



Unfit in Every Way: The Sessions Record

On November 18, 2016, Senator Jeff Sessions of Alabama became President-elect Donald Trump's first proposed Cabinet appointment when he was picked to serve as Attorney General. His selection was [immediately condemned by a number of civil rights groups](#) and many of Sessions' own colleagues in the Senate [have denounced his selection](#). The Attorney General is the ultimate defender of the rights and liberties of all Americans, and Sessions has demonstrated throughout his career that he is incapable of and unqualified for this important role. Under Sessions' leadership we would see a reversal of decades' worth of progress on the advancement of equality for scores of Americans.

United States Attorney (1981–1993)

Sessions was nominated by President Ronald Reagan to serve as the United States Attorney for the Southern District of Alabama in 1981. While holding this office, Sessions became known for politically-motivated prosecutions.

- Sessions brought a case of voter fraud against three civil rights workers, claiming they had falsified absentee ballots. The trial occurred in Selma, Alabama. After less than three hours of deliberation, a jury of seven blacks and five whites [acquitted the "Marion three" of all charges](#).
- [His investigations](#) into voter fraud occurred in Alabama's "Black Belt," which has a greater proportion of African Americans than other areas of the state.

Failed Nomination to Federal Bench (1986)

In 1986, Sessions was again nominated by President Reagan, this time to serve as a U.S. judge for the Southern District of Alabama. At his confirmation hearing, however, Sessions was confronted by numerous lawyers who testified that Sessions had made racist remarks while serving as a prosecutor.

- [J. Gerald Hebert testified](#) that Sessions claimed the NAACP and the ACLU were "communist inspired" and "un-American" organizations "because they forced Civil Rights down the throats of people." In response to a question from Senator Joe Biden about his comments on the NAACP, Sessions stated "I'm often loose with my tongue. I may have said something about the NAACP being un-American or Communist, but I meant no harm by it."
- Thomas Figures, a black prosecutor who worked under Sessions, stated that Sessions said the Ku Klux Klan was "okay" until he found out they smoked marijuana. Figures also testified that Senator Sessions called him "boy" and told him to ["be careful what you say to white folks."](#)

- It also came out during the hearing that Sessions had agreed with a statement that a white civil rights lawyer was a “disgrace to his race.” During his testimony, Sessions described the Voting Rights Act as a [“piece of intrusive legislation.”](#)
- A bipartisan majority on the Senate Judiciary Committee voted down Sessions’ nomination. This was only the [second time in 48 years](#) that a judicial nominee was rejected in committee.
- Alabama Senator Howell Heflin, who had initially strongly backed Sessions’ nomination, eventually voted against Sessions. He conceded that there were “reasonable doubts” that Sessions could be “fair and impartial” on the bench.

United States Senator (R-AL) (1997–Present)

Sessions was elected as a United States Senator from Alabama in 1996. During his 20 years in the Senate, Sessions has repeatedly voted against common-sense legislation that would safeguard equality and liberty.

On Civil and Human Rights

Senator Sessions has received [universally poor ratings](#) from the Leadership Conference on Civil and Human Rights. Out of the eight times it has rated him, Sessions has received a score of 0% support for Leadership Conference priorities six times. His best score was 6%. Sessions has voted against measures that would expand protections for vulnerable populations. In 2015, Sessions [voted against John McCain’s bipartisan amendment](#) reaffirming the prohibition of torture. Sessions also voted against [a bill](#) that would have provided more protection to military personnel who have been sexually assaulted, removing prosecution of such crimes from the military chain of command. In 2013, Sessions voted against the [reauthorization of the Violence Against Women Act](#), which protects women from domestic violence, dating violence, and sexual assault. He also voted against [a bill](#) that would have enabled broader federal prosecution of hate crimes. Sessions voted against amendments to [increase funding for Hispanic education programs](#) and the [Individuals with Disabilities Education Act](#).

On Workers’ Rights

The AFL-CIO gives Sessions a [lifetime score of only 14%](#). Over the course of his twenty years in Congress, Sessions has repeatedly voted against workers’ interests. Sessions [spoke out in favor](#) of retaining a Department of Labor rule that would have stripped six million workers of the right to overtime pay. He also voted in favor of the rejection of a [DOL Rule](#) that would have provided additional protections to people seeking advice about retirement savings. He [voted to restrict workers](#) from bringing civil right and wage-and-hour state law cases as class actions. In the midst of the 2008 economic crisis, Sessions voted against the [temporary extension of unemployment benefits](#). On numerous occasions, Sessions has voted against measures to increase the minimum wage. He voted against increasing the minimum wage from \$5.15 to \$7.25, from \$6.55 to \$7.25, and from [\\$7.25 to \\$10.10](#).

On the Economy/Jobs/Healthcare

Sessions also voted against several important pieces of legislation that aimed to stimulate the economy and enhance equality, including the American Recovery and Reinvestment Act (stimulus bill) of 2009,

the [Lilly Ledbetter Fair Pay Act](#), the [Affordable Care Act](#), and the [Dodd-Frank Wall Street Reform Act](#). He also voted against amendments that would have [increased funding for after-school programs](#) (paid for by eliminating tax breaks for Americans with incomes over \$1 million) and increased funding for the Low-Income Energy Assistance Program. In addition, Sessions voted to table an amendment that would have increased funding for HIV/AIDS prevention and treatment programs. Sessions introduced [an amendment](#) to cut \$11 billion from the SNAP food stamp program that was rejected by the Senate.

On Reproductive Rights

Planned Parenthood Action Campaign gives Sessions a [0% lifetime rating](#) for his votes against reproductive justice. Sessions has twice voted to invoke cloture on legislation that would have [defunded Planned Parenthood](#). He also voted for a [federal ban on abortions at 20 weeks](#).

On the Environment

The League of Conservation Voters gives Sessions a [7% lifetime score](#) for his voting record on environmental issues. Out of 220 votes on legislation involving the environment, Sessions has only taken a pro-environment stance 15 times. Sessions voted in favor of the [Keystone XL pipeline](#) and for an amendment that would have expanded offshore drilling and made it “[more dangerous by enacting oversight standards that are weaker than those in place before the catastrophic 2010 BP Deepwater Horizon oil spill](#).” Sessions also voted to [expand drilling](#) into the Arctic Wildlife Refuge. Sessions voted against an amendment that would have [identified climate change as real](#). Earthjustice [has called](#) Sessions an “untenable choice for Attorney General.”

On LGBTQ Issues

The Human Rights Campaign has given Sessions a [0% rating in six of its seven scorecards](#). This means that Sessions has only once cast a vote considered favorable to LGBTQ rights. Sessions [voted for](#) a constitutional amendment prohibiting same-sex couples from marrying. Sessions voted against an amendment prohibiting discrimination against LGBT students, against an amendment aimed at [ensuring that same-sex couples had access to Social Security and veterans’ benefits](#), and against the [Employment Non-Discrimination Act](#). He also [voted against the repeal of Don’t Ask, Don’t Tell](#). Sessions is a cosponsor of the [First Amendment Defense Act](#), which enables discrimination against LGBT people.

On Immigration

Sessions was strongly against President Obama’s DACA and DAPA reforms. After the Supreme Court failed to overturn a decision blocking President Obama’s DAPA reform, [Sessions said](#), “today’s decision in *United States v. Texas* is . . . a victory for Texas, Alabama, and a majority of the States in this great nation who challenged the lawless actions of the Obama Administration.” In Congress, [Sessions voted against the DREAM Act](#), which would have provided a path to citizenship for children who were brought to the United States at a very young age. In 2013, he [also voted against the Senate’s bipartisan immigration reform bill](#) that would have toughened border security while giving more protections to undocumented individuals already in the country. Sessions has spoken out against immigrants of all kinds: [he wrote an op-ed](#) in the *Washington Post* decrying skilled immigration, and has consistently

[spoken out against](#) accepting refugees from war zones. Sessions has also [called for the end of birthright citizenship](#).

On Voting Rights

Sessions has a long history of voting rights skepticism. As mentioned earlier in this report, he brought highly questionable charges of voting fraud against civil rights leaders as a prosecutor and called the Voting Rights Act an intrusive piece of legislation at his 1986 hearing. When the *Shelby County v. Holder* decision struck down Section 5 of the Voting Rights Act, [Sessions celebrated](#). He also [voted against an amendment](#) that would have restored the right to vote in federal elections to persons previously convicted of felonies. Finally, Sessions voted for an amendment [requiring a government-issued photo ID](#) to vote.

On Criminal Justice

Sessions has long taken a harsh stance on criminal justice reform. [He laments](#) that the federal government no longer leads the way in “eliminating parole” or imposing “tough sentencing.” He attacked a recent judicial nominee, Paula Xinis, [for being insufficiently pro-police](#) and for her record as a public defender. Moreover, Sessions has spoken out against bipartisan reforms [curbing mandatory minimums](#) and has consistently argued that marijuana use merits severe punishment, claiming that [“good people don’t smoke marijuana.”](#)

Conclusion

Sessions’ record evidences hostility toward our core constitutional values: equality, liberty, and justice for all. AFJ will urge that his record be scrutinized in depth and we believe that Senators who consult their consciences will reject his nomination.