

## CENTER for JUDICIAL ACCOUNTABILITY, INC.

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6 pages

TO: Wayne Barrett, Village Voice

FROM: Elena Ruth Sassower, Coordinator

DATE: July 2, 1998

RE: On-the-job performance of Governor Pataki and Attorney General Vacco

ATT: Anne Benjaminson, Assistant to Mr. Barrett

As discussed, our non-partisan, non-profit citizens' organization has a wealth of electorally-significant, primary source materials as to the official misconduct of Governor George Pataki and Attorney General Dennis Vacco in matters involving judicial selection, discipline, and governmental integrity.

As to judicial selection, CJA has a breathtaking three-year correspondence with the Governor's office, going back as far as January 1995. Such correspondence sought information as to the process by which the Governor has made his judicial appointments, including access to the requisite committee reports on the credentials of his appointees. Our enclosed published Letter to the Editor, "*In Choosing Judges, Pataki Creates Problems*", (NYT, 11/16/96) is the smallest tip of a very large iceberg, which should rightfully help torpedo the Governor's presently-bright re-election prospects.

As to judicial discipline, In 1995, CJA sued the Commission on Judicial Conduct for corruption. The Commission survived the case because it was defended by fraudulent litigation tactics by the Attorney General Vacco -- and was the beneficiary of a fraudulent decision of a Supreme Court judge dismissing the case. Such facts, readily verifiable from the case file, was the reason we hand-delivered a copy of the file to Governor Pataki's Albany office in May 1996, together with the petition signatures of 1,500 New Yorkers calling for an investigation and "public hearings on judicial corruption and the political manipulation of judgeships in the State of New York". This SINGLE CASE can -- in one fell swoop -- catch BOTH the Governor and Attorney General in profound and far-reaching governmental scandal. This is reflected by CJA's enclosed public interest ads about the case, "*A Call for Concerted Action*" (NYLJ, 11/20/96) and "*Restraining 'Liars in the Courtroom' and on the Public Payroll*" (NYLJ, 8/27/97).

As highlighted by "*Restraining 'Liars'*", Attorney General Vacco -- and his predecessors -- including G. Oliver Koppell, who is among the Democratic contenders for Attorney General -- have a *modus operandi* of fraud for defending state officials and state agencies sued for corruption, when they have NO

legitimate defense. Here, too, we have extensive and devastating correspondence with Mr. Vacco, Mr. Koppell, as well as Democratic gubernatorial hopeful Charles Hynes, among others.

On governmental integrity: CJA has correspondence with the Governor on his subversion of the NYS Ethics Commission -- as manifested by his refusal to timely fill vacancies on the Commission, as required by the Executive Law, as well as his recent elevation of Paul Sheckman, a member of the Ethics Commission, to its chairmanship. Not coincidentally, Mr. Sheckman is ALSO chairman of the Governor's State Judicial Screening Committee, a position in which he has distinguished himself by perverting the EXPRESS rules of the screening committee and by covering up for the Governor in his politicization of judicial appointments. Parenthetically, it is now more than a year since we requested that our fully-documented ethics complaints against the State Attorney General and Commission on Judicial Conduct be placed on the Ethics Commission's agenda, without response.

We have not yet turned to other media with these documentary materials. Please let us hear from you in the near future so that we can know whether or not you want this "scoop".

ELENA RUTH SASSOWER, Coordinator  
Center for Judicial Accountability, Inc.

TRANSMISSION VERIFICATION REPORT

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