



August 10, 2018

The Honorable Chuck Grassley, Chairman
The Honorable Dianne Feinstein, Ranking Member
Senate Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Senators:

As the Senate Committee on the Judiciary prepares for hearings on the nomination of Judge Brett Kavanaugh to the U.S. Supreme Court, we call on you to use your power in selecting hearing witnesses to ensure that the voices and perspectives of America's Latinos are at the table. Latinos are the second-largest racial/ethnic population in this nation, face a hostile political climate, and are enduring rising incidences of hate crimes. These factors further elevate the importance to Latinos of the judiciary's long-standing role in serving as a venue of last resort for vulnerable populations to seek justice.

For decades, the judiciary has been a place where equal justice was available to all. However, Judge Kavanaugh's opinions in various cases during his tenure on the DC Circuit Court of Appeals raise questions about his approach to the law and the adverse impact that his approach would have on Latinos and other communities of color that seek equal justice in our courts. In cases before the DC Circuit, Judge Kavanaugh has opined against the ability of immigrants to access health care and avail themselves of labor protections, has failed to recognize and rule against racial animus, and has taken the view that discriminatory voter identification laws are broadly permissible to prevent voter fraud, even where no proof of voter fraud exists. Taken together, these views, when enshrined in the power of judicial decisions, erode the ability of Latinos to seek equal justice, pursue gainful employment, access health care, and participate in the civic life of our nation.

In the coming years, the Supreme Court will consider a series of critical cases with far-reaching consequences on the fate of immigrants and asylum seekers, and on the ability of individuals to exercise their right to vote, to be free from exploitation in the workplace, and to access health care, including women's access to reproductive health services. It will accordingly be a matter of

great importance to Latino communities to fully explore Judge Kavanaugh's views on stare decisis. We believe that it is critical for members of the Judiciary Committee to directly hear the perspectives of leading Latino legal experts, attorneys, and advocates about how Judge Kavanaugh's confirmation to the Supreme Court could impact the Latino community and U.S. population as a whole.

We stand ready to work with you in recommending potential hearing witnesses as well as other ways to ensure that Latino perspectives are included in the Senate Judiciary Committee's deliberations. We can be reached through Francella Chinchilla at fchinchilla@rabengroup.com.

Sincerely,

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CC: Members of the Senate Committee on the Judiciary