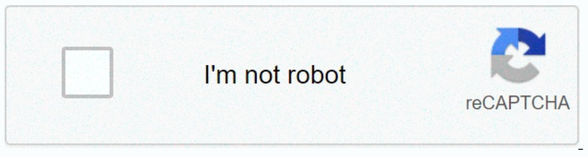

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Norton v shelby county

Unconstitutional Act - defined Unconstitutional Law - defined These two cases exemplify the resulting action in the law with unconstitutional acts and acts of usurpation: An unconstitutional act is not a law. It confers no rights. He doesn't impose rights. It offers no protection. Don't create an office. It is in legal contemplation as inoperative as if it had never been approved. Therefore, an unconstitutional act seeking to create a charge does not give validity to the acts of a person acting under the colour of his authority. -Norton v. Shelby County, 6 S.Ct. 1121 An unconstitutional act constitutes protection for anyone who has acted under it. and no one can be punished for rejecting obedience to it before the decision was made. A legislative act in conflict with the Constitution is not only illegal or nullifiable, but absolutely null and void. It is as if it were never enacted, and no subsequent change in the Constitution by removing the restriction could validate or breathe in it the breath of life. -In re Rahrer, 43 F. 556, 558, 10 L.R.A.444 (View as PDF) External links: Norton v. Shelby County, 6 S.Ct. 1121 En re Rahrer, Federal Reporter Volume 43, 556 & 558 2013 Historic U.S. Supreme Court Case U.S. Supreme Court CasesShelby County v. HolderSupreme Court of the United StatesArgued February 27, 201Decided 25, 2013We have complete name ofShelby County, Alabama, Petitioner v. Eric H. Holder , Jr., Attorney General, et al. Docket No.12-96Citations570 U.S. 529 (plus)133 S. Ct. 2612; 186 L. Ed. 2d 651ArgumentOral argumentCase historyPriorPetition denied, 811 F. Supp. 2d 424 (D.D.C. 2011); decision affirmed, 679 F.3d 848 (D.C. Cir. 2012); 568 U.S. 1006 (2012). SubsequentRemanded, 541 F. App'x 1 (D.C. Cir. 2013); 43 F. Supp.3d 47 (D.D.C. 2014), stated sub. nom., Shelby County v. Lynch, 799 F.3d 1173 (D.C. Cir. 2015); 136 S. Ct. 981 (2016). HoldingSection 4(b) of the Voting Rights Act of 1965 is unconstitutional. Chief Judge of the Court John Roberts Associate Judge Antonin Scalia Anthony KennedyClarence Thomas ? Ruth Bader GinsburgStephen Breyer ? Samuel AlitoSonia Sotomayor ? Elena Kagan Case reviewsMajoridadRoberts, along with Scalia, Kennedy, Thomas, AlitoConcurrenceThomasDissentGinsburg, joined by Breyer, Sotomayor, KaganLaws appliedU.S. Const. Modify. Shelby County v. Voting Rights Act 1965. The holder, 570 U.S. 529 (2013), was a historic decision[1] of the United States Supreme Court regarding the constitutionality of two provisions of the Voting Rights Act of 1965: Section 5, which requires certain states and local governments to obtain federal preclearance before implementing any changes to their voting laws or practices; Section 4(b), which the coverage formula that determines which jurisdictions are subject to preclearance based on their discrimination stories Vote. [3] On June 25, 2013, the Court ruled by a vote of 5 to 4 that Article 4(b) is unconstitutional because the coverage formula is based on data of more than 40 years, so it no longer responds to current needs and therefore an inadmissible burden on the constitutional principles of federalism and equal sovereignty of states. [3] The Court did not bring down Section 5, but without Section 4(b), no jurisdiction will be subject to Section 5 unless Congress enacts a new coverage formula. [4] Some argue that the ruling has made it easier for state officials to make it harder for voters of ethnic minorities to vote. [5] Research shows that preclearance led to increases in minority congressional representation and increases in minority participation. [7] Five years after the ruling, nearly 1,000 polling stations had been closed in the United States, with many of the polling stations closed in predominantly African-American counties. Research shows that changing voter locations and reducing polling places can reduce voter turnout. [5] There were also cuts in early voting, purges of voter lists, and the imposition of strict voter identification laws. [9] A 2020 study found that jurisdictions that had previously been covered by preclearance massively increased the rate of voter registration purges after Shelby's decision. [10] The Background Congress enacted the Voting Rights Act of 1965 to address entrenched racial discrimination in voting, an insidious and widespread evil that had been perpetuated in certain parts of our country through an irretrievable and ingenious challenge to the Constitution. [2] Section 5 of the Act contains a preclearance requirement that certain states and local governments obtain a determination from the U.S. Attorney General or a panel of three U.S. District Court judges for the District of Columbia that changes in their voting laws or practices do not deny or shorten the right to vote because of race , color or membership in a minority group of languages, before those changes can be applied. [11] Section 4(b) contains the coverage formula that determines which states and local governments are subject to preclearance under Section 5. The formula covers jurisdictions that, as of November 1964, November 1968 or November 1972, maintained a prohibited test or device as a condition of registering to vote or vote and had a voting-age population of which less than 50% were registered to vote or actually in that year's presidential election. [12] Article 4(a) allows covered jurisdictions that have made sufficient progress to end discriminatory voting practices to dance the requirement of preclearance. [12] The Supreme Court upheld the preclearance requirement and the coverage formula as constitutionally applicable legislation under Section 2 of the Fifteenth Amendment in the South v. Katzenbach (1966). [13] The preclearance requirement initially expired five years after enactment, but amendments to the Act in 1970, 1975 and 1982 reauthorized Section 5; the 1970 and 1975 amendments also updated the coverage formula. [14]:571 The Supreme Court upheld these reauthorizations as constitutional in Georgia v. United States (1973),[15] City of Rome v. United States (1980),[16] and Lopez v. Monterey County (1999). [2]:5[17] In 2006, Congress reauthorized Section 5 for an additional 25 years, but did not change the coverage formula for the 1975 version. [12] Shortly after the 2006 reauthorization, a Texas utility district tried to rescue the preclearance of Section 5 and, alternatively, questioned the constitutionality of Section 5. The Supreme Court ruled unanimously in the Municipal Public Utilities District No. 1 v. Holder that government entities that did not register voters, such as the utility district, had the right to file a lawsuit to get them out of coverage. Because this decision resolved the issue, the Court invoked constitutional evasion and refused to address the constitutionality of Section 5. Judge Thomas disagreed with this part of the opinion and would have declared Section 5 unconstitutional. [18] History District Court Shelby County, in Alabama's covered jurisdiction, sued the U.S. Attorney General in the United States District Court for D.C. in Washington, D.C., seeking a declaratory ruling that sections 4(b) and 5 are facially unconstitutional and a permanent court order against its application. On September 21, 2011, Judge John D. Bates upheld the provisions, finding that the evidence submitted to Congress in 2006 was sufficient to justify the reauthorization of Section 5 and the section 4(b) continuous coverage formula. [19] Arguing before Judge Bates was Kristen Clarke, who argued that it was reasonable for Congress to stay the course in renewing Section 5 of the Voting Rights Act in order to eradicate discrimination. Bert Rein, a Shelby County attorney, argued that the environment in the country was totally different when Section 5 was first enacted. Court of Appeals On May 18, 2012, the United States Court of Appeals for Circuit D.C. upheld the District Court's decision that upheld the constitutionality of Section 4(b) and Section 5. After reviewing the evidence in the Congressional record associated with the 2006 reauthorization of Section 5, the appellate court accepted Congress' conclusion that the Section 2 litigation remained inadequate in the to protect the rights of minority voters, that Section 5 remained justified and that the coverage formula continued to pass the constitutional norm. [20] Supreme Court The Supreme Court granted certiorari to hear the case on the limited question of whether Congress' decision in 2006 to reauthorize Section 5 of the Vote Vote Vote The Act pursuant to the pre-existing coverage formula of Section 4(b) of the Voting Rights Act exceeded its authority under the Fourteenth and Fifteenth Amendments and therefore violated the Tenth Amendment and Article IV of the United States Constitution. [21] The Supreme Court heard oral arguments on February 27, 2013. [22] Media coverage of judges' comments during oral arguments imposed on the Court as likely to consider Section 5 or Section 4(b) unconstitutional. [24] Judge Antonin Scalia received criticism from civil rights leaders, after expressing his belief during oral arguments that Congress reauthorized Section 5, not because legislation was necessary, but because it constituted a racial right that Congress was unlikely to end. [25] A 4-state coalition provided an amicus brief[26] to the Supreme Court expressing its support for Section 5 and noting that the preclearance provision did not impose a burden on them. That coalition was led by New York and included Mississippi, North Carolina, and California. Opinion of the Supreme Court The Supreme Court yearned Article 4(b) as unconstitutional in its judgment of 25 June 2013. [28] The majority opinion was delivered by Chief Judge John Roberts accompanied by judges Antonin Scalia, Anthony Kennedy, Clarence Thomas and Samuel Alito. [31] The Court held that Article 4(b) exceeded the power of Congress to enforce the Fourteenth and Fifteenth Amendments, reasoning that the coverage formula conflicts with the constitutional principles of federalism and the equal sovereignty of states because the disparate treatment of states is based on 40-year-old facts that have no logical relationship with today and therefore do not respond to current needs. [3] The Court stated that Congress cannot subject a state to a preclearance based simply on past discrimination. He noted that since the coverage formula was last amended in 1975, the country had changed, and while any racial discrimination in voting was too much, Congress should ensure that the legislation it passed to remedy that problem spoke of current conditions. [33] The Court ruled that the Fifteenth Amendment mandates that the right to vote will not be denied or cut by race or color, and gives Congress the power to enforce that command. The Amendment is not designed to punish for the past; its purpose is to ensure a better future. [34] Roberts wrote that the Act was immensely successful in redressing racial discrimination and integrating the voting process and noted that the United States has great progress thanks to the Law. [29] But he added: If Congress had started from scratch in 2006, it clearly could not have enacted this coverage formula. [29] According to the Court, regardless of how to look at the record, no one can just say that it shows anything that comes close to the Flagrant, widespread and rampant discrimination that confronted Congress in 1965, and clearly distinguished covered jurisdictions from the rest of the nation. [35] The Court did not submit Article 4(b) to the rule of consistency and proportionality of review or to address whether that standard is the appropriate measure to use in determining the constitutionality of the legislation adopted in accordance with Article 2 of the Fifteenth Amendment. [36] The Court also noted the federalism concerns raised by the Section 5 preclearance requirement, but did not raise the question of whether Section 5 remains constitutional. However, because the Section 5 preclearance requirement applies only to jurisdictions covered by the Section 4(b) coverage formula, the decision that caused Section 5 to not work unless Congress enacts a new coverage formula. [37] Judge Thomas wrote an opinion agrees by expressing his view that Section 5 is also unconstitutional for the same reasons why the Court declared Article 4(b) unconstitutional. [38] Judge Ruth Bader Ginsburg wrote a dissenting opinion that joined judges Stephen Breyer, Sonia Sotomayor and Elena Kagan. Dissent would have held that Congress had sufficient evidence before it to determine that the coverage formula continued to meet current needs. Dissent recognized that discrimination in voting has declined in the jurisdictions covered since the enactment of the Voting Rights Act, but attributed much of that decline to the Act itself, noting that [l]a preclearance when it has worked and continues to work to stop discriminatory changes is like throwing your umbrella into a storm because it is not getting wet. [34] Reaction The Supreme Court's controversial opinion prompted strong media coverage of reactions from political leaders, activists and the legal community. President Barack Obama expressed his deep disappointment at the decision and called on Congress to pass legislation to ensure that all Americans have the same access to the polls. [40] Attorney General Eric Holder also expressed disappointment with the decision, and promised that the Department of Justice will not hesitate to take swift law enforcement measures—using all the legal tools that follow us—against any jurisdiction seeking to take advantage of the Supreme Court's ruling by hindering the total and gratuitoe exercise of the franchise by eligible citizens. [42] On July 25, 2013, Holder announced that the Department of Justice would ask a federal court to subject the formerly covered state of Texas to preclearance the bail in provision contained in Section 3 of the Voting Rights Act, which was not affected by the Court's decision. [44] When asked whether a polarized Congress could agree on a new coverage formula, President John Boehner recognized the importance of the role of Human Rights Act of the previous 40 years and said it was still reviewing the decision and trying to determine the next steps. Then house majority leader Eric Cantor expressed hope that Congress would put policy aside and determine how to ensure that voting rights remain protected. [45] Rep. John Lewis, a leader in the civil rights movement that was present when President Lyndon B. Johnson signed the Voting Rights Act in law, said the decision ignored the country's history of electoral discrimination and fears that the decision would allow local election officials to return to another period. [47] Representative Bob Goodlatte, Chairman of the House Judiciary Committee, said the committee will review the new voting data, but that he is not sure whether the committee will take any specific action in response to the decision. [49] On July 18, 2013, the Justice House Subcommittee on the Constitution and Civil Justice held a hearing to discuss how the House should respond to the ruling. Senate majority leader Harry Reid said Democrats were concerned about the ruling in light of Republicans doing everything they could to suppress the vote in the 2012 election, and stated that the Senate would act to address the decision. [51] Senator Bob Corker, however, said he can never imagine Congress agreeing on the terms of a new coverage formula. [52] The Senate Judiciary Committee began holding hearings on July 17, 2013 to discuss how to respond to the decision. [53] At the state level, Texas and Mississippi officials promised within hours of the decision to enforce voter identification laws that had not been precleared by the Attorney General. [54] Florida Secretary of State Ken Detzner said it made no sense for five Florida counties to be subjected to preclearance based on decades-long voting rights data and that the decision will save the state money. [55] New York Governor Andrew Cuomo found the decision deeply troubling and asked Congress to pass a new coverage formula. [56] Ilya Shapiro of the Cato Institute said that the Supreme Court's decision restored constitutional order, the status quo before Temporary Sections 4/5, because there is no longer systemic deprivation of racial deprivation, or at least in covered jurisdictions. [32] By contrast, Jon Greenbaum, lead attorney of the Lawyers Committee for Civil Rights under the law, said that because of the decision, voters of inority in places with a history of discrimination are now at greater risk of being deprived of rights than have been in decades and that their only recourse will be to pursue costly litigation. [57] Penda Hair, co-director of the National Racial Justice Organization Advancement Project, spoke in similar lines, saying: The Supreme Court ruling reverses the legislation for which brave Americans fought so hard to their lives in many cases, to ensure that all citizens can participate in our democracy. Today's decision threatens the promise of equal access to the ballot, especially when most of the color voters who voted last year, 65.8 percent, live in states covered by the Section 4 formula. [58] A ProPublica investigation in October 2017 analyzed the data that Chief Judge John Roberts used in the ruling. Roberts stated that the registration gap between blacks and whites had narrowed dramatically in southern states since the Civil Rights Act of 1965, thus questioning why six southern states were subject to strict oversight. [59] Roberts included Hispanics in their numbers for whites, including even those who could not register to vote because they were not U.S. citizens, which makes the white registration rate just lower than it would have been. [59] Impact Since the ruling, several states once covered under preclearance have passed laws that eliminated provisions such as online voting registration, early voting, Sunday voting Souls to the Polls, Sunday registration on the same day, and pre-registration for teens about to turn 18. The ruling has also resulted in some states implementing voter identification laws and creating more aggressive in expelling supposedly ineligible voters from registration lists. [60] States that have changed their voting policies after Shelby include both jurisdictions that were previously required to undergo federal preclearance, and some that were not covered, including Alabama, Arizona, Arkansas, North Carolina, Ohio, Wisconsin, and Texas. According to the Brennan Center for Justice, the states most likely to enact voting restrictions were the states with the highest African-American involvement in the 2008 elections. [61] Three years after the ruling, 868 polling stations had been closed. [63] Five years after the ruling, nearly a thousand polling stations had been closed in the country, with many of the polling places closed in predominantly African-American counties. Research shows that changing voter locations and reducing polling places can reduce voter turnout. [5] A 2018 report by the U.S. Civil Rights Commission (a bipartisan and independent commission of the U.S. federal government) found that there had been a growth in discriminatory laws that made it difficult for minorities to vote. The commission determined that at least 23 states enacted restrictive voter laws, such as voting station closures, purges of voter lists and the imposition of strict electoral identification laws. The chairman of the committee said that people continue to suffer significant and profoundly unequal limitations in their ability to vote... This stark reality denigrating our democracy and diminishing our ideals. This level of ongoing discrimination confirms what was true before 1965, when the Voting Rights Act became and has remained faithful since 1965: Americans need strong and effective federal protections to ensure that ours is a real democracy. [9] A 2017 study in the American Journal of Political Science of Boston University's scientific policy Sophie Schuit and Harvard University political scientist Jon C. Rogowski found that the preclearance requirement in the Voting Rights Act led to greater representation of black interests, and this effect persisted long after the passage of the Voting Rights Act. The authors of the study note that this finding is contrary to the view of the majority in Shelby County v. Holder that things have changed and that the issues addressed by the VRA are problems of decades. In contrast, preclearance under the VRA seemed to substantially increase black representation in the contemporary era. [7] Journalist Vann R. Newkirk II stated in July 2018 that the Roberts Court with his v. Headline decision along with 2018 Supreme Court decisions at Husted v. Randolph Institute[64][65] and Abbott v. Perez[66] has set the stage for a new era of white hegemony, because these cases propelled Roberts' mandate to distance the federal judiciary from Thurgood Marshall's vision of those bodies as active guardians for the Fourteenth and the arbiters of America's racial injustices. [67] With the three cases together, the Court has established that not only are Jim Crow's legacies no longer a valid justification for proactive restrictions on states, but the Court does not necessarily play a role in advancing the spirit of the franchise. Moreover, with Alito's decision, the Court contends that discrimination of the past by States, even at their boldest and most naked point, is not really a consideration in current policy assessments. This part is crucial, because at a time when shrewd state politicians have moved toward race-neutral language that clearly still seeks to deprive people of color, some default suspicion on the part of federal courts and the Justice Department based on the stories of those state politicians has been the main protective force for the voting rights of minorities. That suspicion is now gone, as have all the remnants of Marshall's planned surveillance. The full text of the Voting Rights Act may or may not be compromised depending on the nature of the challenges arising for the next generation of judges, but the damage has already been done. If the act represented a commitment by the federal government to ensure true compliance with the right of the Fourteenth Amendment to due process and the elimination of amendment of race-based deprivation of rights, so roberts' court has almost dismantled that commitment. [67] A 2019 study in the American Economic Journal found that preclearance substantially increased minority participation, even until 2012 (the year before the Judgment of the Court that ended preclearance). [6] The study estimates that preclearance led to an increase in minority participation of 17 percentage points. [6] Civil rights and voting rights groups described to Vox in June 2019 the consequences they see six years after Shelby's decision. These consequences were an increase in state litigation, rising costs due to monitoring and pursuing disputes over voting restrictions, and an increase in laws that created new requirements in the voting process and affected disproportionately minority groups. [68] Voting restrictions and new requirements in the voting process include strict photo identification requirements, limitations on who can provide assistance at polling places, braking early voting days, and closing hundreds of polling places in the United States. Other measures, such as the purge of voters from lists of state voters and the resused power of colored voters, have affected the amount of power that communities of color have in elections. [68] In the context of many states that enacted restrictive voting laws, automatic voter registration as a prerequisite for voting was approved in 16 states and the District of Columbia as of June 2019. Under these voter registration systems, two things happen. First: If eligible citizens are interacting with government agencies, they are registered to vote or have their existing registration information updated. This is not a mandatory registration, because citizens can refuse to participate in the system. Second, instead of using paper registration forms, voter registration information is transferred electronically to election officials by the above-mentioned government agencies. [69] The Brennan Center for Justice argues that automatic voter registration systems not only increase registration rates, clear voter lists, and save states money, but are also a new way forward that can help open up access to franchise and improve American democracy. Particularly at a time when many states have enacted restrictive voting laws and voter turnout has reached historic lows. [69] Limiting access to voting is deeply embedded in U.S. history. It began during the era of the Fouding Fathers of the United States and reached a peak during the Jim Crow era in the southern United States. The idea that the deprivation of rights for legitimate voters was unethical gained momentum after the of the civil rights movement and the passage of the Voting Rights Act in 1965, but stopped nearly two decades after Bush's V. Gore's impasse led to voting rules being seen as key elements of the electoral strategy, the issue being played an extraordinary role in mid-term elections. [70] In light of these development restrictions to register and vote after the 2013 Shelby County ruling they were most often made by Republicans. These are necessary to combat voter fraud according to Republicans. [70] The New York Times noted in 2018 that the above-mentioned restrictions on registration and voting reflect increasing partisanship, social changes that produce a more diverse America, and the weakening of the Supreme Court's Voting Rights Act in 2013. [70] Numerous strict electoral identification laws have been passed in states that required preclearance under the Civil Rights Act. These laws were passed for the stated reason for preventing voter fraud; however, there is no evidence of widespread voter fraud, and critics say these laws are meant to make it difficult for minorities to vote. [71] According to MIT politologist Ariel White, there is evidence that electoral identification laws have a disparate impact on minority voting, while there is little evidence that voter identification laws prevent voter fraud. [71] Alabama after Shelby, Alabama Republicans drew a new state legislative distribution map that some argue is illegal. Democrats said the new map brings African-American voters together in very few electoral districts and is an effort to hinder the power of the largely Democratic voting base. [72] In 2014, the Supreme Court said it would hear appeals from the Alabama Legislative Black Caucus regarding redistricting. [72] Arizona In an opinion issued by the Arizona Attorney General in 2013, Arizona residents who registered to vote using federal government-provided forms must also provide documentation proving their citizenship, or their registration will be labeled invalid. Attorney General Tom Horne said those who registered using the federal registry could vote in federal elections, but not in state and local elections without showing evidence of citizenship. The attorney general also argued that these same registrants will not be able to sign petitions for candidates or election initiatives. [73] North Carolina Shortly after shelby's ruling, North Carolina Gov. Pat McCrory signed Law H.B. 589, which ended valid off-site voting, same-day registration during the early voting period, and pre-registration for teens about to turn 18, while also activated an election identification law. Opponents criticized this law as negatively affecting minority voters. [74] The law was challenged, on behalf of the NAACP North Carolina State Conference, for a lawsuit filed by Advancement Project, pro bono attorney Kirkland & Ellis, and North Carolina attorneys Adam Stein and Irv The lawsuit alleged that the law violates Section 2 of the Voting Rights Act, as well as Amendments Nos. 14 and 15 of the United States Constitution. On July 29, 2016, a three-judge panel of the Court of Appeals of the Fourth Circuit overturned a decision of the court of first instance in a series of consolidated actions, finding that the new voting provisions were addressed to African-Americans with near-surgical precision and that lawmakers had acted with intention in the enactment of strict electoral rules; the Court nodded the law's photo identification requirement and changes in early voting, pre-registration, same-day registration, and out-of-district voting. [77] North Dakota As of October 10, 2018, an Act of North Dakota was upheld by the U.S. Court of Appeals for the Eighth Circuit[78] which requires voters to have a voter ID that has their name, address, and date of birth. At the time, native state reserves generally did not have street addresses, only resident mailboxes; there was concern that this provision would disproportionately affect the native vote,[79] and it is speculated that it was drafted with it as a primary objective. [80] Dissident judges Ginsburg and Kagan said: The risk of voter confusion seems serious here because the injunction against the need for residential address identification was in effect during the primary election and because the Secretary of State's website announced for months the identification requirements as they existed under that commandment. [81] Ohio In February 2014, the Ohio House passed a bill that eliminated the so-called Golden Week during which Ohio voters could register and vote on the same day. The bill also reduced six days since Ohio's early voting period. In a separate bill, the House made it easier for registrars to reject absentia ballots for missing information. This bill ends a program that sent absentee ballot requests to all registered voters. Under the new law, the Ohio Secretary of State would have to obtain the legislator's approval to mail these absente ballot applications. [83] Texas While its voter identification law was passed in 2011, Texas did not enact the law until 2013 after shelby's ruling, when the state was no longer subject to federal preclearance for changes in its voting laws. Under the law, Texas voters must show photo ID to vote. While there are some exemptions, such as for voters with disabilities, most are required to produce a Texas driver's license or state ID card. Other forms of acceptable identification include concealed gun licenses, military identification, photo U.S. citizenship documents, and a U.S. passport. [84] If the voter does not possess one of the acceptable forms of photo identification and cannot reasonably obtain one, the voter may file one of the following, after which he must execute a Declaration of Impairment a copy or original of a government document showing the voter's name and address, including the voter registration certificate; a current utility bill; a bank statement; government control; a payout check; or (a) a certified national birth certificate (from a state or territory of the United States) or (b) a document confirming the admissibility of birth in a court establishing the identity of the voter (which may include a foreign birth document). [86] Critics of the law accuse that it is They also say it will prevent legitimate voters from voting and discourage citizens. Examples of problems under the new law involved public figures: Texas Judge Sandra Watts was unable to vote because the name on her photo ID did not match the name on the voter lists. In addition, State Senator Wendy Davis and then-Attorney General Greg Abbott were delayed in voting under the new law. They were all able to vote after signing affidavits attesting that they were who they claimed to be. [87] Wisconsin In 2014, the American Civil Liberties Union and the Advance Project filed a petition asking the Supreme Court to block Wisconsin's election identification law, accusing the move disproportionately affecting voters of color. [88] Defying the law under Section 2 of the Voting Rights Act and the U.S. Constitution, the Advance Project litigated on behalf of the Wisconsin League of Latin American Citizens, the Lutheran Crusade Church, the Wisconsin Young Voter League Education Fund, and the AFL-CIO Milwaukee-area Labor Council. [89] Advancement Project stated that wisconsin's voter identification law, enacted in 2012, is part of a broader attack on the right to vote. On October 9, 2014, the U.S. Supreme Court issued an emergency stay in this case, blocking an order from the Seventh Circuit Court of Appeals to implement the Wisconsin Voter Identification Act and allowing registration under previous rules by the fall of 2014. He has not yet ruled on the provisions of Wisconsin law. [89] Legislative responses On January 16, 2014, a bipartisan group of members of Congress, consisting of reps Jim Sensenbrenner and John Conyers and Senator Patrick Leahy, introduced H.R.3899/S.R.1945,[91] entitled the Voting Rights Amendment Act of 2014. The bill was introduced to strengthen the Voting Rights Act of 1965 (VRA) and its vital protections after the 2013 Supreme Court decision in Shelby County v. Holder. [92] The Proposed Voting Rights Amendment Act of 2014 consists of five components:[91][92] Based on empirical conditions and current data, there is a new coverage formula for Section 4 based on a mobile calendar, updated with a current time period of fifteen years to exempt states that are no longer discriminating against it or adding new ones that are. The last part is designed to create a deterrent against future violations of the right to vote. Under the new formula, states with five violations of federal law to their voting changes over the past fifteen years will have to future electoral changes for federal approval. Local jurisdictions would be covered if they commit three or more violations or have a persistent and extremely low minority violation and participation in the past fifteen years. While electoral identification laws can still be blocked by the Department of Justice in the new states covered by Section 4, objections to electoral identification laws by the department will not count as a new violation. Violation. Bill 3 allows a court to order jurisdictions not covered by Section 4 to have future changes to their federally preapproved electoral laws after plaintiffs file a corresponding application with the court. Plaintiffs have to show evidence of

intentional discrimination by vote to allow for such a ransom. Any violation of the VRA or federal voting rights law, intentional or not, may be under the new grounds of the Section 3 proposal for a ransom, but judicial objections to electoral identification laws that are not considered intentionally discriminatory cannot be used as grounds for bail-in under Section 3. Jurisdictions in all U.S. states must provide notice in local and online media of any electoral procedures related to redistricting, changes within 180 days of a federal election, and the relocation of a polling place. Therefore, citizens can more easily identify potentially harmful voting changes in states that are not subject to Sections 4 and 5 of the VRA. Plaintiffs seeking an injunction against a potentially discriminatory voting law should only show that difficulties for them overcome difficulties for the state if a law is blocked in court pending a full trial. Affirming the authority of the attorney general to send federal observers in States subject to Section 4 to monitor elections in these states, the proposal extends the authority of the attorney general to send observers to jurisdictions with a history of discrimination against minority language groups. As of June 2014, the proposed Voting Rights Amendment Act of 2014 was in limbo because there is no widespread support for amending the Voting Rights Act as it was for its reauthorization in 2006 by Congress. [93] Both the House and Senate versions of the bill eventually died on their respective Judiciary Committees. [95] The House introduced the Voting Rights Amendment Act of 2015 the following year. [96] It was referred to the House Judiciary Committee on the day it was introduced, but did not go past the committee stage. [97] The Voting Rights Promotion Act of 2015[98] (H.R. 2867), a measure similar to the Voting Rights Amendment Act of 2015, was introduced on June 24, 2015, but died with the end of the 114th United States Congress. [99] The most recent legislative attempt, the Voting Rights Amendment Act of 2017 (H.R. 3239), was introduced on July 13, 2017,[100] and referred again to the House Judiciary Committee [101] New York Senator Kirsten Gillibrand proposed making online voter registration universal. Under his proposal, states with existing online access would expand their system beyond those with state-issued IDs to allow more young people, seniors, minorities and the poor to access and update their own online voter registrations. To ensure safety, online systems will verify voter eligibility by checking each person's personal information, such as date of birth, Social Security and According to the Brennan Center for Justice at New York University School of Law in 2014, states (California, Colorado, Hawaii, Illinois, Louisiana, Massachusetts, Minnesota, Mississippi, Nebraska, Oklahoma, South Carolina, Utah) and Washington, D.C. passed laws that improved voter access, while laws restricting voter access were only passed by a minority of states in 2014. Legislation introduced and pending to expand and improve access to registration and voting includes, as of December 2014, the electronic transfer of voter registration information, online registration; portability, i.e. the ability to move a voter's record with them when moving to a new address within the same county or state); fault protection; easier registration and voting for students, people with disabilities, military members, and voters who speak a language other than English; and the expansion of voting registration and early voting opportunities in person. [103] In February 2019, Congressional Democrats introduced the Voting Rights Promotion Act 2019[104] (H.R. 4 at the 116th Congress (2019-2020))[105] which would restore the preclearance provision of the Voting Rights Act, which requires certain jurisdictions to secure federal approval before enacting voting changes. [106] Alabama, California, Florida, Georgia, Louisiana, Mississippi, New York, North Carolina, South Carolina, Texas, and Virginia were predicted to be covered by the law. The incumbent's government establishes more scope to pass even more restrictive voting laws in accordance with Congressional Democrats. [107] Since 2013, 19 states have implemented restrictive voter identification laws, closed polling places, and shortened early voting periods, according to U.S. Rep. Terri Sewell. [105] U.S. Senator Patrick Leahy added: In the wake of Shelby County, which gutted Section 5 of the Voting Law Laws and, consequently, paralyzed the federal government's ability to prevent discriminatory changes in state voting laws, states have unsealed this torrent of voter suppression schemes. Due to a single decision of 5 to 4, wrong, the federal government can no longer effectively serve as a shield against deprivation-of-rights operations targeting minorities and disadvantaged people across the country. The proliferation of threats to the right to vote in the wake of Shelby County makes it unequivocally clear why we need all the protections of the Voting Rights Act. That's why I'm introducing the Voting Rights Promotion Act 2019 to restore 5 of the Voting Rights Act, improve and modernize that historical legislation, and provide the federal government with other critical tools to combat this full attack on the franchise. [108] Senate majority leader Mitch McConnell lashed out at the bill in a Speech delivered in the Senate on February 26, 2019 and referred to him The Democratic Politicians Protection Act. [105] In the context of many states that enacted restrictive voting laws, automatic voter registration as a prerequisite for voting was approved in 16 states and the District of Columbia as of June 2019. [69] The Brennan Center for Justice argues that automatic voter registration systems not only increase registration rates, clear voter lists, and save states money, but are also a new way forward that can help open up access to franchise and improve American democracy. Particularly at a time when many states have enacted restrictive voting laws and voter turnout has reached historic lows. [69] See also the U.S. Portal Law Portal Abbott Policy Portal v. Perez (2018) A case dealing with Section 2 of the Voting Rights Act of 1965, a basic section of the United States Aid Act (HAVA) National Voter Registration Act of 1993 (NVRA) Uniformed and the Foreign Citizen Absentee Voting Act (UOCAVA) Suppression of Voters in The United States References (Kealing, Jonathan) (June 25, 2013). 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