The Honorable Alberto Gonzales  
Attorney General  
United States Department of Justice  
950 Pennsylvania Avenue, N.W.  
Washington, D.C. 20530

Dear Attorney General Gonzales:

As you know, this Committee is deeply concerned with what appears to be a trend within the Department of Justice ("DOJ") away from vigorous prosecution of civil rights cases. In January 2005, at your confirmation hearing before this Committee you stated that you would like to put special emphasis on Civil Rights issues. "I also, because of my background, believe very much in the protection of civil rights, the protection of our voting rights, and the protection of our civil liberties." I was, therefore, surprised when I read the November 13, 2005 Washington Post article by Dan Eggen entitled: Justice Department Unit Eases on Bias Cases. According to this article, over the past five years, there has been a 40 percent decline in the number of Civil Rights Division prosecutions of discrimination crimes. Further, the article states that career prosecutors in this division are retiring, being transferred to other divisions and not being replaced with qualified experienced prosecutors.

The Civil Rights Division of DOJ was started in 1957 following the Supreme Court decision in Brown v. Board of Education because of the actions of certain southern states in refusing to comply with the Supreme Court's ruling in Brown. The Criminal section of the Civil Rights Division has made history in this country through its participation in the investigations of the assassinations of Martin Luther King, Jr. and Medgar Evers, the fatal shootings by the National Guard at Kent State University, the deaths of three civil rights workers (Chaney, Goodman, and Schwerner) in Mississippi, and the police beating of Rodney King in Los Angeles. This important work must continue with capable, intelligent and experienced lawyers at the helm.

Some assert that the decline in DOJ Civil Rights Prosecutions is a direct result of a change in political ideology that does not list Civil Rights enforcement as one of its top priorities. The proud history and continued work of this division should never be influenced by political ideology and as part of our oversight function I would like for you to provide information to the Committee on this issue.

I would appreciate if you would report back to the Senate Judiciary Committee, as soon as possible, on the current priorities of the Civil Rights Division. I would further
request that in this report, you include all relevant statistics and trends of this division work. Include in your report whether or not the priorities of the division have changed and explain the decline in prosecutions of discrimination cases within this division. I would also like to know what prosecutions the Civil Rights Division is currently undertaking, and how that compares to the prosecutions of that division in the past. I would like to know whether there has been a change in the employment practices of this division and an explanation for the large turnover of career prosecutors in this division. This report will enable the Senate Judiciary Committee to fully explore the allegations that have been made in the Washington Post article, and maintain our traditional oversight over the Justice Department.

Please address your report to the Judiciary Committee and if you have any questions you or any member of your staff are invited to contact my General Counsel, Carolyn P. Short.

Thank you for your attention to this important issue regarding the civil rights of all Americans.

Sincerely,

Arlen Specter

Via facsimile: (202) 514-4507

AL -
I'd like a reply ASAP.
A. - KL!