

# 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 July, 2022, the Justice Department [filed](#) a lawsuit, *United States v. Arizona*, which contends that certain voting restrictions contained in Arizona House Bill 2492 violate Section 6 of the National Voter Registration Act of 1993 and Section 101 of the Civil Rights Act of 1964.
- In June, 2022, the department [reached](#) an agreement with the state of Alaska and state officials to resolve claims that driver license transactions did not consistently provide certain voter registration opportunities required by Section 5 of the National Voter Registration Act of 1993.
- In March, 2022, the Justice Department [filed](#) a lawsuit, *United States v. Galveston County, Texas*, that contends that the County’s redistricting plan for its county governing body, known as the Commissioners Court, violates Section 2 of the Voting Rights Act because it has the discriminatory result of Black and Hispanic voters not having an equal opportunity to participate in the political process and to elect their candidates of choice and because it was adopted, in part, for a discriminatory purpose.
- In March, 2022, the department [reached](#) an agreement with the state of Ohio to help ensure that military service members, their family members, and U.S. citizens living overseas have an opportunity to participate fully in the upcoming May 3, 2022, federal primary election. The agreement is necessary to provide a remedy for a violation of the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA).
- In December, 2021, the Justice Department [filed](#) a lawsuit, *United States v. State of Texas*, that contends that Texas’ redistricting plan for its congressional delegation violates Section 2 of the Voting Rights Act because it has the discriminatory purpose deliberately minimizing the voting strength of certain communities based on race or membership in a language minority group. The lawsuit also contends that Texas violated Section 2 because its congressional redistricting plan and its State House of Representatives redistricting plan each have the result of giving minority voters less opportunity than other citizens to participate in the political process and elect representatives of their choice.
- In November, 2021, the 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 errors that are not material to establishing a voter’s eligibility to cast a ballot.
- 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.
- 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 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 has changed 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.
- The department has filed amicus briefs in the [Third Circuit](#) and the [Eighth Circuit](#) explaining there are private rights of action under the Voting Rights Act and the Civil Rights Act for private parties to bring suit to protect the right to vote.
- The department has filed statements of interest on issues under the federal voting rights laws in federal district courts in [South Dakota](#), [North Dakota](#), [Arkansas](#), [Florida](#), [Arizona](#), [two](#) in [Texas](#), and [two](#) in [Georgia](#).

#### **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.
- **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 voters on account of race, color or membership in a language minority group.
- **Guidance to States:** In July, 2021, 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 maps.
- **Increase Access to Voter Registration:** In May, 2022, the department [released](#) a guide on state-by-state voter registration rules that apply after criminal convictions, in response to President Biden's executive order to promote access to voting.
- **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://www.justice.gov/voting) – to educate the public and expand access to voter registration and election information.

#### **Threats Against Election Officials and Workers**

- In June 2021, the department [launched](#) the Election Threats Task Force to address the rise in threats against the election community. In August 2021, 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 USAO and FBI field office on election threats.

- On Jan. 21, 2022, the department announced [the first case](#) brought by the task force, which involved a Texas man who threatened government officials in Georgia.
- On Jan. 27, 2022, the department announced [the second case](#) brought by the task force, which involved a Nevada man who threatened an employee in the Elections Division of the Nevada Secretary of State's Office.
- On June 16, 2022, the department announced [the third case](#) brought by the task force, which involved a Nebraska man who pleaded guilty to threatening an elections official.
- On July 29, 2022, the department announced [the fourth case](#) brought by the task force, which involved a Massachusetts man who allegedly sent a communication containing a bomb threat to an election official in the Arizona Secretary of State's Office.
- On August 1, 2022, the department [convened](#) a virtual discussion with a bipartisan group of approximately 750 election officials and workers to share data and analysis and provide an update on the work of the Justice Department's Election Threats Task Force.