
Women's Justice Center

Centro de Justicia Para Mujeres

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March 24, 2014

Jocelyn Samuels
Acting Assistant Attorney General
Civil Rights Division, US Dept. of Justice
Washington, D.C.

Michael W. Cotter
United States Attorney
Missoula, Montana

Open Letter Re: District Attorney Obligations and Accountability to Victims of Violence Against Women

Dear Ms. Jocelyn Samuels and Mr. Michael W. Cotter,

Thank you! Thank you! Thank you!

We have read and re-read your [February 2014 U.S. Department of Justice Letter of Findings](#) regarding the Missoula District Attorney's mishandling of rape cases, and we've passed it on to others in hopes it will be widely used as the groundbreaking legal tool it is.

You've done an extraordinarily valuable service to women by trail blazing a solid legal path to district attorney obligations and accountability to victims of violence against women, where before there was only the seemingly impassible thicket of anti-women court decisions dating back decades and right up to present day.

Like the Missoula district attorney, there are still way too many district attorneys around the country who believe their official powers of discretion give them carte blanche to ignore, disregard, ditch, discriminate against, and deny justice to women, as they wish, and with impunity. Indeed, until your findings, a district attorney's systematic denial of justice to women has been deemed untouchable, and has stood as a key and intractable obstacle in the struggle to end violence against women.

The legal foundation you establish in your findings is so commonsense, rigorous, and thoroughly constructed that women anywhere can stand securely on your argument to demand equal justice from their local district attorneys. Its great strength is that you have forged this foundation squarely within the framework of women's fundamental constitutional rights. And it's especially helpful that you've accompanied your legal citations with brief, plain-language summaries that can be understood by all.

In addition to cementing a district attorney's prosecutorial obligations to victims of violence against women, your coverage of related obligations is also extremely helpful, such as your construct and foundation for a district attorney responsibility to investigate these cases, as well as prosecute, when police have failed to properly do so.

Your Letter of Findings was also immensely gratifying personally for your use of the year 2000 9th Circuit Court decision in the case of Macias v. Sheriff Ihde as a pillar in your findings. Myself and colleague Tanya Brannan were the advocates on that case, and we have always pondered why it lay dormant for so long. As you can imagine, we are ever so pleased you have built on Macias and other cases to greatly and so solidly advance the cause of justice for women.

Thank you again.

Sincerely,

Marie De Santis, Director
Women's Justice Center
Santa Rosa, CA