



U.S. Department of Justice

Civil Rights Division

Fiscal Year 2023 Performance Budget

Congressional Justification



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Division Overview



We protect the civil and constitutional rights of *all* people in this country.

The Civil Rights Division (“us,” “we”) is a component of the United States Department of Justice. We enforce the Constitution and federal laws of the United States in pursuit of our founding ideals – human dignity, equal justice, and equal opportunity for all. We do this by focusing on four primary goals:

Creating equal opportunity. We help people pursue and enjoy the core elements of American life. This includes the opportunity to earn a living, to learn, to live where one chooses, to access credit and capital, to access basic services, and to worship freely in one’s community.

Advancing criminal justice. We ensure that the criminal justice system treats all individuals equally under the law. We do this by helping communities achieve public safety systems that are lawful, responsive, transparent and nondiscriminatory, as well as by holding those who violate the civil and constitutional rights of others accountable.

Supporting our democracy. This includes protecting the fundamental right to vote, helping our servicemembers, increasing language access, and preventing discrimination in federally funded and conducted activities.

Addressing emerging issues. To advance civil rights effectively, we evolve to match a changing legal, commercial, technological, and social landscape.

For over sixty years, we have played a unique and critical role in protecting civil rights in America. Today, we have a diverse caseload that serves as a stark reminder that discrimination persists – and our work must as well. In FY 2021, our attorneys and staff spent more than 800,000 hours advancing these core principles across a wide range of activities and strategies.

Each year, we address approximately 6,000 civil rights cases and matters. To continue these efforts in FY 2023, we request a total of **\$215,192,000** to fund **847 positions**, including **538 attorneys** to protect, defend, and advance civil rights in our nation.

Our Key Priorities for FY 2023

Since 1957, we have been a cornerstone of the national mission to protect the civil rights of all people in the United States, particularly the most vulnerable members of our society. We are always working to eradicate discrimination. There are, however, moments in history that call for a redoubling of those efforts.

We continue to be in just such a moment. This year, we have seen:

- A continuing upward trend of hate crimes;
- The exacerbating effects of the COVID pandemic on inequities in disability rights, education, health care, housing, and more;
- Significant activity at the state level regarding voting rights; and
- Expanding public and private sector use of technology that has significant civil rights implications.

Each of these are key trends which will demand new innovation and effort by the Civil Rights Division. To respond, we must bring a particular focus on the following challenges in Fiscal Year 2023:

Confronting the rising tide of hate and bias – From hate crimes and hate incidents, to bias in education, employment, housing, policing, public accommodations, and access to federally-funding programs, we will use every tool at our disposal to root out hate wherever it exists, and reinforce systems that promote equal opportunity and treatment for all.

Reinforcing democratic institutions – We will bolster voting rights, educational opportunities, and constitutional policing as they are foundational to the ongoing health and success of our democracy.

Fighting gender-based violence, discrimination, and harassment – We will ensure that the rights of all people are upheld, regardless of sex, gender identity, or sexual orientation, in the areas of housing, employment; and education, in individuals’ interactions with law enforcement and correctional institutions; and in our human trafficking and hate crimes work.

Upholding civil rights in the age of artificial intelligence – We are uniquely positioned to influence the development of cutting-edge artificial intelligence and augmented decision-making technologies so that they are consistent with civil rights laws across a variety of fields and industries, including education, health care, policing, credit, and employment.

In each of these areas, we will leverage our civil and criminal enforcement authorities, our relationships and outreach to partners and the public, and our unique capacity to coordinate and provide technical assistance across the federal government.

With the support of Congress and our partners across the federal, state, local, and civil rights communities, we will continue to advance all of the civil rights areas outlined in this document. Together, we can and will protect the civil and constitutional rights of all people, in every community, across our nation.

Summary of Program Changes



The Civil Rights Division is uniquely positioned to answer the challenges facing vulnerable communities in our current climate. By adding to and recommitting our resources, we can continue to do the important work for which we were created. This is a summary of program changes.

Item Name	Description			Page
	Pos.	FTE	Dollars (\$000)	
Confronting the Rising Tide of Hate and Bias	36	18	\$5,402	80
Reinforcing democratic institutions	38	19	\$5,951	84
Fighting gender-based violence, discrimination, and harassment	25	13	\$3,908	88
Upholding Civil Rights in the Age of Artificial Intelligence	24	12	\$4,450	96

Appropriations Language & Analysis



Please refer to the General Legal Activities Consolidated Justification.

Program Activity Justification

Program Description



Civil Rights Division – Decision Unit

<i>Civil Rights Division – Enforcing Federal Civil Rights Law</i>	Direct Positions	Estimated FTE	Amount (\$000)
2021 Enacted	639	542	158,167
2022 Annualized CR	639	584	158,167
2022 Rebaseline Adjustment	85	73	25,014
Adjustments to Base and Technical Adjustments	0	0	12,300
2023 Current Services	724	657	195,481
2023 Program Increases	123	62	19,711
2023 Program Offsets	0	0	0
2023 Request	847	719	215,192
Total Change 2022-2023	123	62	32,011

The Assistant Attorney General (AAG) for Civil Rights leads the Division. A Principal Deputy Assistant Attorney General and four Deputy Assistant Attorneys General work with the AAG to supervise the Division’s criminal and civil enforcement programs. The Division is a single decision unit within the General Legal Activities appropriation.

Our workforce is organized into the following units:

- Administrative Management Section
- Appellate Section
- Criminal Section
- Disability Rights Section
- Educational Opportunities Section
- Employment Litigation Section
- Federal Coordination and Compliance Section
- Housing and Civil Enforcement Section
- Immigrant and Employee Rights Section
- Policy and Strategy Section
- Special Litigation Section
- Voting Section

We are responsible for criminal and civil enforcement under a number of statutes. You can find a summary of each criminal and civil statute and the section responsible for enforcing each one in the appendix.

Program Activity Justification

Performance and Resources Tables



PERFORMANCE AND RESOURCES TABLE

Decision Unit:											
RESOURCES (\$ in thousands)		Target		Actual		Target		Changes		Requested (Total)	
		FY 2021		FY 2021		FY 2022		Current Services Adjustments and FY 2023 Program Changes		FY 2023 Request	
Total Costs and FTE (Reimbursable: FTE are included, but costs are bracketed and not included in totals)		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		651	158,167 [14,419]	591	158.167 [13,395]	724	183,181 [14,567]	62	32,011 [0]	786	215,195 [14,567]
TYPE	PERFORMANCE ¹	FY 2021		FY 2021		FY 2022		Current Services Adjustments and FY 2023 Program Changes		FY 2023 Request	
Program Activity	Civil Rights	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		651	158,167 [14,419]	591	158.167 [13,395]	724	183,181 [14,567]	62	32,011 [0]	786	215,195 [14,567]
Performance Measure	Percent of criminal cases favorably resolved	85		96		85		N/A		85	
Performance Measure	Percent of civil cases favorably resolved	85		98		85		N/A		85	
Performance Measure	Percent of Federal violent crime defendants' cases favorably resolved	N/A		N/A		85		N/A		85	
Performance Measure	Number of new Voting Rights Act matters initiated	N/A		N/A		4		N/A		4	
Performance Measure	Number of Title VII and USERRA investigations	N/A		N/A		30		N/A		30	
Performance Measure	Number of Limited English Proficiency (LEP) individuals who access department-funded materials in their native language to understand federal hate crimes and anti-discrimination laws.	N/A		N/A		TBD		N/A		TBD	
Performance Measure	Providing technical assistance or other case team support to correct unlawful policies and implement required reforms to jurisdictions under settled and litigated judgments in law enforcement pattern or practice cases.	N/A		N/A		90%		N/A		90%	
Performance Measure	Number of matters that address adverse environmental and public health effects brought under civil rights statutes.	N/A		N/A		16		N/A		16	

1. Data Definition, Validation, Verification, and Limitations: the data source for all measures is an internal system within CRT. Data is compiled on the level of effort that attorneys and professionals dedicate to matters and case-related tasks, senior management is responsible for ensuring the accuracy of the data and reports that have been developed to support Division performance.

PERFORMANCE MEASURE TABLE

CIVIL RIGHTS DIVISION

Performance Report and Performance Plan Targets ^{/2}			FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 ^{/1}		FY 2022	FY 2023
			Actual	Actual	Actual	Actual	Target	Actual	Target	Target
Performance Measure		% of criminal cases favorably resolved.	98.3	87.4	88.6	93	85	96	85	85
Performance Measure		% of civil cases favorably resolved.	97.3	95.9	93.23	100	85	98	85	85
Performance Measure	SO: 3.1	% of Federal violent crime defendants' cases favorably resolved.	N/A	N/A	N/A	N/A	N/A	N/A	85	85
Performance Measure	SO: 3.5	% of cases involving gender-based violence that are favorably resolved.	N/A	N/A	N/A	N/A	N/A	N/A	85	85
Performance Measure	SO: 3.5	Number of gender-based violence outreach efforts and engagement with state and local governments, federal government partners and other stakeholders such as gender-based organizations.	N/A	N/A	N/A	N/A	N/A	N/A	8	8
Performance Measure	SO: 4.1	Number of Limited English Proficiency (LEP) individuals who access department-funded materials in their native language to understand federal hate crimes and anti-discrimination laws.	N/A	N/A	N/A	N/A	N/A	N/A	TBD	TBD
Performance Measure	SO: 4.1	Number of Title VII and USERRA investigations	N/A	N/A	N/A	N/A	N/A	N/A	20	20
Performance Measure	SO: 4.2	Number of new Voting Rights Act matters initiated.	N/A	N/A	N/A	N/A	N/A	N/A	TBD	TBD
Performance Measure	SO: 4.6	Number of matters that address adverse environmental and public health effects brought under civil rights statutes.	N/A	N/A	N/A	N/A	N/A	N/A	TBD	TBD

/1 Performance measures are reported through the fourth quarter of FY 2021 .

/2 Targets are being developed for some of these performance measures based upon the 2022-2026 Department of Justice Strategic Plan .



Creating Equal Opportunity

We are committed to addressing long-standing civil rights challenges in our nation in critical aspects of American life. We prevent and address discrimination in:

Employment. Our efforts prevent and address workplace discrimination based on race, national origin, sex (including pregnancy, sexual orientation, and gender identity), religion, disability, genetic information, and citizenship or immigration status.

Education. We protect the right of every student to attend school free from discrimination, including segregation or harassment.

Housing & lending. We protect the right to access housing free from discrimination and the right to access credit on an equal basis.

Disability rights. We combat discrimination against individuals with disabilities, including individuals receiving services in institutions.

Religious freedom. We safeguard individuals’ right to worship and to practice the religion of their choice.

Access to basic services. We protect the right to access certain basic services like public accommodations and reproductive health clinics.

Employment

The opportunity to obtain employment, free from discrimination, is critical. It contributes to the well-being of our families and communities. It strengthens our economy as a whole. It gives individuals a chance to make their mark on society.

We help create equal opportunities for employees and job seekers in the United States. We do this by advancing the federal laws that protect:

Employees and job seekers from discrimination because of their race, color, religion, sex (including pregnancy, sexual orientation, and gender identity), national origin, disability, or genetic information;

Certain types of workers from employment discrimination based upon citizenship or immigration status. This includes U.S. citizens, U.S. nationals, refugees, asylees, and certain lawful permanent residents; and

Servicemembers when they return to work after completing military service.

These laws include:

Laws and Policies We Enforce Addressing Employment Rights	Purpose
<i>Title VII of the Civil Rights Act (Title VII)</i>	Makes it unlawful to discriminate against someone in any aspect of employment on the basis of race, color, national origin, sex (including pregnancy, sexual orientation, and gender identity) or religion. Title VII also prohibits harassment and retaliation.
<i>Immigration and Nationality Act (INA)</i>	Makes it unlawful to discriminate based on national origin, citizenship status, or immigration status in hiring, firing, or recruitment or referral for a fee. Makes illegal unfair documentary practices during employment eligibility verification (Form I-9 and E-Verify). Also prohibits retaliation or intimidation.
<i>Title I of the Americans with Disabilities Act (ADA)</i>	Protects qualified individuals with disabilities in the employment context.

<i>Uniformed Services Employment and Reemployment Rights Act (USERRA)</i>	Gives certain re-employment rights to servicemembers when they complete their military service.
<i>Genetic Information Nondiscrimination Act (GINA)</i>	Makes it unlawful to discriminate against employees or applicants because of genetic information.
<i>Executive Order 11246</i>	Prohibits discrimination by certain federal contractors and sub-contractors in employment on the basis of race, color, religion, sex, sexual orientation, gender identity or national origin.
<i>Violent Interference with Federally Protected Rights, 18 U.S.C. § 245</i>	Makes it a crime to use or threaten to use force to willfully interfere with a person applying for or enjoying employment because of race, color, religion, or national origin.
<i>Trafficking Victims Protection Act (TVPA)</i>	Criminalizes the use of force, fraud, or coercion to compel a person to engage in labor, services, or commercial sex. We also enforce a number of related criminal statutes prohibiting peonage, involuntary servitude, and related violations.

Our goal is to drive compliance with these federal laws. We do this through six core strategies.

Civil Enforcement	Criminal Enforcement	Outreach	Hotlines	Coordination	Policy
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Civil Enforcement

We investigate and bring civil lawsuits against:

- **State and local government employers** who violate Title VII, GINA, and the ADA,¹ and
- **Employers who violate the INA.**

We also participate in lawsuits filed by private parties, by intervening (joining) those suits as a party and filing statements of interest and amicus briefs that provide our analysis of legal issues involved in the case.

We have used our enforcement authority to resolve employment matters as follows:

	Civil Employment-Related Matters We Resolved
FY21	81 (<i>as of Q3 FY21</i>)
FY20	113
FY19	129
FY18	200
FY17	203

¹ We share responsibility for enforcing Title VII, GINA, and the ADA with the Equal Employment Opportunity

Commission. We have legal authority to bring suit against state and local governments. The EEOC covers a broader set of actors, including private employers.

Criminal Enforcement

We investigate and prosecute those that use force or the threat of force to keep someone from applying for or enjoying employment.

We also investigate and prosecute trafficking, peonage, and involuntary servitude.

202

The number of employment-related criminal matters we prosecuted since FY17 through Q3 FY21, including trafficking, peonage, and involuntary servitude.

Outreach

We work to prevent workplace discrimination before it happens and increase reporting when workplace discrimination does happen. To do this, we have a program aimed at educating employers, potential victims of discrimination, and the general public about INA’s anti-discrimination provisions. In FY 2019, we participated in over 100 in-person events and webinars reaching nearly 6,000 employees, employers and other stakeholders.

We have over 60 memoranda of understanding with many federal, state and municipal fair employment practice agencies and with foreign governments. Through these partners, employees can get information and file charges of immigration related employment discrimination. These agreements also provide for the referral of discrimination charges and training for agency and consular staff.

Hotlines: Early Stage Intervention

We operate three hotlines on the premise that modest, early intervention can prevent significant downstream cost and harm for all parties involved.

Our **INA Employer Hotline** and **Worker Hotline** works with thousands of callers each year with immigration-related employment issues. In a typical year, our hotline staff helps resolve about **200 instances** of workplace problems before employees file charges or a legal violation occurs. This often leads to the hire, retention, or rehire of the employee who called the hotline and also helps employers avoid costly litigation. We estimate these interventions preserved the jobs of 215 U.S. citizens and other callers with authorization to work in the United States in FY 2020, generating an estimated \$3.9 million in economic value.

Our **ADA Information Line** answers questions regarding all aspects of the Americans with Disabilities Act. A subset of these inquiries come from job applicants, employees, and employers regarding rights and responsibilities under Title I of the Americans with Disabilities Act.

Coordination

We share responsibility in advancing equal opportunity in employment with two other federal agencies. Because of this shared responsibility, we closely coordinate our enforcement strategies.

Partner Agency	Role
<i>Equal Employment Opportunity Commission (EEOC)</i>	Enforces anti-discrimination requirements, including: Title VII, the Equal Pay Act, the Age Discrimination in Employment Act, the ADA, GINA, the Rehabilitation Act, and E.O. 11246. The EEOC has enforcement responsibility over most employers in the United States who meet certain size requirements.
<i>Department of Labor</i>	Shares responsibility for enforcing the ADA, USERRA, and E.O. 11246.

Policy

We review and analyze policies and documents from across the federal government that impact employment rights, including materials from Congress, other federal agencies, and the White House. In a typical year, we review an average of 900 pieces of draft legislation, regulations, guidance, and other items across all civil rights areas. Our policy efforts help keep the federal government aligned with consistent, compatible, and effective legal and policy positions on civil rights.

61

The number of employment-related policies and documents we reviewed between January 20, 2020 to June 10, 2020.

Civil Rights Division in Action – Employment



Pennsylvania State Police.

In April 2021, we settled our Title VII sex discrimination lawsuit against the Pennsylvania State Police (PSP) for \$2.2 million and 65 priority hires. We alleged that PSP’s use of physical tests as part of its entry level hiring process discriminated against female applicants. Because of this case, PSP will now use an exam that complies with Title VII.

Lanier Technical College, Georgia.

Mary Queen has multiple sclerosis. She was also a part-time emergency medical technician lab assistant for Lanier Technical College, and a full-time as a paramedic for another employer. After Ms. Queen took three days of sick leave because of her multiple sclerosis, Lanier Technical College removed her from the teaching schedule for the entire semester, reduced her hours and pay to zero, and then fired her. When Ms. Queen questioned her removal from the schedule, her supervisor said that she needed “time to heal” and raised liability concerns. We sued Lanier Technical College under the ADA. Because of this case, the college agreed to revise its policies to comply with the ADA, including new scheduling practices. We also helped Ms. Queen receive back pay and compensatory damages.



Fleetlogix.

Fleetlogix is a nationwide company that handles cleaning and transportation for rental car companies. Our investigation found that the company was routinely asking non-U.S. citizens for Homeland Security-issued documents to prove work eligibility. In contrast, Fleetlogix wasn’t specifying what documents U.S. citizens had to provide. We sued Fleetlogix under INA. Because of this case, Fleetlogix paid a civil penalty of \$627,000 to the United States, committed up to \$100,000 in back pay to compensate discrimination victims. It also agreed to train its employees on INA.

Education

All students, of all ages, deserve access to an education that will expand their knowledge and their horizons. They deserve access to an education that will prepare and inspire them to contribute socially and economically to our rapidly-changing world. Discrimination in schools based on race, color, national origin, sex, religion, and disability should never interfere with a student’s educational opportunities.

We protect students from discrimination by upholding the following laws:

Laws and Policies We Enforce Addressing Discrimination in Education	Purpose
<i>Title IV of the Civil Rights Act (Title IV)</i>	Authorizes us to address discrimination on the basis of race, color, sex, religion, or national origin by public elementary and secondary schools and public institutions of higher learning.
<i>Equal Educational Opportunities Act (EEOA)</i>	Section 1703(f) requires state educational agencies and school districts take steps to overcome language barriers that impede English Learner students from participating equally in school districts’ educational programs.
<i>Title II of the Americans with Disabilities Act (ADA)</i>	Prohibits discrimination based on disability by state and local entities, including public schools.
<i>Section 504 of the Rehabilitation Act (Rehab Act)</i>	Prohibits the exclusion, the denial of benefits, and discrimination by reason of disability in programs or activities receiving federal funds.
<i>Individuals with Disabilities in Education Act (IDEA)</i>	Requires States and local education agencies to provide a free and appropriate public education to children with disabilities. ²
<i>Title VI of the Civil Rights Act (Title VI)</i>	Prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance, including certain schools, colleges, and vocational rehabilitation programs.
<i>Title IX of the Education Amendments (Title IX)</i>	Makes it unlawful to discriminate on the basis of sex in any education program or activity receiving federal financial assistance.
<i>Fair Housing Act (FHA)</i>	Makes it unlawful to discriminate in housing because of race or color, religion, sex, national origin, familial status, or disability. The FHA can cover student housing, including housing operated by universities.
<i>Executive Order 12250</i>	Charges us with coordinating with federal agencies so they implement federal civil rights laws (including Title VI, Title IX, and Section 504) in consistent and effective ways.
<i>Executive Order 13160</i>	Requires federal agencies to ensure that federally conducted education or training programs and activities do not discriminate based on: race, sex, color, national origin, disability, religion, age, sexual orientation, or status as a parent.

² The Department of Education has primary responsibility for enforcing IDEA. We get involved in IDEA cases in two situations: 1) by participating in pending lawsuits, and 2) when protecting the educational rights of students in juvenile justice facilities.

Violent Interference with Federally Protected Rights
18 U.S.C. § 245

Makes it a crime to use or threaten to use force to willfully interfere with a person enrolling in or attending public school or college because of race, color, religion, or national origin.

We use six core strategies to advance equal opportunities for students.

Civil Enforcement	Criminal Enforcement	Compliance	Outreach	Coordination	Policy
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Civil Enforcement

We investigate and bring civil lawsuits against entities that violate the laws above. Our enforcement work includes, for example:

Challenging modern-day forms of segregation.

This includes addressing school policies that remove students from classrooms or isolate students based on race, disability, or other protected characteristics.

Combating hate and harassment based on race, national origin, and religion. This includes discriminatory harassment or violence in in schools. During the pandemic, for example, we addressed xenophobic harassment and violence targeting AAPI students. Where the incidents involve both criminal conduct and discriminatory harassment, we coordinate with the local U.S. Attorney’s Offices and law enforcement.

Enforcing prohibitions on sex discrimination.

We work to ensure that schools address and respond to sex discrimination on campus and in school programs and activities. This includes addressing discrimination based on sexual orientation and gender identity. This work protects students from discrimination, including sexual harassment (, and sexual assault based on sex (including sexual orientation and gender identity).

We also participate in lawsuits filed by private parties. We do so by intervening (joining) those suits as a party, or by filing statements of interest and amicus briefs that provide our analysis of legal issues in the case.

Civil Education-Related Matters We Resolved

FY21	2 (as of Q3 FY21)
FY20	3
FY19	5
FY18	4
FY17	13

Criminal Enforcement

We can investigate and prosecute those that use force or the threat of force because someone is enrolling in or attending public school or college.

Compliance

We represent the United States in cases with standing court orders to implement education reforms. This includes approximately 140 desegregation cases across the country – some of which date back several decades. We work with school districts so they can meet their obligations under these longstanding consent decrees, and where necessary, we will move the court for action.

This allows us to eliminate vestiges of segregation and other forms of discrimination - ensuring that students in these school districts have an equal opportunity to access educational programs and activities without barriers based on race.

Outreach

We engage in a range of outreach efforts to protect students across the country from discrimination. Our outreach includes:

Legal resources – We develop and share fact sheets and letters that help students, parents, school officials, and others understand the civil rights laws that apply in the education context. Working with the Department of Education, we develop and share resources covering topics like: *Confronting COVID-19 Related Harassment in Schools*; *Combating Discrimination Against AANHPI and MASSA Students*; *Ensuring English Learner Students Can Participate Meaningfully and Equally in Educational Programs*; and *The Rights of All Children to Enroll in School*.

Speaking engagements and stakeholder engagement – Our staff participates in panels and continuing legal education efforts aimed at legal practitioners working on education issues. We also meet with advocacy organizations, professional associations, and other members of the public to provide information, hear concerns and questions, and develop partnerships.

Coordination

We share responsibility in advancing educational opportunities with other federal agencies. To maximize the effectiveness of the federal response, we coordinate with our counterparts at:

Partner Agency	Role
<i>Department of Education</i>	Enforces anti-discrimination requirements in education, including: Title VI of the Civil Rights Act, Title IX of the Educational Amendments, Section 504 of the Rehabilitation Act, Title II of the ADA, the ADEA, and the Boy Scouts of America Equal Access Act
<i>Department of Housing & Urban Development</i>	Enforces anti-discrimination requirements in housing, including violations of civil rights in student housing.

Under Executive Order 13160, we are responsible for advising agencies on how to ensure that federally conducted education or training programs and activities do not discriminate. To do this, we issued and continue to make available [a guidance document](#) aimed at other federal agencies.

Under Executive Order 12250, we are responsible for coordinating with federal agencies so they effectively implement federal civil rights laws, including laws that apply in schools, like Title IX, Title VI, and Section 504.

Policy

We review and analyze policies and documents from across the federal government that impact educational opportunities. For more information about our policy work, see page 22.

60 The number of education-related policies and documents we reviewed between January 20, 2020 to June 10, 2020.

Civil Rights Division in Action – Education



Toledo Public Schools.

In Toledo, we found a pattern of racially disparate discipline, including in suspensions, expulsions, and referrals to law enforcement. When, for example, Black students and white students engaged in similar behavior, the school district disciplined Black students more severely and for longer periods of time than similarly situated white students. We reached a settlement with the Toledo Public Schools to address and prevent discrimination based on race, disability, and national origin.

Utah State University.

We carried out a multi-year investigation of Utah State, where we found evidence that the school:

- often failed to investigate when students reported sexual harassment and assaults. and
- Sometimes missed patterns of assaults committed by the same perpetrator against multiple victims.

As a result, severe sexual harassment, including rapes and other forcible sexual assaults, went unaddressed, with serious, lasting consequences for student-victims.

We reached a settlement agreement with the school that will help ensure that Utah State University responds appropriately to sexual harassment, including sexual assault, of students.



Federal Way Public Schools.

In King County, Washington, we investigated claims that students were calling Muslim students “terrorists,” pulled off their hijabs, and physically assaulting them. We also discovered evidence that students told a Latina student to “Go back to Mexico,” threatened to kill her, and physically assaulted her. We further found evidence that the district failed to properly communicate with parents and guardians who were not fluent in English.

Our settlement with the school district means that they will now take proactive steps to improve their response to peer-on-peer harassment based on religion and national origin.

Housing & Lending

Where you live is central to so many aspects of life – including access to employment, public transportation, education, healthcare, and a safe environment. Homeownership is a central tool for building wealth and developing financial security.

Federal civil rights laws protect individuals and families from discrimination as they **seek and enjoy their housing of choice**, and **seek access to credit** – including home mortgages, auto financing, and business loans.

We work achieve compliance with the laws that outlaw discrimination across these contexts.

Laws We Enforce Addressing Discrimination in Housing & Lending	Purpose
<i>Fair Housing Act (FHA)</i>	Prohibits housing discrimination because of race or color, religion, sex, national origin, familial status, or disability. The FHA covers direct providers of housing, such as landlords and real estate companies, as well as other entities, such as municipalities, banks and other lending institutions, and homeowners’ insurance companies. Includes a criminal enforcement provision that makes it a crime to use or threaten to use force to interfere with housing rights.
<i>Equal Credit Opportunity Act (ECOA)</i>	Prohibits creditors from discriminating against credit applicants on the basis of race, color, religion, national origin, sex, marital status, age, because an applicant receives income from a public assistance program, or because an applicant has in good faith exercised any right under the Consumer Credit Protection Act.

We use six core strategies to make the promise of these laws a reality.

Civil Enforcement	Criminal Enforcement	Testing	Outreach	Coordination	Policy
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Civil Enforcement

We investigate and bring civil lawsuits against entities that violate the laws described above. This includes, for example:

Those who own or manage residential rental property, including **landlords, real estate agents, and property managers**,

Those involved in the sale or ownership of residential property, including **sellers, real estate agents, lending institutions, and homeowners’ insurance companies**,

Local and county governments, including housing authorities, and

Financial institutions or other entities offering credit to customers, including **banks, credit unions, and auto dealerships**.

We also participate in lawsuits filed by private parties by intervening (joining) those suits as a party, and filing statements of interest and amicus briefs that provide our analysis of legal issues involved in the case.

We have used our enforcement authority to resolve lawsuits as follows:

Civil Housing & Lending Matters We Resolved

FY21	19 <i>(as of Q3 FY21)</i>
FY20	34
FY19	39
FY18	50
FY17	64

Criminal Enforcement

We investigate and prosecute those that use force or the threat of force in the housing context. This includes when people use force or threats of force to keep others from:

- Selling, purchasing, or renting a home,
- Occupying a home,
- Financing a home, and more.

14

The number of housing-related criminal matters we prosecuted since FY17 (as of Q3 FY21)

Testing

We established a testing program in 1991 to uncover “hidden” forms of discrimination. Individuals pose as prospective renters or borrowers to gather information from housing providers or lenders. Our program finds key evidence that can indicate whether a provider is complying with federal civil rights laws. FY 2021 marked the testing program’s 30-year anniversary.

Since we began testing in 1992, we resolved 110 cases with evidence directly generated from the Fair Housing Testing Program. These cases have resulted in the recovery of more than \$14.3 million, including over \$2.3 million in civil penalties and nearly \$12 million in other damages.

44

The number of states where we conducted testing between FY 2017 and FY 2020 (as of Q3 FY21)

Testing is also a key efficiency driver for our enforcement efforts:

- By using testing under certain conditions, we can quickly validate which of our matters warrant further investigation.
- We use testing to assess compliance, which helps us efficiently verify whether defendants are meeting their court-ordered obligations.

Outreach

We engage with individuals, advocacy organizations, and professional associations to advance equal access to housing and lending, including:

Victims and witnesses - Investigating and litigating our cases requires extensive outreach into communities affected by discriminatory practices. Witness testimony is often key evidence in developing our cases and obtaining successful outcomes. We also attempt to locate all victims of a discriminatory pattern or practice in order to achieve a full and complete remedy, including compensation for everyone who was harmed by discrimination.

Speaking engagements – Our staff participates in conferences, panels, and continuing legal education efforts to discuss our fair housing and fair lending work, including how to identify potential violations of law and how to report those violations to us.

Outreach to organizations and professional stakeholders – We engage in targeted outreach to educate legal aid lawyers, law enforcement officers, housing developers, lenders, and other groups about the statutes we enforce and to explore avenues of future partnership to achieve fair housing and fair lending nationwide.

Policy statements and guidance – We have issued a number of informational documents on our own and in conjunction with our federal partners, including the U.S. Department of Housing and Urban Development, on topics including: reasonable accommodations and modifications for tenants with disabilities, accessibility requirements for multifamily dwellings, and state and local land use laws and practices. These materials available on our [website](#).

Coordination

Housing and lending are complex areas and cut across several federal agencies. Because of this shared responsibility, we coordinate closely with our federal partners to drive an aligned strategy.

Partner Agency	Role
<i>Department of Housing & Urban Development</i>	Issues regulations and guidance on the Fair Housing Act and conducts administrative investigations and enforcement.
<i>Consumer Financial Protection Bureau Comptroller of the Currency Federal Reserve Board Federal Deposit Insurance Corporation National Credit Union Association Federal Trade Commission</i>	Regulate and monitor creditors for compliance with the Equal Credit Opportunity Act.

Policy

We review and analyze policies and documents from across the federal government that impact fair housing and fair lending. For more information about our policy work, see page 22.

58

The number of housing & lending-related policies and documents we reviewed between January 20, 2020 to June 10, 2020.

Civil Rights Division in Action – Housing & Lending



You should never have to choose between housing and sexual harassment.

Sexual Harassment in Housing.

Demanding sexual favors in exchange for housing is cruel, depraved, and illegal. We have seen a troubling number of instances where landlords, maintenance workers, and property managers did exactly this - preying on women and families desperate to stay in or find a home.

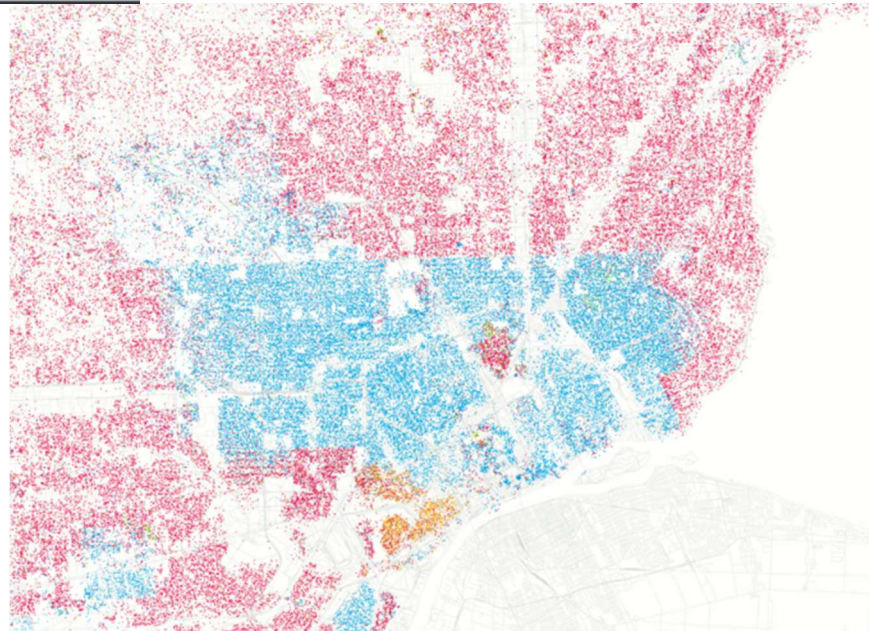
We launched the Sexual Harassment in Housing Initiative in 2017. Under this Initiative, we support an extensive outreach and enforcement effort aimed at ending sexual harassment in housing. Since launch, we opened a record number of investigations and filed more than 20 complaints alleging a pattern or practice of sexual harassment in housing.

1-844-380-6178 fairhousing@usdoj.gov



Combating Redlining.

Redlining occurs when banks and other lenders avoid providing credit in communities of color. We launched a Combating Redlining Initiative that identifies, investigates, and remedies the unlawful redlining practices of lenders across the country. This targeted effort has led to us developing and filing over a dozen redlining cases over the years and building greater in-house expertise.



First Merchants Bank.

We settled claims that the bank had redlined Black neighborhoods in Indianapolis. As a result of the settlement, the bank has opened a branch and a loan production office in the previously redlined areas, invested in marketing and community outreach to Black neighborhoods, and hired a director of community lending. Under the settlement the bank also established a loan subsidy fund to increase credit opportunities for residents of the redlined neighborhoods.

Disability Rights

When he signed the Americans with Disabilities Act into law, President George H. Bush called for an “end to the unjustified segregation and exclusion of persons with disabilities from the mainstream of American life.”

We work to make this vision a reality for people with disabilities in the United States. We enforce several statutes that prohibit discrimination against

people with disabilities as well as individuals receiving services in institutions.

In doing this, we have widespread impact. Our efforts affect millions of businesses and non-profit agencies, over 90,000 units of state and local government, over 55 million people with disabilities, and over 100 federal agencies and commissions in the Executive Branch.

Laws We Enforce Protecting People with Disabilities	Purpose
<i>Americans with Disabilities Act (ADA)</i>	Ensures equal opportunity for people with disabilities, including the right to receive services in the most integrated setting appropriate to the needs of qualified individuals with disabilities.
<i>Section 504 of the Rehabilitation Act</i>	Prohibits discrimination on the basis of disability in any program or activity receiving federal financial assistance.
<i>Fair Housing Act (FHA)</i>	Prohibits housing discrimination on the basis of disability, among other protected classes.
<i>Civil Rights of Institutionalized Persons Act (CRIPA)</i>	Protects the rights of people in state or local correctional facilities, juvenile justice facilities, nursing facilities, mental health facilities, and institutions for people with intellectual and developmental disabilities.
<i>The Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act (Shepard-Byrd)</i>	Prohibits willfully causing bodily injury, or attempting to cause bodily injury with a dangerous weapon, when the crime was committed because of the person’s actual or perceived disability (among other protected classes). Covers disability-based hate crimes that affect interstate commerce, affected foreign commerce, or occurred within federal special maritime or territorial jurisdiction.

We accomplish our work in this area through seven core strategies.

Civil Enforcement	Criminal Enforcement	Testing	Outreach & Assistance	Mediation	Coordination	Policy

Civil Enforcement

We investigate and bring civil lawsuits to protect the rights of people with disabilities. Our legal teams seek policy changes, barrier removal, and when applicable, monetary relief for victims.³

This chart summarizes the civil cases we resolved involving violations of federal disability rights laws.

FY21	203 (as of Q3 FY21)
FY20	35
FY19	44
FY18	26
FY17	39

Criminal Enforcement

We prosecute those who commit hate crimes against people with disabilities. *Shepard-Byrd* allows us to prosecute those who:

- Willfully cause bodily injury, or attempt to cause bodily injury with a dangerous weapon,
- Because of a person's actual or perceived disability, and
- The crime affected interstate or foreign commerce, or occurred within federal special maritime or territorial jurisdiction.

Testing

Testing refers to the use of individuals who pose as prospective consumers or patrons for the purpose of gathering information, which may indicate whether a provider is complying with federal civil rights laws.

We use testing to uncover evidence of disability discrimination. This helps us: build enforcement actions and understand whether defendants are continuing to comply with settlement terms.

For example, in FY 2019, our ADA compliance testing revealed that a defendant was not complying with aspects of the settlement agreement. As a result of this testing, our U.S. Attorney's Office partner took corrective action and the defendant appropriately trained its staff. In this case, compliance testing ensured that the progress achieved through our enforcement work was made a reality for people with disabilities.

³ CRIPA only allows us to seek equitable relief to remedy violations.

Outreach and Assistance

The ADA mandates that we educate the public about their legal rights and responsibilities under the law. Accordingly, we provide free technical assistance to encourage voluntary compliance with the law. We deliver this assistance through:

ADA.gov – ADA.gov is consistently one of the top ten most-viewed websites managed by the Department of Justice, with about 10 million views in FY 2020. Individuals with disabilities and advocacy groups use ADA.gov to learn about their rights and to report violations. We receive over 2700 ADA-related reports each month (or over 30,000 per year) through our reporting portal. Businesses—small to large—use ADA.gov to find technical assistance so that they can understand how to meet their accessibility requirements and avoid litigation for lack of compliance with the law. Lawyers and other legal professionals can use the website to stay up to date on the legal ADA

landscape and to prepare better cases for their clients.

ADA Information Line – We operate a telephone hotline service where people can get information on the ADA and other disability rights laws. In FY 2020, call-takers on the ADA Information Line answered almost 35,000 calls from people. Our staff helped people with disabilities, representatives of state and local governments, businesses, disability rights advocates, and others.

Informational resources – We develop and share [technical assistance materials](#) that help businesses, State and local governments, and individuals understand their rights and responsibilities under the law. This includes FAQs, primers, know your rights documents, fact sheets, guides, manuals, model policies, tool kits, informational videos, checklists, and letters.

Mediation

We operate the [ADA Mediation Program](#). Our program has informally resolved thousands of ADA complaints. It lets parties – the person who filed the complaint and the business or local government named in the complaint – develop mutually agreed upon solutions that comply with the ADA.

This program expands the reach of the ADA by improving the speed and cost-effectiveness with which we can resolve alleged violations. We manage the ADA Mediation Program through a public-private partnership with the Key Bridge Foundation (KBF). This cooperative, voluntary

approach can: preserve relationships between parties, produce win-win results, increase access for people with disabilities, and save businesses and State and local governments time and money as they avoid court proceedings.

5000+

The number of complaints our program has mediated since its 1994 launch.

~80%

The percent of mediations that resolve the underlying complaint.

Coordination

Protecting the federal rights of people with disabilities is a shared and complex effort. There is a strong need to coordinate because we share responsibility across several different agencies. We help drive an aligned strategy with our partners across the federal government. These partners include:

Partner Agency	Role
<i>Equal Employment Opportunity Commission</i>	Issues, enforces and provides technical assistance on the ADA Title I employment provisions.
<i>Access Board</i>	Develops design criteria for the built environment, transit vehicles, telecommunications equipment, medical diagnostic equipment, and information technology. Enforces accessibility standards that cover federally funded facilities.
<i>Department of Labor</i>	Shares responsibility for enforcing ADA Title I employment provisions. Also enforces ADA Title II provisions that apply to State and local governments and other public entities operating programs and activities related to labor and the workforce.
<i>Department of Transportation</i>	Enforces the transportation-related terms of the ADA and Section 504 of the Rehabilitation Act. Relevant parts of DOT include the Federal Transit Administration, Federal Highway Administration, Federal Railroad Administration, and Federal Motor Carrier Safety Administration.
<i>Federal Communications Commission</i>	Enforces telecommunications services-related terms of the ADA.
<i>National Council on Disability</i>	Advises the President, Congress, and other federal agencies regarding policies, programs, practices, and procedures that affect people with disabilities.
<i>Department of Housing and Urban Development</i>	Enforces the disability-related portions of the Fair Housing Act, the ADA (Title II), and Section 504 as applied to housing and community development programs (including those funded by HUD).

Policy

We review and analyze policies and documents from across the federal government that impact disability rights. For more information about our policy work, see page 22.

74 The number of disability rights-related policies and documents we reviewed between January 20, 2020 to June 10, 2020.

Civil Rights Division in Action – Disability Rights

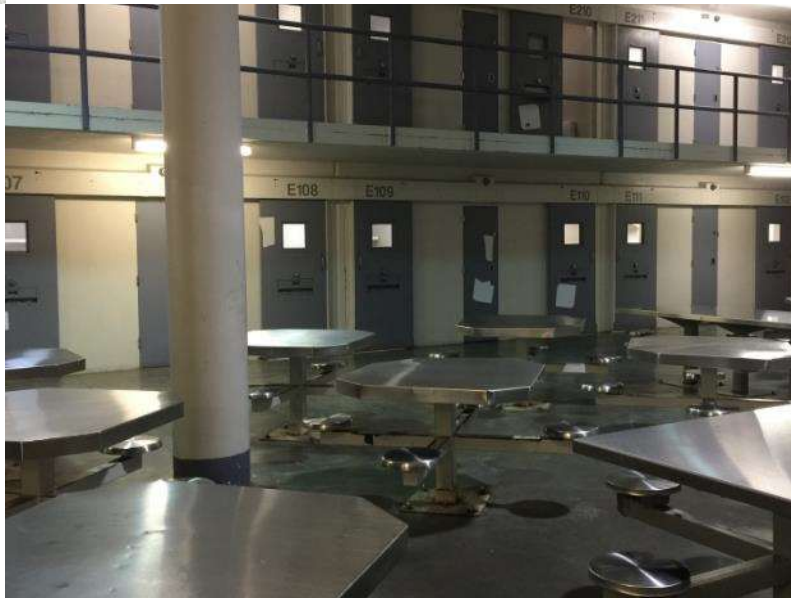


Amtrak.

We found evidence that Amtrak was not making its existing intercity rail stations readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs. Under the ADA, Amtrak had 20 years from the law’s 1990 enactment to make its stations accessible, but it failed to comply. In December 2020, we reached an agreement with the company. Because of this agreement, Amtrak will fix its inaccessible stations and pay \$2.25 million to impacted people with disabilities.

Hampton Roads Regional Jail.

We found evidence that the Hampton Roads Regional Jail’s approach to medical care, mental health care, and restrictive housing violated the Constitutional and ADA rights of prisoners. As a result, we took action to bring the jail into compliance with the law. In August 2021, we reached an agreement that sets out a set of key reforms. Hampton Roads Regional Jail will now take steps to appropriately screen and assess prisoners using qualified professionals, adequate treatment planning and suicide prevention practices, specialized mental health housing units, and a quality assurance program.



State of North Dakota. Our investigation uncovered evidence that North Dakota was unnecessarily institutionalizing individuals with disabilities in nursing facilities. In December 2020, we reached an agreement with the state that will expand services to individuals with physical disabilities in, or at risk of entering, a nursing facility to allow them to live in their homes. North Dakota will provide these services to more than 2,500 people with disabilities, helping them to assess their options, decide where they would like to live, and arrange for community-based services. These services include assistance in finding accessible housing and home health aides to help with daily activities such as bathing and dressing. As part of the agreement, North Dakota will also increase access to community-service providers.

Massachusetts Department of Children and Families.

In Massachusetts, we learned that the Department of Children and Families (DCF) was discriminating against parents with disabilities in the way it administered its child welfare program. We reached a landmark agreement with the state to remedy these issues. Because of our agreement, DCF is now taking critical steps to ensure the ADA’s protections extend to parents with disabilities throughout the state. This includes appointing statewide and regional coordinators to oversee DCF’s efforts to comply with Title II and Section 504; creating a new Parents with Disabilities Policy, including processes for requesting disability-based accommodations and filing disability-based complaints; and training staff on DCF’s obligations to parents with disabilities and its new policies and procedures.

Religious Freedom

A founding principle of our nation is that we are free to practice the religion of our choice, without fear or harm. We work to ensure that people are not treated unfairly at work, at school, in housing, or in places of public accommodation because of their religion. We also protect the basic right to buy, rent, and use land for worship and religious exercise.

We do this by upholding the following laws:

Laws We Enforce Protecting Religious Freedom	Purpose
<i>Religious Land Use and Institutionalized Persons Act (RLUIPA)</i>	“Land use” provisions protect religious institutions from unduly burdensome or discriminatory land use regulations. “Institutionalized persons” provisions ensure that state and local institutions (including jails, prisons, and juvenile detention facilities) do not place arbitrary or unnecessary restrictions on religious practice.
<i>Fair Housing Act (FHA)</i>	Prohibits housing discrimination based on religion.
<i>Title IV of the Civil Rights Act (Title IV)</i>	Authorizes us to address discrimination based on religion in public schools and institutions of higher education.
<i>Title VII of the Civil Rights Act (Title VII)</i>	Prohibits employment discrimination based on religion. Also requires employers to make religious accommodations in certain situations.
<i>Title II of the Civil Rights Act (Title II)</i>	Prohibits places of public accommodation from discriminating on the basis of religion.
<i>Equal Credit Opportunity Act (ECOA)</i>	Prohibits creditors from discriminating against credit applicants on the basis of religion.
<i>Freedom of Access to Clinic Entrances Act (FACE)</i>	Protects the right of people to exercise the First Amendment right of religious freedom at a place of religious worship. Also protects places of religious worship from intentional property damage.
<i>Damage to Religious Property, 18 U.S.C. § 247</i>	Protects religious real property from being targeted for damage because of the religious nature of the property or because of the race, color, or ethnic characteristics of the people associated with the property. The statute also criminalizes the intentional obstruction by force or threatened force of any person in the enjoyment of religious beliefs.
<i>The Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act (Shepard-Byrd)</i>	Prohibits willfully causing bodily injury, or attempting to cause bodily injury with a dangerous weapon, when the crime was committed because of the person’s actual or perceived religion (among other protected classes).

We use five core strategies to make the promise of these laws a reality.

Civil Enforcement	Criminal Enforcement	Outreach	Coordination	Policy
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Civil Enforcement

We investigate and bring civil lawsuits to protect the ability of people to practice the religion of their choice. Our civil enforcement work includes:

- Helping religious schools or places of worship overcome unlawful zoning or planning restrictions that prevent them from using land for religious purposes,
- Ensuring that inmates have access to diets or are permitted to have facial hair in accordance with their religious beliefs,
- Protecting students from harassment in schools because of their religion, and
- Protecting employees' rights to religious accommodations in the workplace.

We also participate in lawsuits filed by private parties by intervening (joining) those suits as a

party, and filing statements of interest and amicus briefs that provide our analysis of legal issues in the case.

Civil Religious Freedom Matters We Resolved

FY21	7 (as of Q3 FY21)
FY20	5
FY19	17
FY18	9
FY17	14

Criminal Enforcement

We prosecute those who commit religion-based hate crimes. This includes prosecuting people who:

Cause bodily injury, or attempt to cause bodily injury with a dangerous weapon, to someone because of the victim's religion; and

Damage, or keep people from attending, places of worship.

23

From January 2017 to March 2021, the number of individuals we obtained convictions against for attacks or threats against places of worship.

15

From January 2017 to March 2021, the number of individuals we obtained convictions against for religion-motivated hate crimes

Outreach

We engage in a range of outreach efforts in order to protect the religious freedom of people across the country. This includes:

Legal resources – We develop and share fact sheets, statements, Q&As, and guides that help the public understand the civil rights laws that impact religious freedom. We have developed and shared resources covering topics like:

- [Information about Federal Religious Land Use Protections](#);
- [Questions and Answers on the Land Use Provisions of RLUIPA](#);
- [Update on the Justice Department’s Enforcement of the Religious Land Use and Institutionalized Persons Act: 2010 – 2016](#); [and](#)
- [Report on the Twentieth Anniversary of the Religious Land Use and Institutionalized Persons Act](#)

Public speaking – Our staff participates in conferences, panels, and listening sessions with religious organizations to discuss our religious freedom work, including how to identify potential violations of law and how to report those events to us.

Coordination

We share responsibility in protecting religious freedom with other federal agencies. Because of this shared responsibility, we coordinate and work to drive an aligned strategy.

Partner Agency	Role
<i>Equal Employment Opportunity Commission</i>	Enforces anti-discrimination requirements in employment, including Title VII of the Civil Rights Act of 1964.
<i>Department of Education</i>	Enforces anti-discrimination requirements in education.
<i>Department of Housing & Urban Development</i>	Enforces anti-discrimination requirements in housing in accordance with the Fair Housing Act.
<i>Consumer Financial Protection Bureau</i> <i>Comptroller of the Currency</i> <i>Federal Reserve Board</i> <i>Federal Deposit Insurance Corporation</i> <i>National Credit Union Association</i> <i>Federal Trade Commission</i>	Regulate and monitor creditors for compliance with the Equal Credit Opportunity Act.

Policy

We review and analyze policies and documents from across the federal government that impact religious freedom. For more information about our policy work, see page 22.

3

The number of policies and documents related to religious freedom that we analyzed between January 20, 2020 to June 10, 2020.

Civil Rights Division in Action – Religious Freedom



Toms River, N.J.

We learned that Toms River enacted a series of revisions to its zoning code that greatly limited the ability of houses of worship to open in the township. For example, Toms River enacted a 10-acre parcel minimum requirement. These restrictions had a particular impact on the Township’s Orthodox Jewish population, who, because of their faith and religious traditions, tend to worship at small houses of worship which they walk to and from on the Sabbath and Holidays. In March 2021, we entered a [consent order](#) with the township. Under this agreement, Toms River will revise its zoning code, train its officials and employees on RLUIPA’s requirements, and establish a procedure for receiving and resolving RLUIPA complaints.



Place to Worship Initiative.

In June 2018, we launched a targeted effort to help religious assemblies, both small and large, having a place to gather for worship and carry out other religious activities. We have carried this out by increasing: our RLUIPA land-use enforcement, coordination and training of U.S. Attorney’s Offices, and public awareness through a [website](#). Since then, we increased the number of suits filed, statements of interest filed, and investigations opened in disputes involving Buddhists, Christians, Hindus, Jews, Muslims, and Native Americans.

Criminal convictions for religious hate crimes and attacks on places of worship.

November 2, 2020: sentencing of a Louisiana man to 25 years in prison for setting fire to three Baptist churches;

February 26, 2021: sentencing of a Colorado man to more than 19 years in prison for plotting to blow up the Temple Emanuel Synagogue in Pueblo, Colorado; and

October 17, 2018: sentencing of a Texas man to more than 24 years in prison for burning down the Victoria Islamic Center.

We also are prosecuting the alleged shooters at the Pittsburgh Tree of Life Synagogue in October 2018 and at the Poway, California synagogue in April 2019, which together left 12 worshippers dead and many others wounded.

Meriden, CT.

After the City of Meriden denied the Omar Islamic Center’s application to establish a mosque in March 2019, we opened a civil rights investigation. We found evidence that the city violated RLUIPA by denying the application and also maintaining a zoning code that treated religious assemblies and institutions less favorably than non-religious assemblies and institutions. Our resulting [consent order](#) requires Meriden to, among other things, amend its zoning ordinance and provide RLUIPA training to its officials and employees.

Access to Basic Services

The Greensboro Sit-In was one of the most enduring moments from the civil rights movement. Four black students took seats at a local lunch counter, ordered a cup of coffee, and thus challenged the store’s segregation policy. The moment galvanized the nation because it brought

such sharp focus to the simple indignity of refusing to offer basic services to another person solely because of race.

Federal law now protects the right to access certain basic services. We work to protect this right.

Laws Protecting Access to Basic Services	Purpose
<i>Title II of the Civil Rights Act (Title II)</i>	Prohibits discrimination based on race, color, religion, and national origin in places of public accommodation.
<i>Title III of the Americans with Disabilities Act</i>	Prohibits discrimination based on disability in places of public accommodation.
<i>Freedom of Access to Clinic Entrances Act (FACE)</i>	Protects patients and health care providers against threats of force and physical obstruction of reproductive health facilities.
<i>Violent Interference with Federally Protected Rights, 18 U.S.C. § 245</i>	Makes it a crime to use or threaten to use force to willfully interfere with a person’s travel or enjoyment of public accommodations because of race, color, religion, or national origin.

We use six primary strategies to make the promise of these laws a reality.

Civil Enforcement	Criminal Enforcement	Testing	Outreach & Assistance	Coordination	Policy
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Civil Enforcement

We investigate and bring civil lawsuits to protect the right to access basic services. This includes bringing suit when:

Hotels, restaurants, nightclubs, theaters, and other places of public accommodation refuse to serve or discriminate against customers based on race, color, religion, or national origin,

Businesses providing goods or services to the public are not accessible to customers with disabilities, and

People cannot access reproductive health facilities due to use or threat of force and physical obstruction.

Civil Matters We Resolved Involving Access to Basic Services

FY21	0 (as of Q3 FY21)
FY20	8
FY19	8
FY18	12
FY17	3

Criminal Enforcement

We prosecute those who use force or the threat of force to keep anyone from accessing basic services like public accommodations or reproductive health clinics.

Criminal Matters We Resolved Involving Access to Basic Services

FY21	1 (<i>as of Q3 FY21</i>)
FY20	2
FY19	3
FY18	0
FY17	3

Testing

Testing refers to the use of individuals who pose as prospective consumers or patrons for the purpose of gathering information, which may indicate whether a provider is complying with federal civil rights laws. In recent years, the Fair Housing Testing Program has expanded its testing to

include public accommodations discrimination under Title II.

Between FY 2017 and FY 2020, more than a quarter of the testing we conducted focused on places of public accommodation.

Policy

We review and analyze policies and documents from across the federal government that impact the ability to access public accommodations. For more information about our policy work, see page 22.

Civil Rights Division in Action – Accessing Basic Services



360 Midtown. We uncovered evidence that a Houston-based sports bar discouraged or denied entry to African Americans, Hispanics and Asian-Americans. We also found evidence the owner-operator used racial slurs as he explicitly instructed employees to exclude certain patrons. Because of our settlement agreement, defendants must now comply with Title II, put a system in place to receive and investigate complaints of discrimination, and carry out monitoring to ensure that 360 Midtown’s employees act in a non-discriminatory manner.



Kung Fu Saloons. When we found evidence that the owners and operators of a Texas bar/restaurant chain discriminated against African-American and Asian-American patrons, we filed suit. Because of this case, Kung Fu Saloons must now post and enforce a non-discriminatory dress code policy; put in place a system for receiving and investigating complaints of discrimination; and carry out monitoring to ensure that Kung Fu Saloon’s employees are acting in a non-discriminatory manner.



Advancing Criminal Justice

We are uniquely positioned to ensure that the criminal justice system not only treats all individuals equally under the law, but is leveraged to hold those who violate the rights of others accountable under our criminal laws. Our criminal justice work includes the following components:

Law enforcement. We conduct civil investigations into law enforcement agencies for systemic violations of federal law, including discriminatory policing, and criminally prosecute law enforcement officials who violate the constitutional rights of others.

Hate crimes. We engage in community outreach and education regarding hate crimes, and investigate and criminally prosecute those who commit such crimes because of bias motivated by race, color, national origin, religion, gender, sexual orientation, gender identity, or disability.

Human trafficking. We partner domestically and internationally to investigate, prosecute, and eradicate human trafficking networks that exploit both children and adults.

Civil rights cold cases. We review and resolve civil rights cases under the Emmett Till Cold Case Act.

Law Enforcement

Every person in this country deserves public safety systems that are lawful, responsive, transparent and nondiscriminatory. We are uniquely positioned to help communities achieve justice and restore trust in their police and justice systems.

Laws to Hold Officials Accountable:	
Criminal Enforcement	Purpose
<i>Official Misconduct, 18 U.S.C. §§ 241, 242</i>	Section 242 makes it a crime for any person acting under color of law – using or abusing government authority – to willfully deprive any person of rights protected by the constitution or federal law. Section 241 is the civil rights conspiracy statute, applying to color-of-law violations committed by two or more people in concert.

Laws to Remedy Systemic Violations:	
Civil Enforcement	Purpose
<i>Violent Crime Control and Law Enforcement Act (§ 12601)</i>	Prohibits law enforcement officials or government employees involved with juvenile justice from engaging in a pattern or practice of violating people’s federal rights.
<i>Omnibus Crime Control and Safe Streets Act</i>	Prohibits discrimination on the basis of race, color, sex or national origin by agencies receiving federal funds.
<i>Title VI of the Civil Rights Act</i>	Prohibits discrimination on the basis of race, color, or national origin by agencies receiving federal funds.
<i>Civil Rights of Institutionalized Persons Act (CRIPA)</i>	Protects the rights of people in state or local correctional facilities, nursing homes, mental health facilities, and institutions for people with intellectual and developmental disabilities.
<i>Americans with Disabilities Act</i>	Prohibits discrimination against individuals with disabilities by public entities, including by denying persons with disabilities from the benefits of the services, programs, or activities of a public entity.

We use five core strategies to make the promise of these laws a reality.

Civil Enforcement	Criminal Enforcement	Outreach	Coordination	Policy

Civil Enforcement

Our civil litigation teams investigate law enforcement agencies that are accused of systematically violating people's federal rights, including:

- The **First Amendment**-protected right to engage in peaceful protests.
- The **Fourth Amendment**-protected right to be free for the use of excessive force,
- The **Eighth Amendment**-protected right to be free of excessive bail, excessive fines, and cruel and unusual punishment,
- The **Fourteenth Amendment**-protected right to equal protection of the laws, and

Using our civil enforcement authority, we have investigated dozens of law enforcement agencies. The reforms we obtain through our enforcement, including those below, promote effective and constitutional policing nationwide:

- Improving the investigation and review of uses of force,
- Establishing safeguards to prevent discriminatory policing,
- Engaging in meaningful community-police partnerships,
- Creating more effective training and supervision of officers to ensure that police actions are legal and fair,
- Implementing independent oversight, including data collection and analysis, and
- Increasing transparency.

Our range of expertise also allows us to address civil rights violations involving law enforcement in other contexts, such as in K-12 schools and higher education settings or in enforcing local ordinances that affect access to housing.

18 The number of settlements and court orders we are monitoring (as of Q3 FY21) related to police reform.

Civil Matters We Resolved Involving Systemic Violations

FY21	3 (<i>as of Q3 FY21</i>)
FY20	8
FY19	22
FY18	9
FY17	6

Criminal Enforcement

We investigate and prosecute government officials, including law enforcement officers and correctional officers, who willfully violate individuals' constitutional rights. The investigations most often involve alleged uses of excessive force, but also include sexual misconduct, theft, false arrest, and deliberate indifference to serious medical needs or a substantial risk of harm to a person in custody. These investigations and prosecutions are essential to our nation's foundational belief is that no one is above the law. By holding officers accountable for these violations of law, we help bolster and rebuild community trust in our law enforcement institutions.

Criminal Convictions Involving Official Misconduct

FY21	6 (<i>as of Q3 FY21</i>)
FY20	57
FY19	50
FY18	44
FY17	42

Outreach

We create resources and materials to disseminate information about our law enforcement work widely, and engage in targeted outreach to communities and other stakeholders to build partnerships, including through:

Legal resources – We develop and share information about our police reform work to help state and local jurisdictions, law enforcement agencies, advocates, and individuals understand their rights and responsibilities, including:

- [The Civil Rights Division's Pattern and Practice Police Reform Work](#)
- [Police Reform Finder](#)
- [Principles for Promoting Police Integrity](#)
- [Addressing Police Misconduct](#)
- [Guidance for Federal Law Enforcement Agencies Regarding the Use of Race,](#)

[Ethnicity, Gender, National Origin, Religion, Sexual Orientation, or Gender Identity](#)

- [Identifying and Preventing Gender Bias in Law Enforcement Response to Sexual Assault and Domestic Violence](#)

Community engagement – Our work requires extensive community outreach and stakeholder engagement, both to understand patterns of unlawful conduct, and to implement reforms in a way that addresses violations of law while rebuilding community trust.

Public speaking – Our staff participates in conferences, panels, and other meetings to discuss our work in this area, including how to identify potential violations of law and how to report them to us.

Coordination

We work closely with the FBI and other federal, state, and local law enforcement organizations to investigate and bring enforcement actions when we find violations of law. We also coordinate with all levels of government regarding best practices in the field of law enforcement.

Policy

We review and analyze policies and documents from across the federal government that impact our work on criminal justice. For more information about our policy work, see page 22.

70

The number of criminal justice-related policies and documents we analyzed between January 20, 2020 to June 10, 2020.

Civil Rights Division in Action – Law Enforcement



Minneapolis. In March 2020, George Floyd was killed by Minneapolis Police Department officers during the course of his arrest. His death sparked a new wave of protests across the nation, exposing continuing and significant public concern that law enforcement agencies fail to treat all individuals equally under the law. In the aftermath of Mr. Floyd’s death, we opened a pattern or practice investigation into systemic violations of law by the Minneapolis Police Department and indicted the four former police officers involved for violations of 18 U.S.C. § 242.



Ashland City, TN. In November 2016, Mark Bryant (then a Corporal at the Cheatham County Jail) repeatedly tased – for a total of 50 seconds – an eighteen-year-old pretrial detainee in a restraint chair. Bryant returned two hours later and tased the detainee again, this time while the detainee was handcuffed, shackled, and compliant. Because of Bryant’s uses of force, the detainee suffered bodily injury, including burns that an officer on the scene described as making the detainee’s skin look like “raw hamburger meat.” As the senior officer at the scene, Bryant then directed his colleagues not to submit reports regarding his uses of force on the detainee.

We prosecuted Bryant. After a four-day trial, a federal jury convicted him of two counts of deprivation of rights under color of law.

Hate Crimes

Hate crimes have a devastating effect beyond the harm inflicted on any one victim. They reverberate through families, communities, and the entire nation. Hate crimes cause the most vulnerable among us to live in fear that they could be threatened, attacked, or forced from their homes, because of what they look like, who they are, where they worship, whom they love, or whether they have a disability. Hate crimes erode the fundamental trust and ties that bind us all as Americans.

We prosecute those who commit hate crimes, which include acts of physical harm and specific criminal threats that are motivated by animus based on race, color, national origin, religion, gender, sexual orientation, gender identity, or disability. We rely on the following laws in our hate crimes prosecutions:

Hate Crimes Laws	Purpose
<i>The Matthew Shepard and James Byrd, Jr., Hate Crimes Prevention Act of 2009</i>	The first hate crime statute that incorporates sexual orientation and gender identity. The Act makes it a federal crime to willfully cause bodily injury, or attempt to do so using a dangerous weapon, because of the victim’s actual or perceived race, color, religion, or national origin. The Act also covers crimes committed because of the actual or perceived religion, national origin, sexual orientation, gender, gender identity, or disability of any person, if the crime affected interstate or foreign commerce or occurred within federal special maritime or territorial jurisdiction.
<i>Criminal Interference with Right to Fair Housing</i> 42 U.S.C. § 3631	Makes it a crime to use or threaten to use force to interfere with housing rights because of race, color, religion, sex, disability, familial status, or national origin.
<i>Damage to Religious Property</i> 18 U.S.C. § 247	Protects religious real property from being targeted for damage because of its religious nature or because of the race, color, or ethnic characteristics of the people associated with the property. The statute also criminalizes intentionally obstructing by force or threatened force of any person in the enjoyment of religious beliefs.
<i>Violent Interference with Federally Protected Rights</i> 18 U.S.C. § 245	<p>Makes it a crime to use or threaten to use force to willfully interfere with a person’s participation in a federally protected activity because of race, color, religion, or national origin. Federally protected activities include:</p> <ul style="list-style-type: none"> · public education · employment · jury service · travel · enjoyment of public accommodations. <p>Under this statute, it is also a crime to use or threaten to use force against those who are assisting and supporting others in participating in these federally protected activities.</p>
<i>Conspiracy Against Rights</i> 18 U.S.C. § 241	Makes it unlawful for two or more persons to conspire to injure, threaten, or intimidate a person in the free exercise or enjoyment of any right or privilege secured to the individual by the U.S. Constitution or federal law.

We use four core strategies to make the promise of these laws a reality.

Criminal Enforcement	Outreach	Coordination	Policy
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Criminal Enforcement

Since January 2017, we have prosecuted a number of high-profile matters, including cases in Charlottesville, VA, Pittsburgh, PA, New York, NY, El Paso, TX, and Brunswick, GA. Moreover, we have investigated more than 1,000 incidents involving acts of violence, threats, assaults, vandalism, and arson targeting Arab, Muslim, Sikh, and South Asian Americans, as well as individuals perceived as members of these groups since 9/11.

Criminal Convictions for Hate Crimes

FY21	5 (as of Q3 FY21)
FY20	12
FY19	11
FY18	31
FY17	19

Outreach

The public is our single most important partner in combating hate crimes. If we are going to make a difference, it is because members of the public have stepped forward and reported incidents of hate to the FBI or their local law enforcement agencies. We have therefore invested significant resources in our outreach activities, including:

Hate Crimes Website – In 2018, we collaborated with other DOJ offices to launch the [Hate Crimes Website](#), which provides a centralized portal for the Department’s hate crimes resources for law enforcement, media, researchers, victims, advocacy groups, and other related organizations and individuals. Since its launch in October 2018, over a million people have visited the site. Most importantly, the site has helped many of those visitors find their way to the FBI’s hate crimes reporting portal. We continue to build and improve the site, regularly releasing new updates and features.

Hate Crimes Summit – To build trust between communities and law enforcement and encourage hate crime reporting, we bring together DOJ

agents, prosecutors, outreach specialists, funders, and victim advocates to determine how best to combat hate violence in a comprehensive manner. Approximately 60 subject matter experts and community and faith leaders gathered in 2018 for a Hate Crimes Summit in Washington, D.C. to develop recommendations for enhancing hate crimes investigation and reporting.

Training - Based on recommendations from the 2018 Summit, we led the creation of a model hate crimes outreach training for DOJ components to give in their communities. The ultimate goal of the program is to further hate crimes prevention efforts, and improve the accuracy of hate crime statistics, as more people become willing to report hate crimes to law enforcement. The training was set to be piloted in FY 2020, and was placed on hold due to the pandemic.

Community engagement and public speaking – We speak at conferences, participate on panels, attend community meetings, and take part in other outreach events to educate members of the public about hate crimes and how to report incidents for

investigation. We also target outreach on local law enforcement agencies and community service providers who are likely to receive information

about hate crimes in their communities and can provide resources and information to those who need it.

Coordination

Our hate crimes work involves significant coordination with the FBI, state and local law enforcement agencies, and U.S. Attorney's Offices nationwide.

Hate Crimes Enforcement and Prevention Initiative – We lead this Initiative, which coordinates DOJ efforts to eradicate hate crimes by facilitating training, outreach, and education to law enforcement agencies and the public at the federal, state, local and tribal levels. Statistics show that most hate crimes are not reported to law enforcement, which hampers progress in combating these crimes.

Policy

We review and analyze policies and documents from across the federal government that impact hate crimes. For more information about our policy work, see page 22.

15

The number of policies and documents related to hate crimes that we analyzed between January 20, 2020 to June 10, 2020.

Civil Rights Division in Action – Hate Crimes



United States v. Earnest.

On April 29, 2019, John Earnest shot and killed one congregant and wounded three others when he attacked the Poway Chabad in Poway, CA. We charged Earnest in a 113-count indictment with violations of Section 249 and 247 for the murder of one congregant and attempted murder of the other 54 congregants worshipping inside. We also charged Earnest with attempting to set fire to a mosque in Escondido, CA.



United States v. Garza. In February 2020, the FBI arrested four men for a conspiracy to threaten and intimidate journalists and activists who were working to expose anti-Semitism. The four defendants were members of a neo-Nazi group called the Atomwaffen Division and focused their intimidation efforts primarily on those who were Jewish or people of color. This included placing a poster on the bedroom window of a prominent Jewish journalist that showed a figure in a skull mask holding a Molotov cocktail in front of a burning home. The poster included the victim's name and address and warned, "Your actions have consequences. Our patience has its limits . . . You have been visited by your local Nazis." It also included placing a poster on the window of a home believed to belong to a Puerto Rican newscaster. The poster featured several swastikas and read "we know where you live . . . we are watching" and "do not fuck with us."

Human Trafficking

Human trafficking is a form of modern slavery; it takes many forms and can involve exploitation of both adults and children for labor and sex. Millions are estimated to be trafficked around the world each year – including into and within the United States.

Human Trafficking Law	Purpose
<i>Trafficking Victims Protection Act (TVPA)</i>	Criminalizes the use of force, fraud, or coercion to compel a person to engage in labor, services, or commercial sex. We also enforce a number of related criminal statutes prohibiting peonage, involuntary servitude, and related violations.

We use four core strategies to make the promise of these laws a reality.

Criminal Enforcement	Outreach	Coordination	Policy
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Criminal Enforcement

We formed a Human Trafficking Prosecution Unit (HTPU) in 2007 to consolidate and scale the expertise of some of the nation’s top human trafficking prosecutors. HTPU prosecutes novel, complex, multi-jurisdictional, and international human trafficking cases involving forced labor, international sex trafficking, and sex trafficking of adults through force, fraud, or coercion, in collaboration with U.S. Attorney’s Offices nationwide.

In addition to our prosecutions, we:

- Formulate and implement new enforcement initiatives
- Strengthen strategic partnerships, and
- Develop and deliver capacity-building programs on best practices in survivor-centered human trafficking investigations and prosecutions.

We also lead a number of domestic and international initiatives aimed at dismantling trafficking networks, prosecuting traffickers, and helping victims of human trafficking.

To this end, in FY 2019, we worked in partnership with DOJ’s Criminal Division and USAOs to bring 220 human trafficking cases, charge 343 defendants, and obtain 475 convictions.

Criminal Convictions for Human Trafficking

FY21	6
FY20	57
FY19	50
FY18	44
FY17	42

Outreach

Our outreach activities around human trafficking include:

Victims of Trafficking – We give direct help to victims of human trafficking. Our victim/witness coordinators help victims access services like as case management, housing, medical care, counseling, and shelter. Victim/witness coordinators also help victims understand their rights under the Attorney General Guidelines and the Trafficking Victims Protection Act.

Domestic and International Law Enforcement – We help law enforcement, both domestically and internationally, by giving them information about human trafficking operations and best practices for enforcement.

Coordination

Success in combating human trafficking requires extensive coordination with international, federal, state, and local entities. Our coordination role includes the following:

Anti-Trafficking Coordination Teams – We lead the Anti-Trafficking Coordination Team (ACTeam) Initiative, an interagency enforcement collaboration with the FBI, the Executive Office of United States Attorneys, and the Departments of Homeland Security (DHS) and Labor. The ACTeam Initiative brings together teams of federal agents and federal prosecutors in competitively selected districts to develop high-impact human trafficking investigations and prosecutions in collaboration with national anti-trafficking subject matter experts. During Phase II of the Initiative, which concluded in 2018, the six ACTeam Districts increased the number of defendants charged by 75 percent and more than doubled the number of defendants convicted, compared to a 1

percent increase in the number of defendants charged and a 36 percent increase in defendants convicted nationwide during the same period of time. The Department is currently analyzing the resource demands for a Phase III ACTeam launch.

Federal Enforcement Working Group on Human Trafficking – We chair the Federal Enforcement Working Group on Human Trafficking (FEWG). We also lead DOJ’s anti-trafficking legislative, policy, and programmatic priorities, and ensure that the Department is complying with statutory mandates and directives related to trafficking. We also work with the State Department and DOJ’s Office of Overseas Prosecutorial Development Assistance and Training to share our expertise with international law enforcement and governmental officials.

We work closely with the following federal partners:

Partner Agency	Role
<i>Department of Homeland Security</i>	DHS’s Blue Campaign is a national public awareness campaign, designed to educate the public, law enforcement and other industry partners to recognize the indicators of human trafficking, and how to appropriately respond to possible cases.
<i>Department of State</i>	State compiles the Trafficking in Persons (TIP) Report , which is the U.S. Government’s principal diplomatic tool to engage foreign governments on human trafficking.

Department of Labor

DOL's [Office of Child Labor, Forced Labor, and Human Trafficking \(OCFT\)](#) in the Bureau of International Labor Affairs fights to eradicate these labor abuses.

Department of Health and Human Services

HHS's [Office on Trafficking in Persons](#) works to prevent human trafficking and ensuring that victims of all forms of human trafficking have access to the services they need.

Policy

We review and analyze policies and documents from across the federal government that impact human trafficking. For more information about our policy work, see page 22.

8

The number of human trafficking-related policies and documents we analyzed between January 20, 2020 to June 10, 2020.

Civil Rights Division in Action – Human Trafficking



Training.

We conducted 32 domestic and international trainings from April 2019 to March 2020 to more than 7,700 international, federal, state, and local law enforcement officers, prosecutors, service providers, survivors, NGO staff members, and others working against human trafficking throughout the United States. Topics included proactive case identification; victim-centered, trauma-informed investigations and prosecutions; proving coercion; defeating common criminal defenses; financial investigations; and obtaining victim restitution.

Victim restitution.

Under federal law, trafficking victims must receive criminal restitution. However, the Human Trafficking Legal Center estimates that federal courts order restitution in only 27 percent of cases. We want to increase the percent of victims who receive just restitution. To make this happen, we added restitution training into our human trafficking prosecution trainings, produced video-on-demand distance learning programs specifically on the issue of restitution, conducted webinars for USAOs, and published an authoritative article on best practices in securing restitution. In FY 2019, courts awarded over \$7.8 million in restitution to victims of sex trafficking.

Civil Rights Cold Cases

We operate a Cold Case initiative pursuant to the Emmett Till Cold Case Act of 2007. Following the Act's reauthorization in 2016, more than 23 additional cold cases were referred to the Division for evaluation. Thus far, we opened 132 matters for review and fully resolved 119.

We make our closing memos publicly available on its website at [Civil Rights Division Emmett Till Act \(Cold Case Closing Memoranda\) | CRT | Department of Justice](#). In addition, we are working to comply with the Cold Case Records Collection Act, which requires agencies within two years to identify and digitize materials pertaining to civil rights cases dated 1940 to 1980, and transfer redacted information to the National Archives for eventual release to the public.



Supporting Our Democracy

We enforce the federal laws that safeguard the foundations of American democracy. Our work to support and defend American democracy includes the following components:

Voting rights. We protect the central pillar of democracy – the right to vote.

Servicemembers and veterans. We protect those who protect us. We help servicemembers in key aspects of American life - work, credit, housing, and voting.

Language access. We work to make elections, government services, and government-funded programs accessible across language barriers.

Non-discrimination in federally funded and conducted activities. We drive a coordinated, consistent civil rights strategy across the federal government to prevent and combat discrimination by recipients of federal funding.

Voting Rights

“We know that expanding the ability of all eligible citizens to vote is the central pillar. That means ensuring that all eligible voters can cast a vote; that all lawful votes are counted; and that every voter has access to accurate information. The Department of Justice will never stop working to protect the democracy to which all Americans are entitled.”

- Attorney General Merrick B. Garland (June 11, 2021)

The core of our democracy lies in the right to vote. Our society must protect and defend free and fair elections that reflect the will of the American people.

We enforce the federal laws protecting this right.

Laws We Enforce Protecting the Right to Vote	Purpose
<i>Voting Rights Act (VRA)</i>	Prohibits voting practices that discriminate on the basis of race, color or membership in a language minority group. Protects voters who need help voting because of blindness, disability, or inability to read or write. Requires that certain jurisdictions offer bilingual written voting materials and voting assistance in covered minority languages, in addition to English.
<i>National Voter Registration Act (NVRA)</i>	Requires states to offer voter registration to eligible applicants through the mail, and when they apply for or renew a driver's license, public assistance, disability services, or other governmental services. Also sets requirements for how states maintain voter registration rolls.
<i>Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)</i>	Sets minimum requirements for absentee voting in federal elections by members of the uniformed services, their families and Americans residing overseas.
<i>Help America Vote Act (HAVA)</i>	Sets minimum requirements in several key areas of election administration for federal elections, including voting systems, voter registration databases, and provisional ballots.
<i>Voting Accessibility for the Elderly and Handicapped Act (VAEHA)</i>	Sets minimum requirements for making polling places used in federal elections accessible for people with disabilities.
<i>American with Disabilities Act (ADA)</i>	Sets minimum requirements for making polling places accessible for people with disabilities.

These laws provide basic guardrails for state and local authorities as they administer elections. We drive compliance with these shared requirements through five core strategies.

Civil Enforcement	Election Monitoring	Outreach	Coordination	Policy
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Civil Enforcement

We open investigations and bring civil lawsuits against election authorities when they violate the federal voting rights laws described above. Our legal teams work to remove discriminatory barriers to the right to vote.

	Favorably resolved voting matters
FY21	0 (<i>as of Q3 FY21</i>)
FY20	57
FY19	8
FY18	104
FY17	3

Election Monitoring

Every year, we monitor elections in jurisdictions across the country. We monitor polling places on election day using federal observers, as well as our own attorneys and staff, to assess compliance with federal voting rights laws.

We can engage Office of Personnel Management (OPM) federal observers where there is a court order under Section 3(a) of the Voting Rights Act authorizing their presence. In addition, we can assign one or more of our own attorneys and staff members to monitor elections in other localities around the country.

	Total Monitored Jurisdictions	Total Monitored States
Nov. 2020	44	18
Nov. 2018	35	19
Nov. 2016	67	28
Nov. 2014	28	18
Nov. 2012	51	23

Outreach

We develop and share materials designed to help state and local election officials, as well as the general public, understand various federal voting laws. This includes:

- [Questions and Answers to the National Voter Registration Act](#)
- [Procedures for the Administration of Section 5 of the Voting Rights Act of 1965](#)
- [Implementation of the Provisions of the Voting Rights Act Regarding Language Minority Groups](#)

Coordination

We only have authority to bring civil actions for voting rights violations. We do not prosecute election crimes. The Public Integrity Section of DOJ's Criminal Division prosecutes criminal election offenses.

Because of this shared responsibility, we refer matters implicating election crimes to the Criminal Division.

Policy

We review and analyze policies and documents from across the federal government that impact voting rights. For more information about our policy work, see page 22.

11

The number of voting-related policies and documents we analyzed between January 20, 2020 to June 10, 2020.

Civil Rights Division in Action – Voting Rights



City of Eastpointe, Michigan. In June 2019, we reached a settlement that changed the method of election for the city council for the City of Eastpointe in Michigan. The settlement provides black voters with the opportunity to elect candidates of their choice.

Chamberlain School District, South Dakota. In June 2020, we settled a matter that changed the method of election for the school board of the Chamberlain School District in South Dakota. Because of this settlement, American Indian voters have the opportunity to elect candidates of their choice.



Wisconsin. In June 2018, we reached a settlement with Wisconsin related to overseas voting. Because of this settlement, the State acted to provide voters living overseas temporarily with all of the protections of UOCAVA.



Arizona. In February 2018, we entered a settlement with Arizona to address the fact that the State was not able to transmit final absentee ballots to UOCAVA voters at least 45 days in advance of a special primary election for a congressional seat.

Servicemembers and Veterans

Servicemembers protect and advance our democracy. In turn, we can help our servicemembers perform this duty by defending their federal rights.

We are responsible for enforcing laws that protect servicemembers in work, credit, housing, and voting. We educate, investigate, and file civil lawsuits to combat illegal conduct like:

- Wrongfully foreclosing on or evicting servicemembers,
- Denying servicemembers their employment and reemployment rights,
- Denying federal absentee voting rights for qualified uniformed services voters and their family members, and
- Discriminating against servicemembers because of disability.

Laws We Enforce that Protect Servicemembers	Purpose
<i>Servicemembers Civil Relief Act (SCRA)</i>	Helps servicemembers manage the transition to active duty. The SCRA does this by giving servicemembers key rights related to rental agreements, security deposits, prepaid rent, evictions, installment contracts, credit card interest rates, mortgage interest rates, mortgage foreclosures, civil judicial proceedings, automobile leases, life insurance, health insurance and income tax payments.
<i>Uniformed Services Employment and Reemployment Rights Act (USERRA)</i>	Helps servicemembers return to their civilian careers after serving honorably.
<i>Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)</i>	Requires states and territories to allow certain U.S. citizens who are away from their homes, including members of the uniformed services and the United States Merchant Marine, along with their family members, to register and vote absentee in federal elections.
<i>Statutes protecting people with disabilities</i>	<p>We also protect the rights of all people with disabilities under laws like:</p> <ul style="list-style-type: none"> • the Americans with Disabilities Act, • the Fair Housing Act, • the Rehabilitation Act, • the Civil Rights of Institutionalized Persons Act; • the Voting Accessibility for the Elderly and Handicapped Act. <p>While these laws do not include servicemember-specific provisions, they are critical for servicemembers. Census data shows that veterans experience disability at higher rates than nonveterans. By enforcing these laws, we help servicemembers and veterans with disabilities gain access to core parts of American life.</p>

We drive compliance with these laws in five ways.

Civil Enforcement	Testing	Outreach & Assistance	Coordination	Policy
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Civil Enforcement

We open investigations and bring civil lawsuits against entities that violate the rights of servicemembers.

Matters we resolved involving servicemember issues

FY21	32 (<i>as of Q3 FY21</i>)
FY20	110
FY19	50
FY18	182
FY17	101

From FY 2017 to Q3 FY 2021, we also resolved 90 matters protecting the rights of people with disabilities. This work removed barriers and made it easier for people with disabilities – including servicemembers and veterans with disabilities – to participate in American life.

Testing

Testing refers to the use of individuals who pose as prospective consumers or patrons for the purpose of gathering information, which may indicate whether a provider is complying with federal civil rights laws. In recent years, we have expanded our testing program to include uncovering violations of servicemember rights.

In FY 2020, we resolved our first testing matter involving a violation of the SCRA. We opened an investigation after testing evidence revealed a violation. The company ultimately agreed to make changes to its policies and train its staff - ensuring that servicemembers will enjoy the full protections available to them under the law.

Outreach & Assistance

Many – including members of our uniformed services – are unaware of the numerous rights Congress has put in place for servicemembers. To remedy this, our Servicemembers and Veterans Initiative:

Conducts outreach, offers direct assistance, and delivers training for servicemembers, veterans, and military families.

Facilitates and coordinates listening sessions with servicemembers to identify the legal issues impacting those serving today.

Educates military members and legal practitioners about the federal laws protecting servicemembers, as well as the Department’s work on behalf of servicemembers, veterans, and military family members.

Collects and relays matters with litigation potential to the teams within the Department of Justice who may be able to help.

Manages **servicemembers.gov**, a website that gives servicemembers, veterans, military family members, and legal practitioners resources to protect servicemember rights. The website receives about 20,000 monthly hits.

Coordination

We work with several federal agencies to share resources and drive an aligned strategy to protect servicemember rights. This includes partnering with the following agencies:

Partner Agency	Role
<i>Department of Labor</i>	As part of our partnership, we: <ul style="list-style-type: none"> • lead outreach on military bases that can lead servicemembers to report USERRA violations to DOL for investigation; • litigate and work to resolve USERRA violations referred to us by DOL after their investigation⁴; • train investigators in DOL’s Solicitor’s Office on USERRA issues; • collaborate with DOL to update and refine our shared USERRA strategy
<i>Department of Defense</i>	DOD (through its Defense Manpower Data Center) provides data for our servicemember-related investigations and cases.
<i>Judge Advocate General’s Corps (JAG Corps)</i>	The JAG Corps is the first line of defense for protecting servicemember rights. JAGs advise servicemembers and their families on their rights under the SCRA and USERRA.
<i>Civil Division - DOJ</i>	The Consumer Protection Branch of DOJ’s Civil Division investigates and prosecutes fraudsters who target servicemembers.

Policy

We review and analyze policies and documents from across the federal government that impact the rights of servicemembers and veterans. For more information about our policy work, see page 22.

22

The number of servicemember-related policies and documents we analyzed between January 20, 2020 to June 10, 2020.

⁴ DOL will refer a matter to us if: 1) it involves a private, state, or local government employer, and 2) DOL’s efforts to resolve the matter informally have failed. 95% of the time, DOL is able to resolve USERRA issues informally.

Civil Rights Division in Action – Servicemembers & Vets



Outreach.

During 2019, we provided information on servicemember rights at 24 events across the country. At these events, we trained legal professionals on servicemember protections, engaged enlisted servicemembers with know-your-rights presentations, and conducted presentations to law school clinics and outside legal assistance organizations.

Conn's.

We investigated Conn's, a chain of furniture, electronics, and appliance stores headquartered in The Woodlands, Texas. We found evidence that the chain violated the Servicemembers Civil Relief Act because they were not lowering the interest rate on consumer retail installment contracts to 6%. As a result, the chain charged too much interest for at least 184 servicemembers. Because of this case, Conn's will refund all of the excess interest they charged and to pay an additional \$500 to each servicemember. It must also pay a \$50,000 civil penalty.



SCRA Amendments.

We provided subject matter expertise as Congress passed two key amendments to the SCRA. S.3637 expanded the SCRA to give servicemembers certain lease protections when they were under stop movement orders in response to a local, national, or global emergency. The *Protecting Families of Fallen Servicemembers Act* expanded the SCRA to allow families of U.S. servicemembers and members of the reserve components who die or are seriously injured while in military service to terminate their internet, phone, and cable contracts without incurring a financial penalty.

Language Access

As Abraham Lincoln noted in his Gettysburg Address, our democracy is “of the people, by the people, for the people.” To live up to this promise, we must address unnecessary barriers that stand between the government and its people.

This is where language access is key. The United States does not have an official language – rather, the languages we speak in this country reflect the

diversity of our people. When our diverse populace cannot engage with our government due to language barriers, we fail to achieve our nation’s promise.

Our work to expand language access helps eliminate this barrier and bring government into closer alignment with its people and the nation’s core vision. Our work includes:

Laws and Orders We Enforce Addressing Language Access	Purpose
<i>Title VI of the Civil Rights Act (Title VI)</i>	Prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. Under this law, funding recipients must give people with limited English proficiency (LEP) meaningful access to their programs and activities.
<i>Executive Order 13166</i>	Requires federal agencies to: <ul style="list-style-type: none"> • examine the services they provide, • identify any need for services to those with limited English proficiency (LEP), and • develop and implement a system to provide those services so LEP persons can have meaningful access to them. Also requires federal agencies work to ensure that recipients of federal financial assistance provide meaningful access to their LEP applicants and beneficiaries.
<i>Voting Rights Act (VRA)</i>	Prohibits voting practices that discriminate on the basis of membership in a language minority group. Protects voters who need help voting because of blindness, disability, or inability to read or write. Requires that certain jurisdictions offer bilingual written voting materials and voting assistance in covered minority languages, in addition to English.
<i>Equal Educational Opportunities Act (EEOA)</i>	Section 1703(f) requires state educational agencies and school districts to take appropriate steps to overcome language barriers faced by students and parents, when those barriers impede students from participating equally in a school district’s educational programs.

We lower the language barriers between government and the people it serves in five ways.

Civil Enforcement	Election Monitoring	Outreach & Assistance	Coordination	Policy
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Civil Enforcement

We investigate and bring civil lawsuits against entities that violate Title VI, the Voting Rights Act, and the EEOA. This includes bringing suit when:

- Recipients of federal funding fail to provide language services so LEP individuals can participate meaningfully in these federally funded activities;
- Election authorities fail to meet their language access requirements; and
- State educational agencies and school districts fail to provide appropriate services to English learner students or appropriate language services to LEP parents.

This chart summarizes the enforcement matters we resolved involving language access issues:

Matters we resolved involving language access	
FY21	0 (as of Q3 FY21)
FY20	0
FY19	2
FY18	0
FY17	4

Election Monitoring

Every year, we monitor elections in jurisdictions across the country. We monitor polling places to assess compliance with the federal voting rights laws, including those that cover language access.

See Voting Rights for more information about our election monitoring program.

Outreach & Assistance

We develop and share materials designed to help federal, state, and local officials as well as the general public understand language access requirements. This includes:

- [LEP.gov](#) - including [Title VI Assistance Materials](#)
- [Implementation of the Provisions of the Voting Rights Act Regarding Language Minority Groups](#)
- [Combating Discrimination Against AANHPI and MASSA Students](#)
- [Ensuring English Learner Students Can Participate Meaningfully and Equally in Educational Programs](#)

Coordination

Under Executive Order 13166, we work across the federal government to help them eliminate language barriers. We:

- Serve as a [central repository](#) and knowledge bank to collect and share the internal language access plans for federal agencies;
- Review and approve each funding agency's [external LEP guidance](#) for its recipients; and
- Consult with federal agencies to help them identify and address the needs of LEP individuals in ways that are relevant to each agency's mission.

Under Executive Order 12250, we coordinate with federal agencies so we implement federal civil rights laws (including Title VI, Title IX, and Section 504) in consistent and effective ways.

Our coordination work helps the government better engage the people we serve, in ways that are both pragmatic and effective.

Policy

We review and analyze policies and documents from across the federal government that impact language access issues.

For more information about our policy work, see page 22.

Civil Rights Division in Action – Language Access



Topics ▾ Complaints Federal Agencies ▾ Contact Us I Speak Card

Leading a Coordinated Civil Rights Response to Coronavirus (COVID-19)

April 2, 2021- Principal Deputy Assistant Attorney General for Civil Rights Pamela S. Karlan: "Civil rights protections and responsibilities continue to apply even during emergencies. They cannot be waived."

Español | 簡體字 | 简体字 | Tiếng Việt | 한국어 | Tagalog

は ciao



LEP.gov. We manage [LEP.gov](https://www.lep.gov), a website focused on helping agencies make their programs and services accessible to people who have limited English skills. LEP.gov includes resources like mapping and procurement tools, examples of language access plans, and “I speak” cards.

Orange County, New York. In 2012, we filed a complaint alleging that Orange County failed to comply with the language access requirements of the Voting Rights Act by not providing critical election-related information and language assistance in Spanish to thousands of limited English proficient Puerto Rican voters. Because of our settlement, the county put in place a comprehensive bilingual elections program, including providing bilingual ballots county-wide and hiring and training more bilingual workers to offer effective language assistance at the polls.

Learn About Civil Rights and Report Concerns in Seven Languages. In 2021, we expanded [our website](#) to educate the public about civil rights protections and to receive reports of civil rights concerns into seven languages: English, Spanish, Chinese (simplified characters), Chinese (traditional characters), Vietnamese, Korean, and Tagalog.

우리는 미국 내 모든 사람들의 민권을 옹호합니다.

민권국은 인종, 피부색, 출신 국가, 장애, 신분, 성별, 종교, 가족 상태 또는 다른 헌법상 권리의 상실에 기반한 차별로부터 귀하를 보호하는 연방 법률을 집행합니다.

귀하 또는 다른 누군가의 민권이 침해되었다고 믿는 경우, 온라인 양식을 이용해 신고서를 제출하십시오.

신고서 작성을 시작하거나

또는 귀하의 관심사 사항에 대해



Non-Discrimination in Federally Funded & Conducted Activities

“Simple justice requires that public funds, to which all taxpayers of all races contribute, not be spent in any fashion which encourages, entrenches, subsidizes or results in racial discrimination.”

- President John F. Kennedy (1963)

This core principle continues to stand. A federal government that is for its people and of its people should not finance discrimination against its people. We work to eliminate discrimination in programs receiving federal funding. We do this under laws such as:

Laws We Enforce Addressing Federally Funded and Conducted Activities	Purpose
<i>Title VI of the Civil Rights Act (Title VI)</i>	Prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance.
<i>Title IX of the Education Amendments (Title IX)</i>	Makes it unlawful to discriminate on the basis of sex in any education program or activity receiving federal financial assistance.
<i>Section 504 of the Rehabilitation Act (Rehab Act)</i>	Prohibits the exclusion, the denial of benefits, and discrimination by reason of disability in programs or activities receiving federal funds.

We carry out this work through three core strategies.

Civil Enforcement	Coordination & Assistance	Policy
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Civil Enforcement

If a recipient of federal assistance violates their civil rights requirements, the federal agency providing the assistance will work with them to resolve the issue. If this fails, we may act by, among other things, bringing suit against the recipient.

This chart summarizes the enforcement matters we resolved involving discrimination in publicly-funded programs:

	Matters we resolved involving discrimination by federally funded entities
FY21	2 (as of Q3 FY21)
FY20	4
FY19	3
FY18	0
FY17	5

Coordination & Assistance

We serve as the central coordinating force that drives a coherent, consistent, and clear approach to civil rights across the federal government. Through a series of Executive Orders, the Executive Branch has charged us to carry out the following:

Orders We Enforce Addressing Federally Funded or Conducted	Activities	Purpose
<i>Executive Order 12250</i>		We are responsible for coordinating with federal agencies so they implement federal civil rights laws (including Title VI, Title IX, and Section 504) in consistent and effective ways.
<i>Executive Order 13166</i>		Requires federal agencies to: <ul style="list-style-type: none"> • examine the services they provide, • identify any need for services to those with limited English proficiency (LEP), and • develop and implement a system to provide those services so LEP persons can have meaningful access to them. Also requires federal agencies work to ensure that recipients of federal financial assistance provide meaningful access to their LEP applicants and beneficiaries.

To carry out this responsibility, we:

- Develop and share legal resources for partner agencies and recipients of federal funding. This includes, for example, practice manuals, guidelines, training, memoranda, guidance documents, and managing LEP.gov;
- Consult with partner agencies as they enforce various civil rights laws;
- Participate in several formal interagency efforts, including the Federal Interagency Working Group on Environmental Justice (where we lead the Title VI committee).

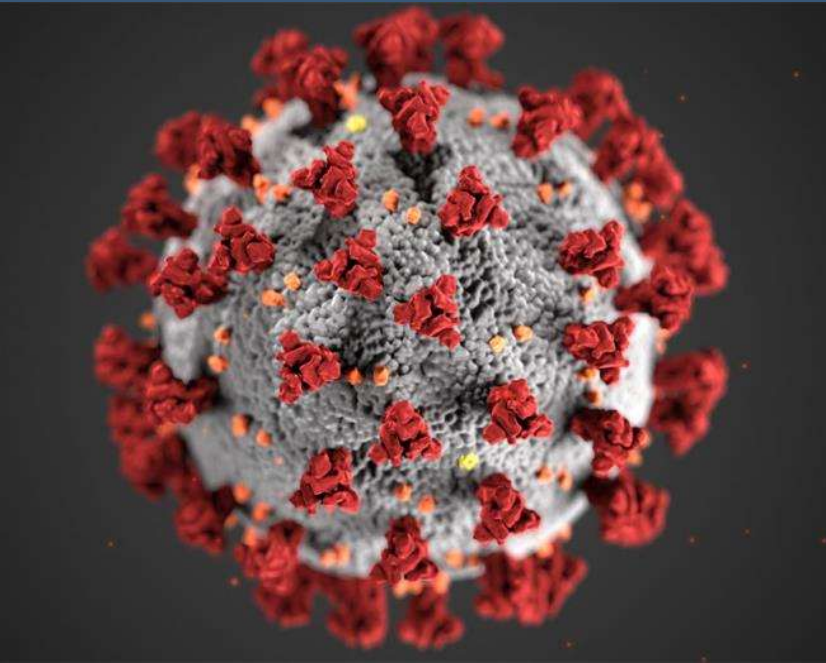
Policy

We review and analyze policies and documents from across the federal government that impact equal access to federally funded and conducted programs. For more information about our policy work, see page 22.

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The number of policies and documents related to federally funded activities that we analyzed between January 20, 2020 to June 10, 2020.

Civil Rights Division in Action – Non-Discrimination in the Federal Activities



Leading a Coordinated Civil Rights Response to Coronavirus. In April 2020, [we announced](#) a coordinated effort with other federal agencies to vigorously enforce federal civil rights in the wake of COVID-19, including the Department of Education, the Department of Health and Human Services, the National Institute of Corrections, and the Department of Housing and Urban Development. The pandemic magnified social, economic, and environmental inequalities – Asian American and Pacific Islander (AAPI) communities and businesses experienced hateful and xenophobic rhetoric and violence, and Black, Indigenous, Latino, and Pacific Islander communities, as well as people with disabilities, suffered disproportionately high rates of death and greater risk of infection and hospitalization. To confront those inequalities, we announced a set of nondiscrimination principles for federal agencies, state and local governments, and recipients of federal financial assistance to protect civil rights. We will continue to work closely across the federal government to monitor civil rights issues related to the pandemic and enforce civil rights laws when violations occur.

Environmental Justice Interagency Working Group. We lead the Title VI Committee of this [Interagency Working Group](#). This working group comprises 17 federal agencies and White House offices. We work together to advance environmental justice principles across the federal government, to engage and support local communities in addressing environmental and human health impacts, and to promote and implement comprehensive solutions to environmental justice concerns.



Addressing Emerging Issues

In order to advance civil rights effectively, we must evolve to match a changing legal, commercial, technological, and social landscape. To that end, we are focused on:

Driving innovation in civil rights and legal practice. We invest in improving our ability to advance federal civil rights laws in scalable, impactful ways.

Driving innovation in civil rights and legal practice

In an evolving legal, commercial, technological, and social landscape, we must be able to adapt and change. To fulfill our mission, we must continuously improve our ability to make an impact on civil rights.

That is at the heart of our innovation portfolio. We design, test, and launch new solutions to longstanding challenges in legal practice and civil rights enforcement. We focus on scalable ways to maximize our impact.

We do this through:

A multi-disciplinary approach – We partner our legal staff with people with different skillsets, creating teams that are tailored for the challenge at hand.

A focus on process – We use a structured approach to finding solutions.

We increase our capacity to deliver justice to all by making the Civil Rights Division a more effective and efficient part of government.

Current Areas of Focus

Our work on innovation is currently focused on three opportunity areas.

<p><i>Plain language and effective communication</i></p>	<p>Written communication is at the core of what we do. It is the core means by which we accomplish our mission. The challenge is that when we write, we communicate with a diverse range of audiences. In any given moment, we might be writing for a judge, a small business owner, or the general public.</p> <p>We believe we can achieve greater impact if we communicate in ways that are tailored for our target audience. In ways that are clear to the person who needs to act.</p> <p>To do this, we are exploring ways to incorporate plain language principles into our work.</p>
<p><i>Fully leveraging our intellectual capital</i></p>	<p>Our staff brings a wealth of knowledge and experience with them. Any single member of our staff would be even more effective if they were empowered with the knowledge and insights of all their colleagues.</p> <p>Hence, we are pursuing efforts to:</p> <ul style="list-style-type: none"> • Capture and share the knowledge and insights of our staff; • Create more seamless collaboration across the division.
<p><i>Building our data capacity</i></p>	<p>We want to empower staff at all levels with data insights that are trustworthy, relevant, understandable, and timely. If we do this, we believe we can position staff to deliver greater impact and be more effective.</p> <p>Hence, we are focusing on opportunities to:</p> <ul style="list-style-type: none"> • Use data across different types of work; • Better capture and deliver trustworthy, relevant, understandable, and timely data insights to our staff.

Civil Rights Division in Action – Innovation

Civil Rights Reporting Portal. Each year, we receive approximately 130,000 reports from the public regarding civil rights violations. Our staff spent an estimated 35,000 hours per year intaking, assigning, evaluating, and responding to individuals about those allegations, using a largely manual process. In June 2020, we launched a new Civil Rights Reporting Portal to serve as a centralized, online location to file and process civil rights concerns from all members of the public. The new portal consolidates over 30 different reporting pathways, making it much simpler for the public to provide the needed information and address the concern quickly and accurately.



ADA.gov. In June 2021, we launched **beta.ADA.gov**, a redesign of our longstanding website. The new site delivers key information on the Americans with Disabilities Act to people with disabilities, business owners, and other people impacted by the law. This new site focuses on delivering technical information in clear, actionable ways – thus narrowing the gap between the public and the law.



The Americans with Disabilities Act (ADA) protects people with disabilities from discrimination.

Disability rights are civil rights. From voting to

Program Increases by Item



Item Name:

Confronting the rising tide of hate and bias

Budget Decision Unit(s):

Civil Rights Division

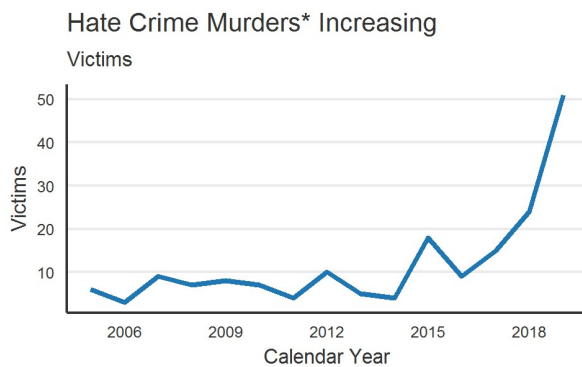
Program Increase:

- Positions: 36 (Atty 21 / FTE 18)
- Dollars: \$5,402,000

Description:

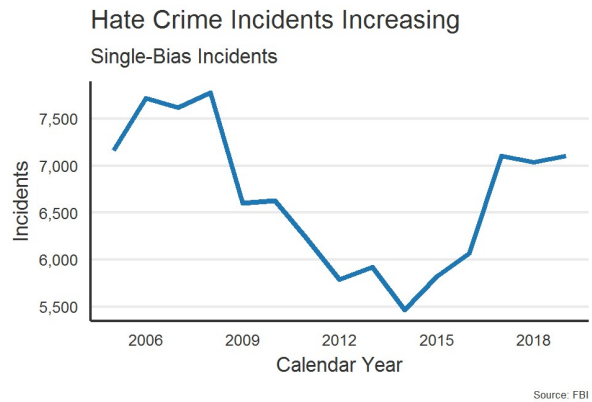
The rising tide of hate and bias across the United States calls for an immediate and urgent response.

The most recent FBI crime data reporting shows several alarming trends. Hate-based homicides have increased for four straight years.



* Includes murder and nonnegligent manslaughter.
Source: FBI

Overall hate incidents have also been on a six-year upward trend.



Source: FBI

More recent local data supports this concerning trajectory.

New York: Overall, hate crimes have increased 98% from January through May 2021 compared to the same time period in 2020.⁵

Los Angeles: Hate crimes have increased for seven consecutive years.⁶

This increase is affecting communities across the board.

Black or African American Community: In 2019, Black or African Americans made up 48.5% of hate crimes victims in the U.S.⁷ New York reports a 70% increase in hate crimes against Black people, compared to the same period in 2020.

AAPI Community: Reported hate crimes against the AAPI community in 16 of the largest cities and counties in America have increased 164% since the start of 2020. This increase came following a historic surge in 2020, when such hate crimes increased 146% across 26 of America's largest jurisdictions.⁸

Transgender and Gender Non-Conforming Community: The past three years have indicated a trend in heightened violence against this community. From 2018 to 2019, there was a 20% increase in hate-crime incidents motivated by gender-identity, amounting to 227 incidents.⁹ Los Angeles saw an 18% increase in LGBTQ hate crimes from 2019 to 2020.¹⁰

Jewish Community: There has been a 63% increase in anti-Semitic crimes. This increase follows record-breaking numbers of anti-Semitic hate crimes in both 2018 and 2019.¹¹ In addition to violence, anti-Semitic speech online has dramatically spiked. The week of May 7 to May 14 alone reportedly saw 17,000 tweets with some variation of the phrase "Hitler was right."¹²

Latino or Hispanic Community: Hate crimes against Latinos or Hispanics rose 76.8% between 2015 and 2019. This included the horrific killing of 23 people, including several Latino victims, in an El Paso Walmart in 2019.¹³ The rise in attacks coincides with increased rhetoric and the spread of anti-immigrant sentiment across the United States.

Justification:

We are uniquely positioned to address this rising tide of hate and bias. To meet this challenge, our versatility is our strength. We bring:

Legal breadth. We have the ability to enforce over 30 federal civil rights statutes, both criminal and civil. Many of these touch on animus and bias. And they span across key aspects of American life, such as education, employment, housing, policing,

public accommodations, access to federally-funded programs, and more.

A full range of interventions. We also have multiple methods and tools available for us to address hate and bias. We can bring to bear:

Enforcement – We bring both criminal and civil enforcement actions to remedy past and prevent

⁵ New York Police Dept., *NYPD Complaint Data Current (Year to Date)*, NYC Open Data (May 3, 2021), available at <https://perma.cc/YKW2-GFHV>

⁶ Los Angeles Police Det., *Crime Data from 2020 to Present*, Los Angeles Open Data (June 9, 2021), available at <https://perma.cc/3VPR-6WEN>.

⁷ Federal Bureau of Investigations, 2019 Hate Crime Statistics, Uniform Crime Report (Fall 2020), available at <https://perma.cc/WGW4-9B3T>.

⁸ Brian Levin, Report to the Nation: Anti-Asian Prejudice & Hate Crime, Center for the Study of Hate &

Extremism, Cal. State Univ. San Bernardino (2021), available at <https://perma.cc/E9GJ-VTP5>.

⁹ *Id.* at fn. 7.

¹⁰ *Id.* at fn. 6.

¹¹ *Id.* at fn. 7.

¹² *Preliminary ADL Data Reveals Uptick in Antisemitic Incidents Linked to Recent Mideast Violence*, Anti-Defamation League (May 20, 2021), available at <https://perma.cc/7MA8-EHCD>.

¹³ *Id.* at fn. 7.

future violations of law, to hold perpetrators accountable, and to assist and support those who have been hurt by acts of hate and bias in our communities.

Outreach – We educate the public about their rights and responsibilities under all of the laws that we enforce. Outreach creates partnerships to address hate and bias in our society by working to prevent violations of law before they happen, and ensuring that when violations do occur, we are in a position to learn about the incident, coordinate with our partners, and respond effectively.

Technical assistance – We share our legal and technical expertise with individuals, organizations, professional organizations, and entities at all levels of federal, state, and local government to ensure that policies and programs are inclusive and nondiscriminatory, and address hate and bias wherever they exist.

Coordination – We coordinate closely with other federal agencies and with state and local governments to share information and to align our enforcement strategies.

Policy – We review and analyze policies and documents from across the federal government to ensure that civil rights interests are addressed and leveraged to combat hate and bias in all its forms.

In any given community affected by bias and hate, we have the ability to consider root causes, build effective strategies with both governmental and private partners, and, ultimately, create meaningful and enduring change.

By bringing a unified, comprehensive, and strategic approach, we can turn back the rising tide of animus and bias in our country.

Spotlight on Policing:

This enhancement request applies to a broad number of tools that the Civil Rights Division uses to confront hate and bias. One tool is our authority to bring pattern or practice investigations and cases against law enforcement agencies who have engaged in discriminatory policing.

Often our investigations uncover evidence of law enforcement bias based on race, sex, or national origin, and this enhancement request

will allow us to grow our capacity to handle more of these policing investigations. Our police work is aimed at enhancing and restoring trust between police and the communities they serve.

Community policing strategies that enhance and restore trust will also improve hate crime reporting, investigations and prosecutions.

Impact on Performance:

With increased resources and staffing, we will expand our successful multi-modal approach. We will have additional bandwidth to expand:

The quantity of civil and criminal enforcement matters we can open and resolve to address instances of hate and bias;

The breadth of outreach and technical assistance engagements that are tailored to hate and bias-related issues; and

The depth of our efforts to lead a unified and focused strategy among our federal partners to combat hate and bias nationwide.

The additional resources in our request that will expand technical assistance and agency coordination, align with the [Attorney General's Memorandum on Improving the Department's Efforts to Combat Hate Crimes and Hate Incidents](#).

- [Executive Order on Advancing Racial Equity and Support for Underserved Communities through the Federal Government](#)
- [Memorandum Condemning and Combating Racism, Xenophobia, and Intolerance Against Asian Americans and Pacific Islanders in the United States](#)

Our focus on confronting the rising tide of hate and bias will further the following Administration priorities:

Funding:

Base Funding

FY 2021 Enacted				2022 Annualized CR				FY 2023 Current Services			
Pos	Agt/Atty	FTE	\$(000)	Pos	Agt/Atty	FTE	\$(000)	Pos	Agt/Atty	FTE	\$(000)
61	40	56	\$9,394	88	58	76	\$15,934	88	58	76	\$15,934

Personnel Increase Cost Summary

Type of Position/Series	Positions Requested	Annual Costs per Position*			FY 2023 Request (\$000)	Annualizations (\$000)	
		(\$000)				FY 2024 (net change from 2023)	FY 2025 (net change from 2024)
		1st Year Adjusted Cost	2nd Year Adjusted Cost	3rd Year Full Cost (Modular)			
Attorneys (0905)	21	\$3,340	\$2,554	\$5,657	\$3,340	(\$786)	\$61
Paralegals / Other Law (0900-0999)	10	1,185	843	1684	1185	(342)	17
Clerical and Office Svcs (0300-0399)	5	432	262	564	432	(170)	6
Total Personnel	36	\$4,957	\$3,659	\$7,905	\$4,957	(\$1,298)	\$84

Non-Personnel Increase Cost Summary

Non-Personnel Item	FY 2023 Request (\$000)	Unit Cost (\$000)	Quantity	Annualizations (\$000)	
				FY 2024 (net change from 2023)	FY 2025 (net change from 2024)
Litigative Consultants	\$178	\$30	6	\$0	\$0
Contractor Support	267	\$89	3	0	0
Total Non-Personnel	\$445			\$0	\$0

Total Request for this Item

Category	Positions			Amount Requested (\$000)			Annualizations (\$000)	
	Count	Agt/ Atty	FTE	Personnel	Non-Personnel	Total	FY 2024 (net change from 2023)	FY 2025 (net change from 2024)
Current Services	88	58	76	\$15,934	\$0	\$15,934	\$0	\$0
Increases	36	21	18	4,957	445	5,402	(1,298)	84
Grand Total	124	79	94	\$20,891	\$445	\$21,336	(\$1,298)	\$84

Affected Crosscut

Civil Rights

Item Name:

Reinforcing democratic institutions

Budget Decision Unit(s):

Civil Rights Division

Program Increase:

- Positions: 38 (Atty 25 / FTE 19)
- Dollars: \$5,951,000

Description:

“A government of laws, and not of men.”

- *John Adams*

“A man without a vote is a man without protection.”

- *President Lyndon B. Johnson*

“America’s public schools are the nurseries of democracy.”

- *Justice Stephen Breyer, Opinion in Mahanoy Area School District v. B.L. (2021)*

January 6, 2021 was a stark reminder about the importance of our society’s institutions and processes. It drove home why we need to invest in, reinforce, and protect our democracy.

Three key opportunities to reinforce our democratic institutions are upholding: 1) voting rights, 2) educational opportunities, and 3) constitutional and non-discriminatory policing.

Voting Rights

- **Recent Census data.** In 2021, the Census Bureau released new findings on which jurisdictions are covered by the VRA’s minority language requirements. This has led to changes in which jurisdictions we must monitor and work with regarding language access.
- **Election requirements.** The 2020 election cycle led to significant activity and change in

the elections processes around the country. States are instituting election changes that may impair access to the ballot for people of color, military voters, voters with disabilities, and more.

- **Lack of pre-clearance.** We are now in the midst of the first redistricting cycle that occurred after *Shelby County v. Holder*. Unlike the cycles for the last fifty years, this cycle occurred in the absence of the preclearance process under the VRA. That process required jurisdictions with a history of racial discrimination to show that their proposed redistricting plan would not be discriminatory. This created a new challenge, as we have lost our most effective and efficient tool for preventing the dilution of minority voting strength. We are therefore relying on

costlier and more time-intensive statutory tools to protect voting rights.

Educational Opportunities

- **Educational opportunity.** It is similarly a critical time to ensure that all students have an opportunity to receive an **education** free of discrimination. President Franklin Roosevelt noted, “[d]emocracy cannot succeed unless those who express their choice are prepared to choose wisely. The real safeguard of democracy, therefore, is education.” Data from the Department of Education suggests that we must do more to achieve equal opportunity for students.
- **School discipline.** Schools gave Black pre-school students out of school suspensions 3.6 times more often than white students.¹⁴
- **Restraint and seclusion.** Students with disabilities served by IDEA represent 12% of all students, but 67% of students subject to restraint or seclusion.¹⁵
- **Disparity in access to higher level courses.** For example, 33% of high schools with high Black and Latino student enrollment offer

calculus, compared to 56% of high schools with low Black and Latino student enrollment.¹⁶

Constitutional and Non-discriminatory Policing

- **Community perceptions.** A strong majority of Black (84%) and white (63%) adults believe that police treat blacks less fairly than whites.¹⁷
- **Racial disparities in policing.** Community perceptions of bias are based in real disparities. For example, when police initiate contact with residents 16 or older, a higher percentage of Black residents (4%) and Hispanic residents (3%) than white residents (2%) or residents of other races (2%) experienced threats or use of force.¹⁸
- **Rebuild and restore community trust.** Our policing institutions must be fair and nonbiased, designed to protect the safety of all people and enforce the law free from discrimination. To rebuild and restore community trust, we must uncover policing practices that violate the law and work tirelessly to reform them.

Justification:

We have a range of tools we can use to bolster voting rights and educational opportunities:

- *Enforcement* – our legal teams enforce a range of laws advancing which includes numerous statutes to ensure access to voting and equal educational opportunities;
- *Election Monitoring* - we monitor polling places around the country on election day. We

do this using federal observers, as well as our own attorneys and staff.¹⁹

- *Outreach* - we have the ability to educate the public about their rights and learn about potential violations of law;
- *Coordination* – we serve as an organizing force for the federal government on civil rights issues; and
- *Policy* – we review and analyze policies and documents from across the federal government

¹⁴ U.S. Department of Education, 2013-2014 Civil Rights Data Collection, A First Look (2016), available at <https://perma.cc/8WU9-LUF7>.

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ Pew Research Center, Race in America 2019, available at <https://perma.cc/58WW-CGEJ>.

¹⁸ U.S. Department of Justice, Bureau of Justice Statistics, Contact Between Police and the Public, 2018 – Statistical Tables (Dec. 2020), available at <https://perma.cc/3EEX-WBTZ>.

¹⁹ Because we fund election monitoring separately, we will not use this enhancement to increase election monitoring activities.

that impact civil rights issues like voting rights and educational opportunities.

We can use these tools to advance the following array of federal laws:

Issue Area	Laws We Enforce to Protect Democratic Institutions
<p><i>Education</i> Protecting the rights of all students to equal educational opportunities</p>	<ul style="list-style-type: none"> • Title IV of the Civil Rights Act (Title IV) • Equal Educational Opportunities Act (EEOA) • Title II of the Americans with Disabilities Act (ADA) • Section 504 of the Rehabilitation Act (Rehab Act) • Individuals with Disabilities in Education Act (IDEA) • Title VI of the Civil Rights Act (Title VI) • Title IX of the Education Amendments (Title IX) • Fair Housing Act (FHA) • Executive Order 12250 • Executive Order 13160 <p><i>For more information about how we uphold federal laws related to education, see page 24.</i></p>
<p><i>Voting</i> Protecting the right to vote, including access to: voter registration, polling locations, accessible polling sites and other assistance for voters with disabilities, voting assistance for limited-English proficient voters, and absentee ballots for servicemembers stationed overseas or U.S. citizens who reside abroad</p>	<ul style="list-style-type: none"> • Voting Rights Act (VRA) • National Voter Registration Act (NVRA) • Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) • Help America Vote Act (HAVA) • Voting Accessibility for the Elderly and Handicapped Act (VAEHA) • American with Disabilities Act (ADA) <p><i>For more information about how we uphold federal laws related to voting, see page 63.</i></p>
<p><i>Law Enforcement Agencies</i> Protecting the rights of all people to effective, constitutional, and non-discriminatory policing</p>	<ul style="list-style-type: none"> • Official Misconduct (18 U.S.C. §§ 241, 242) • Violent Crime Control and Law Enforcement Act (§ 12601) • Omnibus Crime Control and Safe Streets Act • Title VI of the Civil Rights Act (Title VI) • Civil Rights of Institutionalized Persons Act (CRIPA) • Americans with Disabilities Act (ADA) <p><i>For more information about how we uphold federal laws related to law enforcement agencies, see page 45.</i></p>

Spotlight on Policing:

January 6, 2021 was a stark reminder about the importance of our society’s institutions and processes. It drove home why we need to invest

in, reinforce, and protect our democracy. Police departments are civilian run, democratic

institutions. Our work to promote effective, constitutional, non-discriminatory, community

policing practices will reinforce and restore faith in law enforcement as an important democratic institution.

Impact on Performance:

We use the additional resources for new attorneys, professional staff, and expert contractor support to expand our enforcement, outreach, coordination, and policy work.

- [Executive Order on Promoting Access to Voting](#)
- [Fact Sheet: President Biden to Sign Executive Order to Promote Voting Access](#)
- [Executive Order on Guaranteeing an Educational Environment Free from Discrimination on the Basis of Sex, Including Sexual Orientation or Gender Identity](#)

Our work to strengthen our democratic systems supports the following Administration priorities:

Funding:

Base Funding

FY 2021 Enacted				2022 Annualized CR				FY 2023 Current Services			
Pos	Agt/Atty	FTE	\$(000)	Pos	Agt/Atty	FTE	\$(000)	Pos	Agt/Atty	FTE	\$(000)
88	55	86	\$14,463	130	84	117	\$24,459	130	84	117	\$24,459

Personnel Increase Cost Summary

Type of Position/Series	Positions Requested	Annual Costs per Position*			FY 2023 Request (\$000)	Annualizations (\$000)	
		(\$000)				FY 2024 (net change from 2023)	FY 2025 (net change from 2024)
		1st Year Adjusted Cost	2nd Year Adjusted Cost	3rd Year Full Cost (Modular)			
Attorneys (0905)	25	\$3,976	\$3,041	\$6,113	\$3,976	(\$935)	\$63
Paralegals / Other Law (0900-0999)	8	948	675	1,347	948	(273)	13
Clerical and Office Svcs (0300-0399)	5	432	262	564	432	(170)	6
Total Personnel	38	\$5,356	\$3,978	\$8,024	\$5,356	(\$1,378)	\$82

Non-Personnel Increase Cost Summary

Non-Personnel Item	FY 2023 Request (\$000)	Unit Cost (\$000)	Quantity	Annualizations (\$000)	
				FY 2024 (net change from 2023)	FY 2025 (net change from 2024)
Litigative Consultants	\$238	\$30	8	\$0	\$0
Contractor Support	357	\$89	4	0	0
Total Non-Personnel	\$595			\$0	\$0

Total Request for this Item

Category	Positions			Amount Requested (\$000)			Annualizations (\$000)	
	Count	Agt/Atty	FTE	Personnel	Non-Personnel	Total	FY 2024 (net change from 2023)	FY 2025 (net change from 2024)
Current Services	130	84	117	\$24,459	\$0	\$24,459	\$0	\$0
Increases	38	25	19	5,356	595	\$5,951	(1,378)	82
Grand Total	168	109	136	\$29,815	\$595	\$30,410	\$1,378	\$82

Affected Crosscut

Civil Rights

Item Name:

Fighting gender-based violence, discrimination, and harassment

Budget Decision Unit(s):

Civil Rights Division

Program Increase:

- Positions: 25 (Atty 16 / FTE 13)
- Dollars: \$3,908,000

Description:

Whether at work or in school, when navigating the housing market or the criminal justice system, gender-based violence, discrimination, and harassment are long-standing problems that undermine equality and justice for all.

In recent years, the visibility and urgency of these issues has only increased. For example:

- HUD conducted a wide-ranging study in 2013 that showed same-sex couples experience discrimination in the online rental housing market, relative to heterosexual couples.²⁰
- In 2019, 1462 people (20.3% of victims) were targeted for a hate crime because of their perceived gender, sexual orientation, or gender identity.²¹
- An estimated 1 in 5 undergraduate females will be sexually assaulted while in college, and

women who identify as LGBTQI experience even higher rates of assault.²²

Fighting gender-based violence, discrimination, and harassment is has long been one of our key priorities. And the reach of our work is only growing.

In 2020, the Supreme Court held that employers cannot discriminate on the basis of gender identity and sexual orientation in employment. While the decision, *Bostock v. Clayton County*, only interprets one civil rights law, President Biden subsequently issued an Executive Order (13988) that directed agencies to consider how *Bostock*'s reasoning applies to the federal government's enforcement of other civil rights laws that similarly prohibit sex discrimination. As a result, we are actively pursuing cases based on gender identity and sexual orientation across all of our statutes that prohibit sex discrimination.

²⁰ U.S. Department of Housing and Urban Development, *An Estimate of Housing Discrimination Against Same-Sex Couples* (2013).

²¹ These numbers reflect single-bias incidents of hate crimes. See U.S. Department of Justice, Federal Bureau

of Investigation, 2019 Hate Crime Statistics, available at <https://perma.cc/53M2-NNBA>.

²² Bureau of Justice Statistics, *Campus Climate Survey Validation Study Final Technical Report* (2016), available at <https://perma.cc/3JSE-M34A>.

Justification:

We have decades of expertise in investigating and litigating cases that involve gender-based violence, discrimination, and harassment across multiple civil rights statutes.

Our enforcement and coordination roles are rapidly growing in the wake of *Bostock*, which shifted the legal landscape and allows our enforcement duties to reach claims of sex discrimination involving gender identity and sexual orientation.

With additional resources, the Division will expand our portfolio dedicated to fighting gender-based violence, discrimination, and harassment, and work toward realizing the promise of *Bostock* and Executive Order 13988: that all people should be treated equally, regardless of their gender identity or sexual orientation.

To advance this goal, we will:

- Expand our capacity to investigate and litigate gender-based discrimination and harassment claims in core aspects of everyday life, such as in housing, employment, and education;
- Expand our capacity to uphold the rights of all people, regardless of sex, gender identity, or sexual orientation, as they interact with law enforcement agencies and correctional institutions;
- Expand our criminal enforcement actions against human traffickers and law enforcement officials who engage in gender-based violence, discrimination, and harassment;
- Extend our outreach capabilities, especially in light of *Bostock*, to promote robust and effective enforcement; and
- Coordinate with and provide technical assistance to federal agencies on nondiscrimination and other policies to safeguard these protections.

Spotlight on Policing:

We have previously brought pattern or practice policing cases involving allegations of gender-based discrimination, and will focus our attention on these cases. For example, our investigations against the Baltimore Police Department, the Missoula Police Department, and the University of Montana Office of Public Safety all involved, among other things, allegations that gender bias prevented law

enforcement officers from adequately and appropriately investigating cases of sexual assault.

This enhancement request will allow us to gather the facts in our cases, and grow our work in this area as the facts allow, to address law enforcement biases based on gender, gender identity, and sexual orientation.

Impact on Performance:

This budget enhancement will provide critical new resources to obtain additional attorneys,

professional staff, and litigation support to develop new investigations and enforcement actions

regarding gender-based violence, discrimination, and harassment, and to expand our coordination with other federal agencies on these issues. Our work in this area supports the following priorities:

- [Executive Order on Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation](#)
- [Executive Order on Guaranteeing an Educational Environment Free from Discrimination on the Basis of Sex,](#)

[Including Sexual Orientation or Gender Identity](#)

- [Executive Order on Establishment of the White House Gender Policy Council](#)
- [Executive Order on Advancing Racial Equity and Support for Underserved Communities through the Federal Government](#)
- [Approaching Policy with Equity in Mind](#)

Funding:

Base Funding

FY 2021 Enacted				2022 Annualized CR				FY 2023 Current Services			
Pos	Agt/Atty	FTE	\$(000)	Pos	Agt/Atty	FTE	\$(000)	Pos	Agt/Atty	FTE	\$(000)
37	22	35	\$6,115	53	34	48	\$10,191	53	34	48	\$10,191

Personnel Increase Cost Summary

Type of Position/Series	Positions Requested	Annual Costs per Position*			FY 2023 Request (\$000)	Annualizations (\$000)	
		(\$000)				FY 2024 (net change from 2023)	FY 2025 (net change from 2024)
		1st Year Adjusted Cost	2nd Year Adjusted Cost	3rd Year Full Cost (Modular)			
Attorneys (0905)	16	\$2,545	\$1,946	\$3,912	\$2,545	(\$599)	\$40
Paralegals / Other Law (0900-0999)	5	592	423	842	592	(169)	8
Clerical and Office Svcs (0300-0399)	4	346	209	451	346	(137)	5
Total Personnel	25	\$3,483	\$2,578	\$5,205	\$3,483	(\$905)	\$53

Non-Personnel Increase Cost Summary

Non-Personnel Item	FY 2023 Request (\$000)	Unit Cost (\$000)	Quantity	Annualizations (\$000)	
				FY 2024 (net change from 2023)	FY 2025 (net change from 2024)
Litigative Consultants	\$170	\$30	6	\$0	\$0
Contractor Support	\$255	89	3	0	0
Total Non-Personnel	\$425			\$0	\$0

Total Request for this Item

Category	Positions			Amount Requested (\$000)			Annualizations (\$000)	
	Count	Agt/ Atty	FTE	Personnel	Non-Personnel	Total	FY 2024 (net change from 2023)	FY 2025 (net change from 2024)
Current Services	53	34	48	\$10,191	\$0	\$10,191	\$0	\$0
Increases	25	16	13	3,483	425	3,908	(905)	53
Grand Total	78	50	61	\$13,674	\$425	\$14,099	(\$905)	\$53

Affected Crosscut

Civil Rights

Item Name:

Upholding civil rights in the age of artificial intelligence

Budget Decision Unit(s):

Civil Rights Division

Program Increase:

- Positions: 24 (Atty 15 / FTE 12)
- Dollars: \$4,450,000

Description:

“AI has become one of the most impactful technologies of the 21st century, providing both opportunities and challenges in nearly every sector of society.”

- *Dr. Lynne Parker, Director of the National Artificial Intelligence Initiative Office*

Decision-making that is automated or augmented by technology is transforming our lives. More and more, tools such as artificial intelligence and machine learning are influencing:

- how employers hire,
- how banks decide who gets a loan,
- how police departments monitor individuals or groups,
- how courts determine risk (pre-trial and beyond),
- how colleges and universities make admissions and financial aid decisions,
- how businesses target advertisements to consumers, and more.

These tools are neither inherently good nor inherently bad with respect to civil rights. They

have the potential to reduce discrimination. But they also have the potential to violate the law by cementing bias into the decision-making process and hiding it from public view.

In the face of these tools’ rapid growth, we must act now to ensure that the people and companies who build and deploy these tools do so in ways that get us closer to the goals of our civil rights laws rather than undermine them. Every day we wait only increases the risk that these technologies will evolve and take hold in ways that exacerbate bias and discrimination.

Artificial intelligence can be used to create a fairer playing field, and our work in this field can make that outcome a reality

Justification:

We are uniquely positioned to influence the development of artificial intelligence and augmented decision-making technology in ways that are consistent with our nation’s civil rights laws.

We have authority to enforce laws that touch on so many aspects of life, from accessing education to accessing credit. Because of this wide-ranging coverage, we can evaluate the impact of augmented decision-making across multiple contexts and industries, including:

Emerging Uses of Automated and Augmented Decision-Making	Relevant Enforcement Areas Covered by the Civil Rights Division
<i>Education</i>	Title IV of the Civil Rights Act of 1964 Title VI of the Civil Rights Act of 1964 Equal Educational Opportunities Act Americans with Disabilities Act Individuals with Disabilities in Education Act
<i>Healthcare</i>	Americans with Disabilities Act
<i>Employment</i>	Title VII of the Civil Rights Act Americans with Disabilities Act Genetic Information Nondiscrimination Act Immigration and Nationality Act’s Anti-Discrimination Provision
<i>Housing</i>	Fair Housing Act
<i>Credit</i>	Equal Credit Opportunity Act
<i>Policing & Criminal Justice</i>	Violent Crime Control and Law Enforcement Act Omnibus Crime Control and Safe Streets Act Title VI of the Civil Rights Act Americans with Disabilities Act
<i>Access to goods and services</i>	Americans with Disabilities Act Title II of the Civil Rights Act Title VI of the Civil Rights Act

Spotlight on Policing:

Police departments across the country increasingly rely on artificial intelligence and machine learning as part of their law enforcement toolkit. This includes, for example: facial recognition, video/photo analysis, and predictive policing.

These tools have the potential to help us maintain safer communities. They also,

however, have the potential to perpetuate and exacerbate biases and discriminatory trends.

This enhancement will allow us to devote more resources to evaluating whether police departments are implementing AI and machine learning-based tools in effective, non-discriminatory ways.

Impact on Performance:

This budget enhancement would help us tackle the growth of automated and augmented decision-making without weakening our ability to counter traditional forms of discrimination. Additional funding will provide the staff and resources we need to:

- Develop new investigations in the areas outlined above;
- Access subject matter experts who can work with our legal teams; and
- Expand our coordination with other federal agencies that are also considering and addressing the implications of augmented decision-making.

Our work in this area will further the following Administration priorities:

- [*Executive Order on Advancing Racial Equity and Support for Underserved Communities through the Federal Government*](#)
- [*Approaching Policy with Equity in Mind*](#)
- [*Fact Sheet: U.S. Efforts to Combat Systemic Racism*](#)

Funding:

Base Funding

FY 2021 Enacted				2022 Annualized CR				FY 2023 Current Services			
Pos	Agt/Atty	FTE	\$(000)	Pos	Agt/Atty	FTE	\$(000)	Pos	Agt/Atty	FTE	\$(000)
<u>1</u>	<u>1</u>	<u>0.42</u>	<u>\$86</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>\$135</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>\$135</u>

Personnel Increase Cost Summary

Type of Position/Series	Positions Requested	Annual Costs per Position*			FY 2023 Request (\$000)	Annualizations (\$000)	
		(\$000)				FY 2024 (net change from 2023)	FY 2025 (net change from 2024)
		1st Year Adjusted Cost	2nd Year Adjusted Cost	3rd Year Full Cost (Modular)			
Attorneys (0905)	15	\$2,385	\$1,825	\$4,041	\$2,385	(\$560)	\$44
Paralegals / Other Law (0900-0999)	5	609	438	982	609	(171)	9
Clerical and Office Svcs (0300-0399)	4	346	209	451	346	(137)	5
Total Personnel	24	\$3,340	\$2,472	\$5,474	\$3,340	(\$868)	\$58

Non-Personnel Increase Cost Summary

Non-Personnel Item	FY 2023 Request (\$000)	Unit Cost (\$000)	Quantity	Annualizations (\$000)	
				FY 2024 (net change from 2023)	FY 2025 (net change from 2024)
Litigative Consultants	\$444	\$30	15	\$0	\$0
Contractor Support	666	89	7	0	0
Total Non-Personnel	\$1,110			\$0	\$0

Total Request for this Item

Category	Positions			Amount Requested (\$000)			Annualizations (\$000)	
	Count	Agt/ Atty	FTE	Personnel	Non- Personnel	Total	FY 2024 (net change from 2023)	FY 2025 (net change from 2024)
Current Services	1	1	1	\$135	\$0	\$135	\$0	\$0
Increases	24	15	12	3,340	1,110	\$4,450	(868)	58
Grand Total	25	16	13	\$3,475	\$1,110	\$4,585		\$58

Affected Crosscut

Civil Rights

Appendix



Civil Rights Division – Statutes Enforced

Statute	Enforcing Section	Type of Case
Official Misconduct, 18 U.S.C. §§ 241, 242	CRM	Section 242 makes it a crime for any person acting under color of law – using or abusing government authority – to willfully deprive any person of rights protected by the constitution or federal law. Section 241 is the civil rights conspiracy statute, applying to color-of-law violations committed by two or more people in concert.
The Matthew Shepard and James Byrd, Jr., Hate Crimes Prevention Act of 2009	CRM	The Shepard Byrd Act makes it a federal crime to willfully cause bodily injury, or attempt to do so using a dangerous weapon, because of actual or perceived race, color, religion, or national origin, and such crimes committed because of gender, sexual orientation, gender identity, or disability under certain circumstances. The Shepard-Byrd Act is the first statute allowing federal criminal prosecution of hate crimes committed because of sexual orientation or gender identity.
Federally Protected Activities, 18 U.S.C. § 245	CRM	This provision makes it a crime to use or threaten to use force to willfully interfere with any person because of race, color, religion, or national origin and because a person is involved in a federally protected activity, such as public education, employment, jury service, travel, or enjoyment of public accommodations.
Criminal Interference with Right to Fair Housing, 18 U.S.C. § 3631	CRM	This provision makes it a crime to use or threaten to use force to interfere with housing rights because of race, color, religion, sex, disability, familial status, or national origin.
Damage to Religious Property, 18 U.S.C. § 247	CRM	This criminal statute protects religious real property from being targeted for damage because of the religious nature of the property or because of the race, color, or ethnic characteristics of the people associated with the property. The statute also criminalizes the intentional obstruction by force or threatened force of any person in the enjoyment of religious beliefs.
Trafficking Victims Protection Act (TVPA)	CRM	The TVPA criminalizes the use of force, fraud, or coercion to compel a person to engage in labor, services, or commercial sex. The Division also enforces a number of related criminal statutes prohibiting peonage, involuntary servitude, and related violations.
Freedom of Access to Clinics Entrances Act (FACE)	CRM SPL	The FACE Act protects the exercise of free choice in obtaining reproductive health services and the exercise of First Amendment religious freedoms. The law makes it a crime to intimidate a person obtaining or providing reproductive health services or to damage a

		facility for providing such services. The law also makes it a crime to damage a facility because it is a place of worship.
Criminal Protection for Voting Rights, 18 U.S.C. § 594	CRM	18 U.S.C. § 594 criminalizes the use of intimidation, threats or coercion to interfere with the right to vote in federal elections. The NVRA, 52 U.S.C. § 20511, criminalizes such interference with respect to voter registration.
Americans with Disabilities Act, Title I	DRS	Title I of the Americans with Disabilities Act prohibits private employers, state and local governments, employment agencies, and labor unions from discriminating against qualified individuals with disabilities in recruiting, hiring, termination, promotion, compensation, job training, and other terms, conditions, and privileges of employment.
Americans with Disabilities Act, Title II	DRS EOS SPL	Title II of the Americans with Disabilities Act protects qualified individuals with disabilities from discrimination based on disability in services, programs, and activities provided by state and local government entities.
Americans with Disabilities Act, Title III	DRS EOS	Title III of the Americans with Disabilities Act protects qualified individuals with disabilities from discrimination with regards to use and enjoyment of public accommodation by any person who owns, leases (or leases to), or operates a place of public accommodation. "Public accommodations" include stores, restaurants, hotels, inns, and other commercial spaces open to the public.
Rehabilitation Act of 1973	DRS EOS	Section 504 of the Rehabilitation Act of 1973 prohibits the exclusion, the denial of benefits, and discrimination by reason of disability in programs or activities receiving federal funds. Section 508 requires Federal electronic and information technology to be accessible to people with disabilities, including employees and members of the public.
Genetic Information Nondiscrimination Act (GINA), Title II	DRS	The Genetic Information Nondiscrimination Act (GINA) prohibits employers from using genetic information in making employment decisions, restricts the acquisition of genetic information by employers and other entities covered by Title II, and strictly limits the disclosure of genetic information.
Civil Rights Act of 1964, Title VII	ELS	Title VII of the Civil Rights Act makes it unlawful to discriminate against someone on the basis of race, color, national origin, sex (including pregnancy), or religion. The Act also makes it unlawful to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit.

Uniformed Services Employment and Reemployment Rights Act (USERRA)	ELS	<p>The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) seeks to ensure that servicemembers are entitled to return to their civilian employment upon completion of their military service.</p> <p>Servicemembers should be reinstated with the seniority, status, and rate of pay that they would have obtained had they remained continuously employed by their civilian employer.</p>
Civil Rights Act of 1964, Title IV	EOS	Title IV of the Civil Rights Act prohibits discrimination on the basis of race, color, sex, religion, or national origin by public elementary and secondary schools and public institutions of higher learning.
Equal Educational Opportunities Act of 1974 (EEOA)	EOS	Among other aspects of the statute, Section 1703(f) of the EEOA requires state educational agencies and school districts to take action to overcome language barriers that impede English Learner students from participating equally in school districts' educational programs.
Individuals with Disabilities in Education Act (IDEA)	EOS SPL	The Individuals with Disabilities in Education Act (IDEA) requires states and local education agencies to provide free and appropriate public education to children with disabilities.
Civil Rights Act of 1964, Title VI	FCS SPL EOS	Title VI prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance.
Education Amendments of 1972, Title IX	FCS EOS	Title IX states that no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.
Civil Rights Act of 1964, Title II	HCE	Title II prohibits discrimination in certain places of public accommodation, such as hotels, restaurants, nightclubs, and theaters.
Fair Housing Act (FHA)	HCE	The Fair Housing Act prohibits discrimination by direct providers of housing, such as landlords and real estate companies as well as other entities, such as municipalities, banks and other lending institutions and homeowners insurance companies whose discriminatory practices make housing unavailable to persons because of race or color, religion, sex, national origin, familial status, or disability.
Equal Credit Opportunity Act (ECOA)	HCE	The Equal Credit Opportunity Act (ECOA) prohibits creditors from discriminating against credit applicants on the basis of race, color, religion, national origin, sex, marital status, age, because an applicant receives income from a public assistance program, or

		because an applicant has in good faith exercised any right under the Consumer Credit Protection Act.
Religious Land Use and Institutionalized Persons Act (RLUIPA)	HCE SPL	The Religious Land Use and Institutionalized Persons Act (RLUIPA) prohibits local governments from adopting or enforcing land use regulations that discriminate against religious assemblies and institutions or which unjustifiably burden religious exercise. It also requires that state and local institutions (including jails, prisons, juvenile facilities, and government institutions housing people with disabilities) not place arbitrary or unnecessary restrictions on religious practice.
Servicemembers Civil Relief Act (SCRA)	HCE	The Servicemembers Civil Relief Act (SCRA) provides protections in housing, credit, and taxes for military members who are on active duty. It also temporarily suspends judicial and administrative proceedings while military personnel are on active duty.
Immigration and Nationality Act § 274B	IER	This section of the Immigration and Nationality Act (INA) prohibits: 1) citizenship status discrimination in hiring, firing, or recruitment or referral for a fee; 2) national origin discrimination in hiring, firing, or recruitment or referral for a fee; 3) unfair documentary practices during the employment eligibility verification process; and 4) retaliation or intimidation.
Civil Rights of Institutionalized Persons Act (CRIPA)	SPL	The Civil Rights of Institutionalized Persons Act (CRIPA) protects the rights of people in state or local correctional facilities, nursing homes, mental health facilities, and institutions for people with intellectual and developmental disabilities.
Violent Crime Control and Law Enforcement Act § 12601	SPL	Section 12601 of the Violent Crime Control and Law Enforcement Act prohibits law enforcement officials or government employees involved with juvenile justice from engaging in a pattern-or-practice of deprivation of constitutional rights, privileges, and immunities.
Omnibus Crime and Safe Streets Act	SPL FCS	The Omnibus Crime Control and Safe Streets Act of 1968 prohibits discrimination on the ground of race, color, religion, national origin, or sex by law enforcement agencies receiving federal funds.
Voting Rights Act	VOT	The Voting Rights Act (VRA) protects every American against racial discrimination in voting. This law also protects the voting rights of many Americans who have limited English skills. It stands for the principle that everyone's vote is equal, and that neither race nor language should shut any of us out of the political process.
Voting Accessibility for the Elderly and Handicapped Act	VOT DRS	The Voting Accessibility for the Elderly and Handicapped Act (VAEHA) generally requires polling places across the United States to be physically accessible to people with disabilities for federal elections.

Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)	VOT	The Uniformed and Overseas Citizens Voting Act (UOCAVA) requires that the states and territories allow certain U.S. citizens who are away from their homes, including members of the uniformed services and the merchant marine, their family members, and U.S. citizens who are residing outside the country, to register and vote absentee in federal elections.
National Voter Registration Act (NVRA)	VOT <i>(civil provisions)</i>	The National Voter Registration Act (NVRA) requires states to make voter registration opportunities for federal elections available through the mail and when people apply for or receive driver licenses, public assistance, disability services, and other government services, and also imposes certain requirements for maintaining voter registration lists.
Help America Vote Act (HAVA)	VOT	The Help America Vote Act (HAVA) requires states to follow certain minimum standards in the conduct of federal elections, in areas such as voting system standards, statewide voter registration databases, provisional ballots, identifying first time registrants by mail, and voter information postings.
Civil Rights Acts of 1870, 1957, 1960, & 1964	VOT <i>(civil provisions)</i>	The Civil Rights Acts include protections against discrimination and intimidation in voting and also authorize the Attorney General to seek elections records.
Executive Order 12250	FCS, EOS, DRS	EO 12250 charges DOJ with ensuring the consistent and effective enforcement of Title VI, Title IX, Section 504, and related laws across the federal government. The Division plays a lead role in how the other federal grant funding agencies implement these laws with respect to their recipients, including state and local governments, and community, nonprofit, and other organizations, and vests the Department of Justice with the authority to review and approve regulations implementing Title VI, Title IX, Section 504 and related provisions of Federal statutory law, and related policy documents interpreting any of these statutes.

Exhibits

