



May 6, 2009

**BOARD OF DIRECTORS**

Paul H. Asofsky  
PRESIDENT

Kevin McHargue  
VICE PRESIDENT  
LEGAL

Randall Ellis  
VICE PRESIDENT  
PROGRAM

Michael R. Wyatt  
VICE PRESIDENT  
DEVELOPMENT

Richard Alvarado  
NATIONAL BOARD  
REPRESENTATIVE

Nancy Friedman  
SECRETARY

Fran Compton  
TREASURER

James Aldrete

David Chang

Jim Cornehlts

Madan Goyal

Marilyn Gullett

Mary Scott Hagle

Gilberto Hinojosa

Rev. Charles Kiker

Betsy Moon

Everard Santamarina

Kurt Schwarz

Mohammad Tarrig, M.D.

Mark Yzaguirre

Terri Burke  
EXECUTIVE DIRECTOR

Rebecca Bernhardt  
DIRECTOR OF POLICY  
DEVELOPMENT

Ann Trump Daniel  
DIRECTOR OF  
DEVELOPMENT

Tracey Hayes  
FIELD ORGANIZER

Doris Scott, Appointments Manager  
Office of the Governor  
Governor's Appointments Office  
1100 San Jacinto  
Austin, Texas 78701  
Via Facsimile to (512) 475-2576

Re: Nomination of Shanda G. Perkins to the Texas Board of Pardons and Paroles

Dear Ms. Scott:

I am writing to express our opposition to the appointment of Ms. Shanda G. Perkins to the Texas Board of Pardons and Paroles. Our concerns are two-fold. First, Ms. Perkins appears to have no relevant qualifications for the position and no identifiable experience in the area of corrections policy.

Second, Ms. Perkins only identifiable experience with the criminal justice system is as an activist who led a crusade to ban sex toys in Texas. Ms. Perkin's efforts resulted in the federal appellate court finding the Texas law that banned sex toys unconstitutional.

Texas has a massive prison and jail system, with over 155,000 Texans currently incarcerated in a Texas Department of Criminal Justice prison. This system costs the Texas taxpayers billions of dollars to operate. Texas needs qualified individuals making decisions that impact prisoners, their families, and all Texans.

We are concerned that Ms. Perkins' nomination will fail to promote fairness on the parole board or confidence in the criminal justice system. We therefore respectfully ask that her nomination be withdrawn and a candidate with a background more suited to the position be offered in her place.

Thank you for your consideration. I remain,

Yours very truly,

A handwritten signature in black ink, appearing to read "Rebecca Bernhardt".

Rebecca Bernhardt  
Policy Director

American Civil Liberties Union of Texas