

### SISTER DISTRICT ACTION NETWORK // ALL ON THE LINE

### ONE PERSON, NO VOTE: HOW VOTER SUPPRESSION IS DESTROYING OUR DEMOCRACY BOOK CLUB READER'S GUIDE Prepared by Gaby Goldstein, SDAN Director of Research

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Hello Friends!

Sister District Action Network and All On The Line have teamed up for this quarter's book club selection. If you'd like to join the Sister District book club, please sign up here to vote on future books and keep in the loop about events and information! If you'd also like to join the All On The Line book club, please sign up here to stay in the loop!

Our current book selection is One Person, No Vote: How Voter Suppression is Destroying our Democracy, by Carol Anderson. This reader's guide provides: A) discussion questions; and B) facilitator's guide for folks who will be leading book discussions in person (highly recommended!).

Sister District and All On The Line held a Fireside Chat with author Carol Anderson on December 16. <mark>You can anytime - just follow this link.</mark>

And if you'd like to submit a question for our Fireside Chat, please do so <u>here</u>!

### A. <u>Main Themes/Discussion Questions</u>

- 1. Broad Narratives About Voter Suppression
  - Anderson draws a thruline from Reconstruction to the present in terms of how white elites have held back minority (and especially black<sup>1</sup>) access to the ballot. How has this been accomplished?
  - b. Anderson argues that, while voter suppression laws and rules are often cloaked in neutral terms, they are intended to disparately impact certain groups, and they succeed. What are some examples of these supposedly neutral laws and rules?
- 2. <u>Broad Narratives about State Legislatures & Other Venues of Power</u>
  - a. The narrative about "states rights" has a long history. What are some examples of 'states rights' being used as a tool to suppress the vote? On the other hand, does she also provide some examples where states have asserted their rights against the federal government in a way that was protective of citizens and voting?

<sup>&</sup>lt;sup>1</sup> Note: I understand that <u>some feel strongly that 'black</u>' should be capitalized. We use the lower case in this guide, as it appears in *One Person, No Vote*, which follows the <u>NYT & other journalistic</u> style guides.

# ALL ON THE LINE



- b. Throughout American history, state legislatures have been the venue of power where many rights have been established or eviscerated. During Reconstruction, post-Reconstruction, Civil Rights Movement, post-Civil Rights Movement, and after Obama's election, how have Southern state legislatures used state law to curtail the right to vote?
- c. What role has the Presidency played during key moments in American history, as it pertains to voting rights?
- d. What role has the Supreme Court played during key moments in Anderson's narrative? Think about its decisions around 'one person, one vote', voter ID laws, Shelby v Holder, and partisan gerrymandering. What role does the Court play now, as we (re-)enter an era of 'states rights'?
- e. Are state laws and electeds more important than ever, when it comes to voting rights? Why or why not?
- 3. One: A History of Disenfranchisement
  - a. Why didn't the historic coalition of American, Hispanic and Asian voters who carried Obama to the White House in '08 and '12 show up in 2016?
  - b. How are GOP devices to suppress the vote variations on a theme going back 150 years?
  - c. Anderson argues that the use of a narrative around protecting voting 'integrity' typically simply masks intentional racial discrimination in voting laws. What are some examples of this?
  - d. What was the Mississippi Plan? What was its impact throughout the South?
  - e. A few Jim Crow voter suppression devices were literacy and understanding clauses, poll taxes, and the white primary. How did these work?
  - f. Anderson argues that the Cold War played an interesting role in turning the tide toward Civil Rights in the US. How did Russia and its allies use racial tension in its anti-American propaganda? Was this successful?
  - g. What were the main innovations of the Voting Rights Act? Was it a successful law?
  - h. What decisions and narratives paved the way for the Supreme Court's evisceration of the VRA in the 2013 Shelby decision? What was its main holding?
- 4. Two: Voter ID
  - a. How were the 2000 elections in Florida and Missouri helpful to the GOP in setting the stage for voter ID laws throughout the country?
  - b. What was the 'poison pill' that the GOP required be inserted into the 2002 federal Help America Vote Act (HAVA)? How did this give federal credence to the lie of 'voter fraud'?
  - c. What happened in the 2010 midterm elections to help open the floodgates to allow GOP states to pass these laws around the country?
  - d. How did the Supreme Court help pave the way for expansion of voter ID laws?
  - e. Is there any significant evidence of voter fraud?



- f. Is there proof that voter ID laws have a disparate impact on communities of color and poor folks? Is there proof that these laws reduce turnout among these folks?
- 5. <u>Three: Voter Roll Purge</u>
  - a. When did modern-day voter purges start? What was the catalyst?
  - b. What was the 'poison pill' that the GOP required to be inserted into the 1993 federal 'Motor Voter' expanded voter registration law?
  - c. How did this poison pill open the floodgates to GOP-state voter purges?
  - d. Have voter purges disproportionately impacted communities of color and poor folks? Is there any proof this is intentional on the part of GOP leaders?
  - e. How do Exact Match and Interstate Crosscheck work, and what is wrong with these systems? Do they disproportionately impact communities of color?
  - f. What are the origins of felony disenfranchisement? Does this contribute to voter roll purges?
- 6. Four: Rigging the Rules
  - a. Anderson argues that gerrymandering and other rule-rigging are key voter suppression tactics. How do these tactics work to suppress the vote?
  - b. What are the two types of gerrymandering? What are each designed to do?
  - c. Is gerrymandering a new tactic? Has technology changed how it's accomplished?
  - d. What are the consequences of gerrymandering?
- 7. Five: The Resistance
  - a. What were some of the factors and actors that helped Doug Jones win the Senate special election in 2017?
  - b. How did local coalitions and national organizations work together to help encourage voters to turn out?
  - c. What state infrastructure did the Doug Jones campaign encounter? What can be done to rebuild state party infrastructure in the future?

## 8. Conclusion & Afterward: What Happens Next

- a. While GOP-controlled states are pushing to restrict voting rights, other states are pushing to make voting easier. What are some examples of laws and rules that states have passed to make voting easier?
- b. How can cities expand access to the ballot?
- c. How are local organizers fighting back against suppression tactics? What are some examples that Anderson provides?
- d. Are citizen-led ballot initiatives a useful tool to fight voter suppression? What are some examples of these initiatives?
- e. Have you learned anything surprising from One Person, No Vote? Has it challenged your prior knowledge of key events, politicians, and narratives?
- f. What will you do with the new information you have?



#### B. <u>Facilitator's Guide</u>.

One: A History of Disenfranchisement

- After a historic coalition of African American, Hispanic and Asian voters carried Obama to the White House in '08 and '12, they didn't show up in 2016. Nationwide, black turnout dropped by 7%, and less than half of Hispanic and Asian voters came to the polls (1).
- But minority voters didn't just choose or refuse to show up: Republican state legislatures and governors systematically blocked them from the polls.
- The devices the GOP uses are variations on a theme going back 150 years targeting the socioeconomic characteristics of a people (e.g. poverty, illiteracy) but soaking the laws in 'racially neutral justifications' to cover discriminatory intent (2).
- Reconstruction brought a record number of blacks into government, who helped craft laws related to finance, penal and charitable institutions, and the public school system (3).
- But after Reconstruction, white state leaders wanted to dismantle black participation in government and civic life.
- In 1890, MS passed the Mississippi Plan constitution of 1860 poll taxes, literacy tests, understanding clauses, new voter registration rules, good character clauses. All racially discriminatory but dressed in the language of election 'integrity' (3).
- The Plan was adopted throughout the South.
- It wiped out poor whites as well as the black vote. Turnout plummeted, by design. In the late 1800s, turnout in MS was close to 70%; by early 1900s, it was near 15% (4).
- Literacy tests and understanding clauses were tailor made to keep blacks from voting deliberate underfunding of black schools meant that many blacks couldn't pass.
  - During WWII, LA spent 4x per white schoolchild as on black children. Many school systems in the South did not have any high schools for black students (5).
  - In this system, registrars had immense power to decide if someone 'passed' the literacy test. Their decision was unappealable (6).
- Poll taxes adopted by all 11 states of the former Confederacy.
  - After Civil War, poll taxes were meant more to criminalize black men than to keep them from voting. Failure to pay the tax was a crime, which resulted in being jailed and auctioned off for labor under the peonage system (7).
  - The rules were arcane and devised to ensure maximum compliance failure. Cops collected the poll tax, making intimidation a key feature. In most states, tax was due months before the election and it was cumulative, meaning that back taxes piled up over time. For a sharecropper in MS, poll taxes were 2% of each adult's annual income (9).
  - Some states required receipts for two years of paid poll taxes to vote (10).
  - Poll taxes had disparate impact on blacks because of disparities in wealth, education, and relations with law enforcement between blacks and whites (10).
- White Primary adopted by all 11 states of former Confederacy.



- From Reconstruction to `968, the South was a one-party system (Dems). This made the primary the real election. So white state leaders made primaries whitesonly (11).
- There were at least 4 Supreme Ct cases on the white primary. States tried all kinds of things - turning the Dem Party into a private organization (TX) and purging all state election laws (SC), so not subject to 14th+15th Amendments (13).
- International pressures Anderson argues that the Cold War played an interesting part in turning the tide toward civil rights, including voting rights.
  - Starting in 1947, US and Soviet Union fought proxy wars around their differing ideologies and roles of the government - the Soviets provided basic needs, but did not offer much individual 'freedom.' However, the Soviets used the existence of Jim Crow to discredit American democracy and expose its hypocracy (17).
  - Soviet press hihglighted the 'racial terrorism' in the US.
  - Little Rock in 1957 'brought Jim Crow violence to vivid life in world media' —
     Secretary of State Dulles said the situation was 'ruining our forien policy' (18).
  - The racial violence also caught attention of US's allies, and there was big damage.
     The crisis in Little Rock had "given Communist propagandists the text for innumerable sermons to coloured peoples everywhere." (18).
  - Don't be fooled, the Kremlin and its allies warned the US goal was to export Jim Crow to the rest of the world, not democracy (18).
  - The US had a dilemma the powerful Southern Democrats in Congress wanted to keep Jim Crow, vs foreign policy and the need to build allies in the Third World and defeat the Soviets required some response to Jim Crow.
- The result was the paper tiger of the Civil Rights Act (1957). It had no way to protect people its litigation mechanism was slow and not proactive (21).
- The Voting Rights Act (1965) was a different matter. As the NAACP lobbyist said at its passing, after years of "shameful events that increased tensions at home and caused embarrassment abroad," Congress finally addressed the issues directly (22).
  - The VRA's landmark innovation over CRA was that it was preventive requiring states w/ histories of voting discrimination to obtain federal approval to change voting laws before being enacted (22).
  - Southern states spent the next several decades challenging the VRA, including with the argument that it infringed upon state's sovereignty. States and reluctant presidential administrations (Nixon and Reagan) diluted and weakened enforcement of the VRA (25).
- By the time the Supreme Ct. gutted the VRA in 2013, many pieces of that foundation had long been laid.
  - The Civil Rights Act of '64 and VRA of '65 spurred southern realignment. The GOP adopted the Southern Strategy to woo white Southerners into the GOP (27). The message was to cast conservative whites as victims besieged by liberalism, minorities, and the Dem's big intrusive government (28).
  - Southern states advanced the notion that the VRA singled them out and was punitive (28).



- GOP advanced a lie that grew more threatening as black political power grew: the real violators were not states passing restrictive voting laws, but black people who committed voter fraud (29).
  - Jeff Sessions waged a war against essentially non-existent 'voter fraud,' for instance by only launching voter fraud investigations into counties where African Americans had won office (34).
  - Over and over, criminal processes were used to intimidate black voters.
- Finally, the Bush v Gore Supreme Ct decision laid the way to gut the VRA by demonstrating how far the court would go to create a political outcome (35).
- John Roberts had been Rehnquist's clerk and neither believed in courts 'giving rights to minorities and the down-trodden' (39).
- The Shelby decision echoed refrains about states' rights, fears about black electoral success, regional 'discrimination' against the South, the proclaimed end of racism and thus the obsolecense of the VRA.
- By gutting the preclearance requirements in Section 4 of the VRA, the Shelby decision let open the floodgates for GOP-controlled states to pass and implement discriminatory voter suppression laws, often under the guise of 'voter fraud' (42).
- 2016 was the first federal election in 50 years without the VRA's protections.
  - Rash of voter ID laws, purged voter rolls, redrawn district boundaries, and closed/ moved polling places then evaporated millions of votes.
  - Its reverberations extended way beyond just the Southern states that had been subject to the VRA. States like Wisconsin passed these suppression laws too (42).

Two: Voter ID

- Voter ID requirement laws spread like wildfire across GOP-controlled states, as a voter suppression tactic - since non-whites are disproportionately likely not to have 'adequate' ID or face barriers to getting that ID.
- The Florida 2000 presidential election was a catalyst the chaos and debacle around voting machine failures and missing votes contributed to a narrative of uncertainty about election integrity (46).
  - A bipartisan commission was established to identify deficiencies in the election process and make recommendations. (These would later be subverted by GOP state legislatures and leaders to bolster suppression efforts).
- Election Day Missouri 2000 also provided GOP with useful lessons and templates for further electoral success through democracy-tampering.
  - An illegal voter purge of 50,000 voters led to astronomical lines and chaos when people went to vote in (heavily black and Dem-leaning) St. Louis.
  - When Dems filed an injunction to keep the doors open for a few more hours, the GOP was incensed. Senator Kit Bond actually said that keeping the doors open would represent "the biggest fraud on the voters in this state and nation that we have ever seen" (47). The court agreed and closed the doors on voters.
- What the GOP learned from these events:



- 1) demographics are not destiny if you block groups from voting who are not likely to support you. In other words, you don't have to lose, even in areas that lean the other way, if you just keep non-supporters from voting. How to keep people from not voting? Voter ID, purges, and rigging the rules.
- 2) They who control the electoral machinery (rules and physical machines) win.
   E.g., FL Secretary of State Katherine Harris used her authority and power to rewrite the rules of the game during the 2000 recount and undermined it (48). She allowed GOP-leaning counties expanded the parameters to allow votes to 'count', including by counting overseas ballots; Dem-leaning counties were given the literal opposite orders (49).
- $\circ$  3) Lie, and keep lying until the public believes it (50).
- After the 2000 presidential disaster, Kit Bond worked to pass a bill to 're-instill the American public's confidence in the electoral system' (51). But of course, he included a poison pill into 2002's Help America Vote Act (HAVA) — a requirement for voter ID (51)
  - It seemed harmless and sensible. But its purpose was to target minorities and Democrats, who would have disproportionate trouble with the requirement.
  - HAVA gave federal credence to the idea that voter fraud was real (52).
- HAVA giving credence to the lie of voter fraud emboldened state governments to believe they had a mandate to fight 'voter fraud' (55). The federal narrative provided grist for the GOP-state policy mill. GOP states began passing restrictive state-level voter ID laws.
  - Importantly, these states were bolstered by the Supreme Court's decision that Indiana's voter ID law was constitutional even though the state had no evidence that voter fraud existed at all (59).
  - States under VRA preclearance also worked toward harsh and discriminatory voter ID laws. GA's bill was so bad that even Bush II's DOJ rejected it because of its disparate impact on black voters (61). Incredibly, DOJ's Voting Section chief overruled his staff attorneys on this and allowed GA to implement one of the strictest voter ID laws in the country (62).
  - Alabama passed voter ID law in 2011 but didn't seek preclearance, so it lay dormant until Shelby. After that, they implemented (67).
- Obama's election increased GOP pressure at the state level for voter ID laws (62). After GOP takeover of statehouses in 2010 (REDMAP), floodgates for voter ID laws opened.
  - o 180 bills to restrict voting appeared in 41 states between 2011-2012 (63).
  - ALEC was behind this 'well-coordinated effort' (63).
  - The Shelby and Citizens United Supreme Ct. decisions also cleared the path.
     WIthout preclearance, states could pass or implement voter ID laws without federal oversight. And without limits on political spending, propaganda and \$ could propel the needed GOP legislators to office (64).
- To reiterate, voter fraud was disproven time and time again. Combating it was not the true purpose of GOP-passed voter ID laws. E.g., in NC, analysis of 4.8 million votes in 2016 found only 1 potentially fraudulent vote. In a nationwide study of one billion votes, only 31 cases of voter impersonation were uncovered (65).
- Voter ID laws are bolstered by key features of the broader environment:



- 1) tying voter 'fraud' (a crime) to black and brown people in 'urban' areas is cognitively palpable to an American population that has linked crime and blackness for 100+ years (66).
- 2) respectable people senators, Ivy League lawyers tell the lie of voter fraud.
- $\circ$  3) the response to voter fraud voter ID laws seems measured (66).
- States got busy after Shelby.
  - NC instituted the worst voter ID law in the country. Seeing that black voter registration and turnout had surged, GOP state legislators gathered info about what types of ID black people did and didn't have, and then literally tailored their voter ID law to favor whites. A federal court ruled the law targeted blacks "with almost surgical precision" (68). It had not just discriminatory impact it had discriminatory intent!
  - Texas acted similarly. Its state legislature passed a voter ID law literally two hours after the Shelby decision was announced. The law skewed acceptable IDs to those "which whit people are more likely to carry." Literally 600,000 black, Latino and poor voters who were already registered did not have the required ID (69).
- The proof is now clear that voter IDs achieve their intended purpose of reducing the political impact of a growing share of the American electorate. Some stats (70):
  - 4.9% turnout gap between Latino and white voters in non-voter ID states; this jumps to 13.2% in voter ID states.
  - 2.9% turnout gap between blacks and whites in non-voter ID states jumps to 5.4% in voter ID states.
  - 6.5% turnout gap between Asians and whites in non-voter ID states jumps to 11.5% in voter ID states.

Three: Voter Roll Purge

- Voter roll purges are a key tool in GOP state-based voter suppression. Some stats:
  - VA 41,600 purged; FL: 182,000 purged; IN: 481,000 purged; GA: 591,000 purged;
     OH: 2,000,000 purged (72).
- Modern-day voter purges started after '88 presidential contest resulted in one of the lowest turnout rates since 1924. Barely 50% of eligible adults cast a ballot (73).
- A big culprit was low voter registration. Limited access to VR had a visible and disparate impact. Top income brackets had 80+% VR; but from '72-'92, the lowest income quintile went from 61 to 43% registration (73).
- So Congress passed Motor Voter law in '93 to boost registration. Citizens could now register at the DMV and through the mail.
  - But GOP required a quid pro quo / poison pill the law had to require 'routine maintenance, scrubbing even, of the voter rolls' (73).
  - This opened the door to purges at the hands of GOP controlled states.
  - The law was specific about how maintenance would work, but GOP has flouted the spirit and the letter of the law for decades (74). The law requires that voters be informed if they may be purged, and the law prohibits non-voting as a criterion to purge someone. GOP states routinely ignore both (74).



- For instance, in Ohio, 1.2 million people have been purged for voting infrequently which is specifically prohibited by Motor Voter (75).
- GOP controlled states have targeted non-GOP voters to purge, especially for not voting.
  - For instance, voters in Ohio neighborhoods that backed Obama by more than 60% in 2012 had more than 2x voters purged 'for inactivity' than neighborhoods where Obama got less than 40% of the vote (77).
  - It's important to remember that voting is not solely an individual 'choice.' Closed polling stations, long lines, cutting early voting, tossing thousands of provisional or absentee ballots (so those voters appear not to have voted) all contribute (77).
- Georgia's Exact Match program, and Interstate Crosscheck (in 30 states) also contribute to purges that disproportionately impact minorities and other groups.
  - These computer programs appear neutral and commonsense but the databases they pull from are riddled with errors and small differences (a hyphen, a missing letter or middle name or initial) can result in a purge or failure to register.
  - In GA, Exact Match for voter registration: African Americans were <sup>1</sup>/<sub>3</sub> of the applicants but 64% of cancelled registrations for data mismatches. Asian Americans and Latinos were more than 6x as likely as white voters to have registration cancelled (81).
  - Kansas has been horrible for using erroneous data to purge and reject votes in 2016, Kobach's office rejected more ballots than Florida, despite FL having 7x population (83).
  - Crosscheck, which Kobach championed in Kansas, works through an alliance of 27 states. It is a flawed program, with a match error rate of literally 99% (87). It is also 'infected with racial and ethnic bias' because minorities tend to have common or shared last names, increasing the chances of people with the same name showing up on voter rolls of different states (which would thus cause a purge of both from voter rolls) (88).
    - Minorities are overrepresented in 85 of the 100 most common last names. When Crosscheck uses name matches, black people are overrepresented by 45%, Asians by 31% and Hipanics by 24% (88).
- Greg Palast: "It's a brand new Jim Crow...they're not going to use white sheets...they're using spreadsheets." (88)
- Trump created an Election Integrity Commission that was a total sham Kobach was vice chair. The Commission asked for crazy amounts of voter data from all 50 states.
  - Many pushed back concerns about privacy, security of database, intentions of the commission.
  - But also, states like MS argued for 'states rights' in denying the request (91).
  - But it had a chilling effect by scaring citizens. E.g., 2,150% increase in voter reg cancellation in Denver (90).
- Felony disenfranchisement also serves as a purge of voter rolls, and it disproportionately impacts black people. In 2016, 1/13 African Americans had lost their right to vote because of felony conviction compared to 1/56 of non-black voters (93). "Mass incarceration equals mass felony disenfranchisement" (93).

 Felony disenfranchisement goes back to the end of the Civil War, and new constitutions that wrote this in, and then deployed the criminal justice system to enforce only against black people (94). It is yet another tool in the arsenal of voter suppression.

Four: Rigging the Rules

- Gerrymandering and other rule rigging is a key tactic for voter suppression.
- Two types of gerrymandering racial and partisan. Both are lethal.
  - Racial gerrymandering is designed to create an all-white power structure.
  - Partisan gerrymandering is designed to keep the in-party in power (98).
- Conservative-controlled states have long used district line-drawing as a way to privilege white voters, including rural voters as urban areas have become more demographically diverse (and thus politically unfriendly) (101).
- The Supreme Court has, after a tortured path, decided that partisan gerrymandering is not justiciable by the federal courts (only by state courts). Racial gerrymandering does continue to be justiciable by federal courts.
- Control of state legislatures after 2010's REDMAP strategy, after the 2010 census, allowed the GOP to draw congressional and state district lines at will. This control of state houses also provided the opportunity to craft voter suppression laws like voter ID and curtailing early/absentee voting, and administrative rules and decisions around voter purges and poll closures (105).
- Gerrymandering creates a situation in which votes don't matter, and in which those who receive less votes win more seats.
  - In 2016, Democrats running for the House of Representatives received 1.4 million more votes but Republicans secured 33 more seats (107).
  - In Wisconsin 2012, Dems received 50+% of the vote but only secured 39% of state house seats (109).
- Partisan gerrymandering is actually about race too. In 2016, 86% of GOP voters were white, while 57% Dem voters were white, 21% black, 12% Hispanic, 3% Asian, and 5% other. Racial demographics of the parties carry over into the way lines are drawn.
- While Kennedy had left the door ajar to find a constitutional standard for partisan gerrymandering, that door slammed shut after his retirement in the Rucho v Common Cause decision.
- Gerrymandering has a terrible effect on voter behavior. Those in competitive districts are more likely to vote. Those in uncompetitive districts less likely to vote, as they have no real incentive (115). This can also have disproportionate effects. For instance, black voter turnout declined in every gerrymandered swing state in 2016 (116).
- Gerrymandering creates electeds who are unaccountable to the public because their seats are safe. Their main concern then becomes not being eaten alive by even more extreme candidates further marginalizing centrists and those on the other side (116).
- Other rule-rigging is extremely harmful to. These tactics include closing poll stations, which creates long lines that many cannot afford to wait in, and moving polling locations to cause chaos and uncertainty.



- GOP-controlled states often sow this chaos and place these burdens in minority precincts, often "overwhelmingly" (117). For instance in 2012, on average, "blacks had to wait in line twice as long as whites" (117).
- Minority neighborhoods often receive the least electoral resources fewer poll workers, operable machines, polling locations and less open hours (118).
- "This electoral resource distribution policy uses geography as a proxy for race and...therefore, disadvantages blacks" (118).
- In 2016, there were 868 fewer polling places available in previous VRA preclearance counties. NC moved the location of <sup>1</sup>/<sub>3</sub> of the state's early voting sites, which increased the distance black voters had to travel to vote early, while leaving white voters largely unaffected (119).
- But this hasn't gone unchallenged. People have fought back.

### Five: The Resistance

- What happened in Alabama to propel Doug Jones to the Senate in 2017 is an emblem of local and national organizing, and the ways that we can fight back everywhere.
- Alabama didn't look like a likely place to elect a Democrat to the Senate. Republicans had won every Senate election in AL for 25+ years and since Shelby the state had instituted voter suppression laws targeted at the constituency that might elect Jones (123).
- Before Shelby, AL passed a voter ID law so strict and discriminatory it didn't even bother to send it to DOJ. A day after Shelby, AL implemented the law - "one that never could have passed the VRA's litmus test' (124). That, coupled with closing DMVs (where IDs could be obtained) in the six 70+% black counties, was devastating (125).
- Then the Secretary of State put 340,000 voters on 'inactive' (127), and the state provided no voter education funding to publicise a new law that finally clarified crimes of 'moral turpitude' for felons looking to register to vote (128).
- Things weren't set up for Jones to win. But local organizing kicked in black churches (Righteous Vote), HBCUs, NAACP, local Indivisible chapters, Planned Parenthood, VoteRiders and other national groups like BlackPAC and Black Voters Matter (131-132).
   Folks even went to local jails and prisons help people vote absentee (136).
- Doug Jones had to rebuild a "disintegrated Democratic Party apparatus that had collapsed under the weight of the GOP's crushing victory in 2010" (143). There was an anemic state party and little existing infrastructure for routine campaign activities (144).
- But the voters prevailed. More than 40% of voters showed up, with surges beyond 50% in counties favorable to Jones. "The Black Belt simply came through" (147).

Conclusion: At the Crossroads of Half Slave, Half Free

- Kremlin agents 'weaponized' Twitter and Facebook to impersonate black activists and the GOP, sow dissention and distrust (including using hashtag #VoterFraud) and encourage black voters to sit the 2016 election out (149-150).
- It's impossible to really know the impact of these efforts, but as Reverend William Barber said, "Voter suppression hacked our democracy long before any Russian agents meddled in America's elections" (151).



- As the book has recounted, the GOP has employed a variety of tactics to suppress the vote (often at the state level, though bolstered by Supreme Court and compromised, poison-pilled federal laws).
- But some states are pushing to make voting easier. A big advance is Automatic Voter Registration (AVR), pioneered by Oregon in 2015 and now in dozens of states. AVR works by automatically registering citizens who apply for or renew their driver's license at the DMV (153).
  - AVR boosts registration AND turnout. 222,000 new registrations in Oregon the first year of implementation, and turnout increased from 64 to 68% (more than any other state) (153).
  - California adopted and adapted OR's law, including preregistration for 16 and 17 year olds. Other innovations include same-day registration, mail-in ballots (huge success in WA and CO), and expanding to other agencies besides DMV (154).
- Cities are also pushing to expand access to the ballot, including by funding additional early voting sites (157).
- We have a nation now where some states are pushing hard to expand voting rights and others are pushing equally hard to restrict it (158). This isn't sustainable and we must fight for voting rights everywhere.

Afterword: We Are Going to Warrior Up

- Communities of color, and progressive activists more generally, are fighting back.
- In North Dakota, indiginous voters were instrumental in electing Democrat Heidi Heitkamp to the Senate in 2012, and then stood their ground at Standing Rock to fight the oil pipeline (160).
  - GOP fought back with a voter ID law requiring street addresses which don't exist on reservations (161). Harking back the Supreme Court's decision in the Indiana case, it held the law could stand, even though there was no evidence of the state's proffered rationale of fighting voter fraud. But Native Americans are still fighting and organizing.
- In Georgia, citizens stood up and fought a plan to shutter 7 of the 9 polling places in (61.4% black) Randolph County (162). After public and media pressure, the County Board of Elections threw out the plan (165).
- In Texas, students at the HBCU Prairie View A&M fought back when Waller County
  officials decided not to allow any early voting at the campus, and then only 3 days, even
  though other early voting sites in the county got 11 days of early voting (170-171).
- But voter suppression remains a real and present danger.
  - In North Carolina, ICE and the DOJ hit County Board of Elections with absurd and discriminatory requests for voter data going back to 2010 (178). The requests mirrored the Trump Commission's aggressive requests. NC fought back successfully, but the purpose of the whole thing was voter suppression through intimidation (179).
  - In 2018 Georgia, Brian Kemp's purges, outdated/broken machines, and suppressive state laws gave him a narrow victory over Stacey Abrams.



- From 2016 2018, Sec of State Brian Kemp purged more than 10% of all GA voters from the rolls (172).
- His Exact Match program stuck tens of thousands of voters into 'pending' purgatory — 70% of whom were black (174).
- The voting machines were garbage, running on Windows 2000 (which Microsoft had literally stopped supporting in 2010). When lawsuits were filed to force investigation of 2016 and 2017 election hacking, Kemp just sequestered all 700 machines at issue and didn't allow them to be used in the 2018 election (185).
- The results were expectedly chaotic, including 100,000+ votes that literally "disappeared" (187). Those voters? They lived in "predominantly African American neighborhoods" (188).
- But still, citizens continuing to fight back. A powerful tool is the citizen-led ballot initiative. There were more than 150 in 2018, including successful felony re-enfranchisement in Florida, nonpartisan redistricting in Michigan, UT and MO, and automatic voter registration in MI and NV (189).
- Americans mobilized and fought so hard in 2018 that we saw the highest voter turnout rate for a midterm since 1914 (190).
  - What's more, major voter suppressors like Kobach in Kansas and Walker in WI were defeated (190).
- Of course, the Empire struck back lame duck sessions in MI, OH, NC, WI worked to undermine election results, and FL tried to undermine re-enfranchisement with a modern day poll-tax (191). In TX, the Secretary of State tried, and failed, to drum up a "Brown Scare" voter roll purge, and while it was eventually avoided, not before chaos and uncertainty was sown in the public (192-194).
- Bottom line? Without the VRA, American democracy is imperiled.
  - Responsibility for upholding the right to vote has shifted from the state to each individual citizen.
  - We will need to continue to "warrior up" and fight back and for democracy!!

Sister District Action Network (SDAN) is a 501(c)(4) nonprofit organization that primarily focuses on nonpartisan education and advocacy on civic engagement issues. Specifically, SDAN aims to:

- Educate voters on the importance of state and local elections;
- Train new leaders interested in becoming community activists;
- Conduct research in partnership with nonprofit and academic partners to test new methods to increase civic engagement and voter participation; and
- Disseminate best practices for voter engagement and civic participation.

SDAN is affiliated with the Sister District Project, but it is a separate legal entity.