

## Center for Judicial Accountability

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**From:** Center for Judicial Accountability <elena@judgewidth.org>  
**Sent:** Monday, January 26, 2015 5:37 AM  
**To:** 'tom.brune@newsday.com'  
**Subject:** Lynch Confirmation Hearing: A Different Set of Letters & Her Record Pertaining to Evidence of Corruption by Judges & Top Politicians

Dear Mr. Brune:

Thank you for your excellent article "*AG nominee Loretta Lynch played hardball with Giuliani over NYPD monitor, letters show*" (Newsday, 1/24/15), detailing that throughout her first term as U.S. Attorney for the Eastern District of New York, Ms. Lynch was pursuing "pattern and practice" investigation of the NYPD for civil rights violations – including investigation of deficiencies in its handling of police misconduct complaints – and threatened to sue New York City if it did not sign a consent decree for structural changes.

Almost 20 years ago, on April 26, 1994, Newsday published a piece by its columnist Dennis Duggan entitled "*Cops Hang Easily*". It identified that the police are low "on the food chain". Not so, judges and politicians.

Consequently, why not ascend "the food chain" to examine U.S. Attorney Lynch's record pertaining to corruption by judges and politicians during this same first term. What you will discover – also through examination of letters – is the diametric opposite of what you found with respect to the NYPD, namely, U.S. Attorney Lynch's complete inaction in face of documentary evidence of high-level public corruption in New York State government, involving the Governor, State Attorney General, legislators and judges and "pattern and practice" civil rights violations by New York's judiciary and the corruption of its monitor, the State Commission on Judicial Conduct. This evidence, including casefile records from three lawsuits against the Commission on Judicial Conduct, sued for corruption – each "thrown" by fraudulent judicial decisions – was furnished to U.S. Attorney Lynch by our non-partisan, non-profit citizens' organization, Center for Judicial Accountability, Inc. (CJA), by a September 7, 1999 letter-complaint, supplemented on March 17, 2000, and thereafter made the subject of successive letters to her, complaining of her inaction and failure to address the conflict of interest issues we were raising. This culminated in our filing a fully-documented March 23, 2001 complaint of professional misconduct against her with the Justice Department's Office of Professional Responsibility, which then protected her by a May 3, 2001 letter purporting that it was "unsupported by any evidence and without merit".

U.S. Attorney Lynch has repeated her willful inaction in her second term, again ignoring our letter-complaints furnishing her with documentary evidence, including casefile records, of systemic corruption in all three branches of New York State government, involving the Governor, State Attorney General, top Legislative Leaders, and Chief Judge and encompassing "pattern and practice" civil rights violations by New York's judiciary and corruption of the Commission on Judicial Conduct.

All of this is now before the Senate Judiciary Committee by our citizen opposition to U.S. Attorney Lynch's confirmation as Attorney General. Below is a press release I prepared entitled "*Is Loretta Lynch's Confirmation a Reprise of the Clarence Thomas Fiasco -- But Worse?*". It identifies that the Senate Judiciary Committee has yet to inform me whether I will be "invited" to testify at this week's hearing. With a follow-up story from you about CJA's very different set of letters to U.S. Attorney Lynch, you can help make that "invit[ation]" happen.

I am available to assist you and to be interviewed.

Thank you.

Elena Sassower, Director



## **Is Loretta Lynch's Confirmation a Reprise of the Clarence Thomas Fiasco -- But Worse?**

It's not about race, or sex, or her political views. It's about irrefutable EVIDENCE of her corruption as U.S. Attorney for the Eastern District of New York, both in her first and second terms, as to which NO senator can vote to confirm her for Attorney General.

Ms. Lynch's corruption in office, covering up high-level public corruption by New York's highest public officers and key state oversight entities – and the deficiencies of her “vetting”, both pre- and post-nomination – are the subject of two FULLY-DOCUMENTED letters to the Senate Judiciary Committee from our non-partisan, non-profit citizens' organization, Center for Judicial Accountability, Inc. (CJA), each highlighting, in the first instance, the March 23, 2001 complaint of professional misconduct against her, filed with the Justice Department's Office of Professional Responsibility, which Ms. Lynch was duty-bound to disclose as part of her “vetting” and as to which she may have perjured herself on the “confidential” portion of her Senate Judiciary Committee questionnaire.

The first letter, e-mailed to the Senate Judiciary Committee on December 17, 2014, was not posted on the Committee's website until Friday, January 23th, shortly before 6 pm [<http://www.judiciary.senate.gov/nominations/executive/pn2136-113>] – and only then, most likely, because of inquiries from Washington Times reporter Jim McElhatton recited at the end of his January 22<sup>nd</sup> article “*Senate urged to ask AG nominee Loretta Lynch about stock fraud case*” [<http://www.washingtontimes.com/news/2015/jan/22/senate-urged-to-ask-loretta-lynch-about-stock-frau/?page=all#pagebreak>].

The second letter, e-mailed to the Senate Judiciary Committee on January 6, 2015, has not been posted. It enclosed CJA's January 5, 2015 letter to President Obama and expressly invited the Committee's response to what it recited about the Committee's “vetting and hearing procedures”, including, specifically, its statement:

‘...the press has yet to report to the American People – that the Senate Judiciary Committee's own vetting is a fiction and its confirmation hearings essentially rigged to ensure confirmation, which it does by excluding opposition testimony from members of the public have dispositive evidence of nominee unfitness, such as corruption and ethics breaches.

At bar, NO Senator can vote for U.S. Attorney Lynch's confirmation based on the evidence here presented.’” (capitalization in the original).

In support, this January 6, 2015 letter identified that we had “yet to receive any response” from the Senate Judiciary Committee to our December 17, 2014 letter “other than a generic, automated e-mail acknowledgment of receipt, which was solely from the then minority Republican side.”

Today, 20 days later, and with only 2 days until the Senate Judiciary Committee's hearing on Ms. Lynch's confirmation as this nation's highest law enforcement officer is scheduled to begin, we still have “yet to receive any response” from the Senate Judiciary Committee to our December 17, 2014 letter – or to our January 6, 2015 letter. This includes to my request to testify in opposition at the confirmation hearing, as to which I left a phone message for Senate Judiciary Committee Chief Nominations Counsel Ted Lehman at 10:40 am on January 23rd.

You can readily judge – within minutes – the duty of Senate Judiciary Committee counsel and investigators to have long ago called me to be interviewed, including under oath, so that the Committee could reject Ms. Lynch's nomination,

without necessity of a hearing. Both CJA's December 17, 2014 and January 6, 2015 letters – and the dispositive evidence supporting them– are posted on our website, [www.judgewatch.org](http://www.judgewatch.org), accessible *via* the prominent homepage link: "CJA's Citizen Opposition to Senate Confirmation of U.S. Attorney Loretta Lynch as U.S. Attorney General". Here's the direct link: <http://www.judgewatch.org/web-pages/searching-federal/lynch/2014-opposition-lynch-ag.htm>.

**Is the Senate Judiciary Committee going to "invite" me to testify at the confirmation hearing in opposition? What is its CRITERIA for opposition witnesses and who has the Committee already "invited" to testify in opposition? Didn't those opposition witnesses write letters to the Committee requesting to testify in opposition – and, if so, why are their letters not posted on the Committee's webpage for the confirmation? Or are there no opposition witnesses?**

**I am available to answer your questions – and to be interviewed about this MAJOR NEWS STORY, whose far-reaching consequence, beyond rejection of Ms. Lynch's unworthy nomination, is non-partisan, good-government clean-up of corruption in the Justice Department, the U.S. Attorneys' offices – and in Congress, for starters.**

Thank you.

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