

February 28, 2022



**SUPPORT THE CONFIRMATION OF JUDGE STEPHANIE DAVIS  
TO THE U.S. COURT OF APPEALS FOR THE SIXTH CIRCUIT**

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 Stephanie Davis to the U.S. Court of Appeals for the Sixth Circuit.

Judge Davis' significant legal career and experience as a fair-minded judge will make her a great addition to the Sixth Circuit. Since 2019, Judge Davis has served on the U.S. District Court for the Eastern District of Michigan. Before her elevation to the district court, she served on the same court for three years as a magistrate judge. For 13 years prior to her judicial service, Judge Davis held a number of positions in the U.S. attorney's office for the Eastern District of Michigan. She also spent time in private practice as a litigation associate for Dickinson Wright, PLLC. Judge Davis is a graduate of Wichita State University and Washington University School of Law. As her long record as a respected judge committed to equal justice demonstrates, she is well qualified for this seat.

Throughout her tenure as a federal judge, Judge Davis has demonstrated her even-handed approach to the law and commitment to the rights of all people. For example, while a magistrate judge, Judge Davis recommended and the district court agreed to allow a person with a disability who was incarcerated to pursue a claim against Gus Harrison Correctional Facility after he was continually injured from the prison's ongoing failure to accommodate his needs.<sup>1</sup> She also protected the rights of people to freely exercise their religion, recommending cases move forward for Muslim people who were incarcerated and denied proper dining accommodations during Ramadan<sup>2</sup> and for those who were excluded from Eid El Fitr activities.<sup>3</sup> During her time on the district court, she has continued to show this commitment to the rights of all people by ruling in cases that protect the most fundamental of our rights. For example, she ruled to protect equitable access to the ballot box by striking down a Michigan law that made it illegal for anyone to be driven to the polls for any reason other than an inability to walk.<sup>4</sup> Judge Davis is an outstanding jurist, and she is eminently qualified for this role.

In addition to the important professional experience she would bring to the Sixth Circuit, it is notable that Judge Davis would bring other vital representation to the federal bench. Judge Davis would be the first

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<sup>1</sup> *Cummings v. Klee*, No. 14-10957, 2018 U.S. Dist. LEXIS 155478 (E.D. Mich. Aug. 2018).

<sup>2</sup> *Conway v. Purves*, No. 13-10271, 2016 WL 11474792 (E.D. Mich. Aug. 2016).

<sup>3</sup> *Maye v. Klee*, No. 14-10864, 2017 WL 9802821 (E.D. Mich. Mar. 2017) & 2018 WL 3259786 (E.D. Mich. Jan. 2018).

<sup>4</sup> *Priorities USA v. Nessel*, 462 F. Supp. 3d 792 (E.D. Mich. 2020).



Black woman from Michigan to ever serve on the Sixth Circuit, which includes Michigan, Kentucky, Ohio, and Tennessee, and she would be only the second Black woman to ever serve on the court.<sup>5</sup> The Sixth Circuit is home to more than 4.5 million Black people, yet there have only been six Black judges in the court's history.<sup>6</sup> Public trust in the judiciary is crucial to its function and is bolstered when the bench better reflects the communities it serves.<sup>7</sup> Additionally, this diversity of professional and lived experiences improves judicial decision-making.<sup>8</sup> Judge Davis would bring much needed and vital perspectives to the Sixth Circuit.

Judge Davis is an excellent choice to serve on the U.S. Court of Appeals for the Sixth Circuit, and we urge the Senate to confirm her nomination. If you would like to discuss this matter further, please contact Lena Zwarenstejn, Senior Director of the Fair Courts Program, at (202) 466-3311. Thank you for your consideration.

Sincerely,

Wade Henderson  
Interim President & CEO

Jesselyn McCurdy  
Executive Vice President of Government Affairs

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<sup>5</sup> See *Biographical Directory of Article III Federal Judges, 1789-present* Federal Judicial Center.

<sup>6</sup> *Quick Facts: Kentucky, Michigan, Ohio, Tennessee*, The U.S. Census Bureau (accessed February 2022).

<sup>7</sup> See Sen, Maya, *Diversity, Qualifications, and Ideology: How Female and Minority Judges Have Changed, or Not Changed, Over Time*, 2017 Wis. L. Rev. 367 (2017).

<sup>8</sup> Berry, Kate, *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).