

Hearing: "Protecting the Right to Vote During the COVID-19 Pandemic"

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6-1-2020

**Written testimony of Barbara R. Arnwine, President & Founder,
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before the
U.S. House of Representatives
Committee on the Judiciary
Subcommittee on the Constitution, Civil Rights and Civil Liberties**

"Protecting the Right to Vote During the COVID-19 Pandemic"

Chairman Cohen, Ranking Member Johnson, Members of the Subcommittee, Thank you for the opportunity to testify today on this important topic of "Protecting the Right to Vote During the COVID-19 Pandemic."

My name is Barbara R. Arnwine and I am the Founder and President of the Transformative Justice Coalition (TJC), a national non-profit organization devoted to racial, gender and economic justice, which commenced operations in 2015. I am also the immediate Past President and Executive Director of the Lawyers' Committee for Civil Rights Under Law where I proudly served for 26 years.

In addition to serving as President of the Transformative Justice Coalition, I also serve as the convener for the Voting Rights Alliance an organization of 100 plus voting rights civil rights Civic engagement, and community organizations. In addition, I serve as one of the four co-chairs of the National Commission for Voter Justice which was founded in January 2018 through the vision of Reverend Jesse Louis Jackson Sr.

TJC, entered 2020 cognizant of the urgent need for the protection of our Democracy from the insidious threat of the modern era of voter suppression which had become manifest in our nation since January, 2011. In April, 2011, I created the Map of Shame which was the first national tool to expose and educate the American public about the rise of contemporary voter suppression in the states. Since, I released the Map of Shame, there has been erected a formidable and substantial regime of disenfranchising barriers to the ballot box and to the ability to have votes counted for millions of eligible but vulnerable voters. And early this year, TJC and the Voting Rights Alliance republished an updated version of my new document entitled "61 Forms of Voter Suppression."

The COVID-19 Pandemic has significantly altered our voting rights plans for 2020 and ushered in a new era of "virus voter suppression." Sadly, some states and private actors are exploiting the deadly COVID-19 to disenfranchise many of our nation's most vulnerable voters. Every disadvantage attributable to ingrained American racism has been manifested and exacerbated in this pandemic era. This is particularly true in the arena of voting rights.

TJC is operating a massive 2020 coalitional voter education, voter registration support, PSA and social media outreach, organizing and training campaign under the rubric of "Our March to the Ballot Box." Over 100 organizations from 28 states participate in our Voter Justice Network.

In the remaining months to the November 3rd elections, there are several imperative challenges confronting voters throughout the United States:

1. Due to covid-19 shutdowns, voter registration is down significantly across the United States, over 70-90% in many states.
2. Some states are actively exploiting COVID-19 to increase voter suppression. Indeed, we are in an era of "virus voter suppression."
3. Well intentioned rampant support for vote-by-mail overlooks its negative impacts on African American, Latino, Native American, and Asian voters, and voters with disabilities.
4. Voters, especially African American, Latino and native American voters, fear for their personal safety and health if they vote in person and are confronted by long lines or infected at voting polls.
5. There is massive voter confusion leading to massive voter disenfranchisement, as election dates have been changed, polling places closed, and serious bad mishandling of vote-by-mail by election boards and ballot vendors.
6. In "no excuse" absentee balloting states, although many states have correctly sought to expand voting opportunities, others have refused to do so, while holding on to restrictive procedures such as witness requirements and notarization requirements.
7. Bad actors are threatening to place 50,000 vigilantes, so-called voter challengers at the polls of voters of color.
8. Not enough has been done to prevent foreign and domestic disinformation campaigns which target African American voters to discourage their participation in the voting process or week to brighten racial tensions and discord.
9. The COVID-19 pandemic has now intersected and been compounded by the other pandemic of police killings, hate crimes, and white vigilantism. During massive national protests, how are voters able to vote?

We urge Congress, states, and local governments to embrace the following Voter Justice Recommendations:

VOTER JUSTICE RECOMMENDATIONS:

1. Ensure every eligible voter is able to cast a ballot and have it counted
2. Protect most vulnerable voters
3. Invest in new innovative COVID-19 Voter Registration campaigns, including drive up voter registration.
4. Institute Massive Voter Outreach and Voter Education Programs
5. Educate, Register, Encourage, and Mobilize voters
6. Invest in Civic engagement by non-partisan, non-profit organization
7. Oppose voter suppression and voter intimidation
8. Eliminate barriers to voting, especially COVID-19 virus voter suppression
9. Create Rapid Response Systems to combat voter disinformation campaigns
10. Prevent a recurrence of 2016's decrease of Black ballots counted, blocking of Native American and student voters, & flattening of Latino voter participation
11. Congress pass legislation with funding and guidelines to Ensure election security
12. Restore the *Voting Rights Act*

13. Inspire youth leadership and involvement in the political process.

MOST CRITICAL RECOMMENDATION: CONGRESS AND THE STATES ADOPT VOTER OPTIONS AS FOLLOWS:

1. Vote By Mail= No Excuse, No Barriers Absentee Voting:

- No application process Preferred
- No witnesses or notarization requirements
- No exact signature match requirements
- Applications mailed directly to all voters
- Ballots mailed directly to all voters
- Return envelopes with pre-paid postage
- Postmarked by election day
- Aggressive outreach to all voters on inactive list
- Outreach to purged voters
- Strong outreach and voter education support for all voters: both digital and nondigital is essential
- No requirement for mail in of a copy of ID
- Must provide for forwardable ballots

2. Expand Early Voting

- Need at least 3 weeks of early voting including Sundays
- In some states, if given the opportunity to early vote, over 50% of Black people will vote early!

3. Drive Up Voting

- Curbside voting
- Drop boxes
- Ballot collection outside or at polling sites

4. Safe On-site Polling Places

- Adequate number of polling places (currently, there are too many reductions)
- PPE for all poll workers & voters

- Actively recruit younger poll workers
- Active disinfecting of polling sites
- Use paper ballots & let voters keep pens
- Regularly disinfect all voting equipment
- Provide free transportation to polling sites

CONCLUSION

In conclusion, despite the valiant efforts of lawyers, organizations and individuals to fight against this covid-19 era virus voter suppression there, is no substitute for aggressive congressional action to protect the rights of voters now under attack. Only Congress can formulate and adopt appropriate legislation which adequately response to the challenge challenges of this era.

there is nothing more critical to our democracy than the right of every citizen the cast of ballad and have it counted. The COVID-19 pandemic interposes new but surmountable obstacles. If the recommendations that have been put forth or adopted there is a substantial chance that most voters right to vote will be protected.

Thank you again for this opportunity to testify and I look forward to answering your questions.