

January 23, 2023



**SUPPORT THE CONFIRMATION OF JESSICA CLARKE  
TO THE U.S. DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK**

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 Jessica Clarke to the U.S. District Court for the Southern District of New York. The Leadership Conference intends to include your position on the confirmation of Ms. Clarke in our voting record for the 118th Congress.

Ms. Clarke's demonstrated commitment to civil rights makes her eminently qualified to serve on this court. Since 2019, she has been the chief of the Civil Rights Bureau of the New York State Office of the Attorney General. Prior to this, Ms. Clarke worked as a trial attorney in the Housing and Civil Enforcement Section of the Civil Rights Division of the U.S. Department of Justice. She also worked in private practice at Emery Celli Brinckerhoff Abady Ward & Maazel, LLP. Additionally, Ms. Clarke has trained future lawyers, teaching at Columbia Law School. A graduate of Northwestern University and The Ohio State University Moritz College of Law, Ms. Clarke then clerked for Judge Solomon Oliver, Jr. of the U.S. District Court for the Northern District of Ohio. Given Ms. Clarke's experience in protecting and recognizing the rights of all people, she is exceptionally qualified to serve on the federal bench.

Ms. Clarke's dedication to equal justice and her impressive public service will make her an exceptional jurist. As chief of the Civil Rights Bureau of the New York State Office of the Attorney General, Ms. Clarke oversees the enforcement of federal, state, and local civil rights laws. In this capacity, Ms. Clarke has worked on significant matters that impact all of our communities, such as ensuring equal access to the ballot box,<sup>1</sup> holding police officers accountable for use of excessive force on protestors,<sup>2</sup> and fighting discriminatory housing practices.<sup>3</sup> In addition, as a trial attorney in the U.S. Department of Justice's Civil Rights Division, she investigated and litigated housing discrimination claims.<sup>4</sup> Her vast experience will be a tremendous asset to the court.

The judiciary makes decisions that affect the lives of all people and therefore our judges should reflect the vast diversity of our country. A diverse bench improves decision-making and ensures that rulings reflect a broad set of viewpoints — especially from perspectives that have too often been excluded from the

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<sup>1</sup> *People of the State of NY v. Schofield*, 2021 N.Y. Slip Op. 04785 (3d Dep't 2021).

<sup>2</sup> *In re: N.Y.C. Policing During Summer 2020 Demonstrations*, No. 20 Civ. 8924 (S.D.N.Y. 2020).

<sup>3</sup> *Greens At Chester LLC v. Town of Chester, et al.*, WL 8512664 (S.D.N.Y. 2019).

<sup>4</sup> *See e.g., United States v. Town of Colorado City*, No. 3:12-cv-08123 (D. Ariz. 2016); *United States v. Wesley*, No. 14 Civ. 1032 (M.D.N.C. 2015).



federal judiciary.<sup>5</sup> Public trust in the judiciary is crucial to its function, and this trust is bolstered when the bench better reflects the communities it serves.<sup>6</sup> The historic exclusion of qualified Black women is a well-documented problem,<sup>7</sup> and the nomination of the eminently qualified Ms. Clarke is an important step towards ensuring that our federal courts reflect and represent the diversity of our nation.

Ms. Clarke would be an excellent addition to the federal bench, and we strongly urge the Senate to confirm her to the Southern District of New York. 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,

Maya Wiley  
President & CEO

Jesselyn McCurdy  
Executive Vice President of Government Affairs

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<sup>5</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).

<sup>6</sup> Sen, Maya, *Diversity, Qualifications, and Ideology: How Female and Minority Judges Have Changed, or Not Changed, Over Time*, Wis. L. Rev. 367 (2017).

<sup>7</sup> *Id.*