Washington, DC - Last week, a federal court blocked South Carolina's request to implement an overly restrictive voter photo ID law before the upcoming election. The decision upholds the U.S. Department of Justice's reasoning that the law violates Section 5 of the Voting Rights Act by disproportionately impacting minority voters in 2012. However, the court granted preclearance to the law for future elections.

In the opinion filed by Judge Kavanaugh the court stated, "In closing, we underscore that all South Carolina state, county, and local officials must comply with Act R54 as it has been interpreted by the responsible state officials and as it has been described and adopted in this opinion. Any change in the law as so interpreted would be unlawful, without pre-clearance from the Attorney General of the United States or from this Court. We are fully aware, moreover, that what looks good on paper may fall apart in practice."

"This decision is an important victory for democracy and will help to ensure that all South Carolinians have access to the ballot box on Election Day in 2012," stated Benjamin Todd Jealous, President & CEO of the NAACP. "Politicians are on notice that erecting barriers will not be tolerated in our democracy. We will continue to monitor the law as it is enacted in 2013."

South Carolina's law limited voting eligible citizens to only five forms of photo identification to vote in person, including, a valid and current South Carolina driver's license, a DMV-issued ID, a US passport, US military ID, or South Carolina voter registration card with photograph.

According to South Carolina's own data, the law would have disproportionately impacted the state's population along racial lines in 2012. African American voters make up 8.3 percent of those who lack the necessary identification, as compared to 3.9 percent of white voters. In short, African American registered voters are twice as likely as white registered voters to lack the required IDs under the restrictive law South Carolina proposed.

"The law had the potential to disenfranchise thousands of South Carolinians during this year's election," said President Lonnie Randolph, South Carolina State Conference of the NAACP. "We have already been answering the calls of our constituency to combat these attacks from the ground up, and by empowering our voters, we are hoping to again turnout a record number of voters on Election Day."

On December 23, 2011, the DOJ issued a letter of rejection to the voter ID law under Section 5 of the Voting Rights Act, which prevents states from denying citizens the right to vote due to racial and ethnic discriminatory practices. The whole state of South Carolina has been covered under Section 5 since November 1, 1964 due to historical and continued electoral discrimination. The protections of Section 5 require states like Texas, South Carolina, and Florida, with histories of discrimination to prove that the laws that they seek to implement lack a discriminatory effect or purpose.

The U.S. District Court for the District of Columbia recently denied implementation of two of Texas' restrictive measures – a voter ID law and a statewide redistricting plan – due to the significant negative impact of these laws on minority communities. A federal court also recently rejected discriminatory cuts to early voting in Florida, citing a violation of the Voting Rights Act. An additional victory was won in Wisconsin, when a Dane County Circuit Court judge denied a

stay on the permanent injunction for Wisconsin's voter photo ID law.

"We are turning the tide in the battle for voting rights and this is another step towards protecting the franchise for all citizens," said Jotaka Eaddy, Senior Director of the Voting Rights Initiative of the NAACP. "However, as we celebrate this small victory we still must understand that the law, as written, has the potential to disenfranchise thousands of voters in future elections."

"Our voting rights are under unprecedented and systematic attack. Ideological forces have stripped away years of expanded rights with little more than a stroke of the pen," said Kim Keenan, General Counsel for the NAACP. "It has taken the protections of Section 5 of the Voting Rights Act to secure the victories in South Carolina and Texas. Yet, even as Section 5 successfully protects the vote, it has to withstand constitutional attacks. Until voting is convenient for all eligible voters, America will not live up to her promise of liberty for all."

The South Carolina State Conference of the NAACP was represented in the litigation by the NAACP Office of General Counsel, NAACP Legal Defense Fund, and Fried, Frank, Harris, Shriver and Jacobson, LLP.