

CENTER for JUDICIAL ACCOUNTABILITY, INC.

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BY FAX: 518-426-6904 (6 pages)

BY CERTIFIED MAIL/RRR: 7000-1670-0007-9431-9950

December 19, 2001

New York State Senate Judiciary Committee
The Capitol, Room 413
Albany, New York 12247

ATT: Susan Zimmer, Clerk

RE: F.O.I.L. Request to Inspect Documents from the Record of the Senate Judiciary Committee's January 27, 1987 "Public Hearing to Consider the Nomination of JOSEPH W. BELLACOSA as an Associate Judge to the New York State Court of Appeals"

Dear Ms. Zimmer:

Pursuant to of the Freedom of Information Law (F.O.I.L.) [Public Officers Law, Article VI, §88], the Center for Judicial Accountability, Inc. (CJA) requests to inspect documents submitted to the Senate Judiciary Committee in opposition to the confirmation of Joseph W. Bellacosa as an Associate Judge to the Court of Appeals.

In particular, CJA requests to inspect documents submitted by the two witnesses who testified in opposition to Judge Bellacosa's confirmation at the January 27, 1987 hearing on his nomination, *to wit*, Bernard Hanft and George Sassower.

According to pages 114 and 136-137 of the transcript of the January 27, 1987 hearing, Acting Chairman John Dunne stated that the correspondence of Mr. Hanft and Mr. Sassower with the Committee relative to Judge Bellacosa had been made "part of this record". For your convenience, copies of those pages are enclosed.

Pursuant to F.O.I.L. [Public Officers Law §89.3], your response is required within five business days of receipt of this written request.

Thank you.

Yours for a quality judiciary,

A handwritten signature in black ink that reads "Elena Ruth Sassower". The signature is written in a cursive style with a long horizontal flourish at the end.

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

Enclosures

THE
STENOGRAPHIC RECORD

BEFORE THE NEW YORK STATE SENATE STANDING
COMMITTEE ON JUDICIARY

In the Matter

-of-

a Public Hearing to Consider the Nomination
of JOSEPH W. BELLACOSA as an Associate Judge
of the New York State Court of Appeals.

PROCEEDINGS:
January 27, 1987

PAULINE E. WILLIMAN
CERTIFIED SHORTHAND REPORTER
447 LOUDONVILLE ROAD
ALBANY, NEW YORK 12211

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dated January 10th.

SENATOR DUNNE: May I interrupt you please, Mr. Hanft.

MR. HANFT: Huh?

SENATOR DUNNE: May I interrupt you please, sir?

MR. HANFT: Yes.

SENATOR DUNNE: Your extensive correspondence, including your letter of January 10th plus your letter of January 16th and letter of January 19th have been made a part of this record. I wonder if perhaps, in the interest of time, Mr. Hanft, if you might divert from the letters themselves and perhaps you could focus in exactly on what you want this committee to focus on with regard to the qualifications of the judge for this position.

MR. HANFT: No, I would rather read my statement.

SENATOR DUNNE: Then time constraints will not allow it. I want to extend you every proper courtesy, but I can tell you now that it is not the intention of the

SENATOR DUNNE: Professor or --

MR. SASSOWER: Please, all I'm asking you as a starter --

SENATOR DUNNE: Mr. Sassower, pardon me, sir, I would ask you to observe the rules of this Senate hearing.

MR. SASSOWER: Absolutely.

SENATOR DUNNE: Mr. Sassower, you extended to this committee the courtesy of having filed with us in advance of today certain letters on your attorney's letterhead, a five-page letter dated January 1, 1987, a two-page letter dated January 13, a four-page letter dated January 19, and a one-page letter dated January 1st and January 22nd.

MR. SASSOWER: I think there's some more in the mail.

SENATOR DUNNE: I beg your pardon, sir?

MR. SASSOWER: I think there are some more in the mail.

SENATOR DUNNE: All right, Fine, sir. Mr. Sassower, these have become a part of

the record of this court, and I have admired your skill and your devotion in presenting this case to us. Will you please conclude your remarks and tell us exactly what it is that you feel this committee should do.

MR. SASSOWER: O.K. I think this committee -- and I have said this to counsel, I don't think this committee should question Judge Bellacosa on this matter. I think Judge Bellacosa should come -- be forthright with this committee, bring his file and whatever investigation they made. I think there's nothing, because I speak to that office. I plead with this committee that they should plead with Judge Bellacosa.

There is no question an accounting is due. I'm sick and tired of being thrown in jail for making a motion for accounting. I ask Judge Bellacosa as chief administrative judge, particularly since he's tying up the attorney, the Attorney General's office, please get me an accounting, an accounting will take two hours. I'll give him

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The Capitol, Room 413
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12247

2. Article Number (Copy from service label)
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