



Highlights of [GAO-10-75](#), a report to congressional requesters

Why GAO Did This Study

The Civil Rights Division (Division) of the Department of Justice (DOJ) is the primary federal entity charged with enforcing federal statutes prohibiting discrimination on the basis of race, sex, disability, religion, and national origin. GAO was asked to review the Division's enforcement efforts. This report addresses the activities the Division undertook from fiscal years 2001 through 2007 to implement its enforcement responsibilities through four of its sections (1) Employment Litigation, (2) Housing and Civil Enforcement, (3) Voting, and (4) Special Litigation. To conduct our review, GAO analyzed data on cases filed in court and matters (e.g., a referral or allegation of discrimination) investigated. To supplement this analysis, GAO also reviewed a sample of closed matter files (about 210 of 5,400). GAO randomly selected matters investigated under different statutes for each section and considered the government role (e.g., plaintiff or defendant) and type of issues investigated (e.g., the nature of the alleged discrimination or violation) to ensure that the sample reflected the breadth of the work and practices of each section. While not representative of all closed matters, the sample results provided examples of why matters were closed. Additionally, GAO analyzed complaints and other relevant court documents for a comparable number of cases filed as plaintiff by each section, as well as DOJ documents, such as annual reports, that described the Division's enforcement efforts.

[View GAO-10-75 or key components.](#)
For more information, contact Eileen R. Larence at (202) 512-8777 or larencee@gao.gov.

U.S. DEPARTMENT OF JUSTICE

Information on Employment Litigation, Housing and Civil Enforcement, Voting, and Special Litigation Sections' Enforcement Efforts from Fiscal Years 2001 through 2007

What GAO Found

From fiscal years 2001 through 2007, the Employment Litigation Section initiated more than 3,200 matters and filed 60 cases as plaintiff under federal statutes prohibiting employment discrimination. About 90 percent of the matters initiated (2,846 of 3,212) and more than half of the cases filed (33 of 60) involved individual claims of discrimination. Of these cases, more than half (18 of 33) alleged sex discrimination against women. The Section filed 11 pattern or practice cases—cases that attempt to show that the defendant systematically engaged in discriminatory activities. Nine of these cases involved claims of discrimination in hiring, and the most common protected class (i.e., class of individuals entitled to statutory protection against discrimination, such as national origin or gender) was race (7 of 11).

From fiscal years 2001 through 2007, the Housing and Civil Enforcement Section initiated 947 matters and participated in 277 cases under federal statutes prohibiting discrimination in housing, credit transactions, and certain places of public accommodation (e.g., hotels). Nearly 90 percent (456 of 517) of the Fair Housing Act (FHA) matters were initiated under its pattern or practice authority. The largest number of the FHA matters involved allegations of discrimination based on race (228) or disability (206). The majority (250 of 269) of the cases that the Section filed as plaintiff included a claim under the FHA and primarily involving rental issues (146 of 250). Most of the cases alleged discrimination on the basis of disability (115) or race (70).

From fiscal years 2001 through 2007, the Voting Section initiated 442 matters and filed 56 cases to enforce federal statutes that protect the voting rights of racial and language minorities, disabled and illiterate persons, and overseas and military personnel and addressed such issues as discriminatory voter registration practices. The Section initiated most matters (367 of 442) and filed a majority of cases (39 of 56) as plaintiff under the Voting Rights Act. These matters (246 of 367) and cases (30 of 39) were primarily filed on behalf of language minority groups. The Section spent about 52 percent of its time on reviews of proposed changes in voting procedures (e.g., moving a polling place) submitted by certain jurisdictions covered under the act, as compared with cases (about 33 percent) or matters (about 14 percent).

From fiscal years 2001 through 2007, the Special Litigation Section initiated 693 matters and filed 31 cases as plaintiff to enforce federal civil rights statutes in four areas—institutional conditions (e.g., protecting persons in nursing homes or jails), conduct of law enforcement agencies (e.g., police misconduct), access to reproductive health facilities and places of worship, and the exercise of religious freedom of institutionalized persons. Of the matters initiated and closed (544 of 693), the largest numbers involved institutional conditions (373) and conduct of law enforcement agencies (129). The cases filed (27 of 31) primarily involved institutional conditions.

DOJ provided technical comments, which GAO incorporated as appropriate.