



THE CMBA HELPS NORTHEAST OHIO VOTE

BY ADRIAN D. THOMPSON

“Get out the vote!” We hear this before every election, but it’s more than just a clever slogan for the Cleveland Metropolitan Bar Association, which actively ensures that ‘we the people’ exercise our right to vote. This year, they:

- Partnered with a local non-profit, Cleveland Votes, to promote voter registration, especially on Sept. 20, National Voter Registration Day.
- Actively spread the word about registering to vote through the CMBA’s social media, email, and website channels.
- Brought voter registration information and forms to local law schools so that students who have moved in the past two years could register at their new addresses.
- Co-hosted a program on Sept. 23 with the Cuyahoga County Board of Elections to discuss election security and lawyers as poll workers as part of a broader effort to get CMBA members to volunteer at the polls.

These efforts come at a critical time in our country. The last decade has been marked by important changes to voting rights — beginning with the Supreme Court’s ruling in *Shelby County v. Holder*, which led to numerous state laws limiting voter access. Helping eligible citizens exercise those rights — guiding them through the registration process, providing them with clear information on their rights and duties, and encouraging them to thoroughly understand the issues — are vital steps in getting voters to the polls.

One could say that creating obstacles to voting has historically been a feature, not a bug, of the U.S. electoral system. The Constitution left it to the states to determine who was eligible to vote and who was not, which meant, in practical terms, that voting was generally limited in the country’s early years to white men who owned property (with some exceptions — New Jersey, for example,

allowed women and African-American property holders to vote until 1807).

Following the Civil War, Congress began to amend the Constitution to protect the right to vote for all citizens, most notably with the 15th Amendment, which prohibits restricting the right to vote based on race. Forty years later, the 19th Amendment extended voting rights to women.

But as we know, the *right* to vote and the *ability* to vote aren’t always the same. After the passage of the 15th Amendment, southern states enacted a series of Jim Crow laws designed to prevent African Americans from voting, including poll taxes, literacy tests, and all-white primaries, coupled with outright fraud and voter intimidation at polling stations.

It wasn’t until 1965, nearly 100 years after the 15th Amendment guaranteed the right to vote for Americans of all races, that Congress passed the Voting Rights Act, outlawing racial discrimination at the polls and paving the way for a broad swath of citizens to register and cast their votes. That legislation was designed to eliminate Jim Crow practices, like poll taxes and literacy tests, which prevented many African Americans from exercising their civic rights.

After *Shelby County v. Holder*, which held that Sections 4 and 5 of the Voting Rights Act were unconstitutional, and last year’s ruling in *Brnovich v. Democratic National Committee*, which undid the protections in Section 2 of the act by allowing Arizona laws that ban ballot collections and out-of-precinct voting — the pendulum seems poised to swing in the opposite direction. More than 20 states passed laws that placed barriers on voting ahead of the 2018 presidential election, and the practice continues with the introduction of nearly 400 bills restricting the right to vote in state legislatures through May 2022.

It’s not all doom and gloom, of course: nearly the same number of bills written to

expand access to the vote were introduced in 32 states during the same time.

But the ongoing tug of war over a right that we Americans hold as a founding principle of our country reveals a fact that we cannot ignore: the right to choose through free and fair elections the leaders of our cities, regions, states, and country can never be taken for granted.

That’s why it’s so critical for the CMBA and other organizations to do everything they can to ensure people register and vote. I applaud their efforts and encourage you to do the same.

One final note and shout out to the Cleveland Municipal Court judges. The Defending Democracy Mock Election, held on Nov. 1, was a collaborative initiative to introduce civics, through engagement, to Cleveland Metropolitan School District sixth — eighth graders. In partnership with the Cleveland Municipal Courts and Kids Voting Ohio, this program engaged and informed students on the responsibility of casting a ballot, allowing them to hold their own “mock” election. During the mock election, students cast their votes for candidates running for election across Ohio. In addition, CMSD students in the Civics 2.0 Juniors program had another opportunity to come together at the CMBA on Oct. 27 for a full day of civics engagement with political officials and other voter registration entities.

Please exercise your right to vote and thus vigilantly preserve and protect our most basic tool of self-government.

Adrian Thompson is the president of the Cleveland Metropolitan Bar Association and co-partner-in-charge of Taft’s Cleveland office. He also serves as Taft’s chief diversity officer and is president emeritus of the board of directors of the Legal Aid Society of Cleveland. He has been a CMBA member since 1991. He can be reached at (216) 706-3912 or athompson@taftlaw.com.