

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
Website: www.judgewatch.org

Doris L. Sassower, Director
Elena Ruth Sassower, Coordinator

URGENT ATTENTION REQUIRED: **HALTING JUDICIAL CONFIRMATION VOTE**

DATE: June 6, 2003

TO: Senate Majority Leader William H. Frist
ATT: Alex Vogel, Chief Counsel
By Fax: 202-228-2574 [9 pages]

Senate Minority Leader Thomas Daschle
ATT: Jennifer Duck, Senior Policy Advisor
By Fax: 202-224-6603 [9 pages]

FROM: Elena Ruth Sassower, Coordinator
Center for Judicial Accountability, Inc. (CJA)

RE: Deferring any Senate vote to confirm the nomination of New York Court of Appeals Judge Richard C. Wesley to the Second Circuit Court of Appeals pending your personal review of CJA's March 26, 2003 written statement, summarizing the documentary evidence of his corruption in office – as to which the Senate Judiciary Committee has undertaken NO INVESTIGATION and made NO FINDINGS

The Center for Judicial Accountability, Inc. (CJA) is a national, non-partisan, non-profit citizens' organization, based in New York. Our purpose is to safeguard the public interest in meaningful and effective processes of judicial selection and discipline. This may be seen from the homepage of our website, www.judgewatch.org, featuring, as "Recent News", our efforts, on behalf of the People of the State of New York and the Second Circuit, to prevent Senate confirmation of the unworthy nomination of New York Court of Appeals Judge Richard C. Wesley to the Second Circuit Court of Appeals.

Yesterday morning, the Senate Judiciary Committee, by a unanimous 19-0 vote at its "Executive Business Meeting", approved Judge Wesley's confirmation. Despite my several phone calls to the Senate Judiciary Committee in the afternoon, I have been unable to obtain information as to how and when this nomination will be calendared for Senate debate and vote. The extent of what I was told by a Committee staffer -- in response to my questions -- was that there is no Committee report that is, or will be, transmitted to the Senate regarding its proceedings on Judge Wesley's nomination and that the transcript of the "Executive Business Meeting" will not be publicly available for a year.

I have telephoned each of your offices yesterday and today for information about the Senate's calendaring of this nomination for debate and vote -- and to advise of the serious and substantial citizen opposition to Judge Wesley's confirmation (that should have been part of a Committee report, if there were one). This opposition is based on his "documented corruption as a New York Court of Appeals judge", as summarized by CJA's March 26, 2003 written statement, particularizing the documentary evidence.

CJA's enclosed letter of today's date to President Bush -- to which you are indicated recipients -- summarizes the pertinent facts pertaining to our March 26, 2003 written statement. Among these, that Senate Judiciary Committee counsel has NOT INVESTIGATED the statement and made FINDINGS based thereon, and that Chairman Hatch and Ranking Member Leahy have each wilfully ignored CJA's requests for their supervisory oversight of Committee counsel -- even to the limited extent of acknowledging that they themselves have personally reviewed the statement, as requested. Likewise, Home-State Senators Schumer and Clinton have each wilfully ignored CJA's requests that they personally review the statement and have made no comment about it.

Examination of CJA's document-substantiated March 26, 2003 statement readily reveals that it is dispositive of Judge Wesley's unfitness for ANY office of public trust -- and, certainly, for a federal judgeship. For this reason, CJA's letter to the President requests that he notify the Senate to defer its vote on Judge Wesley's confirmation so that his counsel, Alberto R. Gonzales, may himself personally review it. This, so as to verify that the nomination must be withdrawn, as our May 5, 2003 letter to the President had requested.

However, independent of the President notifying you to defer the Senate vote pending his counsel's personal review of CJA's March 26, 2003 statement, each of you, as the Senate's Majority and Minority Leaders, are duty-bound to yourselves personally

*Senate Majority Leader
First*

TRANSMISSION VERIFICATION REPORT

TIME : 06/06/2003 14:15

NAME : CJA

FAX : 9144284994

TEL : 9144211200

DATE, TIME	06/06 14:09
FAX NO./NAME	12022282574
DURATION	00:05:53
PAGE(S)	09
RESULT	OK
MODE	STANDARD ECM

*Senate Minority Leader
DASH*

TRANSMISSION VERIFICATION REPORT

TIME : 06/06/2003 14:23

NAME : CJA

FAX : 9144284994

TEL : 9144211200

DATE, TIME	06/06 14:18
FAX NO./NAME	12022246603
DURATION	00:05:44
PAGE(S)	09
RESULT	OK
MODE	STANDARD ECM