



Department of Justice

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FACT SHEET: PROTECTING VOTING RIGHTS AND PROSECUTING VOTER FRAUD

WASHINGTON - Among the Department of Justice's highest priorities are protecting voting rights and combating voter fraud. The Department's Civil Rights Division enforces specific federal laws that help to ensure all qualified voters have an opportunity to cast their ballots and have them counted, while the Department's Criminal Division oversees the nationwide enforcement of federal laws that criminalize voter fraud and other assaults on the integrity of the federal election process.

The Department's Ballot Access and Voting Integrity Initiative:

In 2002, the Department of Justice established the Ballot Access and Voting Integrity Initiative to spearhead the Department's efforts to protect voting rights and to deter and prosecute election fraud. The ongoing initiative is supervised by the Assistant Attorneys General of the Civil Rights and Criminal Divisions, and has two overarching goals: to ensure voting access to all who qualify, and to protect the integrity of the election process and the value of every vote.

The initiative requires that each of the Department's U.S. Attorneys' Offices coordinate with state law enforcement and election officials before the federal general elections regarding the handling of election-related matters in their respective districts. In addition, the initiative provides annual training for the Assistant U.S. Attorneys from the Department's 94 U.S. Attorneys' Offices serving as District Election Officers (DEOs) in their respective districts. DEOs are election experts in the federal laws addressing election crimes and voting rights.

In July 2008, the Department held its seventh Ballot Access and Voting Integrity Symposium at the National Advocacy Center in Columbia, S.C. This additional training has strengthened the nationwide expertise related to enforcement of voting rights and prosecution of election crimes.

On Nov. 4, 2008, under the programs implemented by the Civil Rights and Criminal Divisions, the Department will be working hard to ensure fair access for the nation's voters and to uphold the integrity of the nation's democratic electoral process.

Civil Rights Division:

The Civil Rights Division enforces the civil provisions of the Voting Rights Act of 1965; the Uniformed and Overseas Citizen Absentee Voting Act of 1986 (UOCAVA); the National Voter Registration Act of 1993 (Motor Voter or NVRA); and the Help America Vote Act of 2002 (HAVA). Among other things, these civil statutes prohibit discrimination in voting on the basis of race or membership in a language minority as well as intimidation, coercion or threats against persons for exercising their right to vote. The Civil Rights Division's Criminal Section also enforces federal criminal statutes that prohibit voter intimidation based on race, color, national origin or religion. On Election Day, Nov. 4, 2008, the Civil Rights Division will implement a comprehensive program to help ensure ballot access that will include the following:

- The Civil Rights Division will send more than 800 federal personnel, including Department employees, as election monitors and observers at polling places in 23 states across the nation.
- In identifying locations where federal monitors may be needed, the Civil Rights Division has already sought out the views of many organizations, including non-governmental organizations as well as state and local officials.
- The Civil Rights Division has been engaged in a major outreach effort to non-governmental organizations and election officials to inform jurisdictions of their obligations under the language minority provisions of the Voting Rights Act. The Division will continue to enforce the law that requires jurisdictions meeting certain criteria to provide bilingual access to elections.
- Civil Rights Division attorneys in both the Voting and Criminal Sections in Washington, D.C., will be ready to receive complaints and concerns of voter intimidation or coercion, or complaints of potential violations relating to any of the statutes the Civil Rights Division enforces. Attorneys in the division will take appropriate action and will consult and coordinate with local U.S. Attorneys' Offices and with other entities within the Department of Justice concerning these complaints on and after Election Day.
- Civil Rights Division staff will be available at special toll-free numbers to receive complaints related to free and fair ballot access (1-800-253-3931), (TTY line 1-888-305-3228), including allegations of voter intimidation or coercion targeted at voters because of their race, color, national origin or religion. In addition, individuals can also report complaints, problems or concerns related to voting via the Internet. Forms may be submitted through a link on the Department's Web page: <http://www.usdoj.gov/>.

Criminal Division and the Department's 94 U.S. Attorneys' Offices:

The Criminal Division's Public Integrity Section and the Department's 94 U.S. Attorneys' Offices are responsible for enforcing the federal criminal laws that prohibit various

forms of election fraud, such as vote buying, multiple voting, voting by ineligible individuals, submission of fraudulent ballots or registrations, destruction of ballots or registrations, voter intimidation, alteration of votes and malfeasance by election officials. On Nov. 4, 2008, these offices will work together and with the FBI to ensure that complaints from the public involving possible voter fraud are handled appropriately and expeditiously. Specifically:

- Senior federal prosecutors within the Criminal Division's Public Integrity Section in Washington, D.C., will be on duty while polls are open to receive complaints and take appropriate action, and to provide consultation and coordination with the U.S. Attorneys' Offices and FBI regarding the handling of election crime allegations.
- Federal prosecutors serving as DEOs will be available in each of the 94 U.S. Attorneys' Offices to receive and handle complaints from the public involving possible election fraud.
- FBI officials will be available at FBI headquarters in Washington to receive complaints and to coordinate their handling with FBI field offices and the Criminal Division.
- FBI special agents serving as Election Crime Coordinators in the FBI's 56 field offices will be available to receive complaints from the public and to handle these matters in consultation with FBI headquarters.
- Voter fraud complaints may be directed to any of the local U.S. Attorneys' Offices, the local FBI offices or the Public Integrity Section (202-514-1412.)

The Department remains committed to vigorous enforcement of the federal laws passed by Congress that protect the right to vote, the worth of votes honestly cast, and the integrity of this country's elections.

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