

**ALABAMA LAW ENFORCEMENT AGENCY**

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U.S. DISTRICT COURT
N.D. OF ALABAMA
ROBERT BENTLEY
GOVERNOR

OFFICE OF THE
SECRETARY

Spencer Collier
Secretary

January 19, 2016

Yvette Rivera
Associate Director
Departmental Office of Civil Rights
Office of the Secretary
1200 New Jersey Avenue, SE
Washington, DC 20590

Re: DOT# 2016-0060

Dear Ms. Rivera:

In your December 30, 2015 letter, you state that you have opened an investigation into "whether the State's reduction in driver license services discriminates against African Americans and/or other populations on the basis of race, color or national origin." I can assure you that ALEA does not discriminate, and, through its recent operational changes, ALEA took no actions in violation of the Civil Rights Act. We also closed no ALEA driver license offices. Closures were exclusively limited to non-staffing of satellite offices where driver license services were issued.

The Alabama Law Enforcement Agency (ALEA) is committed to ensuring that it fully complies with Title VI of the 1964 Civil Rights Act. We are already working closely with the US Department of Justice, Office of Civil Rights, to review, and update where possible, all processes and procedures to demonstrate our compliance with Title VI in both action and spirit.

As part of the creation of the Alabama Law Enforcement Agency (ALEA), a study was conducted on most business units to be merged into ALEA, including various aspects of the driver license division. The goal was to find cost savings, make operations more efficient and ensure ALEA was conducting its business to best serve the State's citizens. As with most state agencies, ALEA operates on tight budgets and works hard to be as effective as possible. ALEA's current budget does not allow for additional driver license personnel.

Well before the federal government took an interest in our operations, ALEA realized it should update the procedures of the State's driver license to comply with the Federal Motor Voter law. Our agency was already in the process of updating its Driver License information system when the United States Department of Justice (US-DOJ) approached us. With their assistance, we put together a detailed interim and long term plan to ensure an institutional compliance with the Motor Voter provision of the National Voter Registration Act of 1993.

With respect to the stated concern about the reduction in driver license services, it is ALEA's belief and intention that while there has been a reorganization of physical offices as part of its changes to driver license operations, the overall effect on the Alabama citizenry is one of increased service.

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As part of our review of driver license operations, we studied the workload of every licensing office, both within the agency and those operated by local officials and of both full and part-time satellite offices. Local officials receive a percentage of funding from every issued license and are primarily responsible for all renewal and duplicate issuances of licenses within the State. We determined that annually, more than half of all driver license transactions took place in a local county probate or licensing office versus an ALEA driver license office. Logic concluded that if ALEA can shift more citizen traffic toward local county offices where possible (as well as to the Internet), this would help ALEA reduce its workload and result in better service to the citizens that are required to visit an ALEA office for service.

ALEA further analyzed the workload of each ALEA driver license office based upon the number of transactions performed within each of these offices (see Attachment A). It was determined that 36 ALEA offices were open on a part-time basis, and that 31 of these part-time offices accounted for just 2.1% of the overall number of driver license related transactions statewide and just 4.43% of all of the ALEA driver license office operations. Further, it was determined that within these 31 offices, their transactions accounted for only 1.7% of the overall statewide driver license transactions that could only be performed by ALEA. However, staffing for the part-time offices was by traveling staff persons assigned and traveling from a District Office.

Because of staff member shortages, ALEA determined that by reducing the travel by staff from District Offices and allowing them instead to supplement existing staff in the District Offices, more citizens could be served at the District Offices than could be served by allocating personnel to the part-time satellite offices.

Analysis before closure also determined that in no case would a person have to travel more than 50 miles to receive services they would have otherwise received at that location.

Part-time offices were closed for approximately one month before 30 offices were re-opened on a limited basis in November 2015. Now all but two original ALEA satellite driver license offices are open and available. Every county that originally had an office, again has an office where ALEA driver license services are provided (see Attachment B).

In addition to operating physical locations and updating all issuances processes to include voter registration procedures, ALEA has expanded its online services to allow citizens to renew their license, apply for a duplicate and, in some cases, update their address over the Internet.

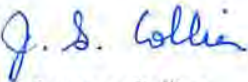
We are working diligently to respond to your request of December 30, 2015. Hopefully, this letter will provide you with the background you need. In addition to this letter and its attachments, we have also included all documentation produced in an initial letter request by the NAACP concerning non-staffing of satellite offices as related to voting rights and access to photo IDs. As we gather more documentation in your request, we will forward it to you.

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Last, we respectfully urge you or representatives of your office to have an onsite visit to see firsthand how driver license services are rendered and our progress in improving services. We believe it is critical to understand our procedures and processes. Often, a letter or document cannot adequately convey actual practices.

We appreciate your concern with compliance with federal law. ALEA prides itself in the wonderful partnership US-DOT has had with our agency and looks forward to continuing this relationship. In the meantime, please do not hesitate to contact us. Our primary point of contact will be Michael Robinson who may be reached at michael.robinson@dps.alabama.gov or 334.353.8216.

Sincerely,



J. Spencer Collier
Secretary
Alabama Law Enforcement Agency

cc: Luther Strange, Attorney General, State of Alabama
David B. Byrne, Jr., Chief Legal Advisor, Governor's Legal Office
Jason Swann, Executive Counsel, ALEA
Stephanie Jones, Acting Director, Departmental Office of Civil Rights