

NEWS RELEASE

Luther Strange

Alabama Attorney
General



FOR IMMEDIATE RELEASE

November 4, 2011

For More Information, contact:

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Attorney General Strange Responds to U. S. Department of Justice

(Montgomery) - Attorney General Strange today responded to a letter released by Assistant Attorney General Thomas Perez which confirmed that the Department of Justice has no authority to compel Alabama School Superintendents to provide information requested by Perez' office earlier this week. In a letter to Acting State School Superintendent Larry Craven, Attorney General Strange stated:

'Mr. Perez has not disclosed any legal authority which would compel the school superintendents to provide the extensive information he previously requested.'

In his response to Perez, Attorney General Strange stated that Alabama, too, is interested in protecting Alabama school children from unlawful activity. Strange requested the Department of Justice to share with his office any information that might indicate that Alabama laws have been violated.

Copies of the letters to Craven and Perez are attached.

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U.S. Department of Justice

Civil Rights Division

Office of the Assistant Attorney General

Washington, D.C. 20530

NOV - 4 2011

Via Electronic Mail

The Honorable Attorney General Luther Strange
State of Alabama
Office of the Attorney General
P.O. Box 300152
Montgomery, AL 36130-0152

Dear Luther:

Thank you for your November 2 letter. We look forward to working with you to protect school-aged children and ensure that all children's rights to an education are properly enforced.

The Civil Rights Division of the Justice Department is tasked with investigating potential violations of civil rights laws that protect educational opportunities for schoolchildren. We know that the longstanding legal tradition in this country of ensuring the right to attend school without being subject to discrimination on any impermissible ground is as critically important to you, as the Attorney General of the State of Alabama, as it is to the Civil Rights Division.

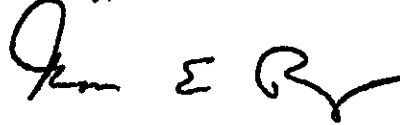
In this regard, the Civil Rights Division has recently received complaints in Alabama that may implicate some of the non-discrimination statutes related to education that the U. S. Attorney General has express authority to investigate and enforce, including Title IV of the Civil Rights Act of 1964, 42 U.S.C. § 2000c-6, and the Equal Educational Opportunities Act, 20 U.S.C § 1703. We requested information from Alabama school districts to review compliance with those statutes.

We understand that Alabama released to the press this week statewide student enrollment data covering the past several school years. Our request for student enrollment data is a similar effort to get a fuller picture of what is occurring in school districts around the State.

Separately, it is our understanding that you do not represent the school districts that we have contacted. Please let us know if that understanding is correct, so that we may proceed accordingly.

As we receive additional information, the Civil Rights Division and other Federal agencies will be evaluating the potential for violation of Federal laws in Alabama, including civil rights laws – the Fair Housing Act, the Safe Streets Act, the Violent Crime Control and Law Enforcement Act, the Fair Labor Standards Act, and Title VI of the Civil Rights Act, among others. Any subsequent inquiries regarding these matters would be in furtherance of our obligation to monitor compliance with these laws.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tom E. Perez', written in a cursive style.

Thomas E. Perez
Assistant Attorney General



STATE OF ALABAMA
OFFICE OF THE ATTORNEY GENERAL

LUTHER STRANGE
ATTORNEY GENERAL

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MONTGOMERY, AL 36130-0152
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November 4, 2011

VIA ELECTRONIC TRANSMISSION
AND U. S. MAIL

Honorable Thomas E. Perez
Assistant Attorney General
Civil Rights Division
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Re: *United States v. Alabama*, Case No. 2:11-cv-02746-SLB (N.D. Ala., pending).

Dear Tom:

Thank you for your letter of today's date, which I understand to confirm that your Office asserts no legal authority to *compel* production of the information that you are seeking. Your understanding with respect to our representation in the immigration litigation is correct: We represent the State of Alabama and the State Superintendent of Education.

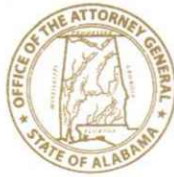
In your letter, you offer to work together to ensure that children's rights to education are protected. My office is determined to see that our school children are protected from unlawful activity. Toward that end, would you please share with me any complaints that your division has recently received in Alabama? Perhaps that would help us to begin a joint endeavor. I look forward to hearing from you soon.

Sincerely,

A handwritten signature in blue ink that reads "Luther Strange".

Luther Strange
Attorney General

cc: Hon. Tony West, Assistant Attorney General, Civil Division, USDOJ
Hon. Joyce White Vance, U.S. Attorney for the Northern District of Alabama
Hon. Beth S. Brinkmann, Deputy Assistant Attorney General, Civil Division, USDOJ
Hon. C. Lee Reeves, II, Trial Attorney, Civil Division, USDOJ



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November 4, 2011

Via Electronic Transmission

Hon. Larry E. Craven
Interim State Superintendent of Education
Alabama State Department of Education
Post Office Box 302101
Montgomery, Alabama 36130-2101

Re: *United States v. Alabama*, Case No. 2:11-cv-02746-SLB (N.D. Ala., pending).

Dear Larry:

Attached is the response I received today from Tom Perez. Mr. Perez has not disclosed any legal authority which would compel the school superintendents to provide the extensive information he previously requested.

I hope this is helpful to you in giving guidance to the superintendents. Let me know if I can be of further assistance to you.

Sincerely,

A handwritten signature in blue ink that reads "Luther Strange".

Luther Strange
Attorney General