



Texas

Racial Disparities in Paxton’s Election Integrity Unit Prosecutions

Summary:

The ACLU of Texas has examined publicly available data regarding prosecutions¹ by the Attorney General’s Election Integrity Unity under Ken Paxton.² The key findings are as follows:

- **At least 72% of these prosecutions appear to have targeted Black and Latinx individuals.³**
- **86% of the prosecutions involved offenses allegedly occurring in counties with majority non-white and Latinx populations.**
- **45% of the prosecutions appear to have targeted Black and Latinx women in particular.**

This data raises serious concerns about racial disparities in prosecutions by the Election Integrity Unit.

Data:

- Since Paxton took office, at least 72% of the Election Integrity Unit’s prosecutions appear to have been against Black and Latinx individuals.⁴

Race	Number of Prosecutions	Percentage
Latinx	60	64.5%
Black	7	7.5%
White	4	4.3%
Unknown	22	23.65%

- Under the 2018 Census estimates, Black and Latinx individuals make up only 44% of the Texas population.

¹ The vast majority of these prosecutions consist of unproven allegations, either because the case remains pending or because it was resolved without trial. Further, these accusation represent a miniscule fraction of total ballots cast and many do not even implicate actual votes.

² Ken Paxton was sworn in as Attorney General on January 5, 2015. Accordingly, we limited our review of prosecutions to those concerning elections that occurred after that date.

³ The Attorney General does not keep track the race of the defendants it prosecutes. These percentages are based on publicly available information including court dockets, newspaper reporting, and inferences regarding surnames most commonly associated with Latinx individuals.

⁴ The number is likely higher, as a significant number of the non-identifiably Black and Latinx prosecutions are cases where the researchers could not make a determination as to the likely race of the defendant.

- At least 64.5% of the Election Integrity Unit prosecutions appear to have been against Latinx individuals. Latinx individuals make up only 32.1% of the Texas population.
- Paxton’s Election Integrity Unit has disproportionately prosecuted people for offenses occurring in counties that are majority non-white and Latinx.⁵

Demographics of County	Number of Counties in Which Prosecutions Occurred⁶	Percentage of Total Counties	Number of Prosecutions Within These Counties	Percentage of Total Prosecutions
Majority non-white and Latinx	12	66.6%	80	86%
Majority white	6	33.3%	13	14%

- At least 42 out of 93 (45%) of all Election Integrity Unit prosecutions were apparently brought against Black and Latinx women.⁷ Below is the breakdown of prosecutions of women by race:

Category	Number of Women Prosecuted	Percentage of Women Prosecuted	Percentage of Total # of People Prosecuted (all genders)
Latinx Women	40	75.47%	43%
Black Women	2	3.77%	2%
White Women	2	3.77%	2%
Women with Race Unknown	9	17%	9.6%

⁵ Racial demographic information is based on the 2010 census results.

⁶ The Election Integrity Unit has prosecuted offenses that allegedly occurred in the following counties: Edwards, Medina, Hill, Dallas, Kenedy, Nueces, Frio, Starr, Harris, Tarrant, Polk, Hidalgo, Jefferson, Navarro, Gregg, Webb, Guadalupe, and Limestone. The following counties are predominantly non-white and Latinx: Edwards, Medina, Dallas, Kenedy, Nueces, Frio, Starr, Harris, Hidalgo, Jefferson, Guadalupe, Webb.

⁷ These percentages are based publicly available information including court dockets, newspaper reporting, and inferences regarding first and middle names most commonly associated with people identifying as women.