

CENTER for JUDICIAL ACCOUNTABILITY, INC.

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1 page

TO: The New York Times, Metro Desk
ATT: Joyce Purnick, Editor
Jerry Gray, Political Affairs Editor

FROM: Elena Ruth Sassower, Coordinator

DATE: September 10, 1998

RE: Electorally-significant -- AND UNREPORTED -- issues of government integrity in the race for New York State Attorney General

Faxed herewith is a typewritten duplicate of my handwritten note, transmitting materials which I hand-delivered for you yesterday.

"Just as judicial corruption was properly an issue in the 1994 Attorney General's race (See NYT, Op-Ed ad, 10/26/94, "Where Do You Go When Judges Break the Law?"), so it is, again, in this electoral season where the all-important race for Attorney General is now heating up.

The enclosed cert petition and supplemental brief detail the serious allegations of official misconduct by the Attorney General in the §1983 federal action, referred to in CJA's NYLJ ad, "Restraining 'Liars in the Courtroom' and on the Public Payroll", 8/27/97, pp. 3-4. Copies of both ads are enclosed, as is the notice we distributed at today's City Bar/NYLJ forum.

If it is your intention to suppress coverage and here, too, deprive the public of the information it needs to make an informed electoral choice, please forward this note and enclosed materials to Mr. Sulzberger so there is no doubt as to where the ultimate responsibility for the betrayal of the public trust lies."

Elena Ruth
Sassower

ABILITY, INC.

E-Mail: judgewatch@aol.com
Web site: www.judgewatch.org

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Elena Rapp
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Elena Ruth Sassower, Coordinator

IS CASE FILE EVIDENCE OF JUDICIAL CORRUPTION AND COLLUSION BY THE STATE ATTORNEY GENERAL "TOO HOT" FOR THE CANDIDATES?

The four candidates for the Democratic nomination for State Attorney General all agree on the important nature of the Attorney General's duties as "the People's Lawyer" and "guardian of the public trust". But not one of them has -- as yet -- raised as a campaign issue that Attorney General Vacco has subverted, by litigation fraud and misconduct, essential legal remedies designed to protect the public from abusive and corrupt government action, Article 78 and 42 U.S.C. §1983.

Such subversion -- in the context of two state Article 78 proceedings and a §1983 federal action against high-ranking state judges and the NYS Commission on Judicial Conduct -- was detailed in a lengthy and prominently-placed public interest ad, "*Restraining 'Liars in the Courtroom' and on the Public Payroll*", published in the New York Law Journal on August 27, 1997. The ad particularized a *modus operandi* of litigation fraud and misconduct by which the Attorney General has covered up state judicial corruption, including the retaliatory use of the state's attorney disciplinary law to silence a judicial whistleblower -- which the judiciary, state and federal, have covered up by fraudulent decisions. Emphasized throughout the ad is that these serious allegations are all verifiable from the *readily-accessible* case files. For that purpose, the court index and docket numbers were supplied by the Center for Judicial Accountability, Inc. (CJA), the non-partisan, non-profit citizens' organization, which ran the ad -- at a cost of over \$3,000.

The forum's organizers and candidates are all knowledgeable of the ad. Indeed, the organizers, the Law Journal and City Bar, were long ago provided with copies of the file of the §1983 federal action, to which the ad refers. In that case, Mr. Vacco has not only defended, with litigation fraud and misconduct, the high-ranking state judges sued, but also G. Oliver Koppell, who, during his tenure as Attorney General, relied on litigation fraud and misconduct to subvert an Article 78 proceeding against those very judges. The case is now before the U.S. Supreme Court -- and the forum's organizers, as well as the candidates, have each been provided with the *unopposed* cert petition and supplemental brief. As pointed out in our transmittal coverletter, the significance of the case is that, if exposed, both Mr. Vacco and Mr. Koppell would not only be defeated electorally, but indicted and disbarred. This, in addition to a substantial number of state and federal judges, who would be indicted, disbarred, and removed from office. A copy of our July 27, 1998 criminal complaint, filed with the U.S. Justice Department, is included in the appendix to the supplemental brief [SA-47].

To facilitate that exposure -- and prevent the re-election of Mr. Vacco, the front-runner in polling results in today's Law Journal -- CJA has brought copies of the cert petition and supplemental brief to this debate for distribution to the media and others. The public must be protected!

Elena Ruth
Sassower