



**2019**

**Annual**

**Report**

# Introduction

For Fair Elections Center, 2019 was a dynamic and productive year. We continued to identify parts of the country that saw voting rights obstacles and stepped in with litigation and advocacy to change unfair and restrictive laws that made it harder for people to vote. Our work engaging students to become more active in the electoral process was equally effective, as we expanded our already considerable reach, provided tools for college students and administrators, and established partnerships with key media and other voting rights organizations. This report seeks to document the activities of Fair Elections Center, as well as its Campus Vote Project and Work Elections programs.

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# A Letter from our President

Friends,

The work Fair Elections Center accomplished in 2019 made it a year of success and growth. Both our litigation and student engagement teams were busy and effective, protecting the voting rights of disenfranchised citizens

Last year, our litigation team achieved an significant ruling in Florida to restore voting rights to former felons who have served their time, and building on this success, we filed a similar lawsuit in Kentucky, which is still working its way through the courts. We challenged Wisconsin's unnecessary requirements for student IDs to qualify as a voter ID and filed a lawsuit in Tennessee and a preliminary injunction that blocked the state's then-passed legislation which placed severe restriction on third-party voter registration drives. We also opposed large-scale voter purges in Ohio and Wisconsin.

Our Campus Vote Project expanded its reach to more than 150 college and university campuses to engage students to become more active in our democracy. We placed 90 Democracy Fellows at 44 campuses across the country and garnered more than 700,000 digital ad impressions aimed at young people to registration and voting information in Virginia and Texas, as well as in key districts across the country.

We co-created the National Resource Consortium on Full Student Voter Participation, joined several new national initiatives – including one with MTV – and produced three detailed reports to support students, administrators, and faculty in increasing democratic engagement.

Our goals for 2019 were either met or exceeded, and by accomplishing this, we have placed the organization in an outstanding position to tackle the voting rights challenges that the all-important election year of 2020 will present. The continuing interest in our work and investment from our supporters is incredibly gratifying, and together we will continue to ensure that citizens who face voting obstacles will be able to register, cast their ballot and be assured that it will count.

Sincerely,

A handwritten signature in black ink that reads "Bob". The letters are cursive and fluid, with a large initial 'B'.

Robert Brandon,  
President

## Litigation and Advocacy

Fair Elections Center does innovative and high-impact work around elections and voting rights. The Center is a national, nonpartisan voting rights and election reform organization dedicated to removing barriers to registration and voting for students, people of color, people whose first language is not English, and other underrepresented communities.



We have an experienced and dynamic team of lawyers who have successfully litigated cases in federal and state court. The organization has more than 14 years of experience working with and training civic engagement organizations to look for opportunities for voting rights cases to expand and protect voting access. Our legal team has a broad network of colleagues and partners at the local and national levels who help us identify instances where we can file proactive litigation and not just react to new headline-grabbing voter suppression measures.

## Continuing the Fight for Voting Rights for Former Felons

### *Harbin v. Bevin*

In early 2018, we won a significant voting rights ruling in Florida, when a federal district judge declared that Florida's arbitrary and glacial system to restore voting rights to individuals who have completed their felony sentences was unconstitutional, as the result of a strategy pioneered by our legal team. But Florida was not the only state that uses such systems to restrict the rights of those who have completed the terms of the sentences.

In January 2019, following the success of our lawsuit in Florida, we filed a similar case in Kentucky. Fair Elections Center argued that the state's arbitrary and glacial rights restoration process violates the First and Fourteenth Amendments of the Constitution and hinders people who have completed their full sentences, including parole and probation, from truly reentering society.

According to the Sentencing Project, as of 2016, Kentucky had an estimated 242,987 people who were still disenfranchised after completing their full sentences—7% of the state's voting-age population. To fix this, our lawsuit asks the court to order the state to



Gov. Andy Beshear

establish a non-arbitrary system for rights restoration with specific and neutral criteria for all Kentuckians with felony convictions.

The new Governor, Andy Beshear, restored voting rights to 140,000 of those who have finished their sentence but the arbitrary process for restoration remains and our lawsuit continues. In 2020, Fair Elections Center will continue the fight and urge the Court to clear the way for the others to seek rights restoration in a clear and objective process.

Select media:

### **Civil rights groups join lawsuit to fight Kentucky's felon voter ban**

*Louisville Courier Journal* – January 9, 2019

<https://www.courier-journal.com/story/news/politics/2019/01/09/felon-voting-law-lawsuit-civil-rights-groups-join/2526641002/>

Op-ed from Fair Elections Center's Cecilia Aguilera and Jon Sherman, with Ben Carter from the Kentucky Equal Justice Center:

### **Kentucky must restore voting rights by law, not by a politician's grace**

*Louisville Courier Journal* – November 21, 2019

<https://www.courier-journal.com/story/opinion/2019/11/21/kentucky-must-restore-voting-rights-felons-who-served-their-time/4203812002/>

Letter to the Editor from Robert Brandon:

### **Disenfranchised felons face arbitrary decision-making**

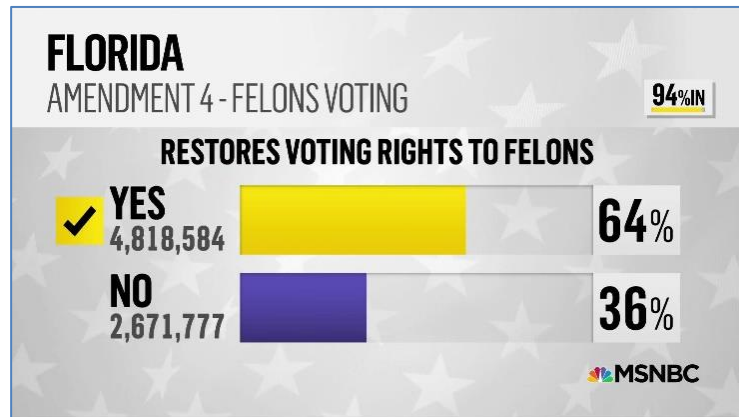
*Washington Post* – January 18, 2019

[https://www.washingtonpost.com/opinions/disenfranchised-felons-face-arbitrary-decision-making/2019/01/18/fdbcd0f8-19db-11e9-b8e6-567190c2fd08\\_story.html](https://www.washingtonpost.com/opinions/disenfranchised-felons-face-arbitrary-decision-making/2019/01/18/fdbcd0f8-19db-11e9-b8e6-567190c2fd08_story.html)

## Florida: Rights Restoration Advisory Opinion

In September 2019, Fair Elections Center and Cohen Milstein Sellers & Toll PLLC filed a brief with the Supreme Court of Florida arguing that under the Florida Constitution as amended by Amendment 4, people with felony convictions do not need to pay administrative costs and fees to regain their voting rights. These costs fund the criminal justice system, but do not serve as punishment and are not part of the criminal sentence.

In November 2018, Floridians passed Amendment 4, which restored the right to vote to people with felony convictions who have completed “all terms of sentence.” Earlier this year, the Florida Legislature enacted SB 7066 which, in part, requires felons who seek voting rights restoration to pay some, but not all, costs and fees assessed against them. The brief filed today by the Center and Cohen Milstein focuses on this aspect of the law and argues it violates the Florida Constitution, because costs and fees are not “terms of sentence.”



### Wisconsin: Challenging Limits on Student IDs for Voting

*Common Cause v. Thomsen*  
Fair Elections Center filed a

lawsuit in April 2019 challenging Wisconsin’s unnecessary requirements for student IDs to qualify as voter ID. The lawsuit was filed in the U.S. District Court for the Western District of Wisconsin on behalf of Common Cause in Wisconsin and individual student plaintiff Ben Quintero.

The lawsuit argues that some elements required of student IDs are a pointless barrier for casting a ballot in Wisconsin. Most students are newly registered voters and new to the voting process. These unnecessary requirements imposed on students using their campus IDs can confuse and deter these new voters rather than making elections more accessible. The lawsuit is challenging specific student ID requirements, not the voter ID law as a whole.

### Tennessee Voter Registration Drive Restrictions

*LWV TN v. Hargett*

In May, after the governor of Tennessee signed a bill placing severe restrictions on third-party voter registration drives, Fair Elections Center and our partners filed a federal lawsuit law on behalf of the League of Women Voters of Tennessee, American Muslim Advisory Council, Rock the Vote, and other voter registration and civic engagement groups. In September, the court granted our motion for a preliminary injunction, finding voter registration drives are protected First Amendment activity that would be burdened and restricted by this "complex and punitive regulatory scheme." The case will be heard in February 2021, which means the law will NOT be in place during the 2020 elections.

## North Carolina Voter IDs for Students

Fair Elections Center and Campus Vote Project followed the implementation of a new suppressive voter photo ID law in North Carolina from draft legislation, through rule making, to implementation, and fought for improved access for student voters at every step. Throughout this process, we successfully helped advocate for the inclusion of North Carolina community college and private college student IDs, in addition to those of the University of North Carolina system. We educated campuses across the state how to apply for their student IDs to be accepted as voter ID and were part of a successful push to ease restrictions and allow campuses more time to apply for their student IDs to be accepted as voter ID.

## Opposing Voter Purges in Ohio and Wisconsin

In September 2019, Fair Elections Center helped dissuade the Ohio Secretary of State from a large-scale purge of voters from the rolls. We submitted a letter to the secretary of state expressing our concerns about the cancellation process. The proposed process



created a very real possibility that significant numbers of individuals would be incorrectly removed. At the last minute, Secretary of State Frank LaRose agreed to many of our requests and issued a new directive, keeping thousands of voters on the rolls. The state is also conducting a further investigation into some of the removal practices we flagged in this process.

In November 2019, Fair Elections Center represented the League of Women Voters of Wisconsin to intervene in a state court lawsuit alleging that Wisconsin law required the Wisconsin Elections Commission to use information provided by the Electronic Registration Information Center (ERIC) to flag voters who may have moved, and to cancel the registration of voters who do not respond within 30 days to a letter sent by the Commission, asking the voters to update or confirm their addresses.

This motion was denied, but in December we filed a complaint in federal court against state election officials on behalf of the League and two individual voters. The complaint alleges that the letter sent to voters by the Elections Commission did not provide adequate notice to voters that they would be removed if they failed to respond, or provide them with a timeline for responding, in violation of the Due Process Clause of

the Fourteenth Amendment. It also alleges that the letter violated the Due Process Clause because it told voters who had not moved that they could confirm their registrations by voting in the "next election," leading them to believe they could use this option to avoid removal from the rolls. The suit asks the court to block state officials from removing these voters until after the state provides them adequate notice about how they can update and confirm their addresses.

The effort in Wisconsin is ongoing and we will continue to fight against this purge of voters in 2020.

## Preparation for 2020 Litigation

Many of the lawsuits we filed in 2019 are ongoing. While we work on those cases, we are continually looking for new opportunities and are researching, writing case documents, finding plaintiffs and putting many hours into preparing for 2020.

## Campus Vote Project

Campus Vote Project (CVP) works with universities, community colleges, faculty, students, and election officials to reduce barriers to student voting. Our mission is to help campuses institutionalize reforms that empower students with the information they need to register and vote.

In September 2019, Tufts University released the Democracy Counts 2018 study finding that just under 40% of students turned out to vote in 2018; a huge increase from 19% in 2014. The study includes findings from the National Study of Learning, Voting, and Engagement (NSLVE), which was comprised of 10 million students from 1,031 institutions, including most of our approximately 150 partner campuses and Voter Friendly Campus participants.





## Massive Surge in Student Voting:

*A new Tufts study documents that voter turnout among college students doubled in the last midterm election, which may likely influence the coming presidential election.*

*Inside Higher Ed –  
September 20, 2019*

**“Colleges should weave voter registration and lessons about voting into orientation and other programs and not treat it as a siloed issue,” (Southeast Regional Coordinator) Rachel Clay said...She said the most successful programs are those that give students every opportunity to register to vote.**

<https://www.insidehighered.com/news/2019/09/20/massive-surge-college-student-voting-2018>

## 2019 by the numbers

- Worked with more than 150 colleges and universities across the country
- Placed 90 Democracy Fellows at 44 campuses coordinators covering Florida, Michigan, North Carolina, Ohio, Pennsylvania, and Virginia
- Almost 700,000 digital ad impressions directing young people to registration and voting information in key districts and statewide in Virginia and Texas
- Hosted a national summit for CVP’s 15-member Student Advisory Board

## Publications

In 2019, Campus Vote Project also released three reports to support students, administrators, and faculty in increasing democratic engagement and making it part of the academic life of the institution.

## Voter Friendly Campus 2018 Report



The 2018 VFC report reflects on the program’s second designation process. 124 institutions received the designation for 2019-2020. The report takes an in-depth look at what current designees have accomplished, common barriers, and solutions for improving future democratic engagement activities. It focuses on leadership, goal setting, and evaluating strategies and tactics.

## National Resource Consortium on Full Student Voter Participation

This report seeks to develop and advance evidence-based practices that bring institutions and partners closer to a shared goal of full high-quality student participation in the democratic process, particularly in elections. The report outlines strategies on promising practices for voter registration during orientation and new student programs and services or during other endeavors that reach a majority of students at an institution. CVP completed this in partnership with NASPA and the NASPA LEAD Initiative, the Foundation for Civic Leadership, the Mile 22 Associates group, and Harvard Kennedy School's Institute of Politics.

## Democracy's Future: Proposals to Expand Access to Registration and Voting for a New Generation

This resource for legislators and advocates identifies key policies designed to boost youth and student voting, including those designed to overcome barriers to youth registration and voting. It provides best practices, useful background information, and concrete solutions including model legislation and policies to expand access to this new generation of voters. Policy areas in the report include preregistration of 16- and 17-year-olds, integrated on-campus voter registration and voter information opportunities, residency rules affecting students, student id as voter id, on-campus polling places, and students as poll workers.

A panel discussion on the Democracy's Future report was held at the National Education Association with partners from CIRCLE, James Madison University, Young Invincibles, Andrew Goodman Foundation, and Forward Montana kicked off the release of the report. A recording of the event is available online.

## National Initiatives

Campus Vote Project joined several new national initiatives in 2019. We along with Students Learn Students Vote, The Alliance for Youth Organizing, and MTV are joining to develop materials, promote, and coordinate +1 The Polls.



CVP will be heading the effort to bring more polling locations to college campuses and helping campus leaders lead that effort in their communities.

CVP also co-created the National Resource Consortium on Full Student Voter Participation and has been leading the creation of resources for students interested in institutionalizing voter registration in 2020. As a result of this work, CVP launched the “Ask Every Student” campaign for 2020 to guide approximately 35 colleges and universities through the process of institutionalizing voter registration in 2020 to set an example for more campuses across the country.

## Student Leadership

Our seven CVP state coordinators covered nine states and supervised 90 Democracy Fellows, a diverse collection of college student leaders who collaborate with us and their



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at [bit.ly/SAB2020App](https://bit.ly/SAB2020App)



institutions to build democratic engagement. These remunerated Fellows provide energy and passion. We help train them to become leaders and organizers, with skills that will serve them and their communities beyond their academic years.

CVP also has a national Student Advisory Board of 15 members. The Student Advisory Board offers structure and coaching as students continue their development into community leaders for change and provides feedback and guidance to the CVP staff on our existing work and future direction. Many

of the members are former Democracy Fellows, which means that they are familiar with our mission, our approach to the work, and how to engage students on their campuses.

## Youth Voting Rights Task Force

The Youth Voting Rights group started by CVP in 2016 serves more than 300 members of a broad community of national and state nonprofits that focus on encouraging youth voting (many with an emphasis on college students), on-the-ground groups doing turnout and advocacy work, and students who are interested in advancing this kind of work. During its regular calls, it fosters understanding of the impact various policies have on youth electoral participation, help youth navigate existing and changing policies, help youth advocate for more positive policies and identify barriers that need to be challenged in court.

## Building Voter Friendly Campuses

The Voter Friendly Campus (VFC) designation program was started through a partnership of Campus Vote Project and NASPA, a student affairs professional organization in 2016. The goal of the program is to create a permanent structure to help institutions develop and implement plans to coordinate administrators, faculty, and student organizations in civic and electoral engagement. This year, we saw an increase in designated campuses from 84 campuses in 27 states in 2016 to 124 campuses across 30 states in 2018. Those 124 campuses are designated Voter Friendly Campuses for 2019-2020. We plan to expand the program to 225 campuses in 2020.



## CVP Campus Highlights

In September, our Democracy Fellows and partner campuses celebrated National Voter Registration Day (NVRD) with events to help students register or update their voter registration. That day, CVP registered almost 4,000 students. Some highlights from this year's NVRD include:



Maya Patel

— MTV used NVRD to announce that Maya Patel our former Student Advisory Board Chair and current Texas Campus Vote Project state coordinator is one of six recipients nationally of their Leaders For Change grant program. This program provides funding for young people doing extraordinary work at the local level to advance voting access.

— In Michigan, our State Coordinator, Sumaiya Ahmed Sheikh, joined Democracy Fellows at Grand Valley State University in welcoming Secretary of State Jocelyn Benson and registered more than 300 voters.

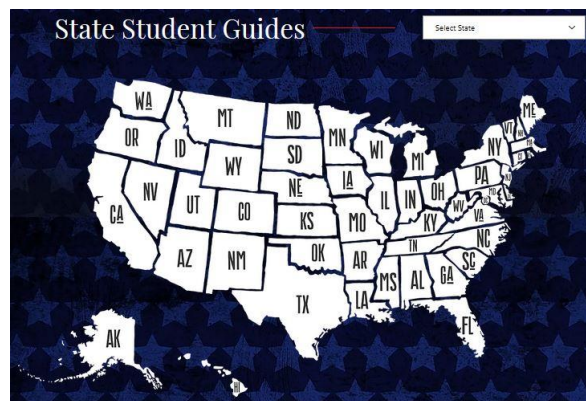
— In Ohio, Cuyahoga Community College (Tri-C) and our three Tri-C Democracy Fellows were part of Cuyahoga County's effort to register 2,481 people to vote on National Voter Registration Day.

— The weekend before Election Day 2019 in Virginia, one of our Fellows, Juanice Thomson, participated in a “Sheroes for Democracy” panel with actress Kerry Washington and other activists at Norfolk State University. 500 students attended the event and learned more about voting, activism and democracy, to encourage them to participate in democracy.

## Essential Voting Materials for all 50 states and the District of Columbia

Each year, Fair Elections Center updates our short, easy-to-read, state-specific materials that help voters understand how to register, vote, and register others to vote. As laws change and courts weigh in throughout the year, our legal staff continually updates the materials so our partners and anyone visiting our site has the right information to participate in our elections.

Voting guides include registration deadlines and election dates, voter registration requirements, voter ID requirements, links to forms, and options to cast a ballot. We also provide answers to common questions for students and guidance on where students can register to vote; home or their campus address. The New York Times included our guides in their June guide *How to Participate in Politics* and in their September piece on *How to Vote as an American Living Abroad*. Our voting guides were also used by the All In Challenge leading up to Election Day.



Voter registration drive guides contain requirements for third parties conducting voter registration drives. They include requirements for gathering forms, where to return them, deadlines, and links for forms or other information. Michelle Obama and a number of celebrities, including Tom Hanks, Janelle Monáe, and Lin-Manuel Miranda, launched the “When We All Vote” campaign to promote voter registration and as part of their launch, they shared materials and linked to our guides for more registration drive information. These guides were also used by National Voter Registration Day as they prepared volunteers and organizations to register thousands of voters on September 23, 2018.

# Poll Worker Recruitment

In July 2019, Bob presented at the annual meeting of Nevada County Clerks and Registrars of Voters to discuss Workelections.com, and poll worker recruitment and retention strategies to achieve a younger, more diverse group of poll workers, including more with bilingual language skills. Our senior counsel, Jon Sherman, made a similar presentation in Philadelphia in the fall.

## 2019 Fair Elections Center Board

Note to designer: Please include the headshots for board members. They don't have to be big but I think this will help break up the text. All are labeled and in the folder sent separately.



**David Fineman**  
Chair and Secretary

Senior Partner of the law firm of Fineman, Krekstein & Harris, in Philadelphia, PA. Former Chair, United States Postal Service



**Lavita McMath Turner**  
Vice Chair

Director of Government and External Relations at Stella and Charles Guttman Community College in New York and Board Member of The Democracy Commitment, a national initiative aimed at engaging community college students in civic learning and democratic practice.



**Toby Chaudhuri**  
Treasurer

Former Vice President, Strategic Communications and National Partnerships at the Public Broadcasting Service. He directed communications for several White House race-based Initiatives and democracy and governance projects for the U.S. State Department.



**Justin Levitt**  
Associate Dean and Professor of Law, Loyola Law School. Justin is a nationally recognized scholar of constitutional law, civil rights, and the law of democracy, with particular focus on election administration and redistricting. He served as a Deputy Assistant

Attorney General in the Civil Rights Division of the U.S. Department of Justice under the Obama Administration.



### **Greg Moore**

Gregory T. Moore is a leading voting rights advocate and leader with a long and distinguished history of political empowerment and advocacy. He has served as the Executive Director of the NAACP National Voter Fund, Legislative Director and Chief of Staff for John Conyers, US House Judiciary Committee Chair. Mr. Moore currently serves on the Election Assistance Commission Advisory Committee and is president of the GTM Consulting Services, based in Washington, DC and Cleveland Ohio.



### **Lynette Quintero**

Former Chair of Fair Elections Center's Campus Vote Project's National Student Advisory Board. Before that, she was a Democracy Fellow for CVP at Pierce College. Lynette is a senior at UC Berkeley majoring in political science where she is a research assistant on Election Law and a Senior Class Council Board Member. She is also the Communication's Department lead for the ESL Student Program.



### **Eric Rodriguez**

Vice President of UnidosUS (formerly National Council of La Raza). He oversees the Office of Research, Advocacy, and Legislation which is charged with directing the organization's legislative affairs, public policy research, policy analysis, and field advocacy work.



### **Gail L. Siegel**

Former Policy Director for the Cook County Illinois Clerk's office, the third largest election jurisdiction in the U.S., where, for almost 20 years she initiated modernization of the voter communications and outreach infrastructure including online voter registration, Election Day registration and automatic voter registration.

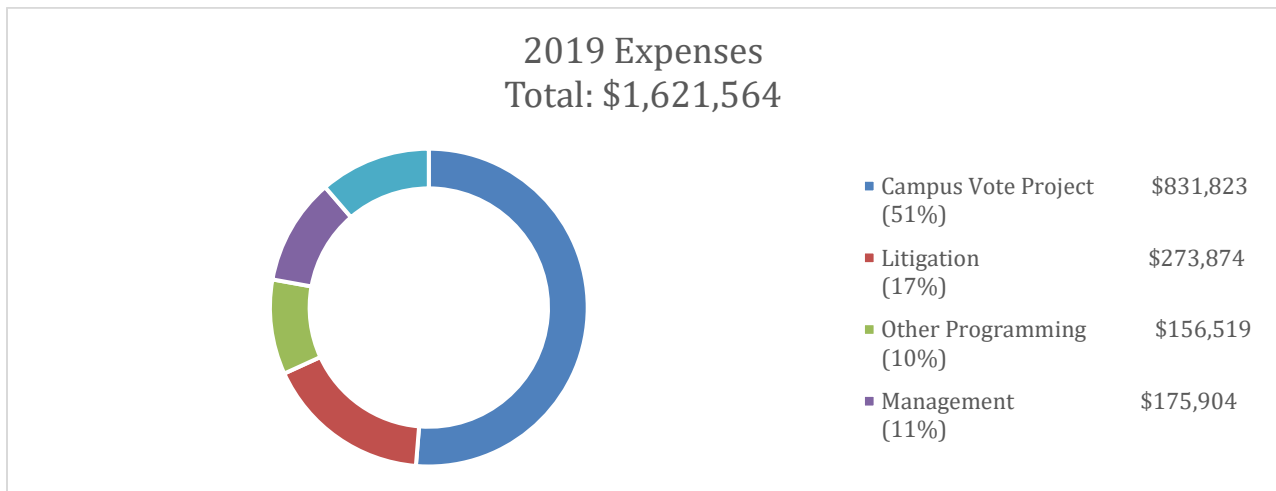
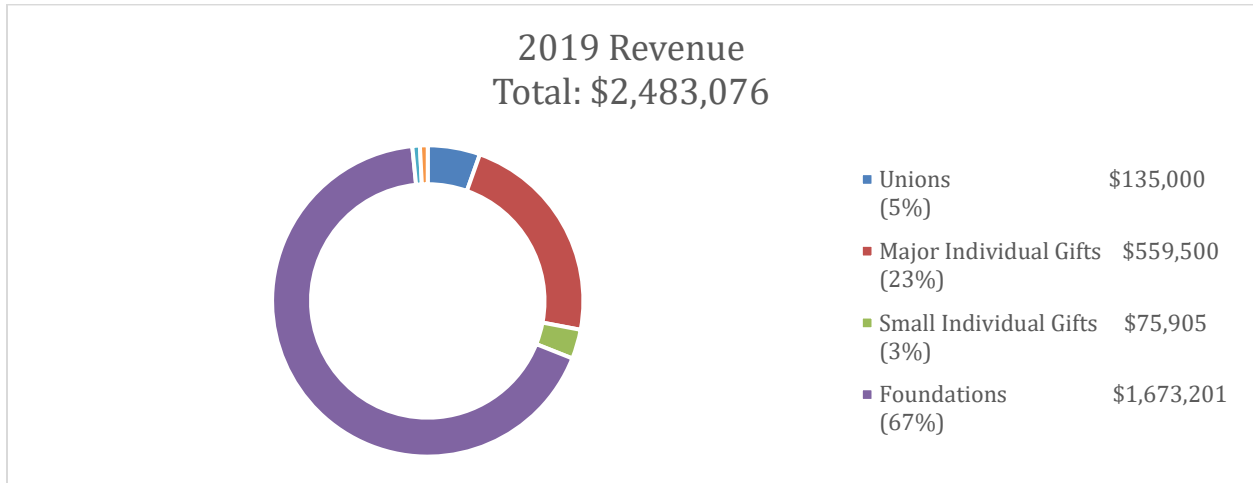


### **Robert Brandon**

President and CEO

Co-founded in 2006 the Fair Elections Legal Network, now the Fair Elections Center. Mr. Brandon, a public interest attorney, has more than 35 years of nonprofit public policy, legislative, media and campaign experience at the federal, state and local levels.

## 2019 Revenue by Source



\*Please note these are 2019 unaudited financials.



## 2019 Donor List

Thank you to all of our 2019 supporters. You make our work possible.

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[mwalker@fairelectionscenter.org](mailto:mwalker@fairelectionscenter.org).

Fair Elections Center is a national, nonpartisan voting rights and election reform 501(c)(3) organization based in Washington, D.C. Our mission is to use litigation and advocacy to remove barriers to registration and voting, particularly those disenfranchising underrepresented and marginalized communities, and to improve election administration.

Fair Elections Center's attorneys and advocates deliver nonpartisan creative solutions to the complex barriers that continue to be erected to prevent citizens from registering to vote and casting a ballot that counts. Working alongside other national and state civil rights and community-based organizations, the Center works to make the processes of voter registration, voting, and election administration accessible for every American, with a particular focus on underrepresented communities and students.

To these ends, Fair Elections Center litigates cutting-edge voting rights cases in federal and state court and engages in a wide variety of advocacy efforts, including: drafting election reform legislation and submitting testimony in support of positive reforms, advocating to defeat restrictive measures, producing reports on election modernization proposals and issues affecting communities of color and students, talking points and fact sheets, providing state voter guides for all 50 states and D.C., conducting trainings and seminars on voting issues for community organizations and their supporters, and working directly with Secretaries of State and local election officials to ensure the right to vote is protected and expanded. We provide election law expertise to state-based civic engagement coalitions and direct help to organizations representing various communities that need help accessing the ballot as they plan their programs, encounter problems, or need help engaging election officials.

