

CENTER *for* JUDICIAL ACCOUNTABILITY, INC.

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White Plains, New York 10605

By Fax: 202-225-3737  
and Certified Mail: RRR P-386-579-480

December 27, 1994

Hayden Gregory, Counsel  
Subcommittee on Intellectual Property  
and Judicial Administration  
2138 Rayburn House Office Building  
Washington, D.C. 20515-6216

RE: Setting the Record Straight

Dear Mr. Gregory:

Reference is made to the "Proposed Long Range Plan for the Federal Courts", which lists you as one of its contributors (Exhibit "A").

On December 9, 1994, I testified in Washington, D.C. before the Long Range Planning Committee, challenging as misplaced and erroneous its reliance on the Report of the National Commission on Judicial Discipline and Removal. My testimony not only described the National Commission's Report as "methodologically flawed" but deliberately dishonest.

In pertinent part, I stated:

"Although the Long-Range Plan endorses what it calls the National Commission's 'central recommendation' as to impeachment, available evidence suggests that not only is the impeachment process--as initiated by the House Judiciary Committee upon individual complaints--moribund, but that the National Commission knew it to be so when it concealed that fact in its Report." (emphasis added)

In support of these serious charges, I submitted to the Long Range Planning Committee a copy of my December 2, 1994 letter to you, as counsel to the subcommittee of the House Judiciary Committee which handles complaints of judicial misconduct.

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December 27, 1994

As you know, that letter annexed our correspondence with Mr. O'Connell, the subcommittee's assistant counsel and also its liaison to the National Commission (Exhibit "B"), whose startling admission to me that "there has never been an investigation of an individual complaint in the history of the House Judiciary Committee" is reflected in my letters to him dated August 26, 1993 and January 31, 1994<sup>1</sup>. Such admission by Mr. O'Connell--which neither he nor Allen Erenbaum, the House Judiciary Committee's counsel and its liaison to the National Commission (Exhibit "B"), have repudiated--would explain the House Judiciary Committee's non-action on our fully documented June 9, 1993 complaint<sup>2</sup> of impeachable conduct by federal judges of the Second Circuit in Sassower v. Field, among them now Chief Judge Jon Newman.

Inasmuch as my as yet unanswered December 2, 1994 letter to you--annexing my unanswered August 26, 1993 and January 31, 1994 letters to Mr. O'Connell--is part of the record of the Long Range Planning Committee<sup>3</sup>, we believe the Committee would be greatly interested in your response thereto as it considers needed revisions to its Proposed Long Range Plan. Indeed, we expect that the Committee would also be interested in comments from you to my written testimony, particularly as to the unavailability of the impeachment remedy. A copy of my testimony is, therefore, enclosed (Exhibit "D").

By duplicate copy of this letter to the Long Range Planning Committee, we are hereby requesting that it be made part of the record of its proceedings.

Yours for a quality judiciary,

ELENA RUTH SASSOWER, Coordinator

Enclosures

cc: Long Range Planning Committee  
(By Certified Mail, RRR: P-386-579-481)  
Congresswoman Nita Lowey  
(By Certified Mail: RRR: P-386-579-484)

<sup>1</sup> See Exhibits "B" and "D" to my December 2, 1994 letter to you.

<sup>2</sup> See Exhibit "A" to my December 2, 1994 letter to you.

<sup>3</sup> My December 2, 1994 letter to you was not only specifically referred to at the conclusion of my testimony, wherein I itemized the documents I was submitting to the Long Range Planning Committee, but is reflected by my December 16, 1994 transmittal letter to that Committee (Exhibit "C").

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*Heyleen Gerson, Counsel  
 Subcom. on the PH Intelligence  
 2138 Rayburn H.O.B.  
 Washington, DC 20515-6216*

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*P 386 579 480*

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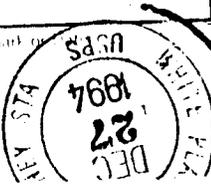
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