



U.S. Department of Justice
Civil Rights Division

Office of the Assistant Attorney General

Washington, DC 20530

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MEMORANDUM

TO: Division Staff

FROM: Thomas E. Perez
Assistant Attorney General

SUBJECT: Outreach and Community Engagement

Outreach is crucial to the work of the Civil Rights Division. Our work – to uphold the civil and constitutional rights of individuals who have experienced unlawful discrimination in core aspects of their lives – requires us to engage. As those charged with enforcing the nation’s civil rights laws, we must consider outreach as one of our critical tools to educate people and communities about their rights; to deter discriminatory conduct; to inform our enforcement efforts; and to shape the remedies we pursue.

As with any other skill essential to our civil rights work, it requires training and practice. To build core competency in using outreach as a tool in our work, I have instructed our Professional Development Office (PDO) to provide training to Division staff on effective outreach. Training needs will vary among sections given the charge and enforcement needs of different sections. However, basic presentation skills and guidance about sharing information will strengthen your ability to speak in public and convey information in community settings. In addition, PDO will provide training that focuses on outreach as a tool in our systemic casework. For that, I have asked PDO to design a comprehensive training that we will pilot this summer. The training will address the ethical, professional responsibility and media issues to consider when doing outreach, as well as provide case examples – best practices – that highlight the experience and critical importance of outreach.

It is our responsibility and my expectation that staff in the Division will seek out opportunities to speak to and hear from a diverse set of key stakeholders throughout the country on the full range of civil rights issues. It is my firm belief that if we fail to do effective outreach, we will not have the most effective outcomes. As such, we have included outreach in the performance evaluations of many of our staff. It must be part of the DNA of civil rights lawyers to inform, seek input from and engage communities as we seek to address and solve some of the nation’s most difficult problems, and we must do so consistent with our ethical obligations and case-related needs.

We have a duty to inform those affected by our enforcement actions and to learn from others about emerging challenges and the impacts of our work. It is through continued outreach that we stay apprised of critical civil rights issues occurring around the country. Cultivating and

maintaining these channels of communication enhances the likelihood that we learn of potential civil rights violations early to enhance our ability to seek meaningful relief.

Further, outreach provides us with an opportunity to prevent discriminatory conduct. For instance, our outreach to key industry stakeholders in the fair lending context is designed to learn more about best practices, share lessons learned from our enforcement actions, and assist institutions in establishing or strengthening internal controls that ensure compliance with fair lending obligations. Outreach in this and other key areas facilitates education and prevention.

Outreach is critically important in much of our systemic casework. It is essential that we engage directly with the communities experiencing the civil rights violations that we seek to remedy. It is often only through such engagement, that we can we understand the full scope of the harm and craft appropriate relief. In our human trafficking work, our Olmstead work and police practices work, for example, we have been or will be successful in large part due to our outreach work in the affected communities.

Through this outreach, we acquire a much better sense of the community concerns, a more informed sense of the challenges, and ideas about how best to remedy the challenges. Outreach also encourages victims, their families and communities to support our efforts and the remedies we seek. Moreover, we should include communities in remedial efforts whenever possible to help build enduring remedies that extend beyond the life of our litigation.

Each civil litigating section is, therefore, to incorporate community engagement into its enforcement work in a manner that is consistent with this memorandum, accounts for the demands of each case, and respects applicable rules of professional responsibility and confidentiality and other case-related concerns. It is my anticipation that, in the context of a given matter, engagement with relevant communities will inform and shape each stage of our work, including the initial assessment of a complaint or allegation of a civil rights violation, a preliminary inquiry, an investigation, deliberations about the appropriate scope of any legal suit, the course of a lawsuit itself, the nature of any relief requested, and any post-suit monitoring and implementation.

To be sure, Division attorneys must comply with ethics considerations and all applicable rules of professional responsibility, including those concerning the confidentiality of internal Department communications and deliberations. To that end, Division staff will be provided training and guidance. Attorneys should consult with one of the Division's Professional Responsibility Officers or the Professional Responsibility Advisory Office (PRAO) to ascertain the permissible scope of community engagement in light of the particular circumstances of the occasion, whether case-related or otherwise. But rules of professional responsibility do not impose blanket prohibitions against engaging with community representatives at all stages of a matter, openly discussing various options, and sharing ideas about how best to proceed. Indeed, our law enforcement responsibilities demand just that.

I appreciate and look forward to your continuing commitment to outreach and advancing civil rights for all.