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FOR IMMEDIATE RELEASE

June 28, 2013

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**STATEMENT OF THE ASIAN AMERICAN BAR ASSOCIATION OF NEW YORK
REGARDING THE SUPREME COURT'S RECENT VOTING RIGHTS ACT DECISION**

The Asian American Bar Association of New York (AABANY) urges the United States Congress to reinstate the enforcement provisions of the Voting Rights Act, Section 4, that were invalidated this past Tuesday, June 25, 2013 by the United States Supreme Court in *Shelby County, Alabama v. Holder*.

Shelby eliminates the preclearance requirement for certain states or areas in which discrimination had historically been found to exist. Preclearance required covered states and jurisdictions to submit all changes affecting voting and elections for preapproval by the U.S. Department of Justice. The decision in *Shelby* will likely lead to legal sanctioning of efforts to undermine voting rights.

This ruling hits home. Certain New York counties including New York, Kings and the Bronx were areas for which preclearance had been required, based on a prior history of voter discrimination. The *Shelby* ruling clears the way for the reinstatement of discriminatory practices, such as efforts to restrict access to voting sites or attempts to gerrymander voting districts to dilute the voting power of Asian Americans in New York's Chinatown or African Americans in Harlem. The profound impact of such practices on the voting rights and electoral aspirations of the affected minority voters in those areas cannot be overstated.

The record the Supreme Court considered contains ample evidence that voting rights discrimination is alive and well in 2013 as it was in 1964. Justice Ginsburg's dissenting opinion chronicles that evidence.

The unfettered right to vote is a precondition of representative democracy. Retrenchment on that right undermines many other rights such as the right to free speech. Until *Shelby*, the necessity of a strong Voting Rights Act was universally recognized.

Congress must act and exercise its power to provide the checks and balances that our Constitution established when the Founders formed our union to ensure a balanced government. Voting rights are under attack and we urge Congress and the Administration to take prompt action to defend this most fundamental civil right.

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AABANY was formed in 1989 as a not-for-profit corporation to represent the interests of New York Asian American attorneys, judges, law professors, legal professionals, paralegals and law students. The mission of AABANY is to improve the study and practice of law, and the fair administration of justice for all by ensuring the meaningful participation of Asian Americans in the legal profession.