



June 25, 2014

The Honorable Patrick J. Leahy  
Chairman  
United States Senate Committee on the Judiciary  
Washington, D.C. 20510 and

The Honorable Chuck Grassley  
Ranking Member  
United States Senate Committee on the Judiciary  
Washington, D.C. 20510

Dear Chairman Leahy and Ranking Member Grassley:

On behalf of Voting Rights Forward, I write to express our strong support for the Voting Rights Amendment Act (S.1945). This legislation offers a forward-looking, commonsense approach in response to the Supreme Court's June 25, 2013, decision in *Shelby County v. Holder*, which struck down a key provision of the Voting Rights Act.

Voting Rights Forward is a nonpartisan, civil rights organization committed to protecting the rights of all eligible voters. Voting Rights Forward was formed in 2014 by a group of voter protection attorneys in response to the U.S. Supreme Court decision in *Shelby County v. Holder*. Through advocacy and public education, Voting Rights Forward seeks to restore the Voting Rights Act post-Shelby, and strengthen voting rights for all Americans.

As voter protection attorneys, our members believe all Americans should be treated fairly at the ballot box, and that states and localities should be given flexibility to implement changes to their voting system as needed. That is why Voting Rights Forward seeks a bipartisan fix to the Voting Rights Act, and strongly supports the Voting Rights Amendment Act. Below are a few stories from our members, which highlight the need for a fix to the Voting Rights Act.

- **Matthew Weinstein, Board Member of Voting Rights Forward (Virginia):**

For the last two years, I have worked on political campaigns in Virginia as voter protection attorney, most recently as the Voter Protection Director for the Democratic Party of Virginia in 2013. I can say from my experience that the protections provided by Section 5 of the Voting Rights Act are still desperately needed. When I started my job in early June 2013 Virginia was still covered by the VRA.

Less than one month later, after the Supreme Court issued the *Shelby* decision, I had to monitor voting changes that would have been covered by the VRA. For example, Prince William County planned to re-precinct many of its precincts prior to the 2013 election. Re-precincting would have required preclearance prior to *Shelby*. Fortunately, Prince William delayed re-precincting until after the 2013 election, but if they had gone through with it, thousands of voters would have had to vote in a different polling place in 2013 than they did in 2012. This is problematic in Virginia because if a voter votes in the wrong precinct he or she is required to cast a provisional ballot. The re-precincting example demonstrates that the VRA protects voters from seemingly less invidious voting changes that can actually have a significant impact on a voter's ability to successfully vote on Election Day.

- **Russell Semmel, Field and Programs Co-chair of Voting Rights Forward (Pennsylvania and New York):**

During the 2012 presidential election season, I served on the leadership team for Lawyers44, a New York City-based organization of young lawyers responsible for recruiting, training, and mobilizing voter protection volunteers in support of President Obama's campaign. Our group saw firsthand many of the challenges that voters and election administrators face. The effort that we and partner organizations had to expend that year to ensure that we had the number of people necessary to monitor the polls, equipped with the skills necessary to protect the voters' rights, was staggering. Hundreds of volunteers were deployed, and tens of thousands of dollars and man-hours were spent simply to guarantee that everyone could exercise the fundamental right to choose their political leaders. In practice, it was clear that without these resources, millions of people, especially within minority communities and among students and the elderly, would have been effectively denied this most basic opportunity. For instance, in neighboring states to which we provided support, such as Pennsylvania, where I spent Election Day in 2012, the breadth of misinformation intentionally disseminated regarding everything from the mundane, such as the location of polling sites, to the extraordinary, such as the fluid status of the state's voter ID laws, was enormous. We had a specific term for this subtle but no less passive form of voter suppression—"voter confusion." And that was in the context of a nation protected by the Voting Rights Act, before *Shelby*. During that election cycle, a large number of problematic regions around the United States, including the very county where we now sit, plus the Bronx and Brooklyn, were legally presumed to be creating obstacles to vote, or at the very least to be indifferent to the difficulties voters faced. Since June of last year, when the Supreme Court struck down the preclearance provision, those jurisdictions are free to enact any suppressive measure they can justify as protecting the integrity of the vote, even though the object and effect is to undercut the confidence thereof.

- **David Stonehill, Communications Chair of Voting Rights Forward (New York):**

I have been involved with voter protection and election law since 2000. I have either had direct administrative control of voter protection projects (New York State) or have consulted with Congressional/Gubernatorial campaigns (New Jersey, Illinois, Alabama and Georgia). Stories of voter suppression/intimidation abound even in jurisdictions commonly thought to have progressed beyond the days of raw racial prejudice such as New York State. Misleading campaign robo-calls, misinformation given to voters by election workers, expressions of racial prejudice by election inspectors, silent intimidation of minorities by the presence of "tough guy" party operatives at polling sites, turning away voters even when they are registered at the correct polling site and caging have all been found on Long Island. Even the Hamptons are not immune from election problems.

As the above stories illustrate, the need for a robust Voting Rights Act is still with us. As voting rights attorneys and advocates, we understand the importance of making sure everyone has the right to vote. We understand that voter protection is not about politics; it is about democracy.

We look forward to working with you on this critical legislation. If you have any questions, please feel free to contact me at [jborak@votingrightsforward.org](mailto:jborak@votingrightsforward.org).

Sincerely,

Jill Borak  
Founder and Executive Director  
Voting Rights Forward