

# TENNESSEE DEMOCRATIC VOTERS DEFENSE FUND

Request for Investigation of Possible Violations of Section 2 of the  
Voting Rights Act of 1965, 42 U.S.C. sections 1973-1973aa-6

Dear General Holder:

The masthead of the U.S. Department of Justice's website reads as  
follows:

THE COMMON LAW IS THE WILL OF MANKIND  
ISSUING FROM THE LIFE OF THE PEOPLE

On behalf of the Tennessee Democratic Voters Defense Fund, 2012, Tennessee Democratic Party nominee for U.S. Senate Mark Clayton, and Bishop Felton M. Smith, we respectfully call upon you to conduct an investigation of Tennessee Democratic Party Chairman Chip Forrester and other Tennessee Democratic Party bosses working with him for violation of Section 2 of the Voting Rights Act of 1965, as well as other federal civil rights laws. If your office fails to act, we plan to call for Congressional hearings into this issue.

In the state of Tennessee, the civil rights of Democratic voters and democratic-processes are under attack by a small group of Democratic Party bosses. We would characterize the attacks on as being un-American, bigoted, medieval, hierarchical, pervasive, and continuous. These attacks are carried on by self-appointed and self-styled Party leaders who are nothing more than a dangerous band of political hacks.

These Democratic Party bosses have changed the rules of the game to maintain their power. Officers of the Tennessee Democratic Party amended Tennessee Democratic Party bylaws to give disproportionate rights to Democratic auxiliary groups such as Young Democrats under the strong influence of the party bosses, thereby transferring the authority and rights of Tennessee Democrats into the hands of a few state party leaders in a virtual party coup d'état. As a result, the county Democrats have virtually no say in the decisions and directions of the party, through a process outside the reach of most Democratic voters. In violation of democratic principles upon which our system of governance is founded, a few innocuous sounding surrogate organizations constitute a privileged hierarchy who treat Tennessee Democratic voters with disdain.

Further, this handful of self-appointed bosses have hijacked the Tennessee Democratic Party, openly seeking to disenfranchise Democratic voters and their decisions at the polls, as expressed in party

primaries conducted by the State of Tennessee, in violation of section 2 of the Voting Rights Act of 1965. These violations include the current attacks of the Tennessee Democratic Party on Mark Clayton, Tennessee Democratic Party nominee for U.S. Senate, as well as those voters who supported Mark Clayton in the 2012 primary for U.S. Senate and support him in the November 2012 general election.

These party leaders engage in acts of bullying and intimidation toward candidates when the result of democratic processes threaten to defy the party oracle, including working to undermine Democratic State Representative John J. Deberry, Jr. of Memphis.

Particularly egregious is the attack on minority voters who disagree with these self-appointed state party leaders regarding social issues such as traditional marriage. These bosses have spent nearly two months treating minority voters who support traditional marriage candidates as being too stupid to vote for the correct candidate. Therefore they have used party resources to publicly “disavow” the Democratic United States Senate candidate, Mark Clayton, who won in a landslide victory.

Party Chairman, Chip Forrester, stated immediately after the Aug. 2<sup>nd</sup> primary without speaking to Clayton or voters, “Well first, let me just make very clear that we are disavowing his candidacy and that a candidate who espouses these kinds of values...”

To which values did the party boss refer? Traditional marriage? Pro-life issues? Economic protections for the working class? Civil and religious liberties? Minority issues? Pragmatic yet stable economic policy? The Clayton campaign as well as many other Democratic campaigns in Tennessee openly and often run on these issues.

Once a candidate wins a Democratic primary and becomes the official nominee of the Tennessee Democratic Party, there is no provision anywhere in Tennessee law for the party leaders conspiring to excommunicate that winning candidate, misusing party resources against him or her. The problem is even worse when the disfavored candidate is elected with strong minority support whose votes are explicitly protected by the Voting Rights Act of 1965.

Literacy tests were common in areas throughout the South before the Voting Rights Act of 1965 was passed in part to stop these tests, which were aimed at stripping minority voters of their right to vote. The rulers of the TNDP's are now expending the resources of the Tennessee Democratic Party to oppose the official nominee of the Tennessee Democratic Party, attempting to nullify the decision of his supporters, including many minority voters. The African American community is owned by no person, no candidate, no ideology, and no political party orthodoxy. The Tennessee Democratic Party should be the servant of the people and the people's expressed will at the ballot box and must not seek to undermine the people's choices.

The party boss attacks on traditional candidates is so ridiculously overt that one commentator wondered aloud when Arizona Senator John McCain would be calling for air strikes to make Tennessee safe for democracy. Indeed, it is hypocritical for the federal government to support democracy abroad without ensuring that democratic-processes are secured first at home.

The right to vote in America and a commitment to democratic-processes is vital and required of anyone who holds any position of leadership in American society. Hierarchical authoritarianism is anathema to any part of American government and election law, to include laws of any party.

In the long and rich tradition running from Patrick Henry and Martin Luther King, we now stand and continue forward today as Americans ready to fight for liberty and justice for all. As inheritors of our American system of self-government, a system of democratic-processes which we feel is a necessary vehicle to preserve human liberty, we stand united against those supposed leaders who would again seek to impose their will on us and control our lives.

We respectfully request a thorough investigation from your office.

Sincerely,

Mark E. Clayton

& Bishop Felton M. Smith, Jr.

September 28, 2012