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A More Than Decade-Long Erosion

Update on the Impact of *Shelby v. Holder* in the Deep South

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Executive Summary

Eleven years have passed since the Supreme Court gutted the Voting Rights Act of 1965, with devastating consequences for voters of color and for our democracy.

In its 2023 report, the SPLC cataloged the impact of that decision—*Shelby County v. Holder*—in the Deep South a decade later. This brief documents the impact of an 11th year without the full protections of the Voting Rights Act in the Deep South, a year in which Southern lawmakers have moved to further criminalize voters and the voting process, continued to attack the voter registration process, and fought to deny communities of color fair representation. The last year underscores the doggedness with which lawmakers in the Deep South, unchecked by federal protections, will pursue anti-voter measures, especially those that target and impact communities of color; each year it is clearer that these attacks are not slowing down as time passes. Congress must act swiftly to pass federal legislation restoring and modernizing the Voting Rights Act of 1965 and instituting national minimum standards for election administration and accessibility—Congress must pass the John R. Lewis Voting Rights Advancement Act and the Freedom to Vote Act—to protect voters of color and ensure all voters across the country can exercise their fundamental right to vote.

A More Than Decade-Long Erosion

A One-Year Update on the Impact of *Shelby County v. Holder* in the Deep South

The U.S. Supreme Court’s 2013 decision in *Shelby County v. Holder* changed the landscape of voting rights in the Deep South. The decision struck down a key provision of the Voting Rights Act (VRA) of 1965 that had served as a critical accountability tool to protect the voting rights of people of color for almost half a century. The tool, called preclearance, required states and localities with a history of discrimination in voting to get approval for any changes to voting laws and practices from the U.S. Department of Justice or a federal court prior to making them. In striking down Section 5, the court paved the way for lawmakers in the Deep South—Alabama, Georgia, Florida, Louisiana and Mississippi—and across the nation to erect barriers to the ballot box that disproportionately impact voters of color.¹

The Southern Poverty Law Center’s 2023 report, *A Decade-Long Erosion: The Impact of the Shelby County Decision on the Political Participation and Representation of Black People and Other People of Color in the Deep South*,² examined in detail the devastating toll this decision has taken on the functioning of our democracy and the freedom to vote. In this brief, we update those findings to convey the current landscape of voting rights in the Deep South after yet another year without the full protections of the VRA. It highlights a growing trend across the Deep South to criminalize voters and the voting process, continued assaults on the voter registration process, and several harmful court rulings denying Black voters fair representation, among other worrisome developments.

The last year underscores the doggedness with which lawmakers in the Deep South, unchecked by federal protections, will pursue anti-voter measures, especially those that target and impact communities of color. As this update illustrates, these attacks are not slowing down as time passes. Every year that Congress does not pass federal legislation restoring and modernizing the Voting Rights Act of 1965 and instituting national minimum standards for election administration and accessibility, it gets harder for voters of color in the Deep South and across the country to exercise their fundamental right to vote. ●

Another Year of Anti-Voter Laws

The Criminalization of Voting—A Growing Trend

The U.S. criminal legal system replicates and reinforces patterns of racial and economic oppression that trace from slavery. From the Black Codes and convict leasing to Jim Crow laws, the war on drugs, and ultimately the overpolicing and mass incarceration of Black and Brown communities, the criminal legal system has long been used as a tool of social control to instill fear in communities of color—particularly Black communities in the Deep South—and to suppress social movements working to expose racial inequity and injustice. While the tactics have evolved, for a century and a half the criminal legal system has been weaponized to suppress and depress efforts to build power in Black communities, with a particular intention to disenfranchise Black voters.³

Over the last few years, lawmakers in the Deep South have pursued a new strategy in that long history for undermining the vote: criminalizing the democratic process itself. Across the states the SPLC works in and elsewhere in the nation,

exercising the fundamental right to vote has come with a new risk: Do it wrong in the eyes of state officials, and voters may be slapped with harsh criminal penalties, including steep fines and possibly time in jail or prison. This growing trend of criminalizing every aspect of the voting process—from registering and applying for absentee ballots to seeking or providing assistance with voting itself—is a dangerous evolution of anti-voter measures that threatens to take us even further backward in our pursuit of a multiracial, inclusive democracy.

Alabama led the way in anti-voter efforts over the last year with its passage of SB 1, a notorious law that makes voting absentee harder and criminalizes those who provide support to neighbors and friends in applying for absentee ballots.⁴ While SB 1 complicates absentee voting for all those who are eligible, this law poses significant challenges for communities more likely to need assistance, including older people, college students, people with disabilities, low-literacy voters and incarcerated people.⁵ Under SB 1, individuals can be charged with a felony simply for assisting someone else in applying for an absentee ballot if they receive any form of compensation, including a modest gift, which the law leaves undefined. It also criminalizes the person or entity providing the compensation, whether the voters who received assistance and provided thank-you gifts or an entity employing or compensating people who provide assistance.⁶ This prohibition impacts civic organizations, faculty and staff at universities, those helping incarcerated people, and other community members whose only aim is to make voting more accessible to Alabamians. The SPLC and others have challenged SB 1 in court as a violation of multiple federal laws and the U.S. Constitution.⁷

Lawmakers in Mississippi may have provided inspiration to Alabama lawmakers when they passed SB 2358 at the end of the 2023 legislative session. SB 2358 bans friends, neighbors and volunteers working with nonpartisan voter services groups from assisting Mississippians who vote absentee and applies harsh criminal

Alabama residents line up outside the U.S. Supreme Court on February 27, 2013, in Washington, D.C., to hear oral arguments in *Shelby County v. Holder*, a challenge to Section 5 of the Voting Rights Act.



Chip Somodevilla/Getty Images

penalties to those who do.⁸ Shortly after the law passed, the SPLC and partners successfully challenged it in court, preventing the law from taking effect during the fall 2023 elections and protecting voters who need assistance and those who support them.⁹ As a result of our litigation, during the 2024 legislative session, lawmakers in the state passed another law cleaning up some of the most problematic provisions,¹⁰ though voting absentee remains harder in Mississippi than most other states around the country.

Proponents of restrictive anti-voter laws were extremely successful in Louisiana this year. During the 2024 legislative session, lawmakers passed no fewer than five bills that make it harder for Louisianans to cast a ballot, four of which further criminalize the voting process. HB 476 and SB 155 ban friends, neighbors and community members from helping more than one voter submit and complete their ballots; only an immediate family member may help more than one individual voter cast a ballot.¹¹ Violators are subject to steep fines and/or imprisonment.¹² In SB 218, Louisiana lawmakers make it a crime to distribute and collect absentee voting applications and ballots, including by nonpartisan organizations that have historically done so as part of their mission to educate, engage and turn out voters.¹³ Finally, HB 506 criminalizes the pre-filing of voter registration applications, unless by an assister as allowed by federal law.¹⁴ Each of these laws may be unconstitutional and are likely to be challenged in court.

The trend of criminalizing the democratic process itself is clear across the Deep South, as are the nefarious intentions behind it. In introducing the risk of new felonies and other criminal penalties into the voting process, state lawmakers are engaged in deliberate attempts to chill democratic participation by Black people and other people of color.

Ongoing Attacks on Voter Registration

States have also continued their longstanding assault on the voter registration process, the first step to voting in nearly every state in the country. Like the criminalization measures described above, these attacks on the voter registration process also take aim at community-based activities that have long been a part of voter engagement and community organizing efforts in communities of color.¹⁵

Louisiana's HB 506, mentioned in the previous section, targets voter registration and those individuals and entities attempting to support communities with the process by requiring third-party groups seeking to assist voters with registering via paper applications to first register with the secretary of state.¹⁶ And, in its fifth anti-voter bill during the 2024 legislative session, Louisiana lawmakers passed SB 436, which institutes a proof-of-citizenship requirement for Louisianans applying to register to vote, though it leaves what constitutes sufficient proof undefined.¹⁷ Louisianans thus must wait on further implementing action from the secretary of state to know just how high this new hurdle will be when they attempt to register. Strong evidence demonstrates that proof-of-citizenship requirements would prevent and deter substantial numbers of eligible voters from registering and that they especially burden voters of color and people with low incomes.¹⁸ Requirements like these have previously been struck down as violations of federal law and the U.S. Constitution, including on grounds they effectively function as a poll tax.¹⁹

Florida also passed yet another draconian anti-voter law in the last year, with a particular focus on voter registration. SB 7050 takes aim at the ability of nonprofit organizations to register voters, a practice utilized by Black and Latinx communities in the state for years, by creating onerous new requirements targeting third-party voter registration organizations, or 3PVROs.²⁰ SB 7050 has worked as intended—many of these organizations have ceased operations since its passage. A federal court recently permanently blocked one provision of the law, which banned noncitizens from collecting or handling voter registration applications on behalf of a 3PVRO,²¹ but the rest of the law remains in effect. SB 7050 has several additional problematic components, including placing new restrictions on voting by mail by shortening the deadline to request a mail ballot; requiring voters have an emergency to pick up a mail ballot during early voting; banning anyone but immediate family members from requesting a mail-in ballot on behalf of another voter; and blocking the counting of ballots returned in the same envelope as another ballot.²² Additional restrictions on voting by mail in a law passed a few years prior, SB 90,²³ has led to dramatically lower rates of vote-by-mail requests ahead of the 2024 elections. The cumulative vote-by-mail requests in three Tampa Bay counties have dropped by hundreds of thousands between 2022 and the first half of 2024.²⁴

Georgia also recently passed SB 189, an anti-voter law targeting registration, among other things. SB 189 complicates voting for people experiencing homelessness by requiring they register to vote using the registrar's office as their address, an address at which they cannot receive election mail and therefore would not know if their registration were challenged or if they were at risk of being removed from the rolls. The law also makes it even easier to file challenges to voters' eligibility, a practice problematic both for the ways it can result in eligible people removed from the registration rolls and for the added administrative burden it creates for already understaffed and underfunded election workers. Notably, SB 189 does not come with any additional resources for election workers to meet the new mandates.²⁵ Multiple laws passed over the last few legislative sessions have eased the rules for voter challenges, impacting hundreds of thousands of eligible Georgia voters, including many voters of color.²⁶ These voter challenges cause confusion, sow doubt in the system and can even lead to voter intimidation. Like many of the anti-voter laws in neighboring states, SB 189 may violate federal law.

Yet instead of embracing these efforts to ensure eligible residents can register to vote, these prominent state officials have gone out of their way to propagate falsehoods about these efforts and to sow doubt in the integrity of their own elections.³¹ These attacks on nonpartisan agency voter registration are not in good faith; the criticisms are hyperbolic, divorced from the facts and deeply misleading.³² Instead, they are efforts to undermine the legitimacy of nonpartisan activity aimed at strengthening our democracy and to undermine the upcoming election.

Laws criminalizing voter assistance, limiting 3Pvro groups and facilitating racialized voter challenges are part of a long history of targeting registration and voting support practices used by communities of color and of attempting to intimidate these communities out of voting. The evisceration of the Voting Rights Act following the passage of *Shelby County v. Holder* has allowed restrictive voting laws and voter intimidation via legislation to proliferate. The last year shows that trend will only continue until Congress passes legislation protecting the fundamental right to vote. ●



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Finally, in addition to passing laws that complicate voter registration by third parties or make it more likely eligible voters will be removed from the rolls, elected officials in the Deep South have also used their platforms to attack appropriate and nonpartisan voter registration efforts by the federal government. Over the last year, secretaries of state from the Deep South have harshly criticized the federal government for promoting nonpartisan voter registration by some federal agencies operating in states.²⁷ These agencies include federally run Indian Health Service facilities, which serve Native communities who are registered at the lowest rates of any community in the nation, and health facilities run by the U.S. Department of Veterans Affairs, which serve veterans who have given so much to this country.²⁸ The voter registration activities are modeled on the registration that has been happening for decades at some state agencies like the Department of Motor Vehicles and public assistance agencies.²⁹ More than 30 years ago Congress found that “the right of citizens of the United States to vote is a fundamental right” and that “it is the duty of the Federal, State, and local governments to promote the exercise of that right.”³⁰ Federal agency actions to promote voter registration and voting access, then, flow from a direct mandate from Congress.

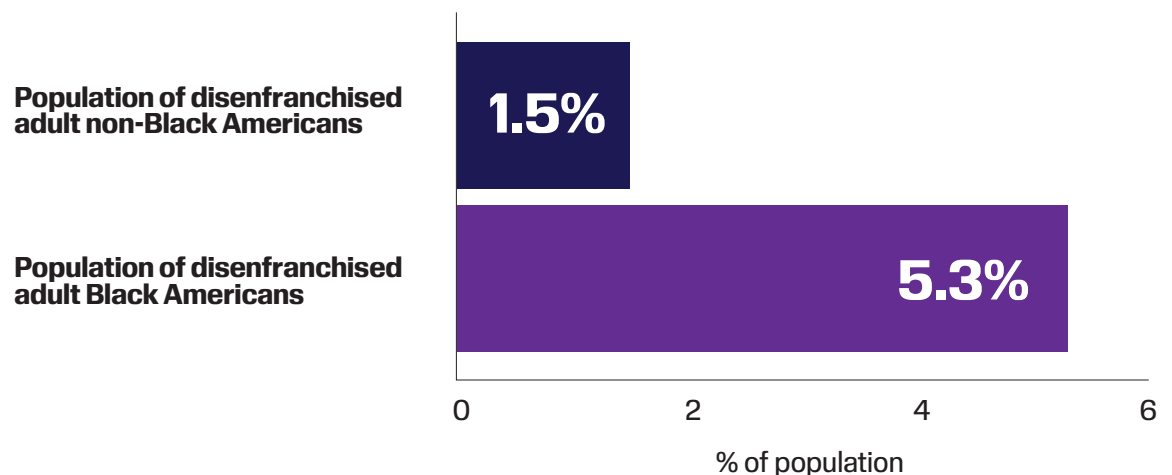
The Handcuffed Ballot

As discussed previously, Deep South states have a long history of leveraging the racist criminal legal system to prevent Black people and other people of color from voting.

First employed after the Civil War as a tool to prevent newly enfranchised, formerly enslaved people from voting, lawmakers in the Deep South continue to use felony disenfranchisement schemes to prevent the realization of a multiracial, inclusive democracy. These schemes work in tandem with a criminal legal system that disproportionately targets Black people and other people of color for arrests and harsh sentencing. The data shows the deep and enduring effects of these racially motivated laws: Black Americans are disenfranchised at rates 3.5 times that of non-Black Americans; 5.3% of adult Black Americans are disenfranchised, compared to just 1.5% of the non-Black American adult population.³³

In Alabama, nearly 9% of adults are disenfranchised due to a felony conviction; that number rises to nearly 15% for Black adults.³⁴ Yet instead of passing laws that address this distressing and enduring issue, during the 2024 legislative session, Alabama lawmakers passed a bill exacerbating the problem of disenfranchising people involved in the criminal legal system. The law, HB 100, is ostensibly about protecting election workers, but it goes about this laudable goal by increasing the classification and penalties for crimes against election officials and by adding significantly to the list of “crimes involving moral turpitude” (CIMT) for which Alabamians are current disenfranchised, including several crimes that have nothing to do with elections. Despite concerted efforts by advocates and lawmakers alike over years to address Alabama’s racially discriminatory moral turpitude disenfranchisement regime, HB 100 takes the state backward by adding criminal street gang membership, domestic violence, elder abuse, and inchoate offenses for any of the enumerated CIMTs to the list of offenses for which Alabamians can be denied their fundamental right to vote.³⁵

Disenfranchisement by Race



Florida has taken weaponization of the criminal legal system to new extremes in recent years, including by creating and pouring significant taxpayer dollars into an infamous election crimes police force that to date has arrested several Floridians, including Floridians of color, but has come up short in terms of identifying actual crimes. In the last year, Florida has continued to target and intimidate its residents, including by making traumatic arrests in the middle of the night and at gunpoint, only to be unable to defend the charges and be forced to drop them. For example, in September of last year, Marsha Ervin—a 69-year-old Black woman from Tallahassee—was awoken at 3 a.m. by police officers who had come to arrest her for voter fraud; they took her to the police station still in pajamas and slippers.³⁶ Less than three weeks later, the state dropped all charges against her, stating that “this office has no interest at all in prosecuting people who are innocent.”³⁷ After state attorneys like this one dropped or refused to prosecute these cases, the DeSantis administration attempted to prosecute some of the individuals via the Office of Statewide Prosecution, only to come up short there, too, due to jurisdictional issues.³⁸ Undeterred, state lawmakers passed a bill expanding the office’s authority, so that it could go after its own residents for attempting to make their voices heard in our democracy.³⁹

While Ervin’s name was cleared, the trauma of that middle-of-the-night arrest surely endures. Further, some voters took plea deals for fear of greater penalties.⁴⁰ Either way, the election crimes police are succeeding in chilling the vote among people impacted by the criminal legal system and their broader communities,⁴¹ especially the Black Floridians who are disproportionately the targets of this state-sanctioned harassment. One report showed that of the 19 high-profile arrests in the election crimes police’s early days, 15 were arrests of Black people.⁴²

In one hopeful, but unfortunately short-lived development, Mississippians who lost their right to vote due to the state’s racialized felony disenfranchisement laws scored a significant victory in the last year when a three-judge panel of the U.S. Court of Appeals for the 5th Circuit ruled that the state’s felony disenfranchisement scheme represented cruel and unusual punishment, in violation of the Eighth Amendment to the U.S. Constitution.⁴³ The landmark case, brought by the SPLC and partners several years ago, marks the first time a federal court has struck down criminal legal system disenfranchisement as cruel and unusual punishment and opened the door for potential for similar rulings in other places.⁴⁴ However, the state of Mississippi asked the full 5th Circuit to rehear the case en banc, and in July 2024 that full court overturned the panel decision, ruling the lifetime ban on voting is not unconstitutional and allowing Mississippi’s long-standing, discriminatory disenfranchisement scheme to live on.⁴⁵ ●

Underfunded and Under Attack

In recent years, states in the Deep South and across the country have pursued a new strategy for limiting voting access: starving our critical election infrastructure.

Over the last year, Louisiana became the fifth state in the Deep South to ban third-party funding to support local election administrators who are routinely forced to run elections on shoestring budgets. Each of the other four Deep South states banned private funding for elections in the wake of the 2020 election.⁴⁶ Louisiana's ban has the distinction of being the first in the nation to be enshrined in the state's constitution; voters supported the ban via ballot referendum in the fall 2023 elections.⁴⁷ Because insufficient funding for elections so often translates into limited access for voters, especially voters of color, the impact of these bans will likely be to depress turnout even further.

As the SPLC and partners recently laid out in a detailed letter to Congress, decades-old election infrastructure in the U.S. is ever more vulnerable, just as demands on and threats to election administration are increasing and voting is getting harder, especially for communities of color.⁴⁸ Local election administrators who are the frontline defenders of our democracy desperately need resources to ensure they can conduct safe, secure and accessible elections. Yet year after year, state governments and Congress alike continue to fail in their responsibility to share in the cost of elections, even though local administrators are running not just local elections but state and federal ones, as well. For example, ahead of the 2024 presidential elections, Congress appropriated just \$55 million—or \$1 million per state—in election security funding, and federal funding levels have been declining in recent years.⁴⁹ To understand how insufficient this funding level is, consider

that the state of Florida's election budget in 2020 was \$29.7 million and in 2022 was \$34.2 million.⁵⁰ Now, because of the bans on private funding, these frontline democracy workers across the Deep South have nowhere else to turn.

Like the other efforts described in this brief, these bans have been enacted in bad faith, not to increase democratic participation but rather to diminish it. This new wave of voter suppression laws will disproportionately impact Black and Brown communities and will sow seeds of doubt and distrust in our elections, undermining faith in our democracy. The effort is not confined to the Deep South; it is a nationwide push that has spread quickly over the last three years, largely driven by mis- and disinformation about a nonprofit, nonpartisan grant program that provided a lifeline to local election administrators ahead of the 2020 elections.⁵¹ Since 2021, at least 27 states have enacted laws prohibiting, limiting or regulating private funding for election administration.⁵² Yet rather than make up for the gaps created by these bans by providing more federal funding for local election administration, the U.S. House of Representatives has zeroed out election funding in its 2025 funding bill⁵³ and is pursuing a bill in Congress that would institute a nationwide ban on this lifeline for local election administrators.⁵⁴ ●



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The Fight for Representation

The assault on fair representation for communities of color also continues unabated in the wake of the first redistricting cycle without the full protections of the VRA.

While voters of color in the Deep South won a few highly notable victories in the last year, it was not before state lawmakers tried every trick in the book to prevent justice from prevailing. Voters of color in other Deep South states faced continued setbacks, and voters of color across all states are still suffering the consequences of having to vote under discriminatory maps in the last election, a failure of justice that likely would not have happened under the protections of preclearance.

People march across the Edmund Pettus Bridge with placards featuring late U.S. Rep. John Lewis during the 57th anniversary of “Bloody Sunday” on March 6, 2022, in Selma, Alabama.



Brandon Bell/Getty Images

One bright spot of the last year is the triumph of Black Alabamians over the unfair congressional maps drawn to diminish their voting power in violation of federal law. Just over a year ago, in the landmark decision *Allen v. Milligan*, the Supreme Court sided with Black Alabamians in their multiyear fight for their voting rights.⁵⁵ As a result, Black Alabamians, who make up 27% of the population but held power in only one of seven congressional districts, will have the opportunity to elect a candidate of their choice in a second congressional district this fall. It is notable, though, that even in the face of a clear order from the U.S. Supreme Court to remedy their dilutive map, Alabama lawmakers dug in their heels, passed a new map that blatantly failed to remedy the VRA violation and again asked the Supreme Court to protect its racial discrimination.⁵⁶ Black Alabamians persisted in their insistence on fair representation, however, and ultimately prevailed for the upcoming election.

The *Milligan* decision paved the way for similar cases in other states to move, and Black Louisianians—who make up 33% of the state population but had previously only enjoyed representation in one of Louisiana’s six congressional districts—similarly won a second opportunity district ahead of this year’s congressional elections.⁵⁷

Unfortunately, it’s not all good news in redistricting over the last year. The year also saw an update in Black Georgians’ fight to vindicate their own voting rights, albeit a less positive one. A federal court found that the congressional map adopted by the state legislature diluted Black voting strength in violation of Section 2 of the VRA and ordered that the state draw a remedial map creating an additional Black opportunity district.⁵⁸ Instead, the Georgia legislature crafted a map that dismantled Congressional District 7, a majority-minority district held by Black Congresswoman Lucy McBath, and did not create an additional Black opportunity district.⁵⁹ At the same time, the court also found that the State Senate and State House maps



Mississippi's Black population is

**nearly
38%**

making it the highest proportion of any state in the nation. Yet Black Mississippians have largely been excluded from political power throughout much of the state's history.

also violated Section 2 of the VRA.⁶⁰ The state again drew new maps, but instead of drawing additional Black opportunity districts to remedy the Section 2 violations as the court ordered, the state destroyed districts where Black voters had the opportunity to elect candidates of their choice.⁶¹ Both cases are currently on appeal in federal court. Unfortunately, these discriminatory maps are currently being used, and Black Georgians will once again have to vote under racially unfair maps.

In Florida, the congressional maps were challenged as discriminatory after the 2021 redistricting cycle in both state and federal court. In the former, the trial court ruled that the map is impermissibly retrogressive, diminishing Black Floridians' ability to elect a candidate of their choice, and ordered the state legislature to draw a new map that complies with the Constitution. However, in the last year that ruling was overturned at the appeals court.⁶² Additionally, a federal court recently ruled against Black voters in the federal case,⁶⁵ meaning Black Floridians will once again be voting this year using maps that have been or are likely to be found discriminatory.

There have not been any major updates to Mississippi's maps over the last year. A case challenging the state's legislative maps as discriminatory against the state's Black population—which, at almost 38% is the highest of any state in the nation, yet Black Mississippians have been shut out of political power for most of the state's history—went to trial in February 2024;⁶⁴ plaintiffs are awaiting a response. And the SPLC's case challenging the state Supreme Court maps as violative of Section 2 of the VRA for diluting Black voting strength is going to trial in August 2024.⁶⁵ ●

Policy Recommendations

The problems detailed in our 10-year report looking back at the consequences of the *Shelby* decision in the Deep South, along with the continued assault on our democracy over the last year, only underscore the urgent need for action to protect the fundamental right to vote, especially federal action. There are several significant steps Congress and the Biden-Harris administration can take, and steps state governments should take, as well, to address this grave problem and ensure our democracy is accessible for all.

1. Congress must urgently pass legislation to restore, strengthen and modernize the Voting Rights Act of 1965 and legislation that creates national minimum standards for election administration and accessibility. Congress must pass the John R. Lewis Voting Rights Advancement Act and the Freedom to Vote Act. States should also pass state voting rights acts to protect BIPOC voting participation and representation now; the Florida Voting Rights Act introduced during the state's 2024 legislative session is an excellent example of such legislation.⁶⁶
2. Congress should significantly increase election administration funding for state and local jurisdictions to allow them to update and modernize aging election infrastructure; to protect elections, election workers and voters alike against myriad and growing threats; and ultimately to carry out effective elections. This funding should be significant, sustainable and predictable, and Congress should ensure a sizeable portion of it is passed directly to the local election administrators who run our elections and are most in need.
3. States should restore the right to vote for people with criminal convictions without restrictions.
4. Federal agencies should move swiftly and effectively to meet the goals of the Executive Order on Promoting Access to Voting (EO 14019), including integrating voter registration opportunities for their constituents wherever possible.

The current state of political power and representation for Black people and other people of color in the Deep South—made even worse over the last year, the 11th since the devastating *Shelby County v. Holder* decision—is sobering. However, as they always have, these same communities are leading the fight to protect and advance the fundamental right to vote. It is time for the federal and state governments to follow their lead and to take decisive steps to shore up our crumbling democracy. ●

Endnotes

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- 2 A Decade-Long Erosion: The Impact of the Shelby County Decision on the Political Participation and Representation of Black People and Other People of Color in the Deep South, Southern Poverty Law Center, June 2023, <https://www.splcenter.org/shelby-county-decision-report>.
- 3 “Criminalizing Blackness: Prisons, Police and Jim Crow,” Learning For Justice, Episode 15, Season 4, Southern Poverty Law Center, <https://www.learningforjustice.org/podcasts/teaching-hard-history/jim-crow-era/criminalizing-blackness-prisons-police-and-jim-crow>.
- 4 Alabama Senate Bill 1, enacted March 2024, <https://alison.legislature.state.al.us/files/pdf/SearchableInstruments/2024RS/SB1-enr.pdf>.
- 5 These are all communities that benefit from voter assistance. Note that in Alabama, some people in prison, in addition to virtually all people in jails, remain eligible to vote while incarcerated. Only a conviction of a crime of moral turpitude disqualifies a voter, and not all people in prison are in for crimes of moral turpitude.
- 6 *Supra* note 4 (SB 1). See also Jemma Stephenson, “Civil rights groups file suit against Alabama law criminalizing some absentee ballot assistance,” Alabama Reflector, April 4, 2024, <https://alabamareflector.com/2024/04/04/civil-rights-groups-file-suit-against-alabama-law-criminalizing-some-absentee-ballot-assistance/>.
- 7 Alabama State Conference of the NAACP, et al. v. Alabama Attorney General Steve Marshall, et al., filed April 4, 2024, Southern Poverty Law Center, <https://www.splcenter.org/seeking-justice/case-docket/alabama-state-conference-naacp-et-al-v-alabama-attorney-general-steve>. Lawsuit alleges a violation of the First and 14th amendments, the Voting Rights Act and the Help America Vote Act of 2002.
- 8 Mississippi Senate Bill 2358, enacted March 2023, <https://billstatus.ls.state.ms.us/2023/pdf/history/SB/SB2358.xml>.
- 9 Disability Rights Mississippi, et al. v. Lynn Fitch, et al., filed May 31, 2023, Southern Poverty Law Center, <https://www.splcenter.org/seeking-justice/case-docket/disability-rights-mississippi-et-al-v-lynn-fitch-et-al>. Lawsuit alleges a violation of Section 208 of the Voting Rights Act. A PI was granted on July 25, 2023; the case is now on appeal before the Fifth Circuit.
- 10 Mississippi Senate Bill 2425, enacted April 22, 2024, <https://billstatus.ls.state.ms.us/documents/2024/html/SB/2400-2499/SB2425SG.htm>.
- 11 Louisiana House Bill 476, enacted May 28, 2024, <https://legis.la.gov/legis/ViewDocument.aspx?d=1380513>. Louisiana Senate Bill 155, enacted May 28, 2024, <https://www.legis.la.gov/legis/ViewDocument.aspx?d=1380772>.
- 12 SB 155 amends §1461.7 of Louisiana Revised Statutes, adding witnessing the certificate of more than one voter who is not an immediate family member to the list of election offenses subject to \$1,000 fine or one year in prison upon the first offense, or \$2,500 or five years in prison upon the second.
- 13 Louisiana Senate Bill 218, enacted May 28, 2024, <https://www.legis.la.gov/Legis/ViewDocument.aspx?d=1380789>.
- 14 Louisiana House Bill 506, sent to governor on June 4, 2024, <https://legis.la.gov/legis/ViewDocument.aspx?d=1380751>. Section 208 of the Voting Rights Act of 1965 requires that voters who need assistance to vote by reason of blindness, disability, or inability to read or write are allowed to receive such assistance by a person of the voter’s choice, other than the voter’s employer or agent of the employer or officer or agent of the voter’s union. 52 U.S.C. §10508.
- 15 Joshua A. Douglas, A History of Third-Party Voter Registration Drives, Institute for Responsive Government, May 17, 2023, <https://responsivegov.org/research/a-history-of-third-party-voter-registration-drives/>.
- 16 *Supra* note 14, (HB 506).
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