

**The webinar will begin shortly...**

**This presentation will be recorded and sent out to  
all attendees with the PowerPoint**

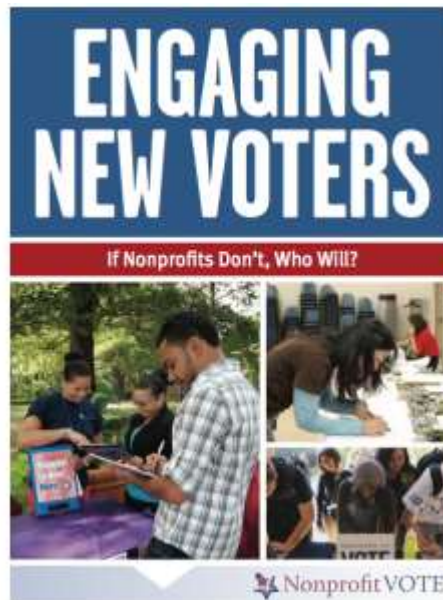
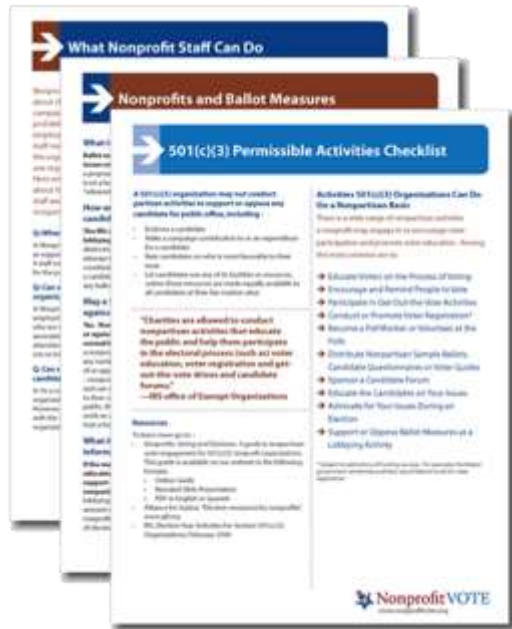
# Nonprofits, Nonpartisanship & Misinformation

What Nonprofits Can (and Should) Say about the Election



# Who we are

Founded in 2005, Nonprofit VOTE partners with America's nonprofits to help the people they serve participate and vote. We are the leading source of nonpartisan resources to help nonprofits integrate voter engagement into their ongoing activities and services.



# Mark your calendars

## **Learning More About the Voters You Serve: Celebrating Voter Education Week**

Wed, Oct 7 @ 2pm

## **Nonprofit Staff Vote! Time off and other engagement strategies**

Thurs, Oct 15 @ 3pm

## **There's Still Time to Help People VOTE! 7 Things to do Between Now and Election Day**

Tues, Oct 20 @ 2 pm



# Agenda

## What we will cover:

- What is misinformation?
- What nonprofits are allowed to do when confronted with misinformation
- Proactive messaging and resources
- Q&A



Today's Presenter

**David A. Levitt**

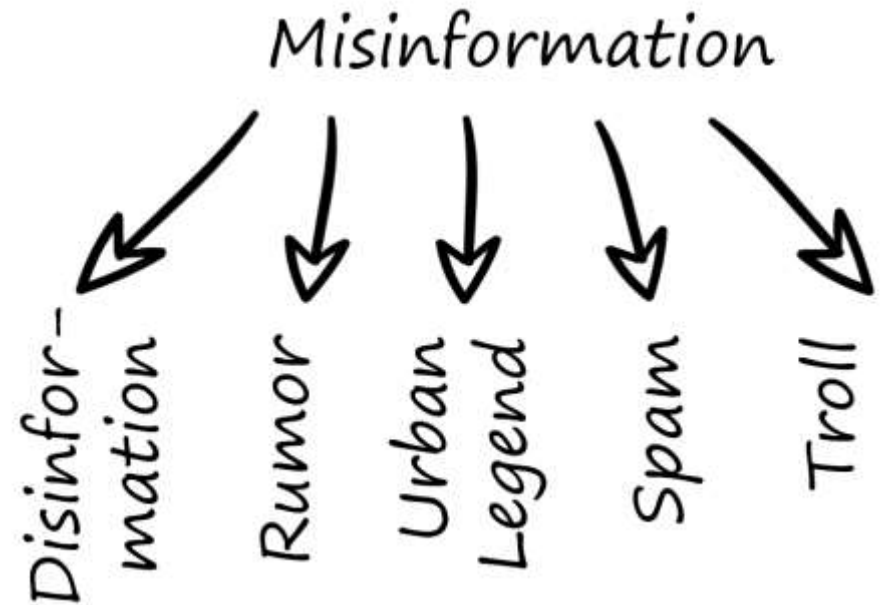
Principal  
Adler & Colvin



# What is misinformation?

Misinformation is false or inaccurate information that is communicated regardless of an intention to deceive.

We use this definition because it includes disinformation – which people with no ill intent may spread – and all the other forms inaccuracies may take: conspiracies, fake news, parody, propaganda, etc.



# RECAP

Staying Nonpartisan for 501 (c) (3) organizations

# What a charitable organization CANNOT do

A 501(c)(3) tax-exempt organization may not intervene in any political campaign on behalf of (or in opposition to) any candidate for public office.

*-1954 amendment to US Tax Code  
(The Johnson Amendment)\**

\* The words “or in opposition to” added by Congress in 1987.





# What a charitable organization CAN do

501(c)(3) organizations **may conduct nonpartisan voter engagement activities** designed to help the public participate in elections:

- Voter Registration
- Get Out The Vote (GOTV)
- Voter Education
- Candidate Engagement



# Talking about candidates

## **Comparing?**

It's okay to compare candidates in questionnaires and voter guides. Keep your opinion out of it.

## **Criticizing?**

Avoid making positive or negative statements about candidates. You may correct a factual misstatement related to your issue.

## **Ranking?**

A charity may not publish rankings or ratings of candidates.

# Talking about candidates

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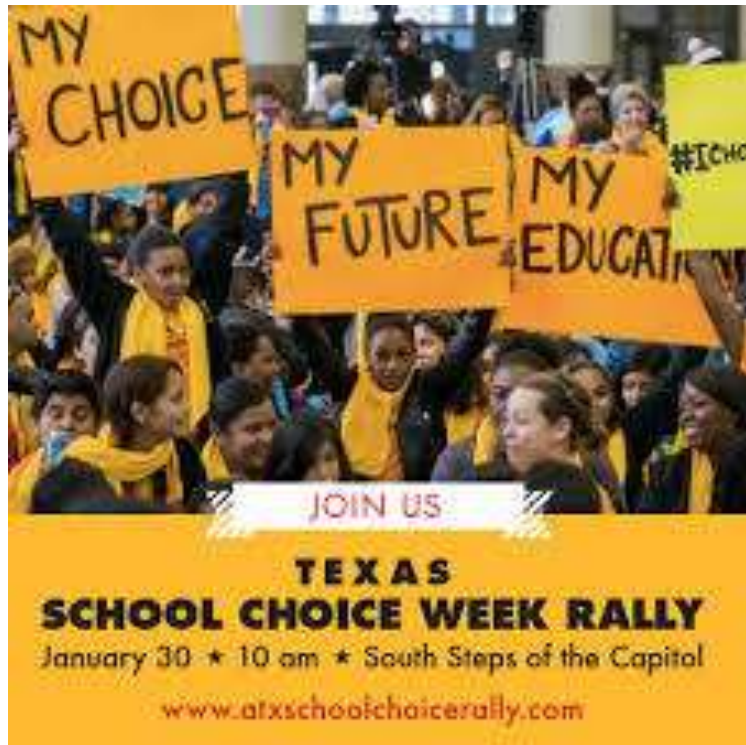
**What does the IRS say about 501(c)(3)s and correcting misinformation?**



Your organization's mission is focused on expanding access to early childhood education. A candidate's ad attacking his opponent falsely claims her proposed tax cuts will raise taxes on middle income families in order to fund the pre-k program.

What can you do?

# Issue Advocacy for nonprofits



“501(c)(3) organizations **may take positions on public policy issues**, including issues that divide candidates in an election for public office.” - (IRS)

## Factors to consider:

- Increasing advocacy activities only during election season could be seen as partisan effort
- History of work on an issue in the past is a good nonpartisan factor





Your organization is co-hosting a candidate forum and one of the candidates asserts that voter fraud has been a problem in neighboring counties. After the forum you fact check that claim and it is untrue. What can you do?



Your organization is tagged in a retweet of a video from the chairman of a state political party that conflates mail ballot applications and actual ballots and alleges that "ballot harvesting" will take place. What can you do?

# What should nonprofits consider before responding?



# Proactive Messaging

What Nonprofits SHOULD Say About the Election

# Prevailing wisdom on misinformation

1. Inoculation & “pre-bunking”
2. Be careful not to amplify
3. Values-based messaging



# What it looks like for our organizations

1. Inoculation & “pre-bunking”
2. Be careful not to amplify
3. Values-based messaging

**Do:** Proactively share accurate information about the election and voting process

**Audience:** staff, volunteers, people you serve, partners, & community

**When:** Consistently leading up to the election and while awaiting results

# What it looks like for our organizations

1. Inoculation & “pre-bunking”
2. **Be careful not to amplify**
3. Values-based messaging

**Don't:** Repeat false claims or use their terms. If you *MUST* comment, use values-based messaging

**Audience:** members of the press/media, people who follow your social accounts

**When:** You are directly confronted with misinformation/attack

# What it looks like for our organizations

1. Inoculation & “pre-bunking”
2. Be careful not to amplify
3. **Values-based messaging**

**Do:** Frame your comments around freedom, democracy, fairness, and equality. Voters strongly support efforts to increase participation

**Audience:** everyone!

**When:** All the time!

## Resource spotlight: ReThink Media

DOs	DON'Ts
Lift up that our nation is better off when more Americans participate, and highlight that powerful special interests are trying to rig election rules to help politicians who favor them	Get bogged down into proving that fraud doesn't exist and that suppression is a far greater threat
Boost trust in state and local election administrators, support well-funded elections systems that can protect the right to vote AND the veracity of elections	Foment fears about voter data security and hacking, do too much hand wringing
Connect voting to specific issues tailored to your audience	Talk about voting as a siloed issue

# Resource Spotlight: Advancement Project

## **VOTING SHOULD NOT COST ANYONE THEIR LIFE**

- COVID-19 has disproportionately claimed the lives of Black and Brown people. No one should have to choose between their right to vote and their health. In-person elections lacking accommodations for the vulnerable, disabled and immunocompromised during a pandemic, like those witnessed in Wisconsin, are morally irresponsible and disgraceful.
- **Vote-by-mail is a necessary, but insufficient strategy to ensure voters of color can cast a ballot during the coronavirus pandemic.** Vote-by-mail should be part of a comprehensive strategy including: increased voter registration opportunities - both online and via mail, expanded early voting, expanded voting hours and an equitable distribution of polling locations. Safe and sanitized polling places should have modified voting hours for immunocompromised individuals, and should be well-stocked with personal protective equipment (PPE), hand sanitizer, and poll machine cleaning supplies.



# Resource Spotlight: Students Learn Students Vote

## ***MESSAGING TO AVOID***

### **“If you don’t vote, don’t complain.”**

In 2018, NAACP received backlash for this campaign slogan and ultimately changed it to “Vote like your life depends on it.” The reason for the change was an acknowledgement that the slogan might dismiss or minimize the structural and psychological barriers to voting that many people face, and put the responsibility of access and participation on the individual who is voting and not the system that makes it difficult to vote to begin with.

### **“Don’t just protest, make your voice heard in the ballot box.”**

Protesting is a form of civic engagement. Don’t invalidate protest as a way to make your voice heard.

### **“Young people don’t vote.”**

Shaming people into voting and saying “that’s why it’s important that you vote” discourages voters from turning out.

### **“Candidate A won a district by X number of votes, and X amount of the Black community didn't turn out to vote.”**

Voters are neither monoliths nor a means to an end for any one candidate or issue. This is why we center access and education, and not the turnout gap.

# Audience

# Q&A

## Nonprofit VOTE

[info@nonprofitvote.org](mailto:info@nonprofitvote.org)

617.357.VOTE (8683)

[www.nonprofitvote.org](http://www.nonprofitvote.org)

**David A. Levitt**

[levitt@adlercolvin.com](mailto:levitt@adlercolvin.com)

**Caitlin Donnelly**

[caitlin@nonprofitvote.org](mailto:caitlin@nonprofitvote.org)



**You can thank us by sending your feedback in the chatbox!**