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**New York County Lawyers Association Issues Statement  
In Support of Enacting New York State Voting Rights Legislation**

The New York County Lawyers Association (NYCLA) represents more than 7500 attorneys, judges, and law students in New York City. NYCLA supports the enactment of New York state voting rights legislation that would help to safeguard voting rights in New York if the federal government continues to fail to take action.

In 2013, in a 5-4 decision, the Supreme Court in *Shelby County v. Holder* struck down preclearance provisions of the federal Voting Rights Act (VRA). The Court ruled that the formula used to determine whether a geographic area was subject to preclearance could not continue to be used, because Congress had not updated it in nearly 50 years, and conditions in the affected counties had changed. This ruling was controversial. In support of continuing the preclearance regime, the New York Attorney General (as part of a consortium of Attorneys General) wrote that preclearance serves as “a critical means to identify and deter retrogressive and discriminatory voting-related changes.” The New York Attorney General described preclearance as conferring “unique and irreplaceable protections.”<sup>1</sup>

The VRA applied in locations across the country. Two amendments to the VRA, enacted in 1970 and 1975, brought some of New York’s most populous counties within its reach. The VRA thus helped protect minority and non-English-speaking communities in this State from discriminatory voting rules.

Congress has, thus far, failed to enact an updated formula that would allow the VRA's preclearance rules to be reinstated. In the vacuum left by Congress, it is up to states to take action. The New York Legislature is considering a bill that would, among other things, reinstate preclearance requirements in New York and mandate that voting materials be printed in different languages. NYCLA urges legislators to come together and take action to ensure that voters in New York receive at least the same level of protection (including the protections of the pre-Shelby County preclearance mechanisms) that they once enjoyed under the VRA. Indeed, the value of such legislation has been recognized not only by political leaders but by companies as Microsoft, Amazon, Apple, and Google, which have described the VRA as the "crown jewel" of civil rights legislation.<sup>2</sup>

Representative John Lewis called the right to vote "the most powerful non-violent tool we have in our democratic society." We urge that, in the absence of federal legislation, the State legislature take action to protect the core right of New Yorkers to vote

### **About the New York County Lawyers Association**

The New York County Lawyers Association ([www.nycla.org](http://www.nycla.org)) was founded in 1908 as one of the first major bar associations in the country that admitted members without regard to race, ethnicity, religion or gender, and has a long history of supporting the rights of LGBTQ+ people. Since its inception, NYCLA has pioneered some of the most far-reaching and tangible reforms in American jurisprudence. For more information on NYCLA please visit [nycla.org](http://nycla.org).

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<sup>1</sup> <https://www.brennancenter.org/sites/default/files/legal-work/2013.2.1%20Brief%20for%20NY%20CA%20MS%20and%20NC%20in%20Support%20of%20Respondents.pdf>

<sup>2</sup> <https://www.businessforvotingrights.com/letter-to-congress>