

# ANNUAL REPORT 2016





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# Letter from the President and Executive Director

I joined the Lawyers' Committee for Civil Rights Under Law (Lawyers' Committee), one of our nation's most important and historic civil rights organizations, in January 2016 as president and executive director. While we have made significant strides as an organization in combating racial discrimination and inequality, we are starkly and painfully reminded that equal justice and the eradication of injustice based upon race remain elusive goals.

Alongside committed board members, law firms and attorneys, civil and human rights partners, and courageous clients, we have worked tirelessly to build upon the Lawyers' Committee's extraordinary civil rights legacy. We know, however, that grave civil rights challenges of enormous proportion lie ahead. We are poised to continue working aggressively and innovatively to address both new and systemic barriers to equality, justice and opportunity for all, especially African Americans, through public education, public policy and litigation.

Currently, an estimated 70 million Americans have some form of criminal record and continue to face significant barriers to employment, housing, schools and the ballot box. In 2016, the Lawyers' Committee launched new initiatives and investigations against landlords, colleges and universities, and employers to lift the barriers that deny too many people access to opportunity. We are working to combat debtors' prisons around the country, which disproportionately affect Black and Latino communities, and we launched the Stop Hate Project to address the alarming surge in hate incidents we have seen in many communities. We are fighting back against voter suppression and safeguarding the right to vote through our leadership of the Election Protection Coalition, the nation's largest non-partisan voter protection program.

As we look ahead, the Lawyers' Committee will continue these efforts and shine a spotlight on the new administration's efforts to rollback key civil rights protections. Our organization issued comprehensive reports on the nomination of Attorney General Jeff Sessions and I testified to the Senate regarding the nomination of Judge Neil Gorsuch for the U.S. Supreme Court.

With vigilance and dedication, we will continue our significant work of "Moving America Toward Justice."

Sincerely,

uster Clarke

Kristen Clarke President and Executive Director

# About the Lawyers' Committee for Civil Rights Under Law

#### **HISTORY AND MISSION**

At a historic meeting at the White House more than 50 years ago in 1963, President John F. Kennedy, Vice President Lyndon B. Johnson, and Attorney General Robert F. Kennedy challenged 244 of America's prominent attorneys to spearhead the cause for equal justice during a tumultuous civil rights era. The Lawyers' Committee was founded at this closed door meeting and has been at the forefront of efforts to advance civil rights ever since.

Today, the Lawyers' Committee is a nonpartisan, nonprofit organization whose principal mission is to secure equal justice for all through the rule of law, targeting in particular the inequities confronting African Americans and other racial and ethnic minorities. The Lawyers' Committee continues to marshal the resources of the private bar to obtain equal justice for minorities by addressing factors contributing to racial justice and economic opportunity.

#### PROJECTS AND SPECIAL INITIATIVES

The Lawyers' Committee implements its mission through the following core projects and special initiatives:

- » Educational Opportunities
- » Economic Justice
- » Fair Housing & Community Development
- » Legal Mobilization
- » Public Policy
- » Voting Rights
- » Election Protection Coalition (led by the Lawyers' Committee)
- » Judicial Diversity Program
- » Young Lawyers' Committee for Civil Rights Under Law
- » Know Your Rights Initiative

- Parental Readiness and Empowerment Program (PREP)
- » Criminal Justice Initiative (including work on Debtors' Prisons, Indigent Defense, and Police Brutality and Reform)
- » Barriers to Re-Entry and Collateral
  Consequences (Education, Employment, Housing and Voting)
- » Civil Rights Legal Education Program
- » Clemency Project 2014
- » Jerry Shestack Justice, George N. Lindsay and FirstGEN Fellowships

Through these projects and beyond them, the Lawyers' Committee is also engaged in critical matters, such as economic and environmental justice, international and domestic human rights, immigrant rights, racial profiling and health care disparities. The Lawyers' Committee's Board of Directors also leads initiatives to take positions on Supreme Court nominations, among others.



### LAWYERS' COMMITTEE UNIQUE FACTS

# Largest

Pro Bono Civil Rights Network in the Nation and in the World



Legal Volunteers

200+

Partnerships with Law Firms

200+

Engaged Board of Directors & Trustees from Major Law Firms, Academia and Corporate Law Departments 150+

National, Regional, Statewide, and Local Grassroots Organizations

8

Affiliated Local Committees in Washington, D.C.; Philadelphia; Boston; Chicago; San Francisco; Los Angeles; Colorado; and Mississippi

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#### LEADERSHIP

The Lawyers' Committee for Civil Rights Under Law is governed by an engaged board of directors & trustees of over 200 members from major law firms, academia and corporate law departments. The officers of the board are:







**CO-CHAIR** James Joseph Arnold & Porter LLP



**CO-CHAIR** Teresa Roseborough The Home Depot



VICE-CHAIR Adam Klein Outten & Golden LLP

#### **BOARD OF DIRECTORS**

Edward B. Adams Atiba D. Adams Gaye Adams Massey Robert J. Alessi Nancy Anderson Kevin J. Armstrong Daniel C. Barr Douglas W. Baruch Susan Bennett Lynne Bernabei Berl I. Bernhard Laura Besvinick Frances E. Bivens Victoria B. Bjorklund Dylan C. Black **Timothy Blackford** Jonathan I. Blackman Jack Block **Benjamin Blustein** David J. Bodney Kim N.A. Boras Lisa W Borden John W. Borkowski Gary A Bornstein John Bouma Kim M. Boyle William H. Bradley Harry B. Bremond Terrel J. Broussard Stanley J. Brown Paulette Brown William H. Brown Paulette M. Caldwell John A. Camp Douglass Cassel Todd R. Chandler Michael H. Chanin Irvin B. Charne Nicholas Christakos Michael Ciresi Fay Clayton Lisa E. Cleary William Coleman Peter J. Connell Miles Cooley Michael A. Cooper Edward Correia

Peter J. Covington Marion A. Cowell Michelle D. Craig Nora Cregan David Crichlow William V Custer Doneene Keemer Damon Jennifer Daniels Drew S. Days Michael B. de Leeuw Terrence J. Dee Armand Derfner Sara-Ann Determan Emma Dickson John H. Doyle Cynthia Dow Joseph M. Drayton Johnita P. Due Clarence Dunnaville Sandra B Durant Paul Eckstein Robert Ehrenbard Phillip England John C. Ericson Leslie Gordon Fagen Ira M. Feinberg Fred N. Fishman Owen M. Fiss Douglas H. Flaum Marc L. Fleischaker John H. Fleming Alexander D. Forger Eleanor M. Fox Harold E. Franklin Koji Fukumura Marc Gary Faith E. Gay Joseph W. Gelb John J Gibbons A Gilbert Craig T. Goldblatt Jonah H. Goldman Barry Goldstein Michael H. Gottesman Sara J Gourley Euler Robert L. Graham

Danielle C. Gray Jonathan L. Greenblatt Peter Haje Jyotin Hamid Gabrielle D. Hann Gregory P. Hansel John D. Harkrider Conrad K. Harper Robert E. Harrington David L. Harris Karen Hastie Williams Vilia B. Haves Andrew D. Hendry John Hickey Tracy Richelle High Joshua Hill Matthew M. Hoffman John M. Hogan Eleanor Holmes Norton David Howard Jerome E. Hyman R. Bill Ide Garv T. Johnson Michael D. Jones James P. Joseph Frederick W. Kanner Robert H. Kapp Stephen J. Kastenberg Laura Kaster Jerome C. Katz Michael C. Keats Kim M. Keenan Maximilian Kempner Andrew W. Kentz Charles L. Kerr Moe Keshavarzi John S. Kiernan Loren Kieve Henry L. King Adam Klein Alan M. Klinger Naho Kobavashi Daniel F. Kolb Edward Labaton Michael Lacovara Stuart J. Land Gregory P. Landis

Brian K. Landsberg Harry Lee Michael L. Lehr Charles T. Lester Jerome B. Libin Mariorie Press Lindblom Gregory Little Sanford M. Litvack Andy Liu Jack W. Londen Christopher L. Mann Milton A. Marquis Henry Marsh Judy Perry Martinez Cheryl W. Mason Christopher M. Mason Kishka F. McClain Tom McDonald Robert McDuff Colleen McIntosh Neil McKittrick James P. McLoughlin Kenneth E. McNeil Karen Turner McWilliams Brian Melendez Tacita Mikel Scott Ronald S. Miller Rodnev G. Moore Marc H. Morial Peter J. Mucklestone Robert S. Mucklestone Robert A. Murphy Alice Murtos Aasia Mustakeem Frederick M. Nicholas John E. Nolan John M. Nonna Alex Young K. Oh Ravmond E. Owens Harold C. Pachios Richard G. Parker Roswell B. Perkins **Bradley Phillips** Kit Pierson Michael K. Pignato

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Richard W. Pins Bettina B. Plevan Stephen J. Pollak Harold D. Pope Tracie Ransom Michael H. Reardon John Relman Michael J. Remington Judith Resnik Christopher Reynolds Carroll Rhodes William L. Robinson Sidney S. Rosdeitcher Teresa Roseborough David Rosenbaum Donald J. Rosenberg Lowell E. Sachnoff

Thomas L. Sager Paul C. Saunders John F. Savarese Shira Scheindlin Jennifer R. Scullion Marc M. Seltzer Richard T. Seymour Lila Shapiro-Cyr Valerie Shea Jane C. Sherburne Ronald J. Sholes Richard H. Silberberg Jeffrey A. Simes Garfield B. Simms Marsha E. Simms Robert E. Sims John S. Skilton

Matthew D. Slater **Rodney Slater** David Smith Eleanor H. Smith Laura D. Smolowe Edward Soto Grace Speights Lawrence S. Spiegel Mark A. Srere Neil A. Steiner Eric A. Stone Marjorie Sussman Michael E. Swartz Bernard Tavlor Errol Taylor Ulysses G. Thibodeaux Sandra P. Thompson

Daniel P. Tokaji Andrew E. Tomback Michael Traynor Rossie E. Turman, III Reginald M. Turner Suzanne Turner Michael W. Tyler Peter D. Van Cleve Alan B. Vickery Herbert M. Wachtell Sylvia Walbolt Joe Whatley Brenda Wright Ekow N Yankah

#### STAFF

#### **National Support**

Kristen Clarke President/Executive Director

**Jon M. Greenbaum** *Chief Counsel and Senior Deputy Director* 

Lisa Bornstein Vice President, Strategy and Policy

**Nikki Thompson** Special Assistant to the President/Executive Director

Mateya (Teya) Kelley Jerry Shestack Justice Fellow

Nancy Anderson Director, Pro Bono and Acting Director of Finance

#### Criminal Justice Project

Myesha Braden Acting Director

Hallie Ryan Associate Counsel

Kevin Opoki-Gymfi Singer Fellow and Associate Counsel

#### Educational Opportunities Project

Brenda Shum Director

Natasha Quiroga PREP Director and Senior Counsel Genevieve (Genzie) Bonadies Associate Counsel

**Ryan Prendergast** PREP Program Coordinator and Legal Assistant

Andrew Hairston George Lindsay Fellow and Associate Counsel

**Pooja Chaudhuri** Berkeley Law Fellow and Associate Counsel

#### Economic Justice Project

Dariely Rodriguez Director

Pamela Disney Voluntary Attorney

#### Fair Housing and Community Development Project

Joseph D. Rich Co-Director

Diane Glauber Co-Project Director

**Tom Silverstein** Associate Counsel

Dorian Spence Counsel

**Peter Kye** UVA Fellow and Associate Counsel

#### Organizing and Campaign

Aunna Dennis National Coordinator

Trevor Ostbye National Coordinator

Eduardo Zerbe National Coordinator

#### Public Policy Project

Kimberly Tignor Director

James Gilmore Analyst

#### **Stop Hate Project**

Becky Monroe Director

Arusha Gordon Associate Counsel

Jess Unger Georgetown University Law Fellow and Associate Counsel

Dr. Megan Gall Social Scientist

Nadia Aziz Program Manager

Christina Franzino Program Assistant

Sherrod Smith Project Coordinator

Hallie Ryan Associate Counsel

#### Voting Rights Project

Marcia Johnson-Blanco Co-Director

Ezra Rosenberg Co-Director

Julie Houk Senior Litigation Counsel

Brendan Downes Associate Counsel

**John Powers** Associate Counsel

#### Communications Unit

Jessica Brady Director of Strategic Communications & External Affairs

Derrick Robinson Deputy Communications Director

#### **Development Unit**

Karen Miller Chief Development Officer

**Charlene Holloway** Senior Development Officer

Jennifer Patin Development Officer

Sharon Russell Development Associate

#### **Accounting Unit**

Lula Thomas Accounting Manager

Marie Gwathmey Accountant

#### Administrative Unit

Kathy Coates Human Resources Assistant

Devon Sullivan IT Manager

**Michael Parris** Administration Assistant to the Executive Office

**Sheri Ezelle** *Customer Service Receptionist and Project Empowerment Trainee* 

### Year in Review

The national Lawyers' Committee had a banner year after Kristen Clarke took the helm as president and executive director in January 2016. Our critical civil and human rights matters continue to advance our mission of combating racial discrimination and the resulting inequality of opportunity work that continues to be vital today.

Learn about our 2016 highlights »

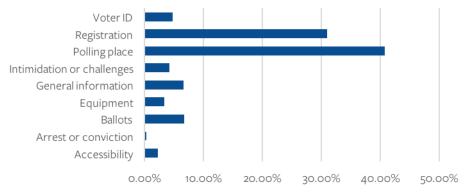


#### **VOTING RIGHTS/ELECTION PROTECTION**

The Lawyers' Committee remained at the forefront of efforts to ensure every American is provided equal access to the ballot box. Our work was particularly important during this presidential election year, the first since the gutting of the Voting Rights Act of 1965 (VRA). All across the country, we witnessed bold and subtle efforts to make it more difficult for Americans to exercise the right to vote. The Lawyers' Committee fought against these efforts, including litigation, to address suppressive voting laws.

The Election Protection Coalition, led by the Lawyers' Committee, is the nation's largest nonpartisan voter protection program. With the pro bono support of our board members and law firms, we fielded over 117,000 calls from voters across the country by way of our Election Protection hotline (866-OUR-VOTE) this election cycle. Through this effort we provided real-time assistance to voters who faced issues, such as long lines, ballot shortages, polling sites that failed to open on time, problems with photo ID laws and other issues.





In recognition of the high-stakes and unprecedented nature of the presidential election, and with the belief that an informed electorate gives way to increased participation, Election Protection's 2016 program objectives were to:

- ensure eligible voters were able to cast ballots that count;
- » educate voters with relevant information;
- engage voters and advocates via new and traditionally effective outreach; and
- » empower voters to help #ProtectOurVote.

Election Protection, with over 100 partner organizations, launched a multi-faceted voter protection effort in 2016 to meet these objectives. The program continued to offer support to voters through a suite of hotlines: 866-OUR-VOTE (led by the Lawyers' Committee,), 888-VE-Y-VOTA (led by NALEO Educational Fund) and 888-API-VOTE (led by APIAVote and Asian Americans Advancing Justice-AAJC), as well as on the ground support on Election Day in 28 states through legal volunteers (led by the Lawyers' Committee) and grassroots poll monitors (led by Common Cause). Additionally, the program launched new tools and partnerships to expand its capacity to educate and protect voters. As a result, during the 2016 election, the program fielded over 117,000 calls and enlisted more than 8,000 legal and grassroots volunteers.

The challenges that voters experience in seeking to exercise the right to vote continue to stand as a threat to democracy. We will continue to fight to ensure that every American is afforded their constitutional right to cast a ballot and have it counted.

#### Key voting litigation matters in 2016

The Lawyers' Committee's Voting Rights Project uses a diversity of tools to litigate cases on behalf of traditionally disenfranchised voters. Section 2 of the VRA prohibits voting practices that have the purpose or result of discriminating against members of a racial or minority language group. Section 5 of the VRA, which was rendered nearly inoperable by *Shelby County v. Holder*, required select jurisdictions to get federal pre-approval for voting changes before putting them into effect. The National Voter Registration Act of 1993 is another powerful tool, as are Article 1 and the 14th and 15th Amendments in the U.S. Constitution, state laws and constitutions and the Help America Vote Act of 2002.

We fought back against **Texas's restrictive and burdensome photo ID law,** as well as North Carolina's monster voter suppression law, which cut early voting opportunities, eliminated pre-registration opportunities for 16- and 17-year olds, and eliminated same-day voter registration.

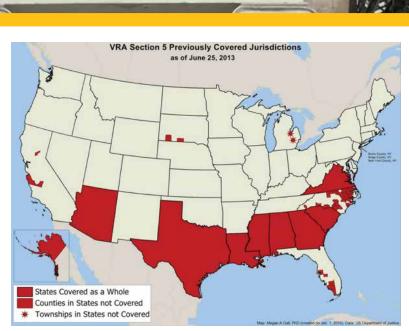
In **Georgia**, we fought efforts to purge registered voters from the rolls and were successful in blocking officials in **Macon-Bibb County, Georgia** who sought to move a polling site out of a Black church and into the local sheriff's office.

In July, the Lawyers' Committee, Manatt, Phelps & Phillips, LLP and Osborn Maledon, P.A. filed a motion for preliminary injunction, arguing that the Arizona secretary of state and



Maricopa County officials should be required to produce Election Administration Plans, and obtain judicial approval of those plans, ahead of the August 30, 2016 primary election and the November 8, 2016 general election. The motion sought to prevent a repeat of the disastrous March 2016 presidential preference primary in which state and county officials oversaw a drastic reduction in the number of polling places in **Maricopa County** from 403 in 2008, to 211 in 2012, to just 60 this year. The reduction resulted in unbearable wait times in excess of five hours in many locations and effectively disenfranchised countless voters.





# Who was covered?

»

- » 45% of voting age African Americans
- **36%** of voting age Latinos
- **23%** of voting age Asians
- **34%** of voting age American Indian/Alaska Natives
- **17%** of voting age Native Hawaiian/Pacific Islanders



#### **CRIMINAL JUSTICE REFORM AND BARRIERS TO RE-ENTRY**

The Lawyers' Committee is also working to address criminal justice issues – particularly those that have resulted from our nation's failed experiment with mass incarceration.

Today, an estimated 70 million Americans who have some form of criminal record continue to face significant barriers to jobs, housing, schools and the ballot box. In 2016, the Lawyers' Committee launched new initiatives and investigations against landlords, colleges and universities, and employers to address and remove significant barriers plaguing minority and low-income communities across the country.

We were active in fighting to restore voting rights to **over 40,000 ex-offenders in Maryland and 156,000 in Virginia** (the Virginia Supreme Court then ruled that Gov. Terry McAuliffe does not have the authority for a blanket restoration of voting rights to the state's felons. We applauded his efforts to fight back by using an autopen to individually restore voting rights to those formerly incarcerated persons).

Beyond barriers to re-entry, we are also fighting to combat debtors' prisons around the country. In fact, we filed a case in Arkansas to remedy this dire issue. Lee Robertson, who was battling pancreatic cancer and unable to work while undergoing his first stint of chemotherapy, wrote 11 checks at stores near his home for small amounts ranging from \$5 to \$41 over the course of two weeks. He was sentenced to 90-days, owing the court over \$3,000.

In August, along with Morrison & Foerster LLP and the American Civil Liberties Union of Arkansas (ACLU of Arkansas), we filed a class action civil rights lawsuit challenging the modern-day debtors' prison in Sherwood, Arkansas. The lawsuit was filed in the United States District Court for the Eastern District of Arkansas against the city of Sherwood, Arkansas, Pulaski County, Arkansas and Judge Milas Hale, III.



Association, and the National Lawyers Guild of Southern University Law Center at Baton Rouge, to provide pro-bono legal services to peaceful protestors arrested while exercising their right to call for justice.

Also, at the height of national protests against police brutality

The suit, which received national attention, was filed on behalf of a concerned taxpayer and four

individuals who allege their constitutional rights were violated by the Hot Check Division of the Sherwood District Court when they were jailed for their inability to pay court fines and fees in violation of longstanding law forbidding the incarceration of people for their failure to pay debts.

The Lawyers' Committee is also actively engaged in addressing the national crisis of brutality and killings of African-American men, women and youth by police officers. In the wake of the tragic shooting death of Alton Sterling, the Lawyers' Committee partnered with the Louis A. Martinet Legal Society of Baton Rouge – an affiliate of the National Bar and calling for reform, the Lawyers' Committee launched a **Know Your Rights Initiative**, a formalized partnership with the National Bar Association. This initiative seeks to mobilize members of the private bar to serve as legal observers and provide individual-level representation for protesters who are detained or arrested during mass demonstrations against police misconduct. The Lawyers' Committee partnered with Jones Day to create brochures for Atlanta, Baton Rouge, and Washington, D.C. Everyone should be free to exercise their first amendment rights and provided with the support needed to engage in protests and demonstrations.

More than 156,000 Ex-Offenders Re-Enfranchised in Virginia



More than 40,000 Ex-Offenders Re-Enfranchised in Maryland



#### STOP HATE PROJECT

Newly launched in 2017, the Stop Hate Project works to strengthen the capacity of community leaders, law enforcement, and organizations around the country to combat hate by connecting these groups with established legal and social services resources, and creating new legal resources in response to identified needs. The Project works to help victims of hate receive the resources they need through community outreach and the 1-844-9-NO-HATE (1-844-966-4283) resource hotline, which primarily serves organizations and individuals working to combat hate in their respective communities. In addition, the Stop Hate Project connects people with access to counsel, when appropriate, by leveraging pre-existing relationships with state and local groups, and the pro bono network that the Lawyers' Committee has built through decades of legal and organizing work in its other project areas.

#### LEGAL MOBILIZATION AND PRO BONO

Building on the success of implementing large-scale pro bono projects, the Legal Mobilization Project (LMP) was established in 2009 to develop a comprehensive, multi-dimensional approach to tackle today's civil rights issues. Utilizing the skill of attorneys, organizers and a technologist, LMP systematically and strategically develops methods to work across all subject areas through pro bono, organizing, technology, infrastructure building, litigation, public policy and public education to implement the Lawyers' Committee's mission.

Engaging the pro bono services of the private bar remains at the core of the Lawyers' Committee's pivotal work, especially litigation of class action matters.

In 2015, pro bono hours from top attorneys and law firms totaled over 62,000, representing over \$34,025,600 (total figures for 2016 were not available as of the release of this report).

The Lawyers' Committee launched a **Civil Rights Legal Education Program** in 2016. This special initiative offers continuing legal education, seminars, workshops and professional business training programs for the legal, educational and business communities on important civil rights topics. Working with board members, their firm's Continuing Legal Education (CLE) departments and pro bono counsel, the Lawyers' Committee will identify and tailor programs based on the particular need of the firm. Lawyers' Committee for Civil Rights Under Law



#### **Clemency Project**

148,362 PRO BONO HOURS REPRESENTING OVER \$88,858,584



### EDUCATIONAL OPPORTUNITIES, FAIR HOUSING AND COMMUNITY DEVELOPMENT, AND ECONOMIC JUSTICE

#### The **Parental Readiness and Empowerment Program** (PREP) seeks to improve K-12 student performance, retention, and access to equal educational opportunities. We serve low-income and minority children in targeted communities by increasing

parental engagement in education and ensuring that parents become successful advocates for their children. Our goal is for every child to have meaningful access to a quality education.

PREP launched its innovative e-clinic on September 6, 2016. Building upon the success of PREP's digital platform (www.prepparents.org), the e-clinic allows parents to meet virtually free of charge via video chat with a pro bono advocate to discuss educational issues related to special education, school discipline, English Language Learners, or discrimination issues. Volunteers and parents work together in an online setting to formulate an action plan to support addressing their child(ren)'s educational success.

The **Economic Justice Project** (EJP), launched in 2016, seeks to address persisting inequality and high poverty rates faced by African American and other minority communities. EJP brings challenges to all forms of racial, national origin, and sex-based discrimination in the workplace, both private and public, including discrimination by federal, state, and local agencies. EJP also brings litigation seeking to lift the employment barriers faced by individuals with criminal histories who are seeking to reintegrate into their communities. EJP litigates class action lawsuits, with the crucial assistance of law firms, on behalf of minorities and women. EJP works with government officials and Congress to promote reforms that can reduce poverty and expand access to economic opportunity to underserved communities.

In 2016, long-standing employment discrimination cases were resolved through favorable settlements — the **Local 28** case handled by Debevoise & Plimpton, and the **Census Bureau** case handled by Outten and Golden.

Our Fair Housing and Community Development Project represented the SB6 Coalition in the negotiation of a historic Community Benefits Agreement with Sagamore Development. The Agreement will provide tens of millions of dollars and technical assistance to six underserved communities in Baltimore, Maryland that will be impacted by the Port Covington project.

The Fair Housing and Community Development Project was also victorious in several litigation matters:

The United States Court of Appeals for the Second Circuit confirmed that the Village of Garden City in Long Island intentionally discriminated under the Fair Housing Act, the United States Constitution, and other civil rights statutes when it enacted an exclusionary zoning ordinance in 2004 in the face of race-based opposition to the prospect of affordable housing. The appeals court also reversed the lower court's dismissal of Nassau County, Long Island from the case, ordering that the County must now stand trial for its policy of "steering" affordable housing to census blocks largely populated by African Americans and Latinos.

The plaintiffs in this decade-long legal battle are New York Communities for Change Inc., a not-for-profit membership organization devoted to improving the quality of life for members of low-income communities in New York, and MHANY Management Co., a not-for-profit community-based developer of affordable housing.



In response to a Title VI Civil Rights complaint, the Federal Highway Administration reached a landmark agreement with the Texas state highway agency worth tens of millions of dollars in mitigation and relocation funding for the residents of a Corpus Christi, Texas, neighborhood created by Jim Crow segregation. The Lawyers' Committee was instrumental in securing this in-depth conciliation agreement, which addresses the discriminatory and disparate impacts on Hillcrest neighborhood residents of a new highway planned to run through a community already hemmed in by a ship channel, refineries, and an interstate highway. The highway will connect to a proposed new \$1 billion Harbor Bridge.

Additionally, we developed a comprehensive toolkit under our **Loan Modification Scam Prevention Network** initiative which provides materials to assist attorneys in fighting scams of this kind. We worked with the American Bar Association on a webinar related to the toolkit.

#### PUBLIC POLICY AND JUDICIAL DIVERSITY

The **Public Policy Project** advocates for the effective advancement of civil rights law at the state and federal level, working with other organizations as well as legislators.

The Public Policy Project continues its work to diversify the legal profession at every level – our advocacy and programming spans state judiciaries across the country to executive nominations.

The **Judicial Diversity Program** seeks to improve the judicial system through increased representation from people of diverse backgrounds working on the judicial bench. Currently, the program runs out of North Carolina, Florida, and Washington State and works to recruit and support diverse candidates to the bench and educate the larger community on the importance of implementing and supporting judicial diversity.

The **Judicial Selection Best Practices Initiative** is a nationwide initiative to collect data on explicit discrimination and implicit bias endured by African Americans as they pursue judgeships. This research will help inform model legislation recommendations and develop best practices to enhance diversity on the bench.

#### SUPREME COURT

We closely monitored and commented on key civil rights cases before the Supreme Court of the United States. In addition, the Lawyers' Committee issued a report evaluating Judge Merrick Garland's civil rights record, and 150 of our Board members joined a statement calling for Congress to fulfill its constitutional role and provide Judge Garland a hearing and a vote. The Lawyers' Committee then issued a report evaluating the record of Justice Neil Gorsuch, a nominee who executive director Kristen Clarke told the Senate Judiciary Committee lacks "a profound respect for the importance of protecting civil rights afforded by the Constitution and the nation's civil rights laws." We will continue to evaluate judicial nominees and educate the public about important legal issues that impact fundamental civil rights.



This year, the Lawyers' Committee SCOTUS amicus briefs included:

#### BUCK V. DAVIS

The case involves the question of whether the Fifth Circuit improperly denied Duane Buck, a death row inmate, the right to appeal when his trial defense counsel knowingly presented an "expert" who testified that Buck was more likely to be dangerous in the future because he is African American, where future dangerousness was the central issue at sentencing. The Lawyers' Committee's brief was filed along with Jones Day in support of Mr. Buck and argued that the expert's testimony, combined with a deeply engrained stereotype of "blacks as criminal," tainted the jury's decision approach to the sentencing phase of the trial.

#### EVENWEL, ET AL., V. ABBOTT

In April 2016, the Supreme Court issued an 8-0 decision in the case *Evenwel, et al., v. Abbott*, upholding the drawing of states' legislative districts on the basis of total population as meeting the constitutional Equal Protection standard of "one person, one vote."

Texas voter plaintiffs had challenged the Texas districting as violating their own equal protection rights, claiming that the proper constitutional standard for drawing districts was voting-eligible population. Justice Ginsburg, writing for the Court, rejected plaintiffs' approach as contrary to the Constitution, settled Court precedent, and long-standing practice. Portions of the Court's opinion included arguments made by the Lawyers' Committee in its amicus curiae brief.

#### WITTMAN V. PERSONHUBALLAH

In February 2016, the Lawyers' Committee, along with co-counsel Stroock & Stroock & Lavan LLP, filed an amicus curiae brief in the United States Supreme Court in the case of *Wittman v. Personhuballah*. The case involves Virginia's Third Congressional District, which the Virginia State Legislature drew in the wake of the 2010 census. Previously, the District Court of Virginia found that, in violation of the state constitution, racial considerations were the Legislature's predominant concerns in drawing the district. The Lawyers' Committee's brief, filed in support of appellees, argues that the congressional district was the product of racial gerrymandering and violated *Shaw v. Reno*, 509 U.S. 630 (1990). The brief asks the Court to affirm the District Court's decision.



#### YOUNG LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW

The Young Lawyers' Committee for Civil Rights Under Law (YLC) is an ambitious effort to engage greater numbers of lawyers who are early in their careers in our mission of Moving America Toward Justice. It leverages the talents and enthusiasm of men and women already engaged or interested in the Lawyers' Committee's work and empowers them to become more knowledgeable about and active in the racial and social justice movement. The Initiative is designed to provide the following:

- A broad network of young lawyers committed to the fight for racial and social justice
- » Opportunities to network with young lawyers across the country and take action on pressing civil rights issues

In June 2016, the YLC commenced the process of selecting new members to serve on its executive board, which is comprised of individuals whose experience and involvement in the legal community is an asset to the work of our organization.

As detailed below, the Young Lawyers' Committee partnered with the Lawyers' Committee and the New York City Bar Association to host a criminal justice reform panel, "Righting Wrongs: Creating a Better Criminal Justice System", at the New York City Bar Association in June. The Young Lawyers' Committee hosted a networking reception and discussion, "Your Vote and Educational Equality", in September 2016 in D.C. hosted by Sedgwick LLP. This event offered a unique opportunity to discuss the interplay between the power of the vote and our educational system with some of the leading legal minds in voting and education, including: Lawyers' Committee Co-Chair Jim Joseph, partner, Arnold & Porter; Catherine Lhmon, assistant secretary, Office for Civil Rights, U.S. Department of Education; and John C. Brittain, professor of Law, University of the District of Columbia's David A. Clarke School of Law. 24 Annual Report 2016

Hill Harper, National Spokesperson, Lawyers' Committee for Civil Rights Under Law

L RIGHTS

#### SPECIAL EVENTS

2016 A. Leon Higginbotham Jr. Corporate Leadership Award Dinner and Events The Lawyers' Committee's 2016 A. Leon Higginbotham Corporate Leadership Award Dinner and related events were held in New York City on June 1-2. These events celebrated diversity and inclusion in the workplace and addressed barriers to re-entry as a major criminal justice issue faced by minority communities, including African Americans and Latinos.

The Lawyers' Committee honored **Ernst & Young LLP** U.S. Chairman and Americas Managing Partner **Stephen R. Howe, Jr**. with the 2016 A. Leon Higginbotham Corporate Leadership Award, now in its 16th year. The award, which recognizes exemplary practices in promoting diversity and inclusion in the workplace, was presented to Mr. Howe at a black-tie dinner gala in New York City on June 2. The Lawyers' Committee recognized Mr. Howe's outstanding leadership and Ernst & Young's extraordinary achievements in promoting **diversity and inclusion** in the workplace. **Hill Harper**, award-winning actor, bestselling author and Lawyers' Committee national spokesperson, served as master of ceremonies.

The Lawyers' Committee also honored the legacy of the late **Jacqueline Ann Berrien**, former chair of the U.S. Equal Employment Opportunity Commission (EEOC), with the Pillar of Justice Legacy Award. Her husband, Peter Williams, accepted the award on her behalf, sharing gratitude for appreciation shown to his wife.

During the gala, Lawyers' Committee President and Executive Director Kristen Clarke discussed a key area of focus for the organization: barriers to re-entry for returning citizens, including people with criminal histories







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seeking to reintegrate into their home communities. As described in a video presentation during the dinner, the Lawyers' Committee is working to lift the barriers faced by people with criminal histories with respect to employment, housing, education, voting and more.

On June 1, the Lawyers' Committee, in partnership with the New York City Bar Association and the Young Lawyers' Committee, hosted a program, "Righting Wrongs: Creating a Better Criminal Justice System" at the New York City Bar Association. **Nkechi Taifa**, senior policy analyst and advocacy director for criminal justice at Open Society Foundations, presented a keynote address, followed by a discussion among leading advocates on strategies for promoting criminal justice reform. Panelists included: **Kristen Clarke**, president and executive director, Lawyers' Committee (moderator); **Glenn Martin**, founder and president, JustLeadershipUSA; **JoAnne Page**, president and CEO, Fortune Society; and **Alan Rosenthal**, co-director of Justice Strategies, Center for Community Alternatives.

Also on June 1, **Donald J. Rosenberg**, executive vice president, general counsel and corporate secretary of Qualcomm Incorporated, received the Lawyers' Committee's Beacon of Justice Award at the New York City Bar Association. In conferring this award, the Lawyers' Committee recognizes an individual who has







exhibited outstanding leadership and engagement in ongoing efforts to promote equal justice and equal opportunity for all.

The prestigious Higginbotham Corporate Leadership Award, named in honor of Judge A. Leon Higginbotham Jr., a pioneering civil rights advocate, author and federal appeals court judge, was established in 2000.

#### ANNUAL AWARDS PROGRAM

The Lawyers' Committee for Civil Rights Under Law honored the outstanding pro bono service and stellar commitment to equality and justice of lawyers, law firms and clients during its 2016 Annual Awards Reception, hosted in New York by **Weil, Gotshal and Manges LLP** on December 8. Honorees included:

- » Whitney North Seymour Award:
  - » Michael D. Jones, partner, Kirkland & Ellis, and Lawyers' Committee board member and former co-chair; and
  - » Jane C. Sherburne, principal, Sherburne
    PLLC, and Lawyers' Committee board
    member and former co-chair;
- » Segal-Tweed Founders Award: Thomas S.
  Williamson Jr., senior counsel, Covington & Burling, and Lawyers' Committee board member;

- » Robert F. Mullen Pro Bono Award: Bryan Cave LLP
- » Special Recognition Award: Garfield B. Simms, partner, Jones Day, and Lawyers' Committee board member; and
- » Frank R. Parker Client Award: Helen Butler, executive director, Georgia Coalition for the Peoples' Agenda



### Media Highlights

The Lawyers' Committee continues to garner national visibility. Overall, in 2016, the Lawyers' Committee reached millions of people across the nation via radio, television, print, online and social media to educate and inform them about our critical work and relevant civil rights issues.

In January, the organization's announcement of the launch of the first two phases of the **Fair Chance in Higher Education Initiative** earned significant national media attention, including exclusive placements with the *New York Times* and the Associated Press. In February, the Fair Chance in Housing Initiative also garnered significant media attention, including an exclusive opportunity with the *Wall Street Journal*.

Lawyers' Committee President and Executive Director Kristen Clarke, staff, board members, pro bono partners and clients were featured conference orators and/or quoted prominently nationally and locally. In addition to the *Wall Street Journal, New York Times*, and the Associated Press, outlets also included: *The National Law Journal*, the *ABA Journal*, the *New York Law Journal*, Reuters, Trice Edney Newswire, *U.S. News* and *World Report*, *TIME*, *USA Today*, the *Washington Post*, the *Los Angeles Times*, the *Atlanta Journal-Constitution*, MSNBC, CNN, C-SPAN, AlJazeera, TV One's "News One Now with Roland Martin", the Tom Joyner Morning Show, the Washington and Baltimore *AFRO*, CBS Radio, the *New York Amsterdam News*, and numerous others.

Several litigation matters earned significant national media attention, including: our federal voting rights lawsuit challenging **Georgia's restrictive exactmatch voter registration verification scheme** (*Georgia State Conference of the NAACP, et al. v. Brian Kemp*); our federal voting rights lawsuit

#### **FEATURED ON/IN**



challenging Alabama's discriminatory method of electing judges to highest courts; our federal lawsuit seeking to end debtors' prisons; U.S. Election Assistance Commission: and federal settlement expanding voter registration opportunities across Nevada (Navajo Nation Human Rights Commission v. San Juan County et al.). earned significant national media attention. Other topics and issues also garnered significant national and state-level press, including: our comments regarding discriminatory practices by Airbnb hosts; our efforts to remedy voting rights; voting landscape; barriers to voting; federal election observers; police-involved shootings nationwide and related Lawyers' Committee initiatives; the death of Supreme Court Justice Scalia and the resulting Supreme Court vacancy; President Obama's nomination of Judge Merrick Garland; criminal justice reform; equity in higher education (MD HBCUs); announcement of Hill Harper as national Lawyers' Committee spokesperson; implicit bias; Martin Luther King Day; affirmative action; and more.

In addition, the Lawyers' Committee convened and participated in press conferences, audio press calls, virtual town halls and more. In December, we hosted a virtual town hall with the Southern Poverty Law Center to address the nationwide spike in hate-filled incidents since the 2016 presidential election.

The Lawyers' Committee's digital communications platform also continues to expand. Our Twitter followers grew from 8,900 to nearly 19,000, and our Facebook followers grew from 4,500 Facebook fans to nearly 6,800. The Lawyers' Committee continues to think of creative ways to engage new communities and promote its work through other online channels.

Election Protection (EP) had over 8,200 Twitter followers at the beginning of 2016 and now has nearly 11,000 followers. EP's Facebook fans grew from 4,550 to over 13,500. The Parental Readiness and Empowerment Program (PREP) also has a social media presence online.



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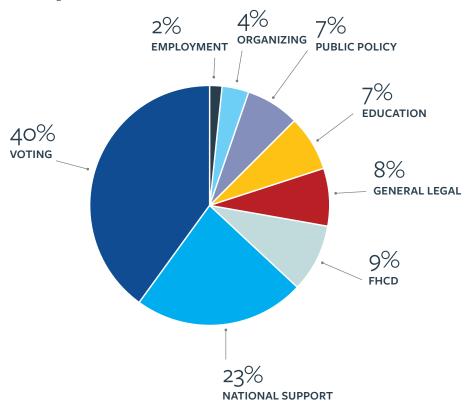
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Value of Pro Bono Hours

#### **CLEMENCY PROJECT**



Pro Bono Hours

Value of Pro Bono Hours

# We may not have chosen the time, but the time has chosen us.

- JOHN LEWIS



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