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January 11, 2017

The Honorable Charles Grassley, Chairman
The Honorable Dianne Feinstein, Ranking Member
U.S. Senate Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, DC 20510

RE: Nomination of Hon. Jefferson Beauregard Sessions III as Attorney General

Dear Chairman Grassley and Ranking Member Feinstein:

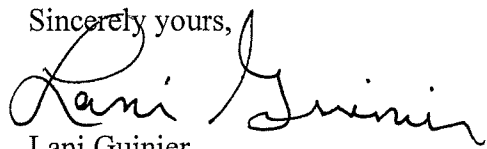
I am submitting the attached chapter (ch. 7 of my book *Lift Every Voice: Turning a Civil Rights Setback into a New Vision of Social Justice*) in connection with the nomination of Senator Jeff Sessions as Attorney General of the United States. I ask that this chapter be entered into the Senate Judiciary Committee's official record. I write to share my perspective on an important aspect of Senator Sessions's background, based on my direct experience with him when he was the U.S. Attorney for Alabama's Southern District.

From 1981 to 1988 I served as an Assistant Counsel and head of the Voting Rights Program at the NAACP Legal Defense Fund, and in 1985 I was on the team, together with Deval Patrick and others, that represented Spencer Hogue and Albert and Evelyn Turner in Mr. Sessions's prosecution of the so-called Perry County Three. This is a case that was brought in the wake of the historic Jesse Jackson presidential campaign, a time when black voter activism had been rapidly increasing, in a place that had a tragic history of voter suppression and exclusion. This context would have been evident to anyone who lived in Alabama at that time. I wrote the attached chapter in 1995 from my recollections of the case, my notes on that time period, and conversations with individuals who had been present in Alabama at that time. The description of the events in my book is, to the best of my knowledge, an accurate portrayal of what occurred.

While this case is now more than thirty years in the past, it continues to be foundationally important for understanding the challenges facing rural black voters in Alabama. Mr. Sessions's attempted prosecution of the Perry County Three contributed to an atmosphere of voter intimidation in Alabama, effectively continuing the disenfranchisement of many rural black

voters. Mr. Sessions's decision to prosecute this case in the first place reveals, at the very least, a failure to respect the voting rights of black people, which is deeply inappropriate in a nominee for such an important position.

Sincerely yours,

A handwritten signature in black ink that reads "Lani Guinier". The signature is written in a cursive, flowing style.

Lani Guinier
Bennett Boskey Professor of Law

Enc.