

THE LATINO ELECTORATE: Shaping Texas Politics

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ABOUT THE AUTHOR

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I. BACKGROUND: THE LATINO ELECTORATE IN TEXAS

A. Demographic Profile of Latinos in Texas

Texas is incredibly diverse, with one survey ranking the state second in diversity among all states in the country based on various racial, socioeconomic, cultural, and household metrics.¹ It also has the fastest-growing population in the nation.² In 2023, Texas’s population grew by 1.6 million people, outpacing the growth rate of every other state in the country.³ With this growing population comes an evolving electorate that represents the state’s emerging demographics. In 2023, the United States Census reported that Latinos⁴ are now the largest racial or ethnic group in Texas, totaling 11.9 million of the state’s 30.5 million residents. Latinos are also now a majority in 77 of 254 counties, including many of the state’s largest by population. According to the Latino Data Hub, however, only 6.03 million Latinos were eligible to vote in Texas in 2022.⁵

¹ Adam McCann, *Most & Least Diverse States in America*, WALLETHUB (Sept. 17, 2023), <https://wallethub.com/edu/most-least-diverse-states-in-america/38262> [<https://perma.cc/XGH8-F4XD>].

² Christopher Adams, *Texas Adds More People Than Any Other State for Second Consecutive Year*, KXAN NEWS (Feb. 8, 2025, 8:00 AM), <https://www.kxan.com/news/texas/2024-state-population-estimates/> [<https://perma.cc/K5TM-5LXQ>].

³ William Melhado, *Texas Gained More People Than Any Other State in the Last Year*, TEX. TRIB. (Dec. 19, 2023), <https://www.texastribune.org/2023/12/19/texas-2023-population-growth-census/> [<https://perma.cc/LL35-Q33W>].

⁴ Note: The U.S. Census Bureau and many other organizations use “Latino” and “Hispanic” interchangeably. In this white paper, we use Latino in all instances.

⁵ *Issue Areas: Democracy and Voting*, LATINO DATA HUB, <https://latinodatahub.org/#/issue-areas/democracy-and-voting> [perma.cc/3EML-H6PL].

B. *Low Voter Registration and Turnout Among Eligible Latinos*

Even after accounting for the large population of Latinos who are ineligible to vote, there remain sharp drop-offs between Latinos who are eligible to register to vote, those who register to vote, and those who ultimately vote. Data from the last three elections demonstrates this trend. In 2020, of the 5.6 million Latino Texans who were eligible to vote, only 3.5 million registered to vote, and only 3 million ultimately voted.⁸ Of the 5.7 million Latino Texans who were eligible to vote in 2022, only 3.3 million were registered.⁹ Of the 3.3 million registered, only 2.1 million voted.¹⁰ In 2024, the number of Latino Texans eligible to vote had grown to 6.5 million.¹¹ As a presidential election year, the 2024 election was predicted to see increased voter turnout across demographics.¹² Of the estimated 4.4 million Texas Latinos who were registered to vote in 2024,¹³ an estimated 2.8 million were expected to vote,¹⁴ reflecting lower predicted turnout than occurred during the 2020 presidential election.¹⁵ But due to the recency of the 2024 election, reliable data reflecting actual voter turnout is not yet available. Why does this Latino electorate lag behind other groups in political participation?¹⁶ There is no simple answer to that question and, unfortunately, no simple fix either.

⁸ *Hispanic Electorate Data Hub*, UNIDOSUS, <https://unidosus.org/hispanicvote/> [<https://perma.cc/FFP5-TJZL>] (showing data for 2020 election).

⁹ *Id.* (showing data for 2022 election).

¹⁰ *Id.*

¹¹ Jens Manuel Krogstad, Jeffrey S. Passel, Abby Budiman, and Anusha Natarajan, *Key Facts About Hispanic Eligible Voters in 2024*, PEW RSCH. CTR. (Jan. 10, 2024), <https://www.pewresearch.org/short-reads/2024/01/10/key-facts-about-hispanic-eligible-voters-in-2024/> [<https://perma.cc/CY84-RQQW>].

¹² *See, e.g., How Does Voter Turnout in the US Differ by State, Age and Race?*, USA FACTS (Nov. 1, 2024), <https://usafacts.org/articles/how-many-americans-vote-and-how-do-voting-rates-vary-state/> [<https://perma.cc/JPO5-7EJY>].

¹³ 2024 TEXAS HISPANIC VOTER PROFILE, TELEVISIA UNIVISION, <https://hispanicvote.univision.com/states/texas/> [] (file available for download).

¹⁴ 2024 NATIONAL AND STATE LATINO VOTE PROJECTIONS, NALEO EDUC. FUND, <https://naleo.org/2024-data-and-research-hub/> [<https://perma.cc/NMA7-YG4J>].

¹⁵ *See Voting and Registration in the Election of November 2020*, U.S. CENSUS BUREAU (April 2021), <https://www.census.gov/data/tables/time-series/demo/voting-and-registration/p20-585.html> [<https://perma.cc/C849-WRNR>] (Table 4b demonstrates that 3.538 million Texas Hispanics registered to vote in the 2020 election and 2.972 million Texas Hispanics ultimately did vote in the election).

¹⁶ Lopez, *supra* note 6.

C. *Strict Voting Laws in Texas*

The first and most tangible obstacle to Latino voter participation is the fact that Texas has some of the strictest voting laws in the country. Among the ten most populous states, Texas is the only one that has no option for online voter registration.¹⁷ Registering to vote in Texas takes more planning and more effort than in other states, requiring voters to be registered thirty days before an election—the longest period under federal and state law (save for Ohio).¹⁸ Once registered, Texas imposes stringent identification requirements for in-person voting.¹⁹ No-excuse absentee voting, which allows a prospective voter to vote by mail without providing a reason, is limited to those sixty-five and older, and general mail voting for those under sixty-five is restricted to illness, disability, late-stage pregnancy, and other limited reasons such as living out of state.²⁰ Only one state, New York, has more prohibitions on voting by mail.²¹

While one county recently experimented with drive-through voting, Texas swiftly outlawed the method soon after.²² Harris County, where Houston is located, is home to one of the largest Latino populations in the country.²³ In response to the COVID-19 pandemic, the county sought to improve voter access²⁴ by implementing 24-hour and drive-through voting in the 2020 election with great success: early voting turnout increased by 45.12 percent and Election Day turnout rose by 7.19 percent, compared to the 2016 presidential election.²⁵ Across the

¹⁷ Mark P. Jones, *How Do Texas Voting Laws Stack Up Against Other States? Here are the Details*, DALLAS MORNING NEWS (Oct. 26, 2022, 7:30 AM), <https://www.dallasnews.com/opinion/commentary/2022/10/26/how-do-texas-voting-laws-stack-up-against-other-states-here-are-the-details> [perma.cc/R53B-754A].

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ *Id.*

²¹ *Id.*

²² *Id.*

²³ Sam González Kelly, *Where do Houston's Hispanic and Latino Residents Come From? Here's What the Data Says*, HOUSTON CHRON. (Sept. 20, 2024), <https://www.houstonchronicle.com/news/houston-texas/article/houston-latinos-hispanics-population-19777247.php> [https://perma.cc/YM5K-PLU2].

²⁴ Karen Brooks Harper & Emma Platoff, *Harris County Tried to Make Voting Easier During the Pandemic. Texas Republicans Fought Every Step of the Way.*, TEX. TRIB. (Oct. 15, 2020), <https://www.texastribune.org/2020/10/15/harris-county-texas-voting/> [https://perma.cc/X8HL-L7L9].

²⁵ Karla Rodriguez, *Harris County's New Elections Department is Reshaping Voter Accessibility*, UNIV. HOUSTON HOBBY SCH. PUB. AFFAIRS, <https://uh.edu/hobby/interns/harris-fellows/2021/new-elections/> [https://perma.cc/2NQD-MBJL].

two legislative sessions that followed, Texas outlawed both voting methods and restricted Harris County's ability to supervise its own elections,²⁶ with officials claiming the procedures were ripe for voting fraud.²⁷ In reality, as the largest county in the state by population, high voter turnout in Harris County may heavily influence statewide elections.²⁸ Consequently, the state often targets the county with voter suppression methods.²⁹

Other sweeping measures that have restricted Latino access to the ballot box include further gerrymandering of legislative district maps,³⁰ heightening voter ID requirements,³¹ strategically purging voter rolls,³² and implementing at-large elections at the local level, the last of which has been proven to dilute minority voting power.³³

These restrictions are especially suspect given Texas's long history of outright racial discrimination at the ballot box.³⁴ For many years, any changes to election laws in Texas were subject to approval by the federal government, called "preclearance" under the Voting Rights Act.³⁵ When the preclearance requirement was struck down by the Supreme Court in 2013,³⁶ Texas imposed a strict voter identification law within hours

²⁶ J. David Goodman, *Texas Republicans Push New Voting Restrictions Aimed at Houston*, N.Y. TIMES (May 10, 2023), <https://www.nytimes.com/2023/05/10/us/texas-election-laws-houston-harris-county.html> [https://perma.cc/TU7F-BWZF].

²⁷ Alexa Ura, *Gov. Greg Abbott Formally Opens Texas GOP Bid to Clamp Down on Local Efforts Expanding Voting Access*, TEX. TRIB. (Mar. 15, 2021), <https://www.texastribune.org/2021/03/15/texas-voting-greg-abbott/> [https://perma.cc/99Z7-CJWQ].

²⁸ Mike Hixenbaugh, *Houston Voters are Turning Out in Record Numbers. Could They Flip Texas for Biden?*, NBC NEWS (Oct. 29, 2020), <https://www.nbcnews.com/politics/2020-election/houston-voters-are-turning-out-record-numbers-could-they-flip-n1245165> [https://perma.cc/YQ96-Q7ZR].

²⁹ Harper & Platoff, *supra* note 24.

³⁰ Elizabeth Resendez, *In the Aftermath of Shelby County: An Analysis of Why Texas Should be Required to Pre-Clear All Voting Changes*, 17 SCHOLAR 1, 16 (2015).

³¹ *Id.*

³² Sydnee Fielkow, *Shelby County and Local Governments: A Case Study of Local Texas Governments Diluting Minority Votes*, 14 NW. J. L. & SOC. POL'Y 348, 349 (2019). See also THE EFFECTS OF SHELBY COUNTY V. HOLDER, BRENNAN CTR. FOR JUST. (Aug. 6, 2018), <https://www.brennancenter.org/our-work/research-reports/effects-shelby-county-v-holder?limit=all> [https://perma.cc/4PFV-TA22].

³³ *Id.*

³⁴ Ashley Harris, *5 Ways Texas Suppresses the Vote and How to Make Your Vote Count*, ACLU OF TEX., (Jan. 17, 2022), www.aclutx.org/en/news/5-ways-texas-suppresses-vote-and-how-make-your-vote-count [perma.cc/T9KH-BNJ9].

³⁵ Voting Rights Act of 1965, 51 U.S.C. § 10304.

³⁶ *Shelby County v. Holder*, 570 U.S. 529 (2013).

of the ruling³⁷ and moved to dismiss litigation³⁸ over its redistricting plans—both of which resulted in lawsuits against the state over alleged discrimination against Black and Latino voters.³⁹ By the 2016 election, Texas had closed over 403 voting locations from the previous election, including many in counties that had documented instances of discrimination and recent violations of the Voting Rights Act’s race-based protections.⁴⁰ While restrictions such as voter identification laws and poll closures are not race-specific on their face, they have a disproportionate impact on predominantly minority communities.⁴¹ In addition, because Latino populations are distributed throughout Texas, voting location closures can disenfranchise Latino voters even in counties that are not majority-Latino.⁴²

Scott Simpson describes voting location closures in Medina, Caldwell, Nueces, and Galveston counties:

Each [county has] established records of discrimination and recent violations of the Voting Rights Act These [polling place closures] can place an undue burden on minority voters, who may be less likely to have access to public transportation or vehicles, given continuing disparities in socioeconomic resources. Once an election is conducted, there is no judicial

³⁷ Press Release, Texas Secretary of State, Photo ID Now Required for Voting in Texas (June 25, 2013), <https://www.sos.state.tx.us/about/newsreleases/2013/062513.shtml> [<https://perma.cc/RA5T-FHXL>].

³⁸ Texas v. United States, No. 1:11-CV-01303-RMC-TBG-BAH (Dec. 3, 2013) (granting Texas’s motion to dismiss claims brought by Texas against the United States seeking declaratory judgment that proposed redistricting plans would not violate Section 5 of the Voting Rights Act based on the claims’ mootness after *Shelby County*).

³⁹ See, e.g., Press Release, League of United Latin American Citizens, LULAC Federal Case Begins Challenging Texas Redistricting That Dilutes Voter Power of Latinos and Blacks (2021), https://lulac.org/news/pr/LULAC_FEDERAL_CASE_BEGINS_CHALLENGING_TEXAS_REDISTRICTING_THAT_DILUTES_VOTER_POWER_OF_LATINOS_AND_BLACKS/ [<https://perma.cc/WHT5-ZYGT>]. See also Sarah Childress, *Justice Dept. to Sue Texas Over Voter ID Law*, PBS (Aug. 22, 2013), <https://www.pbs.org/wgbh/frontline/article/justice-dept-to-sue-texas-over-voter-id-law/> [<https://perma.cc/E2YA-HWVV>].

⁴⁰ Elena Mejia Lutz, *Report: Texas Has Closed Most Polling Places Since Court Ruling*, TEX. TRIB (Nov. 4, 2016), <https://www.texastribune.org/2016/11/04/report-texas-holds-highest-number-polling-place-cl/> [<https://perma.cc/56DA-SPAY>].

⁴¹ SCOTT SIMPSON, THE GREAT POLL CLOSURE 1, 4 (Nov. 2016), <https://civilrightsdocs.info/pdf/reports/2016/poll-closure-report-web.pdf> [perma.cc/9ZZB-NDRF].

⁴² See generally Lydia Hardy, *Voter Suppression Post-Shelby: Impacts and Issues of Voter Purge and Voter ID Laws**, 71 MERCER L. REV. 857 (2020).

remedy for the loss of votes that were never cast because a voter's usual polling place has disappeared.⁴³

D. Voter Disengagement Among Texas Latinos

Maximizing Latino voter turnout requires policymakers and advocates to confront a deeper, intangible obstacle that gives rise to the low political and civic engagement of the Latino electorate in Texas: voter disengagement. A study conducted by the Texas Organizing Project Education Fund (TOPEF) found that nonvoting Latinos in Texas: (1) are not sure that their votes matter; (2) often come from communities or backgrounds where voting is not a regular part of civic life; and (3) do not feel that political candidates and elected officials genuinely care about their experiences or perspectives.⁴⁴ Significantly, these Latinos struggle to draw a connection between their political interests and the policies, campaigns, and actions of those in power.⁴⁵ While they recognize that they are not equally represented in government, they are drawn to Latino candidates who authentically represent their values and experiences.⁴⁶

Although Latino nonvoters are often characterized as apathetic, this description could not be further from the truth. Nonvoting Latinos are generally well informed, keep up with political news, and often have strong opinions about those issues.⁴⁷ The problem is that these nonvoters do not feel politically engaged. Defining “engagement” as a relationship and attachment to politics and government, many politically disengaged Latinos do not perceive themselves as part of an ongoing public discussion about government policies and direction.⁴⁸ They do not believe their individual votes will make a difference or understand how their political views may be shared with the larger Latino community or voting bloc.⁴⁹

⁴³ SIMPSON, *supra* note 41, at 1. Note that this report was written about the 2016 election, which was much closer in time to SCOTUS's 2013 *Shelby County* ruling, which enabled a new wave of voting restrictions in Texas.

⁴⁴ MICHAEL POWELL, CECILIA BALLÍ, & BESTSABETH MONICA LUGO, TEX. ORGANIZING PROJECT EDUC. FUND, REAL TALK: UNDERSTANDING TEXAS LATINO VOTERS THROUGH MEANINGFUL CONVERSATION 3 (2020), <https://www.houstontx.gov/specialevents/hha2021/ball-cecilia-texas-latino-voter-study-slides-117.pdf> [<https://perma.cc/F2GZ-JXAG>].

⁴⁵ *Id.* at 22.

⁴⁶ *Id.* at 12.

⁴⁷ *Id.* at 27.

⁴⁸ *Id.*

⁴⁹ POWELL, BALLÍ, & LUGO, *supra* note 44, at 28.

The most common refrain heard by the researchers was that Latinos could not see how their one vote could possibly make a difference.⁵⁰

As explored in Part III, several factors contribute to a lack of engagement among Latinos who are eligible to vote but ultimately choose not to. Some feel that available media sources do not reliably present information about politics and government that is relevant to their individual experience.⁵¹ In many Latino communities, voting is not ingrained into the culture or discussed socially in a way that would produce higher turnout.⁵² Relatedly, elected officials and candidates for office have traditionally neglected Latino communities during outreach, perhaps reasoning that Latino Texans are less engaged and therefore less likely to express support at the polls.⁵³ However, following the 2024 election, some Republican candidates attributed their success in Latino strongholds to improved outreach efforts.⁵⁴

E. Lack of Information About Politics, Elections, and Issues

While many Latinos keep up with current events, some nonvoting Latinos also lack knowledge about the actual purpose and responsibilities of government offices and the policy positions of candidates and parties.⁵⁵ These individuals desire impartial information about the policies supported by the candidates and the offices being voted upon.⁵⁶

⁵⁰ *Id.*

⁵¹ See, e.g., Jeffrey Gottfried & Michael Barthel, *Black, Hispanic, and White Adults Feel the News Media Misunderstand Them, but for Very Different Reasons*, PEW RSCH. CTR (June 25, 2020), <https://www.pewresearch.org/short-reads/2020/06/25/black-hispanic-and-white-adults-feel-the-news-media-misunderstand-them-but-for-very-different-reasons/> [<https://perma.cc/B2KW-LC85>].

⁵² See, e.g., STELLA M. ROUSE, KEI KAWASHIMA-GINSBERG, & BEN THRUTCHLEY, NAT'L CONF. ON CITIZENSHIP, *LATINOS CIVIC HEALTH INDEX 10* (2015) (“When it comes to discussing politics with personal networks, Latinos are less likely than non-Latinos to engage in this manner. The results show that political discussions with family and friends occur more irregularly for Latinos.”).

⁵³ Press Release, Latino Decisions & NALEO Educational Fund, *Nearly 60 Percent of Latino Voters Have Yet to Be Contacted by Candidates or Parties in Advance of Election 2018* (Sept. 20, 2018), <https://latinodecisions.com/blog/nearly-60-percent-of-latino-voters-have-yet-to-be-contacted-by-candidates-or-parties-in-advance-of-election-2018/> [<https://perma.cc/8UQA-7H69>].

⁵⁴ See, e.g., Anabel Sosa, Hailey Branson-Potts, *This Latino Republican Flipped a Deep-Blue California Assembly District. How?*, L.A. TIMES (Dec. 8, 2024, 3:00 AM), <https://www.yahoo.com/news/latino-republican-flipped-deep-blue-110043479.html> [<https://perma.cc/5KRA-47S8>].

⁵⁵ POWELL, BALLÍ, & LUGO, *supra* note 44, at 29.

⁵⁶ *Id.* at 29–30.

In the absence of more comprehensive and trustworthy information, some non-voters fear political participation because they could unknowingly vote for a candidate or a policy that might negatively affect them.⁵⁷ New data on young Latinos reveals that insufficient civic access and support, including information on the electoral process, contributes to their low participation rate—not mere disinterest.⁵⁸ This is highly concerning for an ethnic group that is disproportionately younger.⁵⁹

While Latinos in Texas undoubtedly face structural hurdles to voting, these deficiencies in education about candidates, parties, and issues contribute to low political engagement in the state.

E. Underdeveloped Voting Culture

Research has also shown that voting is a social habit, so socio-economic forces that suggest, encourage, or enable voting give rise to the most consistent voters.⁶⁰ Such a habit can form through engagement with a community, family context, or social network in which voting is a common practice and topic of discussion.⁶¹ Such conditions were missing for nearly every nonvoting Latino who participated in the study.⁶² In other words, even if surveyed Latino nonvoters were actively informed about political issues and the electoral process, they were less likely to engage as voters if their families and communities did not vote or discuss voting.⁶³

Some Texas Latinos are engaged throughout the electoral process, however, others decline to vote because they prefer to channel their limited resources into parts of life they can control, such as work, family, and finances—by contrast, the results of elections and the political process may feel outside their control.⁶⁴

Additionally, there is evidence that such a culture of voting can be or is often created in minority groups through a catalytic event or

⁵⁷ *Id.*

⁵⁸ Alberto Medina & Peter de Guzman, *Lack of Civic Information and Readiness Leading to Lower Latino Youth Turnout*, CIRCLE AT TUFTS U. (Sept. 8, 2023), <https://circle.tufts.edu/latest-research/lack-civic-information-and-readiness-leading-lower-latino-youth-turnout> [<https://perma.cc/NQF9-NSWZ>].

⁵⁹ Lopez, *supra* note 6.

⁶⁰ POWELL, BALLÍ, & LUGO, *supra* note 44, at 34.

⁶¹ *Id.* at 13–14.

⁶² *Id.* at 37–38.

⁶³ *Id.* at 38.

⁶⁴ POWELL, BALLÍ, & LUGO, *supra* note 44, at 29.

period.⁶⁵ For example, greater electoral participation accompanied the American Civil Rights Movement of the 1960s, during which strong solidarity motivated Black Americans to vote.⁶⁶ This solidarity made southern Black Americans 2.4 times more likely to vote during this period.⁶⁷ While other factors indeed contribute to Black voter turnout, it is among the most stable⁶⁸ and highest across racial and ethnic groups despite legal and institutional barriers that hinder their right to vote.⁶⁹ As addressed above, many of these barriers similarly impact the Latino community. While Latinos have coalesced around more regional civil rights movements, no such movement has arguably replicated the sustained political engagement of Black Americans following the Civil Rights Movement. However, Latino civil rights advocacy against the Trump Administration's anti-immigration regime may create the conditions for solidarity that drive voter participation in future elections.⁷⁰

G. Lack of Engagement by Political Actors and Government

A final significant contributor to low Latino civic participation in Texas is the failure of the political system and its actors to engage Latino nonvoters, who feel that neither political party has yet to properly engage them.⁷¹ Contrary to popular belief, Latinos as a group have little-to-no attachment to a specific political party or ideology.⁷² Even regular voters exhibit fluid party preferences.⁷³ This does not mean Latinos are political

⁶⁵ Emma Olsen, *Changing Attitudes About Democratic Participation Through a Catalytic Experience*, 11 NW. J.L. & SOC. POL'Y 78, 101 (2016).

⁶⁶ Kraig Beyerlein & Kenneth T. Andrews, *Black Voting During the Civil Rights Movement: A Micro-Level Analysis*, 87 SOC. FORCES 1, 15 (2008).

⁶⁷ *Id.*

⁶⁸ Rashawn Ray and Mark Whitlock, *Setting the Record Straight on Black Voter Turnout*, BROOKINGS INST. (Sept. 12, 2019), <https://www.brookings.edu/articles/setting-the-record-straight-on-black-voter-turnout/> [<https://perma.cc/8TTQ-CZWT>].

⁶⁹ Anabel Munoz & Grace Manthley, *Voter Turnout for Black Citizens is Among Highest Across Racial Groups, but Gaps Remain*, KABC (Feb. 24, 2022), <https://abc7.com/how-many-people-voted-in-2020-black-vs-white-voter-turnout-history-month-voting/11592964/> [<https://perma.cc/4XG3-GRWQ>].

⁷⁰ See, e.g., Adriana Varea, Ari Kittrie, & Joaquin Macias, *The Battle Ahead: Latino Civil Rights vs. Project 2025*, LEAGUE OF UNITED LATIN AM. CITIZENS (2024), https://lulac.org/project_2025/ [<https://perma.cc/M52V-VELZ>].

⁷¹ POWELL, BALLÍ, & LUGO, *supra* note 44, at 40.

⁷² *Id.* at 41.

⁷³ *Id.*

moderates or centrists, in a conventional sense.⁷⁴ Instead, they hold a range of political beliefs that span the ideological spectrum.⁷⁵

This flexibility contributes to the weak ties between Latinos and both major political parties, who generally fail to sincerely engage with their communities.⁷⁶ Both in the past and today, the relationship between political parties and the Latino community has been characterized by insufficient outreach, rendering Latinos significantly less likely to have been contacted by a political campaign ahead of the 2020 election, for example.⁷⁷ When engagement *does* occur, political parties tend to reach out only when it is “politically expedient,” in other words, when the parties are desperate to secure Latino votes.⁷⁸ These tactics are unlikely to keep Latinos engaged, compared to relationships between parties and Latino communities that are sustained through relevant dialogue and ongoing bridge-building. The current state of outreach to Latinos by political parties and candidates thus perpetuates low voter engagement as well as cynicism about the political system.

H. *Summarizing Major Issues Among Voting-Eligible Latinos in Texas*

To conclude, the significant issues that influence Latino voting trends are (1) structural barriers to voter registration and casting a ballot; (2) inadequate trustworthy information about elections, government offices, and political candidates; (3) cultural aversion to voting; and (4) irregular and inauthentic outreach by both major political parties. The next Part considers ways to mitigate and/or counteract these issues in order to promote better voter turnout among Latinos in Texas.

III. PROPOSED SOLUTIONS: ENGAGEMENT, RESPONSIVENESS, AND BALLOT ACCESS

To fully address the issue of low Latino political engagement in Texas, each of the problems identified in the previous Part must be addressed. Effective solutions will require nuanced consideration of

⁷⁴ *Id.*

⁷⁵ *Id.*

⁷⁶ *Id.* at 40.

⁷⁷ Jens Manuel Krogstad & Luis Noe-Bustamante, *Most U.S. Citizens Report a Campaign Contacted Them in 2020, but Latinos and Asians Less Likely to Say So*, PEW RSCH. CTR. (Jan. 29, 2021), <https://www.pewresearch.org/short-reads/2021/01/29/most-u-s-citizens-report-a-campaign-contacted-them-in-2020-but-latinos-and-asians-less-likely-to-say-so/> [https://perma.cc/23W5-MASM].

⁷⁸ POWELL, BALLÍ, & LUGO, *supra* note 44, at 44.

the unique factors that influence political engagement among a highly diverse Latino population in Texas. This Part explores potential solutions to the above-mentioned barriers to voter engagement within this population.

A. *Repealing and Challenging Restrictive Voting Laws*

First, Texas must greatly expand access to the polls. The laws governing elections balance access to the constitutional right to vote with security measures designed to prevent election fraud.⁷⁹ Consequently, states may properly impose election laws to deter conduct that undermines the integrity of elections. However, voter fraud in Texas is exceedingly rare: from 2004 to 2021, the state reported only 534 total incidents during a period in which 94 million votes were cast.⁸⁰ These incidents represent fraud among less than 0.001 percent of all votes cast.⁸¹ Nevertheless, Texas officials have cited concern about “rampant” voter fraud to justify the scaling back of voting access across the state.⁸²

Still, it may be difficult to discern precisely how many Latinos might have voted in any given election if not for Texas’s restrictive voting laws. To form a reasonable estimate, however, data from the 2020 election, which occurred within the first year of the COVID-19 pandemic, may be instructive. Ahead of the 2020 election, many jurisdictions expanded absentee and mail-in voting access at a time when many Americans were staying at home to avoid getting sick.⁸³ For the most part, these

⁷⁹ *Burdick v. Takushi*, 504 U.S. 428, 434 (1992) (holding that courts assessing challenges to election law must weigh “the character and magnitude” of the burden on First and Fourteenth Amendment voting rights against “the precise interests put forward by the State,” which includes the state’s interest in election integrity) (internal quotations omitted).

⁸⁰ Paul Livengood, *Yes, There is Voter Fraud in Texas. No, it’s Not Widespread.*, KVUE News (July 14, 2021), <https://www.kvue.com/article/news/verify/texas-voter-fraud-cases-verify/269-205e72be-17a1-4c34-8156-8321ff1ddd78> [<https://perma.cc/443J-G9TY>].

⁸¹ *Id.*

⁸² *See, e.g.*, Patrick Svitek, *Trump’s “Rigged” Vote Claims Resonate With Some in Texas GOP*, TEX. TRIB. (Oct. 18, 2016), <https://www.texastribune.org/2016/10/18/texas-republicans-trumps-voter-fraud-concerns-noth/> [<https://perma.cc/ETA2-FRV5>] (“The spectre of voter fraud has factored prominently in Texas politics for years, raised largely by Republicans who have won virtually every statewide election for almost two decades. The state’s controlling party aggressively seeks to root out alleged fraud, while Democrats decry such GOP efforts as a ploy to suppress the vote.”).

⁸³ Wendy R. Weiser, Eliza Sweren-Becker, Dominique Erney, & Anne Glatz, *Mail Voting: What Has Changed in 2020*, BRENNAN CTR. FOR JUST. (Sept. 17, 2020), <https://www.brennancenter.org/our-work/research-reports/mail-voting-what-has-changed-2020> [<https://perma.cc/WKT7-7Y7H>].

measures (1) expanded excuses for absentee voting; (2) made it easier to obtain absentee ballots; (3) made it easier to cast absentee ballots; and (4) allowed broader opportunities to cure defective ballots.⁸⁴ A slight majority of Latino voters nationwide voted by mail or by absentee ballot in 2020,⁸⁵ reflecting a preference for the voting methods that are now most restricted in Texas. This data gives rise to an inference that the passage of similar measures would result in increased Latino voting, especially if made available in the absence of a pandemic that deflates traditional voting to unusually low levels.⁸⁶

A key difference in Texas between pre-2020 elections and the 2020 election was the presence of secure ballot drop-boxes, which allowed voters to cast their votes without enduring large crowds and long lines.⁸⁷ The use of these ballot drop-boxes correlated with a 47 percent rise in Hispanic voter turnout in Texas from 2018 to 2020.⁸⁸ This increase is not entirely abnormal, as general elections (such as 2020) almost always experience higher turnout than midterm elections.⁸⁹ But even comparing the 2016 general election to 2020, Texas experienced a 35 percent increase in Latino turnout in Texas.⁹⁰ Thus, while the rise in voter turnout cannot be attributed solely to the expansion of drop-boxes, a correlation nevertheless exists.⁹¹ This relationship is strengthened by the finding that Harris County, which had the highest number of ballot boxes in the state, also experienced a relatively high increase in voter turnout compared to the rest of the state.⁹²

Additionally, there is evidence that Texas's restrictive voting laws also disenfranchised eligible white voters.⁹³ It is thus easy to infer that

⁸⁴ *Id.*

⁸⁵ Ruth Igielnik, Scott Keeter, & Hannah Hartig, *Behind Biden's 2020 Victory*, Pew Research Center (June 30, 2021), <https://www.pewresearch.org/politics/2021/06/30/behind-bidens-2020-victory/> [<https://perma.cc/FQ5Q-54TG>].

⁸⁶ CHARLES STEWART III, MIT ELEC. DATA & SCI. LAB, *HOW WE VOTED IN 2020* 6 (2021) (“the share of voters casting ballots on Election Day declined by half, from 60 percent to 28 percent in 2020. The percentage of voters casting ballots early in-person also grew, although not nearly as dramatically as voting by mail.”).

⁸⁷ MIA HAMILTON, BROWN UNIVERSITY TAUBMAN CENTER FOR AMERICAN POLITICS & POLICY, *VOTING RIGHTS PROJECT: TEXAS PRELIMINARY FINDINGS* 4 (2023).

⁸⁸ *Id.* at 6.

⁸⁹ *Id.*

⁹⁰ *Id.* at 7.

⁹¹ *Id.* at 6.

⁹² *Id.*

⁹³ Karen Brooks Harper, *Despite Record Turnout, Some Texas Voters Were Still Shut Out*,

Latino voters, long targeted for disenfranchisement in Texas, would be heavily impacted as well.⁹⁴ As a result, many have argued that the election security arguments repeated by Texas officials are a pretextual argument to minimize access to the ballot box, especially for Black and Latino communities. Showing this pretextual intent is a difficult hurdle to overcome in election and voting rights litigation.⁹⁵ Even taking voter fraud concerns seriously, courts must consider the disproportionate impact of these laws on the Latino electorate, especially given the diminutive occurrence of actual election-related crimes.⁹⁶

Unfortunately, it is unlikely that Texas will expand access to the ballot in a way that benefits the state's Latino communities. Instead, state leadership has moved to further restrict voting rights. In August 2024 alone, the state announced (1) the removal of one million registered voters from its rolls, which Governor Greg Abbott praised as necessary to prevent “illegal voting”;⁹⁷ (2) state Republicans criticized a Harris County (Houston) proposal that would aim to reach eligible but unregistered voters by phone and mail, claiming it had a high risk for registering non-citizens to vote;⁹⁸ and (3) most notably, Attorney General Ken Paxton's office led raids on the homes of Texas Latino political activists and operatives as part of an “election integrity” investigation.⁹⁹

TEX. TRIB. (Nov. 6, 2020), <https://www.texastribune.org/2020/11/06/texas-voting-access-turnout/> [<https://perma.cc/KT9S-YR4M>].

⁹⁴ See Laura Starecheski, *A Look at Texas' History of Laws Suppressing Minority Voters*, TEX. TRIB. (Oct. 1, 2016), <https://www.texastribune.org/2016/10/01/look-texas-history-laws-suppressing-minority-voter/> [<https://perma.cc/XMM3-EHW4>]; see also Mira Ortegon, *Latino Communities on the Front Lines of Voter Suppression*, BRENNAN CTR. FOR JUST. (Jan. 14, 2022), <https://www.brennancenter.org/our-work/analysis-opinion/latino-communities-front-lines-voter-suppression> [<https://perma.cc/BL73-LW4K>].

⁹⁵ See Nabihah Aziz, *Dog Whistles and Discriminatory Intent: Proving Intent Through Campaign Speech in Voting Rights Litigation*, 69 DUKE L.J. 669 (2019).

⁹⁶ Livengood, *supra* note 80.

⁹⁷ Juan Salinas II & Natalia Contreras, *Election Experts Cautious as Abbott Touts Voter Roll Purge*, TEX. TRIB. (Aug. 27, 2024), <https://texastribune.org/2024/08/27/greg-abbott-voter-rolls-texas/> [<https://perma.cc/2DC5-F5AS>]. For more information on the impact of strategic voter purges, see Hardy, *supra* note 42.

⁹⁸ Natalia Contreras, *Harris County Voter Outreach Proposal Sparks Another Fight with Texas Republicans*, TEX. TRIB. (Aug. 29, 2024), <https://www.texastribune.org/2024/08/29/harris-county-republican-voter-registration/> [<https://perma.cc/4A7L-WPBX>].

⁹⁹ Edgar Sandoval, *Latino Civil Rights Group Demands Inquiry Into Texas Voter Fraud Raids*, N.Y. TIMES (Aug. 25, 2024), <https://www.nytimes.com/2024/08/25/us/texas-latinos-democrats-raids-paxton.html> [<https://perma.cc/HG7V-9NTS>]. See also Berenice Garcia, *Ken Paxton's Vote Harvesting Investigation in South Texas Renews Questions Over Politiqueras*, TEX. TRIB. (Aug. 28, 2024), <https://www.texastribune.org/2024/08/28/>

Until these restrictive laws and policies change, advocates must continue to litigate to guard Latino communities against disenfranchisement. Currently, this work is carried out by non-profit legal organizations such as the Brennan Center for Justice,¹⁰⁰ the League of United Latin American Citizens (LULAC),¹⁰¹ the Mexican American Legal Defense and Educational Fund (MALDEF),¹⁰² the Texas Civil Rights Project,¹⁰³ and the American Civil Liberties Union (ACLU).¹⁰⁴ Sustaining court challenges, when successful, will hopefully pave the way for improved ballot box access for a broader swath of the Latino electorate.

B. *The Three Pillars of Latino Political Participation in Texas*

Increasing political participation among Texas Latinos will require more than the mere reduction of legal and institutional barriers. Addressing the intangible cultural factors that deter Latino Texans from voting will require a multifaceted strategy.¹⁰⁵

A 2020 study by TOPEF identified three pillars that drive political involvement among Texas Latinos.¹⁰⁶ First, civic empowerment and belonging mean that Latinos feel like equal members of the political community who are capable of influencing election outcomes and making demands of public officials.¹⁰⁷ Second, promoting greater dialogue among Latino families and communities will encourage voting as a regular habit and responsibility to increase political engagement

ken-paxton-south-texas-vote-harvesting-investigation-politiqueras-hist/ [https://perma.cc/FQ8R-BYW2] (explaining how Paxton's "election integrity" investigation has intimidated Latino communities and state voting restrictions have made some longtime practices illegal).

¹⁰⁰ *Our Work*, BRENNAN CTR. FOR JUST., <https://www.brennancenter.org/our-work> [https://perma.cc/QY82-W2XS].

¹⁰¹ See *LULAC Files Lawsuit To Stop Texas Governor Voting Rules Changes*, League of Latin American Citizens (July 21, 2024), https://lulac.org/news/pr/LULAC_Files_Lawsuit_To_Stop_Texas_Governor_Voting_Rules_Changes/ [https://perma.cc/6JAE-K8ET]. See also *League of United Latin Am. Citizens v. Abbott*, AM. REDIST. PROJ. (July 11, 2024), <https://thearp.org/litigation/league-united-latin-am-citizens-v-abbott/> [https://perma.cc/5A8A-8W7K] (providing one example of LULAC's litigation over political gerrymandering in Texas).

¹⁰² See *generally Voting Rights*, MEX. AM. LEGAL DEF. & EDUC. FUND, <https://www.maldef.org/court-cases/voting-rights/> [https://perma.cc/4VPG-3F2R].

¹⁰³ *Voting Rights*, TEX C.R. PROJ., <https://www.txcivilrights.org/programs-voting-rights> [https://perma.cc/H3E8-EVF6].

¹⁰⁴ See *generally Fight for Voting Rights*, ACLU, <https://www.aclu.org/issues/voting-rights> [https://perma.cc/MTC9-8RK4]. See also *Defend Texas Voters*, ACLU OF TEX., <https://www.aclutx.org/en/defend-texas-voters> [https://perma.cc/6SDJ-8LVP].

¹⁰⁵ See *infra*, Part II.

¹⁰⁶ POWELL, BALLÍ, & LUGO, *supra* note 44, at 6.

¹⁰⁷ *Id.*

over time.¹⁰⁸ The third and final pillar is a responsive government that adequately represents and defends Latino interests, reinforcing that their communities are seen and valued by political candidates and elected officials.¹⁰⁹ These pillars, while distinct, are deeply interconnected, so addressing all three in concert will yield the most successful outcomes.¹¹⁰

C. *Devising a Roadmap to Boost Participation Among the Latino Electorate*

Advocates must consider and act upon the three pillars that are likely to generate higher rates of political participation by Latino voters in Texas.

Reform to civics education in the state is one important undertaking to educate Texans about how elected officials and public policy impact their lives. Texas is not alone in this need—civics education is woefully inadequate across the country, with high school courses generally leaving little lasting impact.¹¹¹ This knowledge gap lasts well into adulthood and exists prominently among Texas Latinos: in a 2020 survey of registered Latino voters, 44 percent of Texas Latinos said they were unfamiliar with the vote-by-mail process, compared to just 22 percent of California Latinos.¹¹² This sizable gap in education about the state’s electoral process could certainly be improved upon, if not overcome entirely, through substantial investment at the state and local levels.¹¹³ This reform would require education that extends beyond high school classrooms to reach adult Latinos through existing social networks and cultural practices.¹¹⁴

The same TOPEF discussed throughout identified two questions frequently raised by surveyed Texas Latinos: (1) where they could reliably learn more about local and state issues, policies, and elected officials; and (2) where they could go to learn more about the offices and candidates on the ballot.¹¹⁵ These questions make clear that politi-

¹⁰⁸ *Id.*

¹⁰⁹ *Id.*

¹¹⁰ *Id.* at 14.

¹¹¹ *Id.* at 65.

¹¹² *Hispanics Will Turn Texas Blue If Given a Chance*, LATINO DECISIONS (Oct. 14, 2020), <https://latinodecisions.com/blog/hispanics-will-turn-texas-blue-if-given-a-chance/> [https://perma.cc/X2GA-73JY].

¹¹³ *Id.*

¹¹⁴ POWELL, BALLÍ, & LUGO, *supra* note 44, at 65.

¹¹⁵ *Id.*

cal operatives, nonpartisan actors, and community organizers could cooperate to provide sought-after information to these would-be voters. Proposed methods include the provision of election primers that inform communities of the issues and candidates to be voted on and how the possible outcomes might impact their day-to-day lives. The involvement of trusted community organizations is especially crucial due to their preexisting connections within the Latino communities distributed throughout the state. These organizations are likewise best equipped to speak to the specific concerns of different segments of the Latino population throughout the state, such as the issues historically impacting communities in San Antonio and the Rio Grande Valley.¹¹⁶ For example, in Pennsylvania, field organizers are making inroads in Puerto Rican, Dominican, and Mexican communities to educate them about the importance of voting and assist with voter registration.¹¹⁷ Organizers are doing the same to reach voting-eligible Asian Americans, visiting senior centers, supermarkets, and public assistance offices in neighborhoods with significant Asian populations.¹¹⁸ Interacting with voting-eligible Latinos in locations like these is crucial to local mobilization and can feasibly be implemented in Texas. However, success will require patience and persistence — as one fieldworker in Philadelphia notes, “[i]t takes a long time to change people’s minds about how voting is important.”¹¹⁹

This type of outreach aims to create relatively unbiased information channels catered to Texas Latinos, thereby empowering them to show up and make informed decisions at the ballot box.¹²⁰ Information should prioritize state and local elections, rather than purely federal, because voters exhibit much greater gaps in knowledge about the issues closest to home.¹²¹ With time, the consistent dissemination of this information will contribute to an increase in voting as a learned social habit, which should improve civic participation in each subsequent generation.

To solidify Latino political engagement, the final pillar addressed in the TOPEF study is the duty of the government to acknowledge and

¹¹⁶ *Id.* at 77.

¹¹⁷ Hansi Lo Wang, *Why There’s a Long-Standing Voter Registration Gap for Latinos and Asian Americans*, NAT’L PUB. RADIO (Apr. 2, 2024), <https://www.npr.org/2024/04/02/1238751749/voter-registration-gap-racial> [<https://perma.cc/G3VP-C3C6>].

¹¹⁸ *Id.*

¹¹⁹ *Id.*

¹²⁰ POWELL, BALLÍ, & LUGO, *supra* note 44, at 66.

¹²¹ *Id.* at 63–65.

respond to the needs of Latino communities.¹²² The ongoing omission of Latino constituents' struggles from traditional political discourse fosters a sense of futility about the political system that deters a sense of personal investment in voting and elections. Instead, public officials must proactively reach these communities to instill confidence that new and existing policies serve their interests rather than harming them.¹²³ Areas of particular concern include healthcare, the economy (e.g., inflation and jobs), and immigration.¹²⁴

Effective outreach can and should occur early in the election process when candidates begin running for office. The failure to understand and prioritize Latino issues before taking office represents a missed opportunity to capture an increasingly influential voting bloc. While political campaigns traditionally employ door-to-door canvassing, many Latinos in Texas and beyond report having never been approached by politicians or campaigns.¹²⁵ There are indications that Republicans have begun rectifying this gap in Texas, motivated by recent wins since 2020 and fueled by evolving attitudes among Latinos in the state.¹²⁶ For example, the party has begun engaging with Latino voters specifically along the United States-Mexico border in the Rio Grande Valley¹²⁷ and in the state's major urban centers.¹²⁸ And the efforts are working—the resulting rightward shift among Texas Latinos¹²⁹ is happening despite 61 percent believing that Democrats care “a great deal” about Latinos, compared with only 32 percent who believe the same can be said for Republicans.¹³⁰

¹²² *Id.* at 6.

¹²³ *Id.* at 67, 69.

¹²⁴ UNIDOSUS, SURVEY OF LATINO VOTERS IN TEXAS (2023).

¹²⁵ POWELL, BALLÍ, & LUGO, *supra* note 44, at 70. See also Krogstad & Noe-Bustamante, *supra* note 77.

¹²⁶ Jim Henson & Joshua Blank, *Trends in Latino Attitudes in Texas Foreshadowed Trump's Gains in 2024*, TEX. POLITICS PROJ. (Jan. 13, 2025), <https://texaspolitics.utexas.edu/blog/trends-latino-attitudes-texas-foreshadowed-trump%E2%80%99s-gains-2024> [<https://perma.cc/48XU-WBUP>].

¹²⁷ Ashley Lopez, *In Texas, Democrats and Republicans are Trying to Win over Latino Swing Voters*, NAT'L PUB. RADIO (Oct. 21, 2022), <https://www.npr.org/2022/10/21/1130644789/in-texas-democrats-and-republicans-are-trying-to-win-over-latino-swing-voters> [<https://perma.cc/349D-FBGP>].

¹²⁸ Jasper Scherer, *It's Not Just South Texas. Republicans are Making Gains with Latino Voters in Big Cities, Too.*, TEX. TRIB. (Aug. 19, 2024), <https://www.texastribune.org/2024/08/19/texas-republican-latino-hispanic-voters/> [<https://perma.cc/FR97-J3A6>].

¹²⁹ Henson & Blank, *supra* note 126.

¹³⁰ 2024 Election Poll of Hispanic Voters, UNIDOSUS (2024), <https://unidosus.org/hispanicvote/polling-issues/> [<https://perma.cc/C9GF-LJSQ>].

Once in power, elected officials and party leaders must not take Latino votes for granted, keeping in mind that Texas Latinos traditionally lack firm commitment to either major political party. The meaningful incorporation of Latino communities into the political system requires listening to and understanding the diverse interests and needs of Latinos across the state to avoid putting forth generalizations that alienate some or all of the population.¹³¹ These generalizations, which have long plagued the relationship between Latinos and the political system, include pigeonholing certain interests as strictly “Democratic” or “Republican” and “liberal” or “conservative.”¹³²

The future of Latino voting in Texas depends upon sustained efforts like these to inform and engage would-be voters from all corners of the state during all stages of the electoral process. While both major political parties have traditionally neglected Latinos, Republicans and Democrats alike stand to benefit from more considerate engagement with the fastest-growing demographic in Texas.¹³³

IV. CONCLUSION

The Latino electorate in Texas has historically faced discrimination and disenfranchisement, with the state seemingly leaping for every opportunity it can find (or create) to restrict access to the ballot box. This has contributed to deeply entrenched feelings among some Texas Latinos who (1) lack the civic engagement to feel that their vote is meaningful and impactful; (2) lack a culture that motivates voting behavior through family and peer relationships; and (3) feel they are unseen or unrepresented by the political system, which includes political campaigns and candidates as well as government entities and officeholders.

Much of the current conversation around Latinos characterizes them as a “sleeping giant” largely uninterested in politics. But the evidence indicates otherwise: Texas Latinos are paying attention and want to be a part of the conversation and process of how their cities, state, and national government are run.¹³⁴ But many currently feel unheard and

¹³¹ POWELL, BALLÍ, & LUGO, *supra* note 44, at 67.

¹³² *Id.* at 45.

¹³³ Adams, *supra* note 2.

¹³⁴ TEX. POLITICAL PROJ., UNIV. OF TEX., JUNE 2024 TEXAS STATEWIDE SURVEY CROSSTABS 9 (2024) (showing 73 percent of Hispanic Texans to be interested in politics and public affairs, with 31 percent responding that they are “extremely interested” and 42 reporting that they are “somewhat interested”).

left to figure out the process themselves. Additionally, political media tends to focus on recent shifts from one party to another as though the demographic is a goal to be scored in a sporting match and without exhibiting sincere care for the Latino community and the reasons behind such partisan swings. Latinos' willingness to engage and participate in our shared democracy must be met with increased access, engagement, and investment by actors across politics, media, and government.

Additionally, the power of nonprofit and local community organizations to effectuate this participation cannot be understated. Many local organizations consist of the same Latino community members that they hope to mobilize, empowering these groups with in-depth knowledge of how to meaningfully connect with potential voters.

The adage that "Rome was not built in a day" applies here. Building a culture of civic, political, and electoral engagement among Texas Latinos will be a long and ongoing process. Many of the pertinent forces influencing voting patterns have existed in Texas for decades, if not longer, and the solutions that are likely to reverse them will require unrelenting efforts from advocates willing to endure an often-hostile political environment.

This article ultimately calls on public officials to lower the chronic systemic barriers to Latino political participation, for the media to reframe the national conversation around the interests and issues affecting Texas Latinos, and for nonprofit and community organizations to refine and improve upon their existing efforts. The largest demographic group in the second-largest state in the country deserves no less, and operatives across the political spectrum should eagerly embrace an increase in their engagement as voters and citizens.

