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LDF Files Federal Lawsuit Challenging Louisiana Voting Requirements That Put Voters at Risk Amid COVID-19 Pandemic

Today, the NAACP Legal Defense and Educational Fund, Inc. (LDF) and the firm Covington & Burling, LLP filed a [federal lawsuit](#) challenging voting requirements imposed by the State of Louisiana, including restrictions on the use of absentee mail-in ballots, which pose serious health risks to voters amid the COVID-19 pandemic. The lawsuit was filed on behalf of the Power Coalition for Equity and Justice, the Louisiana State Conference of the NAACP, and four individual voters.

“Risking your health, and the health of your family, should not be a requirement to partake in the electoral process,” said Catherine Meza, Senior Counsel at LDF. “We are hoping this lawsuit not only increases access to absentee voting but also makes in-person voting safer, so that Louisianans can exercise their constitutional right without putting their lives at risk.”

Currently, voters in Louisiana must identify an “excuse” to be eligible to vote by absentee ballot. The Secretary of State has proposed a plan for the upcoming primary and municipal elections that would allow voters with specific underlying medical conditions or who are experiencing symptoms of COVID-19 to request an absentee ballot, but does not include any accommodation that would permit all eligible voters who have concerns about contracting or transmitting COVID-19 to receive an absentee ballot. This excludes a significant number of Louisiana voters, including those who may be asymptomatic carriers or caretakers who may be healthy but justifiably concerned for their health or the health of their family and community.

Louisiana also requires that absentee ballots be signed by a witness to confirm that the identity of the voter matches the ballot. This requirement endangers vulnerable voters by forcing them to leave their home or invite others into their home, increasing the likelihood of infection. While these requirements are a material burden for all voters, they disproportionately impact African Americans who currently account for [over 57 percent of COVID-19-related deaths](#) in Louisiana despite making up only 32 percent of the state population.

“In Louisiana and dozens of other states across the country, we are seeing a stark racial disparity in COVID-19 infections and deaths,” said Zachery Morris, LDF/Fried Frank Fellow. “Essential workers are more likely to be Black and people of color, resulting in higher exposure levels. This reality, combined with differences in healthcare access, underlying conditions, and other disparities that result from longstanding and persistent discrimination, have created a worst possible scenario for communities of color. The State’s restrictions on absentee ballots will effectively prevent thousands of voters from being able to participate in these upcoming elections or force them to risk their lives to do so.”

Our complaint explains that the expansion of absentee ballot access is also essential because it reduces the number of people who vote in person, which is important to maintain social distancing at polling places. Similarly, the lawsuit seeks to reduce crowds at polling places by advocating for an extension of early voting.

Read the full complaint [here](#).

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Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation’s first civil and human rights law organization. LDF has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF’s Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF.

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