



City of Alexandria, Virginia
Sheriff's Office



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Dana Lawhorne
Sheriff

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July 20, 2021

The Honorable Richard Durbin
Chairman
Committee on the Judiciary
United States Senate
711 Hart Senate Office Building
Washington D.C. 20510

The Honorable Charles Grassley
Ranking Member
Committee on the Judiciary
United States Senate
135 Hart Senate Office Building
Washington, D.C. 20510

Dear Chairman Durbin and Ranking Member Grassley,

I am writing this letter in support of the Honorable Michael S. Nachmanoff for the position of United States District Judge for the Eastern District of Virginia. I have known Michael for more than fifteen years, and during that time I have come to admire his dedication to his clients and his staff, his fidelity to the law and to the Constitution, and his deep understanding of public safety and law enforcement issues. We first met in 2005 after I was elected Sheriff of the City of Alexandria. In that capacity, I have worked closely with Michael in his role as Federal Public Defender and, for the past five years, as United States Magistrate Judge. Over this time, Michael and I have forged a relationship of trust and respect. We have found ways to collaborate productively on issues of mutual importance to the federal court and the Alexandria Detention Center (ADC). But beyond our professional relationship, we have also become friends. Based upon my judgment of his character, intellect, and devotion to the Eastern District of Virginia, I strongly endorse his candidacy for the position of District Judge.

As Federal Public Defender, Michael was an effective and energetic advocate for his office and its clients. The prisoner population at the Alexandria Detention Center is almost evenly split between local inmates and federal detainees.

The majority of federal inmates held at the ADC are represented by the Office of the Federal Public Defender.

For this reason, assistant federal public defenders and staff are frequent visitors to the jail. Shortly after I became Sheriff, Michael approached me to discuss whether I would be willing to permit his attorneys and staff to undergo background checks and receive credentials that would allow them to enter the housing units to meet directly with their clients in the jail. The opportunity to enter the jail without an escort and meet in the cell block with clients provides an enormous advantage to federal defender staff, who can then use their time more efficiently at the ADC. Despite initial reservations about giving federal defenders badge access to the jail, I agreed to this arrangement, which also benefitted my staff by freeing up attorney interview rooms for CJA attorneys and private counsel. I did so based upon Michael's assurance that he would take personal responsibility for the conduct of his employees and ensure that they followed the strict security protocols required by the ADC. Fifteen years later, that agreement remains in place and has been a win-win for the jail and for the federal defenders. Most importantly, it has been a benefit for the inmates, who are able to communicate with their counsel faster and more frequently, which, quite frankly, makes them more likely to listen to our deputies and follow the rules.

This cooperative and problem-solving attitude has continued since Michael assumed the bench as a magistrate judge in 2015. Although we interact less frequently since he became a judge, Michael and I once again have worked together closely to address the enormous challenges posed by the pandemic. When it became clear in early March that transporting inmates to and from the federal courthouse and permitting in-person attorney/client meetings in the jail would endanger inmates, staff, and court personnel and potentially spread the virus, we had to very quickly find ways to both protect the health of the inmate population and provide them with meaningful access to counsel and the courts.

Michael played a critical role in coordinating with our senior staff, his fellow judges, the federal defenders, the U.S. Attorney's Office, and the IT staff in the Clerk's Office to develop a video-conference solution that allowed court hearings to go forward. He was also concerned about defense counsel's ability to communicate with clients, so we expanded attorney/client telephone lines and provided attorneys with the ability to videoconference with their clients in an effort to address those concerns. Michael was always willing to consider the impact of the pandemic on the deputies and staff at the jail as we discussed how best to keep the court functioning during this unprecedented public health crisis. His thoughtful and considerate approach with regard to all members of the criminal justice system and court family was appreciated by everyone.

Finally, Michael has a sense of humor and does not take himself too seriously. I have been known to crack a joke or two, and Michael and I have shared many laughs. But ultimately, for those of us who have devoted our lives to public service and law enforcement, I strongly believe that the best judges are those who can balance the need for justice with compassion and public safety. They must understand what it is like to spend time in a jail (even if only as a visitor) before assuming the heavy burden of imposing punishment on others.

I am confident that Michael has that experience and possesses those qualities which make him an excellent candidate, and I am pleased to endorse him for the position of District Judge in the Eastern District of Virginia.

Sincerely,

A handwritten signature in black ink, appearing to read "Dana Lawhorne". The signature is fluid and cursive, with a large initial "D" and "L".

Dana Lawhorne,
Sheriff