



# Friends Committee on National Legislation

A Quaker Lobby in the Public Interest

January 6, 2017

Chairman Chuck Grassley  
U.S. Senate Committee on the Judiciary  
135 Hart Senate Office Building  
Washington, DC 20510

Ranking Member Dianne Feinstein  
U.S. Senate Committee on the Judiciary  
331 Hart Senate Office Building  
Washington, DC 20510

Dear Chairman Grassley and Ranking Member Feinstein:

As you prepare the confirmation hearings for the nomination of Senator Sessions to serve as the next Attorney General of the United States, I write to express the concerns of our non-partisan, 74-year-old Quaker lobby in the public interest. We are particularly eager to understand how Senator Sessions will carry out the responsibilities of the nation's top law enforcement officer given the policy positions he has expressed and supported in the past. To assist you and your staff in preparing for these hearings, we've outlined three specific areas we hope you will explore with Senator Sessions.

## **Religious Freedom and Refugees**

As a faith community, we are very concerned that Senator Sessions' past statements suggest a troubling disregard for religious freedom and a high tolerance for religious discrimination. Working against the peaceful coexistence of all faiths in this country, Senator Sessions has promoted fear of Muslims through broad generalizations, false accusations, and misleading statements. Despite ample evidence to the contrary, he has repeatedly perpetuated the myth that refugees from Muslim-majority nations are likely to commit acts of terrorism in the United States.<sup>1</sup> He has also implied—without evidence of any kind—that refugees' "cultural background" makes them prone to committing honor killings. He has even indicated that young Muslim children— including both immigrants and US-born citizens— should be viewed as potential terrorist threats.<sup>2</sup>

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<sup>1</sup> <http://www.judiciary.senate.gov/meetings/oversight-of-the-administrations-fy-2017-refugee-resettlement-program>

<sup>2</sup> <http://www.sessions.senate.gov/public/index.cfm/2015/12/sessions-cruz-to-obama-admin-release-immigration-history-of-san-bernardino-attackers>

Underscoring these statements, Mr. Sessions has also fostered close ties with the Center for Security Policy<sup>3</sup> and the David Horowitz Freedom Center<sup>4</sup>, both of which spread hateful misinformation about the Muslim faith. Baseless generalizations about diverse groups of people fuel fear, discrimination, and hatred; support the notion that an entire people or culture should be held liable for individuals' crimes; and go against the fundamental principles that our nation's highest legal officer is bound to protect. Given the clearly-documented rise in anti-Muslim hate crimes in this country over the past year, this kind of rhetoric should be considered a potential incitement to violence and hateful criminal activity.<sup>5</sup>

Senator Sessions has also used false claims and unfounded generalizations to bolster his criticisms of the U.S. Refugee Resettlement Program, an essential program through which our government responds to humanitarian obligations by welcoming refugees fleeing violence and persecution. Senator Sessions has argued for a shutdown or a substantial reduction of refugee resettlement in the United States. He also supports factoring refugees' religious identity into decisions about their admissions, particularly in the case of Muslims coming from the Middle East and has expressed openness to barring the entry of all Muslims to the United States.<sup>6</sup>

## **Racial Discrimination in the Criminal Justice System and Voting Rights**

Racial inequity runs through the entirety of the criminal justice system and access to the ballot box. Those strains present themselves through disproportionate use of force and deadly force nationally by police in communities of color; state legislatures creating barriers to citizen access to the constitutional right to vote; and excessive mandatory minimum sentencing laws that shatter the lives of millions and their families. Senator Sessions has been a staunch opponent to reforms to the criminal justice system to correct these deep systemic inequities.

Senator Sessions is on record saying that the work of enforcing the Voting Rights Act is "intrusive." Investigating discriminatory voting laws and gerrymandering by state legislatures is an important function of the Attorney General's office. The Fourth Circuit has called a recent package of bills enacted in North Carolina as targeting minorities with almost surgical precision. Defending access to the right to vote is an essential position for the Attorney General. Ensuring that we protect access to the ballot box is not only pivotal to upholding the Constitution, but inherent to our very democracy.

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<sup>3</sup> <http://www.centerforsecuritypolicy.org/2015/10/22/center-celebrates-sen-jeff-sessions-and-adm-james-ace-lyons/>

<sup>4</sup> <http://www.horowitzfreedomcenter.tv/2013/02/22/senator-jeff-sessions/>

<sup>5</sup> <https://www.splcenter.org/hatewatch/2016/11/14/anti-muslim-hate-crimes-surged-last-year-fueled-hateful-campaign>

<sup>6</sup> <http://www.judiciary.senate.gov/hearings/watch?hearingid=869072F5-5056-A066-6038-B6AABBA33C07>

There have been nearly 1,000 instances of police-involved shootings resulting in death nationwide last year alone. Many more cases of excessive force and profiling by police exist throughout communities of color in the United States. There are over 18,000 police jurisdictions and creating fair reforms to address the complex problems of implicit bias and use of force policies demands concerted attention. The office of the Attorney General has been engaged with many police departments in vitally important pattern and practice investigations as well as consent decrees to commit to the long and arduous work of correcting these systemic flaws. Senator Sessions has called these investigations anti-democratic and “a violation of civil rights” indicating that the efforts to reduce and eliminate bias and inappropriate use of force across law enforcement will not be a high priority.

Senator Sessions would also have power to set agency policy over hundreds of federal prosecutors’ offices. The nominee for Attorney General has expressed moral judgements against the people most harmed by the public health crisis of drug addiction. Most troubling for us has been Senator Sessions’ opposition and active work against modest reforms to excessive mandatory minimum sentences focused on these very same low-level nonviolent drug offenders. Given Senator Sessions’ past positions advocating for the expansion of mandatory minimums for low-level drug offenses and non-criminal immigration violations, we encourage Senators to ask how the nominee will be able to oversee the integrity of our justice system. A one-size-fits-all approach to punishment does not serve our communities well.

## **Immigration**

Senator Sessions has consistently advocated for a wholesale reduction of lawful immigration and suggested that immigrants, new Americans, and limited-English speakers are unable to fully integrate into American communities. In his tenure in Congress, he has voted against legislation that would provide a pathway to citizenship or lawful status, or would increase certain visas. The Attorney General has broad powers over how to enforce and uplift existing immigration laws to best serve American communities. Given his past opposition to immigration, we are concerned that Senator Sessions will have difficulty implementing immigration laws and overseeing immigration courts in a fair and balanced way.

In past statements, Senator Sessions has also consistently advocated a “narrowing of the conditions of asylum” and introduced legislation that proposed to curtail rights for individuals who express a credible fear of persecution, particularly children. The U.S. has an international human rights obligation to protect individual migrants who have a well-founded fear of persecution if they return to their home country, and it is imperative that the incoming Attorney General defend this protection.

In February 2016, Senator Sessions proposed legislation to “close a loophole that allows [children] to have their asylum claim heard twice, instead of just once,” despite current legislation providing children a non-adversarial adjudication of their asylum claim by an asylum

officer prior to review by an immigration judge. As Attorney General how would he ensure the sanctity of due process for asylum seekers?

The Attorney General should be dedicated to the proper use of prosecutorial and judicial discretion for all individuals navigating the justice system, citizens and noncitizens alike. The Senate has a duty to ensure that our nation's next Attorney General intends to discharge his or her duties in accordance with the law, our Constitution, and the core principles of freedom, equal protection, and justice. We expect Senators to bear this responsibility in mind while considering the nomination of Sen. Jeff Sessions.

Thank you for your attention to these concerns about justice and equality.

Sincerely,

A handwritten signature in blue ink that reads "Diane Randall". The signature is written in a cursive, flowing style.

Diane Randall  
Executive Secretary