



FEDERAL PUBLIC DEFENDER

DISTRICT OF PUERTO RICO

ERIC ALEXANDER VOS
Chief Defender

HECTOR L. RAMOS
First Assistant

VIVIANNE M. MARRERO-TORRES
SULAY RIOS-FUENTES
ANDREW S. McCUTCHEON
FRANCO L. PEREZ-REDONDO
EDWIN A. MORA-ROLLAND
Supervisory AFPDs

July 5, 2022

Hon. Dick Durbin
Chair, Committee on the Judiciary
United States Senate
711 Hart Senate Office Building
Washington DC 20510

Hon. Chuck Grassley
Ranking Member, Committee on the Judiciary
United States Senate
135 Hart Senate Office Building
Washington DC 20510

Dear Chairman Durbin and Ranking Member Grassley:

This week I was asked by a new attorney “how do you handle a request for a letter of recommendation when you do not honestly support the person?” I realized this had never happened. I opined that my feelings were so obvious that candidates knew when I was not their biggest fan and steered clear of making such a request. I am so honored Magistrate Judge Camille Vélez-Rivé has asked for my support in consideration of a District Court Nomination – it shows I have been able to communicate how much I revere her as a person and jurist – an excellent candidate to hold such a critical role.

My measuring stick in evaluating candidates for such an important position is three-fold. Personality, judicial/intellectual honesty, and empathy.

Personally, Magistrate Judge Camille Vélez-Rivé is a joy. I first met Her Honor when she was already a judge and she never imposed her station on me. While this may seem common, it can be difficult for judges to revert to what we all are – equal humans. No, this is not a personality contest. Yet, difficult personalities can cast a judicial environment which may be interpreted as disrespect. A judge whose personality is problematic risks providing an appearance of impropriety. We must know that a judge is fair, impartial, respectful, and

governed by facts and law. There will be losers and winners in most instances, but there cannot be an environment where litigants are led to believe there was a lack of justice given an appearance of disrespect. A measured personality is the best remedy to ensure we feel heard, considered, treated fairly, and justice was done. The appearance of impropriety is as corrosive as impropriety itself, and we must select judges who do not promote such appearances. As a litigant, there is simply no possibility you will not be impressed by Camille Vélez-Rivé – the person. We will feel safe, heard, and considered when ruled upon. It is crushing for a defendant, his family, and his community to witness a sentence which may include years of incarceration. Judge Camille Vélez-Rivé’s personality will never allow for an appearance of impropriety – even under these most difficult and painful of circumstances.

Empathy may seem to have little to do with justice and yet, a judge who struggles with empathy may be severely handicapped when understanding the humanity before them. Civil remedies, criminal punishment, maintaining impartial juries, and managing litigating parties would seem difficult if a judge could not rise above her position and acutely understand the humanity before them and exercise empathy. While the controlling law and facts may seem enough, alone they would fall short. A sentencing judge must understand how a defendant came to the lowest moment in their life. Not understanding the process, the road, to their failure makes fashioning a road to redeeming rehabilitation almost impossible. Where did we fail, mistake, or ignore this human? How do we correct deficiencies and mitigate the damage to help better ensure the defendant’s success - rehabilitation? Nancy Reagan believed drug addiction could be overcome by simply just saying “no” to the disease of addiction. Judge Camille Vélez-Rivé’s understanding and empathy will never allow such a conclusion. Judge Camille Vélez-Rivé’s understanding of the people she will rule upon will allow her to demand solutions which are legal, human, and stand the best chance of success and respect. When you are with Camille, she looks you directly in the eyes, listens, inquires, and is working hard to empathize with the human before her. It is what makes her such an extraordinary Magistrate Judge and will make her such a revered District Court Judge.

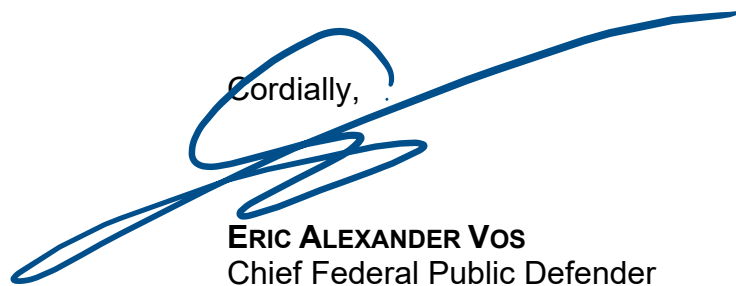
Despite the above, no judicial package may be complete without keen intelligence coupled with intellectual honesty. Magistrate Judge Camille Vélez-Rivé’s decisions are based on facts, law, and clear reasoning. Often our clients are unsuccessful as Her Honor considers the many pre-trial motions we file. The pill of defeat goes down so much easier when confronted by her impressive honestly articulated considerations, analysis, and reasoning. Facts and laws are not distorted to meet an end clouded by inappropriate emotion or prejudice. Impressively, Judge Camille Vélez-Rivé remains curious. The law is never static and Her Honor appears to enjoy the developing landscape which challenges lawyers and judges. When our office hosted two celebrated law professors from the University of Chicago to lecture on the law of pre-trial detention, we invited the criminal defense bar, top supervisors from the United States Attorney’s Office, and offered to have a private lecture for the Magistrate

Judges. Magistrate Judge Camille Vélez-Rivé was the only judge who accepted our offer. I sat in on the lecture, which evolved into a discussion, and was impressed by Her Honor's willingness to engage, debate, be challenged, and reconsider her positions. There was no doubt, Her Honor demanded she remain on the bleeding edge of an ever-fluid landscape – the law.

Our island suffers from a raft of socio-economic issues, governmental bankruptcy, and a collapsing state court system which refers an inordinate amount of their responsibilities to the federal jurisdiction. This increases the importance of the federal court and reminds us of the absolute need that appointed judges be most excellent. A district Court Judge Camille Vélez-Rivé would be nothing short of "most excellent."

I am honored to lend Magistrate Judge Camille Vélez-Rivé my support and I am pleased that she understands how I feel about her excellence and has asked me to reduce my beliefs to a letter of support.

Cordially,



ERIC ALEXANDER VOS
Chief Federal Public Defender
District of Puerto Rico