



Council on American-Islamic Relations **Minnesota Chapter**
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Enhance the understanding of Islam, encourage dialogue, protect civil liberties, empower American Muslims,
and build coalitions that promote justice and mutual understanding.

September 21, 2021

President Joseph R. Biden, Jr. The White House
1600 Pennsylvania Avenue NW Washington, D.C. 20500

Dear President Biden,

We write to you today to express our deep concern with reports that Andrew Luger is being vetted for nomination to U.S. Attorney in Minnesota.

Earlier this year 23 members of the Minnesota legislature and over 40 Minnesota based civil rights, faith, labor, and other community organizations expressed their concerns and demanded that other candidates be chosen over Mr. Luger. This is not the first-time people who have worked directly with Mr. Luger, especially BIPOC Minnesotans, have publicly expressed their reservations about his return to such an important role in the federal government. But it is the first time we have done so since the explosive reporting done by the New York Times about the Countering Violent Extremism program - a program Mr. Luger championed and oversaw in Minnesota - was made public. This reporting has only heightened our concerns about Mr. Luger's appointment.

The article, titled *'I Helped Destroy People,'* which appeared in the September issue of the New York Times Magazine, paints a staggering picture of the profiling, harassment, and abuse federal authorities imposed on people of color - especially African immigrants and Muslims - throughout Minneapolis and the rest of Minnesota as part of the CVE program. And though he is not mentioned by name, Mr. Luger spearheaded this program in Minnesota and has been a vociferous defender of it.

Terry Albury, an FBI whistleblower, is currently serving a 4-year sentence in federal prison for leaking documents about this program to the press. These documents revealed routine violations of Muslim-Americans' and African-Americans' civil rights as well as policy manuals which agents used to conduct racial and religious profiling through various loopholes in federal law. These were cornerstones of Mr. Luger's CVE program in Minnesota.

"You know what I think we should do with the Somalis?" a secretary with Luger's Joint Terrorism Task Force said to a group of agents in the office in fall 2012. "I think we should blow up the Somali towers."

But while these documents and the confirmation of policy is new, the reporting did not reveal anything to us that we did not already know.

Our communities spent years attempting to bring countless stories to then Attorney- Luger's attention of racial and religious profiling, unwarranted surveillance practices, harassment, and even erroneous arrests and prosecutions to then Attorney- Luger's attention. Our attempts were rebuffed. Mr. Luger remains a defender of these programs today.

WASHINGTON, D.C.

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The position of U.S. Attorney is a crucial one for communities like ours. It involves protecting the civil rights of marginalized people - the very people most vulnerable to the kinds of systemic abuse catalogued by the New York Times and overseen by Mr. Luger.

It involves prosecuting those who have violated civil rights, like police officers who murder unarmed Black men. In 2015, after the murder of Jamar Clarke in Minneapolis, then U.S. Attorney Luger declined to prosecute his killers.

The next U.S. Attorney will be responsible for prosecuting civil rights charges against George Floyd's murderers. Why should our communities trust that Mr. Luger will do his duty this time?

Those affected most by the law should be the ones closest to crafting and enforcing it. At such a crucial time for the status of racial and religious minorities in the United States, why are we once again being asked to accept someone with a proven track record of allowing the abuse of people of color at the hands of federal authorities, a proven track record of abdicating his responsibility to protect our communities and fight for justice on our behalf should be the one with power over us once again?

We know that he is not the only qualified candidate you have considered. Surely one of the people on your shortlist is as qualified. And surely none of them have as checkered a record when it comes to fighting for justice for us.

Mr. Luger may not have profiled anyone when he worked for the federal government in the past; but he allowed it to happen. He may not have entrapped anyone in a scheme to "root out terrorists" himself; but he oversaw the campaign to do so over and over. He may not have been responsible for Jamar Clarke's death; but he chose not to even attempt to bring Jamar's killers to justice.

Mr. Luger is not the right person for this job. We ask you to reconsider.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jaylani Hussein".

Jaylani Hussein
Executive Director
CAIR-Minnesota

WASHINGTON, D.C.

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