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LDF Issues Statement on Disclaimer Ruling for President Trump's Law Enforcement Commission

Today, Sherrilyn Ifill, President and Director-Counsel of the NAACP Legal Defense and Educational Fund, Inc. (LDF) issued the following statement response to a U.S. District Judge's ruling this week requiring the Presidential Commission on Law Enforcement and the Administration of Justice (Commission) to include a disclaimer at the beginning of its report indicating that the commission broke the law and did not comply with membership or public notice requirements.

"This report is utterly discredited. The creation of the Commission, its process, its recommendations, and the release of its report have all been tainted by the federal district court's finding of illegality. A balanced and fair Commission would never have supported the conclusions of this report, so Attorney General William Barr convened a rigged Commission, in violation of federal law, to generate a report that would serve political, rather than valid public safety ends.

"We are satisfied that the federal district court has vindicated our challenge to the legality of the Law Enforcement Commission. Attorney General Barr's 2020 discredited law enforcement commission will go the way of President Trump's discredited and ultimately disbanded 2017 election integrity commission. Both were illegal, illegitimate, and created to serve a political purpose. The cynical deployment of this illegal commission is particularly egregious at a time when, across the country, Americans are demanding accountability for police violence against unarmed African Americans and confronting the reality of police violence against peaceful protesters.

"At a time when the Department of Justice should support comprehensive efforts to advance public safety and increase public confidence in our justice system, a federal court has found that the Attorney General engaged the cynical deployment of an illegal policing commission to serve its political ends."

On April 30, 2020, LDF filed a lawsuit against Attorney General Barr, the Department of Justice, the Commission, and the chair and vice chair of this Commission. The suit challenged the creation of the Commission – an initiative that was first announced in October 2019 through a presidential executive order, and implemented in January 2020 by Attorney General Barr. LDF's complaint demonstrated that the Commission failed to comply with nearly any requirement of the Federal Advisory Committee Act (FACA), a law that helps ensure that federal advisory committees are publicly accountable.

On October 1, 2020, the United States District Court for the District of Columbia ruled that the Commission violated multiple requirements of the FACA. Under the

court's ruling, all further Commission operations had to be immediately be halted until the Commission is brought into compliance with the law.

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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. LDF 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.