



May 19, 2014

**Support Ronnie L. White's nomination to be U.S. District Court Judge  
for the Eastern District of Missouri**

Dear Senate Judiciary Committee Member:

On behalf of The Leadership Conference on Civil and Human Rights, we write to express our strong support for the nomination of Ronnie L. White to be a U.S. District Court Judge for the Eastern District of Missouri. As one of Missouri's leading legal minds, Mr. White has devoted his life to serving the citizens of Missouri. Throughout his career, he has demonstrated a steadfast commitment to enforcing the rule of law with objectivity, thoughtfulness and impartiality, and he would be an outstanding addition to the federal bench. We urge you to vote in favor of his nomination.

Mr. White is eminently qualified, as evidenced by the "Unanimously Qualified" rating he received from the American Bar Association and by his long career in service to the public. After graduating from the University of Missouri-Kansas City Law School in 1983, Mr. White worked as a public defender in St. Louis and served three terms in the Missouri House of Representatives. In 1993, he was appointed as City Counselor for the City of St. Louis; the following year, Governor Mel Carnahan appointed him as a judge for the Eastern District of the Missouri Court of Appeals. In 1995, Mr. White became the first African American to sit on the Supreme Court of Missouri, and he served as chief justice from July 2003 to June 2005. He retired from the bench in 2007.

As a judge, Mr. White served with distinction on the Missouri Court of Appeals and the state Supreme Court, gaining a reputation as a fair, intelligent jurist who commanded the respect of his fellow judges. When President Clinton nominated him in 1997 to a seat on the U.S. District Court for Missouri, Mr. White received support from his colleagues on the Supreme Court and many in law enforcement. However, his nomination was defeated in October 1999 in a disappointing party-line vote engineered by then-Senator John Ashcroft.

Mr. Ashcroft led a vigorous smear campaign against Mr. White based on spurious claims about his record as a judge on death penalty cases. For instance, the senator claimed that White voted against the death penalty more than any other judge on the Missouri Supreme Court. But the facts proved otherwise. Of Mr. Ashcroft's seven appointees to the court, four voted to reverse death penalty decisions more often than Mr. White.<sup>1</sup> In fact, Mr. White upheld the majority of death penalty convictions that came before him as a judge, and in the rare case in which he did vote to reverse, the majority were unanimous decisions.

Further, Mr. Ashcroft used false data and misleading interpretations to solicit opposition from law enforcement and to bolster his assertion that Mr. White was "soft on crime." Even so, two major law enforcement groups – the Missouri State Fraternal Order of Police and the Missouri Police Chiefs Association – endorsed White wholeheartedly and refuted the "soft on crime" allegation. Carl Wolf, then president of the Missouri Police Chiefs Association, revealed that Mr. Ashcroft had actively solicited opposition from law enforcement groups

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and that any such opposition was not spontaneous. It is worth pointing out that Mr. White's current nomination has again garnered the endorsement of the Missouri State Fraternal Order of Police.<sup>ii</sup>

In the aftermath of the 1999 vote against Mr. White's confirmation, many saw the vilification of him as unfair and the charges against him unfounded. In "The Smearing of a Moderate Judge," Stuart Taylor of *The Legal Times* wrote: "In short, the record shows that Judge White takes seriously his duty both to enforce the death penalty and to ensure that defendants get fair trials. It suggests neither that he's 'pro-criminal' nor that he's a liberal activist. What it does suggest is courage. And while White may be more sensitive to civil liberties than his Ashcroft-appointed colleagues are, his opinions also exude a spirit of moderation, care, and candor."<sup>iii</sup> Ultimately, many in the media viewed the fight as one of political expediency rather than of judging a candidate on the merits. As the *Washington Post* wrote, "This vote was politics of the rawest sort. It was the politics of an upcoming Missouri Senate race, in which Sen. Ashcroft apparently intends to use the death penalty as a campaign issue."<sup>iv</sup>

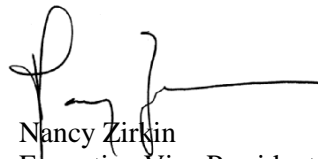
It is apparent that the opposition to Mr. White's previous nomination was baseless and that he fell victim to political posturing. The Leadership Conference believes Mr. White's record makes him an exceptionally qualified nominee with the ability to make objective decisions on the multifaceted and prominent cases that will surely come before the court. His impeccable credentials and the support he has garnered from people across the political spectrum make him an excellent choice for a federal judgeship on the U.S. District Court in the Eastern District of Missouri. This malicious and unwarranted attack on a unanimously qualified nominee must not happen again.

For these reasons, we urge you to vote in favor of his nomination. Thank you for your consideration. If you have any questions, please feel free to contact Nancy Zirkin, Executive Vice President, at [Zirkin@civilrights.org](mailto:Zirkin@civilrights.org) or (202) 466-2880, or Sakira Cook, Senior Policy Associate, at [cook@civilrights.org](mailto:cook@civilrights.org) or (202) 263-2894.

Sincerely,



Wade Henderson  
President & CEO



Nancy Zirkin  
Executive Vice President

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<sup>i</sup> White voted to reverse the death penalty 17 times. Ashcroft appointees voted to reverse: 18 times (Judge Price); 19 times (Judge Benton); 24 times (Judges Holstein and Covington). Comparison of Justice Ronnie White vs. Senator Ashcroft's Missouri Supreme Court Nominees." Provided by the White House.

<sup>ii</sup> <http://www.judgingtheenvironment.org/library/letters/Ronnie-White-MO-FOP-Letter-of-Support-5-13-2014.pdf>

<sup>iii</sup> "The Smearing of a Moderate Judge," Taylor, Stuart Jr. *Legal Times*, 10/18/99..

<sup>iv</sup> "The Ronnie White Vote," *Washington Post* Editorial, 10/08/99, p.A28.