# To Participate and Elect: Section 2 of the Voting Rights Act at 40 Years Codebook

The Codebook complements the Voting Rights Initiatives 2022 Section 2 dataset, available at https://voting.law.umich.edu/database. The Codebook describes the columns of the spreadsheet and the coding options available to researchers when reviewing Section 2 cases. For more information, see the Voting Rights Initiative website at https://voting.law.umich.edu, or email the Voting Rights Initiative at law-votingrightsinitiative@umich.edu.

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| Column | Column Title | Description |
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| A | Case Name | The case name of the final word opinion. |
| B | Citation | The citation of the final word opinion. |
| C | Other Citation | Other cases closely related to the final word case. |
| D | Court | The court that issued the final word opinion. Bluebook abbreviations are used. |
| E | Circuit | The circuit in which the case was filed. Only the circuit's number or two letter designation is provided. |
| F | Year | The year the final word opinion was decided. |
| G | State | The state where the case was filed. States are coded using their two-letter abbreviation. |
| H | Covered | Whether the jurisdiction being sued was was covered by Section 5 of the Voting Rights Act prior to the Supreme Court's decision in *Shelby County v. Holder*. If the jurisdiction was covered, the column was coded "Y;" otherwise, it was coded "N." |
| I | Case Type | Opinions were coded with the following types:<br>● Liability (opinions directly addressing the merits of the Section 2 claim),<br>● Preliminary (opinions deciding motions for preliminary injunctions or other pre-merits questions),<br>● Remedy (opinions explaining how to fix a previously established violation, or announcing a consent decree or settlement), or |

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| | | ● Fees (opinions on motions for attorneys fees, expert fees, or both). |
| J | Practice Challenged | The practice(s) challenged in each case were coded as follows:<br>● Reapportionment/Redistricting Plan<br>● At-large Elections<br>● Election Procedure<br>● Appointment/State Control<br>● Felon Disenfranchisement<br>● Majority Vote Requirement<br>● Other<br>A case may include multiple of the above practices. |
| K | Practice Challenged – Description | A short explanation of the practice challenged, if the practice was not obvious from other case information. |
| L | Non-Dilution Case? | If the suit involves non-dilution claims (elsewhere described as "vote denial" or "time, place, and manner" claims), the case was coded "Y" otherwise the case was coded "N." |
| M | Governing Body | The governing body or bodies that enacted the challenged practice. Values are:<br>● State<br>● County<br>● City; or<br>● School.<br>A case may include multiple of the above defendant types. |
| N | Suit Filed Subsequent to Shelby County | If the suit was filed subsequent to June 25, 2013, when *Shelby County v. Holder* was decided, the case was coded "Y" otherwise, it was coded "N." |
| O | Practice Enacted Subsequent to Shelby County | If the practice challenged in the litigation was enacted subsequent to June 25, 2013, the case was coded "Y" otherwise, it was coded "N." |
| P | Success | If the ultimate outcome of the lawsuit was that a plaintiff achieved success on the merits by proving a violation of the VRA, success was coded as "Y." Cases were also coded as "Y" for success if a positive real-world outcome could be determined from the opinions reviewed, e.g. a consent decree or a positive settlement. If there was no successful award related in some way to the Section 2 claim, the case was coded "N." |
| Q | Intent | if the court explicitly found that the defendants engaged in intentional racial discrimination under the VRA or the 14th Amendment, intent was coded as "Y." If the court explcitly found that racial |

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| | | intent was not shown, intent was coded as "N." If the court did not make an explicit determination regarding intentional discrimination, the case was left blank. |
| R | Violation | If the court explicitly found or defendants stipulated to a violation of Section 2 of the VRA, violation was coded as "Y." This factor was also coded "Y" if the final word case was a remedies case and the court previously found that such a violation occurred. If the court found that Section 2 was not violated, the case was coded "N" and if made no explicit determination, the case was left blank. |
| S | Considered *Gingles* Factors | If the court considered at least one of *Gingles* factors, this column was coded "Y." Otherwise, this column was coded "N." For all columns indicating the consideration of a Gingles or Senate Factor, consideration was defined to mean a discussion of the factor in the specific factual context of the case before the court. A mere recitation of the factors alone was not coded as consideration. |
| T<br>V<br>X | G1c - large and compact<br>G2c – cohesive<br>G3c - maj block voting | If the court considered a particular *Gingles* Factor, the corresponding column was coded "Y." Otherwise, the column was coded "N." |
| U<br>W<br>Y | G1f<br>G2f<br>G3f | If the court found a particular *Gingles* Factor to be present, the corresponding column was coded "Y." If the court found a particular *Gingles* Factor to not be present, the corresponding column was coded "N." The corresponding column is left blank if the court did not consider a particular factor or considered a particular factor but did not reach a clear holding on that factor. |
| Z | Gall | If the court found all *Gingles* Factors to be present, this column was coded "Y." If the court found at one or more *Gingles* Factors not to be present, this column was coded "N." The column is left blank if the court did not consider one or more *Gingles* Factors, or if the court did not make a clear finding on the presence of one or more *Gingles* Factors. |
| AA | Considered Senate Factors | If the court considered any Senate Factor, the corresponding column was coded "Y." Otherwise, the column was coded "N." |
| AB<br>AD<br>AF<br>AH | 1c – history<br>2c – polarized<br>3c - disc practices<br>4c – slating | If the court considered a particular Senate Factor, the corresponding column was coded "Y." Otherwise, the column was coded "N." |

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| AJ<br>AL<br>AN<br>AP<br>AR | 5c – effects<br>6c - racial appeals<br>7c - minority officials<br>8c – responsiveness<br>9c - policy justification | |
| AC<br>AE<br>AG<br>AI<br>AK<br>AM<br>AO<br>AQ<br>AS | 1f<br>2f<br>3f<br>4f<br>5f<br>6f<br>7f<br>8f<br>9f | If the court found a particular Senate Factor to be present, the corresponding column was coded "Y." If the court found a particular Senate Factor to not be present, the corresponding column was coded "N." The corresponding column is left blank if the court did not consider a particular factor or considered a particular factor but did not reach a clear holding on that factor. |
| AT<br>AU<br>AV<br>AW<br>AY | Black<br>Latino<br>American Indian<br>Asian American<br>White | The ethnicity of the plaintiffs who brought the claim. Minority groups were coded as:<br>● Black,<br>● Latino,<br>● American Indian,<br>● Asian American,<br>● White, or<br>● Coalition<br>If the specific minority group brought the challenge, the corresponding column was coded "Y" otherwise, the column was coded "N." If a single decision addressed distinct claims by two or more minority groups, all relevant minority group columns were coded as "Y." In some instances, the minority group bringing the Section Two challenge could not be determined from the opinion; in those cases, all minority group columns are marked "N." |
| AX<br>AZ | Coalition<br>If Coalition, P Groups | If members of multiple minority groups brought a single claim, as no single minority group was sufficiently numerous to sustain the suit on their own, this column was coded "Y." Otherwise, the column was coded "N." If multiple minority groups brought a single claim, those groups are listed in Column AZ.<br><br>Note that a coalition claim is different than multiple Section 2 claims brought by multiple minority group. If a minority group could sustain a Section 2 claim individually - without the participation of a second minority group - this column is marked "N," even if multiple minority groups participated in the case. This column is marked "Y" only when a multi-group coalition was necessary to sustain the Section 2 claim. |