



INCREASING IN- PERSON VOTING ACCESS:

An Advocacy Toolkit for Louisiana Organizers



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Voting Rights Defender and *Prepared to Vote* programs to address voter suppression and coordinate LDF's election protection activities. LDF has been fully separate from the National Association for the Advancement of Colored People ("NAACP") since 1957, though LDF was originally founded by the NAACP and shares its commitment to equal rights.

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INTRODUCTION

This advocacy toolkit aims to provide organizers with the information and context to request better accessibility to in-person voting from government officials. Specifically, this toolkit will:

- ▶ Provide an overview of the national and state-level legal and policy considerations for establishing and changing polling place locations and early voting locations;
- ▶ Show examples of areas of concern around Louisiana, with a case study of the in-person voting issues disproportionately burdening Black voters in Caddo, East Baton Rouge, Orleans, and Jefferson Parishes;
- ▶ Offer resources for local advocacy and oversight to prevent barriers to in-person voting access.

The 2020 election saw the highest voter turnout in more than a century.¹ Even with the support of legions of non-governmental organizations, non-partisan volunteers, private financial support, and a host of other resources, our 2020 election season still was not without serious challenges, but it was on the whole secure. There remain, however, a range of issues urgently needing attention to maintain the freedom to vote. This includes problems with local election administration that create barriers to the ballot box, particularly for communities that have historically faced racial discrimination at the polls.²

A significant issue is the restriction of in-person voting. State and local governments have reduced the number of locations to vote in-person on Election Day and during early voting. In Louisiana, for example, parish governments closed a total of 126 polling places between 2012 and 2018.³ There are also unclear standards for selecting early voting locations; this mostly affects Black voters, who tend to early vote more than any other group of people in Louisiana.⁴ The removal of a polling place in a neighborhood can cause longer wait times and voter confusion when voters show up to the wrong polling place. Likewise, a lack of access to early voting reduces the opportunity for marginalized communities to vote, since marginalized communities tend to use early voting at higher rates.

Persisting problems with local election administration should be seen in the context of the Supreme Court's 2013 decision in *Shelby County v. Holder*, which gutted the provision of the Voting Rights Act of 1965 ("VRA" or "Voting Rights Act") that prevented Southern states from passing discriminatory voting laws.⁵ Unfortunately, many Southern localities have taken full advantage of this freedom from federal oversight to impose hard-to-spot practices that create barriers for voters of color in every election.

¹ See Kevin Schaul, Kate Rabinowitz and Ted Mellnik, *2020 Turnout is the Highest in Over a Century*, WASH. POST. (Nov. 5, 2020), <https://www.washingtonpost.com/graphics/2020/elections/voter-turnout/>.

² More than 50 years since the Voting Rights Act passed, voter suppression in the South has taken a new form. Stacey Abrams stated the modern problem succinctly: "part of the insidious nature of voter suppression is that it seems like it's user error." Lovett or Leave It, *Protect Stacey Abrams!*, at CROOKED MEDIA at 49:36 (Sept. 14, 2019), <https://crooked.com/podcast/protect-stacey-abrams/>.

³ *Democracy Diverted: Polling Place Closures and the Right to Vote*, LEADERSHIP CONFERENCE EDUCATION FUND 20 (Sept. 2019), <http://civilrightsdocs.info/pdf/reports/Democracy-Diverted.pdf>.

⁴ See, e.g., Mark Ballard, *Louisiana Early Voting Numbers Are Shattering Records; Here's Who is Turning Out*, THE BATON ROUGE ADVOCATE (Oct. 19, 2020), https://www.theadvocate.com/baton_rouge/news/politics/elections/article_8b08f3cc-1261-11eb-8fcf-d780a48b60b9.html.

⁵ See also Sherrilyn Ifill, *No, This Election Did Not Go "Smoothly"*, SLATE (Nov. 9, 2020), <https://slate.com/news-and-politics/2020/11/2020-election-voting-did-not-go-smoothly.html>.

Before the *Shelby County* decision, the Voting Rights Act authorized the federal government to prevent these discriminatory practices through a process called “preclearance.” In jurisdictions subject to preclearance, the federal government would provide oversight to every change in voting policy and watch out for potentially discriminatory adverse effects. Although federal preclearance is now gone, community organizers are in the position to gather their own information to show the patterns and practices to help enforce the remaining provisions of the Voting Rights Act. While we wait for Congress to restore the Voting Rights Act, it is up to organizers to engage in their own “community preclearance” to fill the gap by spotting and responding to issues that prevent voters from accessing the ballot box.

We hope that with this toolkit, advocates can engage in their own community preclearance, raising awareness and providing results to local communities for equitable voter access.

UNDERSTANDING THE LANDSCAPE

I. Election Day Polling Places

Who makes the decisions?

In Louisiana, each parish governing authority decides where all polling places are located in every precinct.⁶ For example, in Caddo Parish, the governing authority is the Caddo Parish Commission, in East Baton Rouge the East Baton Rouge Metro Council, and so forth. They also draw the boundary lines for each precinct, which are then submitted to the Secretary of State after the precinct drawings are passed via ordinance.⁷ Precinct boundaries are important because each registered voter is assigned to vote in the precinct where they reside. The parish governing authority must decide to change any polling location and must determine emergency polling locations.⁸

When are the decisions made?

Technically, polling places can be changed at any time, except during the candidate qualifying period preceding an election.⁹ The qualifying period is the time in which candidates for office must file their paperwork to certify that they are qualified to run for the specific office they are seeking. If there is an emergency, such as a natural disaster, a polling place location can be changed after an election's qualifying period.¹⁰

What are the requirements for a polling location?

There are a few legal requirements for establishing a polling place for Election Day:

1. All polling locations must be located in a public building, unless a suitable public building cannot be found.¹¹ Louisiana law also provides that a parish governing authority may select a location that is outside of the precinct, but “within the nearest precinct having proper facilities,” if the governing authority cannot find a suitable location in the precinct.¹²
2. State law also encourages the parishes to designate multiple precincts into single polling places (which reduces the number of polling places), if doing so “would be efficient, cost-effective, and convenient to voters.”¹³
3. Louisiana law prohibits polling locations from being located in the following places:
 - a. Places where alcohol is served;
 - b. A jail, penitentiary, or other penal institution;
 - c. A mental hospital or a mental health center;

⁶ La. Stat. Ann. § 18:533.

⁷ § 18:532.

⁸ § 18:534.

⁹ § 18:534 (B)(1).

¹⁰ *Id.*

¹¹ La. Stat. Ann. § 18:533 (B)(1).

¹² § 18:533 (B)(2).

¹³ § 18:533 (A)(2).

- d. An institution where wards of the state are confined or housed at state expense;
- e. Private property owned, occupied, or leased by a candidate in the election or the spouse of any such candidate, or an officer or employee of the state.¹⁴

II. Early Voting Locations

Who makes the decisions?

Early voting locations are decided differently than Election Day polling locations. Each parish registrar is required to hold its offices open for early voting.¹⁵ They may also use one branch location with the permission of the Secretary of State.¹⁶ The Secretary of State can also propose additional locations for each parish and submit them to the legislature for approval.¹⁷

Unlike Election Day voting, the parish governing authorities have very little control over early voting locations. In practice, parish councils submit resolutions to the Secretary of State and Legislature to ask for additional locations. Sometimes, the Secretary of State will reach out to parish registrars to ask if they need additional early voting locations before an election.

When are the decisions made?

The Secretary of State has indicated that the best practice is for changes to early voting sites to occur four months before an election.¹⁸ The Office of the Secretary of State has also mentioned that early voting sites must be requested at least 90 days before early voting begins.¹⁹ State law only requires that an early voting location be approved at least thirty days prior to a primary election and twenty-one days prior to a general election.²⁰ The Secretary will often deny requests from parish authorities for an additional early voting location on the grounds that the request was made too late.²¹

What are the requirements for an early voting location?

There are a few legal requirements for establishing an early voting location:

1. Each registrar is required to hold its offices open for early voting, but may also use one branch location with the permission of the Secretary of State.²²
2. The Secretary of State can choose additional locations based on feasibility, accessibility, and the number of registered voters.²³
3. State law does not identify any prohibited early voting locations like it does for polling

¹⁴ See § 18:533 (C)(1)-(5).

¹⁵ § 18:1309 (A)(2).

¹⁶ La. Stat. Ann. § 18:1309 (A)(2), (B)(1).

¹⁷ § 18:1309.2.

¹⁸ Sec'y of State Kyle Ardoyn comments before the House and Governmental Affairs Comm. (Jan. 5, 2021), https://house.louisiana.gov/H_Video/VideoArchive-Player?v=house/2021/jan/0105_21_HGa (at 16:25/1:20:38).

¹⁹ See *Commissioners discuss Caddo's one early voting location*, ARKLATEX HOMEPAGE (Oct 19, 2020), <https://www.arklatexhomepage.com/news/election/your-local-election-hq/commissioners-discuss-caddos-one-early-voting-location/>.

²⁰ § 18:1309(B)(1).

²¹ See *infra*, note 36 (discussing the reason why an early voting location was denied in Jefferson Parish).

²² § 18:1309 (A)(2), (B)(1).

²³ § 18:1309.2.

locations. However, federal law still requires that early voting locations be accessible for people with disabilities²⁴ and that access does not have a racially discriminatory impact.²⁵

IDENTIFYING AREAS OF CONCERN: A CASE STUDY OF LOUISIANA'S LARGEST PARISHES

The Problem:

Many voters rely on polling places to cast their ballots, register to vote, and update their registration. Because Louisiana law only allows voters to vote at their designated polling places, a voter must know exactly where she can vote on Election Day for her vote to be counted. Furthermore, Louisiana requires most voters to have an excuse to vote by mail; so, most voters must vote in person. When election officials close, move, or make polling locations hard to access, voters can lose open and equal access to the ballot box.

The legacy of disenfranchisement towards racial minorities and economically underprivileged voters continues to shape socioeconomic disparities within the state today.²⁶ For voters of color in the state, and Black voters in particular, inaccessible in-person voting creates a barrier to the ballot box that has a lasting effect on representation.

The Study:

We focused on Caddo, East Baton Rouge, Jefferson, and Orleans Parishes to demonstrate the barriers to in-person voting that have discriminatory effects against Black voters in Louisiana. In general, these parishes were chosen because they are the largest in the state and reports statewide and nationally have shown issues with long lines and long wait times at the polls.²⁷ As described more fully below, here is what we found:

- ▶ From 2012 to 2020, the number of polling locations have decreased statewide.
- ▶ Across these four parishes, there is less access to early voting relative to the parish population due to state-level policies preventing the implementation of early voting at the local level.
- ▶ In-person voting access in these parishes has not reflected the relative growth in population. Instead, closures have forced voters to travel farther distances, wait in longer lines, and navigate unfamiliar, potentially intimidating spaces to cast their ballot.

Why This Matters:

²⁴ See 52 U.S.C. § 20102 (requiring states make polling places for federal elections accessible for persons with disabilities and elderly persons).

²⁵ See generally 52 U.S.C. § 10301 et seq. (Voting Rights Act of 1965).

²⁶ See generally, Debo P. Adegbile, *Voting Rights in Louisiana: 1982-2006*, 17 REV. L. SOC. JUST. 413 (2008), https://gould.usc.edu/students/journals/rlsj/issues/assets/docs/issue_17/04_Louisiana_Macro.pdf.

²⁷ See Kevin Quealy and Alicia Parlapiano, *Election Day Voting in 2020 Took Longer in America's Poorest Neighborhoods*, N.Y. TIMES (Jan. 4, 2021), <https://www.ny-times.com/interactive/2021/01/04/upshot/voting-wait-times.html>.

- ▶ Changing the number of polling locations in a parish, though subtle, can lower voter turnout and dissuade certain communities from participating in elections.²⁸
- ▶ Historically, those communities where polling places are closed include higher populations of racial minorities and low-income voters who generally face more barriers to voting overall.²⁹
- ▶ The rising barriers to voting accessibility in the state reflect the existing and historical barriers in education, health, and socioeconomic security for these communities.

The following study breaks down the impact of polling place closures by early voting and Election Day voting.

I. In-Person Election Day Voting

What We Found:

Polling place access has decreased across Louisiana. The most urban populations in the state have seen a steady decline in polling place access over time. When a single polling place is designated for multiple precincts, the surplus of voters can lead to increased wait times and other accessibility issues. Indeed, in the four parishes we focused on, voters reported polling place access issues on Election Day 2020.³⁰

Example 1: East Baton Rouge

- ▶ The total Black population of East Baton Rouge Parish increased from 199,527 in 2012, to 204,562 in 2020, an increase of 2.5 percent, according to Census estimates.
- ▶ The number of Black registered voters in East Baton Rouge Parish increased from 120,619 in November 2012 to 132,007 in November 2020 (an increase of 9.4 percent), according to data published online by the Louisiana Secretary of State.
- ▶ Yet, the number of polling locations in the parish has decreased by 2.7 percent (from 147 in 2012 to 143 in 2020) over the same period of time.

Example 2: Jefferson Parish

- ▶ The total number of registered Black voters in Jefferson Parish was 75,045 in November 2020 and 69,013 in November 2012, an increase over time of 8.7 percent.
- ▶ Between 2012 and 2020, Jefferson Parish saw the starkest decrease in polling places at 15 percent.
- ▶ Meanwhile, Census estimates indicate that the total Black population increased from 114,745 in 2012 to 117,314 in 2020, a rate of about 2 percent. Other ethnic minorities saw increases over the same period of time, including Asian (6 percent increase), and Hispanic/Latino populations (18.7 percent increase). Only the white population decreased from 274,998 in 2012 to 271,300 in 2020 (1 percent decrease).

²⁸ See Matt Vasilogambros, *Polling Places in Black Communities Continue to Close Ahead of November Elections*, GOVERNING (Sept. 15, 2018), <https://www.governing.com/archive/sl-polling-place-close-ahead-of-november-elections-black-voters.html>.

²⁹ Sarina Vij, *Why Minority Voters Have a Lower Voter Turnout: An Analysis of Current Restrictions*, 45 A.B.A. HUM. RTS. MAG. (2020), available at https://www.americanbar.org/groups/crsj/publications/human_rights_magazine_home/voting-in-2020/why-minority-voters-have-a-lower-voter-turnout/.

³⁰ Data provided by 866-OUR-VOTE's Election Day Map, available at <https://866ourvote.voteamerica.com/#/?mapZoom=5.877971441470037&mapLat=30.410731454300688&mapLng=-94.0459604266847&categories=Polling+Place+Access>.

With fewer polling places, more precincts are assigned to a single polling place, resulting overall in fewer the places to vote. Precincts must contain between 300 and 2,200 registered voters.³¹ But, the increased voter registration rate across the analyzed parishes does not necessarily justify the decreased number of precincts. The following table shows the rate over time at which precincts have been designated for multi-precinct polling places across the state's most populous parishes³²:

		2012	2014	2016	2018	2020	% change over time
<i>Caddo</i>	Polling Places	88	86	82	83	82	-6.8
	Total Precincts	154	154	151	151	152	-1.3
<i>East Baton Rouge</i>	Polling Places	147	145	134	137	143	-2.7
	Total Precincts	315	315	317	317	329	4.4
<i>Jefferson</i>	Polling Places	170	169	147	146	144	-15.3
	Total Precincts	270	271	271	273	272	0.7
<i>Orleans</i>	Polling Places	129	124	123	124	123	-4.6
	Total Precincts	366	366	352	351	351	-4.1

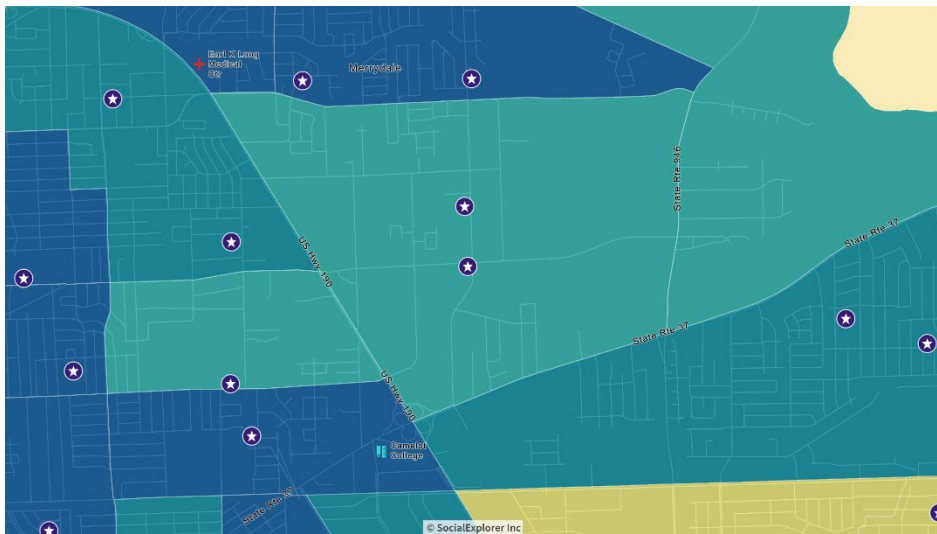
Source: Data provided by the Center for Public Integrity and a records request to the Louisiana Secretary of State.

³¹ La. Stat. Ann. § 18:532(B)(3)-(4)(a).

³² The 2012-2018 data was provided by the Center for Public Integrity's national data release of polling places. See Carrie Levine, Praatheek Rebala, and Matt Vasilogambros, *National Data Release Sheds Light on Past Polling Places Changes*, CENTER FOR PUBLIC INTEGRITY (Sept. 29, 2020), <https://publicintegrity.org/politics/elections/ballotboxbarriers/data-release-sheds-light-on-past-polling-place-changes/>. The 2020 data was the result of a public records request made by the Campaign Legal Center to the Louisiana Secretary of State.

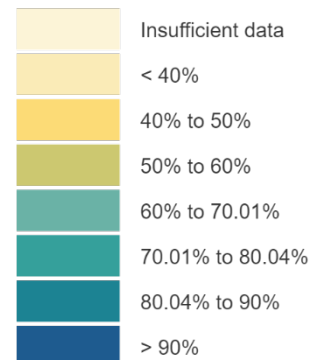
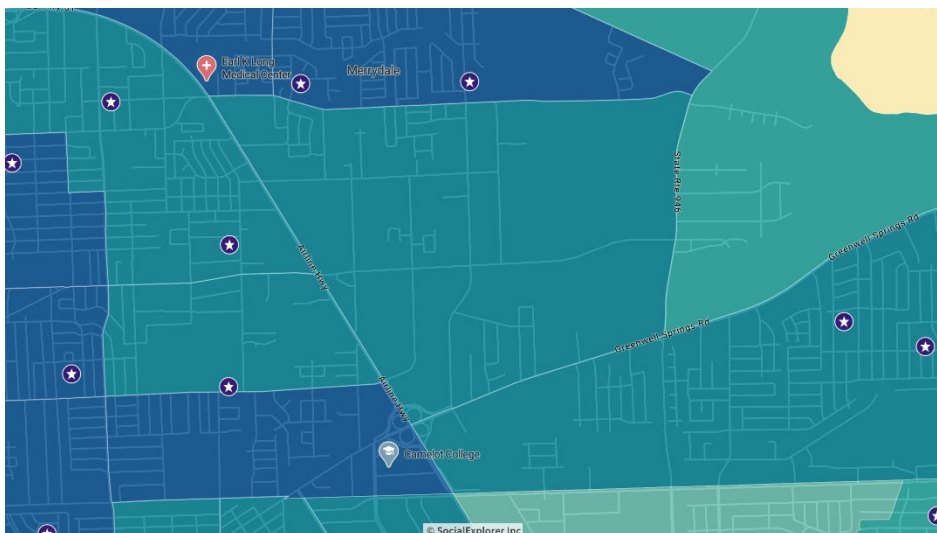
Displacement in East Baton Rouge:

Though the Capital Region saw a more modest decrease in the number of polling places compared to the other large parishes, Black voters saw polling places move around their neighborhood with more frequency. This still matters because the movement of polling places can create barriers to access similar those caused by the closure of polling places. As the Center for Public Integrity reported, a higher percentage of Louisiana's Black voters have seen their polling places change between 2012 and 2016 compared to white voters in the same time period.³³ For example, the maps below show the movement and closure of polling places over time in North Baton Rouge; a predominantly Black region of the parish:



These maps show the movement and closure of polling locations in North Baton Rouge, a neighborhood in East Baton Rouge Parish that is heavily populated by Black people. The 2012 map (top) shows that polling places were located across census tracts, approximately 8 in the area shown. The 2020 map (bottom) shows that there are only 6 polling places in the same area. Two were removed, and two were relocated.

Source: Polling place data provided by the Center for Public Integrity and records requests to the Louisiana Secretary of State. Maps developed with So-



³³ Carrie Levine, Pratheek Rebala, and Matt Vasilogambros, *First Came the Floods. Then Came the Polling Places*, CTR FOR PUB. INTEGRITY (Sept. 24, 2020), <https://publicintegrity.org/politics/elections/ballotboxbarriers/first-came-the-floods-then-came-the-polling-place-changes/>

In contrast, the maps below show the addition polling places over time in the southern region of East Baton Rouge parish, including predominantly white St. George³⁴:



These maps show the movement and closure of polling locations in southern neighborhoods of East Baton Rouge Parish, with comparably higher white populations. The 2012 map (top) shows that polling places were located across census tracts, approximately 12 in the area shown. The 2020 map (bottom) shows that there were 17 polling places in the same area.

Source: Polling place data provided by the Center for Public Integrity and records requests to the Louisiana Secretary of State. Maps developed with Social Explorer.

³⁴ St. George has been the source of racial tension in the last several years. Most notably, St. George seceded from the City of Baton Rouge to incorporate as its own town in 2019, in an effort many believe is a form of segregation from the predominately Black Baton Rouge. See Tracey Ross, *In Baton Rouge, Separate But Unequal Is Law* (Oct. 17, 2019), <https://www.essence.com/news/baton-rouge-segregation-st-george/>.

Lack of Access at Israel Augustine Justice Center:

Existing polling locations may be problematic due to being located in places that are not easy to access physically, a lack parking, or features that are otherwise intimidating to voters. In some cases, polling places are located in facilities that are themselves intimidating, particularly for Black voters. For years, a polling site in Orleans Parish has been located at the Israel Augustine Justice Center, a criminal court facility that is attached to a jail. In a state with a history of racial discrimination in the criminal legal system, and a sordid past characterized by poor relations between law enforcement and voters at the polls, the placement of a polling place at a jail is problematic.³⁵ During elections in



Israel Augustine Justice Center, 2019

Source: Provided by an Election Protection volunteer.



Israel Augustine Justice Center, 2020

Source: Provided by an Election Protection volunteer.



Israel Augustine Justice Center, 2020

Source: Provided by an Election Protection volunteer.



Israel Augustine Justice Center, 2020

Source: Provided by an Election Protection volunteer.

³⁵ See, e.g., Human Rights Watch, *Shielded from Justice: Police Brutality and Accountability in the United States* (June 1998), available at <https://www.hrw.org/legacy/reports98/police/toc.htm> (discussing the history of police brutality in New Orleans).

2019, voters were forced to navigate their way to the entrance between caution signs during ongoing construction and a restricted parking lot filled with police vehicles. By 2020, construction was complete on a foreboding barbed wire fence. During some elections, voters entering the site were required to go through metal security scanning and navigate long hallways past armed police personnel to reach the polling site inside.

II. Early Voting Locations

What We Found:

Across the state, the distribution of early voting locations evidences a systemic inequity in access to early voting.

- ▶ Louisiana law gives the Secretary of State a great deal of decision-making authority about the location of early voting places and leaves almost no authority to the parishes. Furthermore, state law provides virtually no criteria to guide determinations on the locations for early voting. As a result, the number of early voting locations is often not proportionate to the number of voters in any given parish.
- ▶ Even in places where the number of early voting locations appears adequate, reports on the ground demonstrate the consequences of a state policy that provides no discernable standards.

The Story of Jefferson Parish Early Voting

Despite predictions of a high turnout for the 2020 General Election state and parish authorities failed to increase the number of early voting sites in Jefferson Parish. According to reports, parish authorities failed to respond to the Secretary of State office's inquiry about additional sites, and by the time the parish authority realized that more sites were needed the state said it was too late.³⁶ As a result, voters reported wait times of more than 7 hours to vote early in the 2020 General Election.³⁷



Early voting line at the Joseph Yenni Building, a Jefferson Parish early voting location.

Source: Provided by an Election Protection volunteer.

³⁶ Faimon Roberts III and Della Hasselle, *Fewer Machines, Long Lines Plague Jefferson Parish Early Voting: 'People are Frustrated,'* NOLA.COM (Oct. 19, 2020), https://www.nola.com/news/politics/article_c76ff7c2-123c-11eb-8360-a7684b6d5aa9.html.

³⁷ Rilwan Balogun, *"I never expected it to be seven hours," Voters Wait Hours On First Day of Early Voting,* FOX8 (Oct. 16, 2020), <https://www.fox8live.com/2020/10/16/i-never-expected-it-be-seven-hours-voters-wait-hours-first-day-early-voting/>.

Caddo Parish Early Voting Disparities

Caddo Parish is the fourth-largest parish in Louisiana and is predominately Black or African American. Black people comprise 49 percent of the population, 46.5 percent of all registered voters, and 47 percent of the citizen voting age population, according to Census data and registration data provided by the Secretary of State. But for the November 2020 election, Caddo Parish voters had only a single early voting location for the entire parish. In comparison, the largest three parishes, Jefferson, Orleans, and East Baton Rouge, had four, four, and five early voting locations in the November 2020 election, respectively.³⁸ The following table shows the disparities in access to early voting in the state's largest parishes:

<i>Parish</i>	<i>Number of Early Voting Locations in 2020</i>	<i>Total Population</i>	<i>Total Registered Black Voters in November 2020</i>	<i>Total Citizen Voting Age Black Population</i>	<i>Number of Registered Black Voters Per Early Voting Location</i>
<i>Jefferson</i>	4	434,850	75,492	83,130	18,873
<i>Orleans</i>	4	390,845	150,327	175,965	37,581
<i>East Baton Rouge</i>	5	443,763	132,638	147,400	29,480
<i>Caddo</i>	1	245,831	76,826	86,700	76,826

Source: Data provided by Census data and early voting locations provided publicly by the Secretary of State. See also Osama Ayyad, *Know to Vote: Early Voting Locations in Louisiana By-Parish*, 4WWL (Sept. 25, 2020), <https://www.wwltv.com/article/news/politics/elections/early-voting-locations-in-louisiana-parish-by-parish/289-8b846d39-d13c-4e2f-ac59-54d70beb5609>.

Caddo Parish's single early voting site services almost as many voters as the three largest parishes combined.³⁹ In 2020, Caddo Parish voters reported waiting up to two hours to vote.⁴⁰ This shows insufficient early voting capacity in Caddo Parish. We could find no real justification for this problem. The lack of control at the parish level has put the parish and the state at a stalemate. It is particularly troubling that the last time the Caddo Commission considered the addition of an early voting location, the commission voted primarily along racial lines to oppose the addition.⁴¹

Additionally, Census estimates indicate that 10.5 percent of homes in Caddo Parish have no access to a vehicle; only Orleans Parish has a lower rate of access, with 18.6 percent of homes without access to a vehicle. It is especially problematic that a parish with low rate of vehicle access enjoys only a single

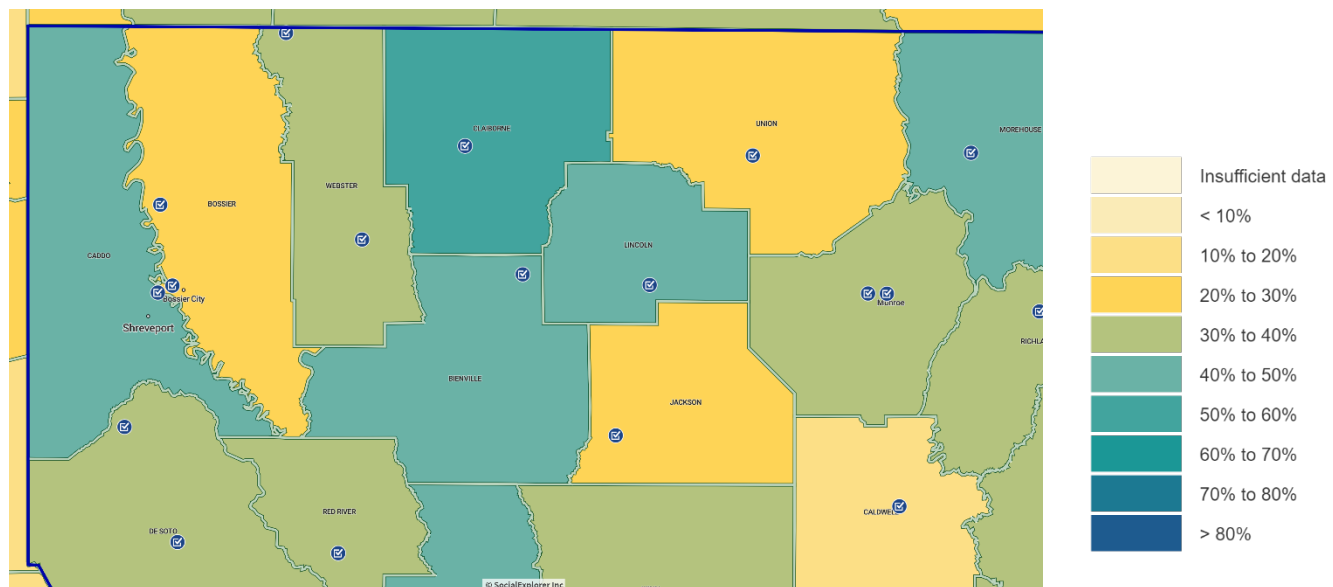
³⁸ See Osama Ayyad, *Know to Vote: Early Voting Locations in Louisiana By-Parish*, 4WWL (Sept. 25, 2020), <https://www.wwltv.com/article/news/politics/elections/early-voting-locations-in-louisiana-parish-by-parish/289-8b846d39-d13c-4e2f-ac59-54d70beb5609>.

³⁹ East Baton Rouge is the only parish with greater capacity issues, but also has a population nearly twice that of Caddo Parish.

⁴⁰ TW Starr, *Contrasting Experiences for Early Voters in Caddo and Bossier*, KTBS (Oct. 17, 2020), https://www.ktbs.com/news/arklatex-politics/contrasting-experiences-for-early-voters-in-caddo-and-bossier/article_47a3d786-10b9-11eb-bae6-dbb60c062afc.html.

⁴¹ Parish of Caddo, Caddo Parish Commission, FACEBOOK (Aug. 25, 2020), https://www.facebook.com/watch/live/?extid=5vqXaUK9GHVWL0id&v=318295356278061&ref=watch_permalink (Facebook Live Commission special session where the Commission most recently voted against the addition of an early voting site).

early voting location. The lack of car access is a problem because Caddo voters without cars are severely restricted in accessing the only early voting location available to them.



This map demonstrates the number of early voting locations relative to the percent Black population in North Louisiana. Caddo Parish, which has highest population of Black voters in the region, has one early voting location. Nearby parishes, including Bossier and Webster, both of which have a lower population overall and lower Black population, both enjoy two early voting polling places each.

Source: Data obtained from the Louisiana Secretary of State's public database. Maps by Social Explorer.

Environmental Impact of In-Person Voting Policies

An issue unique to states along the Gulf Coast is in-person voting during hurricane season. Louisiana, in particular, has seen a record number of natural disasters in the last several years that have impacted voting on Election Day and during early voting.⁴² In East Baton Rouge, government officials specifically cited the 2016 floods as a cause for relocating polling places.⁴³ While the state has capacity to deploy mobile voting units,⁴⁴ voters of color and low income voters in particular nevertheless suffer the effects of closed polling places as a result of natural disasters. People of color tend to disproportionately live within flood zones in the state.⁴⁵

In East Baton Rouge, our research shows that of the twelve zip codes which saw more than 1,000 buildings affected by the Great Flood of 2016, seven of those zip codes have a majority Black population. On the other hand, of the nine zip codes that saw fewer than 1,000 buildings affected by the Great Flood, six of those zip codes have a majority white population:

⁴² See e.g., Sam Karlin, *A Critical Mission After Hurricane Zeta: Racing to Survey Damage to Polling Places*, THE BATON ROUGE ADVOCATE (Oct. 29, 2020), https://www.theadvocate.com/baton_rouge/news/politics/elections/article_1fcc149a-1a13-11eb-9e4f-2715430a364a.html.

⁴³ See *supra* note 33.

⁴⁴ See @Louisiana_sos, TWITTER (June 3, 2021, 3:37 PM), https://mobile.twitter.com/louisiana_sos/status/1400537160642707471.

⁴⁵ See Thomas Frank, *Flooding Disproportionately Harms Black Neighborhoods*, SCIENTIFIC AMERICAN (June 2, 2020), <https://www.scientificamerican.com/article/flooding-disproportionately-harms-black-neighborhoods/>.

<i>Zip Code</i>	<i>Percent White</i>	<i>Percent Black</i>	<i>Buildings Affected</i>	<i>Zip Code</i>	<i>Percent White</i>	<i>Percent Black</i>	<i>Buildings Affected</i>
70805	3.4	93.6	5,047	70811	10.1	87.4	1,951
70739	91.7	7.5	4,986	70770	94.3	1.4	941
70814	13.4	83.2	4,971	70802	18.4	77.1	811
70816	49.2	38.8	4,686	70820	61.7	23.8	652
70714	25.3	71.6	4,677	70810	62.6	28.5	491
70791	49.4	47.1	4,026	70809	69.6	20.2	214
70815	37.2	45.9	3,433	70808	76.9	17.1	210
70812	2.9	93.7	3,102	70777	80.5	17.7	146
70818	84.4	10.5	2,965	70807	3.8	95.8	61
70817	71.1	19.6	2,898	70722	63	34.9	25
70819	25.8	67.9	2,090				

These tables show the number of buildings affected by the Great Flood of 2016 by zip code, as well as the percentage of the population that is white and Black within that zip code. In general, more buildings were affected in predominately Black zip codes.

Source: Population estimates from U.S. Census Bureau, 2015-2019, American Community Survey 5-Year Estimates. Flooding information by The Great Flood of 2016 Story Map maintained by the City of Baton Rouge and Parish of East Baton Rouge.

Though natural disasters are not caused by election administrators, Louisiana's policies on in person voting do not mitigate problems created by natural disasters. For example, voters cannot vote out of the precinct they are assigned, and early voting is limited to the parish where voters are registered to vote. Furthermore, limited absentee ballot access leaves few options for voters faced with a natural disaster, a concern that has only grown over time.⁴⁶

⁴⁶ See Oliver Milman, *Climate Change Made Louisiana's Catastrophic Floods Much More Likely*, THE GUARDIAN (Sept. 8, 2016), <https://www.theguardian.com/science/2016/sep/08/climate-change-louisiana-floods-increased-risk>.

ADVOCACY RESOURCES

What should you do?

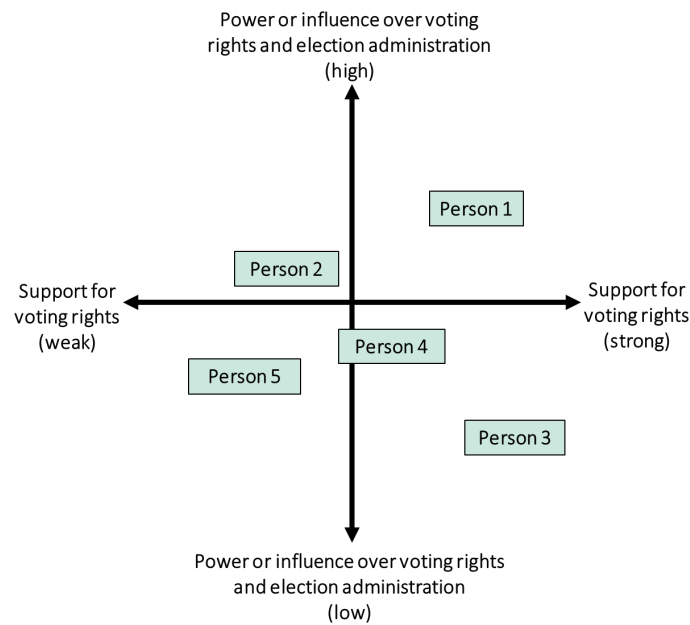
1. **Propose Election Day polling places to your parish governing authority:**
 - ▶ **At the right time:** There is no specific timeline for decisions on changes to polling locations, except that they should be changed before any candidate qualifying period of an election. So, you can request an additional location for the next election, even if your request is made after the deadline for the closest upcoming election.
 - ▶ **To the right people:** The process for adding polling locations is straightforward, requiring only the approval of the parish governing authority.
 - ▶ **At the right location:** Specifically, look for public buildings that are located within a reasonable walking or driving distance of the neighborhood at issue.
2. **Propose Early Voting locations to the Secretary of State:**
 - ▶ **At the right time:** In addition to the timing requirements under state law, the Secretary of State requires significant lead time to determine and stand up an early voting location before the early voting period begins for any given election.
 - ▶ **To the right people:** When advocating for additional early voting locations, an advocate must petition the Secretary of State directly. Alternatively, in places where the parish registrar has not exercised his or her authority to add a second early voting location (in addition to the parish registrar's main office), an advocate can press them to do so.
 - ▶ **At the right location:** Advocates should follow the requirements for Election Day polling places to propose early voting locations. State law does not provide guidance on this issue.

Administrative Advocacy Tools

Outreach to Election Officials:

To start an outreach and advocacy campaign, it is helpful to first identify the individuals who hold power over the process of assigning polling locations and assess their anticipated levels of support for providing ample and accessible sites. This toolkit helps identify many key powerholders (e.g., the Secretary of State, governing authorities, etc.). Moreover, other community leaders may also be critical to efforts, even if their power is indirect (e.g. state representatives, clergy members, etc.). By mapping key stakeholders' levels of influence over the process in relation to their levels of support for voting rights and election access, advocates can think strategically about how to develop and target key messages to build support for poll site improvements. Model 1 on the following page provides an example for how this exercise can be plotted.

Model 1:



After identifying key audiences and stakeholders, advocates can use a variety of narrative and data-based messages to compel election officials to make necessary changes to improve polling sites and voting access. Consider the following components when developing your message framework:

- **Narratives:** Start by gathering stories that paint a picture of the hurdles that voters face at current voting sites. If voters must drive long distances or wait in multi-hour lines to vote because of the limited early voting options, there is a solvable problem that election officials must act to fix. If polling sites have limited accessible parking and voters with walkers are forced to walk long distances to reach the poll site, that emphasizes the need for Election Day site improvements and accessibility enforcement. The most compelling advocacy starts with a story.
- **Visuals:** When possible, supplement your narratives and data with visuals. Collect pictures of long lines or poll site issues from community members or gather press clippings or videos (and remember to credit your sources). You can also use maps that demonstrate the distance between communities and polling sites and the varying impact on demographic groups. Utilize the maps in this guide or connect with CLC and LDF to explore new ways to chart the data.
- **Numbers:** How many voters rely on early voting in your community? Has this number increased in recent years? How long were the lines – in terms of distance or time? When coupled with narrative and visual appeals, numbers help support your call to action for poll site improvements. The Secretary of State posts turnout numbers and statistics online,⁴⁷

⁴⁷ See <https://voterportal.sos.la.gov/>.

which can serve as a starting point in addition to media research and collaboration with advocacy groups like CLC and LDF.

After gathering narratives, visuals, and numbers, advocates can present their case for polling site improvements to election officials in direct meetings, via letters, public testimony, or opinion editorials in your local paper. Be creative and collaborative in outreach, and connect with CLC,⁴⁸ LDF,⁴⁹ Power Coalition for Equity and Justice⁵⁰ or other civil and voting rights groups in your community to support your advocacy work.

Oversight and Community Engagement Tools

Sample Tools

Sample Public Records Request

Dear Custodian of Records:

Under the Louisiana Public Records Act § 44:1 et seq., I am requesting an opportunity to inspect or obtain copies of public records relating to the [*parish authority's*] plans to establish or change election precincts for the upcoming election. Specifically, I am requesting the following records:

- List of polling locations open in the Parish during the [*year*] election on [*date(s) of election*].
- Any map and/or shapefiles showing the current geographical boundaries of the Parish with designation of precincts and a word description of the precinct geographical boundaries, as required under La. Stat. Ann. § 18:532(C).

Under La. Stat. Ann. § 44:32, there is generally no cost to examine or review public records. To the extent that these records are available electronically, I would appreciate copies via email. However, if there are any fees for copying these records, please inform me if the cost will exceed \$100. I certify that this information is not being sought for commercial purposes.

Section 44:33 of the Louisiana Public Records Act requires a response within three business days. If access to the records I am requesting will take longer than that time period, please contact me with information about when I might expect copies or the ability to inspect the requested records.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law.

Thank you for considering my request.

Sincerely,

[*name*]

[*email address*]

[*phone number*]

⁴⁸ Visit <https://campaignlegal.org/contact-us> or email info@campaignlegal.org

⁴⁹ Visit voting.naacpldf.org or email vote@naacpldf.org.

⁵⁰ Visit powercoalition.org/contact/ or email info@powercoalition.org.

Sample Letter: Election Day Polling Places

Dear [*Commissioner*]:

We write to you to request an additional early voting location in [*Parish*]. We understand that state law requires the [*parish governing authority*] to establish all polling places before the qualifying period of the election, which will fall on [*date*]. As such, we urge you to create an additional polling place in precinct [*number*].

Access to in-person voting is especially important for voters of color in Louisiana. Because most voters cannot absentee vote, almost all voters in the state vote in-person. This additional location will decrease the wait times for voters on Election Day, making it easier for voters to cast their ballots.

Other information to include:

- *Explanation about why the current site is not accessible for the community*
- *Suggestions for alternative sites and explanations about why the alternative sites are preferable*
- *Maps for a visual representation of the alternative sites.*

Sample Letter: Early Voting Locations

Dear Secretary of State [*Name*]:

We write to you to request an additional early voting location in [*Parish*]. We understand that your office prefers to locate additional sites at least four months in advance, so we write to you now to urge you to create additional early voting locations ahead of the [*date*] election.

Access to early voting is especially important for voters of color in Louisiana, who vote in person more than any other demographic. Because most voters cannot absentee vote, almost all voters in the state vote in-person. Working class voters, many of whom are voters of color, rely heavily on access to early voting because they cannot take the time off work to vote on Election Day.

Other information to include:

- *Explanation about why the current site is not accessible for the community*
- *Suggestions for alternative sites and explanations about why the alternative sites are preferable*
- *Maps for a visual representation of the alternative sites.*

Issue Monitoring

During most elections, voting rights advocacy groups affiliated with the national nonpartisan Election Protection network monitor for issues at polling sites. To get involved with these broader efforts, connect locally with Power Coalition for Equity and Justice.⁵¹ You can also reference the below poll site

⁵¹ Visit powercoalition.org/contact/ or connect with national partners by visiting voting.naacpldf.org or 866ourvote.org.

checklist for examples of the issues nonpartisan poll site monitors look out for on early voting and election days. With these questions in mind, you can be a conscious observer at poll sites in your community and call in any issues to the Election Protection hotline at 866-OUR-VOTE. Data collected through the hotline and by trained volunteer poll monitors helps propel advocacy for poll site improvements at the local, statewide, and national level.

Poll Site Checklist

In addition to this list, advocates should take photos to document any issues they see at the polling place. The following checklist should be used to document issues spotted at the voters' polling place or early voting location.

- ✓ Were there long lines?
- ✓ About how long are voters waiting in line?
- ✓ Did the polling site fail to open on time or close early?
- ✓ Did the polling site change without adequate notice?
- ✓ Were there issues with signage?
- ✓ Were there parking issues?
- ✓ Was the polling site entrance inaccessible for people with disabilities or limited mobility?
- ✓ Was the polling site understaffed?
- ✓ Was there law enforcement activity in/around the polling site?
- ✓ Did you spot any electioneering or improper partisan activities?
- ✓ Was there third-party intimidation around the polling place?
- ✓ Did poll workers or other election officials behave improperly?
- ✓ How many car-accessible parking spaces does the polling place have?
- ✓ How many van-accessible parking spaces does the polling place have?

Community Conversations

Assessing Community Needs & Poll Site Values:

When addressing polling site issues – especially potential site changes or additions – it is important to assess the local communities' values before advocating for changes. For example, a largely pedestrian community may value the familiarity of a polling site more than finding a new site that would have a much larger parking lot. Community members know their neighborhoods best and are invaluable resources for identifying new or additional sites that may best suit the needs of voters. Whether engaging in-person or online, consider asking community members about the issues they have faced at their early voting or Election Day poll sites, inquire if there are alternative sites that are familiar and accessible to the community, and identify the features that matter most to local voters.

Educating Communities on Poll Site Changes:

When early voting sites and Election Day poll sites are reduced, moved, or added, it is critical to educate voters about these adjustments to avoid confusion. Consider working with election officials and community groups to build a robust public education campaign with the most accurate and up-to-date information about voting hours and locations. Through outreach via traditional and social media, direct mailings, flyering, door knocking, community group announcements, and targeted word-of-mouth efforts, you can help reduce voter confusion and propel participation on voting days at available sites. Regularly check to ensure that government sources of information on polling site changes are required to be updated immediately and are accurate.