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November 1, 2007

VIA E-MAIL AND FACSIMILE
VIA FEDERAL EXPRESS AND
UNITED STATES MAIL

Sam L. Brannen, Esq.
City Attorney
29 North Main
P.O. Box 905
Statesboro, GA 30459-0905

Re: Voting Rights of Students

Dear Sam:

I am writing to follow up on our conversation of November 1, 2007. As you know, during at least some of the early voting period for the current election, students believe they have faced intimidation by police officers when they tried to vote at Statesboro City Hall. Not only have uniformed police officers stationed at the polling place – with no apparent legitimate reason for their presence, such as the likelihood of a potential disruption at the polls – but they have engaged in discussions with students and attempting to prevent them from exercising their right to vote.

The mere presence of police officers at the polling place can often have an intimidating effect. The Statesboro police have gone beyond that and have actively interfered with the election process. I have heard accounts from local residents of several such incidents involving police officers. For example, one police officer told a student that if he did not update his ID to reflect his residency in Bulloch County, the police officer would give him a ticket the next time he pulled him over. Another police officer demanded that a student show him where she lived on a map of the district and attempted to prevent her from voting. One student asked a police officer to have a candidate stand over 150 feet from the polling place, as the candidate was legally required to do, but the police officer refused to act upon this reasonable request.

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This sort of action must not be condoned by the city. Police presence at the polls is a classic example of voter intimidation. Even assuming the police officers are present at a polling place for a legitimate reason – which is doubtful, since one police officer would not even carry out a proper function by asking a candidate to stand over 150 feet from the polling place – they are not poll workers and should not be permitted to check voters' IDs or otherwise attempt to determine whether a person attempting to vote is eligible to do so. As you may be aware, intimidating voters violates both Georgia and federal law. Georgia O.C.G.A. § 21-2-567; 42 U.S.C. § 1973i.

The voter challenge proceedings are under the jurisdiction of the Bullock County Registrar of Voters and the Board of Registrars. The City is not a party to the challenges, and its employees have no responsibility for gathering evidence to support any challenge. Therefore the reported use of City police for any purpose related to the challenges is improper.

Therefore, I ask that you inform the election supervisor that it is illegal for her to have police officers at the polls without justification. Furthermore, if there is some legitimate reason for their presence, the police officers must refrain from speaking with people who are attempting to vote.

Thank you for your attention in this matter and for your commitment to protecting the basic right of your city's residents to vote in this week's elections.

Sincerely yours,



Charles T. Lester, Jr.

CTL/bew