



February 24, 2021

The Honorable Dick Durbin
Chairman
Committee on the Judiciary
U.S. Senate
Washington, D.C. 20510

The Honorable Chuck Grassley
Ranking Member
Committee on the Judiciary
U.S. Senate
Washington, D.C. 20510

Dear Chairman Durbin and Ranking Member Grassley:

The Constitutional Accountability Center supports the nomination of Judge Merrick Garland to be the next Attorney General of the United States. He has shown his commitment to the principles of liberty, equality, and fairness; the character to rise above partisan politics and be independent of the president; and his fidelity to the text, history, and values of the whole Constitution. We urge the Senate Judiciary Committee to advance his nomination to the full Senate.

Garland's testimony to the Senate Judiciary Committee, followed by glowing support from key witnesses, explains why he can lead the Department of Justice out of the ethical morass of the Trump years and back to the Department's founding principles—to serve, as he said, as “the lawyer for the people of the United States” rather than for the president who nominated him.

In his testimony, Garland reminded the Senate that the Department of Justice “was founded during Reconstruction in the aftermath of the Civil War to secure the civil rights that were promised in the 13th, 14th and 15th Amendments.” For the first time in at least 40 years—and possibly in living memory—a nominee to be U.S. Attorney General has cited in his opening statement to the Judiciary Committee the three constitutional Amendments that brought about a [second founding](#) of our nation. In connecting them to the mission of the Department he would lead, Garland showed he understands that these critical amendments paved the way for many of our most fundamental rights, transforming our nation's charter from one that countenanced slavery and its badges and incidents, to one that promises equality and protection from state abuses of fundamental rights, including the right to vote.

In fact, Garland said that voting “is the fulcrum of our democracy.” He recognized that the “first Attorney General appointed by President Ulysses Grant to head the new Department led it in a concerted battle to protect [voting rights for Black people] from the violence of white extremists, successfully prosecuting hundreds of cases against white supremacist members of the Ku Klux Klan.” Garland also said that not only is there an “opportunity to bring cases both where there was intention to discriminate [in voting, and] where there's an overall disparate impact with respect to discrimination,” but also that “the voting rights section of the civil rights division was established for the purpose of pursuing those cases, and we would do so.”

Constitutional Accountability Center

1200 18th Street NW, Suite 501, Washington, D.C. 20036
Phone: [202-296-6889](tel:202-296-6889) | Twitter: [@MyConstitution](https://twitter.com/MyConstitution)

theusconstitution.org

Kristine A. Kippins, Director of Policy
kristine@theusconstitution.org

These statements and commitments are incredibly encouraging, coming on the heels of a Trump Administration that fomented violent election conspiracy theories which, in turn, were built on years of voter suppression that continues to this day at the behest of conservative state legislators around the nation.

Garland also testified that he is “dedicated to ensuring that the laws of our country are fairly and faithfully enforced, and the rights of all Americans are protected.” With this commitment, Garland can help turn the page on the past four years of political interference in the administration of justice, as well as neglect of critical issues such as police abuse of Black Americans and other people of color. In his testimony, for example, Garland left “no question that there is disparate treatment in our justice system,” and what “underlies that is the disparate treatment of” Black people and communities of color. We encourage him to draw on these observations and to keep his commitments, using his position to make our criminal justice system fair to all in America.

As Wade Henderson, Interim President of the Leadership Conference on Civil and Human Rights, later testified, the team of Garland as Attorney General, together with Vanita Gupta as Associate Attorney General and Kristen Clarke as Assistant Attorney General for Civil Rights, “makes for one of the strongest teams the Department has ever fielded.”

We look forward to their combined leadership of the Department of Justice.

Sincerely,



Elizabeth B. Wydra
President

ewydra@theusconstitution.org

Phone: 202-296-6889 | Twitter: [@ElizabethWydra](https://twitter.com/ElizabethWydra)

cc: Members, U.S. Senate Committee on the Judiciary