For Immediate Release
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NAACP Legal Defense Fund Statement on Attorney General Sessions Rescinding 25 Guidance Documents

Late yesterday, Attorney General Jeff Sessions rescinded 25 guidance documents, including an Obama-era letter the Justice Department (DOJ) sent to state and local courts clarifying their legal obligations regarding the enforcement of fines and fees. NAACP Legal Defense and Educational Fund, Inc. (LDF) Policy Director Todd A. Cox issued the following statement in response:

“Leaving state and local governments on their own to interpret complex federal statutes invites violations of law. Rescinding 25 different guidance documents, including those aimed at ensuring jurisdictions protect the civil rights of their residents, is both ridiculous and cruel.

“The Justice Department’s letter describing the legal obligations for state and local courts in imposing fines and fees, for example, helps ensure no defendant’s rights are unjustly infringed upon. The imposition of unreasonable fines and fees criminalizes poverty and serves absolutely no public safety purpose. It traps vulnerable Americans in a vicious cycle of poverty, ensnaring and devastating individuals as well as their families and communities. These unlawful fine and fee practices further erode faith in our state and local governments as residents watch officials prioritize profits over justice. It is the DOJ’s responsibility to enforce our nation’s laws, and this letter is a critical means of helping courts and law enforcement comply with constitutional requirements of due process and equal protection.

“The letter is aimed at preventing miscarriages of justice, like the litany of abuses delineated in the DOJ’s searing report on the city of Ferguson, which outlined the systematic harassment of the African-American population by local police and the reliance on a pyramid scheme of fines and fees by the city’s courts. The report lays out in excruciating detail how Ferguson’s municipal courts and law enforcement functioned as more of a collection agency than a justice system, disproportionately wrecking havoc on residents of color. Practices like this are far too prevalent across the country, and the DOJ must play its part in making sure changes are swiftly implemented.

“The DOJ should be doing everything in its power to fix our broken criminal justice system by aiding reform at the state and local level. Rescinding these key resources is not just irresponsible, it’s yet another example of this department shirking its obligation to protect civil rights and ensure compliance with the law. It’s disappointing that the Attorney General is abandoning individual Americans, who have a constitutional right to fair treatment by our justice system, and state and local governments, who need guidance to remedy the injustices in their midst.”

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Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation’s first civil and human rights law organization and has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF’s Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF.