

- Educational brochures, public notices, and radio and television advertisements describing cumulative voting will be posted and distributed in English and in Spanish.
- Exit polling will be conducted during the 2010 Trustee election.
- The Village will assign one bilingual employee as Program Coordinator to carry out its obligations under the Consent Decree, and after the June 2010 election establish an Advisory Group to assess the effectiveness of the Voter Education Program.

The Consent Decree includes additional protections to ensure that the cumulative voting system ordered by the Court is fairly and properly implemented. Specifically, the Consent Decree requires that:

- Bilingual poll officials will be present at every polling place in Port Chester, and all election-related materials shall be translated into both English and Spanish.
- Federal observers will monitor each Trustee election under the Consent Decree, to observe and report on all aspects of the voting process, including bilingual assistance.
- Changes in the Voter Education Plan, polling places, and election districts are subject to the review and approval of the United States Department of Justice.

The Consent Decree leaves these voter protection provisions in place for the next three Trustee elections, which are expected to occur in 2010, 2013, and 2016.

The Trustee election of June 15, 2010, will be the first Trustee election in three years. The United States filed the Complaint in this case on December 15, 2006, alleging that Port Chester's at-large system of electing its governing Board of Trustees diluted the voting strength of the Village's Hispanic citizens, in violation of Section 2 of the Voting Rights Act. The same day, the United States filed a motion to enjoin Port Chester from using its at-large election system on March 20, 2007, to elect two new Trustees.

On March 2, 2007, following a ten-day hearing, Judge ROBINSON issued a preliminary injunction enjoining Port Chester from proceeding with its March 20, 2007 election, finding that the United States had shown that it was likely to prevail on its claim. On January 17, 2008, Judge ROBINSON concluded that, as a matter of law, "the Village of Port Chester's at-large system for electing its Board of Trustees violates Section 2 of the Voting Rights Act." On November 9, 2009, Judge ROBINSON ruled that the Village could use its preferred remedy of cumulative voting for Trustee elections, and encouraged the parties to collaborate on a consent decree.

"In the Consent Decree, Port Chester has promised a voting system that will provide fair representation regardless of race or ethnicity," said United States Attorney PREET BHARARA. "This Office will ensure that the promise is kept."

"This agreement will allow us to closely monitor the village of Port Chester for compliance with the Voting Rights Act. It is a fundamental and critical right that Port Chester's Hispanic and Spanish-speaking residents have full and equal access to the electoral process," said Assistant Attorney General THOMAS E. PEREZ, head of the Department's Civil Rights Division. "We are hopeful that this remedy will be effective and are pleased to have a resolution to a long-standing dispute. The Department of Justice will continue to vigorously enforce federal laws that protect the voting rights of all Americans."

Assistant United States Attorney DAVID J. KENNEDY of the Southern District of New York and Department of Justice Trial Attorney TIMOTHY F. MELLETT are handling the case.

Additional information about the Voting Rights Act and other federal voting laws is available on the Department of Justice website at www.usdoj.gov/crt/voting/index.htm.

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