

BY EXPRESS MAIL

January 8, 1995

Mr. Wayne Barrett
Senior Editor, Village Voice
220 Windsor Place
Brooklyn, New York 11215

Dear Mr. Barrett:

Congratulations on your superb article "Shades of Justice" which, because the Justice Department does not receive local news clips, we recently forwarded to its Washington staff. Congratulations, too, on your excellent presentation on WBAI radio, when you were interviewed together with our Communications Director, Eric Copolino.

Eric tell us that you are interested in following up your work on the political control of judgeships in this state with our materials--many of which we transmitted to the Justice Department in April and May of last year for use in its investigation of New York's judicial elections.

Therefore, we enclose the following documents, which-- additionally--may impel you to reassess and develop a more extensive story about what your article describes as G. Oliver Koppell's enigmatic "end-of-career about face":

- I. My mother's letter to Governor Cuomo, referred to in our October 26, 1994 New York Times Op-Ed advertisement, in which--three years earlier--she called for the appointment of a special prosecutor to investigate the manipulation of judicial elections. As reflected by page 10 of that October 24, 1991 letter, G. Oliver Koppell, then Chairman of the Assembly Judiciary Committee, was among the indicated recipients. Indeed, Mr. Koppell received from us several additional copies of that letter of the years, with supporting documentation--together with our requests that he "seize the initiative".
- II. A copy of our written communications with Chairman Koppell relative to the hearings on the Report of the Governor Cuomo's Task Force on Judicial Diversity--to which your article refers. Such communications consisted of our May 8, 1992 fax--which enclosed our March 20, 1992 letter to the Governor's Task Force--

January 8, 1995

and our May 12, 1992 letter which transmitted to Chairman Koppell the full files of Castracan v. Colavita and Sady v. Murphy for inclusion in the record.

- III. My mother's October 23, 1990 letter to Chairman Koppell, following the lower court's October 16, 1990 dismissal of Castracan. A copy of Justice Lawrence Kahn's legally and factually insupportable decision is also enclosed, which--without affording to the petitioners any hearing--stated:

"In the case at bar, there is no proof that the judicial conventions at issue were not legally organized, with a quorum present, and that a majority of that quorum duly voted for the candidates named as respondents herein." (at p. 4)

Also enclosed are the affidavits of three eye-witnesses to the 1990 Democratic and Republican Judicial Nominating Conventions in the Ninth Judicial District, submitted to Justice Kahn in support of the Castracan petition at the October 15, 1990 oral argument. Said affidavits constituted proof that the judicial nominating conventions were conducted in violation of the Election Law and established as false the basis upon which Justice Kahn dismissed the Castracan petition. Assuredly, had Justice Kahn not dismissed Castracan, he would not have been favored with a Democratic/Republican cross-endorsement three years later when, in 1993, he sought re-election to the bench.

By such pretext, however, Justice Kahn protected his own judicial future--as well as the powerful politicians, lawyers, judges, and would-be judges who had participated in the illegally conducted Judicial Nominating Conventions and the illegal "Three Year Deal" trading judgeships by a cross-endorsement package.

- IV. My mother's January 9, 1994 hand-delivered letter to Attorney General G. Oliver Koppell, calling upon him to set up "a division to deal specifically with the problem of judicial corruption" and to undertake an "investigation of the disreputable and dishonest manner in which the Attorney-General's office handles Article

78 proceedings against judges." Such letter¹--which annexed her Notice of Appeal to the Court of Appeals in her Article 78 proceeding Sassower v. Mangano--was the first of an extraordinary series of a dozen letters, sent directly to Attorney General Koppell--which, because of his subsequent non-action and knowing complicity in the criminal conduct of his clients, in the face of notice--was then annexed to her Court of Appeals submissions². As illustrative of this correspondence, my mother's February 3, 1994 and April 9, 1994, and June 9, 1994 letters to Attorney General Koppell are enclosed.

- V. My mother's Verified Complaint in her federal action, Sassower v. Mangano, 94 Civ. 4514, which names Attorney General Koppell as a co-defendant for his:

"deliberate and knowing complicity in the wrongful and criminal conduct of his clients, whom he has defended with knowledge that their defense rested on perjurious factual allegations made by members of his legal staff and wilful misrepresentation of the law applicable thereto" (at ¶10)

and refers to his having received--as Chairman of the Assembly Judiciary Committee--

"a full set of the court papers in Castracan v. Colavita and Sady v. Murphy...as well as copies of complaints relative thereto filed with the New York State Commission on Judicial Conduct, documenting

¹ That letter also enclosed a copy of our December 15, 1993 testimony before the New York State Senate Judiciary Committee on December 15, 1993. Said testimony, which described the process of appointment to the Court of Appeals as "unconstitutional" and Senate confirmation as a fraud was furnished to the Justice Department with supporting documentation in April 1994. It is most relevant to the current debate, described in your article, where proponents such as The New York Times urge that such appointment/confirmation process be extended to this state's lower court judgeships. [See, ¶194 of enclosed Verified Complaint]

² See ¶¶196, 200-208 of Verified Complaint.

the corruption of sitting state court judges." (at ¶24)

Said Verified Complaint was served upon Attorney General Koppell and his judicial clients on October 17, 1994. Judge John Sprizzo--who, coincidentally, is the judge on Randolph Scott-McLaughlin's case, about which you wrote--has directed the Attorney General, who is representing all the defendants, to file Answers by tomorrow, January 9, 1995.

- VI. My mother's September 19, 1994 complaint with the New York State Commission on Judicial Conduct against the justices of the Appellate Division, Second Department--including Justice William Thompson--a judicial member of the Commission--for refusing to recuse themselves from the Article 78 proceeding Sassower v. Mangano, wherein their own conduct was being challenged as unlawful and criminal. Also enclosed--so that you can see for yourself the Commission's modus operandi--which is to dismiss meritorious and fully documented complaints against high-ranking judges³--is its December 13, 1994 dismissal letter. Our as yet unresponded-to December 15, 1994 informational request relative to that dismissal is also enclosed.

In view of the Voice's December 20, 1994 cover-story "Judge For Sale", which reported on the Manhattan D.A.'s investigation and arrest of a housing court judge for using his judicial office for personal gain, the Voice might well consider a sequel about how the Brooklyn D.A.'s office has been stalling and dragging its feet on our complaint that high-ranking justices of the Appellate Division, Second Department have employed their judicial office for ulterior, retaliatory purposes. A copy of our initial April 27, 1994 complaint with the Brooklyn D.A.'s so-called "Corruption Investigation Division" is enclosed--as well as our most recent letter dated November 30, 1994 suggesting that that office request Governor Pataikai to appoint a special prosecutor--to which we have as yet received no response.

Finally, a propos of your reference in the last paragraph of "Shades of Justice" to the Times editorial board, I enclose two of the three "Letters to the Editor" we wrote to the Times in the months preceding our October 26, 1994 Op-Ed advertisement, as well as our September 29, 1994 letter--reflecting our communications with the Democratic and Republican candidates for Attorney General, Karen Burstein and Dennis Vacco on the "meat-and-potatoes" campaign issues it had identified as important to voters.

³ See ¶120 of Verified Complaint.

Notwithstanding its potential impact on the '94 electoral races-- or perhaps because of it--the Times deliberately kept the public from knowing anything about such extraordinary story of judicial corruption and cover-up by, inter alia, this state's highest law officer and its governor, whose administration the Times described as "remarkably...untouched by major scandal" (8/21/94 Week in Review). Undaunted, we spent almost \$20,600 of our own money to do our civic duty and inform the public, which we did on the Times Op-Ed page and reprinted in The New York Law Journal.

We look forward to working with you and supplying more of our breathtaking documentation for what is a dynamite and surely prize-winning story.

Yours for a quality judiciary,

ELENA RUTH SASSOWER, Coordinator

Enclosures

P.S. In response to the avalanche of letters, calls and e-mail we received from people across the country responding to our Times ad, we sent out a mailing about the ad and our organization. A copy is enclosed FYI.

TB123376583 US

POST OFFICE
TO ADDRESSEE

SEE REVERSE FOR SERVICE GUARANTEE,
INSURANCE COVERAGE AND CLAIMS.
THANK YOU FOR CHOOSING EXPRESS
MAIL SERVICE.

For Postal Use	ORIGIN	Date of Posting	Postage
	Post Office Zip Code 10551	Time In 7:20 P.M.	Return Receipt \$
For Customer Use	Initials of Receiving Clerk AT	Weight lbs. oz.	Total Postage & Fees \$
	ACCEPTANCE <input type="checkbox"/> International Country Code	<input checked="" type="checkbox"/> Next Day Delivery OR <input type="checkbox"/> Second Day Delivery	
	<input type="checkbox"/> By 12 Noon OR <input type="checkbox"/> By 3:00 P.M.		
	<input type="checkbox"/> Military 2nd Day OR <input type="checkbox"/> Military 3rd Day		
	Express Mail Corporate Account No. X 106-417	Federal Agency Account No.:	
	FROM:		
	DORIS L SASSOWER		
	283 SOUNDVIEW AVENUE		
	WHITE PLAINS NY 10808-3821		



CUSTOMER RECEIPT

Waiver of Signature and Indemnity (Domestic Only)

I wish delivery to be made without obtaining the signature of the addressee or the addressee's agent (if in the judgment of the delivery employee, the article can be left in a secure location) and I authorize the delivery employee to sign that the shipment was delivered and understand that the signature of the delivery employee will constitute valid proof of delivery.

SIGNED:

TO: Telephone Number 718-768-7334
Mr. Wayne Barrett
220 Windsor Place
Brooklyn, NY 11215