



Senator Feinstein Announces Support for Legislation to Outlaw Voter Deception and Intimidation Practices

- Measure would criminalize intimidation practices discovered last year in Orange County -

February 1, 2007

Washington, DC – U.S. Senator Dianne Feinstein (D-Calif.), today announced her support of legislation to outlaw voter deception and intimidation practices. Senator Feinstein serves as Chairman of the Senate Rules and Administration Committee, which has oversight authority over election reform issues.

Last year, roughly 14,000 Democratic voters with Spanish surnames in California's 47th District, (which includes parts of Orange County), received letters before the Nov. 7 election falsely warning that immigrants could face jail time or deportation for voting.

“It is a constitutional prerogative enjoyed by every legal U.S. citizen to vote, free from intimidation,” Senator Feinstein said. **“Any campaign or independent organization that attempts to engage in these deceptive practices to keep voters from casting their ballot should be forewarned: You will face criminal penalties.”**

This legislation, which is sponsored by Senators Barack Obama (D-Ill.) and Charles Schumer (D-N.Y.), would effectively criminalize these types of efforts to knowingly communicate, within 60 days of an election, false information about the time and place of elections, voter eligibility and registration rules, and endorsements by a person or organization.

In order to put an end to deceptive practices, the bill would:

- Criminalize deceptive practices in elections, with penalties of up to \$100,000 or five years imprisonment, or both;
- Increase the maximum criminal penalty for voter intimidation from one year to five years imprisonment;
- Provide for civil enforcement of the ban on deceptive practices and create a private right of action for aggrieved parties to seek injunctive relief; and

- Require the Attorney General, after each federal election, to report to Congress on the allegations of deceptive practices, the actions taken to correct deceptive practices, and any prosecutions resulting from allegations of deceptive practices.

The bill would further stipulate that the government take proactive measures to counteract deceptive practices by requiring the Department of Justice to provide voters with accurate election information when allegations of deceptive practices are confirmed.

It would also require the Attorney General to develop ways to disseminate corrective election information, in consultation with civil rights organizations, voter protection groups, state and local election officials, and other interested community organizations.

Finally, the bill would require the Attorney General, with the Federal Communications Commission and the Election Assistance Commission, to study the feasibility of using public broadcast systems to provide corrective election information.

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