

CENTER for JUDICIAL ACCOUNTABILITY, INC.

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September 23, 2003

New York State Ethics Commission
39 Columbia Street
Albany, New York 12207-2717

ATT: Walter Ayres, Public Information Officer

- RE: (1) Preservation of the records of CJA's ethics complaints;
(2) Review by the NYS Commission to Promote Public Confidence in
Judicial Elections

Dear Mr. Ayres:

This follows up my phone conversation with you yesterday, wherein I advised that CJA would be making a written presentation to the New York State Commission to Promote Public Confidence in Judicial Elections. Such presentation will focus on the deficiency and corruption of safeguards for ensuring the integrity of judicial elections. These safeguards include two important state agencies under the Ethics Commission's ethics jurisdiction -- the New York State Board of Elections and the New York State Commission on Judicial Conduct.

As discussed, the Ethics Commission's flagrant "protectionism" by its purported dismissals of our ethics complaints against these two agencies -- as likewise its purported dismissal of our ethics complaint against the New York State Attorney General¹ -- was encompassed by our March 26, 1999 ethics complaint against the Ethics Commissioners, and, in particular, against Chairman Paul Shechtman and against the Ethics Commission's former Executive Director, Richard Rifkin -- now Deputy Attorney General for the Division of

¹ These purported dismissals were "without presentment to the Ethics Commissioners, in an unauthorized and secretive supposed delegation of power to the Executive Director..." (See CJA's March 26, 1999 ethics complaint, pp. 9-11).

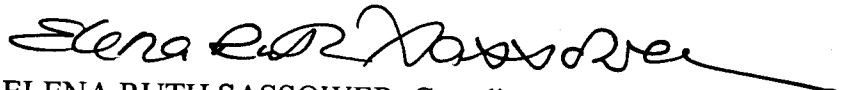
State Counsel. To date, 4-1/2 years later, that March 26, 1999 ethics complaint remains pending before the Ethics Commission – having never been dismissed (nor even acknowledged) by the Commission, nor referred to any other investigative bodies, as expressly requested. The same is true of CJA's subsequent and supplementing September 15, 1999 and October 27, 1999 ethics complaints – a fact reiterated by our March 27, 2001 letter to the Commissioners, without response².

Please confirm that the Ethics Commission has retained ALL records pertaining to CJA's many ethics complaints – including the lawsuit files we provided in substantiation. Among these, the lawsuit files of the two Election Law cases of *Castracan v. Colavita* and *Sady v. Murphy*, substantiating our February 5, 1992 ethics complaint against the State Board of Elections, and the lawsuit files of the two Article 78 proceedings, *Doris L. Sassower v. Commission on Judicial Conduct of the State of New York* and *Elena Ruth Sassower, Coordinator of the Center for Judicial Accountability, Inc., acting pro bono publico v. Commission on Judicial Conduct of the State of New York*, substantiating our numerous ethics complaints against the State Commission on Judicial Conduct, beginning with our March 22, 1995 complaint.

Please further advise whether, in conjunction with our upcoming written presentation to the Commission to Promote Public Confidence in Judicial Elections, these records – and specifically the substantiating lawsuit files – might be transmitted to it for review. They are plainly not being used by the Ethics Commission – including for purposes of confronting its own serious misconduct, as presented by our March 26, 1999 and subsequent complaints.

Thank you.

Yours for a quality judiciary,



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

cc: New York State Commission to Promote Public Confidence in Judicial Elections
ATT: Professor Michael Sweeney, Counsel
[E-Mail: msweeney@lawfordham.edu]

² As discussed, these are all posted on CJA's website, www.judgewatch.org. [see *Correspondence: NYS Officials-NYS Ethics Commission*]

TRANSMISSION VERIFICATION REPORT

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