



U.S. Department of Justice

Civil Division

Washington, D.C. 20530
Telephone:
(202) 514-1259

January 11, 2010

Via Email and FedEx

Mr. Gerald A. Reynolds, Chairman
United States Commission On Civil Rights
624 Ninth Street, N.W.
Washington, D.C. 20425

Re: United States Commission on Civil Rights'
Planned Statutory Enforcement Report

Dear Chairman Reynolds:

With this letter and enclosures, the Department of Justice ("Department") is responding to the December 8, 2009, request of the United States Commission on Civil Rights ("Commission") for information regarding the Department's enforcement of federal laws against voter intimidation. The Department is doing so in accordance with its ongoing practice of voluntary cooperation with the Commission.

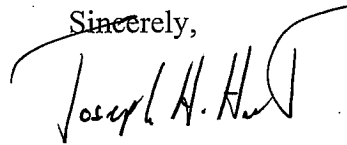
Protection of the right to vote is one of the Department's top priorities, and the Department wishes to be as responsive as possible to requests for information about its law enforcement activities in this area. In that regard, the Commission's requests have necessitated extensive searches of the Department's records, which are ongoing. Please note that the Department is constrained by the need to protect against disclosures that would harm its deliberative processes or that otherwise would undermine its ability to carry out its mission, and therefore is responding to the extent that it can do so without disclosure of attorney work product or other privileged information. The Department continues to evaluate whether it can provide further responses consistent with the need to protect privileged information and may supplement this response at a later date.

In light of the Commission's particular interest in an action brought by the Department under Section 11(b) of the Voting Rights Act, *United States v. New Black Panther Party for Self Defense*, Civil Action No. 2:09-cv-0065 (E.D. Pa.), and some confusion about its resolution, we wish to clarify the facts regarding the pending injunction in the litigation. In that case, the Department obtained an injunction against Minister King Samir Shabazz, who is the only individual known to the Department to have brought a weapon to a polling place in Philadelphia,

Pennsylvania during voting hours on Election Day 2008. The court order obtained by the Department enjoins this defendant from engaging in such activity as well as any other activity that violates the anti-intimidation provision of the Voting Rights Act. That provision, Section 11(b), does not authorize criminal penalties or any other kinds of relief beyond an injunction. The injunction remains in effect until 2012, and the Department intends to fully enforce the injunction's terms.

We hope that the enclosed information is helpful. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph H. Hunt". The signature is written in a cursive style with a large, sweeping flourish at the end.

Joseph H. Hunt
Director
Federal Programs Branch

Enclosures

cc: David P. Blackwood, General Counsel