



January 8, 2018

The Honorable Jefferson Beauregard Sessions III
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530-0001

Dear Attorney General Sessions,

On behalf of the Lawyers' Committee for Civil Rights Under Law and the National Action Network, we write to urge the Department of Justice (DOJ) to take immediate action and present an indictment against New York City Police Department (NYPD) Officer Daniel Pantaleo for the killing of Mr. Eric Garner. We renew our call for action in light of the tragic death of Erica Garner (daughter of Eric Garner) who recently passed without receiving justice for her father. Over three years have passed since Mr. Garner's untimely death and we find it abhorrent that the Garner family has been denied a final decision from the Department of Justice concerning the prosecution of Officer Pantaleo.

As you are well aware, Mr. Garner was an unarmed, African American, father of six who was suspected of selling "loose" cigarettes when he was confronted by NYPD officers on July 17, 2014. While attempting to arrest Mr. Garner, Officer Pantaleo strangled Mr. Garner to death as he pleaded "I Can't Breathe."¹ Eyewitnesses recorded the interaction with Officer Pantaleo and the horrific details of Garner's death on cellphone video; and in the years since, millions have viewed the fateful encounter.

A federal investigation into Eric Garner's death was launched on December 3, 2014; the same day a Staten Island grand jury declined to indict Officer Pantaleo. The DOJ is solely responsible for investigating law enforcement violations of federal law, including deprivation of rights under color of law pursuant to 18 U.S.C. § 242. We are at a critical moment, where justice for the Garner family can no longer be delayed.

During our meeting with you at DOJ in March 2017, we raised our grave concerns regarding DOJ's long outstanding investigation into the death of Eric Garner and you vowed to find out the status of this matter. To date, no information or update has been made publicly available. As Erica Garner is laid to rest today, we strongly urge DOJ to conclude its criminal investigation

¹The chokehold was prohibited by the NYPD in 1993. (See <http://www.nytimes.com/1993/11/24/nyregion/kelly-bans-choke-holds-by-officers.html>)

and present charges to a grand jury. We thank you for your consideration of the points raised in this letter.

Sincerely,



Kristen Clarke
President and Executive Director
Lawyers' Committee for Civil Rights Under Law



Rev. Al Sharpton
Founder and President
National Action Network