

January 9, 2017

Chairman Grassley, Ranking Member Feinstein, and Members of the Senate  
Judiciary Committee,

**I write to you on behalf of Lawyers for Good Government (L4GG), a coalition of more than 120,000 lawyers, law professors, law school deans, paralegals, law students, and activists, regarding the nomination of Senator Jeff Sessions to be the next Attorney General of the United States.**

Lawyers for Good Government members are committed to civil liberties, human rights, and a government that protects the life, liberty, and happiness of all Americans. For that reason, we believe the next Attorney General - who will be the top law enforcement officer in the United States - must be someone who can be trusted to:

- protect civil rights, democratic institutions, the rule of law, and judicial independence;
- safeguard Constitutional rights; and
- remain sufficiently independent to prosecute criminal acts including those that may implicate the President of the United States.

**We urge the Senate Judiciary Committee to conduct a thorough investigation of the nominee, and carefully consider the issues raised by those who have concerns about this selection.**

As you have made clear, the Committee has a “critical role in providing oversight of the Department of Justice and the agencies under the Department's jurisdiction, including the Federal Bureau of Investigation, and the Department of Homeland Security . . .”<sup>1</sup>

**Your review of the nominee to be the next Attorney General of the United States may be one of your most critical decisions concerning the rule of law and the next Administration.**

Below are some of the issues the Senate Judiciary Committee must address when considering the nomination of Senator Jeff Sessions.

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<sup>1</sup> United States Senate Committee on the Judiciary, “Jurisdiction,” <https://www.judiciary.senate.gov/about/jurisdiction>

## **Civil Rights**

The right to equal treatment under the law is a cornerstone of our American system of justice. The battle for equal justice for minority groups in this country is not over. The Attorney General must be vigilant in investigating and prosecuting discrimination in housing, education, employment, treatment by law enforcement, hate crimes, or wherever it appears in our society.

Before voting to confirm, the Senate should be assured that the nominee will give the protection of civil rights the highest priority.

## **Voting Rights and Free and Fair Elections**

The right to participate in the election of our political leaders is central to our democratic form of government.

A core responsibility of the Attorney General is to enforce the Voting Rights Act and remove obstacles to voter participation, such as Voter ID requirements. The Attorney General also must ensure that elections are not interfered with by foreign powers.

Before voting to confirm, the Senate should be assured that the nominee will faithfully uphold the Voting Rights Act, oppose state measures to establish burdensome voting requirements, fully investigate allegations that foreign powers have interfered with U.S. elections (including hacking and exposing private communications), and report the findings to the American people.

## **Criminal Justice Reform**

Incarceration rates in the United States are far beyond those of any other democratic government in the world. The impact of criminal sentencing falls disproportionately upon people of color and those in low-income communities.

Before voting to confirm, the Senate should be assured that the nominee will address criminal justice reform issues to ensure equal justice for all and prevent over-criminalization, including fully investigating allegations of civil rights violations by local law enforcement agencies and prosecuting appropriate cases.

## **Women's Rights**

Our country has made meaningful progress over the past several decades with respect to women's rights, and the protection of women's rights (including the right to bodily integrity and autonomy, the right to be free from sexual violence, and the right to equal pay and equal opportunity) must continue to be a national priority.

Before voting to confirm, the Senate should ensure that the nominee will defend the rights of women in this country and enforce laws regarding discrimination, rape, sexual assault, domestic abuse, and stalking.

### **Disability Rights**

Over the past several decades, milestones such as the Americans with Disabilities Act, the Individuals with Disabilities in Education Act, and the regulations enforcing the *Olmstead v. L.C.* decision have transformed the lives of people with disabilities in this country. The rights granted by these laws have helped restore dignity to a population that has been marginalized and faced extreme discrimination throughout history, increased access and acceptance for people with disabilities, and provided a much-needed boost to millions of Americans who rarely receive equal or inclusive treatment.

Before voting to confirm, the Senate must ensure that the nominee will defend people with mental, emotional, physical, sensory and other disabilities by ensuring that the ADA, IDEA, and other laws are enforced to their full extent, and that the rights of persons with disabilities are not diminished, ignored, or denied.

### **LGBTQ Rights**

Our country has made enormous progress in recent years, recognizing the fundamental right of all people to love who they wish and to make a family life as they choose. This hard-won progress has come at enormous cost and we cannot let our country move backward.

The Attorney General must act forcefully against those who commit hate crimes, and must defend the fundamental rights of members of the LGBTQ community against those who seek to deny those rights.

Before voting to confirm, the Senate should be assured that the nominee will defend the rights of those in the LGBT community.

### **Religious Freedom**

The First Amendment defends the right of all people to enjoy the free exercise of their religious beliefs and prohibits the establishment of any state religion. But many people in the United States now have reason to fear that the government will discriminate against them merely for their religious views.

Before voting to confirm, the Senate should be assured that the nominee will defend the religious freedoms of all people.

### **Government Accountability: Freedom of Information Act and Privacy Act**

For more than forty years, the United States has relied on two laws to ensure the transparency of government and the privacy of those about whom the government gathers personal information. Both the Freedom of Information Act (FOIA) and the Privacy Act enjoy strong bipartisan support. The Attorney General has a central responsibility for enforcing both laws.

The Attorney General must not place obstacles before those who seek access to government information, and at the same time, must ensure that personal information is safeguarded and used only for appropriate purposes.

Before voting to confirm, the Senate should be assured that the nominee will maximize disclosure under FOIA, avoiding unnecessary delay and litigation, while safeguarding the personal data retained by the government.

### **Conflicts of Interest**

Among the most difficult but essential tasks of the Attorney General is to enforce the rule of law, including against elected officials. No one in the United States is above the law - and conflicts of interest, if ignored, will have a corrosive effect on our democratic government and the rule of law.

Before voting to confirm, the Senate should be assured that the nominee will fully investigate and prosecute conflicts of interest, even if they implicate members of the same political party as the nominee and/or the offices of the President, Congress, and the Supreme Court. On this point, there can be no backing down. If the nominee indicates any reluctance or hesitancy on this point, we will urge you to oppose the nomination.

**Thank you for considering our views.**

Sincerely,

Traci Feit Love, Founder  
Lawyers for Good Government