

July 13, 2007

To: Honorable John Conyers, Jr.
Chairman, House Judiciary Committee
2426 Rayburn Building
Washington, DC 20515

Honorable Patrick J. Leahy
Chairman, Senate Judiciary Committee
433 Russell Senate Office Building
United States Senate
Washington, DC 20510

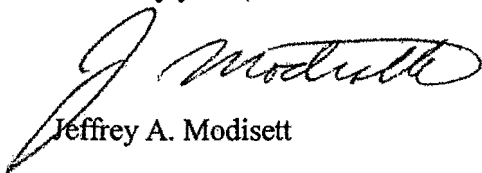
Re: Petition in Support of Governor Siegelman

We hereby submit the enclosed petition signed by 44 former state attorneys general urging the United States Congress to investigate the circumstances surrounding the investigation, prosecution, sentencing and detention of Don Siegelman, the former Governor of Alabama.

As Chairs of the Judiciary Committee of the House and Senate, we urge you to incorporate the Siegelman case into your ongoing inquiry concerning potential inappropriate political interference in the offices of United States Attorneys.

It is imperative to maintain the integrity of the justice system so as to ensure the public's confidence in its objectivity and independence.

Sincerely yours,



Jeffrey A. Modisett

Robert Stephan

Robert Abrams

Grant Woods

(Jeffrey Modisett signing for himself and for Robert Abrams, Robert Stephan and Grant Woods with their permission)

To the House & Senate Judiciary Committees:

We, the undersigned former state attorneys general – both Democrats and Republicans – urge the U.S. Congress to investigate the circumstances surrounding the investigation, prosecution, sentencing, and detention of Don Siegelman, the former governor of Alabama. As the former chief law enforcement officers for our respective states, we honor the rule of law, the sanctity of juries, and the important deterrent effect of prosecution and – in most cases -- incarceration. We are also reticent to argue the facts of a case where we have not had an opportunity to personally review each piece of evidence and its relationship to the applicable law.

However, as numerous national and state media have pointed out, there is reason to believe that the case brought against Governor Siegelman may have had sufficient irregularities as to call into question the basic fairness that is the linchpin of our system of justice. We urge the Congress to take immediate action to investigate this entire matter so that the public may be assured that the outcome is just.

While we do not know all of the facts of this case, we do know the following:

- (1) Governor Siegelman is currently incarcerated at a Bureau of Prisons facility, having been refused release on bail pending appeal. Indeed, he was even denied 45 days to report to prison to give him time to put his affairs in order, an opportunity which is commonly granted.
- (2) A lawyer who had worked in the campaign of Governor Siegelman's opponent in the 2006 gubernatorial contest has sworn in a recent affidavit that the spouse of the federal

prosecutor in this case stated that his wife and another federal prosecutor would “take care of” Mr. Siegelman and that he had talked with a political operative for the White House concerning such assurances.

(3) In an unrelated but recent case, a low-level employee in another state administration was prosecuted and convicted by another U.S. Attorney before a U.S. Court of Appeals ordered her immediate release from prison and reversed the trial verdict calling the prosecution evidence “beyond thin.”

(4) Another former Governor of Alabama was convicted of corruption charges a few years ago in a case where he personally benefited from his action and was sentenced to probation. That case was handled by the same lead prosecutor as in the Siegelman case.

(5) The sentence sought by the prosecutor in Governor Siegelman’s case -- 30 years -- was excessively disproportionate, and the sentence imposed -- 7 years, 4 months -- was harsh.

(6) While we are not privy to all the evidence, we are aware that there are numerous apparently legitimate (and arguably compelling) appealable issues in this case, as confirmed by a number of legal scholars. There have been allegations of jury misconduct and the possible introduction of extrinsic evidence into the jury deliberation process that have not been fully investigated. For this reason, and because Governor Siegelman is not in any way a flight risk, the denial of a bond pending appeal appears inappropriate, and the shackling of the Governor in handcuffs and leg irons as he was taken out of the courtroom was shocking.

The U.S. justice system should be above reproach. The only way to convince the public that the Governor is not the victim of a politically motivated double-standard is for Congress to investigate all aspects of the case thoroughly.

Jeffrey A. Modisett-Indiana
Robert T. Stephan-Kansas
Robert Abrams-New York
Grant Woods-Arizona

Ken Eikenberry-Washington
M. Jerome Diamond-Vermont
W.J. Michael Cody-Tennessee
Bonnie J. Campbell-Iowa
Neil F. Hartigan-Illinois
Larry EchoHawk-Idaho
Mike Moore-Mississippi
Scott Harshbarger-Massachusetts
Chris Gorman-Kentucky
Charles Oberly-Delaware
Andrew Ketterer-Maine
Dennis J. Roberts, II-Rhode Island
Joseph P. Mazurek-Montana
Michael Lilly-Hawaii
Mary Sue Terry-Virginia
Michael C. Turpen-Oklahoma
Robert J. Del Tufo-New Jersey
Richard Ieyoub-Louisiana
Richard Opper-Guam
Richard Wier-Delaware

John K. Van de Kamp-California
Walter W. Cohen-Pennsylvania
Frank J. Kelley-Michigan
Francis X. Bellotti-Massachusetts
Heidi Heitkamp-North Dakota
Hubert H. Humphrey, III-Minnesota
J. Knox Walkup-Tennessee
Frankie Sue Del Papa-Nevada
Oliver Koppell-New York
Bruce Botelho-Alaska
Andrew P. Miller-Virginia
Steve Clark-Arkansas
Anthony F. Troy-Virginia
Frank V. Mendocino-Wyoming
Robert H. Quinn-Massachusetts
C. William Ullrich-Guam
Duane Woodard-Colorado
Travis Medlock-South Carolina
Charles G. Brown-West Virginia
Edwin L. Pittman-Mississippi