

CENTER *for* JUDICIAL ACCOUNTABILITY, INC.

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Box 69, Gedney Station
White Plains, New York 10605

By Certified Mail: RRR
P-801-449-679

September 14, 1995

Henry T. Berger, Chairman
New York State Commission on Judicial Conduct
c/o Fisher, Fisher & Berger
1 Whitehall Street, 21st Floor
New York, New York 10004

Dear Mr. Berger:

So as to permit the members of the New York State Commission on Judicial Conduct to meet their ethical and professional responsibilities, we request that they be provided with copies of the enclosed September 14, 1995 ethics complaint against them for review and appropriate remedial action.

As may be seen from Exhibit "A" to our instant ethics complaint, our earlier ethics complaint against them, dated March 22, 1995, enclosed a copy of our March 10, 1995 letter to the members of the Commission on Judicial Conduct requesting information about the summary-dismissal of eight misconduct complaints we had filed since 1989 against powerful, politically-connected judges. Indeed, our March 10, 1995 letter itself reflected that it was being furnished to the New York State Ethics Commission and that a complaint was being filed, pursuant to Executive Law §94.9(g), against the Commission on Judicial Conduct.

Yet, as of this date--more than half a year since we hand-delivered our March 10, 1995 letter to the members of the Commission on Judicial Conduct--we have had no response, other than confirmation by Mr. Stern that our March 10, 1995 letter "was distributed to the Commission" and that "no disciplinary action has been taken against Mr. Lawrence".

We would note that our March 10, 1995 letter complained that our previous informational requests to Mr. Lawrence had been ignored--most egregiously, our letter to him from more than two years earlier, January 22, 1993¹. That letter, like our March 10, 1995 letter, detailed evidentiary support for the allegation that the Commission on Judicial Conduct was engaging in "protectionism" of powerful, politically-connected judges.

¹ See Exhibit "B-1" to our March 10, 1995 letter; Exhibit "M" to our Article 78 Petition.

September 14, 1995

Since Justice Cahn's disposition of our Article 78 proceeding has now freed the Ethics Commission to proceed with its investigation of our March 22, 1995 ethics complaint of "protectionism" by the Commission on Judicial Conduct, it will surely want answers to the straight-forward information we reasonably requested in our heretofore unanswered March 10, 1995 letter and enclosures.

Because one of the matters about which our March 10, 1995 letter inquires is the dismissal, without reasons, of our September 19, 1994 complaint against Justice William Thompson, the Commission on Judicial Conduct's highest-ranking judicial member, and his Appellate Division, Second Department brethren, we believe the Commission should familiarize itself with our cert papers in Sassower v. Mangano, et al. We, therefore, enclose copies.

Assuredly, the Assembly Judiciary Committee will also expect answers and explanations. Unlike the Commission you chair--which, in addition to ignoring our March 10, 1995 letter, has also ignored our "Letter to the Editor" published in the August 14, 1995 issue of the New York Law Journal²--we expect the Assembly Judiciary Committee will verify the profoundly serious allegations of that published letter and demand an accounting from you.

Yours for a quality judiciary,



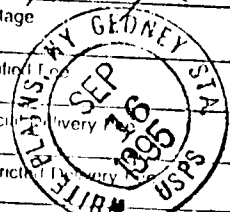
ELENA RUTH SASSOWER, Coordinator
Center for Judicial Accountability, Inc.

Enclosure: 9/14/95 ltr to Ethics Commission
Sassower v. Mangano, et al.
cert petition, opposition, reply

cc: New York State Ethics Commission
New York State Assembly Judiciary Committee
New York State Commission on Judicial Conduct
Gerald Stern, Administrator
New York State Attorney General Dennis Vacco

² See Exhibit "D" to my enclosed September 14, 1995 ethics complaint.

P 801 449 679
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