

THE JUDICIAL COUNCIL OF THE SEVENTH CIRCUIT
219 South Dearborn Street
Chicago, Illinois 60604

August 14, 2007

FRANK H. EASTERBROOK
Chief Judge

No. 07-7-352-32

IN RE COMPLAINT AGAINST A JUDICIAL OFFICER

MEMORANDUM

Complainant believes that a district judge has failed to “report criminal activity” to a federal prosecutor.

The Executive Branch rather than the Judicial Branch decides what conduct will be prosecuted. A judge’s job is to adjudicate, not initiate, criminal prosecutions.

If complainant believes that he has evidence of criminal activity, he should report it to law-enforcement officials such as the police, the FBI, and the United States Attorney. A district judge’s disinclination to serve as an intermediary is not misconduct. That the supposed “criminal activity” is the indictment, conviction, and imprisonment of complainant is a further reason why the judge has acted properly; it is not part of a federal judge’s role to treat the Judicial Branch’s own decisions as crimes.