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Series/Staff Member: Alexis Herman/Ruby Moy

Subseries:

OA/ID Number: 5262

FolderID:

Folder Title:
Judge Elwood Hogan

Stack:

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Row:

29

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Judge Elwood Hogan

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PHOTO COPY
RESTRICTION

THE WHITE HOUSE
WASHINGTON

October 20, 1995

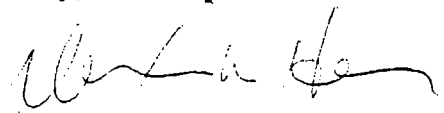
Mr. Elwood L. Hogan
2306 Dauphin Street
Mobile, AL 36606

Dear Mr. Hogan:

I received a copy of the letter sent to you from Deval Patrick at the Department of Justice.

As he indicated in his letter, Mr. Patrick has referred your letter to the Justice Department's Criminal Division for review. The Criminal Division will handle the matter from this time forward.

Sincerely,

A handwritten signature in dark ink, appearing to read "Alexis M. Herman", written in a cursive style.

Alexis M. Herman
Assistant to the President and
Director of Public Liaison

enclosure



U.S. Department of Justice

Civil Rights Division

Office of the Assistant Attorney General

Washington, D.C. 20035

Mr. Elwood L. Hogan
2306 Dauphin Street
Mobile, Alabama 36606

Dear Mr. Hogan:

This is in response to your letter, dated April 13, 1995, to President Bill Clinton. In your letter, you allege that you were wrongly convicted of federal criminal charges based upon fabricated evidence at your trial. President Clinton referred your letter to this office and requested that we examine your allegations for possible violations of the federal criminal civil rights laws.

We have carefully reviewed the information that you provided. Because your trial took place in 1984, the five year statute of limitations has expired on any violation of the federal criminal civil rights laws which may have occurred. Therefore, we are not able to authorize any investigation of your allegations.

While we appreciate your concerns regarding the prosecution of yourself and other Democratic officeholders, this office is unable to intervene in those convictions. We regret that we can be of no assistance to you.

However, on the remote possibility that other federal laws are implicated, we have referred your letter to the Department's Criminal Division for further review.

Sincerely,

Deval L. Patrick
Assistant Attorney General
Civil Rights Division

bcc: Alexis Herman

901 - 3 100



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Mr. Elwood L. Hogan
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Sincerely,

Deval L. Patrick
Assistant Attorney General
Civil Rights Division

bcc: Alexis Herman

007 - 3 1995

FOR: MS. HERMAN

FROM: BRIAN

SUBJECT: JUDGE HOGAN'S SCHEDULE:

ARRIVE RAMADA INN, SPRINGFIELD, VA APPROX. 2:00 PM WED - 26 JUL
(703)-644-5311.

AVAILABLE FOR APPOINTMENT THURSDAY OR FRIDAY.

LEAVING SATURDAY AFTERNOON.

ADDITIONAL INFORMATION:

WILL BE TRAVELLING WITH A GROUP OF KOREAN VETERAN'S.

IF HE CAN'T BE REACHED AT THE HOTEL, WE CAN LEAVE A MESSAGE WITH
HIS MOTHER, MRS. ROSE HOGAN, AT (703)-356-4262.

WOULD LIKE TO SEE YOU ONCE MORE BEFORE LEAVING.

CAN YOU ARRANGE A 1 MINUTE HAND SHAKE WITH POTUS FOR HIS MOTHER?
SHE IS AN ARDENT SUPPORTER.

BRIAN - 6:30 PM 24 JUL

*Amnt
Told him not possible*

*He also wanted to meet w/you re his
file, which you didn't do anything w/
except to file. He wanted to know
the status on clearing his name,
w/you*

Deval

*Deval Patrick is off. His
called to say that the
Criminal Dept will be
responding to Glavert & we'll
get a copy.*

24 JUL 1992



E X E C U T I V E O F F I C E O F T H E P R E S I D E N T

18-Apr-1995 05:09pm

TO: Daniel Wexler
FROM: Ruby G. Moy
Office of Public Liaison
SUBJECT: Radio Address

*Did not
happen.
Judge saw AMH.*

There is a retired circuit court judge from Mobile who will be coming to Washington shortly for two weeks. He will be driving and with him will be his 89 years old Mom.

Alexis saw him in Mobile and he expressed his support for POTUS. Alexis told him that it would be nice to write to POTUS and let him know how he felt.

The judge decided to personally deliver the letter and wanted AMH to arrange the meeting.

When I told Alexis this, she said invite him and his mother to a radio address.

He is Judge Elwood Hogan. o/334/341 5057 or h/334/479 3842. I do not know his Mother's name.

Please let me know when you have arranged this and how they are to do this event.

Thanks.

E X E C U T I V E O F F I C E O F T H E P R E S I D E N T

17-Apr-1995 09:30pm

TO: Dana A. Wyckoff

FROM: Ruby G. Moy
 Office of Public Liaison

SUBJECT: Radio Address

There is a retired circuit court judge from Mobile who will be coming to Washington shortly for two weeks. He will be driving and with him will be his 89 year old Mom.

Alexis saw him in Mobile and he expressed his support for POTUS. Alexis told him that it would be nice to write to POTUS and let him know how he felt.

The judge decided to personally deliver the letter and wanted AMH to arrange the meeting.

When I told Alexis this, she said invite him and Mom to a radio address.

Do you or Danny arrange the radio address?

Let me know.

Thanks.



OFFICE OF PUBLIC LIAISON

Alexis M. Herman, Director

PHONE: (202) 456-~~2930~~ 6455

FAX: (202) 456-6218 2983

FACSIMILE TRANSMITTAL COVER SHEET

Number of Pages (Including Cover) 13

To: Denise So DeVal Patrick

Fax: 514 0293

Phone: 2157

Date: 8/8/95

called Marlene, she will consult
Mr. Patrick and call back
week of Aug. 21

From: Ruby Moy

Message: Thanks, Denise. Let me
know and I'll contact him at the
person you think he ought to meet.
Ruby



CIRCUIT COURT
THIRTEENTH JUDICIAL CIRCUIT

ELWOOD L. HOGAN, JUDGE
MOBILE, ALABAMA 36602

(Retired - January 18, 1983)
(Retirement terminated - May
4, 1984, wrongful conviction
in Mobile Federal Court.)

JUDGE'S CHAMBERS
Retired: 1983

April 13, 1995

Honorable Bill Clinton
The President of the United States of America
The Whitehouse
Washington, D. C. 20515

Dear Mr. President,

It is one of the highest moments of my lifetime to be writing you at this time. I started this letter in January of 1994, but was hesitant to send it. I first want to convey to you my deepest sympathies on the death of your dear mother, Mrs. Virginia Kelley, who I admired throughout your campaign, as she seemed so much like my mother, who is going to be 90 this September, 1995. Your accomplishments, your victories, the spirit you exhibit all relate to the devotion your mother had for you - the same, I feel, my mother has for me. My mother grew up in "watermelon" country, Grand Bay, Alabama (south Mobile County). Her mother died of cancer before she finished high school, and she quit and went to work for the Mobile Telephone Company in the '20's. Dad had the same fate, as his mother died early, and he went to work at the age of 14. Dad died in 1973. When he married mother, Dad was a ship's laundry man. Mother realized when my brother and I came along that she was going to have to go to work if her sons were ever going to be educated. When I was 6, and starting school, she sat me down, and explained that she was going to "beauty school", and was going to become a "hair dresser", and would be home late each evening. I soon started learning how to make a sandwich and cook a little - my brother did the dishwashing.

My father was the kindest, most lovable type of guy you could imagine - and he always enjoyed talking with the "pretty ladies" who all seemed to admire my "Pop", who was always so complimentary to them. On the other hand, he virtually worshiped my mother, and it was truly a blessing that he went on to his celebration in heaven before Mamma. He died suddenly, and mother went into a mild depression. I was scheduled to go to the Trial Judges School in Reno, Nevada (University of Nevada), but couldn't leave mother in her "emotional state" so I took her with me, along with my four

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children in a used Winnebago. Our preacher at Ashland Place United Methodist Church, which is practically in our backyard, said my Dad was the most christian man he had known, and it meant so much to Mamma.

Mamma learned the beauty business, became a huge business success, opening and selling some 27 Rose Beauty shops around Mobile and starting three accredited Beauty Colleges in Mobile and Baldwin counties. She traveled to Europe and studied advance cosmetology in Paris, London, Rome and other places I can't remember. She sent my brother to Vanderbilt, who became a gynecologist after graduating from Vandy, working on his master's at Tulane University, teaching chemistry at Auburn (where he married one of his students, a die-hard AUBURN FAN), and graduating from the University of Alabama Medical School in Birmingham, all on mother's TOIL, STRUGGLE, SWEAT AND FIGHT TO EARN MONEY FOR OUR COLLEGE EDUCATIONS! She sent me to the University of Alabama in Tuscaloosa when I was 16, and I graduated from the School of Commerce and Business Administration with an ROTC Commission. I was called into the Korean War three months after graduation, and served 14 months there from May 1952 to August 1953. I received four Battle Stars, two Unit Citations and was promoted to First Lieutenant before being shipped home. My brother suggested I go to law school in a letter to me in Korea, and I agreed. He got my application filled out by some lawyers for me and I started law school at the University of Alabama a month after coming back from the war, or "police action" ... as I think they termed it, in September, 1953. In law school I lived in a garage apartment owned by Dr. Wilburn, who was head of the Political Science Department, on leave in Australia on a Fulbright Scholarship. He knew Senator Fulbright in Arkansas.

To be brief, it was our mother, Mary Rosannah Batchelor Hogan, who was primarily the reason I became a lawyer, State Legislator, Army officer, County Judge (by appointment of Governor Lurleen Wallace in 1967), Circuit Judge (by appointment of Governor Albert Brewer in 1970). It was our mother, Mary Rosannah Batchelor Hogan who saw to it that my brother got the money to go to his "beloved Vandy", which she really didn't have - but he said he didn't want to "just go to the University of Alabama as Vandy was a "real University"!! Ha Ha.

Mr. President, my mother has been extremely hurt and has suffered years of pain not because of disease as your dear mother, but due to a vicious, diabolical scheme which began in the Federal Court in Mobile, Alabama in the early seventies. And, as a result of this

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heinous and vicious operation in the judicial halls of the United States of America, I was falsely convicted by a United States Attorney appointed by President Ronald Reagan in 1980. He paraded three convicted felons and a used-car salesman before the most uneducated, unsophisticated small county country-folk jury I have ever seen impaneled. It was a 6-weeks trial where five Democrats were all tried together. The agents for this "federal court" operating in the name of our great United States of America, obtained our convictions on manufactured "bribe stories", totally fabricated by these convicted felons and the used-car salesman to get out of federal and state cases WHICH WERE THEN PENDING. These egregious tactics were rampant, in an all-out effort to get me convicted!

Of the four government "witnesses", Ray Lemoine was a twice-convicted heroin addict whose probation violation was pending when the federal authorities used him against me. He also had a new drug charge pending in New Orleans, Louisiana. (I had placed him on drug probation in 1979).

The second government "witness", Lester Pugh, was a convicted cocaine addict, with a state sentence (which I had originally imposed in my Court) of 15-years hanging over his head, and a federal cocaine charge pending, when he testified against me.

The third government "witness" was convicted felon Dodson Fail, whose federal investigation disclosed, on tape, that he bragged to the informant how he burned down his house trailer and fraudulently obtained the insurance proceeds. This arson first degree charge was pending in the local District Attorney's office, when Fail switched his plea and testified for the government. In addition, if he were convicted under the arson charge, he would have been subject to 15-years to life under the Alabama Habitual Offender Law.

The fourth government "witness", Tom Withers, was used against me by the "federal authorities" as a "grand jury witness", and then dropped as a "witness" at my trial. After being indicted, he faced a possible 20-year sentence. He was the con-artist, used-car salesman who didn't testify in his own behalf at his trial, but emotionally admitted at his sentencing before the Judge that he "acted alone in scamming Ray Lemoine". This factor was completely ignored by the trial judge, who suddenly recessed, returned and sentenced Withers to 12 years - ignoring this astonishing but true admission in open court, which was completely contrary to his Grand Jury testimony falsely implicating me.

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All four "witnesses" had serious federal and/or state criminal cases, and unserved prison time pending against them when they "testified" as federal "witnesses" who were each vouched for by the United States Prosecutor in open court as each "witness" was presented to the jury.

All four government "witnesses" committed perjury for the federal authorities and for themselves. They fabricated bribe stories for the prosecutor and for the purpose of obtaining dismissals or substantial reductions in their pending state and federal criminal cases, their pending sentences and unserved prison time already received.

All four of the government "witnesses" lied for the above reasons, by "making-up" bribe stories that never occurred. All of the federal authorities were Republicans - all of the defendants tried were Democrats. Some 23 Mobile Democrats have been tried, convicted and imprisoned after being indicted in the Mobile Federal Court over the last 20 years.

Not one single bribe-tale, not one fabricated story of paying Judge Elwood L. Hogan was in any way corroborated or substantiated by the federal prosecutor by either physical or other testimonial evidence of any kind whatsoever. Only the "testimony" of the above four "witnesses", strongly vouched for by the United States Attorney, resulted in my wrongful conviction and two-20 year sentences for two counts under the "Rico" Act and the maximum fine of \$5,000.00. I was required to serve 80 consecutive months, as was my co-defendants, Judge James Sullivan and Attorney Willis Holloway. My false conviction cost me my judicial pension, which I only received for 15 months, after serving almost 22 consecutive years in public office and retiring on January 18, 1983.

After I was convicted and immediately imprisoned on May 4, 1984, this is what happened to the United States Court sponsored "witnesses" for their cooperation:

1. Dodson Fail only received a 7-year federal sentence; the local District Attorney was prevailed upon to "forget" the arson first degree charge for Fail's "help", precluding his conviction under the Alabama Habitual Offender Act. And, upon release from prison a few years later, Fail was placed under the protection of the federal "Witness Protection Act", apparently for his "services".

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2. Lester Pugh's 15-year sentence was completely set aside, but more than that, the Circuit Judge even set aside the judgment of conviction in its entirety at the "official request" of the federal prosecutor's office. Pugh was even given a brand new trial, where the jury found him guilty again, and the Circuit Judge sentenced him to 10-years, five years less than the one held over his head before he testified. But then, while Pugh appealed this sentence, he got a new marijuana possession drug charge and a possession of a pistol charge after conviction of a felony case. The same Circuit Judge went further for the "federal court authorities", he allowed Pugh to plead, and he gave him a concurrent sentence of 12 years to run with the sentence already appealed months before. In effect, a 2-year sentence! That's not all. We were shocked beyond belief that this same Circuit Judge was called, and who testified for the prosecutor, as a "federal government witness". Although there was nothing in his testimony beneficial to the prosecutor, his presence in a Federal Court against three former State Circuit Court officials, added great significance and credence, I believe, to the false federal "charges". After our conviction, Pugh's federal cocaine charge was never prosecuted. After serving his State time, Pugh was convicted again, and supposedly is serving federal time somewhere.

3. Raymond Lemoine, the heroin addict, got the best deal of all. The federal prosecutor got the same Circuit Judge referred to above, to continue Lemoine's probation hearing for months and months until the time expired for revocation and the nine-year revocation sentence I had given Lemoine was automatically terminated. In addition, the federal prosecutor's office went to New Orleans and got those in charge there to drop Lemoine's third drug charge, for his "cooperation". Lemoine got off "Scott-free" except for the money Withers conned out of him.

4. The last federal "cooperative", Tom Withers, even after he seemed to do everything possible for the Federal Prosecutor's Office, making up an impossible story that played a major part in my wrongful indictment, got 12 years. He was also supposedly placed under the protection of the federal "Witness Protection Act", apparently for the perjurious bribe tales he told to the Federal Grand Jury for the United States Attorney.

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Mr. President, I was sentenced by a Republican Judge appointed by President Reagan in 1983, just one year before he presided at our trial. The scared and harried jury, believing, I think, that the "government" would not have presented all these convicted felons, drug defendants, cocaine and heroin addicts unless they knew we were guilty of these "purchased bribe tales", found two judges and a lawyer, all lifetime Democrats, guilty on perjured testimony completely. None of this "testimony" was corroborated by any other evidence!

The three of us were each sentenced to two twenty year sentences and fined the maximum fine of \$5,000.00 - all of us innocent of all of the made-up bribe testimony put on by the then United States Attorney, Jefferson Beauregard Sessions, who, unbeknownst to us at the time of this massive, expensive, and highly publicized investigation by Mr. Sessions, that he was seeking the nomination by President Reagan to an "existing vacancy" on the Mobile Federal Court (Southern District of Alabama). The intensity of the trial was unreal. The government agents went everywhere among the criminal element, in and out of prisons and jails, in effect, inviting bribe testimony in exchange for government "assistance" of the United States Attorney's Office in Mobile, for their prison/jail sentences or in their pending federal and/or state criminal cases. Every witness against me who had either made up a bribe payment in testimony before the Grand Jury and the Trial Jury was given reduced sentences or obtained case dismissals in federal and/or state criminal cases. I also can prove what was done for these ungodly "government witness fabricators". Mr. President, I served 80 consecutive months in four federal prisons for the false and fraudulent evidence presented by government attorneys and agents and am now in my fifth year of at least a five-year parole, in which I have to make monthly reports, monthly payments on my \$5,000.00 fine, and take random drug tests although I have never used drugs, and have no drug conviction, which is the usual basis for having to take drug tests either in prison or on parole.

Mr. President, I am completely innocent, as God, my family, my friends, and my dear mother know. Would you help me prove my actual innocence for my mother's sake, and for my five children who have suffered so unmercifully for the wrongs of the government? My oldest four children all moved out of Mobile and they now live in Florida. After my conviction and during my years in prison, they were ridiculed, accused of having a father who was a "crooked judge", and even ended up in fights trying to defend my honor. My daughter, Leslie worked three jobs part-time to graduate from the

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University of South Alabama, while I was in prison. She made her fiancée wait almost two years to get married until I got out of prison and could give her away at a beautiful church wedding!

Mr. President, I have been wanting to write you for a long time. It was the death of your dear mother, who was a loving mother just like my dear 89 year old mother, that prompted me to write this letter. She told you to "always fight for what you believed in". I have been hesitant to write a letter such as this to the President of the United States for fear that the political forces down at the Mobile Federal Republican Courthouse would, in retribution, somehow get me revoked and placed back in prison. I am 64 years old, on Social Security, and having difficulty making much extra, working on commission for a mortgage company.

I wanted to meet the First Lady in Birmingham, Alabama during the campaign but she could not be scheduled (although I got permission from the Federal Parole Office and went up there). I called John Saxon (Birmingham, Alabama) and he said her trip was canceled because Alabama seemed to be a lost cause. In Mobile, our Clinton campaign group worked very hard for you, where the Mobile Republicans brought George Bush down twice.

Mr. President, we have long needed a good, strong, solid Democrat lawyer, who believes in limiting the United States Attorney's Office to legitimate federal criminal and civil matters, and not use its awesome power for political prosecutions. You just appointed Mr. Don Foster, who is a fine man, and who I have known for many years.

I am providing a list of Democrat office holders, Democrat supporters, and strong Democrat contributors, all from Mobile, who were maliciously and methodically, politically and financially destroyed by an obviously diabolical scheme by those who have held total control of the prosecution of Democrats in Mobile for over 20 years. It even started with the Nixon Administration, with the appointment of the present senior judge, Brevard Hand, who was appointed by Richard Nixon in 1971. The abuse of judicial and prosecutorial power in the Mobile Federal Court in prosecutions, investigations, indictments, and published "allegations" of criminal activity, all, for the vast majority of cases were absolutely total fabrications, they were presented by use of multiple-defendant cases, based on perjury by convicted felons, facing other criminal charges, by those who controlled prosecutions in the Mobile Federal Court. It has been the state law in Alabama

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and I am sure in most states, that when two or more defendants are charged with the same crime which arose out of the same criminal transaction, each defendant is entitled by statute to be tried separately. But, not in our federal courts. Why? In my opinion, you "visit the sins" of other defendants on each defendant being required to be tried jointly. It is so much easier to convict innocent citizens under the Rico Act this way.

Mr. President, here is an astounding list of Democrats convicted in this Mobile Federal Court since the late 1970's:

1. County Commissioner Coy Smith (formerly two-term State Legislator and Chairman of the Mobile County Delegation): DEMOCRAT. 3 year penitentiary sentence.

2. Mobile County General Guardian Borden Strickland (appointed by Democrat Probate Judge John L. Moore). DEMOCRAT. 3 year penitentiary sentence.

3. Mobile County State Circuit Judge (Retired) Elwood L. Hogan (two-term Legislator) (appointed by former Chief Justice Howell Heflin, now DEMOCRAT Senior United States Senator, as a Special Alabama Supreme Court Justice) (appointed Acting General Sessions Court Judge by DEMOCRAT Governor Lurleen Wallace in 1967) (appointed Associate General Sessions Court Judge by DEMOCRAT Governor Albert Brewer in 1969) (appointed State Circuit Judge for Mobile County by DEMOCRAT Governor Albert Brewer in 1970 to replace DEMOCRAT Presiding Judge Robert T. Ervin, deceased) (elected to two 6-year terms as DEMOCRAT Circuit Judge in 1971 and 1976): Lifelong DEMOCRAT. Sentenced: two 20-year sentences and fined maximum fine of \$5,000.00 in Mobile Federal Court by Emmitt Cox, newly appointed REPUBLICAN federal judge in 1983 by President Reagan. Served eighty (80) consecutive months in four federal prisons from May 4, 1984 (the day of sentencing) to January 1991. Placed on active and formal parole status (drug testing required and physical reports monthly) on January 2, 1991, and continues to be held on parole as of this date: April 8, 1995. The haunting question: Why?

4. Mobile County District Judge James Sullivan, son of DEMOCRAT candidate for Mobile General Sessions Court Judge Graham Sullivan. While serving his first term, convicted. DEMOCRAT. Prosecuted by REPUBLICAN United States Attorney Jefferson Beauregard Sessions, and sentenced to two twenty-year sentences and fined \$5,000.00. Served 80 consecutive months in five federal prisons from May 4, 1984 to January 2, 1991. Placed on parole and

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recently released in 1994. Sentencing was by REPUBLICAN Emmitt Cox, appointed Federal District Judge by President Reagan, and later appointed to the Eleventh Circuit Court of Appeals by President George Bush in the 80's.

5. Former Assistant District Attorney for Mobile County and DEMOCRAT candidate for District Attorney (also former Assistant County Attorney for the Mobile County Commission, Willis W. Holloway, Jr.): DEMOCRAT. Two-20 year sentences and fined maximum \$5,000.00. Served 80 consecutive months in four federal facilities. Assistant State District Attorney Holloway, a Vanderbilt University graduate was also sentenced by REPUBLICAN Federal District Judge Emmitt Cox. Mr. Holloway was an excellent state prosecutor, and was not only fair, but a lawyer of integrity. Mr. Holloway is still on probation, as I am, and is likewise required to be tested randomly for drugs, although he was not convicted for any drug crime, and has absolutely no history of any drug activity - other than convicting a lot of drug dealers as an Assistant District Attorney for Mobile County. Our cases were originally placed on the Presiding Judge's docket in the Mobile Federal Court, Brevard Hand, appointed by Richard Nixon in 1971. He has been the titular head of the Mobile Republican Party for many years. He dislikes all Democrats and was described by Harvard Law Professor, Alan Dershowitz, in an Atlanta Journal article, as the "Ayatollah of the Federal Bench in the United States". He is a radical rightist, and when we filed a motion for him to recuse himself (on the basis that his personal secretary, Mrs. Ed McFadden, was the wife of the chief FBI investigator selected by the Republicans in the Mobile Federal Court, FBI Special Agent Ed McFadden), Judge Hand wrote a scathing, boiling answer refusing to recuse himself. But, on the day of trial, suddenly and without notice to any of the Democrat defendants or their attorneys, ordered brand-new Judge Emmitt Cox to try the case, although he had never tried a criminal case as a judge of this magnitude, and very rarely tried any cases as a lawyer, either civil or criminal. I was on the criminal and civil bench for 16 years.

6. Grocery store owner and operator, William Broadus, and strong Democrat supporter: Sentenced to twenty-five years by Judge Emmitt Cox and served almost eight consecutive years in several federal prisons around the country. As far as I know he is still on parole with the Federal Parole Board (over 4 years now).

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7. Mobile County School Board President and staunch Democrat Dan Alexander, sentenced to twelve years in 1985, for allegedly taking a kick-back from a Mobile architect who had been appointed to examine the architectural drawings for the construction of several public schools in Mobile County. The architect was a close friend and also used Mr. Alexander as his attorney. He was also tried and given 12 years by Judge Cox. The architect was Norman Grider, a Mobile Democrat. Dan Alexander, a native Mobilian moved near Washington, D. C. after serving over four years in several prisons. Mr. Grider left Mobile and is now an architect in Montgomery, Alabama, after serving over 4 years in federal prison.

8. Mr. Douglas Wicks, a Mobile County Democrat and elected Mobile County Commissioner was charged and convicted of taking a \$1,000.00 bribe, which he vehemently denied, and not corroborated in federal court, but sentenced to a fifteen year sentence by Judge Cox or Judge Hand. His sister was killed and his wife severely injured in a wreck going to visit Commissioner Wicks when he was incarcerated in a Texas federal prison. Mr. Wicks was tried and convicted in 1985 or 1986.

9. Mobile City Commissioner and Mayor, Gary Greenough; staunch Democrat; convicted in Mobile Federal Court (1985); sentenced to twenty-five years and served over 8 years in various federal prisons; reportedly on parole.

10. Long-time City Commissioner and Mayor of Mobile, Alabama, Lambert Mims, a life-long Democrat from Monroeville, Alabama was indicted in a secret indictment out of the Mobile Federal Court, which was held by United States Attorney Jefferson Beauregard Sessions until six weeks before the City election where former Alabama Republican Chairman, Arthur Outlaw, was also a candidate. Mayor Mims was on the Mobile City Commission for 20 years and is a lay preacher with the Riverside Baptist Church. When he got indicted on the eve of the City Election, the United States Attorney released the indictment that accused this wonderful and honest public servant with, in effect, just "talking" to a man, not from Mobile, who represented that he wanted to build a solid waste system. He was, in fact, a "government operative". This "government agent" testified in the Mobile Federal Court that Mayor Mims said he would have to "buy into the company of a local insurance man to get the opportunity to build the plant". For this fabricated and heinously contrived evidence, Mayor Mims was sentenced to 10 years in federal prison - a man as innocent as I am. He is presently imprisoned in Maxwell Federal Prison Camp in

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Montgomery, Alabama and desperately trying to prove his innocence in the Federal Court Appellate system, which has not been done in any of these cases.

Mr. President, there have been other Democrats in public or state office who have been viciously and wrongfully convicted in the Mobile Federal Court, along with some businessmen who were supporters and contributors of Democratic candidates, i.e., Mr. Ellis McDonald, indicted with Mayor Mims, and now serving in a federal prison in Florida, and over 74 years old.

Mr. President, most of these prosecutions of Democrats in Mobile County in the Mobile Federal Court by United States Attorney Sessions, his staff and innumerable federal agents were carried out by the use of perjured testimony by convicted felons, placed on the stand as United States of America government-sponsored "witnesses", who fabricate testimony in order to get the United States Attorney's Office in Mobile Federal Court to give them a break in their pending federal cases, or a reduction in their federal prison time, or both. The federal authorities use this "federal power" to aid these "government witness felons" to get reductions in State cases or State prison time. This intervention in State Courts in Mobile and the County District Attorney's Office was a vicious abuse of office!

As a life-long Democrat, as a staunch supporter for you in 1992, and for as long as you continue to seek public office, would it be any way possible to have the opportunity to meet with Attorney General Janet Reno in the near future? Mr. John Saxon, your Alabama Campaign Chairman knows me and knows of the above information. Mr. President, my pension that I was getting (State Circuit Judge) after 22 years of continuous public service as an Alabama Supreme Court Law Clerk, two terms in the Alabama State Legislature, two and one-half years as a Mobile County General Sessions Court Judge, temporary Supreme Court Justice (by appointment of Chief Justice Howell Heflin), and 13 years on the Circuit Court of Mobile County, was terminated for this wrongful, vicious federal court conviction, and has left me and my family destitute. I have no hospital insurance, no automobile insurance, no home (foreclosed by the RTC and sold for over \$30,000.00 under the market value to a real estate investor). Knowing that I would have this old home which my family had built in 1946 kept me going through 80 months of wrongful incarceration. Now I have lost that. My children all left Alabama, and live in Florida. I rarely get to see them and I am on Social Security and do not have the money to

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see them except a few times a year. Each time I have to get permission from the Federal Parole Office in advance (3 days), and have to report when I get back home. I take care of my 89-year old mother and we have very little to live on.

Mr. President, you have the power to correct a horrible injustice. My loyalties have been with you. Will you be loyal to me? Call anyone in Mobile, Alabama who worked in your campaign, and they will tell you about me, Judge Elwood L. Hogan, a man destroyed by the misuse of federal prosecution power in the Mobile Federal Court where every judge and every prosecutor is a staunch Republican (excepting Mr. Don Foster who you just recently appointed a few months ago).

Mr. President, I have waited patiently for the appropriate time to ask for this help, but I am getting older, and time is so very important. Please let me have an unbiased, objective investigation of the 4 witnesses who lied and made up bribe stories for the Republican forces in the Mobile Federal Court.

I will quote what you said on Martin Luther King Day on January 16, 1995: "There is nothing that cannot be fixed if we rely on our hearts and spirit that we know to be true". **PLEASE, MR. PRESIDENT!**

Respectfully,

ELWOOD L. HOGAN

ELH:ab

CC: Attorney General Janet Reno
Honorable Howell Heflin
Honorable Tom Bevill
Honorable John Saxon