

The Honorable Charles E. Schumer  
Majority Leader  
United States Senate  
Washington, DC 20510

The Honorable Mitch McConnell  
Minority Leader  
United States Senate  
Washington, DC 20510

The Honorable Richard J. Durbin  
Chairman  
Committee on the Judiciary  
United States Senate  
Washington, DC 20510

The Honorable Charles E. Grassley  
Ranking Member  
Committee on the Judiciary  
United States Senate  
Washington, DC 20510

February 3, 2021

Dear Majority Leader Schumer, Minority Leader McConnell, Chairman Durbin and Ranking Member Grassley:

As a group of local prosecutors committed to criminal justice reform, police reform, and racial justice, we are writing to express our support for the nomination of Merrick Garland as Attorney General.

As President Biden's nominee, we are hopeful that Merrick Garland will take our country in a new direction when it comes to justice issues. President Biden, who nominated Merrick Garland, has pledged and committed to eliminating the racial disparities that plague our criminal justice system. He has affirmed his support for using the Department of Justice (DOJ) to investigate police misconduct, wants to eliminate mandatory minimums, expand clemency, reform outdated marijuana laws, stop incarcerating people for drug use, and more. Already, our new president, recognizing the stain of systemic racism within government and the need for racial equity, has banned federal contracts with private prisons that were financially benefiting from the government's over reliance on the incarceration of Black and Brown people. Consequently, we are confident that President Biden's selection of Merrick Garland signals an embrace of this transformative agenda.

As progressive prosecutors who recognize the need to reduce racial disparities in the criminal justice system and are committed to righting the wrongs of the past, our hope is that President Biden and Merrick Garland will work to nominate US Attorneys throughout the country that share these ideals.

Under the prior Presidential Administration, DOJ lost direction and credibility. The agency became Trump's personal law firm in many ways, moving to invalidate the election, undermine the Mueller investigation, and pursue politically-motivated investigations against the self-proclaimed enemies of Donald Trump.

It's not just that DOJ under Trump became politicized; it also became a wrecking-ball in the lives of many Americans, particularly people of color. Under the prior administration, explicit directives by former Attorneys General were given that escalated the war on drugs, there was an abandonment of President Obama's smart on crime agenda, an urging of prosecutors to pursue mandatory minimums, and threats to crackdown on legal marijuana. Moreover, the past two Attorneys General under Trump engineered an immigration policy of zero-tolerance that culminated in the caging of children, after parents were federally prosecuted for crossing the border; stopped the use of consent decrees and civil rights investigations that held police departments accountable; took an enforcement-only approach to the overdose crisis; supported private prisons; pushed for tougher penalties on fentanyl; opposed any type of sentencing reform; embarked on a crusade against gun offenses that did nothing to increase public safety and targeted people of color; and federally executed 13 black men after an 18-year hiatus in the use of the death penalty by the federal government.

In our collective opinion, the Divisions under the DOJ are ripe for reform and we believe that Merrick Garland – as a DOJ veteran with a commitment to the rule of law – is well-placed to restore integrity to the Department.

We believe Merrick Garland can and will revamp the DOJ in a way that will demonstrate a commitment to holding rogue police officers and departments accountable, reducing racial disparities in our criminal justice system and ending mass incarceration.

While the last four years have been harrowing to communities of color, it is our belief that the election of President Biden and Vice-president Harris presents an opportunity for change. We believe Merrick Garland will be that change. Hence, we support the nomination of Merrick Garland and look forward to working with him on these important issues.

Sincerely,

Marilyn J. Mosby, Baltimore City State's Attorney

Larry Krasner, Philadelphia District Attorney

Kim Foxx, Cook County State's Attorney

Rachael Rollins, Suffolk County District Attorney

Chesa Boudin, San Francisco District Attorney

George Gascon, Los Angeles District Attorney

John Creuzot, Dallas County District Attorney

Wesley Bell, St. Louis County Prosecuting Attorney

Aramis Ayala, former State Attorney for the Ninth Judicial Circuit Court of Florida

Diana Becton, District Attorney for Contra Costa County

Sherry Boston, Dekalb County District Attorney

Satana Deberry, District Attorney for Durham, North Carolina

Kim Gardner, Circuit Attorney for the City of St. Louis, Missouri

Stephanie Morales, Commonwealth's Attorney for Portsmouth, VA

Eric Gonzalez, Brooklyn District Attorney

Lynneice O. Washington, Jefferson County District Attorney - Bessemer Cutoff Division