

LAWYERS DEFENDING AMERICAN DEMOCRACY

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AG Barr Engaged in Dishonest, Misleading and Unconstitutional Actions, Say Former DC Bar Presidents and Other Top Attorneys

WASHINGTON, D.C. - Four former Presidents of the DC Bar and twenty-three other distinguished DC Bar members today filed a comprehensive and in-depth ethics complaint against fellow member William P. Barr, Attorney General of the United States. It calls for the DC Bar's Office of Professional Responsibility's Office of Disciplinary Counsel to determine whether the Attorney General should be subject to professional discipline due to his misconduct.

In a meticulously researched lawyers' bill of particulars, DC Bar leaders allege that Mr. Barr has engaged in a pattern of serious violations of DC Bar ethics rules, including conflicts of interest, and call for the Attorney General to be professionally disciplined. It is believed to be the first time that former DC Bar Presidents and other bar leaders have ever united to file an ethics complaint against an Attorney General.

The complaint shows that Mr. Barr breached his attorney's oath of office to support the Constitution. By overseeing, ordering and supporting the forcible removal of peaceful protesters from Lafayette Square, he violated the protesters' First and Fourth Amendments rights under the Constitution. By violating the Constitution, he engaged in misconduct under DC Bar Rule XI.

The complaint lays bare how Mr. Barr misled Congress and the public by asserting that the Mueller Report did not contain sufficient evidence to establish that President Trump committed the crime of "obstruction of justice." Mr. Barr's dishonest, deceitful and misleading statements violated DC Bar Rule 8.4(c).

In addition, the complaint reveals how Mr. Barr deceived the American people by misrepresenting, and unjustifiably attacking, the Justice Department independent Inspector General's determination that the FBI had a proper basis for beginning its 2016 investigation into Russia's election interference to hurt the Clinton campaign. And the complaint demonstrates the falsity of Mr. Barr's assertions that the results of the FBI investigation showed that the investigation had been "baseless".

Three of the complaint's prominent signers explain why they've taken the extraordinary step of joining this complaint against the Attorney General.

- Former U.S. Deputy Assistant Attorney General Roy L. Austin, Jr., says: "The compelling evidence of AG Barr's pattern of dishonest statements and conflict of interest lead to one conclusion: Our DC Bar must commence an independent investigation of these allegations of misconduct."

- Past DC Bar President Andrea Ferster observes: “I am increasingly alarmed that our Nation’s chief law enforcement agency is becoming a political arm of the President.”
- Previous DC Bar Foundation President Marc Fleischaker states: “The legal profession’s commitment to the Constitution and the rule of law is undermined when our nation’s highest legal official promotes the narrow interests of a single individual rather than the interests of his client, the United States and the American people.”

The complaint has five main purposes:

- To initiate an investigation of Mr. Barr’s conduct, and the appropriate discipline pursuant to the DC Rules of Professional Responsibility;
- To show that in failing his professional responsibility, Mr. Barr has violated his fundamental ethical duty to zealously represent the interests of his own client – the United States, on behalf of the American people – rather than the interests of a third party, President Donald Trump;
- To constrain Mr. Barr and any future attorney general from continuing to denigrate the rule of law by professional misconduct;
- To vindicate the legal profession’s commitment to its own integrity by holding Mr. Barr publicly accountable for severely unethical conduct that diminishes public confidence in, and undermines, the fairness and impartiality of the American legal system.

The signers urge all Americans who care about preserving the honest, impartial and non-partisan administration of justice and Americans’ constitutional rights to read the complaint and take appropriate action, including:

- Congress should question Attorney General Barr about these allegations;
- The American Bar Association, state and local bar associations, law firms, and federal, state and local prosecutors should speak out on these violations and demand that Mr. Barr be held accountable; and
- The media and all institutions and individuals with responsibility to protect the honesty, impartiality and fairness of our American legal system to regularly focus on how any of the Attorney General’s future actions fit into the larger pattern of his misconduct, rather than each action being treated in isolation.

The complaint was filed with the Office of Disciplinary Counsel, District of Columbia Court of Appeals.

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