

Testimony

by

**Brent Wilkes, National Executive Director
The League of United Latin American Citizens**

before

**The United States Senate
Judiciary Committee**

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Thank you Chairman Durbin and members of the Judiciary Committee for bringing attention to this very important issue and allowing me to testify before you today.

My name is Brent Wilkes, executive director of LULAC, the League of United Latin American Citizens.

Founded in 1929, League of United Latin American Citizens is the oldest and largest member based Hispanic advocacy group in the United States. Organized into more than 900 grassroots councils, LULAC has a presence in Hispanic communities across the country thus enabling LULAC to reach more constituents and operate more programs in the Hispanic community than any other organization.

The mission of LULAC is to advance the economic condition, educational attainment, political influence, health, and civil rights of the Hispanic population of the United States.

In its 82 years, LULAC has made tremendous strides towards this mission. In addition to the hundreds of programs which are developed and run at the local/grassroots level, LULAC has had such monumental accomplishments as being a corner stone for many successful Hispanic organizations such as: the American GI Forum to address Hispanic veterans concerns, the Mexican-American Legal Defense and Education Fund (MALDEF) as a legal arm in our community, the Little School of the 400 which served as the model for the Head Start Program, SER- Jobs for Progress, Inc. which has trained and placed thousands of Hispanics in jobs, and the LULAC National Education Services Center (LNESEC) which has provided millions of dollars in scholarship money to college bound Hispanics while also offering a variety of services such as computer centers, reading programs, and counseling services to both grade school and college students.

The 2010 Census confirmed the explosive growth of the Latino population in the U.S. and underscored the enormous influence Latinos could exert if the community's full voting power were realized. 50.5 million Hispanics make up the US population or 16.3% of the US population.

Although the Hispanic population is now the nation's largest minority community, voter participation lags the population's growth. Every month 50,000 Latinos turn 18 and become eligible to vote but according to numerous studies the problem for Latinos is voter turnout. The National Association for Latino Elected Officials projects that an estimated 12 million eligible Latinos will not vote in next year's election. The mobilization of a large Latino turnout at the polls requires a point of unification around which they can mobilize. The recent and ongoing immigration reform debate has become extremely heated, polarized, and catalyzed anti-immigrant and xenophobic attitudes. Such backlash has made the importance of civic engagement increasingly apparent to the Latino community in order to make our voices heard.

Such a political climate provides fertile ground to encourage the active participation of all eligible Hispanics in the democratic process by registering to vote and voting. Census projections forecast the US Hispanic population will be 132.8 million or 30% of the US population by 2050. The University of Washington projects that in eleven states, Hispanics will be greater than 10% of the electorate and account for 5-10% of the electorate in 13 additional states, thus having potential significant influence in 24 states. Estimates to upwards of 21.5 million Latinos will be eligible to vote in November 2012, meaning over 8 million Latino eligible voters need to be registered. This leaves much work to be done, and since LULAC has an incredible grassroots network in key states throughout the country, they can be mobilized around issued-based education for non-partisan voter registration and get-out-the-vote campaign.

Unfortunately, Florida's HB 1355 is really a transparent attempt to discourage Latino, African American, senior, youth and other vulnerable populations in Florida from registering to vote and to suppress those populations from participating in Florida's democratic process. The provisions of the law are unnecessary, restrictive, and punitive. None of them address the few instances of voting irregularities that have taken place in Florida and, in our opinion; they will actually make it more likely that inadvertent mistakes will be made because of the unrealistic and unnecessary deadlines the bill requires for filing voter cards. In fact, the law's only affect will be too narrow the civic engagement of Latinos and other vulnerable populations.

First: By reducing the number of days for early voting from 14 days to eight days - from the 10th to the 3rd day before the election; the law will have draconian implications for our organizations to continue to register voters in Florida. Call participants have already expressed dissatisfaction with the new law since they have witnessed a significant reduction in the number of local groups willing to conduct voter registration efforts within the Latino community, when compared to the previous year. Only the two major political parties and national groups will have the administrative and financial structures necessary to comply with the new law. This therefore prevents local Florida groups from promoting the civic engagement and participation of their neighbors and fellow Floridians in the electoral process.

Second: By requiring third-party voter registration organizations to submit voter registration applications within 48 hours of receipt instead of 10 days as provided by existing law, and imposing a fine of \$50 for each failure to comply with the deadline, and imposing fines of up to \$1,000 for failing to comply with other provisions., the law will prevent Latinos to be registered to vote and further narrow Latino representation in Florida. The new law stifles the efforts of third parties to increase voting in Florida citizens even though our efforts have been proven successful. In fact, more than one-third of voters who registered through third-party drives were racial minorities in 2008, confirming that community-based registration initiatives are imperative for the Latino community. Organizations, like the League of Women Voters of Florida, Rock the Vote, and the Florida Public Interest Group Education Fund as well as the League of United Latin American Citizens suffer under the conditions represented by HB 1355 that make our mission close to impossible to achieve. These additional fines are progressively more expensive, which discourages third party groups to seek increasing electoral participation. Because most working class families work closer to 60 hours a week and are not home by 5pm, a canvass voter registration initiative is impossible. The efforts of third party groups, then, are imperative to increasing registered voters in Florida since they use alternative measures to reach eligible voters. Because voter registration efforts are transformed into risky practices that require large finances, HB 1355 threatens the success of community voter registration efforts. Most importantly, HB 1355 as passed presents retrogressive policies that directly impacts the violations of the Voting Rights Act of 1965 and creates a challenge for racial and language minorities voters in Florida who are both protected under the Voting Rights Act of 1965.

Third: The section of the law related to “address change” fails to take into consideration the impact of foreclosures and the rental housing market. With this law, voters who move from one Florida County to another are therefore unable to make an address change at the polls on the day of an election and vote a regular ballot, except for active military voters and their family members, or are forced to use a provisional ballot.

Fourth: The new law requires Supervisors of Elections to deny absentee ballot requests if there are any discrepancies regarding an individual’s signature, which directly impacts Hispanic seniors. Guaranteeing the absentee ballot to this portion of the Latino electorate is crucial because Hispanic seniors traditionally rely on the absentee ballot to vote. Since they are not English proficient, their handwriting can easily be misconstrued, making their requests invalid. This suppression of an important portion of the Latino electorate endangers the strength of the Hispanic vote in the state of Florida.

The Latino community in Florida is diverse and growing stronger, yet declining voter registration rates do not reflect this growth. Out of the 2.1 million eligible Latino voters in Florida, only one million are registered to vote. This law will hurt the mission of civic organizations like LULAC, where part of our mission is to engage the Hispanic community in the democratic process. The restrictions of the law place an unreasonable burden on voter registration initiatives to register folks who are non-English proficient, and whose information must still be verified before submitting the voter registration information to the state.

We respectfully ask that the Judiciary Committee and the United States Department of Justice strike down any discriminatory laws whose only purpose is to dilute the Latino community’s voting power that we have worked too hard to establish and further ask that you ensure that the state of Florida comply with the Voting Rights Act of 1965.