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February 11, 2003

The New York Times/Letters to the Editor

NOTE: Surely "FIXING ALBANY" cannot be done without publication of relevant letters to the editor. As the Times has yet to print any letters in response to Eleanor Randolph's "*The New York Process: How Not to Get Heard at a Legislative Hearing*" (Editorial Observer, 2/7/03), I have revised for clarity my proposed letter, submitted yesterday.

The factual particulars substantiating this proposed letter are contained, *inter alia*, in CJA's December 16, 2002 letter to Senate Majority Leader Bruno, *et al.* – faxed and e-mailed to you on December 26, 2002 in support of my proposed letter of that date, responding to James McKinley's news feature about Senate Majority Leader Bruno, "*The Odd Man Out in Albany's Triumvirate of Power*" (12/26/02).

A "hard copy" of that December 16, 2002 letter to the Senate Leadership, both Republican and Democratic, is in the possession of James McKinley, Gail Collins, and now Eleanor Randolph – annexed as A-12-33 to CJA's January 22, 2003 statement in opposition to Senate confirmation of Judge Susan Read to the Court of Appeals.

To the Editor:

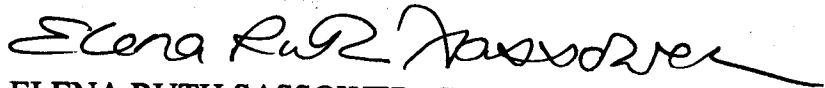
RE: "*The New York Process: How Not to Get Heard at a Legislative Hearing*" (2/7/03). The situation is even worse than your editorial so graphically describes.

Over the past eight years, the "hearings" of the State Senate Judiciary Committee to confirm hundreds of Governor Pataki's judicial nominees have been held with little or no notice to the public, without investigation by the Committee of citizen opposition of which it is apprised in advance of the "hearing", and without permitting such citizen opposition to be presented at the "hearing". The "hearings" -- brief and perfunctory -- end with the nominees

being unanimously approved and then rushed to the Senate floor for unanimous confirmation. This, amidst such claims from the Committee's Chairman that all speakers at the "hearing" had been "glowing" in their praise and that "exhaustive" inquiry was conducted. To cover up this fraud, the Committee secretes, if not destroys, the paper-trail of uninvestigated citizen opposition and requests to testify, in its possession.

The situation is equally dire in matters of judicial discipline. The Senate and Assembly Judiciary Committees have not held an oversight hearing of the New York State Commission on Judicial Conduct in over 15 years -- notwithstanding a 1989 report of the State Comptroller that the Commission was operating "without appropriate oversight" and that legislative change was required. No such legislative change was made.

"[T]he entire committee structure in Albany is notoriously fraudulent" precisely because minority and majority legislators have colluded to make it so. "Fixing Albany" requires the power of the press to expose this.



ELENA RUTH SASSOWER, Coordinator
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cc: BY E-MAIL

Eleanor Randolph, Editorial Board
Gail Collins, Editorial Page Editor
James McKinley, Albany Bureau Chief

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