



CENTER FOR LAW AND
SOCIAL JUSTICE

AT MEDGAR EVERS COLLEGE,
THE CITY UNIVERSITY OF NEW YORK

November 2nd, 2021

Re: Statement of Support for New York State Ballot Proposals 1, 3 and 4

Dear Community Members and Partners,

The New York Voting Rights Consortium, a group of leading local and national voting-rights advocates,¹ issues this statement in support of New York State ballot proposals 1, 3 and 4. In doing so, we recognize the critical opportunity these measures present in advancing the collective interests of BIPOC² community members and stakeholders.

We support ballot proposal # 1 because it solidifies New York's commitment to ensuring that the state's redistricting process is performed equitably and with our collective community members' interests in mind. Particularly, we support without reservation ballot proposal # 1's mandate that state assembly and senate districts be based on the total population of the state, rather than on the basis of citizenship status, as well as its mandate that incarcerated individuals be counted at their last place of residence, not their location of incarceration, for purposes of New York State legislative and congressional redistricting.

We believe that these changes address and solidify long-needed reforms to the redistricting process. In the past, we have seen attempts at politicization of the decennial census in the form of the addition of a citizenship question.³ Efforts such as these threatened to undermine established census enumeration principles at the federal level, which in turn threatened to harm political representation and resource allocation for BIPOC community members throughout the State of New York. Ballot proposal # 1's requirement that all residents, regardless of citizenship status, be counted for the drawing of state congressional lines ensures that the maps from which New York's congressional delegation is elected are rightfully reflective of the entirety of our diverse New York State community. Additionally, while New York State legislation⁴ mandates that incarcerated individuals be counted at their last place of residence as opposed to the location of their incarceration for legislative districts, Ballot Proposal 1 goes further and amends the state constitution to so reflect. We support this change because it firmly entrenches New York's commitment to preventing the distortion of political representation in the redistricting process with respect to incarcerated individuals, most of whom are people of color whose homes are outside their place of incarceration.⁵ Taken together, these

¹ The New York Voting Rights Consortium is a non-partisan coalition consisting of the Asian American Legal Defense and Education Fund, Center for Law and Social Justice at Medgar Evers College, LatinoJustice PRLDEF, NAACP Legal Defense and Educational Fund, Inc., and others. The New York Voting Rights Consortium is committed to the full enforcement of federal and state laws that protect the voting rights of people of color.

² BIPOC refers to Black Indigenous People of Color, a term inclusive of our collective community. For more information of its meaning and framing please visit <https://www.thebipocproject.org/about-us>

³ See <https://www.nytimes.com/2019/07/02/us/trump-census-citizenship-question.html>

⁴ See https://www.prisonersofthecensus.org/NYS_A11597.html

⁵ See Generally <https://www.prisonpolicy.org/profiles/NY.html>

components of Ballot Proposal 1 create meaningful improvements to a process that deeply impacts communities we represent.

In addition, we strongly support Ballot Proposals 3 and 4, as they are essential to ensuring unfettered access to New York State’s electoral process. Following historic turnout, especially by BIPOC voters, in the 2020 general election, there have been concerted efforts to undermine the fundamental right to vote across the country. No fewer than 19 states have enacted 33 laws that make it harder for individuals to vote in the past year.⁶ Given the scale of these unprecedented attacks on voting rights, it is critical that we take action to secure and enhance eligible New Yorkers’ access to the electoral process.

These proposals are vital to maintaining the health of New York State’s electoral system. Ballot Proposal 3 removes the New York State Constitution’s requirement that a citizen must be registered to vote at least 10 days before an election from the state constitution. This change creates a pathway for same-day voter registration, which will make it easier for all eligible New Yorkers, and particularly voters of color, to participate in elections.⁷ Ballot Proposal 4 eliminates the requirement that a voter provide a reason for voting by absentee ballot. This change paves the way for “no-excuse” absentee voting, which would enhance access and provide more flexibility in our electoral process. The 2020 elections demonstrated the importance of providing equitable, inclusive options for all voters to cast their ballots, including absentee voting.⁸ Ballot Proposals 3 and 4 will strengthen the health of New York state’s democracy by removing needless and potentially disenfranchising barriers. Thus, we urge support for these proposals.

In conclusion, we encourage community members and stakeholders to support Ballot Proposals 1, 3 and 4 as they show great promise in increasing the strength and viability of meaningful representation, access, and participation of communities of color—and, indeed, all New Yorkers—in New York State’s electoral and redistricting processes.

Sincerely,

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⁶ See <https://www.brennancenter.org/our-work/research-reports/voting-laws-roundup-october-2021>

⁷ See https://www.pewtrusts.org/~media/legacy/uploadedfiles/pcs_assets/2009/uwisconsin1pdf.pdf

⁸ See <https://www.census.gov/library/stories/2021/04/what-methods-did-people-use-to-vote-in-2020-election.html>