



PROTECTING THE VOTE FOR ALL AMERICANS

Fair Elections Center Testimony in Support of HB 1890
Virginia House Privileges and Elections Committee - Voting Rights Subcommittee
Friday, January 22, 2021

Fair Elections Center supports moving HB 1890 forward because this bill would prevent racially discriminatory laws and practices from going into effect, making voting more fair and accessible.

Fair Elections Center is a national, nonpartisan voting rights and election reform organization which works to remove barriers to registration and voting for traditionally underrepresented constituencies. Formed in 2017 to continue the work of the Fair Elections Legal Network, the Center works to improve election administration through legislative, legal and administrative reform, to protect access to the ballot through litigation, and to provide election law expertise, voter information and technical assistance to voter mobilization organizations.

HB 1890 would establish preclearance for certain covered election-related practices. Preclearance is particularly important as a tool to end racial discrimination in voting because it stops discriminatory practices before they go into effect. Currently, unless such practices are stopped usually through litigation including a preliminary injunction motion, elections occur with these practices in place and they may continue to harm electoral participation for years before a case is resolved. Under a preclearance system, however, such practices cannot go into effect if determined to be discriminatory, and elections they would otherwise affect are not continually imbued with discrimination. Every voter in our democracy should have the same opportunity to participate free from discrimination, and a preclearance system would help make that vision a reality.

While Fair Elections Center also supports reauthorization of the federal Voting Rights Act preclearance coverage formula following the 2013 U.S. Supreme Court decision in *Shelby County v. Holder*, regardless of federal action and related federal court decisions, Virginia must not allow discriminatory practices to harm its voters and democracy in the Commonwealth. This is particularly crucial at the local level where potential discriminatory changes tend to be less visible and transparent than highly visible state policies.

Fair Elections Center urges you to move this bill forward. If you have any questions or need further information, please contact Michelle Kanter Cohen, Senior Counsel, Fair Elections Center, (202) 331-0114, mkantercohen@fairelectionscenter.org.