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**MALDEF Files Lawsuit Against Texas Secretary of State for Baseless Investigation of Immigrants' Voting Eligibility**

(San Antonio, TX) – A group of naturalized citizens and advocacy organizations filed a lawsuit against the Texas Secretary of State for conspiring with Governor Greg Abbott and Texas Attorney General Ken Paxton to violate their Constitutional rights by improperly and baselessly questioning their eligibility to vote.

The lawsuit filed last night by MALDEF (Mexican American Legal Defense and Educational Fund) says that Texas Secretary of State David Whitley singled out naturalized citizens for investigation and possible removal from voter rolls based solely on the fact that they were born outside the United States, in violation of their equal protection rights under the Fourteenth Amendment to the U.S. Constitution and the federal Voting Rights Act.

In an advisory to county registrars sent on Jan. 25, Whitley warned that over 95,000 non-U.S. citizens were registered to vote and thousands voted in previous elections. The next business day, his staff informed the counties that the list of suspect voters issued by his office contained erroneous information, but he did not withdraw the list or the advisory.

“Texas continues to distinguish itself through its aggressive efforts to target legitimate voters and to deter or suppress their participation,” said Thomas A. Saenz, MALDEF president and general counsel. “Targeting naturalized citizens is particularly perverse given the high level of participation in voting and civic engagement among those who chose to become United States citizens.”

Whitley’s list of suspect voters was based on information provided by the Texas Department of Public Safety about individuals who were non-citizens at the time they applied for a driver’s license or state identification.

That information, however, does not indicate whether individuals obtained citizenship after applying for a driver's license. Texas driver's licenses issued to lawful permanent residents are valid for six years, during which time many immigrants become eligible to naturalize and register to vote.

The lawsuit, filed in U.S. District Court for the Southern District of Texas, seeks an injunction requiring Whitley to refrain from targeting new citizens for voter purges and to withdraw his current list "unless and until it acquires information that the voters are currently ineligible to vote." It names Whitley, Abbott, and Paxton as defendants, along with Galveston County Tax Assessor Collector Cheryl E. Johnson, who is the voter registration official for Galveston County. Acting on Whitley's advisory, Johnson sent letters to more than 830 people questioning their eligibility to vote.

"Texas officials launched this flawed voter purge after Latino voters doubled their turnout since the last midterm elections," said Nina Perales, vice president of litigation at MALDEF. "Targeting naturalized citizens, 75 percent of whom are Latino and Asian American in Texas, is a naked attempt to strip minority voters from the rolls."

Earlier this week, MALDEF sent [letters to Texas counties](#) warning that they run the risk of lawsuits under the U.S. Constitution and federal laws if they challenge the eligibility of voters based on Whitley's claims.

In the lawsuit filed last night, MALDEF represents individual naturalized citizens living in Travis, Dallas, Harris, and Bexar counties, along with the Southwest Voter Registration Project (SVREP) and Mi Familia Vota Education Fund.

Read the lawsuit [here](#).

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*Founded in 1968, MALDEF is the nation's leading Latino legal civil rights organization. Often described as the "law firm of the Latino community," MALDEF promotes social change through advocacy, communications, community education, and litigation in the areas of education, employment, immigrant rights, and political access. For more information on MALDEF, please visit: [www.maldef.org](http://www.maldef.org).*