



## Southwest Voter Registration Education Project

US Senate Judiciary Committee  
The Right Side of History: Protecting Voting Rights in America

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Testimony Prepared and Provided by  
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Good morning, Chairman Durbin, Ranking Member Graham, and U.S. Senate Judiciary Committee members. Thank you for the opportunity to testify before the US Senate Judiciary Committee. I come before you in support of the John Lewis Voting Rights Advancement Act (JLVRAA) and urge you to enact this important legislation.

I am Lydia Camarillo, president of the Southwest Voter Registration Education Project (SVREP). For over twenty-five years, I have had the pleasure and honor of serving as vice president, executive director, and for the last five years as its president.

SVREP is a nonprofit, nonpartisan organization founded in 1974 in San Antonio, Texas, by the late William C. Velásquez. SVREP has served and empowered the Latino community for fifty years. Since opening its doors, it has registered 3.4 million Latinos; no other Latino or non-Latino group has registered more Latino voters than SVREP. SVREP has won 210 voting rights lawsuits and trained over 150,000 Latino leaders.

In 1968, four years after the Civil Rights Act, there were still signs that read “No Dogs, No Blacks, No Mexicans.” My predecessor, Willie Velásquez, participated in meetings led by lawyers and League of United Latin American Citizens (LULAC) members during this time. They met to form a legal arm mirrored after the NAACP Legal Defense Fund to fight discrimination against Latinos in the workforce, government representation, and political access. LULAC’s lawyers formed the Mexican American Legal Defense and Educational Fund (MALDEF.) Willie Velásquez determined he would organize a nonprofit similar to the NAACP *Voter Fund* instead.

As Willie Velásquez organized communities across the southwest, he sought technical assistance from the late Congressman John Lewis while the Congressman worked for the Voter Education Project (VEP.) Congressman Lewis provided guidance and the knowledge to register Latino voters. US Representative Lewis's experience registering Black voters gave a blueprint to SVREP for registering Latino voters. Willie Velásquez gained the knowledge and technical assistance to register Latino voters from the legendary icon, a hero to us all, whose name is on this bill today.

My tenure with SVREP provides me with a perspective where I have personally witnessed how states enact laws to suppress and dilute vote, particularly the vote of Latino voters and other racial and ethnic communities. I have also continued to serve as the Chair of the Texas Latino Redistricting Task Force since 2010.

We must be reminded why we are urging for the reinstatement of Section 4(b) of the Voting Rights Act and strengthening the VRA to help save America’s democracy. In the past, Latino voters have been blocked from voting with the poll tax. Voting rights groups challenged that poll tax as violating the U.S. Constitution, and won, but this took years. Once this pattern of discrimination was ruled unconstitutional by the courts, new laws, like the requirement to read, were enacted to block potential voters. There is a long list of laws throughout our nation’s

history that were enacted to suppress the vote, dilute the political power of the Latino electorate and others. This includes literacy tests, English requirements, long residence requirements, and proof of citizenship requirements, to name a few.

Changes in election laws that create barriers are evolving. These laws are now harder to block, and it takes years to overturn them. In the time it takes to determine the legality of a challenged election law, countless Latino voters are blocked from exercising their right to vote. The John Lewis Voting Rights Advancement Act provides a legal framework to stop any discriminatory changes in election law before it could be implemented and would allow groups like SVREP and MALDEF to better protect the right to vote for all eligible to vote Latinos.

Voter suppression manifests in ways we can identify and see in real time. The John Lewis Voting Rights Advancing Act will help to mitigate and stop ongoing efforts to suppress and dilute voting rights in marginalized communities, particularly in states with large Latino populations. Voter suppression efforts often target Latino communities because they consist partly of Spanish speakers, and because they are perceived as an immigrant community, oftentimes assumed to be a primarily undocumented immigrant community. While the Latino community includes both documented and undocumented immigrants, Latino families have lived in states like Texas, California, and other southwestern states before these states became part of the United States. I have seen dozens of voter suppression laws that equally target not only Latino immigrants who are here legally, but also Latino US citizens whose families have lived here for generations.

In previously covered states or localities, Section 5 of the Voting Rights Act (VRA) requires that any proposed voting changes must be approved by the Department of Justice (DOJ) or the U.S. District Court for the District of Columbia to assure that the changes do not harm voters of color. However, it is Section 4(b) of the VRA that identifies the jurisdictions to which Section 5 can be applied, and without the coverage formula formerly included in Section 4, Section 5 is unenforceable. To protect the voting rights of millions of Latino voters, Congress must vote to update the coverage formula in Section 4 of the VRA to ensure that states or localities with a history of discrimination are covered by the VRA's preclearance process, and that certain election practices, used historically to erect barriers for Latino voters, must also be reviewed.

SVREP strongly recommends and urges the US Congress to vote to update and strengthen the VRA because that will not only solve the current discrimination voters face in certain states but also prevent future discrimination voters in other states could experience.

Voters in the states and communities that were protected under Section 4(b) of the Voting Rights Act are currently facing new challenges as new laws have been enacted by the formerly covered states to dilute their vote and suppress the Latino vote. For example, over several election cycles, when I vote at my precinct, located in a majority White neighborhood, I am told that I am not registered to vote. I have lived in this home since 1996. On one occasion, I witnessed a Latina voter rushing out of the polling precinct site, and she expressed disappointment and sat down on the bench by the line to vote. I reached out to speak to her, and she was embarrassed. She kept saying, "I know I am registered to vote." Unfortunately, she left in a rush, and I was unable to help her.

Just how many voters, like that Latina, were told that they were not registered to vote in that precinct by the election poll workers. These voters' right to vote were harmed. How many? We will never know.

One Latina voter that SVREP registered to vote in Florida was told she registered to vote after the voter registration deadline. This voter registered to vote in August, not October. She was finally allowed to vote after she called our office. I told her to tell the precinct Judge that she was going to call the press to expose voter suppression and violation of her right to vote. I am happy to share that the voter cast her vote in that election cycle.

Last year, over 19 states enacted thirty-four laws to restrict access to voting. These laws included obstacles to vote-by-mail, new voter ID laws, proof of citizenship, and limitation to voter assistance, especially for those with limited English or Spanish-only speakers, visual impairments, and voters who need assistance when voting. Texas counties eliminated early voting sites. They reduced the days and hours of operation of other early voting sites, particularly those in Latino neighborhoods where Latino voters were accustomed to voting. Several years ago, after the *Shelby County v. Holder* decision, the City of Pasadena moved to change its single-member district voting system to an at-large voting systems that would have limited the Latino community representation on the city council, if it had not been struck down in court.

The John Lewis Voting Rights Advancement Act will help protect the voting rights of the Latino community in Texas, and across the southwest. For the first time in Texas history, an estimated three million or more Latinos will vote in the 2024 election. While the number of Latinos cast their vote this November will be historic, we know millions more would be able to vote if Texas enacted laws that provide for same-day voter registration, online voter registration, ballots mailed to every registered Latino voter, and allowing students to vote using their student identification.

SVREP has taken action to enforce the voting rights of Latino voters. For example, SVREP sued Texas for its discriminatory redistricting plans. The State of Texas has gerrymandered 5 congressional districts away from Latino voters in the *LULAC v Abbott*<sup>1</sup> case. SVREP is a plaintiff in *LULAC v Abbott*<sup>1</sup>. We challenged the state of Texas on four redistricting maps at the congressional, State Senate, State House, and State Board of Education levels. Our legal challenge argues that fifteen districts were either weakened or eliminated. Congressional Districts 23 and 15 were weakened from being Latino-majority districts. There should also be three more Latino-majority districts due to Latino population growth in Texas since the 2020 Census. Texas gained two new congressional seats, but Texas Latinos lost five congressional seats despite their increase in total population and the increase in their percentage of the total population. Additionally, 40.2% of the Texas population is made up of the Latino community, while the non-Latino white community is only 39.8% of the Texas population. However, there are 7 Latino-majority districts in Texas and 27 non-Latino white-majority districts.

SVREP also sued Texas on its Senate Bill 1, one of the worst bills passed by the legislature to prevent Latino voters from casting their vote. One of the provisions allows for partisans to stand before any voter to intimidate the voter, looking on in violation of their right to vote in private. SVREP and the other plaintiffs won against one of the law's provisions that required vote-by-mail ballots to be signed according to rules that harmed hundreds of 65 and older voters who

voted for years with vote-by-mail ballots. However, this case is still pending, and the remaining provisions result in voters voting without their assistor of voice or without assistance, and some voters are unable to cast their ballot. For example, one voter, Mr. Louis Perales, is 76 years old and has a number of health concerns. He has voted by mail for years, but in the March 2022 Primary Election, his ballot was rejected after he struggled to complete his vote by mail ballot and did not include his identification number because the location to place the information was under the flap and he did not see it. He was not able to cure his ballot, and so his ballot was not counted for that election.

In 2019, Texas was blocked by an SVREP lawsuit from purging 100,000 Latino voters from the voting rolls based on outdated driver's license or state identification information. These voters received their driver's licenses before they naturalized. Once these Latino voters naturalized, they registered to vote and cast their vote in the 2018 election.

In 2022, Arizona enacted House Bill 2243, which will purge voters, primarily Latino voters. SVREP anticipates that close to 1,000,000 Latino voters will be registered to vote in Arizona by the November 5, 2024, presidential general elections. SVREP sued Arizona to stop H.B.2234 from being enacted.

The Arizona House Bill is frightening if ever implemented. For example, under the law, any third party could claim without evidence that a voter is not a US citizen and, therefore, is placed on the purge list. This provision was recently struck down by the U.S. district court, but other provisions, such as the use of old driver's license data, remain in place. While voters will have time to cure the outrageous allegations, this can take place every month. We believe that this will be a serious detriment for voters to find time and resources to prove they are citizens. HB2243 will impact Latino voters.

In Georgia in 2020, SVREP called over 200,000 Latino, Black, and other ethnic voters whose ballots had to be cured to ensure their votes would count. SVREP mobilized the Latino vote with multiple live contacts in Georgia in 2020. SVREP provided water and a meal for those standing in line for hours waiting to vote because there were not enough voting sites for voters to cast their vote. In 2021, SVREP mobilized the same Latino voters with live contact for the U.S. Senate runoff elections. SVREP was not allowed to provide food and water to voters standing in line per Georgia State law, S.B.202.

California is among the states that have enacted and passed legislation that has protected the Latino vote. California provides for online voter registration; it has same-day voter registration as election day; potential voters can pre-register to vote as early as 16 years old; and automatic registration is allowed. All Californians registered to vote received their vote-by-mail ballot and can drop their ballots in drop boxes.

However, SVREP sued California over its redistricting maps. Hundreds of school districts and local municipalities conduct elections under at-large voting systems. This is true in some communities where the Latino community is the majority. The Latino community is disenfranchised when the at-large elections do not allow them to elect their candidates of choice.

I want to thank MALDEF for its excellent legal representation in our legal challenges against Texas and Arizona.

President Lyndon B. Johnson signed the Voting Rights Act of 1965 into law, and President Gerald Ford signed H.R.6219, Extending the Voting Rights Act of 1965, in August 1975 to include language. It is time for Congress to sign legislation to protect America’s democracy, ensure that the Voting Rights Act is able to fully protect the voting rights of American citizens, and honor the right to vote.

Thank you again, Chair Durbin, Ranking Member Graham, and members of the US Senate Judiciary Committee, for the opportunity to testify before the US Senate Judiciary Committee. SVREP urges the enactment of the John Lewis Voting Rights Advancement Act.

SVREP stands ready to work with the US Senate Judiciary Committee, the U.S. Congress, MALDEF, and civil and voting rights groups to enact the John Lewis Voting Rights Advancement Act.

¡Su Voto Es Su Voz!

### **Footnotes:**

<sup>1</sup>SVREP is one of ten nonprofit organizations that sued Texas on the premise that Texas violates the US Constitution and violates the Voting Rights Act with the redistricting maps it drew in 2021. SVREP won its legal lawsuit against the State of Texas in its lawsuit in 2011 on the redistricting case.

SVREP and eight other groups sued in the San Antonio Federal Court against the 2021 congressional and State House maps. The San Antonio Federal Court ruling fixed congressional district 23 and created two new districts, CD33 and C35, as Latino-majority districts where Latinos can elect candidates of choice.

*LULAC v Abbott* is pending litigation.

<sup>2</sup>SVREP sued Texas on the S.B.1.

SB1 imposes new ID requirements on elderly and disabled mail voters, prevents election officials from reigning in partisan poll watchers, limits community-based voter outreach, and makes it difficult for voters to use the “assister” of their choice. Assisters aid language-limited voters, voters with visually impaired eyesight, and voters who need help.

<sup>3</sup>SVREP sued Texas for its efforts to purge 100,000 Latino voters in 2019, and we won a settlement.

<sup>4</sup>SVREP and other groups sued Texas on its Texas redistricting maps at the congressional and State House levels in 2011. The lawsuit asks the federal court to toss out the new maps because the maps are unconstitutional and violate Section 2 of the Voting Rights Act of 1965.

SVREP won and was able to fix the retrogressed congressional district 23 and draw two new congressional districts, CD33 and CD35. The San Antonio Federal Court drew interim maps for the elections because of Section 5 of the Voting Rights Act.

The Texas Latino Redistricting Task Force (Task Force) is a coalition of Latino organizations that sued Texas for its violation of the Voting Rights Act. These groups include

SVREP sued Texas in the U.S. District Court for the Western District of Texas, El Paso.

<sup>5</sup>SVREP sued Arizona to block H.B.2243 from being enacted into law.

<sup>6</sup>In 2006, SVREP sued Arizona on its request to require proof of citizenship, Proposition 200.