

Testimony Of Senator Cory A. Booker
Hearing Before the Senate Judiciary Committee
On “Attorney General Nomination”
January 11, 2017

Chairman Grassley, Ranking Member Feinstein, and distinguished members of the committee. I know it is exceptional for a Senator to testify against another Senator nominated for a cabinet position, and I appreciate the opportunity you have afforded me today.

I have worked closely with many of you, on both sides of the dais, on matters related to criminal justice reform and you know just how deeply motivated I am by the many issues our next Attorney General will heavily influence.

I know that some of my colleagues are unhappy that I’m breaking with Senate tradition to testify against the nomination of one of my colleagues. But I believe, like perhaps all of my colleagues, that in the choice between standing with Senate norms or standing up for what my conscience tells me is best for our country, I will always choose conscience and country.

While Senator Sessions and I have consistently disagreed on issues, he and I have always exercised a collegiality and mutual respect between us.

Perhaps the best example of this is the legislation we cosponsored to award the Congressional Gold Medal to those “foot soldiers” who marched at Selma, Alabama.

This was a blessing and honor to me because, in 2015, a retired judge, who was white, told me it was those brave marchers on the Edmund Pettis Bridge who inspired him as a young lawyer in the 1960s to seek “justice for all” in New Jersey, and begin representing black families looking to integrate white neighborhoods.

One of those families was mine.

I am literally sitting here because of people – marchers in Alabama and volunteer lawyers in New Jersey – who saw it as their affirmative duty to pursue justice.

The march for justice in America still continues.

I know of the urgency for law and order. I imagine that no sitting Senator has lived in higher crime neighborhoods than I have. I have seen unimaginable violence on American streets. I know the tremendous courage of law enforcement who put their lives on the line every day to fight crime.

I want an Attorney General who is committed to supporting law enforcement and securing law and order. But that is not enough.

America was founded heralding not law and order, but justice for all. And critical to that is equal justice under the law.

Law and order without justice is unobtainable, they are inextricably tied together. If there is no justice, there is no peace.

The Alabama State Troopers on the Edmond Pettis Bridge were seeking law and order.

The marchers were seeking justice – and ultimately the greater peace.

One of the victories of the Modern Civil Rights movement was the 1957 Civil Rights Act, which in effect made the Attorney General not only the chief law enforcement officer of the United States, but also vested in the office the responsibility to pursue civil rights and equal protections for all in America.

Senator Sessions has not demonstrated a commitment to a central requirement of the job – to aggressively pursue the congressional mandate of civil rights, equal rights, and justice for all. In fact, at numerous times in his career, he has demonstrated a hostility toward these convictions, and has worked to frustrate attempts to advance these ideals.

If confirmed, Senator Sessions will be required to pursue justice for women, but his record indicates that he won't.

He will be expected to defend the equal rights of gay and lesbian Americans, but his record indicates that he won't.

He will be expected to defend voting rights, but his record indicates that he won't.

He will be expected to defend the rights of immigrants and affirm their human dignity, but his record indicates he won't.

His record indicates that as Attorney General he would obstruct the growing national bipartisan movement toward criminal justice reform.

His record indicates that we cannot count on him to support state and national efforts toward bringing justice to a justice system that people on both sides of the aisle readily admit is biased against the poor, drug addicted, mentally ill, and people of color.

His record indicates that at a time when even the FBI director is speaking out about implicit racial bias in policing and the need to address it; at a time when the last two Attorneys General have taken steps to fix our broken criminal justice system; and at a time when the Justice Department he would lead has uncovered systemic abuses

in police departments all over the United States including Ferguson, including Newark; Senator Sessions would not continue to lead urgently needed change.

The next Attorney General must bring hope and healing to our country, and this demands a more courageous empathy than Senator Sessions' record demonstrates.

Challenges of race in America cannot be addressed if we refuse to confront them.

Persistent biases cannot be defeated unless we combat them.

The arc of the universe does not just naturally curve toward justice – we must bend it.

If one is to be Attorney General they must be willing to continue the hallowed tradition in our country of fighting for justice for all, for equal justice, and for civil rights. America needs an Attorney General who is resolute and determined to bend the arc. Senator Sessions' record does not speak to that desire, intention, or will.

With all that is at stake in our nation now, I pray that my colleagues will join me in opposing his nomination.

Thank you Mr. Chairman.