
Firm Achieves Landmark Victory in Texas Voting Rights Case

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On October 9, 2014, WilmerHale and its co-counsel, the NAACP Legal Defense and Educational Fund (LDF), secured a landmark civil rights victory when the US District Court for the Southern District of Texas struck down Texas's highly restrictive voter photo identification law on the grounds that it violated the federal Voting Rights Act and the US Constitution.

WilmerHale and LDF represented the Texas League of Young Voters Education Fund and Imani Clark in their challenge to the state's Senate Bill 14 (SB 14), which requires Texans to present one of six specific forms of ID to vote. Clark, an African-American undergraduate at Prairie View A&M University, had previously voted using her student ID, which SB 14 made illegal.

In August 2013, WilmerHale and LDF joined their case with the US Department of Justice's (DOJ) suit against the same law, and WilmerHale attorneys litigated alongside DOJ lawyers and other private plaintiffs during the trial.

Following a period of full discovery and a two-week bench trial that concluded on September 22, US District Judge Nelva Gonzalez Ramos ruled in favor of the plaintiffs. Her 150-page opinion affirmed each and every claim raised they raised.

"Based on fact development by WilmerHale and others, Judge Ramos concluded that the problem that SB 14 was purportedly designed to remedy—in-person voter impersonation—is vanishingly rare, but that the consequences of the law are severe, effectively disenfranchising hundreds of thousands of registered voters who lack an SB 14-required ID," says Counsel [Kelly Dunbar](#).

WilmerHale and LDF successfully argued that the Texas Legislature enacted SB 14 with a discriminatory purpose, and that the highly restrictive law disproportionately impacted African-American and Hispanic voters in Texas because these populations were more likely to possess the suddenly disallowed forms of identification, and less likely to possess the IDs required by SB 14.

They also successfully argued that African-American and Hispanic voters faced significant, concrete burdens in obtaining those forms of identification, because they are more likely to live in poverty and lack the necessary transportation.

In her opinion, Judge Ramos wrote, "It is too easy to think that everyone ought to have a photo ID

when so many do, but the right to vote of good citizens of the State of Texas should not be substantially burdened simply because the hurdles might appear to be low. For these Plaintiffs and so many more like them, they are not."

"Based on the record we developed," says Partner Danielle Conley, "Judge Ramos concluded that SB 14, like Texas's racially discriminatory voting laws of the past, was intended to and does exclude African Americans and Latinos from the political process. She recognized that the law imposes an intolerable—and entirely unnecessary—burden on the right to vote of hundreds of thousands of registered voters, who are disproportionately people of color. This is exactly what the Voting Right Act was enacted to combat."