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May 5, 2022

The Honorable Richard J. Durbin
Chairman, Committee on the Judiciary
United States Senate
224 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Chuck E. Grassley
Ranking Member, Committee on the Judiciary
United States Senate
224 Dirksen Senate Office Building
Washington, D.C. 20510

Re: Letter in support of Nusrat Choudhury, nominee for the United States District Court for the Eastern District of New York

Dear Chairman Durbin and Ranking Member Grassley:

I am the former City Attorney for Biloxi, Mississippi, in which capacity I represented the City of Biloxi in litigation brought in 2015 by the ACLU a few weeks after I had joined a recently elected, new City administration. I write to you and members of the Senate Judiciary Committee in support of President Joe Biden's nomination of Nusrat Choudhury to serve as a District Court Judge on the United States District Court for the Eastern District of New York.

Ms. Choudhury was my opposing counsel in *Kennedy, et al. v. City of Biloxi, et al.*, Civil Action No. 1:15-cv-00348-HSO-JCG, in the U.S. Dist. Ct. for the S.D. of Miss. during which time I grew to know her as an attorney and as a human being. The case primarily concerned Constitutionally acceptable, ability-to-pay hearings in our municipal court prior to imposing fines and incarcerating defendants who failed to pay fines in misdemeanor cases dating back to 2012. Immediately after the suit was filed, I contacted Ms. Choudhury; without hesitation, she agreed to stay all proceedings, to minimize litigation expenses and allow time to negotiate a just and practical resolution of these complex issues. For months, the City's legal team and key police and municipal court personnel worked closely and collegially in Biloxi with Ms. Choudhury.

The result of these collaborative efforts was a settlement agreement and new procedural manual in which the City admitted no liability but implemented reforms for misdemeanor arrests, hearings, recognizance bonds, and community service as an alternative to fines. The parties

agreed to a three-year, District-Court-supervised monitoring period. During this whole process, there were many cordial and respectful meetings and policy discussions in Biloxi during which Ms. Choudhury shared her extensive knowledge of practical, best practices seeking to minimize the burden of the reforms on the City, municipal court, and police department. Ms. Choudhury praised the efforts of the City, stating publicly that the Biloxi reforms, “provide a powerful model for protecting the rights of the poor while punishing and deterring offenses.” She is fair-minded and a pleasure to work with on these serious, complex, and challenging issues.

I understand that Ms. Choudhury has been accused of making statistically inaccurate statements critical of law enforcement. She was always fact-based in her communications with us; our settlement was based on an agreed, accurate data base. Her expressions of utmost respect for law enforcement personnel and the difficult challenges that police encounter as they protect and serve the public are consistent with my first-hand experience in working with her on policing issues. I have every confidence in her temperament and ability to be an impartial judge and know her to be exceptionally well-qualified for the position.

I support her nomination without reservation and urge the Senate Judiciary Committee to advance her nomination to the full Senate.

Sincerely,


Gerald Blessey