

# DON WILLETT ON VOTING RIGHTS

## Highlights:

- Don Willett defended Texas from claims of Voting Rights Act violations.
  - While working in the Texas attorney general's office, Willett drafted a brief asking the U.S. Supreme Court to dismiss a complaint filed by 11 Texas state senators who alleged the voting rights act had been violated.
  - Willett assisted in trial preparations to challenge the Texas congressional redistricting plan.

## Willett Defended Texas From Claims of Voting Rights Act Violations

### WHILE WORKING IN THE TEXAS ATTORNEY GENERAL'S OFFICE, WILLETT ASKED THE U.S. SUPREME COURT TO DISMISS A COMPLAINT ALLEGING THE VOTING RIGHTS ACT HAD BEEN VIOLATED

#### **While Working In The Texas Attorney General's Office, Willett Drafted A Brief Asking The U.S. Supreme Court To Dismiss A Complaint Filed By 11 Texas State Senators Who Alleged The Voting Rights Act Had Been Violated.**

According to the Leadership Conference on Civil and Human Rights, "When he worked in the Texas Attorney General's office from 2003-2005, Mr. Willett participated in two voting rights cases in which he defended Texas from claims of Voting Rights Act violations. In *Barrientos v. Texas*, he drafted a brief asking the U.S. Supreme Court to affirm a lower court decision that dismissed a complaint filed by 11 state senators who alleged that the Voting Rights Act had been violated when the Texas legislature passed a second congressional redistricting plan after the 2000 Census. The Supreme Court did affirm the lower court." [Leadership Conference on Civil and Human Rights, [11/14/17](#)]

#### **Barrientos v. Texas Was Brought On By 11 Texas State Senators Against The State Of Texas, Its Governor, And Lieutenant Governor, For Violating The Voting Rights Act**

**Barrientos v. Texas Was Brought On By 11 Texas State Senators Against The State Of Texas, Its Governor, And Lieutenant Governor, For Violating The Voting Rights Act.** According to Casemine, "Barrientos v. Texas [...] The action was brought by eleven Texas State Senators against: the State of Texas, its Governor, and Lieutenant Governor, seeking declaratory and injunctive relief under subsection 2 and 5 of the Voting Rights Act ('the Act'). The complaint primarily attacks two events: first, the decision by the state legislature to consider congressional redistricting legislation this year, notwithstanding that a redistricting plan has already been implemented this decade; second, the declaration by the Lieutenant Governor that redistricting legislation would be considered in a special session without adhering to the so-called '1/3<sup>rd</sup> Rule.'" [Casemine, accessed [6/26/24](#)]

#### **The Motion To Dismiss Claims Under The Voting Rights Act Was Granted By the Supreme Court**

**The Motion To Dismiss Claims Under The Voting Rights Act Was Granted By the Supreme Court.** According to Casemine, "The motion to dismiss claims under the Voting Rights Act is GRANTED." [Casemine, accessed [6/26/24](#)]

#### **The Supreme Court Dismissed Claims That The First, Fourteenth And Fifteenth Amendments Were Violated**

**The Supreme Court Dismissed Claims That The First, Fourteenth And Fifteenth Amendments Were Violated.** According to Casemine, "We also DISMISS claims under 42 U.S.C 1983 insofar as Plaintiffs claim that the State's decision consider redistricting legislation and the failure to adhere to the '2/3<sup>rd</sup> Rule' violate the First, Fourteenth, and Fifteenth Amendments to the United States Constitution." [Casemine, accessed [6/26/24](#)]

### WILLETT DEFENDED A TEXAS REDISTRICTING PLAN THE SUPREME COURT FOUND TO HAVE VIOLATED THE VOTING RIGHTS ACT

**Willett Assisted In Trial Preparations To Challenge The Texas Congressional Redistricting Plan.** According to the Leadership Conference on Civil and Human Rights, “In *Session v. Perry*, Mr. Willett assisted with trial preparation in another challenge to the Texas congressional redistricting plan. In this case, the Supreme Court struck down one of the congressional districts because it diluted Latino voting power and violated the Voting Rights Act, but Mr. Willett had left the office by then and did not work on the Supreme Court briefing.” [Leadership Conference on Civil and Human Rights, [11/14/17](#)]

### **The U.S. Supreme Court Ruled That The Texas Legislatures Redistricting Plan Did Not Violate The Constitution**

**The U.S. Supreme Court Ruled That The Texas Legislatures Redistricting Plan Did Not Violate The Constitution.** According to Oyez, “The Supreme Court held that the Texas Legislature's redistricting plan did not violate the Constitution, but that part of the plan violated the Voting Rights Act. Justice Anthony Kennedy, writing for a majority of the justices, stated that District 23 had been redrawn in such a way as to deny Latino voters as a group the opportunity to elect a candidate of their choosing, thereby violating the Voting Rights Act. Justice Kennedy also wrote, however, that nothing in the Constitution prevented the state from redrawing its electoral boundaries as many times as it wanted, so long as it did so at least once every ten years.” [Oyez, accessed [6/26/24](#)]

### **The U.S. Supreme Court Ruled That Part Of The Texas Legislatures Redistricting Plan Did Violate The Voting Rights Act**

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