

# FACT SHEET: Protecting the Right to Vote

“Nearly two and a half centuries into our experiment of ‘government of the people, by the people, for the people,’ we have learned much about what supports a healthy democracy. We know that expanding the ability of all eligible citizens to vote is the central pillar. That means ensuring that all eligible voters can cast a vote; that all lawful votes are counted; and that every voter has access to accurate information. The Department of Justice will never stop working to protect the democracy to which all Americans are entitled.” Attorney General Merrick B. Garland, June 11, 2021

## Enforcement Actions to Protect the Right to Vote

- In November 2021, the Justice Department filed a lawsuit, *United States v. Texas*, that contends that Texas Senate Bill 1 violates Section 208 of the Voting Rights Act by improperly restricting assistance available to certain voters in the polling booth. The department’s complaint also alleges Senate Bill 1 violates Section 101 of the Civil Rights Act of 1964 by requiring rejection of mail ballots and mail ballot request forms because of certain errors that are not material to establishing a voter’s eligibility to cast a ballot.
- In August, 2021, the department [announced](#) a proposed consent decree to settle a voting rights lawsuit with the State of New Jersey. Under this decree, which was subsequently entered by the district court, the state will designate disability paratransit programs as voter registration agencies.
- In July, 2021, the department [announced](#) a proposed consent decree to settle a voting rights lawsuit with the Board of Elections of Oneida County, New York. Under this decree, which was subsequently entered by the district court, the board will develop and implement uniform and nondiscriminatory policies to ensure all election officials review and process all timely submitted voter registration applications and train all poll officials regarding provisional balloting.
- In June, 2021, the department filed a lawsuit, *United States v. Georgia*, that [contends](#) that several provisions of Georgia Senate Bill 202 were adopted with the purpose of denying or abridging the right to vote on account of race. The department’s lawsuit alleges that the cumulative and discriminatory effect of these laws — particularly on Black voters — was known to lawmakers and that lawmakers adopted the law in spite of this.
- In May, 2021, the department sent a letter to the Arizona Senate expressing concern over, and explaining federal legal constraints on, the conduct of its post-election audit.
- In April, 2021, the department [announced](#) a proposed consent decree to settle a voting rights lawsuit with the City of West Monroe, Louisiana. The lawsuit, brought under Section 2 of the Voting Rights Act, challenged the current at-large method of electing the West Monroe Board of Aldermen. Under this decree, which was subsequently entered by the district court, the City of West Monroe will change its method of electing its Board of Aldermen to ensure compliance with the protections of the Voting Rights Act.
- In January, 2021, the department reached [agreement](#) with the Board of Election Commissioners for the City of St. Louis to ensure polling place accessibility for voters with disabilities.

## Department Efforts to Secure the Right to Vote

- **Increase Resources:** As [promised](#) by Attorney General Garland, the Civil Rights Division doubled the enforcement staff for protecting the right to vote. In addition, the Administration has requested Congress provide a total of \$183.2 million for the Civil Rights Division — the largest budget increase in the division’s history.
- **Review New and Current Voting Laws:** The department is scrutinizing *new* laws that seek to curb voter access, and where it sees violations of federal law, will not hesitate to act. It is also

scrutinizing *current* laws and practices, in order to determine whether they discriminate against Black voters and other voters of color.

- **Guidance to States:** In July the department [published](#) guidance explaining the federal civil and criminal statutes that apply to post-election audits and guidance regarding early voting, voting by mail, and voting for people with disabilities. In September the department [published](#) guidance to explain the requirements imposed by the Voting Rights Act on all jurisdictions as they redraw their legislative maps.
- **Increase Access to Voter Registration:** The department is ensuring access to voter registration for all eligible individuals in federal custody, which is consistent with President Biden's executive order to promote access to voting. It will assist other federal agencies in expanding voter registration opportunities, as permitted by law.
- **Combat Disinformation:** The department is partnering with other federal agencies to combat election disinformation that intentionally tries to suppress the vote.
- **Voter Education:** The department launched a new website— [justice.gov/voting](https://justice.gov/voting)— to educate the public and expand access to voter registration and election information.

#### **Prosecuting Threats Against Election Workers**

- **Election Threats Task Force:** In June, 2021, the department [launched](#) a task force to address the rise in threats against election officials. In August, the Attorney General [convened](#) a virtual discussion with a bipartisan group of over 1,400 election officials to discuss threats against election workers and the efforts of the department's task force to address these threats. Since the creation of the task force, the Criminal Division's Public Integrity Section has trained staff in every to USAOs and FBI field office on election threats. The task force has also reviewed and assessed approximately 300 complaints of incidents involving harassing, intimidating, or threatening communications to election workers and officials.