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ACS Criticizes Attorney General's Inaction On Justice Department Hiring Scandal

Washington, DC -- The American Constitution Society for Law and Policy (ACS) criticized as woefully inadequate and disheartening Attorney General Michael B. Mukasey's lack of response to the actions of several former top Justice Department officials who improperly used political criteria to fill career positions at the Department.

"Attorney General Mukasey has abdicated his responsibility to ensure that the Department of Justice is dedicated to the impartial administration of Justice," charged ACS Executive Director Lisa Brown. "Rather than addressing the corruption of the hiring process and the harm that has been done to the Department, the Attorney General offers no substantive response.

Since June, the Justice Department's Office of the Inspector General and Office of Professional Responsibility have released two comprehensive reports chronicling the use of political hiring for nonpolitical positions in violation of both civil service law and Department of Justice policy. The first report examined the Department's honors and summer intern programs, detailing bias against candidates affiliated with "liberal" groups, including ACS. The second report, released in late July, identified the improper actions of top aides to former Attorney General Alberto Gonzales concerning the screening of potential U.S. prosecutors and immigration judges.

Speaking to the American Bar Association yesterday, the Attorney General acknowledged the serious problems at the Justice Department, noting that "the system failed," but at the same time made clear that he would not take action against the wrongdoers, saying that they have been sufficiently punished by "substantial negative publicity."

"It may be, as Attorney General Mukasey says, that 'not every wrong, or even every violation of the law, is a crime,'" said Brown. "But it does not follow that every violation of the law is to be met with blank indifference. What the Attorney General apparently does not grasp is that failing to address widespread and systemic wrongs at the nation's

highest institute of justice undermines the very mission of the Department and the confidence that Americans have in their government and its ability to pursue justice.

“The U.S. Department of Justice has been seriously undermined by improper partisan activities and policies over the past eight years,” Brown added. “Unfortunately, Attorney General Mukasey’s disheartening remarks yesterday offer nothing to a nation looking for a return to leadership on principles of justice and fair and equal treatment for all.

“When the Attorney General was chosen to be the nation’s top law enforcement officer, he pledged to restore integrity to the Department of Justice,” Brown stated. “His comments yesterday reveal, through both tone and a lack of understanding of the need for a serious response, that his promise was an empty one.”

The American Constitution Society for Law and Policy is one of the nation’s leading progressive legal organization, comprised of lawyers, judges, students and policy makers committed to promoting the vitality of the Constitution and the fundamental values it expresses.

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