

“Voter Suppression in Minority Communities: Learning from the Past to Protect Our Future”

Committee on Oversight and Reform

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Rep. Gerald E. Connolly (D-VA)

Voter suppression of minority communities is a betrayal of American democracy. Though we have tried to kill these actions time and time again, they still live. The Fifteenth Amendment to the Constitution states that voting rights cannot be denied based on race, color, or previous condition of servitude. The Amendment was ratified in 1870, yet what followed was a century of Jim Crow era laws meant to suppress minority voters through poll taxes, literacy tests, and other practical obstacles to the ballot.

The Voting Rights Act of 1965, a landmark piece of Civil Rights Era legislation, sought to close an ugly chapter of American history by prohibiting states and local governments from enacting voting laws that discriminated against minorities. In 2013, the Supreme Court, in a shameful 5-4 decision gutted Section 5 of the Voting Rights Act, which had prohibited certain jurisdictions with a history of discrimination from enacting changes to voting laws without first receiving preclearance from the Department of Justice. The purging of voter rolls, the creation of barriers to voting access, and the enactment of voter identification laws that disproportionately affect minority communities have proliferated since that decision. These targeted attempts to prevent minorities the franchise have been cloaked in the myth of widespread voter fraud. These actions are the playbook of President Trump’s election integrity commission – an heir to Jim Crow’s ugly legacy.

When it comes to the right to vote, our imperative should be expanding access to the ballot, not restricting it. The For the People Act (H.R. 1), which passed the House of Representatives at the beginning of the 116th Congress, embraced that mission. The bill would establish automatic and same day voter registration, expand early and absentee voting options, make Election Day a federal holiday, and limit how states can remove voters from the rolls.

I have also introduced legislation to promote these voting best practices. The Fair, Accurate, Secure, and Timely (FAST) Voting Act (H.R. 1512) would establish a Race-to-the-Top style federal grant program in which states compete for federal funding to help them implement many of the policies and practices included in the For the People Act – including early voting and automatic voter registration.

I introduced the FAST Voting Act after witnessing firsthand the voter suppression of minority communities. I spent Election Day 2012 at the River Oaks precinct in Prince William County, Virginia. At the time, the River Oaks precinct was the only voting precinct in Prince William County with a voting age population that was majority African American. It was also a very large precinct. When the local Board of County Supervisors tried to split the precinct across two magisterial districts during the local redistricting process, they encountered unexpected opposition to their effort to dilute the voting power of this minority community. Instead of scrapping their plan to dilute minority voting power and adjourning the Board meeting at which it was being considered, the Board quickly covered its tracks. The Board pushed the entire River Oaks precinct back into its original magisterial district and adopted the new map on the spot.

Earlier that year, Virginia hastily implemented a statewide voter identification law that coincided with the roll out of newly-drawn voting maps and precincts. These efforts led to an increased number of

voters marked inactive and requiring an eligibility determination when they showed up to vote. This phenomenon once again disproportionately affected the large minority population of River Oaks. The voters who required an eligibility determination were literally segregated from other voters and placed in a different part of the polling location until a poll worker could confirm their voting statuses. Because River Oaks was one of the largest precincts in the county, had the greatest number of voters marked as inactive and requiring special processing, and election officials failed to recognize the need for additional resources at the precinct, wait times stretched as long as four hours. The last voter at River Oaks did not cast a ballot until around 11 p.m. It was a disgrace, and we failed those voters. We must work to ensure what happened at River Oaks never occurs again.

In a sign that our voting policies are changing in the Commonwealth, the Virginia General Assembly is advancing several bills to make voting easier and ensure equal access to the ballot. Among these legislative solutions are expanded early voting and automatic voter registration.

It is my hope that the reforms included in the For the People Act, the FAST Voting Act, and those advancing through the Virginia General Assembly and other state legislatures around the country reverse the tide of voter suppression in America. Voter suppression of minority communities is a practice steeped in the worst kind of historical traditions – bigotry, racism, and power by way of oppression. For the sake of our republic, it must be stopped.