



# **MALDEF**

**Mexican American Legal Defense and Educational Fund**



NAACP LEGAL DEFENSE AND EDUCATIONAL FUND, INC.

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## **NAACP LDF AND MALDEF UNCOVER SIGNIFICANT VOTER INTIMIDATION ATTEMPTS DURING RECENT 2006 ELECTION CYCLE**

Many media outlets have depicted the administration of the 2006 elections as largely problem-free or marred only by a few isolated and accidental errors in electronic voting systems or other election procedures. The Mexican American Legal Defense and Educational Fund (MALDEF) and the NAACP Legal Defense and Educational Fund (NAACP-LDF), however, have documented numerous incidents of voter intimidation against Latino and African-American voters during the 2006 election cycle that shows that voting discrimination continues to impede minority voters' free and equal access to the polls. These recent incidents underscore the need for increased voter protections and the prosecution of those behind calculated and deliberate efforts to use violence, the threat of violence, or intimidation to suppress the rights of many Latino and African-American voters.

In the weeks leading up to the November 7 elections, a major party congressional candidate's campaign in Orange County, California, mailed a letter to 14,000 registered Latino voters that was specifically designed to intimidate them and keep them from voting. The letter, written in Spanish, falsely stated that immigrants may not vote (when, in fact, eligible naturalized immigrants may freely participate in U.S. elections). The letter also declared that "there is no benefit to voting" in U.S. elections. MALDEF notified the U.S. Department of Justice and the California Department of State of this voter intimidation effort, whereupon federal and state officials initiated investigations that will likely lead to the criminal prosecution of the persons responsible for producing and mailing the letter.

During the November 7 general election, MALDEF attorneys witnessed anti-immigrant activists aggressively intimidating Latino voters in Tucson, Arizona. One of these activists wore dark clothing with a badge-like emblem and carried a handgun in a holster, giving the false impression that he was a law enforcement official. The men attempted to ask Latino voters questions, write down their personal information, and videotape them as they went to cast their vote. The Arizona Republic has reported that Tucsonan Russell Dove, a local anti-immigrant activist, has proudly acknowledged his participation in this effort to intimidate Latino voters.

The NAACP Legal Defense & Educational Fund, Inc. has urged the U.S. Department of Justice to open and conduct a thorough investigation into a recent November 3, 2006, cross-burning incident in Grand Coteau, Louisiana. On the eve of a racially heated and hotly contested mayoral election, a five-foot cross was erected outside of the town hall's parking lot, placed in a wooden frame, doused with oil and lit on fire. Cross-burnings are a clear and unmistakable expression of racial animus and hatred. Because this particularly vile act of intimidation was staged on public property on the eve of a racially heated election, many African-American voters may have been discouraged from freely participating in the political process. African-American residents in the region believe that the cross-burning was a tool to intimidate minority voters from freely exercising their right to vote during the November 7, 2006 contested local election (in which the African-American candidate very narrowly lost). In the context of targeted efforts aimed at misleading minority voters through deceptive flyers as recently witnessed in Maryland, the barriers aimed at locking certain voters out of the democratic process are formidable.

These acts of voter intimidation, suppression and deception were clearly significant factors in the 2006 elections. The continued existence of concerted voter intimidation efforts against minorities highlights the continued need to eliminate barriers that stand in the way of Latino and African-American voters' full participation in the electoral process. Only through the free and equal exercise of all voters' franchise rights may democracy in the United States flourish.

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