

CENTER for
JUDICIAL
ACCOUNTABILITY, INC.



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FAX COVER SHEET

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DATE: 8/3/95 TIME: 4:30 pm
TO: Bruce Golding TITLE: _____
FAX #: 694-5018 RE: _____
FROM: ERS

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MESSAGE: As discussed

Center for Judicial Accountability, Inc. is a national, non-partisan, not-for-profit citizens' organization raising public consciousness about how judges break the law and get away with it.

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July 22, 1995

JIMMY ERVIN JONES
WESTCHESTER COUNTY JAIL
Post Office Box# 10
Valhalla, New York 10595

CENTER FOR JUDICIAL ACCOUNTABILITY
BOX# 69, GEDNEY STATION
WHITE PLAINS, NEW YORK 10605

Re: Judicial Misconduct
"WHERE DO YOU GO WHEN JUDGES BREAK THE LAW?"

DEAR SIR/MADAM:

Recently I acquired a Clipping from a fellow detainee, here at the Westchester County Jail, which addressed the suspension of Doris Sassower's license to practice law in the State of New York- to say the least, I was very moved by her courage to challenge the system of cross-endorsement, which apparently is a common practice amongst perspective judicial candidates, within the state.

Although her bravery was injurious to her career, it should have sparked an immediate public appeal, and prompt Executive investigation into these alleged political deals involving the cross-endorsement of judicial candidates, and appointments throughout the State. I feel that the integrity of the Justice Department of this State, should have mandated an investigation.

It would seem that my story is one of many, I'm presently battling a criminal case that has revealed a similitude of prosecutorial, and judicial misconduct, and the story begins on January 12, 1995, with my automobile being stolen in the Bronx, New York. The vehicle was recovered in Greenburgh, New York by the Greenburgh Police Department allegedly, doing a police investigation into a burglary.

On January 19, 1995, I received word that the car was located at the Greenburgh Police Department by the White Plains Police Department upon inquiry therein, and proceeded to contact the Greenburgh Police Department by telephone. I was informed by Greenburgh P.D., that my car had been recovered, and I could claim it that same day, and I proceeded to Greenburgh to do so.

Upon arriving, I was met at the Greenburgh Police Department by suspicious investigators, who insinuated my involvement in Criminal activities, in and around, Westchester County, and would not release my vehicle to me pending investigation. The time of this meeting was in or around 1:0'clock pm, I left thereafter. Later on the that evening at 8:15pm, police investigators performed a search and seizure at my home in the Bronx, New York. I reside at 2195 Walton Avenue #4d, Bronx, New York 10453.

I was not present at the time of search, but my wife was home, and was subjected to the humiliation of the intrusion upon our privacy. The search warrant and affidavit were issued by Judge Joseph West of County Court, in the County Courthouse, located in White Plains, New York. The warrant was executed by investigators from the Westchester

County Department of Public Safety, and investigators from the Greenburgh Police Department, unaccompanied by any Bronx Police, or any officer having territorial jurisdictional authority to execute the warrant. The search was unlawful, the probable cause for the warrant was insufficient, and the violation has deprived me, and my family of our statutory, and constitutional rights, both State, and Federal.

My wife subsequently had a miscarriage, and I've been arrested, bail initially placed at \$50,000.00 dollars, for an alleged Class D felony, all as a result of my vehicle being stolen, and being recovered in Westchester County.

It would seem that the County Court of westchester, has acquired extra-territorial jurisdiction in authorizing the enforcement of police operations, outside the boundaries of Westchester County, without the requirement of being at very least supervised, or escorted by that jurisdictional authority, and as a result it would seem that citizens who pay city taxes in neighboring jurisdictions do not acquire the protection of territorial jurisdiction of a governing municipality.

Not only are the actions in question, a blatant disregard for the citizenry, but also a blatant disregard for the integrity of Westchester County, and in this instance, the City of New York. I am no saint, I've made mistakes in the past, and I've paid for them. I was sentenced to twenty (20) years for robbery w/weapon, in North Carolina, the sentence was cut to ten (10) years, and I was subsequently incarcerated for seven (7) years, and one (1) month.

Two days prior to the search of my home, it has been learned by me that the Greenburgh Police Department ran the tag of my vehicle through DMV, (HVJ-2081 N.C., BMW 528e, 4 dr. sedan) upon learning that the car belonged to me, an assessment of my criminal record was requested by the investigators from the Wake County Sheriff's Department, Raleigh, North Carolina. Upon receiving my record on January 17, 1995, and noting my prior sentence, commencing in 1988, (20yrs.) the investigators concluded I was an escapee, or a parole violator. Two days later on January 19, 1995, I became the investigator's primary suspect. These investigators proceeded with these prejudicial assumptions to County Court, and County Judge Joseph West, authorized an unlawful search and seizure of my residence in the Bronx, New York.

In light of the argument that the warrant was not legal, there are no grounds for argument, that the warrant was executed by investigators of the County of westchester, who were without authority to do so.

My wife, God Bless her, has experienced much grief as a result of the circumstances herein. I have been framed and incarcerated, all because of an inadequacy both judicially, and prosecutorially, not to mention very poor investigative procedure by the Police of this county.

My car was stolen, the privacy of my home violated, and I've been kidnapped, and ransomed without probable cause. The aforementioned circumstances have occurred over a six-month period.

I've felled to mention that the Westchester County investigators who searched my home took personal items, that were not any proceeds of a crime, but personal property. Since having been arrested, I've acquired the information that the prosecutor's case is based upon a fingerprint, one latent fingerprint, which either was lifted from my car, my home, or doing interrogation at Greenburgh Police Department on January 19, 1995.

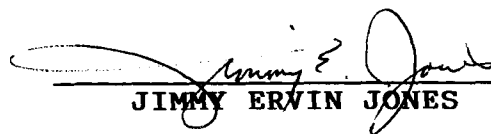
The latent print allegedly was verified January 30, 1995, the crime I'm alleged to have committed occurred between January 8, and January 9, 1995. I'm perplexed that I'm perplexed that I'm being forced to defend my innocence at what is obviously a conspiracy of a blatant character.

Maybe, I should change my appearance, cut the dreadlocks, get skin lightener, get new partials, and wear suits. Somehow, I don't really think it will make much difference. I've paid my debt to society for prior mistakes, that it would seem society will always view me as, "of the criminal element", without the right to basic fundamental rights, and freedoms. I am also a Vietnam Era Veteran, who served a responsibility to this Country loyally, and faithfully for six years.

Is it proper for an elected official to commit crimes against the very public who elected him/her, if that election process is based upon cross-endorsement, integrity is not a priority. Maybe, society should cease to be so gullible as to place the responsibility elsewhere for protection against such corruption. I have no immediate solutions to this dilemma, all I can assure you is that I've been wronged, and can identify with the frustrations of anyone who has come into contact with this arrogant display of power, and corruption. This letter has given me a platform to constructively express my distress. "I Thank You fo that opportunity". Hopefully, my letter has inspired your consideration, and your curiosity concerning my current disposition, and fueled your efforts in your investigations.

W H E R E F O R E, I thank you for your time, my wife can be reached for comment on this matter at (718) 220-0880, I'm awaiting trial on this matter at the Westchester County Jail, God Bless You!

Respectfully Submitted,


JIMMY ERVIN JONES

NYLV

12/16/94 p. 34 cols. 4F-5T

By Mangano, P.J.; Thompson, Bracken, Sullivan and Santucci, J.J.

MATTER OF DEBRA A. DREXLER, an attorney and counselor-at-law (Grievance Committee for the Second and Eleventh Judicial Districts, pet; D. A. Drexler, res)—Motion by the petitioner to suspend the respondent, Debra A. Drexler, from the practice of law, until further order of this court, pursuant to 22 NYCRR 691.4(1)(1)(i), upon a finding that she is guilty of professional misconduct immediately threatening the public interest in that the respondent has failed to comply with the lawful demands of the Grievance Committee, made in connection with its investigation. The respondent was admitted to the practice of law by this court on February 4, 1981.

Upon the papers filed in support of the motion and there being no papers submitted in opposition thereto, it is

ORDERED that the motion is granted; and it is further,

ORDERED that the respondent, Debra A. Drexler, pursuant to 22 NYCRR 691.4(1), is immediately suspended from the practice of law in the State of New York, until the further order of this court, and it is further,

ORDERED that a hearing shall be conducted before the Special Referee within 30 days after the respondent's answer is due; and it is further,

ORDERED that Debra A. Drexler shall promptly comply with this court's rules governing the conduct of disbarred, suspended and resigned attorneys (22 NYCRR 691.10); and it is further,

ORDERED that pursuant to Judiciary Law §90, during the period of suspension

and until the further order of this court, the respondent, Debra A. Drexler, is commanded to desist and refrain (1) from practicing law in any form, either as principal or agent, clerk or employee of another, (2) from appearing as an attorney or counselor-at-law before any court, Judge, Justice, board, commission or other public authority, (3) from giving to another an opinion as to the law or its application or any advice in relation thereto, and (4) from holding herself out in any way as an attorney and counselor-at-law; and it is further,

ORDERED, on the court's own motion, that the Grievance Committee for the Second and Eleventh Judicial Districts is hereby authorized to institute and prosecute a disciplinary proceeding in this court, as the petitioner, against the said Debra A. Drexler, based on the charges of professional misconduct set forth in the affirmation dated October 17, 1994; and it is further,

ORDERED that Robert H. Straus, Chief Counsel to the Grievance Committee for the Second and Eleventh Judicial Districts, 210 Joralemon Street, Room 1200, Brooklyn, New York 11201, is hereby appointed as attorney for the petitioner in the proceeding; and it is further,

ORDERED that the petitioner Grievance Committee shall serve on the respondent and the Special Referee and file with this court a petition within 10 days after receipt of this decision and order on motion; and it is further,

ORDERED that the respondent shall serve an answer to the petition upon the petitioner and the Special Referee and file a copy of same with this court within 10 days after his receipt of the petition; and it is further,

ORDERED that the issues raised by the petition and any answer thereto are referred to J. Mitchell Rosenberg, Esq., 420 East 72nd Street, Apt. 7A, New York, New York 10021, as Special Referee to hear and report, together with his findings on the issues, and that a hearing shall be conducted within 30 days after service of this decision and order upon the respondent.

On July 15, 1994, the Grievance Committee received a letter from Martin H. Brownstein, Chief Clerk of this Court, indicating that the respondent had failed to perfect a criminal appeal and had repeatedly failed to respond to letters from this court inquiring as to status of the assigned appeal.

Based on Mr. Brownstein's communication, the Grievance Committee commenced a sua sponte investigation. On July 21, 1994, Grievance Committee counsel spoke with the respondent on the telephone regarding this matter. The respondent informed counsel that she had been having problems with her landlord at her office, and had not received Mr. Brownstein's letters. The respondent further indicated that she was working out of her home, and that counsel should correspond with her at that address. The respondent agreed to notify the Office of Court Administration of her new address and to provide counsel with a copy of the correspondence along with her answer to the sua sponte complaint. By letter dated July 25, 1994, the respondent was provided with copies of Mr. Brownstein's letters and was directed to submit, within 10 days, a written answer to the allegations that she had neglected a criminal appeal and failed to respond to repeated letters from Mr. Brownstein. The respondent was also directed to submit proof that she had notified the Office of Court Administration of her change of address. This July 25, 1994, letter was sent via regular and certified mail. The respondent failed to submit an answer.

On August 15, 1994, Grievance Committee counsel telephoned the respondent and left a message on her answering machine. The respondent did not reply to the message. By letter dated August 15, 1994, the respondent was directed to submit her answer within 10 days. The respondent was advised that her failure to respond could result in a motion for her suspension. The letter was sent by regular and certified mail. While the petitioner has not received the return receipt, neither has the letter been returned by the post office. The respondent failed to submit an answer. Counsel left messages on the respondent's answering machine on August 24, 1994, and September 13, 1994. The respondent did not reply to the messages. By letter dated September 13, 1994, the respondent was again directed to submit, within five days, her written answer and a copy of her notification to the Office of Court Administration, and was advised that her failure to do so could result in a motion for her suspension. The respondent again failed to submit an answer. Counsel left messages on respondent's answering machine on September 14, 16, 19, and 23, 1994. The respondent did not reply to these messages.

hearing to be afforded

FINDINGS

On October 13, 1994, counsel ran a check with the New York State Department of Motor Vehicles and confirmed the respondent's address. On October 14, 1994, counsel spoke with the Office of Court Administration and was advised that the respondent was currently registered at the address listed with New York State Department of Motor Vehicles and previously provided to counsel. Counsel also spoke with the office of the United States Postal Inspectors and was advised that the respondent has not filed a change of address with the post office. Counsel was also advised that the mail is being delivered to respondent's address but that it is not being picked up.

On October 14, 1994, counsel telephoned the respondent's home number and received the respondent's answering machine. Counsel also telephoned the respondent's last known office telephone number and was advised that the number had been disconnected. On October 17, 1994 counsel went to the respondent's address. The front glass door to the building was locked. Looking through the glass door, counsel observed the mailbox for the respondent's apartment and noticed that it still bore the respondent's name.

Under the circumstances, we find that the respondent poses an immediate threat to the public interest. Accordingly, the petitioner's motion is granted, the respondent is immediately suspended from the practice of law and a prompt hearing is ordered.