

February 26, 2025

Testimony on SB 342
Voting Rights Act of 2025 – Counties and Municipalities
Education, Energy, and the Environment

Position: Favorable with Amendments

Common Cause Maryland is in support of SB 342, which – along with the sponsor amendments – would enact the strongest possible protections against racial vote dilution at the state level. Racial vote dilution occurs when electoral practices, such as unfairly drawn district maps or discriminatory voting systems, weaken the voting power of voters of color, effectively denying them meaningful political representation. The protections provided in these bills are essential to ensuring that all Marylanders, particularly those from historically disenfranchised communities, have an equal opportunity to elect representatives of their choice.

The Voting Rights Act of 1965 was one of the most transformative civil rights laws in U.S. history. 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 in cases like *Shelby County v. Holder* (2013) and *Brnovich v. DNC* (2021). Meanwhile, the federal government is not only failing to protect against discrimination in voting but is instead advancing anti-voter policies.

Maryland has a generally progressive reputation nationally. However, many of our state’s counties and cities have a troubling history when it comes to race and voting: English literacy tests, property ownership requirements, grandfather clauses, and entitlements linked to voting are just a few examples of the legal discrimination faced by Black and Brown voters attempting to exercise their right to vote.

Despite the strides towards equality that society has made since the Civil Rights movement, the spirit of many of these discriminatory practices has been carried forward to the present day: for example, some jurisdictions still use election systems which can empower a white majority to capture most or all seats, even when there is a substantial population of Black, Indigenous, and other voters of color.

The strongest version SB 342 builds 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. Although Maryland law features important pro-voter policies, it 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.

A clear-cut example of vote dilution within our redistricting process occurred as recently as 2022. A group of Baltimore County voters joined with Common Cause Maryland, the Baltimore County branch of the NAACP, and other partners to file a federal lawsuit to challenge a racially discriminatory and unlawful redistricting plan that was approved by the Baltimore County Council in December 2021.

According to 2020 U.S. Census data, roughly 30 percent of Baltimore County residents are Black and nearly half of residents are people of color, reflecting the growing diversity within the county. Despite this, five out of seven districts in the plan the Council originally approved were majority white and a sixth had a 49.41 percent white plurality in its voting age population. This meant that an excessive number of Black voters were packed into the single majority-Black district within the county. After hearing the evidence, a Baltimore County judge filed a preliminary injunction requiring the map to be redrawn to ensure more proportional representation for the county's Black residents. A prohibition against vote dilution will help prevent issues like this from becoming law, saving both voters and local governments time and money spent on costly litigation.

We know that when voters of color are systemically prevented from electing their preferred candidates, entire communities – our friends and neighbors – are left without a voice in decisions that will directly impact their lives. Combatting vote dilution at the state level is a very necessary step towards a more inclusive, representative state government that is truly by and for the people.

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. Indeed, more than three-quarters of Maryland voters (77%) [support](#) protections against racial vote dilution.

Protections against vote dilution, along with the rest of the Maryland Voting Rights Act package, 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 342.