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LDF Files Petition for Rehearing En Banc in Case Challenging Alabama’s Photo ID Law

Today, the NAACP Legal Defense and Educational Fund, Inc. (LDF) filed a petition for rehearing en banc in its lawsuit challenging Alabama’s racially discriminatory photo ID law. In a split decision last month, a panel of the Eleventh Circuit Court of Appeals declined to reverse a district court opinion that granted summary judgment to the Alabama Secretary of State. The challenge against Alabama’s photo ID law was made under the 14th and 15th Amendments and the Voting Rights Act. LDF seeks a rehearing en banc because this ruling conflicts with Supreme Court and Eleventh Circuit precedent.

“It is clear from the statements of the legislators who enacted Alabama’s photo ID law that they passed it for the unconstitutional purpose of discriminating against voters of color,” said LDF Senior Counsel Natasha Merle. “As long as this law is intact, Black and Latinx Alabamians will continue to be disproportionately excluded from the state’s electoral process.”

“There are far too many obstacles for voters of color and too much at stake,” said Daniel Harawa, Of Counsel at LDF. “Over 118,000 voters lack the required photo ID and voters of color are nearly five times more likely than white voters to have their ballots rejected because of the photo ID law.”

In 2011, Alabama passed a law requiring voters to present photo identification before casting their ballots. Three years later, the photo ID law went into effect. In 2015, LDF filed its lawsuit shortly after Alabama’s decision to partially close 31 driver’s license issuing offices for the entirety of 2016, which made it much more difficult for Black and Latinx voters to obtain the most common form of photo ID.

Voters of color without photo ID are more likely to lack access to a vehicle, and to live below the poverty line than white voters without ID. These burdens make it extremely difficult for voters of color to get to an ID issuing office. All experts in the case, including the Secretary of State’s expert, agreed that people of color are almost two times more likely than white voters to lack photo ID. LDF’s experts also determined that the photo ID law has depressed Black voter turnout.

Read the petition for rehearing en banc [here](#).

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Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation's first civil and human rights law organization. LDF has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF's Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF.

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