



HNBA 2019 RESOLUTION IN SUPPORT OF LEGISLATIVE ACTION TO RESTORE THE VOTING RIGHTS ACT

WHEREAS, the Hispanic National Bar Association (“HNBA”) is an association created to represent the interests of Hispanic legal professionals and the Hispanic community, acting as a collective voice for issues of common concern to its members; and

WHEREAS, the HNBA is the national voice of its legal community and Hispanics in the United States and its territories and possessions; and

WHEREAS, on June 25, 2013 the Supreme Court issued a decision in *Shelby County v. Holder*, a case challenging the constitutionality of provisions of the Voting Rights Act; and

WHEREAS, in a 5-4 decision, the Court struck down Section 4 of the Voting Rights Act, invalidating the coverage formula that determines which jurisdictions are subject to Section 5 of the Voting Rights Act, and its preclearance provisions; and

WHEREAS, Chief Justice John Roberts explicitly recognized that “voting discrimination still exists,” but the Court did not rule on the constitutionality of Section 5; and

WHEREAS, the Voting Rights Act provides critical protection for millions of voters, particularly in states with a history of voter suppression; and

WHEREAS, without the coverage formula in Section 4b, the voting rights of millions of historically disenfranchised populations, which are primarily communities of color, are now endangered; and

WHEREAS, in recent years, attempts have been made to restrict access to the polls through strict voter identification laws, barriers to voter registration, failure to comply with the Voter Registration Act, reduced early voting opportunities, and failure to provide language access; and

WHEREAS, the Voting Rights Act has received strong bipartisan support in Congress and the White House since 1965; and

WHEREAS, any change in the enforcement of the Voting Rights Act is of significant concern to communities of color and our attorney constituents;

NOW THEREFORE BE IT RESOLVED, that the HNBA supports the passage of bipartisan legislation to protect the voting rights of all Americans, especially those targeted by discriminatory efforts; and

NOW THEREFORE BE IT RESOLVED, that the HNBA calls for passage of legislation to update and pass a new, modernized coverage formula to determine what jurisdictions will be subject to Section 5 so that voters in jurisdictions with pervasive histories of discrimination continue to be protected and as required by the decision in *Shelby County v Holder*; and

NOW THEREFORE BE IT RESOLVED, that the HNBA also supports other efforts and laws that are consistent with this resolution; including for example, automatic voter registration, accessibility, accountability and integrity in the electoral process, decreasing barriers to voting, increasing federal funding for voter election security (physical and cyber); increasing prohibitions on and penalties for voter intimidation and suppression; eliminating restrictive voter identification laws and proof of citizenship laws, and eliminating restrictions on early voting.

BE IT FURTHER RESOLVED that the HNBA authorizes its officers and staff to communicate this Resolution's content to other bar associations, members of the U.S. Congress, the press, and to whomever else is suited to receive the information in order to affect this Resolution.

BE IT FINALLY RESOLVED that this resolution shall be the policy of the HNBA until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

I, Jennifer Salinas, National President of the Hispanic National Bar Association, hereby certify that the foregoing resolution was duly enacted by the Executive Committee pursuant to the authority delegated to it by a duly-noticed meeting of the Board of Governors.

Jennifer Salinas,
HNBA National President