

2024 ANNUAL REPORT



Institute for Constitutional Advocacy and Protection

GEORGETOWN LAW

As I write this, it is the day after an assassination attempt on a presidential candidate, Donald Trump. Although it is far too early in the investigation to know the shooter's motives, this act of political violence is heinous and must be denounced by every person in this country, no matter their political ideology. One shooter does not control what happens next; only we collectively can do that.

ICAP has been fighting to combat political violence since our launch in August 2017, when white supremacists and paramilitary groups descended on Charlottesville, Virginia, at the Unite the Right rally. Many of them intended to engage in violence that day and they did, culminating in the tragic killing of Heather Heyer and the serious wounding of many others. Concerned about what this portended for participation in democratic processes — not just at rallies and protests, but when voting, attending public meetings at every level of government, and even running for elected office — ICAP got to work, bringing a groundbreaking case against white supremacist and unlawful militia organizations based on state anti-paramilitary laws. Our success there was just the start of what has now been seven years of litigation, public advocacy, and public education directed at safeguarding constitutional rights against political violence and government overreach. ICAP attorneys are now known not only as the nationwide experts in legal options for addressing paramilitary activity (including by working with members of Congress on a comprehensive anti-paramilitary-activity bill), but also as the go-to litigators for holding anti-democratic actors accountable, whether non-governmental or governmental.

You will see examples of this work in the pages of this annual report, but no annual report can tell the whole story of an organization or the people who make it outstanding. It is the dedication of every one of our small team that makes our successes possible, whether winning an injunction against a state law limiting the payment of cash bail, preserving an important civil rights victory from Supreme Court review, or making sure that fraudulent electors and the attorneys who encouraged them will never again submit fake electoral certificates to the Congress and Vice President.

Our work continues, and we are energized to continue it.

Sincerely,

Mary B. McCord

Executive Director and Visiting Professor of Law

“‘Private paramilitary actors are a threat to our democracy,’ Mary McCord, Executive Director of the Institute for Constitutional Advocacy and Protection at the Georgetown University Law Center, said in a statement. McCord said the new [Preventing Private Paramilitary Activity Act], if enacted, would provide the necessary legal tool to prevent those groups from undercutting the democratic process.” *USA Today*, [Paramilitary Groups Are Illegal in 50 States. Will a New Federal Law Stop Them?](#), 1/12/24

EXECUTIVE DIRECTOR'S LETTER





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.

Now in its eighth year, ICAP concentrates its litigation and policy efforts in five core areas:

1. Safeguarding rights to free expression, assembly, and democratic participation;
2. Combating political violence, unlawful private militias, and gun 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.

At the heart of ICAP is our litigation, as the courts remain a critical venue for the vindication of constitutional rights. ICAP litigates at every level of the state and federal courts, collaborating 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 communities 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.

ICAP also helps prepare the next generation of public interest lawyers by involving law students in our work. Through a practicum seminar offered each semester at Georgetown Law, students work directly with ICAP attorneys on constitutional impact litigation and related policy efforts. In summers, law students from Georgetown and other top schools join our team as summer associates.

Since its launch in August 2017, ICAP has represented parties in 83 cases in federal and state courts and has filed 89 amicus briefs.

ICAP has been working hard to protect our democracy in a variety of different ways over the past year.

On the litigation front, beyond our historic case against the Wisconsin fraudulent electors and the Trump campaign attorneys who concocted the scheme (see page 7), we have represented clients in courts across the country on issues ranging from direct and representative democracy to the weaponization of government investigations:

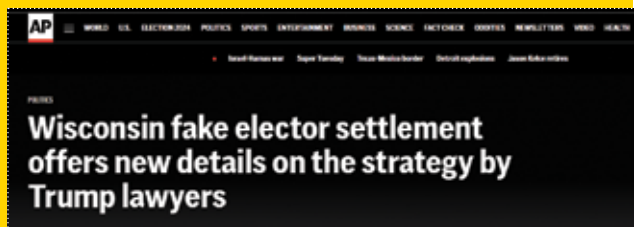
- Earlier this year, we secured a (second) victory for representative democracy in our case [defending student school board members in Howard County, Maryland](#), with a unanimous Fourth Circuit opinion rejecting claims that the student-election process for selecting the voting student member violates the U.S. Constitution. (We [defeated](#) a parallel challenge under the state constitution in the Maryland Supreme Court in 2022.)
- We also entered the [direct democracy fight in Ohio](#), representing a group of plaintiffs whose efforts to sponsor a ballot initiative amending the state constitution have been thwarted by the Ohio Attorney General and his repeated refusal to approve and forward their proposal to the state ballot board. In our brief to the Sixth Circuit sitting en banc, we argue that the plaintiffs have a First Amendment right to engage in core political speech about the proposed amendment.
- And in Texas, we [successfully protected](#) Catholic Charities of the Rio Grande Valley against an overreaching investigation by the Texas Attorney General into the charity's provision of humanitarian aid to recent immigrants.

In the policy space, ICAP has continued to produce and update guidance relating to elections and polling places, and as we gear up for the 2024 election, we have also created a new "[Election Hub](#)" on our website that includes all of our relevant guidance — as well as new video explainers from our team — to assist leaders inside and outside government as they navigate potential threats of violence during the election season.

"Texas attorney general can't question Catholic Charities director over migrant services, court says." "Wednesday's ruling is the second time a Texas judge has ruled against the attorney general for investigating shelters helping migrants." "We would hope that at this point they've realized that Catholic Charities complies with the law in all the work they do," said ICAP attorney William Powell. *Texas Tribune*, 7/24/24



ENSURING ACCOUNTABILITY FOR EFFORTS TO OVERTURN THE 2020 ELECTION



This year, ICAP made headlines across the country for resolving its [groundbreaking lawsuit against the Wisconsin fraudulent electors and Trump campaign attorneys James Troupis and Kenneth Chesebro](#), who sought to have the electoral votes for Trump and Pence counted on January 6, 2021, instead of the votes of the legitimate presidential electors whose ballots represented the will of Wisconsin voters. As part of the settlements on behalf of legitimate Wisconsin presidential electors and voters, ICAP secured public statements that the fake votes were used as part of an effort to overturn the results of the 2020 election, commitments not to engage in similar misconduct in the future, and the release of thousands of pages of documents that reveal the sheer lawlessness of the failed fake electors scheme.

Seeking accountability, we and our Wisconsin co-counsel brought this case long before any criminal prosecutions were underway against those who participated in the nationwide fraudulent elector scheme. The resolution of this litigation provides much-needed transparency into how the scheme was conceived and executed, and it exposes the key roles of Troupis and Chesebro in the scheme nationally. By shining light on the blatant effort to overturn the results of the 2020 election, it is our hope that Americans will resolve to ensure that nothing like this happens ever again.

Our case continues to educate and inform the public through media coverage of the unlawful effort to overturn the results of the 2020 election; the settlements were covered in over a dozen outlets, [including](#) the New York Times, Washington Post, Wall Street Journal, and major broadcast media. ICAP attorneys also published articles in Just Security detailing the [new evidence](#) uncovered as a result of our case and providing a [comprehensive timeline](#) of the plot, and ICAP Executive Director Mary McCord was featured on the [Lawfare podcast](#) to discuss our suit and related criminal charges that were recently filed against Troupis and Chesebro in Wisconsin.

“As these documents show, the fraudulent electors plot originated in Wisconsin, with Trump campaign attorney James Troupis and legal adviser Ken Chesebro concocting the scheme that ultimately provided the false narrative used by the rioters to justify the attack on the Capitol,” said Mary McCord, the director of Georgetown’s Institute for Constitutional Advocacy and Protection.” *New York Times*, [Newly Released Messages Detail Roots of the 'Fake Electors' Scheme](#), 3/4/24

POLITICAL VIOLENCE AND UNLAWFUL PRIVATE MILITIAS

Since its launch in 2017 and its successful case against the white nationalists and unlawful private militias at the center of the “Unite the Right” rally in Charlottesville, Virginia, ICAP has become the leading expert in protecting against paramilitary and other forms of political violence.

Regional Convenings

In 2023, we continued our series of regional convenings with local, state, and federal officials across the election administration and law enforcement communities, as well as community leaders and organizers, to prepare them for threats from political violence and anti-democracy efforts. After convenings in the Great Lakes Region and Pacific Northwest in 2022, we held convenings in the Southwest and the Southeast last fall. Working with a host of research partners, policy experts, and litigators, the convenings have provided participants with a clear picture of the on-the-ground threat landscape and a solid understanding of relevant constitutional principles and legal options for responding to emergent political violence. Participant feedback remains overwhelmingly positive, and the convenings have resulted in increased collaboration between public officials and community leaders and many follow-up consultations with ICAP.

Legislative Initiatives

Marking the three-year anniversary of January 6, we saw ICAP’s years of working with members of Congress to craft a comprehensive tool for shutting down dangerous paramilitary activity come to fruition with the introduction of the [Preventing Private Paramilitary Activity Act of 2024](#) by Senator Markey, Representative Raskin, and several others. ICAP’s work on this federal legislation parallels its work on [model state legislation](#), which has been adopted in the state of [Oregon](#) and is under consideration in several other states. ICAP also provided technical assistance and [expert support](#) for prohibitions on anti-paramilitary training activity that have been adopted in [Vermont](#) and [Maine](#).

Trainings, Events, and Other Guidance

In addition to our regional convenings, we helped the Department of Justice plan and lead its very first [summit](#) on domestic violent extremism. Our trainings on protecting public safety while respecting constitutional rights have been in high demand as well. We continue to engage with constituencies from law enforcement to affinity groups to educate them about First and Second Amendment rights as they relate to protests, demonstrations, and other events. In the past year, we’ve spoken to university administrators and public safety officials, law enforcement, mayors, LGBTQ-rights advocates, religious leaders, journalists, and elected officials, among others.

We’ve produced several new fact sheets too, such as our guidance on [protecting free expression on college campuses](#), which we published to help university and law enforcement officials navigate heightened protest activity related to the Hamas-Israel war, and our fact sheet about so-called “[constitutional counties](#)” that seek to create their own paramilitary groups. We also published new guidance about [true threats](#), [the differences between lawful private security services and unlawful private militias](#), [protecting public meetings within the bounds of the First Amendment](#), and [regulating election-related misinformation and disinformation](#). Many of these can be found on our [Election Hub](#).

GUN VIOLENCE

In addition to our political violence work, ICAP has become a recurring voice in efforts to combat gun violence and defend reasonable gun-safety measures in the courts — particularly after the U.S. Supreme Court’s decision in *Bruen*, which marked a sea change in how courts analyze Second Amendment rights.



We continue to [defend](#) the state of Hawaii’s new law barring firearms in sensitive places such as government buildings, polling places, bars and restaurants serving alcohol, parks and beaches, schools, banks, and public transportation. Moreover, in the last year, we built upon our prior [amicus work](#) in this space by filing new briefs on behalf of the U.S. Conference of Mayors in support of gun-safety measures such as [D.C.’s ban on large-capacity magazines](#), as well as other sensitive-place bans like [Roanoke’s ordinance restricting firearms in public parks](#). And last month, we drew on our experience representing a broad cross-section of current and former prosecutors, law enforcement leaders, and national security officials urging the Supreme Court to uphold ATF’s regulation of [ghost guns](#) to prevent weapons from falling into the hands of terrorists, drug cartels, and domestic violent extremists and enabling law enforcement to detect and prevent firearms trafficking at home and abroad.

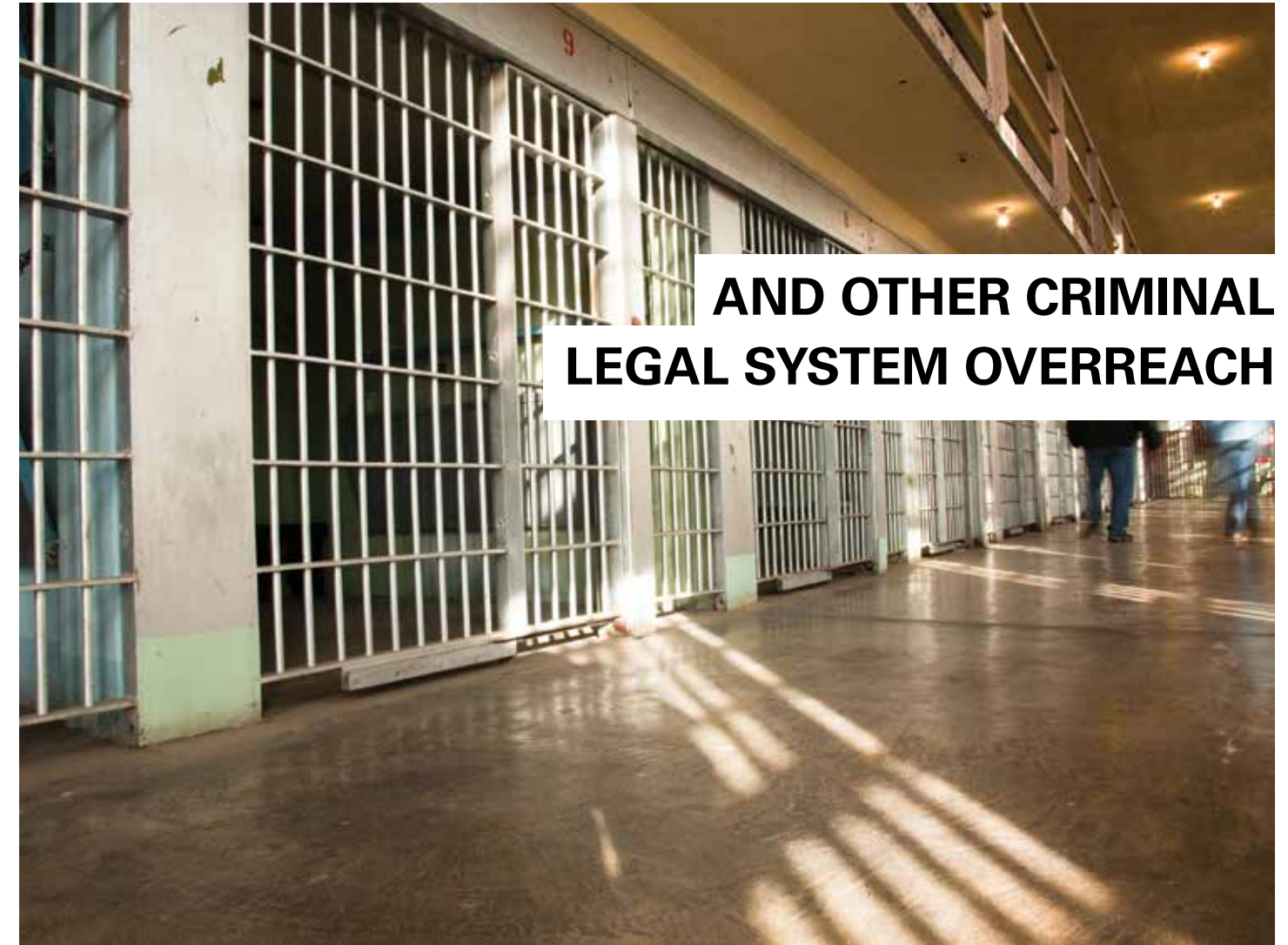
We’re also defending the right of government officials to speak out about gun violence. Back in the Second Circuit after a remand by the Supreme Court in *National Rifle Association v. Vullo*, we represent New York’s former Superintendent of Financial Services, who was sued by the NRA for suggesting that banks and insurance companies should consider the reputational risk of doing business with the controversial organization.



FIGHTING THE CRIMINALIZATION OF POVERTY

ICAP continues to be at the forefront of litigating the criminalization of poverty. In addition to representing homeless residents of Grants Pass, Oregon, in the Supreme Court (see page 15), we:

- [secured](#) a court order barring enforcement of a new Georgia law that restricts the ability of nonprofits and charitable organizations to provide cash bail to defendants who cannot afford to pay for their own release, in partnership with the ACLU of Georgia;
- obtained a favorable decision in our [challenge to cash bail in Hamblen County, Tennessee](#), including rulings that the local court violated the constitutional rights of criminal defendants too poor to pay cash bail or to afford an attorney to represent them;
- briefed and argued new motions in our [case challenging Oklahoma's predatory scheme for collecting fines and fees from indigent court debtors](#) following our victory last year in the Tenth Circuit (which had reversed a prior dismissal of our case); and
- submitted an [amicus brief](#) in support of homeless residents of Montgomery County, Alabama, challenging anti-begging statutes by explaining that neither Founding-era poor laws nor Reconstruction-era vagrancy laws support the state's claim that begging has a long history of being treated as unprotected expression.



AND OTHER CRIMINAL LEGAL SYSTEM OVERREACH

We also continue to litigate cases challenging other forms of criminal legal system overreach.

For example, we represent:

- a [disabled formerly homeless veteran in North Carolina](#) who officers forced to the ground and arrested under an unconstitutional panhandling ordinance and then tased his service animal, and who was later subjected to taunting and harassment by the local police department on social media;
- a [woman who was shot by two New Mexico state police officers](#) while she was driving away from them and posed no danger, obtaining a favorable decision from the district court denying the officers qualified immunity and allowing our client's excessive force claims to proceed to trial; and
- [people who remain in pretrial detention in Prince George's County, Maryland](#), sometimes for months, waiting for non-judicial corrections officials to decide when, if at all, and under what conditions they can go home — decisions that should be made by a judge at their first appearance.

Beyond litigation, ICAP attorneys served as First Amendment experts in a pattern or practice investigation by the Civil Rights Division of the Department of Justice into the Phoenix Police Department — which ultimately [found](#) that the Phoenix Police Department violates the rights of people engaged in protected speech and expression among other civil rights violations.

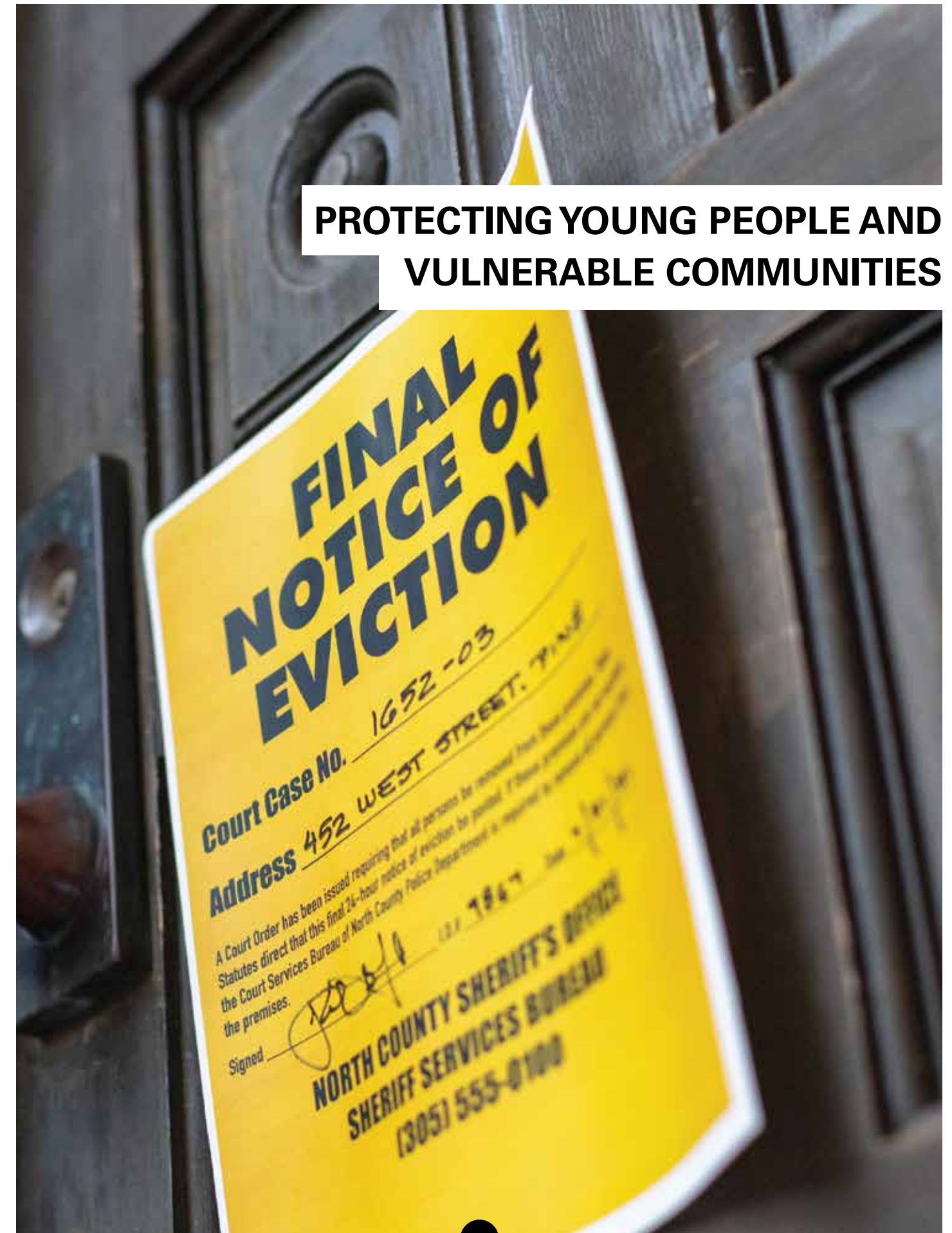
CAP continues to take pride in standing up for the rights of young people and other vulnerable populations. During the past year, we:

- [successfully challenged South Carolina's prohibition on the unlawful practice of law](#), which threatened an NAACP program designed to provide basic legal guidance to individuals facing eviction who lacked access to legal help. The state Supreme Court, reviewing the issue, agreed to a three-year pilot program to demonstrate the efficacy of non-lawyer housing advocates;
- [represented](#) over 100 current and former U.S. Army officers and West Point graduates in support of West Point's race-conscious admissions policy, explaining how a diverse officer corps is necessary to create "a more cohesive, more competent, and ultimately more lethal fighting force." After we filed our brief, the district court denied a request to halt the U.S. Military Academy's use of race in the admissions process, and the U.S. Supreme Court declined to intervene; and
- challenged — on behalf of a 51-year-old PhD who was pardoned and had his record sealed over a decade ago for non-violent felony convictions from his youth — an absolute statutory bar that prevents the FDIC from hiring anyone with a felony conviction.

“‘Our state has too few lawyers, and too many tenants who are being evicted,’ Brenda Murphy, president of the South Carolina Conference of the NAACP, said in a statement. ‘This ruling will allow us to redouble our efforts to make sure tenants have the advice they need to respond to their evictions.’” *South Carolina Public Radio, SC Supreme Court Rules on NAACP Housing Advocate Program, 2/16/24*

“Over 100 U.S. Army officers have come out in support of affirmative action at the military academy at West Point. . . . In court documents filed this week, the West Point graduates gave first-hand accounts about the benefits of a diverse officer corps, arguing that the Army's leadership needs to reflect the diversity of enlisted soldiers.” *NPR WSHU, Over 100 Army Officers Speak Out in Favor of Affirmative Action at West Point, 11/30/23*

PROTECTING YOUNG PEOPLE AND VULNERABLE COMMUNITIES





DEFENDING CONSTITUTIONAL RIGHTS IN THE U.S. SUPREME COURT

The 2023 Supreme Court term was ICAP's busiest yet.

In October, ICAP's Supreme Court Director Kelsi Corkran [argued](#) *Acheson Hotels v. Laufer*, a case in which the defendant hotel asked the Court to hold that our client, a disabled civil rights advocate, did not have legal standing as a "tester" to challenge the hotel's failure to provide accessibility information on its website, in violation of the Americans with Disabilities Act. In December, the Court issued its [decision](#), agreeing with our argument that the case should be dismissed without reaching the standing argument, thus preserving tester standing for civil rights litigants as permitted under existing law. Media coverage of our client's advocacy efforts and the importance of ADA tester plaintiffs include a [Washington Post profile](#) and an [episode of NPR On Point](#).

In April, ICAP was back before the Court in [Grants Pass v. Johnson](#), representing homeless residents of Grants Pass, Oregon, who brought suit to challenge a set of ordinances that make it unlawful to sleep or rest anywhere on public property with so much as a blanket to survive cold nights, even if shelter is unavailable. The case — which was covered by over a dozen outlets, including the [Washington Post](#) as well as the [New York Times](#) and its podcast [The Daily](#) — asked the Court to decide whether the ordinances violate the Eighth Amendment's Cruel and Unusual Punishments Clause by effectively punishing the City's involuntarily homeless residents for their existence within city limits. Although our position was supported by 42 amicus briefs filed on behalf of social scientists, constitutional scholars, faith leaders, direct service providers, and political leaders, and Kelsi's oral argument performance was [widely praised](#), the Court issued a [disappointing decision](#) in the City's favor. Joined by Justices Kagan and Jackson, Justice Sotomayor wrote a powerful dissent making the point that "[s]leep is a biological necessity, not a crime."

ICAP also continued its work successfully defending favorable constitutional and civil rights decisions against Supreme Court review:

- In [Roper v. Crane](#), we [preserved a Fifth Circuit victory](#) denying immunity to a police officer who fatally shot a man in front of his toddler daughter after a baseless traffic stop, resulting in a favorable settlement for the man's family.
- In [Lewis County v. Helphenstine](#), we preserved a Sixth Circuit decision in favor of our client, whose husband died in pretrial detention after jail guards failed to seek medical care for him. The denial of review kept in place the Sixth Circuit's favorable standard for claims arising from the deprivation of medical care for pretrial detainees.
- And in [Signet Builders v. Luna Vanegas](#), we preserved a Seventh Circuit decision allowing a collective action of migrant construction workers to proceed with their suit challenging their employer's failure to pay them overtime rates required by the Fair Labor Standards Act.

Finally, ICAP continues to represent bipartisan groups of current and former government officials as amici curiae ("friends of the court"), addressing many of the most significant issues before the U.S. Supreme Court, including:

- an [amicus brief](#) in *NetChoice v. Paxton* and *Moody v. NetChoice* on behalf of national security experts, explaining the importance of content moderation by social media platforms in combating online threats to national security; and
- an [amicus brief](#) in *Garland v. VanDerStok* on behalf of the Major Cities Chiefs Association, the Police Executive Research Forum, and dozens of current and former national security officials, law enforcement officers, and prosecutors, explaining how ATF's "ghost gun" regulation is critical to preventing weapons from falling into the hands of malign actors (including terrorists, drug cartels, and domestic violent extremists), and enabling law enforcement to detect and prevent firearms trafficking at home and abroad.

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, and panels on a variety of topics. For example, in addition to ICAP’s regional convenings and trainings (see page 8), we have:

- hosted events at the [law school](#) and [Georgetown’s main campus](#) marking the three-year anniversary of the attack on the U.S. Capitol featuring a discussion with recently retired U.S. District Court Judge Thomas F. Hogan about the dangers posed by the false narrative that January 6 was not a violent attack;
- appeared on dozens of panels hosted by universities; think-tanks; religious organizations; federal, state, and local government entities; security organizations; grassroots and union organizers; and the private sector to discuss issues relating to election threats, disinformation, political violence, and the growing threat of domestic terrorism and extremism;
- appeared on a panel hosted by the Center for American Progress to discuss the dangers of Project 2025 and its threat to the rule of law;
- discussed potential reforms to section 702 of the Foreign Intelligence Surveillance Act on a panel hosted by Just Security and Reiss Center on Law and Security at NYU Law School;
- spoke at the U.S. Conference of Mayors’ 2024 Annual Conference as well as at multiple regional convenings hosted in concert with the Major City Chiefs Association;
- trained public defenders in Oklahoma about a new statute governing the collection of fines and fees prompted by our litigation in [Graff v. Aberdeen](#);
- volunteered with the Supreme Court Summer Institute for Teachers — a program hosted by Street Law and the Supreme Court Historical Society — to help secondary school social studies teachers craft persuasive legal arguments as part of a “student law firm” exercise focused on *Grants Pass*;
- participated in a panel addressing the housing crisis hosted by the National Coalition for the Homeless at the ABA’s 2024 Annual Meeting;
- volunteered with the American Constitution Society’s “Constitution in the Classroom,” teaching a lesson on voting rights to students in D.C. public schools;
- appeared on several panels to discuss major cases heard by the Supreme Court during the 2023 term, including *Laufer*; *Grants Pass*; the *NetChoice* social media cases; and the presidential immunity case, *Trump v. United States*, among others;
- joined Representative Jamie Raskin and Professor Cliff Sloan at Georgetown Law to discuss Sloan’s new book “The Court at War”; and
- moderated a discussion of election threats at the Journal of National Security Law & Policy’s annual symposium.

“There’s a strong narrative in the country that [January 6] was not a violent attack [but] a legitimate First Amendment protest where people truly believed there was a stolen election . . . and there were a few bad apples that caused some problems but overall it was mainly accidental tourists that were in the Capitol that day. And there’s a danger that is embedded now in our community and across the country . . . and that will go down as part of the history . . . this fraudulent stor[y].” Retired U.S. District Judge Thomas F. Hogan, interviewed by ICAP Executive Director Mary McCord, 1/22/24



PUBLIC ENGAGEMENT





PUBLIC EDUCATION

The ICAP team has also added their voices to a wide range of public and private debates through articles, podcasts, and TV appearances in major media outlets, including:

- as a frequent guest on MSNBC and PBS to discuss the legal cases against former president Donald Trump and other legal issues related to national security, domestic extremist violence, and the Supreme Court;
- as a guest on several segments on NPR's 1A to discuss the blockbuster cases this Supreme Court term, including the presidential immunity decision in *Trump v. United States*;
- as the author of an [op-ed](#) urging the Special Counsel to consider petitioning the Supreme Court for rehearing of *Trump v. United States* because of the dangerous unanticipated consequences of the majority's opinion undermining separation of powers;
- as a co-author of an [op-ed](#) with New York Times columnist David French and former federal prosecutor Ken White discussing Trump's criminal trial in Manhattan;
- as a guest on the Just Security [podcast](#) breaking down the *Trump v. United States* decision with other Georgetown Law professors;
- as guests on two [Lawfare podcast](#) episodes about ongoing efforts to hold insurrectionists accountable for their role in January 6;
- as a co-author of an [article](#) in Just Security about the Supreme Court's decision regarding the scope of the federal obstruction statute and its potential impact on charges against the January 6 rioters;
- as a co-author of an [article](#) in Just Security about the implications of reinstating Nick Fuentes, a notorious white nationalist and key January 6 instigator, on Twitter;
- as the author of an [article](#) in Just Security discussing the national security implications of *Murthy v. Missouri*, the then-pending Supreme Court case about the federal government's so-called "jawboning" of private social media companies to take down disinformation and misinformation;
- as a guest in an NPR [interview](#) to discuss the related *NetChoice* cases challenging laws in Texas and Florida that would limit the ability of private social media companies to engage in content moderation; and
- as the author of research and essays focused on forum choices in cases challenging federal agency action.

Outside of her ICAP responsibilities, in her personal capacity as a former federal prosecutor, ICAP's Executive Director Mary McCord continues to co-host the MSNBC podcast, "Prosecuting Donald Trump," along with former federal prosecutor Andrew Weissmann. The podcast won two Webby Awards in 2024!

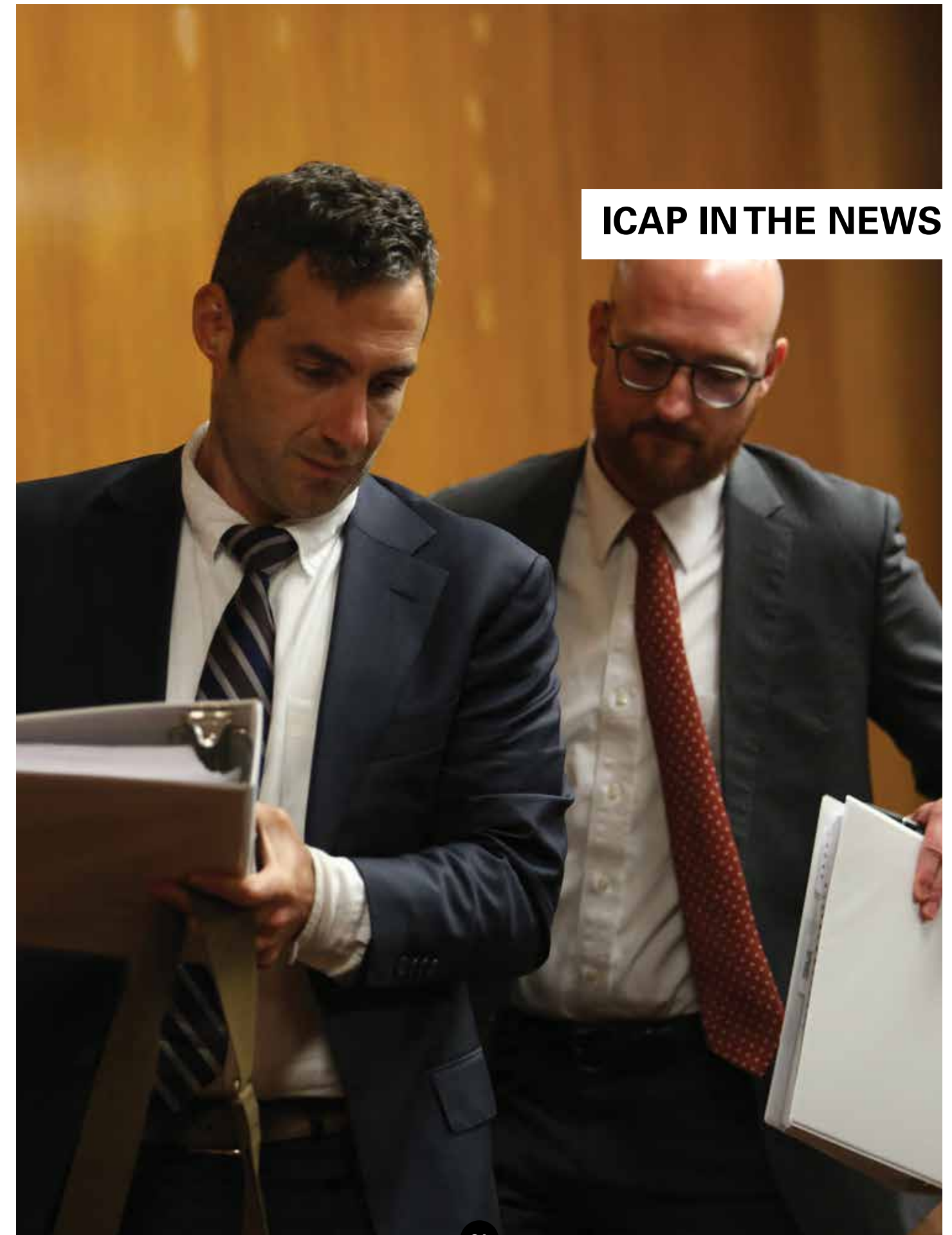
"The elevation of the president above the other two co-equal branches of government would have been a shock to the framers, who used overlapping authorities as a means of ensuring that no single branch would become all powerful." Mary McCord in *Bloomberg Law*, [Barrett's Writing on Immunity Provides Another Path on Rehearing](#), 7/11/24

In addition to the extensive coverage of our fraudulent electors' case (see page 7), and our Supreme Court work (see page 15), ICAP's work and attorneys regularly receive national and local news coverage, including:

- [Associated Press](#), [MyRGV.com](#), and [KRGV](#) coverage of ICAP's defense of a faith-based charity that provides humanitarian aid to immigrants in the Rio Grande Valley from an overreaching investigation by the Texas Attorney General (and more coverage from the [Associated Press](#), as well as the [Texas Tribune](#) and the [National Catholic Reporter](#), on our win in Texas state court!);
- [Washington Post](#) coverage of our successful appeal in *Frazier v. Prince George's County*, in which the Fourth Circuit ordered the district judge to reconsider our claims on behalf of individuals who have been unconstitutionally detained before trial even after judges have authorized their release;
- [ABA Journal](#), [Reuters](#), and [South Carolina Public Radio](#) coverage of ICAP's successful representation of the South Carolina NAACP in challenging the state's broad prohibition on the unlawful practice of law;
- [Baltimore Sun](#) and [Daily Record](#) coverage of ICAP's successful defense of the Howard County Board of Education against a lawsuit seeking to strip the Board's student members of voting power;
- [Associated Press](#), [Guardian](#), [Law 360](#), and [FOX 5 Atlanta](#) coverage of ICAP's victory in securing a court order barring a Georgia law that restricts the use of charitable cash bail;
- [NPR](#) coverage of our amicus brief on behalf of over 100 current and former U.S. Army officers and West Point graduates supporting West Point's race-conscious admissions policy;
- [Daily Record](#) coverage of our successful federal-court challenge to Maryland's ban on broadcasting recordings of criminal court proceedings, which prompted changes to Maryland court rules last year;
- [VICE News](#) and [USA Today](#) coverage of the introduction of the federal Preventing Private Paramilitary Activity Act crafted in part by ICAP;
- [NPR](#) and [Maine Morning Star](#) coverage of ICAP's assistance to Maine legislators on passage of a law to strengthen prohibitions on private paramilitaries in the state;
- [Forbes's](#) reliance on ICAP's guidance in summarizing recommendations for addressing campus protests;
- [Just Security](#) coverage of ICAP's ongoing work to train local law enforcement on how to prevent political violence while safeguarding constitutional rights;
- many articles quoting ICAP Executive Director Mary McCord in breaking down the pending criminal cases against former president Donald Trump and individuals charged for their participation in the attack on the U.S. Capitol on January 6, 2021, including in outlets such as [The Hill](#), [NPR](#), the [Washington Post](#), and [U.S. News & World Report](#); and
- numerous articles relying on ICAP attorneys' expertise on subjects such as the "constitutional sheriffs" movement in the [Associated Press](#) and [Rolling Stone](#), violent extremism in [100 Days in Appalachia](#), and unlawful militia activity in the [Texas Observer](#).

"'Posting bail for others as an act of faith and an expression of the need for reform has an important history in this country,' [U.S. District Judge Victoria Marie] Calvert said."

[FOX 5 Atlanta](#), [National Bail Fund Returns to Georgia After Judge Temporarily Blocks Law](#), 7/23/24



TEACHING



CONSTITUTIONAL IMPACT LITIGATION PRACTICUM-SEMINAR

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; participating in meetings with clients and partner organizations; and contributing to policy initiatives including guidance documents and draft legislation. Practicum students contributed 2,765 hours to the Institute's work over the past year alone, and have contributed more than 15,000 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.

DOMESTIC VIOLENT EXTREMISM SEMINAR

Recognizing the role of lawyers in addressing the escalation of domestic violent extremism and political violence, ICAP's Executive Director, Mary McCord, teaches a seminar on domestic violent extremism each spring. Students learn about the history and drivers of extremist violence, existing laws (and gaps in those laws) for addressing the problem, and the implications of regulation on constitutional rights. Students are graded on a paper that must propose a unique policy solution to an identified problem involving extremism.

"The ICAP practicum reminded me why I came to law school. Whether I was learning about impact litigation strategies, drafting portions of appellate briefing materials, or working with and learning from passionate and talented lawyers, I had the unique opportunity to be part of important public interest work." Tinesha Zandamela '24

"By being both enjoyable and an excellent learning opportunity, ICAP was easily one of my favorite experiences of law school. The Center's attorneys integrated me into their teams and treated me like a colleague, allowing me to make meaningful contributions in different forms and apply the abstract skills I learned in classes to real-world, varied, and impactful cases." Dustin Vesey '24

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

Professor Mary McCord
Executive Director and
Visiting Professor of Law

Rupa Bhattacharyya
Legal Director and
Adjunct Professor of Law

Kelsi Brown Corkran
Supreme Court Director and
Senior Lecturer

Joseph Mead
Special Litigation Counsel

Seth Wayne
Senior Counsel and Criminal Reform
Litigation Coordinator

Shelby Calambokidis
Senior Counsel

Elizabeth Cruikshank
Senior Counsel

Ben Gifford
Senior Counsel

Jacob Glick
Senior Policy Counsel

Alex Lichtenstein
Counsel

William Powell
Counsel

Sara Adeli
Litigation and Administrative Assistant

We are grateful to our funders! Although housed within Georgetown Law, ICAP funds its own salaries and operating expenses. Without generous gifts and grants, we would not be able to do the work you see in these pages. Please visit www.law.georgetown.edu/icap if you are able to contribute. We appreciate you!



“The tenacious legal team from the Georgetown University Law Center Institute for Constitutional Advocacy and Protection, which brought the [Wisconsin false electors] case, deserves credit for digging into the documents and providing further evidence for criminal cases against Trump.” Jennifer Rubin, Washington Post, 3/8/24

“I attended ICAP’s regional convening as a faith leader and advocate. I left with a tremendous amount of information about First Amendment protections and a deeper understanding of what is needed to respond to the threat of political violence this election season. I have shared the information learned at the Southeast convening with leaders in other areas of the country where I work.” Amanda Tyler, Executive Director of Baptist Joint Committee for Religious Liberty

Front cover: collage by Ines Hilde; page 1: Ines Hilde/Georgetown Law; page 2, 5, 11 & 13: iStock; page 9: Shutterstock; page 10: courtesy of Barred Business; page 14 & 17: courtesy of ICAP; page 17: Ines Hilde/Georgetown Law; page 18: courtesy of Street Law; page 21: Delcia Lopez; page 22: Will Reintzell/Georgetown University; Inside back cover: Sam Hollenshead.

Institute for Constitutional Advocacy and Protection

GEORGETOWN LAW

600 New Jersey Avenue NW, Washington, DC 20001

www.law.georgetown.edu/icap | ReachICAP@georgetown.edu

X: [@GeorgetownICAP](https://twitter.com/GeorgetownICAP) | Threads: [georgetown_icap](https://www.threads.net/georgetown_icap)