

**SEPTEMBER 2021**

APPROVAL SUBCOMMITTEE

HR 4: John Lewis Voting Rights Act

PUBLIC POLICY ADVISORY COMMITTEE

**HR 4: John Lewis Voting Rights Act**

SUBCOMMITEE JURISDICTION

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| 🞎 | Directly or indirectly impacts SCG or its members’ ability to conduct their work and philanthropy effectively |
| 🗹 | The issue is widely supported by SCG membership and SCG peer learning groups |
| 🗹 | Involvement of SCG or its members could shape the outcome of the issue |
| 🗹 | Current position or role of larger associations or coalitions are known and supported by SCG |
| 🗹 | Strengthens communities, the nonprofit sector, or increases charitable giving |
| 🗹 | Builds goodwill with the larger philanthropic network |

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The *John Lewis Voting Rights Act* (HR 4), in conjunction with other related legislation, aims to restore the protections of the Voting Rights Act of 1965, many of which were taken away as a result of the 2013 *Shelby County v. Holder* Supreme Court Decision. Through a combination of a modernized formula for determining discriminatory patterns and increased transparency for voters through early notification systems and federal monitoring of election period practices, HR 4 looks to protect all voters, specifically those whose voting rights have been historically disproportionately suppressed.

**RECOMMENDATION**

Staff recommends that the Approval Subcommittee take a position that **supports the passage and implementation of HR 4**. Southern California Grantmakers is committed to racial equity and supporting a fair democracy. We share the view of philanthropy that democracy is maintained through a fair and accurate census, equitable drawing of districts, and unbiased access to voting. Without federal legislation in place to support free and fair elections, states could limit BIPOC voices in future elections and reverse the racial equity advancements in the political landscape.

**BACKGROUND**

The Voting Rights Act of 1965 broke down barriers to voting access and allowed for Federal oversight of states with a history of discriminatory voting laws and practices. However, the 2013 Supreme Court decision *Shelby County v. Holder* caused significant reductions in these protections, namely, the requirement for states to receive federal permission to change voting laws, known as “preclearance”. This eased restriction allowed many, predominantly Southern, states to pass restrictive voting laws that primarily affected Black and Brown people. Although the 2020 elections celebrated record turnouts, heavy influence from minority voters, and the election of a groundbreakingly diverse group of legislators and representatives, the response from those in opposition was swift and ubiquitous, with highly restrictive voter legislation proposed in 48 states and passed in 14.

Many of the states that have enacted these restrictive laws have a history of disenfranchising Black and Brown voters, going back to the Jim Crow era, and efforts to constrain voting rights always disproportionately affect people of color, as well as those with disabilities, lower income voters, the elderly, and transgender people. Black voters, for example, are less likely than white, Hispanic, and Asian American voters to utilize absentee or mail-in ballot options, leaving them vulnerable to the challenges of in-person voting, including long wait times, inconvenient polling locations that skew toward white neighborhoods, and health and safety concerns (made even more threatening with the COVID-19 pandemic). While encouraging the use of mail-in voting may seem to be a solution — and record numbers of Black voters did vote by mail in 2020 — states are also working to restrict these options, undermining these efforts and discriminating against those with disabilities and with other limiting factors in the process. Georgia, a state taking a multifaceted approach to voter suppression, has attempted to pass bills that restrict voting by mail and counties’ ability to allow voting on nights and weekends, which limits those unable to forgo work during the day, as well as the impact of “get out the vote” church events.

HR 4 utilizes three major tactics to restore voter protections. First, the bill aims to modernize the formula used to calculate a state’s history of discriminatory voting practices by analyzing the number of voting rights violations the state, or any subdivision of the state, has had in the past 25 years. Second, HR 4 requires transparency for voters in the form of the public announcement of any voting changes at least 180 days before the election. Third, it expands the government’s authority to send federal observers to any jurisdiction where there may be a substantial risk of discrimination at the polls on election day or during an early voting period. Through these strategies, the John Lewis Voting Rights Act — which already has the public support of many legislators, including President Joe Biden — would support racial equity, fair democracy, and the restoration of many voters’ rights.

**SUPPORT**

The following SCG members, partners, and other organizations have expressed support for this effort through their grantmaking and planning:

* Advancement Project California
* Catalyst of San Diego
* Northern California Grantmakers
* The Leadership Conference on Civil and Human Rights
* United Philanthropy Forum

**OPPOSITION**

The following organizations have expressed concerns or come out against this effort:

* No known relevant opposition

**PROPOSED SOLUTION**

As philanthropy continues to increase its focus and investments in racial justice, it can also play a crucial role in supporting democracy and civic engagement, particularly in this time as we experience an increase in voting legislation and restrictions that would predominantly impact communities of color. Support for HR 4 would signify a commitment to nonprofits and organizations working to represent the voices of those being suppressed and would be one step in the continuous efforts that need to be made, not just in election years, to combat anti-democratic policies.

If adopted, staff would support the above action by:

* Coordinating with the United Philanthropy Forum to support their national advocacy efforts
* Engaging in statewide advocacy as a part of Philanthropy California and regional advocacy as SCG, including writing letters of support, creating educational materials, and supporting programs in which members and non-members can engage

**PREVIOUS SCG ACTION**

SCG / Philanthropy California has not previously taken action on federal voting rights legislation.

