

Hearing before the House Committee on Oversight and Reform
Subcommittee on Civil Rights and Civil Liberties

"Democracy in Danger: The Assault on Voting Rights in Texas"

The Honorable Senfronia Thompson
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Chairman Raskin, Ranking Member Sessions, and distinguished members of the Subcommittee: thank you for inviting me to testify today on the assault on voting rights. It's an honor to be before you on such a monumental effort to protect our sacred right to vote, not only in Texas, but nationwide. My testimony today will touch on the historical implications of what is currently happening in my home state - based on my personal experience, which is deeply connected to the Civil Rights Movement and my journey as a native Texan who has experienced voter suppression in a personal capacity and in my capacity as a State Representative.

I am a State Representative from Texas. I am 82 years old and I am serving my 25th term in the Legislature. As a child growing up in Texas, my grandparents only made \$2 dollars per week. They could not afford newspapers or a television, so they relied on one radio to keep apprised of current events. For my grandparents to have a voice in their government, they saved pennies and nickels to afford a \$1.50 poll tax. Even after saving their hard-earned money, the price that was imposed in an effort to restrict the access of voters of color to the ballot box was too high for both of them to vote. My grandmother voted, but my grandfather could not.

A poll tax was not the only barrier my grandparents and many other people of color faced when attempting to exercise their right to vote. Although we still have issues with access to transportation and the ballot box today, it was even less accessible to my grandmother who lived in the suburbs of Houston. She was made to travel a great distance just to access a polling location designated for "colored only" where she was allowed to cast her ballot.

My mother, who was a single mother, could not exercise her right to vote for many years. She had three children to raise and could not afford to purchase a poll tax. My mother was like many Americans today who are still forced to make difficult decisions regarding their finances and livelihoods. And if poll taxes weren't enough to keep certain people from the polls, Texans of color were only allowed to vote in national elections because Texas favored the "white primary," which prohibited African Americans and Latinos from voting in the primary elections. This was the case until *Smith v. Allwright* when Thurgood Marshall argued that Texas' practice of the "white primaries" was unconstitutional, and the Supreme Court ruled that it violated the Fourteenth and Fifteenth Amendments.

As a young girl, I remember how difficult it was for my mother and my grandmother to vote, and quite frankly, try to live as African Americans in these United States with the same rights and

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privileges that white Americans enjoy. I have seen African Americans bombed, murdered and have dogs unleashed on them. I have lived with signs that say, "No Dogs. No Negros. No Mexicans." As an undergraduate student, I attended a Historically Black College and University - my only option during that time - because racism was ripe and other institutions would not admit African American students. It was there that I began to use my voice to combat injustice and fight for equality. I participated in lunch counter strikes at Madding's drug store on my breaks between classes at Texas Southern University where I occupied seats for integration. I have lived to feel the reluctance of individuals speaking out because of lynching, violence and intimidation of African Americans. People used to feel defeated because we were outnumbered and didn't have the resources to combat the injustices that were systemically entrenched in every aspect of society.

Despite the ratification of the Fifteenth Amendment in 1870, African Americans still faced many obstacles to voting in the South, including in Texas. Southern states imposed poll taxes to keep people of color from voting, but it also restricted the vote of low-income Americans, including white Americans.

It was not until August 6, 1965, when a Texan who served as President of the United States - Lyndon B. Johnson - signed the Voting Rights Act of 1965 into law, that the federal government answered the cry of so many Americans who asked for the protection of their right to vote. The Voting Rights Act banned literacy tests, authorized an investigation on the use of poll taxes and required preclearance if voting practices were changed in areas where there was a history of discrimination.

As a State Representative in Texas, I have lost count of the times we have had to fight against voter suppression legislation. Some instances are not as obvious as others. Before the preclearance provision of the Voting Rights Act was challenged in *Shelby v. Holder*, Texas passed a voter ID law that was rejected by the Department of Justice under Section 5 of the Voting Rights Act because of the impact the law would have had on minority voters. After preclearance was repealed, Texas passed a restrictive voter ID law. Now, the nation is experiencing a wave of voter suppression legislation aimed at restricting access to the ballot for many honest, hard-working Americans because of the "Big Lie" - including in Texas.

The voter suppression legislation disguised as a voter integrity bill has provisions that restrict access to the ballot, not only for voters of color, but also for senior voters and voters with disabilities. It would criminalize everyday Texans and elections officials with outrageous penalties for simple mistakes, and gives poll watchers a lot of latitude in their capacity to hear and observe elections activities without the same stiff penalties elections judges face for violating the proposed law.

I have had the unfortunate experience of having a poll watcher stand behind me as I was in line to cast my vote. Normally in African-American and Hispanic areas, when poll watchers are sent to our polling locations, they send people who look like the Proud Boys into our communities for the sole purpose of intimidating voters. They walk behind you and appear as though they are ready to hurt you if you move out of place. Partisan poll watchers with that demeanor make

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people nervous - plain and simple. This is what the poll watchers known as the King Street Patriots did in Harris County in 2010 and 2012. Despite no evidence of voter fraud, that group was known for being laser focused on eliminating inconsistencies by using intimidating tactics at the polls and pushing for restrictive voting laws.

The modus operandi of some partisan poll watchers is to over-step the boundaries between their role as observers and interacting with the public in the democratic process. In my experience, I felt as though the woman who stood behind me fully intended to try and intimidate me, so I politely turned around and asked her what she wanted. I can read. I did not need any assistance to vote, so I stood my ground as we exchanged looks. This woman eventually left me alone and I was able to cast my ballot. I am assuming by her conduct with me, that she had been intimidating African American and Hispanic persons who went to that precinct to cast their vote. Although I stood my ground, I can guarantee that when voter intimidation happens in our communities, it has a chilling effect upon the people who simply want to have a voice at the polls.

Our nation has come a long way, but we still have work to do. The democratic process is the bedrock of our democracy and there is an urgency that is centered on the fact that our constituents in Texas and across the nation do not want their voting rights stripped away from them. They should be able to participate in democracy without fear, intimidation, and without arrest. All Americans who are eligible to vote should have equal access to the ballot and deserve to have their voices heard in a representative democracy. Throughout my years and experience as a Texan and an American, the similarities in efforts to suppress the vote feel all too familiar.

Congress once again has the opportunity to pass legislation that will protect the sacred right to vote for *all* Americans and I strongly urge you to pass H.R. 1, the For the People Act and H.R. 4, the John Lewis Voting Rights Advancement Act includes a five-year retroactive provision. We are at an inflection point in American History as we reckon with our nation's past and reflect upon the strides we have made to advance equal opportunity for all. It will never be and should never be ripe to turn back the hands of time on an issue as fundamental as our right to vote in America.