

VOTING RIGHTS ACT OF 1965

In response to Black-led activism and public pressure, President Lyndon B. Johnson signed the Voting Rights Act (VRA) in August 1965. The VRA was created to enforce the 15th Amendment. It states:



No voting qualification or prerequisite to voting, or standard, practice, or procedure shall be imposed or applied by any State or political subdivision to deny or abridge the right of any citizen of the United States to vote on account of race or color.

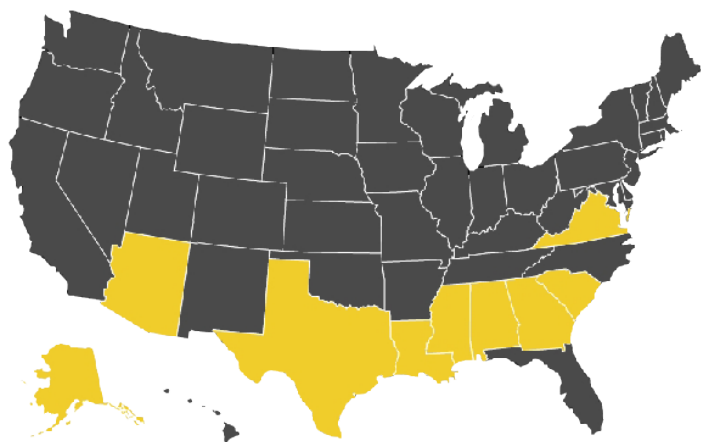


In effect, the Voting Rights Act made it illegal to restrict voting rights by using literacy tests, poll taxes, and other means – methods that were very common in the South from 1865 to 1965.

Section 2 of the Voting Rights Act explains the act's purpose: to prohibit voting practices or procedures that discriminate against any citizen on account of race or color.

Section 3 allows citizens to file lawsuits against a state or other jurisdiction if they feel that discrimination in voting has occurred.

It also allows federal examiners to be sent to local areas to enforce the 15th amendment if the area is attempting to restrict people from voting.

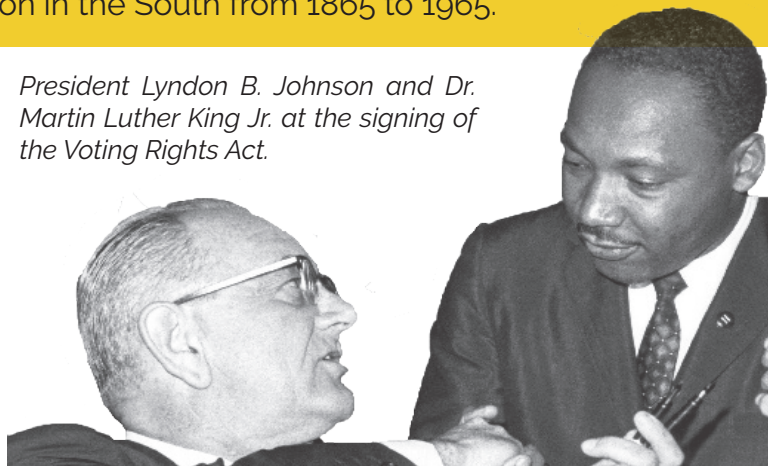


Nine states required to get preclearance before changing their voting laws: Alabama, Alaska, Arizona, Georgia, Louisiana, Mississippi, South Carolina, Texas, Virginia

In 1870, Congress ratified the 15th Amendment, giving all (male) citizens the right to vote, regardless of "race, color, or previous condition of servitude."

As a result, Black men began voting in large numbers. Fearing that this would weaken their own dominance in the South, white leaders imposed legal restrictions on their right to vote for the next 95 years.

President Lyndon B. Johnson and Dr. Martin Luther King Jr. at the signing of the Voting Rights Act.



Section 4 establishes a formula to identify areas where racial discrimination in voting has occurred, and therefore which areas will be subject to Section 5 of the VRA. A state or other jurisdiction will be subject to Section 5 if:

- It used a test or device (e.g. a literacy test, grandfather clause, etc.) as a prerequisite to voting as of November 1964; and
- It had less than 50% voter registration or turnout in the 1964 Presidential Election

This formula applied to nine states, mostly in the South, and a few smaller jurisdictions around the country.

Section 5 states that any changes to voting laws in the places described in Section 4 must be approved by a federal court or the Department of Justice before they can go into effect. This process is known as *preclearance*.



VOTER SUPPRESSION

After the passage of the Voting Rights Act in 1965, the number of registered Black voters increased dramatically; within a few months, 250,000 new Black voters registered in the south. By 1975, the south had nearly 1,000 Black elected officials in office, and it seemed as though the U.S. was making progress.

In 2013, however, the Supreme Court gutted the Voting Rights Act by striking down a key section of the legislation – the section related to preclearance – in the *Shelby County v. Holder* case. The court's decision stated that American society is different than it was in the 1960s, and it is not fair to impose rules on certain states but not others.

As a result of the *Shelby County v. Holder* case, southern states are no longer required to get approval from the federal government before changing their voting laws.

The effect of *Shelby County v. Holder* has been devastating in the states that were subject to preclearance under the Voting Rights Act. For example:

- Within 24 hours of the *Shelby County v. Holder* ruling, Texas moved to implement a strict voter ID law.
- Mississippi and Alabama reinstated a voter ID law that had previously been banned because of preclearance.
- From 2012-2016, Georgia removed twice as many voters from its registration lists – 1.5 million – than it had between 2008 and 2012.



Voter suppression is a way to influence elections by making it more difficult – or impossible – for people to vote. When a politician or political party blocks certain people from voting, it can help to ensure that they win the election. Voter suppression often takes the form of laws and policies which impact certain groups disproportionately.

TYPES OF SUPPRESSION

Voter ID laws:

Laws which require voters to prove their identity by showing a government-issued ID.

Voter ID laws target young voters, poor voters, and voters of color. Because obtaining an ID takes time and money, these groups are less likely than others to have an acceptable form of ID.

Hindering voter registration:

Election officials can hinder voter registration by rejecting their voter applications due to small clerical errors.

They can also remove voters from the registration lists in a process known as “purging.”

Making voting less convenient:

Closing polling places, closing DMV offices where people can obtain a government ID, restricting early voting dates, and not supplying enough resources to polling places (ballots, voting machines) can all make voting less convenient (and therefore more unlikely that people will cast their ballot).

