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*Elena Ruth Sassower, Coordinator*

BY FAX: 518-432-6178 (2 pages)

December 22, 1999

Blair Horner, Legislative Director  
NYPIRG  
107 Washington Avenue  
Albany, New York

RE: NYPIRG's ethics complaints, filed with the NYS Ethics Commission

Dear Blair:

Hope you're feeling better. Following up our phone conversation yesterday, this is to remind you to fax me a copy of NYPIRG's ethics complaint based on the Philip Morris contributions, the Hungarian-American Chamber of Commerce trip, etc. – *AND* the Ethics Commission's acknowledgement letter. Please advise if Common Cause and League of Women Voters filed *separate* ethics complaints.

In return, I will be sending you copies of this year's batch of CJA's ethics complaints against the Governor, the Attorney General, etc., filed with the NYS Ethics Commission – so that you can see for yourself the Ethics Commission *non*-response to substantive, fully-documented ethics complaints filed by ordinary citizens or by citizens' organizations like CJA – without the clout of NYPIRG, Common Cause, League of Women Voters, etc.

Meantime, here's a copy of my Letter to the Editor, "*An Appeal to Fairness: Revisit the Court of Appeals*" in the December 28, 1998 New York Post about the Rosenblatt confirmation. Its concluding paragraph "This is why we will be calling upon our new state attorney general as the 'People's lawyer,' to launch an official investigation" provides a preview of the materials I will be sending you about Attorney General Spitzer's sham "public integrity unit" and his active complicity in systemic governmental corruption involving the Governor.

Wishing you a happy, healthy holiday – and a new millenium marked by *concerted* citizen action on behalf of the public interest.

*Elena*

**NEW YORK POST**

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## **An Appeal to Fairness: Revisit the Court of Appeals**

•Your editorial "Reclaiming the Court of Appeals" (Dec. 18) asserts that Albert Rosenblatt will be judged by how well he upholds the democratic process "from those who would seek to short-circuit" it.

On that score, it is not too early to judge him. He permitted the state Senate to make a mockery of the democratic process and the public's rights when it confirmed him last Thursday.

The Senate Judiciary Committee's hearing on Justice Rosenblatt's confirmation to our state's highest court was by invitation only.

The Committee denied invitations to citizens wishing to testify in opposition and prevented them from even attending the hearing by withholding information of its date, which was never publicly announced.

Even reporters at the Capitol did not know when the confirmation hearing would be held until last Thursday, the very day of the hearing.

The result was worthy of the former Soviet Union: a rubber-

stamp confirmation "hearing," with no opposition testimony — followed by unanimous Senate approval.

In the 20 years since elections to the Court of Appeals were scrapped in favor of what was purported to be "merit selection," we do not believe the Senate Judiciary Committee ever — until last Thursday — conducted a confirmation hearing to the Court of Appeals without notice to the public and opportunity for it to be heard in opposition.

That it did so in confirming Justice Rosenblatt reflects its conscious knowledge — and that of Justice Rosenblatt — that his confirmation would not survive publicly presented opposition testimony. It certainly would not have survived the testimony of our non-partisan citizens' organization.

This is why we will be calling upon our new state attorney general as the "People's lawyer," to launch an official investigation. **Elena Ruth Sassower**  
Center for Judicial Accountability  
White Plains

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