

**NOMINATION OF JUDGE CLARENCE THOMAS TO BE  
ASSOCIATE JUSTICE OF THE SUPREME COURT  
OF THE UNITED STATES**

---

---

**HEARINGS**

BEFORE THE

**COMMITTEE ON THE JUDICIARY**

**UNITED STATES SENATE**

ONE HUNDRED SECOND CONGRESS

FIRST SESSION

ON

THE NOMINATION OF CLARENCE THOMAS TO BE ASSOCIATE JUSTICE  
OF THE SUPREME COURT OF THE UNITED STATES

---

SEPTEMBER 20, 1991

---

Part 3 of 4 Parts

---

**J-102-40**

---

Printed for the use of the Committee on the Judiciary



U.S. GOVERNMENT PRINTING OFFICE

WASHINGTON : 1992

56-272

---

For sale by the U.S. Government Printing Office  
Superintendent of Documents, Mail Stop: SSOP, Washington, DC 20402-9328  
ISBN 0-16-040837-7

**COMMITTEE ON THE JUDICIARY**

**JOSEPH R. BIDEN, Jr., Delaware, *Chairman***

**EDWARD M. KENNEDY, Massachusetts**

**HOWARD M. METZENAUM, Ohio**

**DENNIS DeCONCINI, Arizona**

**PATRICK J. LEAHY, Vermont**

**HOWELL HEFLIN, Alabama**

**PAUL SIMON, Illinois**

**HERBERT KOHL, Wisconsin**

**STROM THURMOND, South Carolina**

**ORRIN G. HATCH, Utah**

**ALAN K. SIMPSON, Wyoming**

**CHARLES E. GRASSLEY, Iowa**

**ARLEN SPECTER, Pennsylvania**

**HANK BROWN, Colorado**

**RONALD A. KLAIN, *Chief Counsel***

**JEFFREY J. PECK, *Staff Director***

**TERRY L. WOOTEN, *Minority Chief Counsel and Staff Director***

# CONTENTS

FRIDAY, SEPTEMBER 20, 1991

## CHRONOLOGICAL LIST OF WITNESSES

	Page
Panel consisting of: John E. Palmer, president and CEO, EDP Enterprises, Inc., on behalf of the Heartland Coalition for the Confirmation of Judge Clarence Thomas, and J.C. Alvarez, vice president, River North Distributing.....	1
Panel consisting of: Benjamin L. Hooks, executive director, National Association for the Advancement of Colored People; Rev. Dr. Amos C. Brown, the National Baptist Convention, U.S.A., Inc.; and Rev. Archie Le Mone, the Progressive National Baptist Convention.....	18
Panel consisting of: Donald Baldwin, National Law Enforcement Council; Carl R. Peed, sheriff, Fairfax County, VA; Johnny Hughes, National Troopers Coalition; James Doyle III, former assistant attorney general, State of Maryland; Bob Suthard, International Chiefs of Police; and John Collins, Citizens for Law and Order.....	165
Panel consisting of: Harriet Woods, president, National Women's Political Caucus; Molly Yard, president, National Organization for Women; Eleanor Smeal, Fund for the Feminist Majority; Helen Neuborne, NOW Legal Defense and Education Fund; Anne Bryant, American Association of University Women; and Byllye Avery, National Black Women's Health Project.....	200
Panel consisting of: Joe Broadus, professor, George Mason Law School, Arlington, VA; James Ellison, professor, Cumberland Law School, Birmingham, AL; Rodney Smith, dean, Capital University Law School, Columbus, OH; and Charles F. Rule, Covington & Burling, Washington, DC.....	265
Panel consisting of: Haywood Burns, Supreme Court Watch; Patricia Williams, Center for Constitutional Rights; James J. Bishop, Americans for Democratic Action; and William B. Moffitt, National Center for Criminal Defense Lawyers.....	391
Panel consisting of: Ellen Smith, Concerned Women for America; Celes King, Professional Bail Agents; George L. Jenkins, Jr., chairman, Montgomery County Black Republican Council; and George C. Dumas, national chairman, Republican Black Caucus.....	495

## ALPHABETICAL LIST AND SUBMITTED MATERIAL

Alvarez J.C.:	
Testimony.....	8
Prepared statement.....	10
Avery, Byllye:	
Testimony.....	240
Prepared statement.....	242
Baldwin, Donald:	
Testimony.....	165
Prepared statement.....	167
Bishop, James J.:	
Testimony.....	466
Prepared statement.....	469
Broadus, Joe:	
Testimony.....	265
Brown, Rev. Dr. Amos C.:	
Testimony.....	125
Prepared statement.....	128
Resolution.....	132

## IV

	Page
Bryant, Anne:	
Testimony .....	232
Prepared statement .....	234
Burns, Haywood:	
Testimony .....	391
Report .....	394
Collins, John:	
Testimony .....	185
Prepared statement .....	187
Doyle, James, III:	
Testimony .....	183
Dumas, George C.:	
Testimony .....	517
Prepared statement .....	519
Ellison, James:	
Testimony .....	267
Prepared statement .....	269
Hooks, Benjamin L.:	
Testimony .....	18
Prepared statement .....	21
Report .....	48
Hughes, Johnny:	
Testimony .....	180
Resolution .....	182
Jenkins, George L., Jr.:	
Testimony .....	507
Resolution .....	508
Prepared statement .....	511
King, Celes:	
Testimony .....	503
Prepared statement .....	505
La Mone, Rev. Archie:	
Testimony .....	136
Prepared statement .....	155
Resolution .....	161
Moffitt, William B.:	
Testimony .....	435
Prepared statement .....	487
Neuborne, Helen:	
Testimony .....	222
Prepared statement .....	225
Palmer, John E.:	
Testimony .....	1
Prepared statement .....	4
Peed, Carl R.:	
Testimony .....	169
Prepared statement .....	171
Prepared statement of Sheriff Marshall E. Honaker .....	176
Rule, Charles F.:	
Testimony .....	287
Report .....	288
Appendix .....	368
Prepared statement .....	384
Smeal, Eleanor:	
Testimony .....	205
Article from Newsweek .....	208
Prepared statement .....	211
Smith, Ellen:	
Testimony .....	495
Prepared statement of Beverly LaHaye .....	498
Smith, Rodney:	
Testimony .....	276
Prepared statement .....	278
Suthard, Bob:	
Testimony .....	184
Williams, Patricia:	
Testimony .....	442
Prepared statement .....	445, 452

Woods, Harriet:	Page
Testimony .....	200
Yard, Molly:	
Testimony .....	202

## COLLOQUY

<b>Biden, Chairman Joseph R., Jr.:</b>	
Baldwin, Donald .....	192-193
Bishop, James J. ....	466
Brown, Rev. Amos C. ....	139
Hooks, Benjamin L. ....	138-139
Jenkins, George L., Jr. ....	507
King, Celes. ....	504
Le Mone, Rev. Archie. ....	139-140, 144, 153-154
Neuborne, Helen. ....	261-263
Palmer, John E. ....	18
Smeal, Eleanor. ....	258-262
Suthard, Bob. ....	192-193
Woods, Harriet. ....	262-263
Yard, Molly. ....	263-265
<b>Brown, Hon. Hank:</b>	
Hooks, Benjamin L. ....	146-148
<b>Heflin, Hon. Howell:</b>	
Doyle, James, III. ....	197-198
<b>Kennedy, Hon. Edward M.:</b>	
Bryant, Anne. ....	253
Hooks, Benjamin L. ....	140-142
Neuborne, Helen. ....	251-252
Woods, Harriet. ....	252
<b>Kohl, Hon. Herbert:</b>	
Brown, Rev. Amos C. ....	149-150
Hooks, Benjamin L. ....	148-150
Le Mone, Rev. Archie. ....	148-150
<b>Simon, Hon. Paul:</b>	
Avery, Byllie. ....	256
Brown, Rev. Amos C. ....	144-145
Bryant, Anne. ....	257
Collins, John. ....	198-199
Ellison, James. ....	388
Hooks, Benjamin L. ....	144-145, 152-153
Le Mone, Rev. Archie. ....	144-145
Neuborne, Helen. ....	248-249, 256
Smeal, Eleanor. ....	249-251, 257
Smith, Rodney. ....	388-389
Woods, Harriet. ....	255-257
Yard, Molly. ....	248, 257
<b>Simpson, Hon. Alan K.:</b>	
Brown, Rev. Amos C. ....	150-152
Bryant, Anne. ....	253-255
<b>Specter, Hon. Arlen:</b>	
Alvarez, J.C. ....	16-17
Baldwin, Donald. ....	196
Brown, Rev. Amos C. ....	143
Smeal, Eleanor. ....	258-260
Suthard, Bob. ....	197
<b>Thurmond, Hon. Strom:</b>	
Alvarez, J.C. ....	15
Baldwin, Donald. ....	194-195
Broadus, Joe. ....	389-390
Collins, John. ....	194-195
Doyle, James, III. ....	193-195
Dumas, George C. ....	524-525
Ellison, James. ....	389-390
Hughes, Johnny. ....	193-195
Jenkins, George L., Jr. ....	524-525
King, Celes. ....	524-525

VI

Thurmond, Hon. Strom—Continued

	Page
Palmer, John E.....	15
Peed, Carl.....	198-195
Rule, Charles F.....	390
Smith, Ellen.....	524-525
Smith, Rodney.....	390
Suthard, Bob.....	198-195