

September 13, 2023



**SUPPORT THE CONFIRMATION OF JUDGE EUMI LEE
TO THE U.S. DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA**

Dear Senator:

On behalf of The Leadership Conference on Civil and Human Rights, a coalition of more than 240 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 Eumi Lee to the U.S. District Court for the Northern District of California. The Leadership Conference intends to include your position on the confirmation of Judge Lee in our voting record for the 118th Congress.

Judge Lee's vast career, particularly her work improving the criminal-legal system, would bring much-needed experience to this court. Since 2018, Judge Lee has served as a fair-minded judge for the Alameda County Superior Court. Prior to this, she held several positions at the University of California College of Law, San Francisco, including co-director of the Hastings Institute for Criminal Justice, ethics trainer, clinical professor, associate clinical professor, clinical attorney, and moot court, legal research & writing instructor. She was an appellate consultant for the Advancement Project and also spent time in private practice at Gonzalez & Leigh, at Kecker & Van Nest LLP (now Kecker, Van Nest & Peters LLP), and at Thelen Reid & Priest LLP. A graduate of Pomona College and Georgetown University Law Center, she clerked for Judge Warren Ferguson for the U.S. Court of Appeals for the Ninth Circuit and Judge Jerome Turner for the U.S. District Court for the Western District of Tennessee. Judge Lee's admirable experience makes her a valuable addition to the Northern District of California.

Judge Lee has dedicated much of her career to rooting out disparities in our criminal-legal system. While she was a clinical professor at the University of California College of Law, San Francisco, Judge Lee co-founded the Hastings Institute for Criminal Justice,¹ which trains law students in criminal-legal defense and helps place students in internships in public defenders offices and local nonprofits.² She also created the curriculum for the school's Individual Representation Clinic's "clean slate" law work, where she also taught and oversaw law students serving people navigating criminal-legal matters such as expungements of past convictions and early probation termination.³ In addition, Judge Lee has done extensive work on criminal-legal reform, which demonstrates her commitment to justice. For example, she has written numerous articles about various issues, including privacy concerns with publicized mugshots,⁴ the vulnerability of special prison populations,⁵ and barriers to successful reentry for formerly incarcerated

¹ [Institute for Criminal Justice](#), University of California Law, San Francisco (accessed September 2023).

² [Prof. Eumi Lee Appointed to Judgeship in Alameda Superior Court](#), University of California Law, San Francisco (December 7, 2018).

³ [Individual Representation Clinic](#), University of California Law, San Francisco (accessed September 2023).

⁴ [Monetizing Shame: Mugshots, Privacy, and the Right to Access](#), 70 RUTGERS U.L. REV. 557 (2018).

⁵ [An Overview of Special Populations in California Prisons](#), 7 HASTINGS RACE & POVERTY L.J. 223 (Winter 2010).

people.⁶ She also co-authored the amicus brief of Fred Korematsu and other AAPI bar associations and interest groups in *Rumsfeld v. Padilla*.⁷ In this brief, Judge Lee argued that there is no executive branch power to indefinitely detain an American citizen without access to an attorney or charges being filed, explaining the horrific experience of Mr. Korematsu and thousands of other Japanese American citizens who were incarcerated during World War II and the legislation that followed as a legal guide.⁸ As her impressive record demonstrates, Judge Lee is extremely qualified to sit on our federal bench.

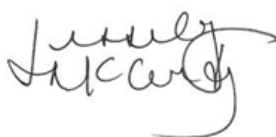
In addition to the professional diversity that she would bring to this role, Judge Lee will also bring important lived experience. When Judge Lee was appointed to the Alameda County Superior Court in 2018, she became the first Korean American judge ever to sit on that court.⁹ And, if confirmed to this position, she will be only the second AAPI woman and fourth AAPI judge to receive a lifetime appointment to this court.¹⁰ To strengthen public trust in the judiciary, our courts should reflect the communities they serve.¹¹ Diversity of experience, both personal and professional, helps improve judicial decision-making.¹² The confirmation of Judge Lee would be an important step towards ensuring that our federal courts reflect and represent the diversity of our nation.

Judge Lee is an excellent choice for this position, and we strongly urge the Senate to confirm her to the U.S. District Court for the Northern District of California. 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

⁶ [*The Centerpiece to Real Reform? Political, Legal, and Social Barriers to Reentry in California*](#), 7 HASTINGS RACE & POVERTY L.J. 243 (Winter 2010).

⁷ [*Brief Amicus Curiae of Fred Korematsu, et al. Supporting Respondents, Rumsfeld v. Padilla*](#), 542 US 426 (2004).

⁸ *Id.*

⁹ Press Release, [*NAPABA Applauds the Nomination of Judge Eumi K. Lee to the U.S. District Court for the Northern District of California*](#) (August 2, 2023).

¹⁰ See [*Biographical Directory of Article III Federal Judges, 1789-present*](#), FEDERAL JUDICIAL CENTER (accessed September 2023).

¹¹ Maya Sen, [*Diversity, Qualifications, and Ideology: How Female and Minority Judges Have Changed, or Not Changed, Over Time*](#), 2017 WIS. L. REV. 367 (2017).

¹² 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).