

315 Seventh Avenue 5-A
New York, New York 10001
January 16, 1987

Gerald Stern, Esq.
Administrator
Commission on Judicial Conduct
801 Second Avenue
New York, New York 10017

Re: Hon. Arlene Silverman

Dear Jerry:

On December 15, 1986, while accompanying a neighbor who had a case pending in the Summons Part of Criminal Court, I observed the proceedings in Room 219 of 100 Centre Street, Judge Arlene Silverman presiding. I was shocked and filled with consternation at the conduct of the judge. I vowed that if after one month I still had the same opinion that I would write the Commission on Judicial Conduct. One month has now passed. I am still filled with dismay at Judge Silverman's conduct on the bench. Accordingly, I wish to file a formal complaint of misconduct against Judge Arlene Silverman.

On December 15th, I observed the following:

1] Judge Silverman arrived on the bench at 10:09 a.m., 40 minutes late, without a robe. She took a ten minute break at 10:13.

2] When she returned she screamed at an elderly, hearing impaired man for wearing his hat in court.

3] She berated an attorney who made an application to dismiss charges against his client.

4] She humiliated an elderly woman for pressing a complaint of harassment against her neighbors. Despite the fact that the dispute had already been through IMCR, the woman said she feared physical harm from her neighbors. Judge Silverman said she was "wasting the taxpayers money" by coming to court with such a complaint. "Why can't you people learn to live together?" the judge asked.

5] At 12:51 she broke for lunch, leaving well over 100 cases to be heard--and took an 1 and 1/2 hour lunch.. At 2:20 she returned to the bench still chewing her food.

-over-

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6] While 32 black and Hispanic defendants were lined up like cattle against a wall awaiting their cases to be called, Judge Silverman interrupted the proceedings so that attorney Jack Litman and his infamous client, Robert Chambers, could have Mr. Chambers' disorderly conduct case heard--with patience and kindness by the otherwise rude and abrasive judge. While all other defendants who received fines were yelled at by a court officer to "Step outside and pay the fine," Judge Silverman made special provision so that Mr. Chambers could exit through a side door where the clerk would accept his \$20.00.

In other cases she was rude, abrasive, impatient and contemptuous of the defendants. I also detected a distinct difference in the way she treated white and minority defendants.

If her conduct on other days is the same as her conduct on December 15, 1986, she should be removed from the bench, in my opinion.

Sincerely,



M. L. Henry, Jr.

12/15/86 9:30 room 219 100 Centre

Judge Silberman arrived on bench at 10:08, without robe. Court officers waiting; 10:11 off bench. No explanation. Screamed at an elderly man who entered courtroom wearing a hat (walking w/ cane) "No hats in courtroom, take a seat!!" Stenographer arrives 10:13. (hard of hearing). Judge back on bench 10:17.

Impatient. Irascible. "Answer my question!"

10:42 - Judge announces a "short break" and a given excuse from the audience.

- Earlier, berated an atty who made an application to dismiss charges against his client. The complainant failed to show. She said she would dismiss if his client would drop the cross-complaint. When he declined, she berated him. Case adjourned to 4:00.

10:56 - back on bench. 200 people in room.

11:00 - Officer called the names of 32 people who were lined up along wall.

12:13 - Disturbance in hall; court officers show out; judge left bench w/o explanation.

12:16 - Judge on bench.

- Berated a woman who was charging a neighbor w/ harassment; had been thru DMCR, had said they kept harassing her. Judge appointed her a lawyer, asked AOT to intervene; put it in to AP-7. Then berated her for not getting along w/ her neighbor, failing using the tax papers money when there were scum cases. 12:51

12/15/86 2:15 Returned to Room 219 100 Centre

B.C.O., 1 blue, specs & translator = all ready
and waiting

- Robert Chamber and his atty, Jade Littman,
arrived at 2:31.

2:34 - Judge arrives - no robe - frantically
chewing food. On D.C. July 25.
Stepped through side door. Not like usual
defendants.

Screamed at a woman who wanted an order of
protection.

Summons Part -

Arlene Silverman =

