

MEET OUR PANELISTS

VOTING RIGHTS: THEN, NOW, AND TOMORROW

Thursday, March 3rd, 2022 | 5:30 to 6:30PM PST



HON. THELTON HENDERSON

Thelton Eugene Henderson graduated from Berkeley Law in 1962—where he was one of just 2 black students in his class—and was the first black attorney in the Civil Rights Division of the U.S. Department of Justice. In the Deep South, he protected voter rights alongside everyday citizens and visionaries like Dr. Martin Luther King, Jr. In 1980, President Jimmy Carter appointed him to the federal bench, where he has championed transformative justice for nearly four decades.

Judge Henderson has a remarkable ability—and willingness—to protect the vulnerable among us. In 1987, he became the nation's first judge to declare that gay people, like racial minorities, are entitled to equal protection and due process of law under the United States Constitution. While the Ninth Circuit Court of Appeals reversed the decision, we now know that he was ahead of his time: twenty-eight years later, the United States Supreme Court agreed that gay people are entitled to marriage equality.

A steward of the environment, he is celebrated around the world for saving dolphins from the tuna industry. And he is credited with making the San Francisco Bay Area meet National Ambient Air Quality Standards.

With compassion and discernment, Judge Henderson continually enforced limits on the carceral state. He was on the panel that found California's overcrowded prisons violated the Constitution and ordered 40,000 people released from prison. The United States Supreme Court affirmed this decision in *Brown v. Plata*. He also ordered the Oakland Police Department to submit to federal monitoring following authenticated reports of police brutality.

Judge Henderson has steadily vindicated the rights of women and people of color. Though his decision was later reversed, he ruled to strike down Proposition 209, California's 1996 voter-approved ban on public affirmative action programs. His opinion provoked so many death threats that U.S. marshals had to stand guard outside his home. Five years before the Anita Hill-Clarence Thomas hearings, Judge Henderson issued a ruling in favor of a plaintiff in a sexual harassment case which federal judges continue to cite.

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Among his many awards are the American Bar Association's Thurgood Marshall Award, the State Bar of California's Bernard E. Witkin Medal, the Pearlstein Civil Rights Award from the Anti-Defamation League, the Distinguished Service Award from the National Bar Association, the Lewis F. Powell, Jr. Award for Professionalism and Ethics from the American Inns of Court, and the Judge Learned Hand Award from the American Jewish Committee. In August 2017, the United States District Court for the Northern District of California dedicated the Ceremonial Courtroom in the San Francisco Courthouse to Judge Henderson.

Judge Henderson's last day on the bench was Friday, August 11, 2017. In September, he joined Berkeley Law as a Distinguished Visitor and continues to champion true justice.



PAM KARLAN

A productive scholar and an award-winning teacher, Pamela S. Karlan is the principal deputy assistant general in the Civil Rights Division and also a co-director of Stanford Law School's Supreme Court Litigation Clinic. One of the nation's leading experts on voting and the political process, she has served as a commissioner on the California Fair Political Practices Commission, an assistant counsel and cooperating attorney for the NAACP Legal Defense Fund, and a Deputy Assistant Attorney General in the Civil Rights Division of the U.S. Department of Justice (where she received the

Attorney General's Award for Exceptional Service—the department's highest award for employee performance—as part of the team responsible for implementing the Supreme Court's decision in *United States v. Windsor*). Karlan is the co-author of leading casebooks on constitutional law, constitutional litigation, and the law of democracy, as well as numerous scholarly articles.

Before joining the Stanford Law School faculty in 1998, Karlan was a professor of law at the University of Virginia School of Law and served as a law clerk to Justice Harry A. Blackmun of the U.S. Supreme Court and Judge Abraham D. Sofaer of the U.S. District Court for the Southern District of New York. Karlan is also a member of the American Academy of Arts and Sciences, the American Academy of Appellate Lawyers, and the American Law Institute.

Karlan received her B.A., M.A., and J.D. from Yale.

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DEAN ERWIN CHEMERINSKY

Erwin Chemerinsky became the 13th Dean of Berkeley Law on July 1, 2017, when he joined the faculty as the Jesse H. Choper Distinguished Professor of Law.

Prior to assuming this position, from 2008-2017, he was the founding Dean and Distinguished Professor of Law, and Raymond Pryke Professor of First Amendment Law, at University of California, Irvine School of Law. Before that he was the Alston and Bird Professor of Law and

Political Science at Duke University from 2004-2008, and from 1983-2004 was a professor at the University of Southern California Law School, including as the Sydney M. Irmas Professor of Public Interest Law, Legal Ethics, and Political Science. From 1980-1983, he was an assistant professor at DePaul College of Law.

He is the author of fourteen books, including leading casebooks and treatises about constitutional law, criminal procedure, and federal jurisdiction. His most recent books are *Presumed Guilty: How the Supreme Court Empowered the Police and Subverted Civil Rights* (Norton 2021), and *The Religion Clauses: The Case for Separating Church and State* (with Howard Gillman) (Oxford University Press 2020).

He also is the author of more than 200 law review articles. He is a contributing writer for the Opinion section of the Los Angeles Times, and writes regular columns for the Sacramento Bee, the ABA Journal and the Daily Journal, and frequent op-eds in newspapers across the country. He frequently argues appellate cases, including in the United States Supreme Court.

In 2016, he was named a fellow of the American Academy of Arts and Sciences. In 2017, National Jurist magazine again named Dean Chemerinsky as the most influential person in legal education in the United States. In January 2021, he was named President-elect of the Association of American Law Schools.

Dean Chemerinsky received his B.S. from Northwestern University, and his J.D. from Harvard Law School.

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PROFESSOR BRIAN LANDSBERG

Professor Emeritus Brian K. Landsberg began teaching at McGeorge in 1986 and has continued to teach since taking emeritus status. His teaching is grounded in his experience as an attorney in the Civil Rights Division of the United States Department of Justice, beginning in the tumultuous 1960s. His career in the Civil Rights Division began with trial work to vindicate the right of African Americans in Alabama to vote, notably including the case that recognized the right to march from Selma to Montgomery to protest racial discrimination in voter registration.

That work also became the basis for his book *Free at Last to Vote: The Alabama Origins of the Voting Rights Act*. Professor Landsberg also worked on some of the first cases to desegregate public accommodations and on fair employment and fair housing cases. As Chief of the Education Section, he helped litigate the cases that transformed the schools of the Deep South from the most segregated to the most integrated schools in the nation by the mid-1970's. He then became Chief of the Appellate Section, arguing cases in United States Courts of Appeals throughout the country, as well as working on Supreme Court briefs in seminal civil rights cases.

Professor Landsberg has continued to promote civil rights, as Chair of the Amicus Committee of the Lawyers Committee for Civil Rights Under Law, a national organization of lawyers founded at the request of President Kennedy to provide legal representation on important issues of race discrimination.