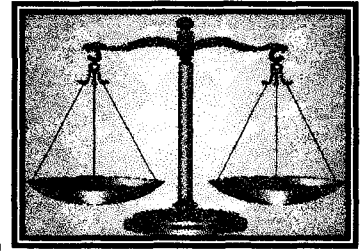


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Doris L. Sassower, *Administrator*

VIA MAIL AND FAX: 995-3363

March 9, 2002

Jeanine Pirro, District Attorney
Westchester County
111 Dr. Martin Luther King Jr. Blvd.
White Plains, NY 10601-2509

Att: A.D.A. Michael Hughes

Re: Grand Jury Investigation of Jay Hashmall
and a Complaint of Cover-up against the Journal News

Dear Assistant District Attorney Hughes:

This letter is sent to draw your attention to certain facts that can assist you in your current Grand Jury investigation of former Deputy County Executive Jay Hashmall, relating not only to Mr. Hashmall, but as well to Mark Oxman and Ralph Arred.

All three were co-conspirators in crimes against the franchise, most specifically, in 1990, when they illegally implemented the second phase of the 1989 three-year, seven-judge, judicial cross-endorsement agreement (the Three-Year Deal) between the leaders of the Republican and Democratic parties of the Ninth Judicial District.

The Deal, as you doubtless know, was designed to ensure retention of Republican control over the Westchester Surrogate's Office, one of the richest sources of political patronage in the country. Although masquerading as "good government," the Deal effectively disenfranchised the voters by terms and conditions to which each of the agreed-upon

Center for Judicial Accountability, Inc. is a national nonpartisan, nonprofit citizens' organization documenting the dysfunction, politicization and corruption of the closed-door processes of judicial selection and discipline on federal, state and local levels. Since 1989, its founders have led the fight to instill accountability into the judicial system.

the light of present concerns, that, too, should be the subject of further investigation by your office.

In that connection, I am prepared to file a formal complaint with full documentation showing an insidious pattern of systematic suppression and cover-up by the Journal News and other media wrongdoing, which has willfully and deliberately kept the public in the dark as to the true facts. As a quasi-official organ of government and the courts, in particular, deriving substantial ongoing revenue from advertising in the form of Legal Notices, as designated by various judges, there is a severe conflict of interest in publishing any information adversely reflecting on the conduct of the designating judges, as well as the judiciary in general.

In 1997, after learning of his proposed appointment of Jay Hashmall as Deputy County Executive and prior to his own induction as Westchester County Executive Andrew Spano, I notified Mr. Spano that we had important information bearing adversely on the integrity of Jay Hashmall and Oxman. The Journal News and Spano simply ignored and rejected my written offer to furnish documentary proof that their questionable conduct at the Conventions disqualified them from consideration for any public office. Even while it was presenting front-page, feature and editorial coverage on the Hashmall-Arred story, the Journal News suppressed and refused to publish the long-withheld information as to the facts referred to herein.

Had these warnings been heeded, there would have been *no* Deputy County Executive pay-back appointment to Hashmall, *no* pay-back "no-bid" contracts to Arred, *no* pay-back legal fees to Oxman, whose law firm has been rewarded with legal fees from the County for the past four years, *no* pay-back County Attorney appointment to Alan Sheinkman for his work as counsel in getting the Democratic Party, sued in *Colavita*, off the hook for its involvement in the Three-Year Deal by blocking the case so it was never heard on the merits. There would have been *no* County Attorney Sheinkman pay-back to the Westchester Democratic Party by surrender of the County's substantial claims against Arred's defaulting contracting company, thereby protecting Arred, leaving the public to suffer the injurious consequences.

We believe the Grand Jury needs to know that Mr. Hashmall's misuse of his position as Deputy County Attorney was born in his fraudulent misuse of his position as Chairman of the 1990 judicial nominating convention. Such launched him into a projectory of power and influence within the Westchester Democratic Party power structure recognized by Andrew Spano when he took office as County Executive. The Journal News, for its own politically-motivated reasons, has consistently shut out the newsworthy information on this subject, repeatedly offered it for use in its own five-month investigation of Jay Hashmall. It has thereby wrongfully kept its readers in the dark as to how Hashmall gained his foothold into the Westchester power structure. More specifically, that his Deputy County Executive position was the natural political reward for his complicity in the Three-Year Deal and his criminal and disbarable behavior as Chairman of the 1990 Westchester County judicial nominating convention.

judicial candidates was required to, and did agree to, in advance. The end result is that the same judicial candidate appeared on both major party lines, assuring their guaranteed election.

For his part in putting the deal across, Arrud, then Chairman of the City of Yonkers Democratic Committee, was given credit publicly at the 1989 Democratic Judicial Nominating Convention, which implemented its first-year terms.

You doubtless also recall that in 1989, a local civic group headed by Eli Vigliano, Esq. came into being to protest and oppose the Three-Year Deal. After the Board of Elections refused to hear Mr. Vigliano's objections and specifications, as *pro bono* counsel to the Ninth Judicial Committee, I launched a public interest case under the Election Law, *Castracan v. Colavita*, Index:#6056/90 (Albany Co.), in which I challenged the Three-Year Deal as unconstitutional, illegal, and unethical. I also challenged the judicial nominating conventions that implemented it as illegally conducted.

The 1990 Democratic Judicial Nominating Convention to nominate judges for the Supreme Court of the Ninth Judicial District was presided over by Jay Hashmall. Mark Oxman was the secretary of the convention. Hashmall and Oxman, both lawyers, acting as Chairman and Secretary respectively, signed and swore to a Certificate of Nomination that stated, falsely, that there had been due compliance with Election Law requirements. In fact, as attested to by three eyewitnesses at the convention, the convention had proceeded without a quorum, without a roll-call vote, and without compliance with the requirement that it be held in a room big enough to hold the required number of delegates and alternate delegates. Having myself attended the convention, I personally observed these gross violations of law, which made the convention a travesty and a sham.

Predictably, the result was the uncontested nomination - and election - of all of the judicial nominees under the explicit terms and conditions of the cross-endorsement deal, including a pledge, that upon election, judicial patronage would be split along party lines. All such terms were patently unlawful and unethical, as compromising the integrity and independence of the judiciary.

Although documentation by eyewitness proof of the Election Law violations at the conventions and by the terms and conditions of the Three-Year Deal itself, which was in a written form, were supplied to the Journal News, the Governor and relevant public agencies from 1989 on, as well as the *Castracan v. Colavita* case file, there was no follow-up investigation by any of the foregoing, or of the judicial and media protectionism that saved these wrongdoing lawyers and judges, who were all part of the deal, or accessories to it, from the criminal and other penalties they rightly deserved.

Moreover, the material details as to the serious election fraud that occurred in the conduct of the 1990 judicial nominating conventions and the role played therein by Messrs. Hashmall, Oxman, and Arrud have been consistently suppressed by the Journal News. In

Should you wish any of the documents referred to herein for your current investigation or desire me to submit my above-written statements under oath.

Good luck in your present effort to bring justice to the long-suffering voting taxpayers of this County. They would be gratified to know that the triad of Hashmall, Oxman and Arred will be duly punished for their violation of law and the public trust reposed in them.

I am looking forward to your response – and appropriate action!

Very truly yours,

DORIS L. SASSOWER, Administrator

cc. Jeanine Pirro, District Attorney, Westchester County
Ralph Martinelli, Publisher, Martinelli Publications
Bruce Golding, News Desk, The Journal News
Keith Eddings, News Desk, The Journal News