

EXHIBIT 3

Letter of Support from Artists, Writers and Entertainers

The Honorable George E. Pataki
Governor, State of New York
State Capitol
Albany, New York 12224

May 20, 2003

Dear Governor Pataki—

We are artists, writers and performers who depend on robust First Amendment protections to do our work and to do it well. We are writing to urge you to grant the petition for a posthumous pardon of Lenny Bruce for his November 4, 1964 obscenity conviction for performing a stand-up comedy routine at the Café Au Go Go in New York.

Lenny Bruce was a comedian with an uncommon critical perspective who was undeniably edgy at a time of great social change. He could be rude, profane, and, to many no doubt, offensive. But that should not be a legal issue in the United States where freedom of expression is part of our national birthright. In a free society the notion that an entertainer could be branded a criminal for nothing more than using “bad” words in a nightclub performance is as unthinkable as burning books. Such actions contradict the basic tenets of American freedom. None of us could ply our trade if we feared that our words could put us on the wrong side of the law.

It is not that we believe the State of New York will begin to hunt down artists and performers with the same degree of overzealousness that characterized its campaign to silence Lenny Bruce. The judgment of the courts and of history is that Lenny Bruce’s 1964 New York conviction was a bizarre aberration. But that is our point. The conviction remains on the books even though all agree that the prosecution should never have been brought and could not be sustained under the law, then or now. That this is true is a stain on the Constitution and the Bill of Rights.

A pardon now is too late to save Lenny Bruce. He is dead and is past caring either way. But a posthumous pardon would set the record straight and thereby demonstrate New York’s commitment to freedom – free speech, free press and free thinking. No state in America should be counted among the ranks of the world’s governments that prosecute writers, artists, and entertainers for using words that offend.

We urge you to do the right thing, to correct the historical record, and to pardon Lenny Bruce.

Respectfully,

Margaret Cho
Phyllis Diller
Nat Hentoff
Penn Jillette
Lisa Lampanelli

Paul Provenza
Tom Smothers
Dick Smothers
Teller
Robin Williams