


April 15, 1997

We regard your violation of the Executive Law as particularly detrimental to the People of this State inasmuch as its consequence has been to enable the Executive Director of the State Ethics Commission, Richard Rifkin, to more easily manipulate the four unchaired volunteer Commission members so as to wholly transform the Ethics Commission into an agency that covers up -- rather than investigates -- conduct by state officers and agencies which is not only unethical, but criminally corrupt. In the event you are unaware, a *confidential* resolution -- inaccessible to the tax-paying public -- purports to empower the Commission's Executive Director to dismiss filed ethics complaints *without* presentment to the members of the Ethics Commission. Mr. Rifkin has dishonestly used such power to shamelessly subvert the very purpose of the Commission.

This is not the only instance where your Administration has failed to make fundamental appointments that would safeguard the integrity of government and governmental processes. As you know, last year CJA exposed your deliberate failure to implement your own Executive Order providing for the establishment of permanent judicial screening committees to evaluate candidates for appointive state court judgeships -- and your use, instead, of a temporary judicial screening committee, whose operations were not only completely secretive, but demonstrably sham. A fraction of the political manipulation we documented and your deliberate disregard for the public weal was highlighted by our Letter to the Editor, "*On Choosing Judges, Pataki Creates Problems*", which appeared in the November 16, 1996 New York Times, as well as by our ad, "*A Call for Concerted Action*", in the November 20, 1996 New York Law Journal. For your convenience, copies of those published pieces, which we previously sent you, are annexed.

Based on our *direct, first-hand experience* with your Administration, we know that your furthest interest is in uprooting government corruption, including political abuse and cover-up in the Executive Branch. Nevertheless, when -- belatedly -- you meet your obligation under the Executive Law to appoint a chairman to the State Ethics Commission and fill the Commission's membership vacancy, we urge you to do so with an individual or individuals having the integrity and courage to make the New York State Ethics Commission more than the expensive window-dressing it presently is.

Yours for a quality judiciary,



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

cc: The four unchaired volunteer members of the New York State Ethics Commission:
Ethics Commissioners Eggenchiller, Constanza, Odell, Brewster
Richard Rifkin, Executive Director, New York State Ethics Commission
New York media

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Apr 28 '97 14:28

P.02/02

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FOR RELEASE:
IMMEDIATE, Monday
April 14, 1997

GOVERNOR PATAKI APPOINTS SHECHTMAN TO STATE ETHICS COMMISSION

② Governor Pataki today announced he has appointed former Criminal Justice Director Paul Shechtman to the New York State Ethics Commission for a term that runs through the end of May 1998. He replaces Joseph Bress, who resigned from the Commission.

③ "I'm very pleased to appoint Paul Shechtman to the Ethics Commission," Governor Pataki said. "He was a great Director of Criminal Justice and he'll be an asset to the Ethics Commission."

"His willingness to serve on the Commission is a testament to his commitment to public service," the Governor said. "We will be fortunate to have someone of his caliber working to enforce the highest standards of ethical conduct in state government."

④ Mr. Shechtman served as Director of Criminal Justice and Commissioner of the Division of Criminal Justice Services from March 1995 until February of this year. He was Chief of the Criminal Division for the United States Attorney's Office for the Southern District of New York from 1993-95. He has also served as an Adjunct Professor of Law at Columbia Law School since 1988.

Mr. Shechtman has served as counsel to Robert Morgenthau, Manhattan District Attorney (1987-1993); Chief Appellate Attorney and Chief of the General Crimes Unit for the United States Attorney's Office for the Southern District of New York (1981-1985) and law clerk to the Honorable Warren Burger, Chief Justice of the United States Supreme Court (1979-1980).

Shechtman, a New York city resident, received a bachelor's degree in economics from Swarthmore College, was a Rhodes Scholar at Oxford University, where he received his master's degree in economics, and received his law degree from Harvard Law School, where he graduated magna cum laude.

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