



NINTH JUDICIAL COMMITTEE

Box 70, Gedney Station
White Plains, New York 10605-0070
Tele: (914) 997-8105 / Fax: (914) 684-6554

By Fax and Mail
212-621-1679

October 26, 1992

Sam Boyle, Bureau Chief
Associated Press
50 Rockefeller Center
New York, New York 10020

Dear Mr. Boyle:

This letter is written pursuant to the telephone advice of Jim Fitzgerald, who was good enough to speak with me in your absence. Mr. Fitzgerald suggested that I make a written request for the AP story that I had requested from you when we spoke by phone on Friday, September 25th.

As you will recall from our conversation, an AP story was written by Kim Mills in late June-early July--which we believe was based upon our critique to the Senate Judiciary Committee, documenting the failure of the judicial screening process through a case study of the district court nomination of Andrew O'Rourke. At the time the story was written, Ms. Mills had a copy of the critique in her possession--which I discussed with her in at least one lengthy telephone conversation.

In mid-July, when I called Ms. Mills to follow-up on her interest in our critique, she stated that she had just written a story which had gone over the NY wire. However, Ms. Mills would not supply us with a copy and said that we would have to find it in the newspapers because the AP feed was available only to subscribers. We were unsuccessful in locating the story in the local newspapers.

On September 25th, I had occasion to speak with William Glaberson of The New York Times about an article he had written on Mr. O'Rourke's judicial nomination. When I complained to him that certain information therein appeared to have been taken from our critique--without attribution to us--Mr. Glaberson stated that such information was "public knowledge" and that he had gotten it from an AP story.

Mr. Glaberson's response prompted me to immediately call Ms. Mills to inquire whether the story she had written on the O'Rourke nomination had included an attribution to us. Ms. Mills told me she did not recall--and reiterated that she could not supply us with a copy of the story.

I understood from our detailed telephone conversation on September 25th that you would let me know whether we could have a copy of the story. Although on October 6th Ms. Mills returned our critique--which, before I spoke with you, she had refused to do--she did not mail us a copy of her story on the O'Rourke nomination.

So that you can appreciate our feelings in this matter, the critique which Ms. Mills reviewed represented a six-month investigative effort by private citizens, working completely pro bono.

Since we have been waiting patiently for Ms. Mills' story, we would be appreciative if you would give our request your priority attention.

Yours for a quality judiciary,



ELENA RUTH SASSOWER, Coordinator
Ninth Judicial Committee