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***Submitted Electronically***

Brian J. Feldman, Chair  
Cheryl C. Kagan, Vice Chair  
Senate Education, Energy, and the Environment Committee  
2 West Miller Senate Office Building  
Annapolis, Maryland 21401

***RE: Senate Bill 255 – Voting Rights Act of 2026 – Counties and  
Municipalities***

Chair Feldman and Vice Chair Kagan:

On behalf of the NAACP Legal Defense and Educational Fund, Inc. (LDF),<sup>1</sup> we appreciate the opportunity to submit written testimony in strong support of S.B. 255, Voting Rights Act of 2026 – Counties and Municipalities. S.B. 255 provides key protections against election systems that drown out or weaken voters’ voices based on their race.<sup>2</sup> Its enactment would build Maryland’s status as a national leader in protecting the right to vote, just as we are facing increasing threats at the federal level.

S.B. 255 is a key part of the Maryland Voting Rights Act (“MDVRA”) legislative package.<sup>3</sup> The MDVRA builds upon the best parts of the landmark federal Voting Rights Act of 1965<sup>4</sup> and recent efforts by states such as New York, Connecticut, Minnesota, Colorado and neighboring Virginia to provide

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<sup>1</sup> Since its founding in 1940, LDF has used litigation, policy advocacy, public education, and community organizing strategies to achieve racial justice and equity in the areas of education, economic justice, political participation, and criminal justice. It has been a separate organization from the NAACP since 1957.

<sup>2</sup> S.B. 255 (2026).

<sup>3</sup> In the 2026 legislative session, the MDVRA legislative package includes S.B. 255/H.B. 350 and H.B. 219. Last year, Maryland enacted HB 983/SB 685 “Election Law—Local Boards of Elections—Language-Related Assistance,” which was an important stepping stone towards the full language access protections envisioned through the MDVRA.

<sup>4</sup> 52 U.S.C. §§ 10301–10314.

much-needed protections against voting discrimination.<sup>5</sup> Through this critical legislative package, Maryland would help set the standard for state-level protections for Black voters and other voters of color, and become a national leader in building an inclusive, multiracial democracy.

Marylanders agree with us that advancing the MDVRA should be a top affirmative voting rights priority. Eight-in-ten Maryland voters support passing a MDVRA (81%) and would like their state legislators to prioritize enacting such legislation (80%).<sup>6</sup>

## **I. The Legal Defense Fund’s Long History of Protecting and Advancing Voting Rights**

Founded in 1940 under the leadership of Maryland native Thurgood Marshall, LDF is America’s premier legal organization fighting for racial justice. Through litigation, advocacy, and public education, LDF seeks structural changes to expand democracy, eliminate disparities, and achieve racial justice in a society that fulfils the promise of equality for all Americans.

LDF has prioritized its work protecting the right of Black communities to vote for more than 85 years—representing Dr. Martin Luther King, Jr. and other marchers in Selma, Alabama in 1965, advancing the passage of the Voting Rights Act (VRA), litigating seminal cases interpreting the federal VRA’s scope,<sup>7</sup> and working in communities across the South to strengthen and protect the ability of Black voters to participate in the political process free from discrimination.

In the wake of recent Supreme Court cases that have undercut the federal VRA,<sup>8</sup> as Congress struggles to respond with federal legislation,<sup>9</sup> and as states across the country move to further restrict the franchise,<sup>10</sup> LDF has prioritized working to advance State Voting Rights Acts (State VRAs) to meet the urgent need to protect Black voters from discrimination. LDF worked with partners to successfully advocate for the enactment of the John R. Lewis

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<sup>5</sup> A.6678E / S.1046E, 2022 Reg. Sess. (N.Y. 2022), <https://www.nysenate.gov/legislation/bills/2021/A6678> (hereinafter “NYVRA”); H.B. 6941, 2023 Reg. Sess (Conn. 2023), <https://www.cga.ct.gov/2023/ACT/PA/PDF/2023PA-00204-R00HB-06941-PA.PDF> (hereinafter “CTVRA”); Minn. Stat. §§ 200.50–200.59 (hereinafter “MNVRA”); CO VRA, Co. Rev. Stat. §§ 1-47-101-302, [https://leg.colorado.gov/bill\\_files/40976/download](https://leg.colorado.gov/bill_files/40976/download); S.B. 1395, 2022 Reg. Sess. (Va. 2021), <https://lis.virginia.gov/cgi-bin/legp604.exe?211+sum+SB1395>.

<sup>6</sup> Mem. from LDF & Impact Rsch. to Interested Parties (Jan. 30, 2025), <https://www.naacpldf.org/wp-content/uploads/IMPACT-LDF-MDVRA-Key-Findings.pdf>.

<sup>7</sup> See e.g. *Louisiana v. Callais*, 606 U.S. \_\_\_ (2025); *Allen v. Milligan*, 599 U.S. 1 (2023).

<sup>8</sup> See, e.g., *Shelby Cnty. v. Holder*, 570 U.S. 529 (2013); *Brnovich v. Democratic Nat’l Comm.*, 594 U.S. 647 (2021).

<sup>9</sup> Freedom to Vote: John R. Lewis Act, H.R. 5746, 117th Cong. (2021).

<sup>10</sup> *Voting Laws Roundup: September 2024*, Brennan Ctr. for Just., N.Y.U. L. (Sept. 26, 2024), <https://www.brennancenter.org/our-work/research-reports/voting-laws-roundup-september-2024>.

Voting Rights Act of New York (the New York Voting Rights Act or “NYVRA”) in 2022, the John R. Lewis Voting Rights Act of Connecticut (the Connecticut Voting Rights Act or “CTVRA”) in 2023, and the Minnesota Voting Rights Act (“MNVRA”) in 2024.<sup>11</sup>

This work has only become more urgent as we are now seeing attacks, not progress, on voting rights at the federal level. Through Executive Orders,<sup>12</sup> anti-voter legislation in Congress,<sup>13</sup> and a weaponized Department of Justice,<sup>14</sup> the current Administration has turned the federal government from a bulwark against discrimination into a direct threat to voting rights for Black voters and other people of color. Attacks have also continued in the courts. Last year the U.S. Court of Appeals for the Eight Circuit ruled that voters cannot use the federal VRA directly to protect their rights, but rather they must depend upon the Department of Justice.<sup>15</sup> And the Supreme Court will rule imminently in *Louisiana v. Callais*, the latest effort by states to undercut the VRA.<sup>16</sup>

These acute threats have driven substantial interest in State VRAs. Eight states have enacted their own State VRA; and at least ten other states have introduced legislation to date—a list we expect to expand as more legislative sessions get underway in 2026.<sup>17</sup> This year we are working with robust coalitions of civil and voting rights advocates seeking to advance similar laws here in Maryland and a number of other states.

As a vibrantly diverse state<sup>18</sup> with historic Black leadership, as a state with a longstanding history of racial discrimination that has made substantial strides in opening its democracy,<sup>19</sup> and as the birthplace of our founder Thurgood Marshall, we are excited to work with the General Assembly to ensure that Maryland protects Black voters with a state-level voting rights act.

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<sup>11</sup> NYVRA, N.Y. Elec. L. §§ 17-200–222; CTVRA, Conn. Gen. Stat. §§ 9-368i–q; MNVRA, Minn. Stat. §§ 200.50–200.59.

<sup>12</sup> Exec. Order No. 14, 248 (2025) (mandating significant changes to elections, including proof of citizenship for voter registration and restrictions on ballot counting).

<sup>13</sup> Safeguard American Voter Eligibility (SAVE) Act, H.R. 22, 119th Cong. (2025).

<sup>14</sup> *Tracker of Justice Department Request for Voter Information*, Brennan Center (Aug. 28, 2025, updated Jan. 23, 2026), <https://www.brennancenter.org/our-work/research-reports/tracker-justice-department-requests-voter-information>.

<sup>15</sup> *Turtle Mountain Band of Chippewa Indians v. Howe*, 137 F.4th 710 (8th Cir. 2025).

<sup>16</sup> *Louisiana v. Callais*, 606 U.S. \_\_\_ (2025).

<sup>17</sup> State Voting Rights Acts Map, Legal Defense Fund (Jan. 2026), <https://www.naacpldf.org/state-voting-rights-acts/>.

<sup>18</sup> Marissa J. Lang & Ted Mellnik, *Census Data Shows Maryland Is Now the East Coast’s Most Diverse State, While D.C. Is Whiter*, Wash. Post (Aug. 12, 2021), <https://www.washingtonpost.com/dc-md-va/2021/08/12/dc-virginia-maryland-census-redistricting-2/>.

<sup>19</sup> Bennett Leckrone, *Election Reforms Will Make Voting More Accessible in Maryland, Advocates Say*, Md. Matters (June 16, 2021), <https://www.marylandmatters.org/2021/06/16/election-reforms-will-make-voting-more-accessible-in-maryland-advocates-say/>.

## II. Racial Discrimination in Voting in Maryland

Maryland has made substantial progress in making voting more equitable and accessible, yet substantial racial disparities persist in both voter participation and local representation.

In spite of its name, the Free State has a troubling legacy of racial terror linked to voter suppression. Lynchings have been documented in 18 of the state's 24 counties.<sup>20</sup> As the Vice Chair of the Maryland Lynching Truth and Reconciliation Commission noted prior to the 2020 election, “[t]he legacy of lynching is directly connected to voter suppression and attempts to stoke fear in the hearts of Black and brown [people] and allies of every color . . . ”<sup>21</sup> Three decades ago, a federal court detailed Maryland's history of voting discrimination in a ruling striking down a state legislative redistricting plan as racially discriminatory, noting that this history is marked by a 1904 provision that disenfranchised Black voters through the mid-1980s and a dual registration system that kept many Black voters from the polls until 1988.<sup>22</sup>

Unfortunately, voting discrimination is not just a relic of the past—it persists today. According to the U.S. Census Bureau, Maryland has seen substantial racial disparities in racial turnout in recent elections. For example, for the 2022 elections, turnout for white Marylanders was almost ten points higher than for Black residents, and 20 points higher than for Latine voters.<sup>23</sup> Research from the Brennan Center for Justice shows that Maryland ranked second in the nation in 2022 for the number of Black voters who did not vote but would have if turnout rates were equal between Black and white Marylanders.<sup>24</sup> In other words, due to Maryland's significant Black population, its racial turnout disparities are warping its electorate to sharply reduce Black political power.

In addition to disparities in *participation*, research suggests that voters of color in Maryland experience significant disparities in *local representation*. The ACLU of Maryland has found that many racially diverse communities

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<sup>20</sup> Jonathan M. Pitts, *Maryland Conference on Lynchings Finds Links to Voter Suppression, Social Inequality*, Balt. Sun (Oct. 19, 2020), <https://www.baltimoresun.com/maryland/bs-md-maryland-lynching-conference-20201019-wqdo2w6xorc3vm73jzmtguisda-story.html>.

<sup>21</sup> *Id.*

<sup>22</sup> *Marylanders for Fair Representation v. Schaefer*, 849 F.Supp. 1022, 1061 (D.Md, Jan. 14, 1994) (finding that “all-white, but state-funded, volunteer fire departments on the Eastern Shore [that] functioned as a kind of unofficial slating organization for white candidates”).

<sup>23</sup> Press Release, U.S. Census Bureau, Voting and Registration in the Election of November 2022 tbl. 4b (Reported Voting and Registration of the Total Voting-Age Population, by Sex, Race and Hispanic Origin, for States: November 2022 [<1.0 MB]) (Apr. 2023), <https://www.census.gov/data/tables/time-series/demo/voting-and-registration/p20-586.html>.

<sup>24</sup> Kevin Morris & Coryn Grange, *Growing Racial Disparities in Voter Turnout, 2008–2022*, Brennan Ctr. for Just., N.Y.U. L. (Mar. 2, 2024), <https://www.brennancenter.org/our-work/research-reports/growing-racial-disparities-voter-turnout-2008-2022>.

across the state do not appear to have any elected officials who are people of color.<sup>25</sup>

Although such descriptive underrepresentation itself is not necessarily unlawful (the relevant metric is the ability of voters of color to elect candidates of choice, regardless of such candidates' race), substantial racial disparities in political participation coupled with signs of systemic underrepresentation are concerning red flags of racial discrimination in voting, and are often associated with racially discriminatory barriers to the franchise, such as insufficient polling places in communities of color that suppress turnout among voters of color, or district maps that crack or pack voters of color to dilute their voting strength.

Moreover, the prevalence of at-large election structures throughout Maryland—a form of election which, when combined with racially polarized voting or other relevant factors, can “operate to minimize or cancel out the voting strength of racial minorities in the voting population”—raises questions about potential vote dilution that may be going unchallenged at present.<sup>26</sup> The ACLU of Maryland found that, as of 2024, the majority (63%) of municipalities with substantial populations of people of color use fully at-large election systems, and nearly three-quarters (73%) use some form of at-large voting.<sup>27</sup> To be clear, at-large elections are not discriminatory in all cases; but under certain circumstances can operate to dilute, or drown out, certain voters' voices based on race.

The bottom line is that in communities across Maryland, there is a high risk that Black voters and other voters of color have not been able to elect candidates of their choice to local government.

### **III. Limitations of the Federal Voting Rights Act**

Although the individual and collective provisions of the federal VRA have been effective at combatting a wide range of barriers and burdens,<sup>28</sup> federal courts have weakened some of the federal VRA's protections in recent years, making it increasingly complex and burdensome for litigants to vindicate their rights under the law. As a result, despite the federal VRA's

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<sup>25</sup> ACLU Md., *Why Maryland Needs Its Own Voting Rights Act*, [https://www.aclu-md.org/sites/default/files/mdvra\\_need\\_public\\_onepager\\_mdga25\\_english.pdf](https://www.aclu-md.org/sites/default/files/mdvra_need_public_onepager_mdga25_english.pdf) (last visited Feb.21, 2025). The ACLU is in the process of updating this research, last conducted in 2024. Preliminary results suggest some improvements in descriptive representation but have still identified significant disparities.

<sup>26</sup> *Thornburg v. Gingles*, 478 U.S. 30, 47 (1986) (internal quotations and brackets omitted).

<sup>27</sup> ACLU Md., *supra* note 25, at 2.

<sup>28</sup> Myrna Pérez, *Voting Rights Act: The Legacy of the 15th Amendment*, Brennan Ctr. for Just., N.Y.U. L. (June 30, 2009), <https://www.brennancenter.org/our-work/analysis-opinion/voting-rights-act-legacy-15th-amendment>.

importance, voters of color often face significant barriers to participate in the political process and elect candidates of their choice.

Maryland voters, supported by organizations such as the ACLU of Maryland, have used the federal VRA to achieve important voting rights victories in recent years.<sup>29</sup> Yet, existing federal law does not fully address the need for voting rights protections in Maryland and other states. For nearly 50 years, Section 5 of the federal VRA, the heart of the legislation, protected millions of voters of color from racial discrimination in voting by requiring certain political subdivisions to obtain approval from the federal government *before* implementing a voting change.<sup>30</sup> However, in *Shelby County, Alabama v. Holder*, the United States Supreme Court rendered Section 5's "preclearance" process inoperable by striking down Section 4(b) of the federal VRA, which identified the places where Section 5 applied.<sup>31</sup>

Predictably, the *Shelby County* decision unleashed a wave of voter suppression in states that were previously covered under Section 4(b).<sup>32</sup> This onslaught accelerated after the 2020 election, which saw historic levels of participation by voters of color (albeit with persistent racial turnout gaps).<sup>33</sup> Following that election, in 2021, state lawmakers introduced more than 440 bills with provisions that restrict voting access in 49 states, and 34 such laws were enacted.<sup>34</sup> This wave of harmful legislation shows no signs of abating: In 2025, state legislatures enacted at least 31 restrictive voting laws, the second highest total since 2011.<sup>35</sup>

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<sup>29</sup> Settlement Order, *Caroline Cnty. NAACP v. Federalsburg*, No. 1:23-CV-00484, ECF No. 56; *Baltimore County NAACP et al v. Baltimore County et al*, ACLU Md. (Aug. 20, 2024), <https://www.aclu-md.org/en/cases/baltimore-county-naacp-et-al-v-baltimore-county-et-al>; Press Release, ACLU Md., VICTORY: Federal Judge Orders Baltimore County to Submit Redistricting Plan that Complies with Voting Rights Act (Feb. 22, 2022), <https://www.aclu-md.org/en/press-releases/victory-federal-judge-orders-baltimore-county-submit-redistricting-plan-complies>; Press Release, ACLU Md., Landmark Settlement, with Sweeping Array of Restorative Measures, Unveiled in Historic Federalsburg Voting Rights Case (Apr. 3, 2024) <https://www.aclu-md.org/en/press-releases/landmark-settlement-sweeping-array-restorative-measures-unveiled-historic>.

<sup>30</sup> See 52 U.S.C. § 10304.

<sup>31</sup> See *Shelby Cnty.*, 570 U.S. at 557.

<sup>32</sup> See Legal Def. Fund, *Democracy Defended* (Sept. 2, 2021), [https://www.naacpldf.org/wp-content/uploads/LDF\\_2020\\_DemocracyDefended-1-3.pdf](https://www.naacpldf.org/wp-content/uploads/LDF_2020_DemocracyDefended-1-3.pdf); see also Legal Def. Fund, *A Primer on Sections 2 and 3(c) of the Voting Rights Act 1* (Jan. 5, 2021), <https://www.naacpldf.org/wp-content/uploads/LDF-Sections-2-and-3c-VRA-primer-1.5.21.pdf>.

<sup>33</sup> Kevin Morris & Coryn Grange, *Large Racial Turnout Gap Persisted in 2020 Election*, Brennan Ctr. for Just., N.Y.U. L. (Aug. 6, 2021), <https://www.brennancenter.org/our-work/analysis-opinion/large-racial-turnout-gap-persisted-2020-election>.

<sup>34</sup> *Voting Laws Roundup: December 2021*, Brennan Ctr. for Just., N.Y.U. L. (Jan. 12, 2022), <https://www.brennancenter.org/our-work/research-reports/voting-laws-roundup-december-2021>.

<sup>35</sup> *State Voting Laws Roundup: 2025 in Review*, Brennan Ctr. for Just., N.Y.U. L. (Jan. 21, 2026), <https://www.brennancenter.org/our-work/research-reports/state-voting-laws-roundup-2025-review>.

Section 2 of the federal VRA offers a private right of action to challenge any voting practice or procedure that “results in a denial or abridg[ment] of the right of any citizen of the United States to vote on account of race.”<sup>36</sup> But Section 2 litigation imposes a high bar for plaintiffs. Such cases are expensive and can take years to reach resolution.<sup>37</sup> Section 2 lawsuits generally require multiple expert witnesses for both plaintiffs and defendants.<sup>38</sup> Plaintiffs and their lawyers risk at least six- or seven-figure expenditures in Section 2 lawsuits.<sup>39</sup> Individual plaintiffs, even when supported by civil rights organizations or private lawyers, often lack the resources and specialized legal expertise to effectively prosecute Section 2 claims.<sup>40</sup> Moreover, even when voters ultimately prevail in the lawsuits, several unfair elections may be held while the litigation is pending, subjecting voters to irreparable harm.<sup>41</sup> Due to these challenges, some potential Section 2 violations are never identified, addressed, or litigated in court.<sup>42</sup>

Section 2 claims are also expensive for jurisdictions to defend, regularly costing political subdivisions considerable amounts of taxpayer money. For example, the East Ramapo Central School District in New York State paid its lawyers more than \$7 million for unsuccessfully defending a Section 2 lawsuit brought by the local NAACP branch—and, after the NAACP branch prevailed, was ordered to pay over \$4 million in plaintiffs’ attorneys’ fees and costs as well.<sup>43</sup> In *Veasey v. Abbott*, the federal lawsuit in which LDF challenged the State of Texas’s Voter ID law with other civil rights groups and the U.S. Department of Justice (DOJ), the district court and the Fifth Circuit Court of Appeals required Texas to pay more than \$6.7 million toward the non-DOJ

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<sup>36</sup> 52 U.S.C. § 10301(a).

<sup>37</sup> *Voting Rights Act: Section 5 of the Act – History, Scope, and Purpose: Hr’g Before the Subcomm. on the Const. of the H. Comm. on the Judiciary*, 109th Cong. 92 (2005) (“Two to five years is a rough average” for the length of Section 2 lawsuits).

<sup>38</sup> Legal Def. Fund, *The Cost (in Time, Money, and Burden) of Section 2 of the Voting Rights Act Litigation* at 2 (Feb. 2021), <https://www.naacpldf.org/wp-content/uploads/Section-2-costs-2.19.21.pdf>; see also, e.g., Mike Faulk, *Big Costs, Heavy Hitters in ACLU Suit Against Yakima*, Yakima Herald (Aug. 10, 2014), [https://www.yakimaherald.com/special\\_projects/aclu/big-costs-heavy-hitters-in-aclu-suit-against-yakima/article\\_3bcce20-ee9d-11e4-bfba-f3e05bd949ca.html](https://www.yakimaherald.com/special_projects/aclu/big-costs-heavy-hitters-in-aclu-suit-against-yakima/article_3bcce20-ee9d-11e4-bfba-f3e05bd949ca.html).

<sup>39</sup> Legal Def. Fund, *supra* note 38.

<sup>40</sup> *Voting Rights and Election Administration in the Dakotas: Hr’g Before the Subcomm. on Elections*, 116th Cong. 64 (2019).

<sup>41</sup> *Shelby Cnty.*, 570 U.S. at 572 (Ginsburg, J., dissenting) (“An illegal scheme might be in place for several election cycles before a [Section] 2 plaintiff can gather sufficient evidence to challenge it.”).

<sup>42</sup> *Congressional Authority to Protect Voting Rights After Shelby County v. Holder: Hr’g Before the Subcomm. on the Const., C.R. & C.L. of the H. Comm. on Judiciary*, 116th Cong. 14 (Sept. 24, 2019) (Written Test. of Professor Justin Levitt).

<sup>43</sup> Jennifer Korn, *ERCSD Threatens to Fire Teachers if Legal Fees Not Cut to \$1: NAACP Leaders Respond*, Rockland Cnty. Times (Jan. 21, 2020), <https://www.rocklandtimes.com/2021/01/21/ercsd-threatens-to-fire-teachers-if-legal-fees-not-cut-to-1-naacp-leaders-respond/>; Report and Recommendation, *NAACP, Spring Valley Branch v. E. Ramapo Cent. Sch. Dist.*, No. 7:17-08943-CS-JCM (S.D.N.Y. Dec. 29, 2020).

plaintiffs' documented litigation costs.<sup>44</sup> Recent voting rights litigation in Baltimore County has left taxpayers on the hook for more than \$800,000 to pay County lawyers seeking to defend its unlawful district map, in addition to attorneys' fees they will owe Black voters who succeeded in establishing a violation of the VRA.<sup>45</sup>

Above and beyond its complexity and cost, litigation under Section 2 of the federal VRA simply cannot keep up with the urgency of the political process. Because elections occur frequently, discriminatory electoral maps or practices can harm voters almost immediately after rules are changed. However, on average, Section 2 cases can last two to five years, and unlawful elections often take place before a case can be resolved.<sup>46</sup>

To be clear, Section 2 litigation can be life changing for Black voters. This is evident in *Allen v. Milligan*,<sup>47</sup> where LDF's clients secured a second district where Black voters have an opportunity to elect their candidates of choice. In November 2024, Black voters showed up to the polls and elected a Black candidate to Congress.<sup>48</sup> *Allen v. Milligan* upheld decades of precedent under Section 2 and recognized that attacks on Black voters' rights continue today. As of January 2026, in *Louisiana v. Callais*, however, the Supreme Court is now reconsidering whether communities of color can have meaningful representation through maps redrawn to comply with Section 2 of the federal Voting Rights Act.<sup>49</sup> Just three years after *Milligan*, *Callais* now threatens to undercut voters' federal protections against racial vote dilution. S.B. 255's state level protections against racial vote dilution could not be timelier.

#### **IV. S.B. 255 Protects Maryland Voters Against Discriminatory Racial Vote Dilution**

S.B. 255 directly addresses the challenge of underrepresentation of Black voters and other voters of color through elected leadership in local government by building upon the protections against racial vote dilution contained in the federal VRA. The bill provides more guidance to courts to ensure that any resulting state-court litigation is more streamlined and cost-effective than federal cases—for both voters and local jurisdictions. The S.B.

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<sup>44</sup> See Mike Scarcella, *5th Circuit Upholds \$6.7 mln in Fees for Plaintiffs in Voting Rights Case*, Reuters (Sept. 4, 2021), <https://reut.rs/3tN14L7>.

<sup>45</sup> *Balt. Cnty. Branch of the NAACP v. Balt. Cnty.*, No. 21-cv-3232-LKG, ECF No. 105-4 (D. Md. Feb. 5, 2024) (attaching Defendants' counsel's invoices for the duration of litigation to Plaintiffs' fee petition).

<sup>46</sup> *Shelby Cnty.*, 570 U.S. at 572 (Ginsburg, J., concurring) ("An illegal scheme might be in place for several election cycles before a [Section] 2 plaintiff can gather sufficient evidence to challenge it.").

<sup>47</sup> *Allen v. Milligan*, 599 U.S. 1 (2023).

<sup>48</sup> Kim Chandler, *Figures wins Alabama's redrawn 2nd Congressional District*, AP News (Nov. 6, 2024), <https://apnews.com/article/alabama-house-shomari-figures-caroleene-dobson-a538c479e7cc06fb43adc4094bd84ee7>.

<sup>49</sup> *Louisiana v. Callais* FAQ, NAACP LDF, <https://www.naacpldf.org/case-issue/louisiana-v-callais-faq/>.

255 language is largely the same as S.B. 342, passed by the Senate in the 2025 legislative session, with some small but important technical improvements.<sup>50</sup> The provisions are rooted in S.B. 413, first introduced in 2022, and informed by language featured in one of the recently adopted State VRAs, the 2024 Minnesota Voting Rights Act, which in turn builds upon years of experience developing State VRAs and enforcing the federal VRA and State VRAs.<sup>51</sup>

### ***A. Cause of Action Against Racial Vote Dilution***

Significantly, S.B. 255 provides voters with a private right of action to challenge dilutive election structures or district maps, which weaken or drown out voters' voices based on race.<sup>52</sup> The legislation codifies into Maryland law the same types of protections against racial vote dilution that have long been covered by Section 2 of the federal Voting Rights Act,<sup>53</sup> and adopts a clarified and streamlined legal standard for these claims.<sup>54</sup> The legal standard for S.B. 255's private right of action against vote dilution is informed by similar protections against vote dilution recently adopted in Minnesota and Colorado.<sup>55</sup>

S.B. 255's vote dilution provision will enable voters to contest at-large local elections in the specific circumstance that this election system dilutes minority voting strength in a particular community.<sup>56</sup> It will also provide a framework for contesting district-based elections that configure districts in a manner that denies voters an equal opportunity to participate in the political process and elect candidates of choice based on race, for instance, through districting plans that crack communities of color into multiple districts or pack voters of color into just one district.<sup>57</sup>

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<sup>50</sup> S.B. 342 (2025). In comparison to last session's bill, S.B. 255 adds a fee shifting provision to ensure enforcement; clarifies that the law will protect multi-racial groups that face vote dilution (i.e. coalition claims); and adds further clarity to the scope of the polarized voting inquiry and the definition of polarized voting.

<sup>51</sup> MNVRA, Minn. Stat. §§ 200.50–200.59.

<sup>52</sup> S.B. 255 §§ 15.7–103(A); 15.7–106(A).

<sup>53</sup> See *Thornburg v. Gingles*, 478 U.S. 30 (1986).

<sup>54</sup> S.B. 255 § 15.7–103(B). Like other state VRAs, the MDVRA's legal standard draws from federal law interpreting Section 2 by permitting claims to be brought primarily on the basis of racially polarized voting, which has been widely acknowledged by federal courts to be the “linchpin” of Section 2. See, e.g., *Gingles*, 478 U.S. 30; *Allen v. Milligan*, 599 U.S. 1 (2023). Numerous federal courts have recognized that “[e]vidence of racially polarized voting is the linchpin of a section 2 vote dilution claim.” See *Westwego Citizens for Better Gov't v. City of Westwego*, 872 F.2d 1201, 1207 (5th Cir. 1989); *Cano v. Davis*, 211 F. Supp. 2d 1208, 1238 (C.D. Cal. 2002), *aff'd*, 537 U.S. 1100 (2003); *Harding v. Cnty. of Dallas*, 336 F. Supp. 3d 677, 690 (N.D. Tex. 2018), *aff'd* 948 F.3d 302 (5th Cir. 2020); see also *McMillan v. Escambia Cnty.*, 748 F.2d 1037, 1043 (5th Cir. 1984) (“racially polarized voting will ordinarily be the keystone of a dilution case”).

<sup>55</sup> See, e.g., MNVRA, Minn. Stat. §§ 200.50–200.59; CO VRA, Co. Rev. Stat. §§ 1-47-101-302.

<sup>56</sup> S.B. 255 § 15.7–105.

<sup>57</sup> *Id.*

The legislation will make vote dilution litigation more predictable, less time-intensive, and less costly than litigation under the federal VRA. This will benefit both voters who seek to vindicate their rights as well as political subdivisions seeking to comply with the law.

More than three-quarters (77%) of Maryland voters support “[s]topping racial vote dilution - when politicians manipulate voting districts to weaken or drown out the voices of Black and Brown voters.”<sup>58</sup>

### ***B. Benchmark for Measuring Vote Dilution***

A key aspect of S.B. 255 is how it provides a clear, flexible benchmark for measuring vote dilution. To establish a violation, S.B. 255 requires plaintiffs to show that there is a plausible alternative district map or election system that would allow protected class members to elect candidates of choice in a more equitable manner.<sup>59</sup> This clear guidance for evaluating unlawful dilution mitigates the risk that state courts may impose their own benchmarks, which could lead to inconsistent outcomes or import harmful federal case law into state law.<sup>60</sup>

### ***C. Clear Guidance Regarding Remedies***

One challenge with federal litigation is that courts have tended to defer to a defendant jurisdiction to propose a remedy, giving the very same jurisdiction that just violated the law priority and preference in the remedial process.<sup>61</sup> This was the case in recent litigation over Baltimore County’s districts, which resulted in a new district map that did not enable Black voters to elect an additional candidate of their choice.<sup>62</sup> S.B. 255 makes clear that courts should consider all proposed remedies on equal footing and not give preference to those proposed by defendant jurisdictions.<sup>63</sup> This would likely have led to a more equitable outcome in the Baltimore County litigation.

### ***D. Application to an Upcoming Election***

S.B. 255 ensures Marylanders are not forced to vote under discriminatory election systems just because an election is coming up and may

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<sup>58</sup> LDF & Impact Rsch., *supra* note 6, at 2.

<sup>59</sup> S.B. 255 §§15.7–903 to 15.7–104(A).

<sup>60</sup> *Id.*

<sup>61</sup> See *McGhee v. Granville Cnty.*, 860 F.2d 110, 115 (4th Cir. 1988) (giving the legislative body the first opportunity to devise an acceptable remedial plan to which the district court must give great deference).

<sup>62</sup> *Balt. Cnty. Branch of the NAACP v. Balti. Cnty.*, No. 21-CV-03232-LKG, 2022 WL 657562, 2 (D. Md. Feb. 22, 2022). The Plaintiffs’ expert demographer was able to craft a district map that created two districts where the Black community held 53 percent of the population. Instead, the County’s plan, accepted by the Court, packed the Black community into a single district comprising 61 percent of the population, maintaining white voting age majorities in every other district.

<sup>63</sup> S.B. 255 § 15.7-106(C)

be taking place a few months away. At the federal level, the Supreme Court and lower courts have allowed jurisdictions to maintain discriminatory district maps for an upcoming election even when voters moved quickly to challenge these maps and there is ample time to implement a fairer system.<sup>64</sup> S.B. 255 makes it clear that Maryland courts need not follow this troubling federal precedent, and instead can remedy a discriminatory map as long as it is possible to do so before an upcoming election.<sup>65</sup>

### ***F. Racially Polarized Voting as an Empirical Inquiry***

S.B. 255 clarifies that the presence of racially polarized voting is an empirical inquiry, not a question of motive.<sup>66</sup> The concept of racially polarized voting means electoral preferences tend to break down along racial lines. Its presence creates an important risk of vote dilution because it means in certain election systems members of a racial minority may not be able to effectuate their preferences, which are different than the majority's preferences. The reasons preferences may differ among racial groups are not relevant to the inquiry. In fact, the search for reasons behind differing preferences tends to confuse the issue and distract from the central point: when a majority's preferences are consistently different than a minority's, certain election methods or district maps will facilitate the majority drowning out the minority's voice.

## **V. Equitable Voting Rights Protections Have Concrete Benefits**

Robust voting rights protections, like those in the federal VRA and state-level voting rights acts, can have powerful effects in making the democratic process fairer, more equal, and more inclusive. These effects include reducing racial turnout disparities,<sup>67</sup> making government more responsive to the needs and legislative priorities of communities of color,<sup>68</sup> and increasing diversity in government office,<sup>69</sup> so that elected representatives more fully reflect the communities they serve.

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<sup>64</sup> *Purcell v. Gonzalez*, 549 U.S. 1 (2006); *Allen v. Milligan*, 599 U.S. 1 (2023).

<sup>65</sup> S.B. 255 § 15.7–106(D).

<sup>66</sup> S.B. 255 § 15.7-104(B)(3)(II).

<sup>67</sup> Zachary L. Hertz, *Analyzing the Effects of a Switch to By-District Elections in California*, MIT Election Lab (July 19, 2021), [https://electionlab.mit.edu/sites/default/files/2021-07/hertz\\_2020.pdf](https://electionlab.mit.edu/sites/default/files/2021-07/hertz_2020.pdf).

<sup>68</sup> Sophie Schllit & Jon C. Rogowski, *Race, Representation, and the Voting Rights Act*, 61 Am. J. Pol. Sci. 513 (July 2017), <https://www.jstor.org/stable/26379507>.

<sup>69</sup> Loren Collingwood & Sean Long, *Can States Promote Minority Representation? Assessing the Effects of the California Voting Rights Act*, 57 Urb. Aff. Rev. 731, 757 (2021), [https://www.collingwoodresearch.com/uploads/8/3/6/0/8360930/cvra\\_project.pdf](https://www.collingwoodresearch.com/uploads/8/3/6/0/8360930/cvra_project.pdf); see Pei-te Lien et al., *The Voting Rights Act and the Election of Nonwhite Officials*, 40 Pol. Sci. & Pol. 489 (July 2007), <https://www.jstor.org/stable/20452002>; Paru R. Shah et al., *Are We There Yet? The Voting Rights Act and Black Representation on City Councils, 1981-2006*, 75 J. Pol. 993 (Aug. 20, 2013), <https://www.jstor.org/stable/10.1017/s0022381613000972>.

There is evidence that measures like the MDVRA can have powerful, downstream benefits in health and economic equality as well. Professor Thomas A. LaVeist of Tulane University, in a landmark study, identified the federal VRA as a causal factor in reducing infant mortality in Black communities where the law’s protections had led to fairer representation.<sup>70</sup> Recent analyses show that incremental improvements in diversity in local representation translate into more equitable educational and policy outcomes.<sup>71</sup> For these reasons, the American Medical Association has recognized voting rights as a social determinant of health and declared support for “measures to facilitate safe and equitable access to voting as a harm-reduction strategy to safeguard public health.”<sup>72</sup> In short, the MDVRA can have significant, potentially transformative benefits for democracy and society in this state.

## **VI. Conclusion**

This Committee hearing takes place as we await a decision by the Supreme Court in *Louisiana v. Callais*, a case in which both the State of Louisiana and the United States are urging the Court to severely limit how Black voters and voters of color can remedy racial vote dilution, participate in fair elections, and gain effective representation across the country. Maryland now has a unique opportunity to stand up for all Marylanders by enacting its own VRA.

We urge this Committee to safeguard Maryland voters by prioritizing moving S.B. 255 forward to the Senate floor; and we stand ready to work with you to protect Black voters, and other voters of color, in the Free State.

Please feel free to contact Adam Lioz at (917) 494-2617 or [alioz@naacpldf.org](mailto:alioz@naacpldf.org) with any questions or to discuss S.B. 255 in more detail.

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<sup>70</sup> Thomas A. LaVeist, *The Political Empowerment and Health Status of African-Americans: Mapping a New Territory*, 97 Am. J. Socio. 1080 (1992), <https://www.jstor.org/stable/2781507>.

<sup>71</sup> See, e.g., Vladimir Kogan et al., *How Does Minority Political Representation Affect School District Administration and Student Outcomes?*, 65 Am. J. Pol. Sci. 699 (July 2021), <https://www.jstor.org/stable/45415637> (discussing “evidence that increases in minority representation lead to cumulative achievement gains . . . among minority students”); Brett Fischer, *No Spending Without Representation: School Boards and the Racial Gap in Education Finance*, 15 Am. Econ. J: Econ. Pol’y 198 (2023), <https://www.aeaweb.org/articles?id=10.1257/pol.20200475> (presenting “causal evidence that greater minority representation on school boards translates into greater investment in minority students”).

<sup>72</sup> *Support for Safe and Equitable Access to Voting H-440.805*, [J]AMA|PolicyFinder (2022), <https://policysearch.ama-assn.org/policyfinder/detail/voting?uri=%2FAMADoc%2FHOD.xml-h-440.805.xml>; see also Anna K. Hing, *The Right to Vote, The Right to Health: Voter Suppression as a Determinant of Racial Health Disparities*, 12 J. Health Disparities Rsch. & Prac. 48 (2019), <https://digitalscholarship.unlv.edu/jhdrp/vol12/iss6/5>.

Sincerely,

/s/ Adam Lioz

Adam Lioz

NAACP Legal Defense & Educational Fund, Inc.  
700 14th Street N.W., Ste. 600  
Washington, DC 20005

/s/ Imani Brooks

Imani Brooks

NAACP Legal Defense & Educational Fund, Inc.  
700 14th Street N.W., Ste. 600  
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NAACP Legal Defense and Educational Fund, Inc.

Since its founding in 1940, LDF has used litigation, policy advocacy, public education, and community organizing strategies to achieve racial justice and equity in education, economic justice, political participation, and criminal justice. Throughout its history, LDF has worked to enforce and promote laws and policies that increase access to the electoral process and prohibit voting discrimination, intimidation, and suppression. LDF has been fully separate from the National Association for the Advancement of Colored People (“NAACP”) since 1957, though LDF was originally founded by the NAACP and shares its commitment to equal rights.

**SB 255 Testimony ABELL 27JAN2026.pdf**

Uploaded by: AnnMarie Abell

Position: FAV

**Testimony on SB 255 / HB350**

Voting Rights Act of 2026 — Counties and Municipal Corporations  
Education, Energy, and the Environment Committee

**Position:** Favorable

**St. Mary's County Democratic Central Committee**—Chair, AnnMarie Abell

In St. Mary's County, ALL four of the District Commissioners and four District Board of Education members are elected by an AT-LARGE voting system instead of by just the voters in their district. This means the entire county votes for ALL the District Commissioners and Board of Education candidates regardless of which resident district they or the candidate resides. Everybody gets to vote for everybody.

St. Mary's County uses resident districts to ensure representation is geographically dispersed across the county. That's a good 20th century development, that falls short of what it means to have true democratic and inclusive representation. So, here we are, 25+ years into the 21st century, and St. Mary's County is STUCK with an AT-LARGE voting system that dilutes district voters' voices and choices. If district based voting is good enough for our Legislative and Congressional Districts, then it's good enough for our Commissioner AND Board of Education Districts.

Did you know that a Commissioner or Board of Education member can be elected from the district they reside in *without* having won the majority of their resident district voters? Yes, it's true. It's happened in St. Mary's during the 2014 and 2022 general elections.

In practice, this AT-LARGE voting system has the effect of candidates picking their voters. They can and do selectively campaign around the county. They use a pick-my-voters campaign strategy of getting the votes of residents in *other* districts to outvote other parts of the county. They win and their district loses because those votes have been diluted and their voices muted. The county as a whole can prevent other districts from having a seat at the table, denying them the representation they want and deserve.

So, elected officials can willfully ignore the voters in their district while governing, even voting against their district's interests, because after all, they really don't need their districts votes to win. That has happened too. When voters want to hold accountable "their" representative's actions and decisions, they can voice their displeasure by voting them out in the next election cycle, **except with AT-LARGE**, it's made mute by the rest of the county, making it harder to vote them out.

We have district-based voting for our State Legislative and Congressional districts for authentic accountability, which is so very much needed at the county level. SB 255 ensures district voters truly have a say in who represents them and their interests. Their voices need to be included and heard at the county's decision making table. If it's good enough for our Legislative and Congressional Districts, it's good enough for our Commissioner and Board of Education Districts.

Testimony submitted as FAVORABLE for SB 255.

# **SB 255 Testimony.pdf**

Uploaded by: Brandon Russell

Position: FAV

January 23, 2026

Chair Feldman, Vice Chair Kagan, and Distinguished Committee Members,

My name is Brandon Russell, and I am a resident of St. Mary's County. I write in support of Senate Bill 255, the Voting Rights Act of 2026, and respectfully urge the committee to issue a **favorable report**.

St. Mary's County is governed by a five-member Board of Commissioners elected every four years. Four commissioners are required to live in—and run from—specific districts, while the fifth, the Commissioner President, runs at-large. Despite this structure, all five commissioners are elected at-large. The existence of districts suggests that voters within those districts choose their own representative, but in practice they do not. This system is confusing, misleading, and creates an unnecessary barrier to voter understanding and engagement.

At-large voting also restricts the ability of constituents to hold their elected officials accountable. Voters in rural District A may prioritize issues like infrastructure, while voters in a more urban and populous District B may have very different concerns. When all votes are cast countywide, the priorities of larger districts can consistently override those of smaller or more rural communities, even when those communities are electing “their” district representative.

Moreover, at-large voting discourages a diverse and representative candidate pool by diluting the voting power of specific communities and groups with shared interests. Our democracy functions best when everyone has a meaningful voice. Yet in St. Mary's County, the Board of Commissioners has repeatedly been composed of older, white men, despite many other qualified candidates running. Women, African American, LGBTQIA+, and other minority candidates have run—and lost—in districts that could be competitive under true district-based elections.

The Voting Rights Act of 2026 would provide a clear legal pathway to challenge unfair voting practices like at-large elections. It restores power to voters by ensuring communities can directly elect representatives who reflect and advocate for their interests. At a time when voting rights at the federal level are increasingly at risk, Maryland must take action to protect the foundation of our democratic republic.

For these reasons, **I again urge a favorable report on Senate Bill 255**. Thank you for your time and consideration.

Brandon Russell  
Leonardtown, MD  
[brandon4stmarys@gmail.com](mailto:brandon4stmarys@gmail.com)

# **SB 255, Voting Rights Act of 2026, Counties and Mu**

Uploaded by: Carlos Orbe, Jr.

Position: FAV

January 23, 2026

The Honorable Brian J. Feldman

Chair, Education, Energy, and the Environment Committee

2 West Miller Senate Office Building

Annapolis, Maryland 21401

RE: Support for SB 255, Voting Rights Act of 2026, Counties and Municipal Corporations

Dear Chair Feldman,

Maryland Latinos Unidos (MLU) is honored to express our strong support for Senate Bill 255, Voting Rights Act of 2026, Counties and Municipal Corporations. SB 255 prohibits methods for electing county or municipal governing bodies that impair the ability of members of a protected class to elect candidates of choice or influence election outcomes through dilution or abridgment of voting rights. SB 255 is scheduled for a hearing in the Senate Education, Energy, and the Environment Committee on January 27, 2026 at 1:00 p.m., and is an emergency bill with an effective date upon enactment.

This bill is deeply aligned with MLU's mission because political representation is a gateway to fair distribution of public resources, language access, and responsive services. Maryland's Hispanic or Latino community is a substantial and growing share of the state, with Census QuickFacts reporting about 13.3 percent Hispanic or Latino. Ensuring that election systems do not dilute protected class voting power is essential so Latino communities can effectively advocate for school equity, housing stability, worker protections, and safe neighborhoods.

SB 255 also reflects the broader national reality that state level voting rights protections play a critical role in safeguarding equal participation, including where local election structures can undermine fair representation.

MLU will support the promise of SB 255 through voter education, leadership development, and coalition work that helps communities engage in local governance, participate in public hearings, and build durable civic power.

MLU urges the Senate Education, Energy, and the Environment Committee to issue a favorable report on SB 255, reinforcing Maryland's commitment to equitable democracy and meaningful representation for every community.

Sincerely,

Carlos Orbe, Jr.

Communications and Public Affairs Specialist

Maryland Latinos Unidos

[corbejr@mdlatinosunidos.org](mailto:corbejr@mdlatinosunidos.org)

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**SB0255 – Voting Rights Act of 2026 – Counties and**

Uploaded by: Cecilia Plante

Position: FAV



**TESTIMONY FOR SB0255**  
**Voting Rights Act of 2026 – Counties and Municipal Corporations**

**Bill Sponsor:** Senator Sydnor

**Committee:** Senate Education, Energy, and the Environment

**Organization Submitting:** Maryland Legislative Coalition

**Person Submitting:** Aileen Alex, Cochair

**Position:** **FAVORABLE**

Chair, Vice Chair, and Members of the Committee,

I am submitting this testimony in support of SB0255 on behalf of the Maryland Legislative Coalition. We are an association of unpaid citizen advocates—individuals and grassroots groups in every district across the state—representing and supporting more than 30,000 Marylanders.

SB0255, the Voting Rights Act of 2026 prohibits any county or municipal corporation from imposing or applying an election method—including practices that result in vote dilution—that impairs the ability of members of a protected class to elect candidates of their choice or to influence other ballot outcomes.

These protections are essential to ensuring that local elections—where decisions most directly affect residents’ daily lives—are fair, equitable, and reflective of the communities they serve. As demographic shifts continue across the state, SB0255 ensures that local governments cannot adopt or even maintain systems that weaken the voting strength of minority communities.

SB0255 supports the mission of the Maryland Legislative Coalition, which promotes legislation in education, environment, public safety, healthcare, and social justice to improve the lives of all Marylanders. This bill facilitates our work and strengthens a more inclusive democracy by ensuring every Marylander has an equal voice in their government.

For these reasons, we respectfully urge a **FAVORABLE** report on SB0255.

# **Testimony - Sydnor - EEE FINAL.pdf**

Uploaded by: Charles Sydnor III

Position: FAV

CHARLES E. SYDNOR III, ESQ.  
*Legislative District 44*  
Baltimore County

DEPUTY MAJORITY WHIP

Judicial Proceedings Committee  
Executive Nominations Committee  
Legislative Policy Committee

*Joint Committees*

Administrative, Executive, and  
Legislative Review

Children, Youth, and Families

Senate Chair, Legislative Ethics



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THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

**Testimony for SB 255**  
**Voting Rights Act of 2026 – Counties and Municipalities**  
**Before the: Education, Energy, and the Environment Committee**  
**January 27, 2026**

Good afternoon, Chair Feldman, members of the Education, Energy, and the Environment Committee,

The bill I'm bringing to you today is a bill we passed last year with 32 votes. We had deep, meaningful conversations in this committee and on the floor about the importance of every single vote. We talked about the ways that, intentionally or not, counties and municipalities might dilute or abridge the votes of race, color, and language minority groups.

As elections approach this year, the Maryland Voting Rights Act becomes increasingly vital. County elections will begin in just a few months; local elections begin as soon as February.<sup>1</sup> Across the state, Marylanders will place their faith into electoral systems to represent them fairly and equitably. Unfortunately, our systems do not always live up to those expectations.

Polarized voting in local elections is not a hypothetical problem in the State of Maryland. In 2022, after a federal court determined that Baltimore County produced a racially discriminatory redistricting map, the County was forced to create a map that complied with the federal Voting Rights Act.<sup>2</sup> In Caroline County, the town of Federalsburg, with a Black population of 43%, elected its first Black City Councilmembers since its founding 200 years ago after a lawsuit and charter amendments in 2023 changed the electoral system.<sup>3</sup> Most recently, Wicomico County settled a lawsuit, which alleged that their partial at-large voting system denied Black voters equal

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<sup>1</sup> Friendsville in Garrett County will host elections on February 10; North East in Cecil County on February 9.

<sup>2</sup> See *Baltimore County Branch of the NAACP v. Baltimore County, Md.*, No. 21-cv-03232-LKG, 2022 WL 657562, at \*10 (D. Md. Mar. 25, 2022).

<sup>3</sup> <https://www.aclu-md.org/es/press-releases/landmark-settlement-sweeping-array-restorative-measures-unveiled-historic/>; <https://www.aclu-md.org/publications/federalsburg-election-history-200-years-making/>

opportunity to participate in the political process, by implementing a more equitable map and system.<sup>4</sup>

Last year, my County narrowly avoided another possible lawsuit stemming from the County Council's creation of a new nine-member council map without any meaningful input from the public or from a redistricting commission. The Council eventually passed an acceptable map last September.<sup>5</sup>

Many provisions of this bill have remained the same as the version you passed last year. Section 15.7-106 explicitly provides a private right of action, allowing the State Attorney General, individuals and organizations to bring lawsuits to enforce fair voting. Section 15.7-104 describes the factors that our Courts will be charged with considering when determining whether polarized voting occurred.

Under SB 255, a plaintiff would still have to establish (1) a county or municipal election exhibits polarized voting, and (2) that the particular method of election dilutes or abridges the voting strength of a protected class member's ability to influence the outcome of an election. And just like last year, the plaintiff will not be required to prove that there was discriminatory intent.<sup>6</sup>

There are also some new provisions and clarifications added as a result of the conversations we've had since last year.

First, § 15.7-107 allows the Court to award a prevailing private plaintiff reasonable attorneys' fees, expert witness fees, and costs. Virtually all civil rights laws, including the federal Voting Rights Act,<sup>7</sup> include this sort of fee-shifting provision to empower afflicted communities in securing effective counsel.

Second, in response to federal cases in the 5<sup>th</sup> and 6<sup>th</sup> circuits,<sup>8</sup> § 15.7-101(c) explicitly enables coalitions of multiple protected class members, such as Black voters and Asian-American voters, to bring an action based on their combined dilution or abridgement.

Finally, in addition to the five probative factors from last year, § 15.7-104(b) describes in more detail how courts may determine whether polarized voting has occurred.

For the aforementioned reasons, I am asking the committee to provide a favorable report for SB 255.

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<sup>4</sup> <https://www.aclu-md.org/cases/wicomico-county-naacp-et-al-v-wicomico-county-et-al/>

<sup>5</sup> <https://countycouncil.baltimorecountymd.gov/redistricting/2025-redistricting-commission/>

<sup>6</sup> See proposed section 15.7-104(B)(3)(II).

<sup>7</sup> See 52 U.S.C. § 10310(e).

<sup>8</sup> See *Petteway v. Galveston County*, 111 F.4th 596 (5th Cir. 2024); *Nixon v. Kent County*, 76 F.3d 1381 (6th Cir. 1996).

# **SEIU Local 500 - Testimony in Support of SB 255 20**

Uploaded by: Christopher Cano

Position: FAV



Testimony - SB 255, Voting Rights Act of 2026 – Counties and Municipal Corporations  
Favorable  
Senate Committee  
January 27, 2026  
Christopher C. Cano, MPA  
Director of Political & Legislative Affairs on Behalf of SEIU Local 500

Honorable Chairman Feldman & Members of the Senate Education, Energy, and the Environment Committee:

SEIU Local 500 represents thousands of public service and education workers across Maryland. Our members live and work in the very counties and municipalities governed by the election systems addressed in this bill. They are parents, neighbors, and essential workers who believe deeply that democracy works best when every community has a fair and meaningful opportunity to elect leaders of their choice and to influence the decisions that shape their daily lives.

SB 255 is a necessary and timely response to ongoing threats to local voting equity. By prohibiting election methods that dilute or abridge the voting strength of protected classes, this legislation strengthens Maryland's commitment to inclusive democracy and civil rights. The bill appropriately recognizes that discriminatory impacts can exist even in the absence of discriminatory intent, and it provides clear, workable standards for courts to evaluate whether local election systems deny equal opportunity to voters.

Importantly, SB 255 aligns with well-established federal Voting Rights Act jurisprudence while addressing gaps left by recent federal court decisions that have weakened enforcement. It ensures that communities of color and language minority voters are not locked out of fair representation simply because discrimination takes subtler or structural forms at the local level.

As a labor union, SEIU Local 500 understands that political power and economic justice are deeply connected. When communities are denied fair representation, workers lose a critical voice in decisions about schools, public services, wages, and workplace protections. SB 255 helps ensure that local governments reflect the diversity and lived experiences of the people they serve—and that working families are not silenced through unfair election systems.

For these reasons, SEIU Local 500 urges a favorable report on Senate Bill 255. Thank you for your leadership and your commitment to protecting voting rights and strengthening democracy in Maryland.

Thank you for your time and consideration.

Christopher C. Cano, MPA  
Director of Political & Legislative Affairs  
SEIU Local 500

**SB255AFSCME-FAV.pdf**

Uploaded by: Cindy Smalls

Position: FAV



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## SB255 Voting Rights Act of 2026- Counties and Municipal Corporations Education, Energy, and the Environment Committee January 27<sup>th</sup>, 2026

The American Federation of State, County and Municipal Employees (AFSCME), representing public sector employees and retirees stand in support of SB 225. Our members are deeply committed to advancing racial equity, economic justice, and a democracy in which every community has a meaningful voice.

AFSCME strongly urges the Committee to pass SB 255 to enact protections against racial vote dilution in Maryland. Racial vote dilution occurs when electoral practices, such as at-large elections or unfair district maps, weaken the voting strength of voters of color, effectively denying them and their communities meaningful political participation. The protections outlined in SB 255 are essential to ensuring that all Marylanders, particularly those from historically disenfranchised communities, have an equal opportunity to elect representatives of their choice.

For more than sixty years, the federal Voting Rights Act (VRA) of 1965 served as the nation’s most effective tool for addressing discriminatory voting practices. At its height, Section 2 of the VRA prohibited racial vote dilution and voter suppression, while Section 5 prevented discriminatory practices before they could take effect through preclearance. However, federal courts—including the U.S. Supreme Court—have severely weakened these protections. Decisions such as *Shelby County v. Holder* (2013) dismantled the preclearance framework, while *Brnovich v. Democratic National Committee* (2021) made it far more difficult to challenge discriminatory voter suppression. Now, even Section 2’s application to redistricting and meaningful representation for communities of color is under threat in *Louisiana v. Callais* (2025).

At the same time, the federal government is not only failing to adequately protect voters from intimidation and discrimination but is actively advancing policies that undermine access to the ballot. As federal voting rights protections continue to erode and enforcement grows increasingly uncertain, Maryland legislators have both the authority and the responsibility to safeguard fair and equal access to democratic participation.

**American Federation of State, County and Municipal Employees, AFL-CIO**

TEL (202) 429-1000 FAX (202) 429-1293 TDD (202) 659-0446 WEB www.afscme.org 1625 L Street, NW, Washington, DC 20036-5687



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SB 255 meets this perilous moment by building on the foundational protections of the federal VRA with streamlined standards and procedures that protect the freedom to vote while making litigation less time-intensive and costly than under federal law. Maryland law currently contains no explicit protection against racial vote dilution, and recent challenges to racially dilutive voting systems in Federalsburg and Baltimore County underscore the urgent need for these safeguards.

Combatting vote dilution is a critical step toward realizing a government that is truly of, by, and for the people. When voters of color are systematically prevented from electing candidates of their choice, entire communities are denied a voice in decisions that directly affect their lives. Prohibiting vote dilution strengthens accountability, promotes inclusion, and helps ensure that public institutions reflect the people they serve.

SB 255 strengthens Maryland’s democratic institutions, honors the legacy of the federal Voting Rights Act, and advances the long-standing civil rights principles that AFSCME has fought for throughout its history.

For these reasons, AFSCME respectfully urges the Committee to issue a favorable report on SB 255.

**SB 255\_FAV\_ACLU-MD.pdf**

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**Testimony for the Senate Education, Energy, and the  
Environment Committee**

**January 27, 2026**

**SB 255 – Voting Rights Act of 2026 – Counties and Municipal Corporations**

**FAVORABLE**

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The ACLU of Maryland strongly urges a favorable report on SB 255, which offers key provisions of the Maryland Voting Rights Act (MDVRA) that are urgently needed to give Maryland’s diverse communities a clear, state-level pathway to fix local election systems that limit their ability to choose their preferred representatives. Despite leading the nation as the most diverse state on the East Coast<sup>1</sup>, Maryland’s democracy is still threatened by unfair at-large voting, unjust district maps, and other discriminatory systems that dilute the power of voters of color in local elections. With ongoing attacks on the limited federal protections addressing this racial vote dilution, SB 255 offers a pivotal opportunity for Maryland to seize the reins and provide state-based tools to better safeguard elections in local counties, towns, and cities.

**SB 255 Targets Vote Dilution, A Persistent Barrier to Fair Local Elections**

During the 2025 legislative session, both this Committee and the full Senate recognized the need for these protections with favorable votes on provisions of the MDVRA that are effectively identical to many of those currently offered under SB 255.<sup>2</sup> These provisions target racial vote dilution, which happens when an election system or other policy denies voters of color an equal opportunity to elect the candidates they support. This means that voters of color can cast ballots, but their votes do not have equal power or weight compared to white voters.

Racial vote dilution often flows through at-large voting systems and unfair district maps that remain pervasive in Maryland. In an at-large voting system, only a slim majority of the entire population is needed to win – even if voters of color make up a significant part a community, this system can shut down their power to choose their representatives. Similar limitations persist with district maps that “pack” and

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<sup>2</sup> See S.B. 342, 2025 Leg., Reg. Sess. (Md. 2025).

“crack” communities of color by concentrating them into a small minority of districts that does not match their share of the overall population, and splitting up the rest among the other districts so that their size is never enough to elect the candidates they prefer for those seats. As a result, the community’s preferred representative, which they can generally only elect in the “packed” district, can be consistently overcome by those who may not represent the community’s interests.

### **SB 255 Builds on Federal Law with Better Tools to Fix Local Vote Dilution**

In Maryland’s towns and cities with substantial populations of color, about 62% still have at-large voting systems.<sup>3</sup> While this presents a grave risk of vote dilution, SB 255 offers a pathway for those impacted to seek solutions. This pathway builds on similar protections offered under Section 2 of the federal Voting Rights Act of 1965 (VRA) and provides Maryland’s voters of color with a more efficient and realistic framework for identifying, raising, and resolving vote dilution in local county and municipal elections. Under the proposed addition of a new Title 15.7 to the state election law code, key improvements include:

- Allowing more diverse communities of color and those that are not residentially-segregated to challenge vote dilution together as a class, helping to better address its pervasive impact (see Sections 15.7–101(c) and 104(c))
- Streamlining the definitions applied in assessing claims and the proof needed to raise them, so that there is less confusion, and impacted voters of color are not needlessly blocked from challenging discriminatory systems (see Sections 15.7–101 through 105)
- Opening the door to more creative fixes that address the realities of vote dilution by allowing the court to consider remedies offered by any party to a lawsuit, and prioritizing solutions that better protect impacted voters (see Section 15.7–106)

These critical protections are some of the primary components of the MDVRA, along with language access provisions enacted last year<sup>4</sup> and safeguards against

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voter intimidation and suppression advanced this year under separate legislation<sup>5</sup>. Enacting the MDVRA aligns Maryland with a growing number of states that have taken the lead in passing their own state voting rights acts to address the critical needs of Black and Brown communities locked out of local government by vote dilution, yet deterred from taking action in federal court due to the expense, decades of rollbacks to core protections, and looming Supreme Court threats to what remains of the VRA.

### **SB 255 Fill Gaps Left by Inadequate Federal Protections**

In 1965 Congress passed the federal VRA, one of the most transformative pieces of civil rights litigation in American history. This essential federal reform has worked to counter centuries of institutionalized racial discrimination preventing minority communities from exercising the fundamental right to vote.<sup>6</sup> In particular, Section 2 of the VRA permits voters of color to file a lawsuit in federal court challenging discriminatory electoral practices.<sup>7</sup> However, these cases are increasingly limited by years of court decisions undermining key VRA provisions in cases like *Shelby County v. Holder*, 570 U.S. 529 (2013), which effectively ended preemptive oversight of changes in the electoral processes of places with a history of discrimination.

Threats to the VRA unfortunately persist, with two pending two Supreme Court cases imperiling its remaining core functions – in *Louisiana v. Callais*, No. 24-109 (U.S. Sup. Ct.), opponents of Section 2 have asked the Court to effectively void these longstanding protections by finding that compliance amounts to unconstitutional racial gerrymandering. Alarms are likewise ringing with *Turtle Mountain Band of Chippewa Indians, et al. v. Howe*, No. 25-253 (U.S. Sept. 4, 2025) (petition for cert. filed), where the ultimate outcome could strip individual voters of the ability to file suit on their own directly under Section 2, creating a major barrier to even seeking review of voting rights challenges.

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<sup>7</sup> 52 U.S.C. § 10301. Critically, Section 2 does not require voters to prove they were victims of intentional discrimination. In *Thornburg v. Gingles*, 478 U.S. 30 (1986), the Court explained that Congress was overturning *Mobile v. Bolden*, 446 U.S. 55 (1980), when it enacted the 1982 VRA amendments. *Mobile* had declared that minority voters had to prove an election mechanism was “intentionally adopted or maintained by state officials for a discriminatory purpose,” in order to satisfy either § 2 of the VRA or the Fourteenth or Fifteenth Amendments. *Thornburg*, 478 U.S. at 35. In response to *Mobile*, Congress revised § 2 to clarify that a violation could be established “by showing discriminatory effect alone...” *Id.*

In addition to these persistent attacks, relief from vote dilution through the VRA is limited by burdensome requirements that fail to account for the varied but still valid manifestations of this pervasive issue. For example, in many places impacted voters of color do not all reside within close proximity to each other (commonly referred to as “geographic compactness” or “residential segregation”). While their shared voting power can still be diluted by discriminatory at-large election systems, their ability to bring challenges under the VRA is constrained by a restrictive test requiring them successfully prove they can make up the majority of a sufficiently compact electoral district.<sup>8</sup>

This means that, in counties like Harford County and municipalities like Delmar with large but dispersed Black populations, the federal VRA offers no path to resolve vote dilution. This leaves impacted voters without a way to fix demonstrated discrimination in their local election systems. Different courts across the country have also narrowed challenges under Section 2 by restricting the ability of voters of color to join across racial groups and bring “coalition claims” together as a class, limiting opportunities to quickly and efficiently resolve broad vote dilution by the same local systems.<sup>9</sup>

Congress has failed to update the VRA to counteract these cases and, instead, is focused on advancing policies like the SAVE Act that make it *harder* for individuals to exercise their right to vote.<sup>10</sup> As a result, the federal VRA remains at significant risk of being completely dismantled, despite the ongoing reality of racial discrimination in elections across the country. While the persistent expense and complexity of filing a claim under Section 2 of VRA can also leave harmful election practices unchecked, SB 255 offers a cost-effective, clear and robust process for Maryland’s communities of color to eliminate vote dilution together without relying on the diminishing legacy of the VRA.

## **SB 255 Improves Recourse Following Recent Examples of Local Vote Dilution**

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<sup>8</sup> This test was created by the Supreme Court in *Thornburg v. Gingles*, 478 U.S. 30 (1986), and narrowly interpreted by the Court’s conservative majority in *Bartlett v. Strickland*, 556 U.S. 1 (2009).

<sup>9</sup> *See, e.g., Petteway v. Galveston County*, 86 F.4th 1146 (5th Cir. 2024) (en banc) (reversing earlier precedent to hold that Section 2 of the VRA does not allow separate minority groups to aggregate their populations for purposes of a vote dilution claim); *Nixon v. Kent County*, 76 F.3d 1381 (6th Cir. 1996) (en banc) (rejecting coalition claims under Section 2).

<sup>10</sup> The SAVE Act would require every voter to show proof of citizenship with their current name whenever they register to vote or change their registration. Passage of this Act would effectively end online and mail-in voter registration, since voters would not be able to prove their citizenship remotely. It would also significantly complicate the voting process for individuals who change their names after marriage or following transition, since they may not have updated documentation that reflects their new legal names. These burdens would fall more heavily on younger voters, voters of color, low-income voters, and elder voters.

As one of just two states where people of color comprise the majority,<sup>11</sup> most of Maryland's counties and municipalities have substantial populations of color accounting for 20% or more of the local population – this applies to about 75% of Maryland's 24 counties, and about 55% of the state's 156 incorporated towns and cities.<sup>12</sup> As of October 2025, a substantial portion of the elected local officials in these areas still present as all-white, including about a quarter of the county governments with significantly diverse constituencies.<sup>13</sup>

This underrepresentation underscores the ongoing need to address structural barriers like at-large voting and unfair redistricting. While people in the same racial groups commonly vote for the same preferred candidates (called “racially polarized voting” or “RPV”), electoral systems can significantly affect whether those preferences translate into representation. When voters have the choice to elect candidates who share their racial identity, they often prefer to do so. Accordingly, the absence of representatives sharing the racial identity of a large portion of the voting population can signal an imbalance in voting power, which ultimately disconnects those voters from the decisions that shape their communities.

So far, impacted voters have relied on the federal VRA for recourse in many parts of the state. In places like Worcester and Somerset Counties, Salisbury, Pocomoke City, Berlin, Snow Hill, Hurlock, Easton, and Princess Anne, Black communities have successfully challenged discriminatory at-large elections.<sup>14</sup> This legal pressure has successfully compelled reforms to empower local residents and allow Black leaders to finally be elected to public office, often for the first time in the history of their community.<sup>15</sup> However, as the following examples demonstrate,

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<sup>11</sup> Supra note 1.

<sup>12</sup> Supra note 3. For the referenced county data (which includes Baltimore City), see *USAFacts, Maryland Population by County and Year* (July 2022), <https://usafacts.org/data/topics/people-society/population-and-demographics/our-changing-population/state/maryland/>.

<sup>13</sup> Id.

<sup>14</sup> See *Cane v. Worcester Cnty., Md.*, 35 F.3d 921 (4th Cir. 1994); *Letter to U.S. Dept. of Justice*, ACLU of Maryland (Mar. 24, 2010); “Redistricting, Ensuring Election Fairness,” ACLU of Maryland, (Apr. 10, 2012), <https://www.aclu-md.org/en/cases/redistricting-ensuring-election-fairness>; Sam Janesch, ‘We want a voice.’ *Federalburg’s Black residents become latest Eastern Shore voters to get a long-awaited shot at representation*, BALTIMORE SUN (Jun. 21, 2023), <https://www.baltimoresun.com/politics/bs-md-pol-shore-voting-rights-20230616-xot2c5fehfcblzfy3ilzu6uri-story.html>.[https://www.aclu-md.org/sites/default/files/field\\_documents/somerset\\_perez\\_letter.pdf](https://www.aclu-md.org/sites/default/files/field_documents/somerset_perez_letter.pdf); *Redistricting, Ensuring Election Fairness*, ACLU of Maryland (Apr. 10, 2012), <https://www.aclu-md.org/en/cases/redistricting-ensuring-election-fairness>; Sam Janesch, ‘We want a voice.’ *Federalburg’s Black residents become latest Eastern Shore voters to get a long-awaited shot at representation*, BALTIMORE SUN (Jun. 21, 2023), <https://www.baltimoresun.com/politics/bs-md-pol-shore-voting-rights-20230616-xot2c5fehfcblzfy3ilzu6uri-story.html>.

<sup>15</sup> See e.g., *NAACP of Caroline Cnty v. Town of Federalburg*, 23-CV-00484-SAG, (D. Md. Feb. 22, 2023).

there is still a critical need to improve on the federal VRA's protections by enacting the stronger provisions offered by SB 255.

### *Federalsburg*

For 200 years, the town of Federalsburg in Caroline County operated under an all-white government, despite Black residents comprising the largest portion of its population. That finally changed in 2023 after seven Black women sued the town for diluting their right to vote through the town's at-large system.<sup>16</sup>

Federalsburg officials resistance to voters efforts to resolve the problem collaboratively in 2022 led to an expensive and intense federal lawsuit that ultimately resulted in a court-approved plan that changed the at-large system into a district system. Through this reform, the people of Federalsburg were finally able to elect two Black women to the Council for the first time in history. As part of the legal settlement, the town also issued an official apology among other acts acknowledging the discrimination that excluded generations of Black residents from having an equal vote. Under SB 255's streamlined provisions, local voters in similar circumstances will not have to shoulder the additional burden of the federal VRA's confusing and prolonged process to secure their power to elect candidates aligned with the needs of their community.

### *Wicomico County*

While communities of color make up almost 40% of Wicomico County's population, its council and school board have been almost exclusively been led by white people, with only one Black person at a time ever elected to either governing body under the partial at-large system that formerly constrained local elections. Following decades of ardent pushback by impacted residents steadfastly rebuffed by Wicomico officials, a group of local Black voters and community leaders filed suit in December 2023 under Section 2 of the federal VRA. In addition to achieving the creation of a more equitable system of seven single-member districts in 2025, the landmark settlement and consent decree<sup>17</sup> resulting from this litigation incorporated creative remedies to promote unity and collaboration, such as establishing a new Wicomico Human Rights Advisory Committee, mandating anti-bias trainings, adding biannual work sessions with plaintiff organizations, and adding a first-ever student member position to the School Board.

With the improved process for seeking similarly creative remedies under SB 255, voters of color facing vote dilution in Maryland's many at-large election systems

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<sup>16</sup> Id.

<sup>17</sup> *Wicomico Cnty. Branch of the NAACP et al. v. Wicomico Cnty., Md., Settlement Agreement & Release (Execution Version)*, Civil Action No. 1:23-cv-03325-MJM (D. Md. Feb. 14, 2025), [https://www.aclu-md.org/app/uploads/drupal/sites/default/files/field\\_documents/wicomico\\_settlement\\_agreement\\_execution\\_version.pdf](https://www.aclu-md.org/app/uploads/drupal/sites/default/files/field_documents/wicomico_settlement_agreement_execution_version.pdf)

can be better equipped with flexible and fair tools to fully address the realities of this pervasive issue in their specific community.

### *Baltimore County*

During the summer of 2025, community advocates and leaders recently won the creation of an improved map for the County's newly-expanded nine council districts that more fairly represents its diverse population. Baltimore County's formerly seven-member County Council remained all-white from its creation in 1956 until 2001, when the threat of legal action by Black voters resulted in the County's first majority-Black district. In 2002, that district elected Baltimore County's first-ever Black councilmember. However, even as the County continued to diversify, vote dilution persisted as the single majority-Black district became increasingly "packed" with higher and higher percentages of Black voters.

This sole majority-Black district remained the only one for decades, with only one Black representative elected at a time amid council districts that were 86% white, despite the Black population accounting for a third of the County within the broader communities of color that make up almost half of its residents. Following public outcry and litigation under Section 2 of the VRA that ramped up in 2021<sup>18</sup>, as well as the creation of a redistricting commission after voters approved expanding the Council to nine members, a new map was created in 2025 that now includes two majority-Black districts and another district predominated by diverse communities of color, offering a better opportunity for fairer representation.

With the innovative provisions under SB 255 that allow broader racial groups to partner together to overcome the same local systems diluting their shared voting power, this legislation is well-suited to help ensure the district maps in culturally-rich places like Baltimore County fairly represent the diversity of local communities. Moreover, this consolidated process can help significantly mitigate litigation costs—over a million dollars spent on lawyers by Baltimore County might have been avoided if SB 255's streamlined framework was available.

### **SB 255 Offers Key Aspects of the MDVRA Critical to Local Democracy**

While Maryland has achieved recent progress in protecting the voting rights of local residents, discrimination still persists through systems like at-large voting and unfair district maps that dilute the voices of voters of color and entrench the dominance of white majorities. Along with the additional legislation being advanced this year to provide the MDVRA's voter intimidation and suppression protections, SB 255 gives Marylanders the tools uproot these constraints on their connection to the decisions of elected officials without relying on limited federal provisions that remain under attack. It is time for Maryland to meet the challenges

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<sup>18</sup> *Baltimore County Branch of the NAACP v. Baltimore County*, No. 21-CV-03232-LKG, 2022 WL 657562, 2 (D. Md. Feb. 22, 2022).

of the current moment and enact SB 255 to safeguard local democracy by engraining these urgently-needed vote dilution protections in state law.

For the foregoing reasons, the ACLU of Maryland urges a favorable report on SB 255.

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Uploaded by: Dara Johnson

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## Testimony for the Senate Education, Energy, and the Environment Committee

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During the 2025 legislative session, both this Committee and the full Senate recognized the need for these protections with favorable votes on provisions of the MDVRA that are effectively identical to many of those currently offered under SB 255.<sup>2</sup> These provisions target racial vote dilution, which happens when an election system or other policy denies voters of color an equal opportunity to elect the candidates they support. This means that voters of color can cast ballots, but their votes do not have equal power or weight compared to white voters.

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## **SB 255 Improves Recourse Following Recent Examples of Local Vote Dilution**

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<sup>8</sup> This test was created by the Supreme Court in *Thornburg v. Gingles*, 478 U.S. 30 (1986), and narrowly interpreted by the Court’s conservative majority in *Bartlett v. Strickland*, 556 U.S. 1 (2009).

<sup>9</sup> *See, e.g., Petteway v. Galveston County*, 86 F.4th 1146 (5th Cir. 2024) (en banc) (reversing earlier precedent to hold that Section 2 of the VRA does not allow separate minority groups to aggregate their populations for purposes of a vote dilution claim); *Nixon v. Kent County*, 76 F.3d 1381 (6th Cir. 1996) (en banc) (rejecting coalition claims under Section 2).

<sup>10</sup> The SAVE Act would require every voter to show proof of citizenship with their current name whenever they register to vote or change their registration. Passage of this Act would effectively end online and mail-in voter registration, since voters would not be able to prove their citizenship remotely. It would also significantly complicate the voting process for individuals who change their names after marriage or following transition, since they may not have updated documentation that reflects their new legal names. These burdens would fall more heavily on younger voters, voters of color, low-income voters, and elder voters.

As one of just two states where people of color comprise the majority,<sup>11</sup> most of Maryland's counties and municipalities have substantial populations of color accounting for 20% or more of the local population – this applies to about 75% of Maryland's 24 counties, and about 55% of the state's 156 incorporated towns and cities.<sup>12</sup> As of October 2025, a substantial portion of the elected local officials in these areas still present as all-white, including about a quarter of the county governments with significantly diverse constituencies.<sup>13</sup>

This underrepresentation underscores the ongoing need to address structural barriers like at-large voting and unfair redistricting. While people in the same racial groups commonly vote for the same preferred candidates (called “racially polarized voting” or “RPV”), electoral systems can significantly affect whether those preferences translate into representation. When voters have the choice to elect candidates who share their racial identity, they often prefer to do so. Accordingly, the absence of representatives sharing the racial identity of a large portion of the voting population can signal an imbalance in voting power, which ultimately disconnects those voters from the decisions that shape their communities.

So far, impacted voters have relied on the federal VRA for recourse in many parts of the state. In places like Worcester and Somerset Counties, Salisbury, Pocomoke City, Berlin, Snow Hill, Hurlock, Easton, and Princess Anne, Black communities have successfully challenged discriminatory at-large elections.<sup>14</sup> This legal pressure has successfully compelled reforms to empower local residents and allow Black leaders to finally be elected to public office, often for the first time in the history of their community.<sup>15</sup> However, as the following examples demonstrate,

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<sup>11</sup> Supra note 1.

<sup>12</sup> Supra note 3. For the referenced county data (which includes Baltimore City), see *USAFacts, Maryland Population by County and Year* (July 2022), <https://usafacts.org/data/topics/people-society/population-and-demographics/our-changing-population/state/maryland/>.

<sup>13</sup> Id.

<sup>14</sup> See *Cane v. Worcester Cnty., Md.*, 35 F.3d 921 (4th Cir. 1994); *Letter to U.S. Dept. of Justice*, ACLU of Maryland (Mar. 24, 2010); “Redistricting, Ensuring Election Fairness,” ACLU of Maryland, (Apr. 10, 2012), <https://www.aclu-md.org/en/cases/redistricting-ensuring-election-fairness>; Sam Janesch, ‘We want a voice.’ *Federalburg’s Black residents become latest Eastern Shore voters to get a long-awaited shot at representation*, BALTIMORE SUN (Jun. 21, 2023), <https://www.baltimoresun.com/politics/bs-md-pol-shore-voting-rights-20230616-xot2c5fehfcblzfy3ilzu6uri-story.html>.[https://www.aclu-md.org/sites/default/files/field\\_documents/somerset\\_perez\\_letter.pdf](https://www.aclu-md.org/sites/default/files/field_documents/somerset_perez_letter.pdf); *Redistricting, Ensuring Election Fairness*, ACLU of Maryland (Apr. 10, 2012), <https://www.aclu-md.org/en/cases/redistricting-ensuring-election-fairness>; Sam Janesch, ‘We want a voice.’ *Federalburg’s Black residents become latest Eastern Shore voters to get a long-awaited shot at representation*, BALTIMORE SUN (Jun. 21, 2023), <https://www.baltimoresun.com/politics/bs-md-pol-shore-voting-rights-20230616-xot2c5fehfcblzfy3ilzu6uri-story.html>.

<sup>15</sup> See e.g., *NAACP of Caroline Cnty v. Town of Federalburg*, 23-CV-00484-SAG, (D. Md. Feb. 22, 2023).

there is still a critical need to improve on the federal VRA’s protections by enacting the stronger provisions offered by SB 255.

### *Federalsburg*

For 200 years, the town of Federalsburg in Caroline County operated under an all-white government, despite Black residents comprising the largest portion of its population. That finally changed in 2023 after seven Black women sued the town for diluting their right to vote through the town’s at-large system.<sup>16</sup>

Federalsburg officials resistance to voters efforts to resolve the problem collaboratively in 2022 led to an expensive and intense federal lawsuit that ultimately resulted in a court-approved plan that changed the at-large system into a district system. Through this reform, the people of Federalsburg were finally able to elect two Black women to the Council for the first time in history. As part of the legal settlement, the town also issued an official apology among other acts acknowledging the discrimination that excluded generations of Black residents from having an equal vote. Under SB 255’s streamlined provisions, local voters in similar circumstances will not have to shoulder the additional burden of the federal VRA’s confusing and prolonged process to secure their power to elect candidates aligned with the needs of their community.

### *Wicomico County*

While communities of color make up almost 40% of Wicomico County’s population, its council and school board have been almost exclusively been led by white people, with only one Black person at a time ever elected to either governing body under the partial at-large system that formerly constrained local elections. Following decades of ardent pushback by impacted residents steadfastly rebuffed by Wicomico officials, a group of local Black voters and community leaders filed suit in December 2023 under Section 2 of the federal VRA. In addition to achieving the creation of a more equitable system of seven single-member districts in 2025, the landmark settlement and consent decree<sup>17</sup> resulting from this litigation incorporated creative remedies to promote unity and collaboration, such as establishing a new Wicomico Human Rights Advisory Committee, mandating anti-bias trainings, adding biannual work sessions with plaintiff organizations, and adding a first-ever student member position to the School Board.

With the improved process for seeking similarly creative remedies under SB 255, voters of color facing vote dilution in Maryland’s many at-large election systems

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<sup>16</sup> Id.

<sup>17</sup> *Wicomico Cnty. Branch of the NAACP et al. v. Wicomico Cnty., Md., Settlement Agreement & Release (Execution Version)*, Civil Action No. 1:23-cv-03325-MJM (D. Md. Feb. 14, 2025), [https://www.aclu-md.org/app/uploads/drupal/sites/default/files/field\\_documents/wicomico\\_settlement\\_agreement\\_execution\\_version.pdf](https://www.aclu-md.org/app/uploads/drupal/sites/default/files/field_documents/wicomico_settlement_agreement_execution_version.pdf)

can be better equipped with flexible and fair tools to fully address the realities of this pervasive issue in their specific community.

### *Baltimore County*

During the summer of 2025, community advocates and leaders recently won the creation of an improved map for the County’s newly-expanded nine council districts that more fairly represents its diverse population. Baltimore County’s formerly seven-member County Council remained all-white from its creation in 1956 until 2001, when the threat of legal action by Black voters resulted in the County’s first majority-Black district. In 2002, that district elected Baltimore County’s first-ever Black councilmember. However, even as the County continued to diversify, vote dilution persisted as the single majority-Black district became increasingly “packed” with higher and higher percentages of Black voters.

This sole majority-Black district remained the only one for decades, with only one Black representative elected at a time amid council districts that were 86% white, despite the Black population accounting for a third of the County within the broader communities of color that make up almost half of its residents. Following public outcry and litigation under Section 2 of the VRA that ramped up in 2021<sup>18</sup>, as well as the creation of a redistricting commission after voters approved expanding the Council to nine members, a new map was created in 2025 that now includes two majority-Black districts and another district predominated by diverse communities of color, offering a better opportunity for fairer representation.

With the innovative provisions under SB 255 that allow broader racial groups to partner together to overcome the same local systems diluting their shared voting power, this legislation is well-suited to help ensure the district maps in culturally-rich places like Baltimore County fairly represent the diversity of local communities. Moreover, this consolidated process can help significantly mitigate litigation costs—over a million dollars spent on lawyers by Baltimore County might have been avoided if SB 255’s streamlined framework was available.

### **SB 255 Offers Key Aspects of the MDVRA Critical to Local Democracy**

While Maryland has achieved recent progress in protecting the voting rights of local residents, discrimination still persists through systems like at-large voting and unfair district maps that dilute the voices of voters of color and entrench the dominance of white majorities. Along with the additional legislation being advanced this year to provide the MDVRA’s voter intimidation and suppression protections, SB 255 gives Marylanders the tools uproot these constraints on their connection to the decisions of elected officials without relying on limited federal provisions that remain under attack. It is time for Maryland to meet the challenges

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<sup>18</sup> *Baltimore County Branch of the NAACP v. Baltimore County*, No. 21-CV-03232-LKG, 2022 WL 657562, 2 (D. Md. Feb. 22, 2022).

of the current moment and enact SB 255 to safeguard local democracy by engraining these urgently-needed vote dilution protections in state law.

For the foregoing reasons, the ACLU of Maryland urges a favorable report on SB 255.

AMERICAN CIVIL  
LIBERTIES UNION  
FOUNDATION OF  
MARYLAND

# **Testimony on Senate Bill-Favorable copy.pdf**

Uploaded by: Debbie Shulman

Position: FAV

Favorable

SB 245-Public Safety-Immigration Enforcement

Agreements-Prohibition

Senate Judicial Proceedings Committee

January 22, 2026

Dear Honorable Chair Smith, Vice Chair Waldstreicher, and Members of the Committee,

My name is Deborah Shulman, and I am resident and community member of Olney, Maryland. I reside in District 14. I am writing in support of SB 245-Public Safety -Immigration Enforcement Agreements-Prohibition.

I personally care about this issue because my daughter in law is a naturalized citizen. I fear for her safety and those of her family even though they are all naturalized citizens. Why, because ICE is driven by numbers, bonuses, quotas. I also work daily as a volunteer with a mutual aid group that helps the immigrant community. These wonderful people are no different than we are. They have homes, jobs, family and community. They contribute taxes.

My daughter in law is a teacher and my son is a principal and many of their students are immigrants. I would tell people not to visit counties with 287g agreements. I am sure many others would do the same. My dollars should not be spent on hate and discriminatory practices.

No one should have to fear ICE and agencies that are assisting ICE. Reality is ICE isn't focusing on getting criminals off the street. They are just focused on creating fear and scapegoating our immigrant population. They are driven by quotas and financial gain.

Research states that immigrants are much less likely to commit violent crime. This lie is repeated from the top of our government down. I would share the research but I am sure the experts testifying today will do just that.

287g agreements do not make our state safer. If anything they do the opposite. Research shows victims often do not report crimes against them. Witnesses are afraid to speak out. This fear means that crimes are being committed and police are not getting the assistance from the community needed to remove criminals from the street. Of course we want criminals prosecuted and if found guilty, they should be deported. This is not what happens with 287g agreements. Local law enforcement notifies ICE of detained immigrants and they never get their day in court. They are presumed guilty. This is illegal.

Lets, talk about the truth

People are trying to gain citizenship. They show up for annual immigration appointments as they have for years and they are being taken. They are treated in a way no human should be treated. They are being forced to decide if they should show up or stay home because all too often they are picked up by ICE. I know of cases where they try to show their papers and ICE ignores. This forces people to seek legal help. Their families lose their breadwinners. People are afraid to shop or leave their homes. Children are terrorized and afraid to go to school. Why do we want counties to be making what ICE is doing worse? There is no good reason.

People aren't afforded due process

They are forced to make decisions like returning to their home country vs staying in ICE detention where treatment is inhumane

They are forced to return to a place they faced gang violence and certain death

Why is 287g bad for MD?

Research shows that these agreements do not lower crime rates

Do we want people fearing the police?

Do we want witnesses and people who can help put a criminal in jail to remain silent out of fear?

Maryland should do the right thing and join other states who have ended 287g agreement

Maryland is called The Free State

I am grateful to my county that is fighting hard for immigrants rights

Maryland should be doing the same

287g agreements do the exact opposite

Respectfully,

Deborah Shulman

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Uploaded by: Debbie Shulman

Position: FAV

Favorable

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Lets, talk about the truth

People are trying to gain citizenship. They show up for annual immigration appointments as they have for years and they are being taken. They are treated in a way no human should be treated. They are being forced to decide if they should show up or stay home because all too often they are picked up by ICE. I know of cases where they try to show their papers and ICE ignores. This forces people to seek legal help. Their families lose their breadwinners. People are afraid to shop or leave their homes. Children are terrorized and afraid to go to school. Why do we want counties to be making what ICE is doing worse? There is no good reason.

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Uploaded by: Debbie Shulman

Position: FAV

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## FAVORABLE TESTIMONY ON SENATE BILL 255

Voting Rights Act of 2026 – Counties and Municipal Corporations

Senate Education, Energy, and the Environment Committee

January 27, 2026

My name is Deborah (Debbie) Shulman, and I am a resident of Olney, Maryland for more than 31 years. I strongly urge the Committee to pass Senate Bill 255, which would establish critical protections against racial vote dilution in Maryland.

Racial vote dilution occurs when electoral practices, such as at-large elections or unfair district maps, weaken the voting strength of voters of color, effectively denying them and their communities meaningful political participation. The protections outlined in SB 255 are essential to ensuring that all Marylanders, particularly those from historically disenfranchised communities, have an equal opportunity to elect representatives of their choice.

For more than sixty years, the federal Voting Rights Act of 1965 served as the nation's most effective tool for combating discriminatory voting practices. At its height, Section 2 addressed racial vote dilution and voter suppression, while Section 5 prevented discriminatory practices before they could take effect through federal preclearance. However, these protections have been severely weakened by federal court decisions, including *Shelby County v. Holder* (2013), which dismantled the preclearance system, and *Brnovich v. Democratic National Committee* (2021), which made challenges to discriminatory voter suppression far more difficult. Now, even Section 2's application to redistricting and meaningful representation for communities of color is under threat, as seen in *Louisiana v. Callais* (2025).

At the same time, the federal government has failed to adequately protect voters from intimidation and discrimination and has increasingly advanced anti-voter policies. In this environment, Maryland legislators have both the authority and the responsibility to ensure fair and equal access to the ballot for all residents.

SB 255 responds to this moment by building upon the federal Voting Rights Act with streamlined standards and procedures that protect the freedom to vote while making enforcement less time-intensive and less costly than federal litigation. Currently, Maryland law contains no explicit protection against racial vote dilution. Recent challenges to racially dilutive voting systems in places such as Federalsburg and Baltimore County demonstrate the urgent need for these safeguards at the state level.

Combatting vote dilution is a necessary step toward realizing a government that is truly of, by, and for the people. When voters of color are systematically prevented from electing candidates of their choice, entire communities are excluded from decisions that directly impact their lives.

Prohibiting vote dilution strengthens democratic accountability and promotes a more inclusive and representative democracy.

SB 255 strengthens Maryland's democratic institutions, honors the legacy of the federal Voting Rights Act, and helps ensure that every eligible voter has an equal opportunity to participate in choosing their local representatives. For these reasons, I respectfully urge the Committee to issue a favorable report on Senate Bill 255.

Sincerely,

Deborah Shulman

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Uploaded by: Debbie Shulman

Position: FAV

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## FAVORABLE TESTIMONY ON SENATE BILL 255

Voting Rights Act of 2026 – Counties and Municipal Corporations

Senate Education, Energy, and the Environment Committee

January 27, 2026

My name is Deborah (Debbie) Shulman, and I am a resident of Olney, Maryland for more than 31 years. I strongly urge the Committee to pass Senate Bill 255, which would establish critical protections against racial vote dilution in Maryland.

Racial vote dilution occurs when electoral practices, such as at-large elections or unfair district maps, weaken the voting strength of voters of color, effectively denying them and their communities meaningful political participation. The protections outlined in SB 255 are essential to ensuring that all Marylanders, particularly those from historically disenfranchised communities, have an equal opportunity to elect representatives of their choice.

For more than sixty years, the federal Voting Rights Act of 1965 served as the nation's most effective tool for combating discriminatory voting practices. At its height, Section 2 addressed racial vote dilution and voter suppression, while Section 5 prevented discriminatory practices before they could take effect through federal preclearance. However, these protections have been severely weakened by federal court decisions, including *Shelby County v. Holder* (2013), which dismantled the preclearance system, and *Brnovich v. Democratic National Committee* (2021), which made challenges to discriminatory voter suppression far more difficult. Now, even Section 2's application to redistricting and meaningful representation for communities of color is under threat, as seen in *Louisiana v. Callais* (2025).

At the same time, the federal government has failed to adequately protect voters from intimidation and discrimination and has increasingly advanced anti-voter policies. In this environment, Maryland legislators have both the authority and the responsibility to ensure fair and equal access to the ballot for all residents.

SB 255 responds to this moment by building upon the federal Voting Rights Act with streamlined standards and procedures that protect the freedom to vote while making enforcement less time-intensive and less costly than federal litigation. Currently, Maryland law contains no explicit protection against racial vote dilution. Recent challenges to racially dilutive voting systems in places such as Federalsburg and Baltimore County demonstrate the urgent need for these safeguards at the state level.

Combatting vote dilution is a necessary step toward realizing a government that is truly of, by, and for the people. When voters of color are systematically prevented from electing candidates of their choice, entire communities are excluded from decisions that directly impact their lives.

Prohibiting vote dilution strengthens democratic accountability and promotes a more inclusive and representative democracy.

SB 255 strengthens Maryland's democratic institutions, honors the legacy of the federal Voting Rights Act, and helps ensure that every eligible voter has an equal opportunity to participate in choosing their local representatives. For these reasons, I respectfully urge the Committee to issue a favorable report on Senate Bill 255.

Sincerely,

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**Fair Elections Ctr Testimony FAV SB255 2026-01-23.**

Uploaded by: Emily Davis

Position: FAV



**Maryland Senate  
Education, Energy, and the Environment Committee  
January 27, 2026  
Submitted January 23, 2026  
SB 255 (FAV)**

Thank you for the opportunity to submit testimony in support of SB 255, which enacts protections against racial vote dilution in Maryland. Fair Elections Center is a nonpartisan, nonprofit organization dedicated to removing barriers to registration and voting through advocacy and impact litigation.

Although Maryland law features important pro-voter policies, it contains no protection against racial vote dilution. Racial vote dilution occurs when electoral practices, such as at-large elections or unfair district maps, weaken the voting strength of voters of color, effectively denying them meaningful political representation. While Section 2 of the federal Voting Rights Act of 1965 has a long history of combatting racial vote dilution, its protections have been weakened in recent years by the federal courts. Indeed, Section 2's applicability to the redistricting process and meaningful representation for communities of color is under threat in *Louisiana v. Callais* (2025). Meanwhile, the federal government is not only failing to protect against intimidation and discrimination in our voting processes, but is actively advancing anti-voter policies.

At a time when federal voting rights protections have been weakened and enforcement has become increasingly uncertain, Maryland legislators have both the authority and the responsibility to safeguard fair and equal access to the ballot. In SB 255, Maryland has the opportunity to build on the protections provided in the federal VRA by implementing streamlined standards and procedures that both protect the freedom to vote and make this type of litigation less time-intensive and costly than litigation under the federal VRA.

In addition to protecting access to the ballot box, prohibiting vote dilution helps create a more inclusive and accountable democracy. When voters of color are systematically prevented from electing their preferred candidates, entire communities are left without a voice in decisions that directly impact their lives. Combatting vote dilution is a necessary step toward making the vision of a government that is truly of, by, and for the people a reality.

Protections against vote dilution will help ensure no eligible Marylander is left behind at the ballot box. Fair Elections Center urges swift passage of SB 255. If you would like further information, please feel free to contact Emily Davis, Counsel at Fair Elections Center, at [edavis@fairelectionscenter.org](mailto:edavis@fairelectionscenter.org).

# **At Large Voting in St Mary's County.pdf**

Uploaded by: Harry Childers

Position: FAV

## At Large Voting in St Mary's County

St Mary's County has several voting districts for State Delegates that seem to be somewhat related to the county demographics, but all of our County Commissioners are elected at large.

The Lexington Park district is one of the largest population centers in St Mary's county, but has only 10-13% of the county population. St Mary's population is predominantly white (more than 70%), but the nonwhite population of the Lexington Park district is about 50%.

This means that, while nonwhite Lexington Park voters do have a significant voice in state elections due to in-district state voting, they and the Lexington Park district have little voice in at-large county elections. Although St Mary's Commissioners must live in the district they are running for, they are obviously responsible to the entire county, not just the voters in that district. SB 255 is intended to correct this.

I am white, live in Lexington Park, and am strongly in favor of having my district and the county's nonwhite population properly represented in the county government.

Harold Childers

Lexington Park MD

# **Testimony on SB 255.pdf**

Uploaded by: Jana Wiener

Position: FAV

**Testimony on SB 255/ HB 350**  
**Voting Rights Act of 2026**  
**Position: Favorable**

I believe voting dilution negatively impacts my small community in St. Mary's County, Maryland. I urge you to protect EVERY individual's voice against intimidation and discrimination with legislation that will help us forge a better path for our future. I want my young elementary-aged boys, born and raised in Maryland, to know Maryland takes voting rights seriously. Combatting vote dilution is an important and necessary step towards making a vision of a government that is truly of, by, and for the people a reality.

When anyone is systematically prevented from electing the candidates of their choice, entire communities are left without a voice in decisions that directly impact their lives.

Prohibiting vote dilution helps create a more inclusive and accountable democracy. I fully support the efforts of the General Assembly to fiercely and fairly defend equal access to the ballot. I respectfully urge a favorable report on SB 255.

**Testimony from Janice Walthour SB 255.docx.pdf**

Uploaded by: Janice Walthour

Position: FAV

Testimony on SB 255/ HB 350  
Voting Rights Act of 2026 – Counties and Municipal Corporations  
Education, Energy, and the Environment Committee

Position: Favorable

[Civil Rights Organization]

**[St. Mary's County NAACP] We strongly urge the Committee to pass SB 255 to enact protections against racial vote dilution in Maryland. Racial vote dilution happens when electoral practices, such as at-large elections or unfair district maps, weaken the voting strength of voters of color, effectively denying them and their communities' meaningful political participation.**

**The protections outlined in SB 255 are necessary to ensuring that all Marylanders, particularly those from historically disenfranchised communities, have the equal opportunity to elect representatives of their choice.** A change in the process would positively impact many of the people in the Lexington Park and Great Mills voting areas in St. Mary's county's Fourth Commissioner District. The majority of the people in the county live in this district, many in these areas. It comprises more people of color than in other districts; more live below the poverty line and receive public assistance. There has not been a county commissioner of color in our county since the 1990s. And we have had the same person of color on the school board assigned to the same district for about 20 years.

For over sixty years, the federal Voting Rights Act (VRA) of 1965 served as the nation's most effective tool for tackling discriminatory voting practices. At its height, Section 2 of the federal VRA addressed the long history of discrimination in voting by prohibiting racial vote dilution and voter suppression and Section 5 of the federal VRA stopped discriminatory practices before they occurred through preclearance. However, federal courts, including the U.S. Supreme Court, have severely limited the federal VRA's protections.

The federal government is not only failing to protect against intimidation and discrimination in our voting processes, but is actively advancing anti-voter policies. At a time when federal voting rights protections have been weakened and enforcement has become increasingly uncertain; Maryland legislators can ensure the voting rights of our citizens and have both the authority and the responsibility to safeguard fair and equal access to the ballot.

SB 255 meets this perilous moment by building on the protections provided in the federal VRA with streamlined standards and procedures designed to both protect the freedom to vote and to make this type of litigation less time-intensive and costly than similar litigation under the federal VRA. Maryland law currently contains no protection against racial vote dilution. This must change. There is a crucial need for these protections in all areas of our state.

SB 255 strengthens Maryland's democratic institutions, honors the legacy of the federal Voting Rights Act, and helps ensure that every eligible voter has an equal opportunity to participate in choosing who represents them within their local government. For these reasons, we respectfully urge a favorable report on SB 255.

Dr. Janice Talbert Walthour  
20493 Partin's La  
Lexington Park, MD 20653

# Montgomery J SB255 HB350 Written Testimony Fav.pdf

Uploaded by: Jean Montgomery Nguyen

Position: FAV



**Voting Rights Act of 2026-Counties and Municipal Corporations**  
**SB 255 – Senate Education, Energy, and Environmental Committee**  
**HB 350 –House Government, Labor, Elections Committee**  
**Testimony Senate & House Bill – Favorable**

**January 27, 2026**

Dear Honorable Senate Sydnor and Delegates Behler, Boyce, Change, Coley, Conaay, Crutchfield, Fair, Feldmark, Fraser-Hidalgo, Hill, Jones, Kaiser, Kaufman, Lehman, Long, Lopez, Mireku, North, Moon, Moreno, Odom, Palakovich, Carr, Pasteur, Phillips, Pruski, Roberson, Simmons, Stinnett, Taveras, Taylor, Terrasa, Toles, Turner, Wilkins, Williams, Wims, Woorman, and Young,

Thank you for introducing and sponsoring this important bill enacting voter right protections. My name is Jean Montgomery, I am a community member of Olney, MD and a District 14 resident. I am offering my written testimony today as both a private citizen and on behalf of Indivisible MoCoWoMen, a local Indivisible chapter representing over 2,500 members in Montgomery County, Maryland. I urge the Committee to **pass SB 255/HB 350, the Voting Rights Act of 2026 – Counties and Municipal Corporations**, to enact protections against racial vote dilution, voter suppression, and voter intimidation in Maryland.

I **strongly urge** the Committee to **pass SB 255/HB 350** to enact protections against racial vote dilution in Maryland. Racial vote dilution happens when electoral practices, such as at-large elections or unfair district maps, weaken the voting strength of voters of color, effectively denying them and their communities' meaningful political participation. The protections outlined in SB 255/HB 350 are essential to ensuring that all Marylanders, particularly those from historically disenfranchised communities, have the equal opportunity to elect representatives of their choice.

I **strongly urge** the Committee to **pass SB 255/HB 350** because it builds upon the federal VRA and provides a clearer and more efficient framework for eliminating vote suppression, or discriminatory barriers to the ballot. For over sixty years, the federal Voting Rights Act (VRA) of 1965 served as the nation's most effective tool for tackling discriminatory voting practices. At its height, Section 2 of the federal VRA addressed the long history of discrimination in voting by prohibiting racial vote dilution and voter suppression and Section 5 of the federal VRA stopped discriminatory practices before they occurred through preclearance. However, federal courts, including the U.S. Supreme Court, have severely limited the federal VRA's protections through cases like *Shelby County v. Holder (2013)*, *Brnovich v. DNC (2021)*, and *Louisiana v. Callais (2025)*. Maryland law currently contains no protection against racial vote dilution, and recent challenges to racially dilutive voting systems in Federalsburg and Baltimore County underscore the crucial need for these kinds of protections in our state. When voters of color are

systematically prevented from electing the candidates of their choice, entire communities are left without a voice in decisions that directly impact their lives. Simply put, prohibiting vote dilution helps create a more inclusive and accountable democracy.

I **strongly urge** the Committee to **pass SB 255/HB 350** because doing so would create civil private rights of action against voter intimidation and ensure that all eligible Marylanders can participate in the political process. Voter intimidation can take many forms, including harassment, deception, threats of violence, obstruction, etc., which interferes with an individual's right to vote. Even though criminal prohibitions exist, civil protections are not currently available under Maryland law. Providing them protect Marylanders and give us legal recourse should we find our voting rights infringed.

For the above stated reasons, I respectfully urge the committee members to return a **favorable report on SB 255/HB 350**. Doing so strengthens Maryland's democratic institutions, honors the legacy of the federal Voting Rights Act, protects Marylanders from racial vote dilution, voter suppression, and voter intimidation, and helps ensure that every eligible voter has an equal opportunity to participate in choosing who represents them within their local government.

Thank you,

Jean Montgomery  
Indivisible MoCoWoMen Steering Committee Member

**SB 255\_Jo Shifrin\_FAV.pdf**

Uploaded by: Jo Shifrin

Position: FAV

Date of Hearing: January 27, 2026

Jo Shifrin

Bethesda, MD 20817

**TESTIMONY ON SB 255- POSITION: FAVORABLE**

**Voting Rights Act of 2026 - Counties and Municipal Corporations**

**TO:** Chair Brian Feldman, Vice Chair Cheryl Kagan, and members of the Education, Energy, and the Environment Committee

**FROM:** Jo Shifrin

**OPENING: My name is Jo Shifrin. I am a resident of District 16. I am submitting this testimony in support of SB 255, Voting Rights Act of 2026 - Counties and Municipal Corporations.**

First, I'd like to thank Sen. Charles Sydnor for sponsoring this legislation and the members of the Education, Energy, and the Environment Committee for conducting this hearing so early in the legislative term.

My support for this legislation comes from my grounding in Jewish values. Jews believe that it is our responsibility to play an active role in our community. Rabbi Yitzhak taught that "A ruler is not to be appointed unless the community is first consulted" (Babylonian Talmud Berachot 55a). Rabbi Yitzhak further explained that in the Torah, Bezalel could be chosen to build the Tabernacle *only with the community's approval*. This deeply embedded ethic of political participation has guided Jews to enthusiastically participate in the American electoral process and to support the opportunity for all people to do so on an equal basis.

When SB 255 is enacted, it will protect against racial vote dilution in Maryland. Racial vote dilution happens when electoral practices, such as at-large elections or unfair district maps weaken the voting strength of voters of color, effectively denying them meaningful participation.

For 60+ years, the federal Voting Rights Act of 1965 served as the nation's most effective tool for tackling discriminatory voting practices. In particular, Section 2 prohibited racial voting dilution and voting suppression. However, the federal courts—including the Supreme Court—have severely limited this protection with cases like *Shelby County v. Holder (2013)*, etc. and is now poised to rule on the applicability of Section 2 to the redistricting process and meaningful representation for communities of color in *Louisiana v. Callais (2025)*.

Additionally, the federal government is failing to protect against intimidation and discrimination in our voting processes, and is actively promoting anti-voter policies. Therefore, Maryland legislators have the responsibility to safeguard fair and equal access to the ballot.

Combatting vote dilution is imperative: when voters of color are systematically prevented from electing the candidates of their choice, they are left without a voice in decisions that directly impact their lives. SB 255 will help ensure that every eligible voter has an equal opportunity to select the candidates who best represent them.

**For these reasons, I respectfully urge this committee to return a favorable report on SB 255.**

# **MDVRA - 2026 Coalition Sign-on Letter.pdf**

Uploaded by: Joanne Antoine

Position: FAV

January 27, 2026

Maryland Senate Education, Energy and the Environment Committee  
Miller Senate Office Building, 2 West Wing  
11 Bladen St.  
Annapolis, MD 21401-1991

**Statement of Support for S.B. 255 / H.B. 350 and H.B. 219, the Maryland Voting Rights Act**

Dear Committee Members,

As a broad coalition of civil rights, community, faith, labor, and civic organizations, we urge you to prioritize and pass **S.B. 255 / H.B.350 and H.B. 219**, key pieces of the Maryland Voting Rights Act (MDVRA). In the last year, we have seen unprecedented and grave threats to voting rights and democracy nationally. In 2026 and beyond, the best way we can fight back against these attacks is to enact the MDVRA.

Recent polling shows that the MDVRA and each of its provisions are extremely popular among Maryland voters across race and party lines. Notably, 81% of Maryland voters [support an MDVRA](#), and 80% would like their state representative to prioritize its passage. This overwhelming support shows that creating a fair, inclusive democracy is a core Maryland value—and that the MDVRA is both good policy and the will of the people.

Across the country, we are witnessing an alarming rollback of core democratic protections. The federal Voting Rights Act of 1965 (VRA)—once the nation’s strongest safeguard against racial discrimination in voting—has been severely weakened by decades of damaging court decisions. The U.S. Supreme Court’s recent rulings in *Shelby County v. Holder* (2013) and *Brnovich v. Democratic National Committee* (2021) have stripped away essential federal oversight and made it extremely difficult for voters to challenge discriminatory practices. Moreover, the Supreme Court is now considering two major cases that could severely limit what’s left of the federal VRA. Together, these cases could strip away our last effective tools for fighting racial discrimination in voting.

Recent vote dilution challenges brought against Baltimore County and Federalsburg underscore persistent barriers to the ballot box, such as unfair districts or at-large systems that weaken Black voters’ electoral power. Although the challenges were successful in those cases, victories came only after costly, protracted legal battles that the MDVRA would help prevent. And if the Supreme Court sides with opponents of the federal VRA, such victories will be totally out of reach in Maryland without the MDVRA.

Immediate state legislative action is now essential. We cannot wait for Congress to restore what has been lost—it must act now to defend the freedom to vote for all Marylanders.

As currently proposed, the MDVRA makes Maryland's democracy more inclusive by:

- Enshrining robust protections against discriminatory vote dilution and voter suppression into state law;
- Creating strong protections against voter intimidation, deception, and obstruction; and
- Expanding language assistance in elections for voters with limited English proficiency.

Last session, the Language Access portion of the MDVRA was enacted. This session, we urge the Maryland legislature to pass the vote dilution, voter intimidation, and vote suppression provisions of the MDVRA.

### **S.B. 255 / H.B.350 - Combating Racial Vote Dilution**

We urge you to pass S.B. 255 / H.B.350 to enact robust protections against discriminatory election systems that drown out the voices of color and deny them equal power to elect their preferred representatives, known as racial vote dilution. In building on Section 2 of the federal Voting Rights Act, this legislation benefits both voters and local governments in Maryland by providing an efficient framework to cost-effectively and holistically eliminate racial vote dilution.

Last session, these critical provisions gained considerable traction when they passed out of the Senate. This session, they must be prioritized and become state law to protect our democracy and voters of color in Maryland.

### **H.B. 219 - Combating Voter Intimidation and Suppression**

We urge you to pass H.B. 219 to create a civil private right of action against voter intimidation to ensure that all Marylanders can participate in the political process free from harassment, intimidation, or threats of violence. Even though criminal prohibitions exist, civil protections are not currently available under Maryland law. By supplementing existing criminal prohibitions, H.B. 219 gives impacted voters the right to sue a person or group engaging in these acts. Protections like these are needed by Maryland voters who continue to face serious challenges, such as those at polling locations in [Montgomery County](#) in 2020 and [Frederick County](#) in 2024.

H.B. 219 would also protect against barriers that deny voting opportunities in a way that is efficient and cost-effective for both voters and local governments within the state. It builds upon the federal VRA by providing a clearer and more efficient framework for eliminating discriminatory barriers to the ballot, known as vote suppression. This provision will ensure

that voters or the attorney general can hold jurisdictions accountable for maintaining practices that suppress turnout in historically disenfranchised communities, such as inaccessible polling locations; inadequate voting hours; off-cycle election dates; wrongful voter purges; and staggered elections, among others.

If enacted, these two pieces of legislation would immediately position the Free State as a leader in protecting the right to vote and standing up to national threats against free and fair elections.

The MDVRA builds upon successful state VRAs that have already passed in Virginia, Connecticut, New York, Colorado, Minnesota, Washington, Oregon, and California. Similar bills are also actively under consideration in New Jersey and Delaware. As one of the nation's most diverse states, Maryland's democracy should reflect that in every aspect of the electoral process.

Now is Maryland's time to lead. We encourage you to prioritize, pass, and fully fund the MDVRA this legislative session, and we stand ready to work with you to secure this victory for all Maryland voters.

Sincerely,

Advance Maryland

AFSCME Maryland Council 3

American Civil Liberties Union of Maryland

Black Girls Vote

CAIR Maryland

Common Cause Maryland

Community Action Network for Democracy, Liberties and Equality (CANDLE)

Gibson-Banks Center for Race and the Law,

University of Maryland Francis King Carey School of Law

Indivisible Bowie and Beyond (IBBMD)

Indivisible Cambridge

Indivisible Central Maryland

Indivisible Maryland Coalition

Indivisible Howard County

Jews United for Justice

League of Women Voters of Maryland

National Council of Jewish Women, Maryland  
No Boundaries Coalition - 40th district, 21217  
Out for Justice  
Progressive Maryland  
Ranked Choice Voting Maryland  
SIEU 1199  
SEIU Local 500  
The Talking Drum Incorporated  
Third Act Maryland  
UNITE HERE Local 7

Campaign Legal Center  
Declaration for American Democracy Coalition  
Demos  
Fair Elections Center  
FairVote  
Indivisible CT Shoreline  
Institute for Responsive Government Action  
LatinoJustice PRLDEF  
NAACP Legal Defense and Educational Fund, Inc. (LDF)  
Public Citizen  
Public Justice Center, Inc.  
Protect Democracy United  
Secure Elections Network  
The Center for Election Science

# **Favorable Testimony SB255.pdf**

Uploaded by: Julia Nichols

Position: FAV

## Testimony on SB 255/ HB 350

### Voting Rights Act of 2026 – Counties and Municipal Corporations

#### Education, Energy, and the Environment Committee

##### Position: Favorable

My name is Julia Nichols, and as a citizen of St. Mary's County, I strongly urge the Committee to pass SB 255 to enact protections against racial vote dilution in Maryland. Racial vote dilution happens when electoral practices, such as at-large elections or unfair district maps, weaken the voting strength of voters of color, effectively denying them and their communities meaningful political participation. The protections outlined in SB 255 are essential to ensuring that all Marylanders, particularly those from historically disenfranchised communities, have the equal opportunity to elect representatives of their choice.

Federal courts, including the U.S. Supreme Court, have severely limited the federal Voting Rights Act's protections through cases like *Shelby County v. Holder* (2013), which gutted the coverage formula in the preclearance program, and *Brnovich v. DNC* (2021), which made it difficult—if not impossible—to challenge discriminatory voter suppression. **It is imperative that we protect the voting rights of Marylanders.**

Meanwhile, the federal government is not only failing to protect against intimidation and discrimination in our voting processes but is actively advancing anti-voter policies. At a time when federal voting rights protections have been weakened and enforcement has become increasingly uncertain, **Maryland legislators have both the authority and the responsibility to safeguard fair and equal access to the ballot.**

Maryland law currently contains no protection against racial vote dilution, and recent challenges to racially dilutive voting systems in Federalsburg and Baltimore County underscore the crucial need for these kinds of protections in our state. In St. Mary's County, we have seen how at-large voting for our local elected officials has prevented our minority populations from equal representation.

SB 255 strengthens Maryland's democratic institutions, honors the legacy of the federal Voting Rights Act, and helps **ensure that every eligible voter has an equal opportunity to participate in choosing who represents them within their local government**. For these reasons, I respectfully urge a favorable report on SB 255.

# **RosenTestimony-SB 255-Voting Rights Act of 2026\_ja**

Uploaded by: Julie Rosen

Position: FAV

January 23, 2026

**Written Testimony on SB 255/ HB 350  
Voting Rights Act of 2026 – Counties and Municipal Corporations  
Education, Energy, and the Environment Committee**

**Position: Favorable**

My name is Julie A. Rosen, and I submit this written testimony as an individual resident of Montgomery County, Maryland. I implore the Committee to pass SB 255 to enact protections against racial vote dilution in Maryland. Racial vote dilution happens when electoral practices, such as at-large elections or unfair district maps, weaken the voting strength of voters of color, effectively denying them, and their communities, meaningful political participation. Combatting vote dilution is an important and necessary step towards making a vision of a government that is truly of, by, and for the people a reality. The protections outlined in SB 255 are essential to ensure that all Marylanders have the equal opportunity to elect representatives of their choice; particularly those from historically disenfranchised communities.

I am of a ‘certain age’ to remember the joy of my elders and neighbors –both Black and Jewish– expressed when the federal Voting Rights Act (VRA) of 1965 was passed. For over 60 years it has served as the nation’s most effective tool for tackling discriminatory voting practices. At its height, Section 2 of the federal VRA addressed the long history of discrimination in voting by prohibiting racial vote dilution and voter suppression and Section 5 of the federal VRA stopped discriminatory practices before they occurred through preclearance. Today as an elder myself, I now look upon the decisions of federal courts, including the U.S. Supreme Court, which severely limit the federal VRA’s protections through cases like *Shelby County v. Holder* (2013), which gutted the coverage formula in the preclearance program, and *Brnovich v. DNC* (2021), which made it difficult–if not impossible–to challenge discriminatory voter suppression. Now, it’s the final ‘leg of lawful strength, Section 2’s applicability to the redistricting process and meaningful representation for communities of color that is under threat in *Louisiana v. Callais* (2025).

Meanwhile, the federal government is not only failing to protect against intimidation and discrimination in our voting processes, but is actively advancing anti-voter policies. At a time when federal voting rights protections have been weakened and enforcement has become increasingly uncertain, Maryland legislators have both the authority and the responsibility to safeguard fair and equal access to the ballot.

Maryland law currently contains no protection against racial vote dilution, and recent challenges to racially dilutive voting systems in Federalsburg and Baltimore County underscore the crucial need for these kinds of protections in our state. I believe SB 255 meets this perilous moment by building on the protections provided in the federal VRA’s ‘high bar’ with streamlined standards and procedures designed to both protect the freedom to vote and to make this type of litigation less time-intensive and costly than similar litigation under the federal VRA. Therefore, I respectfully urge a favorable report on SB 255.

# **SenateBill#255.votting rights.pdf**

Uploaded by: Julie Solomon

Position: FAV

Date of Hearing: January 27, 2026  
Julie Robin Solomon  
Baltimore, MD 21231

**TESTIMONY ON SB#255 - POSITION: FAVORABLE**

**Full Bill Name: VOTING RIHTS ACT OF 2026--COUNTIES AND MUNICIPAL CORPORATIONS**

**TO:** Chair Brian J. Feldmah; Vice Chair, Cheryl C. Kagan, and members of the Senate, Education, and Environment Committee

**FROM:** Julie Robin Solomon

**My name is Julie Robin Solomon. I am a resident of District 46. I am submitting this testimony in support of SB#255, Voting Rights Act of 2026 - Counties and Municipal Corporations**

I have resided in Baltimore City for 39 years. I belong to the ACLU and Indivisible Baltimore. I strongly urge the Committee to pass SB 255 to enact protections against racial vote dilution in Maryland. Racial vote dilution happens when electoral practices, such as at-large elections or unfair district maps, weaken the voting strength of voters of color, effectively denying them and their communities meaningful political participation. The protections outlined in SB 255 are essential to ensuring that all Marylanders, particularly those from historically disenfranchised communities, have the equal opportunity to elect representatives of their choice.

For over sixty years, the federal Voting Rights Act (VRA) of 1965 served as the nation's most effective tool for tackling discriminatory voting practices. But now the Supreme Court has greatly weakened his protective powers.

Meanwhile, the federal government is not only failing to protect against intimidation and discrimination in our voting processes, but is actively advancing anti-voter policies. At a time when federal voting rights protections have been weakened and enforcement has become increasingly uncertain, Maryland legislators have both the authority and the responsibility to safeguard fair and equal access to the ballot. We must not let those who have come before us and died to protect voting rights to have died in vain.

SB 255 meets this perilous moment by building on the protections provided in the federal VRA with streamlined standards and procedures designed to both protect the freedom to vote and to make this type of litigation less time-intensive and costly than similar litigation under the federal VRA. Maryland law currently contains no protection against racial vote dilution, and recent challenges to racially dilutive voting systems in Federalsburg and Baltimore County underscore the crucial need for these kinds of protections in our state.

Combatting vote dilution is an important and necessary step towards making a vision of a government that is truly of, by, and for the people a reality. When voters of color are systematically prevented from electing the candidates of their choice, entire communities are left without a voice in decisions that directly impact their lives. Simply put, prohibiting vote dilution helps create a more inclusive and accountable democracy.

SB 255 strengthens Maryland's democratic institutions, honors the legacy of the federal Voting Rights Act, and helps ensure that every eligible voter has an equal opportunity to participate in choosing who represents them within their local government .For these reasons, we respectfully urge a favorable report on SB 255.

# **Voting Rights Bills.pdf**

Uploaded by: Kendra Westervelt

Position: FAV

Subject: Voting Rights Act of 2026-Counties and Municipal Corporations SB 255 – Senate Education, Energy, and Environmental Committee HB 350 –House Government, Labor, Elections Committee

Testimony Senate & House Bill – Favorable

January 27, 2026

Dear Honorable Senate Sydnor and Members of the Committee, and Delegates of the House Committee,

Thank you for introducing and sponsoring SB 255/HB 350, the Voting Rights Act of 2026 – Counties and Municipal Corporations. My name is Kendra Westervelt and I am a resident of Clarksburg, Maryland, District 15. I respectfully urge the Committees to issue a favorable report on SB 255/HB 350.

This legislation is critically needed to protect Maryland voters from racial vote dilution, voter suppression, and voter intimidation. Racial vote dilution occurs when electoral practices—such as at-large elections or unfair district maps—diminish the voting strength of communities of color, denying them meaningful political representation. Maryland law currently provides no explicit protection against racial vote dilution, despite recent challenges in Federalsburg and Baltimore County that underscore the urgent need for state-level safeguards.

SB 255/HB 350 builds upon the legacy of the federal Voting Rights Act of 1965 by creating clear, enforceable protections within Maryland. For decades, the federal VRA served as the nation’s most effective tool to combat discriminatory voting practices. However, key provisions have been significantly weakened by court decisions including *Shelby County v. Holder* (2013), *Brnovich v. DNC* (2021), and *Louisiana v. Callais* (2025). As a result, states must now act to protect voters where federal law no longer provides sufficient coverage.

This bill also establishes civil private rights of action against voter intimidation. While criminal prohibitions exist, Maryland voters currently lack civil remedies when they face harassment, threats, deception, or obstruction that interferes with their right to vote. Providing these protections ensures accountability and affirms that every eligible voter can participate freely and safely in our democratic process.

For these reasons, I strongly urge the Committees to return a favorable report on SB 255/HB 350. Passage of this bill will strengthen Maryland’s democratic institutions, protect voters from discrimination and intimidation, and ensure that all Marylanders have an equal opportunity to elect representatives of their choice.

Sincerely,  
Kendra Westervelt

# **Black Girls Vote Letter of Support Maryland Voting**

Uploaded by: Lauren Wyatt

Position: FAV



January 23, 2026

**RE: Support for S.B. 255 / H.B. 350 and H.B. 219 – Maryland Voting Rights Act**

Chair, Vice Chair, and Members of the Committee:

My name is Nykidra “Nyki” Robinson, and I submit this written testimony on behalf of Black Girls Vote, a nonpartisan civic engagement organization, in strong support of S.B. 255 / H.B. 350 and H.B. 219, the Maryland Voting Rights Act. Black Girls Vote is dedicated to educating, empowering, and mobilizing Black women and girls to participate fully in our democracy and advocate for policies that strengthen their communities. We currently operate three collegiate chapters in Maryland, engaging young leaders across the state in nonpartisan voter education and civic participation.

The Maryland Voting Rights Act represents a critical step forward in protecting the fundamental right to vote and ensuring that all Marylanders—particularly those from historically marginalized communities—have fair and equitable access to the ballot. While federal protections remain important, recent legal and policy shifts have made it clear that state-level safeguards are essential to preventing voter suppression, addressing racial vote dilution, and ensuring transparency in local election systems.

For the communities we serve, voting access is directly tied to opportunity. When communities are fully represented, they are better positioned to advocate for quality education, safe neighborhoods, economic investment, and accessible health and mental health services. The Maryland Voting Rights Act strengthens these outcomes by providing tools to identify and address discriminatory practices before they undermine fair representation.

This legislation is also vital to our work engaging young voters. At Black Girls Vote, we focus on building civic knowledge and confidence among young people—many of whom are first-time voters or come from communities where trust in the political process has been eroded. Strong, clear voting protections help reinforce the message that participation matters and that the system is designed to be accessible, fair, and responsive to their voices.

By strengthening protections against racial vote dilution, increasing transparency in local election practices, and ensuring equitable access to the ballot, the Maryland Voting Rights Act supports our efforts to engage young voters in meaningful and lasting ways. It allows organizations like ours to focus not only on turnout, but on long-term civic participation, leadership development, and community trust.

Maryland has long been recognized as a leader in equity and inclusion. Passage of S.B. 255 / H.B. 350 and H.B. 219 would reinforce that leadership and demonstrate a clear commitment to protecting democracy for current and future generations.



info@blackgirlsvote.com  
www.BlackGirlsVote.com

For these reasons, Black Girls Vote respectfully urges a favorable report on these bills. We appreciate the General Assembly's continued commitment to protecting voting rights and ensuring that every Marylander has an equal opportunity to participate in our democratic process.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Nyki Robinson", written in a cursive style.

Nykidra "Nyki" Robinson  
Founder, Black Girls Vote  
Baltimore, Maryland

**SB 255: HB 350 Testimony pdf.pdf**

Uploaded by: Lesley Frost

Position: FAV

SB 255/ HB 350

Voting Rights Act of 2026 – Counties and Municipal Corporations

Position: Favorable

January 23, 2026

To the Honorable Chair and Members of the Senate Education, Energy, and the Environment Committee

My name is Lesley Frost and I am the Chair of National Council of Jewish Women, Maryland State Policy Advocacy Committee (NCJW MD SPA) and I am writing, on behalf of our 700 advocates across the state, to urge the Committee to pass SB 255 to enact protections against racial vote dilution in Maryland.

Vote dilution occurs when electoral practices, such as at-large elections or unfair district maps, weaken the voting strength of voters, particularly voters of color. Such practices effectively deny them and their communities meaningful political participation. The protections outlined in SB 255 will ensure that all Marylanders, particularly those from historically disenfranchised communities, have the equal opportunity to elect representatives of their choice.

As the federal courts have, for the past sixty years, severely limited the federal Voting Rights Act (VRA) of 1965, through cases like *Shelby County v. Holder* (2013), and *Brnovich v. DNC* (2021), and, now Section 2's applicability to the redistricting process and meaningful representation for communities of color is under threat in *Louisiana v. Callais* (2025), it is essential that Maryland legislators use both their authority and their responsibility to safeguard fair and equal access to the ballot.

SB 255 builds on the protections provided in the federal VRA with streamlined standards and procedures designed to both protect the freedom to vote and to make litigation less time-intensive and costly than similar litigation under the federal VRA. Maryland law currently contains no protection against racial vote dilution, and recent challenges to racially dilutive voting systems in Federalsburg and Baltimore County underscore the crucial need for these kinds of protections in our state.

Furthermore, SB 255 strengthens Maryland's democratic institutions, honors the legacy of the federal Voting Rights Act, and helps ensure that every eligible voter has an equal opportunity to participate in choosing who represents them within their local government.

National Council of Jewish Women opposes voter suppression laws, policies and practices and supports legislation that would renew the protections of the VRA. NCJW MD SPA's support for SB255 is based on the following NCJW Resolution 1V.11

“Election laws, policies, and practices that ensure - without domestic or foreign interference - safe, easy and equitable access to the ballot and eliminate obstacles to the electoral process so that every vote counts and can be verified.”

Therefore we respectfully urge a favorable report on SB 255.

Lesley Frost  
Chair NCJW MD SPA  
[ncjw.mdacts@gmail.com](mailto:ncjw.mdacts@gmail.com)

Home address -  
7707 Wisconsin Avenue  
Bethesda MD 20814  
[lesleyfrost0@gmail.com](mailto:lesleyfrost0@gmail.com)

**TESTIMONY FOR SB0255\_voting rights.pdf**

Uploaded by: Liz Enagonio

Position: FAV



**Admin Team**  
**Email: [info@ibbmd.org](mailto:info@ibbmd.org)**  
Liz Enagonio  
Jasmine Gollup  
Amy Stevens  
Carriann Petersen

**TESTIMONY FOR SB0255**  
**Voting Rights Act of 2026 - Counties and Municipal Corporations**

**Bill Sponsor:** Senator Sydnor  
**Committee:** Education, energy and the Environment  
**Organization Submitting:** Indivisible Bowie and Beyond (IBBMD)  
**Person Submitting:** Liz Enagonio, co-founder  
**Position: FAVORABLE**

I am submitting this testimony **in favor of SB0255** on behalf of Indivisible Bowie and Beyond (IBBMD). IBBMD is a group of several hundred grassroots activists in Bowie and surrounding areas in Prince George's County, working to bring justice, equality, and people-centric legislation to Maryland.

IBBMD strongly urges the Committee to **pass SB0255 to enact protections against racial vote dilution in Maryland**. Racial vote dilution happens when electoral practices, such as at-large elections or unfair district maps, weaken the voting strength of voters of color, effectively denying them and their communities meaningful political participation. The protections outlined in SB 255 are essential to ensuring that all Marylanders, particularly those from historically disenfranchised communities, have the equal opportunity to elect representatives of their choice. Combatting vote dilution is an important and necessary step towards making a vision of a government that is truly of, by, and for the people a reality.

For over sixty years, the federal Voting Rights Act (VRA) of 1965 served as the nation's most effective tool for tackling discriminatory voting practices. However, over the past 10-15 years, federal courts, including the U.S. Supreme Court, have severely limited the federal VRA's protections through cases like *Shelby County v. Holder* (2013), which gutted the coverage formula in the preclearance program, and *Brnovich v. DNC* (2021), which made it difficult—if not impossible—to challenge discriminatory voter suppression. And, now Section 2's applicability to the redistricting process and

meaningful representation for communities of color is under threat in *Louisiana v. Callais* (2025).

Meanwhile, the federal government is not only failing to protect against intimidation and discrimination in our voting processes, but is actively advancing anti-voter policies. At a time when federal voting rights protections have been weakened and enforcement has become increasingly uncertain, **Maryland legislators have both the authority and the responsibility to safeguard fair and equal access to the ballot.**

SB0255 would build on the protections provided in the federal VRA through streamlined standards and procedures designed to both protect the freedom to vote and to make litigation less time-intensive and costly than litigating under the federal VRA. Maryland law currently contains no protection against racial vote dilution, and recent challenges to racially dilutive voting systems in Federalsburg and Baltimore County underscore the crucial need for these kinds of protections in our state.

In the interest of fair and just voting access for communities of color in Maryland, IBBMD urges that you support SB0255 and recommend a **FAVORABLE** report in committee.

**SB0255, FAV, Ed, Energ, Enviro.pdf**

Uploaded by: Lore Rosenthal

Position: FAV

*Lore Lyon Rosenthal  
2 Gardenway, Unit R  
Greenbelt, MD 20770  
301-345-2234H  
SimplicityGroupsMD@gmail.com*

**Committee: Education, Energy, and the Environment**  
**Testimony on: SB0255 Voting Rights Act of 2026 - Counties and Municipal Corporations**  
**Organization: Individual**  
**Person Submitting: Lore Lyon Rosenthal**  
**Position: favorable**  
**Hearing Date: Jan 27, 2026**

Dear Chairman Feldman and members of the committee,

I am writing in favor of SB0255- **Voting Rights Act of 2026 - Counties and Municipal Corporations**

This law says: Prohibiting the imposition or application of a method for electing the governing body of a county or municipal corporation that impairs the ability of members of a protected class to elect candidates of the members' choice or influence the outcome of an election by diluting or abridging the rights of voters who are members of a protected class.

All registered voters have a right to vote. No particular class should have that right denied or their ability to vote blocked. There should not be any redistricting or at-large seats that intentionally blocks a particular protected class from having a fair chance to express their opinions.

For all these reasons, I recommend a favorable report on SB0255.

Thanks,

Lore Lyon Rosenthal

# **SB0255 Maryland Voting Rights.pdf**

Uploaded by: Marcia Coe

Position: FAV

## **SB 255**

### **Voting Rights Act of 2026 – Counties and Municipal Corporations Education, Energy, and the Environment Committee**

January 23, 2026

As a constituent of St. Mary's County, Maryland, I strongly urge the Committee to pass SB 255 to enact protections against racial vote dilution in Maryland. The protections outlined in SB 255 are essential to ensuring that all Marylanders, particularly those from historically disenfranchised communities, have the equal opportunity to elect representatives of their choice.

Federal courts, including the U.S. Supreme Court, have severely limited the federal Voting Right Act's (VRA) protections through cases like *Shelby County v. Holder* (2013), which gutted the coverage formula in the preclearance program, and *Brnovich v. DNC* (2021), which made it difficult—if not impossible—to challenge discriminatory voter suppression. And, now Section 2's applicability to the redistricting process and meaningful representation for communities of color is under threat in *Louisiana v. Callais* (2025).

Meanwhile, the federal government is not only failing to protect against intimidation and discrimination in our voting processes, but is actively advancing anti-voter policies. At a time when federal voting rights protections have been weakened and enforcement has become increasingly uncertain, Maryland legislators have both the authority and the responsibility to safeguard fair and equal access to the ballot.

SB 255 meets this perilous moment by building on the protections provided in the federal VRA with streamlined standards and procedures designed to both protect the freedom to vote and to make this type of litigation less time-intensive and costly than similar litigation under the federal VRA. Maryland law currently contains no protection against racial vote dilution, and recent challenges to racially dilutive voting systems in Federalsburg and Baltimore County underscore the crucial need for these kinds of protections in our state.

Combatting vote dilution is an important and necessary step towards making a vision of a government that is truly of, by, and for the people a reality. When voters of color are systematically prevented from electing the candidates of their choice, entire communities are left without a voice in decisions that directly impact their lives

SB 255 strengthens Maryland's democratic institutions, honors the legacy of the federal Voting Rights Act, and helps ensure that every eligible voter has an equal opportunity to participate in choosing who represents them within their local government. For these reasons, I respectfully urge a favorable report on SB 255.

Respectfully submitted,

Marcia Coe

**Greenberg - SB 255 Testimony - FAVORABLE.pdf**

Uploaded by: Marcia Greenberg

Position: FAV

**Testimony on SB 255 – FAVORABLE**  
**Senate Education, Energy and Environment Committee**  
**January 27, 2026**

Dear Honorable Chair Feldman, Vice Chair Kagan, and Members of the Committee,

My name is Marcia Greenberg and I am a resident of Lexington Park in St Mary's County. I am writing in support of **SB 255**. I am writing to urge you to redress a serious wrong: a system that is undemocratic, and that deprives voters of their right to choose their elected representatives. Over the years, we have made repeated efforts to terminate countywide, at-large voting for our County Commissioners, but have yet to see that antiquated and undemocratic system replaced by a fair system. Not surprisingly, since those who have power rarely volunteer to relinquish it, those who benefit from the current system have no interest in seeing it changed. No doubt our County Commissioners will try again this year to preserve their system – and once again, “we the people” must raise our voices to call for change, and for establishing a system that is fair.

Senators: From 1997 until 2002, I worked with USAID and its partner organizations to ensure that women would effectively contribute to and benefit from United States-funded democracy programs. Through that work, I saw many systems, in Eastern Europe and West Africa, that were neither fair nor democratic. I saw how people in power set rules to keep power, and how a failure of representation means that perspectives of average people and their needs are ignored.

At the same time, however, I came to appreciate the privilege and the power of my vote in the United States. I have exercised that privilege for half a century – since I was 18. I have voted in Massachusetts, in person and absentee; in upstate New York; and now in Maryland. While living in St Mary's County for over 20 years, I have voted in every election. I have also supported candidates with my time and financial resources – knocking on doors, making contributions, putting up signs, and sitting at voter information tables outside the polls. YET – and it is this that is shocking: NEVER have I seen my preferred candidate for County Commissioner win his or her race. And all the while, our county has been consistently represented by five, white, Republican men. They are not all bad, and I have applauded them for some of their policies. But during my time in Maryland, there has been no diversity of perspective, no women's voice at the table and behind closed doors, and no representation for our community of color.

It's appalling that the system for electing County Commissioners is rigged to undermine our votes. For state races, voters in Lexington Park are in District 29B, and have been able to elect John Bohanan and Brian Crosby (never a slam dunk, as has been demonstrated by the election of Deb Rey, but through competitive races). Yet those same voters have not been able to elect a Commissioner of their choice because voters *outside* that area, living elsewhere in the county, consistently out-vote them. Quite simply: a **majority of voters within a district** is consistently **out-voted** by a countywide majority living outside that district. **It's that simple -- and that wrong.**

While it should be clear, I offer an analogy to illustrate:

Imagine a school with 100 students, 55 boys and 45 girls, where students vote school-wide for all teachers -- choosing between admired athletes like LeBron James and respected attorneys like Stacey Abrams.

But suppose that while there are more girls in the English and history classes, they hear that all boys are committed to voting only for their sports heroes – for all classes. Though girls excited about Abrams explain that she would be a wonderful teacher, **this** is the predictable outcome:

When votes are cast, all 55 boys vote for athletes – for each and every subject. No matter that girls are the majority in the English and history classes; schoolwide, for all classes, the boys' votes prevail. Their 55 votes determine that athletes will teach all students, in all classes. And while one might suggest that there be more campaigning with which to persuade the boys to vote for Abrams for teacher, concerted efforts consistently fail.

***Furthermore, this results in negative impacts for all, because no students benefit from teacher diversity. Both the boys and girls might otherwise benefit from a teacher like Stacey Abrams.***

In St Mary's County, just as girls who are the majority in a class ought to have the chance to decide their teacher, voters who are the majority within a district ought to be able to choose their own Commissioner – without being out-voted by cumulative, countywide votes. ***It's simply wrong that one majority block of county voters determines the outcome for all five Commissioners, in each and every district.***

Distinguished members of this committee: Please recognize that the current system is unfair and undemocratic. The state of Maryland should ensure democratic systems and fairness. I urge you to issue a **favorable** report on SB 255.

# **Campaign Legal Center Testimony in Support of S.B.**

Uploaded by: Marisa Wright

Position: FAV



Brian J. Feldman, Chair  
Cheryl C. Kagan, Vice Chair  
Senate Education, Energy, and the Environment Committee  
Maryland Senate  
January 27, 2026

**Testimony of Campaign Legal Center in Support of Senate Bill 255**

**I. INTRODUCTION**

Campaign Legal Center (“CLC”) is pleased to offer this testimony in support of Senate Bill 255 (“S.B. 255”). S.B. 255 codifies essential protection against racial vote dilution in local election systems and, in doing so, enacts one of the core components of a state-level voting rights act.

CLC is a nonpartisan, nonprofit organization dedicated to advancing democracy through law. Through its extensive work on redistricting and voting rights, CLC seeks to ensure that every United States resident receives fair representation at the federal, state, and local levels. CLC supported the enactment of state voting rights acts in Washington, Oregon, Virginia, Virginia, New York, Connecticut, Minnesota, and Colorado, and it brought the first-ever lawsuit under the Washington Voting Rights Act in Yakima County, Washington, and under the Virginia Voting Rights Act in Virginia Beach, Virginia.

CLC strongly supports S.B. 255 because it will enable historically disenfranchised communities across Maryland to protect their right to participate equally in the election of their representatives. The bill will fill a critical gap in Maryland law, which currently does not contain any statutory protection against racial vote dilution in local election systems. CLC’s testimony will highlight in particular how S.B. 255 offers a more reliable, effective, and cost-efficient means for resolving vote dilution violations than the current federal framework under Section 2 of the Voting Rights Act of 1965.

## II. BACKGROUND

States can offer new hope for voters by adopting state voting rights acts that improve upon the model of the federal Voting Rights Act of 1965 (“VRA”) with several key improvements. By passing S.B. 255, Maryland can reduce the cost of enforcing voting rights, clarify that government-proposed remedies do not get deference as they might in federal court, and make it possible for historically disenfranchised communities to enforce their rights.

The federal VRA was one of the most transformative pieces of civil rights legislation ever passed. Section 2 of the federal VRA prohibits voting practices or procedures that discriminate on the basis of race, color, or membership in a language minority group. The 1982 amendments to Section 2, which allowed litigants to establish a violation of the VRA without first proving discriminatory intent, created a “sea-change in descriptive representation” across the country.<sup>1</sup>

Despite this success, “litigating Section 2 cases [is still] expensive and unpredictable.”<sup>2</sup> Plaintiffs must collect vast amounts of extraneous evidence as part of Section 2’s totality-of-the-circumstances analysis, and litigation often devolves into protracted disputes about what the law requires in the first place, given Section 2’s sparse text and sometimes contradictory case law. As a result, these cases require extended discovery, lengthy trials, and exorbitant costs for litigants and taxpayers alike. Given the heavy burden of litigating claims under Section 2, many vote dilution violations go unaddressed. States can address this problem by codifying parallel protections in state law that are clearer and more workable to enforce.

The need for state-level protection is underscored by the steady erosion of voting rights guarantees at the federal level. Since the U.S. Supreme Court’s 2013 decision in *Shelby County v. Holder*,<sup>3</sup> jurisdictions with histories of discrimination have been able to implement restrictive voting policies, including dilutive election systems and redistricting maps, without federal oversight. In *Brnovich v. Democratic National Committee*, the Court further weakened Section 2 of the federal VRA by making it even harder for voters to challenge discriminatory laws in court.<sup>4</sup> And the Supreme Court is now considering multiple cases that could wipe away Section 2’s remaining protections. In *Louisiana v. Callais*, opponents of the federal VRA asked the Court to find that compliance with Section 2’s vote-dilution prohibition is itself

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<sup>1</sup> Michael J. Pitts, *The Voting Rights Act and the Era of Maintenance*, 59 ALA. L. REV. 903, 920–22 (2008).

<sup>2</sup> Christopher S. Elmendorf & Douglas M. Spencer, *Administering Section 2 of the Voting Rights Act After Shelby County*, 115 COLUM. L. REV. 2143, 2157 (2015).

<sup>3</sup> 570 U.S. 529 (2013).

<sup>4</sup> 594 U.S. 647 (2021).

unconstitutional. In *Turtle Mountain Band of Chippewa Indians et al., v. Howe* and other cases, voting rights opponents have asked the Court to find that private individuals cannot file suit at all under Section 2, leaving them without the ability to enforce their own voting rights.

At the same time, Congress has not acted to restore or strengthen the federal VRA, failing repeatedly to pass the much-needed John R. Lewis Voting Rights Advancement Act. And the current presidential administration has dismantled the voting rights enforcement arm of the Civil Rights Division of the U.S. Department of Justice. These developments have left millions of voters vulnerable to discrimination and suppression. In response to this national landscape, states must step in and ensure their voters have the legal tools necessary to defend their freedom to vote.

Momentum for state VRAs is growing. California (2002), Washington (2018), Oregon (2019), Virginia (2021), New York (2022), Connecticut (2023), Minnesota (2024), and Colorado (2025) have already enacted such protections, while states like New Jersey, Florida, Michigan, and Alabama are working to follow suit. Maryland should take advantage of this opportunity and join these other states in ensuring all of its voters have equal access to the democratic process.

S.B. 255 will provide Marylanders with a more reliable, effective, and efficient mechanism to enforce their voting rights, saving the state time and money while ensuring equal access to the democratic process.

### **III. REASONS TO SUPPORT S.B. 255**

S.B. 255 will innovate on the federal VRA, as well as other state VRAs, by providing voters with better tools to challenge discriminatory policies and streamlining the procedural mechanisms for these kinds of claims. It would create a private cause of action for vote dilution that is a less costly and less burdensome means of enforcing voting rights. It would also enable the adoption of tailored remedies that address the specific needs and demographics of each jurisdiction.

#### **A. S.B. 255 provides a framework for determining vote dilution in a way that is efficient and cost-effective for both voters and jurisdictions.**

To bring a vote dilution claim under Section 2 of the federal VRA, a plaintiff must show that: (1) the minority group being discriminated against is sufficiently large and geographically compact to constitute the majority of voters in a single-member district; (2) the minority group is politically cohesive; and (3) white bloc voting usually prevents minority voters from electing their candidates of choice (the latter two of these requirements collectively understood as a showing of racially polarized

voting).<sup>5</sup> If these three conditions are met, the court then considers whether, under the totality of the circumstances, the practice or procedure in question has the result of denying a racial or language minority group an equal opportunity to participate in the political process.

S.B. 255 would improve on the federal VRA in at least three key respects: (i) it ensures that integrated as well as segregated communities can influence elections and elect their candidates of choice, (ii) it sets out practical guidelines for courts to properly assess polarized voting, and (iii) it expressly allows coalition claims.

First, unlike the federal VRA, S.B. 255 does not require historically disenfranchised communities to be residentially segregated in order to receive protections under the statute. Like the state VRAs passed in California, Washington, Oregon, Virginia, New York, Connecticut, and Colorado, S.B. 255 does not demand that the protected class facing discriminatory voting policies prove that it is sufficiently large and geographically compact before being able to proceed with its lawsuit. § 15.7–104(C). Following the passage of civil rights legislation, residential segregation has decreased in some areas of the United States, yet racially polarized voting and underrepresentation of historically disenfranchised communities persist.<sup>6</sup> Thus, many communities that do not face residential segregation may still lack equal opportunity to elect candidates of choice to their local government. By not requiring minority communities to be segregated to prove minority vote dilution, S.B. 255 takes this reality into account.<sup>7</sup>

Decades of experience litigating cases under Section 2 of the Voting Rights Act have shown that the numerosity and compactness requirements for vote dilution claims are an unnecessary barrier to remedying significant racial discrimination in voting. S.B. 255 will allow violations to be remedied quickly and at much less expense to taxpayers than existing federal law and make it easier for historically disenfranchised communities to vindicate their rights and obtain remedies to resolve racial vote dilution. In previous federal VRA cases in Maryland, voters have had to spend time and money defending against allegations that protected class members were not sufficiently segregated to meet this condition, despite evidence making it clear that voters were denied the equal opportunity to elect their candidate of choice.<sup>8</sup>

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<sup>5</sup> *Thornburg v. Gingles*, 478 U.S. 30, 50–51 (1986).

<sup>6</sup> *Why Maryland Needs Its Own Voting Rights Act*, ACLU Maryland (2024), [https://www.aclu-md.org/sites/default/files/mdvra\\_need\\_public\\_onepager\\_mdga25\\_english.pdf](https://www.aclu-md.org/sites/default/files/mdvra_need_public_onepager_mdga25_english.pdf).

<sup>7</sup> Like VRAs in other states, S.B. 255 would allow courts to consider whether a community is sufficiently large and geographically compact in determining a remedy to a vote dilution violation. § 15.7–104(C).

<sup>8</sup> See *Baltimore County Branch of the NAACP v. Baltimore County, Maryland*, No. 21-CV-03232-LKG, 2022 WL 657562, at \*7 (D. Md. Feb. 22, 2022), modified, No. 21-CV-03232-LKG,

Second, unlike the federal VRA, S.B. 255 sets out clear guidance in the statute itself about how to assess polarized voting. Polarized voting—also known as racially polarized voting (RPV) in the federal context—means that there is a significant divergence in the electoral choices or candidate preferences of protected class voters, as compared to other voters.

Because RPV is considered a “linchpin of a Section 2 vote dilution claim,”<sup>9</sup> federal courts have developed guidance about what type of evidence is (and is not) relevant to establishing the existence of RPV. S.B. 255 helpfully codifies these guardrails in statutory text, which helps to focus the inquiry, provide clarity to judges and litigants, and avoid needless legal disputes. § 15.7–104(A)-(B). For example, the bill makes clear that reasons for *why* RPV may exist are irrelevant to the question of whether voting patterns are polarized in a jurisdiction.<sup>10</sup> § 15.7–104(B)(3)(2). This allows state courts to avoid needless and expensive legal disputes arising in Section 2 litigation about whether partisan preferences should have an impact on polarized voting analysis.

Third, S.B. 255 expressly defines a “protected class” to include two or more protected classes, thereby allowing voters of more than one racial or language-minority group who collectively endure unlawful vote dilution to litigate their claim efficiently in a single suit. § 15.7–101(C). Some federal courts have chosen to impose a burdensome “single-race limitation” on vote dilution claims, disallowing claims against election systems that dilute the combined voting strength of more than one racial or language-minority group.<sup>11</sup> But such claims, known as “coalition claims,” are cognizable in most other federal circuits. By resolving this question in the statutory text itself, S.B. 255 eliminates uncertainty stemming from the federal circuit split and clarifies that coalition claims are permitted in Maryland, reducing unnecessary litigation over threshold legal questions and enabling more efficient resolution of vote dilution claims in diverse communities.

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2022 WL 888419 (D. Md. Mar. 25, 2022) (plaintiffs defending against allegations that they could not meet the requirements for vote dilution because the maps they proposed were “irregular.”).

<sup>9</sup> *Westwego Citizens for Better Gov’t v. City of Westwego*, 872 F.2d 1201, 1207 (5th Cir. 1989).

<sup>10</sup> *Gingles*, 478 U.S. at 51, 62–63, 74 (plurality) (The “legal concept of racially polarized voting incorporates neither causation nor intent. It means simply that the race of voters correlates with the selection of a certain candidate or candidates” and “the reasons [minority] and white voters vote differently have no relevance to the central inquiry of § 2.”); *see id.* at 100 (O’Connor, J., concurring). *See also Gomez v. City of Watsonville*, 863 F.2d 1407, 1416 (9th Cir. 1988) (holding that courts should look “only to actual voting patterns” to determine whether voting is racially polarized and not speculate as to the reasons why); *Collins v. City of Norfolk, Va.*, 816 F.2d 932, 935 (4th Cir. 1987).

<sup>11</sup> *Nixon v. Kent Cnty.*, 76 F.3d 1381, 1387 (6th Cir. 1996); *Petteway v. Galveston Cnty.*, 86 F.4th 1146 (5th Cir. 2023).

**B. S.B. 255 expands the remedies that historically disenfranchised communities can seek to ensure their electoral enfranchisement.**

If a violation of S.B. 255 is found, the court shall order appropriate remedies that are tailored to address the violation in the local government. § 15.7–106(B). This part of the bill recognizes that dilution tactics take many different forms, and remedies must therefore be appropriately fitted to the local needs of each jurisdiction.

S.B. 255 also specifies that courts may not defer to a proposed remedy simply because it is proposed by the local government. § 15.7–106(C)(2). This directly responds to the practice of federal courts, rooted in federalism concerns not present in state court, to grant government defendants the “first opportunity to suggest a [legally acceptable] remedial plan.”<sup>12</sup> This often leads to jurisdictions choosing a remedy that only minimally addresses a discriminatory voting practice rather than fully enfranchising those who won the case. For example, in *Cane v. Worcester County*, the Fourth Circuit, applying the federal VRA, explained that the governmental body has the first chance at developing a remedy and that it is only when the governmental body fails to respond or has “a legally unacceptable remedy” that the district court can step in.<sup>13</sup> In *Baltimore County Branch of the NAACP v. Baltimore County*, the district court likewise accepted the defendant county’s proposed map, despite plaintiffs’ objections and presentation of an alternative map.<sup>14</sup> This is antithetical to the concept of remedying racial discrimination; courts should not defer to the preferences of a governmental body that has been found to violate anti-discrimination laws in fashioning a remedy for that body’s own discriminatory conduct. S.B. 255 avoids this problem by allowing the court to consider remedies offered by *any* party to a lawsuit, and by prioritizing remedies that will not impair the ability of protected class voters to participate in the political process.

This bill also promotes settlement through this specification that courts must weigh all proposed remedies equally and decide which one is best suited to help the impacted community, instead of giving deference to the remedy proposed by the government body that violated that community’s rights.

**IV. CONCLUSION**

We strongly urge you to enact S.B. 255 and strengthen voting rights for all Marylanders. S.B. 255 signifies a pivotal inflection point for the state of Maryland to

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<sup>12</sup> *Cane v. Worcester County*, 35 F.3d 921, 927 (4th Cir. 1994).

<sup>13</sup> *Id.*

<sup>14</sup> No. 21-CV-03232-LKG, 2022 WL 888419, at \*1 (D. Md. Mar. 25, 2022).

lead in protecting voting rights, offering a more efficient and lower-cost layer of oversight for communities.

Respectfully submitted,  
/s/Marisa Wright  
Marisa Wright, Legal Fellow  
Aseem Mulji, Senior Legal Counsel  
Campaign Legal Center  
1101 14th St. NW, Suite 400  
Washington, DC 20005

**Testimony SB255 Flamholz for Jan. 27, 2026.pdf**

Uploaded by: mindie flamholz

Position: FAV

**TESTIMONY ON Senate Bill 255– FAVORABLE**

**Sample Testimony on SB 255 cross-filed with HB 350**

**Voting Rights Act of 2026 – Counties and Municipal Corporations**

Senate Education, Energy, and the Environment Committee

January 27, 2026

My name is Mindie Flamholz. I have been a resident of Baltimore County for over 40 years and a resident of Maryland for over 72 ½ years of my 73 years of age. I strongly urge your committee to pass SB 255 to enact protections against racial vote dilution in Maryland.

As you know, racial vote dilution happens when electoral practices, such as at-large elections or unfair district maps, weaken the voting strength of voters of color, effectively denying them and their communities meaningful political participation. The protections outlined in SB 255 are essential to ensuring that all Marylanders, particularly those from historically disenfranchised communities, have the equal opportunity to elect representatives of their choice.

Meanwhile, the federal government not only is failing to protect against intimidation and discrimination in our voting processes, it is actively advancing anti-voter policies. At a time when federal voting rights protections have been weakened and enforcement has become increasingly uncertain, Maryland legislators have both the authority and the responsibility to safeguard fair and equal access to the ballot.

SB 255 meets this perilous moment by building on the protections provided in the federal VRA with streamlined standards and procedures designed to both protect the freedom to vote and to make this type of litigation less time-intensive and costly than similar litigation under the federal VRA.

Maryland law currently contains no protection against racial vote dilution, and recent challenges to racially dilutive voting systems in Federalsburg and Baltimore County underscore the crucial need for these kinds of protections in our state.

Combatting vote dilution is an important and necessary step towards making a vision of a government that is truly of, by, and for the people a reality. When voters of color are systematically prevented from electing the candidates of their choice, entire communities are left without a voice in decisions that directly impact their lives. Simply put, prohibiting vote dilution helps create a more inclusive and accountable democracy.

SB 255 strengthens Maryland's democratic institutions, honors the legacy of the federal Voting Rights Act, and helps ensure that every eligible voter has an equal opportunity to participate in choosing who represents us within their local government.

For these reasons, I respectfully urge a favorable report on SB 255.

Thank you for your time and consideration. Stay safe and healthy.

Mindie Flamholz

# **SB 255 - 2026 Coalition Sign-on Letter.pdf**

Uploaded by: Morgan Drayton

Position: FAV

January 27, 2026

Maryland Senate Education, Energy and the Environment Committee  
Miller Senate Office Building, 2 West Wing  
11 Bladen St.  
Annapolis, MD 21401-1991

**Statement of Support for S.B. 255 / H.B. 350 and H.B. 219, the Maryland Voting Rights Act**

Dear Committee Members,

As a broad coalition of civil rights, community, faith, labor, and civic organizations, we urge you to prioritize and pass **S.B. 255 / H.B.350 and H.B. 219**, key pieces of the Maryland Voting Rights Act (MDVRA). In the last year, we have seen unprecedented and grave threats to voting rights and democracy nationally. In 2026 and beyond, the best way we can fight back against these attacks is to enact the MDVRA.

Recent polling shows that the MDVRA and each of its provisions are extremely popular among Maryland voters across race and party lines. Notably, 81% of Maryland voters [support an MDVRA](#), and 80% would like their state representative to prioritize its passage. This overwhelming support shows that creating a fair, inclusive democracy is a core Maryland value—and that the MDVRA is both good policy and the will of the people.

Across the country, we are witnessing an alarming rollback of core democratic protections. The federal Voting Rights Act of 1965 (VRA)—once the nation’s strongest safeguard against racial discrimination in voting—has been severely weakened by decades of damaging court decisions. The U.S. Supreme Court’s recent rulings in *Shelby County v. Holder* (2013) and *Brnovich v. Democratic National Committee* (2021) have stripped away essential federal oversight and made it extremely difficult for voters to challenge discriminatory practices. Moreover, the Supreme Court is now considering two major cases that could severely limit what’s left of the federal VRA. Together, these cases could strip away our last effective tools for fighting racial discrimination in voting.

Recent vote dilution challenges brought against Baltimore County and Federalsburg underscore persistent barriers to the ballot box, such as unfair districts or at-large systems that weaken Black voters’ electoral power. Although the challenges were successful in those cases, victories came only after costly, protracted legal battles that the MDVRA would help prevent. And if the Supreme Court sides with opponents of the federal VRA, such victories will be totally out of reach in Maryland without the MDVRA.

Immediate state legislative action is now essential. We cannot wait for Congress to restore what has been lost—it must act now to defend the freedom to vote for all Marylanders.

As currently proposed, the MDVRA makes Maryland's democracy more inclusive by:

- Enshrining robust protections against discriminatory vote dilution and voter suppression into state law;
- Creating strong protections against voter intimidation, deception, and obstruction; and
- Expanding language assistance in elections for voters with limited English proficiency.

Last session, the Language Access portion of the MDVRA was enacted. This session, we urge the Maryland legislature to pass the vote dilution, voter intimidation, and vote suppression provisions of the MDVRA.

### **S.B. 255 / H.B.350 - Combating Racial Vote Dilution**

We urge you to pass S.B. 255 / H.B.350 to enact robust protections against discriminatory election systems that drown out the voices of color and deny them equal power to elect their preferred representatives, known as racial vote dilution. In building on Section 2 of the federal Voting Rights Act, this legislation benefits both voters and local governments in Maryland by providing an efficient framework to cost-effectively and holistically eliminate racial vote dilution.

Last session, these critical provisions gained considerable traction when they passed out of the Senate. This session, they must be prioritized and become state law to protect our democracy and voters of color in Maryland.

### **H.B. 219 - Combating Voter Intimidation and Suppression**

We urge you to pass H.B. 219 to create a civil private right of action against voter intimidation to ensure that all Marylanders can participate in the political process free from harassment, intimidation, or threats of violence. Even though criminal prohibitions exist, civil protections are not currently available under Maryland law. By supplementing existing criminal prohibitions, H.B. 219 gives impacted voters the right to sue a person or group engaging in these acts. Protections like these are needed by Maryland voters who continue to face serious challenges, such as those at polling locations in [Montgomery County](#) in 2020 and [Frederick County](#) in 2024.

H.B. 219 would also protect against barriers that deny voting opportunities in a way that is efficient and cost-effective for both voters and local governments within the state. It builds upon the federal VRA by providing a clearer and more efficient framework for eliminating discriminatory barriers to the ballot, known as vote suppression. This provision will ensure

that voters or the attorney general can hold jurisdictions accountable for maintaining practices that suppress turnout in historically disenfranchised communities, such as inaccessible polling locations; inadequate voting hours; off-cycle election dates; wrongful voter purges; and staggered elections, among others.

If enacted, these two pieces of legislation would immediately position the Free State as a leader in protecting the right to vote and standing up to national threats against free and fair elections.

The MDVRA builds upon successful state VRAs that have already passed in Virginia, Connecticut, New York, Colorado, Minnesota, Washington, Oregon, and California. Similar bills are also actively under consideration in New Jersey and Delaware. As one of the nation's most diverse states, Maryland's democracy should reflect that in every aspect of the electoral process.

Now is Maryland's time to lead. We encourage you to prioritize, pass, and fully fund the MDVRA this legislative session, and we stand ready to work with you to secure this victory for all Maryland voters.

Sincerely,

Advance Maryland

AFSCME Maryland Council 3

American Civil Liberties Union of Maryland

Black Girls Vote

CAIR Maryland

Common Cause Maryland

Community Action Network for Democracy, Liberties and Equality (CANDLE)

Gibson-Banks Center for Race and the Law,

University of Maryland Francis King Carey School of Law

Indivisible Bowie and Beyond (IBBMD)

Indivisible Cambridge

Indivisible Central Maryland

Indivisible Maryland Coalition

Indivisible Howard County

Jews United for Justice

League of Women Voters of Maryland

National Council of Jewish Women, Maryland  
No Boundaries Coalition - 40th district, 21217  
Out for Justice  
Progressive Maryland  
Public Justice Center, Inc.  
Ranked Choice Voting Maryland  
SIEU 1199  
SEIU Local 500  
The Talking Drum Incorporated  
Third Act Maryland  
UNITE HERE Local 7

Campaign Legal Center  
Declaration for American Democracy Coalition  
Demos  
Fair Elections Center  
FairVote  
Indivisible CT Shoreline  
Institute for Responsive Government Action  
LatinoJustice PRLDEF  
NAACP Legal Defense and Educational Fund, Inc. (LDF)  
Public Citizen  
Protect Democracy United  
Secure Elections Network  
The Center for Election Science

# **SB 255 - Voting Rights Act of 2025 – Counties and**

Uploaded by: Morgan Drayton

Position: FAV

January 27, 2026

**Testimony on SB 255**  
**Voting Rights Act of 2025 – Counties and Municipalities**  
**Education, Energy, and the Environment**

**Position:** Favorable

Common Cause Maryland supports SB 255, which codifies a new prohibition against vote dilution into Maryland state law. The protections provided in this bill are essential to ensure that all Marylanders, particularly those from historically disenfranchised communities, have an equal opportunity to elect the representatives of their choice.

For over sixty years, the federal Voting Rights Act (VRA) of 1965 served as the nation’s most effective tool for tackling discriminatory voting practices. At its height, Section 2 of the federal VRA addressed the long history of discrimination in voting by prohibiting racial vote dilution and voter suppression. However, federal courts, including the U.S. Supreme Court, have severely limited the federal VRA’s protections through cases like *Shelby County v. Holder* (2013) and *Brnovich v. DNC* (2021).

Meanwhile, the federal government is not only failing to protect against intimidation and discrimination in our voting processes but is instead actively advancing anti-voter policies. At a time when federal voting rights protections have been weakened and enforcement has become increasingly uncertain, Maryland legislators have both the authority and the responsibility to safeguard fair and equal access to the ballot in our state.

Maryland has a generally progressive reputation nationally. However, Maryland law currently contains no protection against racial vote dilution, and recent challenges to racially dilutive voting systems in Federalsburg and Baltimore County underscore the crucial need for these kinds of protections in our state. SB 255 builds on the protections provided in the federal VRA by implementing streamlined standards and procedures designed to both protect the freedom to vote and make this type of litigation less time-intensive and costly than litigation under the federal VRA.

In addition to protecting access to the ballot box, prohibiting vote dilution helps create a more inclusive and accountable democracy. When voters of color are systematically prevented from electing their preferred candidates, entire communities are left without a voice in decisions that directly impact their lives. Combatting vote dilution is a necessary step toward making the vision of a government that is truly of, by, and for the people a reality.

SB 255 strengthens Maryland’s democratic institutions, honors the legacy of the federal Voting Rights Act, and helps ensure that every eligible voter has the equal opportunity to participate in choosing who represents them within their local government. Strong protections against vote dilution will help ensure no eligible voter in Maryland is left behind at the ballot box. For these reasons, we urge a favorable report on SB 255.

# **SB 255 - Voting Rights Act of 2025 – Counties and**

Uploaded by: Morgan Drayton

Position: FAV

January 27, 2026

**Testimony on SB 255**  
**Voting Rights Act of 2025 – Counties and Municipalities**  
**Education, Energy, and the Environment**

**Position:** Favorable

Common Cause Maryland supports SB 255, which codifies a new prohibition against vote dilution into Maryland state law. The protections provided in this bill are essential to ensure that all Marylanders, particularly those from historically disenfranchised communities, have an equal opportunity to elect the representatives of their choice.

For over sixty years, the federal Voting Rights Act (VRA) of 1965 served as the nation’s most effective tool for tackling discriminatory voting practices. At its height, Section 2 of the federal VRA addressed the long history of discrimination in voting by prohibiting racial vote dilution and voter suppression. However, federal courts, including the U.S. Supreme Court, have severely limited the federal VRA’s protections through cases like *Shelby County v. Holder* (2013) and *Brnovich v. DNC* (2021).

Meanwhile, the federal government is not only failing to protect against intimidation and discrimination in our voting processes but is instead actively advancing anti-voter policies. At a time when federal voting rights protections have been weakened and enforcement has become increasingly uncertain, Maryland legislators have both the authority and the responsibility to safeguard fair and equal access to the ballot in our state.

Maryland has a generally progressive reputation nationally. However, Maryland law currently contains no protection against racial vote dilution, and recent challenges to racially dilutive voting systems in Federalsburg and Baltimore County underscore the crucial need for these kinds of protections in our state. SB 255 builds on the protections provided in the federal VRA by implementing streamlined standards and procedures designed to both protect the freedom to vote and make this type of litigation less time-intensive and costly than litigation under the federal VRA.

In addition to protecting access to the ballot box, prohibiting vote dilution helps create a more inclusive and accountable democracy. When voters of color are systematically prevented from electing their preferred candidates, entire communities are left without a voice in decisions that directly impact their lives. Combatting vote dilution is a necessary step toward making the vision of a government that is truly of, by, and for the people a reality.

SB 255 strengthens Maryland’s democratic institutions, honors the legacy of the federal Voting Rights Act, and helps ensure that every eligible voter has the equal opportunity to participate in choosing who represents them within their local government. Strong protections against vote dilution will help ensure no eligible voter in Maryland is left behind at the ballot box. For these reasons, we urge a favorable report on SB 255.

# **LK\_SB 255 Voting Rights Act of 2026 - Dilution.pdf**

Uploaded by: Nikki Tyree

Position: FAV



**TESTIMONY THE SENATE EDUCATION ENERGY AND ENVIRONMENT  
COMMITTEE**

**SB 255 Voting Rights Act of 2026 – Counties and Municipal Corporations**

**POSITION: Favorable**

**By: Linda Kohn, President**

**Date: January 27, 2026**

The League of Women Voters was founded on the concept that voter participation is the essential element of a successful democracy. LWVMD has worked for over 100 years to ensure the right to vote for every citizen at all levels of government. SB 255 seeks to protect Marylanders from the devastating effects of the continuing gutting of the 1965 Voting Rights Act, as well as to address the damage caused by voter dilution.

SB 255 seeks to address critical issues that Maryland has been facing regarding racial vote dilution. This would allow communities that believe that they are being unfairly split at the local level to seek remedies and ultimately vote for a person who they believe represents them. For example, in Baltimore County, this was mainly seen in 2022 when, even though the ability was there, it took a lawsuit and public pressure for the county to recognize that it was purposefully diluting the voting power of the Black community by not drawing a map with two minority-majority districts. SB 255 would provide guidance not only on avoiding it but also on remedying it should it occur again, as the League suspects it will in other parts of Maryland.

This legislation would also give local governments the opportunity to reexamine their power structures to ensure that they are not outdated and accurately reflect the current, or soon to be, population of their districts. While this could mean ending such structures like member-at-large districts it would also usher in a new era where every vote is equal.

Furthermore, SB 255 would give litigators the guidance they need to sue if issues arise again regarding vote dilution. According to the attorneys who represented several Maryland organizations during the Baltimore County redistricting fight, although it was obvious that the maps still did not comply with the federal Voting Rights Act, there was no legal precedent to secure a remedy.<sup>1</sup> SB 255 would give guidance not only to those suing but also to the courts on how a violation must be rectified.

LWVMD urges a favorable report on SB 255 with the additional amendments.

<sup>1</sup>

<https://marylandmatters.org/2022/03/10/in-baltimore-county-redistricting-case-plaintiffs-say-new-council-map-doesnt-comply-with-voting-rights-act/>

# **Testimony in support of SB0255 - Voting Rights Act**

Uploaded by: Richard KAP Kaplowitz

Position: FAV

01/27/2026

Richard Keith Kaplowitz  
Frederick, MD 21703

**TESTIMONY ON SB#/0255- POSITION: FAVORABLE**

**Voting Rights Act of 2026 - Counties and Municipal Corporations**

**TO:** Chair Feldman, Vice Chair Kagan, and members of the Education, Energy and the Environment Committee

**FROM:** Richard Keith Kaplowitz

My name is Richard Keith Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of SB#/0255, **Voting Rights Act of 2026 - Counties and Municipal Corporations**

This bill is submitted to protect voting rights of protected classes in Maryland from the significant threat to the Voting Rights Act of 1965 from the current United States Supreme Court. In their report on the issue by NPR “60 years later, Voting Rights Act protections for minority voters face new threats”<sup>1</sup>

At a time when the Justice Department under the Trump administration has [backed off from voting rights lawsuits](#) the department had brought when former President Joe Biden was in office, the prospect of voters of color no longer being allowed to bring their own cases has supporters of the Voting Rights Act concerned about the law's survival.

Maryland needs to ensure that, if the Supreme Court buys a novel argument being made to overturn this protection, that Maryland will continue to protect voter rights for all currently covered groups under the existing act. It will accomplish this by prohibiting the imposition or application of a method for electing the governing body of a county or municipal corporation that impairs the ability of members of a protected class to elect candidates of the members' choice or influence the outcome of an election by diluting or abridging the rights of voters who are members of a protected class. The NPR report declares “Given *Shelby County* and what this decision could potentially do, there won't be much left for the Voting Rights Act — words on a page.”<sup>2</sup>

**I respectfully urge this committee to return a favorable report on SB#/0255.**

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<sup>1</sup> <https://www.npr.org/2025/08/06/nx-s1-5482864/scotus-voting-rights-act-8th-circuit-vra>

<sup>2</sup> *ibid*

**SB255\_MDSierraClub\_fav 27Jan2026.pdf**

Uploaded by: Richard Norling

Position: FAV



P.O. Box 278  
Riverdale, MD 20738

**Committee:** Education, Energy, and the Environment  
**Testimony on:** SB 255 Voting Rights Act of 2026 – Counties and Municipal Corporations  
**Position:** Favorable  
**Hearing Date:** January 27, 2026

The Maryland Chapter of the Sierra Club urges a favorable report on SB 255. The bill will add protection in Maryland law to prevent dilution of the votes of citizens who are in racial, color, or language minority groups.

The Sierra Club and its members care about both the natural and human environments, including ending racial and social injustice. As a grassroots environmental advocacy group, the Sierra Club firmly believes that all eligible voters should have an equal opportunity to participate effectively, without being subjected to procedures or systems that suppress or dilute their votes.

The federal Voting Rights Act, passed in 1965, included significant provisions to prevent suppression or dilution of the votes of citizens who are in racial, color, or language minority groups. Unfortunately, some of those provisions have been weakened by Supreme Court decisions in recent years, the current national administration is reducing enforcement, and the Congress is considering legislation that will undermine the progress made under the 1965 Act.

One way votes of a substantial minority group can sometimes be diluted is when members of a county or municipal legislative body are required to live in and represent districts, but all voters in the county or municipality are allowed to vote for all the district members. This was determined recently by federal courts to be diluting Black citizens' votes in the Town of Federalsburg on Maryland's Eastern Shore; the remedy was to change to having town council members who represent a specific district be elected by just the voters within their district instead of by all voters in the town.<sup>1</sup> SB 255 will ensure that protections of this sort are in Maryland as well as federal law.

The states of California, Colorado, Connecticut, Minnesota, New York, Oregon, Virginia, and Washington have worked to fill the current and anticipated gaps in federal Voting Rights Act protection by passing their own state voting rights laws. This bill gives Maryland the opportunity to provide similar protections to its citizens.

For those reasons, we urge a favorable report on SB 255.

Rich Norling  
Chair, Voting Rights Committee  
[Rich.Norling@MDSierra.org](mailto:Rich.Norling@MDSierra.org)

Josh Tulkin  
Chapter Director  
[Josh.Tulkin@MDSierra.org](mailto:Josh.Tulkin@MDSierra.org)

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<sup>1</sup> <https://www.washingtonpost.com/dc-md-va/2024/04/04/federalsburg-lawsuit-voting-rights-naacp-apology/>

# **Senate Testimony January 27 2026.pdf**

Uploaded by: Rose Frederick

Position: FAV

**SB 255/ HB 0350**

**Voting Rights Act of 2026 – Counties and Municipal Corporations**

**Education, Energy, and the Environment Committee**

**Position: Favorable**

Madam Chair, Mr. Vice Chair, and members,

St. Mary's County NAACP

The St. Mary's County NAACP strongly urges the Committee to pass SB255 to enact protections against racial vote dilution in Maryland. Racial vote dilution happens when electoral practices, such as at-large elections or unfair district maps, weaken the voting strength of voters of color, effectively denying them and their communities' meaningful political participation. The protections outlined in SB 255 are essential to ensuring that all Marylanders, including St. Mary's County with an historically disenfranchised community, have the equal opportunity to elect representatives of their choice.

The current St. Mary's County Elections system for County Commissioner silences individual voices of the four commissioner districts with the county and replaces the voices with those of the majority party which disenfranchises St. Mary's County Communities. This is undemocratic and leave voters unrepresented in the local government within each election cycle.

When commissioners obtain votes from the whole county, parts of the county are neglected.

The current system violates the spirit of the Voting Rights Act (VRA) of 1965, Section 2 of the federal VRA which addresses the long history of discrimination in voting by voter suppression and Section 5 of the federal VRA which stopped discriminatory practices. The General Assembly can make a change now.

Voters in St. Mary's County, Oakville (District 3) and Lexington Park (District 4) are disenfranchised because the elected commissioners are not concerned with those districts needs which leaves the districts underrepresented. If officials are elected to represent their districts and not the entire County, it would make for a truer democratic representation for each St. Mary's County District. District needs, experiences and voices would be heard of which the current system of being elected by an entire county prevents and district voters can hold their commissioner accountable at the ballot box.

I ran for County Commissioner in 2018, and it was an unsuccessful campaign because of the current flawed system of being elected by the entire county. My district is now underrepresented because the elected commissioner is interested in other areas of the county and not the district he represents. My district is unable to vote the representatives out due to The Flawed System. You can change this flawed system now. In closing, I am asking for a favorable report.

# **SB 255 - Voting Rights Act of 2026.pdf**

Uploaded by: Tatiana Santos

Position: FAV

January 23, 2026

**Voting Rights Act of 2026 – Counties and Municipal Corporations  
Education, Energy, and the Environment Committee**

**Position: Favorable**

My name is Tatiana Santos and I am a resident of Frederick, a community organizer with the Indivisible Maryland Coalition, and a democracy defender.

I strongly urge the Committee to pass SB 255 to enact protections against racial vote dilution in Maryland. Racial vote dilution happens when electoral practices, such as at-large elections or unfair district maps, weaken the voting strength of voters of color, effectively denying them and their communities meaningful political participation. The protections outlined in SB 255 are essential to ensuring that all Marylanders, particularly those from historically disenfranchised communities, have the equal opportunity to elect representatives of their choice.

For over sixty years, the federal Voting Rights Act (VRA) of 1965 served as the nation's most effective tool for tackling discriminatory voting practices. At its height, Section 2 of the federal VRA addressed the long history of discrimination in voting by prohibiting racial vote dilution and voter suppression and Section 5 of the federal VRA stopped discriminatory practices before they occurred through preclearance. However, federal courts, including the U.S. Supreme Court, have severely limited the federal VRA's protections through cases like *Shelby County v. Holder* (2013), which gutted the coverage formula in the preclearance program, and *Brnovich v. DNC* (2021), which made it difficult—if not impossible—to challenge discriminatory voter suppression. And, now Section 2's applicability to the redistricting process and meaningful representation for communities of color is under threat in *Louisiana v. Callais* (2025).

Meanwhile, the federal government is not only failing to protect against intimidation and discrimination in our voting processes, but is actively advancing anti-voter policies. At a time when federal voting rights protections have been weakened and enforcement has become increasingly uncertain, Maryland legislators have both the authority and the responsibility to safeguard fair and equal access to the ballot.

As a resident of Frederick County, I am deeply concerned about intimidation practices that will occur in the upcoming election. We have several conservative candidates who are unafraid to conduct illegal practices at the voting locations. If voters are stripped from having any recourse, it weakens our ability to continue participating in this 250-year democratic experiment.

SB 255 meets this perilous moment by building on the protections provided in the federal VRA with streamlined standards and procedures designed to both protect the freedom to vote and to make this type of litigation less time-intensive and costly than similar litigation under the federal VRA. Maryland law currently contains no protection against racial vote dilution, and recent challenges to racially dilutive

voting systems in Federalsburg and Baltimore County underscore the crucial need for these kinds of protections in our state.

Combatting vote dilution is an important and necessary step towards making a vision of a government that is truly of, by, and for the people a reality. When voters of color are systematically prevented from electing the candidates of their choice, entire communities are left without a voice in decisions that directly impact their lives. Simply put, prohibiting vote dilution helps create a more inclusive and accountable democracy.

SB 255 strengthens Maryland's democratic institutions, honors the legacy of the federal Voting Rights Act, and helps ensure that every eligible voter has an equal opportunity to participate in choosing who represents them within their local government. For these reasons, I respectfully urge a favorable report on SB 255.

# **SB 255 - Voting Rights Act of 2026.pdf**

Uploaded by: Tatiana Santos

Position: FAV

January 23, 2026

**Voting Rights Act of 2026 – Counties and Municipal Corporations  
Education, Energy, and the Environment Committee**

**Position: Favorable**

My name is Tatiana Santos and I am a resident of Frederick, a community organizer with the Indivisible Maryland Coalition, and a democracy defender.

I strongly urge the Committee to pass SB 255 to enact protections against racial vote dilution in Maryland. Racial vote dilution happens when electoral practices, such as at-large elections or unfair district maps, weaken the voting strength of voters of color, effectively denying them and their communities meaningful political participation. The protections outlined in SB 255 are essential to ensuring that all Marylanders, particularly those from historically disenfranchised communities, have the equal opportunity to elect representatives of their choice.

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Meanwhile, the federal government is not only failing to protect against intimidation and discrimination in our voting processes, but is actively advancing anti-voter policies. At a time when federal voting rights protections have been weakened and enforcement has become increasingly uncertain, Maryland legislators have both the authority and the responsibility to safeguard fair and equal access to the ballot.

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SB 255 meets this perilous moment by building on the protections provided in the federal VRA with streamlined standards and procedures designed to both protect the freedom to vote and to make this type of litigation less time-intensive and costly than similar litigation under the federal VRA. Maryland law currently contains no protection against racial vote dilution, and recent challenges to racially dilutive

voting systems in Federalsburg and Baltimore County underscore the crucial need for these kinds of protections in our state.

Combatting vote dilution is an important and necessary step towards making a vision of a government that is truly of, by, and for the people a reality. When voters of color are systematically prevented from electing the candidates of their choice, entire communities are left without a voice in decisions that directly impact their lives. Simply put, prohibiting vote dilution helps create a more inclusive and accountable democracy.

SB 255 strengthens Maryland's democratic institutions, honors the legacy of the federal Voting Rights Act, and helps ensure that every eligible voter has an equal opportunity to participate in choosing who represents them within their local government. For these reasons, I respectfully urge a favorable report on SB 255.

**SB0255\_VRA\_FAV\_OFJ\_TrinaSelden (1).pdf**

Uploaded by: Trina Selden

Position: FAV



**TESTIMONY IN SUPPORT OF SENATE BILL 255**

**Voting Rights Act OF 2026 - SB 255/ HB 350**

TO: Senator Charles E. Sydnor, III, Chair, and members of the Education, Energy, and Environment Committee

FROM: **Trina Selden**, Founder and Executive Director, Out For Justice

DATE: January 23, 2026

My name is Trina Selden, and I am the Founder and Executive Director of Out for Justice, an organization dedicated to dismantling barriers to reentry and advocating for the rights and full civic participation of justice-impacted individuals and communities across Maryland.

I am here today to express strong support for SB 255 / HB 350, the Voting Rights Act of 2026, a bill that will prohibit election systems at the county and municipal level that dilute the political power of voters based on race, color, or language minority status.

SB 255 / HB 350 is important because it directly addresses racial vote dilution—a practice in which an electoral system impairs the ability of members of a protected class to elect candidates of their choice or meaningfully influence election outcomes. Under this bill, jurisdictions may not impose or apply a method of election that weakens the voting strength of people in protected classes. The bill defines a “protected class” to include persons based on race, color, or membership in a language minority group, and it provides tools to challenge discriminatory systems in court.

This legislation fills a critical gap in Maryland law. Unlike the federal Voting Rights Act, which has been weakened over time by court decisions, Maryland currently has no clear statewide protection against election methods that dilute the votes of communities of color at the local level. SB 255 / HB 350 would change that by creating a clear, state-level standard to protect all voters from discriminatory electoral systems.

As someone who has lived through the consequences of exclusion from full civic participation—including being denied the right to register to vote after completing probation—I understand firsthand how deeply disenfranchisement harms not just individuals but entire communities\*\*. It sends the message that some voices matter less than others. When electoral systems continue to weaken the power of voters of color, the promise of equal representation is denied. This impacts decisions about schools, policing, housing, and community investment—issues that touch every family and neighborhood.

SB 255 / HB 350 would empower courts to evaluate when voting patterns show polarized voting and whether existing election methods dilute the voting strength of protected groups. It authorizes not only the Attorney General but also private citizens or groups to bring actions to



enforce these protections, and it directs courts to consider remedies that can correct discriminatory systems.

Protecting voting rights is essential to ending cycles of exclusion and reintegration barriers after justice involvement. For many people returning home from incarceration, voting is more than a civic act—it is a powerful affirmation of belonging, agency, and dignity. Ensuring that everyone has an equal opportunity to elect representatives of their choice strengthens faith in our democracy and improves civic participation.

For these reasons, I respectfully urge this Committee to issue a favorable report on SB 255 / HB 350 and support its passage. This bill will make Maryland a fairer, more inclusive democracy—one in which every eligible voter truly counts.

Thank you

Sincerely,  
Trina Selden  
Founder and Executive Director  
Out For Justice

# Senate Bill 255 - LBCMD Priority Bill.pdf

Uploaded by: Ufuoma Agarín

Position: FAV



# LEGISLATIVE BLACK CAUCUS OF MARYLAND, INC.

The Maryland House of Delegates, 6 Bladen Street, Room 300, Annapolis, Maryland 21401  
410-841-3185 • 800-492-7122 Ext. 3185 • Black.Caucus@house.state.md.us

January 27, 2026

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Delegate Malcolm P. Ruff, District 41  
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Chair Brian Feldman

Education, Energy, and the Environment Committee

2 West Miller Senate Office Building

Annapolis, Maryland 21401

Dear Chair Feldman and Members of the Committee,

**The Legislative Black Caucus of Maryland offers its strong and favorable support for Senate Bill 255 - Voting Rights Act of 2026 - Counties and Municipal Corporations.** The bill prevents counties and municipal corporations from using discriminatory electoral systems that hamper individuals in protected classes from fairly electing candidates of their choice. Senate Bill 255 is essential as it protects minority voters by prohibiting election practices that reduce their voting power and influence in the electoral results. **This bill is a 2026 legislative priority for the Black Caucus.**

The Legislative Black Caucus of Maryland believes that SB 255 will help eliminate unjust electoral systems that disproportionately impact minority communities. It is critical within our communities to prevent polarized voting in local elections to ensure fair participating and representation. SB 255 would broaden the goal of preventing voter discrimination and the safeguarding of voters rights. This goal is extremely important as there have been multiple documented instances of voter discrimination in our elections. Federal court found that Baltimore County conducted a racially discriminatory redistricting map that forced the county to create a map that complied with the federal Voting Rights Act. Senate Bill 255 empowers protected classes to exercise their voter power and create influential change within election outcomes.

Additionally, SB 255 supports minorities regaining their voice through equal participation and fair representation, which has been an issue in recent years. In Wicomico County, there was a lawsuit that alleged an at-large voting system denied Black voters equal participation in the political process by creating a more equitable map and system, Senate Bill 255 directly acknowledges there have been practices that negatively impacted minority communities and distorted election outcomes. The bill promotes integrity, accessibility, and updating electoral protocols for effective representation of minority communities. The passage of this bill will strengthen the trust in the electoral process and reaffirm the faith in Black Marylanders that the system represents them fairly.

**For these reasons, the Legislative Black Caucus of Maryland strongly supports Senate Bill 255.**

Legislative Black Caucus of Maryland

# **Deb Otis Maryland VRA Testimony\_SB 0255\_Senate Com**

Uploaded by: Yates Wilburn

Position: FAV

Testimony from:  
Deb Otis

**In SUPPORT of** SB 0255  
January 27, 2026  
Maryland Senate Education, Energy, and Environment Committee

Dear Chair Feldman, Vice Chair Kagan, and Members of the Committee,

I am writing to express FairVote Action's support for SB 0255, the Maryland Voting Rights Act (VRA). FairVote Action is a national nonpartisan organization that researches and advocates for reforms that improve our elections.

This landmark legislation would address discrimination against voters of color in Maryland and position Maryland as a national leader on protecting the right to vote.

With a U.S. Supreme Court that seems intent on eliminating many federal voting rights protections, the passage of state-level Voting Rights Acts is the most effective tool to protect and promote the franchise of all Americans. Since California passed the first state Voting Rights Act in 2001, New York, Connecticut, Washington, Virginia, Oregon, Colorado, and Minnesota have passed their own state VRA legislation too.

In every state, discriminatory barriers to equal participation still exist for voters of color, particularly at the local level. The Maryland VRA would go above and beyond the protections provided by federal law and ensure that all voters have an equal opportunity to participate in the political process.

The Maryland VRA builds on the most impactful provisions of other states' Voting Rights Acts, and creates some of the strongest voting rights protections in the country by prohibiting vote dilution with streamlined standards and procedures designed to protect the freedom to vote and make litigation less time-intensive and costly than under the federal VRA. Recent litigation in Federalsburg and Baltimore County underscore the crucial need for these protections in our state.

FairVote Action is available to answer any other questions from the committee or provide additional data. You can reach me at dotis@fairvoteaction.org and my FairVote Action colleagues at info@fairvoteaction.org.

Thank you for the opportunity to testify.

Sincerely,



Director of Policy and Research at FairVote Action

**AMD Written testimony 2026 SB 255.pdf**

Uploaded by: Anne Marie Dailey

Position: FWA

January 27, 2026

SB 255 Voting Rights Act of 2026 - Counties and Municipal Corporations

Education, Energy, and the Environment Committee

Position: Favorable with Amendments

Esteemed members of the Senate Education, Energy, and the Environment Committee,

I am writing in support of the Voting Rights Act of 2026 - Counties and Municipal Corporations.

This legislation would bolster the rights of Maryland voters that have been enshrined on a federal level and now are under assault. It is critical that the state move quickly to ensure that voting rights are fully protected across the state at the county and local municipal level. I vote in every primary and general election. It's important to me that all voices are heard in our democracy..

The area of my concern lies in the practice across several counties in the Southern Maryland region of at-large (county-wide) voting for district seats. In St Mary's County, where I live and raise my family, the elected offices of the county commissioners and school board are all voted on at-large even though there are four districts in which the candidates must live. This is vote dilution pure and simple. Voters should have the ability to directly pick their own representation. In St. Mary's County in particular, there are definitely one and maybe two districts that would likely elect a different candidate if only the votes from that district counted. These two districts have a much higher percentage of people of color and of poverty than the county as a whole. With this practice, potential candidates are discouraged from running because they don't think they can win, and this has been proven out with election results. It also discourages voting since voters feel their candidate doesn't have a chance anyway or isn't even on the ballot. Ending the practice of at-large voting for districted offices would be an important step towards fair representation for protected classes.

**Therefore, my encouragement to the committee is to amend to improve upon the solid foundation of the Voting Rights Act of 2026 and ensure that Counties and Municipalities across Maryland are able to vote by district.**

Thank you for all you do.

Sincerely,

Anne Marie Dailey

California, MD (St. Mary's County)

703-517-1978

[daileyam@gmail.com](mailto:daileyam@gmail.com)

# **SB255 Voting Rights Favorable w amendments RHance**

Uploaded by: Rosa Hance

Position: FWA

**January 27, 2026**

**SB 255 Voting Rights Act of 2026 - Counties and Municipal Corporations**

**Education, Energy, and the Environment Committee**

**Position: Favorable with Amendments**

Esteemed members of the Senate Education, Energy, and the Environment Committee,

I write today in support of the Voting Rights Act of 2026 - Counties and Municipal Corporations.

As written this legislation would bolster voter's rights that have been enshrined on a federal level and now are under assault, it is critical that the state move swiftly to ensure that voting rights are fully protected across the state at the county and local municipal level. I am a proud voter at every primary and general election. It's important to me that all voices are heard in our democracy and that voter dilution is addressed.

The area of my concern lies in the common practice across several counties in the Southern Maryland region. In St Mary's County, where I raise my family and own a business, the elected offices of the county commissioners and school board are all voted at-large even though there are four districts in which the candidates must live. While it is logical that the President of the County Commissioner may be elected at-large, the practice of at-large voting for district seats is a problem. It is difficult for voters to assess, difficult for the candidates to canvas, and ultimately lead to homogenous majority votes. Ending the practice of at-large voting for districted offices would be an important step towards ending common practices that leave protected classes underrepresented.

**Therefore, my encouragement to the committee is to amend to improve upon the solid foundation of the Voting Rights Act of 2026 and ensure that Counties and Municipalities across Maryland are able to vote by district.**

Please do not hesitate to reach out with questions. Thank you for all you do.

Sincerely,

*Rosa E. P. Hance*

Rosa E. P. Hance

[rephancemd@gmail.com](mailto:rephancemd@gmail.com)

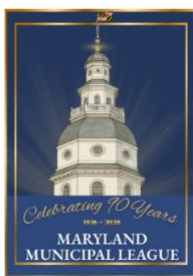
240-808-4233

Great Mills, Maryland

**SB 255 - MML - UNFAV.pdf**

Uploaded by: Angelica Bailey Thupari

Position: UNF



## TESTIMONY

**COMMITTEE:** Senate Education, Energy, and the Environment

**DATE:** January 27, 2026

**POSITION:** Unfavorable

**BILL:** SB 255

The Maryland Municipal League (MML) respectfully opposes Senate Bill 255, which undermines local control, creates legal and administrative burdens, and forces changes to election systems that local governments may not be ready to implement. MML strongly supports the protection of voting rights; however, this bill is an unworkable overreach for the following reasons:

**Increased Legal Risk and Costs.** The bill opens municipalities up to lawsuits if the election system is found to be discriminatory. The process for defending against such claims could be expensive and time-consuming. Further, the amended provision that allows the Attorney General or private individuals to bring lawsuits against municipalities could increase the frequency of legal challenges, generating additional financial and administrative burdens.

**Local Control Over Election Methods.** The bill limits a municipality's ability to independently choose its own election methods. It requires local governments to agree to changes, which may restrict their flexibility in determining what works best for their specific communities. Further, the bill mandates that courts consider proposed remedies but doesn't give deference to local solutions. Municipalities have the unique knowledge necessary to resolve issues internally rather than having courts impose state-driven remedies, which might not always align with local needs or preferences.

In conclusion, this bill is as an overreach of state power, as it gives courts and the Attorney General significant influence over local elections. With respect, our members are concerned that the state does not fully appreciate local context and needs when making decisions about election procedures.

For these reasons, the League respectfully requests that the Committee provide Senate Bill 255 with an unfavorable report.

For more information relating to this piece of testimony, please contact:

Angelica Bailey Thupari: Director, Advocacy and Public Policy, [angelicab@mdmunicipal.org](mailto:angelicab@mdmunicipal.org)

*There is a municipal election in every month of the year.*

# **SB0255 Voting Rights Act -2026 UNF (2).pdf**

Uploaded by: Ella Ennis

Position: UNF



Sharon Carrick and Ella Ennis,  
Legislative Co-Chairmen  
Maryland Federation of Republican Women  
PO Box 6040, Annapolis MD 21401

The Honorable Brian J. Feldman, Chairman  
And Members of the Education, Energy and Environment Committee  
Senate of Maryland, Annapolis, Maryland

RE: **SB0255** – Maryland Voting Rights Act of 2026 - **UNFAVORABLE**

Dear Chairman Feldman and Committee Members,

The 1,300 members of the Maryland Federation of Republican Women strongly **OPPOSE SB0255**  
– *Voting Rights Act of 2026 – Counties and Municipal Corporations* for the following reasons:

- Election protections are already codified in the **Federal Voting Rights Act of 1965**. SB0255 gives special preference to a “protected class” when all federal law requires that all voters must be treated equally and have an equal voice in all elections.
- SB0255 states that “the election of candidates who are members of a protected and who were elected before the filing of an action to enforce § 15.7–103(a) of this title may not preclude a finding of polarized voting that results in an unequal opportunity for a protected class to elect candidates of the members’ choice.”
  - The election of candidates from the “protected class” is clear evidence that they are not denied their opportunity to elect a candidate of their choice.
- Under SB0255, the Attorney General or any person may bring action. This allows persons or organizations who do not reside in the county or municipality to bring action to change the methods of election. It subjects the local jurisdiction to threats of costly legal action if the jurisdiction does not alter its chosen election method to favor a specific group.
- The proposed legislation’s aim is to **override county and municipal governing documents**, forcing jurisdictions to replace their legally chosen voting method with an alternative voting method with an alternative voting method that is unfamiliar to voters and often more cumbersome. Election chaos will ensue -- confused voters (some choosing not to vote) and increased wait times at the polls, especially if methods such as ranked-choice voting are imposed.

Our democracy was founded on the principle of “one-person, one-vote”. Please give an **UNFAVORABLE** Report to **SB0255**.

Sincerely,

Ella Ennis  
Legislative Chair  
(443) 295-3989

Sharon Carrick  
Legislative Chair  
(301) 464-1954

# **SB 255\_ Voting Rights Act of 2026 - Counties and**

Uploaded by: Trudy Tibbals

Position: UNF

**SB 255: Voting Rights Act of 2026 - Counties and Municipal Corporations:** Please **VOTE AGAINST** this bill.

Dear Education, Energy & the Environment Committee Chair and Members:

I am writing to express my **opposition to SB 0255 — Voting Rights Act of 2026 — Counties and Municipal Corporations.**

While the goal of preventing discrimination and ensuring fair elections is commendable, this bill raises significant concerns about **local control, legal risk, administrative burden, and unintended consequences.**

**SB 0255** would prohibit a county or municipal corporation from using any method of electing its governing body if that method “impairs the ability of members of a protected class to elect candidates of their choice or influence the outcome of an election” by diluting or abridging voting rights. However, this approach would have **several negative implications:**

**Undermines Local Autonomy and Decision-Making.** The bill imposes state-level standards on how counties and municipalities conduct their local elections, potentially limiting local elected officials’ ability to design election systems that reflect the unique needs and preferences of their communities.

**Risk of Increased Litigation and Costs.** Similar legislation in prior sessions prompted opposition from municipal associations because it could expose local governments to an influx of lawsuits. Defending against claims that a method of election is discriminatory — even when not intentional — could be costly and burdensome for local governments.

**Administrative and Legal Complexity.** Determining whether a particular election method dilutes voting power requires complex legal analysis. This could force counties and municipal corporations to overhaul their election structures to avoid litigation, even when there is no clear evidence of intentional discrimination.

**Potential Chilling Effect on Local Policy Innovation.** Local governments often experiment with alternative electoral systems to improve representation and governance. A broad prohibition tied to dilution claims may discourage such experimentation, even when such changes are supported by evidence or local voters.

Rather than imposing a one-size-fits-all mandate, efforts to protect voting rights should focus on **strengthening procedural transparency, outreach, and compliance assistance** that help counties and municipalities identify and address specific issues without undermining their authority or exposing them to onerous legal challenges.

For these reasons, I respectfully urge you to **vote against SB 0255**.

Thank you for your time and thoughtful consideration.

Sincerely,  
Trudy Tibbals