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BY E-MAIL & FAX (4 pages)

DATE: September 5, 2006

TO: **NIEMAN FOUNDATION AT HARVARD UNIVERSITY**

Robert Giles, Curator & Advisor to Nieman Watchdog Project
Nieman Fellows Answering the Nieman Watchdog Survey Question: "Do you have any practical suggestions for improving American political coverage in 2006?":

Peter A. Jay, Jonathan Z. Larsen, Karl Schoenberger, Bob Lancaster, Dori Maynard, Melvin Mencher, Ned Cline, Mark Seibel, Peggy Engel, Bill German, Saul Friedman, John Corr, Cornelia Carrier, Thrifty Umrigar, Valerie Hyman, Mark Jaffe, Edmund B. Lambeth, Katherine Harting, Bill McIlwain, Geneva Overholser, Henry Raymond, Bill Graves, Edwin Guthman, Peter Almond, Nancy Webb

Contributors to the Nieman Report "Journalists: On the Subject of Courage"/US:

Robert Giles, Jay Harris, Stephen G. Bloom, Marion Elizabeth Rodgers, Davis Merritt, Barry Sussman, Geneva Overholser, Charles Lewis, Walter Pincus, Doug Marlette, Laurel Leff, Gene Roberts, Hank Klibanoff, Hodding Carter III, Jim Boyd, Sheryl McCarthy, Dean Miller, Bill Wheatley, David A. Sylvester, Eli Reed

NIEMAN WATCHDOG PROJECT: Questions the Press Should Ask

Barry Sussman, Editor
Dan Froomkin, Deputy Editor
Murrey Marder, Founder & Advisor
Morton Mintz, Senior Advisor

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

RE: **THE COURAGE TO IMPLEMENT YOUR "PRACTICAL SUGGESTIONS FOR IMPROVING AMERICAN POLITICAL COVERAGE IN 2006"**

BRAVO to the Nieman Watchdog Project on its "practical suggestions" to the press for improving its 2006 political coverage¹ and to the Nieman Foundation for its current Nieman Report

¹ The original June 13, 2006 posting on www.niemanwatchdog.org entitled "Nieman fellows want a revolt against the 'he-said, she-said'" was reprised on September 2, 2006 as "A 2nd look at covering the 2006 elections".

“Journalists: On the Subject of Courage”.² However, without a show of courage from you, the press will NOT implement your “practical suggestions” – which is the reason we write. We urgently need your help in salvaging the public’s electoral rights, being subverted by a self-serving press.

The Center for Judicial Accountability, Inc. (CJA) is a national, non-partisan, non-profit citizens’ organization, based in New York. For 16 years, we have chronicled what is otherwise unbelievable to those indoctrinated in the gospel of a press acting as a “watchdog” to safeguard our democracy. Again and again – and through countless election cycles – we have documented that the press, from The New York Times on down, will NOT report on *readily-verifiable* documentary evidence of systemic governmental corruption involving the processes of judicial selection and discipline and our highest public officers, including those seeking re-election or further public office. This may be seen from our website, www.judgewatch.org – particularly the three uppermost sidebar panels, “Elections 2006: Informing the Voters”; “Press Suppression”; and “Suing The New York Times”.

As demonstrated, among the reasons why New York’s current electoral races for governor and U.S. senator are virtually non-competitive is that the press – now and since 1999 – has steadfastly refused to report on New York Attorney General Eliot Spitzer’s *readily-verifiable* record in office on issues of judicial selection, judicial discipline, and related government integrity issues. Likewise, now and since 2003, the press has steadfastly refused to report on Senator Hillary Rodham Clinton’s corresponding record, also *readily-verifiable*. This, with knowledge that such records would warrant criminal investigation and prosecution of Attorney General Spitzer and Senator Clinton for corruption. Indeed, the press has been so determined to cover up for these public officers and to clear the path for their political futures, including to the White House, that it will not even ask them the concise questions about these records, which we long ago and repeatedly provided them, together with the substantiating documentary proof.

We, therefore, request your assistance. Since you rightfully recognize that campaign reporting must be more issues-oriented and investigative – and that good questions are key to sound reporting – we ask that you show the courage of these convictions by using your enormous collective and individual resources to advance our unsuccessful citizen efforts to secure press coverage of the *readily-verifiable* records of Attorney General Spitzer and Senator Clinton with respect to judicial selection, judicial discipline, and related government integrity issues – and to obtain answers from them and other candidates to the specific, targeted questions about these records that we have identified. Such intervention by you – accomplished in so many different ways – can yet ensure that voters will have necessary information to make informed electoral choices – and not only in the 2006 New York elections, but in the critical run-up to the 2008 national election for president where Senator Clinton, aided by the press, long ago swamped Democratic rivals. What could be more essential in our democracy?

² “Journalists: On the Subject of Courage”, Neiman Reports, Vol. 60, No. 2 (summer 2006), accessible via the Nieman Foundation’s website, www.nieman.harvard.edu.

Additionally, we ask your assistance in developing honest, accurate scholarship about the U.S. press. This must include confronting such empirical “on the ground” evidence as our 16-year correspondence with it, exploding so many of the myths the press promotes about itself. It must also include our landmark public interest lawsuit against The New York Times for journalistic fraud, aimed at restoring the balance between the press’ First Amendment privileges and its First Amendment responsibilities. Our attempts to secure scholarship and discussion of these important primary source materials from our nation’s premier academic/research institutions – Harvard University’s Joan Shorenstein Center on the Press, Politics and Public Policy and Columbia University’s Graduate School of Journalism – and with professors of media law and the First Amendment at our nation’s top law schools, including Harvard and Columbia, have been ignored or dishonestly rebuffed, with no disclosure or acknowledgment of the myriad personal, professional, and financial relationships that these institutions and their faculty and staff have with the implicated press³. Our correspondence with them, as likewise with Tom Rosenstiel, Director of the Project for Excellence in Journalism, is accessible from our “Suing The New York Times” webpage *via* the link “Outreach: The Champions & Betrayers of Media Accountability, The First Amendment, & The Public Interest”. Such should be the starting-point for examination of how the academic/research community, which purports to assess journalistic adherence to professional and ethical standards and to train journalists, confronts its own conflicts of interests – with specific recommendations as to how it should be handling the conflicts arising in this situation.

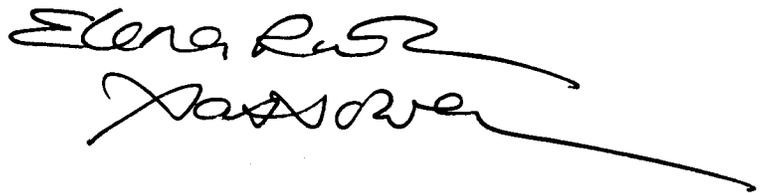
From this “Outreach” link, you will see that a whole host of scholars, media commentators, and others have been perfectly willing to abide by the catastrophic state of affairs we have documented, without the slightest concern for the demise of our democracy and rule of law – or the press’ flagrant contributory role. Among these: New York University journalism professor Jay Rosen, a “leading figure in the reform movement known as ‘public journalism,’ which calls on the press to take a more active role in strengthening citizenship, improving political debate and reviving public life”, and who formerly directed the Project on Public Life and the Press, funded by the Knight Foundation. Also, Philip Meyer, who holds the Knight Chair in Journalism at the University of North Carolina at Chapel Hill. Both Professors Rosen and Meyer are contributors to Nieman Watchdog.

We hope that another Nieman Watchdog contributor, Davis Merritt, who we have not before contacted⁴, will be more receptive, as we have read portions of his truly outstanding and frightening book, Knightfall: Knight Ridder and How the Erosion of Newspaper Journalism is Putting Democracy at Risk, as well as his noteworthy and inspiring contributor’s profile. That he is, additionally, a contributor to the current Nieman Report on courage gives us further hope.

³ This excepts the single candid disclosure by a single law professor (“I’m not sure why you think I’d be interested in assisting you to pursue a lawsuit against the NYTimes, when I represent journalists, including the NY Times”) – to which CJA responded by its March 24, 2006 memorandum to him and other law professors.

⁴ It was in trying to find Mr. Merritt’s contact information on the internet that we were directed to his listing as a Nieman Watchdog contributor.

We look forward to discussing the foregoing with you directly and thank you, in advance, for your anticipated assistance. Although you will need great courage to rise above your own innumerable conflicts of interest, such is compelled by journalistic and civic duty. Fortunately, this does not require you to put your lives at risk, as it does courageous journalists in foreign lands, currently meeting the challenge of the profession – or the countless Americans who are our soldiers, police officers, firefighters, medical personnel, or ordinary workers who must physically imperil themselves by “just doing their jobs”.

A handwritten signature in black ink, appearing to read "Elena Rus". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

cc: Joan Shorenstein Center on the Press, Politics and Public Policy:

ATT: Alex S. Jones, Director

Thomas Patterson, Bradlee Professor of Government and the Press

Frederick Schauer, Frank Stanton Professor of the First Amendment

Columbia University Graduate School of Journalism

ATT: Nicholas Lemann, Dean

Victor Navasky, Chairman/Columbia Journalism Review

Columbia Journalism Review Daily

Project for Excellence in Journalism:

ATT: Tom Rosenstiel, Director

Jay Rosen, professor of journalism, New York University

Philip Meyer, Knight Professor of Journalism, University of North Carolina/Chapel Hill

The Public