

JCPA RESOLUTION ON VOTING RIGHTS

Sponsored by: the Union for Reform Judaism, Anti-Defamation League, The Rabbinical Assembly, United Synagogue of Conservative Judaism, Jewish Labor Committee, JCRC of Greater Washington, Jewish Alliance of Greater Rhode Island, JCRC of Silicon Valley

1 The Jewish people’s commitment to voting rights
2 is rooted in our sacred texts, in our historical experiences, and in
3 our commitment to cherished rights. A 2011 Jewish Council for
4 Public Affairs (JCPA) resolution on elections began with the core
5 premise that “The cornerstone of democracy is the election
6 process.” Unfortunately, the integrity of the United States’ election
7 process is challenged by the systematic disenfranchisement of key
8 segments of the voting population.

9
10 Many of our Jewish sages stress the importance of a
11 community in which the people have a voice in the selection of
12 leaders. Hillel taught in *Pirke Avot* (2:5) “Do not separate yourself
13 from the community.” Rabbi Yitzhak taught that "A ruler is not to
14 be appointed unless the community is first consulted" (Babylonian
15 Talmud *Berachot 55a*).

16
17 Our historical experiences throughout the centuries as an
18 often-persecuted minority subjected to the whims of unaccountable
19 leaders also instilled in us an appreciation for the value of free
20 elections. This is among the reasons for the American Jewish
21 involvement in the civil and voting rights struggles of the 1950s
22 and 1960s. It is also why our community was instrumental in the
23 enactment of the 1965 Voting Rights Act which sought to overturn

24 decades of discrimination and intimidation at the ballot box.
25 JCPA’s commitment to the VRA is reflected in multiple
26 resolutions including the 2011 resolution that states: “The VRA is
27 critically important to ensuring that voters and communities of
28 color have equal and unfettered access to the political process.”
29

30 The VRA has been reauthorized four times, each time with
31 bi-partisan support in Congress. Each reauthorization was signed
32 into law by a Republican president (Richard Nixon, Gerald Ford,
33 Ronald Reagan, and George W. Bush).
34

35 Unfortunately, the Voting Rights Act was severely
36 weakened by the Supreme Court’s 2013 decision in *Shelby v*
37 *Holder*. The Court struck down Section 4(b) of the VRA that
38 contained a formula determining which jurisdictions with a history
39 of disenfranchisement needed preclearance from the Department of
40 Justice before making changes to voting laws or procedures. The
41 effect has been to diminish the Voting Rights Act as multiple states
42 quickly adopted new, restrictive voting laws. On Election Day
43 2016, 14 states had new laws on the books

44 restricting the right to vote, often through onerous voter ID
45 laws and limits on early voting.¹
46

47 Voter ID laws are cause for particular concern. ID can be
48 prohibitively costly and difficult for individuals to obtain, and
49 many older people or immigrants don’t have birth certificates or
50 other documents. Importantly, repeated studies show that
51 widespread voter ID fraud is a myth. A 2014 national study found

¹ <http://www.brennancenter.org/voting-restrictions-first-time-2016>

52 just 31 possible cases of voter ID fraud out of one billion votes cast
53 between 2000 and 2014.²

54

55 These new voting laws disproportionately and negatively impact
56 communities of color.³ When one such voter ID law adopted by
57 North Carolina was challenged in Federal court, the United States
58 Court of Appeals for the Fourth Circuit overturned the law, saying
59 its provisions “target African-Americans with almost surgical
60 precision.” In 2015, courts also overturned restrictive voting laws
61 in Wisconsin and Texas.⁴ Unfortunately, many states continue to
62 have such laws on the books.

63

64 It is the duty of all who cherish democracy to ensure that all
65 eligible citizens are afforded the opportunity to vote and have their
66 votes counted.

67

68 **The Jewish Council for Public Affairs:**

69

- 70 • Affirms the essential nature of the right to vote for all
71 eligible Americans;
- 72
- 73 • Calls on congress to adopt legislation to:
 - 74 ○ modernize the Voting Rights Act’s pre-clearance
75 formula;

² https://www.washingtonpost.com/news/wonk/wp/2014/08/06/a-comprehensive-investigation-of-voter-impersonation-finds-31-credible-idents-out-of-one-billion-ballots-cast/?utm_term=.3d293a3b3ed8

³ https://www.washingtonpost.com/posteverything/wp/2016/08/03/courts-are-finally-pointing-out-the-racism-behind-voter-id-laws/?utm_term=.d61024605de9

⁴ <http://www.charlotteobserver.com/news/politics-government/article92595012.html>

- 76 ○ protect voters from the types of voting changes
- 77 most likely to discriminate against people of color
- 78 and language minorities; and
- 79 ○ require jurisdictions to make voting changes public
- 80 and transparent; and

81

- 82 ● Opposes actual voter fraud and supports the prosecution of
- 83 those who commit such acts.

84

85 **The Jewish community relations field should:**

86

- 87 ● Work in partnership with impacted communities to protect
- 88 the right to vote for all eligible citizens;

89

- 90 ● Engage with state election officials to ensure the integrity
- 91 of voting; and

92

- 93 ● Oppose measures that have the intent or effect of unfairly
- 94 limiting the right to vote, for example through reduced
- 95 locally accessible polling locations, onerous voter ID laws,
- 96 curtailed early voting, or other measures.

