

## THE CURRENT STATE OF OUR ASSOCIATION

I am very excited about the growth of the Alexandria Bar Association, both in numbers and energy. We have already attracted over 50 new members since July and we have become younger, stronger and more diversified. As important as it is for our older members to make our new members know that they are welcome, it is equally important for all of us to become active in our association. Each of us must take it upon ourselves to contact the chair of the committee(s) that are in our field of practice or of interest to us. Working together on any project is the best way to get to know one another. It is also the best way to accomplish the goals of our association.

John Flannery has been kind enough to write an article for us on how the Patriot Act was passed into law this past Fall. John is an attorney who worked on the House Judiciary Committee but recently left Capitol Hill. It is a chilling account of how fear can bring out the worst in our law making process. These same forces are at work in Virginia. We are sure to see some egregious bills come out of Richmond. Our legislative committee, headed by Marvin Miller, will be in touch with our delegation to encourage them not to join the stampede. I am sure that Delegate Brian Moran, who is a member of our association, will be one of the voices of reason in Richmond. Brian will be our speaker at the March dinner meeting and will give us a report on this year's new laws.

Congressman Bobby Scott honored us by addressing our membership at our January dinner meeting. (See Ron Ray's article on Representative Scott's stirring speech). The room was full and we were also delighted that 25 members of the Northern Virginia Black Attorneys Bar Association and the Old Dominion Bar Association attended as our guests. Congressman Scott is one of my heroes. Throughout his career in the Virginia General Assembly and the ten years he has served in the United States House of Representatives he has been fearless in his defense of the rights of those least likely to have a voice on the hill. I say fearless but, in truth, I don't know if he is fearless or does it despite his fears. Regardless, the result is the same. We all need to do the same. These are perilous times for our liberty.

## THE CHALLENGE AHEAD

In last month's column I discussed the upcoming trials of accused terrorists and of my confidence that our Federal Bench is more than up to the task. The eyes of the world will be focused upon Alexandria, Virginia and the caliber of justice that is provided by us. Our association includes the judges who will try these cases as well as many of the prosecutors and defense attorneys who will be involved. They will be under tremendous pressure. The press, the pundits and the majority of our politicians have declared these defendants guilty.

Imagine the courage it would take for a judge to grant a motion to suppress critical evidence when the United States Court of Appeals for the Fourth Circuit can be counted upon to reverse any court ruling that the government can appeal pre-trial and when it can be counted upon to uphold any conviction.

Imagine the courage it would take for a prosecutor in the Eastern District of Virginia to offer a reasonable plea agreement, when the Department of Justice can be counted upon to refuse to authorize it.

Imagine the courage it would take for a defense attorney even to agree to defend one of these defendants. Over the years much of the public has been indoctrinated to identify the defense attorney with the crime his/her client is accused of committing or with the cause that the client espouses (e.g., drug lawyers, pornography lawyers, commie lawyers, etc.).

Imagine the courage it would take for a juror to serve in one of these case. Imagine the pressures that will be placed upon them by their family, friends, the press and the pundits. How will a not guilty verdict affect their lives and that of the children? Can anyone be a truly impartial juror under these circumstance?

The time has come for everyone of us to stand up and be vocal in our support of all the attorneys and judges who come under criticism for providing these defendants all of the protections that our Constitution and our laws provide. A society is judged by how it treats the most despised and reviled among them and there will be few who come before the court that are more reviled than these defendants.

Let us not leave it to the criminal defense bar to be outspoken. We must all defend the need to provide a fair and impartial brand of justice. We must educate our own families, friends and anyone else who is willing to engage in such a discussion. We need to participate in public discourse on this subject. We need to closely follow these cases and speak out if we see it failing or floundering.

See you at the Gridiron.