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April 5, 2017

The Honorable Jefferson Sessions
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

Dear Attorney General Sessions:

As Chairman of the Congressional Black Caucus (CBC), I write on behalf of the Caucus and the 78 million Americans and 17 million African Americans we collectively represent. We have strong concerns about the actions you have taken as the principal federal official charged with upholding the United States Constitution, which affords *every* American equal protection under the law, a matter of utmost importance to our constituents. We outlined many of these concerns in a detailed letter from Congressman John Conyers, Jr., Ranking Member of the House Judiciary Committee, and myself on March 20, 2017.

First, we have serious concerns about your review of all Department of Justice activities. This is a waste of valuable agency resources that could be better spent carrying out the core mission of the Department of Justice, for example, investigating and prosecuting the increasing number of hate crimes that have occurred since the election of President Trump.

We are particularly concerned about your proposed review of existing and pending consent decrees, especially in conjunction with your Department's motion to delay the Baltimore consent decree hearing. The latter action is strongly opposed by the Mayor of Baltimore, who has frequently discussed the importance of federal oversight of the Baltimore Police Department. As you may know, a prior Department of Justice investigation found that the Baltimore Police Department had a pattern of civil rights violations, including the use of unreasonable force in violation of the Fourth Amendment and interference with the right to free speech in violation of the First Amendment.

While we agree that the vast majority of our nation's law enforcement officers serve their communities honorably, the "misdeeds of individual bad actors" cannot explain away department-wide practices that discriminate against African Americans, such as trespass arrest forms with "black male" pre-filled, as was the case in the Baltimore Police Department. Despite your incorrect notion that "it is not the responsibility of the federal government to manage non-federal law enforcement agencies," it is clearly your responsibility to "ensure the fair and impartial administration of justice for all Americans." Consent decrees are a critical tool in the Department's role of overseeing local and state law enforcement organizations and they must be utilized aggressively to protect the civil rights of all Americans.



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Nonetheless, if you are reviewing all agency activities, we implore you to give all due consideration in review of officer-involved shootings, deaths in custody, and reports of police brutality or excessive force. No American should be afraid to call the police for fear of becoming victimized by the very people sent to protect them. Unfortunately, for far too many African Americans, this is exactly the reality they face. The relationships between African-American communities and their police departments across the nation have hovered in a state of constant volatility for generations. These tensions have grown in recent years following the high-profile shootings of unarmed Black men and women at the hands of police, many of which have been recorded for the world to see. To add insult to an unbearable injury, few officers are held accountable for their actions. To mend the broken bond between police and communities, there must be accountability. That accountability cannot just be local, as you have suggested. Instead, communities need to know they can rely upon the Department of Justice to investigate civil rights violations wherever they may occur, including among the ranks of the men and women in blue.

In that vein, the Department of Justice must collect data to shed light on the interactions between police and the communities they serve – from searches and arrests to police shootings and allegations of misconduct. Ironically, you call on the collection and analysis of data around “crime and criminals,” but you make no such request for analysis of the actions of law enforcement. You may be interested to learn that the CBC recently hosted a forum discussing policing and criminal justice reform. In that discussion, Dr. Phillip Atiba Goff, aptly shared the analogy that if an individual is serious about improving their personal finances, they set a budget. If you are serious, at all, about addressing the racial disparities in policing across this country, you will lead the Department of Justice in collecting and analyzing data to shed light on the state of interactions between police and communities.

Lastly, if you insist on reviewing the grant making, technical assistance, and training activities of the Department of Justice, we urge you to put the utmost priority on programs that better prepare state and local law enforcement agencies for the challenges they face. State and local police need additional resources for community-oriented policing, as well as de-escalation, implicit bias, and cultural and racial sensitivity training. You not only have the opportunity to advocate on behalf of these organizations who would benefit from federal resources; you are also positioned to require more of state and local law enforcement as recipients of grants administered by the Department of Justice. You correctly state that these agencies must comply with grant requirements, as well as federal, state, and local laws, and we implore you to use the immense power bestowed upon you to improve the lives of the millions of Americans depending upon you to uphold their rights.

As you may recall, we opposed your nomination to serve as Attorney General because, over more than three decades of public service, you have developed a questionable record on issues of justice, equality, and civil rights. It is clear by your recent actions that our opposition was well founded, as you have demonstrated a complete disregard for your responsibility to protect the rights of all Americans. It is worth noting that your actions are now clouded by your sworn testimony that you never met with Russian agents, but in fact did meet with Russian agents. Accordingly, we are skeptical of your oath to defend the Constitution from all enemies, foreign and domestic. It is our sincere hope that you reverse course and prove us all wrong.

Sincerely,



Cedric Richmond
Chairman, Congressional Black Caucus