

**August 16, 2021**

**ATTORNEY GENERAL RAOUL OPPOSES GEORGIA'S DISCRIMINATORY VOTING LAW**

***Raoul, 21 AGs Push Back Against Efforts to Dismiss DOJ's Lawsuit Against Georgia's Law; Call for Lawsuit to Move Forward***

**Chicago** — Attorney General Kwame Raoul, as part of a coalition of 22 attorneys general, filed an amicus brief opposing Georgia's discriminatory law that would make it more difficult for millions of Georgians – especially Black Georgians – to vote. Raoul and the coalition specifically pushed back against misguided efforts to dismiss the federal government's lawsuit against Georgia, particularly at this threshold stage.

[In an amicus brief](#) filed in *United States v. Georgia*, Raoul and the attorneys general explain why the U.S. Justice Department (DOJ) sufficiently stated its claim that Georgia intentionally discriminated against Black and minority voters and why the case should proceed to trial. The brief also argues that Georgia's purported reason for adopting the law – to prevent voter fraud – does not hold up under scrutiny and is really about hobbling the voting power of Black Georgians.

"Georgia's law was blatantly engineered to prevent Black and minority residents from exercising their right to vote and to deprive them of their right to be heard at the ballot box," Raoul said. "I urge the court to allow the case to move forward and ensure that those voters have the right to participate in our nation's democracy."

According to a July 2021 report from the Brennan Center for Justice, during the 2021 legislative sessions, more than 400 bills with provisions that restrict voting access were introduced in 49 states. More dangerously, the report also points out that at least 18 states passed and enacted 30 restrictive laws making voting by mail and early voting more difficult, putting in place harsher voter ID requirements, and making voter purges more likely, among other restrictive actions.

Raoul and the coalition of attorneys general are specifically urging the U.S. District Court for the Northern District of Georgia to allow the case to move forward because:

- **The federal government's complaint properly alleges that Georgia intended to discriminate against Black and minority voters.** The Supreme Court has long held that to prove discrimination, a plaintiff does not need to show direct evidence of discriminatory intent. Rather, bedrock civil rights law makes clear that parties can prove intentional discrimination by pointing to circumstantial facts and context that suggest an impermissible motive – including the political incentives and wider racial dynamics underlying an enactment. At this early stage in the case, plausible allegations of intent are enough to warrant the case moving forward. Given the overwhelming evidence demonstrating that Georgia enacted these laws in response to the results of the 2020 election – where record Black turnout unseated two Senate Republicans and delivered Georgia to a Democratic president for the first time in nearly 20 years – the DOJ has clearly met the necessary evidentiary burden for this case to proceed.
- **Georgia's supposed reason for passing the law does not hold up under scrutiny.** While Georgia has the authority and discretion to enact some laws that improve "election security" and "voter confidence," states cannot invoke those interests as pretext for impairing the opportunities of vulnerable voters. Other states have been able to achieve those exact same goals through policy decisions that expand voter access, while keeping the risk of voter fraud minimal. For example,

Illinois and other states have enacted reforms that simultaneously expand access and promote election security. When a state suddenly claws back existing access for voters – particularly voters of color after an historic election – without any genuine need or evidentiary basis, courts should be skeptical that “election integrity” is the genuine reason for the reduction in voting opportunities.

Joining Raoul in filing the brief are the attorneys general of California, Colorado, Connecticut, Delaware, the District of Columbia, Hawaii, Maine, Maryland, Massachusetts, Minnesota, Nevada, New Jersey, New Mexico, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia and Washington.