



Congressional Black Caucus

OF THE 110TH UNITED STATES CONGRESS

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Change Course, Confront Crises, Continue the Legacy

FOR IMMEDIATE RELEASE

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Kilpatrick and Thompson Issue Strong Statement for CBC Opposing Southwick

Congresswoman Carolyn Kilpatrick, Chair of the Congressional Black Caucus, called Senate Majority Leader Harry Reid (D-NV) and Judiciary Chair Patrick Leahy (D-VT) to express the “strong and unequivocal opposition” to voting out of committee Fifth Circuit Court of Appeals Bush nominee Leslie Southwick, a former judge on the Mississippi Court of Appeals. Kilpatrick said that Southwick’s “intolerant racial views and his fixed right-wing worldview make a vote for him a vote against everything the CBC and African Americans are striving for in the new Democratic House and Senate.”

The CBC, including Congressman Bennie Thompson (D-MS), chair of the Homeland Security Committee and the only member of the Caucus from Mississippi, have the strongest concerns about Southwick’s commitment to equal justice. Kilpatrick and Thompson also sent a letter to President Bush urging the withdrawal of Southwick’s name. “The Southwick nomination would compound the absence of diversity with a nominee with an unacceptable record on race,” Kilpatrick and Thompson said. Southwick joined an opinion later unanimously overturned by the Mississippi Supreme Court that would have reinstated a white woman who used the phrase “good ole nigger” about an African American coworker. Of particular concern to the Caucus is Southwick’s pattern of approving preemptory challenges that exclude Blacks from juries while approving challenge when whites allege they have suffered discrimination from preemptory challenges.

The Fifth Circuit is the last line of enforcement for the federal rights of residents of Mississippi, Louisiana, and Texas, which has the highest percentage of minority residents in the United States. Yet, only one African American serves on the Fifth Circuit court and no African-American from Mississippi has served, even though that state is 37% African-American. “The Southwick nomination would compound the absence of diversity with a Bush nominee with an unacceptable record on race,” Kilpatrick said.



Although the CBC had been informed that a vote would not occur before June 7, information came last night that an attempt could come today to voice vote Southwick out of committee, circumventing established procedures. Kilpatrick received assurances that no such vote would occur. She and Thompson strongly objected to the rush to put more Bush nominees on the courts so late in his term, Kilpatrick said, “particularly considering the harm the Senate has already done with nominees to the Fifth Circuit.” The CBC and civil rights organizations, who had just received Southwick’s written responses to Senate queries following his hearing, were in the midst of an investigation of his record when word came of a possible attempt to voice vote Southwick out of committee today.

“The Senate has done great harm to African Americans where we live in the Fifth Circuit,” Thompson said. “A vote for Southwick would make a bad Fifth Circuit problem worse at the hands of a Democratic Senate, and at the end of an administration. Bush has all but ruined the federal courts. Democrats must not help him do more of the same as he leaves office.”

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