



HNBA 2021 RESOLUTION IN SUPPORT OF VOTING RIGHTS

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 in chapters in every part of our country; and

WHEREAS, 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 certain provisions of the Voting Rights Act; and

WHEREAS, in a 5-4 decision, the Court struck down the coverage formula under Section 4b of the Voting Rights Act, which had determined which jurisdictions were subject to the preclearance provisions of Section 5 of the Voting Rights Act; and

WHEREAS, Chief Justice John Roberts explicitly recognized that “voting discrimination still exists,” and 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, purges of eligible voters from the rolls, reduced early voting opportunities, and failure to provide language access, among other recent forms of voter suppression that disparately impact voters of color; and

WHEREAS, a Congressional record including federal court findings in cases HNBA has supported and a report by the U.S. Commission on Civil Rights, among other evidence, clearly demonstrates current conditions of ongoing voter discrimination concentrated in formerly-covered states, as well as across the nation;

WHEREAS, the Voting Rights Act has protected Hispanic voting rights and 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 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 HNBA calls for passage of the John Lewis Voting Rights Advancement Act 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 such that discriminatory voting practices that may occur across the country are also subject to preclearance; and

NOW THEREFORE BE IT RESOLVED, that HNBA supports the For the People Act to the extent to which it will modernize the voter registration system to expand access to the polls and decrease barriers to voting, prohibit voter caging and deceptive practices, and increase accountability and integrity among election officials and poll workers; and

NOW THEREFORE BE IT RESOLVED, that HNBA also supports other efforts and laws that are consistent with this resolution; including for example, automatic voter registration, 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; and

BE IT FURTHER RESOLVED that 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 HNBA until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

I, **Elia Diaz-Yaeger**, 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.



Elia Diaz-Yaeger
HNBA National President