Ethan Book for U.S. Senate

January 8, 2012

Honorable
Harry Reid
Senate Majority Leader
United States Senate
522 Hart Senate Office Building
Washington, DC 20510

Dear Senator Reid:

This is further development of my letters to you of November 3, November 4, and December 1, 2011 in which I formally express my vigorous objection that Richard Blumenthal was assigned to the Senate Judiciary Committee and also where I publicly declare that Mr. Blumenthal should immediately effectively resign from his putative position as U.S. Senator. Focal points of the issues that I described are the legal voidness of the portion of the recent statewide election process by which it has been presumed by some that Mr. Blumenthal was the electoral victor and also legal defects to that process whereby Mr. Blumenthal had unfair advantage and I and the public issues which I represent have had a distint disadvantage to the effect that there has been fundamental unfairness to the election process. Related to these, I reaffirmed what I have been stating for several years that there is an unaddressed long-term political cancer in Connecticut state government (what is also properly described as an institutionalized interagency governmental conspiracy). In addition, I advised you of the pendency of such issues in a proper, timely filed federal lawsuit with pleadings before the Second Circuit Court of Appeals [Ethan Book and Ethan Book for U.S. Senate v. Susan Bysiewicz et al., Case No. 3:10-cv-1228 (PCD); CA #11-2739]. In this letter, I reaffirm the pending unaddressed matters and further expand them to include also a claim that you and the Democrat Party senate leadership have acted with deliberate indifference in dealing with these and related matters.

As brief review, the portion of the recent statewide election process which includes that pertaining to the office of U.S. Senator (to replace the position which was vacated by Christopher Dodd) is void according to state law and the Constitution for reasons including substantive legal defects to the process of filing Certificates of Endorsement for major party candidates, of excess of statutory authority by the Secretary of State of certifying on November 23, 2010 that portion of the recent election and of corresponding substantive error of the Governor in the federally required notice of the result of the election to the President of the Senate, among others. In addition, there are related due process defects (and a corresponding additional factor of voidness) in that even prior to my formal announcement as candidate for the U.S. Senate in February of 2010 and also following that, I have not had a full and

fair opportunity to litigate, that being a result of identifiable and actionable errors of Mr. Blumenthal acting for two decades as Connecticut Attorney General and of those acting in consort with him. Such players include Joseph Lieberman and District Judge Dominic Squatrito (with them and Mr. Blumenthal having been classmates at Yale Law School; also with Bill Clinton as classmate; and of Mr. Squatrito having served earlier as Lieberman's campaign treasurer). *What this means is that the general public did not have reasonable opportunity to know either the real Richard Blumenthal or me or what either of us really represent!*

In my letter to you of November 3rd, I referred to a separate letter which I had sent to Mr. Blumenthal on January 9, 2010 (just two days after Senator Dodd curiously announced that he would not seek re-election, an action in the context of my communications beginning in November of 2009 of what I call "weed-gate" discussed briefly below and concurrently the same day that Mr. Blumenthal announced that he would seek the Democrat Party nomination for the U.S. Senate). In addition to the fact that what Mr. Blumenthal stated in his public announcement was yet another mis-statement (as is explained in that letter), I also state in that letter (full text posted at my campaign website) the following:

> *. . . it is apparent that you and officials under your authority abuse your positions to influence officials of state agencies and state courts as collateral attack against citizens who might have legitimate federal claims against state officials or against the state.*

Then with reference to that unchallenged statement, in my earlier letter to you, I asserted the following:

> The significance of this publicly declared and undisputed statement is great! When one fully considers it, it becomes apparent that what was alleged against former President Richard Nixon, what was alleged against former New York Governor Elliot Spitzer and even what was recently alleged against New York Congressman Anthony Weiner is pale in comparison!

On May 5, 2009, I sent to Barack Obama a very important letter regarding the problem of systematic biases in federal courts. During the presidential campaigns of 2008, Mr. Obama had stated that our nation's top court needs justices "who feel the needs of real people". Then in response to the early 2008 announcement of the retirement of Supreme Court Justice David Souter, Mr. Obama reminded the nation that "[p]art of the role of the high court is to look after the people who don't have political power". In the same letter, I quoted from a World Affairs brief by Joel M. Skousen entitled "Corruption of the Judicial System" (2002) (http://www.joelskousen.com), among other recognized references and I cited facts to point out that such noble stated objectives are not being met. Examples of personal experience of where such objectives have not yet been met include of the matters of E. Book v. Connecticut Resources Recovery Authority et al., Case No. 3:95-cv-1344 (DJS), E. Book v. Conn. Commission on Human Rights & Opportunities, Case No. 3:95-cv-0421 (DJS) and E. Book

v. Richard Tobin et al., Case No. 3:04-CV-0442(JBA) (CA 06-2289-cv; SC 08-6670) (The complete letter is included with an attachment of my letter to you of December 1st.).

As part of my formal campaign for the U.S. Senate, in April of 2010, I published a summary campaign platform which included very important planks dealing with congressional reform and judicial reform. The portion dealing with judicial reform is quoted here:

> State and federal agencies and courts tend to be elitist, that is they tend to favor larger, more powerful entities such as corporations and governments, a situation which too often is to the detriment of individuals, particularly those of minority groups. Over the long term, this situation is wholly destructive to society, to families, to the economy, to our international interests and eventually even to government organization.

Then we observe the emergence in October of the Occupation Wall Street movement. I took the opportunity to go to Zuccatti Park in lower Manhattanduring the early part of its occupation. I fully concur with the analysis of Sierra Bell, a Yale University graduate student in anthropology who sought to understand the similarities and differences of OWS with the Tea Party movement. She says that "it seems that there are similarities in that corrupt government-corporate relations are seen as the cause of the Recession and decreased liberties for individuals". How true!

These situations of governmental dysfunction including as are observed in the federal judiciary are further affirmed in Coercing Virtue – The Worldwide Rule of Judges by Judge Robert H. Bork and in The Implosion of American Federalism by Law Professor Robert F. Nagel. Judge Bork focuses on the epidemic problem of judicial activism. The inside cover of Professor Nagel's book includes the following:

> That so many believe this most centralized of our nations institutions [the courts] is protecting, even overprotecting, state power is itself a sign of the depletion of those understandings necessary to sustain the federal system.

I point out that the federal system intended a proper balance not just between federal government and states' governments, but also of those two elements *with the rights of the people!*

Richard Blumenthal has a record of not diligently protecting either the state of federal constitutions, but rather to make frequent public sound bites which give the appearance that he is doing so, all while that he is actively and willfully abusing the constitutions in an attempt to seek and maintain a self-serving political power base. For the present, the issue is that he has so acted in extremes for such a long-term period that his pattern and chain of errors have caught up with him. The culture mentality and attitudes of deliberate indifference in government which he has fostered have acted to result in the kinds of legal defects for which certain portions of the recent statewide election process are fully legally void.

There is cause for me to refer to the decision of Krulevitch v. United States, 336 U.S. 440, 445-48, 69 S.Ct. 716, 719-20 (1949). At page 720, footnote 4, the decision quotes from The Law of Criminal Conspiracies as is found in American Cases:

> "It would appear that a conspiracy must be a combination of two or more persons by some concerted action to accomplish some criminal object; or some object not criminal by criminal means; or, some object not criminal by means which are not criminal but where mischief to the public is involved; or, where neither the object nor the means are criminal, or even unlawful, but where injury or oppression to individuals are the result."

The federal lawsuit which I early raised and which deals with glaring issues of bid-rigging in a government project, of related mail fraud, bond fraud and conspiracy is cited above as E. Book v. Connecticut Resources Recovery Authority et al., Case No. 3:95-cv-1344 (DJS). I did not have a full and fair initial opportunity to litigate that either in Connecticut District Court or at the Second Circuit Court of Appeals. The lawsuit touches on the heart of the political power base of Joseph Lieberman (who acted as Connecticut Attorney General during the time period of claims raised, claims which involve the Office of the Attorney General as a named Defendant). Joseph Lieberman is a politicl colleage of Mr. Blumenthal and of others who serve or have served at the Connecticut District Court and the Second Circuit Court of Appeals. I have periodically peaceably challenged early judicial errors of those Courts in that and related actions. It is merely for that reason and related factors for which I was wrongfully prosecuted in Stamford Superior Court (that is through the extreme conduct of Senior Assistant State's Attorney Mitchell Rubin together with the court the administration by the late Richard Tobin, then a pension recipient of the Stamford-based law firm of Cummings & Lockwood, also a former employer of Mr. Blumenthal, all in the hometown of Mr. Lieberman and the home base of Mr. Blumenthal) for a non-violent Class C misdemeanor, was wrongfully convicted and without the proper personal jurisdiction, deprived of a proper appeal bond to be further imposed a harsh one-year sentence. To that, to add insult to injury I was deprived of a reasonable opportunity for appeal (additional information available). In addition, within the Department of Correction, I was particularly blackmarked for not receiving early release. *The real and only cause for such actions was that I am a political threat to the Lieberman/ Blumenthal power base. There is proper cause for me to state that Mr. Blumenthal was willfully active in seeing to it that I was wrongfully convicted and/or willfully active in ensuring that I did not obtain early release* (additional information available).

It was during the active portion of this campaign in 2010 that I found the means to obtain public records which had been improperly withheld from me during 1995, that regarding a very real conflict of interest for District Judge Dominic Squatrito to have administered the parallel and politically-sensitive actions of E. Book v. Connecticut Resources Recovery Authority (CRRA) et al., Case No. 3:95-cv-1344 (DJS) and E. Book v. Conn. Commission on Human Rights & Opportunities, Case No. 3:95-cv-0421 (DJS). Once I obtained in 2010 such proper credible information, I timely presented proper pleadings in the District Court to revisit earlier rulings in Book v. CRRA. Again, there were arbitrary rulings by Judge Squatrito to suppress the full and open review of such matters. I timely appealed to the Second Circuit Court of

Appeals and in a horrendous chain of due process and legal errors, I came to the place that on January 5, 2012, I sent the attached letter to Catherin O'Hagan Wolfe, the Clerk of Court (with you cited as a copy recipient). What is glaringly appearent is that *even officials of the Clerk of Court have added patterns of activism to the judicial activism that is practiced by the courts.* As is made clear in the letter, *the judicial officials overuse procedures such as of sanctions, not for legitimate public purposes but rather as procedurally and politically convenient docket clearing devices to make their own jobs easier and to play political preferences.* Then the Clerk of Court of the Second Circuit has further overexpanded legal and procedural guidelines to restrict full and open review of legitimate claims. This situation of this lawsuit is very serious and it directly relates to similar issues which are raised and pending in Ethan Book and Ethan Book for U.S. Senate v. Susan Bysiewicz et al.[1]

Now we come to my proper pleadings to you, first regarding Mr. Blumenthal being assigned to the Senate Judiciary Committee and then as pertains to my declaration that Mr. Blumenthal should voluntarily resign from his putative position. Instead of me seeing any real response to these unchallenged (that is, directly to me) pleadings, I instead observe that *Mr. Blumenthal has been used by the Democrat Party leadership to moderate votes taken before the Senate!* Senator Reid, isn't there something seriously wrong with this picture?

Does not this give the appearance similar to the political ploy of Mr. Obama bringing Senator Dodd to his side in December of 2009 to announce the passage of the heavily contested health care legislation, that shortly after I formally brought to the attention of Senator Dodd, Mr. Obama and others facts regarding a glaring political and legal issue which I call the apparent involvement of Mr. Dodd in the early 1980's in "weed-gate", that is of the smuggling to the U.S. of a large planeload of marijuana and of Mr. Dodd's apparent deft action to evade responsibility and to allow his partner in the crime, Nick Romano, to take a lengthy federal rap (additional information available)? In other words, isn't the Democrat Party action of tapping Mr. Blumenthal to moderate Senate votes a ploy to give Mr. Blumenthal political cover to distract attention from the substantive matters which I have presented to you? For the facts, this question is reasonable!

In October of 1798, President John Adams addressed the officers of the First Brigade of the Third Division of the Militia of Massachusetts in a letter:

> We have no government armed with power capable of contending with human passions unbridled by morality and religion. Avarice, ambition, revenge, or gallantry, would break the strongest cords of our Constitution as a whale goes through a net. Our Constitution was made only for a moral and religious people. It is wholly inadequate to the government os any other.

In your initial campaign for the Senate in Nevada in 1974 (that in a State that I know well), you cast yourself as an incorruptible champion of limited government and political honor. The New York Times reported you to say that you "would cut government spending by reducing the maze of federal agencies . . . a dangerous fourth branch of government" (New York Post,

January 7, 2012, p. 17, column by Jonah Goldberg entitled "Harry's Hypocrisy"). In 2007, in order to keep President Bush from making recess appointments, you as Majority Leader resorted to the extraordinary tactic of keeping the Senate in *pro-forma* session, a measure supported by then Senator Barack Obama. Similarly, this past week, the senate was in *pro-forma* session (as was agreed in negotiations by you with Republicans last year) to keep Mr. Obama from making recess appointments. Nonetheless, Mr. Obama ignored the usual limitations and he proceeded to appoint Richard Cordray as head of the new Consumer Financial Protection Bureau, an entity created by Dodd-Frank legislation, an action which has been described as "a constitutional affront". Mr. Obama attempted to justify his action as saying that the maneuver of the *pro-forma* session was *nothing more than a gimmick.* You then jumped on board by endorsing Mr. Obama's action, *that by accepting the logic that calls a maneuver which you invented a sham!*

I must point out that the federal Full Faith and Credit Act, which can apply to declare state actions to be void, does not apply to federal action. You did not have a proper basis to treat your own legislation as void though you do have full, proper standing and authority to acknowledge that the statewide election process by which Mr. Blumenthal has been deemed to be the victor is fully, legally void.

My eldest son Aaron, who was born in Guatemala City in 1977 while I was working there with Bank of America (that at the time of the emergence of the Central American Crisis, the Nicaraguan Revolution) comments that patterns of judicial error in federal courts including of systematic biases and judicial activism should regulated through more proper and strict adherence by Congress of Article I, Section 8 of the Constitution. He makes a very good point!

The developing campaigns for President have included public discussion and debate about the chronic problem of earmarks and of the extreme excesses of entitlements. It has been said that earmarks aren't the real issue as the total amounts which go to earmarks is a small portion of the total national budget and that the bigger public issue is that of excessive entitlement programs. *It is my view that both are real issues! Although the total amount spent on earmarks may be smaller, the real legal, constitutional and moral significance of earmarks opens the door to the patterns of political opportunism which allows for excesses and ineffective administration of entitlement programs (and that not yet getting to the implications of Article I, Section 8 of the Constitution and of the 10th Amendment regarding federal entitlement programs)!*

All the above pertains to the present issues which I have raised of the inappropriateness that Mr. Blumenthal has been assigned to the Judiciary Committee and of proper cause for my declaration that he should resign from his putative position. These now also relate to what I raise of an issue of deliberate indifference by you and Democrat Party leadership and of the impacts of these on the present matters as well as on the proper functioning of federal courts.

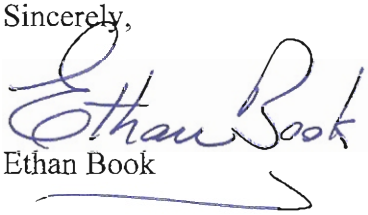
Further, if the Department of Justice sees cause to investigate Maricopa County Sherriff Joe Arpio for civil rights violations (that in the county of Arizona in which I attended and graduated from the internationally acclaimed Thunderbird School of Global Management, also where I graduated with honors and served as student body president), then there should be similar cause for a federal criminal investigation of Richard Blumenthal for civil rights violations and human rights abuses (additional information available).

Finally, I refer to the famous words of Rev. John Witherspoon, the President of Princeton and the only clergyman to sign the Declaration of Independence. He wrote:

> A Republic must either preserve its virtue or lose its liberty.

I respectfully request your careful review and response.

Sincerely,



Ethan Book

[1] I have expressed to the federal courts my disposition to amend the existing election challenge lawsuit to include also a claim for a *quo warranto* proceeding, that which is recognized in federal common law as a process which is tailor-made for challenging the validity of an election after the respondent presumes to take office.

Enclosure

c: Senator Patrick Leahy,
Chairman, Judiciary Committee
Senator Chuck Grassley,
Ranking Member, Judiciary Committee
Congressman Jim Himes (CT)
Robert D. Snook,
Office of the Connecticut Attorney General

Note: This letter (without attachment) is being transmitted to you via facsimile to (202) 224-7327. A hard original with the cited enclosure is being forwarded via regular mail.

Constitutional integrity and individual freedom!

P.O. Box 1385 - Fairfield, CT 06825
Telephones (203) 367-8779 and (203) 943-0045
newenglimo@aol.com - www.ethanbookforussenate.org