

# CENTER for JUDICIAL ACCOUNTABILITY, INC.

P.O. Box 69, Gedney Station  
White Plains, New York 10605-0069

Tel. (914) 421-1200  
Fax (914) 428-4994

E-Mail: [judgewatch@aol.com](mailto:judgewatch@aol.com)  
Website: [www.judgewatch.org](http://www.judgewatch.org)

Elena Ruth Sassower, Coordinator

## EMERGENCY ATTENTION REQUIRED:

May 22, 2003 Senate Judiciary Committee Hearing on the Confirmation of New York Court of Appeals Judge Richard C. Wesley to the Second Circuit Court of Appeals

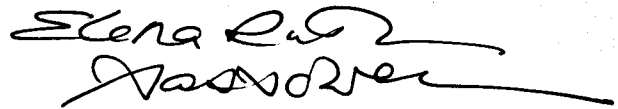
BY FAX: 202-228-0121 [14 pages]

May 21, 2003

Home-State Senator Hillary Rodham Clinton  
Washington, D.C. [Tel # 202-224-4451]

Senator Clinton is an indicated recipient to this letter, summarizing the professional misconduct of her counsel, Leecia Eve, her legislative correspondent, Josh Albert – and to top it all, that of her Chief of Staff, Tarara Luzzato, whose response to my two phone messages, requesting to speak with her about the need for her supervisory oversight over Ms. Eve and Mr. Albert – and specifically asking her to review CJA's March 26, 2003 statement, and the May 19, 2003 memorandum, in their possession – was, apparently, to call Capitol Police – as herein recounted.

This is surely a story for Senator Clinton's New York constituents – as well as any citizen who might passingly consider voting for her in a presidential run...



cc: Capitol Police Detective Zimmerman  
The Press

Enclosure

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*Elena Ruth Sassower, Coordinator*

**EMERGENCY PERSONAL ATTENTION REQUIRED:**

BY FAX: 202-228-4562 [13 pages]  
BY E-MAIL: [michael\\_tobman@schumer.senate.gov](mailto:michael_tobman@schumer.senate.gov)

May 21, 2003

Home-State Senator Charles E. Schumer  
Washington, D.C.

ATT: Michael D. Tobman, Director of Intergovernmental Affairs  
Telephone #: 202-224-6542; 212-486-1842/ 212-486-4430

RE: (1) Endorsement of CJA's requests in its May 19, 2003 memorandum to Senate Judiciary Committee Chairman Hatch and Ranking Member Leahy and, in particular, of CJA's request to be permitted to testify in opposition at the May 22, 2003 hearing on Judge Wesley's confirmation; (2) Withdrawal of the Senator's "blue slips" approving Senate confirmation of Judge Wesley and of P. Kevin Castel, Esq.

Dear Mr. Tobman:

Following up your phone call to me at about 11:45 a.m, enclosed is CJA's May 19, 2003 memorandum to Senator Schumer, to which we received NO response and which you stated you were not aware of.

Please make sure that it is brought to Senator Schumer's immediate attention so that he may finally take action, consistent with his rhetoric about the importance of scrutinizing federal judicial nominees and his criterion of "excellence"<sup>1</sup>.

<sup>1</sup> See, *inter alia*, the current May 20, 2003 issue of *The New Yorker*, "Advise and Dissent: The fight over the President's judicial nominations" by Jeffrey Toobin, quoting Senator Schumer.

In addition, since Senator Clinton's office has seen fit to contact Capitol Police (202-224-1495), who at approximately noon today, telephoned and threatened that I would be arrested at tomorrow's confirmation hearing, should I rise to request to testify in opposition<sup>2</sup> and the presiding chairman bang his gavel (even if the presiding chairman does NOT ask that I be arrested<sup>3</sup>) – I expressly ask that Senator Schumer endorse my request to be permitted to testify – or at least take steps to ensure that I not be arrested for publicly raising such request at tomorrow's hearing.

According to Capitol Police Detective Zimmerman (badge #2943), Senator Clinton's office contacted Capitol Police to "get involved" because "they did not understand why I continued to contact that office". He identified this as behavior "bordering on harrassment". Please be advised that my "continued contact" with Senator Clinton's office, interpreted as "bordering on harassment" by Capitol Police, consisted of two phone messages left for the Senator's Chief of Staff, Tamara Luzzatto (202-224-4451), the first one at 4:27 p.m. yesterday and the second at 9:43 this morning. In these readily understood messages, I clearly and distinctly requested Ms. Luzzatto's supervisory oversight over the Senator's counsel, Leecia Eva, and legislative correspondence, Josh Albert, with whom I had a 35-minute phone conference yesterday afternoon, ending at about 2:40 p.m. During such phone conference, Ms. Eve and Mr. Albert -- two lawyers, advising a U.S. Senator -- REFUSED my request that they themselves READ CJA's March 26, 2003 written statement, whose contents they

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<sup>2</sup> In truth, there is NO REASON why the burden should be on me to request to testify at the Senate Judiciary Committee's public hearing to confirm judicial nominees. Indeed, there used to be a time when the Committee's presiding chairman asked "if anyone in the room wished to speak on behalf of or against the nominee". This is reflected by footnote 5 to CJA's July 3, 2001 letter to Senator Schumer, the Chair of the Subcommittee on Administrative Oversight and the Courts – reprinted, *albeit without exhibits*, in the record of the Subcommittee's June 25 and September 4, 2001 hearings on "The Judicial Nomination and Confirmation Process". CJA's May 5, 2003 memorandum to Senate Judiciary Committee Chairman Hatch and Ranking Member Leahy annexes a copy of that reprinted letter as Exhibit "A". I not only personally provided you with a copy of that May 5, 2003 memorandum during our May 14<sup>th</sup> meeting, but a full copy of the original July 3, 2001 letter, with exhibits.

<sup>3</sup> As I told Capitol Police Detective Zimmerman, this would deviate from the precedent at the July 25, 1996 Senate Judiciary Committee hearing to confirm President Clinton's nomination of New York Supreme Court Justice Lawrence Kahn to the District Court for the Northern District of New York – when I was NOT arrested by Capitol Police for rising, at the conclusion of the hearing, with a request to testify with "citizen opposition to Judge Kahn's nomination". That fact is recounted in the body of CJA's July 3, 2001 letter to Senator Schumer. (*see* fn. 1, *supra*). The pertinent extract from the July 25, 1996 hearing transcript is not only Exhibit "H" to the July 3, 2001 letter, but reproduced in the letter itself. (ltr, pp. 10-11; reprint: at 239).

insisted I summarize to them – and which, during most of our conference, I did summarize -- because, quite evidently, they had NOT read the statement themselves. In any event, by their own admission, they had NOT reviewed ANY of the substantiating documentary evidence, including the two final motions from my public interest lawsuit against the New York State Commission on Judicial Conduct, *focally-discussed in the statement as decisive, in and of themselves, of Judge Wesley's unfitness*. Nonetheless, and entirely ignoring my summary of the statement's recitation of these motion in establishing Judge Wesley's on-the-bench judicial misconduct in TWO public interest cases, whose consequence has been on-going, irreparable injury to the People of New York – Ms. Eve purported that I was an “interested party in a lawsuit which had been decided by the courts, including the New York Court of Appeals”. Presumably, this was the basis upon which she then declared that Senator Clinton would take no action to stop the May 22<sup>nd</sup> hearing on Judge Wesley's confirmation, such as by withdrawing her “blue slip” approval, and would not endorse my request to be permitted to testify in opposition at the hearing. Both Ms. Eve and Mr. Albert also REFUSED to agree to my request that they provide the March 26, 2003 written statement to Senator Clinton, for her own review, as likewise to provide her with CJA's May 19<sup>th</sup> memorandum, addressed to her, requesting her personal review.

Suffice to say, in our today's phone conversation together -- our first conversation since our 40-minute meeting on May 14<sup>th</sup> at Senator Schumer's Manhattan office<sup>4</sup> -- you have refused to answer my question as to whether Senator Schumer has personally reviewed CJA's March 26, 2003 written statement, let alone examined the documentary evidence substantiating it, including the two boxes containing the lawsuit file, which I left with you during our May 14<sup>th</sup> meeting. Your steadfast REFUSAL to state ANY opinion as to whether the statement's recitation of Judge Wesley's on-the-bench judicial misconduct was disqualifying, notwithstanding you stated that you did read my October 15, 2002 motion to reargue, vacate for fraud, etc. – and your admission that you made NO FINDING with respect thereto -- only reinforce the necessity of Senator Schumer's personal review. Such personal review is what was expressly requested by CJA's May 19<sup>th</sup> memorandum – the same as we sent to Senator

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<sup>4</sup> Time pressures do not now permit me to list the continuum of urgent telephone messages I left for you since our May 14<sup>th</sup> meeting, which you chose to ignore as Judge Wesley's nomination was being pushed forward to a hearing -- including by Senator Schumer himself. The further graphic particulars of how this serious and substantial matter was handled by you and Senator Schumer's office – as likewise by Senator Clinton's office – will be separately set forth. This, to advance REAL reform of the federal judicial nomination/confirmation process – and so that New York voters can know what was done to them by their home-state senators.

May 21, 2003

Clinton.

Finally, so that Senator Schumer may be reminded of the consequences to his New York constituents of a corrupt New York State Commission on Judicial Conduct, as perpetuated by Judge Wesley's utterly self-interested, politically-motivated misconduct in my public interest lawsuit against it, enclosed is a December 22, 2002 letter from one of his constituents, Mrs. Edna May Schreiber, turning to him for help because of "the absolute corruption in Dutchess County Family Court", affecting her and "twenty-five plus families". Senator Schumer apparently did not see fit to respond in any way -- including by appropriate referral to the Commission. Perhaps this was just as well -- the Commission having already dismissed, without investigation, the *facially-meritorious* complaints filed with it on Mrs. Schreiber behalf.

A copy of this letter is being sent to Senator Clinton's office -- so that Senator Clinton can, among other things, take steps to at least ensure that when I rise at tomorrow's hearing, requesting to be heard in opposition, I am not arrested for peaceably exercising my most fundamental democratic rights. For that reason, I am enclosing the identical letter that Mrs. Edna May Schreiber sent to Senator Clinton, as well as her response thereto, wholly non-responsive to the judicial corruption issues being presented. I discussed this letter and the Senator's non-responsive response with both Ms. Eve and Mr. Albert -- I believe even before Ms. Eve unfairly tagged me as being an "interested party to a lawsuit, which has been decided by the courts -- including the Court of Appeals".

Mrs. Schreiber and the millions of New Yorkers whose welfare rest on a properly-functioning Commission on Judicial Conduct were just as "interested" in the lawsuit -- one which they had a right to expect their Senators would not to betray. Thankfully, the election of Senators does not give them "lifetime" tenure.

Enclosures

cc: President George W. Bush

Chairman Orrin G. Hatch, U.S. Senate Judiciary Committee

Ranking Member Patrick J. Leahy, U.S. Senate Judiciary Committee

Senator Hillary Rodham Clinton

Capitol Police Detective Zimmerman

New York Court of Appeals Judge Richard C. Wesley &amp; P. Kevin Castel, Esq.

The Press

Edna Mary Schreiber

Senator Charles Schumer  
229 Dirksen Senate Office Building  
Washington, D.C. 20510-3204

Dear Senator Schumer,

Nobody cares yet so many in politics are fully aware of the absolute corruption in the Dutchess County Family Court. Judges avid fathers rights advocates, are giving full custody and unsupervised visitation to alcoholics, wife and child abusers and molesters. Mothers are labeled without forensics, unbalanced, too emotional etal..

CPS workers out and out lie, persons mandated to assist the children are totally in fear of going against Judges. At supervised visitation, they lie or simply turn their heads, to appease the judges and to make sure they get to keep their funding of \$50.00 (fifty dollars) per each parent weekly. Of course they lie!

Teachers, therapists, doctors and the like refuse to see whats before them and pretend not to hear anything! They won't testify because of the way they are treated in courtroom. Mothers loose gainful employment because there is always a court date, still they must also pay the fifty dollars up-front, if she wants to see her offspring, driving a million miles away (gas). There is also the child support and more.

Court appointed lawyers do not much. Mothers are routinely treated worse than criminals in the courtroom, whllst the "Good ole Boys" banter and enjoy verbally abusing the mothers TRYING so hard to PROTECT their youngsters (NEVER called by name). There is NEVER NEVER ANYONE IN THE COURTROOM TO WITNESS THE FOUL BEHAVIOR OF THESE "Good ole Boys". These judges, law guardians, lawyers, CPS workers and the like, can and do say anything they please in their most comfortable venue. There is positively NO ONE-to stop them or to question their cruel actions, words and deeds.

Amidst all their joking and laughter, no one speaks to or for the youngster(NEVER-EVER mentioned by name).

Our Judge Peter M Forman has out and out over and over refused to speak with our Precious Nora Daphne. Judge Forman has even declined her a Lincoln hearing. Judge Forman and cronies have also made up reasons, why Nora should stay with her father.

We can prove this only NOBODY will check or listen to us-if even to see if WE may be wrong. Judges, law guardians, CPS workers, lawyers have permission to do and say whatever pleases them, NOBODY will do a thing to stop them.

**Edna Mary Schreiber**

The end result is- our youngsters are truly being messed up. Just wait until these sad, misguided, maltreated children grow up. If one thinks we are in deep trouble now: imagine when they start running our country.

We are only one of twenty-five plus families (that we know) whose children were kidnaped through the il-legal system in Dutchess County family Court. Who benefit-profits?? No one rules the rulers. Good Lord, whatever will they do next?? They have filled our lives with pain, confusion and heart-break. NO ONE is LISTENING.

*Mrs Edna Mary Schreiber*

Betrayed by the (il-legal system)  
Edna Mary Schreiber  
389 Poplar Hill Road.,  
Dover Plains, NY 12522

Retyped by Esther M Schreiber Horton  
Letter is a true copy of an original letter sent to  
Charles Schumer sent by express mail # ET999181328US

(Documents enclosed: CPS INDICATED REPORT FOR DOMESTIC VIOLENCE  
TRANSCRIPTS 19 Jan, 8 Feb 2001 the transfer of custody under conditions of sex  
abuse of Nora to father as disclosed by CPS.)

Dear Senator C. Schumer,



Edna May M. Schreiber  
389 Poplar Hill Rd.  
Dover Plains, NY 12522

December 22, 20

Nobody cares, yet so many in politics are aware of the absolute corruption in the Dutchess County Family Court. Judges, wife rights advocates, are giving full custody and unsupervised visitation to alcoholics, wife and child abusers and molesters. Mothers are labelled unbalanced, too emotional, etc. C.P.S Workers out and out lie and everyone mandated to assist the children are all afraid to go against the judge. The people at the supervised visitation lie or simply turn their heads, to please the judge and to make sure they keep their funding \$50<sup>00</sup> fifty dollars from each parent weekly! Of course they'll lie.

Teachers, therapist, doctors and the like refuse to testify and pretend not to see or hear - because of the way they are treated in the courtroom.

Mothers lose gainful employment because there is always a court date and must pay the fifty dollars if she wants to visit with her child, a million miles away (you), she must also, of course, pay the child support. The court appointed lawyers do NOT much and mothers are routinely treated like criminals in the courtroom whilst the "Good ole Boys" heater and enjoy verbally abusing the Mothers TRYING to PROTECT their



Anyone in the courtroom to witness the behavior of these "Goodole boys". The judge, law guardian, lawyers and C.S. workers, can and do say anything they please in their most comfortable venue. There is absolutely NO ONE to stop them or question their cruel actions and words. Through all their <sup>laughter</sup> and joking NO ONE speaks <sup>out to</sup> the children (NEVER - EVER called by name).

Our Judge, Peter M. Forman, has out and out gone and over even declined a Lincoln hearing for our precious Nora Daphne. Judge Forman and his cronies have made up reasons why the child Nora must stay with her father. We can prove that he lied but nobody will check or listen to us if even we might be wrong. Judges are protected, right or wrong, we don't go against an order. Judge, law guardian, C.S. worker and lawyers have permission to do and say whatever they please, nobody will do a thing to stop them!

The end result is our youngsters are truly being messed over, just wait until these sad, misguided, mistreated children grow up. If one thinks we are in deep trouble now, imagine when they start running the country. We are only one of twenty-five families that we know of whose children were kidnapped by the legal system in Butcher County Family Court. Who benefits - profits? No one, rules the rulers. My God, Go what ever will they do next? Our lives are filled with pain, confusion and heart break.

No one is listening!! We are betrayed by the

EDNA MARY SCHREIBER 8458779032 P. 01  
Mrs. Edna Mary Schreiber

389 Poplar Hill Rd.  
Dover Plains, NY 12522  
Phone: 845-877-9763  
Fax: 845-877-9032

Senator Clinton  
Russell Senate Office Building  
Suite 476  
Washington, D.C. 20510-3204

Dear Senator Clinton

Nobody cares yet so many in politics are fully aware of the absolute corruption in the Dutchess County Family Court. Judges avid fathers rights advocates, are giving full custody and unsupervised visitation to alcoholics, wife and child abusers and molesters. Mothers are labeled without forensics, unbalanced, too emotional etal..

CPS workers out and out lie, persons mandated to assist the children are totally in fear of going against Judges. At supervised visitation, they lie or simply turn their heads, to appease the judges and to make sure they get to keep their funding of \$50.00 (fifty dollars) per each parent weekly. Of course they lie!

Teachers, therapists, doctors and the like refuse to see whats before them and pretend not to hear anything! They won't testify because of the way they are treated in courtroom. Mothers loose gainful employment because there is always a court date, still they must also pay the fifty dollars up-front, if she wants to see her offspring, driving a million miles away (gas). There is also the child support and more.

Court appointed lawyers do not much. Mothers are routinely treated worse than criminals in the courtroom, whilst the "Good ole Boys" banter and enjoy verbally abusing the mothers **TRYING** so hard to **PROTECT** their youngsters (NEVER called by name). There is **NEVER NEVER ANYONE IN THE COURTROOM TO WITNESS THE FOUL BEHAVIOR OF THESE "Good ole Boys"**. These judges, law guardians, lawyers, CPS workers and the like, can and do say anything they please in their most comfortable venue. There is positively NO ONE-to stop them or to question their cruel actions, words and deeds.

Amidst all their joking and laughter, no one speaks to or for the youngster (NEVER-EVER mentioned by name).

Mrs. Edna Mary Schreiber

389 Poplar Hill Rd.  
Dover Plains, NY 12522  
Phone: 845-877-9703  
Fax: 845-877-9032

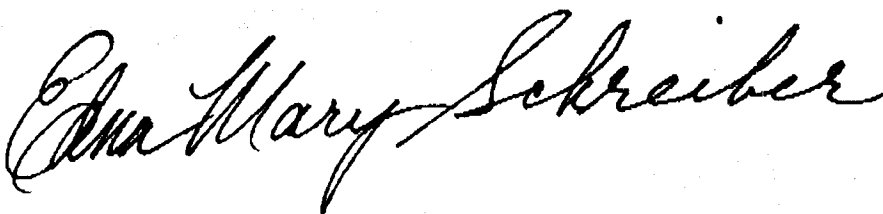
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We can prove this only NOBODY will check or listen to us-if even to see if WE may be wrong. Judges, law guardians, CPS workers, lawyers have permission to do and say whatever pleases them, NOBODY will do a thing to stop them.

The end result is- our youngsters are truly being messed up. Just wait until these sad, misguided, maltreated children grow up. If one thinks we are in deep trouble now: imagine when they start running our country.

We are only one of twenty-five plus families (that we know) whose children were kidnapped through the il-legal system in Dutchess County family Court. Who benefit-profits?? No one rules the rulers. Good Lord, whatever will they do next?? They have filled our lives with pain, confusion and heart-break. NO ONE is LISTENING.

Senator Clinton you have been through hell the past couple years. I don't suppose you want to dirty your life again, by touching upon such vile corruption. Somebody help our children-really help!



Betrayed by the (il-legal system)  
Edna Mary Schreiber

Retyped by Esther M Schreiber Horton  
Letter is a true copy of an original letter sent to Hillary Rodham Clinton, received on Feb. 7 2003 by express mail # EK837745327US.

(Documents enclosed: CPS INDICATED REPORT FO DOMESTIC VIOLENCE *Against Father*  
TRANSCRIPTS 19 Jan, 8 Feb 2001 the transfer of custody under conditions of sex abuse of Nora by father as disclosed by CPS.)





Mrs. Edna Mary Schreiber  
300 Poplar Hill Road  
Dover Plains, NY 12022

December 23, 2002

Dear Senator Clinton,

Nobody cares, yet so many in politics are fully aware of the absolute corruption in the Dutchess County family court. Judges and fathers rights advocates, are giving full custody and unsupervised visitation to alcoholics, wife and child abusers and molesters. Mothers are labeled, without forensics, unbalanced, too emotional et al. CPS workers out and out lie, persons mandated to protect the children are totally in fear of going against the judges. At supervised visitation, they lie or simply turn their heads, to appease the judge and to make sure they get to keep their funding of 50% (fifty dollars) per each parent weekly. Of course they'll lie!

Teachers, therapist, doctors and the like refuse to see white before them and pretend not to hear any thing! They won't testify because of the way they are treated in courtroom.

Mothers lose gainful employment because there is always a court date, still they must also pay the fifty dollars up front, if she wants to see her offspring driving a million miles away (go). There is also the child support and more. Court appointed lawyers do not care. Mothers are routinely treated worse than criminals in the courtroom, whilst the "Good ole Boy" bunter and enjoy verbally abusing the Mothers Twice so fast to protect their youngsters (Never called by name). There is never-never anyone in the courtroom to witness the foul behavior of these "Good ole Boy". These judges, law-wardens lawyers, CPS worker and the like "can't do

Do say anything they please in their most comfortable  
venue. There is positively no one to stop them or to  
question their cruel actions, words and deeds. Amidst  
all their jibing and laughter, as one speaks for or for  
the youngsters (never-a-one mentioned by name) Ben Gully -  
Peter M. Forman has out and out, over and over, refused to speak  
with our barrister the Hon. Judge Forman. Our declared her  
Lizelle being Judge Forman and cronies here also  
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least result in our youngsters actually being raised up  
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Senator Clinton, you have been through hell the past  
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help our children really help!

845-877-9763

Betrayed by the il-legal system  
Edna Mary Schreiber

HILLARY RODHAM CLINTON

NEW YORK

SENATOR

RUSSELL SENATE OFFICE BUILDING

SUITE 476

WASHINGTON, DC 20510-3204

202-224-4481

# United States Senate

WASHINGTON, DC 20510-3204

February 27, 2003

Ms. Esther M Schrieber Horton  
389 Poplar Hill Road  
Dover Plains, New York, 12522

Dear Ms. Horton:

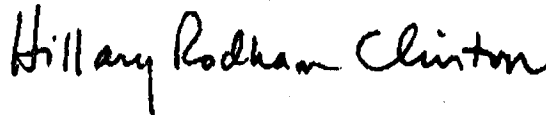
I have received your inquiry regarding a legal matter.

I appreciate the trust and confidence that your letter represents, however, the division of jurisdiction between the Judicial and Legislative branches of government prevents my intervention in matters that are, or have been, before the courts. Therefore, I am unable to offer assistance in the matter presented in your letter, and am returning your correspondence to you.

You may want to contact a private attorney or your local legal services agency. Assistance in obtaining an attorney is available through the Lawyer Referral and Information Service of the New York State Bar Association (800) 342-3661. If you cannot afford the services of an attorney, you may contact the Legal Aid Society.

I hope that this information will be of assistance to you.

Sincerely yours,



Hillary Rodham Clinton

HRC/el/sg

Enclosure

*5/21/03 transmittal to Home State  
Senator Clinton*

TRANSMISSION VERIFICATION REPORT

TIME : 05/21/2003 17:27  
NAME : CJA  
FAX : 9144284994  
TEL : 9144211200

DATE, TIME	05/21 17:14
FAX NO. /NAME	12022280121
DURATION	00:13:21
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RESULT	OK
MODE	STANDARD ECM