

NATIONAL LGBTQ TASK FORCE ACTION FUND



LGBTQ Voting Rights

July 13, 2015

Voting Rights are LGBTQ Rights

Voting rights are an important issue for U.S. citizens, including those that are lesbian, gay, bisexual, transgender, and/or queer (LGBTQ). Over the course of U.S. history, the right to vote has been a political battleground. Even with (hard-won) protections in place, new voter suppression tactics continue to emerge that are designed to restrict access to the polls.

Voter suppression laws are always spun as attempts to prevent voter fraud. However, investigations into voter fraud have continually debunked this notion. Extensive research done on voter discrimination shows that poor people, people of color, people with disabilities, people with prior felony convictions, people who are homeless, and people who lack a photo ID that meets specific

requirements are disproportionately affected by discriminatory voting laws, and far more likely to experience barriers to exercising their civic duty.

LGBTQ people come from all racial, ethnic, economic, and social backgrounds. Members of the LGBTQ community are far more likely than the general population to be disabled, or to experience poverty, homelessness, and come into contact with the criminal justice system. Moreover, LGBTQ people, particularly transgender and gender nonconforming people are far more likely to lack valid photo ID due to the patchwork of discriminatory laws that regulate name and gender change.

Voter Suppression Tactics in Use

This summer marks the 50th anniversary of the passage of the Voting Rights Act of 1965, and yet, voter discrimination is frequent and continues to be a problem. Tactics used to discriminate against voters are not limited to one region of the country. The tactics in use come in many forms at the state and local level; many new kinds are evolving alongside long-standing forms of discrimination. A list of commonly employed voter suppression tactics includes:

- Changes to district or municipality boundaries, including redistricting in regions with high proportions of minority voters
- Changes to the composition of the local government, including county commissions
- Changes to voting laws, including the introduction of:
 - Local measures/resolutions adopted to confuse voters about legal requirements; also used to pressure state legislatures to legally adopt the measures
 - Replacement bills, used to reintroduce a series of small components of voting rights laws that were previously rejected as discriminatory
 - State level constitutional amendments to voting rights laws
- Moving, consolidating, or eliminating polling places
- Laws limiting assistance provided at the polls
- Denial of language assistance at the polls and poorly translated ballots
- Polling places that do not comply with Americans with Disabilities Act requirements
- Implementation of mandatory photo ID requirements
- Intensified scrutiny of proof of citizenship required for registration
- Disqualification of registration based on a recent move or residency requirement
- Restrictions on organizations seeking to host voter registration drives
- Reducing or eliminating early voting opportunities or absentee voting opportunities
- Mandatory waiting periods or permanent bans against citizens with prior felony convictions
- Restrictive and confusing provisional ballot requirements, increased use of provisional ballots

be you.

Action Opportunities

There are a number of ways to take action to support voting rights.

With Legislation:

- Tell your member of congress to support the Voting Rights Advancement Act, (S. 1659/HR. 2867). This recently introduced federal legislation would restore the Voting Rights Act and provide necessary protections to voters. It requires federal preclearance for changes in voting laws in districts with a history of voter discrimination and strengthens the ability of the courts to protect citizens put at risk by discriminatory voting practices, whether intended or not. It also requires districts to publicly disclose changes and information related to voting in the district and expands the federal observer program so that federal observers can continue to keep voters safe from discrimination and harassment. It's your right as a citizen to share your interests and concerns with public servants elected to represent you. You can organize a lobby day or call your members of Congress using the Congressional switchboard: 202-224-3121.

In the Community:

- **Get informed.** This handout provides the links to a number of resources, including those that provide more detailed explanations of voting rights history and the voter suppression tactics in use. Being an informed voter and a prepared voting advocate is the most important tool in engaging other voters and fighting suppression tactics.
- **Use social media** to encourage friends, family, and community members to register and vote in all elections; educate them about voting rights and encourage them to volunteer with voting rights initiatives.
- **Monitor changes to voting laws** by keeping an eye on your local election commissions: http://www.eac.gov/voter_resources/contact_your_state.aspx
- **Organize** a voter registration drive, voter carpool, or voting day daycare in conjunction with a local community center, social center, senior center, university, library, gym, or YMCA: <http://www.rockthevote.com/assets/publications/field/voter-registration-how-to.pdf>
- **Check the accessibility** of your polling place: <http://www.eac.gov/assets/1/AssetManager/Quick%20Start-Accessibility.pdf>
- **Become a poll worker:** http://www.eac.gov/voter_resources/become_a_poll_worker.aspx
- **Report discrimination, harassment, or other problems** at a polling place or with voting procedures in your jurisdiction:
 - **Call Election Protection** at 1-866-OUR-VOTE or 1-888-VE-Y-VOTA, or by email at email@866ourvote.org
 - **Register a complaint with the U.S. Department of Justice** at 1-800-253-3931 or 1-202-307-2767, or by email at voting.section@usdoj.gov, or use the complaint form at <http://www.justice.gov/crt/complaint/votintake/index.php>

List of Resources to Get Informed

The most important thing you can do as an advocate is get informed. The following is a list of voting toolkits, resource guides, and checklists to provide more information about voting rights.

LGBTQ Voting Rights Information:

<http://www.thetaskforce.org/>

The National LGBTQ Task Force provides reports, fact sheets, and press releases on a number of issue areas, including LGBTQ voting rights.

Election Protection Network:

<http://www.866ourvote.org/state>

Provides state-specific information on voter eligibility (including residency, identification, and prior felony convictions); registration process and requirements; and a summary of voting methods, requirements, and deadlines. They can answer general election questions and record any problems at the polls:

- **By telephone** at 1-866-OUR-VOTE (1-866-687-8683) - English
- **By telephone** at 1-888-VE-Y-VOTA (1-888-839-8682) - Spanish
- **By email** at email@866ourvote.org

General Voter FAQ & Voting Checklist:

http://www.eac.gov/voter_resources/a_voters_guide_to_federal_elections.aspx

Available in 11 languages: English, Cherokee, Chinese, Dakota, Japanese, Korean, Navajo, Spanish, Tagalog, Vietnamese, and Yupik.

Online Voter Registration:

<https://register.rockthevote.com/>

Note: some states do not offer online registration.

Voting Guide for Transgender People:

<http://transequality.org/issues/resources/voting-while-trans-preparing-voter-id-laws>

Provides an overview of the steps transgender voters should take to ensure their vote is counted.

Local Election Commissions Contact Information:

http://www.eac.gov/voter_resources/contact_your_state.aspx

Provides a link to local election commissions contact information and websites. Contact local election commissions for information on voting process, procedures, regulations, accessibility, and what counts as an address for those without a permanent fixed address.

Voter Resources for Advocates Assisting People who are Homeless:

http://nationalhomeless.org/projects/vote/Manual_2012.pdf

Voters do not need a permanent fixed address in order to vote; contact the local election commissions to confirm what may be used as an address. This manual is intended for advocates seeking to set up registration drives or provide general information to voters who are homeless.

Voting Rights for People with Disabilities:

<http://www.nonprofitvote.org/voting-with-a-disability/>

Provides links to state-specific information on accessibility requirements and support.

Long Distance Voter's Absentee/Early Voter Information and Resources:

<http://www.longdistancevoter.org/>

Provides assistance checking voting state, registering to vote, and requesting absentee/early voting ballots for long distance voters, such as people in the military or overseas, as well as absentee, and early voters.

Student Voter Guide:

http://www.brennancenter.org/content/student_voting/

Provides state-specific information for student voters, particularly residency requirements and registration.