CRIMINAL JUSTICE REFORM BUILT POWER AT THE BALLOT

FLORIDA

In 2018, Floridians voted to re-enfranchise an estimated 1.4 million returning citizens, or formerly incarcerated individuals with felony convictions on their record. Amendment 4, also known as the "Voting Rights Restoration for Felons Initiative" passed with 64.55% of the vote. This amendment to the Florida State Constitution restored the right to vote to returning citizens with felony records (with the exception of those with murder and sex-offense convictions) upon completion of all terms of their sentence, including probation and parole. Unfortunately, there has been an ongoing legal battle over whether paying fines and fees is required before people with prior felony convictions are eligible to vote, which has led to confusion and lower voter registration rates than expected. This reform directly impacts who can participate in electoral politics, which also creates new avenues for community power-building and widespread relationship-building proved to be pivotal for the campaign's success.

This fight for voting rights offers multiple lessons. It provides important insights into a long-game strategy and demonstrates how grassroots champions can build a movement as well as a successful political campaign. It uncovers the tensions between the expertise of directly impacted communities and traditional civic engagement practices and assumptions about campaign success. It also demonstrates how and why leadership by returning citizens and Black and Brown women can lead to transformative wins.

Building Power through the Leadership of Directly Impacted People

Amendment 4, first named the "Let My People Vote" campaign and later the "Second Chances" campaign, grew out of the movement to restore the vote to returning citizens. **The campaign and movement are the direct result of the diligent and brilliant work of those most directly impacted by Florida's restrictive law banning the right to vote for life after a felony conviction.** In spite of returning citizens' inability to vote, they were able to mount an impressive ground game and pull together a powerful coalition that ultimately led to the passage of Amendment 4.

Those that are closest to the pain are often those that are closest to the solution.

DESMOND MEADE

The amendment had its allegory in the personal story of Desmond Meade who became the face of the campaign. He is the President and Executive Director of the Florida Rights Restoration Coalition (FRRC), a grassroots membership organization run by people with prior convictions that aims to end disenfranchisement and discrimination against people with convictions and create a more humane process for people returning from prison. Meade explained, "Of course, what my organization is known for is being the primary organization that led the effort in Florida around a constitutional citizens initiative to re-enfranchise approximately 1.4 million Floridians." This work was personal for Meade, who recounted:

> *The journey that led me to work on Amendment 4 came from my personal experience as a returning citizen, as someone who had been formally convicted of a felony offense. Back in 2005, I actually found myself standing in front of railroad tracks, waiting on the train to come so I could jump in front of it. I was homeless, recently released from prison, unemployed, and didn't see any light at the end of the tunnel. But fortunately, that train didn't come that day. And I was able to cross those tracks into a new way of life.*

FRRC was established prior to Meade's involvement as a coalition project led by the ACLU of Florida. Meade joined in 2006 and was elected as Secretary for the Steering Committee. This experience, he explained, helped him learn the ins and outs of organizing around voter disenfranchisement. It also allowed him to connect with important national and local organizations working on the issue.

> *My job was to take notes and prepare minutes from previous meetings. We had monthly coalition calls talking about felon disenfranchisement and different strategies in addressing that. I would be on each of those calls. On those calls would be some of the top people in the world that have studied felon disenfranchisement or been involved in advocacy around it. You had Mark Mauer from the Sentencing Project and his crew; the Brennan Center for justice and Myrna Pérez and their crew; the ACLU National, ACLU local; the NAACP national and local, and many others—like the Florida League of Women Voters, and so many other small organizations. While everyone else got a one hour call, I would get eight hours because I would record the calls, and in order for me to transcribe the minutes, I have to keep on rewinding and playing,*

rewinding and playing, rewinding and playing. I basically just had an overload of information about this issue. And so eventually in, around 2008, I was approached and asked to be the Interim President of this coalition and I accepted.

Meade was the first directly impacted person in a leadership role at FRRC. In 2011 when the coalition fractured, he remained at the helm and began to build out his vision of an organization of returning citizens.

DESMOND MEADE

While this issue and campaign have been Meade's life's work, many individuals have been activated through this work. Valencia Gunder is another person who has been directly impacted by incarceration who became deeply committed and involved in the efforts to re-franchise returning citizens. She recounted how the Amendment 4 Campaign ignited her interest and involvement. When she initially started working for the New Florida Majority, she hid her past experience with the criminal justice system, and shared how meeting Desmond helped her embrace this part of her identity: **"I met Desmond Meade at the organization, and Desmond's big-mouthed self said loudly 'Aren't you a returning citizen?'" Gunder said she responded, "Chill out, my boss is right here." She thought she would lose her job; instead, a colleague reassured her, "That's not what the New Florida Majority stands for. Here in this space, you can be safe."** Through this experience, Gunder began to see the value in integrating and sharing her understanding of the criminal justice system into her organizing. "That was the first time I ever felt liberated to tell anybody about my experience," she recalled. Getting involved with Amendment 4 was something of a calling for Gunder. She remembered thinking, "'This is something I need to be doing,' even though I was there as the climate organizer. I [thought], 'This is everybody's work.'"

Whether providing resources, expertise, or time, Black women were, in many ways, the backbone of this success story.

The Amendment 4 campaign was an effort led by and for directly impacted people, with many grassroots coalition partners. Organizers with deep ties to their communities educated people about the history of racism, white supremacy, and the history of voting rights. They held events at college campuses, in Black and Brown communities, knocked on doors, and brought in new voters. When asked to reflect on the role of directly impacted individuals, Meade shared:

> *The role of formerly incarcerated or convicted people, not only in this campaign, but in movement is so critical. When you look particularly at our Amendment 4 campaign, you couldn't get any more close and personal, because guess what? I was the chair of the committee. And basically, it was my vision that caused us to even go down this path. It was my leadership that led us from start to finish. I've got to brag a little bit. This is the largest victory in the history of Florida as it relates to civil rights, and it was led by an African American man who was formerly incarcerated and convicted.*
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> *And guess what? I'm not an anomaly, because you've seen over the last four years that some of the biggest ballot initiative victories in this country around voting rights were actually led by formerly incarcerated and convicted people in Louisiana—the unanimous jury amendment that successfully passed—in California Prop 17 that extended voting rights to people on parole successfully passed. Those were led by formerly incarcerated people, which speaks to the adage that we've used for so many years, "Those that are closest to the pain are often those that are closest to the solution." And I can tell you that the people who are experiencing the pain have more investment in ending the pain than anybody else.*

The Hidden Role of Black Women

While Desmond Meade was a strong and impactful leader for the movement to re-enfranchise returning citizens and for the Amendment 4 campaign, Black women executed much of the organizing behind the scenes. **As Gladys Washington put it, "When it comes to race, when you're talking about mostly Black-led organizations—because those are the ones that are doing the significant civic engagement work that could potentially lead to things like a ballot initiative and electoral change—[they] are Black-led and mostly female-led in the South."** Whether providing resources, expertise, or time, Black women were, in many ways, the backbone of this success story. The role of Black women in the campaign begins with Desmond Meade's own family. His wife, Sheena Meade, is a former union organizer who brought her skills and knowledge from that work to FRRC, serving as the organization's Director of Organizing and Strategic Partnerships. She also sat on the steering committee for Amendment 4. According to Reverend Sheena Rolle, who contracted with FRRC towards the end of the campaign to support their community engagement efforts, uplifted this saying: "What bolstered [Desmond Meade's] ability to [push for a constitutional amendment] was marrying his wife, Sheena Meade, who had been a union leader in the state of Florida for many years."

Other Black women who were central leaders to the campaign included Reverend Rhonda Thomas, Reverend Sheena Rolle, and Itohan Ighodaro, among many others. Thomas explained her role in leading the campaign work with faith communities through her organization, Faith in Florida:

> *In 2018, I led the statewide Let My People Vote campaign around Amendment 4. It was really two separate hats. I was the Deputy Director for Faith in Florida, and then during that campaign period, Faith in Florida and Florida Rights Restoration Coalition came together and created a campaign, Let My People Vote, where it targeted a large percentage of the faith community. I became the statewide campaign manager over that space of work... It was just a phenomenal space to be in. I've learned so much and engaged so many people that continue to work with me today.*

Thomas bridged FRRC's campaign goals with those of the faith communities she served. **Beyond facilitating this important partnership, she built power by forming new connections, noting that she continues to work with many individuals she encountered through work on Amendment 4 and sees them as family.**

SHEENE ROLLE

Sheena Rolle brought nearly two decades of expertise to the campaign. She first began working on voting rights restoration as an organizer with the Association of Community Organizations for Reform Now (ACORN) in 2006. She noted that prior to working for FRRC, she had worked on several projects that opened the path for the issue to become a ballot initiative. She explained, "I eventually was contracted by FRRC the last couple months of the 2018 election to help with their organizers, both from FRRC as well as Faith in Florida, to push the Amendment over the edge with their community engagement." Rolle explained how the campaign engaged in building relationships:

> *My primary role was to work with their local organizers to not only do community events to help pull in voters, to pull in the community and the voters attached to returning citizens, [but also] to address the culture of disenfranchisement. In order to impact some of that, we did a lot of community initiatives, peer-to-peer outreach, direct relational organizing, to pull in people, rally them, get their excitement, and then push them out to vote for their community and family members who are disenfranchised.*

Rolle asserted the importance of understanding that "one person's disenfranchisement dampens the likelihood" of others in their community voting and that the organizing around Amendment 4 required building a culture of voting in these impacted communities.

Itohan Ighodaro, served as the State Grassroots Director for Amendment 4. She was responsible for coordinating with coalition partner organizations, and particularly involved in supporting organizations' petition collection and campaign messaging. As she stated:

> *My role was working with the state and national organizations that wanted to be involved to form a coalition. Part of that was getting those organizations in the coalition to commit to the petition gathering effort and also walking them through the process and work and motivating them to reach their goal and supporting them in that effort.*

Ighodaro has gone on to found Hard Knocks Strategies, her own voter engagement and mobilization organization in Florida. In this case, power-building looks like a newly established, Black woman-led organization that is a part of Florida's civic engagement ecosystem.

The importance of the role that Black women played in this campaign is not simply that they worked hard to achieve this win, but that they brought invaluable insights, abilities to connect to the community, and innovative approaches to civic engagement and organizing. As Rolle put it:

> *It was Black women. It was the Black Women's Roundtable and the Florida Coalition for Black Civic Participation that started to say, "We'll collect the petitions." It was a Black woman, Sheena Meade, who said, "I will be the field strategist. I don't technically work for this organization, but I will be the field strategist because I understand how this leads to liberation for my family." Black women from the grassroots to grasstops and all in between. And that has really been the driving force behind the kind of amazingness of the glory of the win.*

The results surpass the success of Amendment 4, with new organizational connections emerging, new communities and voters becoming civically engaged, and consultants and experts in the field of civic engagement work forging new paths. All of these feats amount to building power in Florida.

KEY MESSAGING & FRAMING: Bipartisanship and the Official & Unofficial Campaign Messages

To win at the ballot, a constitutional amendment in Florida requires at least 60% of the vote. As a result, it was important for the campaign to ensure that messaging appealed to conservative and liberal voters alike. **While the campaign centered the voices of returning citizens and was led by directly impacted people on the ground, big decisions around things like messaging were left to the steering committee, which largely excluded the voices of those closest to the pain.** Andrea Mercado, executive director of New Florida Majority (now Florida Rising) explained: "I was the only woman of color that was part of the steering committee besides Sheena Meade, Desmond's wife. And I learned a lot about the ways that donors use their resources to try to control messaging and engagement strategies."

The official messaging of the Amendment 4 campaign was nonpartisan and focused on returning citizens deserving a second chance. Chris Melody Fields Figueredo, Executive Director of the Ballot Initiative Strategy Center (BISC), emphasized the importance of finding alignment or the "value center" of an issue when multiple stakeholders are at play. She noted that the goal in Florida was "to find the values messaging where everyone is aligned. Second chances was one of those. Everyone in the state agreed, you deserve a second chance. When a debt is paid, a debt is paid. Black, White, Brown, Latinx...they all could see that value center. And finding that value center was really critical to bring folks around."

While this messaging welcomed a broad swath of voters, organizers also tailored messaging to resonate with their communities. For example, Reverend Thomas noted that her team reached out to faith communities "regardless of denomination" and emphasized that this issue was "a moral thing," that it was "the right thing to do." She was able to convince 800 different congregations across the state, Christian, Jewish, and Muslim to commit to discussing the moral impetus of Amendment 4 in their communities through doorknocking, phonebanking, and generally raising awareness. For example, she highlighted that the Jewish faith rested on tenets of second chances, and that the Muslim faith centered brotherly love as a key value, both of which "lined up with Amendment 4."

Reverend Rolle pinpointed a cultural shift towards centering directly impacted individuals and creating space for so-called identity politics with the Amendment 4 campaign:

> *I can tell you very clearly some of our "movement leaders" [in air quotes] in 2010 and 2011 saying things like, "I don't believe in identity-based politics." Which is code for "Keep your lady stuff and your race stuff to yourself." [Or they say], "We're here to win strong politics. We know who we're here to win for, but we're all in it." That was a cultural shift, not just in the movement, but I think maybe larger.*

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ANDREA MERCADO

Her assessment suggests that leaders who are not directly impacted seek broad agreement on framing so as not to alienate some voters. She noted that even moving away from language like "ex-con" or "ex-felon" to "returning citizen" helps to center directly impacted people. Rolle credited Desmond Meade with doing the deep relational work, working with national organizations, and building a coalition within Florida that sparked this shift.

In spite of Amendment 4's official race-neutral, nonpartisan messaging, race played an important role in how the campaign was framed. For example, multiple respondents noted that, in fact, more white returning citizens would benefit from Amendment 4 than Black returning citizens. **The entrenched stereotype of Blackness being associated with criminality was intentionally challenged with facts showing that this change would support white and Black Floridians alike**, which would open up voting to more Republican and Democratic constituents. Meade described the decision-making around this framing:

> *I knew that if we were to be successful, we would have to not make this a Black issue, and make it an all-American issue. Keep the campaign elevated above partisan leanings… The reality was that Black people only accounted for a third of the people who were disenfranchised. We know that the policy had origins that were specifically designed to strip the right to vote from newly freed slaves. We know that. But the reality of the world that we're living in today, says that it was not exclusively a Black issue. But because of the narrative, or the reaction that people have when they think about felon disenfranchisement, [this stereotype of it being a Black issue] contributed to the lack of support that we needed to actually move policy. So one of the things that I knew I had to do was take it from being a Black issue to being an us issue.*

To signal that the issue was nonpartisan, organizers took a race-neutral stance. But part of this framing also focused on appealing to white voters over BIPOC voters.

While a race-neutral stance may have been a winning strategy, particularly with white and conservative voters, many of the organizers interviewed expressed frustration with this approach. Mercado noted the inherent challenges:"This obsession amongst the donor class and amongst political operatives with focusing all of the messaging on what's going to move a white voter, and a lack of understanding of what it takes to mobilize Black and Latino communities that are directly impacted by these policies every day." Similarly, Mila Al-Ayoubi explained that the communication strategy was specifically designed to gain or retain support of conservative swing voters, which was necessary to reach the 60% threshold. **She delineated how the official language of the campaign was constrained by tailoring to white voters, and explicitly stated that the delicateness with which they had to tread around language was in and of itself racist:**

> *The racist messaging was around second chances itself because not everybody even gets a first chance who are in the system. Also, we didn't want to talk about the "Jim Crow Era," because it's triggering for white people and their white fragility shuts them down. So we talked about "post-Civil War Era." We couldn't say "voting rights" because that was a trigger for conservatives, so we started using "voting eligibility."*

Corryn Freeman, who works for the Statewide Alignment Group (SWAG) and served as the Field Director for the Amendment 4 campaign, echoed this and remembered having to carefully avoid racist dog whistles. She explained, "We had to disassociate everything from

Black and Brown people and talk about the poor white people who are in prison and who deserve a second chance." Al-Ayoubi contrasted the messaging official communications framing with the messages that resonated with BIPOC communities in Florida. "Our communities and where we were organizing on the ground, they want to hear [explicit language about race]. They know Jim Crow. They know it's about race. They know it's about slavery."

An unofficial messaging strategy around race was used to target BIPOC voters and unlikely voters. Andrea Mercado explained that while people working on the campaign had been asked to respect Amendment 4's official messaging, they also had an agreement that they "could talk the way [they] needed to talk [when knocking] on doors." That meant bringing in an explicit discussion of race:

> *It was really important to us that our message connects with our ideology of building long term power and transformative change. We didn't want to lead with the message of second chances, which was the message that was leading on radio and on digital [media platforms]. Our focus was talking to Black and Brown communities, working-class communities, and infrequent voters. The conversation that we wanted to have was around the criminalization of Black and Brown people, the legacy of Jim Crow, and the need for transformative change. It was a challenging needle to thread, because the ballot initiative campaign was being really careful to be nonpartisan or bipartisan. But for us, we knew that in the communities that we work in, we knew the message that we wanted to get across.*

As many organizers in Florida recounted, attempting to mask the racist histories or racially inequitable outcomes and implications of policies is not a winning narrative or framing strategy for Black or Latinx voters. Building power in these communities requires confronting these realities head-on. While this tension around messaging is similar to what organizers in Oregon were contending with, it played out differently in Florida because people who were directly impacted were the ones making the decisions for themselves and choosing what narratives were worth pushing.

CHALLENGES

Trust in the Vision

Early on, one of the challenges faced by this effort was the lack of support and trust in Desmond Meade's vision of a campaign and organization (FRRC) centering the experiences of and being led by directly impacted individuals. Reverend Thomas lamented:

> *One of the biggest challenges that we faced, and I often remind Desmond of it [was] at the beginning, how hard it was to get other organizations to see the vision that really lied in Desmond. Once we had gotten all the petitions signed, everyone saw the vision. Well, that annoyed me. Because I [wanted to ask], "Where were you when we just asked if you would help us make copies or donate copies?"*

Funding

Closely related to the issue of supporting Meade's vision early on, was the issue of acquiring funding to support his vision and this work in its early stages. Meade recalled that though they were eventually able to draw in donors and politically savvy experts to join the steering committee alongside "organic grassroots organizations," those in positions to support the work were not part of the early movement that had led to the ballot initiative. Meade explained:

> *The first few years of the ballot initiative we really didn't have any money. And when I say any money, what I mean is that I had volunteers take the sheets off of their bed, go to an arts and crafts store, buy some paint, and paint our logo on their sheet, so they can use it to table events, to collect signatures. That's how broke we were.*

Certainly the creativity, commitment, determination, and hard work of the FRRC team was key, but financial support could boost and amplify their efforts earlier in the campaign timeline.

Outside Consultants

Similar to other case study sites, local organizers on the ground in Florida experienced and reported tensions with outside consultants. The parachute model of consulting for civic engagement around ballot initiatives and electoral politics more broadly was widely described as antithetical to the goals of power-building in local communities. What's more, organizers disclosed tensions in working with paid, outside consultants. From discrepancies in pay to feeling like there was a lack of trust and respect for local canvassers' knowledge of their communities, most organizers reported a preference for working with local consultants. Gunder described the frustrations she experienced with white outsiders who were paid by outside consultants to support canvassing efforts. She explained how they did not listen to local organizers about practices on the ground that were "culturally fitting for our community" or matters of safety. Gunder gave a poignant example:

> *We were in an area called Brownsville, and we went out to canvas. We had a lot of doors to hit, it was getting late, and they didn't finish the list. And I [told them], "Listen, y'all just need to come on back, and we'll come back tomorrow." [The canvassers responded] "No, no, no. We're going to just keep pushing." [Then I said] "Listen, this is not an option. I need y'all to come on back," because that is one of the most dangerous neighborhoods in Miami. I'm telling them that for safety reasons and the culture reason, why it's not okay for [them] to be there after dark knocking on doors, trying to pass out literature. So that was a really big headache. When you have national folks coming in to help out with canvassing, trust the people who are on the ground who lead these canvases and launch them all the time.*

Reverend Rolle offered that when working with local consultants, those from or connected to the communities most directly impacted, proved to be a more harmonious and successful strategy. She explained, "What we found is consultants that come from our communities help a lot more. When I worked for the Amendment 4 campaign at the end of 2018, they hired me on a consulting basis. [Consultants are] best deployed when they come from within the movement and have relationships and ties in the state." She commented that instead, what often plays out is that consultants are brought in from "New York and DC" who criticize Florida as a state that keeps flipping from blue to red. "Those folks come, they struggle, and they leave. And then they get another contract," she declared. Even without a track record of success, the perception on the ground is that outside consultants can win contracts to make decisions around strategy in contexts with which they are not familiar. Meade echoed this sentiment and made the further point that while outside consultants are permitted by funders and donors to make mistakes, those from the communities most impacted by policies do not get the same leeway:

> *You've got to give us room to fail. Especially when historically we've seen our counterparts, right, or people who don't look like me losing cycle after cycle after cycle after cycle. And they were still getting contract after contract. It was some insane amount that these consultants were getting paid, and then come to us for help for free. The thing is, individuals who didn't look like me had like an insane amount of opportunities to fail. But when people like me are engaging philanthropy for the first time, we're so scared to make a mistake because we figured that the minute we make a mistake, that's it with the funding. And so I tell folks, the most important thing is to give us room to fail.*

Rolle concluded that the solution is to invest instead in the long-term building needed within directly impacted communities:

> *After a while, after 10–20 years, you realize that it is not because Florida's not smart enough to do the stuff. It's because you have to invest for the long term. And whether that person is housed at an organization or is in a consultant role with an organization, you just got to have a broader movement. One or five smart consultants will not win anything in this state.*

ANDREA MERCADO

CRIMINAL JUSTICE REFORM BUILT POWER AT THE BALLOT

While Florida's criminal justice reform focused on civil rights upon the completion of a criminal sentence, in Louisiana the reform targeted the front end of sentencing. In 2018, the state passed Amendment 2, the "Unanimous Jury Verdict for Felony Trials Amendment" with 64.35% of the vote. Prior to the passage of Amendment 2 Louisiana was one of two states that permitted non-unanimous jury convictions. The amendment to the state constitution now requires unanimous jury convictions for felony trials, as opposed to 10 of 12 jurors as previously had been the case.

This campaign, in some ways, had higher stakes than other states. Louisiana is the only state with a system of codified law rather than common law. Generally speaking, the judicial system is not one built upon legal precedent. This is significant for Amendment 2 because, as Nia Weeks, the attorney who founded Citizen SHE United, summarized,"when something is written and passed through our legislature, that is the thing that people are going to be beholden to." The successful campaign that put an end to non-unanimous juries reveals the importance of tailored messaging, the brilliance of novel organizing tactics in communities often ignored in civic engagement efforts, the power of having directly impacted people and Black women leading the charge, and the ways in which bipartisanship can work even with a racial reckoning.

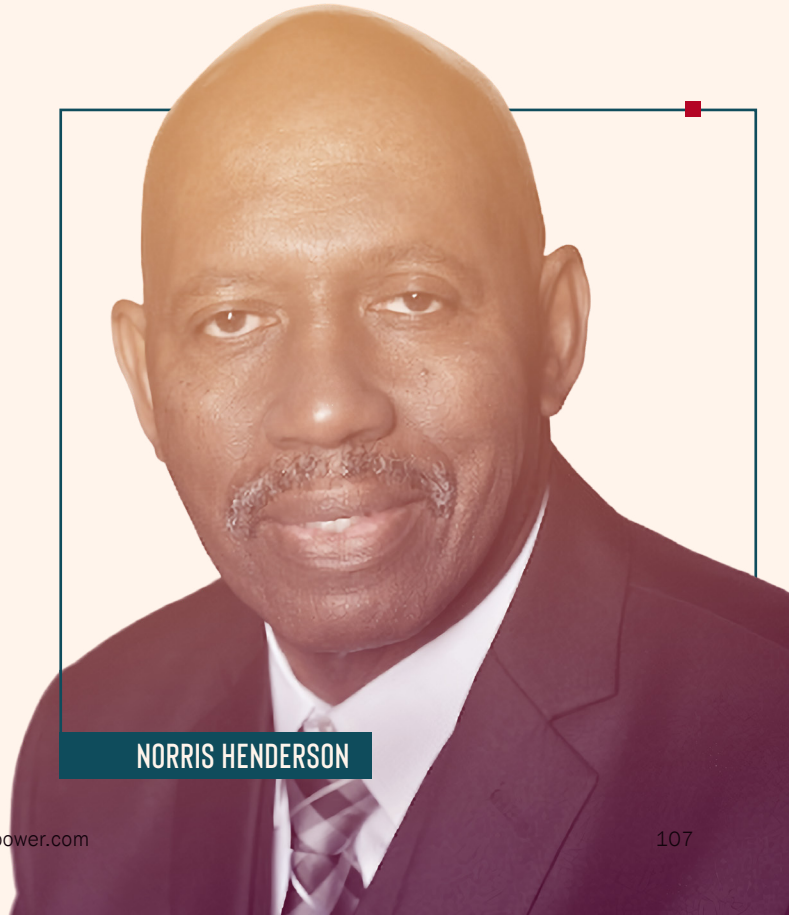
Directly Impacted People & Black Women Building Power

Louisiana's successful fight to end non-unanimous juries was led by directly impacted people and Black women. Norris Henderson, founder and Executive Director of the VOTE, was instrumental in garnering the momentum to end non-unanimous juries and leading the campaign for Amendment 2. Henderson shared his personal journey as a directly impacted person:

> *My role was the Campaign Director. I led the campaign. And one of the things about this campaign, which was unique in a sense, was that it was led by somebody who had been directly impacted by the law itself. I had a non-unanimous jury verdict, so it was easy for me to tell the story about what happened and what my expectations were. I remember when the jury came back and it was 10–2. I [thought to myself], "Oh, I'm out of here!" And the sheriff [said], "Man, I'm sorry to hear that." I [responded], "Sorry, to hear what?" He said, "You got found guilty." It was two people to say, not guilty. But being 19 years old, being naive, not knowing that Louisiana laws didn't require a unanimous jury verdict, off to prison I went. And that became this little claw in my side, that thing that just dug at me. And then when I got in the law library and started to actually learn the law and became proficient at it, [I learned that] there was actually a case in Louisiana, Johnson versus Louisiana, which in 1973, two years before I went to prison, actually challenged it. The United States Supreme Court said it was fine for Louisiana and Oregon. And so we have been on that trail since 1973.*

Henderson was sent to prison in 1975 and began learning and organizing from inside. This work began decades before Amendment 2 was brought before voters in 2018.

Henderson described how the Yes on 2 Coalition was pieced together, and how centering the experiences of directly impacted people was paramount for their strategy. He explained that early on, many different kinds of supporters—"people from all walks of life"—wanted to join the campaign. There were big players like the ACLU and the Southern Poverty Law Center as well as grassroots, power-building organizations like the Power Coalition and VOTE. He emphasized that consultants also wanted to participate in the campaign, and tried to persuade the coalition away from sharing the stories of directly impacted individuals. The consultants, he relayed, were concerned that telling stories would unveil the "racial connotations" of the history of the law. As Henderson put it plainly, "But it is what it is. It was born out of racism." He admitted that being the face of the campaign, he did not want to hide the history and reality of racism that undergirded Louisiana's jury practices. "My greatest fear," he shared, "was not being able to tell our people the truth." Unwilling to abandon the stories of those directly impacted by the law, a dual strategy was pursued. "And so we decided that y'all chart your course, we're going to chart ours," he recounted.



NORRIS HENDERSON

The campaign was driven by a team of directly impacted people. As the Lead Organizer for Yes on 2 and someone who had experienced incarceration in her own family, Alison McCrary explained:

> *The Unanimous Juries Campaign and the Yes On 2 campaign was unique and special in that it was really led by system impacted people, by those of us who have experience with the system of incarceration either directly as formerly incarcerated people or as family of impacted people. We made sure that we took the lead from people who had been convicted by non-unanimous juries. And we made sure that they were front and center as spokespeople.*

Black women's leadership was also central to the passage of Amendment 2. Ashley Shelton is the Founder and CEO of the Power Coalition for Equity and Justice, the civic engagement table for Louisiana. She explained how the Power Coalition took a leadership role in supporting voter engagement by managing the data:

> *All of the voter file—being back office of that campaign—we had the privilege of ensuring that everybody that worked on that campaign had the right lists, the right information. That information was getting uploaded and put back into the [Voter Activation Network (VAN)] for the next campaign. And it was a tremendous task. [We] also had the opportunity of supporting the legislation when it was actually in the legislative process.*

Shelton oversaw the coordination of a large coalition and built power in the process by strengthening their voter database through the civic engagement work being done.

In line with the mission of Citizen SHE United, Nia Weeks's contribution to the Amendment 2 campaign was to run Get Out The Vote (GOTV) efforts in northern Louisiana, based in Shreveport. Weeks delineated the importance of doing this work in Shreveport:

ASHLEY SHELTON

> *We were tasked with running the GOTV work in North Louisiana in a wonderful town called Shreveport. We ran the entire GOTV campaign for that. It was actually our inaugural GOTV project; first time we ever ran a campaign, and we were really excited to be a part of that program. The reason we were interested in working in North Louisiana was because we're building a new base of Black women across the state. It's really easy to organize Black women in New Orleans and Baton Rouge, but I felt that the real work was going to be organizing Black women outside of cities that had real infrastructure, a lot of support, and Shreveport was right on that cusp. They had really incredible organizers. They had incredible work that they were doing. Everyone around the state was trying to figure out how to penetrate Shreveport, recognizing that if we were able to penetrate Shreveport and help them build out a real progressive base that we could do really amazing work throughout the entire state. And so of course Citizen SHE recognized the value of North Louisiana too.*

As evidenced by both Shelton and Weeks' tremendous contributions to Yes on 2, the role of Black women—in addition to bringing their expertise and leveraging their connections to impacted communities—was their vision and commitment to building infrastructure and political power that would outlast the campaign.

In addition to the brilliant ways in which Black women laid out a vision and plan for power-building through the Amendment 2 campaign, innovative organizing strategies and tactics also contributed to the growing base and infrastructure that was built through the fight for unanimous juries. One example of the ingenious approaches to organizing was Henderson's organizing inside prisons. He recounted:

> *I started going through all the prisons across the state, talking to the guys inside, telling them, "Hey, man, this is the campaign we launched but I need y'all to get in touch with your moms and dads, everybody who is on your visit list and on your phone list. We're going to be coming to a town near them. This is what the campaign is about. We're going to try to undo this Jim Crow practice in Louisiana." And so the folks inside were hyped.*

By appealing to individuals who were incarcerated, encouraging them to get their loved ones on board, and speaking with visitors at prisons, Henderson was able to inspire people who were directly impacted by non-unanimous juries as well as their loved ones. In addition, many of these individuals were infrequent or unlikely voters, which helped bring new communities into civic engagement and voting.

NIA WEEKS

Surprising Bipartisanship

The Yes On 2 campaign was a bipartisan effort. Louisiana is not a "ballot initiative state," so in order to have a citizen-initiated constitutional amendment make it to the ballot, it needs approval of 60% of the legislature. As a red state, winning in Louisiana meant that legislators and voters across the aisle had to support this amendment.

The amendment was authored by State Senator JP Morrell, a Democrat from New Orleans. One of the major conservative proponents of Amendment 2 was Ed Tarpley, the former Grand Parish District Attorney, who has long held the belief that unanimous juries are important for liberty and should be treated as an essential right. Henderson described how they collaborated:

> *Ed Tarpley [and I would] travel all across the state, telling these stories. Everywhere we could go and get in, we would go and tell these stories. We were at universities, educating the criminal justice students, the law students about what this ugly law had done, and how it had led to Louisiana leading the nation in per capita incarceration.*

To have a prosecutor alongside someone who was impacted by non-unanimous juries advocating for a change was a powerful message to conservative and liberal voters alike.

Another set of surprising supporters of Amendment 2 were gun rights advocates. Henderson explained the reason behind their support: "The other unlikely ally we got was these right wing people who were gun lobbyists. And they started campaigning on our behalf saying that if they, if the state can take this from us, they can come and take our guns." Ryan Haynie, who worked as a consultant on Yes On 2, described a advertisement that was released by Blake Miguez, a conservative state representative:

> *There was a video that got made about Yes On 2. It was [made by] Blake Miguez. He is as far right as you can imagine a State Rep. He was on Top Shot. He is a world champion pistol shooter. And he turned the issue around to a certain degree, [saying] "your rights can be taken away," and "you can lose your rights to bear arms and the other freedoms you hold dear with a non-unanimous jury." He talked about our forefathers. It was a pretty cool, very right angle.*

KEY MESSAGING:
Jim Crow's Legacy and Personal Freedoms

To resonate with different constituents, tailored messaging was used in the Amendment 2 campaign. Alison McCrary explained the conservative communications strategy:

> *We tailored our communications plan and the campaign build-out around: How do we communicate this to people [in a way] that is not going to be so divisive? What can bring us together? And so a lot of our messaging for folks on the more conservative end of the political spectrum was around liberty, freedom, what the founding fathers of the United States wanted for the jury system in this country.*

Focusing on people's personal freedoms allowed the campaign to build a broad spectrum of support, but it also did not challenge the structural racism embedded in the penal system, which could have led to more transformative organizing down the road.

Lynda Woolard, who served as a statewide Field Organizer for the campaign described the liberal messaging:

> *For the liberal messaging, it was really just about fairness and the fact that we were one of only two states that still had this sort of discriminatory law. We could use that language, "discriminatory law"; [that] was fair game. And while we were one of only two states, we were the worst of the two, because you could be sentenced to life here with a non-unanimous jury; we were the only state where that was the case.*

As Woolard implies, the official messaging of the campaign tried to tread lightly on its messaging that might raise issues of race or racism and turn off some voters. Woolard noted that in some spaces they were able to talk about how "this was a Jim Crow law," but even then, they had to be careful that such a framing would not end up being picked up by the media.

McCrary explained the argument behind choosing messaging that focused on Louisiana being behind the rest of the country: "Louisiana is an outlier state. Louisiana has a reputation of always being behind the times as a state in this country, and how that impacts our reputation as a state and tourism and other industries that rely on the state's reputation." Beyond the business interests of the state, McCrary shared the rights-based framework:

> *We made arguments that Louisianans deserve the same protection of rights that exists in the 48 other states and in federal courts, that Louisianans shouldn't have fewer rights than citizens of Alabama, Texas, Mississippi, Florida, or New York, and that we deserve the same freedoms as everyone else in other states.*

Others involved in the campaign took a much more explicit approach to discussing race and racism in relation to the history and impact of non-unanimous juries. Jamila Johnson, an attorney who represented the Southern Poverty Law Center on the Unanimous Juries Coalition, traced the history of the Jim Crow roots of the non-unanimous juries. She described how the idea was first conceived around 1880 by the head of a convict leasing company that wanted to ensure an ample supply of labor through Louisiana's prison system. In 1898, an all-white Constitutional Convention was held with the explicit purpose of re-establishing white supremacy in Louisiana, and focused on three major areas: voting rights, education, and criminal justice. The strategies they committed to at this convention were highly effective at reducing the number of Black voters and making school segregation mandatory. This convention is also where the agreement that only 9 out of 12 jurors must find someone guilty for them to be convicted is established (this later became a 10–2 jury vote in 1974).

JAMILA JOHNSON

According to Shelton, sharing this history was essential to securing the vote of infrequent voters and Black and Brown voters. She reflected, "We have to be careful about how white supremacy sneaks its way into the work." She explained that consultants advised them not to frame the campaign or the issue in a way that might suggest the issue only affected African Americans in Louisiana or that might suggest partisanship. They were advised not to bring up "white supremacy." As Shelton noted, however, they had been working in coalition on the issue since 2015, and knew what kind of messaging resonated with the communities they were organizing. By trying to avoid being pigeonholed as a Black issue, Shelton expressed an avoidance of confronting the reality of the issue: "It was disproportionately impacting African-American people in Louisiana," she asserted. They decided not to heed the advice of the political consultants:

> *[We knew] how to talk to infrequent voters of color, the messages that matter to them, and what most what actually motivates and mobilizes them. So the idea that we weren't going to be talking about white supremacy, and that we weren't going to be talking about the impacts of this particular policy on the lives of Black and Brown people across the state of Louisiana didn't make sense. Norris [Henderson] and I met in the hallway and Norris said, "We're going to do what we know how to do, and we're going to do what our gut tells us to do." And so we worked together and funded a strategy that was specifically to say all of those things directly to infrequent and frequent voters of color across the state of Louisiana. It proved to be one of the most powerful decisions that we made, because I think that's what created that turnout for that election, and in particular that level of turnout by Black voters.*

While the race framing was implemented successfully with voters of color, Peter Robins-Brown who worked as a Canvass Team Manager with Step Up Louisiana at the time of Amendment 2, bemoaned the missed opportunity with a broader set of voters. He explained:

> *My critique would be that [the messaging] was a little bit too centered on convincing white conservatives to vote "yes." At the same time, we got to 64% [of the vote], which is a big number, and means that we got a lot of white conservatives to vote for it. But I think it was an opportunity to really speak to people about systemic racism, how that works, and how it's so deeply entrenched in the system. Even white conservatives, even folks who would be very resistant to that kind of message. I think that this was a really good opportunity to educate them. You could have done it in a softer way, but the unanimous jury law goes back to the 1898 state convention, which was called expressly to re-establish white supremacy in Louisiana. It's just incontrovertible facts about the history of this law. I would have liked to have seen us talk about that a little bit more.*

Robins-Brown's reflections on the messaging are reminiscent of what we heard from other campaigns where the short-term goals of winning the campaign were met by prioritizing white conservatives in lieu of putting out a narrative that could have done more to shift public consciousness and build more power in BIPOC communities in the long-term.

CHALLENGES

Not a Familiar Issue

The topic of non-unanimous juries was not an issue at the forefront of many Louisianans' consciousness. One respondent mentioned how neither the uniqueness nor challenges of non-unanimous juries were covered in Louisiana law schools. Others noted that voters knew little to nothing about the history or implications of non-unanimous juries. As a result, an extensive education campaign was required in order to inform voters about the issue.

Outside Consultants Lacked Racial Equity Lens

Outside consultants advised against referencing non-unanimous juries' racist history or its racially inequitable outcomes throughout the campaign. As we heard in other states, while talking about racism and white supremacy may have alienated some white voters, using blanket messaging that was created with white conservatives in mind exacerbated barriers and tensions. For example, one respondent described the communications consultant with disdain saying, "her racial equity lens is not where it needs to be." Ashley Shelton also shared some of challenges that arose from her interactions with outside consultants:

> *The marketing and communications consultants were like, "No. If you talk about white supremacy, this is over. You're going to lose. Absolutely not." Well, you know, the Power Coalition in particular talks to infrequent voters of color, and so I was like how are you going to tell me what to tell Black people (laughing) about how they feel about an issue that yeah, for me, it is absolutely about white supremacy and that's exactly why Black voters are going to turn out for this. It's exactly why this*

> *matters, right? I talked to Black voters and if you tell them white supremacy, they're getting out the vote, okay? So like, why are we running from the history of this? Why are we running from the real messaging that would have mattered?... The number one lesson I learned is that I definitely don't need a communications consultant to tell me how to talk to Black people (laughing).*

Several other respondents objected to outside consultants' push to run a race-neutral campaign. Coupled with consultants' insistence on leaving out language of race was their distrust of the expertise of the Black women and system-impacted individuals who were leading the charge. Shelton asserted that one consultant in particular "thought that we were just some little grassroots, Black-led organizations that had never done this before or didn't have real capacity. And I was like, "Sweetie, I am not some little grassroots organization." Indeed, both Shelton and Henderson were leading organizations with multi-million dollar budgets and running sophisticated voter engagement campaigns.

Short Timeline & Late Financial Support

While the campaign was eventually catapulted into the national media with support from the likes of singer, John Legend, the campaign ran on an extremely tight timeline. As McCrary noted, "Once it got passed in the legislature and we knew it was going to be on the ballot, we really had just a very short [time frame]: three months to raise money, hire staff, build a campaign, and try to get a Republican red state to end a 138 year old Jim Crow law." Funding for the effort did not come through until September 6, 2018, just two months before the election. Earlier financial investment would have meant more freedom to train and hire local organizers to move the campaign once it passed in the legislature.

POWER-BUILDING ASSESSMENT:
Criminal Justice Reform

OUTCOMES

METRIC	Yes/No	DETAILS
Newly activated individuals	**Yes**	Many people were activated as organizers in both campaigns. For instance, more than 8,000 people volunteered for the Amendment 4 campaign in Florida.
New voters or communities participating in electoral politics	**Yes**	Respondents in Louisiana described how even the conservative parishes and cities that they organized in, such as Shreveport, voted in support of Amendment 2, and Amendment 4 received more than 5 million votes in Florida.
New organizations/programs	**Yes**	In Florida, Desmond formally incorporated the Florida Rights Restoration Coalition as an organization and turned it into an organization of returning citizens rather than an organization of organizations; now it has more than 7,000 members, 20+ chapters, an email list of 10,000–15,000, and a database of more than 1 million returning citizens. Itohan Ighodaro also founded Hard Knocks Strategies, and the Dream Defenders added a fellowship program that paid 50 young people to engage in electoral organizing in Florida. In Louisiana, the Unanimous Juries Campaign helped organizations like Citizen SHE United get on their feet and build power and credibility.
New networks, coalitions or organizing relationships	**Yes**	In Florida, Ighodaro built out a statewide grassroots organizing coalition of 200 organizations. In Louisiana, the campaign formalized relationships with local groups that already had strong ground games, such as New Ground Strategies, Citizen SHE, the Jeremiah Group, a group of faith leaders, the Neighborhood Partnership Network, the Southwest Louisiana Community Coalition, Step Up Louisiana, Women with a Vision, and VAYLA.

Table 5. Criminal Justice Reform Campaigns Power-Building Assessment

OUTCOMES		
METRIC	Yes/No	DETAILS
New funders	Yes	Respondents described seeing money like they had never seen before flooding into their states as these campaigns got underway.
New audience or increased attention	Yes	Both the Amendment 4 campaign and the Unanimous Juries Campaign gained national and inter-state attention. One example of this in Louisiana was John Legend offering to record a robocall to encourage voters to support the Unanimous Juries Campaign.
New access to decision making	Yes	People who were system-impacted and Black women were the primary decision-makers in spaces that they had previously been excluded from in both states. Desmond Meade and Norris Henderson were able to set the agenda and strategy for their respective campaigns and Black women like Itohan Ighodaro (FL) and Ashley Shelton (LA) were seen as trusted leaders capable of making big decisions and leading successful campaigns.
New positional power for communities that have been traditionally marginalized	Yes	Meade and Henderson are now nationally recognized as leaders in this work.

Table 5 outlines how Louisiana and Florida's criminal justice reform campaigns successfully met many of the metrics in our power-building assessment. This evaluation reveals some of the ways in which these campaigns can be models for organizing in other states.

Table 5. Criminal Justice Reform Campaigns Power-Building Assessment, *continued*

PROCESSES		
METRIC	**Yes/No**	**DETAILS**
New frameworks or narratives in explaining an issue	**Yes**	In Louisiana, organizers candidly had conversations about Jim Crow laws, anti-Black racism, and their own experiences of incarceration. In Florida, organizers effectively broadened the conversation about who stood to benefit from restoring the right to vote for people with prior felony convictions.
New organizing models, strategies or tactics	**Yes**	In Louisiana, VOTE created a new model that formed a base of people who were incarcerated or formerly incarcerated and mobilized their networks. In Florida, young organizers formed the Statewide Alignment Group (now Florida for All) and emphasized meeting their constituents where they were by ensuring that organizers were representative of their constituents and could share information in their languages. Both campaigns also built statewide power by creating distributed hubs that connected cities and rural areas.
Expanding know-how to new groups around ballot initiative or other civic engagement processes	**Yes**	Both campaigns led trainings for organizers that prepared groups to continue the fights past these specific campaigns, for example Sheena Rolle's work with Faith in Action in Florida and VOTE's work in Louisiana.

PROCESSES

METRIC	Yes/No	DETAILS
Community has autonomy and agency throughout the campaign	**Somewhat**	In Louisiana, VOTE and the Power Coalition asserted their authority and made decisions based on what they believed was best for their communities, despite the direction of consultants on the project. In Florida, funders pressured local organizations to partner with specific consultants, but community leaders still acted with their own discretion, showing that they did have some agency.
Community knowledge is respected in the process	**Yes**	Both campaigns were born out of community knowledge and the recognition that people closest to the pain are also closest to the solutions. Some outside consultants tried to stifle community leadership in both fights, however, ultimately Henderson and Meade's visions and commitments to centering people who were directly impacted shaped the campaigns.
Campaigns are accountable to community members	**Somewhat**	Many of the organizations involved in Louisiana's fight for unanimous juries have deep roots in Black communities, which necessitates a certain level of accountability. Similarly, in Florida, leadership of community members from across geographies, faiths, and walks of life indicates that this was grounded in community interests. However, neither of the campaigns talked about forming community advisory boards or other structures that would formalize accountability to community members.

TAKEAWAYS FOR INNOVATIONS IN POWER-BUILDING AND FOLLOWING DIRECTLY IMPACTED PEOPLE'S LEADERSHIP

Building Transformative Power

The campaigns in Florida and Louisiana demonstrate how much power can be built when power-building is the explicit goal. These campaigns pulled off victories that many never believed could happen, and they did it by following the leadership of people who were closest to the issues and building out grassroots campaigns that prioritized long-term vision, adopted innovative strategies, and led to a mass mobilization of new voters.

Following the leadership of directly impacted people leads to meaningful wins.

The people who led these fights were personally impacted by the criminal justice system and developed strategies that centered others who were system-impacted. This created new organizing models and possibilities, garnered a broad spectrum of support, and mobilized millions of people in Florida and hundreds of thousands of people in Louisiana.

Tailored micro-targeting can be more effective than messaging that appeals to white swing voters.

While many pollsters and communications consultants have a practice of focusing messaging on swing voters who tend to be white middle-aged women, these case studies show that bipartisan framing that is hyper-focused on not triggering white people may alienate BIPOC voters. In this context, different constituencies preferred a range of messages,some of which focused on the law's history and its implications and others which focused on personal liberty and second chances.

Innovative strategies can reach unlikely and infrequent voters.

New strategies to bring the issues to new populations also proved to be effective in Florida and Louisiana. In Shreveport, Citizen SHE United was able to make unanimous juries feel relevant and engaging by using social media platforms that young people were already on, plugging into events that people were already excited about, and making videos that matter to people. VOTE's focus on organizing people in "prison towns" and leveraging the connections of people who were incarcerated also activated vast new networks of voters. These strategies built power and infrastructure, especially among unlikely and infrequent voters.

Building Power by Strengthening Capacity.

Where traditional civic engagement is measuring the outcomes of elections as a test of power, these organizations are building power by developing leaders, organizations, and community consciousness around voting as a tool for exercising power.

For many organizations, elections and electoral fights are one tool in a larger strategy to overhaul systems for liberation.

This lesson ties into our finding that organizers may decide to take losses in the short-term when the strategy is in line with their long-term vision. This approach also allows organizers to be more innovative since they are not as constrained by traditional tactics that tend to focus on appealing to swing voters.

Consultants and donors can expect to be held to account to the same set of values that exist in the community.

The challenges that emerged between some of the consultants and funders who supported these campaigns teach us the value of connecting with people with ties to the local communities and following their leadership.

Campaigns continue to be carried by Black and Brown women.

While Black men were the impetus and driving force for both Florida's Amendment 4 campaign and Louisiana's Amendment 2 campaign, Black and Brown women were responsible for much of the work that went into making their fights a success. This speaks to a commitment to liberation work that goes beyond ego and accolades and highlights their important role in the ecosystem.