



THE SENATE MUST REJECT THE NOMINATION OF JEFF SESSIONS TO BE ATTORNEY GENERAL OF THE UNITED STATES

The Attorney General is one of the most important positions in the entire Federal government. The Justice Department has the responsibility to vigorously enforce some of our nation's most critical laws; to protect the rights and liberties of *all* Americans; and to serve as an essential independent check on the excesses of an Administration. The Attorney General is the People's Lawyer, not the President's lawyer.

Throughout his career in public office, Jeff Sessions has failed to demonstrate the convictions, record, or personal integrity required to inspire confidence that he can properly perform these essential functions. He has repeatedly shown that he is unfit to serve as Attorney General of the United States.

SESSIONS' WOEFUL RECORD ON CIVIL AND HUMAN RIGHTS DEMONSTRATES HIS INABILITY TO PROTECT AMERICANS' CIVIL RIGHTS AND LIBERTIES AND TO DEFEND THEM AGAINST GOVERNMENT EXCESS.

- As United States Attorney for the Southern District of Alabama, Sessions repeatedly demonstrated animus towards African-Americans and civil rights.
 - The Justice Department's J. Gerald Hebert testified that Sessions claimed that the NAACP and the ACLU were "communist inspired" and "un-American" organizations "because they forced Civil Rights down the throats of people."
 - Thomas Figures, an African-American prosecutor who worked under Sessions, testified that Sessions said the Ku Klux Klan was "okay" until he found out they smoked marijuana. Figures also testified that Sessions called him "boy" and told him to "be careful what you say to white folks."
 - As U.S. Attorney, Sessions used his power to bring baseless fraud prosecutions against civil rights activists in Alabama because those activists were helping African-American voters complete absentee ballots. A jury acquitted all three defendants of all charges, in deliberations that lasted only a few hours. But the chilling effect on voting rights activists was substantial.
- **Sessions has repeatedly opposed legislation that would make our nation more equal and more just, including many statutes that as Attorney General he would be responsible for enforcing.**
 - Sessions called the Voting Rights Act, a "piece of intrusive legislation." When the Supreme Court in *Shelby County v. Holder* struck down Section 5 of the Voting Rights Act, making it easier for states and localities to implement racially discriminatory voting laws, Sessions applauded the ruling and opposed efforts to update the law.

- Sessions voted against the Shepard-Byrd Hate Crime Act, which extended Federal hate crimes protections to women, LGBT people, and people with disabilities—hate crimes protections that the Department of Justice now enforces.
 - Sessions has opposed critical laws that protect persons with disabilities, including criticizing the Individuals with Disabilities Education Act and blaming federal protections for children with disabilities for “accelerating the decline in civility and discipline in classrooms all over America.” Sessions said that federal laws that are designed to ensure children with disabilities can receive an equal education “may be the single most irritating problem for teachers throughout America today.”
 - Sessions strongly opposed allowing undocumented immigrants to apply for temporary work authorization, and voted against the DREAM Act, which would have provided a way for immigrants who came to the United States as children to earn their citizenship. In 2013, he also voted against the Senate’s bipartisan immigration reform bill that would have toughened border security while giving more protections to undocumented individuals already in the country. He has expressed opposition to forms of legal immigration as well.
 - Sessions has opposed bipartisan legislation spearheaded by Senate Judiciary Committee Chairman Chuck Grassley and Senator Dick Durbin that would make our criminal justice system fairer and more just, legislation that would lead to fairer sentences and improved rehabilitation for thousands of low-level, non-violent drug offenders. Sessions has also opposed efforts at the Department of Justice to prioritize enforcement of violent offenders over low-level drug offenses like marijuana possession.
 - Sessions voted against the reauthorization of the Violence Against Women Act, which protects women from domestic violence, dating violence, and sexual assault. When he was asked, “So if you grab a woman by the genitals, that’s not sexual assault?” he responded “[I don’t know.](#)” He also dismissed the controversy as “overblown” because “[everybody knows that Trump likes women.](#)”
 - Sessions voted against the Lilly Ledbetter Fair Pay Act, which seeks to ensure equal pay for equal work.
- **Sessions has close ties to extremist, white nationalist organizations.**
- A review by People For the American Way’s Right Wing Watch demonstrates that Sessions has strong ties to Breitbart, a white nationalist media organization that its former head, Stephen Bannon, has called a “platform for the Alt-Right.”
 - Bannon has called Sessions “one of the intellectual, moral leaders of this populist, nationalist movement in this country.” Sessions has praised Breitbart, saying that “your writers get it, every day they find new information that I use repeatedly in debate on the floor of the Senate because it’s highlighting the kind of problems that we have. And nobody else is doing it effectively, it’s just not happening, so to me it’s like a source. And we consistently find your data to be accurate and hold up under scrutiny.”

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SESSIONS' DISRESPECT FOR THE CONSTITUTION AND RULE OF LAW RENDERS HIM UNFIT TO PERFORM HIS DUTIES AS ATTORNEY GENERAL.

- Sessions has challenged the basic Constitutional principle, enshrined in the Fourteenth Amendment that all persons born in the United States are citizens of this country.
- Sessions has defended a ban of all Muslims entering the United States.
- Sessions voted against John McCain's bipartisan amendment reaffirming the prohibition of torture.
- Sessions has said that he "firmly believe[s] that *Roe v. Wade* and its descendants represent one of the worse, colossally erroneous Supreme Court decisions of all time."
- Sessions voted for a constitutional amendment to prohibit recognition of same-sex marriage under the U.S Constitution. He is also a cosponsor of the First Amendment Defense Act, which would enable individuals to discriminate on the basis of sexual orientation or gender identity.

SESSIONS HAS DISRESPECTED THE SENATE AND ITS CONSTITUTIONAL RESPONSIBILITY TO PROVIDE ADVICE AND CONSENT.

- Sessions has not made a good faith effort to complete his Senate Judiciary Committee questionnaire. He has omitted decades of information, including numerous controversial interviews and speeches related to white nationalist groups.
- In addition to these omissions, Sessions provided misleading and inaccurate information regarding his litigation experience, including exaggerating the role that he played in civil rights litigation in Alabama in the past. Sessions made up a civil rights enforcement history when, in truth, he is one of the biggest opponents of civil rights in the Senate.
- As Sessions himself has said in the past, when he criticized federal judicial nominee Goodwin Liu's questionnaire, "At best, this nominee's extraordinary disregard for the Committee's constitutional role demonstrates incompetence; at worst the impression that he knowingly attempted to hide his most controversial work from the Committee. Professor Liu's willingness to take seriously his obligation to complete these basic forms is potentially disqualifying."

SESSIONS' PATTERN OF DISRESPECT FOR THE LAW AND CONSTITUTION MAKES IT UNLIKELY HE COULD SERVE AS A NECESSARY AND EFFECTIVE CHECK ON THE EXCESSES OF THIS ADMINISTRATION.

- The Justice Department will have to advise the President about constitutional and legal boundaries around ethics and conflicts of interest in a situation where the President does not understand nor respect those boundaries. And, the Attorney General will have to advise on and/or enforce numerous anti-corruption laws, for example domestic and foreign Emoluments clauses, STOCK Act, Foreign Corrupt Practices Act, and bribery statutes. The Attorney

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General also oversees the Office of Public Integrity in the Criminal Division of the Justice Department.

- Senator Sessions was a key advisor to the Trump campaign. He has failed to criticize Trump's failure to release his tax returns, to untangle his business ties, and to explain his ties to foreign governments. Sessions has failed to demonstrate the independence needed in an Attorney General.
- There are serious allegations regarding prosecutorial misconduct in the TIECO case. As Alabama Attorney General, Sessions was condemned by a state judge for ethical misconduct. Sessions' office had shared confidential business information derived from a criminal investigation of TIECO with one of TIECO's competitors, USX. In dismissing the criminal charges against TIECO, the court stated that "*the misconduct of the Attorney General in this case far surpasses in both extensiveness and measure the totality of any prosecutorial misconduct ever previously presented to or witnessed by this court.*" Although the state ethics board declined to find Sessions had violated state law, the judge's statements in the criminal case stood.
- There are also serious allegations of misusing taxpayer dollars for his defense in the TIECO ethics investigation.

With great thanks and recognition to our many coalition partners in preparing this document.



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