



**STATEMENT OF THE NATIONAL ASSOCIATION FOR PUBLIC DEFENSE  
TO UNITED STATES SENATE JUDICIARY COMMITTEE ON PRESIDENT-ELECT  
DONALD J. TRUMP'S NOMINATION OF SENATOR JEFF SESSIONS (R-AL)  
FOR UNITED STATES ATTORNEY GENERAL**

**JANUARY 19, 2017**

We are the National Association for Public Defense (NAPD), a national organization of nearly 15,000 public defenders and other public defense professionals. We listened to the testimony in the hearings in the Senate Judiciary Committee that were conducted during the week of January 9, 2017 concerning President-Elect Trump's nomination of Senator Jeff Sessions (R-AL) to be the next United States Attorney General. We have read the statements of concern that have been provided to the Committee by many concerned civil rights organizations. In this statement to the Committee we provide the Committee with our views on this extensive public record concerning Senator Sessions' public life.

We strongly oppose President-Elect Trump's nomination of Senator Jeff Sessions to become the next United States Attorney General. By his own words, actions and failures to act over the course of many decades, continuing uninterrupted down to the present day, Senator Sessions has demonstrated that his views on both criminal justice and mass incarceration are not only extreme, but also far outside the strong bi-partisan consensus that has emerged in support of significant reform of both our broken criminal justice system and our nation's failed policy of mass incarceration.

Specifically, Senator Sessions' stated views and actions and failures to act or speak out about the gross racial disparities in our criminal justice system stands in stark contrast to the historic role of the Department of Justice during the civil rights movement and since. Senator Sessions' continuing and enthusiastic endorsement of the war on drugs assures that the mass incarceration of our citizenry, particularly our black and brown citizens, and the imprisonment of non-violent drug and other offenders, if implemented as Justice Department policy, would seriously undermine the Justice Reinvestment Movement that has saved so many states enormous sums of money by finding alternative to incarceration that are far more effective in reducing crime, especially crime that has no public safety consequences, and far less costly than caging people in jails and prisons. Senator Sessions' views on all of these matters are completely at odds with the vast majority of both conservative and progressive organizations that have studied these matters.

Senator Sessions has demonstrated repeatedly that he simply has no understanding of the devastating consequences of the criminalization of poverty, homelessness, mental illness and drug addiction that has plagued our nation over the course of the last thirty-five years. Indeed, it appears that he does not even acknowledge the existence of these widely accepted realities. In a recent report, the highly respected

Brennan Center for Justice found that 39% of all prisoners in this country are behind bars for no compelling public safety reason whatever. The \$20 billion that we could save annually by implementing the reforms set forth in the Brennan Center report will never occur if Senator Sessions becomes the next Attorney General. Progressives and conservatives now generally agree that we must begin to distinguish between those who break our laws who we are afraid of and those who break our laws who we are simply upset with.

Alabama's criminal justice system includes one of the worst and most dramatically underfunded public defense systems in the entire nation and a record of sustained prosecutorial misconduct. Alabama's prison system is so rife with physical and sexual abuse of prisoners that the Justice Department opened an investigation into the entire state prison system in 2016. Senator Sessions has been a public official in Alabama for decades, including a stint as Attorney General in Alabama. One searches the public record in vain for a single public statement by Senator Session about this deplorable state of affairs in Alabama's criminal justice system and Alabama's prison system.

Jeff Sessions' America is a land in which:

- America continues to incarcerate a larger percentage of its citizens than any other country in the world.
- Federal and state prisons and local jails expand significantly to accommodate an ever growing number of non-violent American citizens.
- Incarcerated American citizens needlessly spend increasing amounts of time in prison, with no public benefit and at huge public expense.
- Treatment for American citizens who are impoverished, addicted, homeless and/or mentally ill evaporates as these American citizens languish needlessly in our jails and prisons.
- Money from state and local budgets that is desperately needed for our schools continues to be diverted to fund the raging demands of mass incarceration.
- The Justice Department abandons its record of providing much needed aid and assistance to beleaguered police departments around the country who to date have had little or no training in the principles of de-escalation, training that is essential for the vast majority of the extremely challenging work done by police officers in these police departments.
- The Justice Department abandons its efforts to participate in litigation designed to ameliorate the gross underfunding of our public defense systems throughout the country. Public defense systems, including juvenile justice systems, with grossly excessive workloads, continue to provide legal representation that is systemically unconstitutional, unethical and ineffective.
- The approximately 6500 municipal courts throughout the nation continue to, in the words of the current Attorney General, "cause and exacerbate poverty" as they prey upon American citizens who appear before them, in desperate search of additional municipal revenues.
- Millions of American citizens continue to appear in court and are sentenced to jail without any representation by a lawyer, as the practice of debtors' prisons continues to flourish throughout the nation.

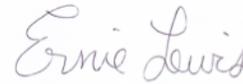
- Our police departments continue to be unaccountable to the American citizens they are charged with protecting, since unlike the federal National Practitioner Databank (MPDB) for health care professionals, there is no federal database of officers who have been decertified for misconduct in one state, and thus such officers are able to be rehired by agencies in another state.
- Both our criminal justice systems and our prison systems continue to be plagued by rampant and unaddressed racial disparities, and continue to be a national and international disgrace for America.

On this record, Senator Jeff Sessions is unfit to be the next Attorney General of the United States. The Committee should reject this nomination.

Signed,



Mark Stephens  
Chair, NAPD Steering Committee



Ernie Lewis  
Executive Director, NAPD

**ON BEHALF OF THE NAPD STEERING COMMITTEE**

**MARK STEPHENS, CHAIR**  
District Defender, Knox County Public Defender  
Community Law Office, Knoxville, TN

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Defender, Baltimore, MD

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Public Defender, Metropolitan Nashville and  
Davidson County, Nashville, TN

**JANET MOORE**  
Associate Professor of Law, University of Cincinnati  
Law School, Cincinnati, OH

**ALEX BASSOS**  
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Executive Director, Neighborhood Defender  
Services of Harlem, Harlem, NY

**TERI MOORE**  
Investigator, Federal Public Defender's Office,  
District of New Jersey, Trenton, NJ

**NANCY BENNETT**  
Deputy Chief Counsel for the Private Counsel  
Division of CPCS, Boston, MA

**JUSTINE M. LUONGO**  
Attorney-in Charge of the Criminal Practice,  
Legal Aid Society of New York, New York, NY

**NDUME OLATUSHANI**  
Children's Defense Fund, death row exoneree  
(wrongfully convicted, served 29 years), Nashville, TN

**KEIR BRADFORD-GREY**  
Chief Defender, Philadelphia Defender's Association,  
Philadelphia, PA

**CARLOS J. MARTINEZ**  
Public Defender, 11th Judicial Circuit of Florida,  
Miami, FL

**TAMARA STECKLER**  
Attorney-in-Charge, Juvenile Rights Division, Legal  
Aid Society of New York, New York, NY

**DERWYN BUNTON**  
District Defender, Orleans Public Defenders,  
New Orleans, LA

**JANENE MCCABE**  
Director of Technical and Strategic Litigation,  
Colorado Office of the Public Defender, Denver, CO

**TIM YOUNG**  
Director, Ohio Public Defender,  
Columbus, OH

**AMY P. CAMPANELLI**  
Chief Defender, Cook County Office of the Public  
Defender, Chicago, IL

**ED MONAHAN**  
Public Advocate, Department of Public Advocacy,  
Frankfort, KY

**WILLIAM WARD**  
State Public Defender, Minnesota Board of Public  
Defense, Minneapolis, MN

STEPHEN F. HANLON, GENERAL COUNSEL, Washington, D.C.

NORMAN LEFSTEIN, SPECIAL ADVISOR, Professor of Law/Dean Emeritus, Indiana University Robert H. McKinney School of Law

