

CENTER for
JUDICIAL
ACCOUNTABILITY



Box 69, Gedney Station • White Plains, New York 10605-0069
TEL: 914/997-8105 • FAX: 914/684-6554

BY FAX: 212-696-9147
AND BY HAND

August 4, 1994

Hon. Karen Burstein
c/o Morris & Carrick
432 Park Avenue South
Suite 1206
New York, New York 10016

Dear Karen:

Following up our telephone conversation this afternoon, I reiterate that what I have to offer you will give you more than the "money and bodies" you are looking for. It is an issue which will expose the extent to which Mr. Koppell, in his brief tenure as our State's highest legal officer, has betrayed the public trust for his own private gain and self-interest by a knowing cover-up of judicial corruption--of which I gave him documentary evidence.

From the time he took office back in January, I notified Mr. Koppell that a major scandal, akin to a "judicial Watergate", existed in the Appellate Division, Second Department and that the Attorney General's Office was in complicity with a cover-up by the judges of that court.

My extraordinary correspondence--consisting of a dozen separate letters to Mr. Koppell personally and to closest members of his executive staff--is annexed to my submissions to the Court of Appeals¹. They have to be read to be believed--as do the underlying disciplinary files under A.D. #90-00315, which were hand-delivered to Mr. Koppell on March 8, 1994 (Supp. Exh. "7"), and which, as I stated to him, constitute:

"prima facie, if not conclusive, evidence that [his] judicial clients have wilfully misused their office as part of an on-going criminal conspiracy to use the court's disciplinary powers for ulterior and retaliatory purposes". (Supp. Exh. "4"; 2/6/94 ltr, at p. 2).

¹ See Mr. Schwartz' 3/14/94 ltr to the Court of Appeals: Supp. Exhs. "2", "4", "5", "6", "7", "8", "9"; and my 7/19/94 reargument motion: Exhs. "M", "N", "O", "P", "R".

After you have digested the extraordinary documents contained in the within transmittal--which I hope you will do personally--I will provide for you an exact copy of the files that I furnished to Mr. Koppell² so that you can verify for yourself that you have before you a scandal of the first magnitude which could, and should, end Mr. Koppell's candidacy.

As you will see from the papers transmitted, Mr. Koppell has taken the position in the Court of Appeals that it is perfectly proper for his judicial clients, the justices of the Appellate Division, Second Department, to have decided my Article 78 proceeding against them--and that there should be no right of appellate review from the decision which they, predictably, made in their own favor, granting the motion of their own attorney, the Attorney General, to dismiss.

Such position, advanced by Mr. Koppell, is more than frivolous and in bad faith. It is absolutely dangerous and frightening. In one fell swoop, Mr. Koppell has destroyed the very foundation on which our judicial process rests: a fair and impartial tribunal and the Article 78 vehicle designed to ensure it.

Mr. Koppell--put to any public debate--could not defend such indefensible position. Nor could he justify his failure to review the files I provided him and his countenancing of outright lies and misrepresentations by his staff counsel about the content of files they had never read.

Issues of documented judicial corruption and the complicity of Mr. Koppell as Attorney General can readily be grasped by the average voter, who will be rightfully outraged and incensed by what has transpired under Mr. Koppell's stewardship.

Such issues will electrify the public and make the race for Attorney General "the most exciting show in town". Your leadership in bringing these truly scandalous matters to the campaign will establish you as a courageous candidate, not beholden to either the Democratic or Republican machine, one who is ready to clean our governmental house from top to bottom.

For your information, I enclose a copy of my biographic listing in Martindale-Hubbell's Law Directory. As you may already know, I was a leader of the women's movement before the movement was recognized. It would, therefore, be particularly gratifying to me if a woman--such as yourself--would lead the way to good and honest government in our State.

2 See Inventory annexed to Supp. Exh. "7".

August 4, 1994

As the record in my Article 78 proceeding unequivocally shows, Mr. Koppell, for all his professed concern for ethics and integrity in government, has proven himself to be part of the "old boys" network, which has corrupted our democratic process.

Yours for a quality judiciary,



DORIS L. SASSOWER

DLS/er

- Enclosures:
- (a) 1/24/94 Jurisdictional Statement
 - (b) 3/14/94 letter of Evan Schwartz, Esq.
 - (c) 7/19/94 Reargument Motion
 - (d) Martindale-Hubbell's Law Directory listing