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October 18, 2010

The Honorable Eric Holder
Attorney General of the United States

Mr. Tom Perez
Assistant Attorney General, Civil Rights Division

U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Gentlemen:

I am writing to call your attention to a very serious problem that has arisen on the first day of Early Voting in Harris County, Texas. I know your office has been alerted to the potential for voter intimidation and voter suppression in Harris County, and we are seeing it already on Day One of voting.

We have received a number of credible reports of coordinated voter intimidation efforts directed at early voting polls located in predominantly minority areas and minority voters in predominately Anglo early voting locations, apparently being undertaken by a group known as the King Street Patriots.

The reports all complain of illegal and confrontational conduct by poll watchers in these primarily minority voting locations, including: following voters into voting stations and seeking to observe how voters vote; arguing with the voters when they complain of the watchers being there; watchers trying to communicate with voters and watchers getting in the way of election workers seeking to do their work, rather than just observing, or otherwise disrupting the electoral process, including blocking lines for voters to get into the room where voting is taking place.

We have received these complaints from the Sunnyside early voting location, the Kashmere Gardens site, and the Moody park location, polling places located in African American and Hispanic neighborhoods. At Kashmere Gardens, Bruce Austin, a longtime trustee of the Houston Community College, reports that a poll watcher was "hovering over" him as he voted. He asked the man to permit him privacy as he voted, but the watcher was confrontational and threatening. Mr. Austin can be reached at 713-859-8415.

We have subsequently received at least one other report (from Roy Mirant -713-817-9285) complaining that poll watchers are hovering behind voters and watching them vote in the voting booths.

At the Moody Park location, we received two independent reports of poll workers "getting into election workers faces" (Chris Watson, 713-234-0503) and "disrupting, arguing, and blocking line for voters to get into poll" (Barbara Ashley, 832-693-9279).

At the Sunnyside location, we received a report from longtime election judge Willie Belle Boone (713-870-5112) that there have been numerous complaints from voters of similar disruptive and intimidating conduct by poll workers at that location. There was a similar report from Cheryl Thornton (713-304-1046), but Ms. Thornton is a candidate on the ballot.

At the Tracy Gee early voting site, alternate presiding judge Guyleene Ebersole has reported poll watchers are talking to voters and election workers and getting in the way.

We have also received a report from Velma Humphrey (832-287-4073) that at the Baytown Multi-Service Center early voting location, the poll watcher is standing next to the voting machines while voters cast ballots and is "intimidating voters."

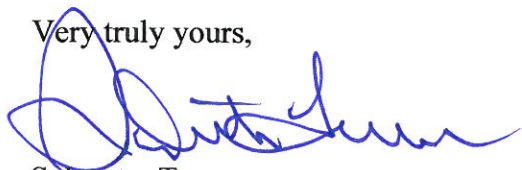
I am familiar with most of the people identified above and they are all credible people.

In addition to provisions of federal law prohibiting intimidation of or interference with voters (especially when based on race or ethnicity as is the case here); the conduct of poll watchers is governed by Chapter 33 of the Texas Election Code. Section 33.057(b) thereof provides that "A watcher may not be present at the voting station when a voter is preparing the voter's ballot or is being assisted by a person of the voter's choice." Section 33.058 (a) provides that "While on duty, a watcher may not (1) converse with an election officer regarding the election, except to call attention to an irregularity or violation of law; (2) converse with a voter; or (3) communicate in any manner with a voter regarding the election." Section 33.058(b) prohibits a watcher from communicating with an election officer other than the presiding officer if the subordinate officer chooses not to discuss the matter with the watcher.

Recognizing that poll watchers are a part of our process but voters have a right to cast their vote without being harassed or intimidated, I am requesting that the United States Department of Justice investigate these complaints and take such actions as may be necessary to assure that federally protected voting rights are preserved and defended.

Please feel free to call upon me if I can be of any assistance to your office in documenting and eradicating these illegal activities.

Very truly yours,



Sylvester Turner
Texas State Representative