

Testimony of
The Honorable Jack B. Johnson

June 7, 2007

TESTIMONY OF JACK B. JOHNSON
COUNTY EXECUTIVE
PRINCE GEORGE'S COUNTY, MARYLAND
BEFORE THE SENATE JUDICIARY COMMITTEE

June 7, 2007

Good afternoon, Mr. Chairman and members of the Committee. I am Jack Johnson, County Executive for Prince George's County, Maryland. Our county of nearly one million people, located just east of our nation's capital, is the wealthiest African-American majority county in America. I am honored to be asked to testify today before this committee to discuss voter intimidation, as well as false and deceptive campaign practices that occurred in our county during the November 2006 general election.

Let me begin by offering my support for S. 453, the Deceptive Practices and Voter Intimidation Prevention Act. While some technical and substantive changes may follow, it is critical that the United States Congress take the lead in preventing practices that undermine the basic tenets upon which our democracy was founded.

If left unchecked, voter deception threatens the foundation on which our nation was built. Our system serves as a beacon of light to billions across the globe by giving a "voice" in government through the simple act of casting a ballot. Voter intimidation through false and deceptive practices silences that voice.

While seemingly irrelevant to the current legislation and discussion, slavery as an institution created one of the most offensive periods in American history. Part of that legacy was the denial of the basic right to vote for African Americans. Even after the adoption of Amendments to the U.S. Constitution, it took the 1965 Voting Rights Act, nearly 100 years after emancipation, to correct this injustice.

References to this dark period in our nation's history were used in a false and deceptive way in November 2006 on the eve of the general election. Slavery was tied directly to the issue of voting and suggested that Democrats were treating people as slaves. This was a deliberate effort to confuse, to mislead and to suppress African American votes. Those who engaged in its practice hoped it would minimize participation or confuse voters into voting for the wrong candidates.

In Maryland, as you know Mr. Chairman, this was an important election. On the line was the U.S. Senate seat being vacated by retiring Senator Paul Sarbanes, as well as a tight race for

governor and other offices.

On the evening before the November 2006 general election as I traveled the county for a final wrap-up, I saw thousands of these signs that said "We are not slaves to the Democrats." These signs were the colors of the Black Liberation Movement, red, black and green. I believe these signs were designed to suppress voter turnout in some areas. In essence, the literature suggested that the Democratic Party was suppressing African American's struggle for equality, freedom and justice. And therefore, was treating them like slaves.

I think of my days as a young college student in South Carolina. I was part of the civil rights movement and I came to know these colors as powerful signs of the African American struggle for equality - to remove the shackles and vestiges of slavery. Millions of Americans, black and white, Democrats and Republicans made great sacrifices to achieve justice. I was offended and outraged to see a suggestion that my party was enslaving blacks. To say the Democrats or Republicans support slavery is just wrong.

This slavery signage paled by comparison with what I encountered the following morning on Election Day. I woke up and went to the polls early to gauge what was going on. I went to my polling place and saw someone I didn't know handing out literature saying I was supporting the Republican candidate for United States Senate. The literature said "These are Our Choices." On the cover was my photo, the leader of the Democratic Party in our county. The inference was totally false. The First Amendment protects speech, but not false statements such as these.

Phone calls came early and often. Angry citizens wanted to know why I was a turncoat and why I abandoned my party. I was simply flabbergasted that my name and likeness could be appropriated in such a manner. Rather than using my time to visit with voters and talk about issues of mutual concern affecting the county, I spent the entire day using all my energy to inform citizens that the literature was a hoax and that it was false and deceptive.

The outrage continued throughout the day. I have been a public servant for more than 20 years. I know the poll workers because they are my neighbors and activists I have worked with over the years. I did not know a single person distributing this literature. I soon learned that they were homeless people bused in from Philadelphia earlier that morning. They were promised three square meals, \$100 and a return ride to Philadelphia. Many of these people who learned about the falsehood stopped handing it out. Many were later abandoned at their polling places where they were dropped off and people like State Delegate JoAnne Benson and others reached into their own pockets to feed them and get them on buses back home. Of course, everyone denied responsibility for what had happened, from how they arrived to what they were promised. Nobody knew anything.

Many citizens told me they saw my face on the literature and voted accordingly. Voters should not expect to see signs posted about being slaves. Voters should not be handed a false ballot with pictures of people they have come to trust and respect purportedly supporting candidates they have never endorsed. This is deceptive and must not be tolerated in a free and democratic society.

It is important that both major parties work to promote free and fair elections here in America, just as we do around the globe. The essence of democracy is that people be informed. The First Amendment guarantees the free marketplace of ideas and opinions. Citizens must be informed, but they should not get false and deceptive information that serve to undermine the values that hold our republic together.

I have seen first hand the lingering vestiges of slavery and Jim Crow laws. The memories pain me, and those who live in our county and throughout America. There are those who seek to exploit this sad history, but I have confidence that this and other practices I described here today can be curtailed with the adoption of S. 453. I urge you to support this important bill.

In the past when it came to civil rights and voting rights, the federal government took the lead. Once again, you can lead by ending the practice of false and deceptive practices used to influence or suppress voting in America. I look forward to the day when this Act is passed.

Thank you again for the invitation to speak today. I would be happy to answer any questions.