

Center for Judicial Accountability

From: Center for Judicial Accountability <elena@judgewidth.org>
Sent: Tuesday, August 27, 2013 2:10 PM
To: 'Michael Virtanen'
Cc: 'Michael Gormley'
Subject: AP Reporting & Non-Reporting of Public Corruption Issues -- & the Commission to Investigate Public Corruption
Attachments: 8-7-13-press-release.pdf

Dear Mike,

This follows up our brief phone conversation this morning, when – before hanging up on me when I asked for the name of your editor at Associated Press – you expressed complete disinterest in examining:

- (1) how the Commission to Investigate Public Corruption is resolving conflict of interest issues;
- (2) how the Commission to Investigate Public Corruption handles the tips and comments it is receiving from members of the public about public corruption, by phone and *via* its website; and
- (3) whether the true purpose of the Commission to Investigate Public Corruption is to produce a recommendation for public campaign financing – with partisans of that are issue, such as Barbara Bartoletti, among the Commission’s members and special advisors and whose closed-door operations give an “inside track” to the “good government groups” whose central issue is public campaign financing.

To that end, you rejected my offer to furnish you with CJA’s August 5, 2013 letter to the Commission to Investigate Public Corruption – which, in fact, you should have received three weeks ago, when I sent it out to reporters and editors with an August 7th e-mail press release. It is attached and below.

You also refused to answer my question as to what YOUR area of coverage is for AP’s Albany Capitol Bureau. It obviously includes the New York State budget – at it was YOUR March 14, 2012 reporting about the judicial pay raises in the 2012-2013 state budget that we quoted (at para. 126) in the verified complaint in our People’s lawsuit against New York’s highest constitutional officers and three government branches, *CJA et al. v. Cuomo, et al.* This was why, on April 5, 2012 – when I served those constitutional officers with the verified complaint and an order to show cause to enjoin disbursement of the judicial pay raises -- I visited you at the AP Capitol Bureau and furnished you with the litigation papers and a press release so that you could write a powerful follow-up story to what you had written three weeks earlier about the judicial pay raises and the state budget. Instead, you wrote NO story about *CJA v. Cuomo* – or about any of the subsequent stories based thereon that I furnished you over the next 16 months, including those accompanied by press releases – all particularizing systemic public corruption by New York’s most important public officers and the grand larceny of tens of millions of taxpayer dollars.

Suffice to note that you also covered the New York State budget for 2013-2014 and were at the Legislature’s February 6, 2013 budget hearing on “public protection” at which I testified as the last witness. Do I assume correctly that although you left before my testimony you heard and/or saw it either from the live audio/video feeds available to you from your AP Capitol Bureau office or, thereafter, upon the posting of the video?

Let us not waste any further time. If you are not going to identify your area of coverage for AP’s Capitol Bureau – let alone explain why all the fully-documented public corruption stories I have provided you have elicited NO coverage from you – please immediately identify the name of your editor so that I may contact him directly. In any event, please furnish me with the name of the AP editor who was in the AP Capitol Bureau with you and Mike Gormley on August 21st, when I stopped in before and after my appearance on Susan Arbetter’s Capitol Pressroom – and to whom I introduced myself. If he occupies a supervisory position over you, he should examine for himself the *CJA v. Cuomo* litigation papers

and the accompanying press release that you handed back to me, on August 21st, in pristine, untouched-by-human-hand condition – 16 months after I had furnished them to you for reporting.

Finally, please confirm that you not only heard what I said on Susan Arbetter's August 21st Capitol Pressroom show, but that you read CJA's August 21st letter to Governor Cuomo – whose link I sent you and Mike Gormley on August 23rd – and that you believe there is nothing of any seriousness for you to be reporting, or to refer to other AP journalists to report. For your convenience, here's the link once more: <http://www.judgewatch.org/web-pages/cja/latest-news.htm> .

Needless to say, if there is something that would help me better understand the situation, I would appreciate your letting me know what it is.

Kindly send me your response, as soon as possible and, in any event, by next Tuesday, September 3rd, when I will call Mike Gormley, who you indicated is on vacation this week.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
914-455-4373

From: Center for Judicial Accountability [mailto:elena@judgewatch.org]

Sent: Wednesday, August 07, 2013 10:45 AM

To: 'Alyssa_Plock@wcny.org'; amity.paye@amsterdamnews.com; 'ashort@cityandstateny.com'; azi@capitalnewyork.com; Beth DeFalco (bdefalco@nypost.com); 'Betty Flood (EFMNEWS@aol.com)'; Bill Hammond (whammond@nydailynews.com); Blake Zeff (bzeff@salon.com); blambdin@wnyt.com; Bob McManus (rmcmanus8@gmail.com); Brian Terry (bryan.terry@ynn.com); Casey Seiler (cseiler@timesunion.com); 'Chuck Custer (news@wgy.com)'; Colin Campbell (ccampbell@observer.com); Curtis Schick (Curtis_Schick@wcny.org); Dan Janisen (dan.janison@newsday.com); Dana Rubinstein (dana@capitalnewyork.com); 'David King'; 'dlombardo@dailygazette.net'; editorial@nytimes.com; Elizabeth Benjamin (liz.benjamin@ynn.com); fklopott@bloomberg.net; Fredric Dicker (fdicker@nypost.com); Fredric Dicker (fud31@aol.com); Gothamist (jake@gothamist.com); Gothamist (jen@gothamist.com); Gothamist (tips@gothamist.com); Graham Rayman (grayman@villagevoice.com); 'Greg Fischer'; Greg Smith (gsmith@nydailynews.com); 'hakim@nytimes.com'; Huffington Post (john.celock@huffingtonpost.com); Jacob Gershman (jacob.gershman@gmail.com); Jeremy Boyer (jeremy.boyer@lee.net); Jeremy Boyer (robert.harding@lee.net); 'Jessica Bakeman'; Jill Colvin (jcolvin@observer.com); Jim Odato (jodato@timesunion.com); 'Jimmy Vielkind (jvielkind@timesunion.com)'; 'Joe Spector (jspector@gannett.com)'; joe@capitalnewyork.com; 'joelstashenko@aol.com'; 'John Caher'; John O'Brien (jobrien@syracuse.com); John Surico (jsurico15@gmail.com); Jon Campbell; Jon Lentz (jlentz@cityandstateny.com); josh@capitalnewyork.com; 'kaplan@nytimes.com'; Karen DeWitt (kdewitt@wxxi.org); Ken Lovett (klynnews@aol.com); kfischer@alm.com; Kris Fischer (wstorey@alm.com); Larry McShane (lmcshane@nydailynews.com); Marie Cusick; Matt Ryan (mryan@wmht.org); metro@nytimes.com; Michael Gannon (MichaelG@qchron.com); 'Michael Gormley (mgormley@ap.org)'; 'Michael Virtanen (mvirtanen@ap.org)'; milton@blackstarnews.com; Morgan Pehme (mpehme@cityandstateny.com); 'nick.reisman@ynn.com'; NY Observer; 'Pat Bailey'; Phil Reisman (preisman@lohud.com); rbarkan@observer.com; Reid Pillifant (reid@capitalnewyork.com); Rich Bockmann (rbockmann@cnglocal.com); Rick Karlin (rkarlin@timesunion.com); Robert Kessler (robert.kessler@newsday.com); Robert McCarthy (rmccarthy@buffnews.com); Stephen Acunto Jr. (sacunto@cinn.com); 'Susan Arbetter (susan_arbetter@wcny.org)'; 'Teri Weaver (tweaver@syracuse.com)'; Thurman William Mathis (thurman2c@yahoo.com); 'Tom Precious (tprecious@buffnews.com)'; tom@capitalnewyork.com; 'Yancey Roy (yancey.roy@newsday.com)'; 'zack.fink@ny1news.com'

Subject: PRESS RELEASE: Going INSIDE the Commission to Investigate Public Corruption

Attached and below is the press release for the e-mail, sent to you earlier this morning. It corrects the cost to NYS taxpayers of the fraudulent judicial pay raises (and statutorily-tied district attorney raises) with this year's budget. It should read \$70 MILLION, not \$70.

August 7, 2013

P R E S S R E L E A S E

Going INSIDE the Commission to Investigate Public Corruption

Have you been on the website of the Commission to Investigate Public Corruption, www.publiccorruption.moreland.ny.gov? It has a button with a phone number for “TIPS”. It also has a “PUBLIC COMMENT” button for e-mail. How is the Commission handling these “TIPS” and “PUBLIC COMMENT”? And what is its protocol for conflict of interest by its members, special advisors, and staff?

These are among the questions asked by our August 5th letter to the Commission’s Executive Director, based on our direct, first-hand experience with the Commission in the three weeks since contact information became available for it.

The letter, also sent to the Commission’s three co-chairs and to Commission member Albany District Attorney David Soares, is posted on our website, www.judgewatch.org, on a webpage bearing the same title as the letter: **“Keeping the Commission to Investigate Public Corruption True to its Name & Announced Purpose”**.

Here’s the direct link: <http://www.judgewatch.org/web-pages/judicial-compensation/commission-on-public-corruption.htm> – from which you can also access the **readily-verifiable video and documentary proof**, furnished to the Commission three weeks ago, of flagrant corruption infesting New York’s three state government branches, involving Governor Cuomo and Attorney General Schneiderman directly and fraudulent judicial pay raises whose cost to New York taxpayers is approximately \$70 million with this year’s budget – a figure that includes the statutorily-linked raises in district attorney salaries.

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