



For Immediate Release
Friday, May 3, 2024

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Civil Rights, Voting Rights, Disability Rights Groups Ask Court to Block Enforcement of Law Criminalizing Absentee Ballot Application Assistance

Montgomery, AL — Today, a coalition of civil rights, voting rights, and disability rights organizations filed a [motion for a preliminary injunction](#) in *Alabama State Conference of the NAACP et al. v. Marshall et al.* With this motion, Plaintiffs ask the court to pause the state of Alabama from criminalizing the assistance of voters with their absentee ballot applications, which now may result in felony penalties of up to 20 years in prison.

If timely granted, the requested injunction would prevent the state from implementing the recently enacted Senate Bill 1 (SB 1) prior to October 29, 2024, the last day to apply for an absentee ballot by mail for the November 2024 General Election. A preliminary injunction would ensure SB 1 cannot be enforced while Plaintiffs seek to obtain a permanent injunction at the end of the litigation.

Under SB 1, non-partisan civil rights, voting rights, and disability rights organizations along with their volunteers fear criminal penalties for engaging in routine voter assistance and constitutionally protected activities. The law's vague, overbroad, and undefined provisions have chilled the constitutional rights of individuals who provide crucial assistance with the absentee application process – especially senior citizen voters, incarcerated voters, voters with disabilities, and low-literacy voters (including Black and Latino voters who endure persisting discrimination in education and other spheres) who depend on such assistance to access the franchise.

The lawsuit challenging SB 1 was filed in the United States District Court for the Northern District of Alabama by the Alabama State Conference of the NAACP (Alabama NAACP), Greater Birmingham Ministries (GBM), League of Women Voters of Alabama (LWVAL), and Alabama Disabilities Advocacy Program (ADAP). Plaintiffs are represented by Campaign Legal Center (CLC), Legal Defense Fund (LDF), Southern Poverty Law Center (SPLC), Alabama Disabilities Advocacy Program (ADAP), and the American Civil Liberties Union of Alabama (ACLU-AL).

“SB1 is an outright assault on our basic rights and the democratic process,” said **Benard Simelton, President of the Alabama NAACP**. “Criminalizing individuals for participating in their civic duties destroys the very essence of liberty and freedom, and it strips citizens of their fundamental rights. We are urging the courts to hear our voices, and overturn SB1.”

“Any law that creates barriers to voting undermines the fundamental principles of our democracy and must be stopped,” said **Kathy Jones, President of the League of Women Voters of**

Alabama. “SB 1 unjustly targets individuals and organizations that voters with disabilities depend on to access their ballots. The League of Women Voters of Alabama urges the court to block this law so we can continue our work to ensure Alabamians have their voices heard this fall.”

“Greater Birmingham Ministries, a non-partisan, pro-democracy, faith-based organization, opposes SB 1 because it creates barriers to a more informed, more assisted, more engaged voter base who must vote absentee; including the many people with disabilities, shift workers who don’t know their shifts well in advance, and even those legally incarcerated and convicted persons whose convictions still allow them to vote and can build their sense of being fully returned to citizenship and all that it means,” said **Scott Douglass, Executive Director of Greater Birmingham Ministries.** “GBM supports senior citizens on walkers, those who are blind, amputees, people with other health issues, and all others who will truly suffer losing their fullness of engagement in our civil society under SB 1.”

“SB 1 is an ill conceived ‘fix’ desperately in search of a non-existent problem,” said **William Van Der Pol, Senior Trial Counsel for ADAP.** “The only thing it accomplishes is to raise additional and unnecessary barriers for voters whose only avenue to have their voices heard, such as voters with disabilities, the elderly and the infirmed, is through absentee voting.”

“As a result of SB 1’s vague and undefined language, community organizations and volunteers are left to wonder if their routine voter engagement activities could result in felony penalties,” said **Alison Mollman, Legal Director of the ACLU of Alabama.** “Through this preliminary injunction, we are asking the court to not allow Alabama to put into place these unnecessary, overbroad, and unclear restrictions until this case can be fully litigated.”

“SB 1 chills neighbors and caretakers from assisting one another to exercise their voting rights,” said **Jess Unger, Senior Staff Attorney for voting rights at the Southern Poverty Law Center.** “This measure not only undermines the essence of community support and civic culture but also obstructs the fundamental democratic process.”

“SB 1 is an attack on Alabama’s voters and community organizations,” said **Valencia Richardson, Legal Counsel for voting rights at Campaign Legal Center.** “We should celebrate, not punish, civic-minded people who help voters make their voice heard. Instead, with a crucial election approaching, Alabamians face the prospect of major criminal penalties for ordinary civic engagement work – which is why it is so essential that the court block this vague anti-voter law while litigation is ongoing.”

“SB 1 has no place in our democracy,” said **Anuja Thatte, Assistant Counsel at the Legal Defense Fund.** “The criminalization of people willing to ensure our electoral system is accessible to fellow citizens is antithetical to a true inclusive democracy that values the rights and contributions of its citizens. Today’s filing seeks to protect these rights while our case proceeds.”

A copy of the motion for preliminary injunction is available here.

Read the lawsuit challenging SB 1 [here](#).