



December 19, 2012

The Honorable Patrick Leahy, Chairman
Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, DC 20510

RE: Hearing, "The State of the Right to Vote After the 2012 Election"

Dear Chairman Leahy:

Thank you for holding this hearing on this critical issue.

In 2011 and 2012, [19 states](#) passed laws and executive actions making it more difficult for their citizens to cast ballots. From voter ID laws to restrictions on early voting to unnecessary registration hurdles, these laws intentionally targeted those who have been traditionally disenfranchised: African Americans, people with low incomes, and the young. This year, I worked with a network of 1,100 African-American churches in 22 states to counteract these laws as best we could by educating, motivating and turning out our congregations and communities. The result was historically high African-American turnout. We're tremendously proud of the work we did this year, but we fear that as more voting restrictions targeted at African Americans go into effect, the promise of "one person, one vote" will be a harder one for our country to keep.

Across the country, restrictions on voting led to confusion and discouragement among voters. But they also were a powerful motivator, especially for those of us who lived and fought through the Civil Rights Movement. As Elder Lee Harris of Mt. Olive Primitive Baptist Church in Jacksonville, Florida, put it, "We've come too far and fought too hard to let anybody take away our vote again." Our task was to reach out to as many voters as we could to educate them on what they needed to vote and to make sure they got to the polls and stayed there.

Some of the strongest attacks on voting rights came in Ohio, where they met with strong opposition from members of People For the American Way Foundation's African American Ministers Leadership Council. In the months leading up to the election, Ohio's legislature and elections officials passed a number of measures aimed at suppressing voter turnout, especially among African Americans – intentionally, as one county elections official [admitted](#). Notable among these were restrictions on early voting that hit heavily African-American counties the hardest. One early voting restriction – which ordered the polls closed in the all-important three days leading up to the election – was ultimately rebuffed by the courts, but voters still faced unacceptably long lines at their polling places.

Rev. Dr. T.C. Thomas of Metropolitan CME Church in Cincinnati reported that the main obstacles he faced in turning out the vote were confusion over the rules and long lines at polling places. To counter these challenges, Dr. Thomas worked together with clergy in the area to hold nonpartisan get-out-the-vote rallies and educate their communities on their rights at the polls. On Election Day, Dr. Thomas and

church volunteers provided shuttle service to polling places and checked in on polling places with long lines to make sure that those who were unable to stand for long periods got to the front of the lines.

Dr. Tony Minor of Community of Faith Assembly in Cleveland was one of the most outspoken voices against voter suppression in Ohio, penning an op-ed in the *Cleveland Plain Dealer* and appearing on several radio and television news shows. Rev. Minor and his fellow clergy in Cleveland organized a ride to the polls hotline, which they advertised in area churches and which ended up providing hundreds of rides on Election Day.

In all, the African American Ministers Leadership Council in Ohio arranged for over 5,000 rides to the polls during early voting and over 3,000 rides on Election Day through the “I am a VESSEL and I Vote” program.

Some of the worst voter suppression measures in the country were implemented in Florida, where new voter registration restrictions shut down major nonpartisan registration operations and severely cut down on early voting hours. We all remember seeing photographs of voters standing in line until 2:00 am on election night, waiting to cast their ballots even after the presidential election had been called.

Behind the turnout in Florida were the efforts of many community organizers, including clergy leaders. Elder Lee Harris of Mt. Olive Primitive Baptist Church in Jacksonville also cited confusion about polling places and voting rules and long lines at the polls as the main obstacles facing voters. In response, Elder Harris said, he and his fellow clergy “just tried to leave no stone unturned.” A coalition of African-American clergy in five counties organized to air public service announcements about the importance of voting, bought paid radio spots in the week leading up to the election, and distributed fliers about their rides to the polls program in churches and malls. They pooled their church vans to provide free rides to the polls on every day of early voting and on Election Day. In Florida, members of the African American Ministers Leadership Council transported over 1,000 people to the polls.

In all, members of the African American Ministers Leadership Council facilitated over 400,000 voter registrations and transported over 27,000 people to the polls.

We are proud of the work that we did to bring thousands of African Americans to the polls. But we’re reluctant to claim victory over voter suppression. A number of suppressive laws, including voter ID requirements in Pennsylvania and South Carolina, may go into effect next year. Cutbacks in early voting days in Ohio and Florida created barriers to voting we should never see in our democracy. In addition, ever-changing rules about voter registration and provisional ballots create confusion among voters, especially new and infrequent voters.

In the end, our efforts to educate and organize can only go so far. Equally important in the effort to maintain the right to vote has been the role of state and federal courts, where Americans can turn when powerful forces seek to deprive them of their right to vote. Federal courts play a particularly important role in protecting the guarantees set forth in the Voting Rights Act. From Ohio to Florida to Pennsylvania to South Carolina to Texas, the courts were critical in tamping down efforts to suppress the votes of African Americans and other targeted groups. As the Supreme Court prepares to review Section 5 of the Voting Rights Act, this year offered us many powerful reminders that the preclearance

provisions of the VRA are still relevant and still vitally necessary. In August, when a federal court struck down Texas' new voter ID requirement, Rev. Dr. Simeon L. Queen of Prairie View, Texas, offered these words:

“It is inexcusable that nearly 50 years after the passage of the Voting Rights Act, politicians are still trying to make it harder for African Americans in Texas to vote. I wish the Voting Rights Act wasn't still necessary, but thank the Lord it's still there. African Americans in Texas have struggled throughout our history to exercise all of our rights as citizens, including the right to vote without unnecessary restrictions meant to discourage and disenfranchise. Today, thanks to the Voting Rights Act, a major threat to that effort has been defeated.”

The civil rights movement continues in many places, and chief among those is the voting booth. As African-American clergy, we see it as our duty to make sure our communities' voices are heard at the polls, and that every single one of us can and does cast a vote that counts. Just as the Voting Rights Act continues to protect us against attacks on our rights, the Black Church continues to stand up for the right of every American to vote.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Watson Malachi".

Minister Leslie Watson Malachi
Director, African American Religious Affairs
People For the American Way Foundation

CC: Ranking Member Chuck Grassley
Committee Members