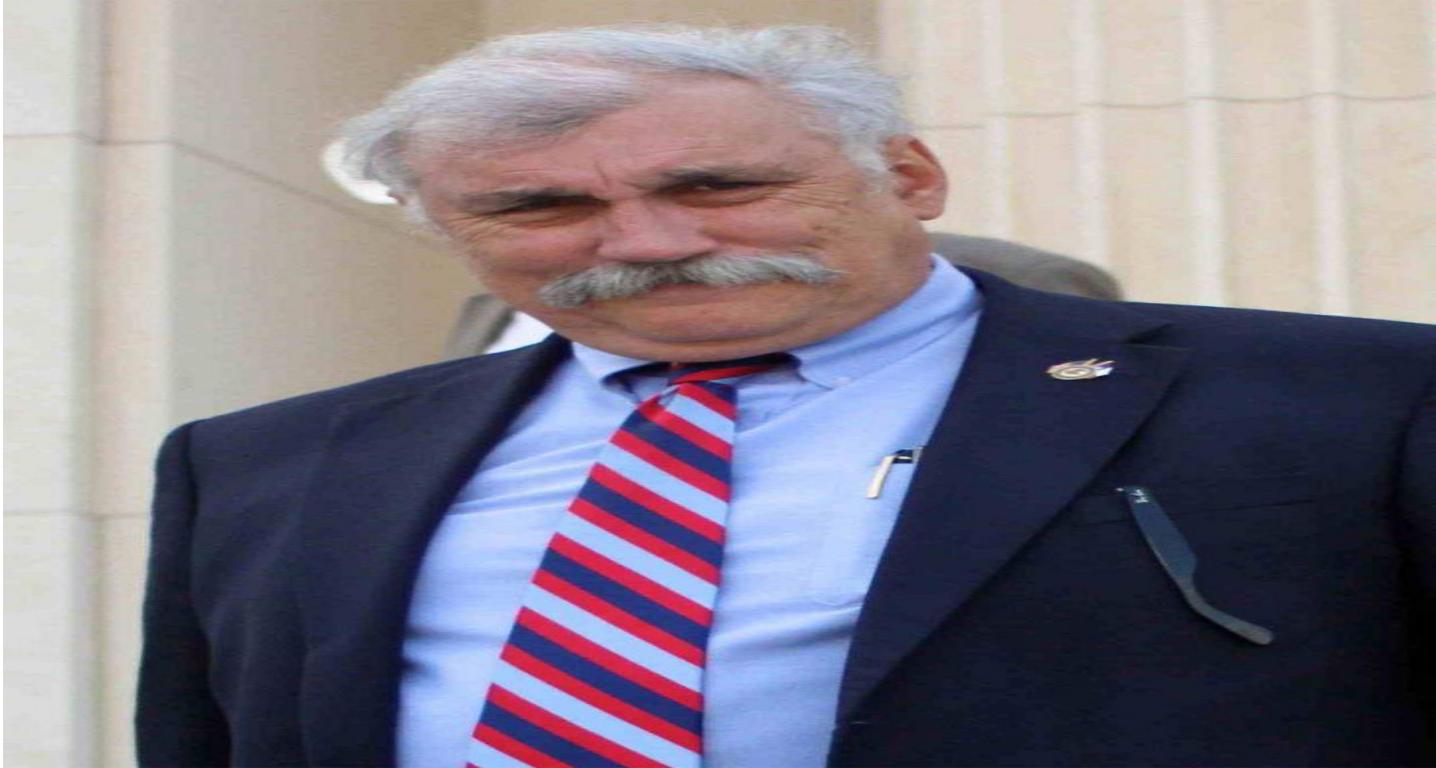


Lawyers, civil rights group call for U.S. attorney's resignation

By Brooke Crum

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Jason Fochtman, MBO

In this July 9, 2011 photo, U.S. Attorney John Craft leaves the federal court building in Beaumont, Texas. On Wednesday, Aug. 14, 2013, officials said derogatory comments Craft made about President Barack Obama and Trayvon Martin on Facebook are being reviewed. (AP Photo/The Courier, Jason Fochtman)

BEAUMONT - Two organizations calling for the resignation of an assistant U.S. attorney who made racially offensive Facebook comments have not swayed the local U.S. Attorney's Office.

The Texas Civil Rights Project and the J.L. Turner Legal Association sent a letter Thursday to John Malcolm Bales, U.S. attorney for the Eastern District of Texas, requesting John Craft's resignation.

In August, Craft, a Beaumont-based prosecutor in the U.S. Attorney's criminal division, made disparaging comments about minorities and President Barack Obama on his private Facebook page in the wake of George Zimmerman's acquittal in the Trayvon Martin case.

Shortly after Craft's comments were reported, Bales promised to review the remarks with Department of Justice staff in Washington to determine whether Craft should be disciplined for violating any policies.

Bales said Monday the Justice Department's Office of General Counsel was working on a departmentwide social media policy, but he did not know the details yet.

The U.S. Attorney's Office has refused to comment on Craft's remarks other than to say "it's a personnel issue."

"Certainly, the public cannot be expected to dismiss such comments when the very individual charged with protecting constitutional rights demonstrates such blatant disregard for democracy and racial equality," said the letter, signed by James C. Harrington, director of the Texas Civil Rights Project, and Mandy Price, president of the J.L. Turner Legal Association.

"It is gravely disturbing that Mr. Craft finds it acceptable to make his repugnant beliefs known in a public forum, calling into question his discretion to fairly and effectively enforce the law," the letter stated. "Defense attorneys and the public have already begun to question whether Mr. Craft's 'personal' beliefs influence his prosecutorial discretion with respect to minority victims and defendants."

'Taking a close look'

Bales said the letter from the Texas Civil Rights Project and the J.L. Turner Legal Association, the African-American bar association in Dallas, changed nothing.

"I appreciate the sentiments of the organizations," he said, "but they are not in charge of this office."

While his office is "taking a close look at this," Bales said, Craft posted the comments on Facebook using a personal computer and had the right to do so, even if Bales disagreed with the content of those comments.

Bales said he had no further comment on Craft's continued employment.

Robert Schuwerk, a University of Houston law professor specializing in legal ethics, said the U.S. Attorney's Office should disclose publicly what course of action it takes with Craft, whether it intends to discipline him or not.

"It seems to me that doing nothing could create in the minds of some segments of the population the perception that the office does not care," he said.

Wrote on Martin case

Schuwerk suggested the U.S. Attorney's Office at least enact a formal policy to protect itself in future situations.

In a discussion of Stand Your Ground laws on his private Facebook page in August, Craft wrote disparaging remarks about minorities and President Obama.

A screen capture of his Facebook page showed comments Craft made in reference to Trayvon Martin, a black 17-year-old killed by neighborhood watch volunteer George Zimmerman, who was acquitted in a July trial.

Craft wrote: "How are you fixed for Skittles and Arizona watermelon fruitcocktail (and maybe a bottle of Robitussin, too) in your neighborhood? I am fresh out of 'purple drank.' So, I may come by for a visit. In a rainstorm. In the middle of the night. In a hoodie. Don't get upset or anything if you see me looking in your window ... kay?"

Martin, who was wearing a hooded sweatshirt when he was fatally shot on Feb. 26, 2012, was returning to his father's girlfriend's Sanford, Fla., home after going to a nearby store for a package of Skittles and an Arizona iced tea. A hoodie has become symbolic of racial profiling.

'Additional baggage'

In another comment, Craft wrote that "low information voters carried the day for the Dalibama in the last election" and posted an image of a graphic that said: "Obama: Why Stupid People Shouldn't Vote."

Defense attorneys, in particular, will press the issue of Craft's perceived bias while trying to protect their clients' interests, Schuwerk said.

"(Craft) is going to have a great deal of additional baggage defense lawyers are going to make him carry," he said.

One defense attorney has already raised the question. Norman Silverman, who represents a Hispanic defendant Craft is prosecuting, filed a motion in August to delay sentencing and provide time to collect Craft's prosecution records. Silverman planned to study the sentence length of minority and white defendants prosecuted by Craft to compare their severity.