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Voting Rights Organizations Move to Block Provisions in Georgia's Anti-Voter Law in 2022 Election Cycle

Preliminary injunction motion seeks to halt provisions that criminalize providing basic necessities to people waiting in lines at polling locations

ATLANTA – TODAY Voting rights groups filed a preliminary injunction motion to challenge certain barriers to voting created by Georgia's anti-voter law, [S.B. 202](#).

If granted, the preliminary injunction would lift restrictions on line relief, including handing out free food, water, and other provisions to voters in line. This would allow non-partisan voting rights organizations to continue giving free food and water to voters in line, as they did before S.B. 202. The motion claims line relief restrictions violate the free speech rights of those handing out line relief and expressing gratitude to Georgians for voting, in addition to placing undue barriers on voters.

[The Southern Poverty Law Center \(SPLC\)](#), the [Legal Defense Fund \(LDF\)](#), [American Civil Liberties Union \(ACLU\)](#), the [ACLU of Georgia \(ACLU Ga\)](#), and the law firms [WilmerHale](#) and [Davis Wright Tremaine LLP \(DWT\)](#) filed the preliminary injunction motion as part of their litigation, [The Sixth District of the African Methodist Episcopal Church vs. Brian Kemp \(AME vs. Kemp\)](#). Plaintiffs are the the [Sixth District of the American Methodist Episcopal Church](#), [Delta Sigma Theta Sorority](#), [Georgia ADAPT](#), [Georgia Advocacy Office](#), and the [Southern Christian Leadership Conference](#) represented by LDF, ACLU Ga, ACLU and Wilmer Hale, as well as the [Georgia Muslim Voter Project](#), [Women Watch Afrika](#), [Latino Community Fund of Georgia](#) and [The Arc of the United States](#), represented by SPLC and DWT.

The motion for a preliminary injunction can be found [HERE](#).

“Under S.B. 202, the Georgia state government has created barriers to voting that target basic human comforts, like food and water during a long wait at the polls,” said **Poy Winichakul, senior staff attorney for voting rights with SPLC**. “We are filing this preliminary injunction motion so Georgians waiting in long lines can have the simple relief of water or a snack.”

“The right to vote is a cornerstone of our democracy, and the state of Georgia should be making it easier for eligible voters to exercise this fundamental right,” said **Rahul Garabadu, a voting rights staff attorney at the ACLU of Georgia**. “By criminalizing the act of handing food or water to voters waiting in line, the line relief ban makes it harder to cast a ballot, especially for voters of color and voters with disabilities.”

“This law is a blatant and shameless attempt to make voting more difficult in Georgia. It is inhumane, represents politics at its very worst, and is clearly illegal,” said **Sophia Lin Lakin, deputy director of the ACLU’s Voting Rights Project**.

“Let’s be clear: S.B. 202’s line relief ban only makes it harder for many Georgians to exercise their fundamental right to vote,” said **Tania Faransso, special counsel at WilmerHale**. “We are filing this motion for a preliminary injunction — on behalf of our clients and all Georgians — to protect the right of eligible voters to participate in our democracy.”

“Georgians suffer from some of the longest polling place lines in the country, especially in neighborhoods of color,” said **Adam Sieff, an attorney with Davis Wright Tremaine**. “But instead of making it easier for old folks or parents waiting with kids to cast a ballot in sweltering heat or blistering cold, S.B. 202 makes it a crime for a neighbor to offer these voters a bottle of water or warm cup of coffee. That’s not only inhumane, it’s also a clear violation of the First Amendment and these citizens’ rights as voters.”

“Within civil rights and other justice movements, there is a long tradition of organizations like those we represent providing food and water to support Black and other voters fully exercise their right to vote,” said **Leah Aden, deputy director of litigation at LDF**. “Georgia’s ban on the ability of these organizations to provide this support is indicative of the cruel tactics those in power are willing to employ to stop communities of color from participating like they did in the 2020 and the 2021 runoff elections.”

Background:

After Georgia voters turned out in record numbers for the 2020 presidential election and U.S. Senate elections in early 2021, state legislators passed S.B. 202, a sweeping — unconstitutional and racially discriminatory — voting law that threatened to massively disenfranchise voters, particularly voters of color.

In response, voting rights organizations filed *AME vs. Kemp* challenging multiple provisions of S.B. 202 including:

- A ban on “line relief,” where volunteers provide water and snacks to people waiting in long lines to vote, a common occurrence at precincts with a large population of voters of color.
- A severe restriction on the use of mobile voting units, which have been used to address a shortage of accessible and secure polling locations that previously resulted in long lines of voters at existing and traditional polling locations.
- Additional and onerous identification requirements for requesting and casting an absentee ballot.
- A compressed period for requesting absentee ballots.
- Restrictions on the use of secure ballot drop boxes.
- Disqualification of provisional ballots cast in a voter’s county of residence but outside the voter’s precinct before 5 p.m. Previously, votes for all the races to which the person was eligible to vote on that precinct’s provisional ballot were counted.
- A drastic reduction of early voting in runoff elections.

The lawsuit describes how S.B. 202 violates voter protections under the 14th and 15th Amendments as well as Section 2 of the Voting Rights Act, the Americans with Disabilities Act, the Rehabilitation Act, and the Civil Rights Act of 1964. It also outlines how the “line relief” ban violates the First Amendment right to freedom of expression.

In addition to seeking this preliminary relief, these Georgia organizations will continue to move towards a full trial on all of their claims and seek complete relief for the various harms S.B. 202 creates for future elections.