

CENTER for JUDICIAL ACCOUNTABILITY, INC.

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Elena Ruth Sassower, Coordinator

BY CERTIFIED MAIL/RRR: P801-449-691

July 15, 1998

Mr. Charlie Rose
c/o Channel 13
356 West 58th Street
New York, New York 10019-1804

RE: Follow-up and Informational Requests

Dear Mr. Rose:

On May 8, 1997, you moderated a program at the 92nd Street Y in which *New York Times* publisher Arthur Sulzberger, Jr. spoke. Following your dialogue with Mr. Sulzberger, the program was opened to questions from the audience. I was one of the questioners you recognized.

My question to Mr. Sulzberger was why the *Times* has no news ombudsman and whether this reflects Mr. Sulzberger's view that there can be no legitimate complaints against the *Times*. You publicly stated that this was a very good question.

Mr. Sulzberger's public response -- and my subsequent private exchange with him when I went up to him at the close of the program -- is recited at the outset of my February 12th letter to him, as well as at pages 3-4 of my July 8th letter to Michael Kramer, Editorial Director of *Brill's Content*. You are indicated recipients of both those letters -- and they are enclosed.

Should you wish to see the substantiating enclosures to those letters, I would be pleased to provide them to you so that you can verify for yourself the deceitfulness of Mr. Sulzberger's May 8th public response and of his February 18th note responding to my February 12th letter.

You may recall that at the end of the program, I went up to you, identified myself as having asked the news ombudsman question, and gave you a copy of the informational brochure of the Center for Judicial Accountability, Inc. (CJA) -- the non-partisan, non-profit citizens' organization of which I am co-founder and coordinator. Enclosed is another copy of CJA's brochure, together with CJA's most recent public interest ad, "*Restraining 'Liars in the Courtroom' and on the Public Payroll*" (8/27/97, New York Law Journal). The electoral significance of that \$3,000 ad is highlighted at footnotes 10 and 16 of our February 12th letter. As may be inferred from Mr. Sulzberger's February 18th note, he believes that the information the ad presents is not "news" about which the public needs to know and that the *Times* has exercised proper "judgment" in suppressing EVERY aspect of it from coverage.

EX 'K-3'

July 15, 1998

Assuredly, in the long-run of your Channel 13 television show guests have discussed issues of media accountability. Has there been discussion of news ombudsmen and news councils? If so, we would appreciate knowing when those shows aired, who were the guests, and whether a tape or transcript of the show is available.

Of course, since CJA focuses on issues of judicial selection and discipline, we also would be interested in knowing whether you have had shows in which those topics were discussed by your guests. CJA has been documenting the dysfunction, politicization, and corruption of these essential processes -- including on the national level. As illustrative of how scandalous and dangerous to the public the situation is -- and to what your interest in developing shows devoted to these issues -- enclosed is the statement we presented last month to the House Judiciary Committee, to which is appended our published article, "*Without Merit: The Empty Promise of Judicial Discipline*" (The Long Term View (Massachusetts School of Law), Vol. 4, No. 1 (Summer 1997)).

By copy of this letter to Mr. Sulzberger, we are enclosing such statement and attached article *specifically* so that he can pass it on to his editors for their "judgment" as to whether the information it presents meets the *Times* undefined standard of "news". We believe the *Times*' response, if any, should greatly interest *Brill's Content*. We are, therefore, also sending a copy to Mr. Kramer, as well as to Bill Kovach, *Content*'s news ombudsman, who was formerly chief of the *Times*' Washington, D.C. Bureau.

Thanking you, in advance, for your anticipated response to our informational inquiries,

Yours for a quality judiciary
and responsible journalism,



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

Enclosures:

- (a) CJA's 2/12/98 ltr to Mr. Sulzberger
- (b) CJA's 7/8/98 ltr to Mr. Kramer (with Mr. Sulzberger's 2/18/98 note attached)
- (c) CJA's 6/98 statement to the House Judiciary Committee, with published article, "*Without Merit: The Empty Promise of Judicial Discipline*"

cc: Arthur Sulzberger, Jr., Publisher, *The New York Times*

[By certified mail/rrr: Z-203-707-610]

Michael Kramer, Editorial Director, *Brill's Content*

Bill Kovach, Ombudsman, *Brill's Content*