



OUR HOMES, OUR VOTES

**Please standby.
We will begin momentarily.**



OUR HOMES, OUR VOTES

**An Overview of Nonprofit Voter Engagement
and Exploration of Legal Considerations**

July 17, 2018

General Logistics



- We will allow for time at the end of today's webinar for questions. If you have a question, please use the Q&A box in your webinar browser.
- We will provide access to both a video recording and a copy of today's slides to all participants following the webinar.
- If you are experiencing any technical difficulties, please send an email to Trey Walk at outreachintern@nlihc.org

Presenters



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Agenda



-
- Introduction to *Our Homes, Our Votes* Project
 - The Challenge of Voter Suppression
 - Restrictions and Legal Considerations for 501(c)(3) Organizations
 - Question and Answer
 - Additional Resources



INTRODUCTION

Automatic voting machine with privacy
curtain, invented in Iowa, 1898
Gift of Rockwell Manufacturing Company

**VOTE
HERE**

Our Homes, Our Votes



Our Homes, Our Votes is NLIHC's voter engagement effort focusing on increasing voter registration and turnout amongst low income renters and advocates.



Why Should Housing Organizations Care About Elections?



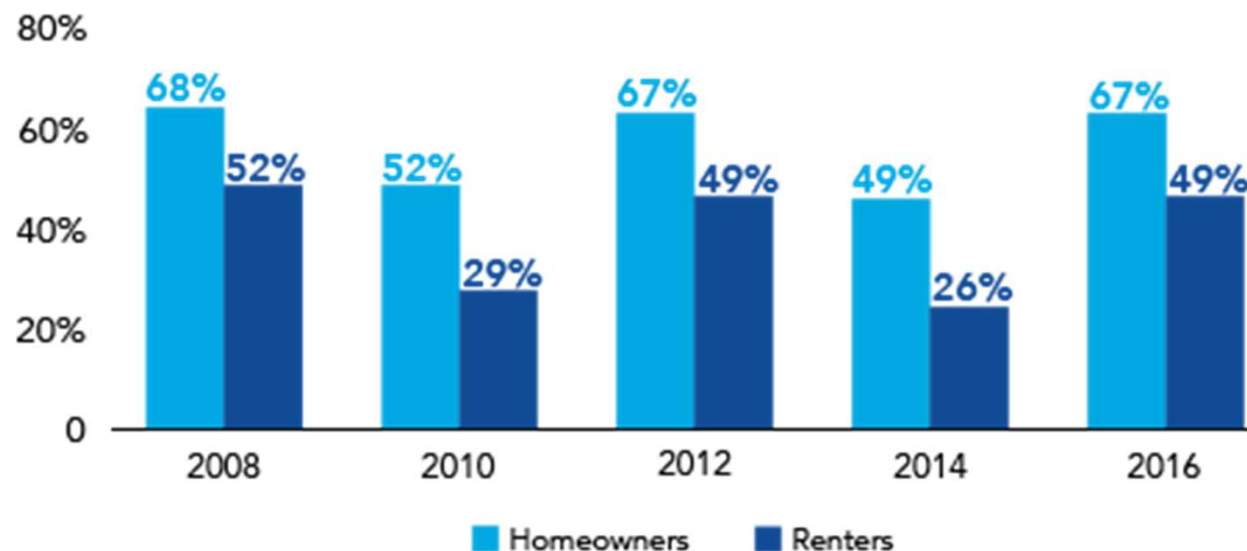
- Policymakers care most about voters.
- Housing advocates and service providers are uniquely positioned to provide a voice for renters and low-income households.
- When low income renters lack a strong presence at the polls, it leads to unfavorable housing policy decisions.



Reported Voting by Renters Compared to Homeowners



U.S. Citizens Who Reported Voting in National Elections by Housing Tenure (2008 to 2016)

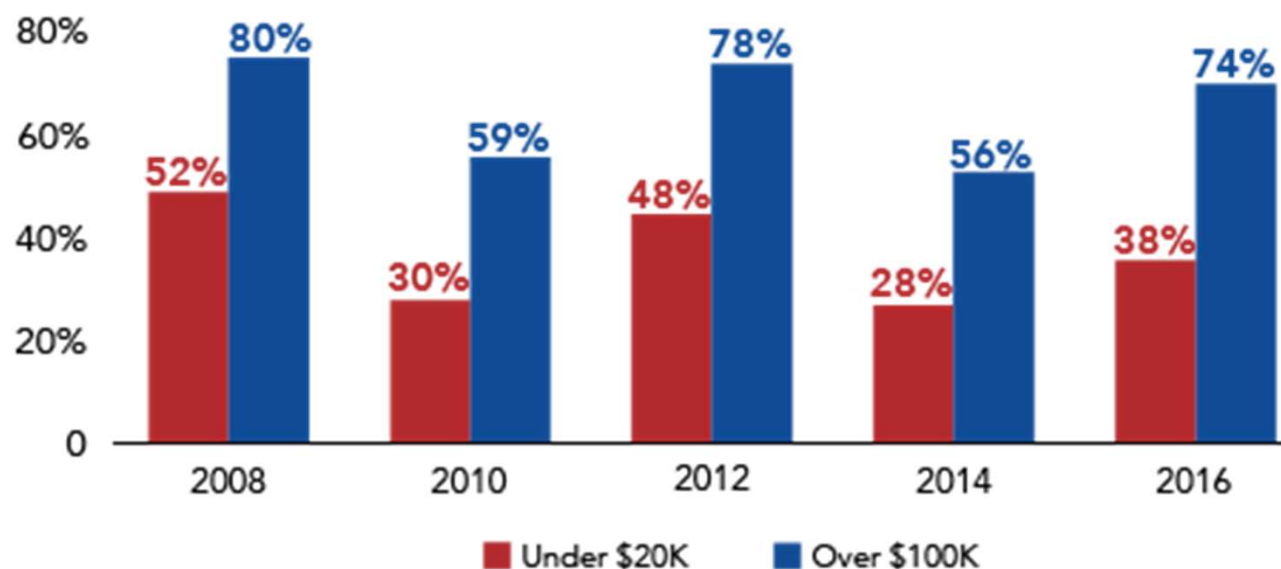


Source: November 2008-2016 Current Population Survey data

Reported Voting by Income



U.S. Citizens Who Reported Voting in November Elections by Family Income (2008 to 2016)



Source: November 2008-2016 Current Population Survey data



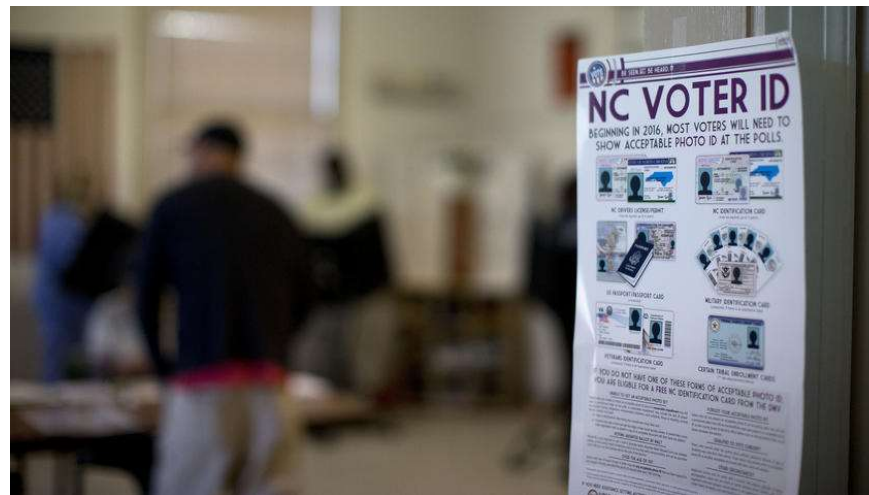
VOTER SUPPRESSION



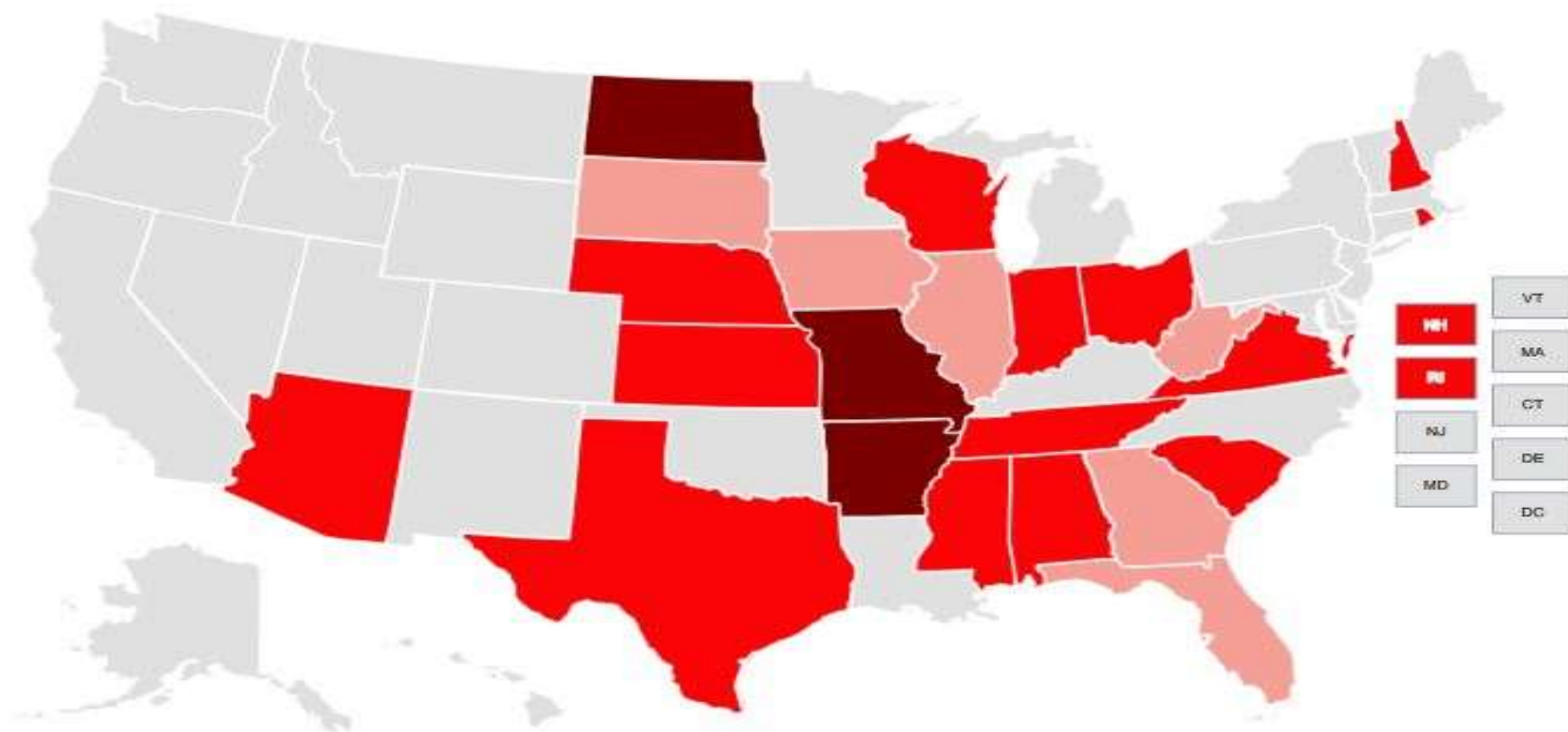
Voter Suppression



Voter Suppression refers to legislative efforts and policies aimed at restricting access to voting in order to make it more difficult for certain group of people to vote.



Voting Restrictions in America



This map has been updated to reflect legislation discussed in the May 10, 2017 [Voting Laws Roundup](#). [View a PDF version here](#).

Status Key:

- RESTRICTION IN PLACE FOR FIRST TIME IN PRESIDENTIAL ELECTION IN 2016
- RESTRICTION IN PLACE FOR 2012 PRESIDENTIAL ELECTION
- STATES WITH RESTRICTIVE LAWS SINCE THE 2016 ELECTION

What Does Voter Suppression Look Like?



What are some examples?

- Voter ID Laws
- Targeting Specific Communities with Misinformation
- Efforts to Curtail Early and Absentee Voting Opportunities
- Reducing or Relocating Polling Places
- “Voter Caging” (challenging registration status at the polls)

Who is targeted?

- Low income people
- Members of racial or ethnic minorities
- Students
- Senior citizens
- Persons with disabilities
- **Significant overlap with our constituents!**



CONSIDERATIONS FOR 501(C)(3) ORGANIZATIONS

Alliance for Justice – Bolder Advocacy



- Free technical assistance: advocacy@afj.org or 1-866-NP-LOBBY
- For factsheets and in-depth publications, visit www.bolderadvocacy.org

Legal Considerations for Nonprofits



“Under the Internal Revenue Code, all section 501(c)(3) organizations are absolutely prohibited from directly or indirectly participating in, or intervening in, any political campaign on behalf of (or in opposition to) any candidate for elective public office. Contributions to political campaign funds or public statements of position (verbal or written) made on behalf of the organization in favor of or in opposition to any candidate for public office clearly violate the prohibition against political campaign activity. Violating this prohibition may result in denial or revocation of tax-exempt status and the imposition of certain excise taxes.

Certain activities or expenditures may not be prohibited depending on the facts and circumstances. For example, certain voter education activities (including presenting public forums and publishing voter education guides) conducted in a non-partisan manner do not constitute prohibited political campaign activity. In addition, other activities intended to encourage people to participate in the electoral process, such as voter registration and get-out-the-vote drives, would not be prohibited political campaign activity if conducted in a non-partisan manner.

On the other hand, voter education or registration activities with evidence of bias that (a) would favor one candidate over another; (b) oppose a candidate in some manner; or (c) have the effect of favoring a candidate or group of candidates, will constitute prohibited participation or intervention.”

Legal Considerations for Nonprofits



501(c)(3) nonprofit organizations ARE allowed to participate in voter registration efforts!

501(c)(3)s CAN

- Register voters
- Educate voters
- Engage candidates on issues
- Get voters to the polls

As long as all efforts and activities remain NON-PARTISAN!

501(c)(3)s CANNOT

- Make endorsements of any political candidates.
- Donate money, resources, or time to any particular candidate.
- Any staff engaged in partisan political activities **MUST** do so without representing the organization, **NEVER** on staff time, and **NEVER** using 501(c)(3) resources.

Legal Considerations for Nonprofits – Permissible Activities



ISSUE ADVOCACY

Advocating for organization's issues during election year

CANDIDATE EDUCATION

Helping candidates understand the importance of your issues

VOTER EDUCATION

Educating voters in a non-partisan way about candidates

VOTER ENGAGEMENT

Registering voters, getting out the vote

Legal Considerations for Nonprofits – Issue Advocacy



**Nonprofits ARE allowed to advocate for particular issues
“Including those that divide candidates in an election”.**

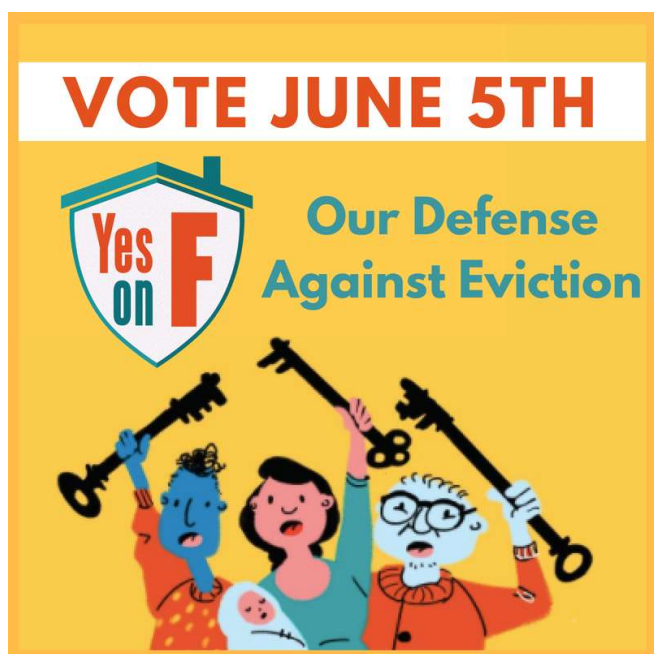
- Focus on issues, not candidates
- Helpful to have a track record of advocacy on the issue
- Use specific external events outside of the election to advance conversation on issue while remaining outside of specific election discussions
- All the facts and circumstances are important



Legal Considerations for Nonprofits – Ballot Measures

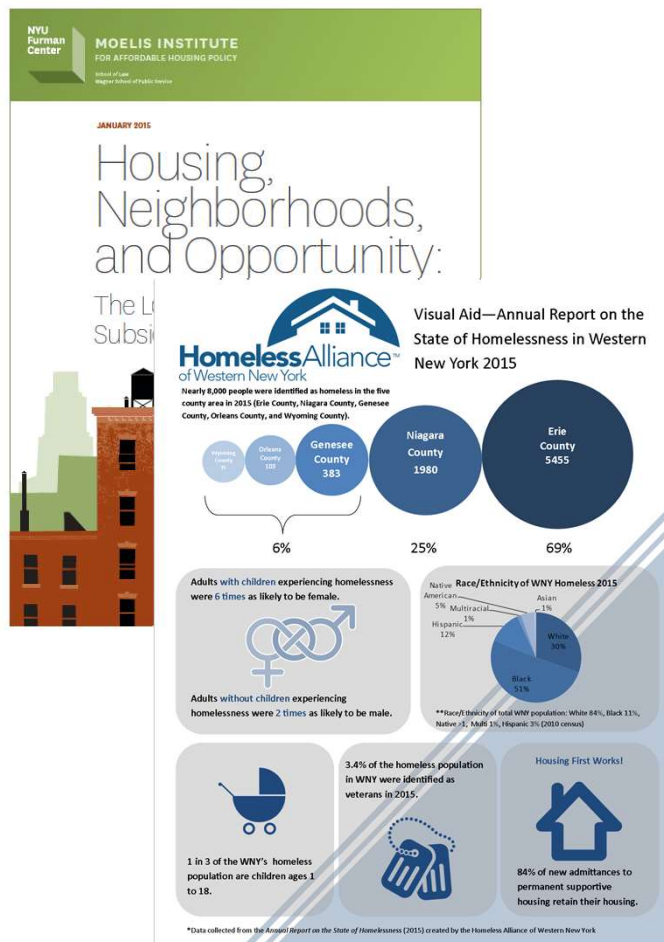


Nonprofits CAN advocate for or against ballot measures!



- IRS does not view this advocacy on ballot measures as an electioneering activity
- Organizations may express their view on a measure.
- Organizations can present the effects of a yes or no vote and who supports each side.
- Activity must stay within the limits of normal nonprofit lobbying activity.
 - More information on nonprofit lobbying limits can be found at: <https://bit.ly/2uoNb7C>; and <https://bit.ly/2ui8pVr>

Legal Considerations for Nonprofits – Candidate Education



- Offer to all candidates
- Use only what is already gathered
- Only create new information if organization has reason to do so

Legal Considerations for Nonprofits – Voter Education



Ken Anderson

ChooseKen.com

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(435) 635-0528

Democratic

1. Several polls have indicated education is the number one issue of Utah's constituents. What would you propose to raise Utah out of our current ranking of 51st in the nation as far as per pupil spending and classroom size.

Actually Utah's ranking is lower than Puerto Rico, Samoa and D.C. !!! Demand a State public audit of Sitla that is a non-transparent State agency wasting and hiding untold millions of \$ that are earmarked for improving Utah's education system. Elect new members of the Legislature (House and Senate) including me for House seat 71 that commit to support better education at all levels and eliminate the waste and graft. Encourage all High School Principals to set up voter registration programs for all Seniors !!!

2. Utah has a well-known air quality problem. What is the single most important thing the legislature can do to improve air quality?

Pass legislation that gives real dollar incentives for every Utah community to Master Plan for the Future along the lines of Vision Dixie. This is a very forward looking program that many of the Southern Utah communities have voted to follow but have largely ignored in practice.

3. Without expanding Medicaid in Utah, a significant number of Utahns will go without the coverage required to receive adequate health care. What action do you think the Utah Legislature should take now to provide for the health of all Utah residents?

Elect
exper
infor
issue



- Questionnaires & Forums
- Unbiased and open-ended questions
- No pledges
- Broad range of issues
- Disclaimers can be helpful

Legal Considerations for Nonprofits – Voter Registration and GOTV



- No suggestion of who to vote for
- No suggestion of which party to register with
- Voter registration service available to all eligible individuals
- Get Out The Vote (GOTV) focusing using nonpartisan criteria

Legal Considerations for Federally Funded Organizations



Public Housing Authorities (PHAs) CAN participate in voter registration activities!

- PHAs can provide registration materials as well as help residents fill out registration forms.
- PHA newsletters can and should contain information about registration and voting.
 - Public housing buildings can display registration information in common areas such as bulletin boards near elevators or in community rooms, etc.



Legal Considerations for Federally Funded Organizations



Federal Funds Do Place Restrictions on Certain Organizations:

- Staff who are paid through AmeriCorps or HeadStart funding cannot participate in voter registration activities.
- Legal Services groups cannot participate in any election activity, even if nonpartisan.
- Recipients of Community Services Block Grant funding can participate in voter registration and engagement, but CSBG funds cannot be used.
- More information on federal funds and voter registration restrictions can be found at: <http://bit.ly/1InQxh7>

The background of the slide is a grayscale photograph of a 'VOTE HERE' sign. The sign is white with bold black text. The English text 'VOTE HERE' is at the top, and the Chinese text '在此投票' is below it. To the right of the Chinese text is a recycling symbol and the date '05/2013'. The sign is attached to a building with a brick wall. A yellow horizontal band is overlaid on the sign, containing the word 'Questions?'.

Questions?



Additional Resources



Voter Engagement Legal Tools



Nonprofit VOTE - www.nonprofitvote.org

- Nonprofit Voter Engagement Guide - <https://bit.ly/2uoNb7C>



Alliance for Justice - <https://www.afj.org/>

- Bolder Advocacy Initiative - <https://www.bolderadvocacy.org/>

Voter Engagement Tools



Our Homes, Our Votes: A Guide to Voter Engagement Activities for Nonprofit Housing Providers and Resident Organizations



Our Homes, Our Votes is NUHC's effort to expand voter engagement work conducted by community organizations dedicated to expanding affordable housing. This guide is designed to help you through the steps of planning your agency's voter engagement work. These materials offer resources for organizations seeking to engage traditionally underrepresented people in the civic process. Beyond this guide, NUHC will offer trainings and additional tools through the 2018 election. Be sure to visit nlhc.org/library/voter-engagement for the most updated materials and announcements.

This voter engagement plan provides all of the steps you need to implement a campaign to integrate registration, education, mobilization, and voter protection without overtaxing your staff or resources, while staying within legal guidelines for nonprofits. Our plan presents a menu of activities for your group to consider. Your organization may or may not be able to undertake all of the suggested activities; plan according to available resources. If this is your first voter engagement project, remember to think long-term. It is usually best to start small and build your project over several election cycles.

Please let us know if you are conducting a voter engagement effort so that we can provide assistance, connect you with helpful resources, and spotlight your election-related work on our blog or in other NUHC publications such as Tenant Talk. Call NUHC's Field Team at 202-662-1530, or email us at outreach@nlhc.org.

WHY ENGAGE IN ELECTION WORK?

Relating housing on the national agenda will happen only when candidates for elected office understand that the issue of affordable housing is important to voters. At the same time, it is vital that low income voters understand how the decisions made by federal elected officials

directly affect their lives; know how to register to vote; and, know how to get to the polls on Election Day.

Census data confirm that low income voters are registered and vote at lower rates than higher income citizens. While 85% of people with incomes over \$100,000 were registered to vote in 2016 and 74% voted, just 60% of people with incomes below \$20,000 were registered, and only 38% actually voted. (U.S. Census Bureau. *Voting and Registration in the Election of November 2016*. May 2017.)

People in low income communities face several challenges to voting such as less-flexible work schedules that may not allow time off to vote; more difficulty obtaining legal identification; transportation impediments that may make getting to the polls more difficult; and, a greater likelihood of misinformation about their rights as voters. People experiencing homelessness, ex-offenders, and survivors of a natural disaster may face especially tough barriers to voting.

Nonprofit organizations, which benefit from close ties with their members, are a natural fit in helping people overcome these challenges. Nonprofits that have implemented voter engagement projects have identified several benefits of doing so:

- Residents engage in civic life and learn how decisions of elected officials affect their lives.
- The issue of homelessness and housing scarcity is elevated in public debate.
- Elected officials become educated on low



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2018 Our Homes, Our Votes Engagement Plan



Completing a voter engagement plan for your agency will help you assess how best to incorporate voter registration, education, and mobilization into your agency's work. This plan template presents a menu of activities that your organization may want to consider.

Please let NUHC know you are participating! Contact NUHC's Field Team at 202-662-1530 or outreach@nlhc.org with a description of your project.

WHY BECOME VOTERIZED?

Below are some reasons that organizations have undertaken voter engagement projects. Check those that apply to your organization, and add any others that apply.

- ☐ Engage residents in civic participation and help them become familiar with how decisions of elected officials affect their lives.
- ☐ Elevate the issue of homelessness and housing scarcity in public debate.
- ☐ Educate elected officials on low income housing issues and on how their decisions affect residents.
- ☐ Build influential relationships with elected officials. Help develop residents' leadership skills.
- ☐ Assist residents in meeting community service requirements, if applicable. Earn positive press for your program or project.
- ☐ Other: _____

LEGALLY SPEAKING

501(c)(3) organizations can, and should, engage in nonpartisan election-related activity, including voter registration, education, and mobilization. 501(c)(3)s cannot in any way support or oppose particular candidates. For detailed information on these issues:

- ☐ Contact the Office of the Secretary of State or Board of Elections in your state to learn your state's rules for voter registration drives.
- ☐ Take a look at the Permissible Activities Checklist put together by Nonprofit VOTE at: www.nonprofitvote.org/documents/2017/04/nonpartisan-election-activities-501c3-nonprofits.pdf.
- ☐ Visit the League of Women Voters at www.vote411.org for the latest information on voting in your state.
- ☐ Read and review *Nonprofits, Voting & Elections* produced by Nonprofit VOTE at: <http://www.nonprofitvote.org/nonprofits-voting-elections-online/documents/2010/11/nonprofits-voting-and-elections.pdf>.

REGISTERING VOTERS

Setting Goals for Registering Voters

- What percentage of your clients will you register? What number? _____
- Will your agency also register other low income members of the community, beyond those served by your programs? _____
- How many weeks do you have until the deadline to register voters? _____
- How many people must you register on average per week to meet your goal? _____

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<https://bit.ly/2NbgSAO>

<https://bit.ly/2mjcgNI>

Our Home, Our Votes Website



OUR HOMES, OUR VOTES

[HOME](#) [ABOUT](#) [HSG. & BALLOTS](#) [NEWS](#) [WEBINARS](#) [TOOLS](#) [TAKE ACTION](#)



OUR HOMES, OUR VOTES

VOTER REGISTRATION Expanding the pool of eligible voters in low income communities and subsidized properties.	VOTER EDUCATION Making sure voters have the information they need about candidates, and making sure candidates are engaged about housing affordability issues.	VOTER MOBILIZATION Getting out the vote! Putting in so much work to register and educate voters will only matter if they make it to the polls.	CANDIDATE ENGAGEMENT Engaging candidates so they hear your issue.
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Other Organizations to Know About



BRENNAN CENTER
FOR JUSTICE at New York University School of Law

www.brennancenter.org



<http://nationalhomeless.org/campaigns/voting/>

FAIR ELECTIONS
LEGAL NETWORK

www.fairelectionsnetwork.com



<http://www.vote411.org/>

Upcoming Webinars



Tuesday, July 24	Building the Base: Voter Registration of Low Income Renters and Their Allies
Tuesday July 31	The Importance of Voter Lists! A Key Tool for Successful Mobilization
Tuesday, August 7	An Informed Debate: Effectively Engaging Candidates while Remaining Non-Partisan
Tuesday, August 14	“I Vote for More Affordable Homes!” Educating Voters Before Election Day
Tuesday, August 21	Voter Mobilization: Getting Out the Vote

All Webinars begin at 3:00pm ET
For more information, please visit <https://bit.ly/2KooyTi>

**It's never been easy.
Our commitment is unwavering.
Join us and amplify the voices of
the poorest families in need.**

**OUR MEMBERS
ARE OUR STRENGTH.**



NATIONAL LOW INCOME
HOUSING COALITION

JOIN TODAY
WWW.NLIHC.ORG/MEMBERSHIP

Contact Us



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