

2019 PRO BONO &  
SOCIAL IMPACT REPORT

do  
good



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**Social Impact**

Our pro bono work transcends ethical obligation. It is work that moves us, challenges us, and makes us better people and better lawyers. We are proud that we can be the voice for the unheard, the champion for the unseen, and an access point to the justice system for the most vulnerable and marginalized. We do work that changes lives for the better, improves the legal system, creates good precedent, and balances the scales of justice.

— *Davis Wright Tremaine*

**Pro bono lawyers help to balance the scales of justice. They do so not only by being top-notch advocates, but also by giving their clients direction, advice, and, above all, hope.** Unfortunately, there aren't enough pro bono lawyers for all those who need help.

For this reason, Davis Wright Tremaine attorneys step up to make the negotiating table or battlefield that is the courtroom more equal, less frightening, and more accessible for everyone, not just for those who can afford legal representation.

When I ask our attorneys why they volunteer their time and talent, their overarching sentiment is that pro bono work embraces clients, causes, and communities that very much matter to them, and they sincerely want to help. I am constantly in awe of the exceptional dedication, effort, and care that go into their representation.

I am equally impressed with the firm's continuing support and investment in this work. I'm grateful to our corporate clients who partner with us on innovative, large-scale pro bono initiatives. We are committed to increasing and expanding these critical partnerships in the years to come.

Moving forward, in addition to the often sophisticated and complex pro bono work we do annually, we are likewise building our community and social impact arm as well as launching sustainability and green efforts. We are broadening our focus in these ways to align with our corporate social responsibility strategy for the future.

This report does not capture all of the incredible pro bono work our lawyers provided over the past year, but it does provide valuable insight into the good work that we do annually to provide access to justice to the communities in which we live and work. We are grateful to the attorneys and staff who contributed to these important accomplishments. Our goal is to do even more in 2020. Because the need is greater than ever before, so too, our efforts must be greater in order to balance the scales of justice.

Please join us.

— Joanna Plichta Boisen, Pro Bono Counsel

# Pro Bono Committee 2019

## **Anchorage**

Elizabeth Hodes  
Joseph Reece

## **Bellevue**

Rhys Farren  
Kate Tylee Herz

## **Los Angeles**

Julie Capell  
Cydney Freeman

## **New York**

Geoff Brounell  
Roy Salins

## **Portland**

Gregory Chaimov  
Tim Cunningham

## **Seattle**

Joanna Boisen\*  
Rachel Brown\*  
Martinelle Cole\*  
Barrie Handy\*  
Chris Helm  
Davina Childs Inslee  
John McKay

## **San Francisco**

Thomas R. Burke (Chair)\*  
Katie Jorrie

## **Washington, D.C.**

Robert Corn-Revere  
Lisa Zycherman



Immigrant Advocacy

IMMIGRANTS

make  
America

GREAT

NO HATE

Refugees are

PROUD

# Fighting for Outspoken Activists Targeted by ICE

Outspoken immigrant-rights activists have been the target of U.S. Immigration and Customs Enforcement (ICE) for selective enforcement of immigration laws for years. ICE detained spokespeople and directors of immigration advocacy organizations, surveilled their headquarters, and targeted their members for deportation proceedings. On behalf of three of these organizations, a team of DWT lawyers sought an injunction in 2018, alleging that ICE has violated the plaintiffs' First Amendment rights and undermined their work. ICE moved to dismiss the case, but in a May 2019 decision, a federal judge in Tacoma, Washington, denied the motion, allowing the case to go forward. DWT's **Ambika Doran, Robbie Miller, Rachel Herd, Bruce E. H. Johnson**, and Max Hensley (now in-house at T-Mobile) secured this victory on behalf of the targeted organizations and activists.

# Man Illegally Detained at Greyhound Station Sues for Damages

When Andres Sosa Seguras boarded a Greyhound bus to travel from Montana to his home in Washington state, he wasn't expecting to be detained and interrogated. But Border Patrol agents, who would regularly target people of color riding Greyhound buses at the bus/train station in Spokane, Washington, saw a Latino man leaving the bus alone and apprehended him. Mr. Sosa showed the agents a "Know Your Rights" card he carried with him. Their response was to interrogate him and then lock him up in a cell at a federal facility, without access to a phone, for several hours. "It was scary," said Mr. Sosa. "I was just trying to get home. I didn't understand what was happening, why they were keeping me, where they were taking me, or when I'd be able to see my family." Eventually, Mr. Sosa was released. But the injustice and trauma he suffered endured. In partnership with the American Civil Liberties Union of Washington (ACLU-WA) and Northwest Immigrant Rights Project (NWIRP), DWT's **Jennifer K. Chung**, **Sara Fairchild**, and **Ken Payson** filed a lawsuit against the U.S. government on Mr. Sosa's behalf, seeking damages for his unlawful detention and imprisonment and the Border Patrol agents' racial discrimination against him. In an initial victory, a federal judge denied the defendants' motion to dismiss the case and the government will have to defend its actions when the case goes to trial. "When agents of the federal government don't obey the constitution, all of our rights are at risk," said ACLU-WA staff attorney, Lisa Nowlin. "A ticket on Greyhound is not a waiver of your constitutional rights and the bus station in Spokane is not a Constitution-free zone."

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I was just trying to get home. I didn't understand what was happening, why they were keeping me, where they were taking me, or when I'd be able to see my family.

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## Honduran Man Turned in to ICE by Police after Reporting a Crime

Wilson Macareno, an undocumented Honduran man and father of three, called the police to report someone trespassing on his property and breaking into his car. But instead of helping Mr. Macareno, the police detained and handcuffed him, then turned him over to U.S. Immigration and Customs Enforcement, while letting the trespasser go free. When undocumented immigrants cannot call police to report a crime or cooperate with authorities without fear of arrest or reprisal, everyone's safety is compromised. DWT's **Ken Payson** and **Jennifer K. Chung** filed an amicus brief on behalf of the American Civil Liberties Union of Washington (ACLU-WA), supporting the Northwest Immigrant Rights Project's (NWIRP) lawsuit claiming that officers violated Mr. Macareno's civil rights. Federal judge Richard Jones agreed, ruling that Mr. Macareno's rights had been violated. He cited the ACLU-WA brief in his decision, noting that it "demonstrates that the issues [in this case] have potential ramifications beyond the parties involved, most notably in the policing of civil immigration violations by local law enforcement."

# ICE Courthouse Actions Restricted in Oregon

For many years, immigrants have faced an additional challenge to their participation in Oregon's judicial system: By simply showing up at the courthouse, they risked arrest by the U.S. Immigration and Customs Enforcement (ICE) agency. By targeting courthouses as venues for warrantless civil arrests, ICE deters parties, witnesses, and the public from engaging in the judicial process. In November 2019, Oregon Supreme Court Chief Justice Martha Walters sought to stop this practice through the adoption of a new court rule that prohibits ICE agents from engaging in enforcement actions in and around state courthouses without a signed judicial warrant. More than 700 Oregon attorneys signed a letter urging the adoption of this rule. The petition was supported by documents secured through litigation under the Freedom of Information Act and led by DWT's **Derek Green, Alicia LeDuc, and Meagan Himes** on behalf of the ACLU of Oregon. This effort has secured one of the largest nationwide sets of public records regarding ICE enforcement activity to help educate the public about ICE actions in and around courthouses, which continues to be a hotly contested issue throughout the country. Advocates for the new rule relied on these records to demonstrate the scope, frequency, and character of ICE's enforcement actions in and around courthouses in Oregon.

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# Advocacy for Those in Deportation Proceedings Can Continue

Immigrants do not have a right to a public defender or appointed counsel in immigration court. That's why a U.S. Department of Justice (DOJ) effort to constrain the work of Northwest Immigrant Rights Project (NWIRP) was so alarming. In 2017, DOJ sought to bar NWIRP from providing limited legal services to unrepresented immigrants in deportation proceedings. But with the help of a DWT team led by **Jaime Drozd Allen** and Jamie Corning (now in-house at Zulily), NWIRP won a nationwide injunction halting the DOJ's disconcerting effort. In April 2019, the team secured a settlement with the DOJ that allows NWIRP to continue its important mission of providing direct legal services to vulnerable immigrants who depend on NWIRP to help defend and secure their rights.



## DWT Partner Helps Parking Garage Attendant's Family Achieve Citizenship

Biruk Birhanu was a parking garage attendant in DWT's Washington, D.C., office building. Every day he would see partner David Silverman drive in and out of the building for work, and the two would often exchange pleasantries. One day, Mr. Birhanu found the courage to ask where he could find help obtaining U.S. citizenship for his wife and son, both from Ethiopia. David agreed to help the Birhanu family. Later that same year, U.S. Citizenship and Immigration Services (USCIS) conducted an interview with Mr. Birhanu's wife, and in December 2017, she was sworn in as a U.S. citizen. But the process took a bit longer for Mr. Birhanu's son. USCIS granted him citizenship, conditioned on his being present in the Baltimore field office to exchange his residency card for a certificate of citizenship. However, the Birhanu family had temporarily returned to Ethiopia, and it was unclear whether USCIS would agree to postpone the appointment or if the process would have to begin anew. The family returned in August of this past year and David asked USCIS to reschedule. The agency agreed, and on October 31, Mr. Birhanu took his now-9-year-old son to Baltimore, where he became a U.S. citizen. David has since retired from the firm.

# DWT Helps Secure Green Card for Human Trafficking Victim and Her Family

Jennifer Panopio was coerced by a trafficker into borrowing a large sum of money with false promises of a well-paying housekeeping position in the U.S. and clean, affordable housing. She arrived from the Philippines in 2008 and quickly realized the reality she was living was far different than what was promised. Ms. Panopio escaped her conditions in the U.S. and reported the crimes against her to authorities in Missouri, who prosecuted the president of the “employment” company engaged in illegal trafficking. On referral from API Legal Outreach in San Francisco, DWT’s **Cristina Chou** and **Sharon Mathis** helped Ms. Panopio and her two daughters, who joined their mom in the U.S. in 2016, to adjust their asylum status to permanent residency. This allowed the family to re-establish their lives and pursue the dreams they had many years before they arrived in the U.S. Currently, Ms. Panopio lives in the Bay Area, where she works at an assisted-living community, and both of her daughters are thriving and attending college.



Homelessness



# DWT Strengthens Commitment to Washington Legal Clinic for the Homeless

Advocates for the homeless in Washington, D.C., recently reported that their number of people needing help reached a five-year high. That is why DWT's Washington, D.C., office, which has a longstanding relationship with Washington Legal Clinic for the Homeless (WLCH), staffs at least one client "intake" session a month and handles individual cases for those experiencing, or at risk of, homelessness. These engagements can range from informal phone calls to representation in administrative proceedings, all the way to appearances in appellate court. DWT stepped up its commitment to WLCH in 2019, providing 200 hours of pro bono service.

**Dan Reing**, who coordinates DWT's relationship with WLCH, helped provide further volunteer support to the clinic by establishing a collaborative pro bono partnership in 2018 with DWT client Comcast. Comcast volunteers are paired with those from DWT to staff intakes and work cases. In one example of the success of this arrangement, **K.C. Halm** and Comcast attorneys Leslie Moylan and Ryan Wallach successfully advocated for a settlement with the D.C. government to ensure that a pro bono client and his two young daughters had continued access to subsidized housing after his eligibility rights were questioned.

# Woman with Mental Health Issues Wins Housing

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If ever there was a case proving that dedicated legal advocacy can make all the difference—and that it should be available to everyone, not just clients who can afford it—DWT partner **Maria Browne**'s success in a recent housing matter is just that case. Her client was awarded a housing voucher last year after an extremely long wait and many years living in a homeless shelter. The client suffers from multiple mental health issues and drug addiction and has a severe speech impediment. Maria met her one evening while staffing a WLCH mobile clinic at a shelter. It had been nearly three years since the woman's voucher expired, and D.C. Housing Authority's original response to Maria was that time had run out on the appeals process. But Maria engaged in an aggressive records request and made her presence known by simply showing up at the D.C. Housing offices—including three times with the client—and requesting in-person meetings. Maria obtained the client's medical records and filed a request for a special accommodation under the Americans with Disabilities Act (ADA). It was a long battle, but in January 2019, Maria's persistence resulted in the housing her client so desperately needed. **Shannon McNeal** also assisted on the case.



# Thank-You Note Drives Home the Life-Changing Impact of Housing Assistance

The King County (Washington) Bar Association’s Housing Justice Project (HJP) is a homelessness-prevention program providing accessible, volunteer-based legal services for low-income tenants facing eviction. **Brent Droze** has volunteered many hours with HJP and recounts receiving an unexpected thank-you note recently from a former client:

“I’m not sure how she tracked me down,” he says, “but a nice handwritten letter arrived at my office. In the letter, she thanked me for the researched letter I’d written to her landlord on her behalf—a letter which took the air out of the landlord’s complaints and allowed her to maintain stable housing. She remarked that her ability to maintain housing, without the specter of landlord conflict or potential eviction hanging over her head, gave her strength to continue her thus-far unsuccessful search for gainful employment. I think that made me realize that for me, volunteering at HJP was just a weekday morning away from the grind of work, but for her it was everything.

“Oftentimes we measure our success at the HJP if we’re able to maintain housing for someone, but I think it goes much further than just keeping a roof over someone’s head. Housing can provide second and third order effects on a person’s ability to function in society—it provides dignity, hope, and strength to keep going. Although I don’t remember the exact details of the work I performed on her behalf, I don’t think I’ll soon forget how thankful she was. That note was more than enough to validate my decision to take time away from client work to assist HJP in its important mission!”

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# Coalition of Leaders Works to Provide Permanent, Year-Round Shelter

The growing city of Bellevue, Washington, east of Seattle, is taking on the challenge that many, much larger urban centers are also facing: how to improve support for people experiencing homelessness. A men's shelter operated by our Bellevue client, Congregations for the Homeless (CFH), is the only shelter of its kind for the east side of King County. But due to deficiencies in the building where the shelter's located, it had only been open during the winter months, when need is most acute. This past year, DWT's **Jim Greenfield** assisted CFH in negotiating with the city for land-use entitlements necessary for the facility to undergo a significant remodel, which have enabled the building to begin serving as a shelter year-round. At the same time, Jim, **Warren Koons**, **Ame Lewis**, and **Josh Friedmann** are helping CFH with the purchase and development of a new, permanent shelter site in another part of the city that is close to transportation and health services. Both of these projects have involved cooperation and funding from business leaders, the county, the city, developers, architects, and more. DWT's **Crissa Cugini** has also joined the CFH board.



Public Records/  
Media Rights/Free Speech



# DWT Helps Stop “a Sledgehammer Attack on Press Freedoms”

One morning in May 2019, journalist Bryan Carmody woke to the sound of 10 San Francisco police officers bashing in the front gate of his home. With warrants in hand, the officers handcuffed him and seized his computers, multiple cell phones, and other belongings—all part of an attempt to uncover who had leaked a confidential police report. Carmody turned to **Thomas R. Burke**, who immediately challenged this violation of Carmody’s rights under the California Shield Law. City officials vigorously defended the raid at first, but Tom soon secured the return of his client’s property and a public apology from the city’s chief of police. Tom also helped draw wide national attention to the case—with the Boston Globe calling it “a sledgehammer attack on America’s press freedoms” and New York University journalism professor Jay Rosen calling the situation a “free press emergency.” In subsequent weeks, Tom and **Dan Laidman** succeeded in quashing all five of the search warrants issued against our client, thereby ensuring that all material obtained with the orders cannot be used.

# Window Finally Pried Open into Previously Super-Secret California Clemency Decisions

The power to grant clemency is one of the most awesome that an elected leader has. Yet for many years, the California Supreme Court has had a practice of automatically sealing records related to executive clemency. Under California's constitution, these records are submitted to the court whenever the governor seeks to grant clemency to felons who've been previously convicted more than once. Sometimes the Court approves and sometimes it does not, but because of the seal, the public has been kept in the dark about the basis for these decisions. That practice ended this year, as **Thomas R. Burke**, **Rochelle Wilcox**, and **Selina MacLaren** filed a successful motion on behalf of the First Amendment Coalition to unseal the records related to a clemency decision by outgoing governor, Jerry Brown. In a groundbreaking order, the state Supreme Court agreed to override the governor's objections and ordered him to provide public access to the vast majority of the clemency file. The Court has since granted several additional motions to unseal records, including clemency records submitted by current governor Gavin Newsom. Gov. Newsom is contesting the decision.



# ACLU SoCal Honors DWT with Freedom of Information Act Award

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The DWT team of **Thomas R. Burke, Greg Chaimov, Brendan Charney, Dan Laidman, Aysha Lewis, Derek Green, Eric Stahl,** and **Rochelle Wilcox** was honored by the American Civil Liberties Union (ACLU) of Southern California for work holding the federal government to its Freedom of Information Act (FOIA) obligations and ensuring public access to critical information about how the Trump administration enforced the 2017 Muslim travel ban on the West Coast. DWT's "crack team of First Amendment and FOIA specialists... expertly hounded the government for troves of documents," said ACLU SoCal staff attorney Mohammad Tajsar in presenting the award at the organization's 25th annual luncheon.

# Seattle Organization Outing “Scam Recyclers” Fends off Defamation Suit

“Scam recyclers” export our discarded computers, printers, and monitors on the cheap to dangerous backyard recycling operations in developing countries that poison workers and the local environment. These dangerous practices are being battled by the Basel Action Network (BAN), a Seattle nonprofit that tracks electronic waste, certifies responsible recyclers, and raises public awareness to limit trade in hazardous waste. BAN’s advocacy has resulted in threats and litigation from the organizations it targets, and the most recent was a defamation and Lanham Act complaint filed by the Electronics Recycling Association of Canada (ERA). Represented by DWT’s **Bruce E.H. Johnson** and **Caesar Kalinowski IV**, BAN won dismissal of the association’s false-advertising claim and part of its defamation claim. The ruling upheld BAN’s First Amendment right to express its opinion about the ERA’s activities. Less than two weeks later, the ERA dropped its remaining claims, with prejudice and no other conditions.

“

'Scam recyclers' export our discarded computers, printers, and monitors on the cheap to dangerous backyard recycling operations in developing countries that poison workers and the local environment.

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# DWT Helping Shine Light on Human Rights Abuses During El Salvador's Civil War

On Tuesday, April 2, 2019, the University of Washington Center for Human Rights celebrated the success of a hearing in federal district court regarding its ongoing Freedom of Information Act lawsuit against the U.S. Department of Defense and U.S. Southern Command (SOUTHCOM). At the hearing, SOUTHCOM agreed to release relevant portions of two previously unseen collections of intelligence documentation on the armed conflict in El Salvador. Since then, the Defense Intelligence Agency also identified dozens of boxes of responsive records from the early years of El Salvador's civil war. These developments represent an important step toward transparency involving the nation's activities during El Salvador's civil war. The center is represented by **Thomas R. Burke** and **Jordan Clark**.



## Ex-Offenders' and Prisoners' Rights

# “Totally Changed Person” Wins a Second Chance at Life

Twenty years ago, Eustace Jennings was leading a rudderless life. He committed crimes typical of those suffering from homelessness and drug addiction, including robbing someone of a \$10 bus ticket, which resulted in his second felony conviction. He would go on to rob six banks in the course of two weeks in Pierce County, Washington. No one was physically hurt in the commission of his crimes and, had they happened today, when the Three Strikes Law is no longer in effect, Mr. Jennings would have had an opportunity to resolve his offenses. Instead, in 1998, he was sentenced to life without parole.

People who expect to spend the rest of their lives in prison often feel they have nothing to live for and eventually give up. But Mr. Jennings had a different reaction: He completely turned his life around.

During the following two decades of incarceration, Mr. Jennings achieved an extraordinary record of compliance. He had only one minor infraction (receiving food through improper channels—an outside care package) and not a single failed drug test. He earned dozens of certificates for anger and stress management, nonviolent communication, and other life skills. He became a mentor to other inmates and a leader in the prison’s “Bridges to Life” program, which is focused on inmates achieving “responsibility, repentance, and restitution.” And he became closer to his family, re-establishing relationships that had been broken during his life of crime.



So when the Seattle Clemency Project asked **Mark Bartlett** and former associate Ashley Brown (now with Cooley LLP) to assist with a commutation petition for this remarkable man, they immediately and zealously started working on Mr. Jennings' matter. They spoke to him every two weeks and connected with his extended family. At a hearing before the Washington State Clemency and Pardons Board in December 2018, Mark, a former federal prosecutor, noted that Mr. Jennings was about to turn 60, that the recidivism rate for former prisoners his age was extraordinarily low, and that it was costly to keep older people in prison. Still, he added, "If Eustace were the same person he was in 1998, you shouldn't release him. The real and primary reason is, he is a totally changed person."

Family members traveled from as far away as Florida and the islands of Turks and Caicos to testify on his behalf and to persuade the board that Mr. Jennings would have an extensive support network ready to welcome him home. Mr. Jennings himself appeared via video at the hearing and spoke movingly of his transformation.

Convinced that Mr. Jennings deserved a new chance at freedom, the board voted unanimously to recommend that he be released from prison, and in August 2019, Gov. Jay Inslee granted him a conditional commutation. He will be released in February 2020.

# County Held Accountable for Violating Inmate's Civil Rights

Our client, Dylan Downey, walked with the aid of a prosthetic leg after suffering severe injuries in a motorcycle accident. While in jail in Snohomish County, Washington, Mr. Downey lost weight, which caused his prosthetic leg to fit poorly. The poor fit damaged the tissue of his residual limb and caused him pain and discomfort. County officials did not schedule medically indicated follow-up care; instead, they insisted that Mr. Downey “fix” the problem himself—first by stuffing the prosthetic with sanitary napkins and gauze and then by modifying it himself, in his cell, slicing the prosthetic sleeve with an ersatz saw so that it might fit his leg. The rough edges of the altered prosthetic scraped and cut his leg when he walked. After Mr. Downey filed grievances about his treatment, the county confiscated the prosthetic and gave him a wheelchair instead. Although Mr. Downey filed a federal civil rights lawsuit pro se, a federal judge saw sufficient merit in the case to ask DWT to take it on pro bono. The team of **John Goldmark**, **Chris Morley**, and **Ben Robbins** secured a settlement payment of \$50,000 to our client and stipulated conditions for his treatment should he be readmitted to Snohomish County Jail. “We are very glad to have obtained some compensation for Mr. Downey,” says Chris. “We also hope the settlement will ensure that other people receive adequate medical care when they are incarcerated.”

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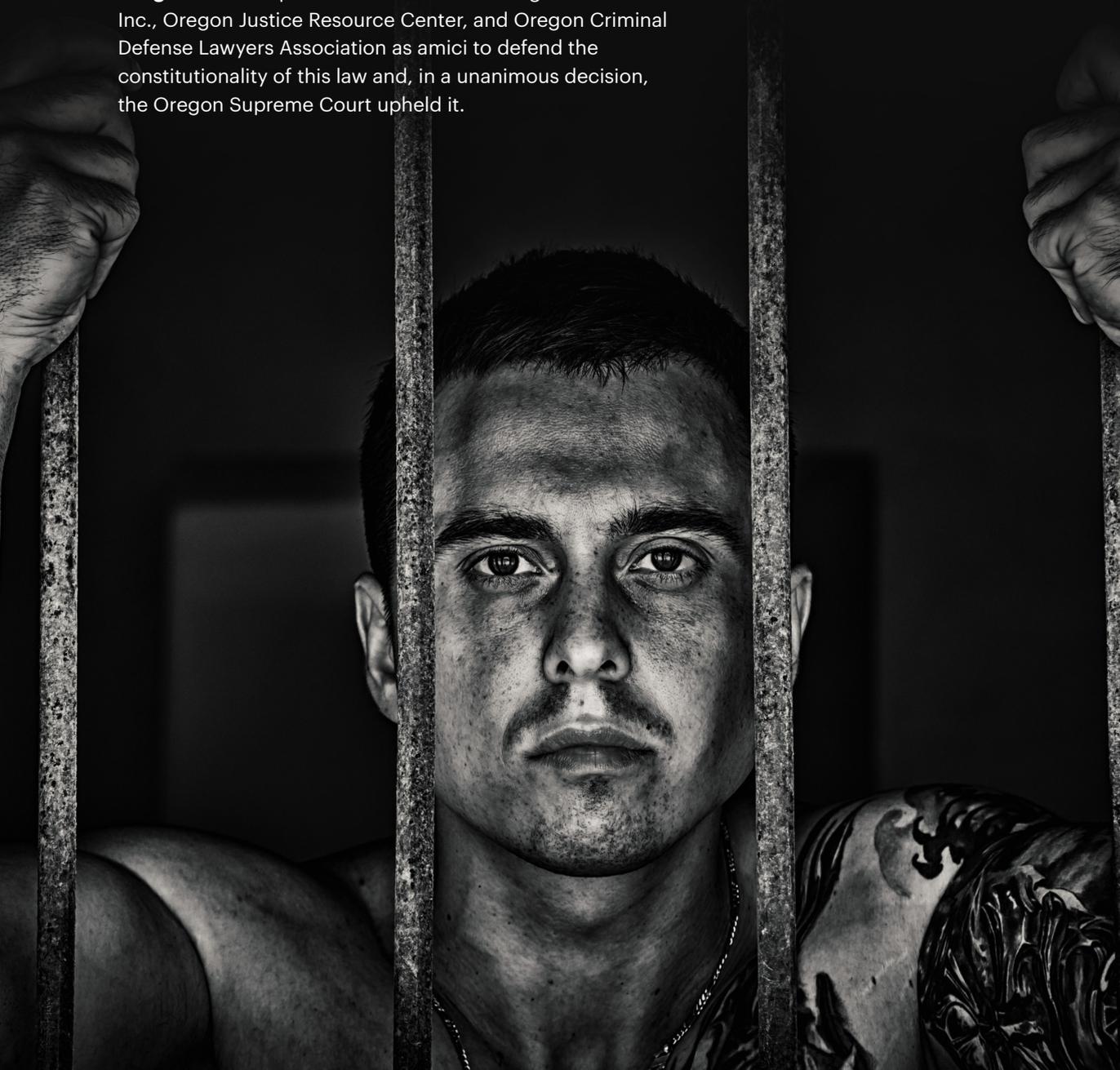
The poor fit damaged the tissue of his residual limb and caused him pain and discomfort. County officials did not schedule medically indicated follow-up care; instead, they insisted that Mr. Downey 'fix' the problem himself.

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# Sentencing Reform Gets Important Validation in Oregon

The United States is the world's leader in incarcerations, with more than 1.5 million people held in state and federal prisons. To help reduce those numbers, Oregon lawmakers passed a bill in 2017 reducing sentences for property theft.

**Greg Chaimov** represented the ACLU of Oregon Foundation Inc., Oregon Justice Resource Center, and Oregon Criminal Defense Lawyers Association as amici to defend the constitutionality of this law and, in a unanimous decision, the Oregon Supreme Court upheld it.



# First-Year Associate Helps Break down Barriers for Ex-Offenders

Ex-offenders face a painful irony: Their ability to secure employment, housing, and other sources of stability is critical to their successful reintegration into society, but securing these important achievements is incredibly difficult, and sometimes impossible, when you have a criminal record. To help address this dilemma, DWT's **Thomas Kim** has been volunteering with Oregon Law Center's Project SCRUB (Scrubbing Criminal Records to Unlock Barriers), a monthly legal clinic in which low-income clients with criminal records get advice on their eligibility for expungement, as well as help in seeking it. "Alongside other volunteer attorneys, I help these community members get another chance at getting back on their feet," says Thomas. The managing lawyer at Oregon Law Center reports that Thomas "brings an amazing positive energy" to the clinic and that his gift for empathy "not only assists clients in completing a legal process that may otherwise seem insurmountable, but also provides the low-income community with a more positive opinion of the legal profession."

# Prison Re-Entry Assistance Program Educates Employers

Formerly incarcerated people have a hard time separating themselves from their criminal histories, which makes it difficult to forge new lives. But What's Next Washington (WNW), a group of formerly incarcerated individuals and their allies, is working hard to make it possible for adults with criminal histories to fully participate in society. Fostering greater job opportunities is one key to that effort, and DWT's **Joseph Hoag** has been assisting WNW by easing employer apprehensions about hiring this population. "The 'common sense' fears are misplaced and inaccurate," says Joseph. Data indicates that significant portions of the formerly incarcerated "are no more risky than someone with no history of incarceration at all," he says. "In fact, folks who get second chances are grateful for the opportunity and tend to be very loyal; they really want to prove themselves. We're trying to educate employers on the benefits of giving these folks a chance." DWT's Seattle office has hosted four WNW events, where interested employers from the hospitality, tech, and other industries, including large DWT clients, came to hear how they could help break down the barriers to re-entry and help reduce recidivism.



Other Civil Rights Work

# Class Action Seeks to Repair Oregon's Broken Foster Care System

The foster care system in Oregon is broken. Young children are repeatedly moved from place to place. Some are deposited in homeless shelters or out-of-state institutions, without Oregon officials even knowing what's happening to them day-to-day. Many of them do not have access to essential services. To help address this crisis, the national advocacy group A Better Childhood partnered with Disability Rights Oregon and DWT to file a lawsuit on behalf of 10 plaintiffs, who seek to represent all 8,000 Oregon children in foster care. The lawsuit names state officials, including Oregon governor Kate Brown, as defendants and aims to stop the ongoing violations of these children's rights.

The lawsuit alleges that Oregon's Department of Human Services (DHS) is overwhelmed, under-resourced, and unresponsive to the needs of the children in its care. To illustrate exactly how DHS is failing, the lawsuit recounts the heartbreaking stories of the 10 plaintiff children, ages 18 months to 17 years old, who have suffered terrible neglect while entrusted to DHS' oversight. **Paul Southwick** and **Greg Chaimov** are leading the effort on behalf of DWT.

This action is the first in the country to litigate on behalf of specific populations in foster care—e.g., children with disabilities, youth who will age out of the system, and LGBTQ youth—combined into a single class-action lawsuit. The lawsuit is an opportunity to intervene in children's lives and take a comprehensive, not piecemeal, approach to fix the child welfare system in Oregon. The state has filed a motion to dismiss, but from the standpoint of Marcia Lowry, the executive director at A Better Childhood, "At this point, given the history of what's happened to foster kids in Oregon, it's way too late for the state to say, 'Trust us.'"



# Citizens' Initiative that Would Disempower Urban Voters Withdrawn

On behalf of the American Civil Liberties Union (ACLU) of Oregon, DWT's **Evan Christopher** successfully challenged the ballot title of a redistricting initiative in Oregon that would have negatively impacted urban and ethnic communities. The proposed measure, which backers originally hoped to place on the ballot in November 2020, would have removed redistricting responsibility from the state legislature and placed it in the hands of a newly created, 11-member commission, whose makeup would have heavily favored rural counties. Also troubling to the ACLU were the initiative's proposed changes to criteria for drawing legislative districts, eliminating "communities of common interest"—long used as a bulwark against gerrymandering—and instead focusing on geographic proximity. After hearing arguments from Evan, Oregon's Supreme Court unanimously decided to send the initiative's ballot title back to the Oregon secretary of state for revision that would more accurately describe the measure's impact. Five months later, the petitioners withdrew their initiative.

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DWT's Evan Christopher successfully challenged the ballot title of a redistricting initiative in Oregon that would have negatively impacted urban and ethnic communities.

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# Washington Supreme Court Upholds Rights of Same-Sex Couples

DWT was proud to collaborate with our colleagues at another nationally recognized law firm in preparing an amicus brief on behalf of 18 Washington state businesses and business associations—including DWT clients Amazon, Expedia, Kaiser Permanente, Microsoft, RealNetworks, and Starbucks—in an important LGBTQ rights case before the Washington Supreme Court. The court found in favor of a same-sex couple who sued a florist for violating the Washington Law Against Discrimination (WLAD) because the florist refused to provide flowers for their wedding due to her religious beliefs. The DWT team of **Jennifer K. Chung**, **Ken Payson**, and **Bruce E.H. Johnson** took the lead in drafting the brief, which supported the right of people to be free from discrimination based on others’ religious beliefs and discussed the importance of diversity and inclusion to Washington businesses, their employees, and the state economy.



# Voting Rights Upheld in Indiana

County election officials were on the cusp of being able to kick voters off the rolls immediately without notice had the 7th Circuit not blocked this Indiana law. On behalf of Common Cause Indiana and other plaintiffs, a DWT team led by **Matt Jedreski**—together with the American Civil Liberties Union (ACLU), ACLU of Indiana, and the progressive public-policy group Demos—challenged the law, which allows purging of voters based on a match in the Crosscheck program, known to frequently flag people incorrectly as potential double voters. The DWT team, which also included **Grace Thompson**, **Kate Kennedy**, and **Erika Buck**, has since conducted additional depositions of county officials, issued public-records-act requests, and collected and reviewed more than 30,000 documents from state contractors. Faced with the prospect of losing summary judgment or trial, the state of Indiana agreed to stay the lawsuit to allow its legislature time to fix the offending law.



Feedback, Programming,  
Awards, and More

# Mentee in Afghanistan Reaches New Heights

Zuhra Hakim, an Afghan woman in her mid-20s raised under the Taliban rule, always dreamed of enhancing her proficiency in legal and business English to further her career, but this was something that was not readily available to women in her country.

Until, that is, she learned of the Alliance for International Rights, which helps support the advancement of women leaders, primarily in Afghanistan—a country where women and young girls face tremendous barriers to achieving an education, a career, and even basic human rights. The Alliance introduced Ms. Hakim to DWT’s **Alicia LeDuc**, who volunteered as Ms. Hakim’s mentor and teacher via Skype. Through these one-on-one sessions, Alicia provided Ms. Hakim with valuable cultural exchanges, dialogue on leadership strategies for women managers, and, most of all, helped her develop the English proficiency necessary to advance in the business world and lead in the political process.

Formerly the senior gender officer with the World Bank in Afghanistan, Ms. Hakim was recently chosen through a competitive process to become the first woman director of the Citizens’ Charter National Priority Program, a U.S.-funded, Afghan government effort to improve the delivery of core infrastructure and social services across the country. She now works directly with the Presidential Palace and more than 10,000 local councils in Afghanistan to implement gender parity and inclusion in governance decisions involving infrastructure projects. According to Alicia, Ms. Hakim attributes her success, in part, to her weekly professional-development sessions. But the benefit was mutual. “Having the privilege of working with Zuhra—who is so strong-willed, ambitious, and capable—to achieve her desired professional objectives, and seeing that work come to fruition in a national-level policy leadership appointment, is incredible,” said Alicia.

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## Startup Promotes Access to Water

Water is everywhere, yet for nearly a third of humanity, finding clean water is a daily struggle. While almost 70 percent of earth is covered by water, only 2.5 percent of it is fresh and only 1 percent of freshwater is easily accessible. This is why Powwater aims to address that challenge by investing most of the net proceeds from sales of its water bottles and other products into the company's "impact partners": social businesses that work to provide clean water infrastructure and solutions in water-scarce regions, primarily in Africa. A DWT team led by **Nicholas Giannasca** has provided general corporate advice with regard to the creation of Powwater as a Delaware public benefit corporation, intellectual-property advice, and advice on conducting business internationally, in the hopes of getting water to everyone, not just those who are fortunate enough to have ready access to it. Others at DWT contributing include **Knute Gregg, Jean Tom, Kevin Saer, Emily Borich, Nicole Giuntoli, and Orrin Falby.**





# Urban Trail Enhanced with Stunning New Asset

For decades, runners and hikers on Portland’s iconic Wildwood hiking trail—one of the longest urban hiking trails in the country—have dreamt of a pedestrian bridge that would allow them to safely cross the busy thoroughfare of West Burnside. The at-grade crossing has long been viewed as a tragedy waiting to happen. With leadership from the Portland Parks Foundation, a new footbridge recently opened. Named for one of Portland’s greatest parks and trails advocates, the 178-foot-long Barbara Walker Crossing is a safe and beautiful footbridge for the estimated 80,000 pedestrians who use this part of the trail annually. DWT’s **Marcus Eyth** and **Steve Mach** represented the foundation in the negotiation of the bridge’s design and construction contracts, and also assisted in planning, negotiating, and documenting the handoff of the bridge to the city’s Parks & Recreation Department.

## CLIENT AND PARTNER FEEDBACK

### Here's how InPlay, one of our pro bono clients, described our attorney's impact.

*"InPlay is a start-up social enterprise helping underserved families access local and affordable out-of-school time programs to minimize the achievement gap. In our work with public school districts, the DWT team has been a tremendous help to advise and counsel InPlay as we navigate the still-evolving legal landscape around student data privacy. Their thoroughness and patience in framing the issues in an understandable way gives us prudent caution and helps us weigh the risk of potential exposure. Together, the team of Tyler Quillin, David Cromwell, and Evan Shapiro have been a great partner on our journey to give all kids pathways for academic and career success."*

— Rod Hsiao, InPlay

### Here's how a pro bono client expressed his gratitude to Vidhya Prabhakaran:

Dear Atty. Vidhya,

*Thank you so much for helping me with my case. I couldn't be happier [and] I can't thank you enough for the excellent outcome of my [case]. This is a life-changing matter and it's all because of your kindness, dedication [and] empathy to all the people that need your expertise. God bless you, Atty. Vidhya.*

Regards, Frauline

### A note from the executive director of the ACLU of Washington to Greg Chaimov:

*Dear Greg [Chaimov]- Our Liberty Dinner was a huge success. It was an inspiration to celebrate our role in defeating ballot measures attacking abortion access and immigrant rights. We couldn't have done it without you. Thank you for being a crucial part of the fight.*

*In gratitude*

— David Rogers, Exec. Dir. ACLU of WA

## PROGRAMMING

### First-Ever In-House Pro Bono Summit

Across all eight of Davis Wright Tremaine LLP's offices, more than 100 in-house lawyers from the world's best companies learned how to scale and structure in-house pro bono programs.

DWT's managing partner, **Jeff Gray**, kicked off the day with inspirational opening remarks, and Starbucks' Lucy Lee Helm provided a moving keynote about pro bono as a corporate priority.

The in-house leadership panel included NanoString Technologies Inc.'s Kathy Surace-Smith, Amazon's Kathryn Sheehan, T-Mobile's Elida Moran, Discover Financial Services' Simon Auerbach, and Microsoft's Beth Henderson. Our corporate partnership panel included T-Mobile's Monica Lopez Reinmiller, Trustlaw's Nadia Segura, Kids in Need of Defense (KIND)'s Nirupa Narayan, Communities Rising's Brenda Lapora, and Seattle Clemency Project's Louise Bush.

The feedback on the event was overwhelmingly positive, as in-house departments are emerging as leaders in the pro bono space, and the event will be an annual one moving forward.

### Seattle Stand Down

Four out of 10 unmet needs for homeless veterans are legal in nature. To help alleviate this access to justice issue, DWT organizes an annual Seattle Stand Down legal clinic for veterans in collaboration with Microsoft and T-Mobile attorneys who spend two full days talking directly to veterans and helping them understand and fight for their rights.

### DWT Welcomes Its First Equal Justice Fellow with Microsoft

Microsoft and DWT's 2019 Fellow is Crystal Pardue, a recent graduate of the University of Washington. She started her project at the American Civil Liberties Union (ACLU) of Washington serving Native American students and families facing disproportionately high levels of school discipline and juvenile incarceration proceedings. This critically important work is made possible thanks to Microsoft and DWT's generous support.

## AWARDS

### Litigation Associate Honored for Public Service and Leadership

**Jennifer K. Chung** was selected as a recipient of the 2018-2019 Public Service & Leadership Award by the Washington State Bar Association's Young Lawyers Committee. Last year, Jennifer devoted more than 400 hours to pro bono work, supporting numerous important firmwide efforts. These include Davis Wright Tremaine's ongoing partnership with Amazon in support of Kids in Need of Defense (KIND). Through Chung's efforts, knowledge, and legal expertise, the federal government granted Special Immigrant Juvenile Status to her young immigration client this past spring. Jennifer, who is the daughter of Taiwanese immigrants, shared her expertise with other DWT attorneys in the KIND partnership and participated in a presentation to interested Amazon lawyers and staff. Jennifer has worked extensively on other immigration issues with the ACLU of Washington and the Northwest Immigrant Rights Project and has applied her legal and analytical skills to a DWT and ACLU voting rights partnership, which is currently investigating state and county compliance with the National Voter Registration Act across the country. Jennifer has also served as a volunteer with the Domestic Violence Impact Project, a monthly legal clinic in King County, Washington, and with the Alaska Business Development Center, which helps low-income, rural Alaskans prepare their tax returns.

### Litigation Associate Honored for Support of Equal Justice

**Tim Cunningham** received the 2019 Associate Award from the Campaign for Equal Justice (CEJ) in Oregon. Oregon lawyers established CEJ in 1991 with the mission of making equal access to justice a reality for all Oregonians. CEJ is the support organization for Oregon's statewide legal-aid programs. Tim is a longtime member and current co-chair of the CEJ associates' committee, which works to coordinate the raising of funds from associates in law firms throughout the Portland metro area.

### Portland Office Honored for Pro Bono Commitment

Each year, the Oregon State Bar Association's New Lawyers Division recognizes the lawyers, law firms, and law students who contributed the most time to direct pro bono legal services with the Oregon Pro Bono Challenge Award. DWT was this year's winner in the large-firm category.

## **Innovation in Pro Bono**

DWT and Amazon received the Innovation in Pro Bono Award at The Recorder's California Tech & Law Leaders dinner for taking on 28 Kids in Need of Defense (KIND) cases together. Corporate partnerships are powerful; they allow law firms and companies to join forces and impact lives on a scale that otherwise wouldn't be possible. DWT is thankful to Amazon for its leadership in the pro bono space and for this consequential partnership that helps vulnerable and deserving kids get a second chance at life.

## **Anchorage Office Honored for Helping Refugees**

The Refugee Assistance and Immigration Services named the DWT Anchorage office World Refugee Volunteers of the Year.

# **SOCIAL IMPACT**

## **Imagine the Impact**

If you had the seed money to launch an idea that could change people's lives and make equity and justice more accessible, what would that idea be? This was the question DWT's Seattle partner-in-charge Pete Johnson asked associates when he invited them to create a community initiative for our inaugural Imagine the Impact Challenge. Three teams presented their innovative proposals: developing technology to combat homelessness; increasing diversity in the law via strategic pipeline projects; and providing low-income women with professional clothing and resources to succeed in the workplace. The energy in the room had everything to do with the strength of the pitches and the chemistry and expertise of our impressive judging panel—angel investor Sarah Imbach, Judge David Kennan, Judge Brian Tsuchida, and Judge Karen Overstreet.

## Kids in Need of Defense (KIND)

DWT hosted KIND’s Volunteer Appreciation reception in June 2019. The event celebrated the incredible efforts of KIND volunteers helping unaccompanied children and separated families. Approximately 75 KIND volunteers from Microsoft, Amazon, Starbucks, and others attended. Several awards were presented—including the “Above and Beyond” award, which was presented to **David Maas** and Amanda McDowell (now with Orrick Herrington & Sutcliffe LLP). According to Melody Young, Pro Bono Coordinating Attorney at KIND: “This attorney team went above and beyond in representing siblings living in Pasco, Washington. When presented with these cases, the attorneys did not hesitate to rise to the logistical challenges of representing clients located in such a distant area. They quickly and zealously advocated for the older sibling’s case and completed the underlying state court action shortly before her 18th birthday, thus making it possible to file a Special Immigrant Juvenile Status petition. The team also assisted both siblings with applying for asylum. David and Amanda’s dedication to their clients demonstrates great compassion and serves as examples of the impact lawyers make in accessing justice.”

## John M. Davis Endowed Diversity Scholarship

The John M. Davis Endowed Diversity Scholarship helps support a University of Washington law student, allowing them to gain understanding of legal principles, to develop analytical and problem-solving skills, and to learn how to advocate for those around the globe. Here is a letter from the student who benefited during the 2018-19 academic year:

*“Before law school, I was an English language teacher here in Seattle. My scholarship award was more money than I made in an entire year. It’s hard to put into words what that kind of help means. It meant that I could go to law school, certainly, but it also meant that I could come into an unfamiliar space, where I felt viscerally that I did not belong, and know that somebody thought I deserved to be here.”*

— Emily Anne Parsons, Class of 2020

## SERVICE PROJECTS ACROSS THE FIRM

### Food Frenzy

Thirty years ago, a Davis Wright Tremaine lawyer created a citywide competition among businesses to generate as many donations for Food Lifeline as possible. Fast forward to 2019, more than 100 organizations participated statewide, raising \$738,000 and providing nearly 2.9 million meals for hungry children. DWT has taken first place among law firms since the inception of the challenge.

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### Food for Those Experiencing Homelessness

In one afternoon, Seattle attorneys and staff came together to make 500 peanut butter and jelly sandwiches and delivered the food to Operation Nightwatch, a nonprofit that provides meals for those experiencing homelessness after other programs have closed and gone home. Our Bellevue office put together 100 “snack packs,” which were delivered to the Seattle Homeless Outreach project.

### Helping a Local Food Bank

In May 2019, our San Francisco office participated in the Marin Food Bank volunteer/fundraising project and exceeded its target for Food from the Bar by more than 30 percent—with a total contribution of more than \$8,000. This will provide more than 16,000 meals for those in need. Contributions were secured through creativity and hard work: For example, DWT employees volunteered to work a shift at the Food Bank, decorated piggy banks “with personality,” which were used to solicit donations, and also sought donations from local restaurants and other businesses.

### Providing Health and Wellness Kits

Every year, DWT’s Washington, D.C., office looks forward to its annual Kit Drive, which benefits N Street Village, the largest provider of services and housing for women facing homelessness in D.C. This year, we collected items such as cough drops, tissue packets, and Vaseline tubs to create Health and Wellness kits, which we put together in the office and delivered to N Street Village.

### **NY Cares Winter Wishes Drive**

In December, our New York City office continued its good works for the annual NY Cares Winter Wishes Drive, spearheaded by partner **Laura Sack**. DWT volunteers spent an entire day matching donated toys with letters written by kids to Santa and then wrapped those gifts for those 63 children.

### **The Norma J. Perrone Benevolence Campaign**

Norma Perone was a longtime staff member of DWT in Portland who lost her life due to domestic violence in 2012. Each year, the Portland office selects a nonprofit to support in Norma's honor. This year the office raised more than \$5,000 for the Oregon Food Bank.



[DWT.COM/PROBONO](https://www.dwt.com/probono)

Anchorage | Bellevue | Los Angeles | New York | Portland  
San Francisco | Seattle | Washington, D.C.