

CENTER for JUDICIAL ACCOUNTABILITY, INC.

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10 pages

September 7, 1998

Eliot Spitzer, Esq.
611 Broadway, Suite 202
New York, New York

RE: Raising Electorally-Significant Issues of Government Integrity
Wednesday, September 9th Debate of Candidates for the Democratic
Nomination for New York State Attorney General

Dear Mr. Spitzer:

As you know, on August 27, 1997, the Center for Judicial Accountability, Inc. (CJA) ran a public interest ad, "*Restraining 'Liars in the Courtroom' and on the Public Payroll*" (NYLJ, pp. 3-4), describing how Attorney General Vacco had defended state judges and the State Commission on Judicial Conduct, sued for corruption: he had engaged in litigation misconduct, including fraud, which was being covered up by the courts, both state and federal.

By then, you had already "embarked on a campaign to be elected Attorney General of the State of New York" (your 6/17/97 solicitation ltr). It was for that reason that I telephoned you -- to alert you to CJA's ad, detailing Mr. Vacco's in-office misconduct, covering up state judicial corruption and the corruption of the judicial process. You returned my phone call and we spoke briefly about it.

The ad also refers to the similar misconduct of Mr. Vacco's predecessor Attorneys General, including G. Oliver Koppell, in an Article 78 proceeding against judges of the Appellate Division, Second Department. This was not the first you learned of Mr. Koppell's in-office misconduct in defending against that Article proceeding. Back in 1994, during your first bid for the Democratic nomination for Attorney General, in which you were competing against Mr. Koppell, we hand-delivered a copy of the Article 78 file to you. A copy of CJA's August 8, 1994 coverletter to you is enclosed, as is a copy of the receipt reflecting your return of the file to us the following month.

We have now e-mailed a question to the Law Journal for Wednesday morning's debate at the City Bar. That question asks why the transcending issues of state judicial corruption and complicity therein by Attorney General Vacco, as well as by Attorney General Koppell, as presented by

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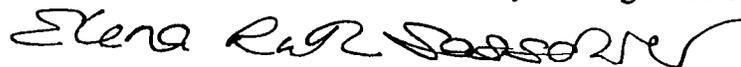
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"*Restraining 'Liars'*" and by CJA's prior ad, referred to therein, "*Where Do You Go When Judges Break the Law?*" (NYT, 10/26/94, Op-Ed page ad; NYLJ, 11/1/94, p. 9) have not been raised by any of the would-be candidates for the Democratic nomination for Attorney General. We have also informed the Law Journal that we would give notice of our question to the four candidates.

This letter constitutes notice to you. Should you wish to see the files of the other two cases referred to in the ad -- our Article 78 proceeding against the State Commission on Judicial Conduct and the 1983 federal action, in which Mr. Koppell is a party defendant, we will readily provide them to you. Let there be no doubt but that Mr. Vacco's misconduct therein, if exposed, would not only defeat him electorally -- but result in his criminal indictment and disbarment. Likewise, if Mr. Koppell's misconduct were exposed.

Finally, we enclose a copy of the e-mail notice we sent to Mr. Koppell on Friday, September 4th, as is a copy of "*Restraining 'Liars in the Courtroom' and on the Public Payroll*". Also enclosed is "*Where Do You Go When Judges Break the Law?*" -- which, in the days before the general election, raised the corruption issue that both Mr. Vacco, then the Republican candidate for Attorney General, and Karen Burstein, his Democratic counterpart, were concealing. Like yourself, each had been furnished copies of the Article 78 file relative to Mr. Koppell's complicity in state judicial corruption.

Yours for a quality judiciary
and for an Attorney General worthy of being "the People's Lawyer",



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

Enclosures

cc: New York Law Journal

Association of the Bar of the City of New York