



STATEMENT OF

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UNITED STATES DEPARTMENT OF JUSTICE

BEFORE THE

COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON COMMERCE, JUSTICE, SCIENCE, AND
RELATED AGENCIES
UNITED STATES HOUSE OF REPRESENTATIVES

FOR A HEARING ENTITLED

“CIVIL RIGHTS DIVISION OVERSIGHT”

PRESENTED ON

MARCH 12, 2019

**ERIC S. DREIBAND
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Mr. Chairman, Congressman Aderholt, and other distinguished Members of the Subcommittee, thank you for the opportunity to speak with you today. I thank this Committee for its support of the important work of the Civil Rights Division (Division) of the U.S. Department of Justice. As this Committee is aware, the Civil Rights Division protects the civil and constitutional rights of all people in this country, enforcing the Constitution and federal laws of the United States in pursuit of our founding ideals – human dignity, equal justice, and equal opportunity for all. The funding you provide is essential in allowing the Division to pursue these goals.

Today, I appear before you on behalf of the men and women of the Civil Rights Division who work every day to make these goals a reality. I am proud of their service and their commitment to the Division's mission. On their behalf, I would like to express our appreciation for the support you have given the Division in the past and ask for your continued support in the future.

I will begin by providing a brief overview of the Division's FY 2020 priorities, and the Division's continued work and progress in these areas.

Civil Rights Priorities in FY 2020

For over sixty years, the Division has played a unique and critical role in protecting civil rights in America. Today, the Division has a robust caseload that serves as a stark reminder that discrimination continues to be a reality for many people.

The Division's work has evolved over six decades as Congress has expanded civil rights protections for Americans and given the Division new authority to enforce those civil rights laws. Beginning in 1964, the Civil Rights Act established landmark protections against discrimination based on race, color, national origin, sex, and religion. The Civil Rights Act built the groundwork for other critical federal civil rights statutes passed by Congress, including the Voting Rights Act of 1965, the Fair Housing Act of 1968, the Americans with Disabilities Act (ADA) of 1990, and the Shepard-Byrd Hate Crimes Prevention Act of 2009.

The Division also plays a leading role in enforcing the Trafficking Victims Protection Act (TVPA) of 2000 and its subsequent reauthorizations, which expanded on the older involuntary servitude and slavery statutes the Division has historically enforced.

In FY 2020, the Division will prioritize several enforcement areas that align with Administration and Department priorities. The Division will also prioritize new enforcement initiatives that it has developed to address long-standing and troubling civil rights violations. Finally, the Division will prioritize innovation initiatives designed to improve the way the Division operates and serves the public. The Division's current priority enforcement areas are:

- Prosecuting hate crimes;
- Prosecuting human traffickers and dismantling transnational organized trafficking networks;
- Combatting unlawful hiring practices against U.S. workers;
- Enforcing federal laws that protect servicemembers, veterans, and their families;
- Protecting voting rights;
- Ensuring the religious freedom of individuals and religious organizations;
- Ensuring that individuals have access to treatment for opioid addiction;
- Combatting sexual harassment and sexual abuse;
- Working to eliminate race discrimination; and
- Improving Division operations to promote efficiency and improve service to the public.

Prosecuting Hate Crimes

The Division continues aggressively to combat hate crimes – violent and intimidating acts such as beatings, murders, or cross-burnings – that target an individual because of his or her race, color, national origin, religious beliefs, gender, gender identity, sexual orientation, or disability. In FY 2020, the Division will continue to prioritize prosecutions of hate crimes. It will also continue to look for opportunities to support and work with state and local officials involved in hate crimes prosecutions.

Over the past ten years, the Department of Justice has charged more than 200 defendants with hate crimes offenses. Since January 2017, the Department has indicted more than 50 defendants allegedly involved in committing hate crimes. During that same time, the Department has obtained convictions of over 40 defendants involved in committing hate crimes.

Based on the FBI's latest Uniform Crime Statistics Report, issued in November 2018 for calendar year 2017, there were 7,106 single-bias incidents reported involving 8,126 offenses, 8,493 victims, and 6,307 known offenders, and 69 multiple-bias incidents reported involving 311 offenses, 335 victims, and 63 known offenders.

Hate crimes prosecutions are often high-profile and their impact is felt nationally and sometimes internationally. Since January 2017, the Division's hate crimes prosecutors have

handled a number of high-profile investigations and cases, including cases in Charlottesville, Virginia, Pittsburgh, Pennsylvania, and Jeffersontown, Kentucky.

State and local officials investigate and prosecute many hate crimes. Therefore, the Department seeks new ways to assist state and local partners in combatting hate crimes. For example, when Kedarie Johnson, a popular, gender-fluid teenager in Burlington, Iowa, was brutally murdered and left dead in an alleyway, the Division and the FBI commenced a hate crime investigation. While a simultaneous state murder investigation was underway, the federal investigation obtained valuable information that would support the state murder case. The Division obtained authorization from a federal judge to share that information with state authorities, who then invited the Division to work with state prosecutors during the trial of the state murder case. The Department authorized a Civil Rights Division prosecutor to work directly on the state prosecution team, resulting in the first-ever case in which a DOJ attorney was cross-designated to serve as a local prosecutor and participate in a state court trial against two defendants charged with murdering a transgender victim. In separate trials, the juries found the defendants guilty of first-degree murder and the court sentenced each to life in prison.

To expand and strengthen hate crimes enforcement, the Department launched a Hate Crimes Enforcement and Prevention Initiative. The Civil Rights Division leads that Initiative, which is charged with coordinating the Department's efforts to eradicate hate crime. The Initiative facilitates training, outreach, and education to law enforcement agencies and the public at the federal, state, local, and tribal levels. The Initiative is also following up on productive discussions between the Department and stakeholders that took place at the Hate Crimes Summit that the Department convened in June of 2017.

In 2018, the Department launched a new hate crimes website to provide law enforcement and the public with a centralized information resource.

Prosecuting Human Traffickers

The Division plays a lead role in the Department's efforts to enforce laws against human trafficking, including both sex trafficking and forced labor. Working with U.S. Attorneys' Offices nationwide, the Division's Human Trafficking Prosecution Unit (HTPU) leads prosecutions of complex, multi-jurisdictional, and international cases. It spearheads enforcement initiatives to strengthen the federal law enforcement response to human trafficking crimes and expand federal law enforcement capacity to bring high-impact prosecutions to dismantle transnational, organized trafficking networks. In addition, the Division provides national and international expertise in cases involving forced labor; sex trafficking of adults by force, fraud, and coercion; and international sex trafficking cases.

From FY 2013 – 2017, the Division, in partnership with U.S. Attorneys' Offices, brought 427 human trafficking cases, compared to 235 in FY 2008 – 2012, marking an 82 percent increase.

This increase has required vigorous, coordinated, and innovative efforts to detect and prevent crimes, protect victims, and prosecute traffickers. The increased volume of trafficking cases reflects the intensive outreach, training, capacity-building, and strategic coordination the

Division and Department have carried out in conjunction with key anti-trafficking partners, including federal, state, local, tribal, and international authorities; human trafficking task forces; and non-governmental, anti-trafficking organizations.

The Division's goal is to continue using innovative, collaborative, and proven strategies to tackle trafficking. The HTPU leads the Anti-Trafficking Coordination Team (ACTeam) Initiative, an interagency enforcement collaboration with the FBI, the Executive Office for United States Attorneys, and the Departments of Homeland Security and Labor. The ACTeam Initiative convenes specialized teams of federal agents and federal prosecutors in competitively selected districts to develop high-impact human trafficking investigations and prosecutions in collaboration with national anti-trafficking subject matter experts. During Phase I of the Initiative, which ran from 2011 – 2013, trafficking prosecutions, including cases filed, defendants charged, and defendants convicted, increased markedly in ACTeam Districts.

Mexico is the country of origin of the largest number of foreign-born human trafficking victims identified in the United States. In response to numerous U.S. federal investigations and prosecutions of trafficking networks operating across the U.S.-Mexico border, the Departments of Justice and Homeland Security launched the U.S.-Mexico Bilateral Human Trafficking Enforcement Initiative in 2009 to enhance collaboration with Mexican law enforcement counterparts in order to more effectively combat transborder trafficking threats. Through this initiative, under the leadership of the Civil Rights Division's HTPU, U.S. and Mexican authorities exchange leads and intelligence to strengthen investigations and prosecutions, restore victims, recover victims' children, and dismantle trafficking networks through high-impact prosecutions in both the U.S. and Mexico.

Protecting U.S. Workers

When employers abuse temporary visa programs, U.S. workers miss job opportunities. In March 2017, the Division launched its Protecting U.S. Workers Initiative to tackle this issue. The Initiative focuses on combatting employment discrimination against U.S. workers, in line with the President's Buy American and Hire American Executive Order. The Division uses traditional tools of investigation, lawsuits, outreach, and interagency coordination to fight employer preferences for temporary visa holders, while educating U.S. workers on their rights. The Division uses a multi-pronged approach to ensure that U.S. workers can seek and retain jobs without regard to their citizenship status or national origin. The Division holds companies accountable for discriminating against U.S. workers by paying fines, ensuring affected workers their lost wages, and deterring companies from using illegal preferences.

The Civil Rights Division has also increased its collaboration with other federal agencies, including the Departments of State and Homeland Security, to combat discrimination and abuse by employers improperly using temporary visa workers. In 2017, the Division entered into a similar ongoing partnership with the Department of Labor's Wage and Hour Division to combat discrimination and violations of other federal worker protection laws by facilitating the agencies' information sharing.

Protecting Servicemembers

Servicemembers defend the security and freedom of our nation at great personal sacrifice. While they carry the burdens of this nation, they should not have to worry that the financial sacrifices they are making will result in lenders foreclosing on their homes or repossessing their cars, or businesses wrongfully obtaining default judgements against them that damage their credit. Similarly, servicemembers and their families should not be prevented from voting while stationed away from home or face employment discrimination because of their military service.

The Division uses its Servicemembers and Veterans Initiative (SVI) to conduct outreach, assistance, and training for servicemembers, veterans, and military families. The SVI facilitates and coordinates listening sessions between the Department and military members to identify the legal issues impacting today's servicemembers. It educates military members and legal practitioners about the federal laws protecting servicemembers, as well as the Department's work on behalf of servicemembers, veterans, and military family members. Following these listening sessions, the SVI relays matters with litigation potential to the Division's litigating components. The SVI's referrals have enabled the Division to initiate a number of investigations and cases.

The Division vigorously protects servicemembers' civilian employment rights by enforcing the Uniformed Services Employment and Reemployment Rights Act (USERRA), voting rights by enforcing the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), and financial and housing security through the Servicemembers Civil Relief Act (SCRA). The Division also strives to protect the rights of servicemember spouses, dependents, and veterans eligible for certain protections under the SCRA and UOCAVA. Finally, the Division works to protect the rights of veterans with disabilities and conducts outreach to educate servicemembers, military family members, veterans, legal professionals, and advocates about these federal protections.

During this Administration, our SCRA settlements have included over \$6 million in damages and civil penalties.

Additionally, in FY 2017 and 2018, the Division reviewed 95 claims involving employment rights of servicemembers and veterans, offered representation to 18 claimants, and filed five complaints on their behalf. It entered three court-approved consent decrees and facilitated 15 additional settlements. The grand total for these settlements is over \$340,000 in cash payments, pension credits, sick leave, backdated promotions, and one job reinstatement.

The Division closely monitored UOCAVA compliance in special, primary, and general elections for federal office throughout the country to ensure that Americans serving in our uniformed services, their families and U.S. citizens living overseas have a meaningful opportunity to request and receive their absentee ballots in time to vote and have their votes counted. Before federal elections in 2017 and 2018, the Division monitored each State and Territory to determine whether there were obstacles to timely transmission of UOCAVA absentee ballots. The Division then confirmed that these ballots were, in fact, timely sent. The Division engages in continuous follow-up on ballot transmission issues, review of possible structural impediments to compliance, and other UOCAVA obligations. The Division also regularly coordinates with the Federal Voting Assistance Program at the Department of Defense.

As part of that nationwide enforcement effort, in 2018 the Division filed suit to enforce UOCAVA and obtained consent decrees in two states. Through the last two fiscal years, the Division has also worked out other informal resolutions with states to protect the rights of military and overseas voters.

The Division continually looks for new ways to protect the rights of servicemembers, veterans, and military family members. For example, the Division launched a Veterans' Access Initiative to increase access to community life for our nation's veterans with disabilities. The Division routinely receives complaints that public programs and services are inaccessible to veterans with disabilities because of architectural or programmatic barriers. Such barriers can impede or prevent veterans with disabilities from returning to school, accessing a polling place, or even going to a park or restaurant with their family.

The Division addresses widespread discrimination against veterans with disabilities who use service animals. The ADA generally requires public entities and public accommodations to provide access to individuals with disabilities who use service animals. Yet, many public accommodations across the country prohibit individuals with disabilities from entering with a service animal. Indeed, the Division receives more citizen complaints alleging service animal-related discrimination than any other issue, and a large percentage of those are from veterans with disabilities, for whom the ability to use a service animal is critical to re-integration into their communities. As a result of this new emphasis on access for veterans with disabilities, the Division and U.S. Attorneys' Offices have dozens of active investigations of alleged discrimination against veterans with disabilities. To complement this enforcement work, the Division is engaging in outreach to covered entities, trade organizations, and veterans—both to educate stakeholders on the ADA's service animal requirements and to hear their perspectives on perceived barriers to compliance.

Protecting Voting Rights

The Division's Voting Section enforces federal voting laws and defends the United States when it faces lawsuits over voting matters. Section 2 of the Voting Rights Act prohibits racial discrimination in voting in every jurisdiction in the country. Since January 2017, the United States has participated as a party or an amicus in six cases brought under Section 2. Three of those cases have been finally resolved by federal appellate courts. In each of those three cases, the appellate courts have adopted the position advocated by the United States. One case remains pending in federal district court, and two are pending in federal circuit courts. In one of those cases, the United States will be participating in oral argument at the end of March 2019 before the en banc Ninth Circuit in a case presenting an important question regarding Section 2's results test.

In 2017, the Division participated in an important voting rights case in the Supreme Court involving the interpretation of the National Voter Registration Act (NVRA), *Husted v. A. Philip Randolph Institute*. The Supreme Court adopted the Department's position, which guarantees that state and local jurisdictions can uphold the right to vote by maintaining complete and accurate voter registration rolls.

The Division also recently entered into four agreements to protect the right to vote. The first of these resolved a lawsuit that the Division brought under the UOCAVA to protect the

rights of military and other overseas absentee voters to participate in a special election in Arizona's 8th Congressional district. In June 2018, the Division entered into a settlement agreement with the State of Wisconsin that ensures that Wisconsin voters who temporarily reside overseas receive voting protections. The next month, July 2018, the Division entered into a settlement agreement with the Commonwealth of Kentucky that guarantees that Kentucky will make a reasonable effort, as required by Section 8 of the NVRA, to remove from its voter rolls the names of individuals who have become ineligible to vote due to a change in residence. And just last month, February 2019, the Division entered into a settlement agreement with the State of Connecticut that will ensure that Connecticut, as required by the NVRA and the Help America Vote Act, will remove from its voter rolls the names of individuals who have died.

Every year, the Voting Section also monitors elections in jurisdictions around the country. In FY 2016, the Division sent over 500 election observers to 26 jurisdictions for the November 2016 general election. During the elections in November 2018, the Division deployed personnel to 35 jurisdictions in 19 states to monitor compliance with federal voting rights laws.

In addition, the Division's Disability Rights Section enforces the ADA's requirements to ensure equal access to polling places and the election process for people with disabilities. In 2015, the Division, partnering with U.S. Attorneys across the nation, launched the ADA Voting Initiative to ensure that people with disabilities have an equal opportunity to participate in the voting process, including in the 2016 presidential elections. The ADA Voting Initiative covers all aspects of voting, from voter registration to casting ballots at neighborhood polling places. Through this initiative, more than 1,300 polling places have been surveyed to identify barriers to access. Last month, the Division entered into its most recent settlement agreement under this Initiative. That settlement agreement resolves a complaint by a Concord, New Hampshire voter alleging that the City failed to provide an accessible ballot to that voter, who is blind. The Division is committed to continuing this important work to guarantee the right to vote on behalf of all Americans.

Protecting Religious Freedom

The right to practice one's faith freely, to participate in civic life without discrimination, and to be free from violence based on one's faith are fundamental American values protected by our Constitution and civil rights laws. The Division is working to advance these core areas of religious freedom in a number of ways.

The Division enforces the Religious Land Use and Institutionalized Persons Act (RLUIPA). RLUIPA protects religious communities from zoning laws or decisions that discriminate against places of worship. It also helps ensure that individuals in institutions such as jails can practice their faith without undue burden.

To increase enforcement and public awareness of the land use provisions of RLUIPA, on June 13, 2018, the Attorney General announced the Place to Worship Initiative. The Initiative focuses on outreach and education efforts targeted at religious leaders, county and municipal officials, and the general public. In FY 2017, the Division initiated 22 matters, opened 17 investigations, filed six cases, and settled six lawsuits involving discriminatory zoning laws or decisions that affect places of worship or religious schools or centers.

During the same period, it opened two investigations and continued enforcing one injunction involving religious practice by individuals in institutions. In 2018, the Division initiated a lawsuit under Title VII of the Civil Rights Act against a county in Wisconsin alleging that the influenza vaccination exemption policy implemented by one of its senior living centers discriminated on the basis of religion.

The Division has a Religious Discrimination Initiative in conjunction with U.S. Attorney Office partners to combat religious discrimination in schools, including harassment against minority faith groups. Since 2017, the Division, in coordination with the U.S. Attorneys' Offices, has opened a number of new investigations in this area. For example, in 2018, the Division's Educational Opportunities Section opened an investigation into allegations that a public high school failed to respond appropriately to peer-on-peer religious harassment.

The Civil Rights Division also has been active in filing amicus briefs and statements of interest in cases involving a wide range of religious liberty issues, including school choice, religious expression on college campuses, and other religious expression issues.

Recognizing that the right to practice one's faith without fear of violence is critical to the exercise of religious freedom, the Division has been active in prosecuting hate crimes involving attacks or threats against places of worship or against individuals based on their religion. For example, since January 2017, the Division has obtained eight indictments and six convictions in cases involving arson or other physical attacks, or conspiracy or threats to commit such attacks, against places of worship. Religious hate crimes constitute a significant number of hate crimes, second only to racial hate crimes, and the Division is committed to prosecuting vigorously such crimes.

Addressing Opioid Addiction

The opioid epidemic is a crisis of epic proportions, impacting nearly every community across the country. On November 1, 2017, the President's Commission on Combating Drug Addiction and the Opioid Crisis issued a report calling for comprehensive action by the federal government. The Division and U.S. Attorneys' Offices are responding, working to ensure that individuals who have completed, or are participating in, treatment for opioid use disorder (OUD) do not face unnecessary and discriminatory barriers to recovery. People with OUD who are in treatment or recovery may experience discrimination in settings such as employment or the receipt of state and local programs and services. Businesses that seek to provide treatment to affected individuals may encounter discriminatory zoning restrictions. The Division focuses on addressing and removing these barriers. Through outreach, technical assistance, and enforcement under the ADA, the Division aims to increase the number of people in treatment and recovery who succeed and re-engage with their communities and the workforce.

Conducting outreach is a crucial part of this work. Through analysis of federally-collected data, the Division has identified cities, counties, and states with the highest numbers of opioid overdoses. In FY 2020, the Division will conduct targeted outreach in many of these communities. Through this outreach, the Division will educate public employers, public entities, and public accommodations about the ADA's protections for people in treatment for, or recovery from, OUD. The Division will also inform health care workers, social workers, members of

faith-based organizations, and other professionals in these communities about the ADA's protections for people with OUD. To complement this outreach, the Division and U.S. Attorneys' Offices are investigating complaints from people with OUD who are in treatment or recovery.

Combating Sexual Harassment and Sexual Abuse

Sexual harassment in housing, employment, and education as well as sexual assaults in prisons and nursing homes are long-standing civil rights challenges that the Division is making a renewed commitment to address.

Sexual harassment in housing, including harassment of tenants by landlords, property managers, and maintenance staff, affects an untold number of vulnerable people. It often involves unrelenting, unwanted sexual advances or requests for sexual acts in exchange for a place to live, home repairs, reduced rents, or delayed evictions.

On the 50th anniversary of the Fair Housing Act, the Division launched the Sexual Harassment in Housing Initiative to increase awareness and reporting of sexual harassment in housing. The Division seeks to combat sexual harassment by driving more referrals to the Department, enabling it to bring more lawsuits to enforce the Fair Housing Act's prohibition on sexual harassment. Since the launch of the Initiative in FY 2018, the Division has opened a record number of investigations and filed twice as many sexual harassment in housing complaints as it filed in all of FY 2017 and as many as the highest total number of complaints it has filed in any of the last five fiscal years.

One recent case highlights the nature and importance of the Initiative's work. On April 11, 2018, the United States filed *United States v. Waterbury* (N.D.N.Y.). The complaint alleges that Douglas Waterbury, a residential property owner and landlord in the Oswego, New York area, sexually harassed female tenants and potential tenants. The suit alleges that in one instance Waterbury locked a prospective tenant—who was a teenager at the time—in a rental unit, lifted her shirt and felt her breasts, pushed her onto a couch, engaged in unwelcome and painful sexual intercourse and oral sex with her, and instructed her not to tell anyone what had just happened. This case is in active litigation.

On February 28, 2018, the Division announced the formation of the Sexual Harassment in the Workplace Initiative (SHWI), which will address sexual harassment in the public sector workplace and build on the Division's already robust enforcement in this area. The SHWI seeks to increase litigation of sexual harassment claims against state and local government employers by taking a more aggressive approach to the investigation of charges referred by the Equal Employment Opportunity Commission (EEOC). Since the SHWI began, the Division has filed *United States v. City of Houston*, a suit alleging sex harassment in the Houston Fire Department.

The SHWI seeks to develop tools to hold state and local government employers accountable for sexual harassment, including by identifying changes to existing practices and policies that will result in work environments that are free from sex harassment and discrimination. As part of the SHWI, the Division will conduct outreach to state and local government employers. Outreach will focus on:

- creating trusted and safe avenues for employees to report sexual harassment;
- ensuring management support for anti-discrimination policies and practices;
- implementing accountability measures to ensure the timely and effective resolution of sexual harassment complaints;
- adopting comprehensive anti-sexual harassment policies and procedures that include regular, tailored, and interactive training for employees; and
- providing safeguards against retaliation for persons who report sexual harassment and for employees who support them.

In addition, on December 21, 2018, the Division signed a Memorandum of Understanding (MOU) with the EEOC. The MOU will strengthen the Division's efforts to prevent, investigate, and prosecute sexual harassment in state and local governments. The MOU includes provisions for the expedited coordination of any charge involving state or local government employers where the EEOC's preliminary investigation of a charge reveals that immediate action is needed to prevent further harm. In those cases, the EEOC will provide the Justice Department with the information necessary to obtain an injunction, temporary or preliminary relief, in federal court for the affected employees, pending the final outcome of the charge.

The Division's Educational Opportunities Section will continue its work to protect students from sexual harassment and assault in K-12 schools and institutions of higher learning, including through new investigations and through the monitoring of existing settlement agreements.

Finally, the Division is increasing its efforts to protect individuals in correctional facilities from exploitation, discrimination, and violence. In FY 2020, the Division will focus efforts on an initiative to address the sexual abuse of prisoners, pretrial detainees, and juveniles in custodial settings. This initiative will protect the constitutional rights of people in custody and help further the goals of the Prison Rape Elimination Act (PREA) by preventing, detecting, and responding to custodial sexual abuse. In line with these priorities, in FY 2018, the Division opened two investigations of alleged sexual abuse of women prisoners. In addition, the Division continues to enforce approximately 15 agreements with state and local governments concerning a variety of civil rights concerns in conditions in adult jails and prisons.

Working to Eliminate Race Discrimination

Last year, the Division and the Department commemorated the 50th anniversary of the tragic assassination of Dr. Martin Luther King, Jr. Every section of the Civil Rights Division plays a role in seeking to make Dr. King's vision of a nation free from racial prejudice a reality.

The Division enforces numerous civil and criminal statutes that protect against discrimination on the basis of, or violence motivated by, race. For example, since the passage of the Fair Housing Act, the Division has been at the forefront of enforcing its protections,

eliminating discrimination on the basis of race in housing, and vindicating the rights of people across the country.

In May 2018, the Division settled a race and national origin lawsuit brought under the Fair Housing Act and the Equal Credit Opportunity Act. The Division and the defendant, KleinBank, agreed that KleinBank would ensure that its mortgage lending services are made available on a non-discriminatory basis. The settlement also required the bank to expand its banking services in predominantly minority neighborhoods.

Last March, the Division successfully secured the conviction of a man for committing a federal hate crime when he used a stun device during the racially-motivated assault of a neighbor at his apartment complex in Draper, Utah. The evidence presented at trial showed that the defendant yelled a racial slur at the victim's 7-year-old son as the boy rode on a scooter in a common area at the apartment complex, used a racial slur against the victim, and used a stun cane to injure the victim.

In August 2018, the Division's Housing and Civil Enforcement Section successfully settled a lawsuit against the Village of Tinley Park, Illinois, a suburb of Chicago, alleging that it violated the Fair Housing Act when it refused to approve a low-income housing development in response to race-based community opposition. The settlement required the Village to pay \$410,000 and take a number of actions to guard against further housing discrimination, including training elected officials and individuals involved in the planning process, developing a fair housing policy, and hiring a fair housing compliance officer.

Multiple sections of the Division work to eliminate discrimination on the basis of race in the workplace. The Division's Employment Litigation Section enforces Title VII of the Civil Rights Act of 1964 and seeks to eliminate race, color, and other forms of workplace discrimination. The Division's MOU with the EEOC will strengthen the Division's efforts to prevent, investigate, and prosecute race discrimination, including racial harassment, and other alleged violations by state and local governments.

The Division has also successfully litigated Title VII lawsuits across the nation. For example, in August 2018, the Division settled a Title VII race discrimination lawsuit against Mississippi Delta Community College. The College agreed to pay \$75,000 in back pay and compensatory damages to the alleged victim and to implement appropriate training on identifying and correcting unlawful discrimination.

In a case against the City of Jacksonville, Florida, the Division successfully prosecuted and settled a Title VII race discrimination case about the City's promotional practices for positions in the Jacksonville Fire and Rescue Department. The settlement obligated the City to offer settlement promotions to qualified African Americans and to establish a \$4.9 million settlement fund for eligible claimants.

In February 2018, the Division successfully settled a race, color, and national origin discrimination case brought under Title II of the Civil Rights Act of 1964. In that case, the Division reached a settlement to resolve a lawsuit against the owners and operators of 360 Midtown, a sports bar and lounge located in Houston, Texas. The settlement resolved a lawsuit

that alleged that the sports bar engaged in a pattern or practice of illegal conduct by implementing discriminatory practices to discourage or deny admission to African-American, Hispanic, and Asian-American patrons. The alleged practices included selectively imposing cover charges against minority patrons and selectively enforcing a dress code against them.

The Division's Criminal Section vigorously pursues prosecutions of those who, motivated by race, engage in acts of violence and intimidation. The Division's Voting Section likewise will continue vigorously to enforce the race-discrimination protections of the Voting Rights Act. Finally, the many investigators, paralegals, information-technology professionals, and administrative staff in the Division work tirelessly to support this work.

The Division is committed to continue its efforts to eliminate race discrimination in this Countycountry.

Improving Division Operations

To enforce the law effectively, the Division must constantly adapt and improve. That means empowering our staff to look for new and better ways of doing their jobs and ensuring that administrative services—personnel support, budget, and information technology—align with our mission. It also means effectively managing our workforce.

In May 2015, the Division launched its Innovation Initiative. Now in its third year, the Initiative continues to focus on improving the Division's ability to enforce federal civil rights laws by developing and launching new ideas and actions that fundamentally improve how we do business. The Initiative:

- Empowers internal innovation by encouraging employees to develop and implement innovative solutions to common challenges and making innovation a key principle of new Division-level management initiatives;
- Solves “sticky” challenges using structured methods like design thinking, lean, and behavioral science; and
- Connects the Civil Rights Division to the broader community of innovators in government, academia, and industry.

The Initiative brings a strategic vision to the process of making the Civil Rights Division a more effective and efficient part of government. Here are some examples of how we are transforming the way we work.

Consolidating Our Workforce. Currently, the Division works out of four buildings spread across Washington, D.C. In mid-2019, the Division will consolidate 95% of our workforce in a single location in Northeast D.C. This will be the first time Division staff has been located in one building in more than two decades.

There is an inextricable link between space, culture, and performance. The Initiative is using our move to a single location to transform how the Division works. This includes:

- Enhancing our identity as one Division by creating a space that reflects our core values and promotes collegiality and collaboration between colleagues; and
- Enhancing how we work by adopting user-centered approaches to delivering shared services (information technology, litigation support, etc.), and managing documents through digitization.

Concept Lab. The Concept Lab is an idea incubator that puts employees in a fast-paced, entrepreneurial setting as they tackle tough problems. In 2017 and 2018, members of one Concept Lab team challenged themselves to help women who experience sexual harassment by housing providers. Available data suggests that up to 80% of women who experience such harassment do not report it. This team wanted to change that dynamic. The team focused on exploring new approaches that would help increase the likelihood that victims of sexual harassment would file complaints. The team spoke with and researched the accounts of survivors of sexual assault. They spoke with organizations and experts with extensive expertise on the issue and conducted small but meaningful tests to see what approaches might actually encourage women to come forward to report harassment. Eventually, the team launched a national campaign, which became the Sexual Harassment in Housing Initiative that I discussed previously.

Online Complaint Portal. The Division has initiated a project that will streamline the process for citizens wanting to connect with the Civil Rights Division. The Division intends to build an internet-based portal that: 1) offers a unified and efficient means for citizens to report discrimination; and 2) improves the Division's ability to assess and respond to complaints.

Conclusion

Mr. Chairman, Congressman Aderholt, and other distinguished Members of the Subcommittee, I would like to close by thanking you for this opportunity to discuss the Division's FY 2020 budget request and the work of the Civil Rights Division. We are grateful for this Committee's leadership and the support it has provided to the Division. Your willingness to invest in and support our workforce allows us to pursue the Division's mission and the priorities I have discussed today. Thank you for your support.

I look forward to answering any questions you may have.