Voting Rights: Progress and Struggles

Kristen Clarke, Executive Director of Lawyers’ Committee for Civil Rights Under Law
Voting Rights Act of 1965

- Signed: August 6, 1965.
- Followed Selma to Montgomery marches earlier in the year.
- Prohibited racial discrimination in voting.
  - Section 5: required preclearance for certain states.
Reauthorization of the Voting Rights Act

- Extended VRA for 25 years including preclearance clause.
- Approved by large margins in Congress.
- Signed by President Bush.
Challenges to the Voting Rights Act

- Edward Blum
- Project for Fair Representation
- Ardent opponent of policies that seek to right historical wrongs (e.g. VRA, Affirmative Action).

[https://www.youtube.com/watch?v=_NEeS2WF6tY](https://www.youtube.com/watch?v=_NEeS2WF6tY) 2:05- 5:55
First Constitutional Challenge: Northwest Austin Municipal Util. Dist. No. 1 v. Holder

2:06- 3:35
Second Constitutional Challenge: Shelby County v. Holder

A central portion of the Voting Rights Act is unconstitutional.
Voter Suppression: Texas

Adults Without Valid Photo ID

- Blacks: 25%
- Asians: 20%
- Latinos: 19%
- 18-to-24-year-olds: 18%
- Seniors: 18%
- Earning less than $35,000: 15%
- All: 11%
- Whites: 8%
Voter Suppression: North Carolina

In response to claims that intentional racial discrimination animated its action, the State offered only meager justifications. Although the new provisions target African Americans with almost surgical precision, they constitute inapt remedies for the problems assertedly justifying them and, in fact, impose cures for problems that did not exist. Thus the asserted justifications cannot and do not conceal the State’s true motivation. “In essence,” as in League of United Latin American Citizens v. Perry (LULAC), 548 U.S. 399, 440 (2006), “the State took away [minority voters’] opportunity because [they] were about to exercise it.” As in LULAC, “[t]his bears the mark of intentional discrimination.” Id.

Faced with this record, we can only conclude that the North Carolina General Assembly enacted the challenged provisions of the law with discriminatory intent. Accordingly, we reverse the
### North Carolina: Change in Number of African-American Early Voters, 2012 vs. 2016

**Counties with drop-off of 1,500 or more votes and statewide figures**

*Updated as of 11/6/16 4pm*

<table>
<thead>
<tr>
<th>COUNTY</th>
<th>2012 Number</th>
<th>2016 As of Fri 11/4</th>
<th>2016 As of Sun 11/6</th>
<th>2-Day Change</th>
<th>DECREASE 2012-2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mecklenburg</td>
<td>108,587</td>
<td>82,556</td>
<td>99,858</td>
<td>17,302</td>
<td>8,729</td>
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<tr>
<td>Guilford</td>
<td>65,154</td>
<td>47,294</td>
<td>60,652</td>
<td>13,338</td>
<td>4,522</td>
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<tr>
<td>Wake</td>
<td>71,195</td>
<td>55,537</td>
<td>66,746</td>
<td>11,209</td>
<td>4,449</td>
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<tr>
<td>Forsyth</td>
<td>37,117</td>
<td>26,166</td>
<td>32,901</td>
<td>6,735</td>
<td>4,216</td>
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<tr>
<td>Cumberland</td>
<td>42,256</td>
<td>31,797</td>
<td>38,583</td>
<td>6,886</td>
<td>3,573</td>
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<td>New Hanover</td>
<td>11,341</td>
<td>7,392</td>
<td>8,835</td>
<td>1,444</td>
<td>2,505</td>
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<td>Robeson</td>
<td>8,773</td>
<td>5,258</td>
<td>6,571</td>
<td>1,313</td>
<td>2,202</td>
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<td>Halifax</td>
<td>9,922</td>
<td>6,293</td>
<td>7,969</td>
<td>1,676</td>
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<tr>
<td>Edgecombe</td>
<td>12,474</td>
<td>8,954</td>
<td>10,571</td>
<td>1,607</td>
<td>1,903</td>
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<tr>
<td>Wayne</td>
<td>13,893</td>
<td>9,854</td>
<td>11,991</td>
<td>2,127</td>
<td>1,902</td>
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<td>Wilson</td>
<td>12,193</td>
<td>9,030</td>
<td>10,542</td>
<td>1,452</td>
<td>1,651</td>
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<td><strong>Statewide</strong></td>
<td><strong>754,621</strong></td>
<td><strong>564,691</strong></td>
<td><strong>687,510</strong></td>
<td><strong>122,819</strong></td>
<td><strong>67,111</strong></td>
</tr>
</tbody>
</table>

Source: N.C. State Board of Elections as of Sunday, Nov. 6, 4pm

Chart: Institute for Southern Studies/FacingSouth.org

Visit www.facingsouth.org for more information and analysis.
Pence/Kobach Commission

• Created in May after Trump’s unsubstantiated voter fraud claims.
• Pence is chair and Kobach is vice-chair.
• Kobach twice sent letters to all 50 states asking for voter data.
• Lineup of vote suppressors.
• https://www.youtube.com/watch?v=sYV6t-qfNX4
• 3:08-5:19
False Positives

![Graph showing the probability of at least this many false matches for different combinations of name and birth information.](image)