

**JOINT STATEMENT  
FROM ELECTED PROSECUTORS AND LAW ENFORCEMENT LEADERS**

***Newly-Enacted Voting Restrictions and Criminal Penalties Put Our Democracy at Risk –  
We Must Act Now to Protect the Right to Vote  
June 2021***

As elected prosecutors and law enforcement officials from across the country, we are deeply concerned by the growing wave of restrictions on the right to vote, and, in particular, measures that create and impose new criminal penalties. Public trust is integral to promoting public safety. These infringements on democracy erode both trust in, as well as the legitimacy of, our public institutions, including the justice system. By further fracturing already frayed bonds of trust, these newly enacted and proposed voting restrictions will compromise our ability to protect the communities we serve. And in too many instances, these changes appear to be driven by a deeply concerning effort to disenfranchise communities of color.

In the wake of widely [debunked](#) claims of voter fraud during the 2020 election, misinformation about the legitimacy of America’s electoral system has been gaining traction around the country. This has resulted in state legislatures creating a tangled web of new voting restrictions on a scale unseen since the [Jim Crow era](#). As public safety leaders, and as community leaders, we feel compelled to speak out. We call on policymakers to reject these efforts to erode the rights of all in our communities to participate in our nation’s democratic process of voting. And we urge Congress to pass the For the People Act and the John Lewis Act to provide much needed federal protection for the right to vote.

Already, in the first half of 2021, [14 states have enacted 22 new laws](#) restricting access to the vote, including prominent examples in [Arizona](#), [Georgia](#), [Iowa](#), [Florida](#), [Arkansas](#), [Kansas](#), [Montana](#), and [Wyoming](#). This sprawling complex of laws has made it more difficult to vote in a variety of ways. Some new laws impose stringent voter identification requirements. Others make it easier for election officials to purge voter rolls. And many limit access to absentee voting, early voting, and even election day voting, by reducing timeframes for voting and creating new requirements to obtain ballots.

More such laws are likely to come. Since the beginning of 2021, 48 of 50 state legislatures have seen the introduction of these types of bills. One [recent analysis](#) found that nationwide, as of May 10 of this year, 137 bills were pending in legislative committees, 22 had passed at least one committee, and another 41 had passed one or both legislative chambers.

These restrictions make it more difficult to vote at a time when we should be *broadening and encouraging* — and not curtailing — access to this fundamental constitutional right and robust participation in our nation’s democratic processes. These limitations will also have an outsized effect on communities of color and people in poverty, because these groups tend to have a more difficult time meeting unnecessarily burdensome ID requirements, and also tend to vote more frequently through alternative avenues such as early voting and same-day voter registration. As

leaders committed to justice and fairness, we are particularly troubled by attempts to resurrect voting barriers that evoke one of the darkest chapters in American history, when law enforcement officials in the Jim Crow era blocked Black citizens from accessing the polls.

Even more alarming is that many of the state laws create a wholly unnecessary set of new criminal and civil *penalties*. Georgia has [criminalized](#) the act of giving snacks and water to voters waiting in line at the polls. Iowa now [threatens](#) county auditors with criminal prosecution for not abiding by voter roll purge guidelines. In Florida, any election supervisor who fails to ensure that ballot drop boxes are monitored can be [fined \\$25,000](#). Texas is seriously considering a law that would make it a [crime](#) for local election officials to send applications to vote by mail to voters who didn't request them.

These are just a few examples. There are at least [two dozen bills](#) pending in nine states that seek to establish new penalties, fines, or criminal liability for election-related mistakes or errors. As leaders in the criminal justice and law enforcement community, we stand together in opposition to these punitive and gratuitous measures. And, as noted above, our concerns are multifaceted.

- First, these laws are entirely unnecessary. Numerous researchers, court findings, and government investigations have shown there is [no evidence](#) of widespread or significant voter fraud in this country. The new voting laws are a solution in search of a problem. They further restrict our liberty and expand the cost and size of the criminal justice system, without any evidence-based justification.
- Second, the new criminal laws and penalties will make our communities less safe by diverting limited crime-reduction resources to address problems that simply don't exist. As prosecutors and law enforcement leaders, we deplore these efforts to criminalize good faith participation in the electoral process. Our resources must instead remain focused on the serious and very real crimes that impact families and communities every day.
- Third, we are concerned that the imposition of criminal penalties and fines will discourage people from participating in elections, including as poll workers. A large and well-trained cohort of citizens willing to assist with elections is essential to the functioning of our democracy. These harsh new laws put jurisdictions at risk of being unable to address this vital need.

This is a critical time in our country. Lies and misinformation about the integrity of our elections have spread widely. As officers of the justice system, we must help restore integrity and confidence in our system of government. We do that today by urging state leaders across the country to stop passing laws that limit and criminalize voting. We likewise call for leaders at all levels of government to prioritize measures to *protect* the franchise. These sensible measures include automatic voter registration and expanding access to online voter registration, same-day registration, and early voting. And we should restore and strengthen federal oversight of state laws that restrict citizens' ability to vote.

For all of these reasons, we also urge Congress to give serious and immediate consideration to the [For the People Act](#) and the [John Lewis Act](#), bills which would institute these, and many other, crucial reforms. Without congressional action, this nation faces a grave risk that the assault on democracy mounted by restrictive state voting laws will go unaddressed.

Today we are speaking out and standing together to protect a fundamental right of our democracy that is under attack. Doing nothing is simply not an option.

**Respectfully,**

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