

# Congress of the United States

Washington, DC 20510

November 13, 2020

The Honorable William P. Barr  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, D.C. 20530

Dear Attorney General Barr:

We urge you to suspend all federal executions so the incoming Biden-Harris administration can evaluate and determine the future use of the death penalty by the federal government. The failure to do so will cause irrevocable injustice.

For more than 17 years, no federal death sentence was carried out.<sup>1</sup> Then, in July 2020, you recklessly restarted federal executions.<sup>2</sup> In less than three months, the Administration executed seven people—more than the total number executed over the previous six decades.<sup>3</sup> The Department of Justice has scheduled another execution for November 19, and two more in December 2020.<sup>4</sup>

The death penalty in America is disproportionately imposed on Black and brown people and low income people,<sup>5</sup> and at least 172 people sentenced to death have reportedly been exonerated after languishing for years on death row.<sup>6</sup> Despite clear flaws in the system, the Administration has aggressively pushed forward over objections from family members of victims and despite Eighth Amendment objections to the manner of execution.<sup>7</sup>

President-Elect Biden's plan for strengthening America's commitment to justice includes the elimination of the federal death penalty and Vice-President-Elect Harris is an original cosponsor of legislation we have introduced to eliminate the federal death penalty.<sup>8</sup> A record number of Americans voted in favor of President-Elect Biden and Vice-President Elect Harris

---

<sup>1</sup> [https://www.bop.gov/about/history/federal\\_executions.jsp](https://www.bop.gov/about/history/federal_executions.jsp).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> [https://www.bop.gov/resources/federal\\_executions\\_info.jsp](https://www.bop.gov/resources/federal_executions_info.jsp).

<sup>5</sup> <https://www.naacp.org/latest/naacp-death-penalty-fact-sheet/>;  
<https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=22208&LangID=E>.

<sup>6</sup> <https://deathpenaltyinfo.org/policy-issues/innocence/description-of-innocence-cases>;  
<https://www.law.umich.edu/special/exoneration/Pages/detaillist.aspx?View={FAF6EDDB-5A68-4F8F-8A52-2C61F5BF9EA7}&FilterField1=Sentence&FilterValue1=Death>.

<sup>7</sup> <https://www.nytimes.com/2020/07/17/opinion/justice-department-federal-execution.html>.

<sup>8</sup> <https://joebiden.com/justice/>.

and they deserve an opportunity to implement their policy agenda without the Trump Administration rushing to take preemptive and irreversible steps.

While you will remain in office for a few more weeks, going forward with executions in the weeks before the new administration takes office would be a grave injustice.

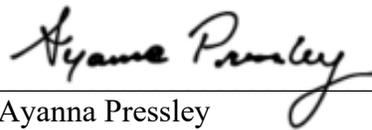
We look forward to your prompt response.

Sincerely,



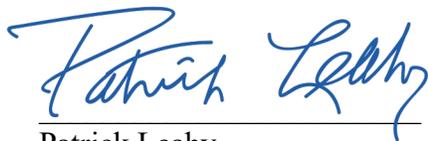
---

Richard J. Durbin  
United States Senator



---

Ayanna Pressley  
Member of Congress



---

Patrick Leahy  
United States Senator



---

Cory A. Booker  
United States Senator