

## Judicial Inquiry Commission

800 SOUTH MCDONOUGH STREET  
SUITE 201  
MONTGOMERY, ALABAMA 36104

August 16, 1978

The Judicial Inquiry Commission has considered your request for an opinion concerning the propriety of a judge, as a private citizen, requesting of the Board of Pardons and Paroles that favorable consideration be given an inmate who will be considered by the board for parole.

It is the opinion of this Commission that such a request to the Board of Pardons and Paroles would be in the nature of voluntary testimony as a character witness. Such testimony on the part of a judge is specifically prohibited under Canon 2C. Under Section 15-22-36(d), Code of Alabama 1975, such prohibition would of course be inapplicable to the judge who presided at the inmate's trial.