

To:

Senator Kay Bailey Hutchison
Senator John Cornyn
Representative Sheila Jackson Lee
Representative Gene Green

Senator Barbara A. Mikulski
Senator Paul S. Sarbanes
Representative Chris Van Hollen, Jr.

Representative Albert Wynn



From:

Dr. Leroy Gillam, National President
Southeastern Christian Association
Houston, Texas (832.228.3207)
www.southeasternchristianassociation.com

Dr. Marsha Coleman-Adebayo,
National President
No Fear Coalition
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Matthew F. Fogg,*
Executive Director
CARCLE - Congress Against Racism &
Corruption in Law Enforcement
Washington, D. C. (240.375.35800)
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*Board Member – Amnesty International USA
National 1st Vice President of Blacks In Government
Executive Director – Redstone Area Minority Employees Assoc.

Date: August 16, 2006

Re: Coalition Public Hearing Request

Greetings:

On behalf of a coalition of organizations and a vast network of grassroots activists who champion civil, constitutional, and human rights, we are writing you to ask for assistance. Our activism includes work with National Judicial Conduct and Disability Law Project, Inc. [www.njcdlp.org] and its Executive Director, Zena D. Crenshaw. Ms. Crenshaw is committed to meaningful judicial reform and an advocate for good government. In 1984, she graduated as an Earl Warren Scholar from Northwestern

University School of Law in Chicago, Illinois, and was licensed to practice law by the State of Indiana in that year as well. Her legal expertise is invaluable to grassroots organizations such as the Southeastern Christian Association, No Fear Coalition, and Congress Against Racism & Corruption in Law Enforcement. Several of our allies are part of the web-based initiative featured at www.wespeakup.org Many of our members and associates are your constituents.

Today, Ms. Crenshaw cannot advise or represent our groups and/or their affiliates as a lawyer on most matters because of unfair circumstances in which we would like your intervention. In 1997, with community support, Ms. Crenshaw called for a state investigation of apparent bias emanating from courts of Lake County, Indiana against minority attorneys prosecuting relatively complex and potentially lucrative personal injury claims. The challenge erupted when Ms. Crenshaw (an African American woman) and an indigent, Hispanic child she represented were sanctioned more than \$14,000 for pursuing against a multi-billion dollar prescription drug manufacturer a legal theory on which others prevailed outside of Indiana. Girded by strong public outcry, Ms. Crenshaw defeated the sanction on appeal. However, Indiana would not answer the related call for investigation of institutional bias by her and several community leaders, including a local association of African American lawyers. Instead, Ms. Crenshaw became the target of relentless investigation and disciplinary action, unknown to her career before she publicly challenged the Indiana judiciary.¹

A tenured law professor recently wrote of a matter with distinct parallels to problems Ms. Crenshaw has faced for nearly a decade. This professor acknowledged ". . . a strongly enforced taboo within the Rhode Island legal culture against criticizing the state's government institutions, particularly its courts", noting "(t)he targets and the enforcers of this taboo are one and the same: lawyers and judges themselves." *Roger Williams University Law Review*, Vol. 9, No. 2, pp 351-397 at 353 (6/9/04) – see: <http://www.projo.com/news/pdf/20040630bogus.pdf> Invariably, the same lawyers and judges arguably enforcing this kind of taboo against Ms. Crenshaw also preside over related determinations of liability, or are exonerated by their alleged co-conspirators. The U. S. Court of Appeals for the Seventh Circuit repeatedly fails to find error in this basic scenario, which is before it again as Appeal No. 06-2046, *Crenshaw vs. Antokol, et al.* (see: <http://www.focus-on-indiana.org/pdf/Appellant.brief.antokol.pdf>) Of course, "(t)wo years ago, (House Judiciary Chairman F. James Sensenbrenner) expressed (his) concerns before the U.S. Judicial Conference regarding the Judicial Branch's lack of effort in recent years to police its Members' behavior." (see: <http://www.focus-on-indiana.org/pdf/News.Release.pdf>) Moreover, all Americans deserve a fair and impartial judge in the first instance, not merely on appeal or upon petition to a higher or concurrent authority.

At stake is Ms. Crenshaw's license to practice law and to our detriment, her availability to those who

1. Despite her legal defense advanced through scores of administrative procedures, state and federal court claims, as well as several petitions to the U. S. Supreme Court, Ms. Crenshaw has been suspended for multiple years from the practice of law by the State of Indiana on two different occasions since 1997. On May 3, 2006, she met in Texas with a prisoner whose controversial prosecution and conviction may be challenged by the Southeastern Christian Association. On May 10, 2006, Ms. Crenshaw was removed from the only federal trial court in which she remained in good standing based on a reciprocal discipline process that otherwise seemed dormant since 2004.

would seek her advice and representation. We should not lose the full range of her capabilities by relying on the sometimes questionable will of state and federal judges to police their apparent biases or interests. Their arguable lack of candor in that regard is no longer a lone cry of disgruntled litigants. Particularly since 2004, the problem has been the subject of national debate and major media attention.

For the reasons stated here, we respectfully request that on behalf of our coalition members and your constituents that you prevail upon each and every member of the House Judiciary Committee to set an immediate, public hearing on the extensive facts underlying and culminating with appeal number 06-2046 before the U. S. Court of Appeals for the Seventh Circuit, *Zena D. Crenshaw vs. Joan S. Antokol, et al.* We hereby ask the U. S. Congress to review those facts in conjunction with its mandate to the people, and insure that the corresponding allegations of judicial misconduct are fairly and impartially addressed. The rights of many Americans, including your constituents, depend on that objectivity being brought to bear.

Please feel free to contact any of us with questions or comments. Also, you may reach Ms. Crenshaw c/o 7519 W. 77th Avenue -- Crown Point, Indiana 46307; c/o National Judicial Conduct and Disability Law Project, Inc. at 1.888.478.4439; and/or by email: zcrenshaw@comcast.net

cc:

Senator Richard G. Lugar
Senator Evan Bayh
Representative Peter J. Visclosky