



# Voting Rights

The right to vote is fundamental in the United States, and protecting and strengthening that right is key to achieving a multiracial, inclusive democracy. Yet people of color face ongoing barriers to participation in our elections and governance, from laws that restrict voting access and subvert the electoral process to the weaponization of redistricting and the disenfranchisement of people impacted by the criminal legal system, among others.

## Restrictive Voting Access and Election Laws

In the wake of the 2013 U.S. Supreme Court decision in *Shelby County, Alabama v. Holder*, legislatures in the Deep South and across the country moved swiftly to implement new laws restricting voting access, especially by people of color. Those efforts have been supercharged in recent years, fueled by the Big Lie about the 2020 election and the events surrounding the Jan. 6, 2021, insurrection at the U.S. Capitol. These laws limit voting access while also weakening the administration of elections and undermining voters' confidence in democracy.

- In the 11 years since that disastrous decision, states have passed more than 100 restrictive voting laws. (Brennan Center, 2024)
- Many of these restrictive laws have passed in the Deep South – Alabama, Florida, Georgia, Louisiana and Mississippi – where voters of color have long had to fight harder to secure their voting rights. Recently adopted laws in the Deep South:
  - Criminalize community members and nonprofit organizations helping voters in applying for and submitting absentee ballots – e.g., Alabama's S.B. 1 (March 2024); Louisiana's H.B. 476 and S.B. 155 (May 2024)
  - Permit bad actors to challenge voters' eligibility on a mass scale and based on faulty evidence – e.g., Georgia's S.B. 202 (March 2021) and S.B. 198 (May 2024)
  - Make it difficult or impossible for nonprofit organizations to register voters, a practice long utilized by communities of color – e.g., Florida's S.B. 7050 (May 2023)
  - Require documentary proof of citizenship to register to vote, a provision that disproportionately impacts people of color – e.g., Louisiana's S.B. 436 (June 2024)
  - Prohibit the use of private funding for local election administration, while placing additional burdens on local election administrators already starved for public funding (multiple bills across all five states)

Read more about anti-voter laws passed by Deep South states in the last year in the SPLC's report *A More Than Decade-Long Erosion: An Update on the Impact of Shelby v. Holder in the Deep South* ([splcenter.org/shelby-county-decision-impact](https://splcenter.org/shelby-county-decision-impact))

## Recommendations

- Congress should adopt measures to ensure voting access for all eligible voters, such as the Freedom to Vote Act and the John R. Lewis Voting Rights Advancement Act.
- Congress should provide consistent, generous funding to states and localities for election administration.
- Federal agencies should improve access to voter registration and promote access to voting for the eligible people they serve.
- States should overturn discriminatory and subversive voting and election laws, pass laws that ensure equal access for all eligible voters, and adequately fund local election administration.

## Gerrymandering

Gerrymandering, or the weaponization of the redistricting process to prevent people of color from electing candidates of their choice, has been among the most consistent and effective tactics used to disenfranchise voters of color in the Deep South.

- Since the 2021 redistricting cycle, at least 84 lawsuits have been filed in 28 U.S. states challenging new district maps as either racial or partisan gerrymanders. (Brennan Center, 2024)
- SPLC has filed six lawsuits challenging racially discriminatory maps in the Deep South this cycle and won a victory in Jacksonville, Florida, that will ensure a fair voice for Black Jacksonville residents at the City Council. Five SPLC cases in Alabama, Georgia, Louisiana and Mississippi are still pending.
- Although several racially gerrymandered district maps were found to be discriminatory by federal district courts, orders to redraw the maps were put on hold by appellate courts, or remedial maps that didn't create more opportunities for voters of color were allowed to stand, meaning some voters of color will once again have to vote under racially discriminatory maps that deny their full voting power.
- In two tremendous victories, Black Alabamians and Black Louisianans successfully challenged their states' racially discriminatory congressional maps. Led by Black voters, both fights resulted in an additional Black opportunity district in each state ahead of the November 2024 elections.

## Disenfranchisement of Voters with Felony Convictions

In many states, people convicted of felony offenses are deprived of the right to vote, with no consideration of individual circumstances. Some jurisdictions extend this denial of voting rights long past sentences imposed by a court, sometimes for life. Racial disparities between those disenfranchised and voting-age population are severe and are potentially outcome determinative in elections.

Total & Black Populations Disenfranchised for Felony Convictions in Deep South (Sentencing Project, 2022)

State	Voting Age Population	Total Disenfr.	Percent Disenfr.	Black Voting Age Pop.	Total Black Disenfr.	Percent Disenfr.
Alabama	3,709,180	318,681	8.59%	974,304	143,557	14.73%
Florida	15,296,734	1,150,944	7.52%	2,194,488	291,811	12.78%
Georgia	7,482,329	234,410	3.13%	2,412,882	124,858	5.17%
Louisiana	3,467,869	52,073	1.50%	1,092,970	32,865	3.01%
Mississippi	2,238,133	239,209	10.69%	822,633	129,495	15.74%

- Nationally, 4.6 million U.S. citizens who are no longer incarcerated are denied the right to vote due to a criminal conviction; nearly half of that population resides in the Deep South.
- The SPLC won a groundbreaking victory for disenfranchised voters in Mississippi, convincing a panel of an appellate court that the state's lifetime ban on voting for people with disqualifying convictions violates the U.S. Constitution's ban on cruel and unusual punishment and overturning the law. Unfortunately, the full appeals court recently vacated that decision, allowing Mississippi's discriminatory regime to stand.

Read more in our report on a decade without the full protections of the Voting Rights Act:

*[A Decade-Long Erosion: The Impact of the Shelby County Decision on the Political Participation and Representation of Black People and Other People of Color in the Deep South](https://splcenter.org/shelby-county-decision-report)* ([splcenter.org/shelby-county-decision-report](https://splcenter.org/shelby-county-decision-report))

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