November 30, 2017

The Honorable Jeff Sessions
Attorney General of the United States
United States Department of Justice
Washington, DC

Dear Mr. Attorney General:

I am writing as president of the American Bar Association to request that you urge Senators to take diversity into consideration when proposing candidates to President Trump for nomination to become United States Attorneys. We recognize that Senators representing the states in which U.S. Attorneys are to serve have long had the prerogative to make recommendations for appointments. Of course, the Attorney General, to whom these nominees will report, also has influence over the process.

The ABA, which has over 400,000 members, has long been committed to increasing diversity and eliminating bias in the legal profession and the justice system. In fact, these objectives are so important to the pursuit of justice that they constitute one of four principal Goals of the Association.

In 2000, the legal profession was 73 percent male and 88.8 percent white (non-Hispanic). Today, equal numbers of men and women graduate from law school, yet they enter a profession that is 65 percent male and 85 percent white (non-Hispanic). Progress in achieving diversity has been uneven, slow, and concentrated in low- and mid-level legal jobs. Racial and ethnic groups, sexual and gender minorities, and lawyers with disabilities continue to be underrepresented and face hurdles to advancement throughout the profession.

I am confident that you appreciate the importance of diversity in the justice system and its relationship to the perception of fair treatment. This is especially true for those in the justice system who hold positions of authority. U.S. Attorneys are unquestionably among the most visible and powerful components of our justice system and, like judges, are symbols of government authority. The position is also a platform for future success in the profession as judges, law firm leaders, professors, and elected officials. And our U.S. Attorneys provide role models for younger members of the profession and the public at large.

Our failure to achieve a diverse justice system despite the ever-increasing multiculturalism of our nation invites a crisis in public confidence. A justice system that is not
representative of the diverse community it serves risks losing its legitimacy in the eyes of those who come before it.

We are greatly concerned that a lower percentage of women and people of color have been appointed to these positions in the past year than in previous administrations – both Democrat and Republican. That is why I am writing you to ask that you take an active role to help ensure that the cadre of U.S. Attorneys appointed in this administration is more reflective of the legal profession and our society.

Sincerely,

[Signature]

Hilarie Bass