

April 10, 2023

The Honorable Cindy Hyde-Smith
Hart Senate Office Building
2nd Street & Constitution Avenue Northeast
Suite 702
Washington, D.C. 20510-2405

Dear Senator,

I want to begin by offering my sincere thanks for the opportunity to discuss my nomination with you several weeks ago. I know you are very busy and I truly appreciate it. I hope that our conversation gave you a sense of my commitment to the rule of law, to the Constitution, and to the people of Mississippi—commitments that I would bring with me to the federal bench should I be so fortunate as to be confirmed.

I understand that you currently do not expect to return a blue slip that would allow me to have a hearing in the Judiciary Committee. You raised some concerns about my record in your statement, and since we did not have a chance to discuss those issues during our interview, I wanted to follow up.

I decided to run for District Attorney in 2015 because I love my hometown and I wanted to do my part to keep my community safe. I was proud that my campaign raised \$150,000—the vast majority from small-dollar donations made by people in my community that I am still proud to serve as District Attorney. I was proud to be reelected in 2019 without opposition, and every single day, I am focused on the safety and wellbeing of the people I serve.

In regards to George Soros, let me state at the outset, I have never met Mr. Soros, nor have I ever spoken with him. At one point, in 2015, Mr. Soros did donate money to an independent political action committee (PAC). Let me be clear, though, that this contribution was not to my campaign, but rather to a PAC that was not affiliated with my campaign and did not coordinate with me or my campaign. I never requested these funds from Mr. Soros. I did not know the money would be contributed—and did not even learn of the contributions until I read about them in my hometown paper. Since my first election, I have never discussed any of my policies as District Attorney or any of the decisions I've made in the seven years since my election with anyone from the PAC or with Mr. Soros. I have worked hard since my election to gain the trust and support of the constituents in my district and to pursue justice on their behalf, including those who viewed my election with skepticism, and I think my re-election in 2019, again, without opposition, is a testament to my success at doing so.

Next, I want to address the suggestion that I opposed legislation to protect female athletes. I am not sure what you are referring to. I did sign a statement regarding gender-affirming healthcare which stated, for example, that the signatories “do not support the use of scarce criminal justice and law enforcement resources on criminalization of doctors who offer medically necessary, safe gender-affirming care to trans youth, parents who safeguard their child’s health and wellbeing by seeking out such treatments, or any individuals who use facilities aligned with their gender identity.” This statement that I signed did not comment on legislation specifically related to participation in athletics. Moreover, I would note that if confirmed as a judge, any views I had about policy matters would be irrelevant to my daily work, and I would faithfully apply binding Supreme Court and Fifth Circuit precedent to the cases that came before me.

More broadly, I would note that many of the statements I previously signed onto may give an inaccurate portrait of where my focus has been as District Attorney. My Senate Judiciary Questionnaire is 70 pages long and the vast majority of those pages reference local articles in the Commercial Dispatch and WCBI about how hard I've worked to keep my community safe. Those articles describe the work I've done with sheriffs like Eddie Scott, Steve Gladney, and Mike Alredge to keep my district safe, how I've personally led the prosecution against dangerous and violent criminals 26 times and got guilty verdicts 24 times (1 hung jury), how I've expanded services for victims and their families, how I've volunteered my time to mentor young people, and how I've always been transparent with the public when I've had to confront difficult decisions. I believe those articles show I have the experience, temperament, focus, work ethic, unbiased judgement, passion for the law, fidelity to the Constitution, and love for the State of Mississippi and its people to be a good federal judge for the Northern District.

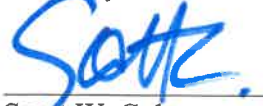
The other point I would like to make about those statements is that they are much more partisan in rhetoric than I ever would be or have been in my own writing and in my own approach to engaging with others who may hold different perspectives. For example, when I first moved back to Columbus as a lawyer, I wrote a weekly column for my hometown newspaper. Those columns, which are in my own words, give a much better impression of how I think and advocate about matters of public policy. I wrote columns defending Governor Barbour, discussing positive aspects of the rise of the Tea Party and what it meant for political activism, to mention a few. These columns—copies of which are attached—give you a much better view of how I think about and write about matters of public policy. The statements written by other people don't.

I would also note that while I have addressed matters of public policy in my role as District Attorney, the role of a judge is one that should leave policy questions to policymakers. If I am fortunate enough to be confirmed, I will be guided by precedents of the Fifth Circuit and the United States Supreme Court, by the rule of law and the Constitution, and by the limited, defined role that judges play in our system of justice.

I hope you will reconsider your views about my nomination. If there are any other issues of concern to you, I would welcome the opportunity to address those, either in person or on a call.

The bottom line is this: I would be honored to continue serving the state of Mississippi that we both love deeply.

Sincerely,


Scott W. Colom

cc: Hon. Roger F. Wicker, United States Senator
Hon. Richard J. Durbin, Chair, Senate Judiciary Committee
Hon. Lindsey O. Graham, Ranking Member, Senate Judiciary Committee