

# Jeff Sessions has led the DOJ in reversing many Obama-era policies

## Jeff Sessions' impact as Attorney General so far



### Private prisons

Two weeks after being sworn in, Sessions announced he was rescinding an August 2016 memo to phase out the use of private prisons for federal inmates. His reasoning involved his concern about the DOJ prison agency's "ability to meet the future needs of the federal correctional system."



### Crack down on drug crimes

Sessions has been vocal about instituting a return to harsher federal charging policies. In May 2017, he overturned Obama-era flexibility on mandatory minimums, resulting in more drug-related arrests.



### More power to border patrol

In April 2017, Sessions instructed prosecutors to charge immigrants re-entering the country with a felony rather than a misdemeanor and told them to crack down on the "harboring" of undocumented immigrants. He also announced that he would be sending more immigration judges to states on the Mexican border through a new "streamlined" hiring plan.



### Review police consent decrees

Sessions said the practice of establishing consent decrees between the federal government and local police departments on reforming police activities can lower police morale.



*"We have a crime problem. I wish the rise that we are seeing in crime in America today were some sort of aberration or a blip. My best judgment, having been involved in criminal law enforcement for many years, is that this is a dangerous, permanent trend that places the health and safety of the American people at risk."*

– Jeff Sessions during his speech after taking the attorney general oath of office on February 9, 2017.

### Ending DACA

- On Sept. 5<sup>th</sup> Jeff Sessions announced the Trump administration will phase out the DACA program over six months
- While Sessions opposes the program, President Trump has said he chose to end the program so that Congress would take responsibility for creating sustainable legislation to protect the dreamers

Sources: Riley Beggin, "Jeff Sessions: everything you need to know about the attorney general," ABC, June 12, 2017; Hannah Kozłowska, "Jeff Sessions has done more damage in his first 100 days than his boss," Quartz, May 19, 2017; Adam Serwer, "What Jeff Sessions's Role in Prosecuting the Klan Reveals About His Civil-Rights Record," The Atlantic, February 10, 2017.

# Under Sessions' leadership the DOJ has taken particular aim at rolling back Obama-era civil rights guidelines

## Interpreting the Civil Rights Act of 1964



### Transgender no longer protected by 1964 Civil Rights Act

- The Justice Department will now take the position in court cases that transgender people are no longer protected by the Civil Rights Act ban on workplace discrimination based on sex
- Sessions' memo aims to clarify how attorneys should interpret employment protections based on "sex" in Title VII of the Civil Rights Act
- In 2014 Eric Holder, the attorney general at the time, ordered the Justice Department to view "sex" as encompassing gender identity, extending protections to transgender people
- Sessions' memo reversed this and stated the word "sex" in the statute means only "biologically male or female," and that the Civil Rights Act does not ban "discrimination based on gender identity per se, including transgender status"



### Homosexuality no longer protected by the 1964 Civil Rights Act

- The Justice Department advised an appeals court that the Civil Rights Act does not ban discrimination on the basis of sexual orientation
- The new guideline for interpreting the Civil Rights Act came from a DOJ court filing in a discrimination lawsuit against a New York skydiving company
- Regarding the case, the Equal Employment Opportunity Commission said, "discrimination because of sexual orientation cannot rationally be distinguished from discrimination because of sex"
- The DOJ stepped into the case to say the law applies only to discrimination that treats men and women differently because Congress has consistently declined to amend the law in light of changes in societal and cultural attitudes about discrimination

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