



*THE*

# *Democracy Protection Playbook*

Using Federal and Local Tools  
to Defend and Expand Voting  
Access in Red States

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# Foreword

The promise of American democracy is fulfilled only when all eligible voters have the same level of ballot access, no matter which state they live in. But today, nearly half of the country lives in states that make voting more difficult. Most of the rest live in states making it easier. Democracy's promise hangs in the widening gap between the two.

We know this firsthand from our work in states on each side of this divide: where you live often determines how—and whether—you are able to cast a ballot.

Progress can seem improbable. Many of the states that restrict voting access the most are home to the legislatures least likely to make improvements. With the right to vote increasingly under threat, advocacy organizations in these states must find a way to work faster and more efficiently.

But there is good news. Where one-size-fits-all solutions fail, or where national actors are unable to accomplish their goals, nonpartisan advocacy organizations are uniquely positioned to make a difference. Well-informed advocates have the tools to effectively target solutions and policies to the unique context of their state.

This playbook is designed to fuel state-based advocates' work by sharpening their strategies. It will help identify already-accessible levers of power that anti-voter legislatures cannot overrule or preempt. It will also help clarify for national leaders what is needed most in the states that receive the least attention.

Our democracy's most fundamental right should be equally accessible, no matter which state an eligible voter lives in. We believe this playbook can help bridge the gap between states on both sides of the divide. We cannot wait to see how state-based advocates use it to drive change.

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## *Introduction*

This playbook aims to accelerate the work of nonpartisan advocacy organizations on the front lines of efforts to defend and expand voting access in their states. Many of these organizations find themselves performing triage, often playing defense without the bandwidth to consider or pull the levers of pro-voter power that are available.

This playbook is primarily intended for use in red states. Voters in these states typically face much higher hurdles at the ballot box, and their legislatures further restricted voting access after the 2020 election or kept voters' already-low access the same.<sup>1</sup> But the proposed solutions apply in every state.

Even as organizations struggle to make progress in the state capitol, federal and local tools remain available. These under-tapped resources represent the best hope for increasing ballot access in the absence of pro-voter political power at the state level.

## SECTION I

# *Use Federal Tools to Increase Voter Registration and Enforce Legal Protections*

Many voting-rights advocates have expressed frustration at the U.S. Senate's 2022 failure to pass legislation that would have protected voters from an onslaught of state-based voting restrictions.

Even in the absence of new legislation, state-based advocates have access to a number of federal tools that may help accelerate their work. Specifically, a relatively new executive order, time-honored naturalization ceremonies, and a potential partnership with the Department of Justice all offer important opportunities for advocates working to increase voter registration and protect voters' rights.



### Tool One

## *Use President Biden's March 2021 executive order to expand voter registration opportunities in your state.*

In March 2021, President Biden signed an executive order that gives state-based advocates a new opportunity to make the most of a 30-year-old statute designed to help increase voter registration rates in historically disenfranchised communities.<sup>2</sup>

Many advocates know the National Voter Registration Act (NVRA) as the federal law that requires states to offer voter registration and registration updating opportunities to eligible driver's license applicants at the DMV (hence its nickname, "the Motor Voter Act"), as well as at state agencies that provide public assistance or disability benefits, and at military recruitment offices.<sup>3</sup>

The NVRA has another, largely underutilized component that, if fully implemented, could deepen its impact:

"Each state shall designate other offices within the state as voter registration agencies . . . . [These] agencies may include . . . federal and nongovernmental offices, with the agreement of such offices."<sup>12</sup>

In other words, if they agree to the designation under the NVRA, federal offices located within a state can serve as voter registration agencies, similar to DMVs and public-assistance agencies.

State-based federal offices designated as voter registration agencies are required to do three things:

## Can this executive order increase voter registration in your state?

The NVRA seeks to remedy the “confusing, sometimes onerous” process of registering to vote, which keeps more people from voting than almost any other barrier.<sup>4</sup>

The law resulted in 27.5 million new voter registration applications during the first election cycle after its 1995 implementation.<sup>5</sup> Many of those registrations came through state motor vehicle offices. To this day, millions of Americans have the opportunity to register, or update their registration, in their routine interactions with DMVs. Nearly forty percent of people who registered to vote ahead of the 2020 elections did so at DMVs.<sup>6</sup>

As Congress intended, the NVRA also has an outsized positive impact on voter registration rates in communities that have historically faced higher barriers to voting.<sup>7</sup> Low-income people make up a disproportionately high rate of registrants at public-assistance agencies. A 2016 analysis found that while registrants earning less than \$30,000 per year made up only eleven percent of the total population of registered voters, they represented nearly half (forty-nine percent) of those who registered to vote through those agencies.<sup>8</sup>

People registering at public-assistance agencies were also significantly more likely to be from communities of color. In 2016, Black

*“Nearly 1 in 5 (18%) people who were eligible but did not vote in the November 2016 general election cited registration issues as their main reason for not voting.”*

—  
DĒMOS  
TOWARD A MORE REPRESENTATIVE ELECTORATE<sup>9</sup>

registrants made up only thirteen percent of the total population of registered voters, but they comprised more than one-third (thirty-five percent) of those who registered at those agencies.<sup>10</sup> Latinx registrants made up ten percent of all registered people but nineteen percent of those who registered there.<sup>11</sup>

	Proportion of Total Registered Population	Proportion of Total Registered Through Public Assistance Agencies	Proportion of Total Registered Through Department of Motor Vehicles
People making less than \$30,000 per year	11%	49%	11%
People making \$30,000-\$49,999 per year	14%	19%	15%
Black people	13%	35%	12%
Latinx people	10%	19%	10%

1. Distribute voter registration applications;
2. Offer assistance to applicants completing those forms; and
3. Transmit completed applications to the appropriate state election official.<sup>13</sup>

The 2021 executive order puts an important mandate on federal agencies: they must allow their state-based offices to be designated as voter registration agencies in a state that makes that ask of them.<sup>14</sup> If they fail to agree, they owe President Biden a written explanation.

Given the degree to which the NVRA has increased voter registration rates at state agencies that provide public assistance or disability benefits, particularly among historically disenfranchised communities, this executive order—with its focus on federal agencies, many of which serve those same communities—has the potential to be a powerful tool.

Advocates who want to push for federal offices in their state to be designated as voter registration agencies should begin by answering three questions:



#### Question One

***Who in your state has the authority to make this happen, and what is the process?***

The NVRA requires states to designate additional agencies, including federal agencies, as voter registration sites. It leaves it to each state to determine the authority and the process for doing so, and states vary in their approach.

In many states, the Chief Election Official or another official designated by state law has the power to designate additional agencies.<sup>15</sup> In a small handful of states, the legislature must act to formally request the designation.<sup>16</sup>

Are you thinking about implementing this solution in your state? Organizations that have worked on the NVRA for years, such as Dēmos and the ACLU, are familiar with these processes in many states and can help you determine how best to move forward.<sup>17</sup>



#### Question Two

***Which federal offices and programs should be designated as voter registration agencies?***

Are you focused on increasing voter registration rates among communities of color? In low-income communities? Among those with limited English



proficiency? Consider focusing on the federal offices and programs within your state that serve those individuals.

While specific programs and offices will vary by location, the following may be good options for designation in many states:

- Public Housing Authorities under the Department of Housing and Urban Development
- American Job Centers under the Department of Labor
- Veterans Affairs (VA) hospitals and other medical facilities under the Department of Veterans Affairs
- Naturalization ceremonies administered by U.S. Citizenship and Immigration Services
- Indian Health Service facilities under the Department of Health and Human Services.



### Question Three

## ***How will you convince your state's designating authority to make the designation?***

You know your state's leadership best. Do you anticipate that your designating authority may have some concerns about federal offices becoming voter registration agencies?

Build an advocacy campaign to approach them. Consider starting with the agency or agencies that serve the constituencies they prioritize.

These talking points, which highlight the benefits they might value most and assuage likely concerns, may be useful.



## Talking Points to Use with Your State’s Designating Authority

### Highlight benefits:

- **Agency registration keeps voter rolls clean and up-to-date on a year-round basis.** It eases the administrative burden on election officials, especially in the busiest time of year: the lead up to elections.
- **Agency registration is convenient and secure.** It gives residents a trusted way to register to vote at an office they are already visiting.
- **Agency registration increases access.** It helps ensure that all eligible people in our state have the opportunity to register to vote and to participate in our elections.

### Assuage concerns:

- **Agency registration is tried and true.** State agencies like DMVs, public-assistance agencies, and military recruiting offices have been registering voters for nearly thirty years without issues.
- **Agency registration is nonpartisan and voluntary.** Federal law requires that all agency registration be carried out in a strictly nonpartisan way and offers safeguards to ensure that receipt of benefits is not tied to an individual’s decision to register or not.
- **Agency registration is cost-effective.** Exact costs will vary from state to state, but there are very few direct costs associated with agency registration, meaning that agencies can help ensure the eligible people they serve are registered with a relatively modest investment. Additionally, efficiencies gained from the regular voter-roll maintenance that agency registration facilitates could help offset any costs.







## Success Story

### *Kentucky and the Department of Veterans Affairs*

Kentucky is partnering with the Department of Veterans Affairs (VA) to provide voter registration materials and assistance to veterans, their families, and caregivers while they access services at VA healthcare facilities in the state.<sup>18</sup>

Kentucky Secretary of State Michael Adams, a Republican and the state's NVRA designating authority, announced the partnership on September 20, 2022—National Voter Registration Day.<sup>19</sup> In his announcement, he framed his decision as providing veterans with a service that other Kentuckians were already able to access:

“Up until now, Kentuckians could register to vote at drivers licensing facilities and public assistance agencies, but not Veterans Affairs facilities. I am proud we are making it easier for veterans to participate in the democracy they put their lives on the line to protect.”<sup>20</sup>



## Tool Two

### ***Register newly eligible voters at naturalization ceremonies.***

Nearly 950,000 immigrants became American citizens at naturalization ceremonies in 2022.<sup>21</sup> Virtually all of these newly minted citizens—most of whom are people of color—immediately became eligible to vote.<sup>22</sup> Few events offer greater voter registration opportunities.

U.S. Citizenship and Immigration Services (USCIS) is the federal agency tasked with determining applicants' eligibility to become naturalized citizens. Once USCIS has approved an individual's application for citizenship, it schedules her to take the oath of citizenship at an administrative ceremony before a USCIS official or a judicial ceremony before a federal judge.<sup>23</sup>

Nonpartisan organizations that wish to register voters at naturalization ceremonies should find out how they are administered in their community (administratively or judicially) by reaching out to their local USCIS field office and/or the clerk of their local federal court.<sup>24</sup> Current USCIS policy requires field offices to invite state or local election officials and nonpartisan organizations to register voters at administrative naturalization ceremonies.<sup>25</sup> Some federal courts also allow volunteers at judicial naturalization ceremonies.

President Biden's 2021 executive order may give state-based advocates an additional tool to ensure that America's newest citizens get registered to vote at the first possible opportunity.<sup>26</sup> If advocates are able to empower a state's "designating authority" (as described in Tool One) to request that in-state USCIS offices accept designation as voter registration agencies, they could help ensure that new citizens have an even more streamlined registration experience.

Under this scenario, USCIS representatives would in many cases be required both to distribute voter registration forms at naturalization ceremonies and to provide assistance with filling them out.<sup>27</sup> Representatives would then collect and transit them to the appropriate state election officials.



## Success Story

### *The League of Women Voters Education Fund's New Citizens Voter Registration Program*

As part of its New Citizens Voter Registration Program, more than thirty local League of Women Voters (LWV) teams registered new voters at over 1,200 citizenship ceremonies across the country in 2022. From Cleveland to St. Louis to Dallas, LWV members helped some of the country's newest citizens get added to the voter rolls.<sup>29</sup>

*“League of Women Voters chapters across the country with decades of experience registering new citizens have learned to create a trusted space at naturalization ceremonies. The nonpartisan presence welcomes new citizens, invites them to participate in voting, and values their voices.”*

—  
JEANETTE SENECA  
SENIOR DIRECTOR FOR MISSION IMPACT,  
LEAGUE OF WOMEN VOTERS OF THE UNITED STATES

The LWV's Naturalization Ceremony Voter Registration Toolkit offers advocates a step-by-step guide to working with the federal government to host voter registration activities at naturalization ceremonies.<sup>30</sup>



Photo Credit: The League of Women Voters of St. Louis, MO.





### Tool Three

## *Think your state is violating a federal voting law? Sound the alarm to the DOJ.*

The U.S. election system is highly decentralized. Because states and localities are charged with administering elections, our country's 3,000-plus counties are a patchwork of varied practices.

But federal law also governs how every state and locality registers its citizens to vote and cast their ballots in federal elections.<sup>31</sup> Thus advocates who believe a state election law or practice runs afoul of federal protections may be able to partner with the U.S. Department of Justice (DOJ) to challenge it.

### *What rights does federal law guarantee voters?*

- **The Voting Rights Act of 1965 (VRA):** The VRA prohibits election practices that have either a discriminatory purpose or a discriminatory result on account of race, color, or membership in a "language minority" group. It also requires certain counties to provide bilingual voting materials and assistance at the polls. Additionally, it protects voters who need assistance because of blindness, a disability, or an inability to read or write.<sup>32</sup>
- **The National Voter Registration Act of 1993 (NVRA):** The NVRA, sometimes known as "the Motor Voter Act," requires states to offer voter registration and registration-updating opportunities to eligible people applying to get a driver's license at the DMV, as well as at state agencies that provide public assistance or disability benefits. The law also requires states to offer voters mail-in registration options.<sup>33</sup>
- **The Help America Vote Act of 2002 (HAVA):** HAVA directed states and localities to replace outdated voting equipment in the wake of the 2000 election.<sup>34</sup> It also requires them to maintain statewide voter registration lists and provide provisional ballots to ensure that eligible voters are not turned away if their names are not on the roll of registered voters.<sup>35</sup>

The DOJ's Civil Rights Division is tasked with ensuring that states comply with federal voting-rights laws. Lawyers in the Voting Section are trained to bring lawsuits related to allegations like these:

- That Georgia's 2021 voting restrictions, which among other things limit the use of ballot drop boxes and make it a crime to approach voters in line to give them water, were adopted with the intent to deny Black citizens of equal access to the political process;<sup>36</sup>
- That Texas's 2021 legislation disenfranchises voters who don't speak

English, who are older, or who have a disability by denying them their right to meaningful assistance in the voting booth;<sup>37</sup> or

- That Arizona's 2022 law illegally allows state officials to reject voter applications because of errors or omissions that are not material to determining an individual's qualifications to vote.<sup>38</sup>

The DOJ has prioritized increasing the Voting Section's staff size to maximize its enforcement powers.<sup>39</sup> But it has limited resources to do the time-consuming work of bringing litigation, which leaves some advocates looking for other options.<sup>40</sup>

Advocates who seek the DOJ's partnership in efforts to address their state's potentially discriminatory voting laws or practices may want to consider a more intermediary step. For example, the DOJ can send state officials a letter expressing concern about the potential violation of federal voting-rights statutes, and it can submit a statement of interest outlining its support for an ongoing lawsuit brought by advocates.<sup>41</sup>



## ***How to Contact the DOJ with Concerns about Voting Rights Violations in Your State***

Before you approach the DOJ, consider whether partnering with other organizations in your state and/or highlighting your concerns with the local media might strengthen your argument that federal assistance is warranted. Then:

- Work with a supportive Member of Congress from your state. U.S. Senators and Representatives have access to the DOJ through its Office of Legislative Affairs and may be able to help lift up your concerns.<sup>42</sup>
- Partner with national organizations that have experience bringing voting-rights lawsuits. Many of these organizations already have relationships with the DOJ and can help gauge the potential for your claims' success.
- Contact the Voting Section's hotline at (202) 514-3847 or submit a report through its online portal.<sup>43</sup>
- Build allies in your state's U.S. Attorneys' Offices.<sup>44</sup> Consider starting with the offices' District Election Officers.<sup>45</sup> These are federal prosecutors appointed through the DOJ's Election Day Program to serve as local points of contact for the public to report possible federal election violations. This route is best for reporting criminal violations like voter intimidation on or near Election Day.



## Success Story

### *Voting-rights organizations and Arizona's election "audit"*

Following Arizona's certification of its 2020 election results, Republican State Senators hired Cyber Ninjas, a small Florida cyber security company founded by a "Stop the Steal" advocate, to "audit" ballots cast in Maricopa County.<sup>46</sup>

Concerned that the auditors were violating federal voting and election laws by putting ballots in danger of being stolen or damaged, and that they were preparing to engage in conduct that would constitute unlawful voter intimidation, three voting-rights organizations, Protect Democracy, the Leadership Conference, and the Brennan Center for Justice, sent a letter to the DOJ requesting its assistance.<sup>47</sup>

Following the organizations' letter, the DOJ sent its own letter to the Arizona Senate outlining many of the same concerns with the so-called audit, including that the auditors planned to "identify voter registrations that did not make sense, and then knock on doors to confirm if valid voters actually lived at the stated address."<sup>48</sup> In response, the president of the Arizona Senate notified the DOJ that it had decided to "indefinitely defer" its plans to contact voters.<sup>49</sup>

The DOJ subsequently issued guidance outlining the federal laws governing states' post-election reviews and underscoring its "commitment to act" if any person violated them.<sup>50</sup> This guidance was seen as a "warning shot" to other states considering their own controversial "audits."<sup>51</sup>







## SECTION II

# *Empower Local Leaders to Protect and Expand Voter Registration and Access to the Ballot Box*

The decentralized nature of the U.S. election system means that local officials have a lot of power to decide how elections are run and who has access to the ballot box. And because they represent the most trusted level of government, these leaders have an outsized ability to share information that can lead to increased voter turnout.<sup>52</sup>

Advocates who equip local leaders with tools to defend and expand voter access will tap into an often-underutilized source of power that in some states represents the best potential for progress. Those advocating for solutions at the local level may benefit from an approach that answers three questions: (1) Who has the power to make the change you want to see? (2) What goal do you want them to achieve? (3) How will you get their buy-in and then hold them accountable for taking action?



### Action One

***Determine which local officials have the power to make the change you want to see.***

Advocates should first consider which part of local government is responsible for the voting-related action they are seeking.<sup>53</sup> The relevant lever of power might lie with the county or the city, at an agency or division of one of those, or even within the local school system.

Counties typically have primary responsibility for conducting elections.<sup>54</sup> In about two-thirds of states, every county gives this power to the same individual or entity.<sup>55</sup> It might be vested in a single person, often a county clerk, or it could live with a board or an election commission, or even a combination of those.

*“Making change at the local level is about asking yourself, how do you navigate a diverse and complicated system? How do you use all of its tools?”*

---

LIJIA GONG  
POLICY AND LEGAL DIRECTOR,  
LOCAL PROGRESS

Among other roles, these county officials typically run day-to-day election operations.<sup>56</sup> They select and prepare polling places, recruit and train poll workers, and add eligible voters to the voter rolls. And while the federal, state, and municipal governments bear some of the costs, counties are generally responsible for most election-related expenditures.<sup>57</sup>

Cities, in contrast, usually control the services that impact how residents live, work, and play—from police and fire departments to schools to public transportation agencies. They have less power, however, when it comes to administering elections. Power within cities is typically divided between an executive—usually a mayor and/or a city manager—and a legislative body, usually a city council.

City and county agencies and departments also house concrete levers of power. They employ the public officials who implement policies and programs, as well as the front-line staff who interact most directly with local residents. Similarly, public schools are many residents'

primary interface with local government.

Advocates who have identified the local officials with the power to take action should plan their approach carefully. As is true at all levels of government, most officials will respond best to organizations or individuals they already trust.

Timing, however, is vital. Advocates who open an early dialogue with officials will have more opportunities to understand concerns or perceived barriers and develop solutions.



### Action Two

## ***Determine the goal you want local officials to achieve.***

Work to defend and expand voting access at the local level can take many shapes. Some advocates may focus on growing the voter rolls. Others may work to ensure access to the ballot box.

In either case, the local leaders with the power to make the decisions advocates

are seeking are likely balancing a number of priorities. They, like many local officials, may have small staffs (if they have staff at all) with broad portfolios.<sup>58</sup> High-impact solutions that require minimal bandwidth from staff are likely to be the most appealing options to many local decisionmakers.



### Goal One

## ***Increase voter registration.***

Most Americans who are registered to vote ultimately cast their ballots. An estimated ninety-two percent of registered voters cast a ballot in the 2020 general election, compared to sixty-seven percent of eligible voters.<sup>59</sup> In other words, people who are registered to vote turn out to vote.<sup>60</sup>

Voter registration is a critical tool to empower disenfranchised communities. Advocates have a number of options when it comes to partnering with municipalities. They could, for instance, empower local agencies to register voters, incorporate voter registration information into official communications, or increase voter registration opportunities at high schools.



### Tool One

## ***Empower municipal agencies to register voters.***

One proven method of increasing voter registration, particularly among underrepresented voters, is voter registration at public agencies.<sup>61</sup> Much like the federal “Motor Voter” law requires DMVs to offer eligible driver’s license applicants opportunities to register to vote and update their voter information, cities can require their agencies to do the same.

Many city agencies administer services and programs that serve primarily low-income communities and disproportionately reach communities of color.<sup>62</sup> Staff there can be trained to review eligibility criteria and help eligible residents register to vote at the same time as they are helping them apply for or renew services. And if a more streamlined submission process, such as automatic voter registration, is not available, they can then transmit completed applications to the appropriate election official.





## Success Story

### *Advocates' efforts to strengthen agency-based registration in New York City*

In 2000, New York City enacted Local Law 29,<sup>63</sup> Known as the “Pro-Voter Law,” it required eighteen city agencies, along with various subcontractors and community boards, to register people to vote when they applied for or renewed city services.<sup>64</sup> A 2003 internal report found that more than half of the agencies and boards were not complying with the law.<sup>65</sup>

In 2014, a coalition of pro-voter organizations launched an investigation to assess compliance with the law and understand opportunities to increase its impact. They found a widespread agency failure to implement the law, which they concluded was particularly significant because more than thirty percent of the clients they interviewed at the agencies as part of their audit reported that they were not registered to vote.<sup>66</sup>

The coalition issued twelve recommendations, which included improving employee training, setting a deadline for the physical integration of voter registration applications into agency intake forms, and adopting a comprehensive monitoring program that included regular data collection at each agency.<sup>67</sup>

Shortly after the pro-voter organizations released their report, the New York City Council enacted new legislation that strengthened provisions of the Pro-Voter Law and expanded its reach. The organizations praised the city’s responsiveness and pledged to keep working with local officials to implement agency registration.<sup>68</sup> In 2016, the New York City Board of Elections received 24,230 voter registration applications from Pro-Voter Law agencies, up from 9,798 in 2015.<sup>69</sup>





## Tool Two

### ***Incorporate voter registration information into official communications.***

From advertisements on city buses to inserts in water bills to the mayor's own speeches, local governments communicate regularly with their constituents. Because people trust local government more than state or federal government, each interaction represents an opportunity to share voting-related information from a trusted source.<sup>70</sup>

Municipalities that use official channels to highlight even routine information about voter registration are doing more than providing information—they are signifying to voters that voting is important. Information-sharing like this would in many communities represent an important step forward. A recent report, for example, found that most local election offices do not yet use social media to communicate with residents.<sup>71</sup>

Advocates seeking to empower their local governments to use the power of their office to reach would-be voters may want to begin by asking which communications are most likely to meet disenfranchised people in places where they already are, in the way that is most useful to them. In other words, how can advocates help local governments get would-be voters the right registration information, in the right format, at the right time?

The Center for Civic Design's field guide, *Choosing How to Communicate with Voters*, may help advocates tailor their work to incorporate voter registration information into local government messaging.<sup>72</sup> The guide provides an overview of how to use various government communications channels effectively and outlines which voting-related information constituents most want to know.

***“Cities have so many existing touch points with prospective voters. They’re uniquely suited to provide their residents with accurate information about elections and voting.”***

---

TREVOR OSTBYE  
DIRECTOR, CITIES FORWARD





## Success Story

### *The Atlanta mayor's executive order to mitigate the impact of restrictive state voting laws*

In 2021, the Georgia General Assembly passed new voting restrictions that, among other things, limited the use of ballot drop boxes and made it a crime for election officials to mail absentee ballots to all voters.<sup>73</sup> In response, Atlanta's then-mayor, Keisha Lance Bottoms, signed an executive order designed to "mitigate" the impact of the state law on Atlanta residents.<sup>74</sup>

Noting that the voting restrictions would "disproportionately impact Atlanta residents—particularly in communities of color and other minority groups," Mayor Bottoms directed the city's chief equity officer to develop a plan to reach would-be voters through a variety of communications channels:

- By training staff at Atlanta's 311 information hotline and in the Office of Constituent Services to disseminate voting-related information;
- By including QR codes and links with information about voter registration and absentee voting in water bills and other mailings;
- By working with corporate and community partners to develop and distribute public service announcements and other communications about voting-related deadlines.<sup>75</sup>







### Tool Three

## ***Increase voter registration opportunities at high schools.***

Young voters are less likely to cast ballots than older ones, and the disparity is most pronounced among people who have newly aged into the electorate.<sup>76</sup> Youth voter participation is, in part, a matter of access. Because many young people need to register for the first time, and because they move more often than older people and need to update their registration more frequently, restrictive policies disproportionately impact them.<sup>77</sup>

While young people cast their ballots at notoriously low rates, the root of the problem lies largely in registration, rather than turnout.<sup>78</sup> Indeed, in presidential election years, young adults who are registered to vote actually turn out at rates approaching those of older adults.<sup>79</sup>

High school voter registration is a promising tool for advocates looking to increase civic participation. A handful of states, including some of those with the most restrictive voting laws, mandate voter registration drives in high schools, although those mandates often go unenforced:<sup>80</sup>

- Tennessee: “The county election commission . . . in each county shall conduct at least one (1) supplemental voter registration each year at every public and private high school in the county.”<sup>81</sup>
- Georgia: “Each eligible [public school] student shall be given an opportunity, arranged by the school administration, to register to vote at his or her school during the month of April of each year.”<sup>82</sup>
- Texas: “At least twice each school year, [Each principal of a public or private high school or the principal’s designee] shall distribute an officially prescribed registration application form to each student who is or will be 18 years of age or older during that year . . . .”<sup>83</sup>

Where state law is silent or unenforced, school boards and school districts may have the power to require high schools to offer registration opportunities to eligible students.<sup>84</sup>

Schools can also be required to distribute and collect registration forms or make the electronic registration equivalent available, as well as to assist students in the forms’ completion and return. Further, a school board could mandate that schools encourage registration by engaging students through mock elections, classroom registration drives, and other methods.<sup>85</sup>

Such opportunities may vary by location. In states that allow pre-registration, for example, younger students can pre-register to vote so they are automatically added to the voter rolls when they turn eighteen.<sup>86</sup>

Advocates interested in working with their local school board or school district to increase voter registration opportunities for high school students may benefit from a number of how-to guides, including the Center for Popular Democracy’s *Expanding Voter Registration in High Schools* and *The Civics Center’s Future Voters and Gaps in Our Democracy*.<sup>87</sup>



## Success Story

### *Nashville's bipartisan effort to register high-school students*

U.S. Representative Jim Cooper, a Democrat, and Tennessee State Senator Steve Dickerson, a Republican, teamed up in an attempt to double—from fifteen percent—the number of eligible high school students registered to vote in the greater Nashville area.<sup>88</sup> From 2015 until 2019, they worked with the local election commissions, school boards, mayors, and others to host friendly registration competitions between local high schools. At the end of the project, they had met their goal.<sup>89</sup>





## Goal Two

### ***Ensure access to the ballot box.***

Structural barriers sometimes keep voters from the ballot box even when they want to participate.<sup>90</sup> These barriers disproportionately impact communities of color, low-income people, and young people, which exacerbates persistent gaps in voter participation along racial, educational, and income lines.<sup>91</sup>

For some advocates, the key to breaking down structural barriers involves targeting specific obstacles with corresponding solutions. For example, if eligible voters who are in jail are being denied access to a ballot, advocates can partner with local officials with the power to restore access. If eligible voters lack reasonable access to a voting site, the solution may lie in innovations, such as Vote Centers, that their state allows. Still others may want to use local tools, like the public transit system, to reduce barriers to vote.



## Tool One

### ***Ensure that eligible people in jail have the opportunity to vote.***

The vast majority of people incarcerated in local jails are eligible to vote, but very few of them actually have the opportunity to cast a ballot.

People in jail are typically not serving time for a felony conviction, which in most states would render them ineligible to vote.<sup>92</sup> In fact, of the approximately 658,000 people in jail in 2022, most were not there because they had been convicted of a crime at all.<sup>93</sup> Instead, they were likely awaiting trial because they could not afford to post bail. Of the approximately 103,000 people who had been convicted, most were serving misdemeanor sentences that do not result in disenfranchisement.<sup>94</sup>

Nevertheless, being incarcerated during an election likely means missing the opportunity to vote.<sup>95</sup> Although the Supreme Court has affirmed that eligible voters cannot be disenfranchised simply because they are incarcerated, barriers to ballot access from jail “remain prolific.”<sup>96</sup>

Jail administrators often do not know how, or do not have the resources, to facilitate voting in jail. Nine states prevent people in jail from casting absentee ballots, and even in those that do not, the absentee-ballot process is a challenge.<sup>97</sup>

Historically marginalized communities are deeply affected by this systemic failure. Jailed voters are disproportionately people of color, low-income, homeless, and/or voters with disabilities.<sup>98</sup> Almost half of people in jail nationally are Black or Latino.<sup>99</sup>



Advocates looking to develop a strategy for enfranchising voters in jail have a resource in Campaign Legal Center's *Jail Voting Advocacy Manual*.<sup>100</sup> It details a variety of approaches, and it outlines questions organizations should consider as they seek to create jail voting plans.



### Success Story

## *Advocates' push for jail-based polling places in Harris County, Texas*

A former prison guard in Houston named Durrel Douglas led efforts to open a polling place in the Harris County Jail.<sup>101</sup> Once he determined that a change in state law was not necessary, Douglas and volunteers at Houston Justice, the organization he founded, worked directly with county officials across several departments in what he described as a “yearslong slog.”<sup>102</sup>

*“We’re not changing any laws here. [Jailed voters] have not been disenfranchised, so let’s work with the counties individually and make this easier on them and do it that way.”*

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DURREL DOUGLAS  
FOUNDER AND EXECUTIVE DIRECTOR,  
HOUSTON JUSTICE<sup>103</sup>

To make the pilot project work, they had to overcome a significant barrier: Texas requires a photo ID to cast a ballot, but jailed voters’ IDs were confiscated when they were booked. Volunteers worked with the voters to help them fill out a state-required declaration that they had a valid reason for not having an ID. By November 2021, a polling place opened to voters in the Harris County Jail for the first time.<sup>104</sup> The option was available again for the 2022 primary.<sup>105</sup>

Houston Justice also launched Project Orange, which seeks to register eligible voters in the Harris County Jail. Wearing shirts that read, “Voting is the New Black,” they went cell-to-cell to register voters. They filmed public service announcements with Houston rappers informing pretrial detainees of their right to vote.<sup>106</sup> And they helped jailed voters access absentee ballots. Project Orange has registered more than 5,000 voters since 2017.<sup>107</sup>



## Tool Two

### ***Use well-implemented Vote Centers to reduce geographic barriers and minimize rejected ballots.***

An alternative to traditional, neighborhood-based precincts, Vote Centers are locations at which voters from anywhere in a county may cast a ballot. Seventeen states, among them Arizona, Kansas, Tennessee, and Texas, allow at least some counties to use Vote Centers on or before Election Day.<sup>108</sup>

When implemented well, Vote Centers may make voting easier by allowing voters to cast their ballots near their workplace or along their commute. They also may reduce the number of voters who have to cast provisional ballots because they showed up at the wrong precinct. But a shift to Vote Centers can confuse voters if changes are not well publicized in advance of Election Day, especially if traditional polling places are closed.<sup>109</sup>

Advocates considering pushing for the implementation or improvement of Vote Centers in their state should first determine whether it would require a change to state law. They may also benefit from All Voting is Local's report: Potential Benefits for Voters, but Standards and Protections Must Be In Place. It draws on experiences in Texas and Arizona counties to highlight the Vote Centers' promise and illustrate the pitfalls to be avoided during implementation.<sup>110</sup>



## Success Story

### ***Advocates' efforts to strengthen Vote Centers in Maricopa County, Arizona***

During the 2016 presidential primary, election officials in Maricopa County, Arizona's largest county, "badly bungled" a shift to Vote Centers, resulting in hours-long waits at some polling places.<sup>111</sup> Advocates sued, and the county eventually added more Vote Centers, voting booths, and stations to check in voters.<sup>112</sup> The changes succeeded in reducing wait times; voters in 2020 waited an average of two minutes.<sup>113</sup>

In 2022, however, Vote Centers once again received negative attention when printer malfunctions caused voting delays and helped fuel the suspicions of candidates who refused to accept election results.<sup>114</sup> Under the watchful eye of the advocacy community, Maricopa County election officials published a report outlining the malfunctions' causes, as well as the steps they would take to prevent similar incidents in the future.<sup>115</sup>



### Tool Three

## *Provide free public transportation to help city residents get to their polling places.*

Lack of transportation to the polls may keep some voters, particularly low-income ones, from casting a ballot.<sup>116</sup> Fourteen percent of registered voters who did not cast a ballot in 2016 cited lack of transportation as a reason for not voting.<sup>117</sup> The barrier may be particularly high among young people. Twenty-nine percent of young non-voters (ages 18–29), and thirty-eight percent of young people of color, in 2016 said not having a ride to the polls was a factor in why they did not cast a ballot.<sup>118</sup>

*“Making transportation free on election day is a clear statement that society values voting. This message, that voting is important . . . may be a significant impetus to vote over and above the turnout produced by lowered transportation costs.”*

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ALAN S. GERBER  
PROFESSOR OF POLITICAL SCIENCE,  
YALE UNIVERSITY<sup>119</sup>

To ensure that transportation is not a barrier to voting, a number of municipalities now offer free public transit on Election Day.<sup>120</sup> While free transit has not yet been shown to directly increase turnout rates, a city that opts to provide it is signaling to voters that voting is important.<sup>121</sup>

The Federal Transit Administration, which regulates local public transit authorities, has noted that transit providers are “distinctly positioned” to reduce some of the obstacles Americans face in exercising their right to vote.<sup>122</sup>





## Success Story

### *A community partnership to provide free Election Day transit in Cleveland*

In 2020, ten of the nation's largest transit systems—along with many smaller ones—offered free Election Day rides to the public.<sup>123</sup>

Among these was the Greater Cleveland Regional Transit Authority, which provided free service on bus, rail, and paratransit.<sup>124</sup> The Cleveland Foundation underwrote the transit authority's fare-free Election Day with a \$75,000 grant.<sup>125</sup>



### Action Three

## ***Decide how to increase local officials' buy-in, and then hold them accountable for taking action.***

Once advocates have identified the pro-voter changes they want to see and the leaders who have the power to make them happen, they may want to find ways to demonstrate to those leaders that their suggested changes have a track record of success. Peer-to-peer networks are one way to provide local leaders with a community of support. And accountability methods like candidate questionnaires and town hall meetings can encourage leaders to take actions they have promised or to consider commitments they have yet to make.



### Goal One

## ***Encourage local officials to join a network of pro-voter leaders.***

Some national organizations that work with cities and counties have peer networks intended to accelerate members' work to ensure all eligible voters are able to cast a ballot. Advocates may want to encourage elected officials and their staff members to take part in these networks, which offer opportunities to connect, share knowledge, and take collective action.

The National League of Cities's Cities Vote program, for example, supports elected officials in committing to and executing high-quality voter-engagement plans. It asks members to choose from a list of pro-voter "interventions" and to share their successes and failures with their peer-to-peer learning network.<sup>126</sup>

Similarly, the U.S. Alliance for Election Excellence works with local election departments that are committed to enhancing experiences for voters, poll workers, and staff.<sup>127</sup> It is creating a nonpartisan collaborative to help improve election-related operations, develop a set of shared standards and values, and obtain access to best-in-class resources to run successful elections.<sup>128</sup>

Some of these networks offer their members proven ideas for expanding civic engagement. Among these are The National League of Cities's 2022 playbook for nonpartisan voter engagement and the U.S. Conference of Mayors's 2020 road map to help mayors and youth leaders develop community-based voter-engagement efforts.<sup>129</sup>





## Success Story

### *A Tennessee network to help mayors reach their civic-engagement goals*

In 2019, a bipartisan cohort of mayors across Tennessee joined pro-voter think tank ThinkTennessee to launch *Mayors Growing Civic Engagement*.<sup>130</sup> The first of its kind in the nation, the project supported the work of mayors and their staff to set civic engagement goals and build action plans to meet them. It also facilitated peer-to-peer learning and helped mayors develop relationships with national organizations that could further power their pro-voter work.<sup>131</sup>

*“Every community is different, but when leaders from different places have similar goals, peer-to-peer networks can really make an impact. I’ve seen city leaders hear what others are doing and have it spark a new idea they could take home and try.”*

—  
DAWN SCHLUCKEBIER  
ADVOCACY AND GOVERNMENT RELATIONS DIRECTOR,  
THINKTENNESSE

Participating mayors worked to, for example, create a Mayor’s Youth Council, use city outlets to share voter registration information, and expand access to voter registration sites.







## Goal Two

### ***Get local officials on the record, especially at election time.***

Nonprofit organizations that want to strengthen their impact should consider building accountability into their advocacy agendas. If the officials responsible for the desired change hold elected positions, election season may be a particularly important time for this work.

Organizations can, for example, hold town hall meetings where candidates share their viewpoints on voting-related issues. They can ensure that voting-related questions are asked during candidate debates. And they can use their social media channels to publicly thank election officials who voted in line with their pro-voter agenda and criticize those who did not. Alliance for Justice's Bolder Advocacy initiative has issued guidance to help nonprofit organizations hold candidates accountable without crossing over into impermissible electioneering.<sup>132</sup>

Candidate questionnaires are another good tool in accountability work. Advocates can compare what elected officials do to commitments they made while running for office. Questionnaires also help voters become familiar with the candidates and their views, and they emphasize for candidates the priorities of the questionnaire's authors.<sup>133</sup> Bolder Advocacy offers guidelines for nonprofit organizations seeking to develop candidate questionnaires.<sup>134</sup>



## Success Story

### ***The National Council of Jewish Women's candidate questionnaire***

The National Council of Jewish Women equips members hosting candidate forums with a list of potential questions they may want to pose. The list includes a number of voting-related inquiries like these: "Do you believe that there are discriminatory barriers to voting in your state?" "How should local governments determine the location and number of polling sites?" "Do you support voter registration reforms, such as automatic voter registration or same-day voter registration?"<sup>135</sup>

*“Advocates shouldn’t be afraid to hold election officials accountable. And doing that means understanding the broader ecosystem in which they do their work. Are they appointed or elected? How are they funded? Learn about budget cycles, so you understand how elections offices are resourced — and then advocate that they be funded well enough to do their job. Go to a public meeting, and share your story of how a policy change will impact your access to voting, and your community’s. Invite a reporter to shine a light on something that might otherwise fly under the radar.”*

---

HANNAH FRIED  
EXECUTIVE DIRECTOR,  
ALL VOTING IS LOCAL AND ALL VOTING IS LOCAL ACTION

# Conclusion

Voters in many states face increasingly high hurdles on the path to the ballot box. When lawmakers in those states act to restrict voting access further and in increasingly punitive ways, state-based advocacy organizations are left playing defense. They get stuck attempting to block one piece of proposed legislation at a time in an often-hostile forum.

To turn the tables, advocates need to look beyond the state capitol. This playbook will empower them to work proactively by deploying underutilized federal and local tools that have the potential to transform ballot access in their states.

This work is a collective effort. Successes build upon successes, and strategies evolve as they are deployed across communities. As you use these tools, or as you see them used in your community, share your experiences. We can learn from and support each other.

In time, as state-based efforts become more effective and strategic, they will inform the national movement to ensure that all eligible voters are equally engaged. Only when that movement is successful will the promise of our democracy be fulfilled.



Have a success story or a learning to share?  
Tell us more at [www.democracyplaybook.org](http://www.democracyplaybook.org).





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She founded and for six years ran Think*Tennessee*, her state's only forward-looking think tank. There, she led a powerhouse team working to build a state where all Tennesseans are civically engaged and economically secure.

Shanna has deep experience in federal and local government. She served as senior legal counsel on the Biden/Harris Transition Team; as nominations counsel to Chairman Patrick Leahy on the Senate Judiciary Committee, where she worked extensively on the Supreme Court confirmations of Justices Sonia Sotomayor and Elena Kagan; and as press secretary to Senator Debbie Stabenow.

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Shanna graduated with honors from The George Washington University Law School and The University of Michigan. A trusted voice on public policy, she has been quoted in *The Tennessean*, *The Chattanooga Times Free Press*, and *NPR* and is a frequent public speaker on issues related to civic engagement.

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