



Empowering individuals with disabilities in making significant life choices and changes to enhance their employment and independent living opportunities

Linking Employment, Abilities & Potential • 1468 West 25th Street • Cleveland, OH 44113 • (216) 696-2716 • FAX (216) 696-3317

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The Honorable Orrin Hatch
104 Hart Senate Office Building
Washington, DC 20510

Dear Senator Hatch:

Linking Employment, Abilities and Potential (LEAP), in Cleveland, works with people with disabilities in making significant life choices and changes to enhance their independent living and employment opportunities. LEAP is a program of Lutheran Metropolitan Ministry.

Because of LEAP's mission and the broader social justice mission of LMM, and after extensive study and deliberation, LEAP's Board resolves unanimously to oppose President Bush's nomination of Jeffrey Sutton to the Sixth Circuit Court of Appeals and to communicate that opposition to our elected officials and elsewhere.

LEAP's decision was not taken abruptly since we are mindful that single issue, special interest opposition to Federal judicial nominees is viewed by many responsible members of both the Republican and Democratic parties as inappropriate. Our opposition to Mr. Sutton's nomination is driven primarily by what we view as his legal insensitivity to the barriers faced by the American community of people with disabilities in reaching the highest level of independence and employment. This insensitivity is best reflected by Mr. Sutton's legal advocacy in his successful Supreme Court arguments in the case of University of Alabama Board of Trustees v. Garrett. Mr. Sutton's position on the Americans with Disabilities Act, however, is not the sole basis for our opposition. We direct your attention to the comprehensive analysis of Mr. Sutton's legal philosophy by the Bazelon Center on Mental Health Law which at great length examines his career of opposition to fundamental civil rights embodied in the U.S. legislation, including the ADA and Medicaid laws. For detail of the Bazelon Center study, see www.ncil.org/sutton.htm (scroll through the list of opposing organizations for the report).

As a member of the Senate Judiciary Committee, and more importantly, as a public official long viewed as fair minded in your deliberation of critical issues, we urge you to keep an open mind during the Judiciary Committee hearing (as yet unscheduled we understand).

Representatives from LEAP would be happy to speak with you personally or with your staff, to elaborate further on our concerns. We may be reached at 216-696-2716.

Thank you for your consideration.

Very truly yours,

Melanie Hogan
Interim Director, LEAP



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