What is the difference between having the *right* to vote and having the *ability* to vote?

The Voting Rights Act of 1965 was passed more than 50 years ago, securing the right to vote for all. Although there have been struggles with voting over the years, the Voting Rights Act secured the right to vote for Americans. But in reality, there is a difference being having the *right* to vote and being *able* to vote in the U.S. Voter suppression efforts across the country have made it more difficult for certain groups of people to be able to vote.
Voter Suppression
To suppress means “to end or stop by force.” Voter suppression laws are used to impact the outcome of an election by discouraging or preventing specific groups of people from voting.

The U.S. has a long history of attempts to take away people’s ability to vote. Over the past decade, state lawmakers have made specific efforts to limit or restrict the ability to vote--particularly for Black people, Latinx people, young people and people who are elderly. These states claim that the reason they impose voting restrictions is “voter fraud.” Voter fraud involves illegal interference with the process of an election. However, there is very little evidence of voter fraud. According to the Brennan Center for Justice which has done extensive studies of voter fraud, voter fraud is extremely rare. “The Big Lie” perpetuated during the 2020 Presidential election that the election was “rigged” and “stolen” has been thoroughly debunked. In fact, the 2020 Presidential election was deemed the most secure in American history by the Elections Infrastructure Government Coordinating Council & Election Infrastructure Sector Coordinating Executive Committees.

Recent efforts at voter suppression are extensive and concerning. As of Feb. 19, 2021, lawmakers in forty-three states have carried over or introduced more than 250 bills that would make it harder to vote. By comparison, this is seven times the number of voter suppression bills introduced during the same time period in 2020. Many of these laws seek to limit mail-in voting and impose stricter voter ID requirements along with other measures that will make it challenging to vote. For example, one of the bills in Georgia will make it illegal to distribute food and water to voters who are waiting in line.

Types of Voter Suppression
There are various ways in which states try to limit people’s ability to vote.

- Early voting
In the past several years, states have expanded early voting, which provides opportunities for people to vote before election day. This benefits all voters but especially senior citizens, working people (especially those without flexible schedules), people with disabilities among others. Now, we are seeing a cutting back of these early voting options including nights, weekends and the number of days overall. These cutbacks will have a significant impact on specific groups of voters. For example, "souls to the polls" helps Black voters go straight from church on Sunday to their voting polls. Without weekend voting, there will be fewer options for these and other voters, resulting in longer lines and less representation in voting, especially for certain groups.

- **Absentee voting**

All states have historically allowed absentee voting for people who are unable to vote in their polling location. States have different rules regarding who can and cannot vote absentee. For example, some states require absentee voters to provide a specific “excuse” for voting absentee. Due to the pandemic, an unprecedented number of people voted with absentee ballots during the 2020 Presidential election. Many used mail-in voting or used ballot drop-boxes. As part of their current voter suppression efforts, various states have proposed laws to restrict those absentee voting options by limiting who can vote by mail, making it harder to get mail ballots, eliminating “no excuse” absentee voting and putting up barriers to complete and cast mail-in ballots.

- **Voter registration restrictions**

Laws are being proposed that make registering to vote more difficult. These restrictions include requiring a person to prove citizenship or show specific identification when registering to vote. Other restrictions limit the window of time in which someone can register or vote or require registration way in advance of the actual election—long before it’s in voters’ minds. There are also states trying to limit election day registration (registering on the same day as election day) and automatic voter registration (eligible voters automatically become registered when they interact with a government agency, like getting a drivers’ license).
- **Voter ID Laws**

Many states have introduced new or harsher voter ID laws for in-person or mail-in voting. These include states that previously did not require that an ID be presented when voting early or in-person, and now want to require it. Some states are proposing laws that disallow the use of certain IDs (i.e., out-of-state licenses or student IDs) and other laws that require voters to include a photocopy of their photo ID with their absentee ballot applications and their completed mail ballot.

- **Voter Purging**

Voter purging involves election officials removing voters' registrations for a variety of reasons and not informing those voters. Often, those voters do not find out their names have been removed until they arrive on Election Day to cast their vote. Recently, these purges have become more aggressive as some states have increased their frequency or extensiveness of purges or adopted flawed practices that create the risk of improper purges.

Other voter suppression efforts include felony disenfranchisement (permanently depriving people who have been convicted of felonies of their right to vote), precinct closures (causes voter confusion and longer lines), and gerrymandering (redrawing of district lines to reallocate representation in Congress and state legislatures, often conducted in an attempt to control election outcomes). All these laws, both together and separately, prevent many people from exercising their right to vote and disproportionately affect people of color, elderly people, young voters and those who live in poverty.

**Federal Legislation to Expand and Protect the Vote**

Despite these efforts, some states have proposed policies to expand access to voting. In addition, the federal government has introduced two federal bills to broaden people's ability to vote and counteract the voter suppression laws. They are:
- **H.R. 1 “For the People Act of 2021** “To expand Americans’ access to the ballot box, reduce the influence of big money in politics, strengthen ethics rules for public servants, and implement other anti-corruption measures for the purpose of fortifying our democracy, and for other purposes.

- **H.R. 4 “John R. Lewis Voting Rights Act** “To amend the Voting Rights Act of 1965 to revise the criteria for determining which States and political subdivisions are subject to section 4 of the Act, and for other purposes.”

**Age**

10 and up

**Questions to Start the Conversation**

- What was new or surprising information for you?
- Have you heard about any of these voter suppression laws in our or other states? What more do you want to know?
- Why do you think this is happening now? Why do you think it took place in the past?
- What is the impact of voter suppression on individuals? What is the impact on our society as a whole?
- Why is it important that everyone who wants to vote can vote?

**Questions to Dig Deeper**

(See the Additional Resources section for articles and information that address these questions.)

- How would you feel if you had the right to vote but weren’t able to?
- Why do you think these laws target certain identity groups and not others?
- What can and should we do about voter suppression?

**Take Action**
Ask: What can we do to help? What actions might make a difference?

- Help to organize a school forum (in person or virtually) to discuss voting, elections and voter suppression. Provide information, invite guest speakers (including elected officials and those running for office) and discuss strategies to take action.

- Get involved in voting and elections in your school. Work with others to find ways to make sure the election enables a fair vote on issues and topics important to students, rather than a vote based on popularity. Or run yourself and model a campaign you believe in.

- Keep up to date on both state and federal laws that impacts voting rights. Reach out to your members of Congress or your state lawmakers to share your thoughts about federal and state laws that restrict voting.

**Additional Resources**

- Voting Rights Then and Now (ADL Lesson Plan)
- The Selma to Montgomery March for Voting Rights (ADL Lesson Plan)
- Let's Talk about Voting! (ADL Table Talk)
- 100 Years of the 19th Amendment
- ADL and Voting Rights
- Ensure Every American Can Vote (Brennan Center for Justice)