

2022 ANNUAL REPORT

Institute for Constitutional Advocacy and Protection

GEORGETOWN LAW





EXECUTIVE DIRECTOR'S LETTER

This year marks ICAP's five-year anniversary—and what a five years it has been! From our very first brief filed on August 8, 2017, advocating against cash bail, to our historic successful lawsuit against white supremacists and unlawful private militias after Charlottesville's Unite the Right rally, to our representation of the House Select Committee in securing White House records for its investigation into the January 6 attack, ICAP's work has spanned the Constitution. Consistent with our mission to restore confidence in our governmental institutions, we've both sued governmental entities that overstepped their authority and represented governmental entities seeking to lawfully exercise it. And consistent with our reputation for non-partisan legal advocacy, we've continued to build coalitions across the political divide in both our litigation and our policy advocacy.

Heading into 2023 and the start of a new election season, our work to combat political violence has begun to merge with our work to protect democratic processes. We are prioritizing the fight against anti-democracy efforts that seek to undermine constitutional rights through intimidation, threats, fraud, and legal subterfuge. As you'll see in the pages of this annual report, this means not only standing up for voters, civil rights activists, and marginalized communities, but also election workers, public servants, and those who seek to preserve American democracy. It is imperfect, but it is worth fighting for, and that's exactly what ICAP is doing.

Sincerely,

Mary B. McCord

Executive Director and Visiting Professor of Law

OUR MISSION

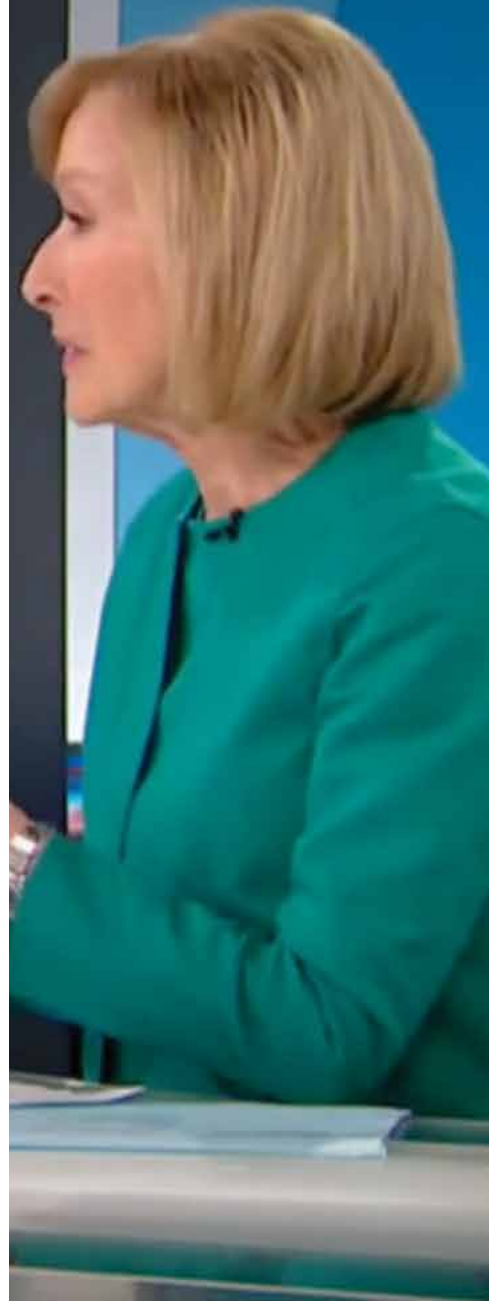
The Institute for Constitutional Advocacy and Protection uses strategic legal advocacy to defend constitutional rights and values while working to restore confidence in the integrity of our governmental institutions.

A non-partisan institute within Georgetown University Law Center, ICAP's experienced attorneys use novel litigation tools, strategic policy development, and the constitutional scholarship of Georgetown to vindicate individuals' rights and protect our democratic processes. In an era of politically polarized discourse, ICAP offers vital understandings of the Constitution that draw on a wide range of practical experience, including extensive service in the federal government.

At the heart of ICAP is our litigation, as the courts remain a critical venue for the vindication of constitutional rights. ICAP collaborates with a wide array of litigation partners across the country, including non-profits, law firms, and governmental entities, focused on protecting constitutional rights.

Constitutional dialogue also occurs outside the courts and in the public square. ICAP uses public engagement and education to inform and elevate that dialogue, empowering the community with an understanding of constitutional rights based on history, text, and precedent. Through public speaking and media engagements, op-eds, and scholarly writing, ICAP heightens and grounds today's constitutional conversation. ICAP's lawyers also drive policy change, working with lawmakers at the federal, state, and local levels to help situate their policymaking in constitutional principles and to respond to emerging and expanding threats.

Finally, ICAP plays an important teaching role within Georgetown Law by involving law students in our work. Through a practicum seminar offered each semester, law students work directly with ICAP attorneys on constitutional impact litigation and related policy efforts. Additionally, ICAP provides litigation and policy support to other centers and institutes within the Georgetown community.



LITIGATION

Now in its fifth year, ICAP concentrates its litigation efforts in five core areas:

1. Safeguarding rights to free expression, assembly, and democratic participation;
2. Combating threats from unlawful private militias and political violence;
3. Fighting the criminalization of poverty and other forms of criminal legal system overreach;
4. Defending the rights of young people and marginalized communities; and
5. Preserving fundamental separation-of-powers principles.

During the past year alone, we:

- secured the [release of Presidential records from the National Archives containing White House communications relating to the events on and leading up to January 6, 2021](#), by successfully defending the House Select Committee to Investigate the January 6th Attack on the United States Capitol against Donald Trump's efforts to enjoin release of the records at the federal district court, appellate court, and Supreme Court;
- obtained a preliminary injunction [barring an Oklahoma law from going into effect that was designed to chill the organizing of peaceful demonstrations](#) by creating vague and overbroad penalties in violation of the First and Fourteenth Amendments;
- secured vacatur of a Trump-era [State Department rule](#) requiring nearly all applicants for the diversity visa lottery program to have a valid passport, which had effectively barred applicants from developing countries where getting a passport can be prohibitively costly and time-consuming;
- won a [unanimous victory](#) in the Indiana Supreme Court on behalf of the cities of Gary and East Chicago, in defense of those cities' "Welcoming City" ordinances designed to protect the rights of immigrants, with the court ordering the cases dismissed for lack of standing;
- obtained a denial of a grant of certiorari before the Supreme Court for [unaccompanied migrant children suing a juvenile detention center for inadequate mental health care](#), preserving a Fourth Circuit ruling that the adequacy of care should be judged by the

more stringent standard of professional judgment;

- won a unanimous victory in the Sixth Circuit, overcoming an assertion of qualified immunity by an assistant principal and a school police officer who [assaulted a Michigan high schooler](#), enabling the plaintiff's Fourth and Fourteenth Amendment lawsuit to proceed to a jury;
- obtained a favorable settlement in a lawsuit bringing [civil rights claims against a police officer in New Jersey](#) who filed baseless criminal charges against two protesters in retaliation for exercising their First Amendment rights to photograph him engaged in public duties and post the photograph online;
- obtained a favorable settlement in our [lawsuit seeking to shed light on the Baltimore City Police Department's compliance with legally mandated transparency practices](#) under the Maryland Public Information Act, in which the Department agreed to affirmatively track its responses to fee waiver requests and provide six months of fee waiver data;
- secured a reversal in the Fourth Circuit of the dismissal of a [First Amendment challenge to a Maryland rule that bans broadcasting recordings of criminal court proceedings](#), including those provided by the courts; and
- on behalf of 70 bipartisan current and former prosecutors as amici, helped secure a [Supreme Court ruling](#) that a person who is wrongly charged with a crime that prosecutors later dismiss can bring a civil rights action to seek damages for official misconduct relating to the arrest.

ICAP currently represents clients in a wide range of lawsuits fighting to defend key constitutional rights and values. For example, we are:

- representing [Wisconsin taxpayers, voters, and presidential electors in a lawsuit against the fraudulent electors and their co-conspirators who sought to have their votes for Trump and Pence counted on January 6](#) instead of the votes of the legitimate presidential electors whose ballots represented the will of the Wisconsin voters;
- representing [currently and formerly detained individuals](#) challenging the unconstitutional pretrial detention system in Prince George's County, Maryland, that allows the jail to decide who is incarcerated prior to trial;

- co-counseling with the district attorney in Albuquerque, New Mexico, **to bar a heavily armed vigilante private militia from usurping the role of law enforcement** by purporting to “protect” property from unsupported threats during racial justice demonstrations;
- **challenging a predatory scheme** for collecting fines and fees from indigent individuals caught in the criminal justice system in Oklahoma;
- intervening on behalf of the South Carolina State Conference of the NAACP and the Orangeburg County School District **to defend a provision of the South Carolina constitution that safeguards public-school funding** in the state after the governor failed to mount a full defense of the provision;
- representing plaintiffs who, while peacefully protesting the murder of George Floyd in City Hall Park, had their **rights violated when New York City officials removed and destroyed their personal belongings**;
- representing a **detainee who was assaulted by a prison guard when he was in restraints**; and
- representing 45 bipartisan current and former prosecutors as amici at the U.S. Supreme Court, arguing that **overuse of solitary confinement** undermines the goals of the criminal justice system and impedes law enforcement.

Since its inception, ICAP also has submitted 73 amicus briefs to federal and state courts on issues ranging from freedom of the press to fundamental criminal procedural rights to limiting local entanglement with federal immigration enforcement to free expression on social media: 14 in the U.S. Supreme Court; 32 in federal courts of appeals; 19 in federal district courts; and 8 in state courts.

“This lawsuit by the legitimate slate of Wisconsin electors against the faux Trump slate, meant to set in action the plan to have Pence call the election for Trump, is a roadmap for accountability for 2020 as well as prevention of repeats in 2024 in states where this could happen.” – Joyce Vance, University of Alabama School of Law professor and former U.S. Attorney, on ICAP’s lawsuit against fraudulent electors in Wisconsin





ICAP'S LANDMARK WINS FOR IMMIGRANT RIGHTS

Since its formation in 2017, ICAP has prioritized work in defense of vulnerable and persecuted groups, immigrants perhaps foremost among them. When immigrants became an early major target of the Trump administration, ICAP stepped up to challenge the administration in court. ICAP has also stood repeatedly in defense of cities and other jurisdictions that faced attacks for trying to welcome immigrants into their communities. Encouragingly, 2022 has brought significant victories on both of these fronts.

In February, after over two years, ICAP defeated Trump's exclusionary Passport Rule for the diversity visa lottery program, which required applicants to have a valid passport merely to enter the lottery for a chance at being selected. The prohibitive time and expense of obtaining passports in many developing countries resulted in drastic drops in lottery participation. In partnership with African Communities Together—an organization of African immigrants fighting for civil rights, opportunity, and a better life here in the U.S.—ICAP successfully represented two aspiring immigrants and their family members in striking down the rule, which a federal judge agreed violated the Administrative Procedures Act.

This summer, we achieved another signature win in defense of the cities of Gary and East Chicago, Indiana's "Welcoming City" ordinances. Rejecting plaintiff's challenge that these ordinances violated state law, the Indiana Supreme Court agreed with ICAP that the plaintiffs, who alleged no harm from the city ordinance, lacked standing to sue in the first place. The cities celebrated the win as a victory for their residents, who pride themselves as being a welcoming community for all people.

"ICAP's work has been invaluable to preserving access to the diversity visa program. As a result of their litigation, this Trump-era barrier has been removed and millions of people around the world, particularly Africans, are once again able to participate in a chance of a lifetime." — Diana Konaté, Policy Director, African Communities Together

DEFENDING CONSTITUTIONAL RIGHTS IN THE U.S. SUPREME COURT

Over the course of the 2017-2020 terms, ICAP filed over a dozen briefs in the U.S. Supreme Court. Notably, ICAP successfully represented the U.S. House of Representatives in supporting the challenge to the Commerce Department's attempt to add a citizenship question to the census, and in supporting a challenge to an executive memo calling for the apportionment of the House of Representatives to exclude undocumented immigrants. We represented 80 law enforcement officials in successfully opposing the Trump Administration's efforts to terminate the Deferred Action for Childhood Arrivals (DACA) program. And we participated in cases challenging capital punishment, juvenile life-without-parole sentencing practices, prosecutorial failure to comply with due process obligations, and FBI whistleblower retaliation.

In 2021, Kelsi Brown Corkran joined ICAP as its first Supreme Court Director, with the goal of expanding ICAP's Supreme Court practice in response to the growing need for dedicated public interest litigators with specialized expertise in defending constitutional rights before the nation's highest court. Our Supreme Court matters during the past term included successfully representing the House Select Committee in its efforts to obtain Donald Trump's records relating to the January 6th attack on the U.S. Capitol; a cert petition on behalf of a pre-trial detainee who was brutally attacked after guards ignored his pleas for help; defeating a cert petition seeking the Court's review of a court of appeals' decision applying a heightened standard of care for unaccompanied refugee children in government custody; an amicus brief on behalf of former national security officials supporting New York's restrictions on publicly carrying concealed firearms; and an amicus brief on behalf of current and former prosecutors supporting a plaintiff's right to bring a malicious prosecution claim after the underlying criminal case was dismissed before trial. Our pipeline of Supreme Court matters for the upcoming 2022 term includes cases involving federal elections and the "independent state legislature" theory, police brutality, prison abuse, voting rights, and sex discrimination.

"At a time when the U.S. Supreme Court is deciding so many hot-button issues, ICAP's work is critical in making sure a voice for civil liberty, transparency, and justice is consistently heard by the Nine Justices. This Supreme Court team knows how to litigate there, and how to win." — Neal Katyal, former Acting Solicitor General of the United States, ICAP Faculty Chair, and Paul and Patricia Saunders Professor of National Security Law



COMBATING EXTREMISM AND PROTECTING OUR DEMOCRACY

The past year—and the work of the House Select Committee to Investigate the January 6th Attack on the United States Capitol—have made clear that threats to our democracy are multifaceted and still very much present. They have manifested not only through deadly political violence, but also through lawyers and politicians advancing suppressive state election laws and anti-democratic legal schemes. ICAP has accordingly redoubled its efforts to defend the basic precepts of our democratic system of government.

Drawing from our expertise on unauthorized private militias and building from the widely used [guidance documents](#) we have produced on voter intimidation, private militias, and threats to election workers, ICAP has become an essential resource for government officials and community leaders seeking to [protect public safety while preserving constitutional rights](#), as well as to media covering these issues.

In 2020, ICAP assembled a team of researchers and non-profit experts to share information about potential armed voter intimidation, including through partnership with the Atlantic Council's Digital Forensic Research Lab, which continues to house an expert researcher funded by ICAP. ICAP continues to work with this research team to share information with federal, state, and local officials to protect public safety.

- ICAP continues to engage with federal, state, and local jurisdictions to encourage government action against unlawful paramilitary activity and other threats. ICAP's advocacy in Idaho in early 2022 equipped citizens with legal arguments to successfully defeat a legislative effort to repeal Idaho's century-old anti-militia law. ICAP was also recently retained by the Washington State Attorney General to provide expert support for a forthcoming report on policy and law enforcement responses to domestic terrorism. And ICAP is a consultant to the U.S. Department of Justice in a police investigation.
- ICAP's leadership regularly spoke or submitted testimony about the threat of political violence and its impact on democratic processes through dozens of briefings and presentations, including to the House Select Committee, the Association of Prosecuting Attorneys, the U.S. Department of Justice, and the Privacy and Civil Liberties Oversight Board, to name just a few.
- ICAP continues to produce practical legal guidance for public officials, including [guidance](#) on constitutional principles implicated by vehicular demonstrations such as the trucker convoys. ICAP also partnered with the States United Democracy Center to publish "[Countering Bigotry and Extremism in the Ranks: A First Amendment Guide for Law Enforcement Agencies](#)," to equip police departments with legal tools to discipline and fire officers who engage in extremist activity.
- ICAP linked the dangers of political and terrorist violence to the easy access to semi-automatic firearms in an amicus brief filed on behalf of former national security officials in support of reasonable gun regulation in [New York State Rifle & Pistol Association v. Bruen](#) in the U.S. Supreme Court. The concerns highlighted in the brief were painfully apparent in the mass shootings in Buffalo, New York, and Uvalde, Texas, earlier this year, and have sparked additional speaking and writing opportunities on this topic, including an [op-ed](#) in the New York Times by ICAP Executive Director Mary McCord.

ICAP REGIONAL CONVENINGS ON THE THREAT OF POLITICAL VIOLENCE

Mindful that the threat of political violence is geographically diffuse, ICAP has embarked upon a new initiative to bring its constitutional expertise and practical legal trainings to government officials and civic leaders in the communities most directly affected. In June 2022, ICAP held the first in a series of regional convenings in Milwaukee, Wisconsin, focused on particular threats facing the Great Lakes region. From armed intimidation of public officials to vigilante shootings of racial justice demonstrators to fraudulent slates of electors being transmitted to Congress, this region has experienced consistent destabilizing political turmoil. Participants at the convening included senior and elected federal, state, and local government officials, as well as civic and community leaders, from Wisconsin, Minnesota, Michigan, Pennsylvania, Ohio, and Illinois.

Working with a host of terrific partners—the Atlantic Council’s Digital Forensics Research Lab, Princeton University’s Bridging Divides Initiative, the Institute for Strategic Dialogue, 21CP Solutions, the Crime and Justice Institute, the Global Project Against Hate and Extremism, and the States United Democracy Center—the Great Lakes Convening aimed to give participants a solid, common understanding of the on-the-ground threat landscape and relevant constitutional principles and legal options, with the goal of facilitating a coordinated regional response to emergent political violence. Participant feedback was overwhelmingly positive, with attendees noting the “incredibly valuable content” and one senior state government official remarking that it was “hands down one of the best conferences I have ever attended.” ICAP is now preparing to host its next regional convening, coming up in September 2022 in Portland, Oregon, with a focus on political violence in the Pacific Northwest.

“ICAP’s guidance to states on the front lines of combatting threats to our democracy is vital. Attending ICAP’s first Great Lakes Convening gave us the opportunity to coordinate with other states in our region on solutions to the growing threat of politically motivated violence.”

— Sunita Doddamani, Assistant Attorney General and Head of Hate Crimes and Domestic Terrorism Unit, Michigan Office of the Attorney General





ICAP'S WORK WITH THE HOUSE SELECT COMMITTEE

As the House Select Committee continues its historic work investigating and telling the story of the January 6th insurrection, ICAP is proud of the role we have played in supporting the Committee's work, both behind the scenes and representing the Committee in court.

This year, working with House General Counsel (and ICAP alum) Doug Letter and his team, ICAP achieved a [resounding and historic victory](#) at the U.S. Supreme Court on behalf of the House Select Committee. In [Trump v. Thompson](#), former President Trump sought to prevent the Committee from obtaining White House records it sought in its investigation, claiming they were protected by executive privilege. After the district court declined to enjoin the disclosure of the records to the Committee, Trump appealed to the D.C. Circuit, which issued a highly expedited briefing and argument schedule, and affirmed in December 2021. The Supreme Court ultimately rejected Trump's privilege argument in a near-unanimous ruling, allowing the National Archivist to turn over White House records relating to the attack. The win produced immediate results, as the Archives began turning over [relevant documents](#) that very night. **Among the documents were phone logs and presidential diaries showing an alarming 7-hour gap in Trump's communications on the day of the attack, which were featured extensively in the Committee's explosive summer hearings.**

ICAP continues to offer its expertise to other aspects of the Select Committee's investigation, including by submitting an expert statement, requested by the Committee, on the role of private militias in the lead-up to and execution of the attack and on the threat to democratic processes that these unlawful militias continue to pose. Leveraging its expertise on militia extremism, ICAP helped facilitate legal representation for former Oath Keeper Jason van Tatenhove's public appearance before the Committee. ICAP is also working closely with members of the Committee to develop legislation to address the threat posed by unauthorized private militias like the ones that coordinated and executed the January 6th attack. And ICAP's Executive Director, Mary McCord, has been a fixture of PBS NewsHour's live coverage of the Committee's hearings, offering expert analysis and commentary to a national audience.

"From high school students organizing racial justice marches to residents seeking to petition their elected officials on issues of concern at the county and state levels, too often members of the public have had to run the gauntlet of private militia members menacing them with assault rifles just to exercise their First Amendment rights. Evaluating the militia extremist threat going forward requires more than understanding the public safety risks; it requires understanding how private militias infringe on these and other constitutional rights." — ICAP Expert Statement to the House Select Committee to Investigate the January 6th Attack on the U.S. Capitol

PUBLIC ENGAGEMENT

Fulfilling its mission to use public engagement and constitutional education to empower communities through dialogue, ICAP attorneys have participated in a wide array of conferences, symposia, podcasts, documentaries, and panels on a variety of topics, including:

- advising the Presidential Commission on the Supreme Court of the United States on [proposals to reform the structure or operation of the Supreme Court](#);
- providing an [expert statement](#) to the House Select Committee to Investigate the January 6th Attack on the United States Capitol;
- appearing on [PBS FRONTLINE](#) and in an [ABC News documentary](#) to discuss extremism in America;
- participating in a panel hosted by the American Constitution Society on [restoring oversight and accountability for the executive branch](#);
- speaking on panels hosted by [New America](#), the Educational Fund to Stop Gun Violence (now the Johns Hopkins Center for Gun Violence Solutions), and the [Clarke Forum for Contemporary Issues at Dickinson College](#) on efforts to overturn the 2020 election and the January 6 attack on the U.S. Capitol;
- participating in a panel on [media polarization](#) at the Denver Democracy Summit;
- speaking on a panel hosted by the University of Virginia Center on Politics on [domestic terrorism](#);
- speaking on a panel hosted by The Atlantic and the University of Chicago Institute of Politics on [disinformation and the erosion of democracy](#);
- speaking with the Carnegie Endowment for International Peace on [domestic terrorism, white nationalism, January 6, and gun violence](#);
- moderating a panel on the [First Amendment and domestic terrorism](#) at the 2022 Journal of National Security Law Symposium;
- speaking on a panel hosted by Georgetown Law's Supreme Court Institute on the Supreme Court case [New York Rifle & Pistol Association v. Bruen](#);
- appearing on the [Anti-Defamation League's "extremely" podcast](#) to discuss efforts to address extremism;
- appearing on the [American Constitution Society's "Broken Law" podcast](#) to discuss the one-year anniversary of the January 6 attack;
- appearing on [Boise State Public Radio's "Extremely American" podcast](#) to talk about taking militias to court;
- appearing on the Institute for Justice's ["Short Circuit" podcast](#) to discuss recent D.C. Circuit opinions;
- appearing on the ["Deep State Radio" podcast](#) to discuss gun violence in America; and
- appearing on Yahoo News's ["Skullduggery" podcast](#) on the Department of Justice's January 6th dilemma.



A photograph of the Lincoln Memorial at night, with the building illuminated and its reflection visible in the water in the foreground. The sky is dark, and the lights from the memorial create a warm glow.

PUBLIC EDUCATION

Additionally, the ICAP team has added its voices to a wide range of public and private debates on big “C” and little “c” constitutional issues through webinars and articles appearing in *The New York Times*, *Just Security*, *SCOTUSblog*, and elsewhere, including:

- an [op-ed](#) in *The New York Times* and an [appearance](#) on MSNBC on the national security threat posed by easy access to semiautomatic weapons such as those used in mass shootings in Buffalo, New York, and Uvalde, Texas;
- a [webinar](#) co-hosted with Checks & Balances, Lawfare, and the Presidential Reform Project to discuss proposals for reforming presidential power;
- an [op-ed](#) in PennLive on the growing threat of political violence and the urgent need for leadership to protect American democracy;
- an [op-ed](#) in the *Pennsylvania Capital-Star* on the multifaceted pressures and threats facing local election officials;
- an [article](#) in the *Journal of National Security Law and Policy* on lessons for countering the domestic terrorism threat 20 years after September 11;
- articles for the Atlantic Council on [combating sources of domestic extremism within law enforcement](#) and [reflecting on the one-year anniversary of the January 6th attacks](#);
- an [article](#) in *Just Security* urging federal legislation to address the private paramilitary threat;
- an [article](#) on SCOTUSblog urging the Supreme Court to consider the national security and public safety threats posed by concealable weapons;
- an [entry](#) on the [Nonprofit Law Prof Blog](#) on the regulation of charitable solicitation;
- a discussion on Bloomberg News City Lab and iHeart Radio’s [“Bedrock USA” podcast](#) on extremist efforts to take over local governments;
- an [op-ed](#) in *Slate* on the role of dark money in U.S. Supreme Court confirmations.

“Last year, a divided court found that sentencing judges aren’t compelled to determine if a juvenile is incorrigible before imposing a life without parole sentence. But the Georgetown group is pushing the Justice Department to go further, at least in a tiny number of cases where federal prosecutors charge juveniles with murder.”
— NPR, *Prosecutors push U.S. to limit life sentences for juveniles*, 2/17/2022

TEACHING

In both the fall and spring semesters, ICAP offers a practicum seminar in which Georgetown University Law Center students learn the strategy and legal considerations involved in bringing constitutional impact litigation and receive credit for contributing to ICAP's work.

ICAP makes sure that its practicum students and student interns are exposed to a broad range of subject areas and are incorporated into its litigation teams. Students help with a range of tasks, including gathering facts in support of potential litigation; providing research support in developing legal theories; producing first drafts of motions and sections of legal briefs; and participating in meetings with clients and partner organizations. Practicum students contributed 2,739 hours to the Institute's work over the past year alone, and have contributed more than 9,800 hours since 2018.

Many Georgetown Law alumni who participated in the ICAP practicum have gone on to careers in support of the public interest. Practicum alumni have secured clerkships in a number of federal and state courts, have been selected for fellowships at public-interest organizations, and have embarked on careers within the U.S. Department of Justice and other federal departments and agencies. Empowering the next generation of public-interest legal leaders has always been a critical part of the Institute's mission, and ICAP is proud to have been a valuable part of its students' education as they begin their legal careers.

"The ICAP practicum was a highlight of my time at Georgetown Law. It was a phenomenal opportunity, not only to see the life cycle of a claim, helping with everything from complaints to summary judgment motions, but also to be involved in the development of novel legal theories for constitutional litigation—quite the unique experience for a 2L. Getting to work with a team of such driven and supportive public-interest lawyers was icing on the cake."

— Maya Gandhi, Georgetown Law 3L and former ICAP Practicum Student



OUR COVERAGE

ICAP's work and attorneys regularly receive national and local news coverage:

- **7/24/22** — [Washington Post](#)'s Editorial Board publishes a supportive editorial bringing attention to ICAP's lawsuit challenging Prince George's County, Maryland's unconstitutional pretrial detention practices, also covered in a [Washington Post](#) news article.
- **5/17/22** — [CNN](#), [MSNBC](#), [The Hill](#), the [Washington Post](#), the [Huffington Post](#), the [Guardian](#) and more cover ICAP's suit against fraudulent Wisconsin electors.
- **4/12/22** — [Albuquerque Journal](#) covers ICAP's suit to prevent the return of unlawful private paramilitaries to New Mexico.
- **4/5/22** — [New York Daily News](#) and [WSHU](#) cover ICAP's hiring of 20-year Department of Justice veteran Rupa Bhattacharyya as Special Litigation Counsel.
- **2/17/22** — [NPR](#) and the [Associated Press](#) cover ICAP's letter to the Department of Justice requesting a limit to its pursuit of life sentences for juvenile offenders and the creation of a committee to review all potential juvenile life sentences.
- **2/10/22** — [Idaho Statesman](#) covers ICAP's letter to Idaho state legislators, in response to a proposed bill to repeal an Idaho law that prohibits unauthorized paramilitary organizations, advising that the existing law is consistent with the U.S. Constitution, the Idaho Constitution, and Idaho's statutory regulation of the state militia and robust regulation of paramilitary and law enforcement activity.
- **2/7/22** — [Bloomberg Law](#) covers the U.S. District Court opinion vacating the State Department's new Diversity Visa Program rule as a result of ICAP's challenge to the rule.
- **1/6/22** — [POLITICO](#) notes former Chief Counsel to Senator Sheldon Whitehouse, Alex Aronson, hired as ICAP's Managing Director;
- **12/17/21** — [Berkshire Eagle](#) covers an amicus brief filed in the Fifth Circuit Court of Appeals on behalf of law enforcement officials arguing against the termination of DACA.
- **12/7/21** — [Law360](#) covers the Supreme Court's denial of a writ of certiorari to review a Fourth Circuit case ruling that the adequacy of mental health care in a juvenile detention center should be judged by the standard of professional judgment.
- **11/17/21** — [Washington Post](#) covers ICAP's effort to enforce a subpoena against Facebook to obtain non-content defendant-related information in our lawsuit against the New Mexico Civil Guard.
- **10/21/21** — [Washington Post](#)'s "Red Flags" series documents ICAP's attempts to sound the alarm about the likelihood of political violence in the lead-up to January 6.
- **8/31/21** — [The Hill](#) covers ICAP's challenge to an Oklahoma anti-protest law whose vague and overbroad terms do not provide adequate notice of when it applies and threaten to criminalize constitutionally protected speech.

OUR TEAM

Professor Neal Katyal

Faculty Chair, Paul and Patricia Saunders Professor of National Security Law

Professor Mary McCord

Executive Director and Visiting Professor of Law

Kelsi Brown Corkran

Supreme Court Director and Senior Lecturer

Alex Aronson

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Rupa Bhattacharyya

Special Litigation Counsel

Amy Marshak

Senior Fellow

Elizabeth Cruikshank

Senior Counsel

Joseph Mead

Senior Counsel

Seth Wayne

Senior Counsel

Shelby Calambokidis

Counsel

Ben Gifford

Counsel

Jonathan de Jong

Litigation and Operations Clerk

Sara Adeli

Litigation and Administrative Assistant

"A lawsuit on behalf of those detained inmates has now been filed in U.S. District Court in Maryland by the Civil Rights Corps, a nonprofit group; Georgetown Law Center's Institute for Constitutional Advocacy and Protection; and WilmerHale, a law firm. The suit describes a system in which low- and mid-level corrections officials exercise more power over whether defendants are incarcerated or set free than judges do. That is not how things are supposed to work."

— Washington Post Editorial Board, As inmates languish, Prince George's County judges turn a blind eye, 7/24/22



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