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For Immediate Release:

The Jewish Community Relations Committee of Greater Ann Arbor is deeply concerned by the call for Michigan Attorney General Dana Nessel to be removed as prosecutor from the case against seven individuals accused of trespassing and resisting arrest in connection with their involvement in an anti-Israel encampment at the University of Michigan last year. The defense suggests that the Attorney General decision to prosecute this case involving relative low-level charges when the AG typically would take more complex cases demonstrates her bias. Additionally, they suggest that she should be disqualified because she criticized Michigan Congresswoman Rashida Tlaib for using the phrase “from the river to the sea,” saying that the language is “painful” to Jews. The phrase has been used by those who want to eradicate the Jewish presence in Israel. Implicit in the defense’s argument is their belief that AG Nessel cannot be impartial due to her identity as a Jew who believes in the legitimacy of a Jewish state. If it were successful, this would mark the first time a prosecutor would be disqualified from prosecuting a case based on perceived bias due to their religious faith.

The defense attorney’s claims are specious, designed to delay or derail the State’s efforts to hold the defendants accountable for their actions. The Attorney General has vigorously denied the claimed grounds for recusal, highlighting misstatements of fact and mischaracterizations of her motives.

The notion that AG Nessel is biased against Muslims and Americans of Arab descent is unfounded and deeply offensive. AG Nessel has a strong history of uplifting those in both the Muslim and Arab American communities. The first Jewish Attorney for the State of Michigan, Ms. Nessel has hired more Muslim and Arab American staffers than any of her predecessors. She has placed Muslim and Arab American attorneys in the very highest levels of her office, including division chiefs, the first Arab American Muslim solicitor general, and the first chief deputy in a state AG’s office in American history. AG Nessel has written amicus briefs on behalf of international students whose visas were revoked and established the first Hate Crimes and Domestic Terrorism Unit in the country, which has prosecuted defendants who threatened Arab Americans as well as other marginalized populations.

The defense also urges removal because the Attorney General recused herself from a case in which her office alleged illegal activity by members of the Hamtramck city council, some of whom are Arab or Muslim. As she explains, she sought recusal in that case because she had previously personally criticized the potential defendants in Hamtramck when they expressed views hostile to the LGBTQ+ community. Her actions in that case demonstrate her integrity, seeking to avoid even the perception of bias because of her personal involvement.

There is no reason to suggest that Ms. Nessel will not be able to prosecute the defendants in the University of Michigan case with complete fairness. To suggest otherwise is shameful. We are hopeful that Judge Simpson will rule to let Attorney General Nessel and her office continue their important work in this case.

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