

VOTER REGISTRATION DRIVES

Guidelines, Logistics, and Rules for San Francisco Nonprofit Organizations

THE REALITY: Voter turnout rates in California are abysmal, leaving electoral decisions that impact all of our lives to a voting populace that does not reflect our state's population and diversity. For the November 2006 election, only 69.9% of 22.7 million eligible California residents registered to vote, and only 8.9 million – or 39.3% of those eligible, actually exercised their right to cast a ballotⁱ.

THE PROBLEM: Millions of Californians, many of whom live right here in the Bay Area, are not seizing this opportunity to affect the political process. With both the city of San Francisco and the state of California facing unprecedented budget shortfalls in recent years, vital services – including those provided by nonprofit organizations – will be affected by ballot measures and by the decisions of politicians whom we elect to office.

THE OPPORTUNITY: As a local nonprofit organization, you likely come in contact with large numbers of local residents on a daily basis. As an integral part of the local community, your organization is an ideal venue to recruit and encourage local voters. Collectively, health and human service nonprofits in San Francisco employ 15,000 individuals and serve thousands moreⁱⁱ. By politically empowering your employees and the clients whom you serve, you are providing a stronger voice to the people and issues that you care about. You have the potential to help effect real change!

ELIGIBILITY REQUIREMENTS:

- Any U.S. citizen who is a California resident, at least 18, and not currently imprisoned or on parole for a felony, or deemed mentally incompetent to vote by a court of law, is eligible to register and vote.
- Documentation of United States citizenship is not required; by signing the card, the registrant legally affirms that he or she is a citizen.
- There is no literacy requirement in order to register. Forms are available in many languages, and it is legal to assist the person filling out a registration form. If you assist clients in filling out forms, you must sign and date the forms where asked to do so
- Homeless San Franciscans may register by listing a street corner, park, or shelter as their address, so long as the description is detailed enough to establish their proper voting district. A post office box or business address is not sufficient. He or she may also be required to provide a valid mail address; care of a shelter or a friend is sufficient.
- California allows ex-felons to register as long as they are not currently imprisoned or on parole.
- Anyone who has moved, or changed his or her name or political affiliation, must re-register to vote, regardless of previous registration status.

CONDUCTING A VOTER REGISTRATION DRIVE: The first step in conducting your voter registration drive is to obtain registration forms. They are available at City Hall, or you can download the statewide form from http://www.sos.ca.gov/elections/elections_vr.htm.

Any individual or organization requesting 25 or more voter registration cards must submit a “Statement of Distribution” to the Department of Elections. You can get this form online at <http://www.sfgov2.org/index.aspx?page=861> or call the Department of Elections (415-554-

4411). You can submit the completed form by mail (Department of Elections, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 48, San Francisco, CA 94102) or fax (415-554-4372). The Department of Elections states that it will respond to the request within 48 hours, and will make the cards available for you to pick up at City Hall. More information is available at <http://www.sfgov2.org/index.aspx?page=867>.

Some of your employees and clients may live outside of San Francisco. They can participate in your registration drive, but they cannot use San Francisco County forms. To register clients and employees who live in other counties, you can acquire statewide forms from (and return them to) the California Department of Elections. For more information and forms, call (916) 657-2166 or see http://www.sos.ca.gov/elections/elections_vr.htm.

Next, your organization can decide the most effective way to conduct your registration drive. You can register your employees at staff meetings. If your office sees a steady flow of community clients, registering individuals one at a time as they pass through would be effective. Or you might hold a voter registration event at each of your facilities, or incorporate voter registration into another large event held by your organization. To drum up more enthusiasm, consider using posters, information pamphlets, and even speakers to educate your employees and clients about registration, voting, and the issues at stake in upcoming elections.

We suggest that you designate a Voter Registration Coordinator for your agency. The Coordinator will be responsible for obtaining and distributing registration cards, returning all forms to the Department of Elections, and keeping statistics on the number of people registered. This promotes accountability and trust, and reduces the chance of a mix-up or loss. After people fill out the forms, be sure to give them the tear-off receipt portion of the registration card. At the conclusion of the registration drive, have the designated coordinator return all forms (both completed and unused) to the Department of Elections within 3 working days. The Department of Elections generally takes several weeks to process applications. Inform applicants to look for a confirmation in the mail.

DEADLINES: California state law requires that a voter be registered 15 days prior to an election in order to vote. **For the Tuesday, November 5, 2013 election, the deadline is Monday, October 21.** If hand-delivered, the forms must be received by the Department of Elections by the deadline. If mailed, they must be postmarked by the deadline. **HOWEVER**, the San Francisco Department of Elections advises, “You should not consider yourself registered until you receive a Voter Notification Card,” which may take 3 to 4 weeks to arrive. Thus, when possible, try to complete registration drives a full month before the next scheduled election. (You can still register after the deadline, but only for subsequent elections).

THE FINE PRINT a.k.a. YOUR LEGAL OBLIGATIONS AND LIMITS: As you probably know, there are rules governing what nonprofit 501(c)(3) organizations can and cannot do regarding the elections process. Most important, you absolutely **CAN** run a registration drive. You absolutely **CANNOT** endorse specific candidates or political parties for any office. Below is a list of other things to keep in mind, erring, when prudent, on the side of cautionⁱⁱⁱ:

- During registration drives, you **CAN** provide non-partisan voter education materials that explain the various issues at stake in the election (without endorsing or opposing a specific candidate, party line, or side on the issue). **HOWEVER**, the registration process and the environment in which it occurs must, by law, be politically neutral when run by a 501(c)(3).

Any fliers, posters or other advertising for the registration drive, and any communication that occurs at the registration drive, **MUST** be essentially opinion-free. During the registration drive, you **CANNOT** take a stance on any of the issues or votes at stake, and you **CANNOT** encourage, coerce, or even suggest that people vote a certain way.

- From “The Rules of the Game,” a publication of The Alliance for Justice (1996), here are some examples of “acceptable” and “not acceptable” registration drive communications:

| NOT ACCEPTABLE | ACCEPTABLE |
|---|--|
| <ul style="list-style-type: none"> • “Vote green. Register here.” • “Let’s get out the pro-life (or pro-choice) vote. You can register here.” • “Budget cuts are reducing services provided by this agency. Register to vote here, and let the candidates know you won’t take it anymore.” | <ul style="list-style-type: none"> • “The next election will set the country’s course on civil rights, health care, welfare, jobs, taxes, support for the arts and the environment. Your vote counts. Register now.” • “The future of affirmative action in this state will be decided next November. Register to vote today.” • “Housing. Human Services. Jobs. You count. Register and vote.” |

- **TO REITERATE:** When organizing a registration drive through a 501(c)(3), you **CANNOT** evidence any bias that may discourage those who disagree from registering. You **CAN** state the issues of importance that should compel people to register and vote (e.g. budget crisis, education policy, social services), but you **CANNOT** encourage people to register and vote a particular way (e.g. “Vote to stop cuts to social services in San Francisco. Register here.”).
- You **CAN** target your registration drive toward your clients, members, employees, or any population that you serve. You **CANNOT** target your registration drive specifically toward members of one political party, toward a hotly contested district, or toward people who support only candidates or issues that you support. You **MUST** register everyone who requests a registration form, regardless of ideological differences, so long as you have the appropriate form. You **MUST NOT** mark a particular political party affiliation on the registration form before distributing it, nor can you encourage or coerce registrants to do so.
- As an organization, you **CANNOT** campaign for or against, distribute materials supporting or opposing, or raise or contribute funds to any candidates. Individual employees **CAN** endorse or oppose candidates so long as it is clear that the opinions expressed are those of the individual and not the organization, and so long as it is done on their own time. They **CANNOT** make such endorsements publicly when they are clearly acting in affiliation with the organization, and never during a registration drive.
- ❖ **NOTE:** Outside of the context of registration drives, the rules are more liberal, allowing you to take a stand on issues and to endorse ballot initiatives. Please contact the San Francisco Human Services Network at 415-668-0444 if you have any questions or are confused about these rules.

ⁱ http://www.sos.ca.gov/elections/sov/2006-general/complete_sov.pdf, p. ix

ⁱⁱ San Francisco Human Services Network/San Francisco Urban Institute study, 2002

ⁱⁱⁱ Sources: The League of Women Voters of California, Office of the Secretary of State of California, The Alliance for Justice