

## CENTER for JUDICIAL ACCOUNTABILITY, INC.

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*Elena Ruth Sassower, Coordinator*

### BY PRIORITY MAIL

October 24, 2003

Mr. Nat Hentoff  
37 West 12<sup>th</sup> Street  
New York, New York 10011

RE: Beyond Judge Pickering – The Times' Suppression of the ANY Story about the Corruption of Federal Judicial Selection/Confirmation -- and the Pivotal Roles of Senators Schumer & Clinton

Dear Mr. Hentoff:

Thank you for setting the record straight by your important articles exposing the distortion of the true facts by The New York Times editorial board and Senator Schumer to thwart District Judge Pickering's Senate confirmation to the Fifth Circuit Court of Appeals. You would be doing a great public service by following up with the far more devastating evidence as to the dishonesty of this pair on matters relating to federal judicial selection – dishonesty that encompasses the Times' "first-rate legal affairs reporter", and includes Senator Clinton.

At your request, enclosed is CJA's pertinent correspondence with The Times. Most important is our June 11, 2003 memorandum-complaint to its editorial board, sent also to its Washington Bureau, entitled:

"The Scandal of Federal Judicial Selection in the Second Circuit and the Betrayal of the People of New York by New York Senators Schumer & Clinton – as *Readily-Verifiable* from the "Paper Trail" of Primary-Source Materials Posted on the Home-Page of [www.judgewatch.org](http://www.judgewatch.org)."

To date, there has been NO response – a fact highlighted by our subsequent June 19, 2003 letter to Allan Siegal; our August 26, 2003 letter to Jill Abramson; and finally, our September 25, 2003 letter to Bill Keller, which requests, absent a response, that the June 11, 2003 memorandum-complaint be referred to the yet-to-be-appointed public editor/ombudsman as his/her "FIRST order of business". Also enclosed is our October 13, 2003 letter to Mr. Keller, whose page 30 further identifies The Times' protectionism of Senator Schumer from any critical coverage, let alone neutral examination, of his deal-making with the White House and Governor Pataki on Second Circuit judgeships –

illustrative of a pattern of coverage, paving the way to his re-election in 2004.

The *primary source materials* from the homepage of our website, underlying this correspondence with The Times, are also enclosed, as is a print-out of the homepage as an inventory. Senators Schumer and Clinton were recipients of these materials and their depraved, despicable role in triggering and facilitating my arrest on a completely malicious "disruption of Congress" is best particularized by my May 21st letter to Senator Schumer's office, whose concluding sentence reads, "Thankfully, the election of Senators does not give them 'lifetime' tenure" and by my May 21<sup>st</sup> fax to Senator Clinton's office, similarly asserting, "This is surely a story for Senator Clinton's New York constituents – as well as any citizen who might passingly consider voting for her in a presidential run..."

I would expect to subpoena both Senators Schumer and Clinton to testify at my criminal trial, presently scheduled for January 14, 2004 – and hope you will be there. Meantime, I enclose my June 16th memo to Ralph Nader, Public Citizen, and Common Cause about the catalytic significance of the case for advancing long ago made, but unimplemented, recommendations for non-partisan, good-government reform of federal judicial confirmation.

Your coverage can vindicate the public's rights – and make far-reaching reform happen. Federal judicial selection is only the start. The enclosed primary source materials show that Senators Schumer and Clinton, as likewise the Senate Judiciary Committee and Senate leadership, have long had notice that the mechanisms of federal judicial discipline and removal are wholly corrupted<sup>1</sup>. Of course, since the breathtaking story of the corruption of federal judicial selection herein presented arises from the corruption of New York's own processes of selection and discipline of state judges, covered up by Senators Schumer and Clinton who are in possession of the decisive case file proof, your coverage will also spur necessary major reform of those critical state processes as well.

You may be assured of our complete cooperation.

Yours for a quality judiciary,

ELENA RUTH SASSOWER, Coordinator  
Center for Judicial Accountability, Inc. (CJA)

Enclosures

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<sup>1</sup> See our April 23, 2003 letter to Senator Schumer; our April 23, 2003 letter to Senator Clinton; our May 21, 2003 memo to Capitol Police Detective Zimmerman (enclosing a copy of our July 3, 2001 letter to Senator Schumer (at pp. 16-18)); our June 4, 2003 memo to Senator Kennedy, at pp. 5-10. See, also, our March 26, 2003 written statement to the ABA and City Bar (Exhibit "F-2": "*Without Merit: The Empty Promise of Judicial Discipline*", *The Long Term View*, Massachusetts School of Law, vol. 4, no. 1, summer 1997).