

Wisconsin NAACP: Movers list is a political smokescreen for racial discrimination

Posted on Friday, Jan 10, 2020

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On December 13, 2019, Ozaukee County Circuit Judge Paul Malloy ordered the registrations of almost a quarter million voters to be immediately deactivated. As a result, this suppressive voter purge ruling would disenfranchise voters almost immediately.

Voter suppression is a strategy to influence the outcome of an election by discouraging or preventing people from voting. It is any effort, either legal or illegal, by way of laws, administrative rules, and/or tactics that prevents eligible voters from registering to vote or voting.

Wendell Harris, NAACP State Conference President has vowed to work against a law that violates the civil rights of these Wisconsin citizens. Founded in 1909, the NAACP is the nation's oldest and largest nonpartisan civil rights organization fighting for racial justice, voting rights and civil rights.

The recent actions of Judge Malloy ordering 234,000 voters be purged with no options or alternatives provided may be in violation of the National Voter Registration Act. The Voting Rights Act permits voters to remain on the rolls for at least two federal election cycles after voter registration cards are returned as undeliverable. It also requires that before a state can purge a voter it must prove that the voter did change residence for voting.

The Wisconsin Election Commission, which consists of three Democrats and three Republicans, said the immediate removal may be based on faulty, unreliable information and some voters have not actually moved. In the alternative, it is

highly likely that those identified as 'movers' are disproportionately low income or people of color, those who have been most mobile in our communities as well as college students. A critical question is whether these individuals moved outside their respective municipalities. The Commission seems likely to review this issue in determining the scope of the order.

A lawsuit brought by the Wisconsin Institute for Law and Liberty against the Wisconsin Election Commission alleged it had violated state policies related to voters who report an official government transaction with an address different from that which appeared as their voter registration address. The State Department of Justice appealed the Ozaukee County Judge's ruling acting in its capacity to defend state law. On December 18, 2019, a panel of state appeals court judges sustained the ruling that would deactivate these 234,000 voters. With several legal maneuvers pending, a resolution to this lawsuit may not occur prior to the 2020 election.

On December 30, 2019, the Wisconsin Elections Commission met and discussed options relating to the Movers List Procedures. A motion brought to the floor to deactivate voter records was rejected on a 3-3 vote.

President Harris indicates that local branches of the NAACP have frequently worked in concert with the League of Women Voters and the ACLU and are developing voter engagement plans for the upcoming November election that emphasize work with their partners. We will seek to increase registration and voting and work to improve access to the polls for all citizens as well as take affirmative steps to provide information to all eligible voters. Harris states that since the founding of NAACP we have continually worked with members, the public and our coalition partners to fight any and all barriers to voting especially those that seek disenfranchisement of thousands of citizens. This action highlights how important it is that Wisconsin maintain Election Day registration so voters can register at the polls when they go to vote. Registration can occur by mail, in the municipal clerk's office, at the polling place on election day, and online at myvote.wi.gov.

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