



PRESIDENT
RAKIM BROOKS

CHAIR
PAULETTE MEYER

December 13, 2021

The Honorable Richard Durbin
Chairman
Senate Judiciary Committee

Dear Chairman Durbin:

On behalf of the Alliance for Justice (AFJ), a national association representing more than 130 public interest and civil rights organizations, I write to strongly support the confirmation of Dale Ho as a Judge on the United States District Court for the Southern District of New York.

As one of the nation's premier civil rights attorneys, Mr. Ho has spent his career advocating for our most critical constitutional rights and legal protections and is eminently qualified to serve as a Federal Judge. An accomplished litigator, Mr. Ho has extensive experience at every level of the Federal Court system, including twice arguing before the U.S. Supreme Court.

Since 2013, Mr. Ho has led the ACLU's Voting Rights Project. As the project's director, Mr. Ho has advocated on behalf of the constitutional rights of voters, regardless of political party. In 2018, Mr. Ho and his team filed an [amicus brief](#) in support of Maryland Republican voters who were suing to stop a Democratic gerrymander of the state's congressional districts, which ensured that all but one of the state's congressional representatives was a Democrat. Mr. Ho has also successfully challenged racially discriminatory voting restrictions, including a lawsuit concerning a stringent North Carolina voting restriction that the U.S. Court of Appeals for the Fourth Circuit found was unconstitutional because it "target[ed] African Americans with almost surgical precision." Mr. Ho also successfully challenged the Trump administration's attempt to add a citizenship question to the 2020 census before the U.S. Supreme Court. As he effectively argued, the Trump administration's citizenship question would have deterred millions of noncitizens and their families from participating in the census, potentially skewing the distribution of federal resources, as well as representation in Congress for a decade.

In addition to his appellate litigation experience, Mr. Ho has been lead counsel in numerous federal and state trials, as well as supervising many other suits brought by the ACLU. In one trial, *Fish v. Kobach*, Mr. Ho and the ACLU were successful in re-enfranchising over 30,000 Kansas voters of all political affiliations who had been

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improperly removed from the state’s voter rolls. Election law scholar Rick Hasen [noted](#) that the case was the “most important voting rights trial so far of this century,” and described Mr. Ho’s cross-examination skills as “about the best [he] had ever seen.”

Mr. Ho would treat each litigant before him with respect and dignity. Mr. Ho spent two years clerking for Republican appointed Associate Judge Robert Smith of the New York Court of Appeals, the state of New York’s highest court. Judge Smith, commenting on his former clerk, noted that “[c]ourtesy was a hallmark of Dale’s character,” that Mr. Ho did not view “members of a different political tribe as the enemy,” and that Mr. Ho’s “sense of the innate worth and dignity of every human being and his ability to behave accordingly will serve him in good stead in a trial courtroom.”

The son of immigrants from the Philippines, Dale Ho would be the only Asian American Pacific Islander (AAPI) man sitting on the Southern District of New York. The Southern District covers one of the most populated and racially diverse regions in the entire nation and his confirmation will ensure that the District better reflects the people it serves.

Given his exceptional qualifications, the Senate should expeditiously confirm Mr. Ho to the United States District Court for the Southern District of New York.

Sincerely,

A handwritten signature in black ink that reads "Rakim Brooks". The signature is written in a cursive, flowing style.

Rakim Brooks
President