



October 7, 2020

Honorable William P. Barr
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Honorable Christopher Wray
Director
Federal Bureau of Investigation
935 Pennsylvania Avenue, N.W.
Washington, D.C. 2053

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American Federation of Teachers
John C. Yang
Asian Americans Advancing Justice |
AAJC

President & CEO
Vanita Gupta

Dear Attorney General Barr and Director Wray:

On behalf of the Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 220 national organizations to promote and protect the civil and human rights of all persons in the United States, the NAACP Legal Defense and Educational Fund, and the organizations listed below, we write to ensure that you share how the Department of Justice is planning to protect voters and all people in the United States safe from the threat of violent white supremacists, including white nationalists, in the coming weeks before, during, and after the election. As civil rights organizations working to protect the rights and lives of people who are targeted by white supremacists on the basis of race, color, national origin, gender, gender identity, sexual orientation, religion, and disability, we know the terror that they inflict in communities across the country. We are also concerned that in recent weeks, in response to comments by the president of the United States, these groups feel emboldened to commit more acts of violence to interfere with our election.

Indeed, within minutes of the president calling on the Proud Boys to “stand back and stand by” during the debate last week, members and supporters of this virulently anti-Muslim, anti-Semitic, misogynistic, anti-immigrant and racist gang¹ celebrated the president’s words as a call to action.² And when the president encouraged his supporters “to go into the polls and watch very carefully,” many heard a call for voter intimidation³, a fear bolstered by the actions of armed white right-wing militias⁴ that have garnered support from the president in recent months as they confronted anti-racist protesters. The president’s support for Kyle Rittenhouse, a man who shot 3 anti-racist protestors, killing 2 people, and the president’s

¹ SPLC, *Extremist Files, Proud Boys*, <https://www.splcenter.org/fighting-hate/extremist-files/group/proud-boys>

² Richard Reed, *Proud Boys, told by Trump to stand back and stand by, ‘all but guarantees violence,’* Los Angeles Times (Sept. 30, 2020), <https://www.latimes.com/world-nation/story/2020-09-30/proud-boys-joe-biggs-portland>

³ Pam Fessler, *Trump’s Calls For Poll Watchers Raise Fears About Voter Intimidation*, NPR News (Sept. 30, 2020), <https://www.npr.org/2020/09/30/918766323/trumps-calls-for-poll-watchers-raises-fears-about-voter-intimidation>

⁴ Josh Meyer, *Police can’t control armed militias. Trump’s incitement makes it worse*, The Washington Post, (Aug. 28, 2020), <https://www.washingtonpost.com/outlook/2020/08/28/police-cant-control-armed-militias-trumps-incitement-makes-it-worse/>

suggestion that violent militias are helping law enforcement⁵, lends credibility to these armed lawless gangs who threaten our communities.

We know you have the intelligence reports and evidence to understand the gravity of the threat violent white supremacists pose to our country. In Director Wray's recent congressional testimony in the House and the Senate, he has acknowledged just how dangerous white supremacist organizations and people who ascribe to their racist ideologies are to our national security. And recent DHS reports confirm that white supremacists pose the gravest terror threat to the United States.⁶ As our communities experience an increase in hate incidents and hate crimes, we know too well the impact of these threats, and the growing fear connected to exercising the fundamental right to vote under these circumstances.

We are already seeing an unprecedented number of voters, with more than 5.5 million people already having cast their ballots at the time we are sending this letter.⁷ Like all people who believe in our democracy, we celebrate this increase in voter engagement and activity, and we want to ensure that you are taking all possible actions to protect it. The Department of Justice has an obligation to ensure that all qualified voters have the opportunity to cast their ballots and have their votes counted free of discrimination and intimidation.

The Civil Rights Division must fulfill its obligation to ensure compliance with the civil provisions of federal laws that protect the right to vote, and to enforce federal criminal laws that prohibit discriminatory interference with that right. The Division's Voting Section enforces laws that prohibit voter intimidation and suppression based on race, color, national origin, or religion.⁸ In light of the Department's jurisdiction and obligation to protect voters from discriminatory interference with the right to vote and from white nationalists, we seek answers to the following:

1. What plans do all the relevant components of the Department of Justice, including the FBI and the Civil Rights Division, have to protect the right to vote for Americans across the country from the growing and real threat of violent white supremacist activity?
2. White supremacist activity was elevated to a "national threat priority" earlier this year⁹; you have also acknowledged that intelligence shows that white supremacists pose a grave threat to our country. How has this changed the FBI's resources and focus on white supremacist activity in these weeks running up to the election and beyond?

⁵ Celine Castronuovo, *Trump officials told to make sympathetic comments about Rittenhouse: report* (Oct. 1, 2020), <https://thehill.com/homenews/administration/519151-trump-officials-told-to-make-sympathetic-comments-about-rittenhouse>

⁶ Betsy Woodruff Swan, *DHS draft document: White supremacists are greatest terror threat* (Sept. 4, 2020), <https://www.politico.com/news/2020/09/04/white-supremacists-terror-threat-dhs-409236>

⁷ U.S. Elections Project (Oct. 5, 2020), <https://electproject.github.io/Early-Vote-2020G/index.html>

⁸ U.S. DOJ, Civil Rights Division, Criminal Section, <https://www.justice.gov/crt/statutes-enforced-criminal-section>

⁹ Erin Donaghue, *Racially-motivated violent extremists elevated to "national threat priority," FBI director says* (Feb. 5, 2020), <https://www.cbsnews.com/news/racially-motivated-violent-extremism-isis-national-threat-priority-fbi-director-christopher-wray/>

We ask that you respond to this request for information about how you plan to protect our country from violent white supremacists in the weeks before, during, and after the election by Wednesday, October 14, 2020. Your Department and the Department of Homeland Security have acknowledged that these violent white supremacists pose the greatest threat to our safety and to our democracy, and as organizations dedicated to protecting civil rights to help build a country as good as its ideals, we understand the need to fully prepare to meet this threat. For despite the threats posed by white nationalists who seek to undermine our democracy, our communities will vote in this election, and will likely vote in record numbers. We should all take courage and strength from this determination and dedication to our democracy, and ensure that we do everything we can to protect all voters. We look forward to your response. If you have any questions, please contact Becky Monroe at monroe@civilrights.org.

Sincerely,

The Leadership Conference on Civil and Human Rights
NAACP Legal Defense and Educational Fund
Advancement Project National Office
African American Ministers In Action
American Association of University Women (AAUW)
American Federation of Teachers
Anti-Defamation League (ADL)
Asian Americans Advancing Justice (AAJC)
Bend the Arc Jewish Action
Brady
Brave New Films
Campaign Legal Center
Center for American Progress Action Fund
Center for Gender & Refugee Studies
Center for the Study of Hate & Extremism, California State University, San Bernardino
Clean Elections Texas
CODEPINK
Communications Workers of America
Daily Kos
DemCast USA
Democracy 21
Demos
End Citizens United / Let America Vote Action Fund
Fix Democracy First
Free Speech For People
Greenpeace USA
Human Rights First
Human Rights Watch
Interfaith Alliance
Jobs With Justice

League of Women Voters of the United States
Matthew Shepard Foundation
Missouri Voter Protection Coalition
MomsRising
Muslim Advocates
NAACP
National Action Network
National Association of Social Workers
National Council of Jewish Women
National Disability Rights Network (NDRN)
National LGBTQ Task Force
National Network for Immigrant & Refugee Rights
Native American Rights Fund
Not In Our Town
People For the American Way
Planned Parenthood Action Fund
SEIU
Sierra Club
SPLC Action Fund
Texas Progressive Action Network
The Sikh Coalition
The Workers Circle
UnidosUS
Union for Reform Judaism
United Church of Christ, Justice and Local Church Ministries
Veterans for American Ideals
Wisconsin Democracy Campaign
YWCA USA