



Kirsten Dunham
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January 22, 2003

The Honorable Orrin G. Hatch
Chairman
Senate Judiciary Committee
Dirksen Senate Office Building, Room 224
Washington, DC 20510

Dear Chairman Hatch:

I urge you to oppose Jeffrey Sutton's confirmation to the 6th U.S. Circuit Court of Appeals. I and other civil rights advocates are opposed to Sutton's nomination because of his actions to limit Congress' power to protect individuals' civil rights. He has argued against the Americans with Disabilities Act, saying that the law was not needed to protect the rights of people with disabilities and that Congress had no power to apply the ADA to the states. Mr. Sutton has also attacked the rights of Medicaid recipients to enforce their rights under the law. His position that Spending Clause laws are not supreme federal law is counter to over sixty-five years of Spending Clause jurisprudence.

If Jeffrey Sutton is appointed to the 6th Circuit, then the rights of people with disabilities and other civil rights will be in jeopardy. Congress had clear evidence of discrimination by states against people with disabilities. Discrimination exists today, and people with disabilities and other minorities must have access to all remedies including lawsuits to enforce their rights. Civil rights advocates have fought for decades to end segregation and discrimination, and we must not turn back the clock by appointing judges such as Mr. Sutton who want to limit the powers of Congress and weaken civil rights protections.

You have been a supporter of disability rights and the constitutionality of the ADA. The disability rights community needs your help to stem the tide of activist rulings that are undermining the principles and intention of disability rights laws. I hope that you will consider the harm that Jeffrey Sutton's positions will cause and oppose his confirmation to the 6th Circuit Court of Appeals.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Kirsten Dunham".

Kirsten Dunham