



LET'S TALK ABOUT IT!

a practical guide to conversations
around voting, democracy & citizen action
inspired by the documentary film



A FILM BY ANNE DE MARE



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Talking About Politics is Hard! So... Can We Talk About It?

A lot of us have strong thoughts and feelings around politics - and around voting. Many people consider it taboo to openly discuss politics, we're told it's not polite dinner table conversation. We avoid conflict, and often don't know what to say or do when we disagree strongly with others about an issue - especially in person.

In this communal space, can we begin by agreeing to lean into the discomfort of partisanship and honor each other's voices during any difficult conversations?

#CaptureTheConversation: Setting Up "The Rules"

Before starting the discussion, consider establishing some Rules of Engagement your group will follow. You can kick things off by collectively agreeing on how best to engage with one another in order to create a safe space for everyone to participate in a respectful, civil, and productive discussion - regardless of differing viewpoints and opinions. Follow some of the excellent suggestions below or create your own rules for the conversation.

Advice on Civil Conversation from the American Bar Association

One of the hallmarks of a democracy is its citizens' willingness to express, defend, and perhaps reexamine their own opinions, while being respectful of the views of others. To ensure a civil conversation:

- Show respect for the views expressed by others, even if you strongly disagree.
- Be brief in your comments so that all who wish to speak have a chance to express their views.
- Direct your comments to the group as a whole, rather than to any one individual.
- Don't let disagreements or conflicting views become personal. Name-calling and shouting are not acceptable ways of conversing with others.
- Let others express their views without interruption. Your Dialogue leader will try to give everyone a chance to speak or respond to someone else's comments.
- Remember that a frank exchange of views can be fruitful, so long as you observe the rules of civil conversation.

Now That The Lights Are On, Let's Talk About The Film

What are your first reactions to watching *Capturing The Flag*? **Are there questions and emotions around voting and elections the film brings up for you?** What did you learn? Were you surprised by anything that happened? If so, what?

How do you think you would feel if you were turned away at the polls? What do you think you would do? Have you ever had problems voting or do you know anyone who has? How did that experience make you feel? What did it tell you about our election system?



Democracy, Voting and YOU!

What are your personal experiences with voting so far? Are you registered to vote? Do you vote in every election? What factors determine whether you vote or not in any given election? What does voting mean to you? Do you think voting matters in our political landscape? Why or why not?

At the beginning of the film, Laverne Berry says, “People volunteer in a lot of ways, I work for everyone to be able to vote.” She and her friends believe they can strengthen our democracy by volunteering to help voters at the polls. Do you think they made a difference? How? **What are some ways you can imagine participating more in democracy?**

Capturing The Flag is about the 2016 presidential election. Did it bring up particular memories, thoughts, and feelings for you from that time? At the end of election night, Steven Miller has a very emotional reaction to the election returns. Was this surprising to you? Did it make you uncomfortable? Did it make you question his motives for helping voters vote? Why or why not?

Do you believe that certain democratic institutions are important enough to work to preserve even if they give voice to someone you disagree with? How do we see that unfold in the film? Do you think people in this room might have different feelings about what happened in the film because of different political opinions?

Know Before You Go

Election laws are different in different states around things like Registration Deadlines and Requirements, Early Voting, Same Day Registration, Voter ID, and the treatment of Provisional Ballots (called Affidavit or Challenge Ballots in some states). **Do you know the laws in your state?** If not, there are some great non-partisan resources online to find out, including electionprotection.org and vote411.org. **How do the laws in your state differ from the laws we see portrayed in the film in North Carolina?**

Background: A Brief History of Voting In America

Towards the end of the film, Jenn Frye from Democracy North Carolina says “**The history of our country is a history of struggle for the right to have a voice and the right to have a say in the political decisions that impact our daily lives.**” What do you know about the history of voting rights in this country? When did different groups in America get the right to vote?

1789: The Constitution grants individual states the power to set voting requirements. Generally, states limited this right to **property-owning or tax-paying white males**, although in some states, **free black males** also had the right to vote.

1790: The Naturalization* Act provided the first rules to be followed by the United States in the granting of national citizenship. This law limited naturalization to immigrants who were **free white persons of good character**.

1792-1838: Free black men gradually lose the right to vote in Pennsylvania, New York, New Jersey and North Carolina.

1792-1856: The **abolition of the property-owning qualifications** for white men, starting in Kentucky (1792) and ending with North Carolina (1856) **creates nearly universal white male suffrage***.

1870: Following the Civil War and Emancipation, **black men are granted the right to vote** by **The Fifteenth Amendment** to the United States Constitution, which prevents states from denying the right to vote on grounds of “race, color, or previous condition of servitude”.

However, in response to The Fifteenth Amendment, former Confederate states passed **Jim Crow Laws* and amendments** to effectively disenfranchise black and poor white voters through **poll taxes*, literacy tests, grandfather clauses and other restrictions**. These laws were applied in a racially discriminatory manner. During this period, the Supreme Court generally upheld state efforts to discriminate against racial minorities; only later in the 20th century were these laws ruled unconstitutional.

1887: Native Americans willing to disassociate themselves from their tribe become eligible for citizenship and the right to vote by **The Dawes Act**.

*see glossary

1920: **Women** are guaranteed the right to vote by **The Nineteenth Amendment** to the United States Constitution, **ending the 72 year struggle for women's suffrage** that began with the 1848 Seneca Falls Convention for women's rights. However, states still found ways to disenfranchise* women of color by the same means that they denied black men the vote.

1924: **All Native Americans** are granted citizenship and the right to vote by **The Indian Citizenship Act**, regardless of tribal affiliation.

1943: **Chinese immigrants** are given the right to citizenship and by extension the right to vote by **The Magnuson Act**, bringing an end to The Chinese Exclusion Act.

1964: **Congress strikes down poll taxes** as unconstitutional by passing **The Twenty-Fourth Amendment** to the United States Constitution. Poll taxes were used in the Jim Crow south to squash the black vote and the fight against them was an important part of the Civil Rights Movement.*

1965: In one of the biggest victories of the Civil Rights Movement, **The Voting Rights Act of 1965 offered federal protection of voter registration and voting for racial minorities.** The Voting Rights Act has also been applied to correcting discriminatory election systems and districting.

1966: The Supreme Court's ruling in **Harper v. Virginia Board of Elections brings an end to tax and wealth requirements** to voting in state elections.

1971: In response to Vietnam War protests, which argued that soldiers who were old enough to fight for their country should be granted the right to vote, **adults aged 18 through 21** are granted the right to vote by **The Twenty-Sixth Amendment** to the United States Constitution.

1986: United States Military and Uniformed Services, Merchant Marine, other citizens overseas, living on bases, or aboard ship are granted the right to vote by **The Uniformed and Overseas Citizens Absentee Voting Act.**

1996-2008: Twenty-eight states changed their laws on **felon voting rights**, mostly to restore rights or to simplify the process of restoration. After 2008, state laws on felony disenfranchisement continued to shift, both curtailing and restoring voter rights, sometimes over short periods of time within the same U.S. state.

*see glossary

2013: The Supreme Court in **Shelby vs. Holder** ruled in a 5-4 decision that a section of the Voting Rights Act is unconstitutional. This ruling effectively **allowed certain states with a history of racial discrimination to change their election laws without the pre-approval of the U.S. Justice Department.**

Does the history of voting in America surprise you? Were you aware that for many groups, the right to vote was born out of deep struggle? **Was there ever a time when a group that you or someone you know belonged to did not have the right to vote?** How does that make you feel? Do you think there are justifications for denying specific groups of people the right to vote?



Does Your Vote Matter?

While countless people have suffered, fought and even died for the right to vote in this country, many Americans don't exercise their right to vote. In Presidential elections, many citizens feel their state is so overwhelmingly red or blue that their vote "doesn't matter" because of the electoral college. According to the non-partisan website fairvote.org, only about 60% of eligible voters in the U.S. vote in Presidential elections, and voter turnout in midterm and local elections is even lower, even though local elections more directly shape our everyday lives. A number of elections have been decided by a single vote, or, in the case of a 2017 House race in Virginia - by drawing lots because of a tie. **Why do you think so many Americans don't vote? Do you think voter suppression adds to low voter turnout? In what ways? How can we encourage more participation? Do you feel that your vote matters? Why or why not? Do you feel differently after watching the film?**

It All Adds Up!

The Cumulative Nature of Modern Voter Suppression

Today, all U.S. citizens over the age of 18 - except convicted felons in some states - have the legal right to vote. But many voters are turned away from the polls. Others have to vote by provisional, affidavit, or challenge ballots that may or may not be counted. Why? What does modern voter suppression look like? Why is it so hard to see? What are some of the things that contribute to modern voter suppression? **In *Capturing The Flag*, we learn that fewer than half the people who showed up to vote at the Cliffdale Recreation Center on election day were able to cast a ballot there. Why do you think this was?** What types of events did we see during the day that could have contributed to this statistic?



Voter Purging is the process by which the Board of Elections takes names off their list of registered voters. Removing people who have died or moved is a necessary exercise for a healthy democracy, but the methods used to determine which names should be purged differ widely, can be far from accurate and result in disenfranchising voters - sometimes in illegal and racially discriminatory ways. **In the film, just days before the election, a judge rules that a voter purge that happened in Cumberland County, NC had been done illegally, and had disenfranchised thousands of people, mostly minority voters, who should have been**

able to vote. How would you feel if you found out your name was purged? What should you do if you are questioned at the polls or find your name has been removed from the list?

Voter ID Laws are one of the most contentious forms of voter suppression. While many argue that it is common sense to have to show an ID to vote, the types of IDs required by some states to vote are far less likely to be held by minorities and the poor, resulting in an unfair disenfranchisement of those populations. Some states also require Documentary Proof of Citizenship in order to register to vote, which means potential voters must possess either a physical birth certificate, passport, or naturalization papers in order to register. Do you have these documents handy? What kinds of citizens might not?

Systemic Administrative Problems around voter registration exist in many states. **In the film, Laverne Berry assists a man who had registered to vote at the DMV and discovered that his registration was never processed. She has him fill out and sign a form that will be used to argue for the validity of his provisional vote with the Board of Elections, but this doesn't guarantee that his vote will be counted.** In North Carolina, there had been ongoing problems with DMV voter registration and on October 20, 2016, just 19 days before election day, a U.S. District Judge issued an order ruling that the DMV had failed to

meet the guidelines of the National Voter Registration Act, sometimes referred to as the “motor voter” law, resulting in the disenfranchisement of countless citizens in the state. **What do these administrative problems mean for voters at the polls?** Why are provisional ballots necessary? What are some of the problems with their use?

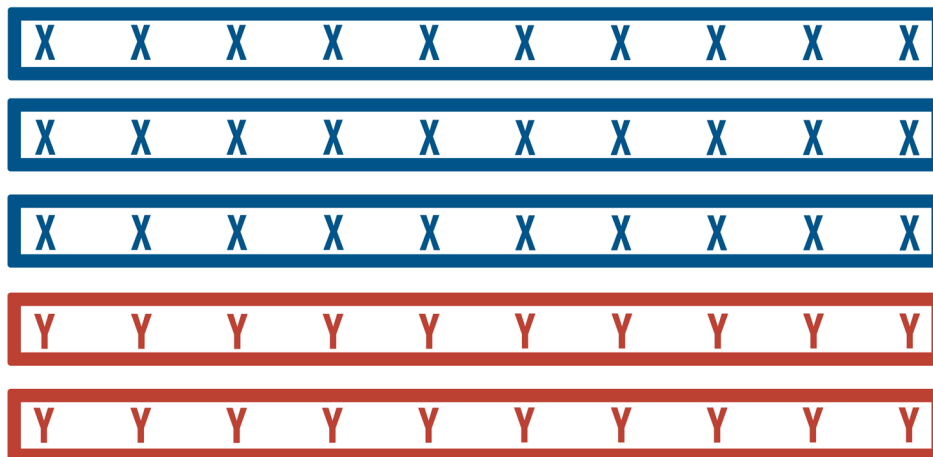


Under-Funding of elections results in many problems including **out-of-date voting machines, undertrained poll workers, poor communication to the public about changing laws and districts, shorter polling hours and fewer polling places.** How do each of these things potentially disenfranchise voters?

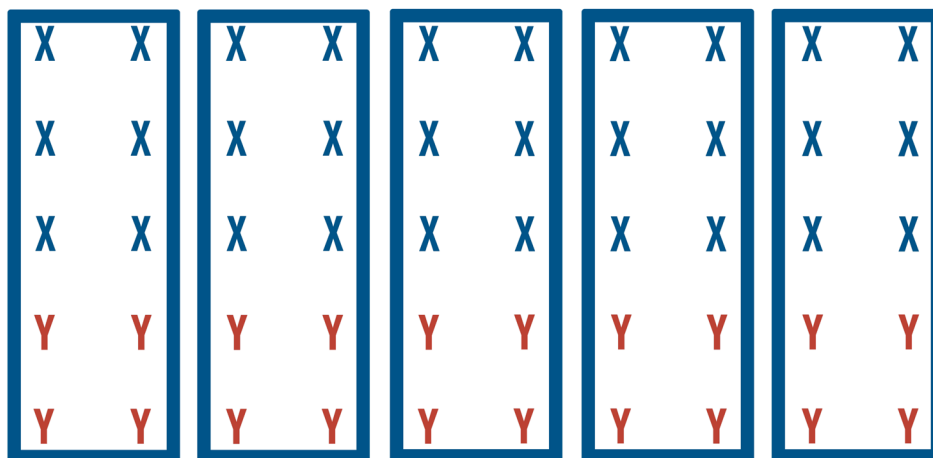
Issues Related to Fair Representation

What is Gerrymandering and is it Voter Suppression? Gerrymandering is the process of re-drawing the lines around voting districts to favor one political party over another. Because, in most states, the majority party of the legislature controls the process, gerrymandering is considered one the biggest threats to fair representation in today’s America. Both political parties have a shameful history of gerrymandering to maintain power. Re-drawing districts also adds to confusion at the polls, since citizens may not know their district has changed and show up at the wrong polling station.

How does gerrymandering work? Say an area has 60% X party voters and 40% Y party voters, and gets a total of 5 seats in the state legislature. By dividing those voters up in different ways, you get very different results.

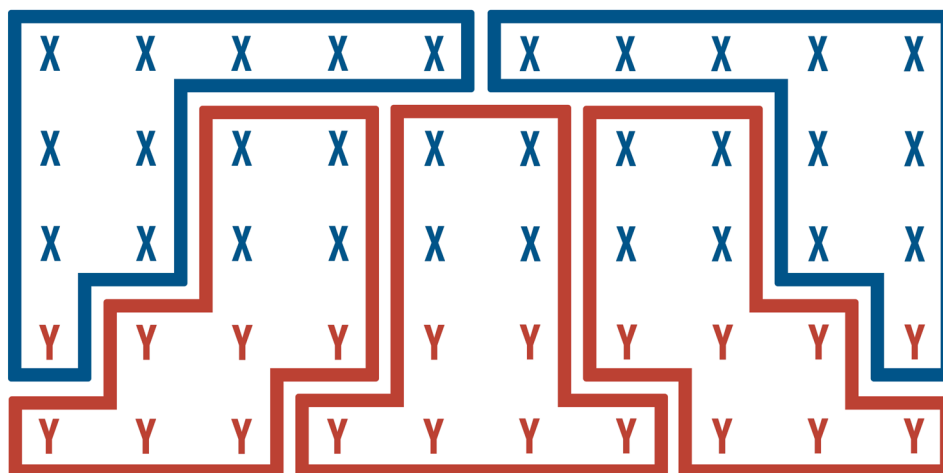


If you group the voters above horizontally into simple districts (each with 10 votes per district), X gets 3 seats and Y gets 2, perfectly representing the 60/40 ratio of X to Y voters.



But if you group the voters vertically in columns of two (X=6 votes and Y=4 votes per district) X would get all 5 seats in the legislature. The majority has still won, but is it fair?

Now, see if you can group these same voters in a way that the minority wins? The lines are a little wiggly, but draw the districts so Y=6 votes and X=4 votes in 3 districts, with Y=1 vote and X=9 votes in other 2. Drawing the lines this way means Y gets 3 seats and X only 2.



Do you see how the way district lines are drawn can put - or keep - the minority party in power?
Do you think gerrymandering is another form of voter suppression? Why or why not?

The United States Census is a national survey conducted every ten years to count the population for taxation and political representation. The census collects statistical data about U.S. citizens to determine the appropriate division of legislative seats and to provide a basis for apportioning federal taxes and funding among states. The census is a crucial tool for determining fair representation, but many believe it is vastly under-funded and that there are citizens - particularly in poor and minority communities - who are not properly counted. **How does this affect their political voice? Is this voter suppression? Why or why not?**

Will You Take Action For Democracy?

At the end of Capturing The Flag, Steven Miller says, “I want to emphasize that there is so much every single person can do.” **What are some ways you can support our democracy?** First, make sure you’re registered to vote, and that you vote in every election - you can register or check your registration online at vote.org. Next, there are a lot of ways you and your friends can participate, either by volunteering with your local political party or through one of the many non-partisan organizations working on pro-democracy issues around the country. Or you can sign up at your local Board of Elections and be a paid poll worker on election day. Check out the information below (also available as a handy two-sided Call-To-Action card) and remember, democracy is more fun with a friend!

“What’s In Your Hand? You Got A Vote In Your Hand? Use It!”
- Rev. Dr. William J. Barber II in Capturing The Flag

CAPTURING THE FLAG

You’ve seen the film. Now what can you do?



Make Sure Your Vote Counts!

★ REGISTER

Sign up or check your registration at vote.org

★ KNOW YOUR RIGHTS

Get laws & deadlines for your state at vote411.org

★ VOTE

Local politics shape our lives, vote the whole ballot

Help Democracy Happen!

• BE A PAID POLL WORKER

Sign up with your local Board of Elections

• VOLUNTEER AS A POLL OBSERVER

Through the Democratic or Republican Party

• GET OUT THE VOTE

Register Voters, Encourage Voting, Drive People to the Polls



“Voting is the key to everything!”

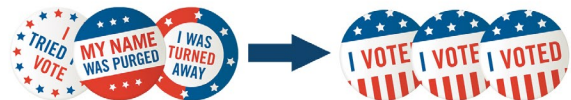
www.bullfrogcommunities.com

Need voting information?

Get answers at vote411.org

Problem at the polls? Don't give up!

Call **866-OUR-VOTE**



Beyond Election Day...

- Write your legislators and demand Election Reform and Fair Redistricting laws in your state
- Participate fully in the 2020 Census so your community gets the representation it deserves
- Volunteer with pro-democracy organizations in your community working to #ProtectTheVote

Speak Up For Democracy!



Host a screening of the film to start the conversation in your school or community

Talk to friends and family and make sure they understand EVERY VOTE MATTERS

www.bullfrogcommunities.com



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[bullfrogcomm](https://twitter.com/bullfrogcomm)

Glossary

Helpful Terms and Explanations

The Civil Rights Movement was a decades-long movement with the goal of securing legal rights for African Americans that other Americans already held. With roots starting in the Reconstruction era during the late 19th century, the movement had its largest legislative impact after the direct actions and grassroots protests organized from the mid-1950s until 1968.

Jim Crow Laws were state and local laws that enforced racial segregation in the southern United States. Enacted by white Democrat-dominated state legislatures after the Reconstruction period in the late 19th century, the laws were enforced until 1965.

Disenfranchisement is the state of being deprived of a right or privilege, especially the right to vote.

Gerrymandering is to divide or arrange a territorial unit into election districts to give one political party an electoral majority in a large number of districts while concentrating the voting strength of the opposition in as few districts as possible

Naturalization is the legal act or process by which a non-citizen in a country may acquire citizenship or nationality of that country.

Poll Tax was implemented in some U.S. state and local jurisdictions until 1964 and paying it was a pre-condition before people could exercise their right to vote. Many southern states enacted poll tax laws as a means of restricting eligible black voters; such laws often included a grandfather clause, which allowed any adult male whose father or grandfather had voted in a specific year prior to the abolition of slavery to vote without paying the tax. These laws, along with literacy tests and extra-legal intimidation, achieved the desired effect of disenfranchising African Americans, as well as poor whites.

Provisional Ballots (sometimes called Affidavit or Challenge Ballots) are used to record a vote when there are questions about a given voter's eligibility. The federal Help America Vote Act of 2002 guaranteed that a voter could cast a provisional ballot if the voter states that he or she is entitled to vote. Whether a provisional ballot is counted is contingent upon the verification of that voter's eligibility, which may involve local election officials reviewing government records or asking the voter for more information, such as a photo identification not presented at the polling place or proof of residence. Each state may set its own timing rules for when they must be resolved. Provisional ballots therefore cannot usually be counted until after the day of the election.

Suffrage, political franchise, or simply franchise is the right to vote in public, political elections.

Voter Suppression is a strategy to influence the outcome of an election by discouraging or preventing specific groups of people from voting. Voter suppression attempts to reduce the number of voters who might vote against a candidate or proposition. The tactics of voter suppression range from minor changes that make voting less convenient, to physically intimidating voters, which is illegal.