

Durbin Questions Witnesses During Senate Judiciary Committee Hearing On Voting Rights

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WASHINGTON – U.S. Senate Majority Whip Dick Durbin (D-IL), Chair of the Senate Judiciary Committee, today questioned witnesses during a Senate Judiciary Committee hearing entitled “The Right Side of History: Protecting Voting Rights in America.” Durbin first questioned Sophia Lin Lakin, Director of the ACLU’s Voting Rights Project, about voter ID requirements, and how these laws disproportionately impact people of color. During his questioning, Durbin referenced a [study](#) the Brennan Center conducted with the University of Maryland Center for Democracy and Civic

Engagement and others, which found nearly 21 million voting-age U.S. citizens do not have a current driver's license, and 30 percent of Black Americans ages 18-29 do not have a license at all.

“When we do the analysis, people with less education and lower annual incomes are more likely to lack a current driver's license. To say that this is somehow the bigotry of low expectations, I think is insulting. These individuals, many of them are living difficult lives with a lot of demands. Ms. Lakin, have you run into this in your analysis of the use of voter IDs?” Durbin asked.

Ms. Lakin responded that she has run into the points Durbin raised. She continued to say, “when it comes to voter ID, the devil is in the details. While we all agree that elections should be free and fair, the truth of the matter is that in many instances, there are voter IDs that are difficult to comply with and they are adopted with discriminatory intent and with discriminatory impact.”

Ms. Lakin referenced a North Carolina case ACLU litigated in 2013 which challenged a law, HB 589, that was adopted shortly after *Shelby County*. North Carolina imposed a strict voter identification requirement, refusing to allow voters to use ID cards that were disproportionately held by Black voters while allowing those ID cards that were disproportionately held by White voters to be used for voting. She continued to say, “the Fourth Circuit ruled that the law targeted Black voters with almost surgical precision and struck down the law as unconstitutional.”

Durbin then questioned Damon Hewitt, President and Executive Director of the Lawyers' Committee for Civil Rights, about changes in state laws.

“Since the *Shelby* decision, we're taking a closer look at changes in state laws. What do we find?” Durbin asked.

Mr. Hewitt responded that, “In Black communities, people tend to vote in person. That is how we did it. During the pandemic when there were new methods of voting, newly available or newly popularized, absentee or by mail, drive-thru voting which is still in-person voting, as soon as Black voters started using those methods, all of a sudden it became a problem. All of a sudden there is some type of issue. It is that type of surgical precision that underlies our desire our action to file potential discrimination claims in cases like we did in Georgia, challenging SB 202, because if you are challenging the means that are newly popular with Black voters, you must have a problem with those Black voters. These patterns are repeating themselves over and over again.”

Video of Durbin's questions in Committee is available [here](#).

Audio of Durbin's questions in Committee is available [here](#).

Footage of Durbin's questions in Committee is available [here](#) for TV Stations.

The hearing featured testimony from two panels: a member panel featuring U.S. Senator Raphael Warnock (D-GA), as well as an expert panel featuring voting rights advocates and litigators. The hearing follows [reintroduction](#) of the *John R. Lewis Voting Rights Advancement Act*, which would update and restore critical safeguards of the original *Voting Rights Act*.

In the wake of the Supreme Court's damaging *Shelby County* decision in 2013—which crippled the federal government's ability under the *Voting Rights Act of 1965* to prevent discriminatory changes to voting laws and procedures—states across the country have unleashed a torrent of voter suppression schemes that have systematically disenfranchised American voters, particularly in communities of color. The Supreme Court's decision in *Brnovich* delivered yet another blow to the *Voting Rights Act*, by making it significantly harder for plaintiffs to win lawsuits under the landmark law against discriminatory voting laws or procedures.

Cosponsored by 50 U.S. Senators, the *John R. Lewis Voting Rights Advancement Act* is led by U.S. Senate Majority Whip Dick Durbin (D-IL), Chair of the Senate Judiciary Committee, U.S. Senator Reverend Raphael Warnock (D-GA), U.S. Senate Majority Leader Chuck Schumer (D-NY), and U.S. Senators Cory Booker (D-NJ), Richard Blumenthal (D-CT), and Laphonza Butler (D-CA).

The bill is also endorsed by [hundreds of organizations](#), including the following leading civil rights organizations: Leadership Conference on Civil and Human Rights, American Civil Liberties Union, NAACP Legal Defense and Educational Fund, Inc. (LDF), MALDEF, Lawyers' Committee for Civil Rights Under Law, Asian Americans Advancing Justice | AAJC, Brennan Center for Justice at NYU Law, and Demos.