

# Defiance Leads to Cellblock

## Senate Disruptor Won't Apologize

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All Elena Sassower had to do was say she was sorry.

A jury had found her guilty in April of disrupting Congress, and yesterday a judge told her that she could be placed on probation and avoid a jail term—if she would agree to apologize for her conduct last spring at a Senate Judiciary Committee hearing.

But she refused to comply.

Even before D.C. Superior Court Judge Brian F. Holeman could finish outlining the proposed penalty, Sassower scoffed at the notion of writing apology letters to officials including Sens. Saxby Chambliss (R-Ga.) and Orrin G. Hatch (R-Utah).

"I am not remorseful," she interjected. "I will not lie."

And so, she said, there will be no letters: "They will not be sent because they will not be written."

It was the same sort of brassy defiance that Sassower—a New York-based advocate for judicial accountability and integrity—displayed when she was on trial, accused of disrupting a confirmation hearing in May 2003 for a federal appeals court judge. Not only did she contest the charges, she also challenged the actions of the court, clashing repeatedly with Holeman, so much so that at one point he ordered her locked up for the lunch hour.

So yesterday, when the judge gave her one last chance at probation, asking if she would accept his conditions—the apologies, the community service, the anger management counseling and the order to stay away from the Capitol—her reply was almost predictable.

"No," said Sassower, 48, who represented herself during the trial and again at the sentencing.

Instantly, Holeman ordered her jailed for a six-month term, double the time he would have been willing to suspend had she agreed to his terms.

"Once again," he told her, "your pride has gotten in the way of what

With that, a marshal led Sassower to the cellblock behind the courtroom, her first stop en route to jail.

A co-founder of the Center for Judicial Accountability, Sassower tried to turn her misdemeanor case into a forum for how the country chooses federal judges. She contended that the public has too little input in the selection. Her arrest came after she demanded to be heard at a Senate Judiciary hearing on the nomination of Richard Wesley, a judge on New York's highest court, to the 2nd Circuit of the U.S. Court of Appeals.

In court and in letters to public officials, Sassower has alleged that her arrest stemmed from a conspiracy to keep her silent. She recently expressed an interest in performing community service to fulfill her sentence—if it called for her to work with the judiciary committee to reform the judicial selection process.

Yesterday's swift lockup seemed to take many in court by surprise—from the total strangers who happened upon the spectacle to a handful of Sassower supporters. "Can't you guys help get her out?" a woman asked reporters outside the courtroom. She would not identify herself, saying she feared she would be targeted by the government.

Down the hall, the prosecutors, Assistant U.S. Attorneys Jessie K. Liu and Aaron H. Mendelsohn, said the sentence spoke for itself.

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