

April 29, 2021

The Honorable Merrick Garland  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Re: Texas Voter Disenfranchisement Legislation

Dear General Garland:

As members of the Texas House of Representatives Committee on Elections, we want to bring to your attention the dangerous and disenfranchising actions of the Texas Legislature. Just this morning, members of the Texas Legislature attempted to pass overarching election legislation that will suppress the right to vote for Black and Latino Texans out of the House Elections Committee. Throughout the 87th Legislative Session, the Chair and members of the Committee on Elections have violated the rules and norms of the Texas House of Representatives, including preventing the consideration of ameliorative amendments and silencing opposing viewpoints. Collectively, we believe that Senate Bill 7, which our committee chair attempted to "ram through" this morning, is a blatant attempt by the majority to deter and criminalize healthy participation in our democracy.

This morning, without any notice to members of the committee or our staff, Rep. Briscoe Cain, Chair of the House Committee on Elections, brought Senate Bill 7 to a vote before our Committee. We were expected to vote on the bill right then and there, without any opportunity to discern the language being presented to our committee. But, more importantly, we were expected to vote on this bill without hearing from members of the public, and from marginalized communities that this bill would disproportionately affect.

Senate Bill 7, as passed by the Texas Senate, would:

- Grant partisan poll watchers unfettered access to voters, and allow them to roam freely through a polling site to intimidate voters, make it more difficult to eject poll watchers that cause problems (Sec 3.04, 4.01, and 4.02) as well as a right to videotape voters while they vote (Sec. 3.08);
- Prohibit county governments from establishing methods and locations for voting that have proven to boost participation in working-class communities and communities of color (Sec. 3.06, 3.07, 3.10, 3.11, 3.15, 3.20, 3.21);
- Make voting more difficult for people that utilize curbside voting by creating new, onerous requirements for people that drive elderly or disabled voters to the

polls (Sec. 3.10) and require people assisting voters due to disability to verify proof of the voter's ailment or disability (Sec. 3.11); and,

- Prevent elections officials from preemptively sending mail ballot applications to eligible voters who are legally empowered to vote by mail by threatening state jail time (Sec. 2.01).

These sweeping changes to Texas Election Code were brought before the committee just minutes before we were expected to cast a vote on it. We were not afforded the courtesy of prior notice or a public hearing featuring testimony from members of our most vulnerable, historically underserved communities. This type of behavior is a grave deviation from standard operating procedure in the Texas Legislature.

Unfortunately, this disregard for decorum and formal rules is all too common in the House Elections Committee. The way we have been treated is emblematic of the majority's view on minority participation in our democracy. The viewpoints of minorities are an unimportant nuisance that is an obstacle to their continued control of Texas. Many times, almost too many to count, the Democratic women members of this committee have been belittled, talked over, and disrespected.

Texas has a long history of disenfranchising people of color, and if the leadership of the governing majority has it their way, that history will surely continue. We have seen recent, coordinated attempts to pass disenfranchising legislation in states across the South, like Georgia, North Carolina, and Arizona. We ask that you review the facts, and if it is deemed appropriate, that the Civil Rights Division monitor the proceedings of the House Elections Committee and the Texas House for the remainder of session.

We appreciate your attention to this critically important matter.

Sincerely,



Jessica González  
Vice Chair, Committee on Elections  
(D-104)



Michelle Beckley  
Member, Committee on Elections  
(D-65)



Art Fierro  
Member, Committee on Elections  
(D-79)



John H. Bucy III  
Member, Committee on Elections  
(D-136)