

June 13, 2023

*VIA EMAIL*

United States Senate  
Washington, D.C. 20003

*Re: Letter in Support of Ms. Nusrat Choudhury for the United States District Court for the Eastern District of New York*

Dear Senator:

On behalf of the National Women’s Law Center (the “Law Center”), I write to express support for the confirmation of Ms. Nusrat Choudhury to the United States District Court for the Eastern District of New York. The Law Center fights for gender justice – in the courts, in public policy, and in society – working across the issues that are central to the lives of women and girls. The Law Center uses the law in all its forms to change culture and drive solutions to the gender inequity that shapes society and to break down the barriers that harm women and girls – especially those who face multiple forms of discrimination, including women of color, LGBTQ people, and low-income women and families. For over 50 years, the Law Center has been on the leading edge of every major legal and policy victory for women.

Ms. Choudhury’s commitment to equal justice and extensive experience as a civil rights and racial justice litigator has prepared her to serve on the United States District Court for the Eastern District of New York. Presently, Ms. Choudhury is the Roger Pascal Legal Director at the ACLU of Illinois, overseeing a team that works to advance changes in the criminal legal system, policing, voting rights, access to reproductive health care, and gender equity as well as the rights of LGBTQIA+ people, young people in juvenile detention, and people in prisons and jails.<sup>1</sup> She has previously served as the Deputy Director of the national ACLU Racial Justice Program, Senior Staff Attorney and Staff Attorney for the Racial Justice Program, Staff Attorney at the ACLU National Security Project, and as a Marvin M. Karpatkin Fellow with the Racial Justice Program.<sup>2</sup> After graduating from Columbia University (B.A.), Princeton (M.P.A.) and Yale Law School,<sup>3</sup> Ms. Choudhury went on to clerk for Judge Denise L. Cote of the United States District Court for the Southern District of New York and then for Judge Barrington D. Parker Jr. of the United States Court of Appeals for the Second Circuit. Ms. Choudhury’s career-long dedication to protecting the civil rights of all reflects her steadfast commitment to equal justice under the law and is much needed on the federal bench.

Ms. Choudhury’s career demonstrates her dedication to equal justice for all, regardless of gender, race, nationality, religion, or income. She secured the first federal court ruling striking down the U.S. government’s No Fly List procedures for violating due process.<sup>4</sup> Ms. Choudhury

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<sup>1</sup> ACLU Illinois, “Nusrat Jahan Choudhury,” <https://www.aclu-il.org/en/biographies/nusrat-jahan-choudhury>.

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

has also worked to protect the rights of people of color by filing litigation to challenge the NYPD's unjustified discriminatory profiling of Muslims for surveillance, which resulted in a court-ordered settlement.<sup>5</sup> Additionally, she has led efforts to challenge unlawful stop-and-frisk and targeting of people of color for surveillance without evidence of wrongdoing.<sup>6</sup> Ms. Choudhury has also helped secure important national guidance from the ABA to promote fairness and equal treatment of the rich and poor in courts.<sup>7</sup> Throughout her career, Ms. Choudhury has worked tirelessly to protect the fundamental rights of all people.

Ms. Choudhury addition to the federal bench would mark a historic shift on our federal bench and help to restore public trust. If confirmed, she would make history by becoming the first Muslim woman and first Bangladeshi American to serve as a federal judge.<sup>8</sup> In New York City alone, Muslim people make up 8.96% of the city's total population.<sup>9</sup> It's astounding that she would be only the second Muslim American and the first Muslim woman to have ever served on our country's federal bench. When judges reflect the rich diversity of the communities they hear cases from, public trust in our judiciary is strengthened. Additionally, Ms. Choudhury's years of experience as a civil rights and liberties attorney at nonprofits defending and protecting the fundamental rights of all people will bring much needed professional diversity and a varied perspective to the federal bench.<sup>10</sup>

Throughout her hearing, Ms. Choudhury exhibited her deep expertise of federal laws and the Constitution and an even temperament, which are vital traits for any judge. She responded thoroughly and respectfully to each question posed by the Senators to her during the hearing.<sup>11</sup> Her intelligence, temperament and substantive legal experience would be a tremendous asset for the U.S. District Court for the Eastern District of New York and our federal judiciary as a whole.

The Law Center offers its support for the confirmation of Ms. Choudhury to serve on the U.S. District Court for the Eastern District of New York and urges the Senate to

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<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> The White House, "President Biden Names Thirteen Round of Judicial Nominees," January 19, 2022, <https://www.whitehouse.gov/briefing-room/statements-releases/2022/01/19/president-biden-names-thirteenth-round-of-judicial-nominees/>.

<sup>9</sup> Muslims for Progress, *An Impact Report of Muslim Contributions to New York City* (Washington D.C., Dearborn, MI: Institute for Social Policy and Understanding) at 2, Aug. 2018, <https://www.ispu.org/wp-content/uploads/2018/08/MAP-NY-Key-Findings-Web.pdf>.

<sup>10</sup> Maggie Jo Buchanan, "Pipeline to Power: Encouraging Professional Diversity on the Federal Bench," Aug. 2020, <https://www.americanprogress.org/wp-content/uploads/sites/2/2020/08/CourtDiversity-report.pdf>; Maya Sen, "Diversity, Qualifications, and Ideology: How Female and Minority Judges Have Changed, or Note Changed, Over Time," 2017 WIS. L. REV. 367 (2017), <https://scholar.harvard.edu/files/msen/files/judicial-diversity.pdf>.

<sup>11</sup> During her hearing, she was questions about a 2015 event and misquoted as saying "[t]he killing of unarmed Black men by police happens every day in America." Ms. Choudhury submitted a letter to Chair Durbin and Ranking Member Grassley to clarify for the record that she did not make the statement. Choudhury Letter to Durbin and Grassley, May 11, 2022, [https://www.grassley.senate.gov/imo/media/doc/choudhury\\_to\\_grassley\\_durbin\\_-\\_nomination\\_hearing.pdf](https://www.grassley.senate.gov/imo/media/doc/choudhury_to_grassley_durbin_-_nomination_hearing.pdf).

quickly approve her nomination. Please feel free to contact me or Erinn D. Martin, Director of Nominations & Cross-Cutting Policies, at (202) 588-7608 should you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Fatima Goss Graves". The signature is written in a cursive style and is positioned above a thin horizontal line.

Fatima Goss Graves  
President and CEO