

AMERICAN ASSOCIATION OF JEWISH LAWYERS AND JURISTS

U.S. Affiliate of the International Association of Jewish Lawyers and Jurists

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July 18, 2023

Judge Laura Priver
Clara Shortridge Foltz Criminal Justice Center
210 West Temple Street
Los Angeles, CA 90012

Dear Judge Priver,

The American Association of Jewish Lawyers and Jurists (“AJL”) is the voluntary bar association of American Jewish lawyers. We are a national nonprofit association that represents the American Jewish legal community on legal issues that affect, and are of importance to, the community, including; freedom of religion, civil rights, human rights, access to justice, social justice, and defense of the rule of law. The Association also advocates upon and defends against matters affecting the global Jewish community such as antisemitism and those which are covers for antisemitic claiming only a desire to undermine the State of Israel such as the BDS movement. We are also privileged to have amongst our members lawyers admitted to the Bar of California, one who sits on our antisemitism Rapid Response Committee.

Concerned members of the Jewish Community brought the sentences of Samer Jayylusi and Xavier Pabon to our attention. For premeditated assaults against members of the public who were either Jewish or presumed to be Jewish aggravated by hate speech, your Court sentenced the two individuals to two (2) years of probation, 80 hours of counseling focusing on bias and cultural sensitivity and an eight-hour program at the Museum of Tolerance. Basically, for these horrendous and heinous crimes of physically attacking innocents based upon their ethnicity or religion, such criminals were rewarded with classes in an airconditioned environment and a field trip.

While we at the AJL strongly believe that education is an important element in fighting prejudice and hatred, it does beg the question, why the education cannot occur within a custodial environment.

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The undisputed facts in this case are that the defendants purposefully targeted Jewish individuals, yelled antisemitic slurs and the perpetrators escalated matters to physical violence. These were pre-meditated attacks (the individuals had prepared themselves and sought to hide their identity with hoods, glasses and scarves) at a restaurant and the video of the attack was widely circulated on social media and through news intermediaries throughout the world.

Such activity should result in a custodial sentence at a minimum for defendants, who are a clear menace to society. The failure to give a strong sentence only serves to encourage further reprehensible attacks, as a crucial element of criminal punishment is that it should serve as a deterrent to other individuals considering the same crime.

Whereas the whole community prays that no such attacks occur again, with the extreme rise in antisemitic attacks and incidents throughout the United States, it is to be hoped that the Judiciary will play its part in helping to stamp out these horrific attacks with strong but commensurate custodial sentencing for offenders of this type in the future. The victims deserve justice, which was not served in this case.

Yours sincerely,



Robert Garson, Esq.

President

Rhonda Lees, Esq.

Executive Vice President

Alan Nesbit, Esq.

Rapid Response Committee