



NINTH JUDICIAL COMMITTEE

Box 70, Gedney Station
White Plains, New York 10605-0070
Tele: (914) 997-8105 / Fax: (914) 684-6554

February 3, 1992

G. Oliver Koppell, Chairman
Assembly Judiciary Committee
Room 831, LOB
Empire State Plaza
Albany, New York 12248

ATT: Rita Gordon, Esq.
Special Assistant

Dear Ms. Gordon:

Enclosed please find duplicate copies of our correspondence with Governor Cuomo, which was previously sent to the Assemblyman's district office in the Bronx. To date, we have received the following responses--none of which address our serious allegations, let alone refer to our substantiating documentation:

From the Governor's Office:

- (a) The Governor's Office denied our October 24, 1991 request for the appointment of a special prosecutor in a four-sentence letter, dated December 18, 1991 (Exhibit "A").
- (b) No response was received to our October 31, 1991 letter.
- (c) No response was received to our December 19, 1991 letter.

From the Commission on Judicial Conduct:

- (a) A form acknowledgment to our October 24, 1991 letter was received from the Commission stating that our complaint would be "presented to the Commission which will decide whether or not to inquire into it" (Exhibit "B").
- (b) We responded by letter, dated January 2, 1992 (Exhibit "C")--referring to the Commission's failure to act upon the 1989 complaint of Eli Vigliano, Esq. relative to the Three-Year Deal and the violations of the Election Law at the 1989 judicial nominating conventions implementing it.

February 3, 1992

(c) By letter, dated January 7, 1992, the Commission notified us in three-sentences that our complaint was dismissed (Exhibit "D"). The Commission's letter also stated that "Judge Thompson did not participate in the consideration", but made no comment upon Judge Thompson's explicit remarks at oral argument--or those of other members of the Appellate Division, Second Department--concerning the illegal and unethical aspects of the Three-Year Deal (see 10/24/91 ltr at pp. 4-5).

(d) Our aforesaid January 2, 1992 letter to the Commission was acknowledged by letter, dated January 13, 1992 (Exhibit "E").

* * *

We have received no other responses to our October 24th, October 31st, or December 19th letters to Governor Cuomo from any of the many other named recipients. Nor has there been the slightest follow-up to Governor Cuomo's October 28, 1991 statement to legislative leaders:

"I am prepared to work with you to conduct an exhaustive study of waste in the judiciary--
calling on anyone who has direct knowledge
of areas of waste and investigate their
claims."

The time is ripe to seize the initiative. The financial collapse of our court system offers a propitious opportunity for meaningful reform. Our documentation and testimony, combined with the Report of the Commission on Government Integrity, should be utilized to the fullest.

We await your response as to what action we can expect from the Assembly Judiciary Committee relative to the serious matters which our correspondence with the Governor set forth.

Yours for a quality judiciary,

ELENA RUTH SASSOWER
Coordinator, Ninth Judicial Committee

cc: John D. Feerick, Chairman
New York State Commission on Government Integrity

Enclosures