March 5, 2020

The Honorable Ruth R. Hughes
Texas Secretary of State
P.O. Box 12887
Austin, TX 78711

Via email: secretary@sos.texas.gov

Dear Secretary Hughes,

As President of the Texas Civil Rights Project,¹ I write today to express our alarm over the widespread voter suppression our organization documented across the State of Texas during the March 3, 2020 Primary Elections. We demand that you and other relevant stakeholders take immediate action to invest in voting infrastructure and prevent a similar disaster from unfolding in November. Specifically, and as outlined below, we ask that you immediately: work with county officials most affected by Tuesday’s problems to hold a series of community town halls no later than the end of April 2020; and create a state-wide commission to investigate exactly what happened and suggest immediate reforms.

On Tuesday, Texas reaped the rotten fruit of willful, selective neglect of voting infrastructure. The breakdowns in our election system have occurred in one election cycle after another, have been allowed to fester for many years, and now threaten to overwhelm the November General Election, given the record-high turnout anticipated. The State of Texas must recognize Tuesday as the alarm that it was.

On Tuesday, millions of Texans—many of them first-time voters—went to their local polling places excited to exercise their rights by casting a ballot in our primary elections. What should have been a fast and straightforward process turned into a nightmare for hundreds of thousands of people across Texas. Even worse, the burden on voting rights was not equally shared by all Texans. Instead—and as Texas has seen over and over—the brunt of the burden was borne by communities of color, young people and people with disabilities.

From the time polls opened to when they closed, voters faced a series of obstacles: polling sites that opened hours late or not at all; broken voting machines and ballot-printers; crashed election websites; too many untrained poll workers; and voters’ names missing from the registration rolls. Then, especially later in the day, many voters in our major cities faced absurdly long wait times due to an inadequate number of polling locations, a lack of operational machines per location, and the

¹ We are Texas Lawyers for Texas Communities; the Texas Civil Rights Project believes in a state where everyone can live with dignity, justice, and without fear. In our thirty-year history, TCRP has brought thousands of strategic lawsuits and spearheaded advocacy to protect and expand voting rights, challenge injustices in our broken criminal justice system, and advance racial and economic justice for historically marginalized communities.
failure to properly staff each location. As chronicled by numerous press reports, wait times lasted as long as seven hours at points, particularly in communities of color and on college campuses.\(^2\)

Tuesday’s election meltdown was, sadly, entirely foreseeable. For years, the State of Texas has allowed its voting infrastructure to atrophy through willful and selective neglect. As documented in a series of reports, Texas voters have faced this same set of problems over and over in recent years, yet our State’s leadership has failed to do anything about it.\(^3\) We have now reached a crisis point: widespread voter suppression in the State of Texas, as more and more voters are severely burdened in their exercise of the franchise or disenfranchised altogether, especially people of color, young people and people with disabilities.

Those with responsibility over our State’s elections—you, county officials, the State’s political parties—must unite and get to work immediately to rebuild the trust of Texas voters. The stakes could not be higher. We are now less than eight months from what could be the highest turnout in a General Election in over a century. We must all come together immediately to ensure that nothing like this happens again, in particular during the November General Election.

To begin this process, we ask that you immediately:

- Work with county officials most affected by Tuesday’s problems (Bexar, Dallas, Harris, Hays, Tarrant and Travis counties, and others as appropriate) to hold a series of community town halls no later than the end of April 2020 to hear directly from voters about their experiences trying to vote, and lay out your plan to avert a similar scenario in November.

- Create a state-wide commission comprised of grassroots community leaders, members from the major political parties, and voting rights experts, with a mandate to investigate the reasons for the breakdowns that occurred during the March 2020 Primary Election and to hold public hearings soliciting testimony from Texans affected by them. Such a body would: 1) propose state-wide interim steps that can and must be implemented by the relevant state or local officials well before the November 2020 General Election; and 2) issue a report in advance of the 2021 Texas Legislative Session with recommendations to modernize Texas’s election systems.

As Tuesday’s debacle makes clear, Texas's elections are in need of root and branch reform from top to bottom. Voting is not a privilege that the State of Texas can provide to voters with varying degrees of quality, but a fundamental right at the heart of our democracy that must be equally


accessible to every eligible person. If we all work together after this latest wake-up call, we can strive
to ensure that no Texan ever again—including this November—has to struggle to cast a ballot.

We look forward to hearing your response to these proposals, and to your plan to prevent similar
issues from arising this November.

Very Truly Yours,

Mimi Marziani  
President  
Texas Civil Rights Project

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