



**For Immediate Release**  
**Thursday, March 31, 2022**

**LDF Media**  
212-965-2200 / [media@naacpldf.org](mailto:media@naacpldf.org)

**Texas Court Fails to Recognize Waller County's Denial of  
Black Students and Voters' Access to Equitable Early Voting**

Recently, the Southern District Court of Texas ruled against Prairie View A&M University (PVAMU) students, recent graduates, and a PVAMU student and alumni organization, who argued that Waller County violated the U.S. Constitution and Section 2 of the Voting Rights Act. Students at this historically Black university located in the City of Prairie View alleged that Waller County allocated early voting opportunities for the November 2018 election in a discriminatory manner, which severely burdened and limited early voting access for them and other Black, young voters, and Black student voters in the County. Following a 12-day trial, the federal trial court determined that “the areas in and around Prairie View, including PVAMU, were allocated ample hours at convenient polling places during the early voting period of the 2018 general election.”

PVAMU students are considering all options for their next steps. This decision will not deter PVAMU students' continued advocacy and efforts to ensure equitable early voting access in their community for upcoming elections.

“We are disheartened by this long-awaited decision, which condones Waller County's pattern of allocating early voting access in a way that has sought to limit Black voters' and student voters' political power and voice,” said NAACP Legal Defense and Educational Fund, Inc. (LDF) Deputy Director of Litigation Leah Aden. “Prairie View A&M University students, who have comprised some of the highest users of early voting and are one of the largest voting blocs in Waller County, are entitled to fair, equitable, and non-discriminatory access to the ballot box. Despite the unfortunate post-trial ruling, that fight will continue—and Prairie View A&M University students will be among the leaders in that fight, as they have been for decades.”

“The Court's decision is another reminder that the full promise of freedom and full citizenship remains unfulfilled for Black Prairie View A&M University students in Waller County,” said John Cusick, Assistant Counsel at LDF. “But despite this ruling, the fight is not over. We look forward to working with our brilliant and courageous clients and PVAMU students to ensure equitable, meaningful early voting access in Waller County, including on-campus at their great institution.”

“For decades, Black PVAMU students have filed litigation, protested, run for office, and spoke at public meetings to defend their right to equal, unburdened access to the political process, said Steven Lance, Policy Counsel at LDF. “The court's unfortunate decision,

though far from the outcome we hoped for, does nothing to diminish their bravery and resilience in this longstanding struggle. PVAMU students will continue to make their voices heard—and everyone who believes in the promise of an equal and racially inclusive democracy, both in Waller County and throughout the nation, should listen closely to what these brilliant young voices have to say.”

“While we are disappointed with the outcome, we are proud of our work on this case and will continue to fight for fair voting rights,” said a partner at Norton Rose Fulbright US LLP, Adam T. Schramek.

In 2018, LDF and Norton Rose Fulbright filed a lawsuit against Waller County on behalf of current and former PVAMU students and a PVAMU student and alumni organization. At the time of the filing, county officials had *admitted* that their allocation of early voting to precincts in Prairie View did not provide equal representation and was inequitable. Plaintiffs also developed a record demonstrating that Black voters—and Black student voters in particular—experience life in Waller County distinct from that of other residents, facing transportation challenges and other economic obstacles that bear on their ability to access early voting as allocated by the County. The court did not credit these facts. Since 2018, the County has failed to provide equitable early voting options by refusing to provide *any* on-campus early voting for federal, state, and county elections until the primary of this year in 2022.

Though not recognizing and remedying violations of their voting rights in 2018, the trial court acknowledged: “Waller County—or more precisely, certain persons and officials acting within it—has at times manifested racial animus and discrimination in a manner curtailing (or attempting to curtail) the voting rights of students at PVAMU.” Indeed, before 1971, despite being home to numerous Black residents of voting age, Waller County prevented almost all eligible Black voters from registering to vote, remaining registered, and exercising their fundamental right to vote.

However, due to the increasing federal enforcement of Black Americans’ voting rights following the Voting Rights Act of 1965 and the ratification of the Twenty-Sixth Amendment in 1971, which provided the vote to all Americans eighteen years or older (a right brought to life by PVAMU students’ advocacy), the mostly Black student population at PVAMU became and remains a significant political force in Waller County. Almost immediately and through to the present, county officials have deployed various unconstitutional and illegal tactics as a response to limit students’ voting rights, including restrictive registration requirements, arbitrary voter challenges, and, in the last few years, baseless changes and barriers to students’ access to early voting and polling locations.

###

*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.*

*Follow LDF on [Twitter](#), [Instagram](#) and [Facebook](#).*