

Election Law Training Manual

GEORGIA EDITION



Facilitator's Guide

THE
CARTER CENTER



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About This Publication

This guide accompanies the Carter Center’s Election Law Training Manual, a curriculum for lawyers to understand elections, electoral law and processes, and key electoral issues. Access the [curriculum](http://www.cartercenter.org) and [supplementary materials](http://www.cartercenter.org) at www.cartercenter.org.

Introduction to the Facilitator's Guide

Welcome to the Facilitator's Guide that accompanies the Carter Center's Election Law Training Manual. This guide was designed to structure a two-day in-person training centered on the content provided in the manual.

Sample Schedule for a Two-Day Training

The following schedule is for illustrative purposes. You may wish to structure your training differently, depending on your needs. If you need to shorten the training modules, you can find recommendations for which learning activities can be made supplementary under the "Continued Learning" sections. Regardless of the overall structure, be sure to build in breaks, reflections, and opportunities to reenergize with snacks and movement.

Training Day 1		Training Day 2	
8:30–9 a.m.	Arrive, mingle, breakfast	8:30–9 a.m.	Arrive, mingle, breakfast
9–9:45 a.m.	Intros, icebreakers, agenda, preliminary assessment	9–9:45 a.m.	Icebreaker, recap, agenda, preliminary assessment
9:45–10:45 a.m.	Module 1	9:45–10:45 a.m.	Module 4
10:45–11 a.m.	Break	10:45–11 a.m.	Break
11 a.m.–12:30 p.m.	Module 2	11 a.m.–12:30 p.m.	Module 5
12:30–1:30 p.m.	Lunch	12:30–1:30 p.m.	Lunch
1:30–3 p.m.	Module 3a	1:30–3 p.m.	Module 6
3–3:15 p.m.	Break	3–3:15 p.m.	Break
3:15–4:30 p.m.	Module 3b	3:15–4:30 p.m.	Module 7
4:30–5 p.m.	Closing assessment, recap, Q&A, prep for Day 2	4:30–5 p.m.	Closing assessment, synthesis, what's next

Preliminary and Closing Assessments

Before each training day, the facilitator should ensure that the participants complete a five-minute preliminary assessment to assess their baseline knowledge of the training material (see illustrative schedule above). The facilitator should develop this assessment using

the reflection and technical questions from that training day's modules. (Each module's reflection and technical questions are compiled in Annex A of this Facilitator's Guide.)

At the close of each training day, the facilitator should ensure that the participants complete a five-minute closing assessment to assess how much of the training material the participants learned *in the training*. This closing assessment should include the same questions as the preliminary assessment to ensure the results are comparable.

At the conclusion of the training, the facilitator can provide answers to the assessment questions so participants can understand what they learned and what they

did not. A review of the answers also can be the catalyst for a wrap-up discussion that covers the main takeaways and remaining questions.

The preliminary and closing assessment questions can be entered into an online form, such as Google Forms or Microsoft Forms, and provided electronically to participants to facilitate easier tracking of learning for the facilitator and to use in future adaptations of the course.

Facilitation Tips

Each module includes facilitation tips that are relevant to that module. Following are general tips that apply across the entire training to help you and your participants get the most out of the learning experience:

- Review the supply list ahead of time and be sure you are prepared with sufficient supplies.
- At the beginning of the training, create a list of group norms with input from participants. Group norms could include expectations for engagement with the content, facilitator, and peers.
- Norms should remain posted so they can be seen for the duration of the training. Empower participants to refer to them often and update them as needed.
- Norms should include the expectation that participants pose follow-up questions to their peers to enhance engagement and spur curiosity in the group.
- Norms should encourage discussion and collaboration during group activities and discussions. When responding to participants, ask follow-up questions that prompt deeper engagement and connect related concepts.
- If you have more time or would like to encourage continued reflection outside of the training, provide participants with the activities found in the “Continued Learning” sections.
- Be mindful of keeping breaks in the agenda, as participants will need moments of decompression. Breaks can be reasonably shortened as needed.
- If funding for snacks is available, remember that snacks with processed sugar can negatively affect alertness, as they can give participants a quick boost but may result in a crash after!

Assumptions

It is assumed that Wi-Fi is available and that all participants have a laptop or device they can use to access the internet throughout the training.

Comprehensive Supply List

The following is a comprehensive list of supplies recommended to carry out the sample lesson plans in this Facilitator’s Guide.

Module 1

- Sticky notes
- Markers

Optional: links to the Carter Center’s election law education videos (to be released on YouTube in Spring 2025), as well as video equipment

Module 2

- Two pieces of paper, one that has “Hear” and another that has “Decline” printed in large font.

Module 3a

- Several pieces of paper with various voter obstacles printed out in large format, one obstacle per paper (see “Group Activity”).
- Optional: links to the Carter Center’s election law education videos (to be released on YouTube in Spring 2025), as well as video equipment

Module 3b

- Electoral Access Bingo cards, enough printed to distribute one per pair
- Printed copies of “Working with Legislators” (see Election Law Training Manual’s Supplementary materials, Section 1, Policy and Legislation), enough printed to distribute one per team
- Optional: links to the Carter Center’s election law education videos (to be released on YouTube in Spring 2025), as well as video equipment

Module 4

- Flip chart paper
- Markers
- Sticky notes to each group
- Tape (multiple rolls)
- Paper cutouts (see Facilitator’s Guide Module 4, Sample Lesson Plan, Practical Application activity)

Module 5

- Flip chart paper
- Markers

Module 6

- Flip chart paper
- Masking tape, multiple rolls
- Printouts of court cases (see Facilitator’s Guide Module 6, Sample Lesson Plan, Practical Application activity)
- Three sticky note pads of three different colors
- Printed copies of example demand letters (see Election Law Training Manual’s Supplementary Materials, Section 2, Figures 2.1 and 2.2), enough printed to distribute one per team.

Module 7

- Flip chart paper
- Markers

Brain Break Options

To give participants a mental break from processing content mid-module, try these five-minute brain break options.

1. At the start of the training, give “Find Someone Who” printouts for participants to complete by the end of the training. Printout squares represent various facts about their peers, such as, “speaks at least four language”; “traveled the farthest to be here”; “has lived on an island”; “is a twin.” Use five-minute breaks for participants to continue making progress on their “Find Someone Who” printout.
2. Do some simple chair stretching as a group. Movement can be led by the facilitator or participants can take turns suggesting movements that others follow.
3. Lead participants through a simple activity that gets them moving, such as Birthday Line-Up.
Instructions: Participants agree to remain silent and need to line up in a straight line in order of the month and day of their birthday. The facilitator only needs to instruct where January begins and December ends. Participants discover how to accomplish this task without speaking. After participants are satisfied with their line, participants say the month and day of their birthday out loud, starting with January, to check for accuracy.
4. Have participants each share a song, photo, or video from their phone that’s personal to them, and explain to one another why they feel it represents who they are.
5. Challenge the group to take a selfie together where everyone fits.

Module 1

Introduction

Approximately 1 hour 15 minutes for delivery of the Sample Lesson Plan

Facilitation Tips

In addition to the tips provided at the beginning of the Facilitator's Guide:

Remind participants to continue introducing themselves to other participants in their small groups.

Supply List

- Sticky notes
- Markers
- Optional: links to the Carter Center's election law education videos, like "29Qs with Nick Stabile" (available on YouTube), as well as video equipment

Learning Objectives

In this module, participants will accomplish the following:

- Discover how lawyers are essential to upholding the rule of law and the overall function of a just and equitable United States.
- Understand the concept of a "citizen lawyer" and their role in promoting democracy.

Sample Lesson Plan

1. Welcome and introductions (4 min.)

- a. Review the intended learning outcomes for this module.
- b. Set group norms and expectations for engagement.

2. Opening reflection question (8 min.)

- a. Pose the reflection question from the Preliminary Assessment to the group: "Lawyers constitute 46% of U.S. congressional members, compared with the next-highest number of 32% in Chile. What does this statistic suggest about the conduct of politics in the United States?"

b. If desired, ask these additional questions:

- Regardless of their sector of work, "citizen lawyers" balance the interests of their clients with the integrity of the profession and the improvement of society. How can being a citizen lawyer strengthen democracy in our country?
- What can a lawyer do to support fairness in election law and administration and electoral policy, even if they are not an election or voting rights lawyer?

c. Engage in a discussion based on the responses.

- d. Consider showing one of the Carter Center’s videos (likely “29 Qs with Nick Stabile”).

3. Overview of content (15 min.)

Review the content with the group and respond to any questions or observations that participants would like to share.

4. Practical application (20 min.)

- a. The *Bush v. Gore* case was noted in this module’s content as one of the most widely cited and influential Supreme Court cases regarding election law. Instruct the group to form small teams. Each team should research one of the following Supreme Court cases that have substantially impacted election law in the U.S.:

- *Brnovich v. Democratic National Committee*
- *Moore v. Harper*
- *Shelby County v. Holder*
- *Allen v. Milligan*

- b. With about 10 minutes remaining, reconvene as a large group. Each team should share the case they researched. Encourage a group discussion on what they think the impact of these cases has been on elections, election law, and politics.

Facilitation option: If short on time, this activity can be done as a “Continued Learning” exercise.

5. Group activity: Pillars of being a citizen lawyer (20 min.)

Supplies needed: Sticky notes, markers

- a. Break into teams of three to four participants. Ensure that each group has an ample supply of sticky notes.

- b. Designate one “scribe” per team. Instruct the group to identify the roles and responsibilities of a citizen lawyer, putting one idea per sticky note. Teams should place the sticky notes on a designated wall in the room.

- c. Once all sticky notes have been placed, ask teams to review their sticky notes on the wall. Participants should work together to begin grouping sticky notes of a similar theme.

- d. Through this exercise, each team should decide together what foundational ideas or attributes underpin their understanding of being a citizen lawyer, especially as it relates to upholding election integrity and fairness.

- e. Reconvene the groups and facilitate a broad discussion on the shared or contrasting attributes that underpin the group’s understanding of being a citizen lawyer. Identify any themes or points that may have been missed.

6. Conclusion (8 min.)

- a. Ask participants to share their main conclusions from this module with the group. Highlight any key ideas or topics that were not discussed.
- b. Reinforce progress toward learning objectives established at the beginning of the training.
- c. Remind participants they can review the Election Law Training Manual to learn more about this topic.
- d. Invite and respond to any final questions from the participants.

7. Closing assessment

Ask participants to complete the closing assessment questions individually.

Continued Learning

If you are short on time, consider assigning the “practical application” activity above as an individual reflection activity outside of the training session.

Module 2

Introduction to Electoral Legal Issues

Approximately 1 hour 30 minutes for delivery of the Sample Lesson Plan

Facilitation Tips

In addition to the tips provided at the beginning of the Facilitator's Guide:

- Read and understand the rules for the group activity before having the participants in front of you.

Supply List

- Two pieces of paper, one that has a large, printed "Hear" and another that has a large, printed "Decline."

Sample Lesson Plan

1. Welcome and introductions (3 min.)

- a. Review the intended learning outcomes for this module.
- b. Remind the group of norms and expectations for engagement as needed.

2. Opening reflection question (5 min.)

- a. Pose the reflection question from the Preliminary Assessment to the group: "What is your understanding of the relationship between federal and state protections in election administration? Does the relationship uphold integrity and fairness in the electoral process?"
- b. Engage in a discussion based on the responses.

Learning Objectives

In this module, participants will achieve the following:

- Understand how redistricting cases have shaped elections through the U.S. Supreme Court's interpretation of equal protection in voting laws.
- Consider how partisan polarization shapes the voting landscape.
- Understand how our legal framework upholds judicial independence and why the "political question doctrine" can be challenging for the Supreme Court to interpret.

- c. As an alternative format, ask the group to break into pairs for a quick think-pair-share exercise.
- d. Pause for reflections or questions.

3. Overview of content (20 min.)

Review the content with the group and respond to any questions or observations that participants would like to share.

4. Practical application (20 min.)

Through this activity, participants will examine Georgia legislation SB202, the "Election Integrity Act of 2021," by exploring its details at this Georgia Public Broadcasting (GPB)

source page: www.gpb.org/news/2021/03/27/what-does-georgias-new-voting-law-sb-202-do.

- a. Break the group into six smaller teams. Assign each team one of the six topics below covered in the source article. Ensure that each team has at least one device to access the source page.
 - Changes to Absentee Voting
 - Changes to Early Voting
 - Changes to Vote Counting
 - Changes Affecting Local Elections Offices
 - Changes Affecting the State Election Board
 - Other Changes
- b. Each group notes (1) what the laws were before the bill's passage and (2) how the laws changed after its passage. They should also discuss (3) the practical impact the new law will have on Georgia voters and (4) identify which groups of voters are more likely to be impacted and why.
- c. With about 10 minutes remaining, have the teams reconvene as a full group. Each team then summarizes all four points for their assigned topic, focusing on the practical implications of these changes and which, if any, voter groups they most impact.
- d. After all teams have shared, facilitate a discussion with the full group on whether they think this legislation has more positive or negative repercussions for Georgia voters overall. Broaden the discussion to ask, "How do strict election laws support our elections?"

Facilitation option: If the group is smaller, break it into only three teams and select three of the six topics. The remaining topics can be done as a "Continued Learning" exercise.

5. Brain break (5 min.)

Choose a short brain break option presented at the beginning of this Facilitator's Guide.

6. Group Activity: Political question doctrine (25 min.)

Supplies needed: Two pieces of paper, one that has "Hear" and another that has "Decline" printed on each in large font.

- a. Split the room into two halves. Tape one piece of paper on the wall on the left side of the room that says "Hear" and another on the right side of the

room that says "Decline." Have participants stand at the front or back of the room in a "neutral" space.

- b. The facilitator reads brief scenarios and asks the room to choose a side indicating whether they think the courts should *hear* the case, or if they should *decline*.
- c. After each scenario, lead a brief discussion on their selection. Ask probing questions to engage participants in discussing their thought process.
- d. After the scenario discussion, participants return to the "neutral" space in the room. Repeat the activity as each scenario is read.
- e. Scenarios:
 - The state legislature passes a law prohibiting all absentee voting.
 - The political party with a majority in a legislature asks for data on partisan voter patterns and determines that its political opponent voted overwhelmingly absentee. The state legislature prohibits all absentee voting.
 - Partisan gerrymandering occurs before an election.
 - The state legislature passes a law that prohibits Republicans from voting.
 - A state legislature passes a law providing for the popular election of judges.
- f. After concluding the discussion of the last scenario, participants return to their seats or move on to a full group discussion in their place. Facilitate the discussion with the following questions:
 - Is it the role of courts to adjudicate partisan battles? Why or why not?
 - What are the risks and benefits of having the courts engage (or disengage from) these issues?

Facilitation option: This activity can also be done without standing up and moving around if each participant is given a piece of paper that says "Hear" or "Decline." They can hold up one or the other to indicate their "vote" on how they feel the courts should proceed.

7. Conclusion (7 min.)

- a. Ask participants to share their main conclusions from this module with the group. Highlight any key ideas or topics that were not discussed.

- b. Reinforce progress toward learning objectives established at the beginning of the training.
- c. Remind participants they can review the Election Law Training Manual to learn more about this topic.
- d. Invite and respond to any final questions from the participants.

8. Closing assessment

Ask participants to complete the closing assessment questions individually.

Continued Learning

There are no additional activities for Continued Learning in this module.

Module 3a

Who Gets to Vote?

Part 1

Approximately 1 hour 30 minutes to 1 hour 40 minutes for delivery of the Sample Lesson Plan

Facilitation Tips

No additional tips beyond what is offered at the beginning of the Facilitator's Guide.

Supply List

- Several pieces of paper with various voter obstacles printed in large type, one obstacle per paper (see group activity below).
- Optional: links to the Carter Center's election law education videos, especially "Power Lines" (to be released on YouTube in Spring 2025), as well as video equipment.

Learning Objectives

In this module, participants will achieve the following:

- Understand the significance of the federal Voting Rights Act (VRA).
- Unpack the push-pull between the federal Voting Rights Act and state-level voting rights acts.
- Discover how redistricting and the practice of gerrymandering can determine political outcomes.

Sample Lesson Plan

1. Welcome and introductions (2 min.)

- a. Review the intended learning outcomes for this module.
- b. Remind the group of norms and expectations for engagement as needed.

2. Opening reflection question (5-10 min.)

- a. Pose the reflection question from the Preliminary Assessment to the group: "The federal Voting Rights Act of 1965 is considered by many to be the most significant civil rights law in our nation's history. Is it important for states to supplement the protections beyond what is afforded in the federal Voting Rights Act? Why or why not?"

- b. Engage in a discussion based on the responses.
- c. Consider showing one of the Carter Center's videos, especially "Power Lines" (to be released on YouTube in Spring 2025).

3. Overview of content (18 min.)

Review the content with the group and respond to any questions or observations that participants would like to share.

4. Practical application: Gerrymandering game (25 min.)

- a. Break the group into pairs or ask people to work individually, depending on group size. Instruct

each pair to pull up the New York Times gerrymandering game: Can You Gerrymander Your Party to Power?

- b. Give the groups a couple of minutes to practice the game together and ask any clarification questions. Once everyone is ready, each pair has 10 minutes to draw their districts.
- c. Provide regular notifications on the time remaining to ensure they finish in the allotted 10 minutes. When finished, individuals or pairs compare their maps with others.
- d. With at least 10 minutes remaining, guide the group through reflection questions provided by the New York Times:
 - What did you notice from playing this game? For example, did you find it easy or difficult? What surprised you? What challenged you? What strategies did you figure out along the way? Were you able to gerrymander your party to power?
 - If you successfully gerrymandered your way to power, you saw the message, “Good for your party, not so good for democracy.” What do the writers mean by that?
 - What does it mean to make a district “compact?” Why do you think compact districts are important?
 - What are “cracking” and “packing”? Did you employ either of these strategies in your mapmaking? How do they consolidate one party’s power?
 - The Voting Rights Act of 1965 forbids “dilution” of the votes of people of color. How did you see dilution at work in the game? Why do you think Congress made this kind of racial gerrymandering illegal?
 - How do you think redistricting in Hexapolis compares with the practice in the United States? What did you learn about redistricting and gerrymandering from playing the game?

Facilitation option: If facing time limitations for this module, this can also be an individual activity for “Continued Learning” outside the group setting.

5. Brain break (5 min.)

Choose a short brain break option presented at the beginning of the Facilitator’s Guide.

6. Group activity: Voting Rights Act simulation (30 min.)

Supplies needed: Several index cards with voter obstacles printed in large type (e.g., matching signature requirements, alleged gerrymandering, poll closures, voter intimidation, language barriers, mail-in voting restrictions, restrictive voting hours)

- a. Break the group into smaller teams. Each team selects one of the following states to represent in this activity: California, Connecticut, New York, Oregon, Virginia, or Washington.
- b. For 10 minutes, have the teams analyze their states’ voting rights acts using the following questions:
 - What is your state’s stance on preclearance?
 - Has there been any private rights action against vote denial and racial vote dilution?
 - Are there any protections against voter intimidation, deception, or obstruction?
 - What does your state voting rights act say about language access?
 - Does your state have a database for election information and demographic data?
 - What else did you notice in your state’s voting rights acts that you would like to discuss?
- c. Teams turn their attention to the facilitator. Using the supply of voter obstacles spelled out on index cards, randomly choose an obstacle and ask the small teams to discuss how their state would respond based on their research.
- d. After a few minutes, reconvene the full group and ask teams to share how their states would respond to the obstacle. Repeat this at least three times for different voter obstacles over 10 to 12 minutes.
- e. With at least five minutes remaining, bring the full group through some reflection:
 - What did or did not surprise you during this exercise?

- Do you think it is important for states to supplement voter protections in the federal Voting Rights Act? Why or why not?

7. Conclusion (5 min.)

- Ask participants to share their main conclusions from this module with the group. Highlight any key ideas or topics that were not discussed.
- Reinforce progress toward learning objectives established at the beginning of the training.
- Remind participants they can review the Election Law Training Manual to learn more about this topic.
- If desired, pose an additional question: “If Section 2 of the Voting Rights Act becomes defunct, how might that impact elections?”
- Invite and respond to any final questions from the participants.

8. Closing assessment

Ask participants to complete the closing assessment questions individually.

Continued Learning

If you are short on time, consider assigning the “practical application” activity above as an individual reflection activity after the training.

To learn more about redistricting, attend a Community Redistricting Organizations Working for Democracy (CROWD) Academy training. CROWD Academy is a program run by the Southern Coalition for Social Justice, a leading legal expert on redistricting, in partnership with community organizations across several states. CROWD Academy focuses on educating the public about redistricting and how to advocate for fairer districts. It also provides free tools that the public can use to propose their own maps.

Module 3b

Who Gets to Vote?

Part 2

Approximately 1 hour 25 minutes to 1 hour 35 minutes for delivery of the Sample Lesson Plan

Facilitation Tips

No additional tips beyond what is offered at the beginning of the Facilitator's Guide.

Supply List

- Electoral Access Bingo cards, enough printed to distribute one per pair. (See Annex B, Module 3b, for four different cards that can be printed, or use a website such as www.myfreebingocards.com to create your own cards).
- Printed copies of “Working with Legislators” (see the Election Law Training Manual’s Supplementary Materials, Section 1, Policy and Legislation), enough printed to distribute one per team.
- Optional: links to the Carter Center’s election law education videos, especially “Voting Matters” (to be released on YouTube in Spring 2025), with Professor of African American Studies Dr. Carol Anderson, as well as video equipment.

Learning Objectives

In this module, participants will achieve the following:

- Understand the definition of electoral access and its key concepts and principles.
- Identify constitutional protections and guarantees of electoral access.
- Investigate why safeguarding the right to vote relies not just on legal action, but also on community involvement and voter education.
- Understand the difference between guaranteeing rights versus guaranteeing opportunities when participating in the political process.

Sample Lesson Plan

1. Welcome and introductions (3 min.)

- a. Review the intended learning outcomes for this module.
- b. Remind the group of norms and expectations for engagement as needed.

2. Opening reflection question (5-10 min.)

- a. Pose the reflection question from the Preliminary Assessment to the group: “Why does safeguarding the right to vote rely on things like legal action,

community involvement, and voter education?
Why aren't federal and state protections enough?"

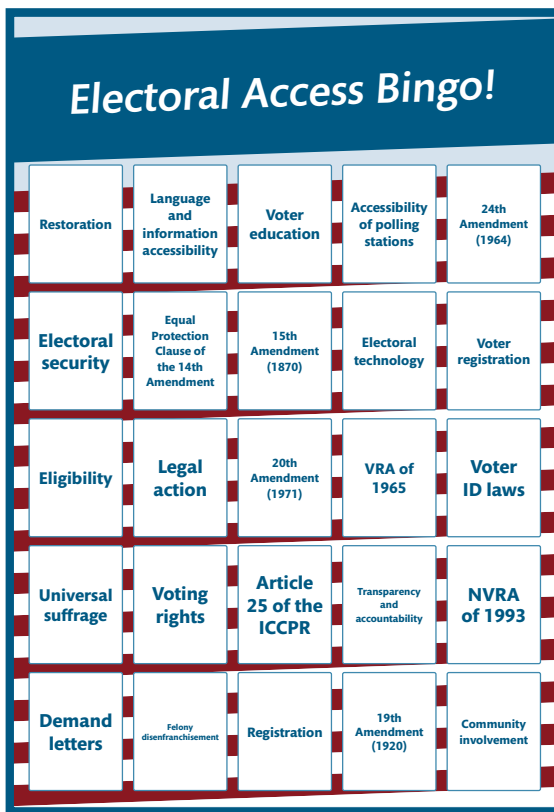
- b. Engage in a discussion based on the responses.
- c. Consider showing one of the Carter Center's videos, like "Voting Matters" (to be released on YouTube in Spring 2025).

3. Overview of content (20 min.)

Review the content with the group and respond to any questions or observations that participants would like to share.

4. Practical application: Electoral Access Bingo (15 min.)

- a. Break the large group into pairs.
- b. Pass out one Electoral Access Bingo card to each pair. (Example below.) Explain that you will read off a definition or example of a term or piece of legislation, and if they have it on their Bingo card, they should mark an X in the box.



- c. The first pair to get five in a row (whether horizontal, vertical, or diagonal) yells "Bingo!"
- d. The winning pair needs to recite back the definitions or examples of their five winning Bingo boxes. If they are not able to do so, the

game continues until the next pair yells "Bingo!" and the new pair is prompted to recite back the definitions or examples of their five winning Bingo boxes.

- e. The winning pair earns bragging rights for the rest of the module.
- f. Pause to discuss any questions the group may have about the definitions, legislation, and terms reviewed through this activity before moving forward in the module.

5. Brain break (5 min.)

Choose a short brain break option presented at the beginning of the Facilitator's Guide.

6. Group activity: Working with Legislators (30 min.)

Supplies: Printed copies of "Working with Legislators" (see Election Law Training Manual's Supplementary Materials, Section 2, Policy and Legislation), enough printed to distribute one per team.

- a. Break the full group into smaller teams of about three to five individuals. Each team selects a different state to represent in this activity.
- b. Each team takes a few minutes to determine a policy that they would like to see as a bill and then they "enact" that bill in this activity. The policy can be an actual policy being debated in the selected state's legislature, or it can be a completely novel policy—for example, that the legal driving age should be raised to 18.
- c. Teams read through "Working with Legislators" and discuss the formal and informal rules of how to get legislation passed:
 - Who can introduce bills and when?
 - Does it matter who sponsors and co-sponsors a bill?
 - Who selects committee members and chairs, and how?
 - How do you get a bill on the agenda and how do you get votes in committee and on the floor?
 - How do bills get amended?
- d. After this initial discussion, teams move through the "Recommendations and Approaches" in the document by writing down the following:
 - Identify the policy. Why is this policy important to your group?

- Identify the legislator and staff, by positions rather than names, needed to secure support for this policy.
 - Identify the approaches you will use to engage your identified targets (lobbying, allying, partnering, or others).
 - Develop a timeline to implement these approaches.
- e. With at least 10 minutes remaining, teams come back together as a full group. Each team chooses one person to share their chosen policy and their approaches for enacting it as legislation.
 - f. Transition participants into a moment of reflection and ask what their main takeaways were when it comes to the process of turning a policy option into legislation.

7. Conclusion (7 min.)

- a. Ask participants to share their main conclusions from this module with the group. Highlight any key ideas or topics that were not discussed.

- b. Reinforce progress toward learning objectives established at the beginning of the training.
- c. Remind participants they can review the Election Law Training Manual to learn more about this topic.
- d. Invite and respond to any final questions from the participants.
- e. If desired, pose additional questions, such as, “How does not having a right to universal suffrage intersect with voting policies, rules, and regulations that could impact people’s access to the ballot box? Why doesn’t the U.S. have a fundamental right to vote? Should it?”

8. Closing assessment

Ask participants to complete the closing assessment questions individually.

Continued Learning

There are no additional activities for this module.

Module 4

Voting and Inclusion

Approximately 1 hour 30 minutes for delivery of the Sample Lesson Plan

Facilitation Tip

Share at least one example of a stakeholder map during your content overview so that participants can refer to it during the group activity.

Supply List

- Flip chart paper
- Markers
- Sticky notes for each group
- Tape
- Paper cutouts (see Practical Application activity)

Learning Objectives

In this module, participants will achieve the following:

- Understand the various ways voting can be inaccessible and why inclusion is important.
- Explore legislation that protects citizens and their ability to vote.
- Understand how absentee voting and re-enfranchisement impact election outcomes.
- Discover the utility of stakeholder mapping.

Sample Lesson Plan

1. Welcome and introductions (3 min.)

- a. Review the intended learning outcomes for this module.
- b. Remind the group of norms and expectations for engagement as needed.

2. Opening reflection question (5 min.)

- a. Pose the reflection questions from the Preliminary Assessment to the group. Invite participants to share as they are comfortable by asking: Have you, a friend, or a family member ever faced challenges when attempting to vote in a local, state, or national election? This includes registration to vote

as well. If not when voting, have you had trouble accessing public spaces or public information important to voting? What were the challenges, and how did or didn't you or they overcome them?

- b. If desired, ask participants this additional question: What types of election reforms could benefit marginalized and disenfranchised voters?
- c. Engage in a discussion based on the responses.

3. Overview of content (20 min.)

As a group, review the main content together, including the stakeholder mapping case study, and answer the following questions.

- a. What are the various reasons related to access that a person may not be able to vote?
- b. What are examples of national legislation, as well as legal frameworks and statutory provisions within your state, that currently apply to each of the areas of voter inclusion (i.e., language access, accessibility for people with disabilities, standards for unique voters, re-enfranchisement, etc.)?
- c. What role does stakeholder mapping as a tool play in advocating for changes to electoral policies and procedures?
- d. Pause for reflections or questions.

4. Practical application (15 min.)

Supplies needed: flip chart paper, paper cutouts (see below), and multiple rolls of tape.

The following is intended to take place with the large group. A variation for smaller teams is explained below. This activity identifies national legislation and Georgia’s statutory provisions with their inclusion category:

- a. Write the names of key pieces of national and Georgia legislation from the Election Law Training Manual, Module 4, on separate paper cutouts (e.g., Section 203 of the Voting Rights Act, Georgia Code 21-2-409, Title II of the ADA, the National Voter Registration Act).
- b. Write the corresponding inclusion categories (e.g., language access, accessibility for people with disabilities, standards for unique voters, re-enfranchisement) on separate pieces of flip chart paper or in quadrants on a whiteboard.
- c. Paper cutouts are passed out to participants in a random fashion. Several rolls of tape should be available for participants to use as needed.
- d. Participants have five minutes to tape each paper cutout onto the correct inclusion category.
- e. Once all paper cutouts have been taped, participants review all categories and discuss whether the placement is correct or if it should be moved to a different category.
- f. Summarize the content for the participants, reinforcing which legislation and provisions belong in the correct categories, and how they impact voter access and inclusion.

Facilitation option: This activity also can be done by breaking the full group into smaller teams. Each team should have inclusion categories written on one piece of flip chart paper.

5. Brain break (5 min.)

Choose a short brain break option presented at the beginning of this Facilitator’s Guide.

6. Group activity: Stakeholder mapping and engagement plan (35 min.)

Supplies needed: Flip chart paper, markers or pens, sticky notes.

- a. Break into smaller teams of three to four participants. Provide flip chart paper, markers/pens, and sticky notes to each team.
- b. Each team should select an issue or concern related to voting access and inclusion that they think is important.
- c. Teams brainstorm and write down on a sticky note one stakeholder or stakeholder group that has a role in their identified issue or concern.
- d. Teams create a stakeholder map (grid) with their markers and flip chart paper. The map should include a grid with “INTEREST” on one axis and “INFLUENCE” on the other. The grid should be broken into four quadrants: Clockwise from top right of grid, “Manage Closely,” “Engage as Needed,” “Monitor,” and “Keep Satisfied.”
- e. The teams then place the sticky notes on the map based on their levels of interest and influence.
- f. Based on this stakeholder analysis and mapping exercise, teams should develop a brief engagement plan (explanatory bullet points) of whom they would engage, how, and when to support action on their issue or concern.
- g. With 10 minutes remaining, each team should share with the full group a summary of (1) their issue, (2) a stakeholder map, and (3) an engagement plan. Other participants should ask questions and offer insights as appropriate.

Facilitation option: If your group is small, instruct them to work through a stakeholder map and engagement plan as an individual activity, then pair up with another individual to share and ask questions of one another. Reconvene as the full group to reflect before moving on.

7. Conclusion (7 min.)

- a. Ask participants to share their main conclusions from this module with the group. Highlight any key ideas or topics that were not discussed.
- b. Reinforce progress toward learning objectives established at the beginning of the training.
- c. Remind participants they can review the Election Law Training Manual to learn more about this topic.
- d. Invite and respond to any final questions from the participants.

8. Closing assessment

Ask participants to complete the closing assessment questions individually.

Continued Learning

If there is time, have participants consider the following in pairs. Alternatively, you could also encourage this activity as an individual reflection activity after the training.

- Select a state other than Georgia. Identify the state's legal frameworks and statutory provisions related to the categories of inclusion covered in this module (i.e., language access, accessibility for people with disabilities, standards for unique voters, and re-enfranchisement). Reflect on the following:
 - How does the state compare with Georgia?
 - Did anything surprise you?
 - How could a stakeholder mapping exercise benefit various communities and populations within the state you identified?

Module 5

What Does a Well-Run Election Look Like?

Approximately 1 hour 30 minutes for delivery of the Sample Lesson Plan

Facilitation Tips

No additional tips beyond what is offered at the beginning of the Facilitator's Guide.

Supply List

- Flip chart paper
- Markers
- Printed copies of the “Poll Worker Handouts” documents (see Facilitator's Guide Annex B, Module 5, Activity 6), enough to distribute one per team.

Sample Lesson Plan

1. Welcome and introductions (3 min.)

- a. Review the intended learning outcomes for this module.
- b. Remind the group of norms and expectations for engagement as needed.

2. Opening reflection question (5 min.)

- a. Pose the reflection questions from the preliminary assessment to the group: Have you experienced elections in another country? What similarities and differences did you notice compared with your experience with U.S. elections? If you have not experienced elections in another country, what

Learning Objectives

In this module, participants will achieve the following:

- Understand what distinguishes U.S. elections from those in other countries.
- Unpack the growing trends in U.S. election administration and potential challenges to their administration.
- Explore the role and importance of poll workers in U.S. elections, as well as current challenges that poll workers face.

about another state? Reflect on how and why elections could be similar or different elsewhere.

- b. If desired, ask additional questions: What challenges have you seen or experienced in recent years related to U.S. election administration? Do you think these are unique to the U.S.? Why or why not?
- c. Engage in a discussion based on the responses.

3. Overview of content (18 min.)

- a. Review the content with the group and respond to any questions or observations that participants would like to share.

- b. If you have a larger group and would prefer a different approach for a portion of the overview, break participants into three teams. Have each team explore and report on a different section of the Election Law Training Manual, Module 5 (i.e., “Election Administration” and “Poll Workers”).

4. Practical application (17 min.)

- a. Break the group into small teams or ask people to work individually, depending on group size. Instruct each person or team to choose from one of the following resources below (found in “Citations for Further Reading” in Module 5, “Election Administration”). Ensure that each team or individual chooses a different resource.
 - Who Certifies Elections in the U.S. and Abroad? (Election Reformers Network, September 2022)
 - The Dangers of Partisan Incentives for Election Workers (Bipartisan Policy Center and Election Reformers Network, April 2022)
 - The Supreme Court Rejected a Dangerous Elections Theory. But It’s Not All Good News. (New York Times, June 2023)
- b. Synthesize and summarize the resource to share with the full group. In addition to providing a summary, answer the following questions:
 - Which key feature of U.S. election administration does this resource touch on?
 - Which of the trends mentioned in the overview does the resource highlight?
 - Are there any other trends in U.S. election administration you are noticing or are concerned about?

Facilitation option: If facing time limitations for this module, this can also be an activity for “Continued Learning” after the training.

5. Brain break (5 min.)

Choose a short brain break option presented at the beginning of the Facilitator’s Guide.

6. Group Activity: Volunteering to be a poll worker (35 min.)

- a. Break the group into smaller teams or pairs, depending on the group size. Designate one state for each team from the following choices:

California, Connecticut, New York, Oregon, Virginia, and Washington.

- b. Pass out the appropriate state “Poll Worker Handout” to each team and have them review the handout to understand how citizens can become poll workers or election officials in their state. Additionally, have each team do some quick research to identify any poll worker stories or issues that the media has reported on recently.
- c. Using flip chart paper and markers, teams answer the following questions:
 - What are the qualifications, process, and timeline to become a poll worker?
 - What are the challenges preventing people from becoming poll workers? These could include low pay, inability to take time off work, long hours, and so forth.
 - Share examples of activities that have negatively impacted poll workers in your state, such as intimidation or violence. If positive stories have emerged, share those as well.
- d. With at least 15 minutes remaining, participants reconvene as a full group. Each team shares their flip chart paper and summarizes the findings from their handout and research.
- e. As a group, identify examples of differences by state. Discuss whether it seems easier or more difficult to serve as a poll worker in certain states. Pose the question: Are there any states where you would prefer to serve as a poll worker over others? Why?
- f. Remind the full group how serving as a poll worker in their local jurisdiction is an excellent way to gain firsthand knowledge of the process while providing an essential public service.

7. Conclusion (7 min.)

- a. Ask participants to share their main conclusions from this module with the group. Highlight any key ideas or topics that were not discussed.
- b. Reinforce progress toward learning objectives established at the beginning of the training.
- c. Remind participants they can review the Election Law Training Manual to learn more about this topic.
- d. Invite and respond to any final questions from the participants.

8. Closing assessment

Ask participants to complete the closing assessment questions individually.

Continued Learning

If you are short on time, consider assigning the “Practical Application” activity above as an individual reflection activity after the training.

Module 6

Litigation Strategies and Examples

Approximately 1 hour 30 minutes for delivery of the Sample Lesson Plan

Facilitation Tips

No additional tips beyond what is offered at the beginning of the Facilitator's Guide.

Supply List

- Flip chart paper
- Tape (multiple rolls)
- Printouts of court cases (see Practice Application)
- Sticky notes, pads of three different colors
- Printed copies of "Example Demand Letter" (see the Election Law Training Manual's Supplementary Materials, Section 2, Figures 2.1 and 2.2), enough printed to distribute one per team.

Learning Objectives

In this module, participants will be able to do the following:

- Identify the most appropriate proactive strategy to avoid litigation.
- Consider key legislation that has governed election disputes in the United States.
- Analyze the impact of post-election fraud allegations on public trust.
- Understand the different legal tests used to analyze election laws or procedures and how they are applied in different jurisdictions.

Sample Lesson Plan

1. Welcome and introductions (3 min.)

- a. Review the intended learning outcomes for this module.
- b. Remind the group of norms and expectations for engagement as needed.

2. Opening reflection question (7 min.)

- a. Pose the reflection questions from the preliminary assessment to the group: What is the difference between a flawed election and a failed election? Should flawed election results be accepted?

- b. If desired, ask an additional question: Why might it be prudent to avoid litigation around election matters?
- c. Engage in a discussion based on the responses and encourage reflections or questions.

Facilitation option: As an alternative format, break the large group into two smaller teams and assign one question to each team. Teams should discuss among themselves and then come back together to share thoughts with the full group.

3. Overview of content (20 min.)

Review the content with the group and respond to any questions or observations that participants would like to share.

4. Practical application: Legal tests (15 min.)

Supplies needed: Flip chart paper, printouts of court cases (see Facilitator's Guide Annex B, Module 6, Activity 4), sticky note pads of three different colors, and tape.

- a. Hang pieces of flip chart paper on the wall, each with one of the following analysis categories on them: *Anderson-Burdick*, *Purcell Principle*, *Arlington Heights*, and *Gingles and Shaw*.
- b. Break the full group into four small teams or pairs and distribute the "Hypothetical Scenarios" from each of the four handouts to the small teams or pairs. (You may need to pre-cut these scenarios from the handout.)
- c. Have each team examine the scenario and discuss which analysis category and level of review is best suited to their scenario.
- d. Once all teams have arrived at a consensus, have them tape their scenario on one of the flip chart categories and place a sticky note on it to denote the appropriate level of review.
 - Each level of review is represented by one of three colors of sticky notes. (For example: Strict scrutiny is represented by red sticky notes; intermediate scrutiny is represented by orange sticky notes; rational basis review is represented by yellow sticky notes.)
- e. With at least seven minutes remaining, reconvene the full group, have each team share their scenario and rationale for analysis category and level of review. Explain and correct where needed.
- f. Invite any final observations or questions from the group before moving forward.

5. Brain break (5 min.)

Choose a short brain break option presented at the beginning of this Facilitator's Guide.

6. Group activity: Demand letter exercise (35 min.)

Supplies needed: Printed copies of "Example Demand Letter" (see Election Law Training Manual's Supplementary Materials, Section 2, Figures 2.1 and 2.2), enough printed to distribute one per team.

- a. Break the large group into smaller teams of three to five participants.
- b. Each team reads the Georgia Public Broadcasting article, "Georgia Senate committee passes bill that bans drop boxes. It also might violate federal law" (March 2023).
- c. Teams practice drafting the framework (an outline and bullet points of relevant information) for a demand letter using the example demand letter from Election Law Training Manual's Supplementary Materials, Section 2, Figures 2.1 and 2.2.
- d. With about 12 minutes remaining, teams should share their demand letter framework with another team and receive another's in return.
- e. Teams review the shared demand letter framework, noting differences and similarities between them. Teams discuss the following questions:
 - Has the other team presented different arguments that you find persuasive?
 - Did they reference different legislation?
 - What other observations do you have?
- f. With about six minutes remaining, teams reconvene as a full group and debrief the activity. Ask the following questions to encourage reflection:
 - Was this your first time drafting the framework for a demand letter? What was the experience like for you? Was any part of it challenging or surprising?
 - What did you learn from reading a peer team's demand letter framework?
 - What were your main takeaways from this activity?

7. Conclusion (5 min.)

- a. Ask participants to share their main conclusions from this module with the group. Highlight any key ideas or topics that were not discussed.
- b. Reinforce progress toward learning objectives established at the beginning of the training.
- c. Remind participants they can review the ELTM to learn more about this topic.
- d. Invite and respond to any final questions from the participants.

8. Closing assessment

Ask participants to complete the closing assessment questions individually.

Continued Learning

If you have additional time or would like to encourage continued reflection outside of the training, consider or suggest the following activity:

- Instruct participants to carefully read “Case Study: Cobb County Early Voting Site Closures” in Module 6 of the Election Law Training Manual. Participants should consider and respond to the following questions:
 - What pre-litigation strategies were used by voting rights and civil rights lawyers to avoid the closure of five voting locations?
 - In your own words, summarize why it is essential for election lawyers to work closely with community leaders on voter and civic engagement issues.
- Using the tips from the Elections Group, write a press release about the Cobb County case study.

Module 7

Keeping Clients Safe

Approximately 1 hour 30 minutes for delivery of the Sample Lesson Plan

Facilitation Tips

No additional tips beyond what is offered at the beginning of the Facilitator's Guide.

Supply List

- Flip chart paper
- Markers

Learning Objectives

In this module, participants will learn the following:

- Explore cybersecurity concerns in the context of elections and the safeguards that uphold election integrity.
- Understand what distinguishes political violence from other forms of violence and its impact on civic participation.
- Practice how to identify the weaponization of information and prevent its proliferation.
- Analyze why the current election climate in Georgia makes it vulnerable to political violence and misinformation, disinformation, and malinformation.

Sample Lesson Plan

1. Welcome and introductions (2 min.)

- Review the intended learning outcomes for this module.
- Remind the group of norms and expectations for engagement as needed.

2. Opening reflection question (6 min.)

- Pose the reflection questions from the preliminary assessment to the group: Why might misinformation, disinformation, and malinformation be particularly prevalent around elections, and why is it on the rise? How are political violence and mis-, dis-, and malinformation linked?

- Engage in a discussion based on the responses.

Facilitation option: Ask participants to answer in small teams. Volunteers share answers with the full group before moving on to the next segment.

3. Overview of content (15 min.)

- Review the content with the group and respond to any questions or observations that participants would like to share.
- If you have a larger group or prefer a different approach, break participants into three teams. Have each team explore and report on a different

section in Module 7 of the Election Law Training Manual: Cybersecurity Issues; Political Violence; and Misinformation, Disinformation, and Malinformation Targeting Elections).

4. Practical application: Media literacy practice (20 min.)

- a. Break the group into smaller teams of two to four participants.
- b. Each team chooses a contentious political issue and researches it through browser searches, social media feeds, and so forth, to identify examples of misinformation accompanying that issue. (*Teams should consider using both their personal accounts and a private browser to compare the differences.*)
- c. Teams practice their media literacy skills using techniques from the SIFT Method, Michael Caulfield's Four Moves and a Habit, or another media literacy framework.
- d. With at least five minutes remaining, teams reconvene as a full group. Solicit reflections and takeaways from the participants.
- e. Encourage participants to use media literacy frameworks to identify mis-, dis-, and malinformation when using their social media feeds.

Facilitation option: If facing time limitations, this can also be an individual activity for "Continued Learning" outside of the group setting.

5. Brain break (5 min.)

Choose a short brain break option presented at the beginning of the Facilitator's Guide.

6. Group activity: Voting procedures (35 min.)

- a. Break the group into small teams. Each team selects a different state to represent in this activity from the list below. Distribute the relevant state election administration summary handout to the appropriate team. (See the Facilitator's Guide Annex B, Module 7 for copies.)
 - Alabama
 - Florida
 - Georgia
 - Mississippi
 - Texas

- b. Teams explore how their chosen state runs elections by answering on a sheet of flip chart paper, using the handout and their own research if needed.
 - What legal frameworks and statutory provisions exist that govern election administration in this state?
 - How does this state protect its voter registration database?
 - How do registered voters cast their ballots?
 - What physical security requirements exist for this state's voting equipment?
 - What pre-election testing does this state conduct?
 - What auditing requirements does this state use during an election?
 - What auditing requirements does this state use after an election?
 - What litigation has this state faced regarding elections?
- c. With 15 minutes remaining, teams reconvene as a full group and share their answers to the questions above along with any observations.
- d. Pose reflection questions to the full group. For example: Which states seem to have robust mechanisms to prevent cybersecurity issues? Do you think that any voting procedures we've heard about today create a more vulnerable environment for political violence or mis-, dis-, and malinformation?
- e. End this activity by offering the group an opportunity to ask questions or share reflections.

7. Conclusion (7 min.)

- a. Ask participants to share their main conclusions from this module with the group. Highlight any key ideas or topics that were not discussed.
- b. Reinforce progress toward learning objectives established at the beginning of the training.
- c. Remind participants they can review the Election Law Training Manual to learn more about this topic.
- d. Invite and respond to any final questions from the participants.

8. Closing assessment

Ask participants to complete the closing assessment questions individually.

Continued Learning

If you are short on time, consider assigning the “practical application” activity above as continued reflection outside of the training.

Synthesis

Upon completing a training module, use the reflection questions below to help participants identify key takeaways, deepen their learning, connect concepts, and synthesize the material. Select from this list of reflection questions or create your own based on your participants' interaction with the material.

- What does it mean to be a citizen lawyer? How can being a citizen lawyer strengthen democracy in our country?
- Does racism, partisanship, both, or neither impact elections and election law and processes? Why or why not? Should Americans allow partisanship to influence election law and processes?
- Black people have lived in North America for 400 years but have only had genuine nationwide voting rights in the U.S. for 60. What implications does this history suggest when lawyers try to ensure that elections are free and fair?
- “History doesn’t repeat itself, but it often rhymes.” What did Mark Twain mean by this? What are some examples of historical rhymes in the area of elections, election law and processes, and voting?
- How much should be done to ensure equal voting rights for all? What should be done at the local, state, and federal levels to ensure equal voting rights? Equitable voting rights?
- How could advances in technology, including artificial intelligence, impact elections in the future?
- To quote Frederick Douglass, “The work does not end with the abolition of slavery but only begins.” There is no endpoint when it comes to justice. How do you plan to use what you have learned during this training in your practice as a lawyer as well as a citizen?

Facilitation recommendations: Participants can (1) write their responses individually and then volunteer to share with the group, (2) discuss in pairs before volunteering to share with the group, or (3) discuss as a full group.

Annex A:

Assessment Questions

Module 1

Reflection Question

Lawyers constitute 46% of U.S. congressional members, compared to the next highest number of 32% in Chile. What does this statistic suggest about the conduct of politics in the United States?

Technical Questions

1. Which of the following is NOT a way that lawyers impact elections?
 - A. They contribute to the establishment of legal trends that guide future electoral cases.
 - B. They advocate for election reforms in courtrooms and legislative forums.
 - C. They draft legislation that eventually gets codified into law.
 - D. They contribute to the resolution of disputes related to elections.
2. What does it mean to be a citizen lawyer?
 - A. So long as you study current political issues, you can provide legal advice just like a licensed attorney.
 - B. Lawyers understand that the law reflects the community's values and feel a responsibility to the integrity of the legal system.
 - C. Lawyers represent citizens during litigation.
 - D. You have the same authority as a judge and can preside over legal proceedings.
3. Citizen lawyers play an important role in promoting and upholding democracy.
 - A. True
 - B. False

Module 2

Reflection Question

What is your understanding of the relationship between federal and state protections in election administration? Does the relationship uphold integrity and fairness in the electoral process?

Technical Questions

1. How does the equal protection clause, as outlined in the 14th Amendment, safeguard voting rights, and what type of discrimination does the 15th Amendment prohibit?
 - A. The equal protection clause guarantees the right to vote for all citizens, regardless of race or color.
 - B. The 14th Amendment ensures equal voting rights for all citizens, while the 15th Amendment prohibits gender-based voting discrimination.
 - C. The equal protection clause guarantees equal protection under the law, and the 15th Amendment prohibits racial discrimination in voting.
 - D. The 14th Amendment prohibits voting discrimination based on age, while the 15th Amendment addresses religious discrimination in voting.
2. What role do state legislatures play in shaping election laws and policies in the United States?
 - A. State legislatures have no influence over election laws; they are controlled solely by the federal government.
 - B. State legislatures have authority over certain aspects of election laws, such as voting procedures and district boundaries, within the bounds of federal law.
 - C. State legislatures have the power to determine all aspects of election laws and policies, including voter eligibility.
 - D. State legislatures can make recommendations, but the final decision on election laws is made by the U.S. Supreme Court.
3. Why is judicial independence considered essential for democratic functioning?
 - A. It allows judges to make decisions based on their political preferences.
 - B. It ensures that election outcomes are determined by the courts.
 - C. It upholds public faith in the integrity of the legal system and election results by limiting political interference in judicial decision-making.
 - D. It guarantees that judges are elected based on their political affiliations.

4. What is the “political question doctrine,” and how does it relate to election cases?
 - A. It requires courts to avoid cases that are best left to the political branches of government.
 - B. It requires judges to make decisions based on political considerations.
 - C. It mandates that all election-related disputes be resolved by federal courts.
 - D. It obligates judges to participate in partisan politics.
5. In federal courts, how do judges evaluate the constitutionality of election regulations and their impact on the right to vote?
 - A. Judges evaluate regulations based solely on whether they create any burden on the right to vote.
 - B. Judges evaluate regulations based on the severity of the burden on the right to vote and whether the state’s interests justify the burden.
 - C. Judges evaluate regulations based on whether voters like them.
 - D. Judges evaluate regulations based on the political affiliations of the individuals affected by the regulations.

Module 3a

Reflection Question

The federal Voting Rights Act of 1965 is considered by many to be the most significant civil rights law in our nation's history. Is it important for states to supplement the protections beyond what is afforded in the federal Voting Rights Act? Why or why not?

Technical Questions

1. Which section of the federal Voting Rights Act of 1965 is often used to challenge at-large and district-based election structures that deny voters of color an equal opportunity to participate and elect candidates of their choice?
 - A. Section 5
 - B. Section 4(b)
 - C. Section 2
 - D. Section 3
2. What is one of the primary goals of various state-level voting rights acts adopted in recent years?
 - A. To limit voting rights to a select group of individuals.
 - B. To enhance protections for the right to vote for members of race, color, or language minority groups.
 - C. To weaken the protections provided by the federal VRA.
 - D. To establish a nationwide standard for voter registration.
3. Which provision found in comprehensive models of state VRAs aims to bolster the provisions of federal VRA Section 2 and enable voters to efficiently address barriers that deny voting opportunities?
 - A. State-level preclearance.
 - B. Protections against voter intimidation.
 - C. Expanded language access.
 - D. New private rights action against vote denial and racial vote dilution.
4. In the context of redistricting, what does the term “gerrymandering” refer to?
 - A. A traditional method of drawing district boundaries based on geography.
 - B. The process of ensuring that all districts have the same number of registered voters.
 - C. The practice of manipulating district boundaries for political advantage, often to favor one political party, candidate, or group.
 - D. A legal challenge to the constitutionality of voting laws.
5. Which best explains the principle of “one person, one vote” and its significance in shaping voting laws and addressing gerrymandering?
 - A. “One person, one vote” ensures that only one person can vote per household to prevent voter fraud.
 - B. “One person, one vote” means that each eligible voter can only vote once in each election.
 - C. “One person, one vote” allows each voter to cast multiple ballots to enhance their voting power.
 - D. “One person, one vote” requires that voting districts have roughly equal population counts to ensure equitable representation.

Module 3b

Reflection Question

Why does safeguarding the right to vote rely on things like legal action, community involvement, and voter education? Why aren't federal and state protections enough?

Technical Questions

1. What is the primary purpose of the equal protection clause of the 14th Amendment in the context of voting rights?
 - A. To establish a right to vote for all citizens.
 - B. To enforce age-based voting restrictions.
 - C. To challenge discriminatory voting practices that are unequally applied to marginalized groups.
 - D. To determine voter eligibility based on income.
2. Which constitutional amendment ensures that citizens who are 18 years or older cannot be denied the right to vote based on age?
 - A. 14th Amendment
 - B. 16th Amendment
 - C. 23rd Amendment
 - D. 26th Amendment
3. How do some new democracies differ from the United States in their approach to maximizing citizens' opportunities to participate in the political process?
 - A. They rely on domestic laws to guarantee voting rights without considering opportunities.
 - B. They emphasize increasing barriers to voting without assessing their impact on opportunities.
 - C. They prioritize making voting easy and maximize opportunities for citizens to register and vote.
 - D. They use helicopters to deliver ballot boxes to remote locations during elections.
4. Which of the following factors are considered as part of the eligibility requirements for voting in the United States?
 - A. Voter's age and family status.
 - B. Voter's annual income, disability, and employment status.
 - C. Voter's age, citizenship, and residency.
 - D. Voter's language and citizenship.
5. Why do some argue that strict voter ID laws may reduce voter turnout?
 - A. Because they streamline voter registration procedures.
 - B. Because they aim to enhance electoral security.
 - C. Because they place a disproportionate burden on certain groups.
 - D. Because they simplify the voting process.

Module 4

Reflection Question

Have you, a friend, or a family member ever faced challenges when attempting to vote in a local, state, or national election? If not voting, have you/they had trouble accessing public spaces or public information? What were the challenges, and how did you/they overcome them?

Technical Questions

1. What is the primary purpose of Section 203 of the Voting Rights Act?
 - A. To impose literacy tests on voters.
 - B. To promote the use of English-only voting materials.
 - C. To require language access for specific communities with limited English proficiency.
 - D. To enhance voting rights for certain ethnic groups.
2. Which federal law requires election officials to permit blind or disabled voters to receive assistance from a person of their choosing, with certain exclusions, while voting?
 - A. The Voting Accessibility for the Elderly and Handicapped Act of 1984 (VAEHA)
 - B. The National Voter Registration Act of 1993 (NVRA)
 - C. The Help America Vote Act of 2002 (HAVA)
 - D. The Voting Rights Act of 1965 (VRA)
3. Which voting method experienced a significant increase in participation rates during the 2020 pandemic, with a more than 200% increase compared with the 2016 presidential election?
 - A. In-person voting at polling locations
 - B. Absentee voting
 - C. Provisional voting
 - D. Ranked-choice voting (RCV) ballot
4. What does the 14th Amendment allow states to do regarding citizens with felony convictions?
 - A. Guarantees automatic restoration of voting rights for all citizens with felony convictions.
 - B. Prohibits states from disenfranchising citizens with felony convictions.
 - C. Allows states to disenfranchise citizens with felony convictions.
 - D. Requires states to create special voting procedures for citizens with felony convictions.
5. What does stakeholder mapping primarily involve?
 - A. Mapping stakeholders by their home addresses and contact information.
 - B. Identifying stakeholders by their name, contact information, role, organization, and their view on an issue.
 - C. Identifying stakeholders by their name, political affiliation, and candidate preferences.
 - D. Mapping stakeholders based on their corresponding voting districts.

Module 5

Reflection Question

Have you experienced elections in another country? What similarities and differences did you notice as compared with your experience with U.S. elections? If you have not experienced elections in another country, reflect on how and why elections might be different elsewhere.

Technical Questions

1. What is the primary authority responsible for the administration of elections in the United States, especially at the local level?
 - A. The secretary of state
 - B. The Federal Election Commission (FEC)
 - C. The president of the United States
 - D. The United States Department of Justice
2. The Independent State Legislature Theory (ISLT) argues that:
 - A. State legislatures should not be involved in election administration.
 - B. State legislatures should be constrained by state courts in their implementation of election rules.
 - C. State legislatures have absolute authority over election rules, irrespective of state constitutions or state courts.
 - D. State legislatures have no role in regulating the time, place, and manner of elections.
3. Which of the following is not a characteristic of U.S. election administration?
 - A. Decentralization and local control.
 - B. Significant involvement of political parties and party-affiliated individuals.
 - C. Mandatory and automatic voter registration.
 - D. The politically contested nature of election administration.
4. What is the primary objective of laws that require a specific partisan composition of poll workers in many states?
 - A. To ensure that poll workers are affiliated with the same political party as most voters in their district.
 - B. To ensure that all partisan stakeholders can participate in the process to build their confidence in the results.
 - C. To minimize the need for sustained outreach to local party representatives.
 - D. To encourage poll workers to participate actively in political campaigns.
5. How have some states responded to concerns about threats, harassment, and intimidation of election workers in the aftermath of the 2020 elections?
 - A. By enacting laws to criminalize attempts to intimidate election workers.
 - B. By reducing compensation for poll workers to decrease their exposure.
 - C. By introducing legislative change to encourage more individuals to serve as election officials.
 - D. By prohibiting election workers from collaborating with All Voting is Local.

Module 6

Reflection Question

What is the difference between a flawed election and a failed election? Should flawed election results be accepted?

Technical Questions

1. What is the primary purpose of demand letters in prelitigation strategies related to election matters?
 - A. To establish a lawsuit immediately without further negotiation.
 - B. To request campaign donations from opposing parties.
 - C. To publicize election-related issues for media attention before litigation.
 - D. To encourage resolution without going to court by outlining concerns, providing legal analysis, and proposing remedies.
2. In prelitigation strategies, what role does due diligence play in addressing election matters?
 - A. Due diligence is not relevant to prelitigation strategies.
 - B. Due diligence entails conducting thorough research and analysis to understand relevant election laws and regulations.
 - C. Due diligence involves soliciting campaign donations.
 - D. Due diligence focuses on developing and coordinating strategic press efforts to shape the public's understanding of election matters before litigation.
3. What is a key principle that judges consider when handling election disputes, especially regarding overturning election results?
 - A. Courts demand concrete evidence of irregularities with any election, regardless of their magnitude.
 - B. Courts frequently nullify election results for minor defects in the voting process.
 - C. Judges are inclined to reverse election results if any significant irregularity is discovered.
 - D. Courts can easily overturn an election result based on minor flaws in the voting process.
4. Which significant event led to the bipartisan adoption of the Electoral Count Reform Act of 2022?
 - A. The 1876 presidential election controversy
 - B. The 1887 Electoral Count Act
 - C. The 2000 presidential election and ensuing litigation
 - D. The 2020 presidential election and the events of Jan. 6
5. Which test is commonly used to evaluate voting laws and weighs the burden on voting rights against the government's interest?
 - A. Gingles test
 - B. Purcell principle
 - C. Arlington Heights factors
 - D. Anderson-Burdick balancing test

6. In election cases challenging laws based on discrimination, courts use the *Arlington Heights* factors to evaluate what aspect?
- A. Voter confusion.
 - B. The impact on minority votes vs. the government's interest.
 - C. Discriminatory intent.
 - D. The geographic cohesion of minority groups.

Module 7

Reflection Question

Why might misinformation, disinformation, and malinformation (MDM) be particularly prevalent around elections, and why is it on the rise? How are political violence and MDM linked?

Technical Questions

1. Which auditing process conducted after an election involves verifying the outcome of the election and can catch problems with the functioning of the ballot-marking devices?
 - A. Pre-election testing
 - B. Logic and accuracy testing
 - C. Risk-limiting audit
 - D. Extra ballot reconciliation
2. How is Georgia's voter registration database, GARViS, protected against cybersecurity threats?
 - A. It is stored on standalone servers with no internet access.
 - B. It uses open-source software for better security.
 - C. It undergoes daily cybersecurity drills.
 - D. It is backed up on a cloud server for redundancy.
3. Historically, what is a notable characteristic of individuals engaging in political violence in the United States since the Civil War?
 - A. Acts of political violence have been evenly split between left and right ideologies.
 - B. Most acts of political violence have been perpetrated by individuals motivated by right-wing ideologies, particularly animus toward racial minorities.
 - C. Left-wing individuals have been responsible for the majority of political violence incidents.
 - D. The motivations behind political violence have remained consistent since the Civil War.
4. What is the key distinction between disinformation and malinformation?
 - A. Disinformation involves unintentionally mistaken information, while malinformation involves spreading known false information.
 - B. Disinformation refers to the spreading of true information to cause harm, while malinformation refers to false or misleading information.
 - C. Disinformation intentionally deceives, while malinformation reveals sensitive information about an individual without consent for harmful purposes.
 - D. There is no significant difference between disinformation and malinformation.

5. Which of the following conditions makes MDM more prolific?
- A. An information void, especially during time-sensitive periods like election day or the breaking of national news stories.
 - B. Media consumers with weak media literacy techniques.
 - C. Social media platforms that don't take action to demonetize content and content creators who spread MDM.
 - D. All of the above.

Annex Answer Key: Assessment Questions

Module 1 Technical Questions

1. Which of the following is NOT a way that lawyers impact elections? **Answer: B**
B. They advocate for election reforms in courtrooms and legislative forums.
2. What does it mean to be a citizen lawyer? **Answer: B**
B. Lawyers understand that the law reflects the community's values and feel a responsibility to the integrity of the legal system.
3. Citizen lawyers play an important role in promoting and upholding democracy. **Answer: True**
A. True

Module 2 Technical Questions

1. How does the equal protection clause, as outlined in the 14th Amendment, safeguard voting rights, and what type of discrimination does the 15th Amendment prohibit? **Answer: C**
C. The equal protection clause guarantees equal protection under the law, and the 15th Amendment prohibits racial discrimination in voting.
2. What role do state legislatures play in shaping election laws and policies in the United States? **Answer: B**
B. State legislatures have authority over certain aspects of election laws, such as voting procedures and district boundaries, within the bounds of federal law.
3. Why is judicial independence considered essential for democratic functioning? **Answer: C**
C. It upholds public faith in the integrity of the legal system and election results by limiting political interference in judicial decision-making.
4. What is the "political question doctrine," and how does it relate to election cases? **Answer: A**
A. It requires courts to avoid cases that are best left to the political branches of government.
5. In federal courts, how do judges evaluate the constitutionality of election regulations and their impact on the right to vote? **Answer: B**
B. Judges evaluate regulations based on the severity of the burden on the right to vote and whether the state's interests justify the burden.

Module 3a Technical Questions

1. Which section of the federal Voting Rights Act of 1965 is often used to challenge at-large and district-based election structures that deny voters of color an equal opportunity to participate and elect candidates of their choice? **Answer: C**
A. Section 5
B. Section 4(b)
C. Section 2
D. Section 3
2. What is one of the primary goals of various state-level voting rights acts adopted in recent years? **Answer: B**
B. To enhance protections for the right to vote for members of race, color, or language minority groups.
3. Which provision found in comprehensive models of state VRAs aims to bolster the provisions of the federal VRA Section 2 and enable voters to efficiently address barriers that deny voting opportunities? **Answer: D**
D. New private rights action against vote denial and racial vote dilution.

4. In the context of redistricting, what does the term “gerrymandering” refer to? **Answer: C**
- C. The practice of manipulating district boundaries for political advantage, often to favor one political party, candidate, or group.**
5. Which best explains the principle of “one person, one vote” and its significance in shaping voting laws and addressing gerrymandering? **Answer: D**
- D. “One person, one vote” requires that voting districts have roughly equal population counts to ensure equitable representation.**

Module 3b Technical Questions

1. What is the primary purpose of the equal protection clause of the 14th Amendment in the context of voting rights? **Answer: C**
- C. To challenge discriminatory voting practices that are unequally applied to marginalized groups.**
2. Which constitutional amendment ensures that citizens who are 18 years or older cannot be denied the right to vote based on age? **Answer: D**
- D. 26th Amendment**
3. How do some new democracies differ from the United States in their approach to maximizing citizens’ opportunities to participate in the political process? **Answer: C**
- C. They prioritize making voting easy and maximize opportunities for citizens to register and vote.**
4. Which of the following factors are considered as part of the eligibility requirements for voting in the United States? **Answer: C**
- C. Voter’s age, citizenship, and residency.**
5. Why do some argue that strict voter ID laws may reduce voter turnout? **Answer: C**
- C. Because they place a disproportionate burden on certain groups.**

Module 4 Technical Questions

1. What is the primary purpose of Section 203 of the Voting Rights Act? **Answer: C**
- C. To require language access for specific communities with limited English proficiency.**
2. Which federal law requires election officials to permit blind or disabled voters to receive assistance from a person of their choosing, with certain exclusions, while voting? **Answer: D**
- D. The Voting Rights Act of 1965 (VRA)**
3. Which voting method experienced a significant increase in participation rates during the 2020 pandemic, with a more than 200% increase compared with the 2016 presidential election? **Answer: B**
- B. Absentee voting**
4. What does the 14th Amendment allow states to do regarding citizens with felony convictions? **Answer: C**
- C. Allows states to disenfranchise citizens with felony convictions.**
5. What does stakeholder mapping primarily involve? **Answer: B**
- B. Identifying stakeholders by their name, contact information, role, organization, and their view on an issue.**

Module 5 Technical Questions

1. What is the primary authority responsible for the administration of elections in the United States, especially at the local level? **Answer: A**
A. The secretary of state
2. The Independent State Legislature Theory (ISLT) argues that: **Answer: C**
C. State legislatures have absolute authority over election rules, irrespective of state constitutions or state courts.
3. Which of the following is not a characteristic of U.S. election administration? **Answer: C**
C. Mandatory and automatic voter registration.
4. What is the primary objective of laws that require a specific partisan composition of poll workers in many states? **Answer: B**
B. To ensure that all partisan stakeholders can participate in the process to build their confidence in the results.
5. How have some states responded to concerns about threats, harassment, and intimidation of election workers in the aftermath of the 2020 elections? **Answer: A**
A. By enacting laws to criminalize attempts to intimidate election workers.

Module 6 Technical Questions

1. What is the primary purpose of demand letters in prelitigation strategies related to election matters? **Answer: D**
D. To encourage resolution without going to court by outlining concerns, providing legal analysis, and proposing remedies.
2. In prelitigation strategies, what role does due diligence play in addressing election matters? **Answer: B**
B. Due diligence entails conducting thorough research and analysis to understand relevant election laws and regulations.
3. What is a key principle that judges consider when handling election disputes, especially regarding overturning election results? **Answer: A**
A. Courts demand concrete evidence of irregularities with any election, regardless of their magnitude.
4. Which significant event led to the bipartisan adoption of the Electoral Count Reform Act of 2022? **Answer: D**
D. The 2020 presidential election and the events of Jan. 6
5. Which test is commonly used to evaluate voting laws and weighs the burden on voting rights against the government's interest? **Answer: D**
D. Anderson-Burdick balancing test
6. In election cases challenging laws based on discrimination, courts use the *Arlington Heights* factors to evaluate what aspect? **Answer: C**
C. Discriminatory intent.

Module 7 Technical Questions

1. Which auditing process conducted after an election involves verifying the outcome of the election and can catch problems with the functioning of the ballot-marking devices? **Answer: C**
C. Risk-limiting audit
2. How is Georgia's voter registration database, GARViS, protected against cybersecurity threats? **Answer: A**
A. It is stored on standalone servers with no internet access.
3. Historically, what is a notable characteristic of individuals engaging in political violence in the United States since the Civil War? **Answer: B**
B. Most acts of political violence have been perpetrated by individuals motivated by right-wing ideologies, particularly animus toward racial minorities.
4. What is the key distinction between disinformation and malinformation? **Answer: C**
C. Disinformation intentionally deceives, while malinformation reveals sensitive information about an individual without consent for harmful purposes.
5. Which of the following conditions makes MDM more prolific? **Answer: D**
D. All of the above.

Annex B:

Sample Lesson Plan

Supplementary Material

Module 3a, Activity 6

Information about the voting rights acts for California, Connecticut, New York, Oregon, Virginia, and Washington can be found at the links below.

California

- Primer: https://lccrsf.org/wp-content/uploads/2014_CVRA_Fact_Sheet.pdf
- Law text: https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=ELEC&division=14.&title=&part=&chapter=1.5.&article

Connecticut

- Primer: <https://www.naacpldf.org/ldf-mission/political-participation/connecticut-voting-rights-act/>
- Law text: https://www.cga.ct.gov/2024/sup/chap_151a.htm

New York

- Primer: <https://ag.ny.gov/resources/organizations/new-york-voting-rights-act>

- Law text: <https://legislation.nysenate.gov/pdf/bills/2021/S1046E>

Oregon

- Law text: <https://olis.oregonlegislature.gov/liz/2019R1/Downloads/MeasureDocument/HB3310/Enrolled>

Virginia

- Law text: <https://lis.virginia.gov/cgi-bin/legp604.exe?212+ful+CHAP0533>

Washington

- Law text: <https://lawfilesexternal.wa.gov/biennium/2023-24/Pdf/Bills/Session%20Laws/House/1048-S.SL.pdf?q=20240711134622>

Module 3b, Activity 4

Print out copies of the Electoral Access Bingo cards that appear here, or create cards on a website such as www.myfreebingocards.com.

Electoral Access Bingo!

Restoration	Language and information accessibility	Voter education	Accessibility of polling stations	24th Amendment (1964)
Electoral security	Equal Protection Clause of the 14th Amendment	15th Amendment (1870)	Electoral technology	Voter registration
Eligibility	Legal action	20th Amendment (1971)	VRA of 1965	Voter ID laws
Universal suffrage	Voting rights	Article 25 of the ICCPR	Transparency and accountability	NVRA of 1993
Demand letters	Felony disenfranchisement	Registration	19th Amendment (1920)	Community involvement

Electoral Access Bingo!

20th Amendment (1971)	Voter ID laws	Transparency and accountability	19th Amendment (1920)	Article 25 of the ICCPR
Legal action	Electoral security	Felony disenfranchisement	Language and information accessibility	Universal suffrage
Demand letters	Voter registration	NVRA of 1993	Voting rights	Equal Protection Clause of the 14th Amendment
Registration	Restoration	VRA of 1965	24th Amendment (1964)	Voter education
15th Amendment (1870)	Community involvement	Accessibility of polling stations	Eligibility	Electoral technology

Electoral Access Bingo!

Voter ID laws	Restoration	Community involvement	20th Amendment (1971)	Eligibility
NVRA of 1993	Legal action	Voting rights	Voter education	Felony disenfranchisement
Language and information accessibility	Demand letters	Accessibility of polling stations	Equal Protection Clause of the 14th Amendment	Electoral security
Registration	15th Amendment (1870)	24th Amendment (1964)	Electoral technology	Article 25 of the ICCPR
Transparency and accountability	VRA of 1965	19th Amendment (1920)	Universal suffrage	Voter registration

Electoral Access Bingo!

Voter education	19th Amendment (1920)	Transparency and accountability	Electoral technology	Registration
Felony disenfranchisement	Legal action	Universal suffrage	Electoral security	20th Amendment (1971)
VRA of 1965	NVRA of 1993	Voting rights	Article 25 of the ICCPR	Equal Protection Clause of the 14th Amendment
Accessibility of polling stations	Voter registration	Community involvement	Voter ID laws	15th Amendment (1870)
Language and information accessibility	Universal suffrage	24th Amendment (1964)	Eligibility	Demand letters

Module 5, Activity 6

The following are poll worker handouts for California, Connecticut, New York, Oregon, Virginia, and Washington.

Poll Worker Handout

CALIFORNIA



Poll worker requirements

- **Be:** A registered California voter OR a legal resident of the United States who would be eligible to vote except for their citizenship status OR an eligible high school student (U.S. citizen or legal permanent resident, at least 16 years old on Election Day, attending a public or private high school, minimum 2.5 GPA, permission from parents and school, attend a training session).
- **Apply:** Online at pollworker.sos.ca.gov (2-3 minutes).
- **Receive training:** No standardized training requirements, but the state provides “training standards” (<https://elections.cdn.sos.ca.gov/poll-worker-training-standards/poll-worker-training-standards.pdf>).
- **Accreditation process:** “Process may vary by county, but observers are typically required to sign in at observing locations and wear an identification badge.” (See NCSL link below.)
- **Compensation:** Varies by county, some unpaid; bilingual poll workers can receive \$100 extra; student poll workers: Stipends vary from \$65 to \$150.

Protections for poll workers

- CA ELEC § 2166.5 [CA SB 1131 (2022)]: “A county elections official shall, upon application of a qualified worker, **make confidential that worker’s residence address, telephone number and email address** appearing on the affidavit of registration,

in accordance with the terms and conditions of this section.”

- Poll workers are now legally designated as “qualified workers” under this statute.

Notes on being a poll worker

- For many counties, the State Secretary of State Office site will redirect people directly to the website of the county where they wish to be a poll worker.
- High school students are allowed one excused absence per year to attend a civic or political event, such as poll working.
- California has two counties (Sierra and Alpine) that are all mail-in and therefore do not need poll workers.
- Those qualified to work as poll workers in California may work in any California county.

Sources

<https://www.sos.ca.gov/elections/poll-worker-information>

<https://pollworker.sos.ca.gov/s/>

<https://www.ncsl.org/elections-and-campaigns/state-laws-providing-protection-for-election-officials-and-staff>

<https://www.ncsl.org/elections-and-campaigns/poll-watchers-and-challengers>

Poll Worker Handout

CONNECTICUT



How to become a poll worker

- **Be:** United States citizen AND age 16 or over.
- **Apply:** Brief online application on the Secretary of State website.
- **Receive training:** Training session required; the length varies by county (approx. 1-4 hours).
- **Accreditation process:** “The town chairman of the party submits appointments in writing at least 48 hours before the election.” (See NCSL link below.)
- **Compensation:** Varies by county and can range from \$200 to \$450.

Protections for poll workers

- N/A

Notes on being a poll worker

- Poll workers are referred to as “unofficial checkers.”
- Some counties require poll workers over 18 to be registered voters.
- County sites note that there are also “skilled” poll worker positions, such as “moderators,” that require additional training and receive more pay.

Sources

<https://portal.ct.gov/sots/election-services/poll-workers/poll-worker-information-and-interest-form>
<https://www.bristolct.gov/1073/POLL-WORKER-101>
<https://www.westhartfordct.gov/town-departments/registrars-of-voters/poll-worker-information>
<https://www.ncsl.org/elections-and-campaigns/poll-watchers-and-challengers>

Poll Worker Handout

NEW YORK



How to become a poll worker

- **Be:** A New York State registered voter in the county/city holding the election AND age 17 or older; must be able to speak, read, and write English fluently.
- **Apply:** Online application, (separate forms for those living in New York City and those outside the city) OR applicants can download a mail-in application if over 18.
- **Receive training:** All poll workers must attend a training session and pass an exam.
- **Accreditation process:** “An organization, a party committee, or a group of two or more candidates can appoint poll watchers and provide a certificate for observation.” (See NCSL link below.)
- **Compensation:** All poll workers are paid up to \$2,750 over 10 days.

Protections for poll workers

- The “Election Workers, Voters and Polling Places Protection Act” was introduced to the New York State Legislature during the 2021-2022 session and remains in an Assembly (Lower House) committee. [A10687 § 17-213]:
- **“Whoever, whether or not acting under color of law, by force or threat of force, or violence, or threat of harm to any person or property, willfully**

intimidates or interferes with, or attempts to intimidate or interfere with, the ability of any person or any class of persons to vote or qualify to vote, or to qualify or act as a poll watcher, or any legally authorized election official, in any primary, special, or general election, or any person who is, or is employed by, an agent, contractor, or vendor of a legally authorized election official assisting in the administration of any primary, special, or general election, is guilty of a Class D Felony.”

Notes on being a poll worker

- Interpreters do not need to be registered voters.
- Candidates may not be poll workers.
- New York City Board of Elections has a special portal (electiondayworker.com) for poll workers in New York City.

Sources

- <https://www.elections.ny.gov/BecomePollworker.html>
- <https://vote.nyc/page/poll-worker-positions>
- <https://www.nysenate.gov/legislation/bills/2021/A10687>
- <https://www.ncsl.org/elections-and-campaigns/poll-watchers-and-challengers>

Poll Worker Handout

OREGON



How to become a poll worker

- **Be:** Unspecified.
- **Application:** Available for specific positions on the county level.
- **Training:** Unspecified.
- **Compensation:** Unspecified.
- **Accreditation process:** “The process is managed at the county level, but in general observers must sign in at the front counter and be issued an observer badge. Observers must be escorted by designated election staff to and from designated observer stations.” (See NCSL link below.)

Protections for poll workers

- SB 166 explicitly guarantees an elector’s right to vote by secret ballot and reclassifies harassment against election workers from Class A misdemeanor to Class C felony.

- It also establishes that the crime of aggravated harassment includes harassment against election workers and punishes crimes of harassment or aggravated harassment against election workers by maximum of five years’ imprisonment, \$125,000 fine, or both.
- It also alters requirements for annual county elections security plans.

Notes on being a poll worker

Oregon has a vote-by-mail process and therefore does not require poll workers in the same way other states do, but there are applications for “election workers” at the local level.

Sources

- <https://www.vote411.org/connecticut#poll-worker-information>
- <https://www.ncsl.org/elections-and-campaigns/poll-watchers-and-challengers>

Poll Worker Handout

VIRGINIA



How to become a poll worker

- **Be:** A “competent citizen” AND a “qualified voter” in the commonwealth.
- **Apply:** Online application.
- **Receive training:** Required before election day.
- **Accreditation process:** “Each representative shall present to the officers of election a written statement designating him to be a representative of the party or candidate that is signed by the county or city chairman of his political party, the independent candidate, or the primary candidate, as appropriate.” (See NCSL link below.)
- **Compensation:** Not required; varies depending on appointment and locality.

Protections for poll workers

- Code of Virginia [§ 24.2-101]: “Any person who serves as an officer of election as defined in § 24.2-101 shall neither be discharged from employment, nor have any adverse personnel action taken against

him, nor shall he be required to use sick leave or vacation time, as a result of his absence from employment due to such service, provided he gave reasonable notice to his employer of such service. No person who serves for four or more hours, including travel time, on his day of service shall be required to start any work shift that begins on or after 5:00 p.m. on the day of his service or begins before 3:00 a.m. on the day following the day of his service. Any employer violating the provisions of this section shall be guilty of a Class 3 misdemeanor.”

Notes on being a poll worker

- Poll workers are referred to as “officers of elections” and “poll watchers.”
- Candidates may not serve as poll watchers.

Sources

<https://www.elections.virginia.gov/officer-of-elections/>
<https://www.ncsl.org/elections-and-campaigns/poll-watchers-and-challengers>

Poll Worker Handout

WASHINGTON



How to become a poll worker

- **Be:** Unspecified.
- **Apply:** Specific to county and position for “temporary election worker.”
- **Receive Training:** Unspecified.
- **Accreditation:** “At least twenty-eight days prior to any special election, general election, or primary, the county auditor shall request from the chair of the county central committee of each major political party a list of individuals who are willing to serve as observers. The county auditor has discretion to also request observers from any campaign or organization.” (See NCSL link below.)
- **Compensation:** Unspecified.

Protections for poll workers

- WA ST 9A.90.120 [WA SB 5628 (2022)]:
- “(1) A person is **guilty of cyber harassment if the person, with intent to harass or intimidate any other person**, and under circumstances not constituting telephone harassment, makes an electronic communication to that person or a third party and the communication...” meets criteria that include the use of offensive or threatening language in an anonymous or repeated fashion that would be reasonably construed to cause fear.
- “(iii) The person cyber harasses a criminal justice participant or election official who is performing the

participant’s official duties or election official’s official duties at the time the communication is made.”

- “(iv) The person cyber harasses a criminal justice participant or election official because of an action taken or decision made by the criminal justice participant or election official during the performance of the participant’s official duties or election official’s official duties.”
- “(3) **Any criminal justice participant or election official who is a target for threats or harassment prohibited under subsection (2)(b)(iii) or (iv) of this section, and any family members residing with the participant or election official, shall be eligible for the address confidentiality program created under RCW 40.24.030.**”

Notes on being a poll worker

Washington has a vote-by-mail system and does not require poll workers in the same way as other states, but “election officials” are hired.

Sources

<https://www.ncsl.org/elections-and-campaigns/state-laws-providing-protection-for-election-officials-and-staff>

<https://www.vote411.org/washington#poll-worker-information>

<https://www.ncsl.org/elections-and-campaigns/poll-watchers-and-challengers>

Module 6, Activity 4

The following are hypothetical scenarios for participants to practice applying various election-related analysis categories.

Hypothetical Scenario 1:

Voter ID Law

FOR PARTICIPANTS (see print-ready version of Participants' section at end of this activity)

Background: In the fictional state of Veridica, the legislature recently passed a voter ID law aimed at enhancing the integrity of the electoral process. The law requires voters to present a government-issued photo ID at the polling place to cast their ballots. Proponents argue that it helps prevent voter fraud and ensures the accuracy of the election results, while opponents argue the requirement unduly burdens the right to vote.

Context and Additional Information

- **Requirement:** Voters must show a government-issued photo ID, such as a driver's license or passport, to vote.
- **Burden:** Obtaining a government-issued photo ID requires time and effort, including obtaining birth records that may not be available to some people. Some eligible voters, particularly those in lower-income communities, may face challenges in obtaining the required identification.
- **Government interest:** Ensuring the integrity of the electoral process by preventing voter impersonation and fraud, while reducing staff time and cost to election administrators.

FOR FACILITATOR

Anderson-Burdick Analysis

- Burden on the right to vote:
 - Severity. The burden of obtaining a government-issued photo ID is arguably higher for certain groups, potentially affecting their ability to exercise their right to vote freely.
 - Scope. Does the law disproportionately impact specific demographics, such as low-income individuals or minority communities?
- Government's interest:
 - Compelling interest. Is preventing voter fraud a sufficiently compelling government interest to justify the burden presented by the ID requirement?
 - Narrow tailoring. Could the state achieve its interest in a way that imposes a lesser burden on voters while maintaining election integrity?

Discussion Points

- **Court decision:** Should the Anderson-Burdick doctrine be applied to assess the constitutionality of Veridica's voter ID law?
- **Arguments:** What arguments could be made by those challenging or defending the law in court?
- **Precedents:** Refer to previous cases and divergent views on applying Anderson-Burdick, as mentioned in the training manual and "Overview of Content" section of the Sample Lesson Plan.
- **Public opinion:** Consider the perspectives of different stakeholders, including voters, election officials, civil rights advocates, and election integrity advocates. Also, bring up the discussion on voter ID contained in the breakout box in Chapter 3 of the training manual and ask participants to consider how voter ID laws work in other countries.

Hypothetical Scenario 2: Zephyr City's Voting District Reconfiguration

FOR PARTICIPANTS (see print-ready version of Participants' section at end of this activity)

Background: In the fictional city of Zephyr, there has been a recent reconfiguration of voting districts purportedly designed to better align with population shifts. The city argues that this adjustment is necessary for fair representation. However, concerns have arisen within the community's minority groups that the proposed redistricting disproportionately impacts their ability to access voting sites.

Context and Additional Information

- Statistical analysis reveals that redistricting significantly reduces the voting strength of historically marginalized minority communities.
- Previous redistricting efforts have shown a pattern of minimizing the political influence of minority voters.
- The redistricting plan was proposed shortly after a surge in voter registration within minority communities.
- The redistricting process deviated from standard procedures, with limited public input and transparency, raising concerns about fairness.
- During public hearings, concerns about potential dilution of minority voting power were raised but not adequately addressed.
- Previous political decisions in Zephyr have resulted in a consistent pattern of disproportionately affecting minority communities in terms of political representation.

FOR FACILITATOR

Arlington Heights Factors Applied to Voting Rights

- Statistics demonstrating a clear pattern of discriminatory effect.
- Historical background of the decision and decisions on comparable matters.
- Sequence of events leading up to the decision and events leading up to decisions on comparable matters.
- Departure from normal procedures.
- Relevant legislative or administrative history.
- Consistent pattern of actions by decision-makers to impose greater harm on minorities than nonminorities.

Discussion Points

- How do the Arlington Heights factors apply to the redistricting scenario from a voting rights perspective?
- What evidence suggests intentional discrimination in the redistricting decision?
- Are there alternative explanations for the disparate impact that should be considered?
- How might affected communities challenge the redistricting using the Arlington Heights principles in the context of voting rights?

Hypothetical Scenario 3: Quark State Redistricting

FOR PARTICIPANTS (see print-ready version of Participants' section at end of this activity)

Background: In the fictional state of Quark, a recent redistricting plan has been implemented by the state legislature. The plan aims to address population shifts and changes in demographics. However, concerns have been raised about potential violations of Quark's Voting Rights Act based on racial vote dilution and allegations of racial gerrymandering.

Context and Additional Information

- Quark has a history of racial discrimination in voting, with documented cases of voter suppression in the past.
- The redistricting plan was introduced after a significant increase in the minority Down population, particularly in urban areas.
- The state argues that the redistricting plan was necessary to comply with the Voting Rights Act and ensure fair representation. However, critics argue that the state's interest could have been achieved without such explicit consideration of race.
- The Down community in Quark is dispersed across multiple urban and suburban areas.
- Historical voting patterns indicate strong political cohesion among Down voters in Quark.
- Public hearings during the redistricting process revealed concerns about the potential dilution of Down voting power.
- Analysis reveals that the majority group, primarily composed of Up voters, consistently votes in a way

that dilutes the political influence of the Down community.

- Examination of the redistricting process suggests that race played a significant role, with the legislature considering the racial composition of districts.

FOR FACILITATOR

***Gingles* Factors for Racial Vote Dilution**

- A sufficiently large and geographically compact minority group.
- A politically cohesive minority group.
- A politically cohesive majority group voting to defeat minority group's preferred candidates.

***Shaw* Factors for Racial Gerrymandering**

- Race as the predominant factor.
- Compelling and narrowly tailored government interest.

Discussion Points

- How do the *Gingles* factors apply to the situation in Quark?
- What evidence suggests racial vote dilution based on the *Gingles* principles?
- How does the consideration of race in the redistricting process align with the *Shaw* factors for racial gerrymandering?
- Are there alternative explanations for the observed patterns in the redistricting plan?

Hypothetical Scenario 4: Protony State Election Changes

FOR PARTICIPANTS (see print-ready version of Participants' section at end of this activity)

Background: In the fictional state of Protony, a hotly contested gubernatorial election is just three weeks away. Both major political parties have been actively campaigning, and voter turnout is expected to be high. However, a recent controversy has emerged regarding proposed changes to election procedures, leading to a potential legal challenge.

Context and Additional Information

- **Proposed changes:** The state legislature has introduced a bill that, if enacted, would require voters to provide additional identification beyond what is currently mandated. The bill argues that these changes are necessary to enhance election security and prevent potential voter fraud.
- **Timeline:** The proposed changes are set to go into effect one week before the gubernatorial election.
- **Legal challenge:** A group of citizens, backed by a nonprofit organization advocating for voter rights, files a legal challenge arguing that the proposed changes disproportionately impact minority and marginalized communities and that the new requirements could result in voter confusion and disenfranchisement.
- **Court considerations:**
 - The court needs to decide whether to block or permit the proposed changes.
 - The argument for blocking the changes centers on the proximity to the election and the potential for confusion among voters and election officials.
 - The argument for permitting the changes emphasizes the state's interest in enhancing election security and the need to have these measures in place for the upcoming election.

FOR FACILITATOR

This hypothetical scenario allows students to explore the application of the Purcell Principle in a practical context by weighing the competing interests of enhanced election security and minimizing voter confusion in the context of nearing an election. The scenario's goal is to prompt critical thinking about the nuanced considerations involved in legal decisions related to election procedures.

Discussion Points

Applying the Purcell Principle:

- Consider whether the Purcell Principle should be applied in this scenario.
 - Considerations include the proximity to the election, the potential for voter confusion, and the state's interest in election security.

Legal arguments:

- Consider how lawyers representing different parties in the legal challenge would advocate for their party, especially in light of the Purcell Principle.
 - Ask whether the question of disparate impact is relevant to the Purcell Principle.

Discussion:

- Have participants discuss whether they think the court should block the proposed changes or permit them.
- While discussing, encourage participants to consider the potential consequences of both decisions on (1) voter turnout, (2) election integrity, and (3) public trust in the electoral process.
- What are the challenges faced by the court in determining whether it is “too close” to an election to change voting rules?
 - Be sure to discuss the potential impact of the court's decision on the perceived fairness and integrity of the upcoming gubernatorial election.

Hypothetical Scenario 1: Voter ID Law

Background: In the fictional state of Veridica, the legislature recently passed a voter ID law aimed at enhancing the integrity of the electoral process. The law requires voters to present a government-issued photo ID at the polling place to cast their ballots. Proponents argue that it helps prevent voter fraud and ensures the accuracy of the election results, while opponents argue the requirement unduly burdens the right to vote.

Context and Additional Information

- **Requirement:** Voters must show a government-issued photo ID, such as a driver's license or passport, to vote.
- **Burden:** Obtaining a government-issued photo ID requires time and effort, including obtaining birth records that may not be available to some people. Some eligible voters, particularly those in lower-income communities, may face challenges in obtaining the required identification.
- **Government interest:** Ensuring the integrity of the electoral process by preventing voter impersonation and fraud, while reducing staff time and cost to election administrators.

Hypothetical Scenario 2: Zephyr City's Voting District Reconfiguration

Background: In the fictional city of Zephyr, there has been a recent reconfiguration of voting districts purportedly designed to better align with population shifts. The city argues that this adjustment is necessary for fair representation. However, concerns have arisen within the community's minority groups that the proposed redistricting disproportionately impacts their ability to access voting sites.

Context and Additional Information

- Statistical analysis reveals that redistricting significantly reduces the voting strength of historically marginalized minority communities.
- Previous redistricting efforts have shown a pattern of minimizing the political influence of minority voters.
- The redistricting plan was proposed shortly after a surge in voter registration within minority communities.
- The redistricting process deviated from standard procedures, with limited public input and transparency, raising concerns about fairness.
- During public hearings, concerns about potential dilution of minority voting power were raised but not adequately addressed.
- Previous political decisions in Zephyr have resulted in a consistent pattern of disproportionately affecting minority communities in terms of political representation.

Hypothetical Scenario 3: Quark State Redistricting

Background: In the fictional state of Quark, a recent redistricting plan has been implemented by the state legislature. The plan aims to address population shifts and changes in demographics. However, concerns have been raised about potential violations of Quark's Voting Rights Act based on racial vote dilution and allegations of racial gerrymandering.

Context and Additional Information

- Quark has a history of racial discrimination in voting, with documented cases of voter suppression in the past.
- The redistricting plan was introduced after a significant increase in the minority Down population, particularly in urban areas.
- The state argues that the redistricting plan was necessary to comply with the Voting Rights Act and ensure fair representation. However, critics argue that the state's interest could have been achieved without such explicit consideration of race.
- The Down community in Quark is dispersed across multiple urban and suburban areas.
- Historical voting patterns indicate strong political cohesion among Down voters in Quark.
- Public hearings during the redistricting process revealed concerns about the potential dilution of Down voting power.
- Analysis reveals that the majority group, primarily composed of Up voters, consistently votes in a way that dilutes the political influence of the Down community.
- Examination of the redistricting process suggests that race played a significant role, with the legislature considering the racial composition of districts.

Hypothetical Scenario 4: Protony State Election Changes

Background: In the fictional state of Protony, a hotly contested gubernatorial election is just three weeks away. Both major political parties have been actively campaigning, and voter turnout is expected to be high. However, a recent controversy has emerged regarding proposed changes to election procedures, leading to a potential legal challenge.

Context and Additional Information

- **Requirement:** Voters must show a government-issued photo ID, such as a driver’s license or passport, to vote.
- **Burden:** Obtaining a government-issued photo ID requires time and effort, including obtaining birth records that may not be available to some people. Some eligible voters, particularly those in lower-income communities, may face challenges in obtaining the required identification.
- **Government interest:** Ensuring the integrity of the electoral process by preventing voter impersonation and fraud, while reducing staff time and cost to election administrators.

Module 7, Activity 6

Following are state election administration summaries for Alabama, Florida, Georgia, Mississippi, and Texas.

Alabama



Legal Frameworks and Statutory Provisions

- Title II, Chapter 46 of the Alabama Code.

Voter Registration Database

- Alabama uses the AVID (Alabama Voter Integrity Database) to maintain accurate and secure voter registration information through a cooperative inter-agency agreement with Alabama Law Enforcement Agency, National Change of Address File, cooperative agreements with other states, and analysis of the Social Security Death Index. The data is sent and received securely through encryption and hashed, which means it has been passed through a formula that produces a coded version of the original inputs. It is stored in Alabama on a server owned by the state.

Casting Ballots

- Early voting in person
- Absentee voting by mail or in person
- Election day voting in person at your polling place

Physical Security Requirements for Voting Equipment

- The board of commissioners of any municipality procuring voting machines shall designate a person or persons who shall have the custody of the voting machines and the keys therefor when the machines are not in use at an election and shall provide for his compensation and for the safe storage and care of the machines and keys. (AL Code § 11-46-125 (2012)).
- All voting machines, when not in use, shall be properly boxed or covered, and stored in a suitable place or places by said custodian. The same authority that caused the delivery of the voting machines shall be charged with transporting such machines back to the custodian and shall furnish all necessary protection to see that such machines are not molested nor injured from the time such machines leave the place where they are regularly stored until they are turned in to the custody of the officials of a voting district and from the time that custody ceases on the part

of the voting district officials and the machines are returned to the place of regular storage. (AL Code § 11-46-125 (2012)).

- Voting machines, including electronic poll books, shall be secured behind locked doors at all times except when in use on election day. All voting equipment shall be stored in a climate-controlled environment at all times.

Pre-election Testing

- Each central ballot counter shall be tested in the same manner as required for precinct counters except that there shall be a set of test ballots, together with any necessary header cards for each ballot configuration to be voted on in the county or section of the county to which the central counter is assigned. In addition to the pre-election test prescribed for precinct counters, all central ballot counters will be tested on election day before and after the ballots from the precincts are counted. The tests on Election Day shall be conducted by the poll officials assigned to the central counter using the same test ballots that were used by the probate judge in the pre-election test. (AL Code § 17-24-7(b) (1975)).

Audit Requirements During an Election

- Alabama does not require auditing.

Audit Requirements After an Election

- Alabama does not require post-election audits.
- In 2021, the state legislature passed Act No. 2021-446, which authorizes, though it does not require, the secretary of state to conduct a one-time post-election audit after the November 2022 statewide general election. The audit can take place between November 30, 2022, and January 31, 2023. One voting location in up to three counties may be selected for audit. In each selected county, one statewide and one county contest would be audited, following a petition by the secretary of state to the presiding circuit judge for the county.

- No information is provided in the act about audit comprehensiveness or audit counting methods. Given the time frame for the audit, it is not binding upon the results, which must be certified within [22 days of an election](#) for federal and statewide offices. Audit results will be posted publicly at the courthouse following the audit’s conclusion and on the secretary of state’s website within 30 days.

Election Litigation

- In *Rissling v. Bobo*, filed Oct. 3, 2023, plaintiffs challenged Alabama’s absentee voting system for failing to accommodate blind or print-disabled voters, arguing that it violates their rights under the Americans with Disabilities Act and Rehabilitation Act by not providing an accessible electronic ballot option. The case is pending.
- In *Thompson v. Merrill*, filed in 2016 and decided in 2023, plaintiffs challenged Alabama’s felony disenfranchisement law and voter registration procedures as unconstitutional and violating the Voting Rights Act; however, the 11th Circuit Court of Appeals affirmed the lower court’s decision, ultimately dismissing the case.
- In *Blanchard v. Merrill*, filed in 2022, plaintiffs challenged the legality of Alabama’s electronic voting machines for allegedly violating state laws and the constitution by not providing a “reasonable and adequate method for voting” and requested that the state abandon electronic voting and order a hand count of the November 2022 election results. Plaintiffs, including a former gubernatorial candidate and state representative, withdrew their claims. The lawsuit was dismissed in September 2022.
- In *Greater Birmingham Ministries v. Merrill*, the court ruled that Alabama Secretary of State John Merrill must immediately release digital records of voters purged post-2020 election and those denied registration or purged due to felony convictions, as his refusal violated the National Voter Registration Act’s public disclosure provision. The court also directed the parties to agree on a reasonable fee for record production by Nov. 22, 2022, based on actual costs incurred. However, Merrill appealed this decision to the 11th U.S. Circuit Court of Appeals. Oral arguments were heard on Nov. 13, 2023, and the case awaits a ruling.

STATE ELECTION ADMINISTRATION SUMMARY

Florida



Legal Frameworks and Statutory Provisions

- Title IX, Chapters 97-107 of the Florida Statutes.

Voter Registration Database

- Voters may register to vote and check their registration status online through RegisterToVoteFlorida.gov. Built-in security features in the system include a state-of-the-art firewall, data encryption, anti-bot scanning, session timeout after inactivity, and the use of multi-screens. The RegisterToVoteFlorida.gov website does not store any voter registration information.

Casting Ballots

- Early voting in person
- Absentee voting by mail or in person
- Election day voting in person at your polling place

Physical Security Requirements for Voting Equipment

- Counties follow their own chain-of-custody and physical inventory processes for all voting system devices. Voting system components related to the trusted build ballot processing are “air-gapped,” meaning that the system is protected from internet threats. The individual thumb drives that record the votes from the precincts, early voting sites, and vote-by-mail central count tabulators are digitally signed and secured. Equipment cannot be accessed without using at least two or more pieces of information to verify the identity of the person accessing the system and to ensure the person is an authorized user (also known as multifactor authentication).
- Counties are also required to adopt and use minimum security procedures. These procedures cover a wide range of processes and activities, including but not limited to staffing and facilities security, pre-election system testing (also known as logic and accuracy testing), ballot distribution, and transport and voting equipment storage. The state reviews these procedures every odd-numbered year and whenever there is an update or change to the security procedures. See § 101.015(4), Florida

Statutes; Rule 1S-2.015, Florida Administrative Code.

Pre-election Testing

- Before every election, counties are required to test 100% of the voting equipment to be used in any election. The purpose of this test, called logic and accuracy testing, is to make sure that ballots are printed correctly, and that the voting system is counting votes correctly. Logic and accuracy tests in every county are publicly noticed in advance and open to the public. (§ 101.5612, Florida Statutes) After the pre-election testing is complete, voting equipment is sealed, marked, and maintained in a secure location until the election commences. Moreover, the voting equipment is not connected to the internet or a network of any kind, so it is not possible to deploy or activate any sort of malware or malicious code in between the pre-election testing and the actual election.

Audit Requirements During an Election

- During early voting and election day, before any voting equipment is put into service, it is tested, and a zero results tape is run on the tabulator and then verified by the deputy-sworn poll workers in each polling location to ensure that there are no votes on the equipment. After the polls close, another tape is run from the tabulator showing voting results on that machine. These results can then be easily compared with the votes found on the paper ballots and the tabulation results, yet another check that the machines functioned as intended. (§ 101.5612, Florida Statutes)

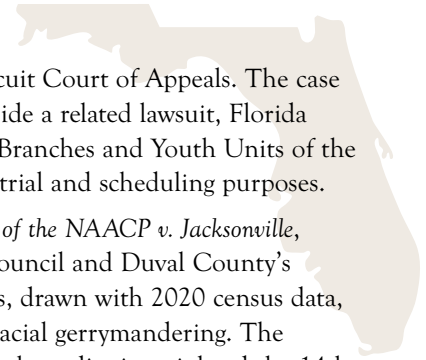
Audit Requirements After an Election

- After each election, each county must perform a voting system audit. The purpose of this audit is to check that the equipment and procedures accurately recorded and counted the votes. In Florida, counties have the choice of doing a manual audit or an automated independent audit. A manual audit process involves a public hand count of the votes cast in one

or more randomly selected precincts in one randomly selected race that appears on a ballot. An automated independent audit involves the use of a separate, independent tabulation system to recount the votes cast across every race that appears on all ballots in at least 20% of the randomly chosen precincts. Regardless of the audit method chosen, the audit is publicly noticed in advance and open to the public. The results of the audit also are publicly posted. The only time this audit is not completed is if there has been a manual recount conducted (similarly publicly noticed in advance and open to the public) in that election in that county. (§ 101.591, Florida Statutes and Rule 1S-5.026, Florida Administrative Code)

Election Litigation

- In *League of Women Voters of Florida v. Byrd*, plaintiffs challenged the state’s voter registration form for not specifying eligibility requirements for those with felony convictions and was dismissed because the court did not find sufficient grounds to rule that the form violated the National Voter Registration Act.
- In *Florida Rights Restoration Coalition v. DeSantis*, the Florida Rights Restoration Coalition filed a lawsuit against Gov. Ron DeSantis and others, challenging Florida’s complex system for restoring voting rights to individuals with felony convictions and the state’s “election police” unit, alleging intimidation and lack of clarity in determining voter eligibility, especially regarding the requirement to pay all fees and fines under Senate Bill 7066. The case is pending in district court.
- In *Hispanic Federation v. Byrd*, plaintiffs filed a lawsuit against Florida Attorney General Ashley Moody and Secretary of State Cord Byrd, challenging a specific provision in Senate Bill 7050. This provision restricts third-party voter registration organizations by prohibiting noncitizen volunteers from engaging in voter registration activities and imposes a hefty \$50,000 fine for violations. The plaintiffs argue that this law is unconstitutional, as it infringes on free speech and association rights under the First Amendment and violates the 14th Amendment’s equal protection clause. They contend that the law unjustifiably discriminates against noncitizens and hinders the fundamental right to vote. In response to these arguments, a federal district court judge temporarily blocked the enforcement of this provision on July 3, 2023. However, the Florida secretary of state and attorney general appealed this decision to the 11th U.S. Circuit Court of Appeals. The case is being heard alongside a related lawsuit, *Florida State Conference of Branches and Youth Units of the NAACP v. Byrd*, for trial and scheduling purposes.
- In *Jacksonville Branch of the NAACP v. Jacksonville*, Jacksonville’s City Council and Duval County’s school board districts, drawn with 2020 census data, were challenged for racial gerrymandering. The plaintiffs argued that these districts violated the 14th Amendment by segregating Black voters into four districts, diminishing their influence in City Council elections. After initial court interventions, including a preliminary injunction, the case was paused for settlement discussions. In May 2023, a settlement was reached and approved by the court, requiring the adoption of new district maps designed to represent Jacksonville’s Black population fairly and accurately for the next decade.
- In *Vote.org v. Byrd*, a lawsuit filed by Vote.org and others challenges Florida’s requirement for a “wet signature” (pen on paper) on voter registration applications, alleging it violates the Civil Rights Act’s Materiality Provision by rejecting electronic signatures. The court dismissed the case in November 2023, and the plaintiffs have since appealed to the 11th U.S. Circuit Court of Appeals. Litigation continues.
- In *Black Voters Matter v. Byrd*, plaintiffs challenge Florida’s congressional map, alleging that it violates the state constitution by diminishing Black voters’ power, especially in northern Florida. After a series of court decisions, including a temporary injunction and subsequent appeals, the map was initially upheld but later struck down for reducing Black voting influence in northern Florida. However, the First District Court of Appeals reversed this decision in December 2023, with an appeal to the Florida Supreme Court pending.
- In *Jones v. DeSantis*, plaintiffs contested Florida’s law mandating that felons satisfy all financial aspects of their sentence to restore voting rights, arguing that it effectively imposed a poll tax and discriminated against women of color. Lower courts initially sided with the plaintiffs, but the 11th Circuit Court of Appeals later upheld the law, reinstating Florida’s “pay to vote” system and dismissing claims of intentional gender discrimination.



Georgia



Legal Frameworks and Statutory Provisions

- Title XXI, Chapter 2 of the Official Code of Georgia Annotated (OCGA).
- Rules of the State Election Board are contained in Chapter 183-1 of the Georgia Election Code, Rules and Regulations.

Voter Registration Database

- Georgia safeguards its voter registration database through the implementation of the Georgia Registered Voter Information System (GARViS). Developed in collaboration with partners such as MTX, Salesforce, and Transform, GARViS represents a significant time and financial investment toward advancing voter registration security and accuracy. With more than 150,000 hours invested in development, testing, and training, it is the largest and fastest rollout of a top-down, statewide voter registration system in U.S. history. Operating on Federal Risk and Authorization Management Program (FEDRAMP) servers, GARViS replaces the previous system (ENet) and boasts the capacity to host more than 12 million voter records, including active and inactive voters, with a strong emphasis on accountability and transparency. Salesforce provides critical infrastructure, MTX serves as the implementation partner, and Transform contributes expertise in technology transformation and change management for the modernization of Georgia's election infrastructure. The secretary of state's chief operating officer underscores the system's role in ensuring the integrity of the election process, dismissing claims of voter fraud with confidence in the system's security measures.

Casting Ballots

- Early voting in person
- Absentee voting by mail or drop box
- Election day voting in person at your polling place

Physical Security Requirements for Voting Equipment

- See [SEB Rule 183-1-12](#).
- All electronic components of the voting system shall be stored in a climate-controlled space in which the temperature and humidity levels are maintained at acceptable levels year-round which shall not be lower than 0 degrees Celsius (32 degrees Fahrenheit) nor higher than 40 degrees Celsius (104 degrees Fahrenheit) and not lower than 20% relative humidity and not higher than 85% relative humidity such that no condensation forms on such components. The components shall not be stored in an area in which liquids or fluids stand, pool, or accumulate at any time or in areas that are subject to such standing, pooling, or accumulating liquids or fluids. The space in which the components are stored shall be secured and shall be accessible only to persons authorized by the election superintendent to have access to such components or such space. The components shall be stored in a manner that ensures that the components are protected from damage and shall not be stacked more than four units high. The backup battery for the ballot scanner shall be charged at least every nine months.
- The storage areas for the voting system components at the county election office or other designated county facility shall be equipped with one or more of the following forms of electronic surveillance and protection: keypads or electronic locks, motion detectors, video surveillance, or a security system that is connected to an outside monitoring source, such as the police department or fire department.
- The election superintendent shall maintain numbered seals on all electronic ballot markers and ballot scanners in storage and all seal numbers shall be recorded and on file in the office of the election superintendent.

Pre-election Testing

- Acceptance tests. Upon the receipt of new, repaired, or upgraded components of the voting system, including electronic ballot markers (which consist of

both a touchscreen and a printer), ballot scanners, electronic poll books, and election management systems, the election superintendent of the county is responsible to check that an acceptance test has been performed on the device in accordance with standards issued by the secretary of state. No component of the voting system shall be placed into service until such time as the unit satisfactorily passes the prescribed acceptance tests. ([Ga. Rule 183-1-12-.03](#))

- The election superintendent shall perform an audit count of all voting system components housed and maintained by the jurisdiction on an annual basis. The results of the audit shall be submitted to the secretary of state. ([Ga. Rule 183-1-12-.06 \(7\)](#))
- Logic and accuracy testing is conducted on or before the third day before the advance voting period or on or before the third day before an election. The election superintendent shall commence the preparation and testing of the electronic poll books, electronic ballot markers, printers, and ballot scanners for use on election day. ([Ga Rule 183-1-12-.08](#))

Audit Requirements During an Election

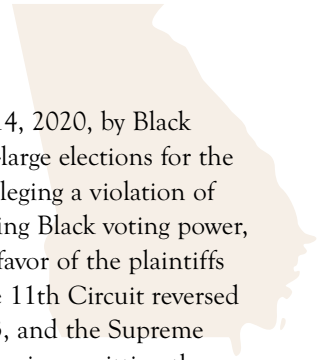
- All ballots are subject to audit. The audit should be “conducted by manual inspection of random samples of the paper official ballots.” ([Ga. Code § 21-2-498\(b\)](#)) All ballot types are audited, including those cast in person, by absentee ballot, early voting, and provisional ballots. ([Ga. Code § 21-2-498\(c\)\(2\)](#))

Audit Requirements After an Election

- Ga. Code Ann. § 21-2-498 allows the use of “precertification tabulation or risk-limiting audits” and applies to all elections with federal or statewide contests. By contrast, Ga. Comp. R. & Regs. 183-1-15-.04(1) requires RLAs, but only following November general elections in even-numbered years. According to Ga. Comp. R. & Regs. 183-1-15-.04(2), “The audit shall end once all selected ballots have been counted and the risk limit for the audit has been met.” We’ve categorized Georgia as utilizing risk-limiting audits, given this requirement. However, the statute appears to allow the use of a non-risk-limiting “tabulation” audit following elections with federal or statewide contests that take place outside of November general elections in even-numbered years.

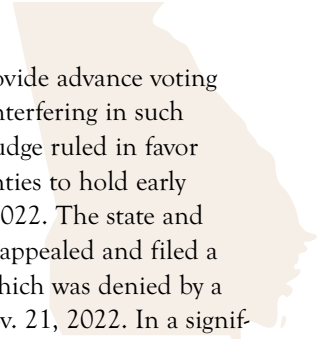
Election Litigation

- *Rose v. Raffensperger*, filed July 14, 2020, by Black voters challenging Georgia’s at-large elections for the Public Service Commission, alleging a violation of the Voting Rights Act by diluting Black voting power, saw a federal judge’s ruling in favor of the plaintiffs on Aug. 5, 2022. However, the 11th Circuit reversed this decision on Nov. 24, 2023, and the Supreme Court declined to grant certiorari, permitting the at-large method to stand.
- *Georgia v. Trump*, filed Aug. 14, 2023, against Former President Donald Trump and 17 associates (including Rudolph Giuliani and Jenna Lynn Ellis) for their alleged conspiracy to overturn the 2020 presidential election in multiple states. The 13-count indictment charges violations of the Georgia Racketeer Influenced and Corrupt Organizations (RICO) Act, solicitation of oath violation, impersonation of a public officer, forgery, false statements, and false documents filing. The indictment details a coordinated effort involving calls to state officials, harassment of election workers, the breach of election equipment, and a fake electors scheme.
- *Moretti v. Raffensperger* was a lawsuit filed Oct. 17, 2022, by a voter against the secretary of state and the Jackson County Board of Elections, challenging the use of electronic voting machines and the legitimacy of election results stemming from the use of the machines. Moretti claimed election fraud asserting the electronic voting machines were not secure, among other things. The lawsuit was dismissed in May 2023 after a denial of the plaintiff’s motion for a temporary restraining order and sought remedies including a return to hand-counting ballots and a grand jury investigation into alleged felonious crimes.
- In *Cook v. Cobb County Board of Elections & Registration*, filed Nov. 6, 2022, three college-age voters, a 64-year-old woman, and the Cobb County Democracy Center alleged that the Cobb County board’s failure to send requested absentee ballots in a timely manner violated their right to vote. Cobb County agreed to overnight absentee ballots and extended the receipt deadline to Nov. 14, 2022, in response to an emergency hearing on Nov. 7, 2022, with a subsequent court order granting relief for the Dec. 6, 2022, Senate runoff election, allowing affected voters until Dec. 9, 2022, to return post-marked absentee ballots. The case was decided on Feb. 15, 2023.



- In *Democratic Party of Georgia v. Georgia*, filed Nov. 14, 2022, and decided on Nov. 23, 2022, the Democratic Party of Georgia, the Democratic Senatorial Campaign Committee, and Warnock for Georgia filed a lawsuit challenging Georgia’s guidance for early voting before the Dec. 6, 2022, Senate runoff election, as the Georgia Secretary of State’s Office issued guidance stating that advance voting must begin before Nov. 28, excluding Saturday, Nov. 26. Plaintiffs argued that the law guarantees early voting on specific weekend days for primary and general elections, which, they asserted, does not apply to runoffs. They sought a court order preventing the state and Secretary of State Brad Raffensperger from

instructing counties not to provide advance voting on Nov. 26, 2022, and from interfering in such efforts. On Nov. 18, 2022, a judge ruled in favor of the plaintiffs, allowing counties to hold early voting on Saturday, Nov. 26, 2022. The state and the Georgia Republican Party appealed and filed a motion to stay the decision, which was denied by a Georgia appellate court on Nov. 21, 2022. In a significant development, on Nov. 23, 2022, the Georgia Supreme Court rejected the Republican Party’s appeal, confirming that early voting could take place on Saturday, Nov. 26, in more than 20 counties, marking a major victory for Georgia voters ahead of the Dec. 6, 2022, runoff election.



Mississippi



Legal Frameworks and Statutory Provisions

- Title XXIII, Chapters 1, 3, 5, 7, 9, 11, 13, 15 of the Mississippi Code Annotated.

Voter Registration Database

- A uniform voter registration form is used by local registrars for registering people who enter the registrar's office (online registration is unavailable) with the Statewide Elections Management System (SEMS). Information and security protocols related to the system are unavailable as the state is still building this system. (MS Code 23-15-165)

Casting Ballots

- Early voting in person for those who qualify
- Absentee voting by mail for those who qualify
- Election day in-person voting at your polling place

Physical Security Requirements for Voting Equipment

- The circuit clerk shall be the custodian of optical mark reading (OMR) equipment acquired by the county, who shall be charged with the proper storage, maintenance, and repair of the OMR equipment. The municipal clerk shall be the custodian of the OMR equipment acquired by the municipality and shall be charged with the proper storage, maintenance, and repair of the OMR equipment. The custodian or the officials in charge of the election shall repair or replace any OMR equipment that fails to function properly on election day. (MS Code § 23-15-515 [2018])

Pre-election Testing

- Prior to the start of the counting of scannable ballots, the election officials charged with the conduct of the election must cause the OMR tabulating equipment to be tested to ascertain whether it will accurately count the votes cast for all offices and on all measures. Representatives of the political parties, candidates, the press, and the general public may witness the testing of the OMR tabulating equipment. (Miss. Code Ann. § 23-15-521) The

test is conducted by processing a group of “mock voted” ballots so marked as to record a predetermined number of valid votes for each candidate and on each measure; and for each office, one or more “test” ballots must have votes greater than the number allowed by law to test the ability of the OMR tabulating equipment to reject such ballots. If any error is detected, the cause must be determined and corrected and an errorless test must be made and certified before the count is started. On completion of each test, the program, test materials, and “test” ballots are sealed and retained. (Miss. Code Ann. § 23-15-521)

- On or before the second day preceding any election the officials in charge of the election must cause each “direct recording electronic voting equipment” (DRE) unit to be tested to ascertain whether it will correctly count the votes cast for all offices and on all questions. All memory cards to be used shall be tested. Public notice of the time and place of the test shall be made at least five days before. Representatives of candidates, political parties, news media, and the public are permitted to observe the tests. (Miss. Code Ann. § 23-15-531.6)

Audit Requirements During an Election

- According to the [Procedural Audits of Mississippi Elections manual](#) and under House Bill 1310, signed on April 19, 2023, the Mississippi secretary of state is authorized to conduct audits of the 2023, 2024, 2026, and 2027 general elections' procedures, starting Jan. 1, 2024. The audit will randomly cover all 82 counties over these elections, selecting up to 25% or a maximum of five precincts per county, irrespective of race, geographical location, or voting trends. For the 2023 general election, due to timing constraints and to minimize disruption to election officials, only one county per congressional district will be audited. The selection of these counties will occur 90 days before the audit start date, which is Oct. 3, 2023.

Audit Requirements After an Election

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Election Litigation

- In *Saunders v. Randolph* (2023), Jackson, Mississippi, residents filed a lawsuit challenging House Bill 1020, which established a new court in the Capitol Complex Improvement District (CCID) with an unelected judge and allowed the appointment of additional unelected judges to Hinds County Circuit Court, violating the state constitution's provisions on judicial appointments and residents' voting rights. The Mississippi Supreme Court declared the addition of unelected judges unconstitutional but upheld the establishment of the CCID court.
- In *Harness v. Watson*, filed in 2017, plaintiffs challenged Mississippi's 1890 constitutional provision disenfranchising individuals convicted of specific felonies, including bribery, theft, arson, and bigamy, arguing that it was racially motivated to disenfranchise African Americans. Originally including burglary (removed in 1950), and later adding rape and murder (1968), the lawsuit contended that the provision's discriminatory intent persisted. After the district court's dismissal and the Fifth Circuit's affirmation, suggesting no racial motivation in its amendments, the U.S. Supreme Court in 2023 declined to review the case, leaving the disenfranchisement provision intact.
- *Disability Rights Mississippi v. Fitch* is a lawsuit challenging Mississippi's Senate Bill 2358, which limits who can assist voters with disabilities in returning mail-in ballots, restricting assistance to election officials, postal workers, family, household members, or caregivers, and imposing penalties for violations.

This law contrasts with previous regulations allowing any chosen individual, like social workers or voting organization members, to assist. The plaintiffs argue that this law disenfranchises voters with disabilities, violating Section 208 of the Voting Rights Act that ensures assistance by a person of the voter's choice, and the supremacy clause of the U.S. Constitution. Following a judge's temporary injunction against S.B. 2358, Mississippi's attorney general and secretary of state appealed the decision to the Fifth U.S. Circuit Court of Appeals.

- In *Mississippi State Conference of the NAACP v. State Board of Election Commissioners*, the NAACP and others sued Mississippi officials, alleging the state's Senate and House redistricting maps, based on the 2020 census, dilute Black voting strength and deny equal political participation, violating Section 2 of the Voting Rights Act and creating an unconstitutional racial gerrymander. They argue that these maps unlawfully "pack and crack" Black voters in various districts, despite Mississippi's high Black population, and request new maps that ensure fair Black voter representation. The case is pending.
- In *McLemore v. Hosemann*, filed on May 30, 2019, and decided on Dec. 10, 2020, individual voters challenged a provision of the 1890 Mississippi Constitution. This provision mandated that a candidate for statewide office must secure both a majority of the popular vote and a majority in state House districts to win an election. The plaintiffs argued that this system, originally designed to dilute Black votes, was in violation of the 14th and 15th amendments to the U.S. Constitution, as well as Section 2 of the Voting Rights Act, due to its discriminatory intent and impact. As a direct response to this lawsuit, the Mississippi State Legislature proposed an amendment to abolish this election requirement, recognizing its discriminatory origins and effects. This amendment was subsequently approved by Mississippi voters in the 2020 general election, effectively repealing the controversial and discriminatory electoral system that had been in place since the late 19th century. This case is a significant example of how legal challenges can spur legislative action and lead to changes in long-standing electoral systems, particularly those with roots in racial discrimination.

Texas



Legal Frameworks and Statutory Provisions

- Texas Election Code, Titles 1-17.

Voter Registration Database

- Texas implemented a statewide computerized registration list (Title 2, Ch. 18, Sec. 18.061, Texas Code) in cooperation with Electronic Registration Information Center (ERIC), a multistate system that confirms voter registration information. The state is phasing out ERIC and replacing it with its own internal system. Additional information about security protocols is unavailable.

Casting Ballots

- Early voting in person
- Absentee voting by mail for those who qualify
- Curbside voting for those who qualify
- Election day voting in person at your polling place

Physical Security Requirements for Voting Equipment

- The Texas Election Code, specifically TEC § 129.052 and TEC § 129.053, outlines comprehensive guidelines for the storage, transport, and access control of voting system equipment. These provisions mandate the general custodian of election records to establish secure procedures for storing and transporting equipment, including the use of tamper-resistant seals, inventory maintenance, and a two-person verification check during custody transfers. A written recovery plan must be in place for security breaches, and training plans for election officials are required. Additionally, TEC § 129.053 emphasizes securing access control keys/passwords, documenting their use, and maintaining them in a controlled environment. The custodian must define access levels, implement access logs, and safeguard the tabulation process, ensuring premises security during vote tabulation. Training plans for relevant election officials also are mandated to address security procedures.

Pre-election Testing

- The first test must be held publicly more than 48 hours before voting begins, and public notice of the test must be posted at least 48 hours in advance. The county testing board—which includes representatives of political parties and members of the public—must agree on a test deck of ballots for which the results are already verified through a hand count. The ballots included in the test deck must include votes for each candidate and proposition on the ballot, overvotes and undervotes, write-in votes, and provisional votes. The testing board votes the ballots on the electronic voting machines, re-creating the choices from the original test deck. The voted ballots are then tabulated, and the testing board meets to verify that the results from the hand count and machine count are identical. Voting machines can only be deployed in a Texas election after the test shows 100% accuracy. (Texas Election Code Sec. 129.023)

Audit Requirements During an Election

- In 2021, the Texas Legislature enacted Senate Bill 1 (87th Leg., Second Called Special Session), which included a provision requiring the Office of the Secretary of State to conduct audits in four randomly selected counties. Section 127.351 of the Texas Election Code provides that the secretary of state shall conduct an audit of the elections held in the preceding two years after the most recent November uniform election occurring in an even-numbered year.

Audit Requirements After an Election

- Within 24 hours after all ballots are counted in an election, the general custodian of election records must conduct a risk-limiting audit for a statewide race or measure chosen by the secretary of state. The precincts and specific race or proposition for the audit also are selected by the secretary, following established rules. This audit must be completed at least 24 hours before the election canvass. The custodian is required to publicly announce the

audit's details and allow appointed watchers from the candidates to be present. Additionally, the secretary of state can appoint personnel, including voting system technicians and individuals involved in the audit's design and implementation, to assist with the process. (Texas Election Code Section 127.302)

Election Litigation

- In *Vote.org v. Callanen*, a lawsuit filed by Vote.org challenged the Texas law mandating a physical signature on electronically or fax-submitted voter registrations, arguing that it burdens voting rights and targets advocacy groups, violating the First and 14th amendments and the Civil Rights Act of 1964. Initially, the plaintiffs won a summary judgment and a permanent injunction against the law, but the Fifth U.S. Circuit Court of Appeals, after an emergency motion and appeal by Texas Attorney General Ken Paxton and two counties, reinstated the law pending appeal. The Fifth Circuit ultimately reversed the lower court's decision on Dec. 15, 2023, maintaining the requirement for original signatures on electronic voter registrations.
- In *Harris County v. Texas*, Harris County sued Texas over a law, Senate Bill 1750, that uniquely targeted its election administration by abolishing the appointed election administrator role and reverting duties to elected officials, alleging a violation of the Texas Constitution. Despite a temporary block by a trial court, the Texas Supreme Court's denial of emergency relief allowed the law to take effect. Harris County eventually voluntarily dismissed the lawsuit in November 2023, leaving S.B. 1750 in effect.
- In *Texas State LULAC v. Elfant*, plaintiffs challenged Texas Senate Bill 1111 for imposing strict residency requirements for voter registration, claiming that it violated constitutional amendments. The district court initially ruled in their favor, but the Fifth U.S. Circuit Court of Appeals reversed this decision, finding the plaintiffs lacked standing. The U.S. Supreme Court declined to review the case, effectively upholding the law.
- In *Richardson v. Flores*, voters and advocacy groups sued Texas over its mail-in ballot signature verification process, alleging that it disenfranchised voters, particularly those with disabilities, and lacked uniform standards, violating several laws. The district court initially granted relief, but the Fifth Circuit reversed it, and the U.S. Supreme Court declined to hear an appeal, leading the plaintiffs to eventually dismiss their claims.
- In *Beaumont Chapter of the NAACP v. Jefferson County*, the lawsuit focused on allegations of racial voter intimidation at the John Paul Davis Community Center in Beaumont, Texas. It was claimed that white poll workers and watchers targeted Black voters with aggressive questioning and surveillance. The suit specifically named Mary Beth Bowling, the presiding election judge, accusing her of enabling such conduct. Although the plaintiffs sought to remove Bowling from her role, a federal judge denied this request while granting measures against certain intimidating practices. The case was eventually dismissed in August 2023.
- In *Paxton v. Harris County Commissioners Court*, Texas Attorney General Ken Paxton challenged the legality of ballots cast during an extended polling hour in Harris County's November 2022 election. Despite a trial court's order to extend voting due to delays, Paxton argued this violated Texas law, leading the Texas Supreme Court to initially segregate these votes and later dismiss the case as moot in July 2023.
- In *Texas Organizing Project v. Harris County*, the Texas Organizing Project filed an emergency petition for a one-hour extension of polling hours at 12 locations in Harris County due to significant delays in opening and machine malfunctions, which was granted by the court on Nov. 8, 2022. However, this extension was contested by Texas Attorney General Ken Paxton, leading to the Texas Supreme Court's decision to segregate the votes cast during the extended hour. The case was eventually dismissed as moot by the Texas Supreme Court on July 21, 2023, after the votes were segregated and counted.

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