

Center for Judicial Accountability, Inc. (CJA)

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Thursday, December 31, 2020 10:47 AM
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Subject: Looking Back & Ahead: Selection, Correction, & Breaking News by original reporting not done by the Daily Caller's article "Gov. Andrew Cuomo Says He Won't Take \$25,000 Pay Raise" (Nov. 18, 2020, Marlo Safi)
Attachments: 12-19-20-ltr-us-attorneys-s-e-w.pdf; 10-16-20-complaint-to-fbi.pdf; 11-4-20-ltr-to-us-att-bacon.pdf; 6-4-20-complaint-albany-da-soares-revised.pdf

TO: DAILY CALLER EDITOR IN CHIEF GEOFFREY INGERSOLL

On this last day of 2020, it is fitting to look back, but also ahead – and the purpose of this e-mail is to constructively do both.

Earlier this year, at the April 16, 2020 VIDEO launch of *"Conservative Newswork: A Report of the Values and Practices of Online Journalists on the Right"*, you admirably explained the role of conservative journalism. You stated (at 31 mins): "our two functions that differ us from liberal media are selection and correction: selection being if this story is uncovered we are going to cover it, and correction being, okay, this story is being mishandled by the wider media and so we are going to cover it in a different way. And most times that different way is just to include voices that have been summarily uninvited from the conversation."

Unfortunately, seven months later, the Daily Caller performed neither of those functions by a November 18, 2020 article *"Gov. Andrew Cuomo Says He Won't Take \$25,000 Pay Raise"* by its culture reporter, Marlo Safi. The article's promotion of New York Governor Cuomo – so at odds with a conservative publication -- essentially repeated, in copy-cat fashion, the "fake news", cover-up articles of New York's mainstream press – two of which it linked. The true story, which New York's corruption-abetting, election-rigging, "fake news" press has **willfully concealed, for years**, is that Governor Cuomo has, since 2012, been engaged in fraud and larceny involving pay raises and the state budget – and since 2019 has been the beneficiary of two fraudulent pay hikes that raised his salary from \$179,000 to \$200,000 last year and to \$225,000 this year. He has renounced neither of these, but only the further fraudulent pay hike that would have raised his salary to \$250,000 in 2021 – and this, belatedly, and only because of adverse press publicity based on the covid-created financial catastrophe. Concealed by the Governor – and the press – is that that the December 10, 2018 report of the Committee on Legislative and Executive Compensation, upon which the Governor's pay raises are based, is "a false instrument", violative of a succession of penal laws. This is the subject of the above-attached June 4, 2020 public corruption/grand jury complaint to the Albany County District Attorney, who is "sitting on" it and which, by the above-attached October 16, 2020, November 4, 2020, and December 19, 2020 complaints has been furnished to the FBI and the four Acting U.S. Attorneys for the Northern, Southern, Eastern, and Western Districts of New York so that, before President Trump leaves office, they can make good on his promise to "drain the swamp".

As you so commendably stated at the end of the VIDEO launch (1 hr/25 mins), "I am one of the most accessible EICs in the district, go ahead and e-mail me, I'll answer any questions you have", my questions for you are as follows:

- (1) What benefit to your conservative readership did the Daily Caller see itself making by Ms. Safi's article – and is this type of Daily Caller article typical or an anomaly?;
- (2) Which are the specific conservative press sources in New York and scholars of New York governance and politics on whom the Daily Caller relies to inform itself about the New York political scene?;

- (3) What percentage of the Daily Caller's "original reporting" results from "tips" from its conservative readers or members of the public?
- (4) What is your professional news judgment of the above attached and the substantiating EVIDENTIARY webpage for the June 4, 2020 complaint, which were furnished last week to The Intercept by the below two e-mails. Do you agree that they present a succession of powerful, transformative news stories bringing down Governor Cuomo and the top constitutional officers of New York's three government branches – enabling you to demonstrate what your featured comment in the March 31, 2020 Conservative Newswork report stated about what Daily Caller does: *"We break news, man. That's really what it boils down to. It's like bootstraps, no shit, fucking journalism. And a lot of the people who see an editorial bent in what we do, don't want to admit it—but we break news!"*

I am available to assist you, to the max, in "break[ing] news" by "original reporting" – and invite you to call me. I have three decades of first-hand knowledge and primary-source, documentary EVIDENCE about both the New York and national scenes which, as to the latter, starts in 1991 when President-Elect Biden was chair of the U.S. Senate Judiciary Committee, responsible for overseeing federal judicial selection. I would be pleased to furnish it to the Daily Caller, consistent with your "Journalistic and Ethical Standards" webpage which leads off, in bold, with the assertions: **"We won't publish what we can't prove", "We rely on sources with first-hand knowledge", and ends "All complaints about a story's accuracy or fairness must be taken seriously".**

Suffice to note that notwithstanding the overall **excellence** of your comments at the VIDEO launch and in the Conservative Newswork report, my 30 years of EVIDENCE pertaining to The New York Times will require you to revise, dramatically, your quote from the report, featured in a visual at the VIDEO launch (at 18 mins.): "I have a lot of respect for the *Times*. I think they are obviously the best paper in the world." For immediate purposes, here's the EVIDENCE pertaining to the groundbreaking public interest lawsuit I commenced against The Times in 2006, suing it for its cover-up, election-rigging reporting and editorializing for New York Senators Schumer and Clinton and seeking judicial recognition of a cause of action for "journalistic fraud". The 14 years of EVIDENCE since are just as devastating. So, too, my 30 years of EVIDENCE pertaining to *other* New York and national press – about which you are utterly mistaken if you believe that they are no different than you in "trying to get at the truth" (at 35 mins). Truth is the LAST thing they care about – and the EVIDENCE, awaiting scholarship, proves it, again, and again, and again.

Copies of this e-mail are being sent to the three scholars who authored the Conservative Newswork report – Anthony Nadler, A.J. Bauer, Magda Konieczna – and to scholar Nicole Hemmer who participated in the VIDEO launch, with my request that they call me, so that I might furnish them with valuable insights and EVIDENCE to benefit their scholarship. Likewise, a copy is being sent to Amber Athey, your "Unfit to Print" podcaster and Washington editor for The Spectator, whose response to Professor Nadler's question during the VIDEO launch "Do you use the term 'fake news'?" was "I use it but usually ironically, just because it's funny, but not the way that the president uses it, usually" (at 1 hr/22 mins). There is a serious "fake news"/"journalistic fraud" problem that pervades the liberal mainstream press and the philanthropically and member-supported non-profit, purportedly non-partisan newsrooms – and it appears from the VIDEO launch and Conservative Newswork report that conservative journalists and scholars are unaware of this. I, therefore, would like to pitch to Ms. Athey some "original reporting" on that subject – perhaps beginning with the TWO "fact-check" USA Today articles, from May 1, 2020 and November 27, 2020, which ruled as "FALSE" posts by conservatives on Facebook and other social media about Governor Cuomo's pay raises. To tempt Ms. Athey further, here's a webpage pertaining to the May 1, 2020 article with e-mails to USA Today and Facebook, requesting their "fact check" for what would become the June 4, 2020 public corruption/grand jury complaint.

Thank you.

Elena Sassower, Director
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From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>

Sent: Wednesday, December 23, 2020 4:33 PM

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Subject: In further support -- TIP/LEAD -- How do the FBI and U.S. Attorneys handle public corruption complaints filed with them by members of the public?

TO: THE INTERCEPT

Editor-in-Chief Betsy Reed

Co-Founding Editor/Investigative Reporter Jeremy Scahill

Deputy Editor Roger Hodge

Deputy Managing Editor Rashmee Kumar

Thank you for your automated acknowledgment of my yesterday's e-mail, which I received almost simultaneously with my sending it, at 9:30 pm. It stated "Due to the high volume of emails we receive we cannot respond to each submission individually. We will be in touch if we find that your story is a good fit for our publication."

To further support the "good fit", have you seen The New York Times article "*Court Extends Manhattan U.S. Attorney's Term as Inauguration Nears*" by Benjamin Weiser? The article, posted on The Times' website about half-an-hour after I sent you my below e-mail and printed in its today's newspaper, quotes Acting U.S. Attorney Audrey Strauss as saying it is "the privilege of a lifetime" to lead the Southern District's prosecutors 'as they pursue justice without fear or favor...'"

I trust you will agree that my above-attached December 19, 2020 letter to Acting U.S. Attorney Strauss will powerfully **TEST** her "justice without fear or favor" rhetoric – and that the public is entitled to know if she fails to make good.

Thank you.

Elena Sassower, Director

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From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>

Sent: Tuesday, December 22, 2020 9:30 PM

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Subject: TIP/LEAD -- How do the FBI and U.S. Attorneys handle public corruption complaints filed with them by members of the public?

TO: THE INTERCEPT

Editor-in-Chief Betsy Reed
Co-Founding Editor/Investigative Reporter Jeremy Scahill
Deputy Editor Roger Hodge
Deputy Managing Editor Rashmee Kumar

How do the FBI and U.S. Attorneys handle public corruption complaints filed with them by members of the public?

As President Trump promised to “drain the swamp”, this is to request your “fearless, adversarial journalism” of how a fully-documented swamp-draining public corruption complaint against New York Governor Andrew Cuomo and his fellow highest constitutional officers in New York’s three government branches is being handled by the FBI and New York’s four Acting U.S. Attorneys.

Attached, summarizing the situation, is my December 19th letter to the Acting U.S. Attorneys for the Southern, Eastern, and Western Districts of New York – with its three exhibits:

Exhibit A: my October 16th FBI complaint;
Exhibit B: my November 4th letter to the Acting U.S. Attorney for the Northern District of New York, furnishing the facts pertaining to my filing of the October 16th complaint with the FBI;
Exhibit C: my June 4th grand jury/public corruption complaint against Governor Cuomo and New York’s other highest public constitutional officers, filed with the Albany County District Attorney, who has been “sitting on” it.

The substantiating EVIDENTIARY webpage for the June 4th grand jury/public corruption complaint is [here](#).

As the October 16th FBI complaint will be germane to President Biden’s appointment and Senate confirmation of four successor U.S. Attorneys for New York and a new Attorney General, I trust your response will be additionally enthusiastic on that account.

Please advise, as I would like to give you the LEAD on this politically-explosive story.

Thank you.

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