



Inspector General Investigates DOJ

In 2008, two members of the New Black Panther Party stood outside a Philadelphia polling center attired in military uniforms, bearing a nightstick and harassing white voters as they entered the polling center. The entire incident was captured on video, virtually giving the prosecution an open-and-shut case. However, one month after the Justice Department received a default judgment against the two men, the DOJ moved to dismiss the charges against one of the Black Panthers, citing insufficient evidence. For the Black Panther holding the nightstick in the video, the Justice Department pursued an injunction, which simply barred him from visiting a Philadelphia polling station for two years.



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Controversy over the DOJ's decision was heightened when a former Justice Department attorney, J. Christian Adams, accused the Justice Department of playing race politics by failing to prosecute the new Black Panthers simply because they were minorities. Adams claimed that the DOJ was admittedly unwilling to prosecute cases in which the assailants were non-white. According to Adams, the DOJ bore "open hostility toward equal enforcement in a colorblind way" of the voting rights laws.

Naturally, the Justice Department denied the allegations. Democrat Michael Yaki contended that Adams' testimony was "not credible" during a Civil Rights Commission hearing. Tom Perez, head of the DOJ's Civil Rights Division, asserted that the Department of Justice "is firmly committed to the evenhanded application of the law, without regard to the race of the victims or perpetrators of unlawful behavior."

The controversy prompted Republicans to call for an investigation of the Department of Justice for more than a year. House Judiciary Committee Ranking Member Lamar Smith and Representative Frank Wolf wrote letters to the Inspector General, imploring his office to investigate the DOJ's enforcement of civil rights laws.

In a letter addressed to Smith and Wolf, the Justice Department's Inspector General Glenn Fine announced his department's intention to investigate the DOJ. "This review will examine, among other issues, the type of cases brought by the Voting Section and any changes in these types of cases over time, any changes in Voting Section enforcement policies or procedures over time, whether the Voting Section has enforced the civil rights laws in a non-discriminatory manner; and whether any Voting Section employees have been harassed for participating in the investigation of prosecution of particular matters."

However, Fine emphasized that his office does not possess the legal authority to investigate the Black Panther voter intimidation case specifically, but that his investigation will look "more broadly at the



Written by [Raven Clabough](#) on September 14, 2010

overall enforcement of civil rights laws by the Voting Section,” which includes “information about cases such as the New Black Panther matter and others.”

Fine adds that the Justice Department’s Office of Professional Responsibility does have the authority to investigate the Black Panther case, and is in fact “near the end” of its analysis. Likewise, the United States Commission on Civil Rights is in the process of investigating the case.

According to conservative pundit Michelle Malkin, with Fine at the helm of the investigation, Republicans can be assured of a fair and unbiased examination of the Justice Department’s dealings. “Fine is a veteran IG whose meticulous work I cited in-depth in *Invasion*,” she writes.

Reportedly “pleased” with Fine’s announcement, Smith responded, “Recent allegations of politicization within the Justice Department raise serious concerns. In order to preserve equality under the law, we must ensure that the Justice Department enforces the law without prejudice. I look forward to seeing the results of Inspector General Fine’s review of this matter.”

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