

CENTER for JUDICIAL ACCOUNTABILITY, INC.

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9 pages

March 25, 1996

Ms. Kimberly Schaye
Daily News
3rd Floor LCA Room
State Capitol Building
Albany, New York 12224

Dear Kimberly,

Congratulations on your fine article, "Panel Hunting Duckman Targeted", appearing in today's Daily News--and thank you for the "top billing" you gave us in your third paragraph.

We hope your article will be the "kick-off" for a prize-winning Daily News' series about the Commission on Judicial Conduct, since you only grazed the surface in describing, as criticism of the Commission, that it is "too secretive, too slow to act and too quick to dismiss cases".

As you know, our February 20, 1996 letter to Mayor Giuliani, called upon him to refer the Commission for criminal investigation. For that reason, we transmitted to him the file of our legal challenge to the Commission, documentarily proving that the Commission covers up and protects powerful, politically-connected judges.

More recently, in a March 18, 1996 letter to the President of the Association of the Bar of the City of New York, we described the Commission as "not merely dysfunctional, but corrupt". A copy of that letter, which we also sent to pivotal bar and government leaders, among them, Governor Pataki and Mayor Giuliani, is enclosed.

Indeed, we must vigorously take issue with Professor Gillers' quote in your article that "the secrecy makes it impossible to know if the commission is doing a good job". THIS IS JUST NOT TRUE.

As pointed out in our Letter to the Editor, "Commission Abandons Investigative Mandate", published in the August 14, 1995 New York Law Journal, we have pierced that secrecy. We have accomplished this by building an archive of duplicate copies of judicial misconduct complaints that have been filed with the Commission. Additionally, the Commission's subversion of its statutory

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mandate is readily verifiable by comparing Judiciary Law §44.1 with the Commission's self-promulgated rule (22 NYCRR §7000.3). This is what our legal challenge to the Commission is all about.

On that subject--and so that you may better understand the worthlessness of Professor Gillers' comments--I enclose a copy of my March 18th letter to him.

We look forward to your follow-up of this dynamite story which can and, rightfully, should, bring down the Commission on Judicial Conduct.

Yours for a quality judiciary,



ELENA RUTH SASSOWER, Coordinator
Center for Judicial Accountability, Inc.

Enclosures

cc: Professor Stephen Gillers
Assembly Judiciary Committee
Patricia Gorman, Counsel

We had a two hour meeting with four counsel of the Assembly Judiciary Committee last October. They have a duplicate of the file of our case against the Commission, as well as copies of our voluminous correspondence with various agencies of government about the fraudulent dismissal of the case. May I suggest that you call Patricia Gorman, Esq.? (518-455-5462).