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Federal Court in Texas Hears Lawsuit Challenging S.B. 1, State Law Targeting Voting Rights

[San Antonio, Texas] – Today, the United States District Court for the Western District of Texas began the first day of trial in a case challenging S.B. 1, a Texas law that targets voting access. The case is comprised of five lawsuits, including *Houston Area Urban League v. Abbott* which was [filed](#) in 2021 by the Legal Defense Fund (LDF), Reed Smith LLP, ArentFox Schiff, and The Arc on behalf of the Houston Area Urban League (HAUL), Delta Sigma Theta Sorority, Inc., The Arc of Texas, and Jeffrey Lamar Clemmons, a poll worker.

The lawsuit argues that S.B. 1 violates the First, Fourteenth, and Fifteenth Amendments of the United States Constitution and Section 2 of the Voting Rights Act by targeting and burdening methods and means of voting used by voters of color. Additionally, the plaintiffs argue the law violates the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, and Section 208 of the Voting Rights Act by imposing voting barriers that will discriminate against voters with disabilities and deny people with disabilities full and equal opportunities to participate in the state’s voting programs.

The lawsuit challenges multiple provisions in S.B. 1, including its limitations on early voting hours and a ban on 24-hour voting; the elimination of drive-thru voting centers; limitations on multiple drop-off locations for mail ballots; limitations on the distribution of mail-in ballot applications; limitations and possible penalties for voter assistants, including criminal felonies; expansion of the authority of partisan poll watchers; and criminal penalties against poll workers seeking to maintain order at the polling place.

“The plaintiffs in this lawsuit brought this case for one reason: voting is a fundamental right that is preservative of all other rights,” said Jennifer A. Holmes, Senior Counsel at the Legal Defense Fund (LDF). “But S.B. 1 is disenfranchisement by a thousand cuts. It makes voting harder at every

stage of the process, disproportionately burdening Black and Latino voters and voters with disabilities. No plaintiff, or eligible Texas voter, should face these barriers to voting.”

“Our democracy should encourage voter turnout, not inhibit it,” said Reed Smith partner Kenneth Broughton. “This law erected roadblocks at every stage of voting, from registering to casting ballots. While election officials admitted there was no fraud to fix, they still made it harder to vote for all, particularly disabled people and voters of color.”

“Democracy begins with free and fair elections. Safeguarding voting rights and allowing voters to express their voices and be heard are fundamental to a democratic system. This legislation denies eligible voters this fundamental right and it needs to be protected,” said J. Michael Showalter, partner at ArentFox Schiff.

“Voter suppression is a disability rights issue,” said Shira Wakschlag, Senior Director of Legal Advocacy and General Counsel for The Arc of the United States. “People with disabilities have the fundamental right to vote and participate in our democracy, but this right has too often been denied. S.B. 1 disenfranchises voters with disabilities by making it harder to vote by mail and receive the assistance they need to vote, and it denies people with disabilities equal access to voting in violation of the law. If a wheelchair user faces an inaccessible building and must - with great hardship - get out of their wheelchair and crawl up the stairs to get inside, no one would argue that this is equal access. The same principle applies here. Voters with disabilities should not be forced to figuratively crawl up the steps to access the vote.”

“The Houston Area Urban League stands firmly against any legislation that could potentially disenfranchise voters, particularly those from marginalized communities,” said Judson Robinson, President and CEO of HAUL. “Our participation in this lawsuit is a testament to our dedication to ensuring that every eligible Texan has a fair and equal opportunity to cast their vote.”

“Texas Senate Bill 1 is a blatant attack on democracy and an egregious violation of the rights of all Texans, with a disproportionate impact on Black and Latino communities and Americans with disabilities,” said Elsie Cooke-Holmes, co-plaintiff and international president of Delta Sigma Theta Sorority, Inc. “For 110 years, Delta Sigma Theta Sorority has been leading the charge in advancing voting rights for African Americans and women, and will persist in advocating for this cause. We stand united against these grave injustices and actively work to establish a fair and inclusive electoral system that honors the rights of all.”