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DATE HERE

The Honorable Zellnor Myrie
Chair, Senate Elections Committee
188 State Street, Legislative Office Bldg.
Room 903
Albany, NY 12247

Re: Senate Bill 7528 (Myrie) -- "New York Voting Rights Act"
POSITION: SUPPORT

Dear Senator Myrie,

FairVote is pleased to support S7528 (Myrie).

FairVote believes that a healthy democracy relies on every citizen having a right to a vote that can truly contribute to meaningful representation. Since 1992, FairVote has advanced and won electoral reforms at the local, state, and national level through strategic research, communications and collaboration. FairVote supports efforts to promote alternative and modified election systems, such as ranked choice voting (RCV), and cumulative voting as a remedy to vote dilution. FairVote assisted in the implementation of the first use of RCV as a remedy under the Federal Voting Rights Act in *U.S. v. City of Eastpointe*, the use of cumulative voting in *United States v. Village of Port Chester*, and is assisting in the implementation of RCV under the California Voting Rights Act in *Salas, et. al. v. City of Palm Desert*.

The New York Voting Rights Act (NYVRA) provides comprehensive and detailed regulations and rights of action that will help fulfill for New Yorkers the original promise of the federal Voting Rights Act (VRA) while adding new protections to ensure that all eligible voters have the ability to participate in the political process.

We also support this bill because it authorizes more representative voting systems that may result in local governing bodies that better reflect the diversity of communities.

Currently, most New York jurisdictions use a form of plurality voting, known as “block”, or “at-large plurality” voting, which can submerge and dilute the voting strength of a protected group if they are regularly outvoted in the city’s elections.

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To fix this problem, S7528 provides a range of remedies, including district elections, and alternative methods of election, including, but not limited to, ranked choice voting, cumulative voting, and limited voting.

The authorization of the use of alternative methods of elections provides a vital another tool to the voting rights community. In many cases, where minority communities are geographically concentrated and can be drawn into a district, transitioning to district elections is the best way to empower that community. However, where minority communities are geographically dispersed, majority-minority or minority opportunity districts may not be possible. In these situations, multi-seat ranked choice voting, or proportional representation, cumulative voting, and limited voting may provide better opportunities for these groups to elect a candidate that represents their community.

Alternative methods of election as a remedy to vote dilution claims have a long history under the Federal VRA. More than 100 jurisdictions across Alabama, Florida, Illinois, New York, North Carolina, Ohio, South Dakota, and Texas use modified at-large remedies such as cumulative or limited voting to elect school boards and city councils as a result of voting rights act lawsuits. Ranked Choice Voting is already being implemented as a voting rights act remedy in Eastpointe, Michigan, was authorized under the Federal Voting Rights Act in in Lowell, Mass. and will be used this November in Palm Desert, California.

Specifically, these alternative forms of election are used as an alternative to plurality at-large elections. When applied, they create new access for minority voters and can allow their elected numbers to increase as their share of the electorate grows, improving the chances of promoting more reflective and diverse elected representation for those communities.


As New York continues to advance policies that strengthen our democratic institutions, voters deserve a local government that works for them.

For these reasons, FairVote supports S7528.

Sincerely,



Pedro Hernandez
Senior Policy Coordinator
Voting Rights and Ranked Choice Voting



David O'Brien
Staff Attorney

cc: Members and Committee Staff, Senate Elections Committee