

OFFICE OF THE ATTORNEY GENERAL



JIMMY EVANS
ATTORNEY GENERAL
STATE OF ALABAMA

ALABAMA STATE HOUSE
11 SOUTH UNION STREET
MONTGOMERY ALABAMA 36130
AREA (205) 242-7300

STATEMENT OF ALABAMA
ATTORNEY GENERAL JIMMY EVANS
BEFORE THE UNITED STATES COMMITTEE
ON THE JUDICIARY

Mr. Chairman and members of the Judiciary Committee, I am honored to be submitting this statement to you. I am especially honored to be submitting a statement to a committee whose membership includes the distinguished senior Senator from Alabama, who is a former Chief Justice of the Alabama Supreme Court and who has served my state and our country so well for so many years.

Let me begin by saying that the confirmation of Judge Clarence Thomas should not be a partisan political issue. I am a lifelong Democrat and a former member of the Alabama Democratic Executive Committee. I was elected to my present office after defeating a Republican, who is now Chairman of the Alabama Republican Party, in the general election last year. I am a Democrat in every sense of the word, but there are some things that are too important for partisan politics, and the confirmation of Judge Thomas is one of those.

As chief law enforcement officer for the State of Alabama, I know that there is no greater problem facing America today than the problem of violent crime. Judge Thomas understands that. In his earlier public statements he has said that the number one priority in our inner cities ought to be controlling crime, and he is absolutely right. It used to be that in many of our cities it was not safe to be on the streets at night. Now, it is becoming unsafe to be on those streets even in broad daylight.

Judge Thomas has also previously spoken publicly of the totalitarianism of criminals and how crime robs us of our freedoms. Again, he is absolutely right. Much has been said in these hearings, and rightfully so, about the cherished freedoms that are ours as Americans to enjoy. However, we should never forget that a murder victim has no freedom, and a rape victim is condemned to living under the tyranny of fear. An essay on freedom rings hollow to a mother, living in a housing project, whose children have to dodge stray bullets on the playground. One of the most important civil rights is the right to be free from fear in our homes, in our streets, and in our schools and places of worship. Millions of Americans are being denied that civil right.

In the face of all of this, a national association of special interest attorneys, who represent criminals, has criticized Judge Thomas because they say his opinions show a "cold indifference." I can assure you that the last thing we

need on the Supreme Court is a judge who has warm and sensitive feelings toward drug traffickers, murderers, and rapists. I know from reviewing Judge Thomas' opinions and from his public comments that he is sensitive to the interests of law enforcement and to the rights of the victims of crime. He is fair and unbiased, and we need him on the Supreme Court.

This opinion is not just my opinion. It is the view of the law enforcement community in America. Let me give you some examples from my state. Judge Thomas has been endorsed by the Alabama District Attorneys Association, by the Alabama Sheriffs Association, by the Alabama State Troopers Association, by the Alabama State Lodge of the Fraternal Order of Police, and by the Metropolitan Criminal Justice Executive Association. He has also been endorsed by twelve Alabama black community leaders in the law enforcement area, whose number includes state and federal law enforcement officials.

Mrs. Miriam Shehane is the President of Victims of Crime and Leniency, or V.O.C.A.L., which is Alabama's largest victims' rights organization. In her letter endorsing Judge Thomas, Mrs. Shehane pointed out something that I was reminded of when I came into this building today. She pointed out that those who work in this building are protected by metal detectors and guards. As Senators, you also enjoy under federal law special protection from violent attacks upon you. If you are the victim of violence, all the force of the federal government will be brought to bear in apprehending and

punishing the criminal. Mrs. Shehane said that was as it should be, and I agree. We want you to be safe.

However, as she pointed out, there are millions of Americans who do not have the special protection that you enjoy. They are dependent upon the criminal justice system for their protection. What they need is a judiciary that will be as concerned with protecting the lives and interests of innocent citizens as it is with protecting those of criminals. The confirmation of Judge Thomas will be an important step in the right direction. On behalf of law enforcement, and on behalf of the law-abiding citizens of Alabama and of the entire country, I urge you to vote to confirm Judge Thomas.