



NINTH JUDICIAL COMMITTEE

Box 69, Gedney Station  
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FAX COVER SHEET

(3<sup>50</sup>)

9/9/93

4:30 p.m.

DATE \_\_\_\_\_ TIME \_\_\_\_\_

THE NEW YORK TIMES  
Letter to the Editor

TO: \_\_\_\_\_

212-556-3690 (tele: 212-556-1873)

FAX NUMBER: \_\_\_\_\_

23

This fax consists of a total of \_\_\_\_\_ pages, including this cover sheet. If you do not receive the indicated number of pages, or if there is a question as to the transmittal, please call (914) 997-8105.

Doris L. Sassower, Director

FROM: \_\_\_\_\_

Dear Editors:

Should you wish to see the documents referred to in my statement to the Senate Judiciary Committee, please let me know and we will make them available to you.

4 pm. spoke to May Dravin



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212-556-3690

September 9, 1993

Letters to the Editor  
The New York Times  
227 West 43rd Street  
New York, New York 10036

Dear Editor:

The Times' September 8th story, "Judge Levine Is Confirmed to the Court of Appeals", failed to report that there was any opposition to his confirmation, the nature thereof, or the disturbing facts as to what took place at the purported "public hearing" before the Senate Judiciary Committee immediately prior to his confirmation.

The ostensible purpose of the "public hearing" was to receive information from the public about Judge Levine's qualifications and to afford the public the opportunity to hear such testimony. That "hearing", conducted at tax-payers' expense, was not supposed to be a ceremonial exercise where only one-sided testimonials are allowed and opposing or rebuttal testimony is suppressed.

Our non-partisan, grass-roots citizens group, formed in 1989 to improve the quality of the judiciary, came to testify in opposition to confirmation--making a 300-mile round-trip to Albany for that purpose. We brought with us a written statement, a compendium of documents, and relevant court files relating to a public interest case, Castracan v. Colavita, in which Judge Levine had participated when he sat on the Appellate Division, Third Department. That case, of a highly political nature, was spearheaded by our Committee and handled by me as counsel, pro bono. Our documentary submission to the Senators as to what was done by Judge Levine in that matter required deferment of Senate confirmation, pre-set to proceed immediately following the hearing.

Instead, the all-male 15-member Senate Judiciary Committee refused to permit me to give the specific factual proof of Justice Levine's disqualifying judicial misconduct, although my testimony was based on my direct personal knowledge and supported by my extensive credentials as an expert in the field of judicial selection. These include eight years of service as the first woman member of the Judicial Selection Committee of the New York State Bar Association, evaluating the qualifications of every judicial candidate from 1972-1980 for the Court of Appeals, the Appellate Divisions, and the Court of Claims. Rather than welcoming such important citizens' contribution to the process,

I was silenced after ten minutes and threatened with physical removal unless I ceased my testimony--the only testimony being presented in opposition to confirmation.

Any objective review of my written statement and the extensive documentation proffered would show that the Senate Judiciary Committee's duty was not to stop me, but rather to stop the unashamedly "rubber-stamp" confirmation that was taking place.

The public has a right to all the facts--not only the favorable ones--concerning Judge Levine, and to be informed as to the thoroughly dishonest and undemocratic manner in which his Senate confirmation was rammed through, in his presence and with his tacit approval.



DORIS L. SASSOWER  
Director, NINTH JUDICIAL COMMITTEE