

CENTER *for* JUDICIAL ACCOUNTABILITY, INC.*

Post Office Box 3002
Southampton, New York 11969

Tel. (631) 377-3583
Fax (631) 377-3582

E-Mail: cja@judgewatch.org
Website: www.judgewatch.org

Elena Ruth Sassower, Director

JOURNAL NEWS: May 6, 2009 article
“Hecklers try to derail new judge” (newspaper)
“White Plains woman heckles city judge during confirmation” (website)

ANALYSIS: Introduction

As hereinafter demonstrated, the article prominently featured in The Journal News’ May 6, 2009 newspaper as “*Hecklers try to derail new judge*” (Exhibit A-1, page A-3, top) and on its www.lohud.com website as “*White Plains woman heckles city judge during confirmation*” (Exhibit A-2) by reporter Keith Eddings is knowingly false and misleading, intentionally crafted to defame me and my mother, while simultaneously concealing the issue of legitimate public concern we sought to expose: the corruption of the judicial appointments process to White Plains City Court, as established by primary-source documentary evidence.

Mr. Eddings was an eye-witness to the tail-end of that corrupted process. He observed the Common Council’s May 4, 2009 regular stated meeting during which only a single candidate was nominated: incumbent White Plains City Court Judge Brian Hansbury, thereupon immediately confirmed by a Common Council unanimous vote and sworn in by the Mayor. He also observed the citizens’ half-hour preceding the meeting and heard what I and my mother stated about the earlier stages of the process.

Following our oral presentations – and before the Common Council meeting started – Mr. Eddings came up to us and we gave him, *in hand*, copies of our prior correspondence to the Mayor, Common Council, and Corporation Counsel, substantiating and elaborating upon what we had publicly stated about the process and Judge Hansbury’s unfitness. (Exhibits B, C, D, E, & F).

The next day, May 5th, Mr. Eddings phoned me at approximately 1:30 p.m. and – in response to my question as to whether he had read the correspondence – complained it was “all about process”. What Mr. Eddings wanted to know, instead, was why my “landlord” wanted to evict me. Despite my protest that this was irrelevant and that his story should be about “the process by which White Plains gets its City Court judges” because this was what the public

* **Center for Judicial Accountability, Inc. (CJA)** is a national, non-partisan, non-profit citizens’ organization, working to ensure that the processes of judicial selection and discipline are effective and meaningful. Its administrative/corporate office is in White Plains, New York.

needed to know and what I and my mother had spoken about in the citizens' half-hour that he had witnessed, Mr. Eddings defiantly told me that he would decide what to write as a story.

I thereupon telephoned Deputy Managing Editor Bob Fredericks, as he is listed on the lohud.com website as in charge of both Westchester "local news" and "criminal justice"¹. After he confirmed that he is one of Mr. Eddings' editors, I related to him my concerns about the story Mr. Eddings was writing. I then left a voice mail message for Mr. Eddings. I also sent three e-mails to Mr. Fredericks, with copies to Mr. Eddings (Exhibits G-1, G-2, G-3).

The three e-mails are herein reproduced, as they underscore the knowing and deliberate defamation that Mr. Eddings and his editor, Mr. Fredericks, intended by The Journal News' May 6, 2009 article and their wilful cover-up of issues of legitimate public concern: the misfeasance, nonfeasance, and malfeasance of the executive and legislative branches of our White Plains City government, undermining its judicial branch with corrupt judges who use their judicial power for ulterior, retaliatory purposes.

E-MAIL #1, entitled "How White Plains Gets Its City Court Judges", sent to Mr. Fredericks, with a copy to Mr. Eddings at 2:55 p.m. (Exhibit G-1):

"Dear Mr. Fredericks,

Following our phone conversation together, I promptly called Mr. Eddings, but only got his voice mail, on which I left a message.

So that there is no confusion as to what Mr. Eddings is writing about Judge Hansbury's reappointment yesterday: The story that he should be presenting to Journal News readers is about the process by which White Plains gets its City Court judges – about which I spoke yesterday in the citizens' portion of the Common Council meeting, at which Mr. Eddings was present. DOES HE HAVE A TAPE?

The story is NOT about the particulars of the 'landlord-tenant' case that was before Judge Hansbury, which is what Mr. Eddings wanted to know about when he phoned me, importuning me to answer why my 'landlord' wanted to evict me. How outrageous!

The only thing that readers need to know about that case is what I stated at the hearing – (1) that I have direct, first-hand experience of Judge Hansbury's corruption on the bench – and that his corruption, along with that of Senior Judge Friia, resulted in my being dispossessed from my home of 21 years. Specifically, Judge Hansbury rendered two fraudulent decisions in the case, unfounded in fact and law and knowingly so – and such is verifiable from the casefile record, a copy of which I hand-delivered to the Mayor's office, along with a copy of my perfected appeals therefrom, on March 23rd under a letter of that date.

I provided Mr. Eddings with a copy of that IMPORTANT March 23rd letter to the Mayor, as likewise: (a) my March 20th letter to Corporation Counsel; (b) my April 30th memo to the Mayor & Common Council (attaching my April 29th letter to Corporation Counsel); and (c) my May 4th letter to the Mayor & Common Council. These are a breathtaking WINDOW into the COMPLETELY-CLOSED judicial appointment process to the White Plains City Court. They are all also posted on CJA's website, www.judgewatch.org, accessible via the top panel 'Latest News', which links to a

¹ The Journal News' "How to Reach Us" listing in the May 6, 2009 newspaper – on the same page 3 as "*Hecklers try to derail new judge*" – lists Mr. Fredericks as responsible for "local news" (Exhibit A-1).

webpage entitled 'The Corruption of the Judicial Appointment Process to White Plains City Court'. Accessible from that webpage are the substantiating casefile record and appellate briefs DOCUMENTARILY ESTABLISHING the fraudulence of Judge Hansbury's two judicial decisions.

Among the serious questions that Mr. Eddings should be investigating for Journal News readers is whether – as I stated at the Common Council meeting yesterday -- such corroborating casefile, as likewise my correspondence, was withheld from the Judicial Screening Committee, thereby rendering its (confidential) report endorsing Judge Hansbury's reappointment, VOID and a NULLITY.

I look forward to working with The Journal News in developing an expose of how White Plains gets its City Court judges. Mine is NOT the only case of Judge Hansbury's corruption. My mother also sought to present at yesterday's meeting as to a case involving here. Indeed, as part of the appointment process, White Plains should have – but did not -- solicit public comment about Judge Hansbury's performance on the bench, including by notices in the Journal News and elsewhere.

Indeed, White Plains also did not advertise the vacancy in the Journal News. How many lawyers do you think applied -- & were passed over in favor of Judge Hansbury? -- the only candidate nominated at yesterday's Common Council meeting.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
631-377-3583”

(underlining and capitalization in the original)

E-MAIL #2, sent three minutes later (2:58 p.m.) to Mr. Fredericks, with a copy to Mr. Eddings, was entitled “Please forward me – elena@judgewatch.org” and continued (Exhibit G-2):

“a copy of the e-mail I just sent, as I neglected to make a copy.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc.

631-377-3583
elena@judgewatch.org”

E-MAIL #3, entitled “Addendum: How White Plains Gets Its City Court Judges”, was sent at 3:13 p.m. to Mr. Fredericks, with a copy to Mr. Eddings. It retransmitted my first e-mail, prefaced by the message (Exhibit G-3):

“I see I do have a copy of this, after all.

Upon re-reading it, I would like to add that not only was the 'judicial appointment process' the focus of my remarks at yesterday's Common Council meeting, but Mr. Eddings' comment to me, when he called, was to complain that the copies of the correspondence I had given him yesterday was mostly about 'process'. Indeed, NONE of my correspondence -- including my

March 23rd letter to the Mayor, transmitting the casefile and appellate papers -- presents such personal specifics as Mr. Eddings wanted to know. They are irrelevant, as I told him.

By the way, all such correspondence, as likewise my appearance at yesterday's Common Council meeting, was as director & co-founder of the Center for Judicial Accountability.

Elena Sassower, Director
Center for Judicial Accountability"

This May 5th contact with Mr. Fredericks was not the Center for Judicial Accountability's first notice to Journal News editors that the process by which White Plains gets its City Court judges was a crucial story for the newspaper to be reporting. Six weeks earlier, on March 22nd, the same day as The Journal News' editorial "*More light on 'sunshine'*" about "Sunshine Week", which it described as "a commemoration initiated by publishers and newspapers that has emphasized the public's right to know about its government and its workings.", and declaring "Open government is essential if democracy is to thrive." (Exhibit H-1), CJA's President and co-founder, Doris L. Sassower – who is my mother – responded. In addition to posting a comment on the lohud.com blog (Exhibit H-2), she sent the following to The Journal News (Exhibit H-3):

"We applaud Journal News' 3/22/09 editorial Views on state and federal efforts to open up government by more transparency and access to information. But how about some 'sunshine' in local government, which operates as if still in the Dark Ages?

White Plains has a vitally important local issue to publicize: the upcoming vacancy on the White Plains City Court bench. Let's have a little sunshine on the subject of how White Plains citizenry get its City Court judges and how they comport themselves, starting with reference to our website <http://www.judgewatch.org/web-pages/cja/latest-news.htm>.

'Sunshine Week' provides the perfect occasion not only for local government to change their unacceptable old standards to reflect the openness of changing times, in particular, by local newspapers informing their readers as to the fitness of local judicial candidates.

On Monday morning, March 23, 2009, our Director Elena Ruth Sassower, named by White Plains Citizen Net Reporter 'White Plains Person of the Year 2004' as 'Defender of the Constitution,' will be hand-delivering to Mayor Delfino and the six other Common Council members the record on appeal from two 'fraudulent judicial decisions' rendered by incumbent White Plains City Court Judge Hansbury in landlord-tenant proceedings, ultimately resulting in her wrongful eviction from her White Plains co-op apartment, her home for 21

years. Such appeal-generating, egregiously-erroneous judicial decisions were the retaliatory end product of Judge Hansbury's demonstrated bias and interest. (More to come as to Judge Hansbury's judicial derelictions in other cases, as well as those of other City Court judges.)

She will also deliver documents showing how Mayor Delfino's Corporation Counsel has attempted to thwart legitimate access to such basic information as to when Judge Hansbury's term expires, which she was told would not be disclosed without her making a written FOIL request. Likewise, her further requests for information concerning the Mayor's Judicial Screening Committee and its procedures. Such FOIL requests she was further told she could not even serve by fax, but only personally or by certified mail.

Elena will be available for interviews in White Plains tomorrow after noontime by calling her cell phone: 646-220-7987.

Doris L. Sassower
C-Founder and President
Center for Judicial Accountability, Inc. (CJA)
Tel: 914-421-1200 Fax: 914-684-6554
www.judgewatch.org

This e-mail constituted both a letter to the editor and proposal for coverage. The Journal News' response to it and to CJA's written Freedom of Information Law (FOIL) requests and other correspondence chronicling the corruption of the judicial appointment process, featured on the "Latest News" webpage of CJA's website under the heading "Welcoming Sunshine!" – was Mr. Eddings' knowingly false and defamatory May 6, 2009 article, covering up the People's right to know how their local White Plains government operates. Such contrasts, dramatically, with The Journal News' reporting less than a week and a half later by none other than Mr. Eddings, whose May 14, 2009 article entitled "*Council's actions questioned*" in the newspaper version (Exhibit I-1) and "*State: White Plains Common Council's executive session on the budget was illegal*" on its lohud.com website (Exhibit I-2)², was followed, the next day, by an editorial "*Wrong advice*" (Exhibits I-3, I-4) – the lead editorial on May 15, 2009 – indignant over the Common Council's closure of what should

² On that same May 14, 2009 date, a further article appeared under Mr. Eddings' by-line, "*Party chief contacts White Plains Dems over schools race*" (Exhibit J), reporting on e-mails sent by the White Plains Democratic leader to 75 district leaders "questioning the qualifications of a candidate in a nonpartisan school board race who ran as a Republican for Common Council two years ago". This also sharply contrasts with Mr. Eddings' May 6th article (Exhibit A), which reported on none of my extensive faxed and hand-delivered correspondence to the Mayor, Common Council, and Corporation Counsel, nor on my mother's hand-delivered e-mail, challenging Judge Hansbury's qualifications (Exhibits B, C, D, E, F).

have been a public meeting, purportedly on advice of White Plains Corporation Counsel. This, over and beyond its contrast to the prizes and other recognition The Journal News has received for its “Your Right to Know” series and projects and similar journalism focused on “Let[ting] the Sun Shine In” and Freedom of Information, such as listed on its website (Exhibit K)³.

* * *

ANALYSIS

Titles: *“Hecklers try to derail new city judge”* (newspaper)
 “White Plains woman heckles city judge during confirmation” (website)

The word heckle means “to harass (a public speaker, performer, etc) with impertinent questions, gibes, or the like; badger” and its synonyms are “bait, provoke, needle, hector, hound” [www.dictionary.com].

Paragraph 1:

“White Plains. A city woman jailed by Congress for interrupting a judicial confirmation took on the Common Council and a city judge this week, when she talked through Mayor Joseph Delfino’s request to take a seat, heckled the judge during his confirmation by the council, then pursued him out of City Hall.”

To buttress his false depiction of me as unruly and heckling “during” Judge Hansbury’s confirmation, Mr. Eddings begins his article by gratuitously identifying me as having been “jailed by Congress for interrupting a judicial confirmation”. This is false.

I was completely silent during the judicial confirmation hearing that resulted in my being “jailed by Congress”— as verifiable from the videotape of the U.S. Senate Judiciary Committee’s May 22, 2003 public hearing to confirm the nomination of Richard Wesley to the Second Circuit Court of Appeals.⁴

I was also completely silent six years later “during” Judge Hansbury’s May 4, 2009 confirmation. This, too, is verifiable from a videotape – made by the White Plains Cable Television Department of the Common Council’s meeting of that date.

³ The Journal News’ webpage of “Awards and Contest Winners” on its lohud.com website (Exhibit K) indicates that it has not been updated for more than three years – since July 13, 2006.

⁴ The videotape and transcript are posted on CJA’s website, www.judgewatch.org, accessible via the sidebar panel “Disruption of Congress”.

As Mr. Eddings knows – but conceals – my statements to the Common Council and Mayor on May 4th were prior to the Common Council meeting. Mr. Eddings also conceals why: the Common Council scheduled no public hearing on Judge Hansbury’s reappointment, unlike other agenda items. Instead, it required persons with anything to say about Judge Hansbury’s reappointment to do so in the citizens’ half-hour preceding the Common Council meeting.

This citizens’ half-hour is neither televised live nor re-broadcast, in contrast to the live telecasting and month-long re-broadcasting of the Common Council’s regular stated meetings on Public Access Channel 75. This enables the Common Council and Mayor to “stage” proceedings for television viewers, who would reasonably believe Judge Hansbury’s reappointment was unopposed – a fact Mr. Eddings does not report.

My first words at the lectern in the May 4th citizen’s half-hour were a respectful request to testify under oath as to Judge Hansbury’s documented corruption as a White Plains City Court judge.

Similarly, my words at the May 22, 2003 Senate Judiciary Committee hearing were a respectful request to testify in opposition to Judge Wesley’s confirmation based on his documented corruption as a New York Court of Appeals judge. This request “interrupt[ed]” nothing – as the May 22, 2003 hearing had already been announced “adjourned” by the Senate Judiciary Committee’s presiding chairman.

Mr. Eddings does not reveal the source for his identifying me as having been “jailed by Congress for interrupting a judicial confirmation”. Nor does he disclose how I had publicly identified myself on May 4th, *to wit*, that I am director and co-founder of the Center for Judicial Accountability, Inc., a nonpartisan, non-profit citizens’ organization documenting judicial corruption and, specifically, the corruption of the processes of judicial selection and discipline.

By thus eliminating my affiliation and credentials, Mr. Eddings concealed that I spoke for more than myself and that I have professional qualifications enabling me to give expert evaluation of Judge Hansbury and the judicial screening process.

As for Mr. Eddings’ characterization that I “took on” the Common Council and Judge Hansbury, his three particulars are each false.

First, I did not “talk[] through Mayor Joseph Delfino’s request to take a seat” – inferring that I ignored it. Rather, I sat down – and, to the extent such was not instantaneous, my responsive exchange with the Mayor presented issues of legitimate public concern – which should have been reported, both with regard to what I said and the Mayor’s reply.

Second, I did not “heckle[] the judge during his confirmation”. During Judge Hansbury’s confirmation I was completely silent – as verifiable from the

Cable Television Department video.

Third, I did not “pursue[]” Judge Hansbury “out of City Hall” and Mr. Eddings provides no source for such scurrilous claim.

Paragraph 2:

“The fireworks began even before Judge Brian Hansbury arrived in the council chambers Monday when Elena Sassower asked the council to reject Hansbury’s renomination and instead turn him over to prosecutors for the corruption and conflict of interest she alleges he demonstrated in his 2007 decision to evict her and her mother from their Lake Street apartment of 21 years.”

Mr. Eddings’ editorializing of “fireworks” connotes an explosive spectacle. However, he does not quote anything I said or that the Mayor and Common Council members said “even before Judge Hansbury arrived in the council chambers”. Had he done so readers might understand the shocking spectacle of misfeasance, malfeasance, and nonfeasance by our public officers, which Mr. Eddings witnessed, but did not report.

As for his paraphrase that I asked that Judge Hansbury’s appointment be rejected and that he be turned over to prosecutors, Mr. Eddings gives only a single specific: that I stated that Judge Hansbury had demonstrated his “corruption and other conflict of interest” by “his 2007 decision to evict [me] and my mother from [our] Lake Street apartment of 21 years”. This is false. There is no 2007 decision of Judge Hansbury evicting us – and I never stated there was. What I stated was that Judge Hansbury had demonstrated his corruption by two fraudulent decisions, each unfounded in fact and law and knowingly so – in which Judge Jo Ann Friia was a collusive partner – resulting in my being dispossessed from my home of 21 years.

The willfulness of Mr. Eddings’ false reporting of what I specified as Judge Hansbury’s on-the-bench corruption is reinforced by the copies of the correspondence I gave him, especially my March 20th letter to Corporation Counsel (Exhibit B, p. 2) and my March 23rd letter to the Mayor (Exhibit C, pp. 1-2), my phone conversation with Mr. Eddings on May 5th, and the first of my subsequent May 5th e-mails to his editor, Mr. Fredericks, with a copy to him (Exhibit G-1). All emphasized that Judge Hansbury had rendered two fraudulent judicial decisions – and nowhere stated that either of these had “evicted[ed]” me and my mother, which they did not.

Paragraph 3:

“Sassower disregarded Councilman Rita Malmud’s protest that council rules do not allow for personal attacks and City Clerk Anne McPherson’s reminder that her three minutes of speaking time were up. She then handed the microphone to her mother, who continued with the slings and arrows.”

Rita Malmud is a councilwoman, not a councilman.

Mr. Eddings offers no editorial comment as to the appropriateness of her “protest” or of Clerk McPherson’s “reminder”, by contrast to his repeated editorializing of what he purports I and my mother did and said.

As would have been obvious to any competent, unbiased reporter, neither Councilwoman Malmud’s “protest” nor Clerk McPherson’s “reminder” were appropriate.

First, I was not engaged in “personal attacks”. Rather, I was recapping for the Mayor and Common Council Judge Hansbury’s misconduct in office, disqualifying him for reappointment. Nor did I “disregard[]” Councilwoman Malmud’s attempt to distort the relevance and seriousness of my remarks as to Judge Hansbury’s on-the-bench corruption and the collusive, if not initiating role of Judge Friia. I responded. I emphasized that what I said was documentarily proven by casefile evidence that I had transmitted to the Mayor on March 23rd (Exhibit C) – and which I believed, for reasons I stated, had not been forwarded to the Judicial Screening Committee, thereby rendering the Committee’s endorsement of Judge Hansbury’s reappointment, if there was one, “VOID and a NULLITY” (Exhibit E).

Second, “three minutes of speaking time” was plainly inadequate for such serious presentation – whose particulars were chronicled by my correspondence to the Mayor, Common Council, and Corporation Counsel, spanning the previous six weeks (Exhibits B-E), to which I referred.

Third, there was no “microphone” for me to hand to my mother. My mother arrived while I was at the lectern. As my “three minutes” were over, she exercised her right to speak in the citizens’ half-hour.

Everything my mother said – including her name and credentials, including as President and co-founder of the Center for Judicial Accountability, Inc. – is expurgated by Mr. Eddings, in favor of his malicious characterization that she “continued with the slings and arrows”, thereby, simultaneously, disparaging my presentation to the Mayor and Common Council.

Paragraph 4:

“The two eventually returned to their seats, where they carried on their protest. When Hansbury arrived in the council chambers, Elena Sassower greeted him by shouting, ‘He’s a corrupt judge!’ prompting Delfino to steer Hansbury to the council side of a rail that separates the council from the audience. During an invocation by the Rev. Carol Huston, Sassower interrupted Huston’s observation that ‘White Plains is a city that cares for all its people’ with a loud ‘Hummph!’

Mr. Eddings’ insertion of the word “eventually” is intended to reinforce that my mother and I did not promptly relinquish our speaking time – as if that, rather than the substance of what we had to say, is what should be important to Journal News readers.

As for his assertion that upon our returning to our seats we “carried on [our] protest”, this is false – and Mr. Eddings provides only two examples, neither involving my mother.

The first is my shouting that Judge Hansbury is “a corrupt judge”, purportedly upon his arriving in the council chamber. In fact, Judge Hansbury arrived in the council chamber during the citizens’ half-hour – when either I or my mother was still at the lectern. My words, as I recollect them, were “There’s Judge Hansbury. Let him justify his decisions”.

However, Mr. Eddings could not disclose this reasonable suggestion without revealing how completely the Mayor and Common Council were shielding Judge Hansbury from any accountability. Certainly, had Mr. Eddings identified my suggestion that Judge Hansbury be called upon to justify his decisions, it would have been immediately apparent how inappropriate it was for the Mayor to have “steer[ed] Hansbury to the council side of a rail that separates the council from the audience”, as opposed to inviting, if not requiring, Judge Hansbury’s to justify them, as likewise his conduct in the separate case involving my mother.

That leaves a single example of my supposed further “protest” – my grunt “Hummph”, which did not “interrupt[]” what the reverend was saying. Indeed, Mr. Eddings could have as easily characterized this as my “response” to the claim that “White Plains is a city that cares for all its people”. Certainly, had Mr. Eddings reported how the Mayor and Common Council had ignored what I and my mother said about Judge Hansbury’s corruption and about the corruption of the judicial appointments process, a “Hummph” would have seemed not just appropriate, but understated.

Paragraph 5:

“The protests were in vain. The council confirmed Hansbury in a 7-0 vote. He thanked the council and walked from the chambers, accompanied by his wife and followed by the Sassowers and two cops.”

Mr. Eddings’ use of the word “protests” immediately following his previous paragraph reinforces the illusion that once my mother and I sat down there was some further “protests” by us, interrupting the confirmation. This is false.

As for Mr. Eddings’ assertion that our “protests were in vain”, for which he gives the example of the Common Council’s unanimous vote confirming Judge Hansbury, he offers no facts that would enable Journal News readers to evaluate whether our “protests” should have been in vain or the Common Council’s vote unanimous. He does not report that the Common Council and Mayor disputed the truthfulness of what I and my mother publicly stated in opposition to Judge Hansbury’s reappointment. Nor does he explain how the Common Council and Mayor would have been able to do so if our opposition was being presented for the first time on May 4th, as his article makes it appear by failing to report on our extensive prior correspondence to them (Exhibits B-F) – correspondence whose significance I and my mother highlighted during our May 4th presentations in the citizens’ half-hour.

Other than the Council’s “7-0 vote” and Judge Hansbury’s “thank[s]”, Mr. Eddings conceals the entirety of what took place at the meeting itself. The Common Council did not just “confirm[]” Judge Hansbury – which is all Mr. Eddings reports. It first nominated him, then unanimously voted to confirm him, following which the Mayor immediately swore him in.

Mr. Eddings does not recount what the Common Council members stated as the reasons for nominating and then confirming Judge Hansbury, if they stated anything. This, notwithstanding Judge Hansbury was the only person the Common Council nominated – a nomination based on a confidential report of a judicial screening committee – material facts also conspicuously absent from Mr. Eddings’ article.

As for Mr. Eddings’ inference that “the Sassowers” exited together, this is false. I exited at least half a minute after my mother – and, upon approaching the doorway, spoke the approximate words that Mr. Eddings quotes me as having said upon Judge Hansbury’s arrival in the council chamber, *to wit*, “He’s a corrupt judge”. That, however, was not the end of what I said. I continued with the further words “and the process is corrupt”. This, too, is verifiable from the Cable Television Department video.

Paragraphs 6 & 7:

“As the Sassowers stepped up their pursuit, the officers blocked them from descending a staircase to the first floor until the Hansburys were out of the building. That prompted another protest.

‘I’ll go when I’m good and ready,’ Doris Sassower told the officers. ‘I don’t need to be escorted out. This is a public building. I came here to perform a public service.’”

Mr. Eddings does not identify his basis for purporting that I and my mother had “stepped up [our] pursuit” of Judge Hansbury and his wife. His article makes it appear that it is because we left the council chamber, allegedly after they did, followed by “two cops”. However, Mr. Eddings never asked me or my mother why we were leaving.

The reason for our leaving should have been obvious to Mr. Eddings: that portion of the Common Council meeting involving Judge Hansbury’s reappointment was over. This was the same reason Judge Hansbury and his wife left. That “two cops” followed us and “blocked” us from leaving until the Hansburys were out of the building – according to Mr. Eddings – does not mean that we were either pursuing them or stepping up our pursuit of them – and Mr. Eddings identifies no source for his concocted claim, including the police officers.

Paragraph 8:

“City Court clerks yesterday responded to a request for records in the eviction case by providing a related decision signed by another City Court judge, Jo Ann Friia, on July 3, 2008.”

Mr. Eddings is here attempting to give the illusion that he has engaged in investigative journalism. He purports to have sought “records in the eviction case” from the White Plains City Court – without disclosing that he already had ALL the records in the case available to him, as I had posted them on CJA’s website, www.judgewatch.org, on a special webpage that I had constructed simultaneous with my providing the Mayor with a copy of the pertinent records on March 23rd. My transmitting March 23rd letter to the Mayor – a copy of which I gave Mr. Eddings *in-hand* on May 4th – had identified such webpage (Exhibit C, p. 2).⁵ I further brought the webpage to Mr. Eddings’ attention

⁵ The webpage, then entitled “Judicial Appointment Process to White Plains City Court – *Now Unfolding!*”, was renamed after the Common Council’s May 4th meeting. It is now “The Corrupt Judicial Appointment Process to White Plains City Court”. As then, the webpage is accessible *via* the sidebar panel “Judicial Selection-State-NY”.

when he telephoned me on May 5th, at which time I reiterated what I had said publicly the previous day: that the record of the case documentarily proves Judge Hansbury's on-the-bench corruption, disqualifying him for reappointment. Additionally, I brought Mr. Eddings' attention to the webpage by my May 5th e-mails to his editor, Mr. Fredericks – to which he was an indicated recipient (Exhibit G).

Mr. Eddings does not explain why, instead of reporting on whether – as I had explicitly stated – Judge Hansbury's corrupt two decisions are verifiable from the case record, he is reporting on Judge Friia's "related" decision, supplied to him by unnamed "City Court clerks". Nor does he disclose that I had identified Judge Friia as colluding in, if not initiating, Judge Hansbury's corrupt decisions in my case – both in my May 4th remarks to the Mayor and Common Council and in my prior correspondence to them (Exhibit B, pp. 3-4; Exhibit C, p. 2; Exhibit D, p. 3). The substantiating casefile evidence of Judge Friia's misconduct and the fraudulence of her July 3, 2008 decision, including as summarized by my brief in my appeal from that decision, is also posted on CJA's website, www.judgewatch.org, at the location indicated by the first of my May 5th e-mails (Exhibit G-1).

Paragraph 9:

“In it, Friia noted that the eviction proceedings began in 1988 when the condominium board at 16 Lake St. rejected the Sassowers' application to buy a unit they were renting from John McFadden. The women responded to the eviction by suing McFadden, a suit a federal appeals court dismissed in 1993.”

None of this is relevant to the question of Judge Hansbury's fitness to be reappointed as a White Plains City Court judge – *to wit*, whether he rendered two fraudulent decisions, as verifiable from the casefile record I transmitted to the Mayor on March 23rd. This was what Mr. Eddings heard me speak about in the citizens' half-hour on May 4th and what I highlighted to him the next day when he called me, and in the voice mail message I thereafter left him, and in my e-mails to Mr. Fredericks, with copies to him (Exhibit G).

As for Mr. Eddings' purported reliance on Judge Friia's July 3, 2008 decision, the decision does not say that eviction proceedings “began in 1988”, does not identify 16 Lake Street (which is a Co-Op) as having a “condominium board”, and does not purport that we had been “renting from John McFadden”, which we had not. Nor does it say that we had “responded to the eviction by suing McFadden”. Nor would it as we had never sued McFadden, who was our co-plaintiff in a federal lawsuit against the Co-Op, arising from its rejection of the apartment sale. As for the federal appeals court decision in the case, it was

not in 1993, but in 1992 – a fact reflected by Judge Friia’s July 3, 2008 decision on which Mr. Eddings purported to rely.

Paragraph 10:

“They appealed to the U.S. Supreme Court, which refused to hear their case. In 2004, Elena Sassower served a six-month sentence for ‘disruption of Congress’ during the confirmation hearing of Judge Richard Wesley, a nominee for the federal appeals circuit. Wesley’s connection to her case could not be determined yesterday.”

The first sentence of this paragraph pertaining to our petition for a writ of certiorari to the U.S. Supreme Court and the Supreme Court’s “refusal” – both in 1993 – properly belongs with the preceding paragraph. It is unrelated to Mr. Eddings’ second sentence about my six-month incarceration in 2004 for “disruption of Congress” – although Mr. Eddings attempts to suggest a relation by his third sentence, “Wesley’s connection to [her] case could not be determined yesterday”. This is false.

Mr. Eddings could have easily “determined” that there was no connection, as I was readily-available by phone and e-mail to answer an inquiry on the subject. That he made no inquiry of me supports an inference that he did not want to be told that there was no connection between the “disruption of Congress” case and either the federal or City Court case involving my apartment, as this would undermine his illegitimate references to the “disruption of Congress” case and my incarceration which he needed to buttress his knowingly false and defamatory article.

Paragraph 11:

“In his chambers yesterdays, Hansbury shrugged off the incident with the Sassowers the night before. ‘It would be inappropriate for me to comment on her or her case,’ he said.”

In contrast to Mr. Eddings’ depictions of me and my mother as unruly and disrespectful – in other words, engaged in “inappropriate” conduct – are his depictions of a courteous and dignified Judge Hansbury, who declines to comment, purporting it to be “inappropriate”. Mr. Eddings provides readers with no basis upon which to assess so self-serving a claim, as for example, by an opinion from judicial ethics experts.

Did Judge Hansbury also decline to comment about “[my] case” to the Judicial Selection Committee which interviewed him and supposedly reviewed his qualifications? Or did the Committee never ask him about the case because it was never provided with information about it or the substantiating casefile,

rendering any Committee report recommending his reappointment “VOID and a NULLITY”, as I stated during the citizens’ half-hour on May 4th, with the particulars laid out by my May 4th letter to the Mayor and Common Council (Exhibit E, p. 3)? This was among the “serious questions” warranting Mr. Eddings’ investigation for Journal News readers – and I so-specified in the first of my May 5th e-mails to Mr. Fredericks, with a copy to Mr. Eddings (Exhibit G-1).