



Southeastern Christian Association, Inc.

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January 18, 2007

Texas House Committee
Criminal Jurisprudence
ATTN: Chairperson, 80th Legislature
EXT E2.112
P.O. Box 2910
Austin, TX 78768-2910

Texas House Committee
Juvenile Justice and Family Issues
ATTN: Chairperson, 80th Legislature
EXT E2.172
P.O. Box 2910
Austin, TX 78768-2910

The Honorable John Conyers, Jr.
Chair, U. S. House Judiciary Comm.
2426 Rayburn Building
Washington, D. C. 20515

The Honorable Linda Lawson
Chair, Ind. House Judiciary Comm.
200 W. Washington Street
Indianapolis, IN 46204-2786

Chief, Public Integrity Section
Dept. of Justice, Criminal Div.
950 Pennsylvania Avenue
Washington, D. C. 20530-0001

Re: Request For Investigation

Dear Committee Chairs and Section Chief:

West Texas Beat (WTB) is among the fourteen (14) state divisions comprising **Southeastern Christian Association, Inc. (SECA)**, a national human rights organization headquartered in Houston, Texas. WTB presently serves Abilene and Haskell, Texas as well as their surrounding communities. The effort began with a coalition of mothers, concerned about injustice and apparent abuses of government power that long victimized their children, minorities, and potentially any Abilene resident without money or clout. [see: www.westtexasbeat.net]. It may seem much like a cliché that two of the mothers have teenage sons they believe were falsely accused of unrelated murders. Compelling in any event is that these teenagers have legal difficulties with aspects that should be investigated by the Texas Legislature and others that should be scrutinized by the Indiana Legislature, Congress, and the U. S. Justice Department. The boys are **Moishe Curtis Turner** and **Juan Manuel Albarado**.

Anticipating the multi-faceted government reform campaign that is WTB, my Executive Assistant became familiar with the facts and law impacting the certification as adults for criminal prosecution of Moishe and Juan Manuel. She is **Zena D. Crenshaw**, a nationally known judicial

reform activist, presently based in Indiana.¹ Both Ms. Crenshaw and I are confident that the cases of Moishe and Juan Manuel expose the unconstitutionality of their prosecutor's discovery limitations, at least in the context of adult certifications. We consulted at least twenty (20) lawyers, trying to get filed a corresponding action for declaratory and injunctive relief for violation of rights under color of law. Despite well publicized discontent with the "closed file policy" of Taylor County District Attorney James Eidson, not a single lawyer would challenge this veteran prosecutor as requested. Given the limited time to undermine the jurisdiction of criminal court over Moishe and Juan Manuel through civil litigation, Ms. Crenshaw filed the enclosed complaint of October 11, 2006 and sought leave to proceed as their attorney *pro bono*.

Moishe and Juan Manuel lost an unparalleled opportunity to flush out what strongly appears to be a lack, bad faith or negligent destruction, and/or unlawful withholding of evidence in their cases when the U. S. District Court for the Northern District of Texas at Abilene would not let Ms. Crenshaw represent them. The State of Texas need not miss the opportunity presented by their cases to reveal the devastating effects a prosecutor's closed file policy can have on children. Indiana legislators, appropriate members of Congress, and the U. S. Justice Department should not forego the opportunity to consider whether Moishe and Juan Manuel are casualties of an inexplicable zeal to exclude Zena D. Crenshaw from the Indiana bar of attorneys.

A subcommittee of the Committee On Criminal Jurisprudence for the Texas House of Representatives recently acknowledged that in primarily placing the burden of discovery on prosecutors under Article 39.14 of the Texas Code of Criminal Procedure, "there has not been uniformity in how jurisdictions have been making records available". (*C. J. Cmte, Interim Rpt, p 24 - 10/30/06*). **SECA hereby requests** a thorough investigation of all related practices in Taylor County, Texas as they currently affect Moishe Curtis Turner and Juan Manuel Albarado and are outlined by the enclosed complaint. As for its author, SECA notes the striking parallels between her difficulties and the recent expose' of a tenured law professor entitled "*Culture of Quiescence*", Roger Williams University Law Review, Vol. 9, No. 2, pp 351-397 (6/9/04). [*see:*

¹Ms. Crenshaw was admitted to the bar of attorneys for the State of Indiana in October of 1984. She received her Juris Doctorate earlier that year from Northwestern University School of Law in Chicago, Illinois, having completed six semester hours at the Notre Dame Law Centre in London, England. Ms. Crenshaw has been designated an Indiana State Scholar, a National Merit Scholar, a Notre Dame Scholar, and an Earl Warren Scholar.

In 1997, with the support of community leaders including a local bar of African American attorneys, Ms. Crenshaw publicly called for a government investigation of apparent bias emanating from courts of Lake County, Indiana against minority attorneys prosecuting relatively complex, potentially lucrative personal injury claims. No such investigation was forthcoming, but she became the target of relentless investigation, previously unknown to her career. [*see: www.focus-on-indiana.org*]. Ms. Crenshaw remains a member of the bar of attorneys for the U. S. Court of Appeals for the Seventh Circuit at Chicago, Illinois, but was suspended in October of 2004 for her 1997 critique of Indiana courts and a verified motion, expounding upon related allegations in federal litigation.

<http://www.projo.com/news/pdf/20040630bogus.pdf>] The professor recounts “. . . a strongly enforced taboo within the Rhode Island legal culture against criticizing the state’s government institutions, particularly its courts”, claiming “(t)he targets and the enforcers of this taboo are one and the same: lawyers and judges themselves.” *Id. at 353*. Zena D. Crenshaw attests to the same kind of phenomenon in Indiana to no avail.

SECA hereby requests a thorough investigation to determine whether Zena D. Crenshaw is or has ever been a target of retribution by any state and/or federal judge since 1997, conducted within the respective jurisdiction of Indiana legislators, Congress, and the U. S. Justice Department. Ms. Crenshaw is a lawyer. As to her allegations of judicial bias, she has always been supported by lawyers, at times has been represented by lawyers, and is consistently counseled by lawyers as well as doctors of jurisprudence who are not attorneys. That her contentions have yet to provoke judicial decisions based on thorough discovery and expert testimony is an oddity that now resonates in Texas. Though apparently innocent, Moishe Curtis Turner and Juan Manuel Albarado may well spend most of their adult lives in prison due in significant part to Ms. Crenshaw’s unavailability as a lawyer. Oversight as to all past and present Texas and Indiana officials as well as all current and retired judges in the U. S. Seventh Circuit contributing to this quagmire is a legal and moral imperative. I look forward to conversing and coordinating with each of you towards that end.

Sincerely,
Southeastern Christian Association, Inc.

By:

Dr. Le Roy Gillam, National President

LG/abm

Enclosures

cc (w/encl):

Texas Legislature: Senator Troy Fraser; Senator Robert Duncan; Representative Joe Heflin; Representative Susan King;

Indiana Legislature: Senator Earline Rogers; Representative Charlie Brown; Representative Vernon G. Smith;

Congress: Senator Richard Lugar; Senator John Cornyn; Senator Evan Bayh; Representative Sheila Jackson Lee; Representative Gene Green; Representative Lamar Smith