



# Legislation Restricting Rights Hurts All Americans

## WHY THIS STUDY?\*

Demographics in the United States are changing rapidly, and the 2012 presidential election was a clear illustration of the United States' movement toward a more diverse population. Forecasts indicate that by 2050, or even 2043, the United States will not only be more populous, it will also be a "majority-minority" country. These demographic shifts will have major political, socio-economic, legal, and cultural impacts on public discourse and public policy.

As certain groups—historically marginalized for their race, ethnicity/national origin, gender, sexual orientation, civic affiliation, or religious beliefs—become more visible, it is evoking a backlash from some who are eager to slow or reverse these groups' growing political and legal enfranchisement. In this infographic, the Institute for Social Policy and Understanding (ISPU) summarizes the research and documentation of state-level legislative efforts to disenfranchise historically marginalized groups.

## Methodology\*

To empirically measure the attempted disenfranchisement against these groups, and links between efforts to roll back their rights, we examined bills in all 50 U.S. state legislatures from 2011 to 2017, across seven issue areas:

**1. Voter Identification.** Any proposed state-level legislation seeking to impose voter identification requirements stricter than those under current laws. This inclusion criterion is based on the empirically-substantiated premise that voter fraud is a statistically insignificant and rarely occurring phenomenon disproportionate to the mass voter disenfranchisement that such laws often create.

**2. LGBTQ.** This includes DOMA (Defense of Marriage Act) bills seeking to define marriage as only between one man and one woman; and/or seeking to deny legal, financial, and social benefits currently extended to opposite-sex married couples to same-sex couples. For 2016 and 2017, we examined "bathroom bills," legislation preventing transgender individuals from using the restroom that matches their gender identity. In addition to reviewing all 50 state legislatures' websites, data from the National Conference of State Legislatures' was utilized.

**3. Immigration.** Although immigration enforcement is a federally regulated issue, states have increasingly sought to enact legislation facilitating the identification and detention of undocumented immigrants. Other forms of proposed legislation were also reviewed including English-only language laws, legislation barring undocumented immigrants from certain basic services such as education, and prohibitions from municipalities claiming status as a sanctuary city.

**4. Right to Work.** A Right-to-Work state is one in which employers are legally barred from making membership in a labor union a prerequisite to be employed in certain types of professional occupations. Furthermore, a Right-to-Work state legally prevents employers from deducting "fair share" payments from a worker who refuses to join their labor union.

**5. Abortion.** This includes five areas of abortion rights and access identified by the National Abortion Federation (NAF) as common state-level legislative flashpoints: abortion bans, counseling/waiting periods, parental involvement, targeted regulation of abortion providers, and others. In addition to reviewing all 50 state legislatures' websites, the report utilizes in-house datasets provided by the National Right to Life Committee.

**6. Anti-Shariah/Anti-"Foreign Law".** Anti-shariah bills are designed to target Islamic religious practices and rules termed *fiqh*, but mislabeled as shariah. Anti-"foreign law" bills have a similar intent in that they are designed to disproportionately impact Muslims, but their language is crafted more broadly. Legislative website searches were supplemented by the dataset of anti-shariah/anti-"foreign law" bills compiled by information from the Council on American-Islamic Relations (CAIR) and *Gavel to Gavel*, the National Center for State Courts' online magazine.

**7. Anti-Refugee.** In 2016, politicians in state governments introduced dozens of bills attempting to prevent lawfully admitted refugees from living in their state. According to the ACLU, some even claimed that by stopping resettlement, they would stop their state from being "Islamicized."

Anti-shariah and anti-refugee measures serve as the report's legislative vehicle to measure the broader concept of anti-Muslim legislation.

\*A list of full citations is available at [www.ispu.org](http://www.ispu.org)