Ad Hoc Group of the Center for Ethics and the Rule of Law (CERL) and Citizens for Responsibility and Ethics in Washington (CREW)

A nonpartisan legal and ethics group calls for an impeachment inquiry after its in-depth study; group concludes Barr compromised U.S. interests, jeopardized national security


“For the United States to remain a ‘government of laws, and not of men,’ it is essential that our nation’s highest law enforcement office maintains independence from partisan politics and the executive branch,” said Ad Hoc Working Group Co-Chair Claire Finkelstein, Penn Law professor and Faculty Director of CERL. “After months of study, our group has concluded that Mr. Barr has compromised U.S. interests and jeopardized national security,” she stated. “He has an authoritarian worldview that limits his adherence to the rule of law.”

CERL and CREW undertook the project to examine ethics and rule of law concerns in a number of areas ranging from the Mueller Report rollout to deployment of federal troops against protestors. A bipartisan coalition of national security experts, lawyers, retired military, former acting and deputy attorney generals, and law professors accessed public sources and conducted interviews.

The group concluded that there is sufficient basis for Congress to conduct a detailed impeachment inquiry.

Working Group Co-Chair Richard Painter, Professor of Law at University of Minnesota Law School and former chief White House ethics lawyer under President George W. Bush, said that “not only has the attorney general compromised U.S. interests and national security by, for example, interfering in our government’s Russia and Ukraine investigations, he has simply failed
to enforce the law evenhandedly and has violated rules of professional conduct and
government ethics rules. And his defiance of subpoenas and resistance to congressional
oversight are problematic.”

The group also believes that Congress and the American people are entitled to immediate
answers in the face of strong evidence that the attorney general is subordinating the legitimate
work of the DOJ to achieve partisan political aims.

“It’s become apparent that Bill Barr is using his position and the powers of the Justice
Department as a vehicle for supporting Donald Trump’s political objectives. This is evident in his
attempts to intervene in investigations and prosecutions on behalf of the president’s allies and
to help with the president’s bid for re-election,” said Working Group Co-Chair and CREW
Executive Director Noah Bookbinder. “Barr’s insistence on pursuing politically-motivated
investigations, like the Durham investigation, is clearly intended to justify Trump’s conduct in
the 2016 campaign and to provide fodder for his 2020 campaign.”

The areas examined by the group include the rollout of Special Counsel Mueller’s report; DOJ’s
involvement in the Ukraine matter; DOJ’s use of counter-investigations and related activities;
DOJ’s interference in ongoing investigations and prosecutions; deployment of federal agents
and troops against protestors in Portland and Lafayette Square; the firing or reassignment of
politically independent government officials; potential suppression of freedom of speech and
press; the alleged politicization of DOJ offices; and apparent resistance to congressional
oversight and inquiries. The report also provides 13 recommendations.

Other members of the Ad Hoc Working Group are:

Jennifer Ahearn, Policy Director of CREW; Virginia Canter, former Chief Ethics Counsel at
CREW; George Croner, a national security senior fellow at the Foreign Policy Research Institute
(FPRI) and formerly principal litigation counsel at the National Security Agency (NSA); Stuart
Gerson, former U.S. Acting Attorney General in the Clinton administration and member of
Epstein Becker & Green, P.C.; Richard Meyer, Interim Executive Director of CERL; Elizabeth
Rindskopf Parker, former General Counsel to the National Security Agency (NSA) and Central
Intelligence Agency (CIA); and Shawn Turner, Professor of Strategic Communications at
Michigan State University and a national security communication analyst for CNN.

Consultant:
Donald B. Ayer, recently retired partner at Jones Day and the former Deputy Attorney General
in the George H. W. Bush administration

To read the full report, including general and specific findings, recommendations, methodology,
and more information on members of the Ad Hoc Working Group, please go here.

The views of the CERL-CREW Ad Hoc Working Group do not necessarily reflect those of CERL and its
Executive Board and CREW and its Board of Directors.
The Center for Ethics and the Rule of Law (CERL) is a non-partisan interdisciplinary center at the University of Pennsylvania Carey Law School dedicated to preserving and promoting ethics and the rule of law in national security, warfare, and democratic governance.

www.pennCERL.org

Citizens for Responsibility and Ethics in Washington (CREW) is a non-partisan nonprofit organization that uses legal action, research, and communications to reduce the influence of money in politics and help foster a government that is ethical and accountable.

www.citizensforethics.org

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