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NEWS FOR IMMEDIATE RELEASE

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**AG Kaul Urges U.S. Supreme Court to Review Case Threatening
Enforcement of Voting Rights Act**

MADISON, Wis. – Attorney General Josh Kaul joined 22 other attorneys general in urging the U.S. Supreme Court to review a case preventing individuals from suing to enforce the Voting Rights Act (VRA). The amicus brief, filed in *Turtle Mountain Band of Chippewa Indians v. Howe*, defends the right of individuals to sue to enforce Section 2 of the Voting Rights Act, which prohibits racial discrimination in voting.

“The success of the Voting Rights Act has been due in part to private enforcement,” said AG Kaul. “The Supreme Court should make clear that this avenue for protecting voting rights remains in place.”

Congress enacted the VRA in 1965 to guarantee that the voting rights of Americans would not be denied or restricted based on race. Section 2 prohibits racially discriminatory policies by state and local governments. For nearly 60 years, both the U.S. Attorney General and private citizens have filed lawsuits to enforce Section 2.

In 2022, individual voters and two tribes filed a lawsuit under Section 2 of the VRA challenging North Dakota’s new legislative map. After a trial, a district court found that the map diluted Native Americans’ votes, limiting their ability to have an electoral effect. The United States Court of Appeals for the Eighth Circuit reversed this decision and, breaking with 60 years of practice, ruled that individual voters and organizations cannot sue to enforce Section 2. This ruling ended the ability of private citizens in the seven states comprising the Eighth Circuit to enforce Section 2 when faced with racial discrimination in the electoral process.

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In the amicus brief, the coalition argues that private enforcement of the VRA is essential, having served as the primary method of enforcing the VRA since its enactment, and that relying exclusively on the U.S. Attorney General to enforce Section 2 would be insufficient to protect voters from racial discrimination. Private citizens have been responsible for more than 90% of all Section 2 challenges between 1982 and 2024. The coalition argues that the U.S. Attorney General lacks the resources to monitor, investigate, and litigate voting rights violations nationwide.

Joining AG Kaul in the amicus brief are the attorneys general of Arizona, California, Colorado, Connecticut, Delaware, the District of Columbia, Hawaii, Illinois, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, North Carolina, Oregon, Rhode Island, Vermont, and Washington.