

Case #1 for eliminating judicial immunity: Shawn McClinton – kidnapper and rapist

There's lots of talk about getting rid of qualified immunity for police officers, but what about getting rid of judicial immunity for judges who make decisions that result in death, rape, or violence against the public? Ending judicial immunity for judges is the only way to hold judges accountable and to ensure the victims of judicial negligence get justice.

What is judicial immunity? Per **Law Library**:

"Judicial immunity protects judges from liability for monetary damages in civil court, for acts they perform pursuant to their judicial function. A judge generally has immunity from civil damages if he or she had jurisdiction over the subject matter in issue."

Shawn McClinton – kidnapper and rapist

39-year old **Shawn McClinton** had **two prior rape convictions** and was being held for a third rape charge before he was set free after the Massachusetts Bail Fund posted his \$15,000 bail. He was released on July 15th and arrested and charged for a fourth rape with a knife three weeks later.

According to the Massachusetts Sex Offender Registry Board, McClinton was convicted of raping and abusing a child in June of 1994 and convicted again of rape in July of 2007. He was arrested yet again and charged with kidnapping, two counts of aggravated rape and assault and battery in 2018. These kidnapping and rape charges were the reasons he was being held before a judge allowed the Massachusetts Bail Fund to bail him

out on July 15th.

Suffolk County District Attorney **Rachael Rollins** stated: "This individual has violently and sexually assaulted women and children in the past. His release on July 15th allowed him the opportunity to sexually assault and harm again. And unfortunately, he did. According to its website, the Massachusetts Bail Fund's stated mission is to 'Free Them All' and provide bails of up to \$2,000 in Essex, Suffolk, and Worcester counties.

These bails are often posted for low-level, misdemeanor offenses which end up punishing poor people and not serving any legal or public safety purpose. However, aggravated rape, kidnapping for the purpose of sexual assault, strangulation, and assault and battery with a dangerous weapon are not low-level misdemeanors. They are violent felonies. And the person they bailed out is a sexual predator that hurts and rapes women and children. The Massachusetts Bail Fund posted \$15,000 and set McClinton loose on our community. They don't care that he is a Level 3 sex offender. They don't care that he has raped women and children before. They have no responsibility to or compassion for the victims and survivors of his crimes, or the families that he has destroyed. I do."

The Massachusetts Bail Fund should be held accountable, but so should the judge who decided that a two-time convicted rapist being held on a third violent rape charge should be released on a \$15,000 bond. Judges need to be the adult in the room. Crazy people that want to abolish bail, prisons, and courts should not get their way by releasing violent people onto the streets to rape, assault, and murder us.

Judges who fail to protect the public should be held accountable. **Contact your legislator** and ask them to get rid of judicial immunity.