



February 19, 2021

**SUPPORT THE CONFIRMATION OF MERRICK GARLAND
TO BE ATTORNEY GENERAL OF THE UNITED STATES**

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American Federation of Teachers
John C. Yang
Asian Americans Advancing Justice |
AAJC

Interim President & CEO
Wade Henderson

Dear Senator:

On behalf of The Leadership Conference on Civil and Human Rights – a coalition of more than 220 national organizations committed to promoting and protecting the civil and human rights of all persons in the United States – and the 58 undersigned organizations, we write to express our support for the confirmation of Merrick Garland to serve as Attorney General of the United States.

The Attorneys General who served under President Trump deeply tarnished the reputation of the Department of Justice (DOJ), which has been aptly called the “crown jewel” of the federal government because of its historic commitment to integrity, independence, and civil rights enforcement. From their unconscionable attempts to validate President Trump’s subversion of voting rights and our democracy, to their inhumane separation of immigrant families at the border, to their abuses of our criminal justice system, Attorneys General Barr and Sessions often served as Trump loyalists rather than independent law enforcement officials.

Nowhere is this damage more apparent than in the Trump Justice Department’s efforts to undermine civil and human rights in America. The number of its harmful, anti-civil rights actions are far too numerous to list, but some of the most egregious examples include:¹

- Defending the spread of misinformation about the safety of mail-in voting and the use of discriminatory absentee ballot witness requirements in the middle of a global pandemic.
- Supporting discriminatory photo ID laws, voter purges, and other right-wing efforts to restrict the fundamental right to vote.
- Defending the discriminatory efforts to add a citizenship question to the 2020 Census and to rush the count in order to subvert the rights and power of immigrants.
- Working to undermine the rights of LGBTQ employees, customers, students, athletes, and soldiers, among others, by repeatedly advancing anti-equality policies and litigation positions.
- Investigating and suing universities to try and prevent them from using race-conscious equal opportunity admissions policies.
- Implementing a “zero tolerance” program at the border, which resulted in the inhumane separation of thousands of immigrant children from their families.

- Defending the president’s discriminatory anti-Muslim travel ban.
- Defending the rescission of the Deferred Action for Childhood Arrivals (DACA) program, which had provided a safe haven for 800,000 immigrants brought to the United States as children.
- Arguing in federal courts that the Affordable Care Act and its protections for more than 100 million people with pre-existing conditions are unconstitutional.
- Urging the U.S. Supreme Court to allow a restrictive Louisiana abortion law to go into effect – part of an ongoing, coordinated effort across the country to eliminate access to abortion, particularly for those living on low incomes, people of color, and those in rural communities.
- Suspending all diversity and inclusion training for DOJ employees and managers.

The Trump Justice Department also turned back the clock in the critical areas of criminal justice and police reform. During the past four years, for example, the Trump DOJ:²

- Failed to enforce the law and refused to engage in any systemic efforts to hold police departments accountable, rejected the use of consent decrees, and sabotaged previous DOJ efforts to reform police departments in Baltimore, Chicago, and other cities with discriminatory police practices. This failure of leadership coincided with a national reckoning with racial injustice in the wake of the most shocking instances of police brutality this nation has seen in decades.
- Abandoned the Obama administration’s Smart on Crime initiative that had sought to ensure fair punishments for low-level, nonviolent offenders.
- Reversed the nearly two-decade moratorium on the federal death penalty.
- Rescinded policies that reduced the inhumane use of private prisons.
- Ended the Community Oriented Policing Services’ Collaborative Reform Initiative, a program aimed to help build trust between police officers and communities.
- Closed its Office for Access to Justice, an office designed to improve civil and criminal justice in America by, for example, eliminating excessive court fees and fines.
- Sought draconian prison sentences for criminal offenders, except those who were friends and cronies of President Trump.

America is in dire need of a course correction at the Justice Department. The nation needs an Attorney General with a demonstrated commitment to integrity, independence, and the aggressive enforcement of our civil rights laws. The Justice Department must embrace our nation’s tremendous diversity while protecting the rights of individuals and communities that have borne the burdens of systemic discrimination and inequity.

Judge Garland, who is widely regarded as one of the top legal minds and most influential jurists of his generation, embodies these principles and values. As a judge on the U.S. Court of Appeals for the D.C. Circuit since 1997, Judge Garland has consistently written and joined opinions that uphold civil and human rights. When Judge Garland was nominated by President Obama to the Supreme Court in 2016, the Lawyers’ Committee for Civil Rights Under Law examined Judge Garland’s record on the bench and concluded: “While Judge Garland does not have an extensive body of opinions in civil rights cases, his

decisions have been consistent with core civil rights principles.”³ The Alliance for Justice also conducted an analysis of Judge Garland’s judicial record and reached a similar conclusion.⁴ Judge Garland’s jurisprudence demonstrates a commitment to equality, fairness, and access to justice.⁵

Judge Garland understands the vital need for robust civil rights enforcement. As he stated in his remarks at the January 7, 2021 event in which President Biden announced his DOJ leadership team: “[E]nsuring the rule of law and making the promise of equal justice under law real are the great principles upon which the Department of Justice was founded and for which it must always stand. They echo today in the priorities that lie before us. From ensuring racial equity in our justice system to meeting the evolving threat of violent extremism. If confirmed, those are the principles to which I will be devoted as Attorney General.”⁶

While Judge Garland embodies many of the qualities our coalition seeks in an Attorney General, we believe Judge Garland should be asked questions during the Senate confirmation process about his views on a full array of civil rights and criminal justice policy matters. As the president and director-counsel of the NAACP Legal Defense and Educational Fund, Inc. (LDF), Sherrilyn Ifill, has observed: “Judge Garland... will need to quickly master the most pressing civil rights issues facing this country, including voter suppression, the eradication of white supremacy from law enforcement, and the urgent need for criminal justice reform.”⁷

The need for robust federal civil rights enforcement has never been more important for this country. A well-functioning Justice Department can transform America and improve the lives of our communities. This nation needs a Justice Department that will do everything in its power to fight for voting rights, police reform, criminal justice, LGBTQ equality, disability rights, environmental justice, and other pressing civil and human rights issues. We need an Attorney General who knows the Justice Department well and can pick up from where the Obama-Biden administration left off and go bolder. We need an Attorney General who will reinstate the Justice Department’s historic commitment to integrity, independence, and vigorous civil rights enforcement. Judge Garland would be such an Attorney General and is a fitting choice to lead the Justice Department at this moment. We urge the Senate to confirm him as soon as possible. Thank you for your consideration.

Sincerely,

The Leadership Conference on Civil and Human Rights
A. Philip Randolph Institute
AFL-CIO
Alliance for Justice
American Federation of Teachers
Americans United for Separation of Church & State
Arab American Institute
Asian American Legal Defense and Education Fund (AALDEF)
Asian Americans Advancing Justice - AAJC
Asian and Pacific Islander American Vote

Augustus F. Hawkins Foundation
Autistic Self Advocacy Network
Bazelon Center for Mental Health Law
Center for American Progress
Center for Responsible Lending
Center for the Study of Hate & Extremism, California State University, San Bernardino
Clearinghouse on Women's Issues
Demos
Earthjustice
End Citizens United//Let America Vote Action Fund
Feminist Majority Foundation
Freedom From Religion Foundation
Futures Without Violence
Girls for Gender Equity
Human Rights Campaign
Lambda Legal
Lawyers' Committee for Civil Rights Under Law
League of Conservation Voters
League of United Latin American Citizens (LULAC)
Matthew Shepard Foundation
Muslim Advocates
NAACP
NAACP Legal Defense and Educational Fund, Inc. (LDF)
NARAL Pro-Choice America
National Alliance for Partnerships in Equity (NAPE)
National Association of Social Workers
National Black Justice Coalition
National Center for Lesbian Rights
National Council of Jewish Women
National Council on Independent Living
National Education Association
National Employment Law Project
National Hispanic Media Coalition
National Immigration Law Center
National Organization for Women
National Partnership for Women & Families
National Redistricting Foundation
National Women's Law Center
Not In Our Town
People For the American Way
PFLAG National
Planned Parenthood Federation of America
POWER Interfaith

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Public Justice
Service Employees International Union (SEIU)
Sierra Club
SPLC Action Fund
Voices for Progress
YWCA USA