

CENTER for JUDICIAL ACCOUNTABILITY, INC.

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Elena Ruth Sassower, Coordinator

BY CERTIFIED MAIL/RRR: 7000-1670-0007-0498-0706

October 9, 2001

Professor Vincent Martin Bonventre
Albany Law School
80 New Scotland Avenue
Albany, New York 12208

RE: Putting Academic Tenure to the Use for which it is Intended:
A Search for Truth Based on Empirical Evidence

Dear Professor Bonventre:

It is my privilege to transmit to you the enclosed *primary source* materials – from which you can *independently verify* that the New York State Commission on Judicial Conduct and the New York State Commission on Judicial Nomination -- which were born together – are inextricably tied in their corruption – and that New York's highest public officers, Chief Judge Judith Kaye among them, are complicitous in this corruption, as well as in systemic governmental corruption arising from their unabashed conflicts of interest.

For your convenience, an inventory of these *primary source* materials follows:

- I. Appellate papers in Elena Ruth Sassower, Coordinator of the Center for Judicial Accountability, Inc., acting pro bono publico, against Commission on Judicial Conduct of the State of New York (NY Co. 108551/99)¹ – a lawsuit arising from the Commission on Judicial Conduct's unlawful dismissal, *without* investigation and *without* reasons, of a *facially-meritorious* October 6, 1998 judicial misconduct complaint

¹ The appeal is presently scheduled to be heard in the November Term of the Appellate Division, First Department. However, it may be delayed – and transferred – in light of my pending August 17th motion, *inter alia*, to disqualify the Appellate Division, First Department.

against, *inter alia*, then Appellate Division, Second Department Justice Albert Rosenblatt, arising, *inter alia*, from his believed perjury on his *publicly-inaccessible* application to the Commission on Judicial Nomination in connection with his candidacy for the Court of Appeals:

- (1) Appellant's Brief and Appendix
- (2) Respondent's Brief
- (3) Appellant's Reply Brief
- (4) Appellant's August 17, 2001 motion², returnable October 15, 2001³

- II. CJA's November 13, 2000 letter to Court of Appeals nominee Victoria Graffeo and New York State Senate Judiciary Committee Chairman James J. Lack, transmitting CJA's October 16, 2000 report on the Commission on Judicial Nomination's subversion of "merit selection" (with two substantiating file folders)⁴, as well as CJA's November 13, 2000 report on the complicity of the bar associations

Additionally, I thought you'd like to see how you were cynically used by The New York Times for its November 30, 2000 article, "*A New Judge Is Welcomed For Top Court in Albany*", to conceal its wilful refusal to report the EVIDENCE pertaining to the hoax of "merit selection" which CJA provided and proffered it during the preceding six weeks – and how Steven Zeidman, Executive Director of the Fund for Modern Courts, to whom the Times turned for favorable comment about "merit selection", had the pertinent EVIDENCE

² Paragraphs 32-48 of my moving affidavit summarize Chief Judge Kaye's knowledge of this lawsuit by her receipt of the substantiating lower court record and her nonfeasance and misfeasance in connection therewith – including in connection with the "merit selection" process to the Court of Appeals.

³ As the Attorney General may be withdrawing his opposition to my motion, I will defer providing it to you, as likewise my correspondence to the Attorney General demonstrating my entitlement to additional sanctions against him, as well as disciplinary and criminal referral, unless his opposition is withdrawn.

⁴ File Folder "A" thereto contains FULL copies (including exhibits) of many of the letters which are annexed (without exhibits) to my August 17th motion in my appeal against the Commission on Judicial Conduct – including CJA's March 3, 2000, April 18, 2000, and June 30, 2000 letters to Chief Judge Kaye.

in his possession when he made his reported comment, "Few would deny that it is by far a superior system that we've had for the last 23 years":

New York Times articles on the "merit selection" appointment of Justice Graffeo to the Court of Appeals:

11/30/00: "A New Judge Is Welcomed For Top Court in Albany", by Laura Mansnerus

11/3/00: "Pataki Selects Judge for Appeals Court He Sees as Lenient", by Raymond Hernandez

1/3/01: Metro Brief: "Albany: New Judge for High Court", by James McKinley, Jr.

CJA's December 6, 2000 letter to Times' reporter Laura Mansnerus, enclosing:

- A. Articles on Graffeo's Senate Judiciary Committee confirmation "hearing" by:
1. James Odatto (Albany Times Union)
 2. Michael Gormley (Associated Press)
 3. Jay Gallagher (Gannett) and
 4. John Caher (New York Law Journal)
- B. CJA's prior correspondence with The New York Times:
1. CJA's October 20, 2000 fax to David Rohde
 2. CJA's hand-delivered October 24, 2000 letter to David Rohde
 3. CJA's October 26, 2000 fax to Tony Marciano
 4. CJA's October 27, 2000 fax to Tony Marciano
 5. CJA's November 1, 2000 fax to Jane Gross,
enclosing CJA's fax to the Albany Bureau
 6. CJA's November 2, 2000 fax to Tony Marciano and David Rohde
 7. CJA's November 17, 2000 fax to John Landman,
enclosing CJA's proposed November 6, 2000 letter
to the editor
 8. CJA's November 21, 2000 fax to John Landman and Tony
Marciano
 9. CJA's November 21, 2000 coversheet to David Rohde
- C. CJA's November 1, 2000 and November 17, 2000 letters to Steven Zeidman, Executive Director of the Fund for Modern Courts.

The *only* response received to CJA's December 6, 2000 letter to Ms. Mansnerus – an e-mail from Tony Marcano, Times Assignment Editor/Metro – is enclosed.

* * *

The within materials are only the first installment from CJA's treasure trove of groundbreaking *primary source* materials. Let me know when you are ready to receive more.

Meantime, feel free to share this transmittal with your students – and with everyone and anyone interested in judicial selection, discipline, professional responsibility, governmental integrity -- and the 2002 electoral races for Governor and Attorney General. Should you have any questions, do not hesitate to call. I very much enjoyed our phone conversations today and last Friday – and greatly look forward to their continuation.

Finally, I would be grateful to receive anything you have written on the issues presented herein – and for your guidance as to what I should read to further my “in-the-trenches”, *ad hoc* legal education. Also, if you could arrange to get me a copy of the upcoming State Bar Journal – the one containing your article on “merit selection” (or was it more generally on judicial selection?) – I would be most appreciative.

With sincerest thanks.

Yours for a quality judiciary,



ELENA RUTH SASSOWER, Coordinator
Center for Judicial Accountability, Inc. (CJA)

Enclosures: as indicated, plus materials previously faxed
and other published pieces

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