



Rescue The Perishing

P.O. Box 115
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"Deliver those who are drawn toward death, And hold back those stumbling to the slaughter" Pr. 24:11

February 19, 2004

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An Open Letter to the October 2003 Voting Members of the Iowa Judicial District #3A Nominating Commission.

Have you all seen the *Des Moines Register* article of Monday, February 16, 2004 regarding Mike Zenor and Nancy Whittenburg? If not, a copy is enclosed. Congratulations to the majority of you who voted to nominate Zenor and/or Whittenburg to replace Frank B. Nelson as our new judge here in District #3! Of all the applicants seeking to replace Mr. Nelson, in your collective moral integrity and brilliant skills of intellectual inquiry, you managed to choose the two lowlifes of the bunch as finalists for the new judgeship.

On top of this little ticket fixing racket (which challenges the very heart of the adversarial legal representation system of justice we are supposed to enjoy here in NW Iowa) these two have going on and which the *Register* has now exposed, how many of you also knew that Zenor got drunk at Whittenburg's home on Sept. 7, 2002, went out and was arrested (and later plead guilty) by Arnolds Park police for driving with a .015 blood alcohol? How many of you know that Zenor apparently refused to notify the Iowa Attorney General's office about the matter (in light of his clear conflict of interest) and inform them of Whittenburg's potential violation of Iowa Code 123.49 in the matter and ask them or the DCI to investigate? (He has refused to answer my several inquiries of the matter these last few weeks.) Letting Whittenburg off the hook in this matter could easily set her up for some further pay back to Zenor, vis-à-vis the matters in the *Register* this week.

How many of you know that Whittenburg is part owner of the family wholesale beer business ("Sub S corporate stock ownership" her brother Charlie called and emphatically wanted me to

know) and could be facing a conflict of interest every time she hears an OWI case where the accused bought their beer from her wholesale customer? And if a small portion of the reports I am now receiving from Spencer are accurate, we may only be scratching the surface. My investigations will continue.

My bet is that behind those closed doors of your commission hearings, a few of the senior lawyers in your group, very subtly yet paternalistically, informed the rest of you that they knew who was best qualified and steered the process to whom they had hand picked, long before the commission ever met. I also wonder if these two obviously corrupt nominees were selected because either would become future pushovers in the courtroom for some of these same lawyers.

As far as your role in this matter goes – please understand that this commission is going to serve as the poster child for the utter failure of the ‘merit-based’ commission nomination system of picking judges we have here in Iowa. Sr. Judge Tom Hamilton’s previous bold lie to this commission in the mid 1990s (the lie’s beneficiary was the seating of another morally bankrupt Judge Patrick Carr...Mike Zenor’s old partner) holds a close second in the trophy case of incompetent commissions. But yours gets first place.

As the corruption compounds, the public will cry out louder and louder for honest replacements to the bench and to your seats on the commission. If you voted for either Zenor or Whittenburg, and as a result have now enhanced the shame for all of us here in District #3A, please do the right thing and resign your seat to the Commission. If you didn’t vote for either, but saw the unjust hands at play behind the closed doors of the commission meeting, please feel free to contact me **confidentially** and tell me what you saw and any ideas you would have for true reforming of the judicial appointment process here in NW Iowa.

Sincerely,

Paul R. Dorr, Director
Cameron Arnold Judicial Reform Initiative
a special project of
Rescue the Perishing

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