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LDF Issues Statement on Attorney General William Barr's Final Day with Trump Administration

Today, as William Barr serves his final day as Attorney General of the United States, Janai Nelson, Associate Director-Counsel of the NAACP Legal Defense and Educational Fund, Inc. (LDF), issued the following statement:

“The tenure of Attorney General William Barr marks one of the most shameful episodes in the history of the Department of Justice. The damage he leaves behind will take significant effort to repair – a task that requires an Attorney General who will restore the honor of that office and serve the nation with integrity and a commitment to equity and justice.

“Mr. Barr’s tenure began as ignominiously as it ended. He first refused to recuse himself from overseeing the Mueller investigation despite having sent an unsolicited 20-page letter to the Department of Justice while still in private practice, critiquing the ongoing investigation of the Special Counsel. Instead, just three months into his tenure as Attorney General, Mr. Barr sought to discredit the Mueller Report, offered an inaccurate summary of the report’s findings and conclusions to the public, and prevented Congress from receiving an unredacted version of the report. It was just the beginning of Mr. Barr prioritizing the interests of President Trump over those of the American people.

“Under his leadership, the United States Department of Justice (DOJ) attempted to nullify the Affordable Care Act, which would have taken health insurance away from over 20 million Americans. In July 2019, the House of Representatives voted to hold Mr. Barr in criminal contempt for refusing to cooperate with a subpoena related to the Trump Administration’s attempts to add a citizenship question to the Census, a violation of the Constitution that would have resulted in a massive undercount of communities across the country.

“Indeed, Mr. Barr has failed America on many levels, not the least of which has been his extreme failure to enforce civil rights laws during one of the most racially-fraught times in modern history. Instead of using DOJ’s power to conduct pattern and practice investigations of police departments around the country that continually target members of Black and Brown communities, Mr. Barr threatened that if communities didn’t show the ‘respect and support that law enforcement deserves’ they ‘might find themselves without the police protection they need.’

“At the height of this year’s peaceful protests against police violence – which were met with more extreme violence from law enforcement and private actors – Mr. Barr refused to

protect protesters' First Amendment rights and their safety. Instead, he told Governors that they must 'dominate the streets'; refused to investigate numerous vehicle-ramming incidents against protesters; ramped up federal prosecutions of protesters; and turned a blind eye to the increase in white supremacist violence in numerous states. In June 2020, Mr. Barr ordered the area in front of the White House to be cleared of peaceful protesters in advance of a staged photo opportunity for President Trump. Protesters were met with extreme violence, including the use of smoke canisters, pepper balls, and batons against them.

"Mr. Barr's illegal and completely discredited Commission on Law Enforcement and the Administration of Justice, which repeatedly met in secret this year, was comprised solely of current and former law enforcement officials and did not include a working group focused on law enforcement's excessive use of force or other forms of misconduct. Two former prosecutors resigned from the Commission because they believed it had been hijacked to meet political aims. A federal court found that the Commission and its report were unlawful, and compelled Mr. Barr to include a disclaimer about the illegality of the Commission and its recommendations in the final public dissemination of the document.

"In one of his most egregious affronts to justice, Mr. Barr reinstated the federal death penalty and began a spree of executions in which 10 people have been put to death in just six months – the most American civilians executed by the U.S. government in a single year since 1896 and more than in all 50 states combined this year. Of the five people the Trump Administration scheduled for execution during the lame duck period, four are Black men and the other is the first woman to be executed by the U.S. government in almost 70 years.

"During his tenure, Mr. Barr not only left our democracy bereft of protection, he actively undermined it. Instead of enforcing the Voting Rights Act of 1965 to protect the right to vote, Mr. Barr has repeatedly unleashed baseless attacks on absentee voting designed to undermine confidence in the 2020 elections. He also refused to denounce President Trump's suggestion that North Carolina voters cast two ballots – an act that put voters at risk of committing a felony offense. Mr. Barr also has stood idly by while countless incidents of voter suppression and intimidation by armed individuals persisted in this fall's elections and while rampant attempts to disenfranchise voters continues.

"Finally, Mr. Barr has aggressively sought to end affirmative action in university admissions, filing suit against Yale University, filing briefs in opposition to affirmative action at Harvard University, and threatening actions against other higher education institutions for policies that seek to promote a diverse student body.

"In all, Mr. Barr's time as Attorney General was an abject failure and he will not be missed. The American people deserve a Justice Department that has their backs. One that is committed to protecting civil rights and upholds the basic tenets of equality and justice through enforcing federal statutes prohibiting discrimination and protecting the rights of all Americans. We look forward to working with a DOJ that is dedicated to the administration of justice and with someone worthy of leading it."

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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.

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