

Our Response to the Events of January 6th at the U.S. Capitol

The events of January 6th at the U.S. Capitol appalled and shocked all of us. This was not a political protest; it was an attack on our democratic institutions, values, and ideals. Free and fair elections, the acceptance of duly certified election outcomes, and the peaceful transfer of power all lie at the heart of our constitutional democracy. Attempts to disrupt constitutional processes through violence—violence that has now resulted in five deaths—are the antithesis of free speech and directly threaten the rule of law.

The responsibility for these horrific events lies not only with those who directly participated in the violent invasion of the Capitol building, but also with those, including the President of the United States, who invited such actions through their words and conduct. As lawyers, as citizens, we condemn these actions unequivocally. We are grateful that order has been restored at the Capitol, but more remains to be done to repair the incalculable damage that these events have caused.

Our public officials—in law enforcement, in the Cabinet, and in Congress—must carefully consider what additional actions are needed under our Constitution to ensure that those responsible are held accountable, that further dangerous actions are avoided, that an orderly transition of power occurs, and that the rule of law is upheld.

These events also have reminded us that policing practices in our country are often unequal. Our reckoning with racial inequality must continue until we can all have confidence that everyone, regardless of race or color, receives equal treatment under the law.

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