

Local Governments Continue to Pursue and Receive Voting Rights Act “Bailouts”

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This summer has been a busy one for local governments taking advantage of the opportunity to bailout from coverage under the Voting Rights Act of 1965. So far this year, the following local jurisdictions have bailed out: Jefferson County (TX) Drainage District no. 7; Alta (CA) Irrigation District; the City of Manassas Park, VA, and Rappahannock County, VA. Currently, there are five other bailouts pending before the DC Court, all of which have reached agreement with the United States Attorney General that the local government has met all of the bailout criteria. These include the City of Bedford, VA; Bedford County, VA; the City of Williamsburg, VA; James City County, VA; and Culpeper County, VA.

A bailout means that these local governments will no longer be required to submit any of their voting changes to the Justice Department for preclearance review, and will give local election officials greater flexibility in making many routine voting and election changes that will assist voters.

J. Gerald Hebert, an attorney in Alexandria, Virginia, handled all of these cases, often working with local counsel or the city or county attorney.

Hebert also noted that Manassas Park is the first majority-minority jurisdiction to bailout, with the 2010 census showing that approximately 57% of the City’s total population was non-Hispanic white. Hebert said that “the Voting Rights Act and its bailout provisions are working just as they were originally intended: once a local government has a sustained record of nondiscrimination in all phases of the voting process, then they should be given the incentive and reward of a bailout.” Hebert added: “State and local governments that believe they are eligible to bailout should do so, because it is relatively easy if the local government affords all citizens an equal opportunity to participate effectively in the voting and electoral process.” He added added: “It’s also affordable and cost-effective.”

Any person desiring a copy of any of the bailout papers may contact Gerry Hebert at the phone number or email address above.