Voting Rights Advocates Demand that Georgia Secretary of State Cease Discriminatory ‘No Match, No Vote’ Registration Protocol

Norcross, Georgia, July 19, 2018 — On July 18, 2018, voting rights advocates sent a notice letter to Georgia Secretary of State Brian Kemp, advising him that the enactment and implementation of the voter registration provisions of Georgia Act 250 (O.C.G.A. § 21-2-220.1), which codified a ‘no match, no vote’ voter registration protocol, violate Section 8 of the National Voter Registration Act, and requesting that Secretary Kemp immediately cease enforcement of the Georgia law or risk facing a new legal challenge to the law in federal court.

Under the Georgia law, a voter registration application is flagged and placed in “pending” status if the information on their registration form does not exactly match information contained in the Department of Driver Services or Social Security Administration databases. The matching process also flags some U.S. citizens as non-citizens, even in cases where the applicants submit a copy of their U.S. naturalization form or other evidence of their U.S. citizenship with their voter registration applications.

If applicants do not cure the “no-match” result, they are removed from the registration rolls after 26 months. The matching protocol has an extraordinarily high error rate, resulting in the unreasonable delay in the processing of voter registration applications and the risk that the application will be canceled after 26 months, resulting in the disenfranchisement of legitimate, voting-eligible Georgians.

Georgia Act 250’s voter registration protocol is similar to one that had been previously adopted administratively by Secretary of State Kemp and which was challenged in federal court by voting rights advocates in 2016. Despite the fact that the “no match, no vote” protocol had been shown to have a high error rate and a substantial, negative impact upon voting-eligible African American, Latino and Asian American Georgians, this discriminatory process was nevertheless codified into Georgia law with the passage of HB 268 in 2017.

“Our democracy depends on the ability of all voters to participate in the political process,” said Kristen Clarke, president and executive director of the Lawyers’ Committee for Civil Rights Under Law. “Georgia’s ‘no match, no vote’ policy has already disenfranchised tens of thousands of eligible voters and has had a particularly onerous effect on minorities and the poor. The State should stop using this error-ridden and discriminatory practice immediately. If not, we will leverage all of the tools available to us to combat voting discrimination and to achieve fairer and more democratic outcomes across our country.”

The NVRA compliance demand was issued by Lawyers’ Committee for Civil Rights Under Law and Campaign Legal Center, with assistance by their pro bono counsel, the New York City office of Hughes Hubbard & Reed LLP, along with Asian Americans Advancing Justice - Atlanta and the Law Office of Bryan Sells. It was sent on behalf of the Georgia State Conference of the NAACP, the Georgia Coalition for the Peoples’ Agenda, Asian Americans Advancing Justice - Atlanta, ProGeorgia State Table, Georgia Association of Latino Elected Officials, and New Georgia Project.

“Advancing Justice-Atlanta works tirelessly to encourage and empower members of our AAPI and immigrant communities to fully engage in the civic process,” said Phi Nguyen, litigation director of Asian Americans Advancing Justice - Atlanta, Inc. “We urge our leaders to also do their part to ensure that all citizens can
exercise their fundamental right to vote."

“For years, Georgia’s onerous system has disproportionately burdened minority citizens by making it more difficult to complete the voter registration process,” said Danielle Lang, senior legal counsel, voting rights and redistricting at CLC. “It’s time to put an end to a system that is not used by most other states because of its discriminatory implementation and extraordinarily high error rate. No Georgians should be barred from participating in the democratic process due to Georgia’s exact match system any longer.”

If prospective applicants have any questions about the deadlines for registering to vote in Georgia, they may call the national, nonpartisan Election Protection hotline at 866-OUR-VOTE for additional information.

Contact

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About Asian Americans Advancing Justice - Atlanta: Asian Americans Advancing Justice - Atlanta (formerly Asian American Legal Advocacy Center or AALAC) is the first non-profit law center dedicated to Asian immigrants and refugees (“Asian Americans”) in the Southeast. Our goal is to engage, educate and empower under-represented Asian Americans to greater civic participation. We are one of five independent organizations that make up the national Asian Americans Advancing Justice. Together with our affiliates in Chicago, DC, Los Angeles and San Francisco, we bring more than 100 years of collective experience in addressing the civil rights issues faced by Asian Americans and other vulnerable and underserved communities. For more information, please visit http://advancingjustice-atlanta.org

About the Lawyers’ Committee for Civil Rights Under Law: The Lawyers’ Committee for Civil Rights Under Law, a nonpartisan, nonprofit organization, was formed in 1963 at the request of President John F. Kennedy to involve the private bar in providing legal services to address racial discrimination. Now in its 55th year, the Lawyers’ Committee for Civil Rights Under Law is continuing its quest “Move America Toward Justice.” The principal mission of the Lawyers’ Committee for Civil Rights Under Law is to secure, through the rule of law, equal justice for all, particularly in the areas of criminal justice, fair housing and community development, economic justice, educational opportunities, and voting rights. For more information, please visit https://lawyerscommittee.org.

About the Campaign Legal Center: The Campaign Legal Center, a nonpartisan organization based in Washington, D.C., is home to the nation’s premier election law experts. We are lawyers for our democracy, fighting for your fundamental right to participate in the political process. To find out more about the Campaign Legal Center, visit www.campaignlegalcenter.org.

About Hughes Hubbard & Reed LLP: Hughes Hubbard & Reed is a New York City-based international law firm that offers clients results-focused legal services and a collaborative approach across a broad range of practices. Hughes Hubbard was founded in 1888 by the renowned jurist and statesman Charles Evans Hughes. The firm is a leader in promoting diversity in law firms and is recognized for its pro bono achievements. For more information, visit hugheshubbard.com.

About the Law Offices of Bryan L. Sells LLC: The Law Office of Bryan L. Sells is a boutique civil rights law firm, based in Atlanta, Georgia, specializing in voting rights, election law, and redistricting.

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