



January 27, 2003

Fax To: 202- 224- 9102  
Pages: 4

For:  
Senator Orrin Hatch, Chairperson, Judiciary Committee  
and all members of the Judiciary Committee:  
Senator Grassley, Senator Specter, Senator Kyl, Senator DeWine, Senator Sessions,  
Senator Graham, Senator Craig, Senator Chambliss, Senator Cornyn, Senator Leahy,  
Senator Kennedy, Senator Biden, Senator Kohl, Senator Geinstein, Senator Feingold,  
Senator Schumer, Senator Durbin, and Senator Edwards.

Our agency Heightened Independence and Progress (*hip*), an agency that provides information and services for people with disabilities, is extremely concerned about the renomination of Jeffrey Sutton for a lifetime seat on the 6<sup>th</sup> Circuit Court of Appeals.

Jeffrey Sutton has clearly taken positions against providing effective remedies under federal law for disadvantaged persons in our society. He has stated that he does not feel that keeping people with disabilities unnecessarily in institutions is a form of discrimination and that states have no duty under the ADA to serve individuals in integrated settings. He has taken the position that people with disabilities should not be allowed to enforce regulations under Section 504 and Title II of the ADA requiring reasonable accommodations and integration of individuals with disabilities. Sutton's arguments in advancing the Federalist agenda have been used by others in many cases that threaten the years of effort by Congress, previous presidents, people with and without disabilities to ensure that we wipe out society-wide discrimination against people with disabilities in such vital areas as employment, housing, transportation and public accommodations.

Appeals of cases that relate to these issues will be brought to the 9<sup>th</sup> Circuit Court of Appeals and it seems clear to us that Jeffrey Sutton has clearly established an unacceptable and biased position relating to these issues. I am enclosing 3 pages of a petition signed by 35 registered voters that **OPPOSE** the nomination of Jeffrey Sutton to a seat on the 9<sup>th</sup> Circuit Court of Appeals. **We urge you to do all you can to prevent his nomination and, if he is nominated, to vote NO to his appointment.**

Sincerely,

Nancy Hodgins  
Community Advocate  
Fax: 201-996-9422

**heightened independence & progress**  
A Center for Independent Living for People with Disabilities

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