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PRESS RELEASE FOR IMMEDIATE RELEASE

December 9, 2014

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A REQUEST TO JUDGE NADEL DENIED

As the lead story in Sunday morning's *Enquirer* makes clear their remains a significant racial divide in our community and in the country. It goes beyond the Tracie Hunter case.

Nationally it certainly includes far too many difficult to explain deaths of unarmed black males at the hands of police officers.

Locally we saw it in the difficulty Judge Fanon Rucker, a highly qualified and well regarded judge had in his campaign. In the same editorial in which the Cincinnati *Enquirer* endorsed a Democrat for the Ohio Supreme Court because the Court needed political diversity the *Enquirer* failed to endorse Judge Rucker in spite of the fact that there is no Democrat on our Court of Appeals and never have we elected an African American to that Court.

In Micah Kamrass' race for the state legislature the Ohio Republican Party paid to mail postcards clearly designed to inflame racial prejudices by photo shopping Micah and Reverend Al Sharpton into a photo with convicted Melowese Richardson...but only mailed those into places like Montgomery and Blue Ash and not into heavily African American Forest Park.

- more -

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There is no doubt that our community has come a long way in dealing with racial issues, especially with the police-community collaborative in Cincinnati. But it is equally clear that we have a long way to go.

The sentencing of Judge Tracie Hunter to serve six (6) months in jail before her appeal can even be heard, is a cause of serious concern. Fifty-six (56) of us have joined in the attached letter delivered yesterday to Judge Nadel urging him to grant Judge Hunter's motion to delay the imposition of the jail sentence until her appeal rights are exhausted and to reconsider the jail sentence entirely. For all the reasons stated in that letter, it is regrettable that he declined to do that.

- # -



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FILE COPY

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December 8, 2014

Via Hand-Delivery

The Honorable Judge Norbert Nadel
Hamilton County Common Pleas Court
Hamilton County Courthouse
1000 Main Street
Room 560
Cincinnati, Ohio 45202

Dear Judge:

With all due respect, we write to urge you to grant the motion filed on behalf of Judge Tracie Hunter to defer her sentence until her appeals have been exhausted.

We make this request for several reasons. First, there are substantial grounds for an appeal, both on the merits of whether or not the conduct fits the alleged crime and on issues involving the jury. Judge Hunter is not a flight risk. Cincinnati is her life-long home. If Judge Hunter is required to serve her six-month jail sentence now and she prevails on appeal, it would be a Pyrrhic victory at best since she would have already served the jail time before the appeal would have been decided.

Second, Judge Hunter may have become a controversial figure in our community, but prior to her election, an election victory of which she was deprived for a year and a half after she should have been allowed on the bench, she led an exemplary life, though not one without its tragedies and challenges. She was a lawyer, a minister and community servant. The conviction she now has appealed and even those crimes with which she was charged but not convicted on, were not violent. She did not personally financially benefit. Under the circumstances, there is little likelihood of repetition. She is clearly a candidate for probation and no jail time.

There is also a more difficult but very real issue. All across the country, serious questions of trust are being raised about the fairness of our justice system in dealing with matters involving race. To sentence to jail the first African-American judge to ever be elected to our Juvenile Court, and one of the very few African-Americans to ever be elected in a contested country-wide election in Hamilton County, to jail under these circumstances, given her background, will only deepen that mistrust. That is

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The Honorable Judge Norbert Nadel
Hamilton County Common Pleas Court
December 8, 2014
Page 2

particularly true in light of the fact that other first-time offenders under similar circumstances would receive no jail time at all.

For all of these reasons, we urge you to reconsider the jail sentence and, particularly, to grant the motion to delay the service of the sentence until her appeal rights have been exhausted. Thank you for your consideration.

Sincerely,

Tim Burke, Esq.
Chair, Hamilton County
Democratic Party

Christie Bryant Kuhns, Esq.
State Representative Elect

Wendell Young
Cincinnati Councilmember

Alicia Reece
State Representative
President
Ohio Legislative Black
Caucus

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The Honorable Judge Norbert Nadel
Hamilton County Common Pleas Court
December 8, 2014
Page 3

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