

## CENTER for JUDICIAL ACCOUNTABILITY, INC.

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BY CERTIFIED MAIL/RRR: 7002-2030-0007-8572-9082

February 3, 2006

John Spencer, Candidate for U.S. Senate  
P.O. Box 864  
Yonkers, New York 10702-0864

RE: Informing the Voters: Senator Hillary Rodham Clinton's *readily-verifiable* corruption in office, as evidenced by her record on judicial selection and discipline – covered up by an election-rigging press

Dear Mr. Spencer:

As you know, the Center for Judicial Accountability, Inc. (CJA) is a national, non-profit, non-partisan citizens' organization, based in New York, working to ensure that the processes of judicial selection and discipline are effective and meaningful.

This letter is occasioned by the February 1<sup>st</sup> New York Times article, "*Clinton Raises Millions More as G.O.P. Strains to Field a Challenger*", by Raymond Hernandez, reporting – yet again -- on Senator Clinton's "enormous" fundraising in absolute terms and as compared to you, over whom she has an "enormous lead" in the polls.

Please be advised that more than six months ago, by letter dated July 29, 2005, CJA explicitly notified The Times' highest echelons – with a copy to Mr. Hernandez -- that Senator Clinton's fund-raising would tumble, as likewise her poll numbers, if the public were informed of her record with respect to judicial selection and discipline. As to that record, it criminally implicates Senator Clinton in the corruption of the processes of judicial selection and discipline, on both federal and New York State levels – rightfully ending her re-election to the Senate this year and her prospective run for the presidency in 2008. The Times has known this since June 2003 -- with Mr. Hernandez himself knowing it since April 2004.

CJA's website, [www.judgewatch.org](http://www.judgewatch.org), posts the substantiating primary source documents -- most conveniently accessed *via* the sidebar panel, "Elections 2006: Informing the Voters". A click will bring you to a link for a "Paper Trail of Senator Clinton's Corruption in Office" and, additionally, to a link entitled "Press Protectionism of Senators Schumer & Clinton", chronicling Times' protectionism of Senator Clinton, in tandem with its protectionism of her Senate colleague, Charles Schumer, with whom she has collusively acted in betraying the People of the State of New York and the nation.

Of course, The Times is not alone in protecting Senator Clinton from scrutiny as to her record in corrupting, and in perpetuating the corruption of, the processes of judicial selection and discipline. The list of New York media includes The New York Law Journal and The Village Voice, each of which published letters to the editor from me about their defamatory and cover-up reporting, the former of which was quite explicit as to the electoral ramifications to Senator Clinton of examining the pertinent primary source documents. These two published letters, as likewise my published letter to the editor of the capitol hill newspaper, Roll Call, are enclosed for your convenience.

A more particularized summary of Senator Clinton's official misconduct -- as committed on her behalf by her former counsel Leecia Eve, who, until this week, was a candidate for the Democratic nomination for Lieutenant Governor -- is set forth by CJA's January 27<sup>th</sup> memo to Dr. Jon Cohen, also a candidate for the same nomination until this week. Posted on the "Elections 2006" page itself, the memo will enable you to understand that an expose of Senator Clinton's record on judicial selection and discipline will, by the very same documentary evidence, bring down Attorney General Eliot Spitzer -- the otherwise all-but-certain next Governor of New York -- as well as his hand-picked choice for Lieutenant Governor, State Senate Minority Leader David Paterson, whose announcement last week caused Ms. Eve and Dr. Cohen to drop out.

In the interest of good government, we would be pleased to facilitate your review of this *readily-verifiable* documentary evidence by providing you with hard copies -- and request to meet with you to make a personal presentation as to its dispositive, election-altering significance. With such irrefutable evidence in-hand, you can make a powerful, history-making contribution to restoring competition to New York's 2006 electoral races and to bringing to office worthy public servants truly dedicated to governmental integrity and the public welfare.

Yours for a quality judiciary,  
governmental integrity, and meaningful elections,



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

cc: New York Times Executive Editor Bill Keller  
& the following indicated recipients of CJA's July 29, 2005 letter to him:  
Arthur Sulzberger, Jr., Publisher  
Jill Abramson, Managing Editor for Newsgathering  
Allan M. Siegal, Standards Editor  
Jonathan Landman, Deputy Managing Editor  
Philip Taubman, Washington Bureau Chief  
Gail Collins, Editorial Page Editor (for sharing with ALL Editorial Board members)  
Marek Fuchs  
Raymond Hernandez

# New York Law Journal

Wednesday, May 19, 2004



## LETTERS

*To the Editor*

### Portrayal in News Item Found 'Denigrating'

Last month, an important case in which I was the criminal defendant went to trial in Washington, D.C. At issue was what took place at the U.S. Senate Judiciary Committee's May 22, 2003, public hearing to confirm President George Bush's nomination of New York Court of Appeals Judge Richard C. Wesley to the Second Circuit Court of Appeals.

Although a lengthy front-page article appeared in *Legal Times*, owned by American Lawyer Media, the same parent company as owns the *New York Law Journal*, the *Law Journal* did not run it. Instead, it ran a scurrilous front-page "News in Brief" item, "Sassower Faces Charges of Disrupting Congress" (April 12), whose most false and defamatory assertion is directly refuted by the *Legal Times* article.

According to the *Law Journal* item, I both "spoke out" and "was arrested for attempting to speak during the confirmation hearing without being invited to do so." It then continues "She contends she simply wanted to speak her mind..."

No sane professional would "contend[]" she simply wanted to speak her mind" — a portrayal reinforcing the item's denigrating opening description that I have "made a career of challenging alleged corruption in New York Courts." The inference is that I am pursuing, in an individual capacity, "alleged" corruption that may be only "in my mind."

Conspicuously omitted — as likewise from the front-page "New in Brief" item, "Sassower Found Guilty of Disrupting Congress" (April 21) — are my professional title and organizational affiliation. No editorializing was needed for the *Law Journal* to plainly state that I am coordinator and co-founder of the Center for Judicial Accountability Inc. (CJA) — a national, non-partisan, non-profit citizens' organization.

For more than a decade, CJA has been documenting the dysfunction, politicization and corruption of the closed-door processes of judicial selection and discipline by advocacy that is scrupulously evidence-based. Indeed, upon Mr. Bush's nomination of Judge Wesley, I personally prepared a fact-specific March 26, 2003, written statement particularizing the case-file evidence establishing Judge Wesley's corruption on the New York Court of Appeals in two major public interest cases, resulting in vast, irreparable injury to the People of New York. I then hand-delivered this statement — including the substantiating case-file documents — to the American Bar Association and Association of the Bar of the City of New York, to Senators Schumer and Clinton, and to the Senate Judiciary Committee. None made any findings of fact and conclusions of law with respect thereto. Nor did they — or Judge Wesley, to whom I sent a copy of the statement — ever deny or dispute its accuracy in any respect.

As to what I "contend" I said and did at the Senate Judiciary Committee hearing, the *Legal Times* got it right:

"According to Sassower, she read from a prepared statement: '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?'"

Judge Wesley's "documented corruption:" — covered up by the bar associations, Senators Schumer, Clinton, and the Senate Judiciary Committee, among others — is a major political scandal, yet to be reported. Its explosive ramifications would rightfully derail Senator Schumer's re-election campaign and Senator Clinton's talked-about future candidacy for president. Fortunately, readers do not have to rely on the *Law Journal*, but can verify this for themselves. The substantiating primary source documents — including the unrefuted and irrefutable March 26, 2003, statement — are posted on the homepage of CJA's Web site, [www.judgewatch.org](http://www.judgewatch.org), under the heading "Paper Trail Documenting the Corruption of Federal Judicial Selection/Confirmation and the 'Disruption of Congress' Case it Spawned."

**Elena Ruth Sassower,**  
Coordinator, Center for Judicial  
Accountability, Inc. (CJA)

# Letters

## Activists, judges

I am the subject of “The Scourge of Her Conviction” by Kristen Lombardi [February 2–8], purporting to be about my arrest, conviction, and six-month incarceration on a “disruption of Congress” charge. Such a story shamelessly covers up the corruption of federal judicial selection involving a Who’s Who of the high and mighty in New York and Washington. It hardly befits a newspaper that holds itself out as maintaining a tradition of “no-holds-barred reporting and criticism.”

Among the high and mighty who get off “scot-free” or virtually so: senators Schumer and Clinton. Your story makes it appear that they—and likewise the U.S. Senate Judiciary Committee—could freely ignore documentary evidence of corruption by New York Court of Appeals judge Richard Wesley, which I presented to them weeks before the committee’s May 22, 2003, hearing to confirm his nomination to the Second Circuit Court of Appeals. Indeed, you nowhere identify that senators Schumer and Clinton were duty bound to examine that evidence and had the power to

prevent the nomination from proceeding to a hearing. Nor do you mention that the nomination was the product of a political “agreement,” announced by Senator Schumer in a press release—let alone explore Governor Pataki’s role in that “agreement.” Omitted is that Judge Wesley was a pal of the governor from their days in the New York legislature and the governor’s first appointee to the New York Court of Appeals. Also omitted is the Center for Judicial Accountability’s evidence-based assertion that the nomination was a “payback” to Judge Wesley for having protected Governor Pataki in a politically explosive public interest lawsuit directly implicating him in the corruption of the State Commission on Judicial Conduct and “merit selection” to the New York Court of Appeals.

As to the documentary evidence of Judge Wesley’s corruption in that lawsuit, you make no qualitative assessment—and garble what Judge Wesley did and what the lawsuit was about. Indeed, you so completely protect the guilty that you do not call the commission by its name, but euphemistically refer to it as “the state’s judicial-review board.”

Senator Schumer is a Harvard Law School graduate, Senator Clinton a graduate of Yale Law School. What were their findings of fact and conclusions of law with respect to what you describe as the “27-page memorandum that outlined, in meticulous detail, the center’s opposition”? And why has the *Voice*, which has a copy of that March 26, 2003, memorandum and the pertinent substantiating evidence of Judge Wesley’s misconduct in the commission case and in an earlier case challenging the constitutionality of billions of dollars of New York bonds, not itself come forward with findings of fact and conclusions of law?

That you smear me as a “pest” and otherwise besmirch my proper and professional advocacy only further underscores your betrayal of fundamental standards of journalism. *Voice* readers can judge this for themselves by examining the paper trail of documents pertaining to the “disruption of Congress” case, posted on the center’s website, [judgewatch.org](http://judgewatch.org).

**Elena Ruth Sassower**  
Coordinator, Center for  
Judicial Accountability Inc.  
White Plains, New York

## Correcting The Record

I was wrongfully convicted of "disruption of Congress," which you reported on April 21 ("Jury Convicts Judiciary Protester"). 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, nonpartisan, nonprofit citizens' organization Center for Judicial Accountability, Inc. — 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 doc-

uments I had hand-delivered to the committee two and a half weeks before the hearing to substantiate CJA's particularized written statement as to 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.

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](http://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 or 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."

**Elena Ruth Sassower**  
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# ROLL CALL

Established 1955

[www.rollcall.com](http://www.rollcall.com)

Monday, May 10, 2004 • Vol. 49, No. 121

An Economist Group business