

**SUPPORT FOR REQUEST FOR
U.S. DEPARTMENT OF JUSTICE
TO INVESTIGATE VOTING RIGHTS ACT VIOLATIONS**

- In 2003, the Alabama Legislature passed a bill legalizing the operation of electronic bingo in Greene County, Alabama, which at the time, was one of the most impoverished counties in Alabama.
- The bill became Amendment 743 to the Constitution of Alabama and specifically authorized:
 - (1) the use of electronic equipment in the operation of bingo in Greene County, Alabama; and
 - (2) the Sheriff of Greene County as the sole law enforcement officer with the responsibility to regulate bingo in the County.
- Amendment 743 was pre-cleared by the United States Attorney General on October 29, 2003.
- The Citizens of Greene County overwhelmingly voted in favor of Amendment 743 on November 4, 2003.
- Then Governor of the State of Alabama, Bob Riley, executed the Proclamation for Amendment 743 in 2004.
- Since 2004, in accordance with Amendment 743, some 80 nonprofit organizations licensed by the Sheriff of Greene County, have operated electronic bingo games at the Greenetrack, Inc. facility ("Greenetrack"), located in Eutaw, Alabama.
- Those nonprofit and charitable organizations provided critical services and benefits to the citizens of Greene County, including: Emergency 911; fire fighting services; and funding for scholarships.
- The enactment of Amendment 743 also resulted in the creation of hundreds of jobs in Greene County
- The citizens of Greene County fought along with other disenfranchised African American Alabamians for the passage of the federal Voting Rights Act of 1965.
- The citizens of Greene County exercised their hard fought and hard won right to vote when they voted in favor of Amendment 743.
- Amendment 743 remains in full force and effect today and has never been invalidated by any Alabama or other Court, including the Supreme Court of Alabama.
- Last year on or about July 1, 2010, a Task Force specifically empowered by then Governor, Bob Riley, raided Greenetrack, Inc. and seized over 825 electronic bingo

machines prior to any determination by a court of competent jurisdiction that the machines were not in compliance with the governing regulations of the Sheriff of Greene County or other valid law.

- The raid and seizure by Governor Riley's Task Force constituted a taking of property without due process of law in violation of the Alabama and United States Constitutions.
- The actions of the Governor's Task Force also nullified the votes of the Citizens of Greene County in enacting Amendment 743 in violation of the Voting Rights Act.
- Based upon this unlawful and unconstitutional seizure of property, the 80 charitable organizations were compelled to stop operating electronic bingo which resulted in the cessation of critical services to the citizens of Greene County.
- This was a devastating blow to the economy of Greene County, including, but not limited to, the loss of hundreds of jobs at the Greenetrack, Inc. facility.
- In November 2010, Robert Bentley and Luther Strange were elected Governor and Attorney General of the State of Alabama respectively.
- Both Bentley and Strange campaigned on their public statements that they would not employ the same type tactics used by the Task Force to confiscate property without due process. They pledged to the people that the issue of the legality of electronic bingo would be decided in the courts in accordance with the governing local amendments.
- After officially assuming their positions in January 2011, Governor Bentley and Attorney General Strange continued to pledge that the issue of the legality of specific electronic bingo machines would be determined by the courts based upon local constitutional authority.
- Governor Bentley specifically represented that if local Constitutional Amendments authorized the operation of electronic bingo, the will of the people would be respected. The Governor also reiterated his view that the governance of bingo was a local law enforcement issue and not a matter for state intervention, as executed by Governor Riley's Task Force.
- After Governor Bentley assumed office, he disbanded the State Task Force.
- Based upon the representations of Governor Bentley and Attorney General Strange the non-profit charitable organizations began to operate bingo again on March 18, 2011, at the Greenetrack Facility. The new electronic equipment at the Greenetrack facility used to play the game of bingo had been inspected and declared legal by the Sheriff of Greene County, the Constitutionally authorized regulator of bingo in Greene County, and the Greene County District Attorney prior to their being placed in operation.
- Greenetrack officials and representatives met with Attorney General Strange and his staff, and a representative from the Governor's office on multiple occasions to work

through the logistics of having the legality of the electronic bingo machines validated by the courts without once again adversely impacting the fragile Greene County economy.

- Notwithstanding the representations of the Office of the Governor and Attorney General that they sought a peaceable resolution of the issue of the legality of electronic bingo in Greene County, on June 1, 2011, more than 50 agents from the Alabama Attorney General's Office, the Alabama Alcoholic Beverage Control Board and the Alabama Department of Public Safety converged on Greenetrack and seized 700 electronic bingo machines which had been declared legal by the Sheriff and District Attorney of Greene County. No local law enforcement or Judicial Officers of Greene County were involved in this action.
- The Sheriff of Greene County was not involved in the seizure of the electronic bingo machines; the Greene County District Attorney was not involved in the decision to seize the property; and no judge elected by the citizens of Greene County was involved in the decision to seize the machines.
- The actions of the Offices of the Governor and Attorney General on June 1, 2011 once again constituted a taking of property by the State without due process.
- The actions of the Offices of the Governor and Attorney General on June 1, 2011, in confiscating the electronic bingo machines at the Greenetrack facility, nullified the votes cast by the qualified elections of Greene County for Amendment 743.
- The actions of the Offices of the Governor and the Attorney General on June 1, 2011, clearly told the citizens of Greene County that their votes do not count.
- The purpose of the Voting Rights Act is to ensure that the rights of all citizens to cast meaningful votes shall be preserved and protected by the United States Constitution.
- The actions of the office of the Governor and the Attorney General on June 1, 2011, resulting in the nullification of the votes of the Citizens of Greene County in enacting Amendment 743 once again constituted a violation of the Voting Rights Act by the State of Alabama.
- The actions of the offices of the Governor and the Attorney General on June 1, 2011, resulted in the disenfranchisement of the Citizens of Greene County and usurpation of the Constitutional authority of the Sheriff of Greene County to regulate electronic bingo.
- The State of Alabama has deprived the Citizens of Greene County of their rights protected by the federal and state Constitutions, as well as the Voting Rights Act.
- Neither the Office of the Governor nor the Office of the Attorney General sought pre-clearance from the U.S. Department of Justice prior to embarking upon the actions taken on June 1, 2011.
- Therefore, in order to ensure that the rights of the Citizens of Greene County to cast meaningful votes is preserved and protected by the United States Constitution, justice

demands that the United States Department of Justice intervene to investigate and prosecute these voting rights atrocities.