

supervised page

**CENTER for JUDICIAL ACCOUNTABILITY, INC.**

P.O. Box 69, Gedney Station  
White Plains, New York 10605-0069

Tel. (914) 421-1200  
Fax (914) 428-4994

E-Mail: [judgewatch@aol.com](mailto:judgewatch@aol.com)  
Web site: [www.judgewatch.org](http://www.judgewatch.org)

Elena Ruth Sassower, Coordinator

BY FAX: 212-930-8083 (13 pages)

September 18, 2002

Michelle Gotthelf, Associate Managing Editor  
New York Post

RE: An Investigative Expose of the NYS Commission on  
Judicial Conduct – based on the *readily-verifiable*  
evidence of its corruption presented by the public interest  
lawsuit against it pending before the NYS Court of  
Appeals

Dear Ms. Gotthelf:

Thank you for your willingness to review this proposal for an investigative  
expose of the New York State Commission on Judicial Conduct – which would  
be an appropriate follow-up to the “Ten Worst Judges” series that the Post has  
periodically run.

As discussed, our non-partisan, non-profit citizens’ organization has, for over  
a decade, been documenting the corruption of the Commission – which is now  
encompassed in a public interest lawsuit against it, pending before the Court of  
Appeals.

The explosive nature of the case is reflected by the article about it “*Appeal for  
Justice*”, from the April 25 - May 1, 2002 issue of Albany’s alternative  
newspaper, Metroland. A copy is enclosed.

Also enclosed is a copy of Al Guart’s February 23, 1996 story, “*Critics: Review  
Panel Protects Worst Jurists*” about the Commission, based on materials I  
provided him, as well as two relevant Post editorials about the Commission,  
“*Who Judges the Judges?*” (3/7/95) and “*The Duckman Travesty*” (4/24/96).

In response to your interest in seeing the lawsuit, I have telephoned Al,  
requesting that he pass on to you the copy of the appellate papers that were

before the Appellate Division, First Department when it "threw" the case by a fraudulent judicial decision, without which the Commission would NOT have survived.

As demonstrated by the papers before the Court of Appeals, which physically incorporate two other lawsuits against the Commission, the Commission is now the beneficiary of FIVE fraudulent judicial decisions – with two Appellate Division, First Department decisions in two separate cases holding, in single sentences unsupported by any discussion of facts or law, that a complainant whose judicial misconduct complaint is dismissed by the Commission lacks "standing" to sue. In such fashion, the lower courts – all of whose judges are under the Commission's disciplinary jurisdiction, with an interest that it remain a corrupt façade, have "protected" the Commission and insulated it from legal challenge.

As discussed, an investigative expose of the Commission is particularly timely. Not only will the Court of Appeals be presumably ruling on the lawsuit in the coming days, but this month marks FIFTEEN YEARS that the New York State Legislature has NOT held an "oversight" hearing of the Commission. Previous routine "oversight" hearings were held in 1981 and 1987, but NOT since. This, despite the fact that in 1989 New York State Comptroller Regan issued a devastating report on the Commission entitled "*Not Accountable to the Public: Resolving Charges Against Judges is Cloaked in Secrecy*", accompanied by a press release asserting: "Because there is no independent review of the Commission's activities, it is operating without appropriate oversight". A copy of the Comptroller's press release and introduction to the report is enclosed.

Yours for a quality judiciary,



ELENA RUTH SASSOWER, Coordinator  
Center for Judicial Accountability, Inc. (CJA)

Enclosures