

Defend Democracy in Tennessee

A Policy and Advocacy Plan

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A 30 second radio ad will be created summarizing the problem and importance of legislative change for voter disenfranchisement in the state of Tennessee. It will also briefly cover ways that Tennesseans can make a difference. A policy brief (see appendix C) will be sent to Tennessee State Representatives, local politicians, and posted on all social media accounts for Defend Democracy.

Implementation Steps

The following are steps Defend Democracy will take to launch the social media campaign:

- 1) Democracy will begin launching social media contents by September 4, before the elections in November. This will begin to draw the attention of Tennesseans about the need for the bill to pass and become Tennessee law. Twitter account, Facebook page, and Instagram account will open around the same time. Content will be posted in each social media handle upon launch so the viewers can see what needs to be voted on for Tennessee.
- 2) Radio advertisements will begin to launch on October 5 to spread awareness of the bill proposed. This will continue for about a month so that there is time to release all information before elections.

Advocacy Plan

Goal

The primary goal of Defend Democracy is to get SB0589 passed in the Tennessee General Assembly. This will amend the Tennessee Code Annotated Section 2-2-102 and Title 40, Chapter 29 by limiting the period when a felony conviction renders a person ineligible to vote to the period when the person is incarcerated, serving parole, or on probation. Additionally,

this bill specifies that the restoration of voting rights must not be denied based on an individual's inability or failure to pay civil or criminal penalties and makes issuance of a certificate of voting rights restoration mandatory for releasing authorities.

Focus and Target Population

The main focus for the Defend Democracy campaign will be on the legislature, within the state of Tennessee, since they are the ones who have the power to be able to change the laws. While the focus of the campaign will be on the legislative sector, those who will be affected by this policy change will be part of the public. The intended beneficiaries are felons who have successfully completed their sentences in Tennessee.

Advocacy Strategy

As a result of ongoing advocacy efforts across the United States, attention toward the prevalence of felony voter disenfranchisement and its consequences continues to grow. Increased awareness of voter disenfranchisement legislation has prompted policy makers and advocates in a number of states to take action and to push for laws that seek to eradicate an issue that has disproportionately affected marginalized communities for decades. Several social justice initiatives, such as the American Civil Liberties Union (ACLU) and The Sentencing Project, have released reports that highlight the history and implications of voter disenfranchisement as well as effective advocacy strategies that will be utilized by Defend Democracy to combat this pertinent issue.

In 2003, Michael Coyle, a research assistant at The Sentencing Project, released a briefing that highlighted state-based advocacy on felony disenfranchisement. This briefing assessed the successful advocacy efforts of coalitions in three states: Connecticut, Delaware, and Maryland. In Connecticut, legislation signed into law in 2001 granted felons on probation the

right to vote; In Delaware, the lifetime voting ban on ex-felons was removed and replaced with a five-year waiting period upon completion of a sentence; in Maryland, similar legislation was enacted that removed the lifetime voting ban on ex-felons and replaced it with a three-year waiting period upon completion of a sentence (Coyle, 2003). Although each campaign was specifically tailored to the political climate at the time, each one remains relevant and instructive for advocates seeking change on this issue (Coyle, 2003).

Although the campaigns of the aforementioned states differed in their approaches, several characteristics are apparent within each one: organization of a coalition, determination, persistence, and education. In 2001, a diverse coalition of civil rights advocates and election reform advocates formed the Connecticut Voting Rights Restoration Coalition (Coyle, 2003). Collectively, the coalition developed many strategies to achieve its victory. When the proposed bill to restore voting rights to convicted felons initially failed, the coalition garnered support through ongoing work in the community, such as creating public awareness through education efforts that included billboards in English and Spanish, public education campaigns that targeted both legislators and the wider community and communicating through the media via newspaper articles and radio (Coyle, 2003). Through their tireless efforts, they were gradually able to develop key allies in the Senate and in the broader community (Coyle, 2003). They accredited their eventual success to forming a coalition and ensuring everyone is on-board, pointing out that, although this takes time, “without it, success is difficult” (Coyle, 2003). Coalition leaders also insisted that having a clear idea of the constituency and strong leadership in the community and in the legislature is critical, citing that “a bill cannot be passed without political leadership, a coalition of advocates, and developing a working relationship with key legislative leaders” (Coyle, 2003).

In Delaware, a state that had denied individuals convicted of a felony the right to vote since the 1800s, the Delaware Center for Justice formed an alliance for the restoration of voting rights for convicted felons in 1990 (Coyle, 2003). Initially, the alliance gained traction when a local peace group became interested and garnered support from others in the community, including labor unions, the NAACP, and the ACLU (Coyle, 2003). These early lobbying efforts proved to be very successful and led to eventual support in both the House and the Senate, despite the refusal of Senator James Vaughn to move on the issue (Coyle, 2003). However, coalition members demonstrated exceptional determination as the partners met monthly for ten years and maintained a strong political presence (Coyle, 2003). In response to Senator Vaughn, the election commission innovatively proposed a solution: a viable system that utilized the correction's database to track an ex-felon's completion of parole and restitutions; in response to this, the Senator agreed to send the bill to the floor, where it passed with a large majority in 2000 (Coyle, 2003).

Similar strategies were demonstrated in Maryland, where a coalition was formed that consisted of fifty organizations, including the NAACP, League of Women Voters, religious organizations, and ex-offender groups (Coyle, 2003). Doc Cheatham, widely recognized as the driving force behind the Maryland Voting Rights Coalition, accredits the success of enacting HB535 and SB104 to the forming of the coalition in itself, in addition to the diverse representation within the coalition and the efforts that went into each aspect of the campaign: rallies, posters, mailings, flyers, and other media (Coyle, 2003). Doc Cheatham also advised that coalitions must take advantage of the current political climate and "put a face on the issue", reporting that, in Maryland, "legislators who were on the fence or who did not know much about

the issue were deeply influenced by ex-felon testimonies of how disenfranchisement affected their lives” (Coyle, 2003).

Recent advocacy efforts towards felony voter re-enfranchisement reflect the advocacy strategies demonstrated by their predecessors and also those outlined in Pat Libby’s Lobbying Strategy Handbook (2011). In 2008, ACLU released a report titled “Breaking Barriers to the Ballot Box: Felon Enfranchisement Toolkit” as part of their Right to Vote campaign. The report provides several evidence-based strategies that, when combined, will assist in the launch of a successful Defend Democracy advocacy campaign. The strategies mentioned include forming a coalition of diverse organizations, identifying and engaging key allies in communities of color, involving formerly incarcerated individuals, and conducting state-based research consisting of surveys that measure state and county election officials’ knowledge and implementation of voter disenfranchisement and restoration policy (ACLU, 2008).

In the Lobbying Strategy Handbook (Libby, 2011), two key elements mentioned regarding successful advocacy campaigns are developing educational materials and launching a media campaign. This is also highlighted in ACLU’s (2008) report, which emphasizes forming a comprehensive public education strategy and using technological tools to educate and mobilize. A low-cost way to raise awareness and garner support for Defend Democracy is through the utilization of social media websites such as Facebook, Twitter, and YouTube. A notable example of such efforts is in Kentucky, where voting rights activists have posted video stories on YouTube and communicate regularly via a listserv dedicated to monitoring legislative developments (ACLU, 2008).

Although social media campaigns can be beneficial and useful, Libby (2011) does advise that policymakers are more likely to pay attention to a cause that has received significant press

coverage. To accomplish this, ACLU (2008) suggests that advocates calibrate their strategy to the partisan environment of their state legislature and continually reach out to policymakers through letters and phone calls. Additionally, utilizing key criminal justice and legal agencies nationally and locally, such as the ACLU, CALEB, The Equity Alliance, and The Sentencing Project, to leverage support for Demand Democracy has the potential to provoke widespread coverage of the issue and, in turn, elicit prominent support for Defend Democracy at the local and state levels.

Inclusion of Target Population

One of the main ways in which the Defend Democracy campaign will include the beneficiaries in the advocacy efforts will be through social media. Through both Facebook and Instagram, felons who have lost their right to vote will have the opportunity to be part of spotlight stories shared on both social media platforms. These stories will share the real-life experiences of felons who have been disenfranchised and how losing their right to vote has affected them. By being able to share the personal stories of people who are being affected by the current policy, we can help increase awareness of the issue. This would positively benefit the campaign as more people would be able to see that the current laws are negatively affecting people.

Another way that beneficiaries are going to be involved is through contacting their legislators and encouraging them to bring back the SB059 bill since it directly affects them. Through personal communication from the beneficiaries, legislators will be made aware of the direct impact that their policies have on their constituents. This would help the campaign since those who benefit from the SB059 bill are the ones taking initiative to have this bill be reintroduced.

Potential Ramifications

By including the beneficiaries in the advocacy activities, the Defend Democracy campaign can show the real ramifications that the current policies have on the affected population and why it is important for change. Through personal testimony, former felons can share how their lives have been directly affected and have their story be humanized. By creating an emotional appeal, beneficiaries can make a stand for their rights as United States citizens. This process would also help to decrease social isolation between other former felons as more share their stories through social media and other outlets. Another positive consequence of including the beneficiaries in the campaign is that legislators will hear directly from their constituents. As constituents, former felons' voices are stronger as they are the ones who are targeted by the laws that legislators create.

However, a potential negative consequence of involving former felons to the campaign would be the negative stereotypes that surround people who are considered "criminals." While former felons have completed their sentences, the stigma associated with them is not positive and could potentially seep into the campaign. With these negative stereotypes, legislators and citizens may feel that former felons are untrustworthy and should not be allowed to have their voting rights restored. This would hurt the campaign as it would likely be unable to reintroduce the SB059 bill back during the next voting period. As for the beneficiaries, by involving them in the process they could be harassed or targeted by sharing their stories.

Potential Oppositions

When it comes to SB059 the main opposition that the proposed amendments, known as Defend Democracy, to the Tennessee Code, Section 2-2-102 and Title 40, Chapter 29 will have been the members of the General Subcommittee of the Senate Judiciary Committee. In the 111th

Tennessee General Assembly, the former legislation died. The approach to rectify this from happening again is to have the administrators of Defend Democracy meet with the subcommittee to address the issues with the prior assembly's bill in order to strengthen it along with the co-sponsors who will submit the bill.

Elected Officials to Approach

In order to successfully introduce the Defend Democracy campaign, to the 112th Tennessee General Assembly in 2021, the team of administrators needs to partner with the cosponsors from the 111th Tennessee General Assembly that supported Senate Bill 0589. These representatives are Senators Seven Dickerson and Ken Yager (from the Republican party), and Senators Brenda Gilmore, Raumes Akbari, and Katrina Robinson (Democratic). Ahead of setting up any meetings with the representatives that are aforementioned, the administrative team will send copies of the policy brief, and fact sheet, to make them aware of the campaign. The team with the campaign will request to meet with the majority leaders to determine what caused the previous bill to die in committee. This will help to make adjustments and strengthen the new proposed legislation. The administrators of Defend Democracy will request meetings with each senator individually and their aides to determine their interest in being a co-sponsor on the new piece of legislation. Once these senators' views are known, the administrators can request a meeting of all the involved co-sponsors and draft the legislation to be introduced in the General Assembly.

Key Talking Points

When given the opportunity, Defend Democracy would first like to address that of the total felony disenfranchisement, 8-9% are in Tennessee (Uggen, 2020). That is a high number compared to other states. With SB 0598/HB 0547, the percentage could go lower. Research

shows that one in thirteen people are disenfranchised in Tennessee, including Alabama and Mississippi (Uggen, 2020).

Next, Defend Democracy would address restoring voting rights to those convicted of crimes but are not able to fully pay their fines due to their socioeconomic status. This prevents individuals from exercising their right to vote, going against the U.S. Constitution. This includes addressing the 7% of Tennessee felons who permanently lost their right to vote (Uggen, et al. 2016). Information from the fact sheet and policy brief will be shared to address voting rights restoration.

Finally, Defend Democracy will petition with Tennessee legislators to reintroduce SB 0589. HB 0547 has passed on first consideration. The reintroduction of this bill could restore voting rights to individuals convicted of crimes with pardon or completion of any sentence, parole, or probation much easier. The bill promises to restore voting rights to individuals convicted of certain infamous crimes upon release when all fees are paid.

Progress Monitoring Plan

Defend Democracy will monitor to see if the bill is reintroduced to legislation by checking the Tennessee General Assembly website. Since the bill has passed in the House of Representatives, it would need to pass the Senate for the bill to be official. Once the bill becomes official, it will be added to the website. The coalition can then announce the passing to the social media accounts so that the audience will know. Coalition members will attend legislative meetings to ensure that bill has passed.

Conclusion

Defend Democracy was formed to advocate for the restoration of voting rights for felons in Tennessee. The goal is to reintroduce SB 0589 to the Tennessee General Assembly to have it