



July 14, 2021

Lee J. Lofthus
Assistant Attorney General for Administration
United States Department of Justice, Justice Management Division
lee.lofthus@usdoj.gov

Via Electronic Mail

Re: DOJABA Recommendations on Diversity, Equity, and Inclusion Measures

Dear Assistant Attorney General Lofthus:

The Department of Justice Association of Black Attorneys (DOJABA) write to request that the Justice Management Division (JMD) implement the measures below to bolster diversity, equity, and inclusion (DEI) at the Department and highlight the work of the Department's affinity groups. Throughout our 31-year history, DOJABA has maintained excellent rapport with Department leadership and has advised the Department on matters concerning its Black employees and the broader Black community. DOJABA looks forward to continuing this partnership with JMD in a more meaningful way.

As you know, on June 25, 2021, President Biden signed Executive Order 14035 (EO) establishing an initiative to strengthen and advance DEI throughout the federal government. As the Department reviews how members of underserved communities are currently represented in the workforce and seeks ways to advance employment opportunities for groups that have historically faced employment and professional barriers, DOJABA welcomes the opportunity for targeted dialogue with JMD regarding how the Department can better recruit and support Black staff. We also ask JMD to include DOJABA in the assessment and implementation process for the EO.

To that end, DOJABA wishes to draw JMD's attention to its list of five DEI recommendations for the Department, as detailed in the enclosed flyer and summarized below:

- (1) Install a Chief Diversity Office to centralize and prioritize DEI issues. DOJABA specifically recommends that the Department establish the Chief Diversity Office on a permanent basis with SES staffing and appropriate support to advance DEI as core values across the Department. The Chief Diversity Officer should report directly to the Attorney General. The duties for the Chief Diversity Office should include training, content development, liaising with affinity groups, providing programmatic support to components, and developing policies to direct and guide components to recruit, hire, train, advance, promote, and retain a diverse workforce.
- (2) Reestablish a Department-wide Diversity & Inclusion Advisory Council to coordinate Department-wide diversity management efforts, monitor the implementation of each component's diversity management plan, and meet biannually with the Attorney General to report on the status of the Department's efforts. The Council should include affinity group representatives and career employees.

- (3) Issue a statement on diversity in hiring that goes beyond the current Equal Employment Opportunity statement on the Department’s website and embraces diversity in hiring at all levels. DOJABA proposes the following statement:

We must ensure that no applicant for employment or employee of our Department will be denied equal opportunity because of race, color, national origin, ethnicity, religion, disability, age, sex, sexual characteristics, sexual orientation, gender identity, gender expression, protected genetic information, pregnancy, status as a parent or caregiver, marital status, political affiliation, or any other non-merit-based factor. We will take swift and appropriate corrective and/or disciplinary action when employees are found to have engaged in discrimination, retaliation, or harassment, including sexual harassment, which are prohibited by our policies regardless of whether the discrimination, retaliation, or harassment violates federal law.

- (4) Improve Black attorney and intern recruitment and retention efforts.
- (5) Increase awareness around the Department’s affinity groups and establish benchmarks for DEI success to foster a more inclusive Department.

Consistent with these recommendations, DOJABA has also identified specific long-term actions and short-term measures that JMD can implement immediately to improve the Department’s DEI efforts:

Measures to Improve Recruitment & Retention

Long-Term:

- (1) Increase budgets and resources for OARM and components to specifically travel to Historically Black College & University (“HBCU”) law schools and other law schools with diverse student populations for recruitment;
- (2) Encourage Department leadership to consider diversity in handing out awards and other opportunities for recognition;
- (3) Expand Department-wide diversity training and implement a Department-wide implicit bias workshop;
- (4) Create measurable benchmarks to evaluate managers on how they handle DEI issues; and
- (5) Require regular reporting of DEI advancement in all of the Department’s components.

Short-Term:

- (1) Direct Human Resources personnel across the Department to provide DEI resources to hiring committees and hiring officials;
- (2) Encourage components to staff hiring committees with employees who represent varied racial, ethnic, cultural, socioeconomic, geographic, and law school backgrounds;
- (3) Encourage components to attend legal job fairs at HBCUs and develop relationships at HBCUs and with local chapters of the National Black Law Students Association;
- (4) Encourage USAOs to establish meaningful relationships with diverse law students in their districts (e.g. workshops, trainings, etc.);

- (5) Encourage components to attend job fairs where diverse law students are likely to attend (e.g., Equal Justice Works, National Black Law Students Association, etc.); and
- (6) Encourage components to advertise vacancies with Black bar associations and the National Black Law Students Association.

Measures to Highlight & Support DOJ's Affinity Groups

Long-Term:

- (1) Invite affinity groups to regularly meet with component and Department leadership to discuss issues of concern; and
- (2) Invite affinity groups to regularly attend and participate in component DEI-related committee meetings and events, including, but not limited to full participation on the Diversity & Inclusion Advisory Council.

Short-Term:

- (1) Add information about the Department's affinity groups to DOJNet, including links to each affinity group's website;
- (2) Include the contact information for Department affinity groups in onboarding materials and communications sent to newly hired Department staff; and
- (3) Send periodic emails to all current employees notifying them about the Department's affinity groups, including information about how employees can become members.

DOJABA appreciates JMD's consideration of these recommendations and welcomes the opportunity to address any questions. Given the need for an expedient response to Executive Order 14035, please contact the undersigned at oneshia.herring@usdoj.gov to advise of the best time to discuss the needs and reasons supporting DOJABA's DEI recommendations.

DOJABA looks forward to working with JMD on these and other measures.

Respectfully,

DOJ Association of Black Attorneys
Executive Council

By: 

Oneshia S. Herring
Chair

Enclosures: DOJABA Recommendations on Diversity, Equity & Inclusion Measures
DOJ Affinity Group Letter to Biden-Harris Transition Team
DOJ Affinity Group Letter to AAG Loftus on EO 14035

cc: Lisa Monaco, Deputy Attorney General, U.S. Department of Justice
Arthur Gary, General Counsel, U.S. Department of Justice, Justice Management Division