National Urban League

Empowering Communities.
Changing Lives.
For An Equitable Future.

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The Honorable Kristen Clarke
Assistant Attorney General for Civil Rights
U.S. Department of Justice, Civil Rights Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Assistant Attorney General Clarke,

The National Urban League writes to express our concern about actions the Texas Attorney General has taken against organizations that serve the Latino community and register voters. We believe the tactics used by Texas Attorney General Ken Paxton are an attempt to suppress the Latino vote through intimidation and harassment, in violation of the Voting Rights Act and federal civil rights laws. We ask the Civil Rights Division of the Department of Justice (DOJ) to open an investigation into the actions of the Texas Attorney General and his office.

Last February, Paxton's office attempted to shutter Annunciation House, one of the oldest and largest migrant shelters on the U.S.-Mexico border, before his efforts were blocked by an El Paso judge. The judge expressed concern that the Attorney General's office had not identified which laws Annunciation House allegedly broke[1] and accused Paxton's office of "harassment and overreaching," "ulterior political motives,"[2] and running "roughshod" over the shelter "without regard to due process or fair play"[3] before ultimately ruling that Paxton's actions violated the Fourth Amendment of the U.S. Constitution and the Texas Religious Freedom Restoration Act.[4] A month later Paxton accused the Catholic Charities of the Rio Grande Valley of criminal violations and tried to force representatives of the organization to sit for depositions before a Hidalgo County

[1] Valerie Gonzalez, *Judge's ruling protects migrant shelter on US-Mexico border and accuses Texas of harassment*, AP NEWS (July 2, 2024) https://apnews.com/article/migrant-shelter-texas-paxton-d9eeafdc00fdd2b555aafceb515a93e8.

[2] Aaron Martinez, *Judge: Texas AG's office acted "unprofessionally" in request for Annunciation House records,* EL PASO TIMES (March 7, 2024) https://www.elpasotimes.com/story/news/immigration/2024/03/07/court-hearing-on-annunciation-house-documents-ends-without-ruling/72884552007/.

[3] Order Annunciation House Inc., v. Ken Paxton, 2024 DCV 0616 (Mar. 11, 2024) https://www.documentcloud.org/documents/24476263-judge-blocks-texas-attorney-generals-administrative-subpoena.

[4] Aleja Hertzler-McCain, *Catholic Rio Grande Valley migrant shelter wins victory against Texas AG*, NATIONAL CATHOLIC REPORTER (July 26, 2024) https://www.ncronline.org/news/migration/catholic-rio-grande-valley-migrant-shelter-wins-victory-against-texas-ag.

judge ruled against the request, finding the organization had sufficiently complied with multiple requests for information.[5]

Now, Paxton is targeting one of our country's largest and oldest Hispanic organizations, the League of United Latin American Citizens (LULAC). At 6:00 AM on August 20, 2024, 87-year-old LULAC member Lydia Martinez was awoken by 7-8 armed officers demanding to enter her home. Equipped with a search warrant authorized by Attorney General Paxton, the officers forced Ms. Martinez to stand outside in her nightgown in full view of her neighbors while they raided her home and searched through her personal belongings. Officers then interrogated Ms. Martinez for over three hours before seizing her voting materials, personal calendar, and coercing her into sharing the passwords to her personal devices. Ms. Martinez and her family have said that they are traumatized by the raid and are now afraid to engage in civic activities.

To rationalize his heavy-handed tactics, Paxton alleges that Latino organizations are facilitating illegal entry into the U.S. and registering noncitizens to vote. However, courts continue to dismiss cases brought by his office, finding no basis for the alleged wrongdoing. His actions are better understood within the context of Texas's long history of voter suppression. Beginning with the "white primary" system that prevented Black and Latino residents from voting in primary elections to aggressive gerrymandering and restrictive voter identification laws, leaders in Texas have continually tried to dilute the voting power of our communities in violation of federal law.

We urge the DOJ Civil Rights Division to open an investigation to determine whether Texas Attorney General Ken Paxton is targeting minority communities in violation of the Voting Rights Act or any other federal civil rights laws. His actions in the examples discussed in this letter appear to target Latino organizations and lay the groundwork for increasing voting restrictions. With a presidential election in less than 70 days, it is critical that DOJ protect the rights of Black and Latino communities to have equal access to the ballot box.

Thank you for considering our request. For more information, please contact Tara Muray, Executive Director of the Washington Bureau (tmurray@nul.org) and Jerika Richardson, Senior Vice President for Equitable Justice and Strategic Initiatives (jrichardson@nul.org).

Respectfully,

Marc H. Morial
President and Chief Executive Officer
National Urban League

[5] Dina Arevalo, *Judge denies Texas AG's request to depose Catholic Charities*, THE MONITOR (July 24, 2024) https://myrgv.com/publications/the-monitor/2024/07/24/judge-denies-texas-ags-request-to-depose-catholic-charities/#google_vignette.