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BY FAX: 212-824-1950 (13 pages)

January 6, 2000

Eric Effron, Editor

Brill's Content

521 Fifth Avenue, 11th Floor

New York, New York 10175

ATT: Gernell Welcher, Assistant

RE: CJA's "Long-Lost" Story Proposal:

Is *The New York Times* too good for a news
ombudsman or other complaint mechanism?

Dear Ms Welcher:

Following up our phone conversation earlier this afternoon, enclosed, for your convenience, are CJA's three letters to *Brill's Content*, to which we received two letters of response:

- (1) CJA's hand-delivered July 8, 1998 letter to Michael Kramer, Editorial Director, presenting our story proposal that *Brill's Content* examine "the media's failure to embrace the valuable [news] ombudsman concept by focusing on its rejection by *The [New York] Times*". *The Times'* failure to establish *any* alternative mechanism for addressing legitimate complaints against it was demonstrated with *primary source materials*: our EIGHT-YEAR correspondence with *The Times*, including *four* documented complaints to its publisher, Arthur Sulzberger, Jr. – copies of which we transmitted to *Brill's Content* in a box, fully organized and inventoried.
- (2) Michael Kramer's August 10, 1998 letter: "We'll take a look when we have time";

- (3) CJA's faxed January 5, 1999 letter to Mr. Kramer's assistant, Amy DiTullio, reiterating the continued relevance of CJA's July 8, 1998 story proposal and offering further substantiating correspondence with the *Times*;
- (4) CJA's hand-delivered July 19, 1999 letter to Eric Effron, Editor, drawing to his attention that more than a year had elapsed since our July 8, 1998 story proposal, without any decision from *Brill's Content* about it;
- (5) Mr. Effron's July 23, 1999 letter: "Because of limited editorial resources, we are not able to pursue the story at this time. We'll keep your material on hand for future consideration."

Although I appreciate your confirmation that *Brill's Content* still has the boxload of materials we hand-delivered with our July 8, 1998 story proposal – indeed, that it is in "the front closet" – it is long past time that *Brill's Content* recognized that if its mission truly is, as it purports, "to hold the media accountable", the first step should be to examine whether -- and to what extent -- the various media have structural mechanisms, such as "news ombudsmen", news councils, and complaint procedures to foster that accountability. *The New York Times* IS the place to start.

CJA would welcome the opportunity to make a personal presentation to the editors of *Brill's Content*. This, to expedite their review of the boxload of materials substantiating our July 8, 1998 proposal – as well as of CJA's subsequent correspondence with *The Times*, including with Mr. Sulzberger.

To date, the boast of *Brill's Content* to "bring the media's free ride to a screeching halt" has not had the slightest effect in deterring the *Times* from continuing to wilfully violate its most fundamental journalistic responsibilities to the public it purports to serve. Only the establishment of a "news ombudsmen" or other such mechanism can do that. Assuredly, it will require coverage of its scandalous absence at *The Times* for this to happen.

Yours for a quality judiciary,
And responsible journalism,



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

Enclosures