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**HOUSE JOINT RESOLUTION NO. 715**

House Amendments in [ ] - February 4, 2015

*Commemorating the fiftieth anniversary of the Voting Rights Act of 1965.*

Patron Prior to Engrossment—Delegate McClellan

Unanimous consent to introduce

Referred to Committee on Rules

WHEREAS, prior to and in the immediate aftermath of the American Civil War, the right to vote was the privilege of white males; not until the ratification of the Fifteenth Amendment to the United States Constitution on March 30, 1870, was the right to vote made the law of the land with the words, "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude" and "The Congress shall have power to enforce this article by appropriate legislation"; and

WHEREAS, during Reconstruction, a record number of African Americans were elected to federal, state, and local office; although the United States Constitution afforded certain protections to American citizens, numerous strategies, including literacy tests, poll taxes, inconvenient office hours for voter registration, intimidation, reprisals for registering to vote and voting, and violence were used to restrict the right to vote for African Americans; and

WHEREAS, following Reconstruction, few African Americans in the South voted between 1870 and 1965 due to the growing virulence of overt racism and the spread of Jim Crow legislation; and

WHEREAS, on May 17, 1954, the historic Supreme Court decision in *Brown v. Board of Education of Topeka*, 347 U.S. 483 (1954), which struck down the doctrine of "separate but equal," acted as a catalyst for the Civil Rights Movement that ultimately forced the nation to address African American disenfranchisement; and

WHEREAS, in 1964, the Twenty-fourth Amendment to the United States Constitution was ratified to prohibit states from using the poll tax to deny African American citizens the right to vote; nevertheless, on March 7, 1965, in Selma, Alabama, peaceful marchers protesting the disenfranchisement of African Americans were brutally attacked, beaten, and tear-gassed, and the shock waves of this horrific event, known as "Bloody Sunday," reverberated around the nation and created support for the Voting Rights Act of 1965; and

WHEREAS, the Voting Rights Act of 1965 was signed into law by President Lyndon B. Johnson on August 6, 1965, ending decades of voter-qualification and literacy tests and other illegal barriers to African American suffrage; and

WHEREAS, the Voting Rights Act of 1965, perhaps the single most effective civil rights legislation in the history of Congress, codifies and effectuates the Fifteenth Amendment's permanent guarantee that, throughout the nation, no person shall be denied the right to vote on account of race or color; and

WHEREAS, although the right to vote is guaranteed by the Fifteenth Amendment of the United States Constitution and racial discrimination in voting is prohibited, and notwithstanding the repeated extensions of the law by Congress, each year since the passage of the Voting Rights Act of 1965, racial minorities remain concerned that their right to vote would not be protected or would otherwise be impeded; and

[ WHEREAS, since 2008, many states have passed new voting rights laws that political and social analysts worry have a disproportionately negative effect on the ability of racial minorities, the poor, the elderly, and college-age persons to exercise their constitutional right to vote and may have a chilling effect on voter turnout; and

WHEREAS, on June 25, 2013, the United States Supreme Court, in a 5-4 decision, invalidated Section 5 of the Voting Rights Act of 1965, which requires certain states with a history of discrimination to obtain "pre-clearance" from the United States Attorney General or federal judges before making any changes to election or voting laws, clearing the way for the enactment of restrictive voting rights laws that many view as an attempt to suppress the vote of minority persons; and

WHEREAS, among racial minorities, civil rights advocates, and other affected groups across the nation, there has been mounting concern over resistance to the perceived new restrictive voting laws and a call for federal legislation to amend Section 5 of the Voting Rights Act of 1965 to ensure and protect the voting rights of all citizens; and ]

WHEREAS, African Americans and other citizens should be encouraged to educate their progeny concerning the tremendous sacrifices and inordinate amount of time and energy given to overcome

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59 obstacles and racial animus to achieve their civil rights; and

60 WHEREAS, commemoration of the Voting Rights Act of 1965 on the fiftieth anniversary of its  
61 passage reminds us of the compelling need to protect and ensure the rights, freedoms, and liberties  
62 endowed by our Creator to which all mankind is entitled; and

63 WHEREAS, it is appropriate that after enduring centuries of systematic resistance to racial equality  
64 in every realm, African Americans should be encouraged to commemorate the fiftieth anniversary of the  
65 passage of the Voting Rights Act of 1965, and all citizens should be exhorted to exercise their right to  
66 vote without fear, restraint, or interference; now, therefore, be it

67 RESOLVED by the House of Delegates, the Senate concurring, That the fiftieth anniversary of the  
68 Voting Rights Act of 1965 be commemorated; and, be it

69 RESOLVED FURTHER, That the Clerk of the House of Delegates transmit a copy of this resolution  
70 to the executive director of the National Association for the Advancement of Colored People, Virginia  
71 State Chapter; Barbara R. Arnwine, president and executive director of the Lawyers' Committee for Civil  
72 Rights Under Law; Susan N. Herman, president of the American Civil Liberties Union; Michael Slater,  
73 executive director of Project Vote; Edgardo Cortes, Secretary of the Virginia Department of Elections; [  
74 ~~Charlie Judd~~, the ] chairman of the Virginia Board of Elections; and Virginia's local boards of elections,  
75 requesting that they further disseminate copies of this resolution to their respective constituents so that  
76 they may be apprised of the sense of the General Assembly of Virginia in this matter.