

CITY COUNCIL  
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON GOVERNMENTAL OPERATIONS

----- X

July 27, 2020  
Start: 12:37 P.M.  
Recess: 12:59 P.M.

HELD AT: REMOTE HEARING

B E F O R E: FERNANDO CABRERA, CHAIRPERSON

COUNCIL MEMBERS: BEN KALLOS  
ALAN N. MAISEL  
BILL PERKINS  
KEITH POWERS  
YDANIS A. RODRIGUEZ  
KALMAN YEGER  
PETER KOO  
LAURIE CUMBO, MAJORITY LEADER  
COREY JOHNSON, HOUSE SPEAKER

A P P E A R A N C E S (CONTINUED)

C.J. MURRAY, COMMITTEE COUNSEL

SUSAN LERNER, EXECUTIVE DIRECTOR FOR  
COMMON CAUSE NEW YORK

PETER GROSSMAN, SUPPORTER OF INTRO  
PROPOSED

2 SPEAKER COREY JOHNSON: Sargeant please  
3 begin your recordings. Uhm, and hold on here. One  
4 moment please. Mr. Lugo you may begin with your  
5 opening statement.

6 MR. LUGO: Good morning everyone and  
7 welcome to today's remote New York City Council  
8 Hearing on the Committee of Governmental Operations.  
9 At this time, will all panelists please surround  
10 their video. To minimize disruption, please place  
11 electronic devices to vibrate or silent. If you wish  
12 to submit testimony you may do so at  
13 [testimony@counsel.nyc.gov](mailto:testimony@counsel.nyc.gov). Again, that is  
14 [testimony@counsel.nyc.gov](mailto:testimony@counsel.nyc.gov). Thank you for your  
15 cooperation, we are ready to begin.

16 CHAIRPERSON FERNANDO CABRERA: Let me  
17 gavel in. Good afternoon, I am Council Member  
18 Fernando Cabrera, chair to the Committee on  
19 Governmental Operation. I want to start off by  
20 thanking the members of the committee joining us  
21 today: Council Members Powers, Kallos, Koo, Perkins,  
22 myself and Yeger. Today, the Committee will be  
23 hearing a very important resolution on voting rights.  
24 The resolution is sponsored by Majority Leader Laurie  
25 Cumbo who posed upon Congress to pass and the

2 President to sign the voting rights of Advancement  
3 Act of 2019 of the VRAA which will revise and  
4 modernize portions of the Voting Rights Act of 1965  
5 struck down in the Supreme Court decision Shelby  
6 County v. Holder. In the 2013, Supreme Court  
7 decision Shelby County v. Holder the court validated  
8 certain portions of the voting rights act.  
9 Importantly, the court struck down the pre-clearance  
10 requirement mechanism that had required Federal  
11 Intervention with jurisdictions with a history of  
12 \_\_\_\_\_ and unfair voting practices attempted to make  
13 changes to their voting procedures. This ruling  
14 gutted a major component of the Voting Rights Act  
15 even then attempts to suppress minority voting  
16 continue across the nation. Since this unfortunate  
17 decision, at least 20 police states have enacted new  
18 restrictive voting laws including strict ID  
19 requirement and proof of citizenship. In February  
20 2019, represented Terry Sewell from Alabama's 7th  
21 District, introduced a Voting Rights Amendment Act of  
22 2019. The Bill will revise and modernize portion of  
23 the Voter's Right Act that was struck down in Shelby  
24 County. Amid other things, the Voting Rights  
25 Advancement Act will establish new criteria for

2 invoking pre-clearance requirements based on a  
3 finding of repeated voting rights violations over the  
4 past 25 years, specified practices that have  
5 historically been used to discriminate against voters  
6 that would require a preclearance and increase  
7 transparency by requiring reasonable notice of any  
8 jurisdictions changes to voting procedures regardless  
9 of whether they require pre-clearance. This  
10 resolution is especially important today because it's  
11 passage will honor= the legacy of a great man, the  
12 late Congressman John Lewis passed away on July 17th.  
13 John Lewis was a Bastian of the Civil Rights Movement  
14 who repeatedly risked his life in his non-violent  
15 fight for civil rights. In particular, voting  
16 rights. It was there on that bridge in Selma on March  
17 7, 1965 where he was gassed and beaten within an inch  
18 of his life by those who refused to honor the  
19 Fundamental Rights granted to all Americans in the  
20 Constitution. Refused to give up and help secure the  
21 passage of the Voting Rights Act months later only to  
22 see one of these key provisions gutted by the Supreme  
23 Court in 2013. He was a proud co-Sponsor and  
24 supporter of the Voting Rights Advancement Act and  
25 passing it will honor his legacy and ensure voting

2 rights are protected for all Americans. I want to  
3 thank our Majority Leader, Laurie Cumbo for her  
4 leadership on this issue and carrying this  
5 resolution. I want to thank our Committee Staff, Fi  
6 Jatamari (SP?), Emily Forgone (SP?), Elizabeth Crone,  
7 Sebastian Bachi for their work on this and I also  
8 want to thank my own Legislative, Michael Dane (SP?),  
9 Nichon Voni (SP?). Majority Leader Cumbo sponsored a  
10 pre-considered resolution. Please give a statement.  
11 Council Member, Majority Leader.

12 MAJORITY LEADER LAURIE CUMBO: Thank you  
13 so much Chair Cabrera, thank you so much for your  
14 leadership and for having this hearing at this very  
15 critical time in our nation's history. I thank you  
16 and all of the Committee Members who are here today  
17 to make sure that we continue to make sure that  
18 everyone in our Country has the right to vote. The  
19 future of this entire Country will be shaped  
20 throughout the 2020 election cycle and beyond. As we  
21 observed in this year's Democratic Primary Cycle it  
22 is critical that the right to vote, which our  
23 ancestors labored, blood, sweat and tears for is  
24 respected across Federal, State and Local elections.  
25 The June 2013 Supreme Court decision in Shelby County

2 v. Holder substantially weakened our right to vote at  
3 a time when voter suppression is still prevalent most  
4 especially in black and brown communities. Since  
5 then, approximately 1/2 of our 50 states have tried  
6 to suppress the right to vote through a variety of  
7 mechanisms made available to them via the Shelby  
8 County decision. Some of these include strict voter  
9 ID registration, proof of citizenship, purging voter  
10 roles, reducing polling locations and decreasing  
11 options for early voting. We have seen all across  
12 this nation where people have waited for hours and  
13 hours and hours. Many of them are seniors, those  
14 individuals who find it very difficult to wait on  
15 line for hours at a time only to find out when they  
16 get the opportunity to vote that they have been not  
17 given that opportunity to do so. This resolution  
18 calls upon Congress to pass and the President to sign  
19 the Voting Right Advancement Act of 2019, esteemed  
20 Civil Rights icon the late, great, John R. Lewis was  
21 a co-Sponsor and staunch advocate for this  
22 legislation. It was my honor to be able to have an  
23 opportunity to meet with him, to talk with him, to  
24 learn from him and to understand the atrocities that  
25 our ancestors very clearly experienced on that Edmond

2 Pettis Bridge. It is symbolic of the atrocities that  
3 people of color have faced all across this nation  
4 when attempting to exercise their right to vote and  
5 it is for them that we continue to fight to push  
6 forward this very critical resolution at this time.  
7 We owe it to his memory to carry to torch and codify  
8 Civil Rights Protections for all, not just a  
9 privileged few. Now, more than ever we need the  
10 Federal Government to pass the Voting Rights  
11 Advancement Act. I want to thank our Speaker Corey  
12 Johnson for his leadership, our Committee Chair  
13 Fernando Cabrera, my Legislative Director Jason Hur  
14 (SP?), my communications director Alicia Mercedes and  
15 my entire staff who have worked so incredibly hard to  
16 bring us to this moment and you have already thanked  
17 so many of the people who have worked behind the  
18 scenes, in front of the scenes to make sure that we  
19 pass the Voting Rights Advancement Act today. Thank  
20 you so much, Chair Cabrera.

21 CHAIRPERSON FERNANDO CABRERA: Thank you  
22 so much Majority Leader Cumbo. Thank you for that  
23 opening statement on your resolution. I appreciate  
24 your leadership. You are always in the forefront of  
25 issues that really, really matter, especially when it



2 comes to fairness. That is what we are talking about  
3 here, fairness, especially doing one of the sacred  
4 things that we have that we need to preserve. Uhm, I  
5 will now turn it over to our Moderate, Committee  
6 Counsel C.J. Murray to go over some of the procedure  
7 items.

8 COMMITTEE COUNSEL C.J. MURRY: Thank you  
9 Chair Cabrera, I am C.J. Murray, Counsel to the  
10 Governmental Operations Committee of the New York  
11 City Council. We will now turn to public testimony.  
12 I would like to remind everyone that unlike our  
13 typical Council Hearings we will be calling on  
14 individuals one by one to testify. Please note that  
15 you will be on mute until you are called on to  
16 testify, at which point you will be unmuted by the  
17 host. I will be calling on panelists to testify, so  
18 please listen for your name to be called. Council  
19 Members who have questions for a particular panelist  
20 should use the Zoom Raise Hand Function and I will  
21 call on you after the panelist has completed their  
22 testimony. Council Members will be put on a 5-minute  
23 timer for their questions. All hearing participants  
24 should submit written testimony to  
25 [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov). I would now like to

2 welcome Susan Lerner to testify followed by Perry  
3 Grossman. Susan you may begin when ready.

4 SUSAN LERNER: Thank you very much C.J.

5 I am Susan Lerner I am the Executive Director of  
6 Common Cause New York. Common Cause is a national  
7 organization which fights for a vibrant democracy in  
8 strengthening all of our rights. Voting rights are  
9 one of our primary issues of concern. We have been  
10 strong supporters of all of the amendments to the  
11 Voting Rights Act and of course at the National Level  
12 strongly urge Congress to pass the Voting Rights  
13 Advancement Act now properly called the John Lewis  
14 Advancement Act. I want to thank the Committee Chair  
15 for inviting me and for the resolution sponsor for  
16 introducing the Resolution. This Resolution I think  
17 is important because one has to remember that New  
18 York City was one of the jurisdictions that was  
19 covered by Pre-clearance prior to the Shelby County  
20 decision and having New York City raise its voice and  
21 add to the chorus calling for the passage of the  
22 Voting Rights Advancement Act I think is significant  
23 and has important positive ramifications both for  
24 voting rights here in New York City but for voting  
25 rights across the country. As has been mentioned,

2 the Shelby County decision which we at Common Cause  
3 have recognized as mistaken from the beginning had a  
4 serious and almost immediate impact on voting rights  
5 across the country. It seemed as though it was only  
6 a matter of minutes before jurisdictions picked up  
7 voter suppression measures which had been previously  
8 rejected under Pre-clearance and rammed them through.  
9 As has been previously mentioned by the Resolution  
10 Sponsor, numerous states have taken Voter Suppression  
11 Actions and what we see across the country is not  
12 only voters of color but also elderly voters and  
13 young voters who were significantly impacted by  
14 drupaceous voter suppression efforts that no longer  
15 have to past muster through a pre-clearance process.  
16 The VRAAs proposed pre-clearance satisfies the  
17 concerns of the Supreme Court and does contemporize  
18 the process, unhooking it from a limited number of  
19 jurisdictions that historically prior to 1965 and  
20 prior to the 1980s amendment engaged in voter  
21 suppression. This bill, if passed by Congress and  
22 signed by the President would make preclearance a  
23 national process for any jurisdiction which is  
24 engaged in voter suppression within a 25-year  
25 contemporary look back period. This change would

2 significantly expand the preclearance and do a lot to  
3 protect voter from the sort of suppression that we  
4 are seeing across the country relentlessly applied.  
5 There are other measures within the Voting Rights  
6 Advancement Act which are also salutary but I think  
7 the primary one is preclearance and we are delighted  
8 to see this resolution and we urge the Committee to  
9 pass it through to the body as a whole and we urge  
10 the Council as a whole to add their very strong and  
11 singular voice to the call to Congress to pass the  
12 John Lewis Voting Rights Advancement Act. Thank you.

13 COMMITTEE COUNSEL C.J. MURRAY: Thank you  
14 Susan. Unless there are any questions from the  
15 members we will move to the next panelist? Seeing no  
16 hands raised, I would now like to welcome Perry  
17 Grossman to testify. Perry you may begin when ready.

18 PERRY GROSSMAN: Thank you so much Mr.  
19 Murray. Thank you, Chair Cabrera. Thank you  
20 Majority Leader Cumbo and to the other members of the  
21 Committee it is a pleasure to be here and to be able  
22 to speak with you today. Uhm, the resolution is of  
23 course a good and worthy resolution the VRAA for all  
24 the reasons that my dear friend, Ms. Lerner just  
25 provided is an excellent Bill. It is important to

2 recognize just how important preclearance is. It is  
3 the crown jewel. It is the most effective Civil  
4 Rights Law in the history of the United States with  
5 no close second. What it does, for those of you who  
6 might not be as familiar with it is it flips the  
7 burden of proving discrimination from Plaintiffs,  
8 from voters, from minority voters who are being  
9 suppressed on to the jurisdictions that would engage  
10 in discrimination to have them justify changes to  
11 their election law to show that they would not in  
12 fact make minorities worse off. The preclearance  
13 provision of the Voting Rights Act was designed to  
14 work in tandem to the Voting Rights Act which is the  
15 affirmative provision that allows minority voters to  
16 sue for relief to strike down old practices. So,  
17 section 2 is the sword by which we cut through you  
18 know centuries of discrimination and preclearance is  
19 the shield by which we preserve those gains and make  
20 sure that jurisdictions cannot back slide. So, it is  
21 certainly, after years of fighting to bring down  
22 important and really strict discriminatory laws it  
23 was really disappointing immediately after the Shelby  
24 County decision. When I saw immediately, I'm talking  
25 about hours to see jurisdictions like North Carolina,

2 Texas, Alabama re-institute changes to their election  
3 laws like strict voter ID provisions, like roll backs  
4 of early voting, immediately reinstitute those in a  
5 way obviously intended to discriminate against  
6 minority voters. So, preclearance was really holding  
7 an awful lot at bay. I don't claim to have been very  
8 close to John Lewis, although certainly Congressman  
9 Lewis would make anybody feel like a very good friend  
10 because he was such a warm and pleasant human being.  
11 Someone really committing to making everybody feel  
12 included and welcomed in America to never feeling the  
13 kind of discrimination that he bore in the most awful  
14 physical way. But I did have the privilege of  
15 meeting him on a number of occasions and the most  
16 interesting that I think is that he and I actually  
17 sat near each other at the Shelby County oral  
18 argument. We spoke at the rotunda of the Supreme  
19 Court afterwards and this was moments after the late  
20 Justice Antonin Scalia had declared the Voting Rights  
21 Act a racial entitlement. Few things could infuriate  
22 John Lewis more than calling the Voting Rights Act a  
23 racial entitlement given the fact that nothing was  
24 entitled about the Voting Rights Act. It was the  
25 product of the most hard-fought advocacy known to

2 man. 100 years of discrimination after the 15th  
3 Amendment passed in 1870, a tax on voters, all kind  
4 of discriminatory laws. It was certainly no a racial  
5 entitlement it was absolutely the product of the most  
6 dedicated and sacrificial advocacy I can imagine. So,  
7 restoring the Voting Rights Act is a tribute not only  
8 to Congressman Lewis but Congressman Lewis would be  
9 the first to point to everybody in that struggle with  
10 him and everybody who struggles today and the  
11 importance of making sure that those struggles were  
12 certainly not in vain and were able to produce for  
13 future generations a more inclusive and effective  
14 Democracy, certainly for black Americans but also for  
15 other people of color as well we have a long history  
16 of discrimination in New York not only against black  
17 Americans and voting but Latin-X Americans as well.  
18 And so, certainly I urge passage of the resolution.  
19 I think it is important to show that we here in New  
20 York who are subject to preclearance in three  
21 counties still support it because it is an excellent  
22 measure but above and beyond supporting the  
23 resolution, I urge this body and I urge everybody I  
24 attendance to think about what can we do better to  
25 serve Voting Rights in New York because we don't do a

2 very good job here. We have some of historically the  
3 lowest turnout and lowest registration rates. We  
4 have big gaps in between white registration rates and  
5 white turn out rates and minority rates and  
6 registration rates. There is a lot that we can do to  
7 start to get at that. So, I don't want to go too far  
8 outside the scope of things but I would suggest that  
9 the City Council really dedicates itself to investing  
10 in those ways that New York City can be an active  
11 proponent of a more inclusive Democracy. Certainly,  
12 we have seen efforts in the past to do that but there  
13 is even more than we can do, including for this  
14 upcoming November election and I hope you will take  
15 the opportunity to do it. I thank you all again so  
16 much for the opportunity to be here. It really is a  
17 pleasure. Please pass the Resolution.

18 COMMITTEE COUNSEL C.J. MURRAY: Thank  
19 you, Mr. Grossman. Unless there are any questions  
20 from the members, we will move on. I see no hands  
21 raised so at this time if your name has not been  
22 called and you wish to testify please raise your hand  
23 using the Zoom Raise Hand Function. Seeing no hands  
24 raised, I will now turn it over to Chair Cabrera for  
25 closing remarks. Oh, excuse me, I see that Council



1 COMMITTEE ON GOVERNMENTAL OPERATIONS

17

2 Member Koo has his hand raised? Council Member Koo,  
3 you may begin.

4 PETER KOO: Hi, everyone, I am Council  
5 Member Koo. Today, we are voting on my Legislation  
6 Intro 1091-A which will require the City to create a  
7 stretchable and machine-readable compilation.

8 COMMITTEE COUNSEL C.J. MURRAY: Uhm  
9 Council Member Koo, Council Member.

10 PETER KOO: Yeah.

11 COMMITTEE COUNSEL C.J. MURRAY: Sorry,  
12 that's when we get to the vote. Uhm, so right now we  
13 are just hearing the Reso.

14 PETER KOO: Oh.

15 COMMITTEE COUNSEL C.J. MURRAY: We will  
16 be closing and then we will be coming back for the  
17 vote.

18 PETER KOO: Oh, okay. Yeah. So.

19 COMMITTEE COUNSEL C.J. MURRAY: Thank you  
20 so much for your eagerness. I love that when, eager  
21 for his Bill. Thank you.

22 SPEAKER COREY JOHNSON: So, Chair  
23 Cabrera, please go ahead with your closing remarks.

24 CHAIRPERSON FERNANDO CABRERA: Thank you,  
25 thank you so much. I want to thank first of all the

2 panelists, thank you for your insight. Thank you for  
3 your knowledge. And let me just say right up front I  
4 welcome any next steps that we could take forward,  
5 looking forward to meeting with you, if you have next  
6 steps, how we could do this better? How we could  
7 have a higher level of voting engagement in the City  
8 which to be honest with you is very low, even though  
9 we have seen some improvement but we could do so much  
10 better. So, I am looking forward to having that  
11 level of discussion and I want to thank the Majority  
12 Leader Cumbo for, you know we often say for your  
13 leadership but leadership is all about influence and  
14 impact and everything righteous based on leadership.  
15 So, thank you for bringing this up front and in just  
16 the perfect timing with that. So, with that let me  
17 bring it to a close right now. Today's hearing and  
18 then we will be coming back for a vote.

19

20

21

22

23

24

25

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date August 6, 2020