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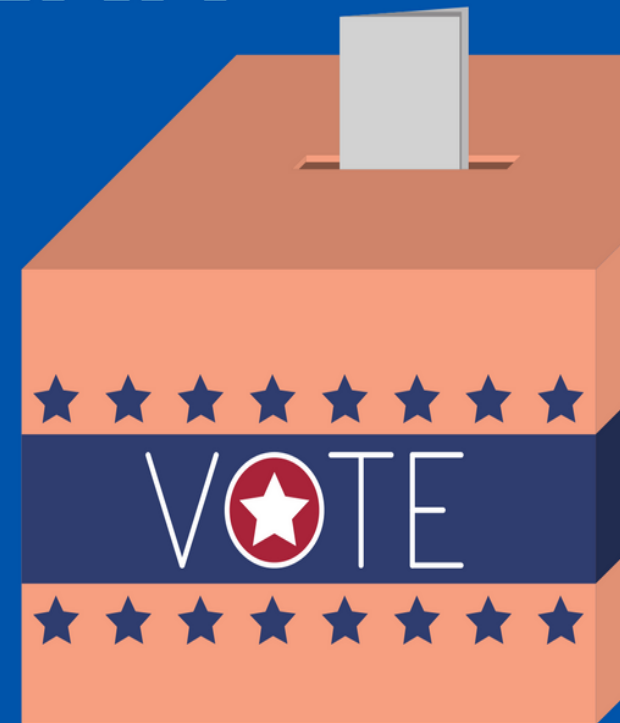
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ADVOCACY VOTING TOOLKIT



Dear Activist:

The ACLU of Mississippi is dedicated to guaranteeing more participation in the democratic process. We are immensely grateful for your support and willingness to advocate for voting rights in our state. We hope that this **voting rights toolkit** will empower you to reach out to your family, friends, colleagues, acquaintances, strangers, and most importantly, your legislators, to raise awareness and promote activism around these issues.

Mississippi has a long and troubled history with regard to voting rights. Shortly after the Civil War and during the Reconstruction Era, a lack of federal government oversight allowed Mississippi and other Southern states to institute Jim Crow laws that effectively took the right to vote away from millions of African Americans. These discriminatory laws lasted from the late 19th century up until the Civil Rights Movement of the 1960s. Minorities trying to exercise their constitutional right to vote were faced with illegal literacy tests, poll taxes, and in many cases, violence. In 1965, the Voting Rights Act forced Southern states to do away with these racially biased voter laws. Within five years, the number of registered black voters in Mississippi rose from 7% to 67%.

However, there is much work to be done to right the wrongs of the past and ensure greater participation in the democratic process. The vestiges of discriminatory voting laws still remain in Mississippi and other Southern states. **Measures such as allowing voters to register online and ensuring the right to vote by early ballot for all voters help legitimize elections by increasing voter turnout.**

This toolkit provides an overview of the issues, fact sheets, sample social media posts, and talking points for you to use in your activism. Importantly, we provide a list of recommended action steps, such as meeting with your legislators, to raise public awareness for passage of no-excuse early voting and first-time online voter registration. Please let us know of any activism you undertake with the help of this toolkit, and ways we may be able to help! Any feedback on this toolkit or activism steps is very helpful. Should you have any questions, do not hesitate to contact us by email at office@aclu-ms.org or by phone at 601-354-3408.

Partners

Special thanks to our partners

ACLU People Power

www.peoplepower.org

Mississippi NAACP

www.naacpms.org

Mississippi Votes

www.msvotes.org

League of Women Voters— Jackson, MS

www.lwv-ms.org/Jackson_League.html

Women for Progress of Mississippi, Inc.

www.womenforprogress.net



References

“Absentee and Early Voting,” National Conference of State Legislatures, 20 March 2017, available at: <http://www.ncsl.org/research/elections-and-campaigns/absentee-and-early-voting.aspx>

Census data, available at: <https://www.census.gov/data/tables/time-series/demo/voting-and-registration/p20-580.html>

“Early Voting: What Works” Brennan Center for Justice, available at: <https://www.brennancenter.org/publication/early-voting-what-works>

“Online Voter Index” National Conference of State Legislatures, available at: <http://www.ncsl.org/research/elections-and-campaigns/electronic-or-online-voter-registration.aspx>

“Restricting the Vote” Brennan Center for Justice, available at: <https://www.brennancenter.org/issues/restricting-vote>

“States Aim to Increase Voter Turnout” National Conference of State Legislatures, available at: http://www.ncsl.org/Documents/legismgt/elect/Canvass_Aug_2014_No_51.pdf

“The Voting Rights Act: A Resource Page” Brennan Center for Justice, available at: <https://www.brennancenter.org/analysis/voting-rights-act-resource-page>



Overview

Voting is the cornerstone of our democracy. The right to vote is mentioned more times than any other right in the U.S. Constitution. Yet, there is no explicit affirmative “right to vote” in either the federal or Mississippi Constitution. Courts and legislatures do not always treat the vote as a fundamental right when deciding cases or passing laws, especially for people most directly impacted. Like other fundamental rights that never disappear, the right to vote should be guaranteed without exception. No person should be denied the fundamental right to vote.

Neither Mississippi nor the United States has yet subscribed to true universal suffrage. Women and African Americans were granted the right to vote long after our democracy was established. Moreover, assuring the right is a reality has been an uphill climb because of measures such as poll taxes and literacy tests, and, more recently, voter ID laws designed to limit rather than open access to the polls.



The Voting Rights Act of 1965 prohibited Mississippi and other states that had previously engaged in discriminatory voting practices from enacting barriers to the ballot box by requiring federal review and approval of all voting law changes. However, in 2013 the Supreme Court struck down key provisions of the Voting Rights Act, including the part that required federal approval for any voting law changes.

In 2013, Mississippi passed a strict ID law that requires voters to present an approved, valid photo ID to vote. Legislators have not been shy about introducing other voter suppression bills. In addition, no meaningful reforms have passed the Mississippi legislature, unlike other states. Mississippi severely limits the ability to vote absentee, requiring an “excuse” in every case, and there is no state constitutional amendment recognizing the right to vote that would make voting more accessible and promote democratic ideals in Mississippi.

1. No-Excuse Early Voting

All voters in Mississippi should have the opportunity to vote early.

Between work, childcare, and other responsibilities, many people are not able to make it to the polls for reasons other than the six approved excuses provided for in the current law. Allowing anyone who wants to vote early to be able to do so increases voter participation and creates a more legitimate democratic process.

Currently in Mississippi, we have *absentee voting*. Absentee voting is a mechanism that allows voters to vote prior to Election Day by filling out an application, getting it notarized, and voting on an absentee ballot in-person at their local circuit clerk's office or by mail.

To vote by absentee ballot in Mississippi, you must apply and give the government an approved "excuse" for not going to the polls on Election Day. Mississippi has approved 6 excuses that allow voters to qualify to vote by absentee ballot in state and local elections. These are:

1. The voter will be outside of his or her home county on Election Day.
2. The voter is a "student, teacher or administrator at a school whose studies or employment there necessitates absence from the voter's home county on Election Day (spouses and dependents of such voters are also eligible to vote absentee).
3. The voter is disabled and therefore unable to vote in person.
4. The voter is the parent, spouse or dependent of a disabled person "who is hospitalized outside of [his or her] county of residence or more than 50 miles away" and will be with the disabled person on Election Day.
5. The voter is 65 years old or older.
6. The voter is required to be at work on Election Day during polling hours.



LETTER

To the Editor



Online Voter Registration

Dear Editor:

Paper-based voter registration is the biggest election administration problem in Mississippi. Not only is it an outdated system, but it is wasteful and inefficient. Implementing online voter registration in Mississippi saves taxpayer dollars, increases the accuracy of voter rolls, reduces clerical errors, and provides a convenient option for Mississippians who wish to register or update their information.

Allowing online registration for voters will also help circuit clerk's offices manage their time more efficiently. As it stands, potential voters must fill out registration application forms by hand, mail or hand deliver them to their county circuit clerk's office. Then a worker in the circuit clerk's office must input that information into the registration system.

The Secretary of State's "Y'all Vote" website is already capable of updating voter registration and could be easily modified to register voters. This will make it easier for disabled persons and others to register to vote. It's time we modernize our voting system with online voter registration. It's time we let people vote.





No-Excuse Early Voting

Dear Editor:

With complicated and confusing rules on absentee voting, Mississippi continues to lag other states in promoting more open and accessible elections. Thirty-seven states permit voters to vote early or by early ballot without having to provide an approved excuse, and it has had great success.

No-excuse early voting has led to greater participation in elections, relieved long lines at the polls on Election Day, and accommodated our modern-day, busy schedules that require flexibility. It also relieves the stress on poll workers on Election Day and makes it less likely that mistakes will occur. Our voting system should be set up so that every eligible citizen has a fair chance to vote, including busy working parents, rural voters, frequent movers, and other Mississippians who face similar challenges. Flexibility to vote early helps to ensure that people can exercise the fundamental right to vote.

In short, no-excuse early voting makes democracy more accessible for everyone to participate. It's time for legislators to pass legislation that allows all voters to participate in our democracy equally.

If you do not give an approved excuse, your absentee ballot will be rejected. Further, it is a felony offense to lie when providing an excuse.

One of the problems with this excuse-based system is that it elevates some classes of voters over others, which inherently is unfair. Only 13 states, including Mississippi, still require voters to provide an approved excuse to vote before Election Day. Mississippi's excuse-based absentee law does not work. Every voter should have equal access to the ballot box without having to provide an excuse.

No-excuse early voting should be universally available to all Mississippi voters. No-excuse early voting is not a novel, untested concept. Voting by early ballot has been successful nationwide. Thirty-seven (37) other states and the District of Columbia offer early voting without anyone having to provide an excuse.

No-excuse early voting makes sense in modern-day society and recognizes the constraints of our busy lives. For example, voters who are responsible for childcare can utilize early voting to alleviate the hassle of waiting in long lines on Election Day. Many states, including Mississippi, do not guarantee employees time off to vote on Election Day and many people cannot afford to take unpaid leave. No-excuse early voting allows employees with inflexible shifts to vote at their convenience. Some voters must juggle multiple jobs. No-excuse early voting allows all voters in our democracy to exercise their fundamental right to vote in a more accessible and convenient method. No-excuse early voting also benefits voters that might have a difficult time getting to a polling station in their county for Election Day, like students, elderly voters, and rural voters.



FACT SHEET: No-Excuse Early Voting

The Problem: Mississippi's excuse-based absentee voting law does not allow participation of all voters. All voters should be given the opportunity to participate in the democratic process.

The Solution: Pass legislation that allows two weeks of no-excuse early voting for all elections.

No-excuse early voting allows voters the flexibility to fit voting into busy schedules filled with work, childcare, and errands. Many voters have busy schedules that do not allow for time to vote on Election Day, and those voters still do not qualify to vote under Mississippi's excuse-based absentee voting law. Election Day is not a state or federal holiday. Mississippi law does not require employers to give employees time off to go vote.

No-excuse early voting relieves congestion and long lines on Election Day at polling precincts. Precincts often experience long lines on Election Day, sometimes resulting in voters waiting hours to cast their ballots. No-excuse early voting would allow more voters to vote early at their circuit clerk's office, which is already required to be open full-time in the weeks ahead of an election.

No-excuse early voting makes the administration of elections easier for officials, staff, and volunteers. Allowing anyone to vote by early ballot relieves the stress of workers on Election Day and reduces the chance of mistakes. It also eliminates the need to process and maintain the paperwork required for excuses and for filling out absentee ballots.

No-excuse early voting makes elections more accessible and improves voter participation and retention. No-excuse early voting is another way people in our democracy can fairly participate. No-excuse early voting is a common-sense reform that makes our democracy more accessible.



Sample Social Media Posts

Online Voter Registration



For Twitter:

- Online registration should be available for all Mississippi voters. #letpeoplevote
- More registered voters means more voter turnout and a more legitimate democratic process. Mississippi needs online voter registration. #letpeoplevote
- We have online registration in MS to change and update voter information. Why not for 1st time voters? #letpeoplevote
- MS needs more young people voting. We need online voter registration for everyone. #letpeoplevote
- Online voter registration helps MS leap into the 21st century. #letpeoplevote



For Facebook:

- Mississippi allows people to update or change voter registration online. Shouldn't we have this option for first-time voters to register online?
- Mississippi has one of the lowest percentages of young people registered to vote. Let's make the process easier by allowing first time voters to register online.
- Young adults do everything online. Why not allow them to register to vote online, too?
- Online registration reduces the number of errors in voter registration. Let's allow anyone who wants to register to vote have the option of filling out the application online.
- It is easier to open a Facebook account than to register to vote in Mississippi. We need online voter registration now.

Sample Social Media Posts

No-Excuse Early Voting



For Twitter:

- No MS voter should be denied the right to vote early because they don't have a government "approved excuse." #letpeoplevote
- No-excuse early voting is a common-sense reform for #MS that makes our democracy more fair and accessible for all #voters. #letpeoplevote
- No excuse early voting allows flexibility to fit voting into busy modern schedules filled with work, childcare, & errands. #letpeoplevote



For Facebook:

- Voting in Mississippi should be equally and uniformly accessible to every voter.
- No-excuse early voting allows all voters in our democracy to exercise their fundamental right to vote in a more accessible and convenient method. No Mississippi voter should be denied the right to vote because they don't have a government "approved" excuse.
- No-excuse early voting makes sense in modern-day society and recognizes the constraints of our busy lives. It makes our democracy more accessible and fair to all voters.
- No-excuse early voting allows employees with inflexible shifts to vote at their convenience and alleviates the hassle of waiting in long lines on Election Day for voters who are responsible for childcare.

EARLY VOTING IN MISSISSIPPI AND WHY WE NEED IT



WHAT IS EARLY VOTING?

No-excuse early voting allows for two weeks of early voting BEFORE Election Day in Mississippi.

Early voting is NOT THE SAME AS ABSENTEE VOTING, which requires an application process and a valid excuse for voting before Election Day.

BENEFITS

- Reduces Stress on the Voting System on Election Day
- Shorter Lines on Election Day
- Improved Poll Worker Performance
- Prevention and Correction of Errors
- Greater Access to Voting and Increased Voter Satisfaction

ABSENTEE VOTING

VS.

NO-EXCUSE EARLY VOTING

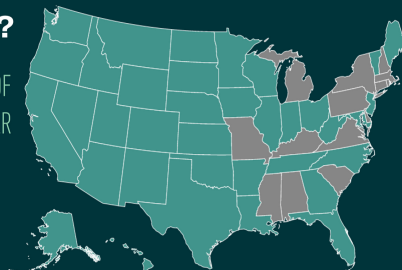
Requires Valid Excuse	No Excuse Needed
Length of Time To Vote Varies From County To County	Can Vote Two Weeks In Advance
Requires An Application Process & Documents Must Be Notarized	No Application or Notarized Documents Necessary. Voters Simply Show Up To Vote.
Ballots Cannot Be Corrected & Will Not Be Counted	Ballots Can Be Corrected & Counted
Available to a Limited Number of People With a Valid Excuse	Available to Everyone

WHO HAS EARLY VOTING?

37

STATES AND THE DISTRICT OF COLUMBIA CURRENTLY OFFER EARLY VOTING.

ACLU
Mississippi



Source: National Conference of State Legislators

LETPEOPLEVOTE

2. Online Voter Registration

Mississippi does not have online registration. Under the current system, potential voters are required to complete a paper registration form and either mail it in or take it to the circuit clerk's office directly. This process creates a greater possibility for errors – either when the individual is filling in the forms or when a worker is inputting the data from the form—than a process that allows the applicant to input the information directly.

Online voter registration helps ease the burden on election officials. Applicants entering their own data would increase efficiency and decrease costs in the circuit clerk's office. As it stands, circuit clerk employees lose valuable time inputting the information of registration applications.

An online mechanism already exists for previously registered voters via the Secretary of State's office. The system for online registration already exists in the form of the Y'all Vote website set up by the Secretary of State's office. This website allows current voters to update their information online. Since there is already a website in place for voters to change their registration, expanding the system to include online voter registration would be cost effective.

Online voter registration would lead to more registered voters. The ease of registering to vote online would encourage many voters to do so, particularly young voters. According to 2016 Census data, 78% of Mississippians are registered to vote, but only 55% of those 18 to 24 are registered. Allowing first-time voters to register online would likely increase voter participation, particularly for younger voters.

Online voter registration is cost effective. Studies have shown that states experience a significant reduction in costs after implementing online voter registration. When Arizona implemented online voter registration, its registration costs dropped from 83 cents per paper registration to 3 cents per online registration (Source: National Conference of State Legislatures). Most states recoup the implementation costs of an online registration system within the first two years.

LET PEOPLE VOTE

FAQs: Online Voter Registration

Who is currently allowed to register online to vote in Mississippi?

No one in Mississippi is allowed to register online to vote. Those registering for the first time must fill out a paper registration form and turn it into their circuit clerk's office. Through the Secretary of State's Y'all Vote website, individuals who are changing or updating their registration may do so online.

Why is online voter registration important?

The more people who vote in an election, the greater legitimacy that election has. We work toward getting as many people as possible to participate in the democratic process. Allowing online voter registration turns a process that could take several days into a matter of minutes.

What are the benefits of online voter registration?

Online registration cuts down on clerical errors and saves circuit clerk's offices time and resources by having voter applicants input their own personal data. Making the voter registration process easier will also help to register new voters, particularly in the 18-29 age group.

VOTER REGISTRATION FOR THE 21ST CENTURY

MODERNIZING MISSISSIPPI WITH ONLINE VOTER REGISTRATION



THE PROBLEM

- ✗ Paper-based voter registration is the biggest election administration problem in Mississippi.
- ✗ Paper-based voter registration is an outdated system that is wasteful and inefficient.
- ✗ Mississippi does not permit online voter registration.



THE SOLUTION

- ✓ Online voter registration increases access, expands the electorate, and significantly reduces the risk for registration errors.
- ✓ Online voter registration provides convenience for voters, increases the accuracy of voter rolls, and saves taxpayer dollars.
- ✓ Online voter registration prevents barriers to the ballot box and creates new safeguards.

STATS TO KNOW

An online voter registration system can result in significant savings at all levels of government. Tennessee has seen a 30% cost decrease. [SOURCE: HTTP://THINKTENNESSEE.ORG](http://thinktennessee.org)

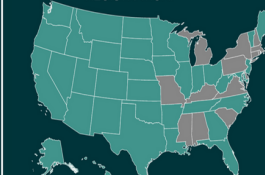
23%

OF MISSISSIPPIANS AGES 18-29 ARE NOT REGISTERED TO VOTE, ACCOUNTING FOR NEARLY 113,000 ELIGIBLE VOTERS.

SOURCE: U.S. CENSUS BUREAU, CURRENT POPULATION SURVEY, VOTING AND REGISTRATION SUPPLEMENT

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STATES PLUS THE DISTRICT OF COLUMBIA CURRENTLY OR WILL SOON OFFER ONLINE VOTER REGISTRATION.



SOURCE: [HTTPS://WWW.BRENNANCENTER.ORG/ANALYSES/MISSISSIPPI-STATES-ONLINE-REGISTRATION](https://www.brennancenter.org/analyses/mississippi-states-online-registration)

ACLU
Mississippi

FAQs: No-Excuse Early Voting

What is early voting?

Early voting is a method of voting that allows all qualified electors to cast a ballot prior to Election Day. The range for early voting varies, from just a few days before an election in Oklahoma to up to six weeks before an election in Minnesota. Early voting typically ends the day before Election Day.

Can anyone currently vote before Election Day in Mississippi?

Yes, but an approved excuse is required. In Mississippi, a qualified, registered voter must apply for an absentee ballot and provide an approved excuse. Mississippi has six approved excuses. The voter must provide an approved excuse and sign the application under penalty of felony punishment if they willingly provide false information. For a list of acceptable excuses, see page 4 of this voting toolkit.

What is wrong with the excuse-based absentee voting law?

Mississippi's absentee voting law only allows some voters to cast an absentee ballot if they have one of six approved excuses. This gives special rights to some voters not afforded. Many voters have difficulty or are prevented from voting on Election Day, but do not qualify to vote by absentee ballot. In our democracy, elections should be accessible for everyone to participate.

The absentee process requires an application process that must be notarized before those ballots can be accepted. Some voters may not have access to a notary. Mississippians should be afforded the opportunity to vote when it is most convenient for them.

What are the benefits of no-excuse early voting?

No-excuse early voting allows more voters to participate in our democracy by making elections more accessible and flexible to accommodate our busy lives and schedules. No-excuse absentee voting reduces congestion and long lines at the polls on Election Day, and in turn, relieves the stress on election workers. No-excuse absentee voting equalizes the playing field for all voters to exercise their constitutional right to vote. It also saves taxpayer dollars by eliminating the need to process and maintain paperwork related to the excuses voters must give.

FACT SHEET: Online Voter Registration

The Problem: Mississippi has no online registration for first-time voters. In addition, paper-based voter registration is the biggest election administration problem in Mississippi. The current system relies on forms with illegible and/or incomplete information. These kinds of registration issues contribute to more problems on Election Day because poll workers waste time searching for names in poll books that may have been left off or misspelled. In addition, voters, with registration problems often must case affidavit ballots, which takes more time and forces poll workers to divert their attention away from assisting other voters.

The Solution: Expand the existing online voter update website (Secretary of State's Y'all Vote) to accept online voter registration.

Online voter registration will reduce voter registration errors.

Something as simple as bad handwriting can cause delays for a circuit clerk's office while an employee tries to contact the person who filled out the registration form. Even if the circuit clerk can read the applicant's writing, they may still make a clerical input error.

Allowing potential voters to register online would lead to more voter registrations and higher election turnout. Both California and Hawaii saw their voter turnout rise after instituting online voter registration (Source: National Conference of State Legislatures). Having a greater number of Mississippians registered likely means that more people will vote on Election Day. The more people that vote in an election, the greater the legitimacy of that election.

We should be making it easier for people to participate in the democratic process. Only people who register to vote can vote. To increase voter participation, we should make it as easy as possible to register to vote. Allowing online voter registration will allow a voter to register in a matter of minutes.





A Step-by-Step Guide to Take Action

No-Excuse Absentee Voting and Online Registration

1. **Join our campaign at LetPeopleVote.org** to protect and promote voting rights in Mississippi.
2. **Meet with your state legislator** and ask them to actively support these voting reforms.
3. **Urge local officials, particularly county circuit clerks and election commissioners, to release public statements in support of these key voting reforms.** Some circuit clerks have opposed no-excuse early voting on grounds of increased workloads. Help them see that eliminating excuses will reduce the paperwork burden and save time and money.
4. **Meet with elected officials and their staff, gather and deliver petition signatures, speak out at public meetings and town halls, organize protests, make phone calls, and send letters to legislators.** It's very important that state elected officials, particularly those that serve on the House Apportionment and Elections Committee and on the Senate Elections Committee, hear from you. Gather petition signatures in high-traffic public locations and at local events like farmers' markets, as well as canvass for these signatures by going door-to-door in your neighborhood, discussing the importance of early voting and online registration with members in your community.
5. **Write a letter to the editor of your local newspaper to raise public awareness** about how these voting reforms expand access for all Mississippians.



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