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September 9, 1999

Mr. Jay Gallagher
Gannett, Albany Bureau
150 State Street
Albany, New York 12207

RE: "Spitzer to Fight Public Corruption", The Journal News,
9/9/99

Dear Mr. Gallagher:

Mr. Spitzer is NOT the courageous corruption-fighter he is trying to present himself to the media – and, through the media, to the public. Indeed, his "public integrity unit" is a front for his protectionism of high-level governmental corruption. This would be obvious to you were you to examine the first TWO of the "100 reports of 'improper' government actions" that Mr. Spitzer received IMMEDIATELY upon announcement of his "public integrity unit" on January 27th at the Association of the Bar of the City of New York.

Since you stated you had not seen my December 28, 1998 Letter to the Editor in the New York Post, "An Appeal to Fairness: Revisit the Court of Appeals", a copy is enclosed. Its concluding paragraph reads:

"That is why we will be calling upon our new state attorney general as the 'People's lawyer,' to launch an official investigation."

This published Letter was not only faxed to Attorney General Spitzer on that date, but presented to him publicly on January 27th, under a coverletter, before the assembled audience of 250 people at the City Bar, upon his announcement of his "public integrity unit". Accompanying that hand-transmittal were substantiating documents, among them, CJA's correspondence with the Commission on Judicial Nomination, the Commission on Judicial Conduct, the bar associations and Governor, the Senate Judiciary Committee, and the transcripts of the Senate Judiciary Committee's confirmation hearing and the subsequent Senate confirmation.

This is detailed in CJA's March 26th ethics complaint against Mr. Spitzer, which is based, *inter alia*, on his willful failure to staff his "public integrity unit" in order to protect powerful political

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interests and individuals. Annexed to that ethics complaint as Exhibit "B" is the transcript of Mr. Spitzer's City Bar announcement of his "public integrity unit" and my exchange with him (see pp. 7-8, 13-14).

By Fed-Ex, I will send you a copy of CJA's March 26th ethics complaint, along with my July 28th motion for the disqualification of the Attorney General and for sanctions against Mr. Spitzer *personally*, based on his corrupt conduct in a current lawsuit against the New York State Commission on Judicial Conduct. That lawsuit is based on the Commission's unlawful dismissal, *without* investigation, of the facially-meritorious judicial misconduct complaint CJA filed against Justice Rosenblatt on October 6, 1998, relating, *inter alia*, to his Court of Appeals' candidacy.

My affidavit in support of the disqualification/sanctions motion chronicles, with painstaking detail, my DIRECT, FIRST-HAND EXPERIENCE with Mr. Spitzer and his "public integrity unit", spanning a SIX-MONTH PERIOD. This includes my experience with Mr. Pope, its purported head, reference to whom appears at ¶¶98, 100-103¹

Additionally, so that you can see the context of Mr. Spitzer's corruption – and that of Mr. Pope -- I will enclose a copy of the Verified Petition in the case, prefaced by the Notice of Right to Seek Intervention and Notice of Petition. Exhibit "B" thereto is the \$3,000 ad, "*Restraining 'Liars in the Courtroom' and on the Public Payroll*" (NYLJ, 8/27/97, pp. 3-4) – to which I referred in my public exchange with Mr. Spitzer on January 27th.

As discussed, a full copy of the March 26th ethics complaint, as well as the file of the lawsuit against the Commission on Judicial Conduct have now been transmitted to the U.S. Attorney for the Eastern District in connection with its corruption investigation of Governor Pataki. A copy of CJA's September 7th coverletter to Andrew Weissman, Deputy Chief, Criminal Division, will also be enclosed.

Yours for a quality judiciary and government integrity,


ELENA RUTH SASSOWER, CJA Coordinator

Enclosures

P.S. For immediate purposes, I am faxing herewith, in addition to "*An Appeal to Fairness: Revisit the Court of Appeals*", a copy of my yesterday's letter to Mr. Hughes. Please be sure to share with him the above-described Fed-Exed documents. The story is big and important enough to keep both of you busy for a long time.

¹ The recitation about the "public integrity unit" begins at ¶43, with ¶¶45-48 containing a detailed description of CJA's January 27th letter, publicly presented to Mr. Spitzer at the City Bar. The letter itself is Exhibit "D" to the affidavit.