



August 7, 2019

The Honorable William P. Barr
Attorney General of the United States
United States Department of Justice
Robert F. Kennedy Main Building
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Re: Status of Black Attorneys at the United States Department of Justice

Dear Attorney General Barr:

The Department of Justice Association of Black Attorneys (“DOJABA”) would like to welcome you back to the Department as the 85th United States Attorney General. Over the past 30 years, DOJABA has maintained a working relationship with Department leadership and has assisted the Department in its efforts to recruit, hire, retain, and otherwise enhance the tenure and advancement of Black attorneys.

We write today, however, to express our concern about the current state of the Department’s recruitment and retention of Black attorneys. As the nation’s premier legal institution, the Department must lead by example in fostering a more diverse and inclusive workplace for its employees and interns. Indeed, “the Department is stronger, more credible, and more effective when its workforce includes highly-qualified individuals whose backgrounds reflect our nation’s rich diversity.”¹ While the Department employs over 11,400² attorneys, Black attorneys represent a tiny fraction of its workforce. Based on data compiled from the Department’s Electronic Employment Fact Book, Black attorneys make up only 6.58% of all Department attorneys.³ The current number of Black attorneys at the Department is the lowest it has been in the last five years.⁴ As it relates to new hires, the

¹ Legal Careers, *Valuing Diversity*, U.S. Department of Justice, available at <https://www.justice.gov/legal-careers/valuing-diversity> (last visited June 21, 2019).

² Department of Justice Electronic Employment Fact Book Fiscal Year 2018, available at https://dojnet.doj.gov/jmd/fs/fspay/factbook/FY2018/Reports/FY2018_Table37.pdf (last visited June 21, 2019).

³ https://dojnet.doj.gov/jmd/fs/fspay/factbook/FY2018/Reports/FY2018_Table63A.pdf; *see also* enclosed chart.

⁴ *See* enclosed chart.

picture becomes even bleaker. Last year, the Department's hiring of Black attorneys declined sharply by 40%.⁵

These issues are not unique to Black attorneys. The Department also seems to have reduced its recruitment efforts to attract qualified Black legal interns. A recent survey of our members revealed that qualified Black law students are seldom selected for internships within their respective offices. Sadly, this is a missed opportunity for the Department to mentor and train the next generation of public servants.

DOJABA remains committed to helping the Department attract and retain talented, highly qualified Black attorneys and legal interns. An increase in the number of Black attorneys in the career and senior executive services, as well as political appointees, is a specific goal for which DOJABA and the Department should strive toward in partnership. We have many ideas we would like to share with you for recruiting and retaining Black attorneys and legal interns, including:

- Directing Human Resources personnel in all components to provide resources to hiring committees and hiring officials regarding increasing diversity in hiring;
- Encouraging components to advertise opportunities to join hiring committees;
- Encouraging components to staff hiring committees with employees who represent the racial, ethnic, and cultural diversity of the nation the Department serves;
- Discouraging components from staffing hiring committees with the same personnel for multiple hires;
- Encouraging components to recruit from a wide range of law schools, including law schools at Historically Black Colleges and Universities (HBCUs);
- Encouraging components to attend legal job fairs at HBCUs and develop relationships with career services offices at HCBUs; and
- Encouraging components to advertise vacancy announcements with African-American bar associations, including the National Bar Association, and its various chapters such as the Greater Washington Area Chapter -

⁵ *Id.*

Women Lawyers Division, the Washington Bar Association, and the National Black Prosecutors Association.⁶

- Encouraging components to advertise internship opportunities with the National Black Law Students Association and chapters of the association at various law schools.⁷

We respectfully request the opportunity to meet with you and/or your staff to discuss these ideas within the next few weeks as many components are actively interviewing and hiring new attorneys and fall legal interns. Please contact us at oneshia.herring@usdoj.gov or (202) 353-4132. Thank you for your time, consideration, and prompt attention to this matter.

Respectfully,

DOJ Association of Black Attorneys
Executive Council

By:



Oneshia S. Herring
Chair
DOJ Association of Black Attorneys

cc:

Rachel Bissex, Counselor to the Attorney General and White House Liaison
Office of the Deputy Attorney General
Office of the Associate Attorney General

⁶ For more information on these organizations, please visit their websites: <https://www.nationalbar.org/>; <https://gwacbar.org/>; <https://www.nbawld.org/about-us/>; <https://www.wsba.org/>; and <http://blackprosecutors.org/>.

⁷ For more information on this organization, please visit <https://www.nblsa.org/>.

ATTACHMENT

DOJABA Chart on DOJ Employment of Black Attorneys

Fiscal Years	Total DOJ Attorneys	Total Black Attorneys	Total Percentage
FY 2018 as of Sept. 30, 2018	11,454	754	6.58%
FY 2017 as of Sept. 30, 2017	11,302	827	7.32%
FY 2016 as of Sept. 30, 2016	11,337	825	7.28%
FY 2015 as of Sept. 30, 2015	11,058	820	7.42%
FY 2014 as of Sept. 30, 2014	10,633	785	7.38%

Fiscal Years	Total New DOJ Hires	Total New Black Attorneys		
FY 2018 as of Sept. 30, 2018	4,304	85	FY 18 Black Attorney New Hires	85
FY 2017 as of Sept. 30, 2017	4,368	142	FY 17 Black Attorney New Hires	<u>142</u>
FY 2016 as of Sept. 30, 2016	5,159	144	% Decrease from FY17 to FY18	-40.14%
FY 2015 as of Sept. 30, 2015	4,376	142		
FY 2014 as of Sept. 30, 2014	2,713	72		

The charts compile DOJ employment data of Black attorneys. The information was obtained from DOJ Employment Fact Book, available at <https://dojnet.doj.gov/jmd/fs/fspay/factbook/>. DOJABA members gathered this information and have made best efforts to ensure its accuracy.