

VRA for Today

Moving Voting Rights Forward

RECENT EXAMPLES: Voting Rights Discrimination

The following are recent examples of voting discrimination around the country.

City of Clinton, Mississippi (2012)

In 2011, the city of Clinton, Mississippi proposed a districting plan for its six-member council that, like the existing plan, did not include a single ward where African-American voters had the power to elect their candidate of choice, despite the fact that 34 percent of the city's population is African-American. After careful review under Section 5 of the Voting Rights Act, the Justice Department found in 2012 reliable evidence that the city of Clinton acted with a *racially discriminatory purpose* in its decision not to create an ability-to-elect ward for African-American voters. In the wake of the Justice Department's objection, the city redrew the council district lines to create for the first time a ward where African-American voters have the ability to elect their preferred candidate.

City of Natchez, Mississippi (2012)

In 2011, the city of Natchez, Mississippi proposed a redistricting plan that reduced the percentage of African-American voters in one ward (Ward 5) by 6 percent and placed these voters into the three wards that were already majority African-American. This change decreased the Black voting-age population in the impacted ward from almost 53 percent to less than 47 percent, thus eliminating the ability of African Americans in that ward to elect their preferred candidate. After careful review, the Justice Department concluded in 2012 that the city's efforts to reduce the African-American population in Ward 5 were done *with a discriminatory purpose*.

Nueces County, Texas (2011)

In late 2011, the county commission in Nueces County, Texas enacted a redistricting plan that diminished the voice of Hispanics at the polls by swapping Hispanic and White voters between election precincts. After careful review of the 2011 plan, the Department of Justice concluded that the county's actions "appear to have been undertaken to have an adverse impact on Hispanic voters." The department also noted that the county offered "no plausible non-discriminatory justification" for these voter swaps and instead offered "shifting explanations" for the changes."

State of Georgia (2012)

In 2012, the state of Georgia passed statewide legislation that had the sole effect of changing the date for the non-partisan mayoral and commissioner elections for the consolidated government of Augusta-Richmond from November to July. After analyzing the proposed plan under Section 5, the Department of Justice concluded that moving Augusta-Richmond's mayoral and commissioner elections from November to July would disproportionately negatively impact the turnout of African-American voters and that there was evidence that Georgia's actions in adopting this legislation were *driven, in part, by a racially discriminatory purpose*.

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East Feliciana Parish, Louisiana (2011)

The parish proposed a redistricting plan that included the creation, realignment, and renumbering of voting precincts. In this plan, District 5 is an ability-to-elect district for African-Americans. The Department of Justice concluded that the significant reduction in the percentage of Black persons in the total population, the voting-age population, and the number of registered voters in the district would mean that Black voters in the proposed district would no longer have the ability to elect a candidate of their choice to office. Therefore, the department blocked the implementation of this change.

Randolph County, Georgia (2006)

In January 2006, the three-member Randolph County Board of Registrars held a special meeting for the sole purpose of determining anew the proper voter registration location of Henry Cook, an African-American candidate for office from District 5. The all-white Board of Registrars voted unanimously to change the voter registration status of Cook and his family members from District 5, where more than 70 percent of the voters are African-American, to District 4, where more than 70 percent of the voters are White. In addition to undertaking these procedurally and substantively unusual actions, the board resurrected an issue that had been settled three years earlier by a judge in the Superior Court of Tift County who ruled that Cook was eligible to vote and run for office in District 5. The Department of Justice objected to this change.

Yakima, Washington (2015)

The city of Yakima utilizes an at-large election system to fill the seven seats on its city council. While four of the seven seats are single-member, all residents of the city can vote in the general election for any of the candidates running for any of the open seats whether they live in the member's district or not. As a result, no Hispanic has ever been elected to the council in the 37-year history of the system, despite the fact that Hispanic people account for one-third of the Yakima's voting-age population and one-quarter of its citizen voting-age population. Federal courts have ordered the city to implement a plan for seven single-member districts, which county officials announced they would do in March of 2015.

Gainesville, Georgia (2011)

The city of Gainesville utilizes an at-large election system that has been challenged various times over the years. Under that system, all residents of the city can vote for any of the candidates running for any of the open seats whether they live in the member's district or not. Since Hispanic people account for about 42 percent of the city's population and almost 35 percent of the voting-age population, their ability to elect their candidate of choice for any of the five seats on the council is severely limited. In 2011, the Georgia Association of Latino Elected Officials began advocating for a new election system.

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Fullerton, California (2015)

The city of Fullerton is one of the largest cities in the state to use an at-large election system for its city council elections. Under that system, all residents of the city can vote for any of the candidates running for any of the open seats whether they live in the member's district or not. Since Asian Americans account for about 23 percent of the city's population and almost 21 percent of the voting-age population, their ability to elect their candidate of choice for any of the five seats on the council is severely limited. On July 7, 2015, the city reached a settlement with the ACLU of Southern California, which requires the city to develop a single-member district system.