



July 12, 2021

United States Senate Committee on the Judiciary  
224 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Durbin, Ranking Member Grassley, and Committee Members:

On behalf of our 1.5 million supporters nationwide, People For the American Way enthusiastically supports the nomination of Eunice Lee to the Second Circuit Court of Appeals. She is an excellent choice who will help advance justice and inspire confidence in the courts.

Lee's career demonstrates a pattern of excellence and a commitment to equal justice. A 1996 graduate of Yale Law School, she spent the next two years in clerkships with Ohio federal district court judge Susan Dlott and Sixth Circuit judge Eric Clay. With her credentials, she had every door open before her, and she chose one of public service. In 1998, she began a 20-year career at the Office of the Appellate Defender, representing poor people in New York City convicted of felonies and helping them vindicate their legal rights in appellate court. In 2019, she shifted her focus from state to federal appellate practice, helping indigent people through her work at the Federal Defenders of New York.

She has also worked to train the next generation of criminal defense lawyers and help them provide vital legal assistance to individuals unable to afford an attorney. For more than 15 years, she served as an adjunct professor in New York University School of Law's Criminal Appellate Defender Clinic.

Public defenders play a vital and underappreciated role in protecting freedom, not only of poor people accused of crime but of all people in the United States. We have given our government the power to take people away from their homes, imprison them, and even execute them. That power is a weighty one and subject to abuse. So if our government is going to use that power against someone, it must do so in a way that complies with the safeguards set forth in the Bill of Rights. That basic tenet of the United States Constitution is vital to protecting all of us. Lee's work defending indigent people accused of crimes has also given her insight into how the system works in real life and can fail to serve justice—insight that circuit court panels could use to make more informed decisions.

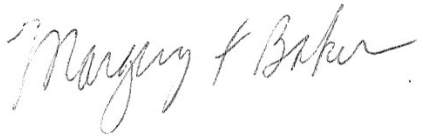
In a testament to Lee's talent and integrity, the Judiciary Committee has received an enthusiastic letter of support for Lee from 70 former federal prosecutors and alumni of the U.S. Attorneys offices in the Southern and Eastern Districts of New York. They write that "she is a brilliant, accomplished advocate, who is supremely well qualified to serve on the bench." They also recognize that while the Second Circuit has had many former federal prosecutors like them, the experience of representing indigent clients is just as valuable.

Yet no current judge on the Second Circuit has had a career as a public defender. Lee would bring the court priceless insight into how the criminal justice works in real life. The panels Lee would participate in would better understand the lived experiences of those whose cases come before them, enabling them to more effectively achieve justice and fairness.

Lee would also increase racial diversity on the court. Only one Black woman has ever been a judge on the Second Circuit, and she stepped down from active service 19 years ago.

We urge senators to confirm Eunice Lee to the Second Circuit.

Sincerely,

A handwritten signature in cursive script that reads "Marge Baker". The signature is written in dark ink and is positioned above the typed name.

Marge Baker  
Executive Vice President