



Universidad Interamericana de Puerto Rico
Facultad de Derecho

June 30, 2022

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

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

RE: Confirmation of Judge Gina R. Méndez-Miró to the U.S. District Court

Dear Chairman Durbin and Ranking Member Grassley:

I strongly support the confirmation of Judge Gina R. Méndez-Miró to the United States District Court for the District of Puerto Rico. I have known her close to ten years and in that time, my respect for her as an attorney and as a judge has consistently increased.

I had the opportunity to work hand in hand with Judge Méndez-Miró in the Puerto Rico Senate for over two years, in my capacity of professor and scholar in criminal law, criminal procedure, juvenile justice and criminology, and as chief drafter of the Puerto Rico Penal Code of 2004. She contacted me while she was the Chief of Staff and was very interested in spearheading substantive amendments to the Penal Code of 2012 to restore important provisions of the Penal Code of 2004 in line with constitutional rights like human dignity, prohibition against cruel and unusual punishments, providing for rehabilitation of imprisoned convicts as required by the Puerto Rico Constitution, among others. Changes included providing penalties according to the severity of the crime and adopting the classification of degrees of felonies from the Model Penal Code, which is an instrument drafted by some of the most important criminal law jurists in the common law.

As Chief of Staff, she had traced a plan to activate the Permanent Joint Commission for the Revision of the Penal Code of the Legislative Assembly. After we first spoke about this comprehensive reform, I was deeply impressed by her legal acumen and understanding of the task ahead. I immediately sensed that she was an extremely talented attorney, filled with immense passion for criminal law. Therefore, I accepted to join the Senate led effort. With her leadership and effective management, after several

months of comprehensive analysis on empirical studies, comparative law examinations and the historic-legal background of Puerto Rico, Senate Bill 1210 was introduced. Thanks to her support, experience and knowledge about the justice system—having worked before in the Puerto Rico Judicial Branch— and to her command of the legal doctrines and concepts, we were able to draft and present a bill that gave prerogative to rehabilitation, and that reformed the scales of criminal punishment and the legal proceedings with the purpose of giving more discretion to judges to reach adequate sentences by promoting the proportionality of punishment as well as alternatives to incarceration.

In addition to her substantive work, her people skills, diplomacy and decision-making process, were instrumental to moving forward this important legislation. These efforts culminated in the approval of the bill which became Act No. 246-2014.

In 2016, she was appointed to the Puerto Rico Court of Appeals. As I expressed before the Puerto Rico Senate Judiciary Committee, after having worked closely with her to adopt the new Penal Code, I was very impressed by her abilities. The Governor made an excellent nomination in recognition of her ethical integrity and impeccable trajectory and if there would have been vacancy at the Puerto Rico Supreme Court, she had the capacity and temperament to become a justice. As I expressed then, and I reiterate now, I am convinced that the judiciary gains a lot with her. I foresaw that she would do an excellent job as a judge, and I have not been proven wrong.

For the last six years at the Puerto Rico appellate bench, she has earned the respect of her peers and the legal community for her integrity and staunch adherence to the law and precedents. I have paid close attention and enjoyed reading her well-reasoned and carefully drafted judgments and opinions. Her judicial determinations not only reflect the clear knowledge of the law—particularly criminal law—that I had witnessed while working with her at the Senate, but also a deep compromise for delivering justice regardless of the litigants that come before her. At academic settings we have had the opportunity to discuss this, and that she is always humble and eager to learn more, qualities that are very needed in members of the judiciary.

In light of the above, I am confident that Judge Gina R. Méndez Miró would make an outstanding U.S. District Court Judge and I respectfully urge the Committee on the Judiciary to support her confirmation.

Sincerely,



Dora Nevares-Muñiz, J.D.; Ph.D.
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