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## Attorney General Brown Defends Voting Rights Act from Attack in Georgia Redistricting Case

*Coalition of AGs Push Back on Effort to Undermine Anti-Discrimination Protections for Minority Voters in Amicus Brief*

**BALTIMORE, MD (April 17, 2024)** –Attorney General Anthony G. Brown today joined a group of 19 attorneys general defending Section 2 of the Voting Rights Act – a key protection against racial discrimination in elections – against challenges raised in a Georgia redistricting lawsuit.

In an [amicus brief](#) filed in *Pendergrass v. Secretary of State of Georgia* and two other consolidated cases, the attorneys general argue that the United States Court of Appeals for the Eleventh Circuit should uphold decades of legal precedent protecting the voting power of minority communities. The brief urges the Court to uphold the constitutionality of Section 2 and to preserve voters’ ability to file lawsuits to challenge discriminatory election practices.

“The Voting Rights Act is critical to ensuring that redistricting does not weaken minority groups’ voting power,” **said Attorney General Brown**. “I will always protect the right to vote from efforts to silence minority voices.”

Section 2 of the Voting Rights Act bans any election standard, practice, or procedure that “results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color” or membership in a minority-language group. It also prohibits election laws or structures that create unequal opportunities for political participation and prevents states from creating legislative districts that dilute minority voting power.

After the 2020 census, states across the United States redrew electoral maps. In 2021 and 2022, voting rights organizations and multiple individual voters filed suit to challenge Georgia’s new congressional and state legislative district maps, alleging that the maps unlawfully diluted the political power of the state’s Black voters. The District Court ruled in favor of the voters and voting rights organizations and ordered Georgia to redraw its maps to include additional majority-Black districts. The Georgia Secretary of State appealed this decision, arguing in part that Section 2 is unconstitutional to the extent that it requires Georgia to draw race-conscious

maps, and that individual voters and private organizations do not have a private right of action to enforce it – meaning that they cannot sue to challenge racially discriminatory election practices.

In the brief, the coalition urges the Eleventh Circuit to affirm the lower court’s decision striking down Georgia’s racially gerrymandered congressional and state legislative district maps for violating Section 2 of the Voting Rights Act.

The coalition argues that Section 2 of the Voting Rights Act is constitutional, and that it is a critical tool enacted by Congress to enforce the Fifteenth Amendment, which bans states from denying or abridging citizens’ right to vote because of race. They also argue that the text of Section 2 and decades of legal precedent have clearly established that individual voters have the power to challenge racially discriminatory election practices under Section 2. Private citizens have sued to enforce Section 2 since it was enacted, and every court except for one has ruled that they have this power. Section 2 is a necessary and powerful tool to combat racially discriminatory election practices, and the attorneys general recognize the important place these private lawsuits play in fighting for equal voting rights.

In submitting the brief, Attorney General Brown joins the attorneys general of California, Colorado, Connecticut, Delaware, the District of Columbia, Hawaii, Illinois, Maine, Massachusetts, Minnesota, Nevada, New Jersey, North Carolina, New York, Oregon, Rhode Island, Vermont, and Washington.

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