest [Tr. 91, ln. 10]. He interjected, "Ms. Sassower" [Tr. 92, ln. 6], when she told the jury that they would "not be hearing from Senator Chambliss, the supposed complainant for my arrest, because the prosecution has not seen fit to call him as a witness in support of this shameful, shameful, disgraceful, outrageous charge against me. And my subpoena of him was quashed. But he could have chosen to testify upon my subpoena." [Tr. 91, lns. 24 – Tr. 92, ln. 5]. He then interrupted her as to whether she had "anything further" [Tr. 92, lns. 20-1] upon her stating that the videotape establishes that "the prosecution documents are false, materially false and misleading" [Tr. 92, lns. 20-21]. When she answered, "Yes, Yes", Judge Holeman replied: "Then please get to it or sit down and we'll begin the trial". Appellant's response, "No reason to, Your Honor, I have yet to

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conclude”, then continued with the “prosecution documents” [Tr. 92, ln. 22- Tr. 93, ln. 2]. Thereupon, Judge Holeman excused the jury and chastised appellant: [Tr. 93, lns.]...

Also, aside from the distressing July 3rd letter engendered by the Philadelphia Inquirer article which I already sent you (“a sassy bitch in need of a good spanking”), please know that I received many wonderful, sustaining letters that meant a great deal to me. Among these, Israel Weinstock’s enclosed July 16th letter, which I hung on the wall of my cell – and whose last sentence I particularly cherished: “Know that your suffering is for a cause which will affect millions of people in a very positive way.”

Finally, in sharp contrast to so-called civil liberties and public interest organizations and organizations involved in federal judicial selection, including those with D.C. offices -- as well as my own “legal advisor” Mr. Goldstone who, behind my back and without my knowledge and consent proceeded to run up a bill for services of nearly \$9,000 for the first three weeks of my incarceration -- George McDermott deserves to be recognized as a hero. Throughout six long months, he made the most extraordinary “on the ground” contribution. He was ALWAYS and uncomplainingly available to pick up my legal papers, serve them on the U.S. Attorney, file them in the Court, copy them, visit me, and report to my family. Together with Elizabeth Pawlak, he made sure that a new notice of appeal was timely filed to supersede Mr. Goldstone’s deficient notice – and, additionally made an important motion to secure the audiotape of the trial and sentencing. He also took papers to the Senate Judiciary Committee and other congressional offices, came to CTF to do an audio interview and drove around in his truck decorated with a huge sign, “Free Elena Sassower”, etc. – which he picked me up in on December 23rd. Bless his stalwart patriotism and big heart.

Lastly, please let Village Voice readers know that they can verify for themselves the explosive particulars of your story from the primary source documents posted on CJA’s website, www.judgewatch.org. There is now a separate sidepanel for the “disruption of Congress” case – and it opens to a page on which the various “Paper Trails” to and from jail appear. The appellate brief and full trial transcript will be posted on a “Paper Trail” after jail.

Again, thank you – and your editors -- for the important contribution you are making by this story.

Elena