

STRENGTHEN STATE-BASED CIVIL RIGHTS ENFORCEMENT

THE PROBLEM

Civil rights laws have been an effective tool for women, girls, LGBTQIA+ people, and all who face sex discrimination to hold institutions accountable for ensuring equal opportunity in schools, workplaces, health care, and other settings. However, the Trump administration has taken a [wrecking ball to federal civil rights enforcement](#) mechanisms by [gutting investigative capacity](#), [overturning administrative decisions](#), [rescinding resolution agreements](#) with schools and other covered entities, [imposing administrative roadblocks](#), [weaponizing civil rights laws](#) to harm vulnerable communities, and [wasting](#) limited resources on [ideological investigations](#). Federal agencies that were once avenues for justice and relief, such as the Equal Employment Opportunity Commission and the U.S. Department of Education's Office for Civil Rights, are not only less equipped to enforce civil rights laws, but these agencies are unlawfully distorting civil rights laws to further an extreme ideological agenda that largely views [cisgender Christian white men](#) as in need of greater protection.

States are positioned to [step in and fill the gap in federal enforcement](#). Different state agencies—including state attorney general offices, state and local human rights commissions, state fair employment practices agencies, and state departments of education—can be strengthened to process individual complaints of discrimination and investigate them. State agencies should be empowered to investigate violations of state civil rights law to the fullest extent, recognizing that some state civil rights laws may be more expansive than federal law and that federal agencies are deliberately seeking to erode, preempt, or create conflicts with state civil rights laws. The ongoing accountability needed to effectuate the full breadth of civil rights law is a worthwhile and necessary investment of state resources in fostering opportunity and well-being for future generations.

THE SOLUTION

- Ensure relevant state agencies, such as state human rights commissions, education agencies, and labor agencies are adequately staffed and imbued with sufficient resources and authority to conduct civil rights investigations of employers, schools, and other relevant institutions.

- Direct relevant state agencies to issue guidance that reaffirms the application of state civil rights law in areas being disputed by the federal government, such as transgender rights and attacks on [diversity, equity, and inclusion](#).
- Direct relevant state agencies to conduct public education and awareness activities to ensure individuals impacted by discrimination are aware of remedies and complaint processes.
- Identify opportunities to expand and strengthen state civil rights laws, including ensuring individuals have a private right of action to remedy discrimination including under [disparate-impact standards](#).
- Coordinate with partner agencies across states to issue joint statements or guidance, share data on enforcement actions, and provide a united front against federal intrusion that seeks to erode civil rights protections.

TALKING POINTS ON THE SOLUTION

- **The federal government is weaponizing and withdrawing from civil rights enforcement, leaving marginalized communities with few avenues to justice.** Federal agencies—like the Equal Employment Opportunity Commission and U.S. Department of Education’s Office for Civil Rights, have long been trusted to investigate discrimination claims. But the current federal government is now prioritizing ideological investigations at the expense of remedying discrimination faced by marginalized people. [Without administrative civil rights enforcement](#), those who face discrimination have to turn to [costly litigation](#) and may be deterred from seeking or entirely unable to pursue remedies or recourse.
- **States are positioned to expand enforcement and hold institutional actors accountable.** Federal civil rights laws have not changed, even if federal enforcement has diminished. Instead of allowing employers to exploit workers and schools to ignore student complaints, states can serve as a watchdog that holds institutional actors accountable for their obligations under the law. We can invest more in ensuring that those who faced discrimination have a place to turn, that those who perpetuate discrimination have someone holding their feet to the fire, and that civil rights laws are enforced to the fullest extent.

Additional Messaging Resources

- [EEO Leaders Public Statements Responding to the Trump Administration’s Actions Adversely Impacting Equal Employment Opportunity](#)
- [NWLC Letter to U.S. Department of Education re: Nonenforcement of Student Survivor Complaints](#)

Public Popularity

- In January 2026, [eighty-two percent](#) of Americans supported guaranteeing the right to be free from sex-based discrimination, including harassment, in the workplace.
- In April 2026, [more than half](#) (51%) of adults said that their elected representatives should be doing more to guarantee the right to be free from sex-based discrimination, including harassment, in the workplace and in school.

Examples of State and Local Policies

- In 2025, [Oregon](#) included a 30% increase in funding for the Bureau of Labor & Industries, in part to bolster its civil rights investigatory capacity and tackle a backlog in civil rights complaints.
- In 2026, multiple state legislatures considered measures to enhance investigation of civil rights complaints in public schools, including in [Maryland](#) and [Colorado](#).
- In 2025, sixteen state attorneys general [issued joint guidance](#) to help businesses, nonprofits, and other organizations understand the continued viability and important role of diversity, equity, inclusion, and accessibility efforts in creating and maintaining legally compliant and thriving workplaces.
- Click [here](#) for additional examples of current state civil rights protections for students in all 50 states and the District of Columbia.