

Thousands of mail-in ballots rejected in Texas under restrictive voting law

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Just weeks ahead of Texas's March 1 primary elections, thousands of voters are seeing their mail-in ballot applications and filled-out ballots rejected. Early voting kicks off in the state on Monday.

In Harris County, home to heavily working class and minority Houston, some 2,700 mailed ballots received by election officials have been rejected, nearly 40 percent of the total.

In mid-January, both Travis and Tom Green counties rejected half of their mail-in ballot applications, and Bexar County rejected 325 applications.

The rate of rejection of applications and mailed-in ballots declined somewhat in recent weeks as voters and county election officials worked to update ballot information, but as more and more ballots are sent in, the number of people facing issues in the voting process will steadily increase.

The vast majority of mail-in ballot rejections relate to issues with voter ID documentation. Texas's new voting law, Senate Bill 1 (SB 1), was signed into law last year by Republican Governor Greg Abbott as part of a wave of voter suppression laws being implemented by Republican-controlled state governments across the US.

These blatantly anti-democratic measures represent the legislative side of an intensifying assault on democratic rights headed by Donald Trump and backed by the Republican Party, based on the lie that the election of Joe Biden in 2020 was the result of massive voter fraud. It is accompanied by the mobilization of far-right and fascist forces and the defense of the attempted coup of January 6, 2021.

Texas already had one of the most restrictive mail-in ballot procedures of any state in the country. Only those who are 65 and older, people who are sick or disabled, those in jail and those who will be out of their home county during in-person voting are eligible to vote by mail.

In 2020, in the midst of the COVID-19 pandemic, some 1 million Texans voted by mail out of 11.3 million votes cast. As in most of the country, the majority of mailed ballots favored Biden and other Democratic candidates.

SB 1 places extensive restrictions and potential criminal penalties on voters. Absentee voting is made more onerous, drop boxes for mail-in ballots and drive-through voting are banned, and early voting hours are limited. Election officials face criminal prosecution if they mail unsolicited absentee ballots to voters, or if they interfere in any way with partisan poll watchers, who are granted extra protection under the law.

A provision that bars public officials from encouraging mail-in ballot applications has been temporarily blocked by a federal judge.

In targeting voting by mail, the law requires voters to provide a driver's license number or a partial Social Security number along with their ballot application and mailed-in ballot.

The ID provided by the mail-in voter must match the ID associated with the voter's registration information. If the ID that is used is not in the voter registration database, their ballot may be rejected.

This means, for example, that a voter who initially registered decades before, using his or her then-valid driver's license, will be flagged for rejection if the driver's license number used on the mail-in ballot application or on the filled-out ballot for the current election is more recent.

Additionally, the state government does not have records of both the driver's licenses and Social Security numbers for all registered voters. As of December 20, 2021, more than 700,000 voters had only one number on file, 493,800 did not have a driver's license number, and 106,900 did not have either, according to the Secretary of State office.

There has been no serious attempt to explain the rule

changes under SB 1 to the vast majority of voters.

In one instance, Kenneth Thompson, a 95-year-old World War II veteran, saw his ballot application rejected twice because he did not include the correct identification information. It was not until he inquired with local election officials directly that he was informed of the proper procedure.

In an interview with KPRC-TV, Thompson said, “There’s gonna be a lot of people not gonna vote. If I hadn’t have called in about mine, people wouldn’t have known.”

That, of course, was the purpose of the law: to disenfranchise working class and poor voters, particularly in urban centers, such as Houston and Dallas.

For Thompson and many others, the process was made especially difficult by the fact that Texas does not allow online voter registration. This means that absentee voters must jump through hoops to amend their registration information.

These barriers have been compounded by a breakdown in communication between local election officials and state administrators. Across the state, local officials were unaware that the Texas Secretary of State’s office had been working to update its records with the driver’s licenses and Social Security numbers of voters in the state’s database. Election officials were also unaware that the state’s database would not automatically sync with their local records.

Voters are allowed to correct rejected ballots, but they must be returned correctly by Election Day in order for them to be counted. This is counter to more standard absentee ballot rules, which simply require the ballot to be postmarked by Election Day.

The upcoming March 1 primary includes the races for governor and six other statewide offices, along with contests for state legislative and congressional seats and other local positions. Primary elections in Texas historically have low turnouts, typically between 17 and 25 percent of registered voters. This ensures that the vast majority of people will not undertake to correct their registration and ballot information if required.

The Republican Party has been enabled in its attack on the right to vote by the Biden administration and the Democrats, who have capitulated to what Biden himself, in a speech last July, called “the most significant test of our democracy since the Civil War.”

More fearful of a mass movement of working class opposition from below than the threat of fascist dictatorship, Biden has repeatedly pleaded for unity with

“colleagues” who continue to seek the overthrow of the Constitution and imposition of a fascist-type dictatorship. Just two weeks ago, the Republican National Committee declared the violent siege of the U.S. Capitol a “legitimate form of political discourse.”

When SB 1 was brought to a vote last year, Texas Democrats walked out of the State House to prevent a quorum and block passage of the bill. They fled to Washington D.C., where they groveled before the White House and congressional Democrats, begging for federal intervention. This political stunt collapsed when a sufficient number of Texas Democrats returned to the state legislature to allow the vote to proceed without a fight.

While Democratic politicians attempted to portray the Texas Democrats’ act of political theater as a heroic struggle for civil rights, praising them as “freedom fighters,” Biden refused to even meet with their delegation. He made clear that his top priority was passage of the corporate-backed bipartisan infrastructure bill, which funnels over a trillion dollars to private corporations. Conducting a real fight in defense of the right to vote took a back seat to securing the needed Republican votes for yet another corporate boondoggle.

Despite holding the White House, the House of Representatives and the Senate, the Democratic Party failed to secure passage of federal legislation that would to some extent counter the legislative attack on voting rights by Trump and the Republicans. Last month, the Democrats’ pretend fight on voting rights came to its predictable and ignominious end when right-wing Democratic senators Joe Manchin and Kyrsten Sinema voted with the Republicans to uphold the filibuster rule, which effectively requires a 60-vote super-majority to pass legislation.



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