

Testimony on HB 4322

By: James Slattery, Senior Staff Attorney, Texas Civil Rights Project

Texas House Elections Committee, April 21, 2021

Chair Cain, Vice Chair González, and Members of the House Elections Committee,

I am testifying in opposition to HB 4322, which would impose a one size fits all rule from the Capitol here in Austin on all counties in Texas that they cannot conduct what is known as “drive through” voting. Drive through voting was a wildly popular option at some polling places last year, adopted as a vital safety measure during the pandemic, which continues to rage to this very day. It is hard enough to vote in Texas during even normal times, but it was especially difficult to vote safely in Texas during the pandemic given that the state remained “one of just six states refusing to expand mail-in voting during the coronavirus pandemic.”¹ It is unbelievable, then, that the state might adopt a bill such as this that would make voting even less safe during the very same pandemic that we are still living through, not to mention future crises.

Further, the burden of taking away drive through voting won’t fall on all voters equally. Eliminating drive through voting would disproportionately harm communities of color: TCRP conducted an analysis with Targetsmart of the voters who used drive through voting and found that drive through voting was more likely to be used by people of color than early voters as a whole. That is not surprising, given that people of color have been disproportionately more likely to be infected with the coronavirus and die from it than white Texans.² As such, taking away drive through voting would in particular have a disparate impact on people of color. We therefore urge the Committee not to vote this bill favorably.

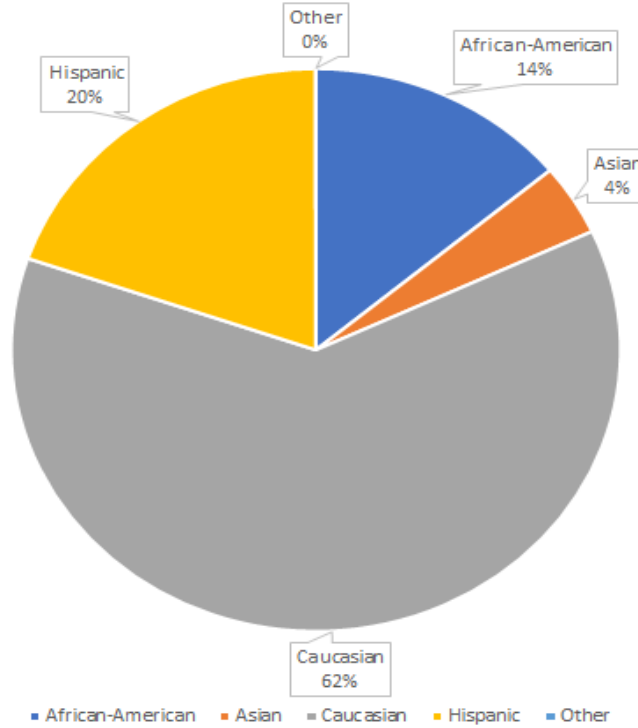
¹ Press Release, *Select Subcommittee Investigation Reveals Serious Problems In States’ Election Preparedness* (last visited Apr. 20, 2021), <https://coronavirus.house.gov/news/press-releases/select-subcommittee-investigation-reveals-serious-problems-states-election>.

² Emma Platoff and Carla Astudillo, *Across Texas and the nation, the novel coronavirus is deadlier for people of color* Texas Tribune (July 30, 2020), <https://www.texastribune.org/2020/07/30/texas-coronavirus-deaths/>.

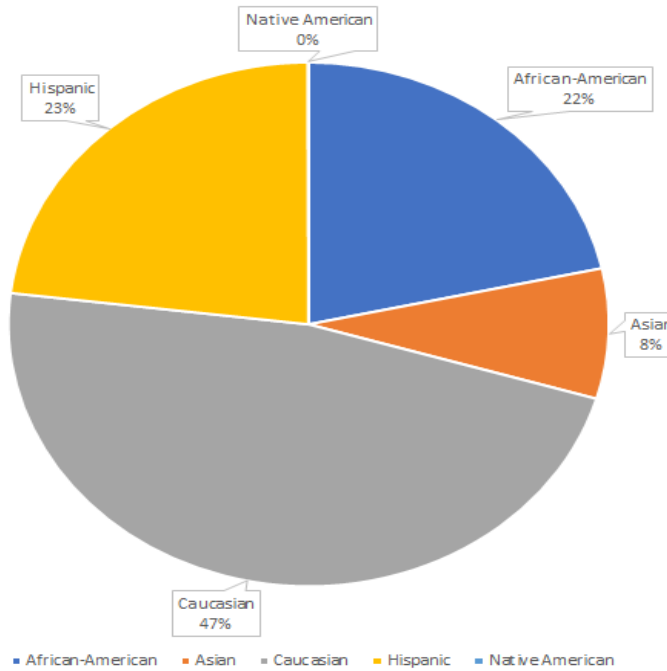


TEXAS CIVIL RIGHTS PROJECT

Estimated Demographics of All Harris County Early Voters



Estimated Demographics of Harris County Drive-thru Early Voters



Source: Harris County Early Voting Rosters; Targetsmart for race/ethnicity modeling