



## General Legal Activities Civil Rights Division (CRT)

### FY 2011 Budget Request At A Glance

FY 2010 Enacted:	\$145.4 million (815 positions; 399 attorneys)
Current Services Adjustments:	+\$10.3 million (7.1% above FY 2010 Enacted)
Program Changes:	+\$6.1 million
FY 2011 Budget Request:	\$161.9 million (877 positions; 439 attorneys)
Change from FY 2010 Enacted:	+\$16.5 million (+11.3%) (+62 positions; +40 attorneys)

#### Mission:

The mission of the Civil Rights Division (CRT) has three significant goals: (1) to fulfill the promise of federal laws entitling all persons to basic civil rights protections as they engage in everyday conduct through the United States; (2) to deter illegal conduct through the successful judicial enforcement of these federal laws; and (3) to promote voluntary compliance and civil rights protection through a variety of educational, technical assistance, and outreach programs.

#### Resources:

The budget request for FY 2011 totals \$161.9 million, which is a 11.3 percent increase over the FY 2010 Enacted level.

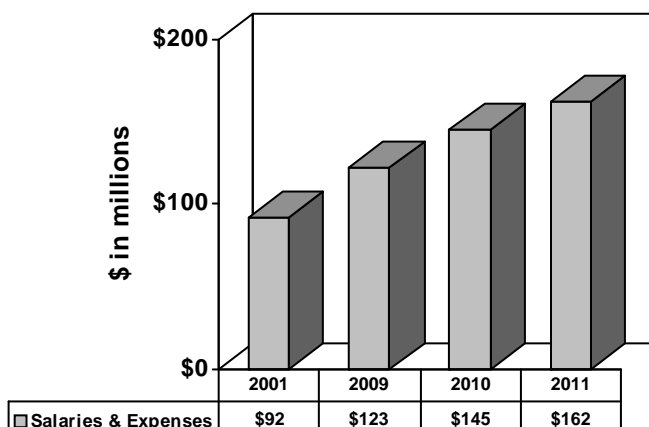
#### Organization:

The Civil Rights Division is headed by an Assistant Attorney General (AAG), who is appointed by the President and confirmed by the Senate. The AAG is assisted by four Deputy Assistant Attorneys General (DAAG). The Division establishes policy and provides executive direction and control over the enforcement actions and the administrative management activities. All CRT employees are stationed in Washington, DC, but travel to other parts of the country for litigation activities.

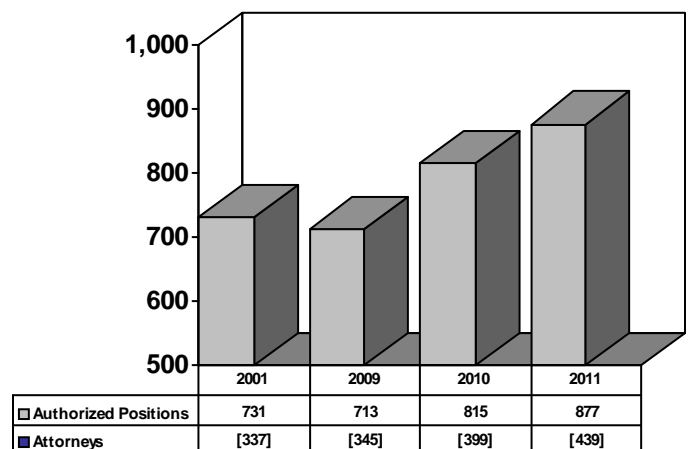
#### Personnel:

The Civil Rights Division's authorized positions for FY 2011 total 877 positions, of which 439 are attorneys. The FY 2011 budget request includes an increase of 62 positions (40 attorneys), over the FY 2010 Enacted level of 815 positions.

### Funding (FY 2001 - 2011)



### Personnel (FY 2001 - 2011)



\* includes reimbursable attorneys.

## **FY 2011 Strategy:**

In FY 2011, CRT will continue to vigorously enforce civil rights laws in a wide variety of settings. Some areas in which the Division will focus its enforcement efforts are: combating housing and lending discrimination so that all Americans have an opportunity to enjoy home ownership; expanding efforts to guarantee citizen's voting rights by addressing voting rights violations; ensuring that hate crime offenses are aggressively investigated and prosecuted; and increasing efforts to eradicate employment discrimination, specifically in pattern or practice discrimination cases.

Many of CRT's fair lending investigations are related to mortgage fraud and the subprime lending crisis, including investigations of fraudulent lending targeted at a protected class under the Fair Housing Act, and pricing discrimination matters. The additional resources will enable the Division to enhance its efforts in addressing discrimination in foreclosures and loan modifications.

CRT anticipates that state and local jurisdictions seeking administrative preclearance in voting changes will increase as a result of the 2010 Census redistricting. CRT will use the requested resources to continue its enforcement efforts in preclearance litigation, its enforcement of the Uniformed and Overseas Citizens Absentee Voting Act, its enforcement of the Help America Vote Act, and to continue its nationwide election monitoring program.

The number of hate crime incidents across the United States per year remains high. During the last decade, religiously motivated incidents have generally accounted for the second highest number of hate crime incidents, followed closely by sexual orientation bias incidents. CRT will use the additional staff resources to investigate and prosecute these crimes.

CRT will use the requested resources to address a projected increase in employment litigation demands related to both employment pattern or practice litigation and defensive litigation requirements.

## **FY 2011 Program Changes:**

**Discrimination in Lending and Foreclosures:** \$2.1 million and 22 positions (12 attorneys) to address CRT's fair lending enforcement responsibilities by combating discrimination in lending and foreclosures. The need for strong federal enforcement has increased in recent years with the disproportionate targeting of minorities for subprime mortgages and other discriminatory practices. The Department has a leading role in the multi-agency federal and state effort to crack down on loan modification fraud, which includes reviewing loan servicing practices, loan modifications and foreclosures for possible discrimination. With the requested resources, CRT will devote additional personnel to protecting people from discrimination in lending and foreclosures. FY 2011 current services for this initiative are 12 positions (9 attorneys) and \$2.5 million.

**Voting Rights Enforcement:** \$1.2 million and 14 positions (9 attorneys) to expand CRT's voting rights program. One of the most important areas of CRT's enforcement of federal voting laws concerns the thousands of submissions made each year by state and local jurisdictions seeking administrative preclearance for election-related changes as required by the Voting Rights Act. This area of activity is anticipated to increase as the release of the 2010 Census data prompts many jurisdictions to file redistricting plans that must be submitted for federal preclearance. The recent Supreme Court ruling in *Northwest Austin* will greatly expand the number of sub-jurisdictions that are now entitled to file an action seeking a bailout from coverage of the Section 5 preclearance provisions of the Voting Rights Act. CRT has a duty of representing the Attorney General in these types of lawsuits, and for enforcing the federal voting rights statutes that are aimed at guaranteeing American voters the opportunity to participate equally in fair and open elections free from discrimination. FY 2011 current services for this program are 118 positions (43 attorneys) and \$21.6 million.

**Hate Crimes:** \$1.4 million and 15 positions (10 attorneys) to effectively investigate and prosecute hate crimes. The Federal Bureau of Investigation's (FBI) 2007 Annual Hate Crimes Statistics Report released October, 2007 reflects a marked increase of 40 percent in hate crimes over the last four years since 2003 targeting Latinos. For the past decade, of all reported hate crime offenses, an average of 15.7% were motivated by bias against sexual orientation. The number of sexual orientation bias crimes committed in 2008 increased by more than 10% over those committed the preceding year. Based on the increase in hate crime activity over the last several months, CRT expects an increase in the need for resources devoted to investigating and prosecuting these crimes. In addition, Congress passed new legislation (the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act of 2009) that expands the reach of federal hate crimes laws and substantially increase CRT's workload in this area.

FY 2011 current services for this initiative are 25 positions (14 attorneys) and \$3.7 million.

**Employment Initiative:** \$1.5 million and 12 positions (10 attorneys) to address an increase in litigation demands related to employment pattern or practice litigation. The Department files these kinds of lawsuits when a person or business has engaged in a “pattern or practice” of discrimination against a group of persons that raises an issue of “general public importance.” These suits are among the government’s most effective tools in combating employment discrimination and were instrumental in desegregating the nation’s police and fire departments in the 1970s and 1980s. Unfortunately, this important enforcement tool was neglected in recent years, and many public workforces are again beginning to show increased patterns of segregation. This request also provides \$375,000 for essential litigation consultants. FY 2011 current services for CRT’s Employment Section are 60 positions (44 attorneys) and \$11.0 million.

**Travel and Management Efficiencies:** The Department is continually evaluating its programs and operations with the goal of achieving across-the-board economies of scale that result in increased efficiencies and cost savings. In FY 2011, DOJ is focusing on travel as an area in which savings can be achieved. For the Civil Rights Division, travel or other management efficiencies will result in offsets of \$172,000. This offset will be applied in a manner that will allow the continuation of effective law enforcement program efforts in support of Presidential and Departmental goals, while minimizing the risk to health, welfare and safety of agency personnel.

### Financial Snapshot 2009

Clean Opinion on Financial Statements	Yes
Timely Financial Reporting	Yes
Material Weaknesses	None