



# ELECTORAL RIGHTS & WRONGS

*the Effects of Shelby County v. Holder (2013) on Georgia Voters*

Alaina R. Vacante  
Advisors: Justin B. Dyer & William T. Horner



# Historical Context

Reconstruction following the Civil War reignited white Southerners' tempers.

Concurrently were many legislative changes:

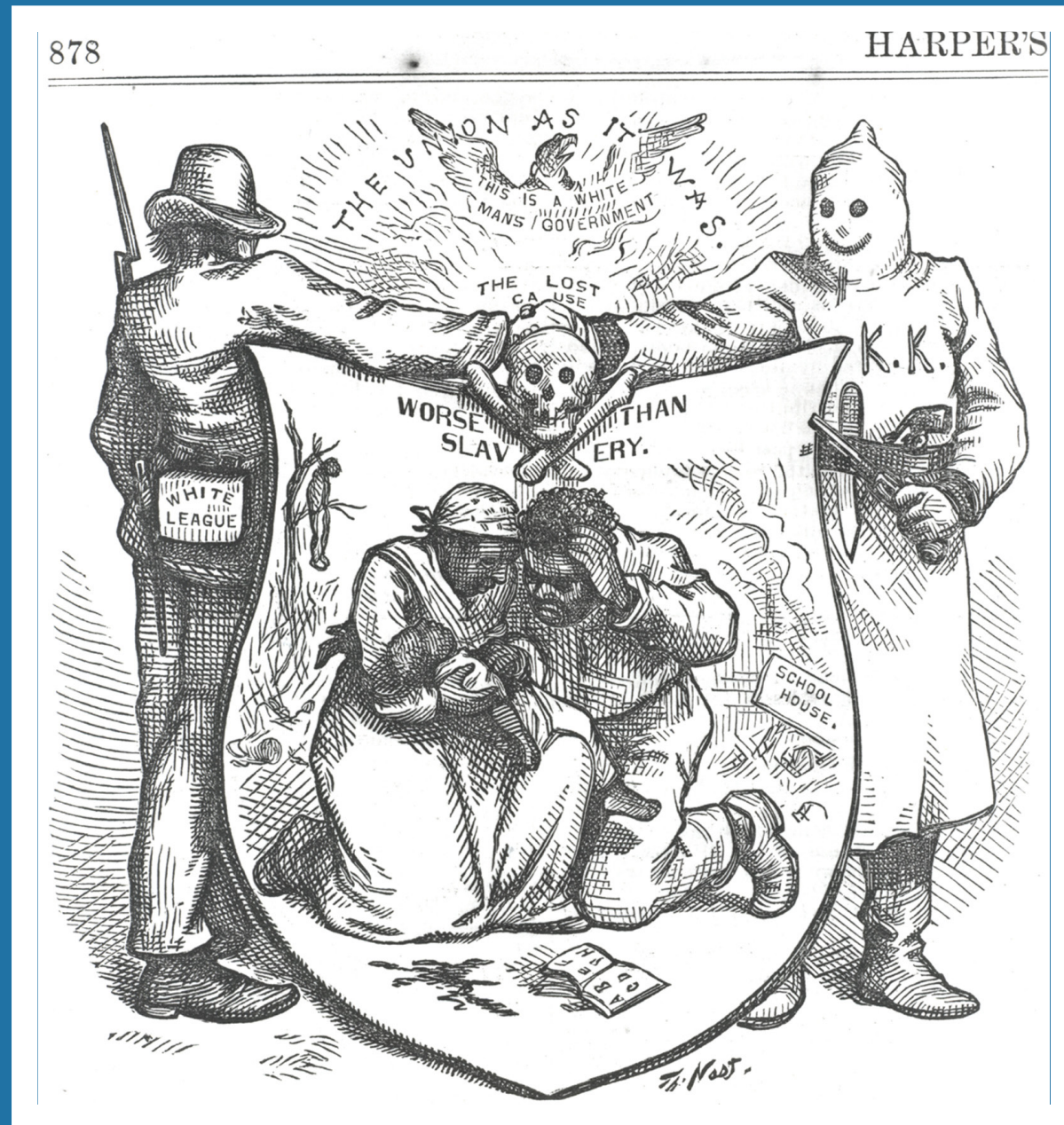
- The passing of the Military Reconstruction Act of 1867 provided universal male suffrage
- Ratification of the 14th Amendment in 1868 gave citizenship to all people born in the United States
- Ratification of the 15th Amendment in 1870 affirmed that the right to vote was inalienable on the basis of race, color, or previous condition of servitude
- Passage of the Enforcement Act of 1870 that created criminal penalties for obstructing ones' right to vote
- Passage of the Force Act of 1871 that enabled the federal government to oversee elections

# Representation During Reconstruction

- By 1872 there were 325 Black state legislatures in the South
- White Southerners, not pleased with this, proposed the Compromise of 1877 also widely known as the Great Betrayal:
  - In the Presidential Election of 1876
    - Democrat nominee Samuel J. Tilden won the popular vote
    - Republican nominee Rutherford B. Hayes won the electoral college
  - To resolve this, a congressional committee was created
    - 3 Democrats, 3 Republicans, and 1 Independent decided that Hayes could be President if...
      - federal troops were removed from the South
      - the South was provided funding for infrastructure
      - a Southerner was appointed to Hayes' cabinet
      - racial integration was left in the hands of white southerners
- By Republicans agreeing to this, Reconstruction was dead -- and Redemption was born



Lithograph of Black congressmen during the 1870's  
<https://www.mobituaries.com/the-podcast/the-black-congressmen-of-reconstruction-death-of-representation/>



# Black Codes

- Creation of the Klu Klux Klan
  - terrorized people of color, often to keep them from voting
  - included violent tactics such as lynching
  - could not be stopped, as many members were part of either the police force or governmental agency
- Job Lash
  - use of economic threats to prevent Black people from voting

Political cartoon depicting black codes by Thomas Nast, 1874  
<https://www.pbs.org/wgbh/americanexperience/features/reconstruction-thomas-nasts-political-cartoons/>



# Further Obstacles to Voting

## -Intitution of:

### -Literacy tests

-created because of known low literacy rates of Black Southern men

### -Poll taxes

-had to be paid before each election

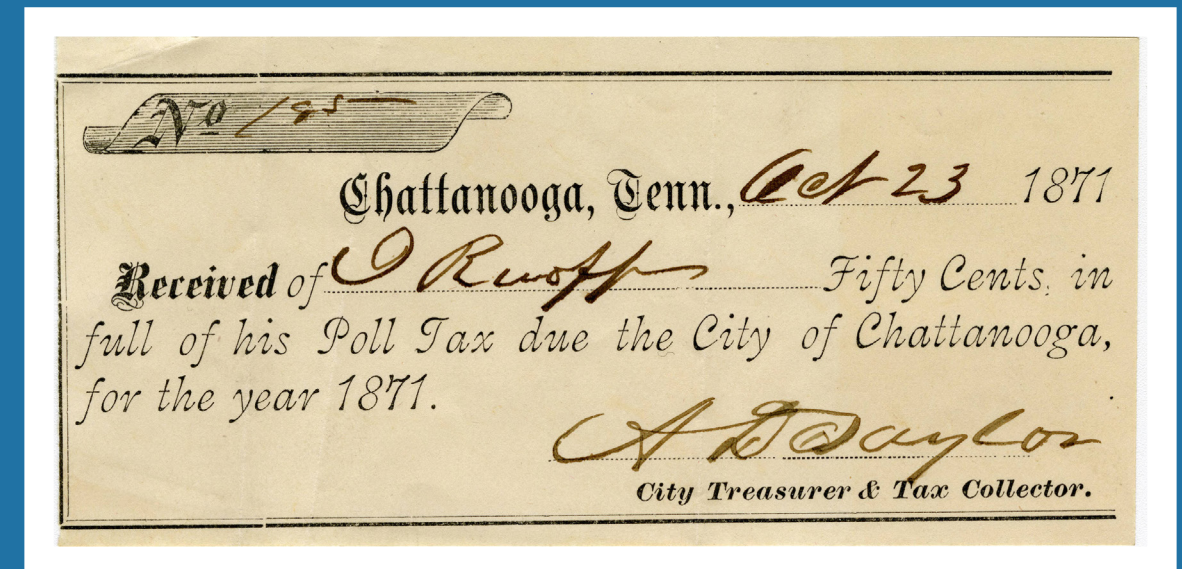
-often equivalent to \$1000 in todays money

-Grandfather Clause provided exemption for poor white people whose father or grandfather had fought for the Confederacy

-Disqualification from voting if convicted of a number of minor crimes such as shoplifting

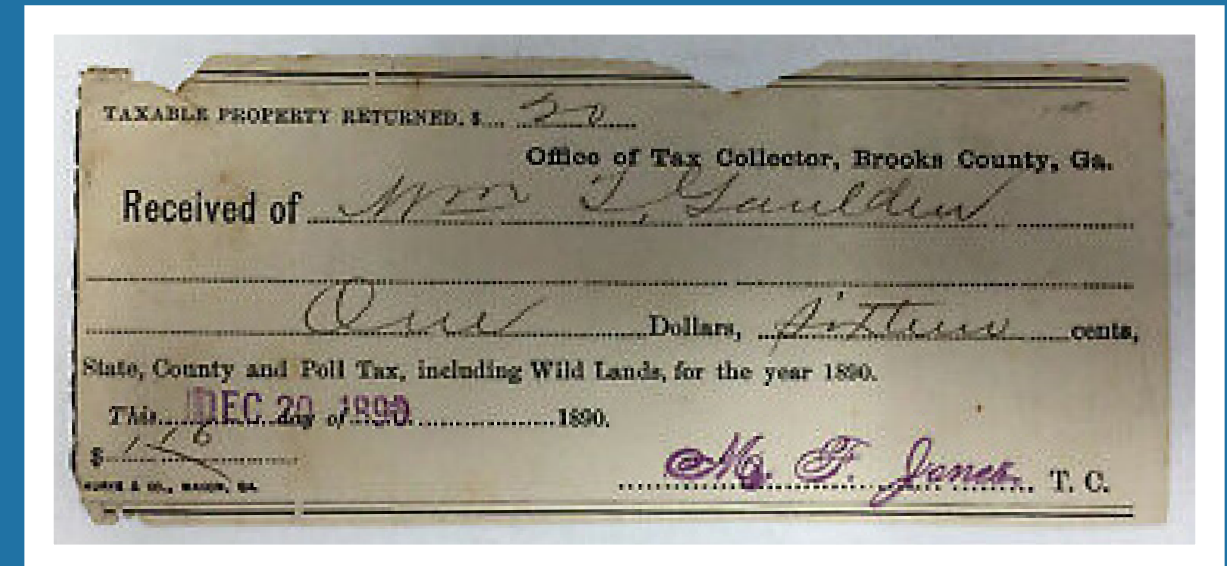
### -All-White Primaries

-Gubernatorial appoints to localities to prevent Black representatives from being elected



Poll tax receipt from TN, 1877

<https://nmaahc.si.edu/explore/exhibitions/reconstruction/voting-rights>



Poll tax receipt from GA, 1890

<https://www.ebay.com/itm/1890-Brooks-County-GA-Tax-Collection-Receipt-Victorian-Georgia-/174118805881>



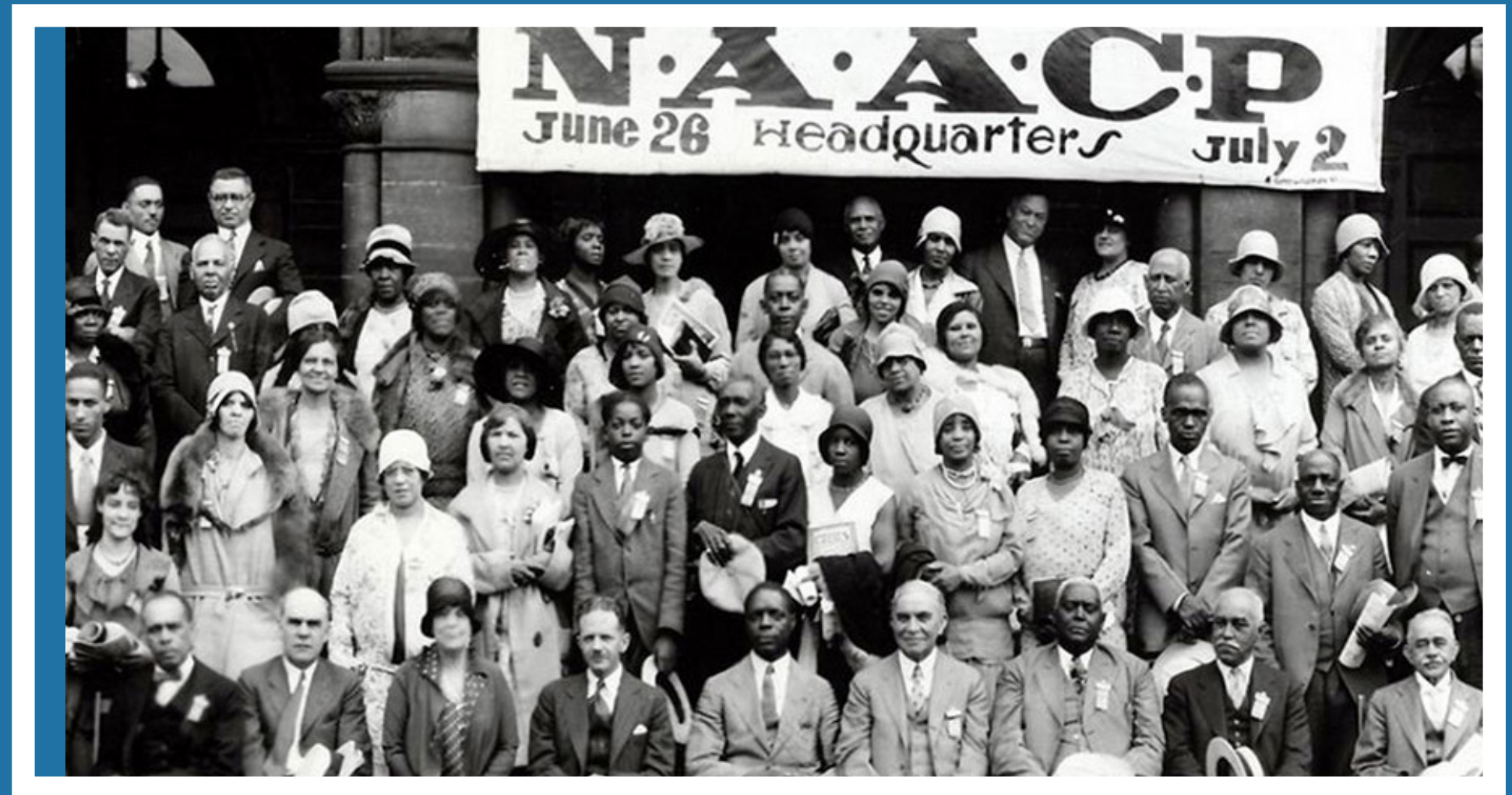
# NAACP

-the National Association for the Advancement of Colored People (NAACP)

-created in 1908 after a deadly race riot in Springfield, IL

*-"the NAACP aimed to secure for all people the rights guaranteed in the 13th, 14th, and 15th Amendments to the United States Constitution, which promised an end to slavery, the equal protection of the law, and universal adult male suffrage, respectively."*

**-Derrick Johnson  
CEO of NAACP**



Photograph of the NAACP at their Headquarters  
<https://ibw21.org/commentary/the-storied-history-of-the-naACP/>



# Intensified Realization of Wrongs



- Approximately 1 million Black Americans served in the United States military during WWII as either volunteers or draftees
- People began to notice the hypocrisy of fighting a war against racism in Europe while institutional racism lived on in America
- Black men were risking their lives for a country that treated them as lesser than
- Instigated a renewal of an ideological push to further equality for minorities in America

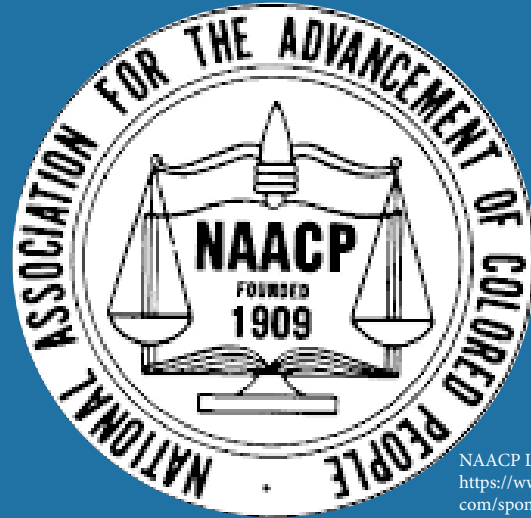
Black American soldiers serving during World War II

<https://progressive.org/dispatches/how-african-american-wwii-veterans-were-scorned-by-the-g-i-b/>





Corog Logo  
<https://www.pinterest.com/pin/267260559124011938/>



NAACP Logo  
<https://www.grantforward.com/sponsor/detail/national-association-for-the-advancement-of-colored-people-3210>



LDF Logo  
<https://aaregistry.org/story/naacp-legal-defense-fund-ldf-formed/>



SNCC Logo  
[https://en.wikipedia.org/wiki/Student\\_Nonviolent\\_Coordinating\\_Committee](https://en.wikipedia.org/wiki/Student_Nonviolent_Coordinating_Committee)



SCLC Logo  
<https://twitter.com/nationalsclc>

# Increased Organizing

- the NAACP grew 9x during WWII
- 1940: the NAACP added the Legal Defense Fund (LDF) to further their efforts for equality
  - formulated Class Action Lawsuits
  - the LDF won *Smith v. Allwright* (1944) and in doing so brought an end to all-white primaries
- 1942: the Congress of Racial Equality (CORE) was founded
  - aimed to further the Civil Rights Movement through Freedom Rides with students and clergy men
- 1957: the Southern Christian Leadership Conference (SCLC) was founded
  - originally aimed to created progress through non-violent persuasion tactics, but later began using non-violent confrontation tactics
- 1960: the Student Non-Violent Coordinating Committee (SNCC) was founded
  - aimed to fruther equality through protests such as sit-ins



# Supreme Court Cases

- Gomillion v. Lightfoot (1960)**
  - ruled against unconstitutional gerrymandering used to dilute political power from minorities
- Baker v. Carr (1962)**
  - resulted in the ruling that malapportionment is a justiciable issue
  - allowing for voting rights to come to the forefront of the legislative agenda
- Reynolds v. Simons (1964)**
  - ruled that for all states, every district in the Senate and the House must be of the same size
- Westbury v. Sanders (1964)**
  - ruled congressional districts within a state must be of equal population
  - illegal to not properly apportion districts
- Harper v. Virginia Board of Elections (1966)**
  - Ruled Poll Taxes illegal regardless of state or municipality



Supreme Court  
<http://www.historytunes.com/Supreme%20Court%20Cases%201960s.php>



Supreme Court Justices (1962)  
<https://www.thoughtco.com/the-warren-court-4706521>



# VOTING RIGHTS ACT OF 1965

<https://politicalcharge.org/2019/01/21/the-voting-rights-act-a-short-guide/>

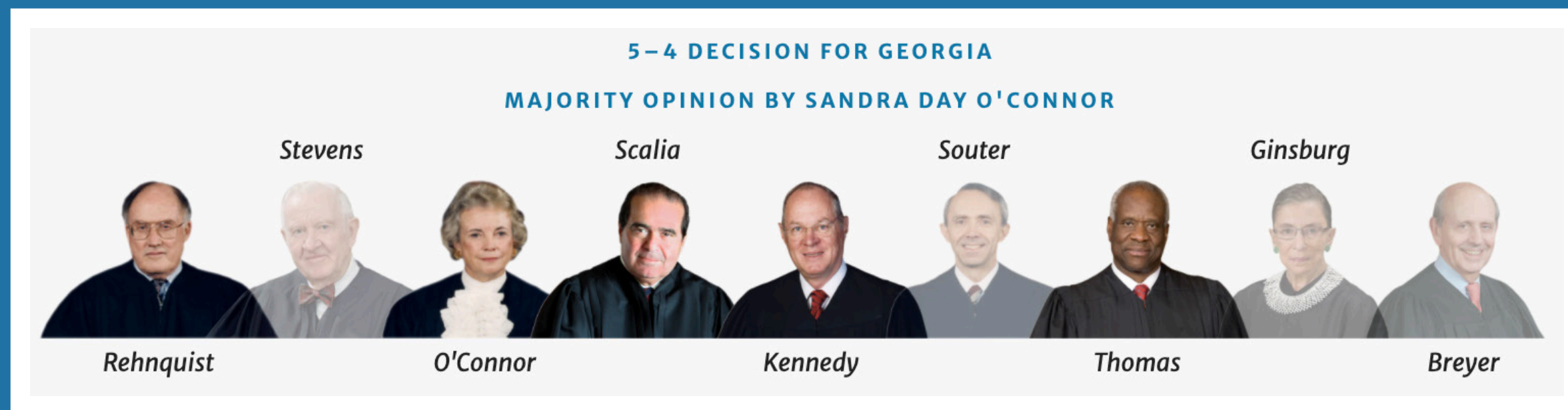


# Voting Rights Act of 1965 (VRA)

- consisted of 19 Titles
- addressed problems associated with low black voter participation in the South due to disenfranchisement efforts
- Titles II, IV, and V. Section II introduced a nationwide permanent prohibition on devices used to limit the voting
  - Section II: prevented citizens from being prevented from voting based on racial background
  - Section IV: reinforced Section II by implementing a trigger for preclearance
    - created a formula that dictated if a locality used restrictive voting devices, and if in the election of 1964 had less than 50% turnout of the voting-age population, it would then be subject to special federal control over changes its election practices
  - Section V: stated that these regions, triggered by this formula, are barred from altering voting laws before receiving preclearance from the Department of Justice or DCDC
- initially maintained a 5-year limit in which required congress to reauthorize the act every five years going forward
- by President Johnson's passage of this act, almost all parts of all Southern states were then subject to preclearance requirements

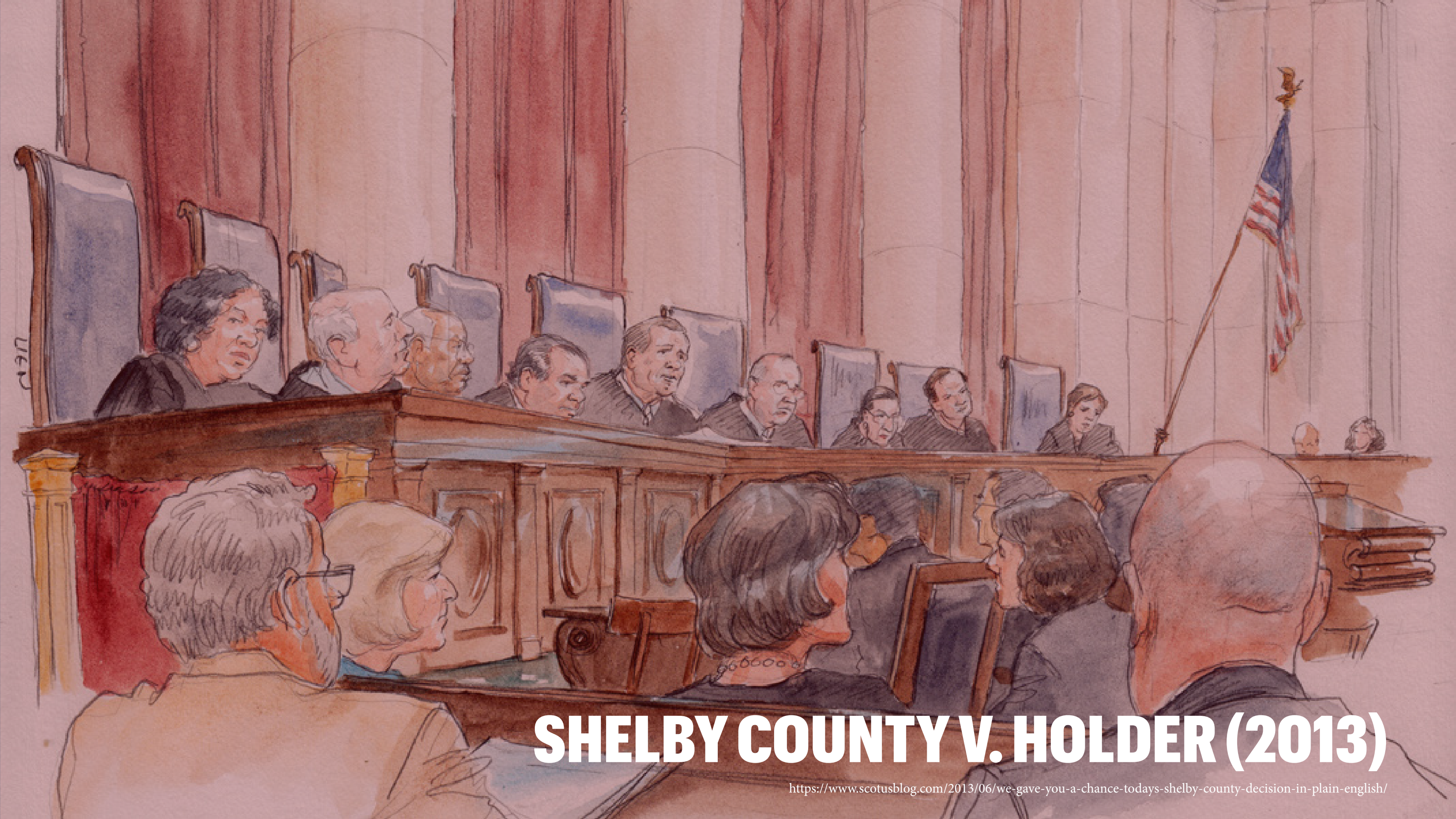
# Georgia v. Ashcroft (2003)

- approximately 20 years after the VRA of 1965
- ruled the redistricting plan passed by a Democratic legislature, a plan to effectively further the power of Black voters in Georgia was claimed to be a violation of the VRA
  - majority opinion claimed that the new plan, “‘unpacked’ the most heavily concentrated majority-minority districts in the benchmark plan and created a number of new influence districts.”
- not a single Georgia Republican voted in favor of the redistricting
- It was becoming clear that regardless of the roads pathed for Black voters by the VRA, it did have its limitations



Supreme Court Justices  
during the time of  
Georgia v. Ashcroft (2003)  
<https://www.oyez.org/cases/2002/02-182>





# SHELBY COUNTY V. HOLDER (2013)

<https://www.scotusblog.com/2013/06/we-gave-you-a-chance-todays-shelby-county-decision-in-plain-english/>

# Facts of the Case

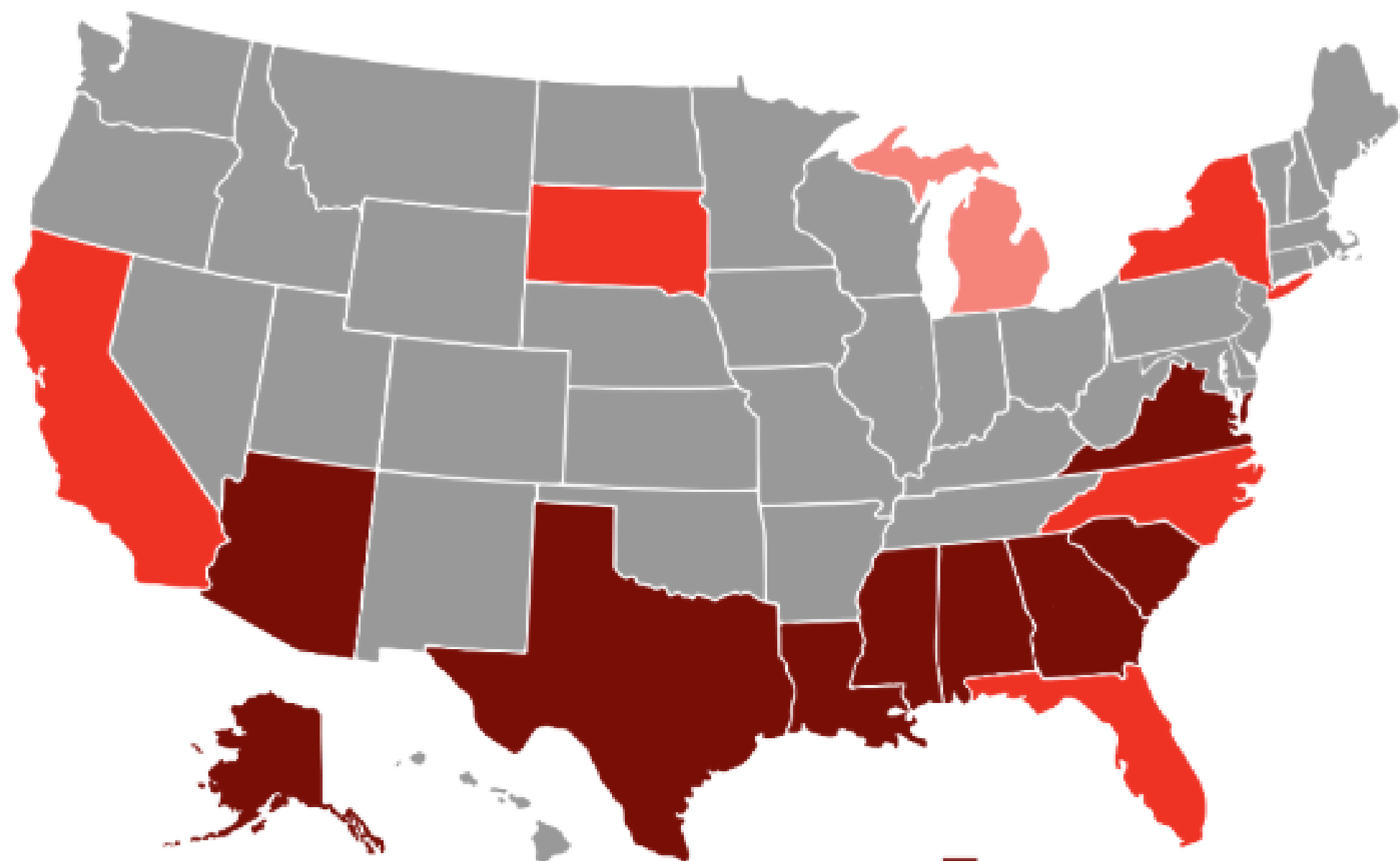
- Petitioner: Shelby County, Alabama**
  - claimed Sections II, IV, and V of the VRA were unconstitutional
  - failed to uphold the 10th Amendment and Article 4 of the Consitution
    - 10th Amendment: powers reserved for the states
    - Article 4: the promise of the federal government to protect states from domestic violence
- Respondent: Eric Holder, Jr. Attorney General**
  - provided justification through the 14th & 15th Amendments
- Question became: does congress maintain enough authority through the 14th & 15th Amendments to justify any violation of the 10th Amendment and Article 4 of the constitution?**
- Decision: 5-4 for Shelby County, Alabama**
  - Majority Opinion by Chief Justice Roberts
    - Justices Scalia, Kennedy, Thomas, and Alito concurred
  - Dissenting Opinion by Justice Ginsburg
    - Justices Breyer, Sotomayor, and Kagan agreed
- Resulted in the elimination of preclearance requirements for covered states through the removal of Sections II, IV and subsequent end to the application of Section V**
  - legislatures can now alter elections laws free from federal interference



Supreme Court Justices during the time of  
Shelby County v. Holder (2013)  
<https://www.nytimes.com/2013/06/26/us/supreme-court-ruling.html>



# States Covered by Section 5 at the time of the Shelby County Decision



BRENNAN  
CENTER  
FOR JUSTICE

- States Covered as Whole by Section 5
- Some Counties Covered by Section 5
- Some Townships Covered by Section 5

States Covered Previous to  
Shelby County v. Holder (2013)  
<https://www.brennancenter.org/our-work/court-cases/shelby-county-v-holder>

# Research Question

**How have election laws changed since 2013 and specifically, did the Shelby county case have an effect on voter registration and turnout in Georgia during the 2020 Presidential Election and 2021 General Election Run-off?**



# Theory

**While the Georgia legislature is making extensive efforts to impose voter suppression on minority citizens, their current actions are ineffective. This results from minority population growth within the state and overall growth with an expected “17.7% increase in Georgia’s population by 2030” (GA 2021). Which will lead to an increase in the number of minority voters and increased difficulty in the use of less apparent tactics for voter suppression. Subsequently, the legislature will continue to propose and potentially pass more and more restrictive regulations and laws associated with elections and voting until Georgia returns to its former status as a red state.**

# Methods

## Qualitative Analysis:

The focus is on analyzing all proposed and passed legislation relating to election law and voting rights in the State of Georgia from the Shelby County v. Holder decision in 2013 to Georgia's current legislative session. There is also an analysis of the overall effects of Shelby County v. Holder (2013) on Georgia voters, the effects of the case on redistricting within the State of Georgia, and active efforts to combat further voter suppression in Georgia. There is also an analysis of other relevant Supreme Court cases along with the national impact and perspective on disenfranchisement tactics in Georgia throughout my research.

## Empirical Analysis:

Analyzation of data from the Georgia Secretary of State's office detailing all registered voters in the State, the last time they voted, the year they registered to vote, as well as their demographics. The focus is on voter registrations and voter participation concerning the voters' race to create a comparison of the various races in terms of the ability of minorities to vote in Georgia.





# **QUALITATIVE EVIDENCE: Passed and Proposed Election Legislation (2013-Present)**



# Why Alter Georgia's Election Code?

- the majority of these proposed changes come predominantly from conservative members of state legislatures
- more recently prompted by the deeply contentious 2020 Presidential Election in which the Democratic candidate, Joe Biden, beat the Republican incumbent, Donald Trump, in 2020
  - In Georgia, this was further prompted by the run-off for the General Election in 2021 where Democrats Reverend Raphael Warnock and John Ossoff beat Republican incumbents David Perdue and Kelly Loeffler
- outcry of supposedly extensive voter fraud reintroduced a fervor for greater election and voter regulations in many conservative Americans
- The proposals introduced thus far:

*“primarily seek to: (1) limit mail voting access; (2) impose stricter voter ID requirements; (3) limit successful pro-voter registration policies; and (4) enable more aggressive voter roll purges.”*  
(Brennan Center, 2021).





# 2013-2014 Regular Legislative Session

**-Total proposed legislation for Georgia's Election Code: 48**

**-Proposed bills most relevant to voting rights and election regulation:**

**-House Bill(s): 87, 142, 143, 310, 555, 852, 891, 942**

**-House Resolution(s): 945, 741, 1771**

**-Senate Bill(s): 44, 45, 102, 184, 311, 315**

**-Senate Resolution(s): n/a**

**-Relevant Passed Legislation:**

**-HB 87 (R)**

**-HB 142 (R)**

**-HB 143 (R)**

**-HB 310 (R)**

**-Implications:**

**-imposition of greater disclosure of campaign finances along with increased transparency from the Georgia Government when it comes to federal and state elections**

# 2015-2016 Regular Legislative Session

**-Total proposed legislation for Georgia's Election Code: 57**

**-Proposed bills most revelant to voting rights and election regulation:**

**-House Bill(s): 26, 46, 58, 130, 665, 737, 772, 850, 1031, 399**

**-House Resolution(s): n/a**

**-Senate Bill(s): 25, 26, 27, 28, 31, 33, 102, 127, 199**

**-Senate Resolution(s): n/a**

**- Relevant Passed Legislation:**

**-HB 737 (R)**

**-SB 199 (R)**

**-Implications:**

**-SB 199: amended Title 21 of the Official Election Code of Georgia**

**-altered the availability of early Saturday voting, the definition of campaign materials and their proximity to polling places, new residency requirements for voter registration, and automatic repeal of conflicting laws**

# 2017-2018 Regular Legislative Session

**-Total proposed legislation for Georgia's Election Code: 59**

**-Proposed bills most revelant to voting rights and election regulation:**

**-House Bill(s): 20, 42, 133, 167, 180, 323, 346, 520, 632, 641, 680, 819, 848, 957, 1008, 1013**

**-House Resolution(s): 1699**

**-Senate Bill(s): 33, 34, 35, 36, 37, 59, 114, 225, 308, 320, 363, 403, 416**

**-Senate Resolution(s): n/a**

**-Relevant Passed Legislation:**

**-HB 42 (R)**

**-Implications:**

**-HB 42: altered election code**

**-changed how and when municipal and federal run-off elections are to occur as well as authorized election superintends to fix ballot mistakes, whether printed or electronically programmed**



# 2019 -2020 Regular Legislative Session

**-Total proposed legislation for Georgia's Election Code: 70**

**-Proposed bills most relevant to voting rights and election regulation:**

**-House Bill(s): 16, 27, 57, 176, 210, 211, 248- 250, 252, 256, 270, 275, 283, 299, 316, 389, 400, 433, 466, 522, 1172**

**-House Resolution(s): 1238, 8, 138, 345, 416, 1621**

**-Senate Bill(s): 22, 30, 196, 220, 409, 414, 249, 435, 463, 499, 521**

**-Senate Resolution(s): 18, 970**

**-Relevant Passed Legislation:**

**-HB 316 (R)**

**-Implications:**

**-HB 316 (Act 24) : amended Chapter 2 of Title 21 of the Official Election Code of Georgia**

**-outlawed the use of mismatched signatures to be used in the removal of an absentee ballot from being counted, the addition of ballot drop-off locations, and the removal of proof of relation to physically disabled persons when dropping off their absentee ballot**

**-required that if a disabled or illiterate person requires help with their ballot during a primary, federal, or run-off election, they are required to be helped by a family member**

**-only requires advanced voting on one Saturday, the second Saturday before the election in question, between the hours of 9:00 a.m. to 4 p.m.**

**-In the event that there are no federal or s candidates on the ballot, then there is no requirement of advanced voting to be available on any Saturday. It is at the discretion of the municipalities to decide this.**

**-new run-off requirement listed in which a candidate must have less than one-half of 1% of total votes in comparison to their opposition to qualify for a recount**

# Current Legislative Session (2021-2022)

-total proposed legislation for Georgia's Election Code: 101

-proposed bills most revelant to voting rights and election regulation:

-House Bill(s): 59, 101, 113, 132, 136, 227, 228, 250, 267, 270, 284, 285, 325, 326, 333, 351, 365, 366, 373, 461, 472, 484, 491, 492, 493, 494, 501, 506, 507, 512, 537, 615, 659, 701, 785

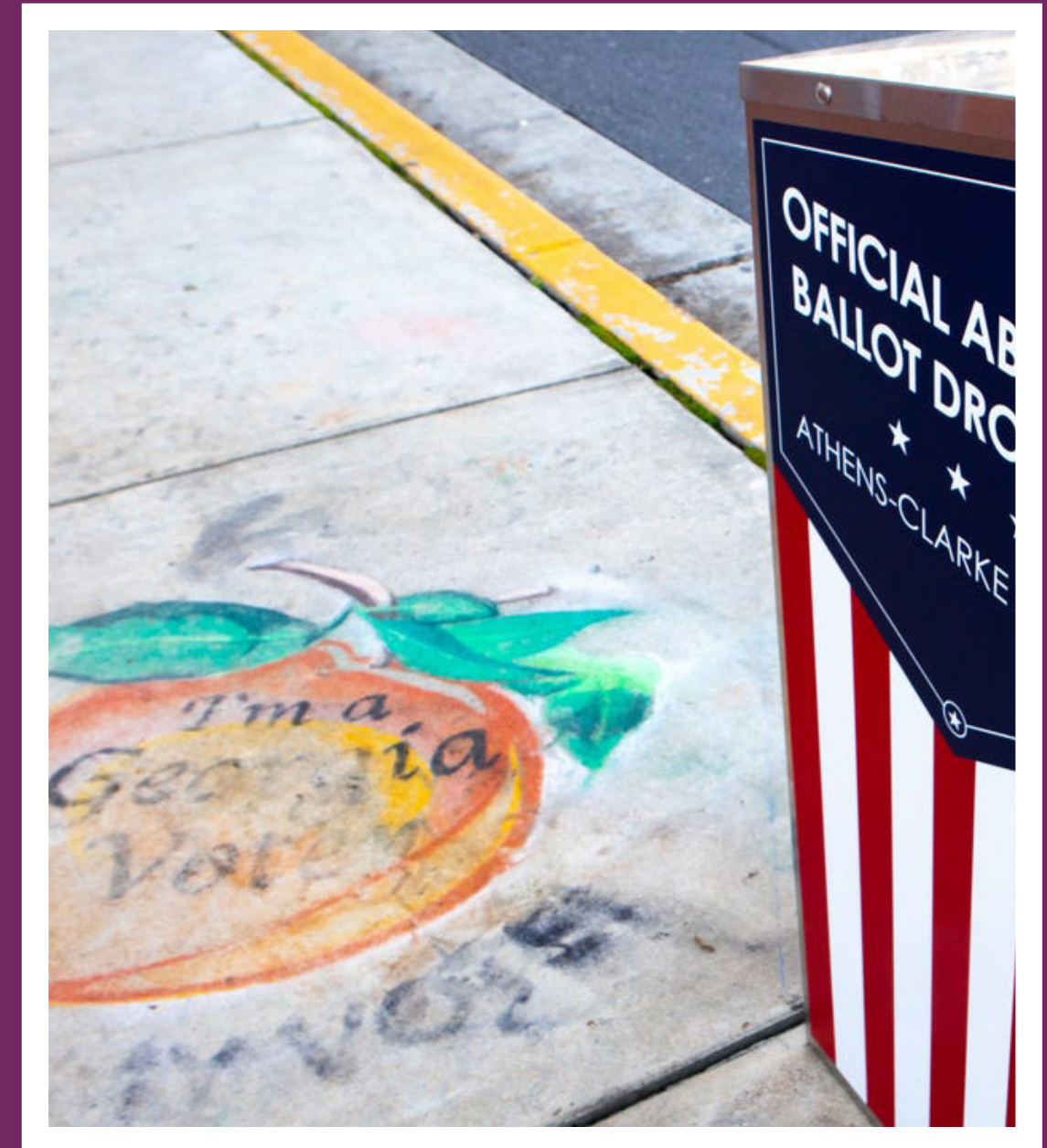
-House Resolution(s): n/a

-Senate Bill(s): 26, 29, 35, 36, 38-40, 67, 70-74, 79, 93, 99, 141, 147, 149, 150, 175-178, 184, 188, 192, 202, 232, 233, 241, 253, 269, 273, 314

-Senate Resolution(s): 30

-Relevant Passed Legislation:

-SB 202 (R)



Photograph of Official Absentee Ballot Drop Box 2021

[Phhttps://www.onlineathens.com/story/news/state/2021/03/28/new-georgia-voting-law-what-does-sb-202-change-elections/7038406002/](https://www.onlineathens.com/story/news/state/2021/03/28/new-georgia-voting-law-what-does-sb-202-change-elections/7038406002/)

# Implications of Senate Bill 202 (Act 6)

**-touches on almost all aspects of Georgia's electoral system and will be felt by all Georgia voters come the next election cycle**

**-Elaborate changes to absentee voting and early voting:**

**-Previously, registered voters could request a mail-in ballot up to 180 days previous to the election in question. Now, voters have only 77 days to do so, meaning there is less than half as much time for Georgians to make this request.**

**-requires the absentee ballot applications to be returned two Fridays before the election, instead of only one Friday before**

**-new regulations concerning the requesting and returning of a ballot concerning one's identification. Citizens must bring their driver's license number, state ID number, or a copy of a voter ID.**

**-counties can now wait to mail out mail-in ballots approximately three weeks later than before**

**-those who intend to turn in their ballot in person must verify their identity with poll workers by providing their name, date of birth, address, and chosen form of ID. Then the individual sign an oath, an oath, swearing that the information they have provided is accurate**

**-state and local government, along with third-party groups, are no longer permitted to send unsolicited absentee voter applications**

**-absentee ballots will now be printed on security paper that includes your precinct name and precinct ID**

**-all 159 counties must have at least one dropbox, but only one for every 100,000 active voters or one for every early voting site - whichever is smaller**

**-dropbox is now only accessible during early voting days during the hours that they are open, not 24/7 as before**

**-extra absentee ballots will be sent overseas, along with these individuals' actual ballots, so that they can send back ranked-choice ballots in lieu of the State of Georgia maintaining its previous nine-week gap between elections**

**-requirement for in-person early voting between Monday and Friday before the election**

**from 7:00 a.m. to 7:00 p.m. at maximum, or 8 hours from 9:00 a.m. to 5:00 p.m. at a minimum**



# Implications of Senate Bill 202 (Act 6 ) Cont.

- counties must publicly report the number of absentee ballots accepted, rejected, issued, and returned, along with how the number of in-person voters at their polling site each day
  - prohibits anyone except poll workers from providing food or water to voter within 150 feet of the polling location
  - mandatory Saturday early voting options, along with requiring these polling locations to be open for either 12 hours
- Changes to the way that votes are counted
  - Officials can now begin processing absentee ballots up to two weeks prior to the election
  - Counties required to finish tabulating votes by 5 p.m. that day after the election; if the deadline has missed, the precinct in question risks investigation
  - Election certification moved up six days
  - Poll workers must receive formal training previous to elections
  - Scanned ballot images to become part of public record
  - For precincts that experience wait times longer than an hour for voters or more than 2,000 voters in a day, it is required they hire more poll worker, staff or divide the precinct following the election
- Additional alterations to the Official Georgia Election Code
  - Georgia Secretary of State, a non-voting ex-officio member, appoint in a non-partisan way by means of the majority of the House and Senate of the Georgia Legislature
  - new powers granted to the State Election's Board
    - can now suspend entire municipal elections committees and replace them with one individual for up to nine months if it is deemed that they are an underperforming district





**QUALITATIVE EVIDENCE:  
Effects of Shelby County v. Holder (2013)  
on Georgia Voters**



## **UTILIZATION OF THE CROSS-CHECK PROGRAM**

- removal of thousands of Georgians from voter rolls without proper notification**
  - majority of these people were minorities**
- contributed to the purge of almost 700,000 Georgia voters during Georgia's gubernatorial election of 2018**
- also, the added 53,000 voter registrations that were delayed by the Georgia Secretary of State's Office**
- Brian Kemp defeated Stacy Abrams by only 54,723 votes or 1.39%**
  - This margin ignited a movement to overcome voter suppression in the State of Georgia, as those 54,723 votes could have easily been surpassed by the hundreds of thousands of voters that had been unknowingly purged**
- used due to claims of widespread voter fraud regardless of no legitimate evidence of this taking place**

## **DISENFRANCHISEMENT ON A MUNICIPAL LEVEL**

- The city used the new ease of oversight to question the voter registration of 180 citizens, most of which were minorities**

## **CLOSING OF POLLING PLACES IN LOCATIONS WITH HIGH MINORITY POPULATIONS**

- closing of almost 200 polling locations during the Gubernatorial election of 2018**

## **ALTERATION OF COUNTY SCHOOL BOARD REPRESENTATION**

- addition of two new seats to the Sumter County School Board.**
  - this county is split historically between White and Black citizens**
  - the residents of Sumter became quite upset when the school board had more elected Black board members than White board members**
  - to "correct" this, the county attempted to pass legislation, including adding these two new seats but was quickly shut down by the justice department on the grounds of preclearance requirements in place at the time**
  - after Shelby County v. Holder (2013), Sumter County reintroduced those two additional seats**





**QUALITATIVE EVIDENCE:  
Effects of Shelby County v. Holder (2013)  
on Redistricting in Georgia**



## UNJUST REPRESENTATION OF GEORGIANS

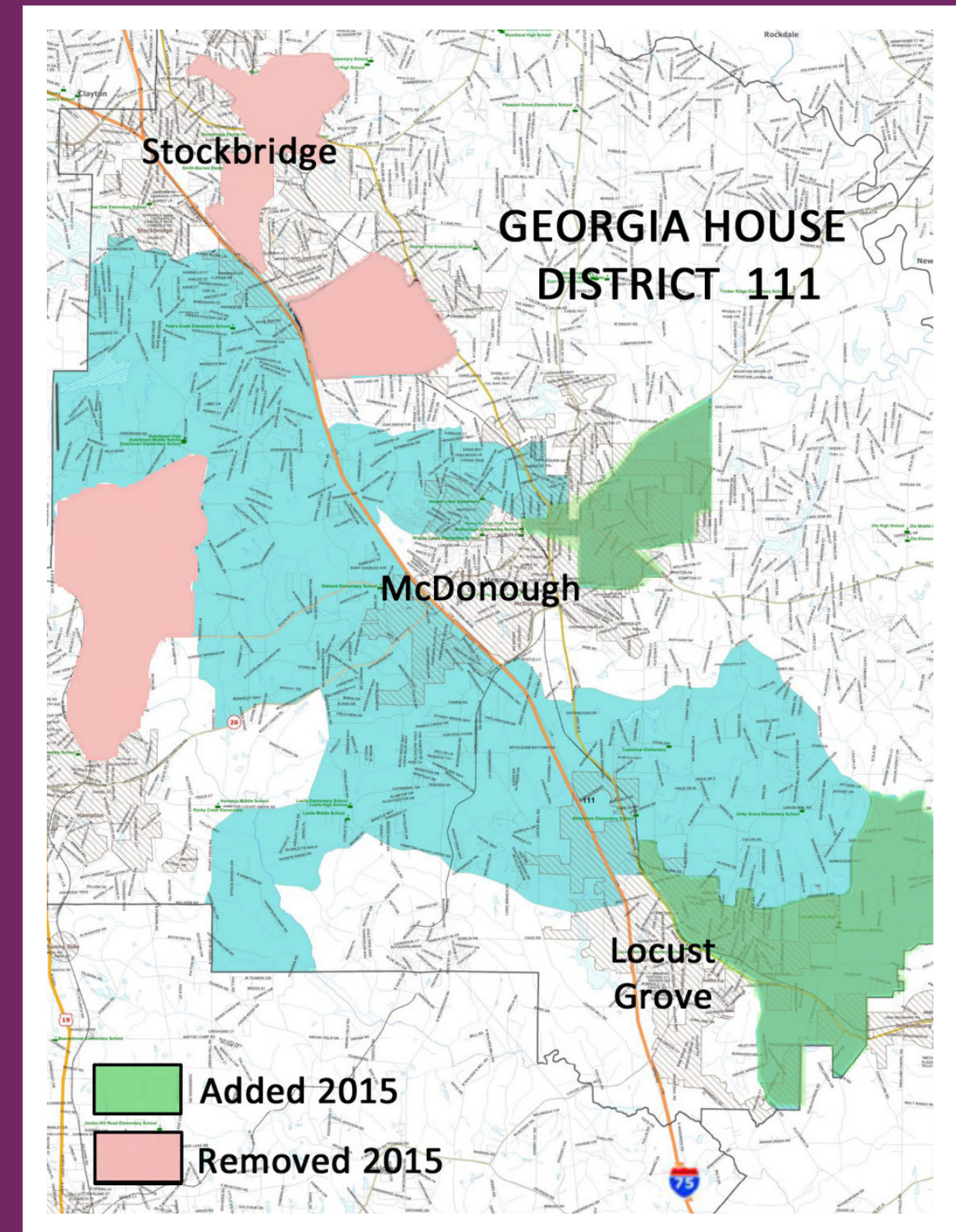
- redrawing of the 105th and 111th districts
  - predominantly consists of a minority population
- alteration of districts took place mid-election cycle
- fought by the NAACP and the ACLU of GA
  - finally ruled unjust by the 11th District Circuit Court six years later
- while not the only instance, it is the most evident use of redistricting with unjust racial motives to-date

## CONSTANT REDISTRICTING

- according to a worker at the Georgia Secretary of State's Office redistricting takes place every year across the state
- maintains partisan motives to this day

## IMPLICATIONS

without Sections II, IV & V of the VRA, Georgia's government does not have to have these changes approved by a federal authority which allows these lawmakers to make unjust changes to the system unchecked



Source Fair Districts Georgia  
<https://www.fairdistrictsga.org/gerrymandering>





**QUALITATIVE EVIDENCE:**  
**Active Efforts to Prevent**  
**Further Voter Suppression in Georgia**



**FAIR FIGHT ACTION**

**ACLU OF GEORGIA**

**GEORGIA NAACP**

**BLACK VOTERS MATTER**

**FAIR DISTRICTS GEORGIA**

**PROJECT SOUTH**

**THE NEW GEORGIA PROJECT**

**ALL VOTING IS LOCAL-GEORGIA**

**ASIAN AMERICANS ADVANCING JUSTICE - ATLANTA**

**“FUERA TRUMP” CAMPAIGN**

**GALEO**

**FAIR COUNT INC.**

**All of these organizations, and more, continue to fight for an end to voter suppression in Georgia and actively work towards ensuring minority voters are able to participate in our electoral system despite the many boundaries in the way. If there was no disenfranchisement taking place in the state of Georgia, there would not be such an immense effort to put an end to the implementation of these barriers from a municipal to the state level.**





# **EMPIRICAL ANALYSIS:** **Anlsysis of** **Voter Registration in Georgia by Race**

<https://www.nbcnews.com/politics/2020-election/georgia-shatters-turnout-record-first-day-early-voting-n1243212>

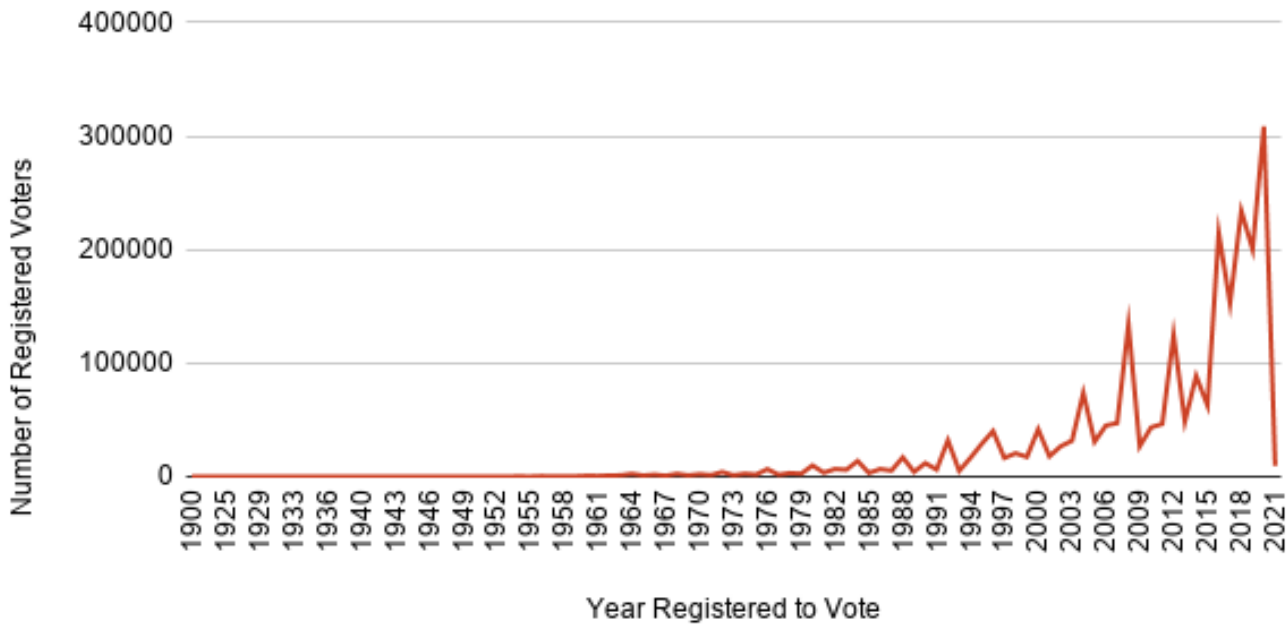


# Number of Registered Voters Each Year by Year Regsitered to Vote in Georgia

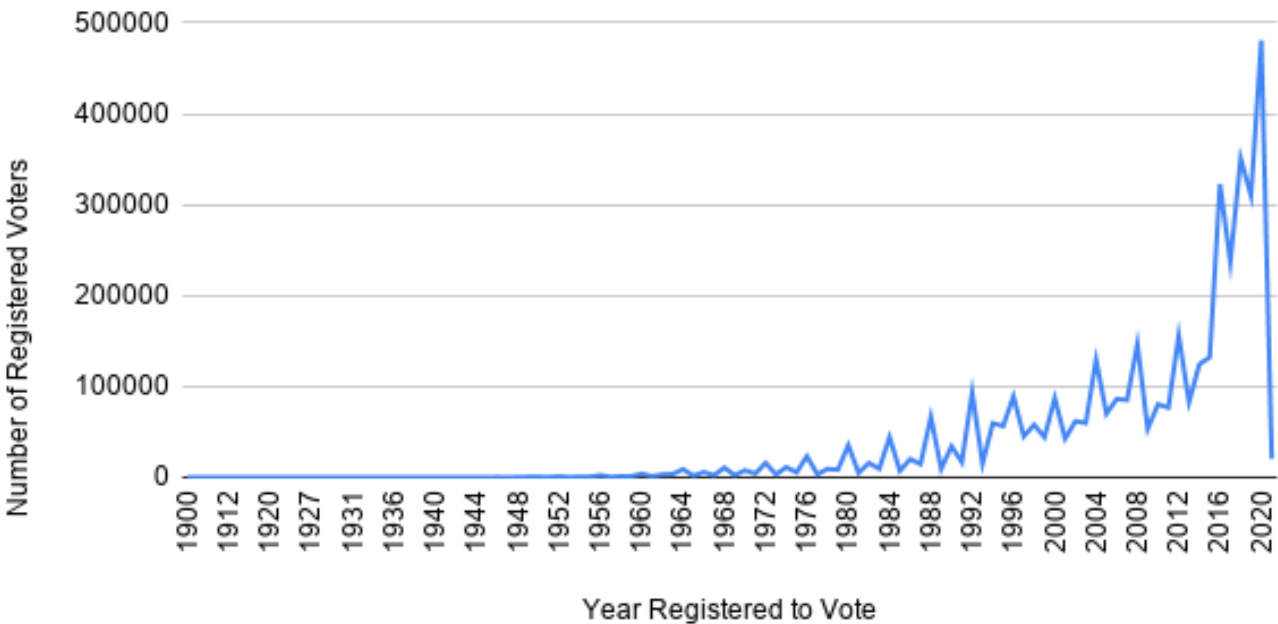
Data from the Georgia Secretary of State's  
Statewide Voter List:

- White (Not of Hispanic Origin)
- Black (Not of Hispanic Origin)
- Unknown Race
- Other Race
- Hispanic
- Asian or Pacific Islander
- American Indian or Alaskan Native

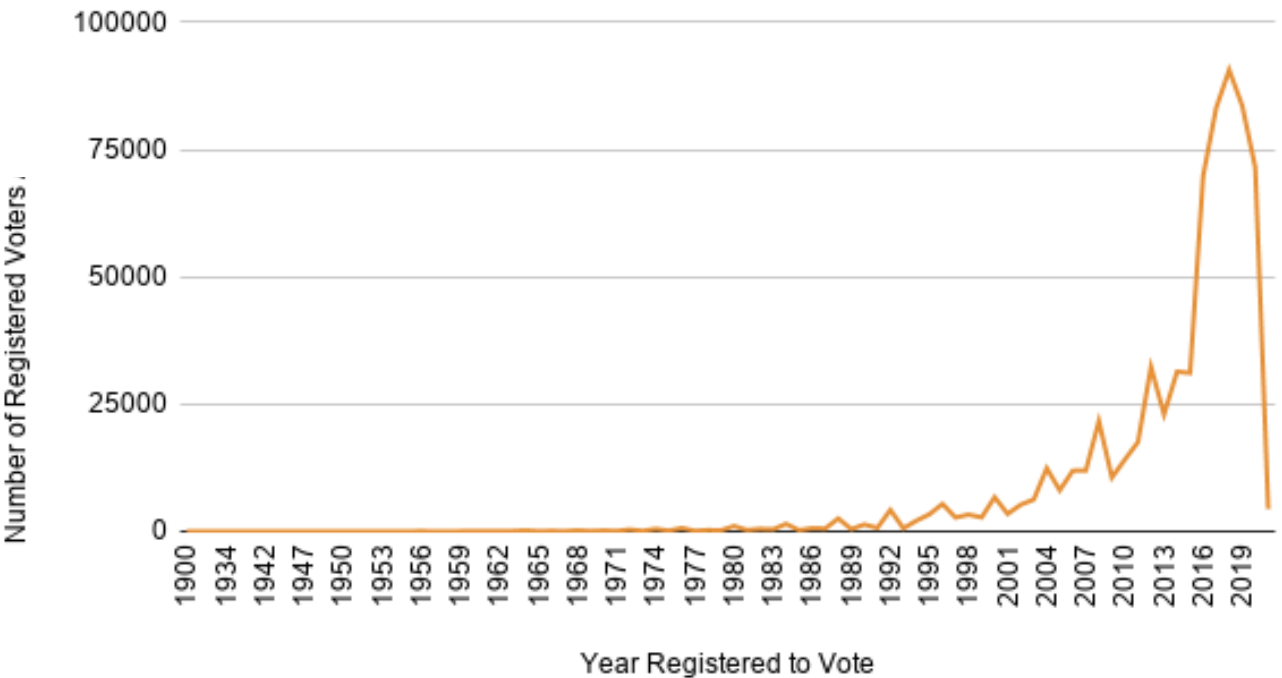
BLACK (NOT HISPANIC) VOTER REGISTRATION 1900-  
PRESENT



WHITE (NOT HISPANIC) VOTER REGISTRATION 1900-  
PRESENT

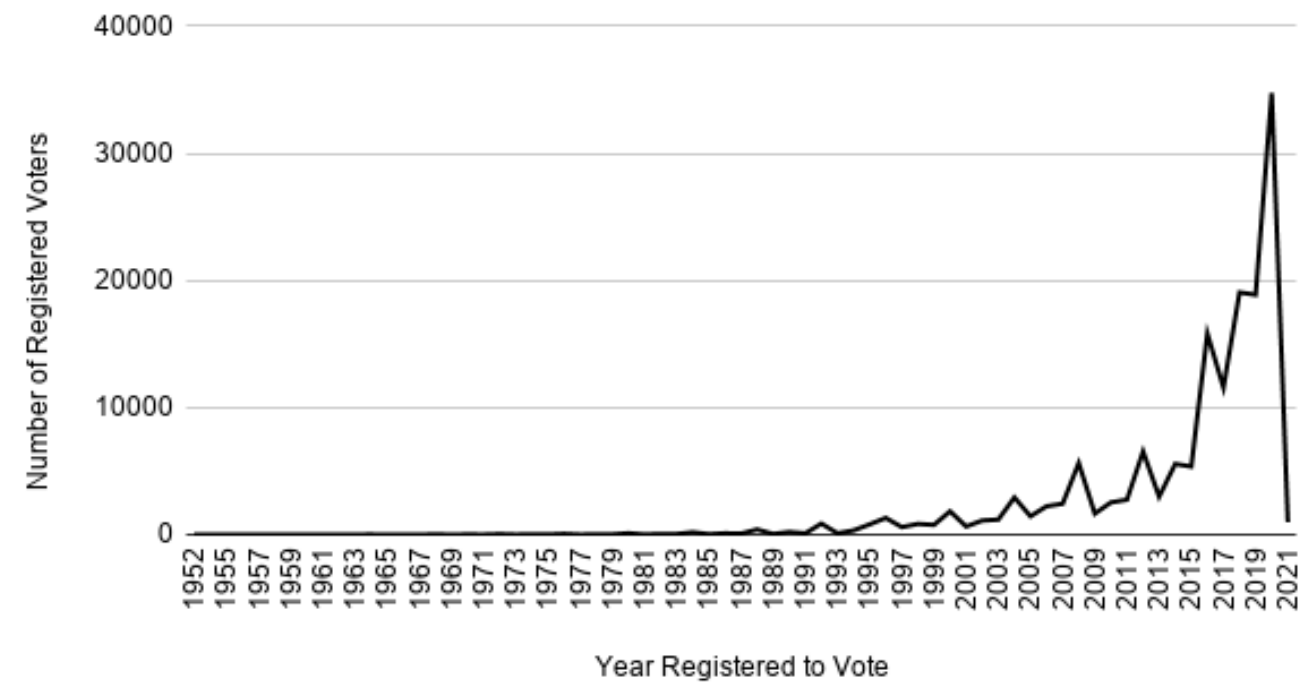


UNKNOWN RACE VOTER REGISTRATION 1900-PRESENT

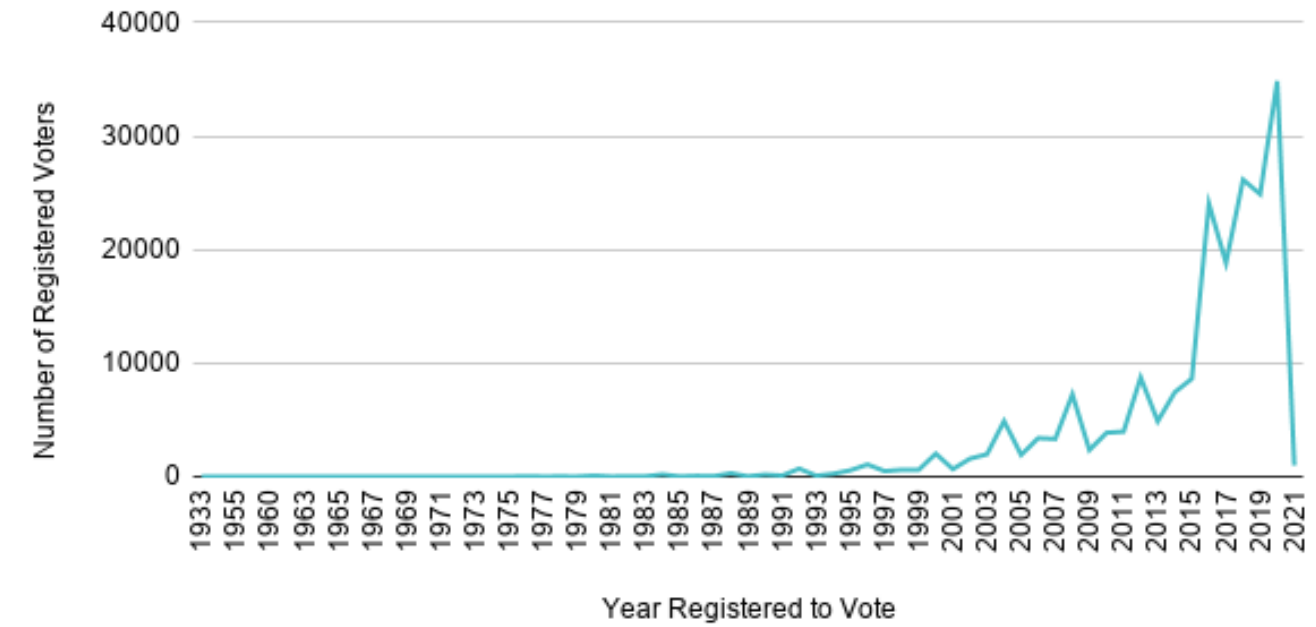




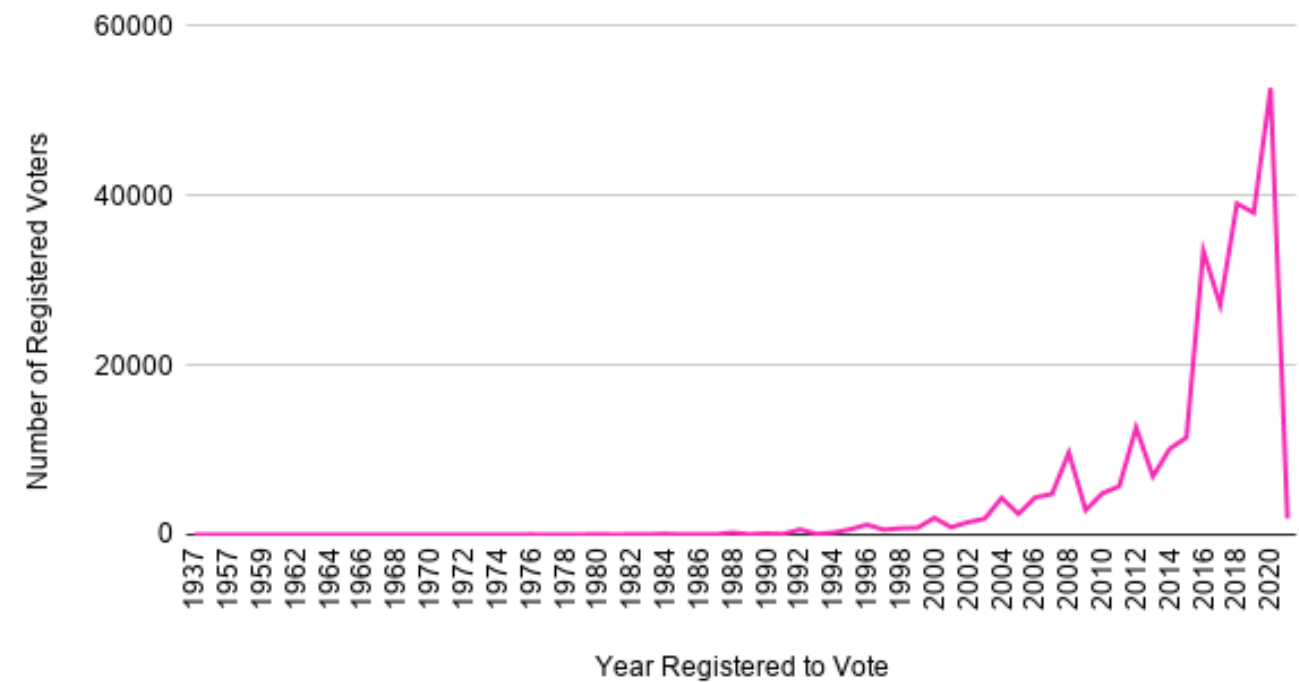
### OTHER RACE VOTER REGISTRATION 1952 - PRESENT



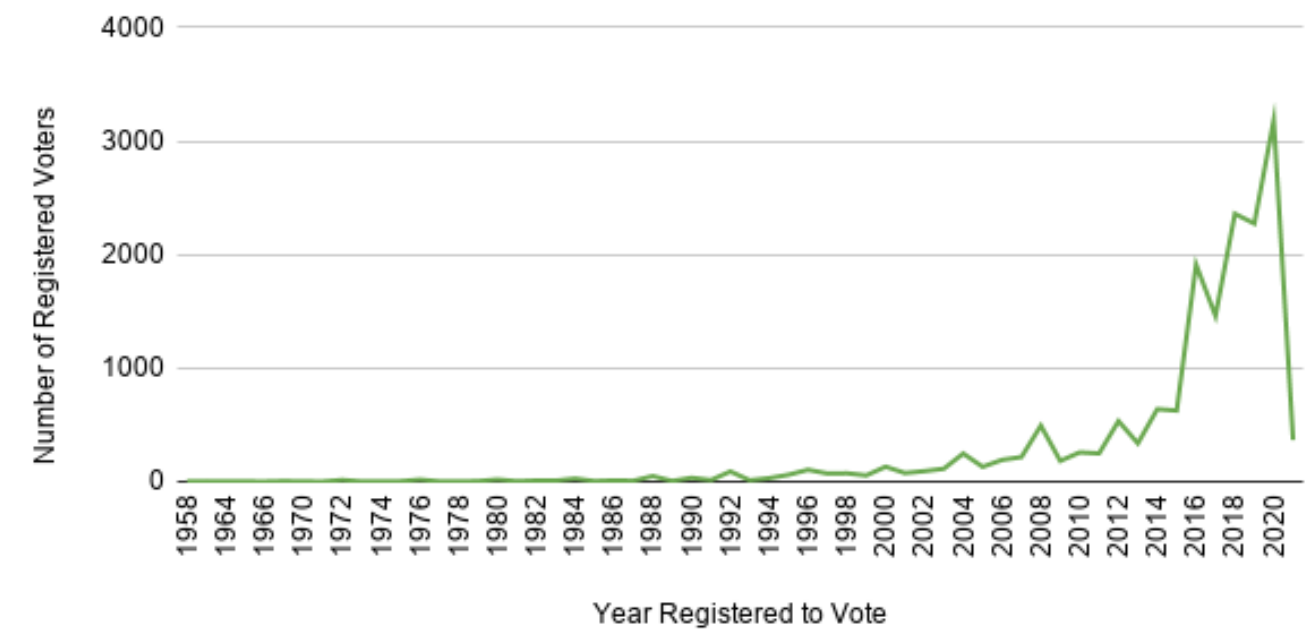
### ASIAN OR PACIFIC ISLANDER VOTER REGISTRATION 1933-PRESENT



### HISPANIC VOTER REGISTRATION 1937-PRESENT



### AMERICAN INDIAN OR ALASKAN NATIVE VOTER REGISTRATION 1958 - PRESENT







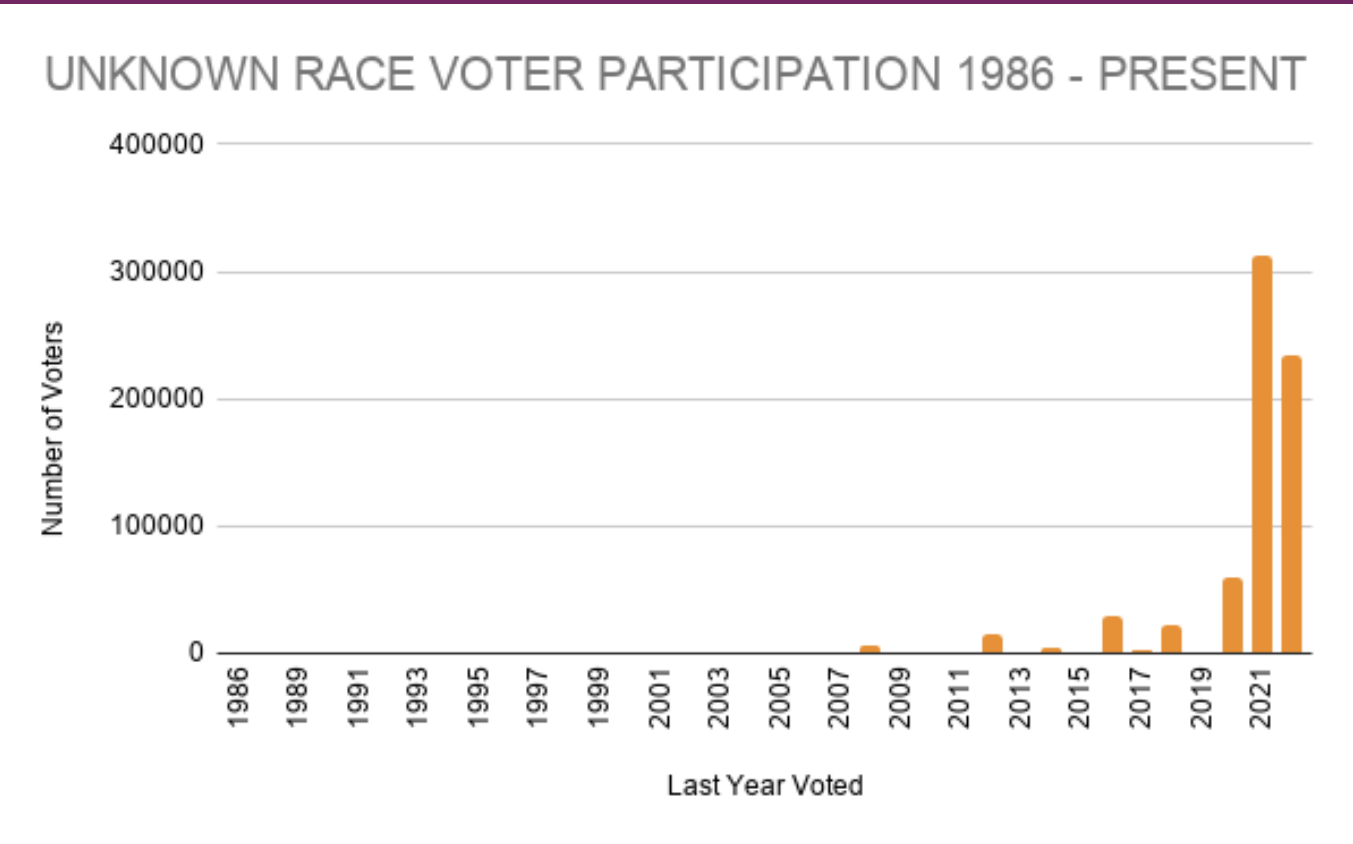
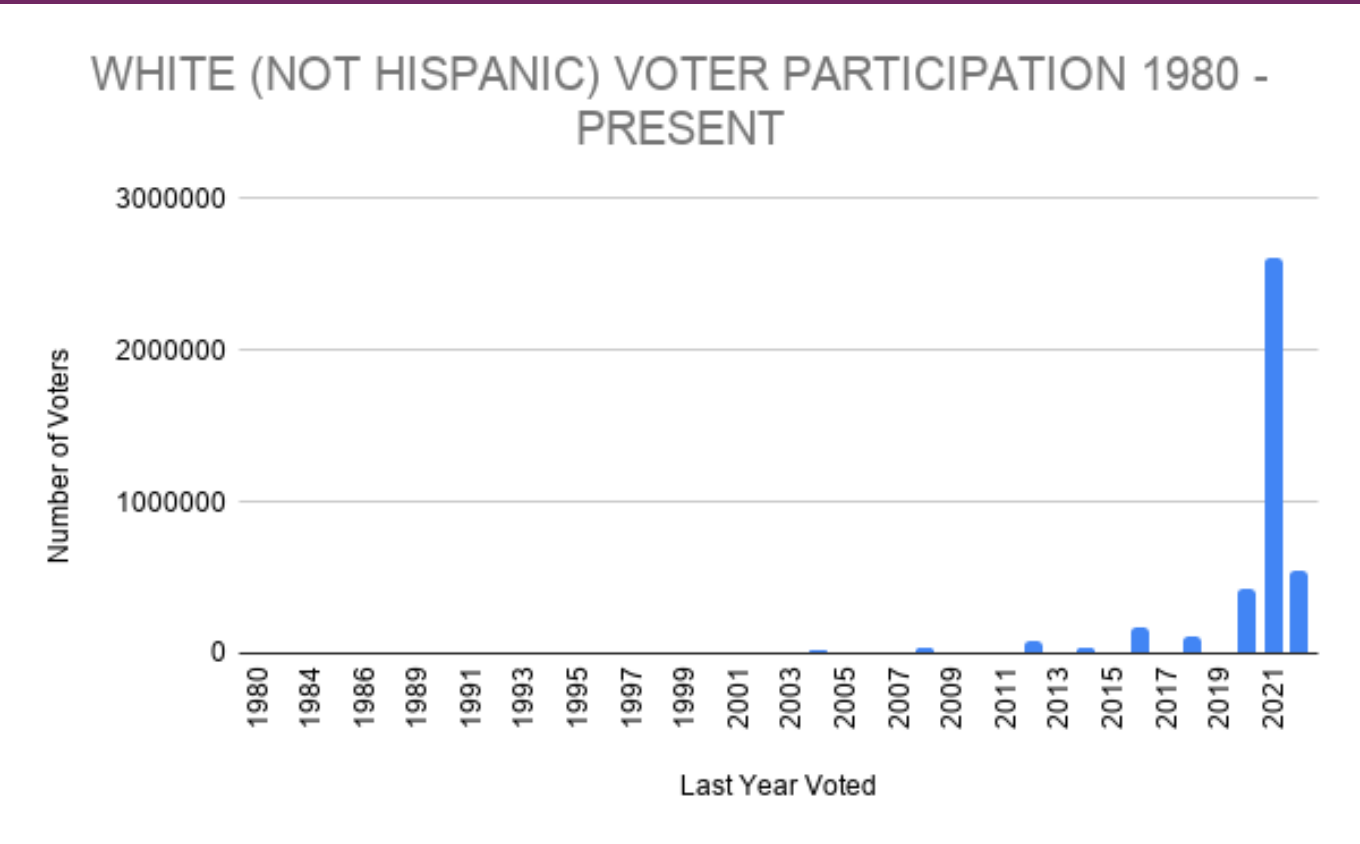
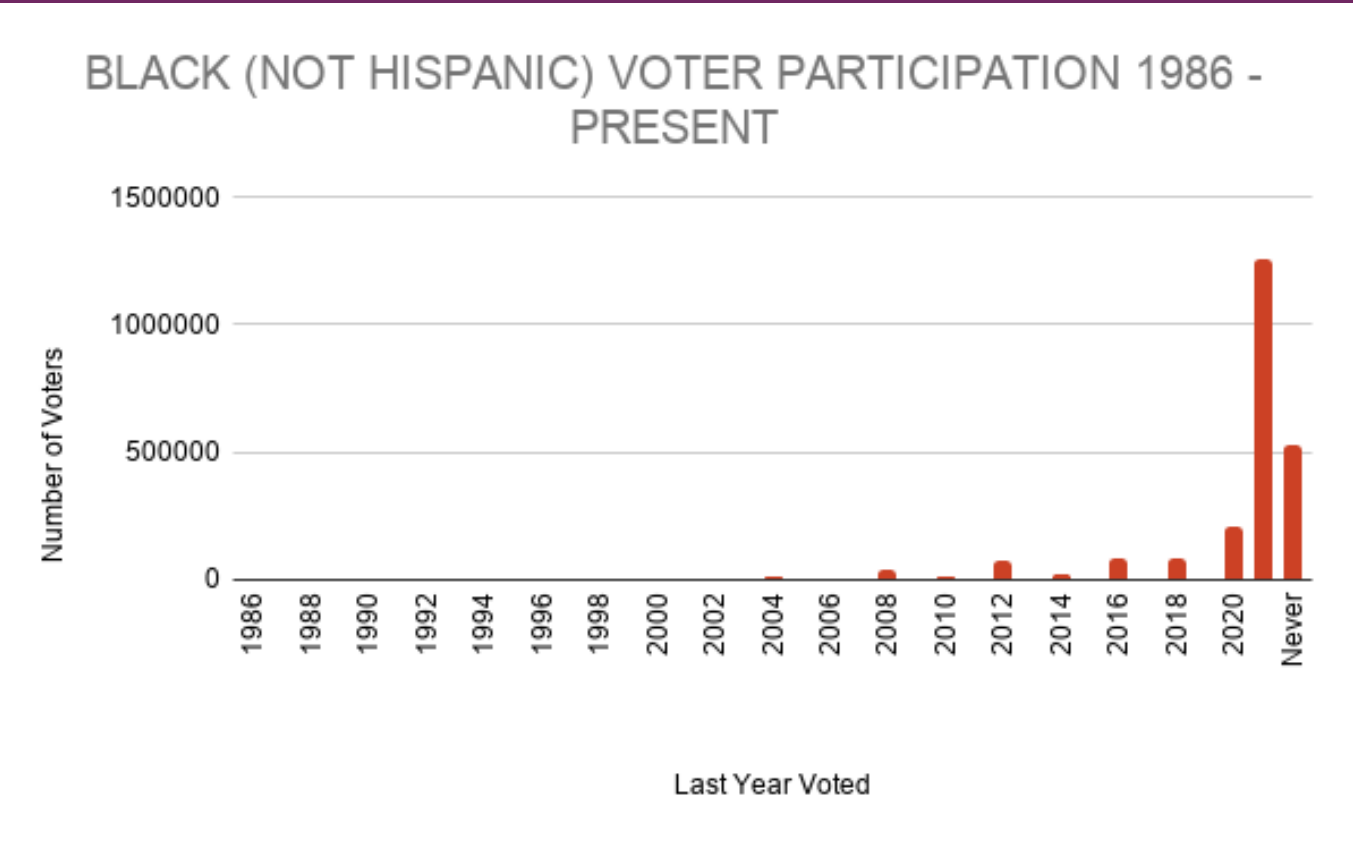
# **QUANTITATIVE ANALYSIS: Comparison of Voter Participation in Georgia by Race**



# Number of Voters by the Last Year Voted in Georgia

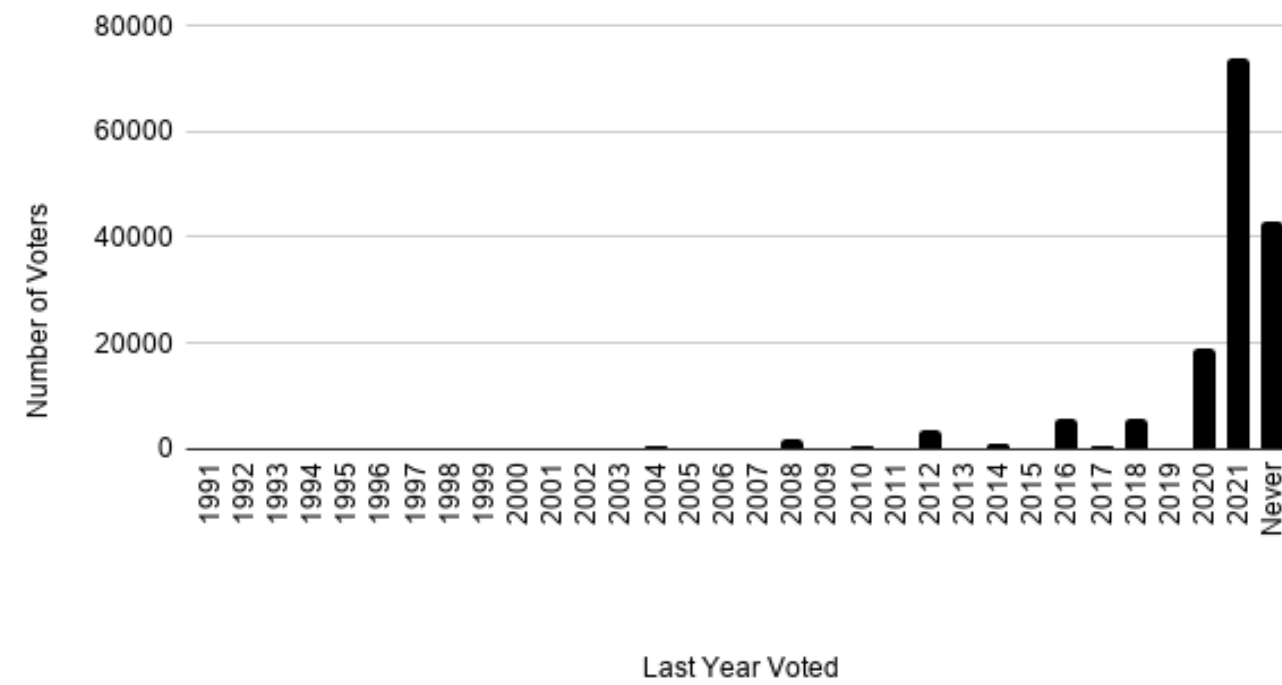
Data from the Georgia Secretary of State’s  
Statewide Voter List:

- White (Not of Hispanic Origin)
- Black (Not of Hispanic Origin)
- Unknown Race
- Other Race
- Hispanic
- Asian or Pacific Islander
- American Indian or Alaskan Native

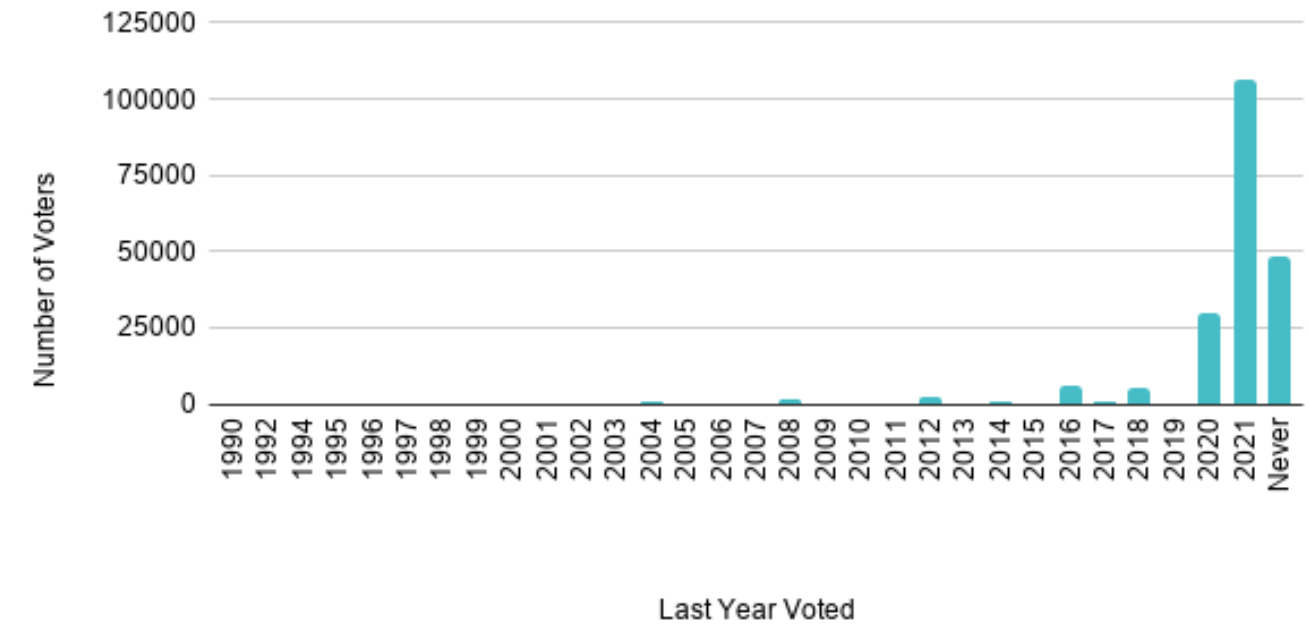




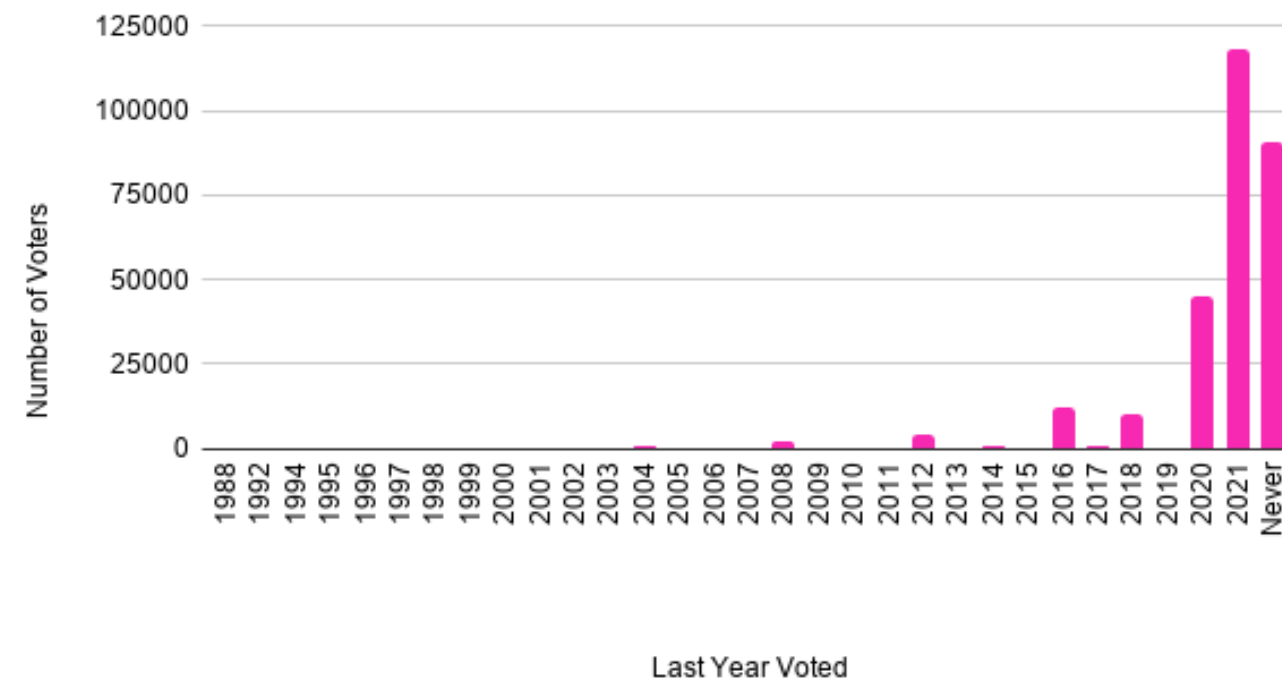
### OTHER RACE VOTER PARTICIPATION 1991 - PRESENT



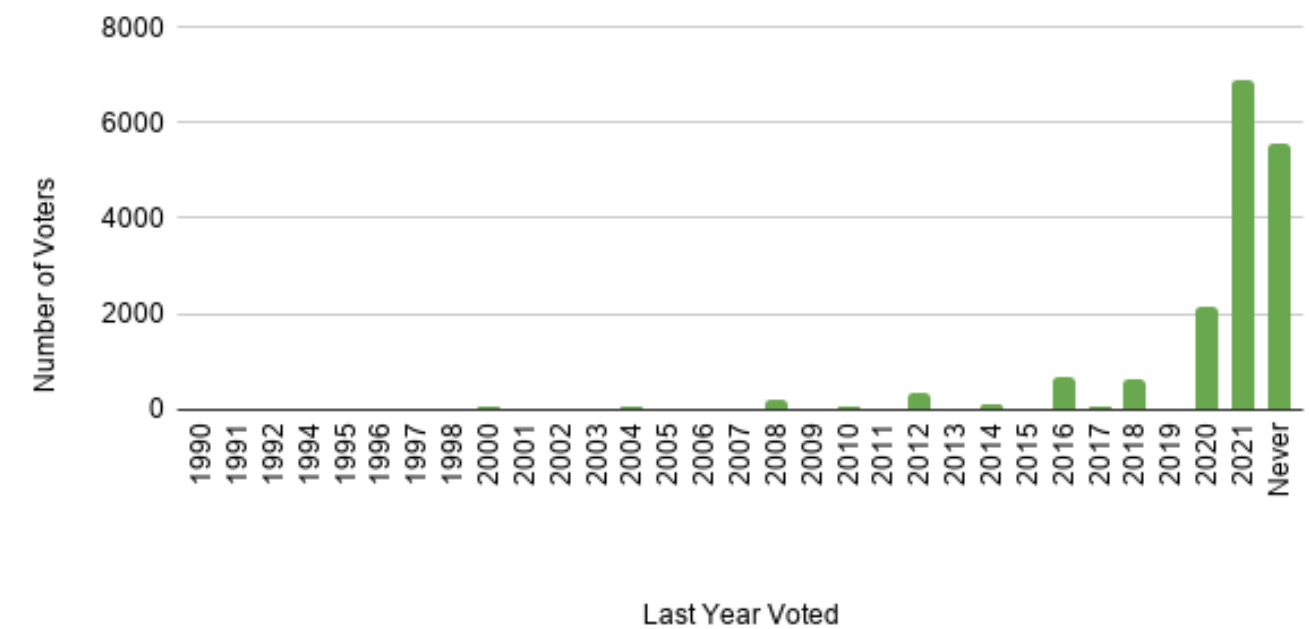
### ASIAN OR PACIFIC ISLANDER VOTER PARTICIPATION 1990 - PRESENT



### HISPANIC VOTER PARTICIPATION 1988 - PRESENT



### AMERICAN INDIAN OR ALASKAN NATIVE VOTER PARTICIPATION 1990 - PRESENT



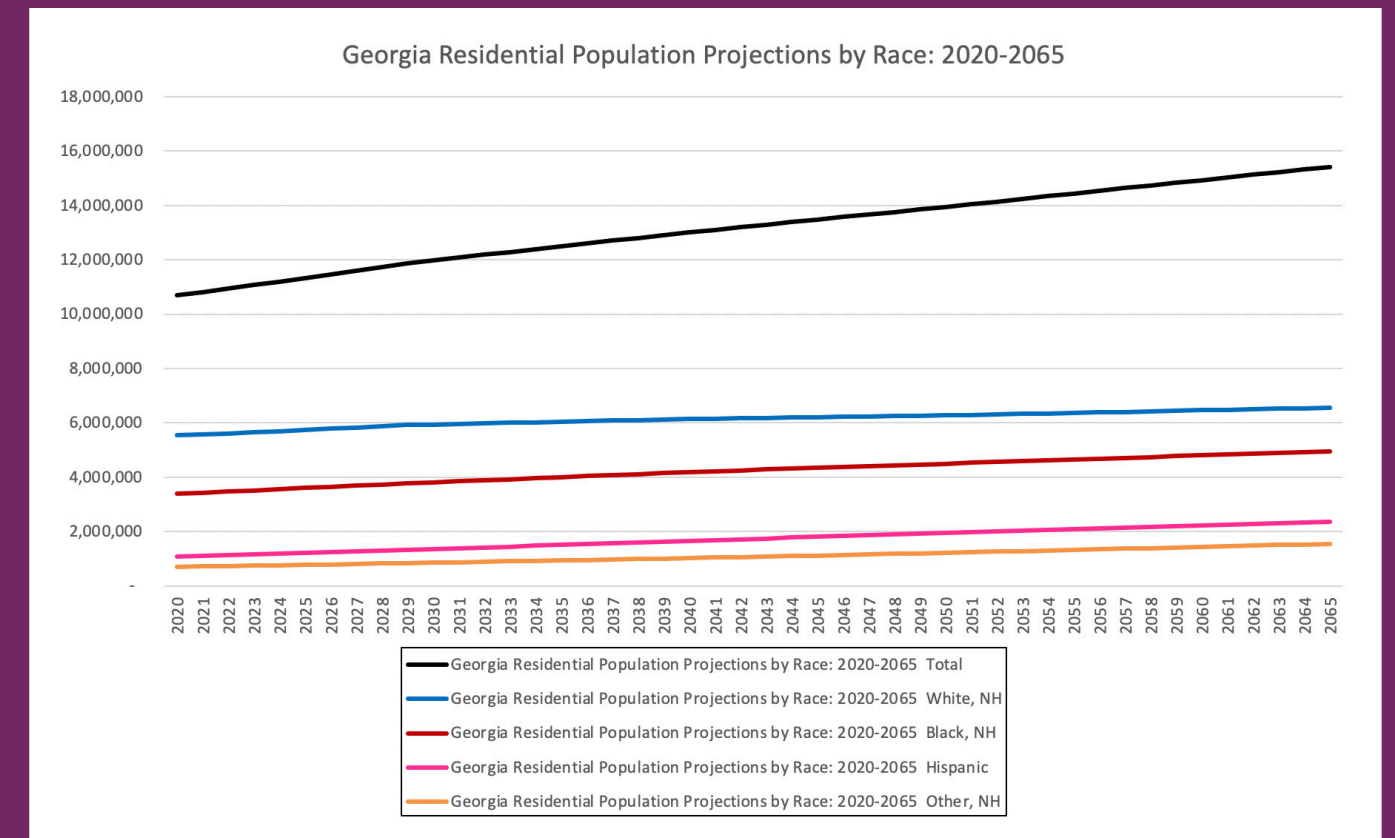
# Analysis of Voter Participation & Registration by Race

-After studying these graphs, it appears that while there was a decrease in the number of minorities registering to vote in Georgia the year or so following the Shelby County v. Holder decision in 2013, registrations have continued to increase over time:

- As expected, there is a jump in voter registration each Presidential Election year regardless of race
- Also, an increase in the number of minorities registering to vote in Georgia following the gubernatorial election in 2018 through the Presidential Election of 2020

-It is my understanding that the voter registrations of minority Georgians have continued to increase regardless of the changes made to the VRA because of the overall increase of the minority population over time, not because there aren't efforts being made to suppress their vote

-This general population increase, paired with the grassroots organizing, done by people such as Stacy Abrams, ensured that minority voters were capable of exercising their right to vote, as well as better informed of what was at stake if they chose not to vote



Source: Governor's Office of Planning and Budget, Series 2020  
<https://opb.georgia.gov/census-data/population-projections>



# Restrictions to Data

- Although Georgia's voter lists are classified as public information, if you want access to this data, you have a pay what most would consider a significant price
- To gain access to the Georgia Secretary of State's Statewide Voter List cost \$250
- All of which for a document that is not able to be opened or analyzed by the average person
- After contacting my colleagues Joseph Sahrman and Andriy Abbott, who have significant knowledge concerning analytical programming, were they able to alter the file in a way that made it capable of understanding
  - The type of file I received was not coded using commas, as is typical when organizing and distributing large quantities of data
  - Sahrman and Abbott altered the data through the use of a special program so that the information could be fed into systems such as Microsoft Excel or Google Sheets
  - All of which was a time-consuming process as the entire database contains all of Georgia's current registered voters, meaning millions of data points that had to be reconfigured for viewing
- Previous to this, I spoke with the Georgia Secretary of States office concerning other public documents available on their website and was told that it was only available in its current form but should be accessible through a program such as Excel. Knowing this was not accurate, I asked if there was any other way for me to the information. I was told that this is the only way they have the information stored.
- The Georgia Secretary of State's office has not only created a monetary barrier but a technological one as well
  - Had it not been for my connections at the University of Missouri, it would have been virtually impossible for me to utilize the information despite having paid for it





# CONCLUSION

<https://www.nytimes.com/2021/03/25/us/politics/georgia-voting-law-republicans.html>



After the Georgia state legislature tasted freedom from adhering to the preclearance formula previously enforced through the VRA, they were inclined to follow their neighboring states' footsteps by implementing voting regulations and laws. Regulations and laws that lead to the degradation of minority voting rights to this day. Simultaneously, many conservative voters found this to be a positive change, as it was perceived as a new way for state governments to protect against voter fraud. "A year later, however, voters still generally disapprove of the Supreme Court's decision to strike down of the Voting Rights Act" (Fuller, 2014).

Therefore, based on the comparison of voting laws, codes, and subsequent restrictions previous to the *Shelby County vs. Holder* (2013) to those after, it can be seen that Georgia is actively and legally disenfranchising its minority populations across the state. There must be mitigation of these suppressive practices by reinstituting a preclearance formula to the Voting Rights Act based upon current data to ensure that every Georgian, regardless of color or creed, maintains their constitutional right to vote.

The faces of these laws may have changed since their beginnings in the Jim Crow South, but that has not stopped them from surviving in the shadows of our democratic process.





# ELECTORAL RIGHTS & WRONGS

*the Effects of Shelby County v. Holder (2013) on Georgia Voters*

Alaina R. Vacante  
Advisors: Justin B. Dyer & William T. Horner