

P.O. BOX 56157  
NEW ORLEANS, LA 70156  
P: (504) 522-0617

MARJORIE R. ESMAN  
EXECUTIVE DIRECTOR

October 15, 2009

*By fax 504-310-2607*

*And by regular mail*

Hugh M. Collins, Ph.D.  
Chief Executive Officer  
400 Royal Street, Suite 1190  
New Orleans, LA 70130-8101

**Re: Requested investigation of Justice of Peace Keith Bardwell for refusal to perform interracial marriages**

Dear Dr. Collins:

I write to request that the Louisiana Judiciary Commission immediately commence an investigation of Keith Bardwell, Justice of the Peace for Tangipahoa Parish's 8th Ward. According to an interview in the Hammond Daily Star Online, Mr. Bardwell boldly told reporters that "I don't do interracial marriages." Don Ellzey, *JP refuses to marry couple*, Hammond Daily Star Online, October 15, 2009, available at: [http://www.hammondstar.com/articles/2009/10/15/top\\_stories/8847.txt](http://www.hammondstar.com/articles/2009/10/15/top_stories/8847.txt). In the interview, Bardwell openly brags that he has not performed interracial marriages for years.

Bardwell's ban on interracial marriages is not only unconstitutional, racist, and demeaning to all couples wishing to marry; it also brings the judicial office into disrepute. I therefore request that the Commission immediately take steps to investigate Bardwell and recommend the most severe sanctions available, because such blatant bigotry poses a substantial threat of serious harm to the administration of justice.

By refusing to perform interracial marriages, Bardwell is willfully and persistently failing to follow the law. His behavior would be both embarrassing and disturbing in any year, and is especially shocking more than four decades after Loving v. Virginia, 388 U.S. 1 (1967), which ended all race-based legal restrictions on marriage in the United States.

A justice of the peace is governed by the same constitutions and laws that govern all courts and judges of the state, and is bound to apply the law as written by the legislature and construed by the various courts. In Re Justice of the Peace Franklin, 969 So. 2d 591 (La. 11/27/2007) As a judicial officer, a justice of the peace is required not only to know, understand, and respect the fact that the system of government is one of rules, but also sworn to apply and abide by those rules. *Id.*

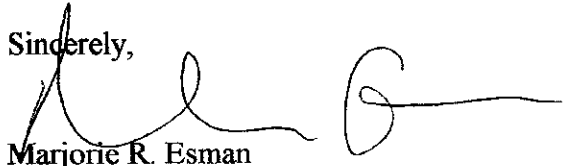
Justice of the Peace Bardwell must follow the law, not his own ugly and fanciful theories on interracial marriage. A justice of the peace simply cannot prevent a person from a lawful

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marriage because of bigotry and prejudice. We hope immediate action is taken before another couple is so flagrantly disrespected by a member of the judiciary.

Sincerely,

Marjorie R. Esman

A handwritten signature in black ink, consisting of a large, stylized 'M' followed by a cursive 'R' and 'E', and ending with a long horizontal stroke.

cc. Office of Special Counsel