

BRENNAN LEGACY  
AWARDS DINNER  
TUESDAY,  
NOVEMBER 18, 2014

BRENNAN CENTER  

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FOR JUSTICE  

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# PROGRAM

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Tuesday, November 18, 2014  
583 Park Avenue  
New York City

## **Welcome**

Michael Waldman  
*President*

## **Brennan Legacy Award Presentation**

Zachary W. Carter

Loretta E. Lynch  
*Presenter*

## **The Brennan Center at Work**

Patricia Bauman  
*Co-Chair, Board of Directors*

Wendy R. Weiser  
*Director, Democracy Program*

Myrna Pérez  
*Deputy Director, Democracy Program*

## **Brennan Legacy Award Presentation**

Brad Smith

E. Joshua Rosenkranz  
*Presenter*

# WELCOME

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Dear Friends,

Welcome to the Brennan Legacy Awards Dinner — where we pay tribute to the legacy of Justice William J. Brennan, Jr., celebrate the work of the organization that bears his name, and honor leaders in our country and community who advance the goal of what Justice Brennan called “common human dignity.”

Tonight we are privileged to honor two exceptional individuals: Zachary W. Carter, Corporation Counsel for the City of New York, for his lifelong commitment to justice and equality; and Brad Smith, Executive Vice President and General Counsel of Microsoft, for his extraordinary leadership in the business community, his strong advocacy for access to legal services for the poor, and his outspoken criticism of troublesome surveillance practices by the federal government. We thank them, our Dinner Co-Chairs and Committee, and all our supporters, pro bono partners, and colleagues who are here with us tonight. Your commitment and support make our work possible.

In this unsettled time, the Brennan Center plays a vital role. The very integrity of our elections is at risk, with voting cutbacks and vast sums of secretive “dark money” flooding the political process. Government seems paralyzed and polarized. New revelations about surveillance regularly startle. America’s cherished systems of democracy and justice need repair and revitalization.

Our answer? We fight to protect core democratic rights. More, we focus on solutions. Attorney General Holder called our criminal justice reform proposal a “landmark.” Our proposal for accountability for the NYPD is now law. Our plan to modernize voter registration, adding millions to the rolls, was embraced by the bipartisan panel led by Romney and Obama’s top lawyers. Our credible research exposing voting law cutbacks and the aftermath of *Citizens United* has won wide, sustained media attention. We have become a forceful, effective national voice for change.

Let’s make this uncertain time the start of something better: a new era of renewal and reform. Let’s hold our institutions to account, and insist they reflect our highest ideals: Equality. Freedom. Full participation for all. We are gratified that you are a part of these efforts.

Thank you for your support of the Brennan Center for Justice, and have a wonderful evening.

Sincerely,



Michael Waldman

# EVENT LEADERSHIP

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## Dinner Chairs

Patricia Bauman and the Hon. John Landrum Bryant

Gail Furman

James M. Garland

*Covington & Burling LLP*

E. Joshua Rosenkranz

*Orrick, Herrington & Sutcliffe, LLP*

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Alec Baldwin

Jeff Benjamin

Nancy Brennan

James E. Johnson

Daniel F. Kolb

Ruth Lazarus & Michael Feldberg

Lawrence B. Pedowitz

Steven A. Reiss

Lee S. Richards III

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Nicole Seligman

Michael S. Solender

Emily Spitzer & Eric Lewis

Kent Yalowitz

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*as of 11/11/2014*

# BRENNAN LEGACY AWARD RECIPIENT

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## Brad Smith

Brad Smith is Microsoft's general counsel and executive vice president, Legal and Corporate Affairs. He leads the company's Department of Legal and Corporate Affairs (LCA), which has approximately 1,100 employees located in 55 countries and is responsible for the company's legal work, its intellectual property portfolio and patent licensing business, and its government affairs and philanthropic work. He also serves as Microsoft's corporate secretary and its chief compliance officer.

Since becoming general counsel in 2002, Smith has overseen numerous negotiations leading to competition law and intellectual property agreements with governments around the world and with companies across the IT sector. He has helped spearhead the growth in the company's intellectual property portfolio and the launch of global campaigns to bring enforcement actions against those engaged in software piracy and counterfeiting, malware, consumer fraud, and other digital crimes. He has played a leading role within Microsoft and in the IT sector on privacy, immigration, and computer science, and STEM education policy issues.

Smith has played a central role in ensuring that Microsoft fulfills its corporate responsibilities. In recent years Microsoft has consistently ranked in the top two percent of the S&P 500 for corporate governance scores. He serves as Microsoft's senior executive responsible for the company's corporate citizenship and philanthropic work, including Microsoft YouthSpark, a company-wide, global initiative to create opportunities for 300 million youth over three years. In its first year alone Microsoft YouthSpark has created new opportunities for more than 103 million young people in over 100 countries around the world. Smith has also helped advance several significant diversity and pro bono initiatives, both within Microsoft and in the broader legal profession. He currently co-chairs the board of directors of Kids in Need of Defense (KIND) and is the chair of the Leadership Council on Legal Diversity.

Before joining Microsoft in 1993, Smith was a partner at Covington & Burling, having worked in the firm's Washington, D.C., and London offices. He graduated *summa cum laude* from Princeton University and received his law degree at the Columbia University School of Law. He also studied international law and economics at the Graduate Institute of International Studies in Geneva, Switzerland.

In early 2013, Smith was named by the National Law Journal as one of the 100 most influential lawyers in the United States. He has written numerous articles and commentaries regarding international intellectual property and Internet, immigration and education policy issues, and has served as a lecturer at The Hague Academy of International Law. He can be followed at <http://twitter.com/BradSmi>.

# BRENNAN LEGACY AWARD RECIPIENT

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## **Zachary W. Carter**

Zachary W. Carter is the 78th Corporation Counsel of the City of New York. As the chief legal officer of the City, Mr. Carter oversees the Law Department with over 700 attorneys, who represent the City's interest in thousands of legal matters facing the City.

As a key legal advisor to the Mayor and his City agencies, Mr. Carter is primarily focused on advancing the City's interests, with a commitment to justice and fair outcomes for individuals.

Throughout his career, Mr. Carter has used the law to level the playing field for those seeking equal access to justice and opportunity, free from the burden of discrimination based on race, national origin, gender, sexual preference, or economic class.

In 1993, he was appointed by President Bill Clinton as the United States Attorney for the Eastern District, the first African-American to hold that office. His office prosecuted the full range of federal criminal cases, including major narcotics, securities fraud, and human trafficking. Most notably, Mr. Carter oversaw civil rights prosecutions against police officers in the Abner Louima torture case and against rioters who killed Yankel Rosenbaum during the City's Crown Heights riots in 1991.

Prior to becoming the Corporation Counsel, Mr. Carter was a partner in the firm Dorsey & Whitney. He oversaw the Trial Group at the firm's New York office and was co-chair of the firm's White Collar Crime and Civil Fraud practice.

Mr. Carter has served as a magistrate judge of the United States District Court for the Eastern District of New York and as a judge of the New York City Criminal Court. He served as chairman of the New York City Mayor's Committee on the Judiciary from 2002 through 2013. Mr. Carter has received the Public Interest Law & Society Award from the New York Lawyers for the Public Interest and the Emory Buckner Medal from the Federal Bar Council.

He graduated from Cornell University in 1972 and New York University School of Law in 1975.



### **Patricia Bauman & the Hon. John Landrum Bryant**

Patricia Bauman is President of the Bauman Foundation, which supports public policy and advocacy with particular emphasis on civic participation and election reform as well as environmental issues.

Ms. Bauman is Co-Chair of the Board of Directors of the Brennan Center for Justice. She is a Vice-Chair of the Board of Trustees at the Natural Resources Defense Council, and a member of the Board of Montefiore Medical Center. She is a graduate of Radcliffe College and the Columbia University School of Public Health, and earned her J.D. degree from the Georgetown University Law Center.

The Hon. John Landrum Bryant is a designer of jewelry, furniture, lighting and objects for the home and bath. A graduate of the University of Virginia and the Georgetown University Law Center, he is Co-Director of the Bauman Foundation. Earlier, he was President of the National Park Foundation.



### **Dr. Gail Furman**

Dr. Gail Furman is a child and adolescent psychologist. She has worked as a school psychologist at the Dalton and Fieldston schools and founded one of the first inner-city full service alternative schools in Harlem. She is involved in a wide range of civic and professional activities. She served on the Board of the Women's Commission for Refugee Women and Children from

1994–2011, and participated in fact finding missions to explore children's programs in Angola, Rwanda, Uganda, Kosovo, and the Thai/Burma border. Dr. Furman also serves on the boards of the Brennan Center for Justice at NYU School of Law, Human Rights First, and Auburn Seminary, particularly working with the Face to Face/Faith to Faith Program that fosters conflict resolution for youth in the Middle East. She is also a member of the Council on Foreign Relations and very active politically.





## **James M. Garland**

James M. Garland is a partner in Covington & Burling's Litigation and White Collar Defense & Investigations practice groups. His practice focuses on complex commercial litigation, internal investigations, and white collar criminal defense. He regularly advises clients on law enforcement compliance and national security-related matters, including with respect to issues involving

electronic surveillance, cyber-security, and data privacy. From 2009 to 2010, Jim served as Deputy Chief of Staff and Counselor to Attorney General Eric Holder at the U.S. Department of Justice. Following law school, he clerked for the Honorable R. Guy Cole, Jr., of the U.S. Court of Appeals for the Sixth Circuit. He is a Barrister in the Edward Bennett Williams Inn of Court, a member of the Board of Directors of the Southern Center for Human Rights, and a graduate of Princeton University and the University of Virginia School



## **E. Joshua Rosenkranz**

Josh Rosenkranz chairs the Supreme Court and Appellate practice at Orrick, Herrington & Sutcliffe, where he handles high-stakes appeals for industry leaders, including Microsoft. Josh was also the founding President & CEO of the Brennan Center. Josh clerked for U.S. Supreme Court Justice William J. Brennan Jr. and then-Judge Antonin Scalia (on the D.C. Circuit, the year

he was elevated to the Supreme Court). *The American Lawyer* named Josh "Litigator of the Year" in 2012, dubbing him "the Defibrillator" based on his streak of appellate wins for companies that "appeared to be at death's door." Josh has argued more than 170 appeals in state and federal appellate courts across the nation, including nine before the U.S. Supreme Court. His practice covers a wide range of subjects, including securities, intellectual property, antitrust, federal preemption, insurance law, corporate governance, criminal law,



### **Loretta E. Lynch**

Loretta E. Lynch was appointed by President Obama and on May 3, 2010 took the oath of office as United States Attorney for the Eastern District of New York. In so doing, she returned to the Office she previously led as U.S. Attorney from 1999–2001 under President Clinton. She oversees all federal criminal and civil investigations and cases in Brooklyn, Queens, and Staten Island, as well

as Nassau and Suffolk Counties. Ms. Lynch has expanded the office's national security practice into the area of cyber security, and has also made community outreach a priority. Attorney General Eric Holder appointed her to the Attorney General's Advisory Committee in 2010, naming her Chair in 2013. She also sits on the Department of Justice's Diversity Council.

Ms. Lynch began her career in the Eastern District in 1990. She served as Chief of the Long Island Office from 1994–98, after serving as the Deputy Chief of General Crimes and as Chief of Intake and Arraignments. She was the lead prosecutor in a series of trials involving allegations of public corruption in the town of Brookhaven. Ms. Lynch also served as Chief Assistant, where she was a member of the trial team in *U.S. v. Volpe, et al.*, a civil rights case involving the sexual assault by New York City police officers upon Haitian immigrant Abner Louima.

Before returning to the office in 2010, Ms. Lynch was a partner at Hogan & Hartson, where she focused on commercial litigation, white collar criminal defense, and corporate compliance issues. She served on the board of the National Institute for Trial Advocacy, and taught a series of trial advocacy workshops for the Office of the Prosecutor of the International Criminal Tribunal for Rwanda.

Ms. Lynch received her A.B., *cum laude*, from Harvard College in 1981. She received her J.D. from Harvard Law School in 1984, where she was an advisor to the first year moot court competition and a member of the Legal Aid Bureau and Harvard Black Law Students Association.



## Myrna Pérez

Myrna Pérez is Deputy Director of the Brennan Center's Democracy Program, leading the Center's work on voting rights and elections. She is the author of several reports and articles on voting and her work has been featured in media outlets across the country, including *The New York Times*, *The Wall Street Journal*, and MSNBC. She has testified before Congress and state

legislatures on a variety of voting rights-related issues. Currently, she also serves as an Adjunct Professor at NYU School of Law.

Previously, Ms. Pérez was the Civil Rights Fellow at Relman, Dane & Colfax, a civil rights law firm in Washington, D.C. She was a law clerk for the Hon. Anita B. Brody of the U.S. District Court for the Eastern District of Pennsylvania and for the Hon. Julio M. Fuentes of the U.S. Court of Appeals for the Third Circuit. She previously served as Chair of the Election Law Committee of the New York City Bar Association.

Ms. Pérez earned a B.A. from Yale University, an M.P.P. from the Harvard Kennedy School of Government, and a J.D. from Columbia Law School, where she was a Lowenstein Public Interest Fellow. Prior to law school, she was a Presidential Management



### **Michael Waldman**

Michael Waldman is President of the Brennan Center for Justice. He joined the Brennan Center in 2005 after a distinguished career in public service and advocacy. Mr. Waldman was Director of Speechwriting for President Clinton from 1995–99, serving as Assistant to the President. He wrote or edited nearly 2,000 speeches, including four State of the Union and two

Inaugural Addresses. Previously, he was Special Assistant to the President for Policy Coordination (1993–95). Mr. Waldman was the top administration policy aide working on campaign finance reform, one of the Brennan Center’s signature issues.

He is author or editor of seven books on public policy, law and history, including *My Fellow Americans* and *A Return to Common Sense*. In May 2014, he published *The Second Amendment: A Biography* (Simon & Schuster), which received widespread critical acclaim and was hailed by *Publishers Weekly* as “the best narrative of its subject.”

Mr. Waldman has served as the director of Public Citizen’s Congress Watch, a full faculty member at Harvard’s JFK School of Government, and a partner at the law firm Cuneo, Waldman & Gilbert LLP. Mr. Waldman appears frequently on television and radio, and writes for publications including *The New York Times*, the *Washington Post*, and *Bloomberg*. He is a graduate of Columbia College (B.A., 1982) and NYU School of Law (J.D., 1987), where he was a member of the Law Review.



## Wendy R. Weiser

Wendy R. Weiser is Director of the Brennan Center's Democracy Program, which focuses on issues of voting rights and elections, money in politics, redistricting and representation, government dysfunction, and fair courts. She founded and directed the Center's Voting Rights and Elections Project, leading litigation, research, and advocacy efforts to enhance political participation and

prevent voter disenfranchisement across the country.

She has authored a number of publications and articles on voting rights and election reform, litigated groundbreaking voting rights lawsuits, and testified before both houses of Congress. She is a frequent public speaker and media contributor on democracy issues, and has appeared on CNN, Fox News, and MSNBC, among others. Her commentary has been published in *The New York Times*, the *Washington Post*, *USA Today*, and other outlets across the country.

Previously, Ms. Weiser directed the Center's Fair Courts Project, which seeks to preserve a fair and impartial judiciary. Prior to joining the Brennan Center, Ms. Weiser was a senior attorney at NOW Legal Defense and Education Fund, a litigation associate at Paul, Weiss, Rifkind, Wharton & Garrison LLP, and a law clerk to Judge Eugene H. Nickerson of the U.S. District Court for the Eastern District of New York. She received her J.D. from Yale

# PAST HONOREES

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## 2013

**Sheri McCoy**, for her extraordinary leadership and commitment to human rights and community service

**Bill Moyers**, for his commitment to journalistic integrity and a vibrant democracy

**Bryan Stevenson**, for his pioneering accomplishments and commitment to criminal justice reform

## 2012

**The Hon. Judith S. Kaye**, for her pioneering accomplishments and commitment to juvenile justice and to court reform and innovation

**Michael S. Solender**, for his extraordinary leadership in the legal community and commitment to public and community service

## 2011

**Robert M. Morgenthau**, for his unprecedented leadership as District Attorney and lifelong commitment to the public good

**Jane C. Sherburne**, for her extraordinary leadership in the legal community and commitment to public service

## 2010

**The Hon. Cory A. Booker**, for leadership in public service and commitment to open, accountable and just government

**Indra C. Nooyi**, for commitment to both public and corporate responsibility and to building a respectful and humane international business community

## 2009

**The Hon. Eric H. Holder, Jr.** for his commitment to public service, justice and the rule of law

**Nicole Seligman**, for her leadership in the legal community and abiding advocacy for civil liberties

## 2008

**Lewis B. Cullman**, for his dedication to democracy and enlightened philanthropy

**Representative Donna F. Edwards**, for her career as a champion of the public interest

**Jay S. Fishman**, for his commitment to community, fair and reasoned public policy and thoughtful leadership

## 2007

**Representative John Conyers, Jr.**, for his relentless commitment to justice and the right to vote

**Frederick A.O. Schwarz, Jr.**, for his lifelong dedication to democracy and the public good

**Neal S. Wolin**, for his vision and leadership in the public and private sectors

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## 2006

**Richard Cotton**, for his commitment to First Amendment rights

**Representative John Lewis**, for his lifelong championship of civil rights

## 2005

**Bertha Lewis**, for her success in empowering low and moderate-income families

**Anna Deavere Smith**, for using the power of theater to examine social issues

**Daniel Vasella, M.D.**, for his leadership on human rights and his commitment to social responsibility

## 2004

**Michael S. Helfer**, for his commitment to accessible legal services for the poor

**Antonia Hernández**, for her dedication to the fight to protect and expand civil rights

**Representative José E. Serrano**, for his work to enhance legal services for low-income families

## 2003

**Bill Cosby**, for his philanthropy and for devoting his talent to the universal struggle for social justice

**Elaine R. Jones**, for her commitment to equality and her efforts to secure and protect the rights of people of color

**Marty Lipton**, for his generosity to educational and cultural institutions to benefit equality and human dignity

## 2002

**Geoffrey Canada**, for his relentless advocacy and organizing in support of poor children and families

**Martin Sheen**, for his activism on behalf of poor and working families

**UBS PaineWebber, Inc.**, accepted by Theodore A. Levine, for its commitment to underserved communities

## 2001

**Warren Beatty**, for educating the public about the importance of clean elections and campaign finance reform

**Senator John McCain**, for his role in promoting and passing federal campaign finance reform

**Deval L. Patrick**, for his unyielding efforts to secure the civil rights of all Americans

**Robert E. Rubin**, for his humanitarian work to improve the plight of the urban poor

# ABOUT THE BRENNAN CENTER

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The Brennan Center for Justice at New York University School of Law is a nonpartisan law and policy institute that seeks to improve the systems of democracy and justice. Part think-tank, part advocacy group, part cutting-edge communications hub, we start with rigorous research. We craft innovative policies. And we fight for them—in Congress and the states, the courts, and in the court of public opinion.

We were founded in 1995 by the family and clerks of Justice William J. Brennan, Jr. Today, with a staff of 75 and dozens of top flight pro bono lawyers and law students, we have become one of the nation's most effective and respected legal organizations.

## **Protecting Voting Rights**

Since 2011, nearly two dozen states have passed new laws making it harder to vote—for the first time since the Jim Crow era. The Brennan Center is challenging these restrictive laws in the courts—and in the court of public opinion. After a compelling, nine-day trial, a Federal District Court Judge handed down a sweeping victory in October in our lawsuit challenging Texas's harsh voter ID law, finding that 600,000 voters lacked the ID required and that the legislature purposefully discriminated against minority citizens. With our wonderful pro bono counsel at Dechert LLP and our allies, we will continue to litigate this case through the appeals process.

## **Advancing Voting Reform**

The Center crafts powerful new reforms that make it easier for citizens to vote. Our plan to modernize voter registration would add up to 50 million to the rolls nationally. An encouraging sign: In 2013 and 2014, 16 states passed laws to expand voting. The Brennan Center worked closely with local partners in several states to provide important research, strategy, and legal guidance. The bipartisan Presidential Commission on Election Administration, chaired by counsels to Mitt Romney and Barack Obama, embraced several of the Center's major proposals.

## **Combating *Citizens United***

In 2014, the campaign to enact public financing of New York State elections came tantalizingly close to success. The Center helped lead the coalition, providing legal, policy, and communications support. At the same time, the Center is charting a new path to win a fundamental shift in the constitutional framework for money in politics—a decade long drive to reverse *Citizens United* and other misguided cases. This year, we released research documenting the flood of secretive spending and hosted a hard-hitting symposium, bringing together top First Amendment and election law thinkers with leading litigators to hone the most promising legal theories to reduce the influence of money in politics.



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## Crafting a “Landmark” Proposal to End Mass Incarceration

The United States has five percent of the world’s population—and 25 percent of its prison population. The Brennan Center brings a distinct economic perspective to the fight to reduce mass incarceration. Our innovative “Success-Oriented Funding” plan wields incentives to drive towards the twin goals of reducing mass incarceration and protecting public safety. Attorney General Eric Holder, keynoting our law enforcement conference, called our plan to shift federal prosecutor priorities a “landmark.” One of the Center’s reform proposals has already led to shifts in federal criminal justice grantmaking. President Obama ordered further review in the wake of the Ferguson, Missouri crisis.

## Increasing Accountability in Counterterrorism

Revelations about the NSA’s surveillance programs provide a rare opening for reform. Over the past year, we worked to explain and critically assess the NSA’s activities; advocated in Congress for passage of the USA Freedom Act; released a report exposing the uncoordinated and unaccountable intelligence collection practices of local police departments; and filed an *amicus* brief in *Riley v. California*, a Supreme Court case that strengthened electronic privacy protections.

## Safeguarding State & Federal Courts

The Brennan Center works to protect fair and impartial courts. Our widely covered research showed the flood of outside, often-secretive money in judicial races. We’re leading the pushback: We hosted a major symposium on strengthening recusal rules. Working closely with state allies, we succeeded in an effort to retain merit selection in Arizona. We continue to research the impact of the federal district court vacancy crisis, adding pressure to speed up the nominations process. Our work helped persuade the U.S. Senate to change its rules to curb filibuster abuse for judicial nominations.

## Issuing Hard-Hitting Research & Advancing Strategic Communications

The Brennan Center released 17 reports and books in the last year. As part of our broader work on achieving constitutional change, Simon & Schuster published Michael Waldman’s book, *The Second Amendment: A Biography*, to critical praise and media attention. *The New York Times* called it “rigorous, scholarly, but accessible.” Brennan Center research and experts appeared in the media this year over 1,300 times, including in the *Washington Post*, *The New York Times*, *The Wall Street Journal*, and *USA Today*. Our work also led to 70 editorials, over 100 op-eds from our experts, and scores of national television appearances, including on MSNBC, Fox News, and CNN. Our newsletters reach more than 40,000 subscribers. We significantly expanded our social media presence and hosted more than 40





1: At a February Brennan Center conference, Reihan Salam of *National Review*, D.C. Office Director Nicole Austin-Hillery (center), NPR host Brooke Gladstone, and others weighed how cultural polarization fuels government dysfunction.



2: Democracy Program Deputy Director Myrna Pérez joined MSNBC's "Weekends with Alex Witt" to discuss the impact of the U.S. Supreme Court decision to allow the Texas voter ID law to go into effect just a few weeks before the November midterm elections.

3: Former White House Counsel Bob Bauer and Romney Counsel Ben Ginsberg discussed President Obama's voting commission's recommendations at the Brennan Center's conference on government dysfunction.

4: Democracy Program Deputy Director Larry Norden speaks at a press conference on the steps of New York's City Hall about the Moreland Commission's recommendations for comprehensive campaign finance reform.

5: Chief Counsel Fritz Schwarz (right) was awarded the prestigious 2014 Ridenhour Courage Prize, presented by *The Nation* Editor and Publisher Katrina vanden Heuvel at the National Press Club in April.

6: At a Brennan Center conference on campaign finance jurisprudence, former U.S. Solicitor General Walter Dellinger and other experts discussed new legal strategies for reducing the influence of money in politics.

7: The Brennan Center co-hosted a Capitol Hill briefing on bipartisan support for restoring voting rights which featured remarks by Sens. Rand Paul (R-KY) and Ben Cardin (D-MD).



8: President Michael Waldman sat down with Charlie Rose to discuss his book, *The Second Amendment: A Biography*.

9: Liberty & National Security Program Co-Director Faiza Patel joined MSNBC's "Now with Alex Wagner" to comment on the U.S. Supreme Court's pro-privacy ruling in *Riley v. California*.

10: U.S. Attorney General Eric Holder delivered the keynote address at a Brennan Center convening in September, calling a new Center report on prosecutorial reform a "landmark."



11: Liberty & National Security Program Co-Director Elizabeth Goitein appeared on NBC's "The Today Show" to discuss President Obama's proposed surveillance reforms.

12: Justice Program Director Inimai Chettiar moderates a panel of budget and fiscal policy experts discussing how reforming federal and state grant programs can help reduce mass incarceration at the Brennan Center's September conference.

**Our work depends on the support of our pro bono law firms, who fight alongside us for democracy, justice, and the rule of law. A few 2014 highlights:**

## **Fighting Onerous Voter Identification Requirements in Texas**

The Brennan Center, with the Lawyers' Committee and NAACP, partnered with **Dechert LLP** to challenge Texas' voter ID law, the strictest in the nation. Our attorneys and investigators spent months amassing the strongest factual record of any voting case in the country. Despite a trial court judge's ruling that the law was purposefully discriminatory and violated the U.S. Constitution and Voting Rights Act, the U.S. Supreme Court allowed the law to be enforced on Election Day. We will continue the fight throughout the appeals process. (*Texas NAACP v. Steen*)

## **Empowering the Constitution's Elections Clause**

**Kirkland & Ellis LLP** and the Brennan Center represent the League of Women Voters in a challenge to laws in Kansas and Arizona that require proof of citizenship documentation when registering to vote. Just after the election, the Tenth Circuit Court of Appeals ruled in our favor, upholding Congress' power to regulate federal elections. (*Kobach et al. v. The United States Election Assistance Commission*)

## **Challenging Arkansas' Voter ID Law**

The Brennan Center worked with **Weil, Gotshal & Manges LLP** to submit an *amicus* brief to the Arkansas Supreme Court as it considered an appeal of the state's voter ID law. In October 2014, the Court upheld a lower court's decision, striking down the law under the state's constitution. (*Kobls v. Martin*)

## **Defending Fair and Impartial Courts**

The Brennan Center and allies filed an *amicus* brief with **Kaye Scholer LLP** to defend judicial canons in Arizona that prevent judicial candidates from soliciting campaign contributions and engaging in other behaviors that threaten public trust in the justice system. The brief argues that the canons should apply to all judicial candidates, not only those who are currently sitting judges. In September, the Ninth Circuit ordered the case be reviewed *en banc*. (*Wolfson v. Concannon*)

## **Defending Campaign Contribution Limits**

The Brennan Center worked with Board member **Dan Kolb** to file an *amicus* brief defending the constitutionality of aggregate federal limits on campaign contributions to candidates, political parties, and political action committees. In another bitterly divided,

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5-4 ruling, the U.S. Supreme Court struck down these limits, dismantling yet another barrier to limitless political money impacting our elections. (*McCutcheon v. Federal Election Commission*)

### **Bolstering Disclosure of Campaign Contributions**

**Weil, Gotshal & Manges LLP** and the Brennan Center filed an *amicus* brief on behalf of the Delaware League of Women Voters and Common Cause in support of a state law requiring disclosure of contributors to organizations that pay for “electioneering communications” that identify a specific candidate and air within thirty days of an election. (*Delaware Strong Families v. Biden*)

### **Defending the Recess Appointments Clause**

The Brennan Center worked with **Sidney Rosdeitcher** of **Paul, Weiss, Rifkind, Wharton & Garrison LLP** and NYU Law professor and Brennan Center Board member **Burt Neuborne** to file an *amicus* brief defending the President’s use of the recess appointments clause to fill crucial administration posts in the face of fierce obstructionism in the Senate. The Court upheld this power, but only in true instances of inter- and intra-session recess. (*National Labor Relations Board v. Canning*)

### **Limiting Governmental Overreach**

The Brennan Center is working with **O’Melveny & Myers LLP** to draft an *amicus* brief in a challenge to the federal government’s authority to seize emails and other electronic data stored by American corporations in facilities overseas. The outcome of this case could have significant impact on consumer trust and the regulation of the growing cloud computing industry. (*In the Matter of a Warrant to Search a Certain E-Mail Account Controlled and Maintained by Microsoft Corporation*)

### **Expanding the Franchise in California**

**Morrison & Foerster LLP** and the Brennan Center have partnered to submit an *amicus* brief disputing California’s interpretation of a state law that denies the right to vote to persons who are imprisoned or on parole. Tens of thousands of Californians currently participating in a program called community supervision—low-level, non-serious offenders who are neither imprisoned nor on parole—have been disenfranchised under this policy. (*Scott v. Bowen*)

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We are grateful to **Schulte Roth & Zabel LLP** for serving as the long-term pro bono organizational counsel for the Brennan Center on issues ranging from employment to real estate. We appreciate the efforts of Danny Greenberg, Scott Gold, Jill Goldberg Mintzer, Roary Mouat, Robert Nash, David Cohen, and others. Other pro bono counsel includes **Arnold & Porter LLP**, Devereux Chatillon of **Chatillon Weiss LLP**, **Davis Polk &**

# JAMES E. JOHNSON LEGAL INTERN FUND

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The James E. Johnson Legal Intern Fund was created in 2011 by the Brennan Center for Justice Board of Directors to honor Jim Johnson, who served as Board Chair for seven years, and to pay tribute to his extraordinary and ongoing commitment to building the Brennan Center.

The Fund provides stipends of up to \$5,000 for summer legal interns who would not otherwise be able to live in New York for the summer. It has helped us recruit top-flight talent from a greater diversity of backgrounds to

conduct research and provide legal analysis in collaboration with our attorneys. The program is a prestigious opportunity for the students, and also nurtures future leaders for the public interest field.

We want to congratulate the Brennan Center's third class of James E. Johnson Legal Interns. Three impressive students hailed from Fordham University School of Law, George Washington University Law School, and the University of California, Berkeley, School of Law. Their contributions were tremendous.

We are now thrilled to be recruiting for summer 2015. We hope that you will join us in celebrating Jim's work and achievements on behalf of the Brennan Center for Justice, and that you will consider making a contribution to the James E. Johnson Legal Intern Fund. Your support will enable more students to come work with us this summer. Please contact John Donahue at 646-292-8333 or [john.donahue@nyu.edu](mailto:john.donahue@nyu.edu) to make a contribution.

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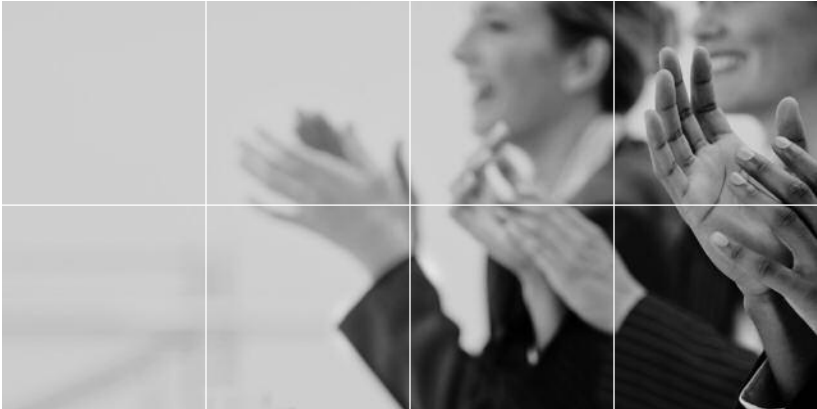
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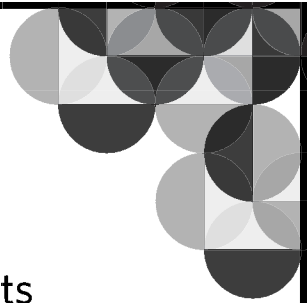
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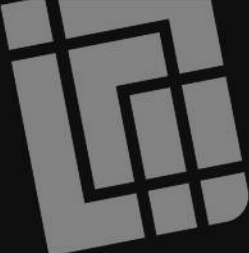
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