

# Texas Republicans say their proposed voting restrictions are color blind. But many see “Jim Crow in a tuxedo.”

*An outraged Lt. Gov. Dan Patrick castigated those implying that GOP efforts to restrict Texas voting are racist. But the state has a history of marginalizing voters of color, and many business leaders, voting rights advocates and Democrats see it taking another step down that path.*

By Alexa Ura,  
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Houston voters waited in line on the first day of early voting last October. Credit: Annie Mulligan for The Texas Tribune

Two nights of voting in Houston, eight months apart, each occurring as midnight slipped by, lay bare the fault line cutting through Texas’ ongoing debate about voter suppression.

First, the March 3, 2020, presidential primary. On the campus of Texas Southern University, a historically Black college, hundreds waited in a line that wrapped through a campus library and out into a courtyard for four hours, then five, then six after polls were supposed to close at 7 p.m. — the result of an unexpected surge of Democratic voters and a mismanagement of voting machines.

Then in November, Houston residents — most of them people of color — were again voting after hours in the general election, but this time it was intentional. Harris County had set up a day of 24-hour voting to make it easier for voters, like shift workers, who face difficulty getting to the polls during traditional hours.

The first scene was one of frustration and disenfranchisement, not unusual in a state with some of the strictest voting rules in the nation. The second felt celebratory, a moment when it seemed democracy went right and people were welcomed to the voting booth.

It is the second scene that pushed Texas’ Republican leaders to act.

Outlawing 24-hour voting is one part of Senate Bill 7, priority legislation backed by Gov. Greg Abbott, Lt. Gov. Dan Patrick and likely most Republicans in the ongoing legislative session. The bill will enact other sweeping changes to voting, including making it

illegal for local election officials to proactively send applications for mail-in ballots to voters, even if they qualify, and restricting the distribution of polling places and voting machines in diverse, urban counties.

Their intent, GOP leaders say, is to protect the “integrity” and standardization of Texas elections from local efforts like those Harris County devised in November to expand voting access. But the pushback from local leaders, Democrats, big business and voting rights advocates has been intense, centering on concerns that the legislation’s effects will almost certainly make voting harder for groups Texas’ voting rules have long marginalized — voters of color,

voters with disabilities, low-income voters and voters with limited English proficiency — and who are the most likely to be shut out when voting procedures are tightened.

In an angry press conference Tuesday, yelling at times, Patrick objected to suggestions that Republicans are deliberately targeting voters of color in Democratic strongholds.

“Senate Bill 7 is about voter security, not about voter suppression, and I’m tired of the lies and the nest of liars who continue to repeat them,” Patrick said, focusing much of his ire on Fort Worth-based American Airlines and Harris County leaders who spoke up against the bill.

He continued: “You’re questioning my integrity and the integrity of the governor and the integrity of the 18 Republicans who voted for this when you suggest that we’re trying to suppress the vote. You are, in essence, between the lines, calling us racist, and that will not stand.”

As they successfully shepherded SB 7 through the Senate over the last two weeks, Republicans argued that it is a race-neutral bill, not designed to discriminate, in part because the state’s voter rolls are “color blind” and voters don’t list their race or ethnicity when they register.

But to critics, especially those familiar with past election restrictions that Texas has passed that made it harder for already-marginalized voters to participate, “neutrality” is a false flag. The legislation

passed the Senate with zero support from Democrats, including every senator of color in the chamber, who over seven hours of debate on the Senate floor listed concerns about the harmful effects the bill could have on voters of color.

“I’m in disbelief that our esteemed body would consider legislation we consider detrimental to countless persons

of color. We urge you to hear our voice and public testimony,” state Sen. Judith Zaffirini, D-Laredo, said just before the Senate advanced SB 7, noting that senators had not been provided with evidence that showed the 2020 election was anything other than “honestly run, fairly adjudicated and somewhat better attended.”

“What we did hear, however, were numerous pleas from our fellow Texans not to do this,” Zaffirini said. “We heard from men and women of color who interpret Senate Bill 7 as yet another sign that those who control their state do not welcome their participation.”

The legislation is part of a broader Republican push to make changes to voting laws in a state with already restrictive rules. It echoes national efforts by Republicans in state legislatures across the country — largely built on claims of widespread voter fraud for which there is little to no evidence — to rework voting rules after voters of color helped flip key states to Democratic control.

SB 7 targets Harris County initiatives like extended early voting hours and drive-thru voting, which were disproportionately used by voters of color in November. The bill also singles out voters receiving assistance inside the polling place, including in filling out their ballot, by allowing poll watchers to record them if the poll watcher “reasonably believes” that the assistance is “unlawful.” That provision has drawn particular concerns about the policing of voters with disabilities and those with limited English proficiency — most of whom are Hispanic and historical targets of voter intimidation in Texas — who would be among those most likely to receive help to vote.

Hours after SB 7 cleared the Senate, American Airlines became the first corporate giant to come out against the bill, citing provisions “that limit access to voting” and the need to break



American Airlines took specific aim at Senate Bill 7, which would impose sweeping restrictions that take particular aim at local efforts meant to make it easier to vote. Credit: Getty Images

down barriers “to diversity, equity and inclusion in our society” instead of creating them. That opposition teed up a series of broader statements from other corporations calling for equal access to voting and came ahead of Major League Baseball’s decision to pull its All-Star Game from Georgia in response to new voting restrictions there.

The pressure on corporate America to lend its weight against Republican proposals has continued to swell this week as voting rights advocates worked to frame the fight as one rooted in the civil rights movement and meant to protect the right to vote, especially for Black and Hispanic voters, whose access to the ballot box has been historically undermined.

Over the weekend, Black leaders in the Dallas-Fort Worth area took out a full-page ad in *The Dallas Morning News* calling on local corporate leaders to work against the provisions of SB 7, which they called “unfair, unequitable and immoral,” that make it easy for some Texans to vote while creating obstacles for others using a “familiar strategy.” Its signatories included former Dallas Mayor and U.S. Trade Representative Ron Kirk, Paul Quinn College President Michael Sorrell and Dallas Mavericks CEO Cynt Marshall.

“Texas continues to engage in the same kinds of practices that produced the oppression that this great cloud of witnesses had to overcome,” the Rev. Frederick Haynes III, a pastor at the Friendship-West Baptist Church of Dallas and a signatory on the ad, said Wednesday while standing with other faith leaders in front of the Texas African American History Memorial monument on the Capitol grounds. “Because unfortunately we have those in leadership in Texas government who have in their ideological DNA the same mindset ... of those individuals who upheld Jim and Jane Crow segregation. Gov. Abbott and his Republican cronies have decided to dress up Jim and Jane Crow in a tuxedo of what they call voter integrity.”

In response to the corporate blowback, Abbott — who declared “election integrity” a priority for the 2021 legislative session — announced he would no longer throw out the ceremonial first pitch at the Texas Rangers’ home opening game and would boycott any other Major League Baseball events over “false political narratives” he claimed the league was pushing.

In a Fox News television interview Tuesday, Abbott said he was sending a message to Texas-based companies that have

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— REV. FREDERICK HAYNES III, A PASTOR AT THE FRIENDSHIP-WEST BAPTIST CHURCH OF DALLAS

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“made the very same mistake” of coming out against Republican proposals to change the state’s voting laws.

“What we need to do is have these business leaders realize they don’t need to be responding to tweets or these bogus arguments that were put forth by people like Stacey Abrams and others in Georgia,” Abbott said.

Abrams, a former Democratic candidate for governor in Georgia and a prominent voting rights advocate, has denounced restrictions recently signed into law in Georgia, where she said Republicans had “outperformed in the category of suppressive laws” by shrinking the window for voters to request absentee ballots, imposing new voter ID requirements for absentee voting, and banning the handing out of water and food to people waiting in line to vote, among several other new restrictions. Like in Texas, the new rules were passed under the banner of securing elections.

Even in defending their proposals, Texas Republicans have run into the Legislature’s own history of passing voting laws that were later found to unequally burden voters of color.

The lieutenant governor on Tuesday attempted to characterize the criticism of SB 7 as “race baiting” by those raising concerns about how it could suppress the votes of Texans of color, pointing to similar criticism Republicans faced when they worked to pass one of the strictest voter ID laws in the country in 2011. His defense was based on the increased voter participation the state has seen in recent elections — in part a result of a growing Democratic electorate and the draw of more competitive races. (Patrick cited the large increase in the raw numbers of votes cast, which is generally a reflection of the state’s rapidly growing population and doesn’t accurately capture increases in voter turnout over time.)

But Patrick left out that a federal judge and the U.S. 5th Circuit Court of Appeals — considered to be among the country’s most conservative appellate courts — ultimately found the state’s voter ID law disproportionately harmed voters of color, who were less likely to have one of the seven forms of identification the state required voters to present before they could cast their ballots. The law was blocked for years after it was passed

and was eventually eased to match a judge’s suggested rules.

As part of the call on corporations to stand against SB 7 and other Republican proposals, Texas voting rights advocates and organizers also pointed to the state’s increased turnout, and the voters of color behind it, to identify what they see as the genesis for the changes the Legislature is considering.

Although it topped out at 66% participation, Texas saw the highest turnout in decades in 2020. After the election, Republicans remain in full control of state government, but Democrats have continued to drive up their vote counts as the electorate continues to expand in the state’s urban centers and diversifying suburban communities.

In a virtual press conference Tuesday, those advocates called Republicans out for imposing more restrictions on voting while refusing to consider measures like online voter registration that could open the door to more participation. The state should be building on the progress it made on turnout in 2020 instead of “advancing the path toward voter suppression,” said Devin Branch of the *Texas Organizing Project*, which advocates for communities of color and low-income Texans.

“Every person who genuinely believes in democracy abhors attempts to undermine it, and these bills are harmful to democracy,” Branch said. “This is about those in power seeking to retain power by disempowering and disenfranchising Black and Latino voters. Full stop.”

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Stacy Abrams, voting rights activist and founder of *Fair Fight*, a national voting rights organization rooted in Georgia where recently enacted voter restriction laws include banning the handing out of water and food to people waiting in line to vote.