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LDF Issues Statement on USPS Court-Ordered Actions to Delivery Ballots on Time

Today, Sherrilyn Ifill, President and Director-Counsel of the NAACP Legal Defense and Educational Fund, Inc. (LDF) issued the following statement regarding the court-ordered actions of the United States Postal Service (USPS) to discover and deliver mail-in votes on time:

“The failure of the USPS to fully comply with today’s order from Judge Sullivan is outrageous and unacceptable. This underscores precisely why this litigation is so important. Judge Sullivan’s order tonight makes clear his expectation that the USPS will continue the process set forth in his order in the remaining hours left this evening.

“We note that in a number of regions covered by Judge Sullivan’s orders, there are hours remaining for the delivery of ballots by state deadlines, and the USPS must work diligently to meet those deadlines. In any case, every voter who relied on the postal service deserves to know that their ballot was delivered, and we will not stand down in our demand that the USPS fulfill this important public trust.

“Although Judge Sullivan denied our request for an emergency hearing, his admonition that the USPS should ‘be prepared to discuss the apparent lack of compliance with the Court’s order’ at tomorrow’s status conference suggests that the USPS would do well to demonstrate aggressive efforts to locate and deliver ballots tonight.

“Additionally, we are grateful for the work of the extraordinary women and men of the USPS and the unions, who have been doing everything they can to ensure ballots are timely delivered.”

On August 20, 2020, LDF and Public Citizen filed a lawsuit on behalf of the National Association for the Advancement of Colored People (NAACP) against the USPS. The suit argues that summer changes by USPS were implemented in violation of federal law and have led to widespread disruptions in mail delivery that risk delaying the delivery of mail-in ballots — thereby causing voter disenfranchisement — for today’s general election. The NAACP, the nation’s largest and oldest civil rights grassroots organization, and its members rely on the timely delivery of the mail for a variety of important functions, including mail-in voting.

On September 1, 2020, LDF and Public Citizen followed up by filing a preliminary injunction motion seeking to suspend service changes that had disrupted mail delivery — resulting in delayed delivery of prescription medications and other important mail in the midst of the COVID-19 pandemic, and raised concerns about the timely delivery of ballot applications and ballots in the run up to today’s general election.

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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.