

I am writing to urge you to oppose the nomination of Michael Drescher to the Vermont Supreme Court. Vermont needs jurists who are committed to ensuring due process and protecting the peaceful exercise of constitutional rights in Vermont. In two immigration cases, Mr. Drescher is reported to have aggressively prosecuted two individuals who were before the court because they had exercised their constitutional right of free speech despite the fact that a prosecutor has wide latitude in determining whether to prosecute for apparent violations of federal criminal law.

It is not enough to note that Mr. Drescher has been a good person and was a good opposing counsel in ordinary circumstances. These are not ordinary times and in these times, great strength is required to protect due process and constitutional rights. Mr. Drescher's response to your committee (as reported in the media) that he was "doing my job even though it was unpopular," and that someone had to do it do not demonstrate strength or character. He did not resign when asked to prosecute these unconstitutional cases and has failed to demonstrate the courage and integrity needed to serve on the Vermont Supreme Court.

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