

DISENFRANCHISING THE ENVIRONMENTAL AND CLIMATE JUSTICE MOVEMENTS



THE POLLUTER-INDUSTRIAL COMPLEX AND VOTER SUPPRESSION IN THE UNITED STATES

DORI CHAPUT, KERRINA WILLIAMS, ELISA FIGUERAS

**Disenfranchising the Environmental and Climate
Justice Movements:
The Polluter-Industrial Complex
and Voter Suppression in the United States**

by

Dori Chaput, Kerrina Williams, and Elisa Figueras

NORTHEASTERN ENVIRONMENTAL JUSTICE RESEARCH COLLABORATIVE

January 2021

AUTHORS

Dori Chaput

Kerrina Williams

Elisa Figueras

RESEARCH AND EDITORIAL ASSISTANTS

Hannah Nivar

Dr. Daniel Faber

GRAPHIC DESIGN AND PRODUCTION LAYOUT

Nell Solomon

COLLABORATOR

Northeastern Environmental Justice Research Collaborative

The Northeastern Environmental Justice Research Collaborative (NEJRC) is a multidisciplinary research collaborative made up of scholars engaged in political ecology and environmental justice initiatives. Based at Northeastern University in Boston, the collaborative works on a wide range of local, regional, national, and international topics and issues. Professor Daniel Faber, a long-time researcher and advocate around environmental justice, serves as the Director.

Dr. Daniel Faber

NEJRC Director

Phone: 617-373-2878

Email: d.faber@neu.edu

360 Huntington Ave, Boston, MA 02115

TABLE OF CONTENTS

1	Executive Summary
3	American Democracy Under Assault: Voter Disenfranchisement in the Age of Climate Change and Environmental Injustice
7	Climate Change and Environmental Injustice
9	The Myth of Voter Fraud
13	Voter Suppression
14	Lack of Access to Alternative Language Materials
15	Gerrymandering Skewing Voter Districts
16	Regressive Policy in a Modern Era: Gerrymandering
17	Voter Intimidation, Harassment, and Confusion
18	Regressive Policy in a Modern Era: Proof of Citizenship
19	Restricted Voting Rights for Citizens with Criminal Records
21	Indigenous Environmental Justice Issues and Voting Rights
24	Homelessness and Voter Suppression
25	Disenfranchising Black Voters in Georgia
28	Organizations Working on Voting Reform
29	Take Action
30	Legal Action
	Progressive Policies are Possible
31	Voter Suppression Today: Instability of Voting Rights in Florida
33	Conclusion
34	Resources
37	Endnotes

EXECUTIVE SUMMARY

The United States aspires to function as a democracy, but it has historically established institutional barriers that prohibited women, people of color, and low income and working class citizens from partaking in free and fair elections. While the general public has come to believe that blockades to voting no longer exist, this is a misconception perpetuated by conservatives and the corporate elite in order to diminish support for strong environmental regulations and social policies. Major corporate polluters that make up the Polluter Industrial Complex (PIC) are especially active in supporting voter suppression efforts. The PIC is heavily funded by the oil and gas industry. The PIC is comprised of conservative political actors who work to undermine environmental and climate change policies at the expense of democracy to protect their profits and power.

A new wave of political mobilization around environmental justice and climate justice is building throughout the United States as people who have been relegated to the periphery of environmental and climate change policy are beginning to challenge the depredation of their land, water, air, and climate by corporate polluters and indifferent government agencies. These communities threaten the hegemony of the PIC, and as a result, are especially targeted by voting suppression effects. Voter suppression and manipulation tactics disproportionately affect marginalized communities, who typically bear the brunt of global climate change, and the silencing of their votes. The result is a weakening of opposition to anti-environmental policies and laws.

Advocates for practices and laws that restrict voting rights laws have attempted to legitimize their actions by pointing to the threat of “voter fraud”. Voter fraud encapsulates instances of voter impersonation, fraud perpetrated on list-matching methods or list maintenance issues, and noncitizen or nonresident voting.¹ The political figures responsible for more restrictive voting policies are deliberate in their statements and “by inflating the restrictive voting policies are deliberate in their statements and “by inflating the perceived prevalence of fraud by voters, policymakers find it easier to justify restrictions on voters that are not warranted by the real facts.”¹ Framing the current political system as one in need of stricter voting laws in order to ensure a fair democracy only works to support certain agendas.

Due to the lack of standard federal regulation regarding voter practices, states have the power to shape and manipulate elections. Elections are then shaped by these barriers instead of the will of the people. Prevalent forms of voter suppression include: lack of access to alternate language materials, gerrymandering, voter intimidation, harassment, and confusion, and the disenfranchisement of people of color. This report will also look at the 2018 Georgia Gubernatorial race and North Dakota voter ID law as examples of voting laws disproportionately affecting Black people, Indigenous people, and communities of color.

One of the greatest enemies of climate justice and environmental justice in the United States is voter suppression. Disenfranchisement, fueled by institutional racism, continues to take away the autonomy and political voice of entire communities, forcing them to remain the victims of environmental racism. Voter suppression is a threat to voter autonomy, justice, and the well-being of the country and the environment. It is a tool actively being used by agents of the Polluter-Industrial Complex to advance the interests of a small group of wealthy elites. We must continue to resist this systematic silencing each step of the way for the sake of our futures.



1 “Resources on Voter Fraud Claims,” *Brennan Center for Justice at New York University School of Law*, 26 June 2017, <<https://www.brennancenter.org/analysis/resources-voter-fraud-claims>>.

2 Justin Levitt, “The Truth About Voter Fraud,” *Brennan Center for Justice at New York University School of Law*, 2007, <<http://www.brennancenter.org/sites/default/files/legacy/The%20Truth%20About%20Voter%20Fraud.pdf>>.

VOTER DISENFRANCHISEMENT IN THE AGE OF CLIMATE CHANGE AND ENVIRONMENTAL INJUSTICE

Voter suppression in the United States is as old as the country itself, and serves as a paradoxical foundation for a country that strives to be the embodiment of democratic values. Until 1868, voting was limited to white: land-owning men over the age of 21. The 14th amendment granted voting rights to male citizens in 1868; however, it was not until 1870 that racially-based voting barriers were eliminated with the ratification of the 15th amendment. Nevertheless, other legal measures such as poll taxes, literacy tests, and voter intimidation tactics still existed and prevented people of lower socioeconomic status and people of color from exercising their right to vote.

Women gained the right to vote in 1920 under the 19th amendment and Native Americans were finally granted citizenship and voting rights in 1924 with the passage of the Indian Citizenship Act.¹ Gilda R. Daniels echoes this in her book *Uncounted: The Crisis of Voter Suppression in America* and calls these attacks on marginalized communities a part of “a white-supremacist movement that decided that only white males should enjoy the unfettered right to vote...; this sentiment has lasted for centuries and had its origins in the founding of our country.”² Voting was and continues to be restricted in order to limit the voices of women, people of color, and poor communities.

The public perception of voting is skewed toward a message that claims that most barriers have now been eliminated. However, barriers still exist for marginalized communities, just in more insidious ways that continue to benefit those in power. Utilizing 2019 data from the Federal Election Assistance Commission, the Brennan Center for Justice determined that between 2016 and 2018, more than 17 million American voters were deprived of their right to vote.³ Barriers are continually being erected and reinforced by conservative power structures in order to deny working class and communities of color participation in the electoral process. In their new report *Our Unhealthy Democracy*, the Union of Concerned Scientists highlight the increase of voter manipulation in targeted populations following the 2010 elections.⁴ Under the guise of “safeguarding election integrity,” unfounded and disproven claims of voter fraud made by conservative think tanks and policy institutes, right-wing politicians, and media pundits have been used to legitimate restrictive policies in order to quietly roll back voter freedoms.⁵

An increasing number of states are implementing laws that restrict voting, including laws that stop early voting, make it harder to vote in a different precinct, require voters to have a government-issued pho-

to ID, limit mail-in and absentee ballots, close polling places early, and purge voter rolls.⁶ Restrictions like these will keep expanding as long as we continue to allow for the rollback of voting protections. This is seen in the 2013 *Shelby County v. Holder* Supreme Court case. The case affected sections 4(b) and 5 of the Voting Rights Act of 1965. Section 4(b), which detailed a coverage formula to hold jurisdictions accountable for protecting the rights of marginalized communities, was declared an encroachment “of equal state sovereignty and federalism” and declared unconstitutional.⁷ Section 5 required federal approval in order for a state election law to be changed, but was invalidated through the ruling against Section 4.⁸ Thus far in the 2020 Primary elections, we have seen clear demonstrations of how these voter limitations are affecting turnout. Since the Shelby decision, nearly 1700 polling places have been closed, with 750 of these closures solely in Texas.⁹ Densely populated cities with numerous polling location closures (especially in Texas and California) received widespread news coverage regarding how long voters had to wait in line to cast their ballots. Many were forced to give up their entire day if they wished to vote.

Given the limited federal oversight, states have taken liberties to enact more restrictive voter laws. In 2018, seven states passed new restrictive laws on voting,¹⁰ and 23 states have also done so since 2011.¹¹

Prior to 2006, no US state had strict voter photo ID laws in effect.¹² Daniels highlights the parallels between today’s restrictive voting laws and past voting restrictions with a brief but impactful chart in *Uncounted* (pictured below)¹³.

VOTER SUPPRESSION TOOLS

Historical	Contemporary
Poll taxes	Voter ID
Literacy tests	Voter deception
Intimidation	Voter intimidation
Vouchers	Voter purge
Felon disenfranchisement	Felon disenfranchisement
Grandfather clauses	Racial purges

The disenfranchising mechanism may change in name or have various nuances. However, the impact remains the same, that is, the disenfranchisement of voters of color. These voters are disproportionately impacted when voter suppression schemes are introduced into the electoral process.

Gilda R. Daniels, Uncounted: The Crisis of Voter Suppression in America

The political institutions intended to represent American citizens are actively suppressing votes in order to shape the political system to benefit the few in power. This can be seen by looking at two election law doctrines passed through the Supreme Court: *Viet v. Jubelirer* (2016) and *Rucho v. Common Cause*

(2019). *Vieth v. Jubelirer* stated that there was no judicial requirement to stop gerrymandering, while *Rucho v. Common Cause* found that partisan gerrymandering was not a constitutional violation.¹⁴ Voter restrictions are carefully calculated and aimed to suppress the votes of marginalized individuals (specifically people of color, the elderly, students, people with disabilities, and poor and working class folks), who often vote progressively and mobilize around environmental justice issues, in which they are the primary victims. Limiting who is allowed to vote gives greater advantage to the already-politically powerful and further obscures the transparency of democracy.¹⁵

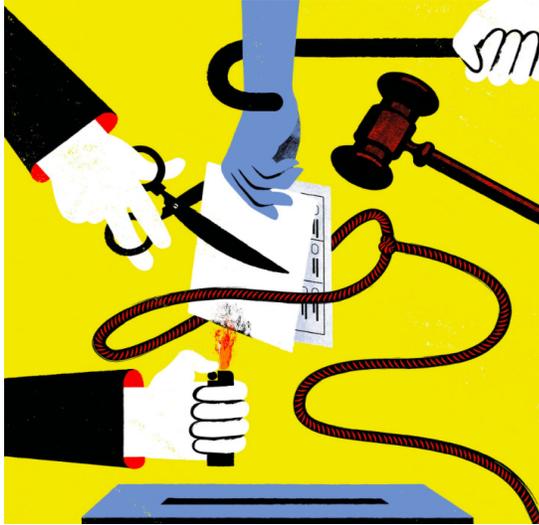
“Since 2010, several state legislatures and the US Supreme Court, the institutions primarily responsible for oversight of election law and administration, have systematically eroded voting rights protections, amplified the voice of economic elites as socioeconomic inequalities have grown, and distorted the strength of political parties through the gerrymandering of electoral districts.”¹⁶

MICHAEL LATNER

Voter suppression of marginalized and low income communities diminishes opposition to anti-environmental and anti-regulatory policies by discouraging or completely preventing groups that tend to vote more progressively from casting ballots in American elections. Political efforts to restrict voting rights and weaken America’s democratic institutions are bankrolled by a network of the largest and most powerful corporate polluters in the United States. Voter restriction laws are supporting mechanisms for the Polluter-Industrial Complex (PIC). Daniel Faber defines the PIC as “a sophisticated infrastructure made up of conservative think tanks, policy institutes, research centers, foundations, public relations firms, and corporate-funded environmental (or astroturf) organizations.”¹⁷

The PIC is heavily funded by the oil and gas industry and other major corporate polluters. The goal of such organizations are to undermine environmental and climate change policies (and other government programs) that might cut into their profits and constrain their destructive business practices. The continual push for government deregulation of industry and restrictive voter policies is an orchestrated campaign by right-wing politicians and members of the PIC in order to benefit themselves and further their economic interests, and represents a major threat to democracy. This neoliberal crusade is designed to promote the property rights and private interests of capital over and

against the rights of citizens and the public interest of society.



© *The New York Times, Golden Cosmos*

Advances in environmental justice have come from the hard work of Black and Latinx communities, farming communities, Native American activists, and white working class towns. These communities threaten the hegemony of the PIC, and as a result, are targeted by voting restriction laws. Suppression of marginalized and low-income communities diminishes opposition to anti-environmental and anti-regulatory policies by discouraging or completely preventing groups that tend to vote more progressively from casting ballots in American elections. According to a study conducted by Carnegie Mellon University, much of the general public readily associates environmentalism with well-educated white people, and perceive the environmental concerns of non-white

and low-income Americans to be of less importance. This leads to the misperception of the groups that are among the most environmentally concerned and vulnerable to climate change.¹⁸ It is low-income communities and communities of color who are among the motivating forces behind the strongest mobilization around the environmental crisis and climate crisis. The third US National Climate Assessment (NCA), released under the Obama Administration, further supports this with their findings that climate change affects minority and low-income communities at higher rates than others.¹⁹

In addition to the findings of the third NCA, the Environmental Protection Agency (EPA) notes that the health impacts of climate change disproportionately affect people of color, low-income communities, immigrants, and non-fluent English speakers.²⁰ These communities are typically on the front lines of climate change. In the 2018 American Climate Perspectives Survey, Black and Latinx respondents reported higher personal and health impacts of climate change, including being affected by storms, flooding, and respiratory problems.²¹ The EPA also notes that minority, low-income, tribal, and indigenous communities are vulnerable populations that face greater environmental risk because of their “proximity to contaminated sites [and] because fewer resources are available to avoid exposure to pollution.”²² This increased exposure is partly

the result of environmental racism. GreenAction defines environmental racism as “the disproportionate impact of environmental hazards on people of color.”²³

The fact that marginalized communities disproportion-

ately suffer from the effects of climate change is not new, but it is often overlooked when discussing climate change.

CLIMATE CHANGE AND ENVIRONMENTAL INJUSTICE

Voter suppression, global climate change, and environmental justice are deeply interconnected. Voting restrictions put in place to minimize the participation of minority populations that frequently vote in favor of progressive policies are the main force perpetuating environmental degradation within the United States today.

According to the National Aeronautics and Space Administration (NASA), climate change “is a long-term change in the average weather patterns that have come to define Earth’s local, regional and global climate”.²⁴ Global climate change, not to be confused with global warming, is a process that can be attributed to primarily anthropogenic influences aggressively driving the Earth’s natural processes. Scientific observation dictates that expedited global climate change can be attributed to human activities, with the combustion of greenhouse gases as the greatest contributor. The greenhouse effect refers to when Earth’s heat-trapping mechanism, which warms the Earth’s surface and facilitates a livable climate, experiences too many greenhouse gases entering the positive feedback loop, causing heating to amplify.²⁵ As a result of this overwhelmed positive feedback loop, conditions such as extreme weather, increased temperatures, droughts, sea-level rise, the alteration of species habitation and life cycles, and various other concerns identified by the National Oceanic and Atmospheric Administration are climate change-related problems being faced around the world today.²⁶

Environmental justice works in tandem with climate justice.²⁷ Environmental justice is defined by the Environmental Protection Agency as “the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.”²⁸ Historically, the marginalized populations discussed within this report are more likely to experience the negative consequences of environmentally degrading processes, such as waste disposal and pollution due to racial and ethnic discrimination within politics.²⁹ Grassroots organizations have taken action to combat unjust implementation of policy such as the “unequal enforcement of environmental, civil rights, and public health laws” and “exclusionary practices that prevent some individuals and groups from participation in decision making or limit the extent of the participation.”³⁰ Voter suppression of marginalized communities in regard to environmental policy started to gain public spotlight in the 1960s with the occurrence of the Memphis Sanitation Strike³¹ and has continued to gain traction over the last few decades.

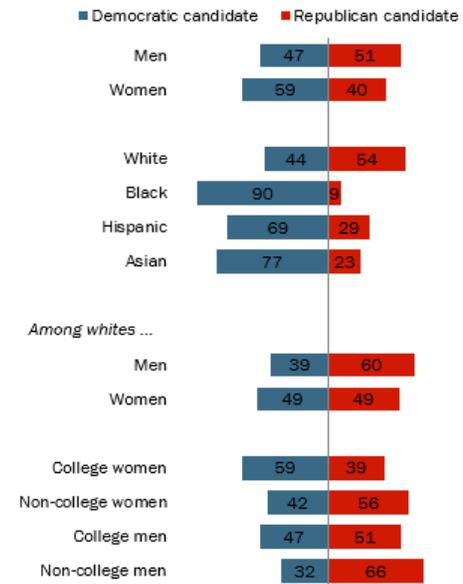
In the 2018 Midterm elections, approximately 90 percent of Black voters and 69 percent of Hispanic voters casted votes for the Democratic candidates, while only 40 percent of white men and about half of white voters overall voted for the Democratic candidates.³² Latinx people are among some of the most consistent pro-climate voters. In a 2017 Yale Report, 78 percent of Latinx people declared that they were “worried about global warming”, compared with only 56 percent of non-Latinx participants.³³ In major swing states with large Latinx populations, such as Florida and Texas, the implications of suppressing Latinx votes are enormous. Minority populations are among some of the most vulnerable to the effects of climate change, and this is likely a huge determinant in their voting patterns.

In summary, the assault on voting rights is a direct assault on people of color and poor and working class communities, and an indirect assault on the environmental justice and climate justice movements. New restrictions on voter rights disproportionately impact marginalized communities and limit their electoral voice and political power. Voter suppression is a tool of the Polluter-Industrial Complex in American politics, used in order to restrict voting rights and the political power of marginalized communities, thereby restricting the votes of groups that tend to vote more progressively, and ultimately minimizing any opposition to

anti-environmental policies. In the following sections, we explore the different tactics utilized to strip citizens of their democratic rights.

In 2018 vote, sizable gender, race and educational divides

% who say they voted for the ___ in the election for House of Representatives

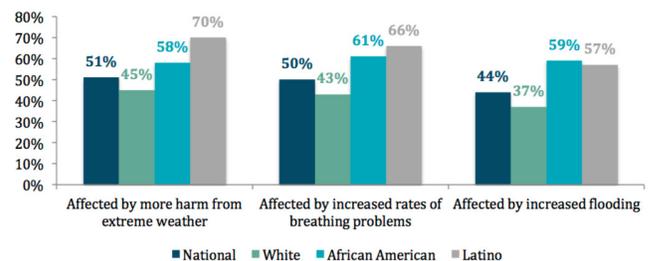


Source: Based on exit polls conducted by Edison Research for the National Election Pool, as reported by CNN.

© Pew Research Center

For each of the following issues, please indicate how much they are personally affecting you.

802 respondent(s) total nationally, % total "A Lot / Some" by racial group



© ecoAmerica and Lake Research Partners

THE MYTH OF VOTER FRAUD

Advocates for voter restriction laws have attempted to legitimize their actions by pointing to the threat of “voter fraud”. Voter fraud encapsulates instances of voter impersonation, fraud predicated on list-matching methods or list maintenance issues, and noncitizen or nonresident voting.³⁴ The Brennan Center for Justice, a nonpartisan nonprofit law and policy institute affiliated with the NYU School of Law, has done extensive research and collected numerous existing studies on the prevalence and threat of voter fraud. Voter fraud is defined as fraud that “occurs when individuals cast ballots despite knowing that they are ineligible to vote, in an attempt to defraud the election system”, but it is often associated with various voter restrictions in order to feign prevalence.³⁵

When falsely associated with widespread election issues, voter fraud takes an entirely different form and obscures the determination of which actors are truly responsible for the problem. It improperly “focuses on the voter as the source of the problem,”³⁶ and distracts the public from acknowledging those working to restrict voter freedoms. The political figures responsible for more restrictive voting policies are deliberate in their statements and “by inflating the perceived prevalence of fraud by voters, policymakers find it easier to justify restrictions on voters that are not warranted by the real facts.”³⁷

Even though reports centering around voter fraud concerns are easily debunked and “most reported incidents of voter fraud are actually traceable to other sources, such as clerical errors or bad data matching practices”,³⁸ they still manage to receive strong media coverage. For example, almost an entire election season later, President Donald Trump persisted in stating that busloads of Massachusetts residents voted in New Hampshire illegally.³⁹ While such statements continue to receive coverage by concerned citizens, little has been done to emphasize reports completed in 2017 that conclude there is no evidence of such events taking place since voter trends remained consistent.⁴⁰



© *The New York Times*, Steve Cup

Throughout history, corporate polluters have sought to delegitimize and discredit science in the public interest which is critical of the destructive practices of these same industries. This denial structure was utilized by the tobacco industry in the 1950s in an ef-

fort to continue selling cigarettes after it was scientifically proven that they negatively impact human health in order to maximize profits.⁴¹ Research proving that smoking is correlated with lung cancer dates back to the 1930s and publications showcasing the findings of this research were available to the public.⁴² The tobacco industry faced a crisis after a particularly striking publication released in 1953 by the Sloan-Kettering Institute received widespread attention for clearly presenting the research on the link between smoking and lung cancer.⁴³



1930 Ad For Lucky Strike Cigarettes

In order to protect their profits, the executives of the leading tobacco companies started a denial campaign to keep the public in the dark about the harmful

effects of their product. The industry’s position was “that there was ‘no proof’ that tobacco was bad.”⁴⁴ They were able to “legitimize” their bogus assertion by funding research committees with the intention of creating “scientific doubts [about the link between tobacco and cancer].”⁴⁵ Pro-tobacco think tanks, termed “research committees,” formed this successful strategy where they “could create the impression of controversy simply by asking questions, even if [they] actually knew the answers and the answers didn’t help [their] case.”⁴⁶ This strategy is reproduced and used in various industries in order to cast doubt on scientific evidence that could prevent them from making a profit.

Creating doubt is a powerful tool used to justify voter suppression as a means to oppose positive structural change and to benefit the wealthy and politically powerful. In a manner similar to tobacco industries fighting against health research, voter fraud alarmists can enter the political realm and negatively impact the democratic process by simply questioning the validity of arguments against voter fraud. Studies conducted by the Brennan Center concluded that there are few confirmed cases of voter fraud; but, the sheer existence of any voter fraud cases gives critics the ability to cast doubt on these findings.⁴⁷ Even when oppositional claims are found to be baseless or negligi-

ble, the seed of doubt has already entered the arena of public discourse and provided the PIC opportunities to suppress votes.

To this point, one of the most visible advocates for voter fraud-centered policy is President Donald Trump. One of Trump's primary campaign promises was to crack down on voter fraud and through an executive order on May 11, 2017, he created the "Presidential Advisory Commission on Election Integrity" to pursue cases of voter fraud. He baselessly claimed that *millions* of people voted illegally in the 2016 election and that this commission would expose the lawbreakers. Many of the 12 members selected to lead the commission, including Vice President Mike Pence and Kansas Secretary of State Kris Kobach, have a documented history of acting to restrict voting rights. It comes as no surprise that the commission aimed to implement further oppressive policies under the guise of voter security.⁴⁸ The commission was disbanded on January 3rd, 2018, following legal pushback. It failed to find any evidence of the millions of illegal voters alleged by Donald Trump.⁴⁹

Though not initially visible, the logic of the voter fraud claims reliably intersect with industry-funded anti-environmental campaigns. When the fossil fuel industry denies its own causal role in climate change, it

deflects the criticism of environmentalists and environmental justice advocates, spinning back the trope that such critics are a danger to the immediate prosperity of the American economy and way of life. Meanwhile, the fossil fuel industry also sows doubt about the legitimacy of our elections, using baseless claims of "voter fraud" to legitimize the rollback of democratic institutions and processes in order to disenfranchise people who might otherwise not deign to elect the industry's sympathetic politicians. Additionally, framing climate change denial as a result of ignorance plays on the elitist trope of poor and uneducated people being inherently anti-science. Not only is this narrative classist, but it works against climate change action by failing to understand how coordinated disinformation funded by right-wing politicians and the oil industry play on these tropes to further strengthen myths against climate change. Placing sole blame on the consumer strengthens the PIC by taking away all accountability from the top executives, politicians, and companies that are knowingly funding false and misleading science for their financial benefit.

One of the most cited documents in the case for the alleged prevalence and danger of voter fraud mythology is a publication from the Heritage Foundation that claims to list thousands of instances of voter fraud.⁵⁰ Not only have many of these claims been debunked⁵¹, but a deeper look into the Heritage Foundation shows

that they have received millions of dollars from Koch family-affiliated organizations and consistently aligned themselves with climate change denial efforts.⁵² Koch Industries is America's second-largest private company which specializes in oil services.⁵³ Koch Industries CEO, Charles Koch, and his late brother, David Koch, have thoroughly exercised their influence in American politics and “have spent at least \$100 million — some estimates put it at much more — to transform a fringe movement into a formidable political force aimed at moving America to the far right.”⁵⁴ Outspoken voter fraud alarmists, ranging from Donald Trump to current Georgia Governor Brian Kemp⁵⁵, have received

notable campaign donations from multiple oil and gas companies.⁵⁶ Framing the current political system as one in need of stricter voting laws in order to ensure a fair democracy only works to support certain agendas. As mentioned earlier, politicians focused on voter fraud instead of expanding voter freedoms tend to promote other conservative policies as well. The case studies discussed here demonstrate how voter restrictions disproportionately affect marginalized communities and highlight that the request for enhanced voter policing is a tactic used by conservative politicians to limit progressive voters.



Fridays for Future, global climate strike



Cienfuegos, Cuba

One form of voter suppression that largely affects Latinx voters who speak little to no English is the inaccessibility or outright lack of alternative language voting materials. Without this information, non-English speaking citizens are less able to make informed voting decisions. Prior to the 2016 Presidential election, attorneys from the American Civil Liberties Union (ACLU) of Texas found that 36 counties with large Latinx populations had misleading, inadequate, inaccessible, or no information about voting processes in Spanish on their websites. This directly violates Department of Justice requirements that electoral information be available in both English and Spanish in counties where “more than 10,000 or more than 5% of all voting age citizens are Spanish-speakers with low English proficiency”.⁵⁷

Following Hurricane Maria, which wreaked havoc throughout Puerto Rico as a Category 5 Hurri-

cane in September 2017, thousands of Puerto Rican citizens with minimal or no English proficiency came to Florida in pursuit of safety.⁵⁸ This massive displacement could have huge implications in future Florida elections, especially since Florida is a swing state that often heavily influences federal Presidential elections. Unfortunately, without proper Spanish language voting materials, many Latinx and primarily Spanish-speaking voters will not be able to vote. A recent lawsuit was filed by voting rights groups in an effort to require that Florida provide voting materials in Spanish. The courts ultimately ruled that counties must print and provide adequate materials for Spanish-speaking voters, which was fulfilled in time for the 2018 Midterm elections.⁵⁹ The case is ongoing in regard to other claims. Ultimately, the failure to provide adequate voting materials in other languages can prevent minority groups from making informed decisions or from voting altogether, thus suppressing their votes.



Artist Curt Merlo

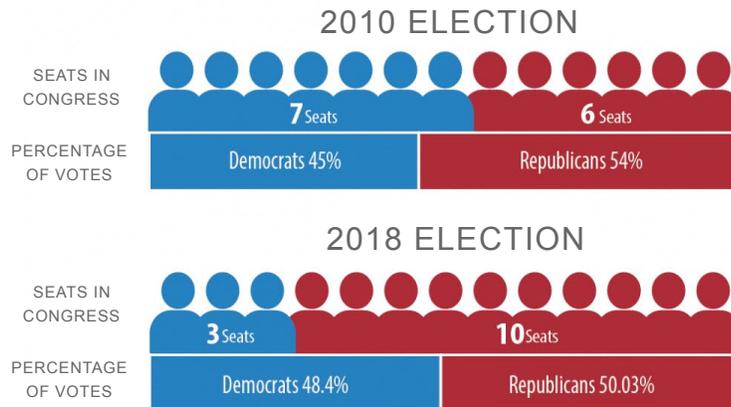
Gerrymandering is defined by the ACLU as “when the [district] lines are drawn to manipulate the boundaries to predetermine the outcome of elections, hindering voters from voicing their interests through their votes.”⁶⁰ Gerrymandering is a common practice in the United States, often deciding elections regardless of how the electorate votes by drawing districts to favor areas that tend to vote more Republican or Democrat. In the case of *Gill v. Whitford*, Republicans in Wisconsin redrew state lines, “packing” Democratic voters into fewer and smaller districts or unequally dispersing them among majority-Republican districts. Republicans received only 48.6 percent of statewide votes in the 2012 state assembly elections, but won 60 of 99 seats.⁶¹

In Minnesota, redistricting efforts are led by Minnesotans for Fair Redistricting, an organization that shares much of its leadership with the Freedom Foundation, a major Koch-backed conservative think

tank. The two groups share an address on their tax filings: the home address of Annette Meeks. She is the head of the Freedom Foundation, displaying the influence of the PIC in redistricting efforts.⁶² In 2011, redistricting efforts in Michigan were led by Pete Lund, the Republican state representative at the time who now serves as the Director of Americans for Prosperity, another Koch-backed conservative interest group.⁶³ In a personal anecdote, then-Democratic Michigan State Representative Lisa Brown recalls being taken to a private room in the House chambers and being shown two maps; in one map, she remained in her home district, and in the other, her neighborhood was drawn into a Republican district. She was gerrymandered out of office, refusing to vote with Republicans in the assembly in exchange for saving her seat.⁶⁴ In the 2016 Presidential election, analysis shows that Republicans won as many as 22 additional House seats due to redistricting. After these elections, Republicans had a 10 percent margin in seats, with 241/435 seats, but only received one percent more of the total votes nationwide.⁶⁵

PARTIES' USE OF GERRYMANDERING IN NC

Democrats and Republicans nationwide have used gerrymandering tactics to swing elections in their favor. NC's gerrymandering has gone to the U.S. Supreme Court several times in the past.



News and Observer; Karen L. Hass, Clerk of the U.S. House

REGRESSIVE POLICY IN A MODERN ERA: GERRYMANDERING

Recent notable cases:

Michigan: In the 2018 midterm elections, 61 percent of Michigan's voters supported the re-drawing of both state congressional and legislative districts¹⁷² in order to avoid party or candidate bias. Between the 2012 and the 2016 elections, the Republican party won 64 percent of the state's House seats, although they were unable to win more than 50.5 percent in any statewide votes.¹⁷³ In April 2019, it was determined that 34 congressional and state legislative districts in Michigan are extreme partisan gerrymanders and unconstitutional and were to be redrawn for the 2020 election season.¹⁷⁴

North Carolina: The Republican party held 10 out of 13 state congressional districts.¹⁷⁵ Unfortunately, North Carolina was not able to successfully ensure representation in the same way as Michigan. This was the second time within the decade that the congressional district maps were brought into question: the first map that was approved "by legislators in 2011 was struck down by courts as an improper racial gerrymander and redrawn in 2016."¹⁷⁶ In 2019, a second map featuring gerrymandered districts was created by Republicans that "passed the state Senate without a single Democratic vote", and will be kept for the 2020 elections.¹⁷⁷

Maryland: In 2018, the federal court determined that the state unconstitutionally drew boundary lines after the 2010 census to benefit Democrats and prohibited its use in future elections.¹⁷⁸ However, in 2019, the Supreme Court reversed this order on the basis that "federal judges have no power to stop politicians from drawing electoral districts to preserve or expand their party's power."¹⁷⁹ Given this ruling, gerrymandered voting districts are considered permissible, and free and fair elections are further out of reach.

The Legal Information Institute of Cornell Law School publicly defines voter intimidation as an activity that “intimidates, threatens, [or] coerces... any other person for the purpose of interfering with the right of such other person to vote or to vote as [they] may choose, or of causing such other person to vote for, or not to vote for any candidate.”⁶⁶ Conservative interest group-funded behaviors have become commonplace at many US polling stations and discourage marginalized populations from casting ballots in elections. Nationwide, there have been numerous incidents of false rumors of Immigrations Customs and Enforcement (ICE) officers patrolling voting locations, a tactic largely used to intimidate Latinx voters, who tend to vote more progressively than other demographic groups. Flyers advertising such claims were found in cities including Milwaukee, Wisconsin prior to the 2018 Midterm elections.⁶⁷

Voter intimidation has taken a number of forms, from terrifying but false claims that ICE would be patrolling polling locations on Election Day to partisan poll watchers trying to watch people cast their votes and questioning their choices. In Texas, the law states that any form of electioneering, including candidate advocacy or passing out partisan flyers, can occur beyond a 100-foot perimeter around polling locations, and the 2016 Presidential election saw statewide complaints about intense intimidation behaviors at the

polls beyond those perimeters, including name calling and interrogation of voters waiting in line.⁶⁸ A volunteer at a polling location in Mesquite, Texas, described the behavior observed as intensely demeaning and aggressive, saying, “I’ve been here for 30 years, and this harassment that’s going on, I haven’t ever seen the likes of this.”⁶⁹

Voter confusion is another tactic used by conservative groups and wealthy industrialists to prevent voters from casting ballots through the spread of misinformation about voting. Confusion and manipulation causes voters to unintentionally sabotage their own ability to cast a fully informed vote. During the 2018 Midterm elections, 1,500 accounts associated with a right-wing internet trolling campaign were suspended by Twitter⁷⁰. Posing as liberal activists, these accounts were posting false voting information (i.e. incorrect voting dates), like: “Get out and vote Nov 7th! #BlueTsunami2018...”⁷¹ In Ohio, a Republican slate card told voters they could return absentee ballots at the polls on Election Day, even though turning in absentee ballots at polling places in Ohio is prohibited.⁷² Organizations like the LIBRE Initiative present a false identity, claiming to be a “non-partisan, non-profit grassroots organization that advances the principles and values of a free and open society to empower the US Hispanic community.”⁷³ In reality it is closely associated with the Koch brothers, and received \$15.8 mil-

lion in funding from Freedom Partners between 2011 and 2015. One way that the LIBRE Initiative misled the public was by sending out mailers to voters in Republican districts nationwide calling on voters to thank representatives who support Dreamers. In reality, those

representatives actively oppose pro-immigration legislation and Dreamers and are tied to the Koch brothers' anti-progressive funding.⁷⁴ Right-wing power structures work to confuse, harass, and intimidate voters into voting more conservatively or not at all.

REGRESSIVE POLICY IN A MODERN ERA: PROOF OF CITIZENSHIP

Arizona and Kansas are so far the only states that have successfully implemented laws requiring proof of citizenship, such as a passport, birth certificate, or naturalization papers.⁷⁵ However, in a 2018 lawsuit settlement, Arizona “agreed to register applicants to vote in federal elections, without documentary proof of citizenship, regardless of whether the state or federal form was used.”⁷⁶ For now, Kansas has also been prohibited from requiring proof of citizenship, but cases are ongoing to determine whether these protections are constitutionally able to take effect.⁷⁷ Requiring proof of citizenship is a means of limiting voter turnout. In Kansas, “between eight and fourteen percent of new registrants” were blocked from voting within the first few years of the law being enacted, although the majority were eligible citizens. Similarly in Arizona, “tens of thousands were prevented from registering.”⁷⁸ According to a study conducted by the Center on Budget and Policy Priorities, proof of citizenship in the form of a passport or birth certificate is something in which approximately six percent of US born adults do not have.⁷⁹ The Brennan Center completed a similar survey, which found that possibly up to seven percent of voting-age citizens do not have proper proof of citizenship documents. Furthermore, the rate doubles to 14 percent for citizens with an income less than \$25,000 per year.⁸⁰ Alongside low-income citizens, it is also more likely that elderly and African American citizens lack access to citizenship documents;⁸¹ often, because they either cannot afford to obtain these documents or they never had their births officially recorded in the first place. Historically, “Republican candidates consistently do about 15 to 20 percentage points better among upper-income than lower-income voters”, while the majority of “low-and moderate-income voters [decide to] choose Democrats” as their representatives.⁸² Thus, requiring extensive proof of citizenship results in underrepresentation of eligible Democratic voters within the US.

VOTER RESTRICTION LAWS	STATES IN WHICH LAWS WERE ENACTED
Voter ID Requirements	AZ, AR, IN, IA, MS, RI, WI, NC
Photo ID Requirements	AL, AR, KS, MO, NH, NC, SC, TN, TX, VA
Mail-in ballot collection	AZ
Early or Absentee	AZ, AR, FL, GA, IN, IA, MT, NE, NC, OH, TN, TX, WV
Voter Registration	FL, GA, IL, IA, KS, NH, TX, VA
Polling	IN
Disenfranchisement of those Criminally Convicted	FL, IA, SD

Brennan Center for Justice at New York University School of Law, Vox, Native American Rights Fund

Yet another huge avenue for conservative-sponsored voter suppression is the disenfranchisement of justice-involved people. Restricting the voting rights of felons, in many cases without automatic reinstatement of rights upon completion of their sentences, is a common practice in many US states.⁸³ Although some states have moved to gradually reinstate such rights in recent years, several states continue to deprive citizens with criminal records of their fundamental right to vote and participate in America's democratic system. In fact, felons in 11 states may lose voting rights indefinitely or require a pardon from the Governor or an additional waiting period to restore voting rights.⁸⁴ In 21 states, felons must pay fines/outstanding restitution fees before getting voting rights restored.⁸⁵ Many state courts are unwilling/unable to waive fees for impoverished citizens, adjust payment plans, or provide alternatives, creating "a system effectively designed to turn individuals with criminal convictions into permanent debtors."⁸⁶

In 2016, an estimated 6.1 million Americans were prohibited from voting due to laws that disenfranchise citizens convicted of felony offenses.⁸⁷ A 2002 study published by the American Sociological Association found that felons are drawn disproportionately from low-income and minority populations, a finding that is not surprising given the power of the

prison-industrial complex and frequency of racial profiling in America.⁸⁸ As a result, disenfranchisement laws impact voting because groups that tend to vote more progressively face greater voter suppression. Such disenfranchisement is largely sponsored by right-wing industrialists. The United States has seen a steady increase in the disenfranchised population since the 1960s, a figure attributable to an increase in both convictions and disenfranchisement laws. Currently, the United States is the global leader in incarceration rates and has the largest criminal justice system globally.⁸⁹ Per capita, the US imprisons more people than any country in recorded history.⁹⁰ Although the United States maintains five percent of the world population, it is home to 21 percent of all prisoners.⁹¹ Furthermore, Black and Hispanic people comprise an estimated 32 percent of the United States population; but they constituted 56 percent of all incarcerated people in 2015.⁹²



Photographer Michael Fleshman

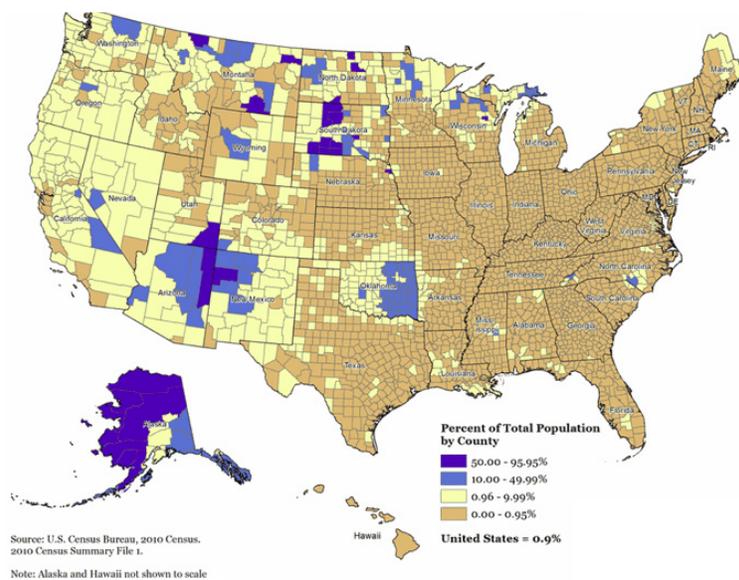
Between 1976 and 2000, the number of disenfranchised individuals rose from less than one percent of the population to 2.3 percent of the electorate.⁹³ In the 1960s, Republican presidential candidates like Barry Goldwater and Richard Nixon began promoting more punitive criminal justice policies. Up into the 1990s, the Reagan, Clinton, and Bush administrations also increased convictions, focusing on the incarceration of drug use offenders. During the timespan of 1980 to 2015, the amount of incarcerated people within the United States rose from approximately 500,000

to over 2.2 million.⁹⁴ The voting power of America's disenfranchised population is enormous: if disenfranchised *ex-felons* in Florida had voted in the 2000 election, Al Gore would have won, according to research by the American Sociological Association.⁹⁵ It is also quite likely that Kennedy would have lost the presidency in 1960 had there been contemporary rates of incarceration.⁹⁶ Disenfranchisement of felons is being used as a tool of voter suppression to shift elections towards candidates favoring pro-business policies.



A 2018 report by the Center of Science and Democracy at the Union of Concerned Scientists studied the link between voting rights and environmental justice. They found that restrictive voter laws distort political representation, weaken environmental regulations, and erode a community’s ability to preserve and enact local environmental protections.⁹⁷ Barriers related to voting eligibility, the voting process, and vote aggregation (over ranking voter preferences for candidates) impact one’s likelihood to vote, as well as their electoral representation.⁹⁸ In 2016, the Harvard Law Review found that Indigenous and Native communities “routinely face hurdles in exercising the right to vote and securing representation.” These hurdles are present throughout the process, from securing the necessary items to register to not having polling places nearby.⁹⁹

Water, energy, and environmental impact issues are critical concerns for Native people and Native Americans have a long history of fighting for environmental justice.¹⁰⁰ In this most recent Midterm election cycle, the State of Washington voted on a carbon tax and climate change initiative, Alaska voted on salmon protection, and Arizona, Nevada, and California voted on clean energy initiatives. Efforts to pass the state-wide initiative in Washington were led by Native tribes following “a decade of inaction in state legislature and in Congress” and seeing the effects of climate change directly impact their communities.¹⁰¹ These initiatives brought attention to the Native populations present in each aforementioned state and were catalysts to get Native people registered and out to vote.



Rural Assistance Center

Deb Haaland of New Mexico's Laguna Pueblo tribe and Sharice Davids of the Kansas Ho-Chunk Nation became the first Native American women elected to Congress in the 2018 Midterm elections. Peggy Flanagan of the Minnesota White Earth-Nation became the first Native woman elected to Lieutenant Governor of a state. The National Congress for American Indians noted that these past Midterm elections had several "key races in areas with large Native populations... [and that] that Native vote has the potential to influence election results that could have a major impact on significant policy issues."¹⁰² These races included North Dakota, New Mexico, Alaska, and Montana. Unfortunately, these milestones came on the heels of a failed lawsuit brought by the Spirit Lake Nation against North Dakota's voter identification law. Once enacted, the law no longer allowed tribal IDs to be used to vote in elections and instead required a government-issued ID with a post office recognized residential address.

Many homes on Native American reservations do not have traditional addresses, with many residents instead utilizing P.O. boxes, which cannot provide proof of address. This served as the obstacle in which the aforementioned tribe fought against in court to ensure that voter registration would remain accessible to their people. Tribal IDs no longer qualified as an accepted form of identification because of the lack of a listed address, thus barring voters with only tribal

IDs from voting. This was not an issue during previous elections, and the immediate implementation of the law left tens of thousands of North Dakota voters, both Native and non-Native, without proper identification only weeks before the 2018 elections. As mentioned prior, the North Dakota Senatorial race was expected to be close with the Native American vote greatly helping Democratic incumbent Heidi Heitkamp in her re-election bid.¹⁰³ Native voters without residential addresses were told to either contact a 911 coordinator to obtain a technical residential address or use a set-aside ballot, which would give them six days to obtain proof of address and have their vote counted.¹⁰⁴ Both options came with no guarantee that the address would be accepted at the polls and placed the burden on the voter to navigate a voting system that was actively trying to prevent their participation.

When Native communities are prevented from voting, they are unable to elect politicians who will fight for their causes, which takes away their power to decide what happens to their land and communities. Native American people are the original inhabitants of this land, yet they did not receive the right to vote until 1924, fifty-four years after Black men and four years after women.¹⁰⁵ US District Court Judge Daniel L. Hovland acknowledged that "Native American communities often lack residential street addresses... [and that] an individual who does not have a 'cur-

rent residential street address' will never be qualified to vote" in the initial lower court ruling.¹⁰⁶ The ruling was said to be aimed at tackling voter fraud, but the law was previously overturned in 2016 after voter fraud was found to be "virtually non-existent" in North Dakota.¹⁰⁷ In October 2018, the Supreme Court

upheld the 2017 decision, requiring North Dakota voters to bring proof of their residential address to the polls but due to the persistence of the Spirit Lake Nation, the Standing Sioux Tribe, and others, a settlement was reached in February 2020 that was in favor of the Native people's requests in North Dakota.¹⁰⁸



© ABC News

Grassroots organizing throughout the country is focused on helping disenfranchised communities get to the polls and cast their votes. Tactics ranged from sharing infographics and voting instructions on social media, to tribes providing free IDs to members, to organizing carpools to polling places.¹⁰⁹ Sioux Tribal members Oliver and Barb Semans founded Four Directions Inc. in 2002 after organizing voter registration drives on South Dakota Indian reservations. They now work nationally across Indian Country to promote Native voting rights, voter empowerment, voter protection, and voter engagement.¹¹⁰ The group is currently

working with Claremont Graduate University to develop a website that will help a person locate their residence and obtain a specific address, and a tribal representative that can issue them a note of confirmation on tribal letterhead.¹¹¹ Four Directions plans to mobilize voters in Nevada, Arizona, Wisconsin, Michigan, and North Carolina around the 2020 presidential election. In addition to helping voters obtain proof of address, organizers are calling for additional polling places closer to Native American reservations to help lessen the financial and travel burdens that prevent people from voting.¹¹² Across the country, people are calling

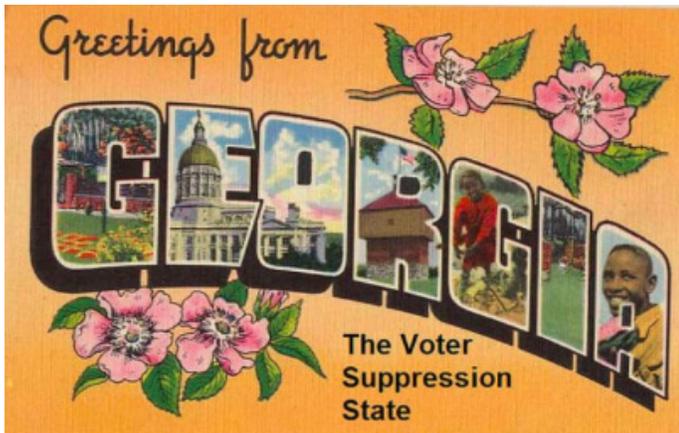
for voting reform and mobilizing their communities to get out and vote. Voting is essential to democracy and until it is accessible and convenient for everyone, our

electorate will remain unrepresentative of the people's wants and needs.

HOMELESSNESS AND VOTER SUPPRESSION

Another facet to voter suppression is homelessness. While people experiencing homelessness “do not need to live in a traditional residence to register to vote, many homeless and low income individuals may not have the appropriate identification documents required by some states to register or to vote.”¹¹³ The variance in laws by state often confuses potential voters, and many are not aware that “persons experiencing homelessness can register and vote in all 50 states.”¹¹⁴ Before the 1980s, these obstructions and how to navigate them were not even formally considered. It was only following several court cases (Coalition for the Homeless v. Jensen, Pitts v. Black, and Fischer v. Stout) that the right to vote for those without a permanent “traditional” address was defended.¹¹⁵ Despite the law dictating that people experiencing homelessness are not to be denied from voting, not having a traditional permanent address, strict ID laws and voter information matching laws find ways to circumvent the protective laws.¹¹⁶

People experiencing homelessness are “consistently one of the most poorly represented blocks when it comes to voter turnout, historically having faced numerous barriers across the country which have limited their participation in the election process.”¹¹⁷ Obstructing them from sharing their political voice and engaging with policies that directly affect their quality of life is an intentional attack. Political figures are aware of how harmful their policies are to the poorest sector of the working class, so they rely on suppressing votes to win elections, allowing them to continue to pass legislation that supports the interests of wealthy individuals over lower income populations.



“Georgia, the Voter Suppression State,” Mike Licht

Georgia’s 2018 Gubernatorial race was a clear example of voter suppression favoring conservatives. Democratic candidate Stacey Abrams, the first Black woman to receive a major-party nomination for Governor in the US, championed voting rights in Georgia, a state with a deep history of suppressing Black voters.¹¹⁸ While the Voting Rights Act of 1965 formally made it illegal to inhibit voting on the basis of race, equality was far from achieved. Following the Voting Rights Act, “state and local enforcement of the [Voting Rights Act] was weak, and it often was ignored outright, mainly in the South and in areas where the proportion of Black people in the population was high and their vote threatened the political status quo.”¹¹⁹ Abrams’ campaign platform explicitly focused on voter suppression and

the silencing of Black voters in Georgia in her race against Republican Brian Kemp in the Gubernatorial election. Kemp, a conservative white male, had served as Georgia’s Secretary of State since 2010. During his run for Governor, Kemp refused to step down from his position as Secretary of State, thus allowing him to be the public official in charge of overseeing the state’s election processes.

Exercising oversight of the state’s electoral process during one’s own race for Governor is an extreme conflict of interest. As former President Jimmy Carter stated, “the most fundamental principle of democratic elections [is] that the electoral process be managed by an independent and impartial election authority.”¹²⁰ His interference in the election process was blatant and wrong. Abrams’ platform challenged the status quo of Georgia’s politics and attacked the use of unfair and discriminatory election processes by Kemp’s office. He responded by utilizing various voter suppression tactics to defeat Abrams and her efforts to democratize Georgia’s elections.

One of the most stunning examples of voter restriction under Kemp was the purge of some 500,000

citizens from Georgia's voting rolls in July of 2017.¹²¹ This constituted the single largest act of mass disenfranchisement in US history.¹²² In the words of Daniels, "the purge process has become an unchecked method of removing eligible voters for reasons other than those stated in a state's legislation, or for voter registration cleanup procedures."¹²³ The catalyst for the 2017 purge was President Donald Trump's Presidential Advisory Commission on Election Integrity request that information was to be gathered on all registered voters in the United States.¹²⁴ Though no US Secretaries of State agreed to provide all of the requested information, 30 states (including Georgia) provided the commission with publicly available voter information.¹²⁵ Kemp was eager to assist the Trump Administration in these efforts, and had elevated voter suppression to an art form. According to federal and state data collected by The Atlanta Journal-Constitution, about 1.4 million people have been removed from voting rolls in Georgia since 2012. As Secretary of State, Brian Kemp oversaw each of these voter purges and is responsible for the suppression of thousands of voters.

The voter purges occurred due to policies within the "anti-voter fraud" realm, including Georgia's

Exact Match law, the closing of voting precincts in largely Black communities, the de-registration of inactive voters, and other tactics described earlier. The Exact Match law was passed in 2017 in order to slow voter registration by requiring voter applicant information to perfectly match the applicant's record kept by the Georgia Department of Driver Services or the Social Security Administration.¹²⁶ There are no quality assurance measures in place, so the policy is not equally enforced, leaving room for bias in the application approval process. Recent research shows that "70 percent of the voters whose registrations were pending over the Exact Match policy before the election were Black, although African-Americans account for about one-third of the population."¹²⁷ The Exact Match law disproportionately affects minority voters, who are "statistically more likely to have names with hyphens or suffixes or other punctuation that can make it more difficult to match their name in databases."¹²⁸ This allows for discrimination against minority voters under the guise of voter identity verification.¹²⁹ After he was elected, Governor Kemp actually signed House Bill 316, which dealt with ending the Exact Match system, most likely as a response to the pushback from civil rights groups.¹³⁰ While this is a step in the right direction for Georgia voters, many warn that the registration system will be slow to update these inaccurate records, potentially still restricting eligible voters.¹³¹

Abrams previously served as the Executive Director of the New Georgia Project, a voter registration program created to help register Georgia’s politically marginalized populations, particularly people of color. In conjunction with the New Georgia Project, Abrams helped to register hundreds of thousands of eligible voters, restored more than 33,000 illegally cancelled applications, expanded weekend voting access, and generally galvanized the public around the protection of voting rights.¹³² In all, the New Georgia Project helped nearly 69,000 new Georgia residents register to vote.¹³³ Given that Kemp was the sitting Secretary of State, all of these new voter registration cards went directly to his office, allowing him to see firsthand how effectively previously marginalized voters were being mobilized. Following the conservative playbook, Kemp attempted to stir up concerns about “voter fraud”, acknowledging that if minority voters were empowered, progressive politicians had improved chances of winning elections.

Claims of voter fraud are fraught with a fear of progressive politics. Voter fraud allegations are among the primary defenses that conservative politicians can use to debase the democratic opposition. The New Georgia Project fought allegations of fraudulent criminal behavior and experienced success in doing so when taking into consideration that their sole mission was to encourage full voter participa-

tion across demographic groups. While Abrams won this individual battle, it was not enough to combat the rollbacks Kemp enabled during his time as Secretary of State. Ultimately, Kemp won the 2018 election by just over one percent of the vote.¹³⁴ Georgia’s 2018 gubernatorial election may not have concluded in Abrams’ favor, but she helped bring visibility to the inequalities certain voters face in Georgia and throughout the country. We can look to her work as an example of what can be done now to fight against voter suppression, and support existing organizations that are dedicated to removing the barriers to registration and voting.

ORGANIZATIONS WORKING ON VOTER REFORM

While there is much more to be done to combat voter suppression, many organizations currently exist and are making meaningful progress toward protecting voting rights. Numerous voter and civil rights organizations like the American Civil Liberties Union (ACLU), New York University's Brennan Center for Justice, Public Citizen, Common Cause, and the League of Women Voters, rightfully receive public attention for their efforts. There are also countless other hardworking organizations that deserve recognition for their outstanding civic engagement and mobilization efforts around voting rights. It would be impossible to list all of them, but in addition to the organizations listed above, the following organizations are also dedicated to expanding voter freedoms: Voto Latino; the Fair Elections Center; the Voter Participation Center; the Southern Coalition for Social Justice; the League of United Latin American Citizens; the Lawyers' Committee for Civil Rights Under Law; Indivisible; Spread the Vote; Drive2Vote; VoteRiders; TurboVote; and Bring It Home Florida. While many communities face voter discrimination and it is easy to feel discouraged about the future of American democracy, there are countless organizations all across the country that are working tirelessly to address social and environmental injustice. Voter rights organizations take many forms and tackle a wide range of issues, in-

cluding voter registration drives, ID laws, transportation to polling places, and general voter education. The work of grassroots organizations and nonprofits on all aspects of voter rights encourages action on a larger scale, and is essential to inspiring widespread systemic political, economic, and social change.



Artist Kelly Malka

TAKE ACTION

Alongside organizations that are working to combat voter suppression, there are a multitude of ways in which members of the public can get involved to make a difference when advocating for equal representation in their communities. Here are a few ways for community members to become civically engaged. For more opportunities and resources, visit [@sciencerising.org](https://www.sciencerising.org).

VOTER MOBILIZATION

Assist with voter registration

- Going door-to-door
- Planning local events
- Get involved with a group like the New Georgia Project to help voter registration/ civic engagement organizations

During Election Day

- Poll Judge
- Poll Monitor
- Inform your community members about the rules of voting and share general voting logistics
- Offer transportation to polling places, if possible

CENSUS WORK

Join a Complete Count Committee (CCC)

Take part in Canvassing

STAY INFORMED AND GET INVOLVED IN LOCAL POLITICS

Submit op-eds to your local paper

Host and attend debate watch parties

Vote!

Attend town halls

Participate in a rally/protest

Support accessibility measures/legislation relating to election days

Discuss the impact of voter restrictions with your community

Join social media discussions

Volunteer with local campaigns and advocacy organizations

REDISTRIBUTING WORK

Submit recommendation maps and public comments

Run for an Independent Redistricting Committee

Union of Concerned Scientists

Beyond grassroots mobilization and support for protecting and expanding voting rights, we are slowly but surely beginning to see larger legal and institutional changes beginning to occur. The House of Representatives has passed H.R. 1, titled the “For the People Act” in 2019. The For the People Act aims to make voting easier and more accessible while also addressing issues surrounding gerrymandering, campaign funding, and election security. The act would allow for online or automatic voter registration, make Election Day a federal holiday, give voting rights back to the formerly incarcerated, and further prevent interference of foreign political money along with other impactful provisions. While the act did not pass the Senate, seeing the issue of voter suppression addressed in Congress is important and will hopefully lead to a larger, more proactive discussion resulting in tangible actions geared toward fixing the voting system in the United States.¹³⁵

On a more local scale, having political district lines drawn by truly bipartisan committees would eliminate, or begin to lessen, the skew towards gerrymandered Republican-majority districts. Michigan, one of the nation’s most gerrymandered states, passed a measure in 2018 that transferred district drawing power to a 13-member independent and bipartisan redistricting committee. Commissioners on the bipartisan committee are required to prioritize specific criteria, including creating equally-sized districts and eliminating party

preferences and advantages to incumbents. Similar measures have been passed in Ohio, Utah, Missouri, and Colorado.¹³⁶

Ending prison gerrymandering is another tactic to eliminate voter suppression. Prisons are mostly located in white, low population, rural communities. Prison gerrymandering allows for disenfranchised voters to be counted as part of the larger population in the districts where they are imprisoned instead of the districts of their true home addresses. This results in conservative voters in these less crowded prison districts having their voting power artificially inflated, while minority voters in other districts see their electoral power decrease.¹³⁷ The NAACP sued the State of Connecticut in June 2018 over this issue, becoming the first case to challenge this state-specific tactic. In February of 2019, this case jumped a significant hurdle when a state judge declined Connecticut’s motion to dismiss the case.¹³⁸ The case progressed in September of 2019, when a Manhattan-based appeals court stated that the suit could continue in the US District Court because it involved the constitutionality of the apportionment of a statewide legislative body.”¹³⁹



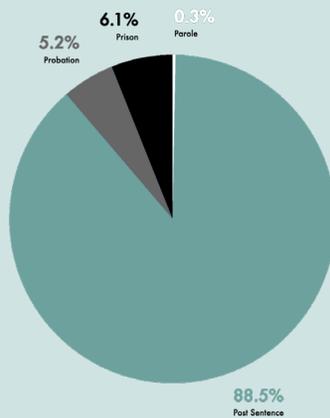
Artist Daniel Fishel

VOTER SUPPRESSION TODAY: INSTABILITY OF VOTING RIGHTS IN FLORIDA

Ex-felons within the United States face numerous obstacles while integrating back into society, including reinstating their right to vote. Florida was one of four states that barred ex-felons from voting for life and disenfranchised more citizens than Alabama, Georgia, Louisiana, Mississippi, North Carolina, South Carolina and Tennessee combined.¹⁴⁰ However, with the approval of Amendment 4 in the November 2018 midterm elections, the voting law intends to “automatically [restore] voting rights in the state for people previously convicted of felonies....as long as they have completed their sentences [including those on parole and probation], although anyone convicted of murder or felony sex offenses would be excluded.”¹⁴¹

This is a huge victory on the issue of prison gerrymandering. As a result, voting rights were restored to some 1.4 million disenfranchised former felons.¹⁴² This could have a huge impact in both Florida state and federal elections. To put this into perspective, the difference in the popular vote between Donald Trump and Hillary Clinton in Florida during the 2016 Presidential election was a margin of just 113,000 votes.¹⁴³ In 2016, The Sentencing Project, an organization working toward establishing a fair criminal justice system, estimated that about 1.5 million people in Florida were unable to vote due to past felonies, even though their sentences were completed. This rounds to “about 9.2 percent of the voting-age population in Florida”¹⁴⁴. Of that 9.2 percent, approximately 90 percent completed their entire sentence¹⁴⁵.

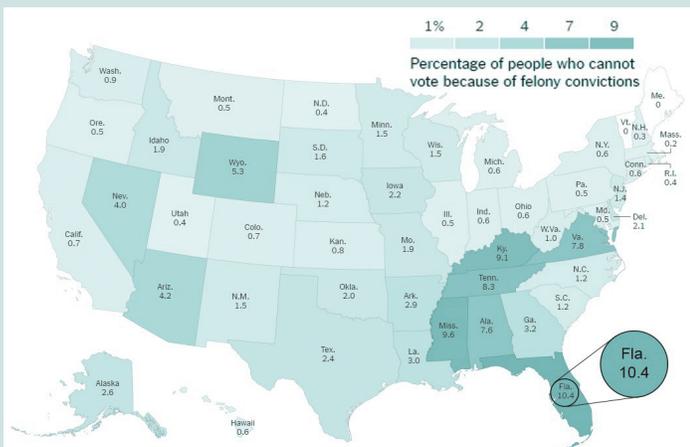
DISENFRANCHISEMENT DISTRIBUTION ACROSS FELON POPULATION IN FLORIDA, 2016



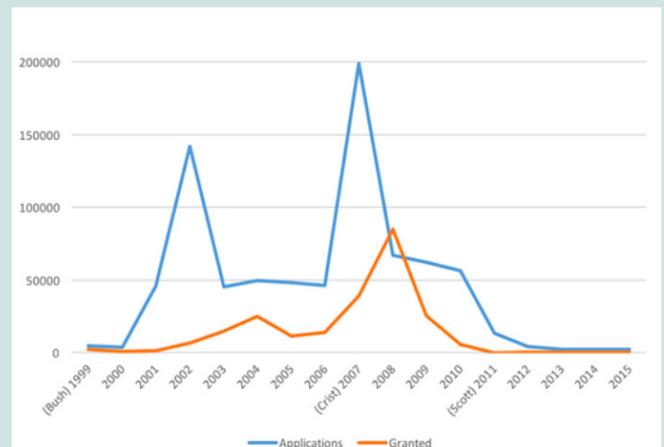
Let America Vote

This amendment also has considerable implications on Black voters. On average, Black Americans are five times more likely to be incarcerated than white Americans,¹⁴⁶ and in 2016, approximately 17.9 percent of Black American voters had completed sentences, but were still prohibited from voting in Florida.¹⁴⁷ Prior to amendment 4 being approved, Republican Governor Rick Scott had established a process requiring past felons to wait several years to apply to vote and wait through a long-term review process.¹⁴⁸ As a result, “fewer than 2,000 out of an estimated 1.6 million Florida citizens who have been disenfranchised — or about one tenth of one percent — have successfully completed the clemency process.”¹⁴⁹ Unfortunately, Amendment four has been challenged by a limited interpretation of the amendment in Florida’s legislature. In May of 2019, the Florida legislature passed a bill requiring all citizens with felony records to first fulfill financial obligations in order for their sentences to be considered complete.¹⁵⁰ It is estimated that 80 percent of individuals who would have regained their rights to vote under amendment 4 will no longer be able to since the passage of the new bill.¹⁵¹

Florida does not have a centralized system to inform ex-felons if they have outstanding fees to pay.¹⁵² Possible methods in which the fees can be waived include converting outstanding fees into community service hours or the written approval of both the judge and victim on the receiving end of the felony.¹⁵³ With millions of people seeking to restore their right to vote, there is the possibility that this new process, which has yet to be standardized, will become just as strenuous as past procedures and prevent thousands of ex-felons from restoring their voting rights. The Miami Herald expressed public disapproval for the new bill by naming amendment 4 a modern day “poll tax.”¹⁵⁴ The ACLU, ACLU of Florida, NAACP Legal Defense and Educational Fund, and Brennan Center for Justice at NYU Law filed a federal lawsuit stating that bill violates the 14th and 15th amendments and are against “the constitutional prohibition on poll taxes; and the ex post facto clause of the US Constitution.”¹⁵⁵ While this legal case has yet to be settled, the financial barriers put in place by the bill to amendment 4 must be removed if voter suppression is to be mitigated in America.



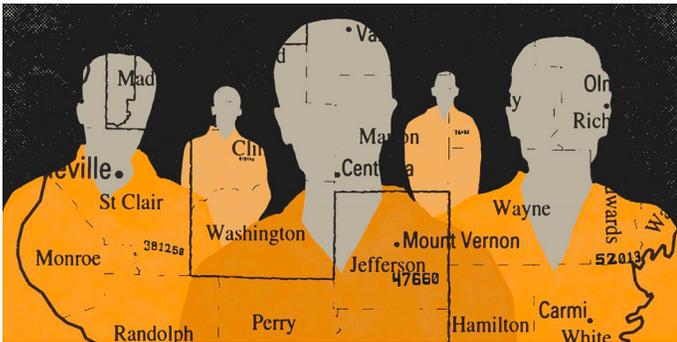
© The New York Times, Let America Vote



© 2019 The Sentencing Project

CONCLUSION

Voter suppression disempowers communities most deeply impacted by climate change and environmental crises. Disenfranchisement, fueled by institutional racism, continues to take away the autonomy and political voice of entire communities, forcing them to remain the victims of environmental racism. One of the greatest enemies of climate justice and environmental justice in the United States is institutionalized voter suppression. Voter suppression, climate change, and environmental justice are social justice issues and one cannot be tackled without addressing them all simultaneously.



© *Belt Magazine*, Artist David Wilson

Voter suppression is a threat to voter autonomy, justice, the wellbeing of the country, and the environment, and is a dangerous tool actively being used by agents of the Polluter-Industrial Complex to advance the interests of the oil and gas industry and other major corporate polluters. Between 2016 and 2018, up to 17 million voters were purged from voting rolls in the

United States.¹⁵⁶ The attack on voting access is an attack on the rights of citizenship. In 2019, a judge ruled that Georgia's purge of nearly 100,000 inactive voters was constitutional¹⁵⁷ and another judge in Wisconsin allowed 200,000 voters to be purged.¹⁵⁸ With the global spread of coronavirus unfolding in 2020, electoral politics are already seeing many additional barriers to voter freedoms. The voices of the American people are being systematically suppressed for the financial benefit of the Polluter-Industrial Complex and conservative political elites. When voting is intentionally restricted by the politically powerful, policies benefiting their interests will continue to be passed. In order to maintain their power, corrupt individuals target demographic groups that oppose them. The actions taken to further their agendas deprive people of their rights as citizens and their voice within a democratic system. However, there is hope as numerous states, social justice movements, and individuals are actively working to address discriminatory practices and expand voting freedoms. The well-being of our communities, if not the entire planet, is contingent upon the success of these movements and the full realization of democratic rights as granted by the Constitution of the United States.

BOOKS

Within this report, various topics have been addressed regarding voter suppression and what that means for the future of the environment and United States democracy. If interested in learning more about these current issues, here are some additional materials to continue learning about the topics discussed in this report.

Uncounted: The Crisis of Voter Suppression in America

Gilda R. Daniels, associate professor at the University of Baltimore School of Law and past Deputy Chief in the United States department of Justice Civil Rights Division,¹⁵⁹ delves into the modern day assault on voting rights for all citizens within her book *Uncounted: The Crisis of Voter Suppression in America*. Current voter restrictive laws, created on the basis of “meritless claims of rigged elections, and the baseless voter-fraud proclamations”¹⁶⁰ have taken the fundamental right of participating in free, fair elections away from many US citizens. Daniels draws connections from the past to the present in order to demonstrate that “this century’s assault on voter registration is similar to registrars’ tactics of former days that established impenetrable demands meant to lock out voters of color from the electoral process.”¹⁶¹ However, today the American people are facing a more expansive means of discrimination in which “obstructions use race as a political

proxy, and substitute party for race by targeting Democratic Party voters and adopting laws that seek to disenfranchise, frustrate, and eliminate minority, poor, and elderly voters.”¹⁶² The book details numerous case studies that quantitatively support the claim that there is indeed a voter crisis in America, as well as revealing the insidious means through which this is being accomplished. Topics addressed include voter ID laws, an up-and-coming method of suppression, voter and political deception, voter purges, felon disenfranchisement, effects of minority communities, and Daniels own personal insight on civil rights efforts as a guide to what a more just future can look like. A must-read during this election season, *Uncounted* “provides a framework for understanding voter suppression, its roots in the founding and evolution of our democracy, our contemporaneous struggle to vote, and what must be done to dismantle this suppressive system.”¹⁶³

Democracy in Chains: The Deep History of the Radical Right’s Stealth Plan for America¹⁶⁴

Democracy in Chains was published in 2017 and written by Nancy MacLean, a William H. Chafe Distinguished Professor of History and Public Policy at Duke University.¹⁶⁵ Within her written analysis concerning the development of the modern Polluter-Industrial-Complex, MacLean identifies the origin of the right-wing liberal movement to have begun with James McGill Buchanan. With the second ruling of the *Brown*

v. *Board of Education* suit, schools across America were expected to desegregate in order to provide equal opportunity to all students. However, as a means to undermine this ruling and create an institution that would equip the rising generation with the intellectual, ideological prowess to combat progressive public policy, Buchanan established a school to specialize in political economy and social philosophy at the University of Virginia. Even with this institution in place, progress seemed stagnant for some time. However, this measure of rebellion against the democratic system used to “prevent the state of Virginia from having to meet national democratic standards of fair treatment and equal protection under the law would, some sixty years later, become the veritable opposite of itself: a stealth bid to reverse-engineer all of America, at both the state and the national levels, back to the political economy and oligarchic governance of midcentury Virginia, minus the segregation.”¹⁶⁶

The Hidden History of the Billionaires Behind the Rise of the Radical Right

Jane Mayer, currently an investigative journalist for *The New Yorker*, driven by the search for the truth about America’s modern democracy, wrote *Dark Money: The Hidden History of the Billionaires Behind the Rise of the Radical Right* in 2016.¹⁶⁷ This book provides insight to the stealthy methods in which the economically elite have been able to influence the recent right-

wing political movement, specifically the Koch brothers and their network of organizations. These groups of “exceedingly wealthy people with extreme libertarian views bankrolled a systematic, step-by-step plan to fundamentally alter the American political system.” Corporations that were a part of these movements were all privately owned and able to donate funds to other associations that catered to their libertarian views. These donations were “cloaked in secrecy and presented as philanthropy, leaving almost no money trail that the public could trace.”¹⁶⁸ The result of such actions have led to the rise of an American oligarchy. Mayer skillfully allows the reader to interact with who the most powerful figures are within the American economic and political system today and learn more about their core beliefs, ambitions, and vision for the future of American democracy.

REPORTS

“Criminal Justice Debt: A Barrier to Reentry”

In 2010, the Brennan Center for Justice released a report titled “Criminal Justice Debt: A Barrier to Reentry”.¹⁶⁹ This report highlighted how extremely high fees are imposed on individuals with criminal convictions, and how the financial burden often leads to greater chances for those who were once incarcerated to become incarcerated again, as they are often subject to new criminal charges for inability to pay outstanding fees.¹⁷⁰ This

cycle of debt makes it almost impossible to integrate back into society, especially with laws that prohibit the right to vote if a formerly incarcerated person has not repaid all fees. For more information about disenfranchisement of those with criminal records, this report highlights the extent to which the American democratic system has made it impossible for there to be true democracy.

“Who’s in Danger: Race, Poverty, and Chemical Disasters”

The Environmental Justice and Health Alliance for Chemical Policy Reform, Coming Clean, and the Center for Effective Government collaboratively conducted an analysis to determine what demographics are the most affected by chemical environmental degradation. Key findings concluded that the following sub-population groups were closest to the areas of greatest environmental concern: people of color, impoverished communities, and those with lower levels of education.¹⁷¹ For more information about environmental racism and injustice in action today, this report is the perfect read.

This progression was made possible via the contributions of conservative corporate donors such as Charles Koch, and has led to the construction of a system of voter suppression, privatization of goods and services, and the deterrence of environmental conservation. The

book *Democracy in Chains* is a compelling illustration of the progression of such anti-democratic sentiments within the past 60 years, and seeks to reveal the truth about the origins of the right-wing movement today.

ENDNOTES

- 1 While women were given the legal right to vote with the 19th amendment, many obstacles (poll taxes, literacy tests, etc) prevented women of color from exercising their right and limited suffrage to white women. Additionally, Indigenous Peoples did not universally have the right to vote until 1957 as states were given discretion over voting eligibility.
- 2 Gilda R. Daniels, *Uncounted: The Crisis of Voter Suppression in America* (New York: New York University Press, 2020), 103.
- 3 Kevin Morris, “Voter Purge Rates Remain high, Analysis Finds,” Brennan Center for Justice at New York University School of Law, 2019, <<https://www.brennancenter.org/our-work/analysis-opinion/voter-purge-rates-remain-high-analysis-finds>>.
- 4 Michael Latner, *Our Unhealthy Democracy: How Voting Restrictions Harm Public Health—and What We Can Do About It* (Cambridge, MA: Union of Concerned Scientists, 2019), <<https://www.ucsusa.org/resources/our-unhealthy-democracy>>.
- 5 “Fighting Cuts to Voting Access,” ACLU, <<https://www.aclu.org/issues/voting-rights/fighting-voter-suppression/fighting-cuts-voting-access>>.
- 6 German Lopez, “7 specific ways states made it harder for Americans to vote in 2016,” Vox, 7 November 2016, <<https://www.vox.com/policy-and-politics/2016/11/7/13545718/voter-suppression-early-voting-2016>>.
- 7 “1965 Voting Rights Act,” Georgetown University Law Library, <<https://guides.ll.georgetown.edu/c.php?g=592919&p=4172704>>
- 8 “1965 Voting Rights Act.”
- 9 “Democracy Diverted: Polling Place Closures and the Right to Vote,” The Leadership Conference on Civil and Human Rights, <<https://civilrights.org/democracy-diverted/>>.
- 10 “New Voting Restrictions in America,” Brennan Center for Justice at New York University School of Law, <<https://www.brennancenter.org/new-voting-restrictions-america>>.
- 11 Wendy Weiser and Max Feldman, “The State of Voting 2018,” Brennan Center for Justice at New York University School of Law, (May 2018) <http://www.brennancenter.org/sites/default/files/publications/2018_06_StateOfVoting_v5%20%281%29.pdf>
- 12 Weiser and Feldman, “The State of Voting 2018.”
- 13 Daniels, *Uncounted: The Crisis of Voter Suppression in America*, 19.
- 14 Latner, *Our Unhealthy Democracy: How Voting Restrictions Harm Public Health—and What We Can*

Do About It.

15 Gilens, Martin, and Benjamin I. Page, “Testing Theories of American Politics: Elites, Interest Groups, and Average Citizens,” *Perspectives on Politics* 12, no. 3 (2014): 564–81. doi:10.1017/S1537592714001595.

16 Latner, Our Unhealthy Democracy: How Voting Restrictions Harm Public Health—and What We Can Do About It.

17 Daniel Faber, “Capitali\$ing on Environmental Crime: The U.S.A. Polluter-Industrial Complex in the Age of Globalization” (paper presented at the annual meeting of the ASC Annual Meeting, Philadelphia Marriott Downtown, Philadelphia, PA)

18 Pearson, Adam R., Jonathon P. Schuldt, Rainer Romero-Canyas, Matthew T. Ballew, and Dylan Larson-Konar, “Diverse Segments of the US Public Underestimate the Environmental Concerns of Minority and Low-income American,.” *PNAS*, 4 December 2018, <<https://www.pnas.org/content/115/49/12429>>.

19 John P. Holdren and Kathryn D. Sullivan, “What Climate Change Means for Regions Across America,” President Barack Obama White House, 6 May 2014, <<https://obamawhitehouse.archives.gov/blog/2014/05/06/what-climate-change-means-regions-across-america>>

20 Lesley Jantarasami, “Climate Change, Public Health, and Environmental Justice: Caring for Our Most Vulnerable Communities,” *The EPA Blog*, United States Environmental Protection Agency, 5 January 2017, <<https://blog.epa.gov/2017/01/05/ej-climate-change/>>.

21 Fery, P., Kobayashi, N., Speiser, M., Lake, C., and Voss, J., *American Climate Metrics Survey: April 2018. Demographics in Focus: Latinos and African Americans* (Washington D.C.: ecoAmerica and Lake Research Partners, 2018).

22 “EPA Environmental Justice FY2017 Progress Report,” United States Environmental Protection Agency, 4 April 2018, 240-R1-8001.

23 “Environmental Justice & Environmental Justice,” GreenAction for Health & Environmental Justice, <http://greenaction.org/?page_id=420#>

24 “Overview: Weather, Global Warming and Climate Change,” *National Aeronautics and Space Administration*, <<https://climate.nasa.gov/resources/global-warming-vs-climate-change/>>.

25 “Greenhouse Effect,” *Australian Government Department of Agriculture, Water and the Environment*, <<https://www.environment.gov.au/climate-change/climate-science-data/climate-science/greenhouse-effect>>.

26 “Climate change impacts,” *NOAA*, <<https://www.noaa.gov/education/resource-collections/climate-education-resources/climate-change-impacts>>.

27 David Schlosberg and Lisette B. Collin, “From environmental to climate justice: climate change and

- the discourse of environmental justice,” *WIRES Climate Change* 5, no. 3 February 2014): 361, <<https://onlinelibrary.wiley.com/doi/full/10.1002/wcc.275>>.
- 28 “Environmental Justice,” *EPA*, <<https://www.epa.gov/environmentaljustice>>.
- 29 Daniel R. Faber, and Eric J Krieg, “Unequal exposure to ecological hazards: environmental injustices in the Commonwealth of Massachusetts,” *Environmental Health Perspectives* 110 Suppl 2, Suppl 2 (2002): 277-88, doi:10.1289/ehp.02110s2277.
- 30 Bullard, R.D. and Johnson, G.S. (2000). “Environmentalism and Public Policy: Environmental Justice: Grassroots Activism and Its Impact on Public Policy Decision Making.” *Journal of Social Issues* 56: 555-578, doi:10.1111/0022-4537.00184 .
- 31 Carl Zimring, “Environmental Racism, Environmental Justice, and the Legacy of the Memphis Strike,” *Carl A. Zimring*, 19 January 2015, <<https://carlzimring.com/2015/01/19/environmental-racism-and-the-legacy-of-the-memphis-strike/>>.
- 32 Alec Tyson, “The 2018 Midterm Vote: Divisions by Race, Gender, Education,” Pew Research Center, 8 November 2018, <<http://www.pewresearch.org/fact-tank/2018/11/08/the-2018-midterm-vote-divisions-by-race-gender-education/>>.
- 33 Leiserowitz, A., Cutler, M., & Rosenthal, S., *Climate Change in the Latino Mind* (New Haven, CT: Yale University, Yale Program on Climate Change Communication, 2017).
- 34 “Resources on Voter Fraud Claims,” Brennan Center for Justice at New York University School of Law, 26 June 2017, <<https://www.brennancenter.org/analysis/resources-voter-fraud-claims>>.
- 35 Justin Levitt, “The Truth About Voter Fraud,” Brennan Center for Justice at New York University School of Law, 2007, <<http://www.brennancenter.org/sites/default/files/legacy/The%20Truth%20About%20Voter%20Fraud.pdf>>.
- 36 Justin Levitt, “The Truth About Voter Fraud.”
- 37 Justin Levitt, “The Truth About Voter Fraud.”
- 38 “Debunking the Voter Fraud Myth,” Brennan Center for Justice at New York University School of Law, 31 January 2017, <<https://www.brennancenter.org/our-work/research-reports/debunking-voter-fraud-myth>>.
- 39 Jaclyn Reiss, “Trump brought up a debunked theory about Massachusetts while in N.H. Monday night,” *Boston Globe*, 10 February 2020, <<https://www.bostonglobe.com/2020/02/11/metro/trump-brought-up-debunked-theory-about-massachusetts-while-nh-tonight/>>.
- 40 Cottrell, D., Herron, M., and Westwood, S, “We can’t find any evidence of voting fraud in New Hampshire,” *Washington Post*, 28 February 2017, <<https://www.washingtonpost.com/news/monkey-cage/>>

wp/2017/02/28/we-cant-find-any-evidence-of-voting-fraud-in-new-hampshire/>.

41 Naomi Oreskes, *Merchants of Doubt: How a Handful of Scientists Obscured the Truth on Issues from Tobacco Smoke to Global Warming* (New York: Bloomsbury Press, 2011), 1.

42 Oreskes, *Merchants of Doubt*, 15.

43 Oreskes, *Merchants of Doubt*, 14.

44 Oreskes, *Merchants of Doubt*, 16.

45 Oreskes, *Merchants of Doubt*, 16.

46 Oreskes, *Merchants of Doubt*, 18.

47 Oreskes, *Merchants of Doubt*, 1.

48 “Meet the Members of Trump’s “Voter Fraud” Commission,” Brennan Center for Justice at New York University School of Law, 18 July 2017, <<https://www.brennancenter.org/analysis/meet-members>>.

49 “Brennan Center Reaction: White House Disbands Fraud Commission,” Brennan Center for Justice at New York University School of Law, 3 January 2018, <<https://www.brennancenter.org/press-release/brennan-center-reaction-white-house-disbands-fraud-commission>>.

50 Rudy Mehrbani, “Heritage Fraud Database: An Assessment,” Brennan Center for Justice at New York University School of Law, 8 September 2017, <<https://www.brennancenter.org/publication/heritage-fraud-database-assessment>>.

51 “Koch Industries Secretly Funding the Climate Denial Machine,” (Washington D.C.,:GreenPeace, 2010).

52 “Heritage Foundation,” PolluterWatch, GreenPeace, <<http://www.polluterwatch.com/anti-environmental-archive/heritage-foundation>>.

53 “What we’re about,” Koch Industries,<<https://www.kochind.com/about>>.

54 Robert D. McFadden, “David Koch, Billionaire Who Fueled Right-Wing Movement, Dies at 79,” *New York Times*, 23 August 2019, <<https://www.nytimes.com/2019/08/23/us/david-koch-dead.html>>.

55 “Brian Kemp’s Campaign Finances,” Vote Smart, Facts Matter, <<https://votesmart.org/candidate/campaign-finance/31876/brian-kemp#.XHIQFZNKjBI>>.

56 “Oil and Gas,” Open Secrets, Center for Responsive Politics, <<https://www.opensecrets.org/industries/recips.php?ind=E01++>>.

57 “ACLU of Texas Puts Counties on Notice for Possible Violations of Voting Rights Act,” News release, ACLU Texas, 24 September 2018, <<https://www.aclutx.org/en/press-releases/aclu-texas-puts-counties-notice-possible-violations-voting-rights-act>>.

58 Jim Saunders, “Federal Court Orders 32 Florida Counties to Print Sample Ballots in Spanish,” *Miami Herald*, 7 September 2018, <<https://www.miamiherald.com/news/politics-government/state-politics/article218012780.html>>.

59 Saunders, “Federal Court Orders 32 Florida Counties to Print Sample Ballots in Spanish.”

60 “Gerrymandering,” American Civil Liberties Union, <<https://www.aclu.org/issues/voting-rights/gerrymandering>>.

61 Katherine-Howard, “Gill v. Whitford,” SCOTUSblog, <<https://www.scotusblog.com/case-files/cases/gill-v-whitford/>>.

62 Ryan Chittum, “ProPublica Shines a Light on Secret Gerrymandering Money,” *Columbia Journalism Review*, 23 September, 2011, <https://archives.cjr.org/the_audit/propublica_shines_a_light_on_s.php>.

63 David A Lieb, “Analysis Indicates Partisan Gerrymandering Has Benefited GOP,” *AP News*, 25 June 2017, <<https://apnews.com/fa6478e10cda4e9cbd75380e705bd380>>.

64 Lieb, “Analysis Indicates Partisan Gerrymandering Has Benefited GOP.”

65 Chittum, “ProPublica Shines a Light on Secret Gerrymandering Money.”

66 18 U.S. Code § 594.Intimidation of voters

67 Blake Paterson, “ICE, Dispelling Rumors, Says It Won’t Patrol Polling Places,” *ProPublica*, 2 November 2018, <https://www.propublica.org/article/ice-dispelling-rumors-says-it-wont-patrol-polling-places?utm_source=pardot&utm_medium=email&utm_campaign=dailynewsletter>.

68 Blake Paterson, “Reports of Voter Intimidation at Polling Places in Texas,” *ProPublica*, 26 October 2018, <<https://www.propublica.org/article/reports-of-voter-intimidation-at-polling-places-in-texas>>.

69 Peterson, “Reports of Voter Intimidation.”

70 Rebecca Ayala, “Voting Problems 2018,” *Brennan Center for Justice at New York University School of Law*, 5 November 2018, <<https://www.brennancenter.org/blog/voting-problems-2018>>.

71 Ayala, “Voting Problems 2018.”

72 Andrew J. Tobias, “Ohio Republican Party slate card contains erroneous voting information.” *Cleveland.com*, 23 October 2018, <https://www.cleveland.com/open/index.ssf/2018/10/ohio_republican_party_slate_ca.html>

73 Kate Irby, “Why a Mailer on Dreamers from a ‘nonpartisan’ Latino Group Is Worrying Democrats,” *McClatchy DC Bureau*, 17 May 2018, <<https://www.mcclatchydc.com/news/politics-government/article211320424.html>>.

74 Irby, “Why a Mailer on Dreamers from a ‘nonpartisan’ Latino Group Is Worrying Democrats.”

- 75 Ian Vandewalker, “Analysis: The Effects of Requiring Documentary Proof of Citizenship to Register to Vote,” *Brennan Center for Justice at New York University School of Law*, 2019, <https://www.scribd.com/document/354176622/The-Effects-of-Requiring-Documentary-Proof-of-Citizenship#from_embed> (19 Feb. 2020).
- 76 “New Voter Restrictions in America,” *Brennan Center for Justice at New York University School of Law*, 2019, <<https://www.brennancenter.org/sites/default/files/2019-11/New%20Voting%20Restrictions.pdf>> (19 Feb. 2020).
- 77 “New Voter,” *Brennan Center for Justice at New York University School of Law*, 2019.
- 78 Vandewalker, “Analysis: The Effects,” *Brennan Center for Justice at New York University School of Law*, 2019.
- 79 Robert Greenstein, Leighton Ku, and Stacy Dean, “Survey Indicates House Bill Could Deny Voting Rights to Millions of U.S. Citizens,” *Center on Budget and Policy Priorities*, 2006, <<https://www.cbpp.org/research/survey-indicates-house-bill-could-deny-voting-rights-to-millions-of-us-citizens>> (19 Feb. 2020).
- 80 Vandewalker, “Analysis: The Effects,” *Brennan Center for Justice at New York University School of Law*, 2019.
- 81 Greenstein, Ku, and Dean, “Survey Indicates,” *Center on Budget and Policy Priorities*, 2006.
- 82 Andrew Gelman, “Economic Divisions and Political Polarization in Red and Blue America,” Columbia University, <http://www.stat.columbia.edu/~gelman/research/published/PathwaysSummer11_Trends.pdf> (19 Feb. 2020).
- 83 “Felon Voting Rights,” National Conference of State Legislatures, 21 December 2018, <<http://www.ncsl.org/research/elections-and-campaigns/felon-voting-rights.aspx>>.
- 84 “Felon Voting Rights.”
- 85 “Felon Voting Rights.”
- 86 Bannon, A., Nagrecha, M., Diller, R., “Criminal Justice Debt: A Barrier to Reentry.” Brennan Center for Justice at New York University School of Law, 4 October 2010, 13, <https://www.brennancenter.org/sites/default/files/2019-08/Report_Criminal-Justice-Debt-%20A-Barrier-Reentry.pdf>.
- 87 Jean Chung, “Felony Disenfranchisement: A Primer,” 17 July 2018, <<http://www.sentencingproject.org/publications/felony-disenfranchisement-a-primer/>>.
- 88 Uggen, Christopher, and Jeff Manza, “Democratic Contraction? Political Consequences of Felon Disenfranchisement in the United States,” *American Sociological Review* 67, no. 6 (2002): 777. <http://as.nyu.edu/content/dam/nyu-as/faculty/documents/Democratic_Contraction.pdf>.
- 89 “Report to the United Nations on Racial Disparities in the U.S. Criminal Justice System,” The Sentenc-

ing Project, 19 April 2018, <<https://www.sentencingproject.org/publications/un-report-on-racial-disparities/>>.

90 “2 Rising Incarceration Rates: The Growth of Incarceration in the United States: Exploring Causes and Consequences,” National Research Council (Washington, DC: The National Academies Press 2014), doi: 10.17226/18613.

91 “Criminal Justice Fact Sheet,” NAACP, <<https://www.naacp.org/criminal-justice-fact-sheet/>>.

92 “Criminal Justice Fact Sheet.”

93 Uggen, Christopher, and Jeff Manza, “Democratic Contraction? Political Consequences of Felon Disenfranchisement in the United States.”

94 “Criminal Justice Fact Sheet.”

95 Uggen, Christopher, and Jeff Manza, “Democratic Contraction? Political Consequences of Felon Disenfranchisement in the United States.”

96 Uggen, Christopher, and Jeff Manza, “Democratic Contraction? Political Consequences of Felon Disenfranchisement in the United States.”

97 “Building a Healthier Democracy: The Link between Voting Rights and Environmental Justice.” Union of Concerned Scientists, Center for Science and Democracy, September 2018, <<https://www.ucsusa.org/sites/default/files/attach/2018/09/building-a-healthier-democracy-report.pdf>>,2.

98 “Building a Healthier Democracy,” 5.

99 “Securing Indian Voting Rights,” Harvard Law Review 129 (April 8, 2016).

100 Every Native Vote Counts Fast Facts (Washington DC: National Congress of American Indians, 2018).

101 Trahant, Mark, “Tribes Lead Way on Climate Change Ballot Measure,” Indian Country Today, 30 October 2018, <<https://newsmaven.io/indiancountrytoday/news/tribes-lead-way-on-climate-change-ballot-measure-mHr07tm-OUWgR1gK-C38wQ/>>.

102 Every Native Vote Counts 2018 Native Vote: An Update for Tribal Leaders (Washington, DC: National Congress of American Indians, 2018).

103 Every Native Vote Counts 2018 Native Vote: An Update for Tribal Leaders (Washington, DC: National Congress of American Indians, 2018).

104 Massoud Hayoun, “How Native American Leaders Are Trying to Tackle Voter Suppression in North Dakota,” Pacific Standard, 16 October 2018, <<https://psmag.com/social-justice/native-american-activists-are-trying-to-tackle-voter-suppression-in-north-dakota.>>

105 Voting Rights for Native Americans (United States of America: Library of Congress), <<https://www.loc.gov/teachers/classroommaterials/presentationsandactivities/presentations/elections/voting-rights-native-ameri->

cans.html>.

106 Brakebill v. Jaeger (United States District Court, D. North Dakota April 3, 2018).

107 Domonoske, Camila, “Many Native IDs Won’t Be Accepted At North Dakota Polling Places,” NPR, 13 October 2018, <<https://www.npr.org/2018/10/13/657125819/many-native-ids-wont-be-accepted-at-north-dakota-polling-places>>.

108 “Secretary of State Agrees to Settle Voter ID Lawsuits by Entering Into Consent Decree With North Dakota Tribes,” Native American Rights Fund, 13 February 2020, <<https://www.narf.org/nd-voting-rights/>>.

109 Domonoske, “Many Native IDs Won’t Be Accepted At North Dakota Polling Places.”

110 “Four Directions – Advancing Equality at the Ballot Box across Indian Country,” Four Directions, <<http://www.fourdirectionsvote.com/>>.

111 Hayoun, “How Native American Leaders Are Trying to Tackle Voter Suppression in North Dakota.”

112 Massoud Hayoun, “Native American Rights Groups Are Targeting Six States to Fight Voter Suppression in 2020,” Pacific Standard, 14 February 2018, <<psmag.com/social-justice/native-american-rights-groups-are-gearing-up-to-fight-voter-suppression-in-2020>>.

113 “You Don’t Need A Home To Vote,” *National Coalition for the Homeless*, <<https://nationalhomeless.org/campaigns/voting/>>.

114 “Voting and Homelessness,” *Nonprofit VOTE*, <<https://www.nonprofitvote.org/voting-in-your-state/special-circumstances/voting-and-homelessness/>>.

115 “Court Decisions on Homeless People’s Voting Rights,” *National Coalition for the Homeless*, <<https://nationalhomeless.org/projects/vote/court.html>>.

116 Cameron Smith, “Voter ID Linked To Lower Turnout; Students, People Of Color, Elderly Most Affected,” *Wisconsin Public Radio*, 2 October 2018, <<https://www.wpr.org/voter-id-linked-lower-turnout-students-people-color-elderly-most-affected>>.

117 “You Don’t Need A Home To Vote - Voting Rights: Registration Manual,” *National Coalition for the Homeless*, 2016, <<https://nationalhomeless.org/wp-content/uploads/2016/04/Voting-Manual.pdf>>.

118 Eric Bradner, “Stacey Abrams wins Democratic primary in Georgia. She could become the nation’s first black woman governor,” CNN, 22 May 2018, <<https://www.cnn.com/2018/05/22/politics/georgia-governor-race-stacey-abrams/index.html>>.

119 “Voting Rights Act of 1965,” History Channel, <<https://www.history.com/topics/black-history/voting-rights-act>>.

120 Carol Anderson, “Brian Kemp’s Lead in Georgia Needs an Asterisk,” *The Atlantic*, 7 November 2018,

<<https://www.theatlantic.com/ideas/archive/2018/11/georgia-governor-kemp-abrams/575095/>>.

121 Alan Judd, “Georgia’s strict laws lead to large purge of voters,” Atlanta Journal- Constitution, 27 October 2018, <<https://www.ajc.com/news/state--regional-govt--politics/voter-purge-begs-question-what-the-matter-with-georgia/YAFvuk3Bu95kJIMaDiDFqJ/>>.

122 Judd, “Georgia’s strict laws lead to large purge of voters.”

123 Daniels, *Uncounted*, 90.

124 “Brian Kemp.” BallotPedia, <https://ballotpedia.org/Brian_Kemp>.

125 “State government responses to the Presidential Advisory Commission on Election Integrity,” BallotPedia, <https://ballotpedia.org/State_government_responses_to_the_Presidential_Advisory_Commission_on_Election_Integrity>.

126 Miriam Valverde, “Georgia’s ‘exact match’ law and the Abrams-Kemp governor’s election, explained,” PolitiFact, 19 October 2018, <<https://www.politifact.com/georgia/article/2018/oct/19/georgias-exact-match-law-and-its-impact-voters-gov>>.

127 Letitia Stein, “U.S. voting rights trampled in Georgia governor’s race: lawsuit.” Reuters, 27 November 2018, <<https://www.reuters.com/article/us-usa-election-georgia/u-s-voting-rights-trampled-in-georgia-governors-race-lawsuit-idUSKCN1NW2B8>>.

128 Valverde, “Georgia’s ‘exact match’ law and the Abrams-Kemp governor’s election, explained.”

129 Stein, “U.S. voting rights trampled in Georgia governor’s race: lawsuit.”

130 Stanley Augustin, “Georgia Largely Abandons Its Broken “Exact Match” Voter Registration Process,” 5 April 2019, <<https://lawyerscommittee.org/georgia-largely-abandons-its-broken-exact-match-voter-registration-process/>>.

131 Augustin, “Georgia Largely Abandons Its Broken “Exact Match” Voter Registration Process.”

132 “Stacey’s Vision for Georgia: Voting Rights and Public Integrity,” Stacey Abrams for Governor, <<https://staceyabrams.com/vision/voting-rights-public-integrity/>>

133 The New Georgia Project, <<https://newgeorgiaproject.org/about/>>

134 “Georgia Governor Election Results,” New York Times, 28 January 2019, <<https://www.nytimes.com/elections/results/georgia-governor>>.

135 “H.R.1 - For the People Act of 2019.” Congress, <<https://www.congress.gov/bill/116th-congress/house-bill/1>>.

136 “Michigan Proposal 2, Independent Redistricting Commission Initiative (2018),” BallotPedia, <[https://ballotpedia.org/Michigan_Proposal_2,_Independent_Redistricting_Commission_Initiative_\(2018\)](https://ballotpedia.org/Michigan_Proposal_2,_Independent_Redistricting_Commission_Initiative_(2018))>

- 137 “NAACP Sues Connecticut over Prison Gerrymandering, First State-Wide Challenge in Nation,” NAACP, 28 June 2018, <<https://www.naacp.org/latest/naacp-sues-connecticut-prison-gerrymandering-first-state-wide-challenge-nation/>>.
- 138 “NAACP Challenge to Prison Gerrymandering Moves Forward, First Statewide Challenge in the Nation.” NAACP, 19 February 2019, <<https://naacp.org/latest/naacp-challenge-prison-gerrymandering-moves-forward-first-statewide-challenge-nation/>>.
- 139 Tom McParland, “2nd Circuit Panel Okays NAACP CT Racial Gerrymandering Suit,” Connecticut Law Tribune, 25 September 2019, <<https://www.law.com/ctlawtribune/2019/09/25/2nd-circuit-panel-green-lights-naacp-lawsuit-alleging-racial-gerrymandering-in-conn-redistricting-plan/?slreturn=20200126-100658>>.
- 140 Erika Wood, “Florida: An Outlier in Denying Voting Rights,” Brennan Center for Justice at New York University Law School, 16 December 2016, <<https://www.brennancenter.org/our-work/research-reports/florida-outlier-denying-voting-rights>>.
- 141 German Lopez, “Florida votes to restore ex-felon voting rights with Amendment 4,” Vox, 7 November 2018, <<https://www.vox.com/policy-and-politics/2018/11/6/18052374/florida-amendment-4-felon-voting-rights-results>> (15 Feb. 2020).
- 142 “Felon Voting Rights,” National Conference of State Legislatures.
- 143 “Desmond Meade Hopes to Win Voting Rights for 1.4M Floridians with Felony Convictions-Including Himself,” Democracy Now!, 16 October 2018, <https://www.democracynow.org/2018/10/16/meet_desmond_meade_a_former_felon>.
- 144 Lopez, “Florida votes,” 2018
- 145 Leigh Chapman, “Florida: Restore Voting Rights for 1.6 Million People with Felony Convictions,” Let America Vote, 3 August 2017.
- 146 “Criminal Justice Fact Sheet,” National Association for the Advancement of Colored People, <<https://www.naacp.org/criminal-justice-fact-sheet/>> (15 Feb. 2020).
- 147 Lopez, “Florida votes.”
- 148 Lopez, “Florida votes.”
- 149 Chapman, “Florida: Restore,” Let America Vote, 2017.
- 150 Lopez, “Florida votes.”
- 151 Arian Campo-Flores and Jon Kamp, “Florida Voted to Give 1.4 Million Felons the Right to Vote. It Hasn’t Gone Smoothly,” Wall Street Journal, 8 February 2020, <<https://www.wsj.com/amp/articles/florida-vot>

ed-to-give-1-4-million-felons-the-right-to-vote-it-hasnt-gone-smoothly-11581174000> (15 Feb. 2020).

152 “Disenfranchisement News: Judge Temporarily Blocks Florida Law Limiting Voting Rights,” The Sentencing Project, 21 October 2019, <<https://www.sentencingproject.org/news/7688/>> (28 Feb. 2020).

153 Lawrence Mower, “Legislators make a deal on Amendment 4. Felons must pay but judges can waive costs,” Miami Herald, 2 May 2019, <<https://www.miamiherald.com/news/politics-government/state-politics/article229969709.html>> (15 Feb. 2020).

154 Mower, “Legislators make,” Miami Herald, 2019.

155 “Groups Sue to Block New Florida Law That Undermines Voting Rights Restoration,” The Brennan Center for Justice at New York University Law School, 28 June 2019, <<https://www.brennancenter.org/our-work/analysis-opinion/groups-sue-block-new-florida-law-undermines-voting-rights-restoration>> (15 Feb. 2020).

156 Kevin Morris, “Voter Purge Rates Remain high, Analysis Finds.” Brennan Center for Justice at New York University School of Law, 1 August 2019, <<https://www.brennancenter.org/our-work/analysis-opinion/voter-purge-rates-remain-high-analysis-finds>>.

157 Elisha Brown, “Federal Judge Backs Georgia’s Purge of Nearly 100,000 Voters,” New York Times, 27 December 2019, <<https://www.nytimes.com/2019/12/27/us/elections/georgia-voters-purge.html>>.

158 Monica Davey and Mitch Smith, “Wisconsin Judge Says State Must Purge 200,000 Voter Registration,” New York Times, 13 December 2019, <<https://www.nytimes.com/2019/12/13/us/wisconsin-voter-rolls-purge.html>>.

159 Gilda R. Daniels, *Uncounted: The Crisis of Voter Suppression in America* (New York: New York University Press, 2020), 188.

160 Daniels, *Uncounted*, 6.

161 Daniels, *Uncounted*, 11.

162 Daniels, *Uncounted*, 6.

163 Daniels, *Uncounted*, 7.

164 MacLean, Nancy, *Democracy in Chains: The Deep History of the Radical Right’s Stealth Plan for America* (New York City, New York: Viking, 2017), xiii-xxx.

165 Duke University History Department, “Nancy MacLean,” <<https://history.duke.edu/people/nancy-maclean>> (28 Feb. 2020).

166 MacLean, *Democracy in Chains*, xv.

167 “Jane Mayer,” *Americans Who Tell The Truth*, <<https://www.americanswhotellthetruth.org/portraits/jane-mayer>>, (28 Feb. 2020).

- 168 Jane Mayer, *Dark Money: The Hidden History of the Billionaires Behind the Rise of the Radical Right* (New York: Doubleday, 2016), 4.
- 169 Bannon, A., Nagrecha, M., Diller, R., “Criminal Justice Debt: A Barrier to Reentry,” Brennan Center for Justice at New York University School of Law, 4 October 2010, 13, <https://www.brennancenter.org/sites/default/files/2019-08/Report_Criminal-Justice-Debt-%20A-Barrier-Reentry.pdf>.
- 170 Criminal Justice Debt: A Barrier to Reentry, 2.
- 171 “Who’s In Danger? Race, Poverty, and Chemical Disasters,” Environmental Justice and Health Alliance for Chemical Policy Reform, May 2014, <<https://comingcleaninc.org/assets/media/images/Reports/Who%27s%20in%20Danger%20Report%20FINAL.pdf>>.
- 172 Stavros Agorakis and Ryan Mark, “Voters had say on dozens of issues on the ballot, from voting rights for felons to redistricting to marijuana,” *Vox*, 2018, <<https://www.vox.com/a/midterms-2018/ballot-initiatives>> (19 Feb. 2020).
- 173 Michael Wines, “Judges Rule Michigan Congressional Districts Are Unconstitutionally Gerrymandered,” *New York Times*, 2019, <<https://www.nytimes.com/2019/04/25/us/michigan-gerrymandering.html>> (19 Feb. 2020).
- 174 Wines, “Judges Rule,” *New York Times*, 2019 .
- 175 Steven Shepard and Ally Mutnick, “Court freezes North Carolina’s gerrymandered map,” *Politico* 2019, <<https://www.politico.com/news/2019/10/28/court-north-carolina-gerrymandering-060677>> (19 Feb. 2020).
- 176 Shepard and Mutnick, “Court Freezes,” *Politico*, 2019.
- 177 Jane C. Timm, “In blow to North Carolina Democrats, court rules new GOP-drawn voting maps can be used for 2020,” *NBC News*, 2019, <<https://www.nbcnews.com/politics/2020-election/blow-north-carolina-democrats-court-rules-new-gop-drawn-voting-n1094501>> (19 Feb. 2020).
- 178 Jeff Barker, “U.S. Supreme Court tackles Maryland gerrymandering case that’s split Democrats and Republicans,” *Baltimore Sun*, 2019, <<https://www.baltimoresun.com/politics/bs-md-redistricting-hogan-20190326-story.html>> (19 Feb. 2020).
- 179 Robert Barnes, “Supreme Court says federal courts don’t have a role in deciding partisan gerrymandering claims,” *Washington Post*, 2019, <https://www.washingtonpost.com/politics/courts_law/supreme-court-says-federal-courts-dont-have-a-role-in-deciding-partisan-gerrymandering-claims/2019/06/27/2fe82340-93ab-11e9-b58a-a6a9afaa0e3e_story.html> (19 Feb. 2020).