

Welcome to
*Judaism &
Current
Events*

Voter Suppression
And how to combat it

October 6, 2020

Moderated by Marcy Hotz

A Prayer for Peace in Times of Trouble

Lord, give us peace that we may shine brightly in a dark world. Grant us the courage to live faithfully to our highest values even in the midst of hard times. Let our faith in each other be the beginning of wisdom and compassion rather than allowing fear to drive our actions.

Help us to live strongly in the midst of a world that needs to know peace. We pray for our brothers and sisters and LGBTQI siblings of the world, for we are of one family.

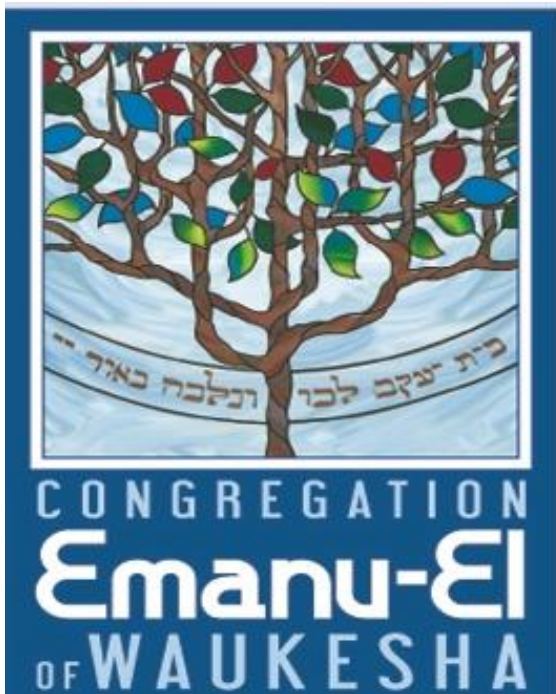
Show us mercy and heal those who are suffering in times of trouble and plague. Most of all, inspire us to restore the world and make all things new.

Amen.

Guidelines

- ▶ This is a discussion, not a debate.
- ▶ Everyone is encouraged to participate.
- ▶ No one or two individuals should dominate a discussion.
- ▶ Raise your hand to signify your wish to speak.
- ▶ Please fact-check your sources.
- ▶ Listen to and respect other points of view.
- ▶ Do your best to understand the pros and cons of every opinion
- ▶ Seek first to understand, not to be understood.
- ▶ Be thoughtful. Be kind.
- ▶ Try to phrase your comments and examples in a non-partisan way.
- ▶ Please mute yourself if there is background noise in your area.

CEEW Wishes You to Note:



- ▶ By consensus, the board recognizes that a group of members decided to hold their own forum on Judaism & Current Events.
- ▶ Views expressed during conversations may not necessarily be those of CEEW.

Upcoming Discussions

- ▶ 10/13 – Learning from Disaster (Prof. Dan Haumschild, former Education Director of Holocaust Education Resource Center)
- ▶ 10/20 – Erasing History? Monuments, Statues, Bridges and Building Names (Pati Allen Brickman)
- ▶ 10/27 – Electoral College – What Is and Why Is It So Important? (Marcy Hotz)
- ▶ 11/3 – COVID Etiquette – Be Kind, Be Safe (Patti Allen Brickman)
- ▶ 11/10 - ?
- ▶ 11/17 – Open Forum – Looking Into the Future

URJ Resolution on Free and Accessible Elections (Adopted in 2020)

- ▶ The right to vote is fundamental to democracy. Yet in the past two decades, Americans' access to the ballot box has been curtailed through reduced polling sites, reduced early voting hours, onerous voter ID laws, and other means... The COVID-19 pandemic has created added challenges to voting,.. Nonetheless, **full and free elections can and must be conducted on schedule to ensure the health and well-being of our democracy...**
- ▶ The **2001 URJ resolution on Election Reform called on federal, state, and local governments to vigorously enforce voting rights laws** and to ensure that all Americans have a free, unfettered opportunity to cast their ballot and have it counted. Those principles remain essential today. To that end, a range of registration and ballot casting options must be available to voters...

URJ Resolution on Free and Accessible Elections (Adopted in 2020)

- ▶ **Voting days, hours and locations should be expanded... No-excuse absentee ballots and vote-by-mail options should be universal ...The practice of voter purges ...must end... the federal government should consider making election day a federal holiday....**
- ▶ ...access to the ballot box remains at risk for traditionally disenfranchised groups, such as the elderly, people of color, people with disabilities, students, formerly incarcerated individuals, and others. In the spirit of our forebears who struggled to enact and fulfill the vision of the Voting Rights Act, **we remain committed to protecting the right to vote for members of these vulnerable populations.**

Therefore, the Union for Reform Judaism:

1. Affirms our commitment to supporting a healthy democracy through elections that are safe, fair, and accessible. **Calls on states to:**
 - ▶ **Expand access to the ballot box** including but not limited to universal vote-by-mail, no-excuse absentee ballots, early voting, and new technologies and strategies that maintain the integrity of elections;
 - ▶ **End laws and policies that limit access to the ballot** such as voter purges that wrongly remove eligible voters from the voting rolls, strict ID requirements, onerous absentee ballot requirements such as witness signatures and/or notarization, and closing polling locations particularly in communities of color;
 - ▶ **Expand voter registration including online**, same day, and preregistration for 16 or 17-year-olds; and
 - ▶ **Ensure polling locations are safe for poll workers and voters**, including providing personal protective equipment (PPE) and cleaning supplies as necessary.

2. Urges Congress to:

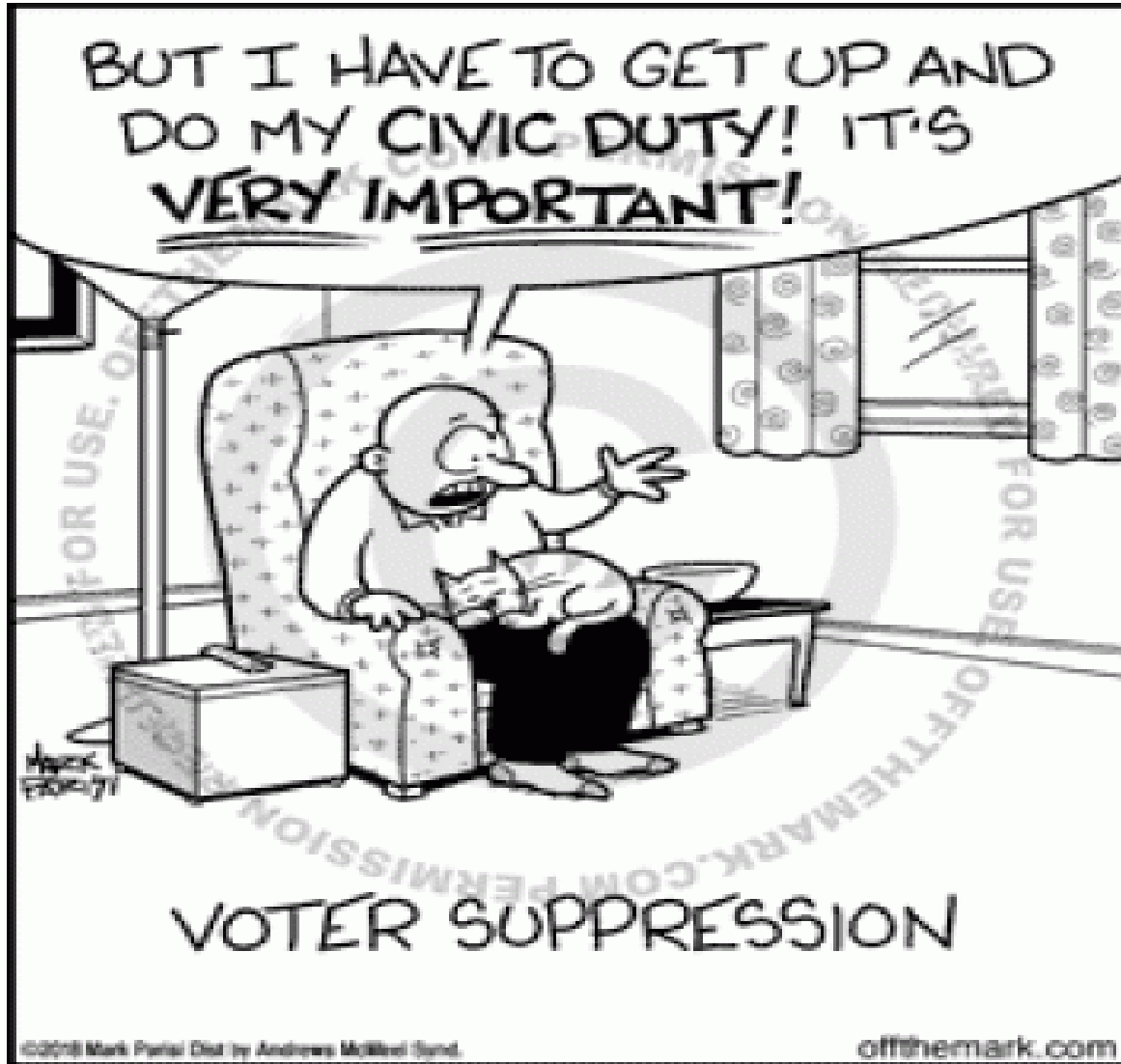
- ▶ **Provide states with adequate funding** to prepare for the 2020 primary and November elections and future elections, to ensure access to the ballot is equitable;
- ▶ **Enact legislation preventing states from simultaneously requiring voters to stay at home and denying them the right to file absentee ballots; and**
- ▶ **Pass legislation that ensures the integrity of the Voting Rights Act**, to better protect the right to vote for historically disenfranchised voters.

3. Calls on URJ congregations to:

- ▶ **Participate in the Reform Movement's Civic Engagement Campaign** led by the Religious Action Center;
- ▶ **Encourage 100% voting among congregants;**
- ▶ **Support nonpartisan voter education and registration;**
- ▶ **Work with interfaith and community partners to promote election integrity;**
- ▶ **Support initiatives to educate voters** about the new ways to cast their ballot; and
- ▶ **Advocate for states to implement measures to ensure the integrity of the electoral process.**

<https://urj.org/what-we-believe/resolutions/urj-resolution-free-and-accessible-elections>

What is Voter Suppression?



What is Voter Suppression?

- ▶ Voter suppression is a strategy used to influence the outcome of an election by discouraging or preventing specific groups of people from voting.
- ▶ The tactics of voter suppression range from minor changes to make voting less convenient, to physically intimidating and even physically attacking prospective voters, which is illegal.
- ▶ Voter suppression can be effective if a significant number of voters are intimidated or disenfranchised.

Voting Rights: A Short History

“The struggle for equal voting rights dates to the earliest days of U.S. history. Now, after a period of bipartisan efforts to expand enfranchisement, Americans once again face new obstacles to voting.”

Carnegie Corporation of New York, November 18, 2019

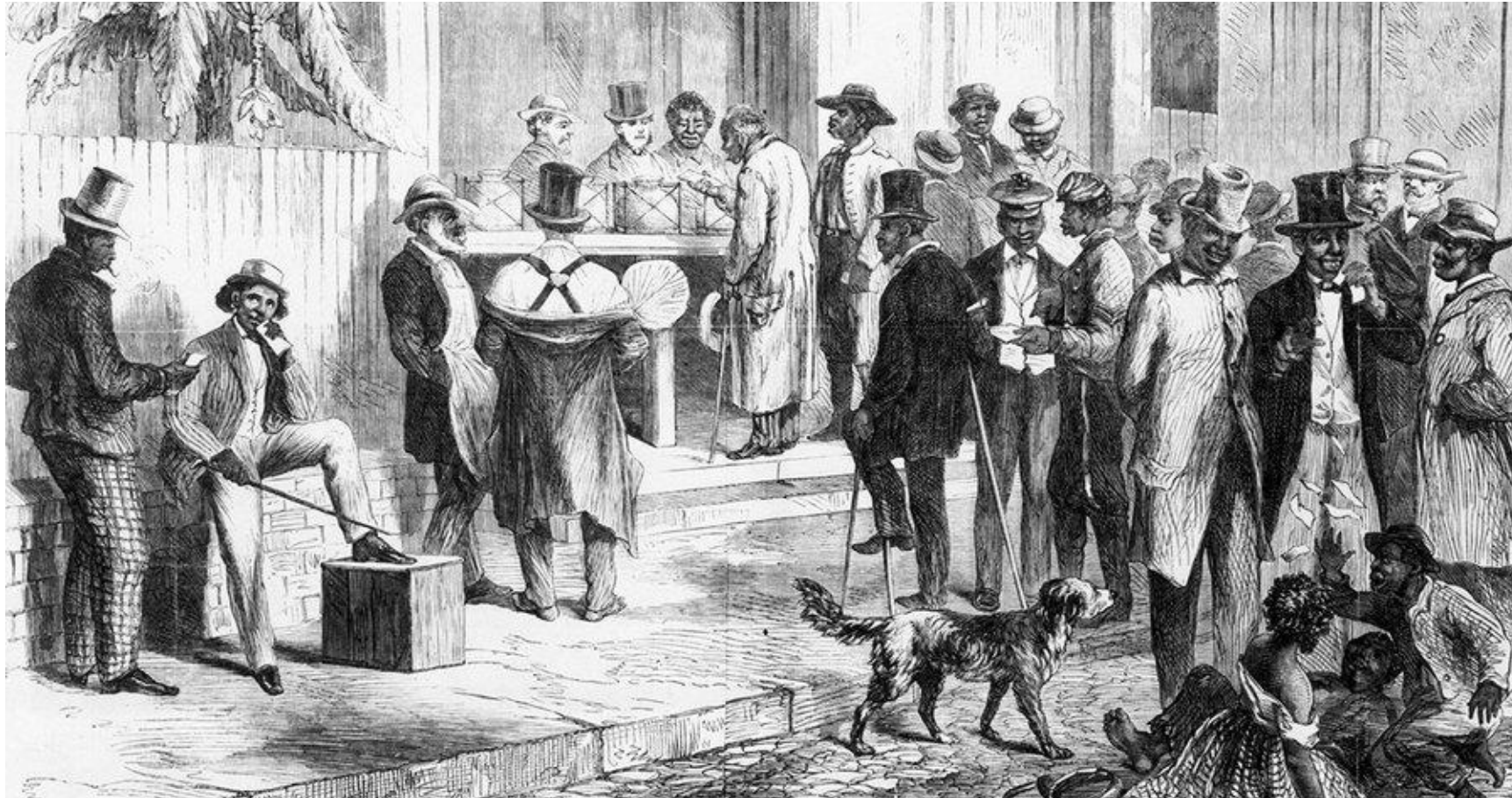
1700s: Voting generally limited to white male property holders



History of Voter Suppression

- ▶ Initially voting in the US was limited to white male landowners. (US Constitution)
- ▶ After the Civil War, the 15th Amendment, ratified in 1870, prohibited states from denying a **male citizen** the right to vote based on “race, color or previous condition of servitude.” Nevertheless, **in the ensuing decades**, various discriminatory practices were used to prevent African Americans, particularly those in the South, from exercising their right to vote.
- ▶ Over time, **voting rights** became a bipartisan priority as people worked at all levels to enact constitutional amendments and laws expanding access to the vote based on race and ethnicity, gender, disability, age and other factors.

1800s: Official barriers to voting start to recede

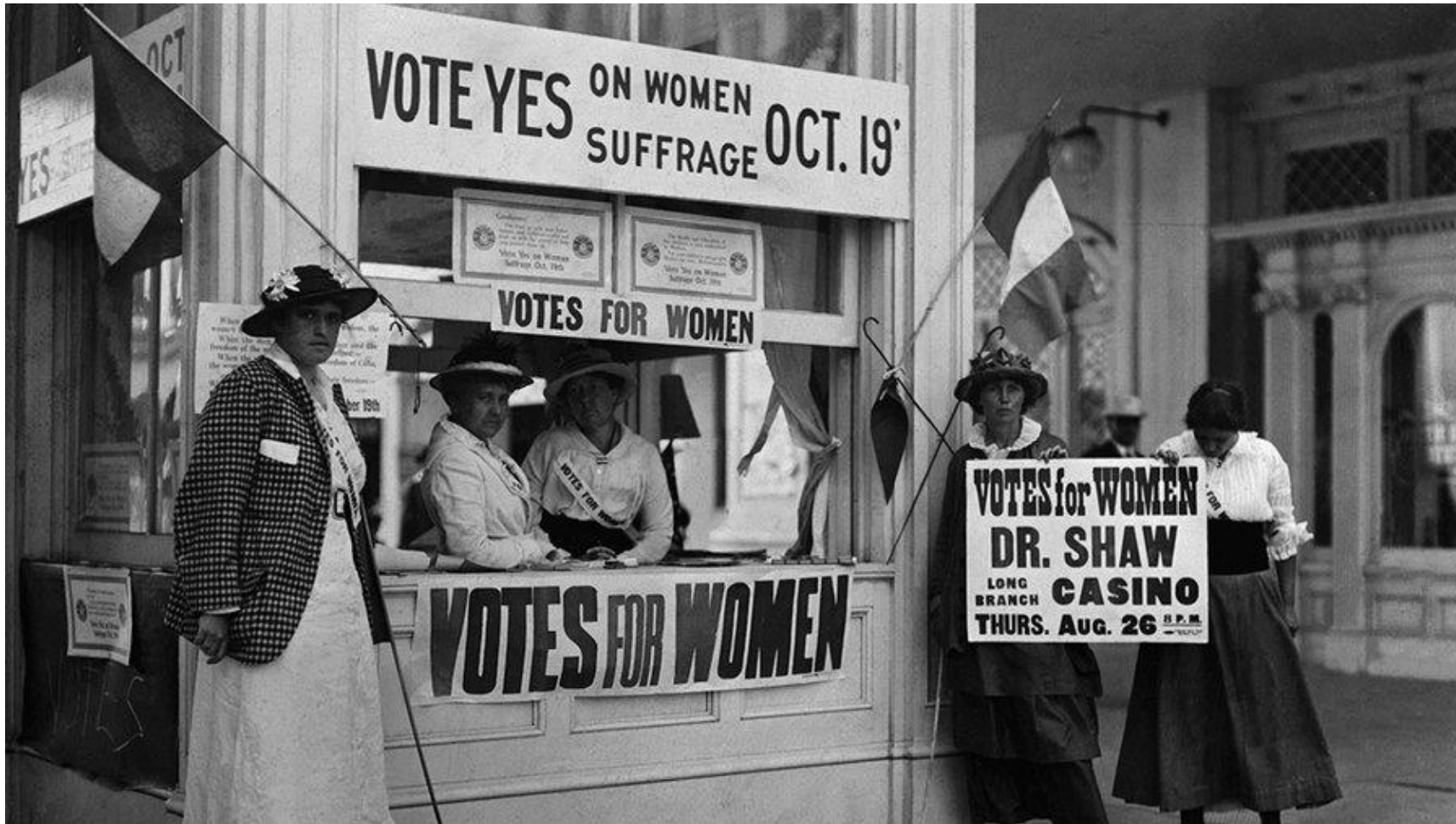


Definition: Suffrage

The right to vote in political elections.

Women's Suffrage: Giving women (of any race or color) the right to vote.

1920: Women win the vote



Voter Suppression in the early 1900s

- ▶ During the later 19th and early 20th centuries, Southern states passed Jim Crow laws to suppress poor and racial minority voters - such laws included poll taxes, literacy tests, and grandfather clauses. The Jim Crow laws were enforced until 1965.
- ▶ Black people attempting to vote often were told by election officials that they had gotten **the date, time or polling place wrong**, that they possessed insufficient **literacy skills** or that they had **filled out an application incorrectly**.
- ▶ Voting officials, primarily in Southern states, had been known to force Black voters to **recite the entire Constitution** or explain the most complex provisions of state laws, a task most white voters would have been hard-pressed to accomplish. In some cases, even Black people with college degrees were turned away from the polls.
- ▶ A “**jelly bean**” test was given where voters had to guess the number of jelly beans in a jar. White voters got it right, black voters got it wrong.

Voter Suppression in 1965

- ▶ One event that outraged many Americans occurred on March 7, 1965, when peaceful participants in a Selma to Montgomery march for voting rights were met by Alabama state troopers who attacked them with nightsticks, tear gas and whips after they refused to turn back. This happened on the Edmund Pettis Bridge. The incident was captured on national television. (Led by Hosea Williams, one of Rev. Martin Luther King's SCLC lieutenants, and John Lewis)
- ▶ Most of these voter suppression tactics were made illegal after the enactment of the Voting Rights Act of 1965. (Signed into law by Pres. Lyndon Baines Johnson)

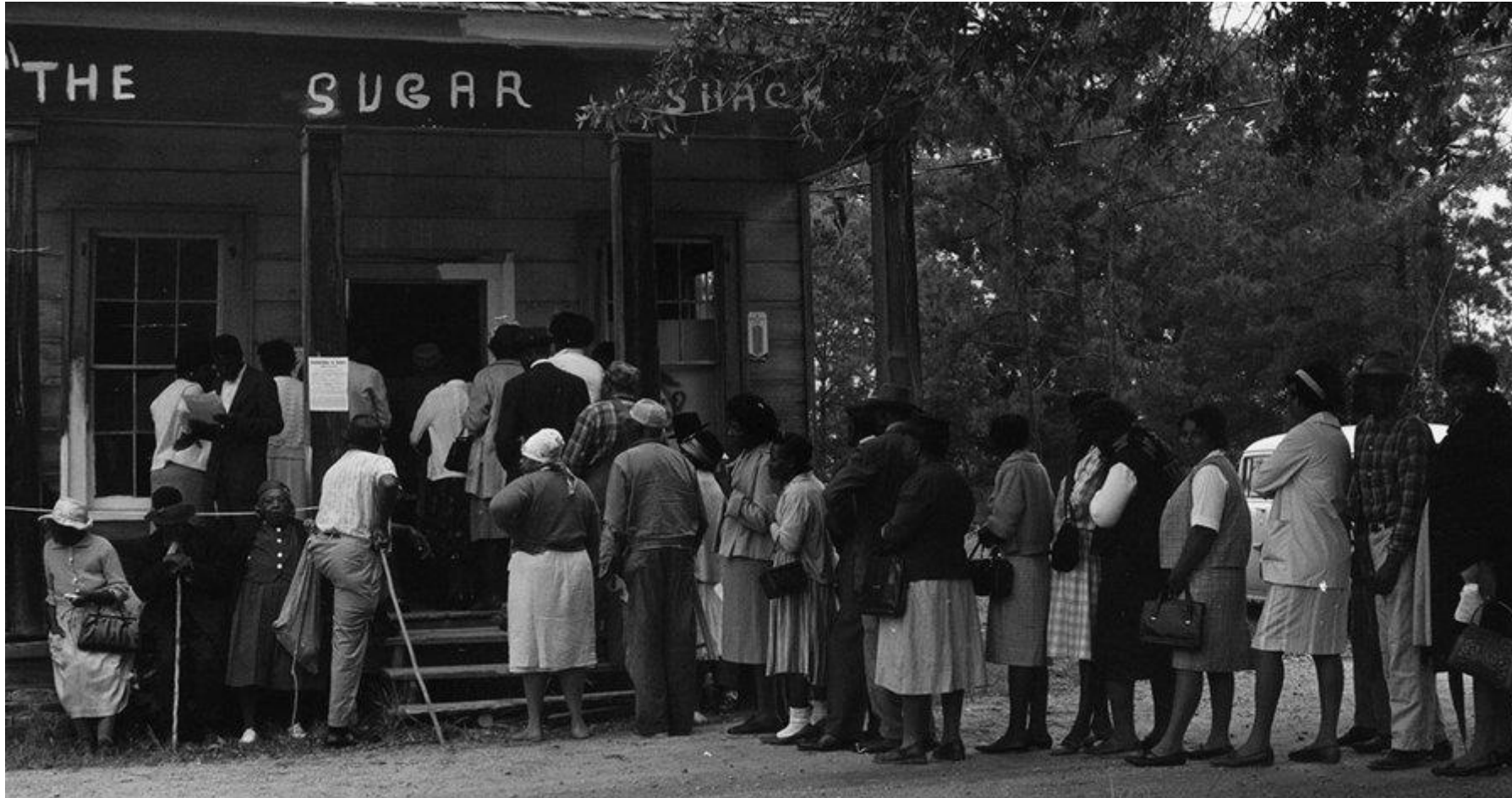
1960s: Southern states ramp up barriers to voting



The Voting Rights Act of 1965

- ▶ The voting rights bill was passed in the U.S. Senate by a 77-19 vote on May 26, 1965. After debating the bill for more than a month, the U.S. House of Representatives passed the bill by a vote of 333-85 on July 9.
- ▶ The Voting Rights Act, signed into law by President Lyndon B. Johnson, aimed to overcome legal barriers at the state and local levels that prevented African Americans from exercising their right to vote as guaranteed under the 15th Amendment to the U.S. Constitution. The Voting Rights Act is considered one of the most far-reaching pieces of civil rights legislation in US history.
- ▶ The Act banned the use of literacy tests, provided for federal oversight of voter registration in certain areas, and authorized the U.S. attorney general to investigate the use of poll taxes in state and local elections.

1965: The Voting Rights Act passes Congress



Voter Suppression in the 21st Century

- ▶ In 2013, discriminatory voter ID laws arose following the Supreme Court's decision to strike down Section 4 of the Voting Rights Act, which some argue amount to voter suppression among African-Americans.
- ▶ North Carolina's governor signed a **voter identification law** seen by many as an attempt to suppress the votes of people of color. The North Carolina law was just one of many similar laws passed in the wake of the Supreme Court's June 2013 ruling. Texas officials acted on the same day to institute a strict voter ID law that previously had been blocked by the Voting Rights Act because it suppressed the vote of low-income people and racial minorities. Officials in Alabama, Mississippi, Florida and Virginia shortly joined the ranks of those intent on exercising their newly-won power to turn back the clock to an earlier time when election laws and practices in many places were marked by blatant discrimination and racism.

August 2013: States ramp up barriers to voting



Voter Fraud?

- ▶ After President Trump was elected he and his supporters made claims that 3 million people voted illegally. A Presidential Commission on Election Integrity was created to look into these claims.
- ▶ Court filings show that the commission found no evidence of voter fraud.
- ▶ A Washington Post analysis was able to find only four documented cases of voter fraud in the 2016 election out of 135 million ballots cast.

2016: Presidential election and claims of fraud



Presidential Commission on Election Integrity

US Census & Gerrymandering

- ▶ In the same way that partisan interests and those in power have used voting rights laws and policies to suppress the vote, they also have attempted to use the U.S. Census and the subsequent congressional redistricting process to effect voter suppression.
- ▶ The US census is used to redefine district boundaries in states. In that way, **gerrymandering boundaries** can suppress the votes of particular racial groups. (See our presentation from August 4th on Gerrymandering. The presentation is available on our J&CE Facebook page, as well as on the CEEW website.
- ▶ **Questions asked in the Census also may suppress people from voting.** The current administration, for example, fought unsuccessfully for two years to add a question to the 2020 census asking if someone is a citizen of the United States. It was eventually struck down. This contributes to intimidation and may discourage Latinos from voting.

2019: Voting rights groups prepare for the 2020 Census and gerrymandering



Felons lose their voting rights

- ▶ It has been common practice in the United States to make felons ineligible to vote, in some cases permanently. Over the last few decades, the general trend has been toward reinstating the right to vote at some point, although this is a state-by-state policy choice.
- In Maine and Vermont, felons never lose their right to vote, even while they are incarcerated.
- In 16 states and the District of Columbia, felons lose their voting rights only while incarcerated, and receive automatic restoration upon release.
- In 21 states, felons lose their voting rights during incarceration, and for a period of time after, typically while on parole and/or probation. Voting rights are automatically restored after this time period. Former felons may also have to pay any outstanding fines, fees or restitution before their rights are restored as well.
- In 11 states felons lose their voting rights indefinitely for some crimes, or require a governor's pardon in order for voting rights to be restored, face an additional waiting period after completion of sentence (including parole and probation) or require additional action before voting rights can be restored. These states are listed in the fourth category on Table 1. Details on these states are found in [Table 2](#) below.

Voter suppression in Wisconsin

- ▶ In Wisconsin in 2016, a federal judge found that the state's restrictive voter ID law led to "real incidents of disenfranchisement, which undermine rather than enhance confidence in elections, particularly in minority communities," and, given that there was no evidence of widespread voter impersonation in Wisconsin, found that the law was "a cure worse than the disease."
- ▶ In addition to imposing strict voter ID requirements, the law cut back on early voting, required people to live in a ward for at least 28 days before voting, and prohibited emailing absentee ballots to voters.

Voter Suppression in Wisconsin

- ▶ Appeals court limits Wisconsin early voting to 2 weeks before election, stops voters from receiving ballots via email, fax

Patrick Marley

Milwaukee Journal Sentinel

June 28, 2020

MADISON - In a sweeping decision that took more than three years to come out, a panel of federal judges reinstated limits on early voting and a requirement that voters be Wisconsin residents for at least a month before an election.

The three judges also banned most voters from having absentee ballots emailed or faxed to them and told a lower court to continue to tweak the system the state uses to provide voting credentials to those who have the most difficulty getting photo IDs.

The unanimous decision by the 7th Circuit Court of Appeals in Chicago was mostly a setback for groups that challenged Wisconsin's voting laws.

How Wisconsin's election disenfranchised voters

- ▶ State Republicans won a bitter argument with Gov. Tony Evers on whether to postpone the election and further expand absentee ballot access. The state Supreme Court ruled the election would go ahead on April 7 as planned, and a separate US Supreme Court ruling meant no extension for absentee ballots, effectively cutting many voters out of the process.
- ▶ This pileup of last-minute changes meant many voters had to make a choice: risk getting sick while exercising their constitutional right to vote in person or stay home and safe without voting.
- ▶ Only 5 of Milwaukee's 180 polling locations remained open, causing confusion about where to vote, and long lines throughout the day. After the polls closed, the long lines persisted, and some voters were unable to tolerate standing for that long.

Voter Suppression During a global pandemic:


- ▶ Discouraging vote-by-mail, saying it is fraudulent
- ▶ Closing polling places, sometimes due to lack of poll workers causing long lines at fewer locations
- ▶ Creating confusion about where to vote
- ▶ USPS Changes:
 1. Removing mailboxes
 2. Decommissioning high-speed sorting equipment, effectively slowing mail and making the vote-by-mail process ineffective.
 3. Ending overtime for postal workers

Forms of Voter Suppression

How many can you name?

- ▶ Strict voter photo ID laws
- ▶ Closing of DMV's in strict voter ID law states
- ▶ Failure to accept government-issued state university and college student ID's
- ▶ No early voting
- ▶ Harsh requirements/punishments for voter registration groups
- ▶ Failure to timely process voter registrations
- ▶ Cuts to Election Day (Same Day) registration
- ▶ Polling place reductions or consolidations

- ▶ Polling place relocations
- ▶ Inadequate or poorly trained staffing at polls
- ▶ Inadequate number of functioning machines, optical scanners, or electronic polling books
- ▶ Running out of ballots at polling sites
- ▶ No paper ballots
- ▶ Failure to accept Native American tribal IDs.
- ▶ Barring Native American voters through residential address requirements for Native American lands which have PO Boxes
- ▶ Failure to place polling sites on Native American lands

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- ▶ Lack of available public transportation to polling sites
 - ▶ Excessive Voter purging
 - ▶ Disparate racial treatment at polling sites
 - ▶ Student voting restrictions
 - ▶ Ex-felon disenfranchisement laws
 - ▶ Requiring Payment of Fines or Fees As Condition of Vote Restoration
 - ▶ Failure to Inform Formerly Incarcerated Persons of Their Voting Rights or Eligibility to Vote
 - ▶ Excessive Use of Inactive voter lists
 - ▶ No Notification to Voters Placed on Inactive Lists
 - ▶ Refusal to place polling sites on college campuses
 - ▶ Language discrimination, Lack of language-accessible materials
 - ▶ Failure to accommodate voters with disabilities
 - ▶ No Curbside Voting
 - ▶ Deceptive practices: Flyers, robocalls
 - ▶ Voter intimidation
 - ▶ Impersonating law enforcement personnel or immigration officers
 - ▶ Failure to accommodate voters displaced by natural disasters

- ▶ Police at polling places
- ▶ Racial gerrymandering
- ▶ Creating polling place confusion by splitting precincts/wards
- ▶ Calling for armed “poll watchers” at polling places (voter intimidation)
- ▶ Partisan gerrymandering
- ▶ Barriers for homeless voters to voter registration
- ▶ Voter challengers at polls
- ▶ Voter challenges to voter registration lists
- ▶ Absentee Ballot Short Return Deadlines

- ▶ Exact match requirements for signatures or other information
- ▶ Complicated Absentee Ballot Requirements
- ▶ Proof of Citizenship Laws
- ▶ Failure to pre-register 17 year olds
- ▶ Restrictions on straight-party voting
- ▶ Jailed persons’ preconviction: denied right to register and/or vote
- ▶ DOJ demanding voter records
- ▶ Employers not providing time off or enough time

What Can Be Done to Stop Voter
Suppression?

Your ideas?

What Can Be Done to Stop Voter Suppression?

- ▶ Voting days, hours and locations should be expanded to reduce travel and spread out the arrival of voters.
- ▶ No-excuse absentee ballots and vote-by-mail options should be universal to reduce the requirement that people leave home to cast ballots.
- ▶ The practice of voter purges that ostensibly “clean up” the voter rolls but in effect disenfranchise eligible voters, particularly among communities of color, must end.
- ▶ While elections are the purview of the states, the federal government should consider making election day a federal holiday to further facilitate voting nationwide.

What Can We Do As Citizens to Stop Voter Suppression? Contact our state legislators!

- ▶ Expand access to the ballot box including but not limited to universal vote-by-mail, no-excuse absentee ballots, early voting, and new technologies and strategies that maintain the integrity of elections
- ▶ End laws and policies that limit access to the ballot such as voter purges, strict ID requirements, onerous absentee ballot requirements such as witness signatures or notarization, and closing polling locations particularly in communities of color
- ▶ Expand voter registration including online, same day, and pre-registration for 17-year-olds
- ▶ During the COVID-19 pandemic, ensure polling locations are safe and sanitary for poll workers and voters, including providing personal protective equipment (PPE) and cleaning supplies as necessary.

What Can We Do to Stop Voter Suppression? Contact our Congressional representatives!

Call our Senators and Representatives, tell them to:

- ▶ Provide states with adequate funding to prepare for the 2020 primary and November elections and future elections, to ensure access to the ballot is equitable;
- ▶ Provide funding to the US Postal Service to expand voting by mail
- ▶ Pass legislation that ensures the integrity of the Voting Rights Act to better protect the right to vote for historically disenfranchised voters.
- ▶ Enable vote by mail in all states

What Can We Do to Stop Voter Suppression?

Contact our Congressional representatives!

Call our Senators and Representatives, tell them to:

- ▶ Prevent the US Postal Service (USPS) from removing convenient mailboxes
- ▶ Make the USPS reinstall their high-speed sorting equipment
- ▶ Allow overtime for USPS workers until after the election
- ▶ Make Election Day a national holiday so people don't have to take off work to vote
- ▶ Extend the deadline for counting ballots

What Will YOU Do TODAY?

Senators:

https://www.senate.gov/general/contact_information/senators_cfm.cfm?State=WI

Senate: 2 for all of Wisconsin

- Senator Tammy Baldwin (D)
- Senator Ron Johnson (R)

House of Representatives:

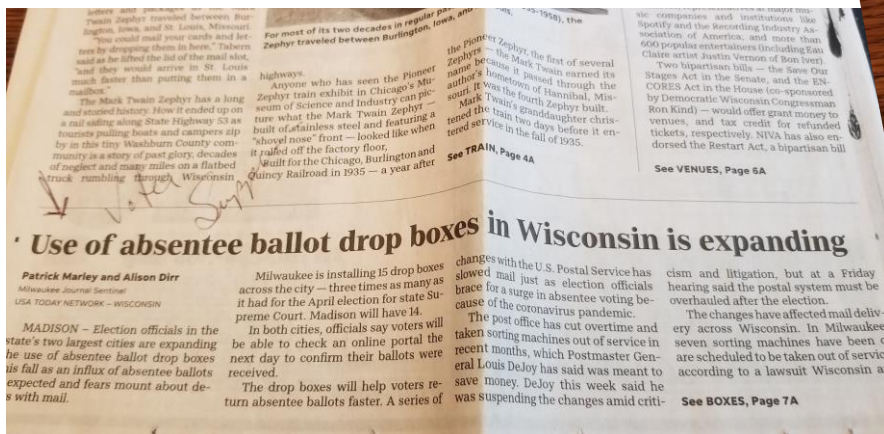
Know what Congressional District (CD) you live in. Wisconsin has 8 CDs. SE Wisconsin generally encompasses

CD-1, currently held by Brian Steil, and
CD-5, where the incumbent is James Sensenbrenner.

Wisconsin State Legislature: <https://legis.wisconsin.gov/>

- State Senate
- State Assembly (Assemblyman/woman)

Watch the News



Watch the News



Possible Future Topics

- ▶ White Privilege
- ▶ Criminal Justice & Prison Reform
- ▶ Militarizing Law Enforcement
- ▶ Antisemitism
- ▶ Human Trafficking (Sandy V)
- ▶ How to Refute a False Argument

References & Further Reading

- ▶ Voting Rights: A Short History: https://www.carnegie.org/topics/topic-articles/voting-rights/voting-rights-timeline/?gclid=Cj0KCQjw7sz6BRDYARIsAPHzrNKkGjCbFXyl2_6vxSqlfk8t-lklwah0-5oYlKcWHMtdTmwK3EE4mwAaAs7EEALw_wcB
- ▶ Voting Rights Act: <https://www.history.com/topics/black-history/voting-rights-act>
- ▶ Section 4 of Voting Rights Act: <https://www.justice.gov/crt/section-4-voting-rights-act#sec4>
- ▶ URJ Resolution on Free and Accessible Elections: <https://urj.org/what-we-believe/resolutions/urj-resolution-free-and-accessible-elections>
- ▶ Postal Service warns 46 states their voters could be disenfranchised by delayed mail-in ballots: https://www.washingtonpost.com/local/md-politics/usps-states-delayed-mail-in-ballots/2020/08/14/64bf3c3c-dcc7-11ea-8051-d5f887d73381_story.html

References & Further Reading

- ▶ Wisconsin's election sends a message about much-needed voting reforms for November: <https://www.vox.com/2020/4/7/21212053/wisconsin-election-coronavirus-disenfranchised-voters>
- ▶ Wisconsin voting laws struck down: <https://www.theatlantic.com/news/archive/2016/08/wisconsin-voting-ruling/493766/>
- ▶ Find your elected officials: <https://www.myvote.wi.gov>
- ▶ Election Day National Holiday - Top 3 Pros and Cons: <https://www.procon.org/headlines/election-day-national-holiday-top-3-pros-and-cons/>
- ▶ 61 Forms of Voter Suppression, The Voting Rights Alliance: <https://www.votingrightsalliance.org/forms-of-voter-suppression>