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States United and LDAD Call on the State Bar of Texas to Seek Disbarment of Sidney Powell Following Her Guilty Plea to Six Charges in Georgia

<u>Letter</u> Garners Bipartisan Support from Texas and National Legal Experts; Points to Ethics Rules Requiring Compulsory Discipline Given Powell's Admission of Criminal Activity in Georgia

Austin, TX – The <u>States United Democracy Center</u> and <u>Lawyers Defending American</u> <u>Democracy</u> (LDAD) today sent a <u>letter</u> to the State Bar of Texas urging the Office of Chief Disciplinary Counsel to seek the disbarment of Sidney Powell through a compulsory discipline proceeding in light of her guilty plea in the Fulton County, Georgia, election interference case. The letter was signed by more than a dozen bipartisan signatories, including prominent Texas legal experts, former Republican statewide and federal officials, and the Bush and Obama White House ethics advisors.

"Sidney Powell plotted to gain illegal access to voting equipment in Georgia as part of a broader scheme to undermine confidence in our elections and our democracy. She faced criminal consequences for those actions in Georgia, and now it's time for her to face professional consequences," said **Gillian Feiner, Senior Counsel at the States United Democracy Center**. "The Texas Bar's ethics rules are clear: If you commit these crimes, you're up for disbarment. We call on the State Bar of Texas to initiate action against Powell swiftly."

The letter calls for the Board of Disciplinary Appeals to docket the issue by January 2024 and reviews the applicable Texas Rules of Disciplinary Procedure. Those rules require any attorney licensed in Texas who has admitted to an intentional crime, including theft of property, to face disbarment. Last month, Powell <u>pled guilty</u> to Conspiracy to Commit Intentional Interference with Performance of Election Duties, relating to her participation in a conspiracy to steal data, including ballot images, voting equipment software, and personal voter information, in Coffee County, Georgia.

John Montgomery, an LDAD board member, added, "Attorney Powell took an oath to uphold the Constitution and the rule of law. Her admitted criminal actions violated carefully crafted rules guiding the conduct of those who are privileged to practice law, and she must now be held to account."

"We're seeing accountability for the plot to overturn the 2020 election on multiple fronts right now, including in state courts, like those in Georgia and Michigan, and by the U.S. Department of Justice," said **Christine P. Sun, Senior Vice President of Legal at the States United Democracy Center**. "Professional discipline is another critical tool for accountability. Lawyers swear an oath to uphold the Constitution and the rule of law. There must be professional consequences for breaking that oath—especially when it put our democracy at grave risk."

Key excerpts from the letter include:

"We, together with the additional signatories below, write to urge the Office of Chief Disciplinary Counsel to initiate a disciplinary action seeking compulsory discipline against attorney Sidney Powell and to place the matter on the Board of Disciplinary Appeals' January 2024 docket. Attorneys licensed in Texas must 'maintain the highest standards of ethical conduct.' ... As set forth below, through acts undertaken in the aftermath of the 2020 presidential election, Ms. Powell fell far short of those standards.

. . .

"On October 19, 2023, Ms. Powell pled guilty to six misdemeanor counts of conspiracy to commit intentional interference with performance of election duties (O.C.G.A. 16-4-8- and 21-2- 597) arising out of a plot to unlawfully obtain access to voting machines in Coffee County, Georgia. Per the Indictment, Ms. Powell was a key figure in that conspiracy, engaging in illegal efforts to access voting equipment, in Georgia and elsewhere. Ms. Powell hired and directed the technology firm SullivanStrickler to unlawfully access Coffee County, Georgia's sensitive voting equipment and confidential voting technology. At Ms. Powell's direction, SullivanStrickler and others involved in the conspiracy 'stole data, including ballot images, voting equipment software, and personal voter information. The stolen data was then distributed to other members of the enterprise, including members in other states.'

...

"As set forth below, since Ms. Powell has pled guilty to Intentional Crimes, the Office of Chief Disciplinary Counsel *must* commence an action for seeking her disbarment under the rules."

This letter calling on the Texas Bar to seek compulsory discipline against Sidney Powell is the latest action taken by States United and other legal experts to pursue accountability for those who tried to undermine the will of the voters in 2020. Read about States United's <u>bar</u> <u>complaints</u> against John Eastman and his <u>trial in California State Bar Court</u>, as well as our <u>ethics complaint</u> against Jenna Ellis in Colorado, which resulted in her <u>public</u> <u>censure</u>. You can also read about LDAD's bar complaints against Rudy Giuliani, Ken Paxton, Jeffrey Clark, and Kenneth Chesebro at LDAD.org.

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About the States United Democracy Center

The <u>States United Democracy Center</u> is a nonpartisan organization advancing free, fair, and secure elections. We focus on connecting state officials, law enforcement leaders, and prodemocracy partners across America with the tools and expertise they need to safeguard our democracy. For more information, visit <u>https://statesuniteddemocracy.org/</u>.

About Lawyers Defending American Democracy

Founded in 2019, Lawyers Defending American Democracy (LDAD) is a 501(c)(3) organization dedicated to fostering adherence to the protection of the Constitution and the rule of law. LDAD

has issued a variety of Open Letters and Statements calling for adherence by public officials to the rule of law and encouraging fellow lawyers, leaders of bar associations, and the legal academy to join in speaking out against threats to democracy. LDAD has also filed disciplinary complaints against lawyers who have violated their oath to protect the Constitution, for example, Rudolph Giuliani, Jeffrey Clark, Kenneth Paxton, and John Eastman. All letters, statements and briefs are available at https://ldad.org/.

