

09/19/2003 08:49 0000000

PERFETTO

PAGE 02

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**NEW YORK STATE DEMOCRATIC COMMITTEEMAN**  
**DEMOCRATIC DISTRICT LEADER**  
**60<sup>TH</sup> ASSEMBLY DISTRICT**

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September 15, 2003

Dear Fellow District Leaders:

We know that change is never easy because we are basically creatures of habit. Over sixty years later, I still sit with my hands folded in front of me as though in prayer the way the good Nuns in Our Lady of Solace taught me.

However, sometimes we must make changes for our very survival. At 15 years old I worked inside cleaning and lining the smokestacks of the South African Steamship Lines, African Sun and African Star, with asbestos. I worked as a house painter with lead-based paint and in the steel industry with plating lacquers. As a result, I developed Leukemia and survived it completely. God gave me a second chance so whenever I must go into an area with toxic chemicals I wear a surgical mask. Just as a smoker must stop to save his lungs, or a drinker to save his liver. We are under scrutiny so we must change some of the questionable practices of the past, and move forward.

At our September 10<sup>th</sup> meeting of the Executive Committee I was as offended by Alan Fleischman's accusations as any of you, and voiced my objections. However, he wasn't wrong on the principle of his complaint. I see no reason why we cannot have a secret ballot and a vote on each individual candidate for Supreme Court nomination. In the past I have stated that you legislators should leave your practices in Washington, Albany and City Hall. We are not here to vote on the legal size of Trout fishing in Tonawonda County in exchange for a vote on a government-funded project in Brooklyn. I suggest that you search your souls on this issue. We must come together to work as Democratic Party officials for the good of the people we serve to enhance our party, without ulterior motive.

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09/19/2003 08:49 0000000

PERFETTO

PAGE 23

Dear Fellow District Leaders  
Page 2  
September 15, 2003

Vito Lopez, while I have specific reasons why I like you as a person, I also believe that in your anger you generalized about political appointees. Not every political appointee gets paid to do nothing! You could have attacked what Alan said without your negative innuendo about an employment practice. My late mother used to say, "The tongue doesn't have bones, but it can break bones."

I was a political appointee to the Public Advocate's Office in 1997. I quickly became Mark Green's most trusted Ombudsman. And when Betsy Gotbaum, whom I DIDN'T support, became the next Public Advocate, I packed my personal belongings and prepared to be fired. Betsy came to me, against the advice of her entire campaign staff (One Transition Team member said to me in December 2001. "Your political appointee days are over." I just smiled at him.), and said "I looked at your record for the year 2001. You advocated on 3,045 cases on three days a week in the office, which was only 42 cases less than the Senior Ombudsman did in five days per week. I would like you to stay." I also had more successful resolutions, 2,872 out of the 3,045. Betsy now refers all of her personal cases to me. I still produce the highest number of cases and the highest success rate. Please Vito, you are too respected an individual to make careless statements.

In conclusion, I am enclosing an article from a Catholic newspaper called the Tablet. While it is about the allegations of child sexual abuse by priests, it addresses the need for change. Please read it and think about it in terms of our good Democratic Party.

In unity,

I HAD WRITTEN THIS LETTER ON 9/15 AND PLANNED TO MAIL IT 9/17, BUT THE EVENTS OF 9/16 REQUIRED ME TO ADD MUCH MORE.

09/19/2003 08:49 0000000

PERFETTO

PAGE 03

Dear Fellow District Leaders  
Page 3  
September 18, 2003

First, and foremost, I want to apologize to all of you for upsetting you in the aftermath of the Judicial Convention. The media made it appear that I initiated the confrontation between Alan and me. That isn't true. I arrived at my office at 6:30 A.M. (I am not due in until 9:00 A.M.) and worked until 11:15 A.M. I took the train to Brooklyn, attended the convention and returned to work at 1:55 P.M. my timesheet reflects that.

As I left the convention hall, I was intent on returning to work to continue on my heavy caseload, when Alan shouted to me, "How dare you call yourself a reformer." I thought, who is Alan to set the criteria for reform. Reform is in the mind of the beholder. Some people believe that one must be a liberal to be a reformer. I believe that one must be honest to be a reformer, and since becoming a District Leader I have been advocating for that. You all know from the countless letters that I have written you through the years. He then pointed his finger in my face and said, "I want to go one-on-one with you." I interpreted it to mean that he wanted to debate me. However, when he repeated it a second time I realized that he was challenging me to a fight. That was when I reacted as I did. I am sorry for my behavior.

I have no animosity towards Alan, but he has no right to accuse, and abuse people because they disagree with him. Nobody is going to deprive me of my right to freedom of speech and choice. That is also reform.

This year, as a result of the bad publicity we are receiving, My criteria was the behavior of judges, because they all look good on paper. I have found that many of them are afflicted with the disease of Arrogance. The very first Civil Court Judge that I advocated for Supreme Court, an Italian-American snob, called me on behalf of a candidate this year. He finished the conversation with an arrogant comment that he thought was funny. He said, "I met your criminal cousin in court." When I challenged him to identify

Dear Fellow District Leaders  
Page 4  
September 18, 2003

that person, he said that he was only joking. I see judges who arrive late to work, work lazily on their caseload, and browbeat lawyers, court officers, and lay people who do nothing to incur their flaunting of authority. Yet some of these same judges expect everyone else to give them prompt and efficient service. At the same time believing that they are exempt from the same responsibility. That same arrogance is what prompts some to think that they can get away with anything, and cross the line to commit a criminal act.

• Last year I voted for Judge Torres, but this year I checked with two judges who were not candidates this year, and four attorneys. They all labeled her an "ingrate." They told me that she courted Vito Lopez to support her for Civil Court, but then decided she didn't need him anymore and denied his daughter a job. I see nothing wrong with a district leader recommending a candidate to a judge or elected official for a position provided they are qualified and work for every dollar they are paid. I do not believe in "No Show" jobs.

Too many judges have that same attitude towards District Leaders. They think that we are beneath them, and despise having to solicit our support. They have no reluctance in calling us at our homes, jobs, etc at any hour that is convenient to them, but after they are elected and you meet them on the street and greet them, they quickly forget who you are. They haven't even the decency to address you by name.

On September 10<sup>th</sup>, when the vote was taken at the Executive Committee meeting, I abstained. I did so because I didn't want to be the deciding vote against Judge Torres if it was that close. It was not. She lost to a majority vote. I will submit to a polygraph test that not Vito Lopez, Clarence

Dear Fellow District Leaders

09/19/2003 08:49 0000000

PERFETTO

PAGE 05

Page 5  
September 18, 2003

Norman, or any other district leader tried to influence my vote. At the convention I felt comfortable to vote for a gentleman, Judge Guzman. The term "gentleman" was also unanimous among the six people I called to discuss the two judges. I will admit that people who demonstrate civility sway me. I treat the homeless person with the same respect that I treat a wealthy person.

You now have the true reason why I voted as I did. Judge Torres is highly qualified, but Judge Guzman was also found qualified. I stand by my position. If I were in a position of authority I would establish another test that judges must pass. It would be a course on civility.

Please disabuse yourself of any "deals" or conspiracy. I did what I wanted to do. Perhaps it was a stupid way to select a judge, but my values are for respect and civility. I promised myself that hereafter, if I have the opportunity to vote on judges again I will visit each candidate's courtroom as a discreet observer to see how they treat people.

In Peace and Unity,



Ralph Perfetto