

March 7, 2023



**SUPPORT THE CONFIRMATION OF JUDGE MARIAN GASTON
TO THE U.S. DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

Dear Senator:

On behalf of The Leadership Conference on Civil and Human Rights, a coalition of more than 230 national organizations committed to promoting and protecting the civil and human rights of all persons in the United States, we write to express our strong support for the confirmation of Judge Marian Gaston to the U.S. District Court for the Southern District of California. The Leadership Conference intends to include your position on the confirmation of Judge Gaston in our voting record for the 118th Congress.

Judge Gaston's impressive experience protecting the rights of all people makes her extremely well-qualified to serve on the federal bench. Since 2015, Judge Gaston has served as a judge on the San Diego Superior Court. Prior to this, she spent nearly 20 years as a deputy public defender with the San Diego County Public Defender's Office. Additionally, Judge Gaston has worked to train current and future lawyers, teaching at the National Institute for Trial Advocacy and several law schools in California. She is a graduate of Emory University and the University of California, Berkeley, School of Law. Throughout her career, Judge Gaston has shown a strong dedication to equal justice and would be a tremendous asset to our federal courts.

Judge Gaston's experience as a public defender will be a valuable addition to this court. Prior to becoming a judge, she spent most of her legal career as a deputy public defender, representing clients who could not afford an attorney and ensuring they had access to justice. In her work on the San Diego Superior Court, Judge Gaston developed and implemented interdisciplinary tools to help make our criminal-legal system more equitable for all. For example, Judge Gaston helped create and test a successful training curriculum designed to teach mental health and criminal-legal professionals how to use their respective disciplines more cooperatively to better understand the impact that mental health has on those involved in the criminal-legal system, with an emphasis on treatment and rehabilitation.¹ She also presided over a special interventional court — Resiliency Is Strength and Empowerment (RISE) — that provided alternatives to incarceration for youth on probation who are also survivors of human trafficking and other forms of sexual exploitation.² The program, overseen by the Superior Court, provides skills training, mental health resources, and mentoring to children in the program.³ Judge

¹ Geoff Twitchell, Melinda Hohman & Marian Gaston, [Preparing mental health professionals to work with justice involved clients: interprofessional collaborative practice paves the way](#), SOCIAL WORK IN MENTAL HEALTH, 19:5 (August 7, 2021).

² [2017 Annual Report](#), San Diego County District Attorney (2017).

³ Kristina Davis, [Special court seeks to aid teen sex-trafficking victims with support and rehabilitation](#), THE SAN DIEGO UNION-TRIBUNE (October 29, 2017).

Gaston’s career has been dedicated to making sure people have access to qualified counsel and trying to strengthen our legal system, and she would bring much needed experience to the bench.

Judge Gaston’s work as a public defender is particularly notable, as public defenders play a critical role in our legal system, yet they are vastly underrepresented on the federal bench. If confirmed, Ms. Gaston would be only the second public defender to ever serve on this court.⁴ Until 2021, no public defender had ever been confirmed to the Southern District of California.⁵ Diversity of experience, personal and professional,⁶ helps improve judicial decision-making.⁷ Judge Gaston, who has worked to uphold the rights of all people — in particular those impacted by the criminal-legal system — possesses experience very much needed in our federal judiciary.

Judge Gaston is an excellent choice for this position, and we urge the Senate to confirm her to the U.S. District Court for the Southern District of California. If you would like to discuss this matter further, please contact Lena Zwarensteyn, senior director of the fair courts program, at (202) 466-3311. Thank you for your consideration.

Sincerely,



Maya Wiley
President & CEO



Jesselyn McCurdy
Executive Vice President of Government Affairs

⁴ [Biographical Directory of Article III Federal Judges, 1789-present](#), FEDERAL JUDICIAL CENTER (Accessed March 2023) Search includes all judges for the U.S. District Court for the Southern District of California who listed “community defender”, “public defender” or “federal defender” as non-volunteer work experience).

⁵ *Id.*

⁶ Kate Berry, [Building a Diverse Bench: Selecting Federal Magistrate and Bankruptcy Judges](#), BRENNAN CENTER FOR JUSTICE AT NYU SCHOOL OF LAW AND AMERICAN BAR ASSOCIATION JUDICIAL DIVISION (2017).

⁷ Maya Sen, [Diversity, Qualifications, and Ideology: How Female and Minority Judges Have Changed, or Not Changed, Over Time](#), 2017 WIS. L. REV. 367 (2017).