

Subj:	Vindicating the Rights of Long Islanders to be Heard
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From:	Judgewatchers
To:	alex.martin@newsday.com
CC:	rick.brand@newsday.com
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TO: Alex Martin, Assistant Managing Editor
Newsday

[Indicated 11 pages enclosures by fax: 631-843-2953] *

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

RE: Vindicating the Rights of Long Islanders to Be Heard in Opposition to
Albany Deal-Making in Long Island Judgeships

DATE: December 23, 2002

4:15 PM
12/23/02 13 pages
By Fax
to
Alex Martin,
Asst.
Managing
Editor
Newsday

Attached is CJA's 11-page December 16th letter to the Senate leadership, which I extensively discussed with Rick Brand on that date, e-mailing and faxing him copies. Also attached is CJA's December 16th transmittal letter to Senate Judiciary Committee Chairman Lack.

CJA's extraordinary letter to the Senate leadership -- a copy of which was sent to every state Senator -- was reduced to one-line at the end of Mr. Brand's December 19th column, "On Lack, NY Pols Vacate Judgement", acknowledging that it asked "for a 30-day delay so there could be time to scrutinize Lack's record and give the public a chance to speak." Altogether omitted, however, was any mention of the fact that the presented serious and substantial opposition to Senator Lack's confirmation to a judgeship, based on his official misconduct as Chairman of the Senate Judiciary Committee.

Except for Mr. Brand's December 19th column, I do not believe Newsday provided its Long Island readers with any report of Senator Lack's confirmation to a Long Island judgeship. Yet Mr. Brand only passingly mentioned the confirmation, which had taken place two days before. Certainly, no one reading the column would know that the Senate Judiciary Committee's "hearing" on Senator Lack's confirmation was *without* notice to the public, *without* permitting opposition testimony, *without* asking him a single question, including as to any of the multiple rage incidents reported by Newsday, and *without* a stenographic record being made.

With all respect, something is awry at Newsday that it did not provide its Long Island readership with contemporaneous news coverage on December 17th and 18th of the judicial confirmation of a Long Island Senator for a Long Island judgeship -- especially as the consequence of such *without* notice, rushed confirmation was that Long Islanders were prevented from coming forward with opposition testimony based on their direct, personal experience with Senator Lack's rage -- as presumably some would have wished to do, much as, a year and a half earlier, Long Islanders had come "out of the woodwork" in response to Newsday's coverage of Senator Lack's road rage incident.

Obviously, a Newsday reporter needed to be "on the scene" in Albany. For sure, I did all in my power to provide Mr. Brand, who was in Melville, with a direct, first-hand account of what was taking place, including by a lengthy voice mail message I left for him when I telephoned from Newsday's Albany Bureau on December 17th, shortly following the Senate's confirmation vote.

There is a HUGE story here -- including of the readily-verifiable fact that the Governor's State Judicial Screening Committee's "highly-qualified" rating of Senator Lack for his Long Island judgeship is "rigged". I discussed this at length with Mr. Brand on December 19th, explaining to him that, for starters, he should telephone Lore Von Hoffen and the other victims of Senator Lack's road rage, whose names appeared in Newsday stories and verify that they were never contacted by the State Judicial Screening Committee. If that

is the case, the State Judicial Screening Committee did not conduct the "thorough inquiry", expressly required by its rules. Indeed, CJA has long documented that the "highly qualified" ratings are "rigged" because the Governor's Judicial Screening Committees deliberately fail to pursue obvious sources of adverse information about the candidates whose qualifications they purport to review.

By fax, I will send you the 11 pages of enclosures to CJA's December 16th letter to the Senate leadership. After you read the letter and enclosures, I trust you will agree that Newsday owes its Long Island readership an investigative expose of the crass behind-the-scenes political machinations that produced Senator Lack's nomination and confirmation to a Long Island judgeship -- and strong editorials based thereon. In so doing, Newsday can perform a mighty public service in leading the way for necessary and far-reaching reforms.

Please let me hear from you so I know how to proceed. Needless to say, I would like to schedule a meeting at Newsday so that I can provide Mr. Brand or any other reporter as may be assigned this important story with a copy of the massive documentation pertaining to Senator Lack's official misconduct as Chairman of the Senate Judiciary Committee, reflected by CJA's December 16th letter to the Senate leadership .

Thank you.

Elena Ruiz
Sassone

Alex Martin
Asst. Managing
Editor
Newsday

TRANSMISSION VERIFICATION REPORT

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FAX : 9144284994
TEL : 9144211200

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