

Mayor BLOOMBERG. And if you disagree with me, you haven't been to Brooklyn, Queens, or the Bronx.

[Laughter.]

Mayor BLOOMBERG. But seriously, Sonia Sotomayor is the quintessential New York success story. She has beaten all the odds and rose to the top. If that's not the American dream, I don't know what is. However, I don't believe she should be confirmed on the strength of her biography, but I do think that her life's story tells you an awful lot about her character and ability.

And second, I just want to add a caution against those who would suggest that Judge Sotomayor's service to the Puerto Rican Legal Defense and Education Fund is somehow a negative. That's an organization that is well-respected for its civil rights work in New York City, and although I certainly have not always seen eye-to-eye on every issue with them, there's no question that they have made countless contributions to our city, and Judge Sotomayor should be based solely on her record and not on the record of others in the group.

So, thank you very much for the opportunity to testify, and I urge you to confirm Sonia Sotomayor as a Justice of the United States Supreme Court.

Senator CARDIN. Mayor Bloomberg, thank you very much for your testimony.

We'll now hear from Robert Morgenthau. Mr. Morgenthau has been the District Attorney of New York County since 1975 and is the longest-serving incumbent of that position. During his nine terms in office, his staff has conducted about 3.5 million criminal prosecutions in homicides in Manhattan, and has a rate of 90 percent success. A graduate of Yale Law School, District Attorney Morgenthau served aboard a Naval destroyer through World War II.

It's a real pleasure to have you before our Committee.

**STATEMENT OF ROBERT MORGENTHAU, DISTRICT ATTORNEY,
NEW YORK COUNTY, NEW YORK**

Mr. MORGENTHAU. Thank you, Mr. Chairman. I appreciate the opportunity of testifying today, and I'm pleased to join those who endorse the nomination of Judge Sotomayor to the United States Supreme Court.

I first came to know Judge Sotomayor when I was on a recruiting trip to the Yale Law School. At that time, José Cabranes was Yale's general counsel. He also taught at the law school. I asked him if there was anyone special I should speak with and he said, yes. He said a remarkable student named Sonia Sotomayor was deciding where to work, and while he did not know whether she'd given any thought to being a prosecutor, it would be well worth my while to meet her. He was decidedly correct.

I'm happy to be able to say that the Judge joined my office and remained with us for 5 years. In my conversations with her, I learned about the compelling story of her life with which you are now familiar. In a nutshell, she was raised by her mother in a working-class home in South Bronx, and as a teenager worked the evening shift in a garment factory to help make ends meet. She went on through hard work and force of will to overcome her initial

difficulties with English composition to win Princeton University's highest undergraduate honor, the Pyne Prize, and to graduate with Honors from the Yale Law School.

In the District Attorney's Office, the Judge was immediately recognized by trial judges—and supervisors as someone “a step ahead of her colleagues”, “one of the brightest and most mature, hard-working, stand-out”, “was marked for rapid advancement. Ultimately, she took on every kind of criminal case that comes into an urban courthouse, from turnstile jumping to homicide.

One of those cases, the “Tarzan” murder case, involved an addicted burglar named Richard Maddicks, who had terrorized the neighborhood during crime sprees that left three dead and involved his swinging into apartment windows from rooftops, shooting anyone in his way. He is now serving a 137 years to life sentence.

Another case prosecuted by Assistant D.A. Sotomayor in 1983 involved a Times Square child pornography operation. That was the first child prosecution in New York after a landmark 1982 Supreme Court decision, *People v. Furman*, upholding New York's new child pornography laws.

Assistant D.A. Sotomayor left the jurors in tears over what the defendants had done to child victims. These cases happened to grab the public attention, but Judge Sotomayor—Assistant D.A. Sotomayor—understood that every case is important to the victim and appropriately gave undivided attention to the proper disposition of all of them.

Assistant District Attorney Sotomayor soon developed a reputation. Unlike many beginning prosecutors, she simply would not be pushed around, by judges or by attorneys. Some judges were eager to dispose of cases cheaply to clear their calendars. ADA Sotomayor, instead, fought for the right conclusion in each case. Maybe that experience in the criminal court in New York City helped her prepare for these hearings.

After leaving my office, Judge Sotomayor joined a prominent law firm and also accepted a part-time appointment of the New York City Campaign Finance—there she continued to earn a reputation for being tough, fair, nonpolitical in an arena where those characteristics were sorely needed, and she has taken those characteristics with her to the Federal bench, where they are equally important.

Judge Sotomayor's career in the law has spanned three decades and she has worked in almost every level of our judicial system: prosecutor, private litigator, trial court judge, and an appellate court judge in what I think is the second-most important court in the world. She has been an able champion of the law and her depth of experience will be invaluable on our highest court.

Judge Sotomayor is highly qualified for any position in which a first-rate intellect, common sense, collegiality, and good character would be assets. I might add that the Judge will be the only member of the Supreme Court with experience trying criminal cases in the State courts. The overwhelming majority of American prosecutions occur in State courts.

Judge Sotomayor will bring to the court a full understanding of problems faced by prosecutors in those cases, as well as a first-hand knowledge of the trauma faced by victims and of the legiti-

mate needs of police officials that work in the State law enforcement system. She will also understand the impact of Federal judicial decisions on State prosecutions.

In short, the Judge is uniquely qualified, by intellect, experience, and commitment to the rule of law to be an outstanding—and I repeat, outstanding—member of the court. President Obama, and for that matter the United States, should be proud to see once more the realization of that simple American credo, that in this country a hardworking person with talent can rise from humble beginnings to one of the highest positions in the land.

Thank you, Mr. Chairman, for the opportunity to testify today. Senator CARDIN. Thank you very much for your testimony.

We'll now hear from Wade Henderson, a familiar person to this Committee. Wade Henderson is the president and CEO of the Leadership Conference on Civil Rights and counsel to the Leadership Conference Education Fund. He is a professor of public interest law at the University of the District of Columbia. Prior to his role with the Leadership Conference, Mr. Henderson was the Washington Bureau Director of the NAACP. Mr. Henderson is a graduate from Rutgers University School of Law.

Mr. Henderson.

**STATEMENT OF WADE HENDERSON, PRESIDENT AND CEO,
LEADERSHIP CONFERENCE ON CIVIL RIGHTS**

Mr. HENDERSON. Thank you, Mr. Chairman, Ranking Member Sessions, members of the Committee. I have the privilege of representing the views of the Leadership Conference, the Nation's leading civil and human rights coalition, consisting of more than 200 organizations working to build an America that's as good as its ideals.

This afternoon I will briefly address four of the points that have figured in the debate about Judge Sotomayor's nomination: first, her qualifications for serving on the Nation's highest court; second, her personal background and her empathy for others who have had to work hard to succeed; third, her role in the unanimous ruling by a three-judge panel in the case of *Ricci v. DeStefano*; and fourth, her past membership on the board of one of the Leadership Conference's member organizations, the Puerto Rican Legal Defense and Education Fund.

First, let me rejoice in what is self-evident. The nomination of Judge Sotomayor to be an Associate Justice on our Nation's highest court is a milestone by many standards. The Nation's first African-American President has nominated the first Hispanic-American, only the third woman, and only the third person of color to serve on the Supreme Court. While great challenges remain on our Nation's quest for equal opportunity, we have truly reached an historic marker on the journey toward our goal of "Equal Justice For All", the phrase inscribed not far from here on the front of the Supreme Court building.

But hopeful and historic as her nomination has been, Judge Sotomayor should herself be just not by who she is, but by what she has done. Now, let me be as clear as I can: there is no question that she is qualified. Judge Sotomayor's eloquent and thoughtful testimony before this Committee speaks for itself.