

# LOUISIANA STATE HEARING

**Delgado Community College**  
**New Orleans, Louisiana**  
**April 7, 2014**

## GUEST COMMISSIONERS

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Dr. Raphael Cassimere, Jr., Seraphia D. Leyda Professor-Emeritus of History, University of New Orleans	Rev. Chipps Taylor, Louisiana State Conference NAACP
Marcia Johnson-Blanco, Co-Director, Voting Rights Project, Lawyers' Committee for Civil Rights Under Law	Erika McConduit, President & CEO, Urban League of Greater New Orleans
	Tracie L. Washington, President & CEO, Louisiana Justice Institute

## PANELISTS

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Rev. Johnathan C. Augustine, J.D., M.Div., Adjunct Professor, Southern University Law Center	Carolina Hernandez, Puentes New Orleans
Trupania Bonner, Black Men & Boys Initiative	Linda Johnson, Resident, Iberville Parish
Jennifer Coco, Election Protection Coordinator	Dr. Silas Lee, Pollster & Professor of Sociology, Xavier University
Cedric Floyd, Demographer	Minh Thanh Nguyen, VAYLA New Orleans
Charmel Gaulden, Attorney	Stephanie Patrick, Advocacy Center
Vanessa Gueringer, A Community Voice	Bruce Reilly, Voice of the Ex-Offender, Board Member
Norris Henderson, Voice of the Ex-Offender, Executive Director	Ron Wilson, Attorney

## PUBLIC TESTIMONY

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Michelle DeLima, Poll Worker

## SUPPORTING ORGANIZATIONS AND INDIVIDUALS (NOT EXHAUSTIVE)

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ACLU of Louisiana	Jacques Morial
Kim M. Boyle, Partner, Phelps Dunbar LLP; Board of Directors, Lawyers' Committee for Civil Rights Under Law	One Voice Louisiana
Advocacy Center	John Pierre of Southern University Law Center
Jennifer Coco	Puentes New Orleans, Inc.
Delgado Community College	Bill Quigley of Loyola Law School
Foundation for Louisiana	Hon. Gene Thibodeaux, Chief Judge, Third Circuit Court of Appeal in Louisiana and Board Member, Lawyers' Committee for Civil Rights Under Law
Gulf Coast Center for Law & Policy	Urban League of Greater New Orleans
Chief Justice Bernette J. Johnson, Louisiana Supreme Court	
Louisiana Justice Institute	
Louisiana State Conference NAACP	

## LOUISIANA STATE HEARING HIGHLIGHTS

### I. Voter Registration for New Citizens

Witnesses working with Latino and Vietnamese communities in New Orleans testified that the procedures for registering new citizens has become cumbersome and hindered their ability to run effective voter registration programs. Carolina Hernandez of Puentes New Orleans and Minh Nyguen of VAYLA New Orleans testified about the hurdles their organizations and limited English proficient communities face in registering to vote in the New Orleans area. Neither Louisiana nor New Orleans is covered under Section 203, and both witnesses touched on the difficulties this poses for Spanish- and Vietnamese speaking voters.

Nyguen testified that in 2008 his organization translated ballots into Vietnamese for voters, and that these ballots were accepted by New Orleans elections officials when accompanied by copies of citizenship documents for first-time registrants. However, Nyguen testified that starting with the 2012 election elections officials refused to accept copies of naturalization papers or passports and instead began requiring new applicants to deliver their citizenship documents by hand to City Hall in order to process their voter registration applications. Hernandez and her organization experienced the same. She testified that on one or two occasions, and at her organization's urging, elections officials brought their own copy machines to registration events and made copies of applicants' documents on the spot, but this has not been done regularly. Both witnesses testified that their organizations have stopped conducting registration drives as a result of this new practice of requiring voter registration applicants to submit original citizenship documentation.

### II. Disfranchisement of Individuals with Felony Convictions

Under Louisiana law, individuals with felony convictions lose their right to vote during their term of imprisonment and while on probation or parole.<sup>1</sup> As a result, a large number of African Americans remain disfranchised in the state while serving their sentences. According to testimony given by Bruce Reilly and Norris Henderson, Board Member and Executive Director, respectively, of Voice of the Ex-Offender (VOTE), over 110,000 people are disfranchised in Louisiana due to state law, and seventy thousand of these individuals are African American (almost 7% of the African-American Voting Age Population). Henderson further testified that, upon completion of their sentences, procedural hurdles often result in continued disfranchisement, even when individuals have regained their eligibility.

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<sup>1</sup> La. Rev. Stat. Ann. §§ 2(8), 102(A)(1).

### III. Voter Purging Post-Katrina

Trupania Bonner of the Black Men and Boys Initiative testified about the purging of the voter rolls that took place after Hurricane Katrina and the impact on the African American community in the metropolitan New Orleans area. Bonner testified that as a result of the country's worst natural disaster, the New Orleans metropolitan area lost approximately 140,000 people<sup>2</sup>—118,000 were African American.<sup>3</sup> Bonner also testified that, on the heels of this dramatic decline in the African American population, the Secretary of State conducted voter purges before the 2008 presidential election.<sup>4</sup> A well-documented voter purge also took place in 2007.<sup>5</sup> According to Bonner, New Orleans lost 45,000 voters as a result of the statewide purge and was the hardest hit area of the state in that regard.<sup>6</sup> As Bonner noted, the series of purges every two years prevented the City from recovering its population and locating displaced voters. Contributing to these challenges, as Reverend Jay Augustine testified, was that state legislators and advocates were unable to obtain, through a public records request and litigation, FEMA's list of the temporary addresses of voters displaced by the storm in order to inform them about the rescheduled 2006 mayoral election that took place soon after the storm. The hurdles to communicating with displaced voters and difficulties securing their place on the voting rolls worked to disfranchise a largely African American segment of the New Orleans population. Bonner discussed the consequences of the purge and testified that, post-Katrina, New Orleans political leadership shifted from majority-minority to majority White.

### IV. Minority Representation

On the issue of African American representation, Bonner and Charmel Gauden discussed the state's redistricting process. Both testified about the state legislature's refusal on numerous occasions to pass legislation to draw district lines to reflect increases in the African American population demonstrated by the US Census. They referenced two pending lawsuits—one<sup>7</sup> in which plaintiffs seek to redraw the district lines for the Baton Rouge City Court given that African Americans are a majority of the City's population, but only have the ability to elect

<sup>2</sup> Rick Jervis, *Census: A third of New Orleans population lost in past decade*, USA Today (Feb. 17, 2011, 4:28:39 PM), [http://usatoday30.usatoday.com/news/nation/census/2011-02-03-louisiana-census\\_N.htm](http://usatoday30.usatoday.com/news/nation/census/2011-02-03-louisiana-census_N.htm).

<sup>3</sup> Campbell Robertson, *Smaller New Orleans After Katrina, Census Shows*, N.Y. Times (Feb. 3, 2011), <http://www.nytimes.com/2011/02/04/us/04census.html?pagewanted=all>

<sup>4</sup> See, e.g., Ed Anderson, *Democrats cry foul as voter rolls cut*, Times-Picayune (Oct. 29, 2008, 6:52 PM) [www.nola.com/news/index.ssf/2008/10/democrats\\_cry\\_foul\\_as\\_voter\\_ro.html](http://www.nola.com/news/index.ssf/2008/10/democrats_cry_foul_as_voter_ro.html)

<sup>5</sup> Alan Sayre, *Associated Press, NAACP Challenged Louisiana Voter Purge*, Wash. Post (Aug. 31, 2007, 10:16 AM), [http://www.washingtonpost.com/wp-dyn/content/article/2007/08/31/AR2007083100501\\_pf.html](http://www.washingtonpost.com/wp-dyn/content/article/2007/08/31/AR2007083100501_pf.html)

<sup>6</sup> Britton Loftin, *Louisiana Voter Purge Eliminates 121,840 People from State Rolls*, Politic365 (Dec. 31, 2010, 8:30 PM), [politic365.com/2010/12/31/louisiana-voter-purge-eliminates-121840-people-from-state-rolls/](http://politic365.com/2010/12/31/louisiana-voter-purge-eliminates-121840-people-from-state-rolls/)

<sup>7</sup> *Hall v. Louisiana*, No. 3:12-cv-00657 (M.D. La. Filed Oct. 18, 2012)

their chosen candidates in two of the five districts, and a second<sup>8</sup> in Terrebonne Parish, which uses an at-large system to elect judges to the 32nd judicial district. In Terrebonne, African Americans comprise approximately 20% of the population, yet Bonner testified that no African American judge has ever been elected from the parish. Plaintiffs in the Terrebonne case are seeking to move from at-large to district-based elections to secure an opportunity for the African American population to elect a judge of their choice.

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<sup>8</sup> *Terrebonne Parish Branch NAACP v. Jindal*, No. 3:14-cv-00069 (M.D. La. Filed Feb. 3, 2014).