

Note: The item below is one version of similar emails that were sent to members of the Senate Judiciary Committee by means of the contact form provided on their web sites between September 9, 2010 and September 13, 2010 (save for those senators who do not accept emails from person who do not reside in the senators' states). It will be referred to as the email of September 13, 2010.

Re: Robert E. O'Neill, United States Attorney Nominee

Dear Senator _____:

I have previously sent Senate Judiciary Committee members three letters (dated June 16, July 28, and August 28, 2010) concerning Robert E. O'Neill, nominee for the position of United States Attorney for the Middle District of Florida. The letters principally concerned Mr. O'Neill's conduct as lead trial counsel in *United States v. Dean* and a false statement he made about the initiation of a DC Bar Counsel investigation of that conduct in a Florida Federal Judicial Nominating Commission application for the United States Attorney position. Links to on-line copies of the Chairman's version of the letters may be found as item nos. 1 to 3 after the signature. Those letters referenced online discussion of issues relating to Mr. O'Neill in three editorials I published on the web site of Truth in Justice (TIJ) (links at nos. 4-6) or Paul Mirengoff published on Power Line (PL) (links at nos. 7-8).

This message is to bring to your attention two items published since the August 28 letter – Mr. Mirengoff's September 8, 2010 Power Line item ("A Nomination That Should Be Scrutinized Closely, Part Two") (<http://www.powerlineblog.com/archives/2010/09/027187.php>) and my September 4, 2010 Truth in Justice editorial ("Doubtful Progress on Professional Responsibility at DOJ") (<http://truthinjusticefiles.blogspot.com/2010/09/doubtful-progress-on-professional.html>). I urge you to take the points made in these items into account in your consideration of Mr. O'Neill's nomination.

Further, potential exists for public knowledge of the referenced items (or the profile page I maintain on Mr. O'Neill that typically) compromise Mr. O'Neill's ability to effectively served as a United States Attorney, or for such knowledge to diminish respect for the Office of the United States Attorney for the Middle District of Florida or federal law enforcement generally. Such potential exists regardless of the merit to the allegations I and others have made about Mr. O'Neill's integrity. For example, Mr. O'Neill would likely be a subject of ridicule to anyone who read the July 11, 2010 Truth in Justice item (no. 5 below) (<http://truthinjusticefiles.blogspot.com/2010/07/reason-for-bar-counsel-investigation-of.html>) that discusses the referenced false statement on the Nominating Commission application in the context of Mr. O'Neill's penchant for attacking the truthfulness of others. Please also keep in mind that if Mr. O'Neill's become the United States Attorney, his greater visibility make it easier

to cause the publication of materials questioning his integrity and to increase public awareness of such materials.

In the event that published allegations questioning Mr. O'Neill's integrity are not fully justified, the harm arising from knowledge of such allegations could be reduced if the Committee would hold a hearing to examine the merit of the allegations. And if the Committee finds such allegations to be justified in whole or in part, it can take such findings into consideration in deciding what action to take on Mr. O'Neill's nomination. In either case, a hearing would help to promote the integrity of law enforcement officials and the public's confidence in the criminal justice system.

Sincerely,

James P. Scanlan

References follow:

1. June 16, 2010 SJC Letter:

[http://jpscanlan.com/images/Patrick J. Leahy June 16, 2010 .pdf](http://jpscanlan.com/images/Patrick_J_Leahy_June_16,_2010_.pdf)

2. July 26, 2010 SJC Letter:

[http://jpscanlan.com/images/The Honorable Patrick J. Leahy July 26, 2010 with Attachment .pdf](http://jpscanlan.com/images/The_Honorable_Patrick_J_Leahy_July_26,_2010_with_Attachment_.pdf)

3. Aug. 28, 2010 SJC Letter:

[http://jpscanlan.com/images/The Honorable Patrick J. Leahy Aug. 28, 2010 .pdf](http://jpscanlan.com/images/The_Honorable_Patrick_J_Leahy_Aug._28,_2010_.pdf)

4. June 23, 2010 TIJ ("Curious United States Attorney Nomination for One of Nation's Busiest Districts"): <http://truthinjusticefiles.blogspot.com/2010/06/curious-united-states-attorney.html>

5. July 11, 2010 TIJ ("The Reason for the Bar Counsel Investigation of FL U.S. Attorney Nominee Robert O'Neill"): <http://truthinjusticefiles.blogspot.com/2010/07/reason-for-bar-counsel-investigation-of.html>

6. August 17, 2010 Truth in Justice ("Additional Problems with Middle District of Florida U.S. Attorney Nomination"): <http://truthinjusticefiles.blogspot.com/2010/08/additional-problems-with-middle.html>

7. Aug. 8, 2010 Power Line ("The Prosecution of Deborah Gore Dean"):

<http://www.powerlineblog.com/archives/2008/08/021203.php>

8. July 4, 2010 ("A Nomination That Should be Scrutinized Closely"):

<http://www.powerlineblog.com/archives/2010/07/026683.php>