



NAACP LEGAL DEFENSE AND EDUCATIONAL FUND, INC.  
POLITICAL PARTICIPATION GROUP (PPG)

STANDING IN THE GAP IN THE THIRD RECONSTRUCTION  
FOLLOWING *SHELBY COUNTY, ALABAMA V. HOLDER*

# CALL TO ACTION!



PPG's mission is to use legal, legislative, public education, and advocacy strategies to promote the full, equal, and active participation of Black people in America's democracy.

We are committed to aggressively fighting and defending against the attack on our voting rights.

We invite you to stand with us.

Fight back.

And reach out.



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## WE NEED YOUR HELP IN TWO CRITICAL WAYS.

**1. Without the key provision of the Voting Rights Act that required certain states to report all voting changes before their implementation, you now become our eyes and ears on the ground.**

Within hours of the Supreme Court's *Shelby County* decision, the State of Texas, where in 2012 alone Section 5 of the Voting Rights Act blocked the state's discriminatory photo ID law and intentionally discriminatory redistricting plans, announced its intention to implement those measures immediately. This is only one of many examples of formerly-covered states declaring their intent to take advantage of the gap in Section 5 protection by reverting back to laws that the Voting Rights Act had previously blocked.

**Let them talk. But tell us about it. We encourage you to let us know of any voting changes that are planned in your area, which you believe may have a negative impact on your community.**

These changes might include: moving polling places to locations that are difficult for your community to access; switching to at-large voting or appointing officials who were formerly elected; redrawing district lines in a manner that reduces the number of majority-Black or Latino (or other majority-minority) districts; reducing the early voting period; curtailing opportunities to register to vote; or implementing new voter ID requirements.

**We need you to collect stories about such voting changes in your community, and to tell us about them at [vote@naacpldf.org](mailto:vote@naacpldf.org).**

You also can call the Election Protection hotline, maintained by LDF and a coalition of civil rights groups, at 1-866-OUR-VOTE.

**We are all in this fight together.**

**2. Congress is uniquely empowered to respond to the Supreme Court's ruling, and we must harness our collective energy to ensure that Congress acts.**

**Now is the time for you to reach out to your Senators and Representatives in the U.S. Congress, and urge them to make it a top priority to respond to the Supreme Court's *Shelby County* ruling by protecting our voting rights.**

The Voting Rights Act has been reauthorized four times—always with bipartisan support, and even in times of great national division. We have done this before. Now, we can and must do it again.

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## IN JUNE 2013, A CORE PROVISION OF ONE OF THE GREATEST PIECES OF CIVIL RIGHTS LEGISLATION EVER ENACTED FELL.

In *Shelby County, Alabama v. Holder*, the Supreme Court struck down as unconstitutional Section 4(b) of the Voting Rights Act. This key provision identified 15 states and localities that were subject to Section 5 of the Voting Rights Act because of their longstanding and ongoing patterns of racial discrimination in voting. Section 5 required those 15 places to demonstrate to the U.S. Department of Justice or a federal court in Washington, D.C. that proposed changes to their voting laws would not be harmful to voters of color before those laws could be implemented. By striking down Section 4(b), the Supreme Court immobilized Section 5. The decision was akin to letting you keep your car, but taking away your keys.

The NAACP Legal Defense & Educational Fund, Inc. (LDF) represented Black community leaders from Shelby County, Alabama and argued the case in the Supreme Court. We fought to keep this critical preclearance protection in place, and presented irrefutable evidence that racial discrimination persists in the places covered by Section 4(b), and subject to Section 5's preclearance scrutiny.

Known as the crown jewel of civil rights laws, Section 5 of the Voting Rights Act has served as our nation's discrimination checkpoint, providing critical protection for millions of voters of color—Black, Latino, Asian American, American Indian, and Alaskan Native—in those places of our country where racial discrimination has been the most persistent and adaptive. In a shameful opinion, however, a narrow majority of the Supreme Court made these millions of voters vulnerable to voting discrimination.

The Supreme Court did this even though a bipartisan Congress in 2006 voted nearly unanimously to reauthorize Section 5 of the Voting Rights Act. After hearing from more than 90 witnesses with a diverse range of views, holding 20 hearings, and evaluating a 15,000 page record, 98 Senators and 390 House members voted to re-authorize Sections 4(b) and 5 of the Voting Rights Act. The Court's *Shelby County* decision disregards the will of Congress, and, more importantly, the will of the voters represented by Congress.

Notwithstanding the Supreme Court's ruling in *Shelby County*, the fight continues. Our parents and forebears fought harder and against immeasurably greater obstacles. With Thurgood Marshall at the helm, LDF first began to challenge racial discrimination in voting in the 1940s. Our charge today is attainable. Our legal team here at LDF will continue to aggressively use all available legal tools, including the remaining provisions of the Voting Rights Act, to challenge harmful discriminatory measures which, in the wake of the Supreme Court's decision, are newly arising throughout places formerly covered by Section 4(b). As we have for more than 70 years, LDF pledges to vigorously pursue our mission to protect the rights of voters of color to participate fully in the political process.

[vote@naacpldf.org](mailto:vote@naacpldf.org)

[www.naacpldf.org](http://www.naacpldf.org)

