

February 6, 2014

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The Honorable Patrick J. Leahy  
Chairman, Committee on the Judiciary  
United States Senate  
Washington, D.C. 20510

The Honorable Charles Grassley  
Ranking Member, Committee on the Judiciary  
United States Senate  
Washington, D.C. 20510

Dear Senators Leahy and Grassley:

The Lawyers' Committee for Civil Rights Under Law and its eight affiliate Local Committees write to express our wholehearted support for President Obama's nomination of Debo P. Adegbile to be Assistant Attorney General for the Civil Rights Division of the United States Department of Justice.

The Lawyers' Committee is a nonpartisan, nonprofit organization, formed in 1963 at the request of President John F. Kennedy to enlist the private bar's leadership and resources in combating racial discrimination and the resulting inequality of opportunity – work that continues to be vital over 50 years later. The mission of the Lawyers' Committee is to secure equal justice for all through the rule of law. We have been at the forefront of the fight to achieve equality for racial and ethnic minorities and other traditionally disenfranchised groups. Over the course of this work, we have had the privilege of working closely with Mr. Adegbile and were recently co-counsel in the landmark case, *Shelby County v. Holder*, where Mr. Adegbile defended the Voting Rights Act for the second time before the Supreme Court.

Our affiliate Local Committees operate in Boston, Chicago, Denver, the District of Columbia, Jackson, Los Angeles, Philadelphia, and San Francisco. Our local Committees provide unique insights as to the issues and values especially important to the local communities they serve. Mr. Adegbile's commitment to protecting everyone's right to vote can be felt in communities across the country. It is for these reasons and more that we felt compelled to jointly submit this letter of support. Below are just a few examples of the remarkable work that was done

under Mr. Adegbile's tenure at the NAACP Legal Defense and Educational Fund (LDF) where he supervised all aspects of litigation.

#### Lewis v. City of Chicago

The Chicago Lawyers' Committee for Civil Rights and LDF filed suit on behalf of approximately 6,000 African- Americans who were not hired by the City between 1996 and 2002 due to arbitrary hiring practices that disproportionately excluded African-American applicants in the case *Lewis v. City of Chicago*. In 2004, the district court held that Chicago violated Title VII of the Civil Rights Act of 1964. The City then tried to escape liability for its illegal hiring practice by arguing that the plaintiffs did not file their claims within 300 days after the City first announced its hiring plan, in effect invalidating their claims. The U.S. Court of Appeals for the Seventh Circuit sided with the City. The case then went to the Supreme Court where LDF argued the case before the Court in February 2010 on behalf of the firefighter applicants. In the Supreme Court, the only question was whether or not the plaintiffs filed their claims of discrimination within the timeframe required by Title VII. The Court held that that employers can be sued any time they use results from tests that rule out disproportionate numbers of women and minorities.

#### Gonzalez v. Abercrombie & Fitch Stores

LDF filed a class action lawsuit, *Gonzalez v. Abercrombie & Fitch Stores*, against national clothing retailer Abercrombie & Fitch. The suit was filed in U.S. District Court in San Francisco by nine young adults of color who were refused sales jobs or terminated based on their race and sued on behalf of themselves and others treated similarly. The lawsuit charged that the retailer practiced a classic form of discrimination against African-American, Latino and Asian American applicants and employees. LDF and co-counsel reached a settlement with the company, winning \$40 million dollars for rejected applicants and employees who had been discriminated against by the company. The settlement's consent decree also required the company to institute a range of policies and programs to promote diversity among its work force and to prevent discrimination based on race or gender.

In addition to highlighting these important cases, the Lawyers' Committee stands firmly behind Mr. Adegbile's principles as a civil rights advocate. In response to the recent controversy surrounding Mr. Adegbile's involvement in the *Wetzel v.*

*Abu-Jamal* case, it is a fundamental tenet of the Constitution and our justice system that anyone who faces loss of liberty has a right to counsel. Lawyers have an ethical obligation to provide zealous representation to people who otherwise stand-alone against the power and resources of the government. Even the most unpopular defendant deserves competent legal representation, particularly when he or she is facing the death penalty. Countless attorneys provide thousands of hours of pro bono services every year. Such practice should be commended, not condemned, and we at the Lawyers' Committee support Mr. Adegbile's commitment to being a fair and just advocate of our American legal system.

Given the U.S. Department of Justice Civil Rights Division's mission to uphold the civil and constitutional rights of all Americans, the Lawyers' Committee is particularly invested in ensuring that the important role of Assistant Attorney General is held by a leader with a demonstrated track record of integrity, passion, and commitment within the Bar and the larger civil rights community.

The Lawyers' Committee proudly supports Debo Adegbile. We believe his legal expertise, leadership skills, and dedication to upholding the civil and constitutional rights of all Americans, particularly the most vulnerable members of society, will be an asset to the Civil Rights Division. We urge the Senate to swiftly vote to confirm this extraordinary nominee.

Sincerely,



Barbara R. Arnwine  
President and Executive Director  
Lawyers' Committee for Civil Rights Under Law



Tanya Clay-House  
Director of Public Policy  
Lawyers' Committee for Civil Rights Under Law

Nancy P. D'Apolito  
Executive Director  
Lawyers' Committee for Civil Rights Under Law  
Of the Boston Bar Association

Jay Readey  
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Chicago Lawyers' Committee for  
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**Hernan Vera**  
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Public Counsel

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Of the San Francisco Bay Area

**Roderic V. O. Boggs**  
Executive Director  
Washington Lawyers' Committee for Civil Rights  
And Urban Affairs