

Commission on Judicial Disabilities and Tenure
515 5th Street, N.W., Suite 246
Washington, D.C. 20001

CC: Chief Judge Lee Satterfield
Chambers 3500
500 Indiana Ave. N.W.
Washington, D.C. 20001

Judge Geoffrey Alprin
Chambers 6750
500 Indiana Ave. N.W.
Washington, D.C. 20001

To Whom it May Concern,

I am writing to request the removal of Judge Geoffrey Alprin from case number 2014-CMD-018262 regarding the defendant Bernard Freundel. During his guilty plea hearing on February 19, 2015 Judge Alprin repeatedly referred to the defendant as "Rabbi" which is not a legal form of address and is not how the defendant's name appears in the docket. The titles of clergy are not conferred by any state licensing body such as a medical doctor. Regarding a person as any particular type of clergy is a matter of personal opinion, not legal fact. Judge Alprin's use of this term created the appearance of bias in violation of the Code of Judicial Conduct, Rule 2:3 {A,B} (A judge shall not, in performance of judicial duties, by words or conduct manifest bias or prejudice...) Judge Alprin may or may not regard the defendant as a Rabbi personally, but he should not manifest that regard in the course of his judicial duties. [Comment 2 in the Code states "Examples of manifestations of bias or prejudice include but are not limited to...irrelevant references to personal characteristics."] To wit, it is common custom for a Catholic Priest to be addressed as "father" by Catholics and frequently by non-Catholics merely out of social deference. It is not acceptable for a Judge to address a Catholic Priest who is a defendant in a criminal proceeding as "father". The defendants must be addressed by their legal name as it appears in the docket.

The appearance of bias which Judge Alprin demonstrated with his words was compounded by his actions when he scheduled the sentencing hearing of the defendant. There are potentially 152 victims who want to give a victim impact statement and yet Judge Alprin scheduled the hearing for 1pm on a Friday. There ensued a discussion as to whether the hearing could be finished before sundown in deference to the defendant's religious practices. The Judge assured that it would be. It is difficult to imagine how 152 victims could give relevant impact statements within the span of 4 hours provided.

Judge Alprin is disqualified from presiding over the case 2014-CMD-018262 under Rule 2:11 {A(1)} which states:

“(A) A judge shall disqualify himself or herself in any proceeding in which the judge’s impartiality might reasonably be questioned, including but not limited to the following circumstances:

(1) The judge has a personal bias or prejudice concerning a party....”

It is imperative that Judge Alprin be removed from the proceeding either voluntarily or involuntarily in order to comply with the Rules of Conduct and maintain the integrity of the Judiciary.

Sincerely,