

ROLL CALL

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Letter to the Editor by Elena Ruth Sassower

Correcting the Record

I was wrongfully convicted of "disruption of Congress", which you reported on April 21 ("Jury Convicts Judiciary Protestor"). Contrary to your story, I never "argued" that "the right of citizens to testify at public hearings... 'is not and must never be deemed to be a disruption of Congress.'" Indeed, your quotes were only around the second half of that supposed argument.

What I actually argued was that "a citizen's respectful request to testify at a congressional committee's public hearing is not -- and must never be deemed to be -- 'disruption of Congress'". This was obscured by the prosecution, which, without any basis in fact, painted me as someone who "did not follow the rules", further alleging that I "broke the law by loudly disrupting a U.S. Senate Judiciary hearing".

In fact, more than two months before the committee's May 22, 2003 hearing to confirm New York Court of Appeals Judge Richard Wesley to the 2nd U.S. Circuit Court of Appeals -- and in conjunction with my request to testify in opposition, as coordinator of the national, non-partisan, non-profit citizens' organization, Center for Judicial Accountability, Inc. (CJA) -- I asked the committee, in writing, for its rules, procedures, and standards. None were supplied, just as the committee never sent a letter denying my request to testify. Nor did anyone in authority at the committee deny the request orally. More seriously, no committee counsel ever called me, let alone interviewed me, about the case-file documents I had hand-delivered to the committee two and a half weeks before the hearing to substantiate CJA's particularized written statement as to Judge Wesley's readily verifiable corruption as a judge on New York's highest state court in two public-interest cases affecting the rights and welfare of the people of New York. Committee underlings refused to even give me the names of reviewing counsel -- and my many, many phone messages to speak to such unidentified counsel and to others in authority at the committee and in the offices of Chairman Orrin Hatch (R-Utah) and Ranking Member Patrick Leahy (D-Vt.) were unreturned.

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This scandalous state of affairs, where the Senate Judiciary Committee wilfully ignores evidence of nominee unfitness in order to consummate the political deals which Senators make over judgeships, is chronicled in fact-specific correspondence I sent to Hatch and Leahy, as well as to New York Sens. Charles Schumer (D) and Hillary Rodham Clinton (D) and the Capitol Police prior to the hearing. It is posted on the home page of CJA's Web site, www.judgewatch.org, under the heading, "Paper Trail Documenting the Corruption of Federal Judicial Selection/Confirmation and the 'Disruption of Congress' Case it Spawned".

As to what took place at the Judiciary Committee's May 22, 2003 hearing, the best evidence is the videotape. The second best evidence is the official transcript. Both are posted at the top of CJA's home page – with an analysis of each. Such analysis highlights – apart from my correspondence – the tell-tale signs, revealed by the video, that "the Committee's leadership 'set me up' to be arrested".

On June 1, I will be sentenced to jail for up to six months for my words at the hearing. These words, not uttered by me until after the presiding chairman, Sen. Saxby Chambliss (R-Ga.), had already adjourned the hearing, were: "Mr. Chairman, there's citizen opposition to Judge Wesley based on his documented corruption as a New York Court of Appeals judge. May I testify?" Hatch and Leahy, Schumer and Clinton – and, of course, Chambliss – all of whom invoked their immunities under the Speech and Debate Clause to quash my subpoenas for their testimony at trial -- should be asked how much jail time they deem appropriate for such a concocted "crime".

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