

Center for Civic Justice  
Barriers to Voting  
and Civic  
Engagement



*Community Dialogue*

April 10th | 7- 8:30PM  
Union Ballroom

# KEY TERMS

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## ***Voter Suppression:***

Voter suppression is defined as a variety of different strategies to actively influence outcomes of elections and target specific groups to prevent them from voting.

## ***Gerrymandering:***

The act of redrawing electoral district lines in favor of one political party over another is known as gerrymandering. This can lessen competitiveness and discourage voter turnout by diluting the voting strength of some localities or creating safe districts for politicians.

## ***Voter ID Laws:***

Voting ID laws essentially reduce voting fraud by requiring voters to provide official government identity before casting a ballot. These regulations disproportionately affect vulnerable communities, which may encounter difficulties in obtaining valid identification, leading to voter suppression.

## ***Voter Intimidation:***

Voter intimidation strategies can prevent qualified voters from taking part in the political process. Examples of these strategies involve providing misleading information about voter eligibility requirements and stationing law enforcement personnel at polling stations.

## ***Voter Purges:***

Voter purges are frequently carried out by states to exclude eligible voters from registration lists. Nevertheless, occasionally these purges lead to the incorrect removal of eligible voters, especially if the removal criteria are ill-executed or too broad.

# KEY TERMS

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## ***Felony Disenfranchisement:***

As a result of being incarcerated, individuals lose their right to vote in several states. Since racial bias is extremely prevalent in the criminal justice system, this restriction disproportionately affects black and brown people.

## ***Voter Apathy:***

The lack of interest in participating in elections by certain groups of voters. It can be characterized by indifference, a sense of disconnection, and a pervasive belief that their votes don't count. Voters consistently feel that their elected officials no longer represent their interests and therefore find no point in voting.

## ***Jim Crow Laws:***

Jim Crow laws were a set of racially discriminatory laws and social customs primarily implemented in the Southern United States during the late 19th and early 20th centuries. These laws restricted African Americans' voting rights through literacy tests, poll taxes, and other discriminatory measures.

## ***Voter Caging:***

Often an illegal tactic used to suppress voter turnout, election campaigns would send letters to people who are registered to vote, if the letters were returned because they couldn't be delivered, they would use that as grounds for preventing people from voting.

## ***Early Voting:***

Early voting is a process that allows registered voters to cast their ballots before the scheduled Election Day. Early voting typically occurs during specified periods leading up to the actual Election Day. Early voting can take place at designated polling locations or through mail-in or absentee voting methods, depending on local and state regulations

# KEY TERMS

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## ***14th Amendment:***

The 14th Amendment was ratified in 1868 and gave African Americans “equal protection under the laws.” Citizenship was granted to all US-born and naturalized individuals.

## ***15th Amendment:***

The 15th Amendment was ratified in 1870 and prohibited states from disenfranchising voters “on the account of race, color, or previous conditions of servitude.” However, the 15th Amendment didn’t grant immediate voting rights for African Americans because Congress did not automatically enforce it.

## ***Poll Taxes:***

Poll taxes were a Jim Crow law that worked to disenfranchise Black voters during the Jim Crow era. Poll taxes were a form of tax levied on individuals as a prerequisite for voting. Poll taxes disproportionately affected Black voters who made up a large portion of the population in the South. They were prohibited with the ratification of the 24th Amendment in 1964.

## ***The 23rd Amendment:***

The 23rd Amendment was ratified in 1961, the Amendment allows Americans living in the District of Columbia to vote.

## ***The 24th Amendment:***

The 24th Amendment was ratified in 1964 prohibiting the use of poll taxes in federal elections.

## ***The 26th Amendment:***

Ratified in 1971, the 26th Amendment allowed more men and women across the country to register and vote. It prohibits states and the federal government from using age as a reason to deny the vote to anyone 18 years old and older.

# KEY TERMS

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## ***The Voting Rights Act of 1965:***

Passed on Aug. 6th, 1965, it prohibits any election practice that denies the right to vote on account of race, as well as requires jurisdictions with a history of discrimination in voting to get federal approval for changes in their election laws before they can take effect. VRA of 1965 lowered the voting age from 21 to 18 and outlawed the use of literacy tests.

## ***Literacy Test:***

The literacy test was a discriminatory Jim Crow law practice that was designed to prevent individuals from voting based on their ability to read and write or their understanding of various civic and legal concepts. It was outlawed in 1965 with the passing of The Voting Rights Act of 1965.

## ***Shelby County v. Holder:***

Shelby County v. Holder (2013) is a landmark Supreme Court case that ruled in a 5-4 decision that the provision of federal oversight and the need for federal approval before making election law changes in certain jurisdictions with a history of discrimination in voting from The Voting Rights Act of 1965 was unconstitutional.

## ***The Grandfather Clause:***

Louisiana passed the “Grandfather Clause” in 1896 to keep former slaves and their descendants from voting. The Grandfather Clause allowed people to vote if their grandfathers voted by 1867. It was ruled unconstitutional in 1915.

# HISTORY OF VOTING RIGHTS AND BARRIERS

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**Jun. 21st, 1788**

The U.S. Constitution was adopted and granted states the power to establish standards for voting rights

**Apr. 9th, 1866**

The Civil Rights Act of 1866 was enacted and granted citizenship but not the right to vote to all native-born Americans

**Feb. 3rd, 1870**

The 15th Amendment was ratified and prohibited states from disenfranchising voters "on the account of race, color, or previous conditions of servitude."

**Aug. 2nd, 1776**

Declaration of Independence was formed and frames voter rights

**Jan. 31st, 1865**

The 13th Amendment was ratified and abolished slavery and indentured servitude

**Jul. 9th, 1868**

The 14th Amendment was ratified and gave African Americans "equal protection under the laws." Citizenship was granted to all US-born and naturalized individuals

# HISTORY OF VOTING RIGHTS AND BARRIERS

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**Jun. 2nd, 1924**

Native Americans are granted the right to vote. (This was still limited for a few Native Americans. Some states still created barriers that restricted them from voting.)

**Mar. 29th, 1961**

The 23rd Amendment was ratified, allowing Americans living in the District of Columbia to vote

**Aug. 6th, 1965**

The Voting Rights Act of 1965. Prohibited any election practice that denies the right to vote on account of race and required jurisdictions to get federal approval for changes in their election laws before they can take effect, as well as outlawed literacy tests

**Aug. 18th, 1920**

The 19th Amendment was ratified which gave women the right to vote, except for Black women, mainly in the South

**1943**

The Chinese Exclusion Act came to an end. Chinese immigrants and their American-born families were eligible to naturalize and gain citizenship- and were allowed to vote

**Jan. 23rd, 1964**

The 24th Amendment was ratified, prohibiting the use of poll taxes in federal elections



# HISTORY OF VOTING RIGHTS AND BARRIERS

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## **Aug. 6th, 1975**

Expansion of the Voting Rights Act for non-English-speaking voters. Provides voting materials in other languages and multilingual assistance at the polls for individuals with limited to no proficiency in English

## **May 20th, 1993**

The National Voter Registration Act of 1993. Also known as, The Motor Voter Act, it provides people additional opportunities to register to vote in more places like the DMV, public assistance facilities, and disability agencies, as well as requiring the option of mail-in registration.

## **Jun. 25th, 2013**

Shelby County v. Holder is a landmark SCOTUS case that deemed section 4(b) of the Voting Rights Act of 1965 unconstitutional. States no need for federal provisions

## **Jul. 1st, 1971**

The ratification of the 26th Amendment prohibits states and the federal govt. from using age as a reason to deny the vote to anyone 18 years old and older

## **Sept. 28th, 1984**

The Voting Accessibility for the Elderly and Handicapped Act of 1984. Requires polling locations in federal elections to be accessible for people with disabilities and the elderly.

## **Oct. 29th, 2002**

Help America Vote Act. Placed new mandates on states and local governments to replace outdated voting equipment, create statewide voter registration lists, and provide provisional ballots to ensure voters are not turned away if their name is not in the roll of registered voters. Easier for individuals with disabilities to cast private, independent ballots

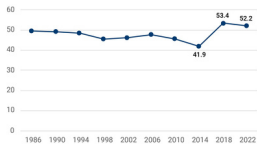


# Voter Eligibility, Registration, and Turnout Disparities

## TURNOUT RATES FOR MIDTERM ELECTIONS 2022

Turnout rates over the past 36 years indicate a small dip in 2022 compared to 2018. Despite this, it's evident that there is gradual improvement on voter participation. This is due to the 2020 presidential election, suggesting higher rates when it comes to electing presidents.

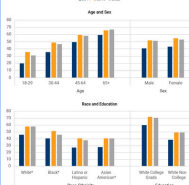
FIGURE 1  
U.S. turnout rates: Midterm elections 1986-2022\*



\*Turnout Rates are defined as percent of voting age citizens who reported voting.  
Source: U.S. Census Bureau, Current Population Survey Voting and

Brookings Metro

FIGURE 2  
U.S. turnout rates by attributes 2014, 2018, and 2022



## Turnout Rates by Attributes

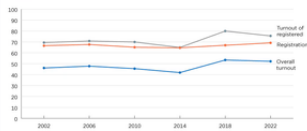
**Age:** There is a noticeable decrease in young voters in 2022 compared to 2018. This suggests that there is an ongoing trend in older age groups always having a higher turnout rate.

**Racial groups:** Racial disparities in voter turnout can be attributed to socioeconomic factors, where people of color are more likely to have lower education, income, and resources that stop them from voting. History of racially discriminatory policies have left ethnic minorities economically disadvantaged, also contributing to turnout gaps. Other drivers include election practices like language barriers and incarceration policies.



This graph represents the relationship between voter turnout and registration. Factors that affect this relationship are strict voter registration laws, making it difficult for eligible individuals to vote. Other reasons for not voting include: being too busy, not interested, illness/disability, out of town, or forgetting to vote.

FIGURE 1  
U.S. Congressional Election Voter Registration, Turnout: 2002-2022 (in percent)



Source: U.S. Census Bureau, Current Population Survey, November Voting and Registration Supplement: 2002 to 2022.



# REAL-LIFE EXAMPLES OF VOTER SUPPRESSION



## **Shelby County v. Holder**

- A landmark Supreme Court case that declared Section 4(b) of the Voting Rights Act of 1965 unconstitutional. Section 4(b) required jurisdiction with a history of racial discrimination in elections to get approval from the federal government to change their election laws. With these requirements removed from all jurisdictions, this allows for states to pass laws that could be discriminatory at will.

- The law threatens election officials and workers with new criminal penalties for expanding voter access or encouraging eligible voters to request mail ballots. It imposes new identification number requirements and obstacles to voter assistance for mail voting. It also empowers partisan poll watchers to harass voters and election workers.

## **Texas S.B. 1**



## **Georgia Election Integrity Act of 2021**

- Due to the Georgia Election Integrity Act of 2021, the period to request absentee ballots was reduced from 180 days to 78 days before the election in Georgia. Voters are also required to include the number of their Georgia driver's license or identification card to verify their identity on absentee ballots rather than a signature. Voters without an ID are required to include alternative forms of identification.

# Types of Voter Suppression



## Misinformation Tactics

Social Media has made communication easier but has also fueled the spread of false and misleading information

The lack of trust in politics is used by politicians to gain supporters by demonizing and dehumanizing the opponent. When politicians do this, misinformation becomes more believable



## Dissuasion Tactics

Intimidation is not always obvious but it can include deceiving people about voting regulations, questioning them about the validity of their vote, or accusing them of a voting crime

Negative campaigns focus on undermining the reputation and credibility of the opponent by spreading rumors, questioning opponents' qualifications, and distorting their records or statements

Attack ads are sensationalized television ads or digital marketing activities that aim to discredit an opponent. Attack ads tend to be highly effective in capturing the attention of the public.



## Other Forms of Suppression

- Stricter voter photo ID laws
- Limiting or eliminating early voting
- Gerrymandering
- Poorly trained polling staff
- Inadequate number of machines
- Failure to accommodate voters with disabilities

- No paper ballot
- Failure to accept Native American tribal IDs
- Ex-felon disenfranchisement laws
- Lack of language-accessible materials
- Short absentee ballot deadlines

# DISCUSSION QUESTIONS

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- 1- How do you think these barriers impact voter turnout and representation? How do you think voter suppression will affect future elections?
- 2- Do you think voting is equally accessible to everyone? Why or why not? What are factors that would make it difficult/challenging for certain groups to participate in elections?
- 3- The discrepancy between the number of eligible voters, registered voters, and voter turnout is significant. What do you think are the main factors contributing to this gap? How can we address this discrepancy?
- 4- What factors do you believe contribute to variations in voter turnout among different age groups? Why do you think voter turnout is highest among voters aged 65+?
- 5- How does media influence, including misinformation, affect decision-making, particularly for diverse/underrepresented communities? (consider language barriers, limited internet access, and inadequate outreach efforts) How does the lack of voter and election information in certain communities contribute to disparities in voter turnout and political engagement? How can these barriers be addressed to ensure that all communities have access to voting information?

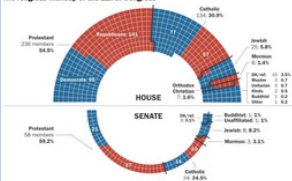


# The Effects of Government Representation

religion, race, gender, sexuality

There has been progress in gender representation in the government. In the House, there is significant diversity among women representatives. However, there are still gaps in terms of women of color in the Senate. As for state leaders, the representation of women varies by state. Biden's Cabinet nearly achieves gender balance with women holding high leadership positions.

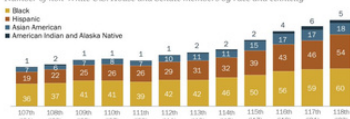
The religious makeup of the 117th Congress



Christianity is the predominant religious affiliation among members of Congress, with a high percentage in both political parties. This strong representation has implications for policy decisions, as religious beliefs and values can influence lawmakers' perspectives and decisions regarding certain issues & topics.

## Racial and ethnic diversity continues to grow in Congress

Number of non-White U.S. House and Senate members by race and ethnicity



Source: Congressional Research Service, CQ Roll Call, Brookings Institution.

Few Research Center

There has been an increase in racial & ethnic diversity within the Federal, Congress, Court, and State level. The Biden Administration cabinet is notably diverse with about 40% minorities. With increasing diversity in Congress, underrepresentation persists for Latinx/Hispanic & Native American groups; consequently, this hurts voter turnout for citizens within these groups and results in less support for election campaigns. As for the Supreme Court, of the 115 individuals who have ever served, only 4 have been POC.

## State legislators



## Cabinet-level positions

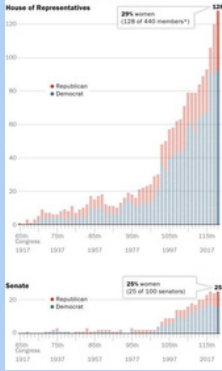


## Governors



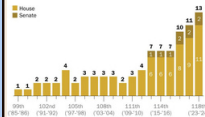
## Women make up more than a quarter of the 118th U.S. Congress' membership

Women members of Congress, by party



## The number of openly LGBTQ members of Congress has increased over time

Number of openly lesbian, gay or bisexual members of Congress elected to start the term



There is significant increase in LGBTQ+ representation. However, there is still a gap and existing underrepresentation. The presence of LGBTQ+ officials is crucial for advocating legislation that protects the rights of this community and reduces the likelihood of discriminatory laws.

# College Student Voting Barriers



1

## Disqualifying the Use of College Student IDs

In states such as Idaho, legislatures have passed laws prohibiting the use of student identification cards for voting. In Ohio, students will no longer be able to use tuition or college housing receipts as valid forms of voter ID, which had been a popular alternative for students lacking a state driver's license.

2

## Banning College Campuses from Serving as a Polling Place

In Texas, bills have been passed that prohibit college campuses from serving as polling places.



3

## Closure of Polling Sites

Some states have closed voting sites in low-income areas and in, or near, colleges. This forces students (who may not have cars) to travel long distances and wait in long lines to vote at the ballot box.

5

## Challenging Voter Registration Procedures

In states like Kansas, laws have been passed that restrict who can register voters and how voter registration forms are processed. Additionally, some states conduct voter roll purges, leading voters to discover they are no longer registered only upon reaching their polling site.

4

## Strict Voter ID Laws

Strict voter ID laws have made it more difficult for young people to vote because of their access to such identification

6

## Restricting Early, Mail-in, or Absentee Ballots

Most college campuses do not provide early voting options, potentially impeding voter turnout. Certain states also actively oppose mail-in voting and impose restrictions on its accessibility.



## Reasons for Not Voting/Voter Apathy

### 1 Voter Intimidation

Example of voter intimidation:

- Aggressively questioning voters about their qualifications to vote

### 2 Alienation

- Voters feel like the political system doesn't work for them and any attempt to influence it will be a fruitless exercise

### 3 Voter Fatigue

- People feel that the elections are occurring too often

### 4 Disconnected

- Voters feel their elected officials no longer represent their interests and find no point in voting

### 5 Two-Party System

- The dominance of a two-party system leave voters feeling that there is a lack of meaningful choices in the elections.



# 6

## Mistrust

- Growing skepticism about the integrity and intentions of politicians and political institutions

# 7

## Limitations

- Issues like voter ID laws, limited polling hours, and inconvenient polling locations can physically impede voting

# 8

## Social Media

- Negative campaigning in the media can lead to disillusionment and sense of futility among voters

# 9

## Lack of Political Education

- Many voters feel they lack sufficient understanding of the political system, the issues at stake, and the policies proposed by candidates



# 10

## Irrelevant Issues

- Voters often feel apathetic when political issues being discussed doesn't seem relevant to their daily lives or when they aren't adequately informed

# 11

## Marginalization

- Voting demographics feel systematically marginalized and believe that the political system doesn't represent their interests or needs



# DISCUSSION QUESTIONS

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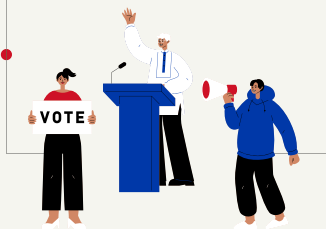
1- Do you feel there is enough diverse representation in government? How do you believe the representation of candidates running for office impacts voter engagement and trust in the electoral process? How significant do you think candidate diversity is in shaping voter perceptions and attitudes toward democracy?

2- Do you think people formerly incarcerated should have the ability to vote? How does the inability of formerly incarcerated individuals to vote impact their representation and participation in the democratic process, and what reforms could address this issue?

3- What obstacles do college students face in accessing the voting process, and how can these barriers be addressed to ensure equitable participation? Why might there be a lack of civic engagement among college students and what initiatives can be taken to promote more engagement and facilitate further participation in the voting process?

4- Voter apathy refers to a lack of interest or concern among voters regarding participation in elections, characterized by indifference, disconnection, and a belief that our votes don't count, especially among younger, less educated, and marginalized demographics. Why do you think that is? What would need to change to address this ongoing phenomenon?

# Efforts to Combat Voter Suppression:



**Legal action by non-profits has been taken against varying states to take action to help uplift voting for different communities and groups**

## Work of Non-Profits

- Non-profits like the League of Women Voters (LWV) have been working together to take legal action against states, challenging their voting laws and bills
- Supporting legislation like the Washington, DC Admission Act
  - Over 700,00 DC residents pay taxes, are eligible for the military draft, and are without full representation in Congress. The act will provide full statehood and representation for the people of DC
- An activism group called Black Voters Matter Fund frequently crisscrosses the South on a bus, holding rallies and events to encourage Black voters to show up to the polls
- The New Georgia Project has worked to inform Black voters across the South of new restrictions to voting

## Legal Cases

- Louisiana: Robinson V. Ardoin
  - Louisiana's congressional map violates Section 2 of the Voting Rights Act by failing to provide Black voters an equal opportunity to elect their candidates of choice.
    - The Fifth Circuit Court of Appeals agreed that the map was discriminatory and likely violated the VRA
- South Carolina: Alexander v. South Carolina State Conference of NAACP
  - In 2022 South Carolina adopted a radically gerrymandered map that denied Black voters the equal opportunity to elect candidates of their choice

# Resources

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## Voting Information



Visit [Vote.org](https://www.vote.org) to check your voting registration status, polling location, and learn who is on your ballot. Make sure your vote counts!



## America Civil Liberties Union

ACLU fights voter suppression in courts, legislatures, and communities. They work tirelessly to ensure that everyone's right to vote is protected and upheld.



## The Brennan Center

The Brennan Center fights against voter suppression through legal action and groundbreaking research. They have successfully challenged restrictive voter ID laws and continue to advocate for fair and accessible elections.

## *Sources*

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<https://www.brookings.edu/articles/new-voter-turnout-data-from-2022-shows-some-surprises-including-lower-turnout-for-youth-women-and-black-americans-in-some-states/>

<https://www.census.gov/newsroom/press-releases/2023/2022-voting-registration.html>

<https://www.census.gov/library/stories/2023/05/high-registration-and-early-voting-in-2022-midterm-elections.html>

<https://www.investopedia.com/government-leadership-by-race-5113457%20:%20representation%20by%20race>

<https://www.pewresearch.org/social-trends/fact-sheet/the-data-on-women-leaders/%20:%20representation%20by%20gender>

<https://www.pewresearch.org/religion/2021/01/04/faith-on-the-hill-2021/%20:%20representation%20by%20religion>

[https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8499755/#:~:text=For%20example%2C%20religious%20affiliation%20and,%3B%20Yamane%20and%20Oldmixon%202006\).%20:%20effect%20of%20religious%20affiliation%20in%20the%20government%20](https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8499755/#:~:text=For%20example%2C%20religious%20affiliation%20and,%3B%20Yamane%20and%20Oldmixon%202006).%20:%20effect%20of%20religious%20affiliation%20in%20the%20government%20)

<https://www.pewresearch.org/short-reads/2023/01/11/118th-congress-breaks-record-for-lesbian-gay-and-bisexual-representation/%20:%20sexuality%20>

## *Sources*

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<https://www.apa.org/monitor/2024/01/trends-fighting-misinformation-disinformation-election-year>

<https://www.hudson.org/defense-strategy/campaigning-dissuade-applying-emerging-technologies-engage-succeed-information-age-bryan-clark-dan-patt>

<https://theconversation.com/voter-intimidation-in-2022-follows-a-long-history-of-illegal-and-racist-bullying-193808>

<https://goodparty.org/blog/article/combating-negative-campaigning-strategies>

<https://www.usatoday.com/story/news/politics/elections/2023/11/16/these-states-passed-new-2023-voting-laws-heres-what-it-means-for-2024/70741734007/>

<https://abcnews.go.com/Politics/timeline-voter-suppression-us-civil-war-today/story?id=72248473>

<https://www.theguardian.com/us-news/2023/jun/25/voting-rights-act-2013-timeline-state-voter-restriction-map-registration-id-absentee-mail>

<https://www.carnegie.org/our-work/article/voting-rights-timeline/>

<https://www.aclu.org/voting-rights-act-major-dates-history>

<https://www.aclu.org/news/civil-liberties/block-the-vote-voter-suppression-in-2020>

## *Sources*

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<https://www.brennancenter.org/our-work/research-reports/growing-racial-disparities-voter-turnout-2008-2022%20:%20racial%20turnout>

<https://callhub.io/blog/get-out-the-vote/what-affects-voter-turnout/%20:%20factors%20that%20affect%20registration%20and%20voter%20turnout>

<https://www.polyas.com/election-glossary/voter-apathy>

[https://www.aclu.org/sites/default/files/field\\_pdf\\_file/kyr-voterintimidation-v03.pdf](https://www.aclu.org/sites/default/files/field_pdf_file/kyr-voterintimidation-v03.pdf) <https://goodparty.org/blog/article/10-causes-of-voter-apathy>

<https://tjcoalition.org/1341-2/>

<https://www.brennancenter.org/our-work/analysis-opinion/5-egregious-voter-suppression-laws-2021>

<https://www.americanprogress.org/article/voter-suppression-101/>

[https://ballotpedia.org/Voter\\_suppression](https://ballotpedia.org/Voter_suppression)

<https://www.theguardian.com/us-news/2023/jun/27/supreme-court-voter-suppression-us-south-voting-advocates-election>

<https://protectdemocracy.org/work/fighting-against-voter-intimidation/>

<https://mashable.com/article/voting-rights-marginalized-groups>

<https://www.state.gov/gendered-disinformation-tactics-themes-and-trends-by-foreign-malign-actors/>

## *Sources*

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<https://www.history.com/news/voting-rights-timeline>  
<https://www.dosomething.org/us/articles/7-signs-voter-suppression-could-be-happening-near-you>  
<https://www.carnegie.org/our-work/article/11-barriers-voting/>  
<https://www.aclu.org/news/voting-rights/three-redistricting-cases-to-watch>  
<https://blog.ucsusa.org/ingrid-paredes/4-tactics-anti-democratic-forces-are-using-to-suppress-the-student-vote/>  
<https://www.seattletimes.com/nation-world/nation-politics/the-gop-is-making-it-harder-for-college-students-to-vote/>  
<https://www.findlaw.com/voting/how-do-i-protect-my-right-to-vote-/voter-suppression-and-college-students.html>  
<https://www.nbcnews.com/nbc-out/out-politics-and-policy/number-lgbtq-elected-officials-us-doubled-2017-rcna43946%20:%20impact%20of%20sexuality%20representaion%20>

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