

Center for Judicial Accountability

From: Center for Judicial Accountability <elena@judgewatch.org>
Sent: Saturday, October 26, 2013 3:05 PM
Subject: "Members of the public are invited to attend only": Oct 28 "public hearing" of the Commission to Investigate Public Corruption
Attachments: 10-4-13-letter-to-commission-with-enclosures.pdf

EVER FAINTER: The Vanishing Public Hearings of The Commission to Investigate Public Corruption

On Monday morning, October 21st, I sent you the attached and below e-mail. In addition to reiterating the question as to whether the Commission was shutting down public hearings because of conflicts of interest, my e-mail alerted you to the fact that the Commission's website posted NO information as to the date of further public hearings, their scope, or registration procedures.

About 8 hours later, the Commission did update its website to announce an October 28th "public hearing" in Manhattan. It was topic-limited to "campaign finance reform" and brazenly excluded the public from any role other than spectator. In the words of its posted press release:

"Members of the public are invited to attend only. Those invited to provide testimony to the Commission will be the only speakers for the hearing."

Why has there been NO report of this outrage? Do you believe that members of the public – your readership, viewers, and listeners – have nothing to say about public corruption that should be heard publicly? Why is the Commission not holding public hearings at which the public can testify as to the breadth of public corruption within its knowledge and experience or even on the topic-limited subject of "Campaign Finance Reform"? Is it because the public's testimony exposes the false pretenses of the Commissioners born of their conflicts of interests – as set forth by my October 17th letter to the Commissioners?

Below is the Center for Judicial Accountability's PROTEST & REQUEST TO TESTIFY, which I sent to the Commission yesterday:

"On behalf of the public, I protest that the Commission's October 28th 'public hearing' is not only 'topic limited' to prevent the public from testifying as to the breadth of public corruption within its knowledge and experience, but that it explicitly excludes the public from even testifying as to that limited topic, relegating *We, The People*, to nothing more than spectators who may 'attend only'.

Should the October 28th hearing, 'focus[ed] on Campaign Finance Reform', also encompass the 'NYS Board of Elections Investigatory Hearing', briefly announced as the Commission's October 29th hearing at 'Lighthouse International' before it evaporated from the Commission's website, I request to be 'invited' to testify as to the State Board of Elections' nonfeasance and misfeasance with respect to its vital investigative function, as to which it impedes judicial review by litigation fraud and other misconduct, covered-up by a complicit and corrupt state judiciary. On that subject, see, *inter alia*, Doris L. Sassower's October 24, 1991 letter to Governor Mario Cuomo for appointment of a special prosecutor -- accessible from our website, www.judgewatch.org, on a webpage of our correspondence with the first Governor Cuomo. Here it is: <http://www.judgewatch.org/web-pages/searching-nys/searching-gov-mario-cuomo.htm> .

Kindly advise, as soon as possible, if such invitation will be forthcoming so that I may prepare appropriately.

Thank you."

I would further note that with respect to the October 28th hearing, the Commission has made several changes to what it first posted on its website late in the day on October 21st. Among these, the end time of the October 28th hearing is no longer 9:30 pm, as had originally been announced, but to "Conclusion of Invited Speaker Testimony". This, to prevent a repeat of what occurred at the September 24th Albany hearing – where the last scheduled witness finished 1/2 hour before the announced 9 pm ending time, yet the Commission did not allow members of the public who had come to the hearing hoping to testify and who had registered to testify to use that time to present. And, by the way, the announced 9 pm ending time for the "topic-limited" Sept 24th Albany hearing was the Commission's way of preventing a repeat of what occurred at the topic-free Sept 17th Manhattan hearing – which had not ended until 9:40 pm. The press has yet to report on the 1-1/2 hours of devastating testimony by members of the public at the September 17th Manhattan hearing – including my own. The video, etc. is posted on our webpage entitled "The People Have Something to Say -- & the Evidence to Back It Up". Here's the direct link: <http://www.judgewatch.org/web-pages/searching-nys/commission-to-investigate-public-corruption/people-evidence/menu-people-evidence.htm>

I look forward to being interviewed by you and answering your questions.

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Sent: Monday, October 21, 2013 9:57 AM

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Subject: Latest Press Reporting on the Commission to Investigate Public Corruption's Public Hearings -- Unsubstantiated by the Commission's Website!

The below, sent minutes ago – and bouncing back due to capacity limits -- is being resent with only the October 4th letter to the Commission attached. The October 17th letter is posted on our website, as indicated below.

**Latest Press Reporting on the Commission to Investigate Public Corruption's Public Hearings --
Unsubstantiated by the Commission's Website**

Zack Fink of NY 1 reported, on Saturday afternoon, October 19th, that the Commission to Investigate Public Corruption would be holding "a second public hearing in New York City on October 29". "[Questions Arise Over Moreland's Access to Gov's Inner Circle](#)". This was then repeated, in further reporting, by YNN "web staff": "[Moreland Commission taking heat](#)" – without any identification that the scope would be limited.

Nine days earlier, on October 10th, Michelle Breidenbach of the Syracuse Post-Standard, reported that the Commission's "next hearing, scheduled for Oct. 28, is on the topic of enforcement at the board of elections". [DA Fitzpatrick: NYC media would not question independence of corruption panel if they knew him](#)"

THE COMMISSION'S WEBSITE, <http://www.publiccorruption.moreland.ny.gov/>, POSTS NOTHING AOBUT ANY FURTHER PUBLIC HEARINGS – in New York City or elsewhere, including as to their scope or registration procedures.

Don't you think the public needs to know that the Commission's website has no information about, or registration procedures for, further public hearings – and about the Commission's cancellation of the September 18th Buffalo hearing, which simply evaporated from its website, and about the exclusion of much of the public and public testimony at the Commission's September 17th New York City hearing, and the Commission's exclusion from its September 24th Albany hearing of virtually all testimony from members of the public as to public corruption within their knowledge and experience? And don't you think the public needs to know how the Commission has just ignored inquiries and correspondence on the subject – as, for instance, the Center for Judicial Accountability's October 4th letter?

Attached is that October 4th letter – to which there was NO response – and our October 17th letter, protesting that non-response. Both letters are also posted on our website, www.judgewatch.org – on the same page as our August 5th letter to the Commission, which first inquired about the Commission's public hearings, to which there had been NO response. Here's the direct link: <http://www.judgewatch.org/web-pages/searching-ny/commission-to-investigate-public-corruption/aug-5-2013-ltr-etc.htm>.

Finally, in the event you have not seen the video of my testimony before the Commission at its September 17th New York City hearing, publicly protesting what the Commission had done with respect to its public hearings, here is the direct link to it on youtube: <http://www.youtube.com/watch?v=-1hXstP0Uhw>

As always, I am available to be interviewed & to answer your questions. Below, for your convenience, is my previous e-mail to you, on Saturday morning, October 19th, about our October 17th letter to the Commission.

Do you not believe that the question posed by the title of that e-mail "Has the Commission to Investigate Public Corruption shut-down public hearings because of conflicts of interest?" warrants press investigation & answer?

Thank you.

Elena Sassower, Director
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Has the Commission to Investigate Public Corruption shut-down public hearings because of conflicts of interest?

According to the terse October 15th "Statement From Moreland Commission Co-Chairs", the Commission "will continue its mandate of investigating corruption...holding public hearings..." <http://www.publiccorruption.moreland.ny.gov/press-release/moreland-commission-statement-from-co-chairs>

When might those next "public hearings" be?

Is the reason the Commission is NOT holding "public hearings" because they expose conflicts of interest of Commission members, advisors, and staff? To date, the Commission has afforded the public only an hour and a half at a single public hearing – the Manhattan hearing – to testify as to the breadth of public corruption within its knowledge and experience.

The Commission's conflicts of interest were highlighted by my testimony at the Commission's September 17th Manhattan hearing and by the testimony of Mark Sacha at the Commission's September 24th Albany hearing, to which I gave audible comment from the audience. The video clips, as well as the full hearings, are here: www.judgewatch.org/web-pages/searching-nys/commission-to-investigate-public-corruption/people-evidence/menu-people-evidence.htm

Attached is my October 17th letter to Commission members and special advisors on the subject. It is posted, with my prior correspondence to the Commission, most importantly, my August 5th and October 4th letters, here: <http://www.judgewatch.org/web-pages/searching-nys/commission-to-investigate-public-corruption/aug-5-2013-ltr-etc.htm>.

I am available to answer your questions and to be interviewed.

Thank you.

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