

# THE ARISE REPORT

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## Special session(s) ahead? How Arise is preparing

By Chris Sanders, communications director | [chris@alarise.org](mailto:chris@alarise.org)

Alabama Arise's work for equity, justice and opportunity persisted after the Legislature's regular session ended. We'll renew our commitment to those principles when Arise members choose 2022 issue priorities after the Sept. 25 annual meeting. *(See pages 2-6 for more on current issue priorities and proposed new ones.)* And we'll keep up the drumbeat when lawmakers return later this year for one or more potential special sessions.

A decades-long humanitarian crisis, Alabama's overcrowded and antiquated corrections system may prompt a special session this fall. Gov. Kay Ivey and many legislators hope to build and renovate multiple prisons. Alabama may seek federal permission to use COVID-19 relief money for those purposes. *(See page 3.)*

Arise believes meaningful sentencing reforms should accompany any plan for new prisons. Repeal of the outdated Habitual Felony Offender Act would be one long-term step to reduce overcrowding. Parole reform and stronger investments in community corrections and reentry supports would help as well. Arise will advocate for these policy changes and others during any prison-related special session.

Redistricting is another likely focus of a special session. Legislators will use new Census data to draw new districts for the Legislature, state school board and U.S. House. Arise urges members to participate in public hearings that the Joint Reapportionment Committee will hold across Alabama this month. Visit [alarise.org/blog](http://alarise.org/blog) for a full schedule.

Arise will continue advocacy on federal funds, too. We'll support efforts to make recent Child Tax Credit improvements permanent. *(See page 7.)* We'll urge legislators to use federal relief money for Medicaid expansion, public transportation and other long-term investments. *(See page 8.)* And we'll seek to build on an August federal rule change that permanently boosted Supplemental Nutrition Assistance Program (SNAP) benefits.

## Big wins in the policy margins

By Robyn Hyden, executive director  
[robyn@alarise.org](mailto:robyn@alarise.org)

Unlike legislative advocacy, administrative advocacy is an aspect of Alabama Arise's work we don't talk about often. Yet that's where some of our biggest policy wins happen.

State agencies and leaders can accomplish some important policy changes via rule changes. Sometimes legislators pass policies with good intentions, but administrative barriers and red tape stop them from being fully effective. Our members and constituents often help identify barriers to remove.

Given the nature of Alabama politics, it's strategically important at times to keep some changes under the radar. But in recent years, administrative action has led to big steps forward on some top Arise priorities:

- Streamlining the process to access Medicaid, SNAP food assistance and TANF income assistance.
- Creating more openings for Medicaid home- and community-based long-term care services.
- Expanding the emergency flexibility of Medicaid and SNAP to respond to the COVID-19 pandemic via emergency waivers, and expanding the types of support available to TANF participants.
- Stopping onerous Medicaid work penalty proposals.

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## Things to know for our annual meeting

### **When:**

Saturday, Sept. 25, 2021  
 9:30 a.m. to noon

### **Where:**

Online via Zoom. There is no cost to attend, though donations are welcome. To get the link, register at [alarise.org/annualmeeting2021](http://alarise.org/annualmeeting2021).

### **Voting rules:**

Member groups may cast up to 42 votes for issue priorities. Before the annual meeting, groups may designate up to six representatives to get seven votes each. Individual members get five votes each. (A person can vote as an individual or as a member group's representative, but not both.)

Groups must be current on dues to be eligible to vote. Individual members must have given between July 1, 2020, and Aug. 26, 2021, to be eligible.

Voting for issue priorities will be conducted online. Members will present issue proposals during the meeting. *(See pages 2-6 for summaries of proposed issues.)* Eligible voters will receive a link and instructions after the meeting. If Arise doesn't have your email, you will receive a postcard with voting information.

### **For more information:**

If you have questions or need to update your contact info or group voters, call 334-832-9060 or email [info@alarise.org](mailto:info@alarise.org).

## New issue proposals

### **Increase Alabama Literacy Act funding**

Submitted by Joanne Compton, Church Women United, Montgomery



Starting this year, the 2019 Alabama Literacy Act requires teachers to test students for reading proficiency twice each year through third grade and provide remedial support as necessary. Students who read below grade level by the end of summer after third grade will not be promoted to the fourth.

Church Women United, Montgomery, proposes an amendment to the Alabama Literacy Act to increase funding for impoverished school systems. Increased funding should allow under-resourced school systems to implement the act fully by hiring additional reading coaches and intervention teachers, providing resource materials for schools and parents, and providing for the recruitment of teachers, including incentives for teachers who agree to teach in impoverished school districts. This amendment to the Literacy Act is necessary for the children in these districts to meet the requirements for promotion. It also would give the community a better chance to get out of poverty because they will have a more educated population. The entire state would benefit from this change for the poorest counties in Alabama.

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### **Public transportation**

Submitted by Helen Rivas, Unitarian Universalist Church of Birmingham



Funding public transportation through the Public Transportation Trust Fund would improve the quality of life for many Alabamians. It also would expand opportunity and improve connectivity across the state. Transit availability affects a wide range of Alabamians of diverse geographies, incomes and races. Many people, whether transit-dependent or not, have witnessed or experienced barriers posed by the state's inadequate transit service.

For seniors, workers with low incomes and people with disabilities, the transit gap is a barrier to daily living. Many folks can't get to work, school or the doctor's office in a reasonable time. And during the pandemic, activity restrictions and business closures have reduced fare revenues nationwide. This increases the

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# Permanent issue priorities

## Tax reform



Alabama legislators failed to improve the state’s broken tax system during the 2021 regular session. Instead, they handed out large tax breaks to the wealthy with tax exemptions, a restructured corporate income tax formula and tax breaks for companies that received federal recovery loans and grants. To improve life for everyday Alabamians of all backgrounds and strengthen public services that benefit us all, the Legislature should:

- Eliminate the regressive state income tax deduction for federal income taxes. About 80% of the deduction’s benefits go to the top 20% of households.
- Reject future corporate tax cuts and adopt combined reporting to prevent corporate tax avoidance.
- Eliminate the state sales tax on groceries and replace that revenue through progressive income tax changes. Alabama is one of three states with no grocery tax break.
- Increase property taxes on large landowners and raise taxes on items like tobacco and vaping products.

*Compiled by Carol Gundlach, policy analyst*

## Adequate state budgets



Alabama dodged a revenue crisis last year thanks to a strong beginning balance before the COVID-19 recession and strong internet tax collections during the pandemic. As a result, both the 2022 education and General Fund (GF) budgets managed to squeak through with anemic increases. But yet again, Alabama’s chronically inadequate budgets failed to make key investments in our future that could have helped the state weather the pandemic and recession with much less human suffering and fewer unmet needs.

Now Alabama legislators have begun preparing for one or more special sessions and the 2022 regular session. In doing so, they face some major challenges. The governor’s proposed prison construction plan has collapsed, and legislators will need to find money to replace or repair aging prisons and to invest seriously in

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## Welcome to Arise, Jilisa!



Jilisa Milton joined Arise in August as a State Policy Fellow through the Center on Budget and Policy Priorities. Jilisa graduated from the

University of Alabama as the first person to complete its J.D./M.S.W. joint degree program. She is passionate about using her interdisciplinary background to ensure that policy and laws are equitable and intersectional. Jilisa has nearly a decade of experience working on issues such as anti-racism, criminal justice reform, critical race and feminist theory, mental health advocacy and reproductive justice.

## We’re hiring!

Policy director Jim Carnes will retire later this year after 18 great years at Arise. That’s why we’re seeking a full-time **policy and advocacy director** to ensure our research, analysis, advocacy and legislative engagement remain as impactful as possible. The ideal candidate is an experienced manager and public policy advocate who is passionate about justice, opportunity and racial equity. Visit [alarise.org/about/employment](http://alarise.org/about/employment) to learn more. Applications will be accepted on a rolling basis until the position is filled.

# Current Arise issue priorities

## Criminal justice reform



Court fees and fines impose heavy burdens on many struggling families. Driver's license suspensions over

unpaid fines can cause Alabamians with low incomes to lose their jobs.

Draconian sentences keep many people in prison far beyond any bounds of proportionality or purpose. Cash bail for minor offenses can imperil families' economic security. And multiple fees can stack up, making it impossible to move on from a conviction because consequences never end. In Alabama, people are subject to 63 separate fees in the criminal justice system – including a \$1 fee for paying fee installments.

This year, Arise emphasized reforming civil asset forfeiture under the umbrella of criminal justice debt. The people of Alabama won a significant reform to asset forfeiture laws with the passage of SB 210, which reined in some of the practice's worst abuses. But further reform is still necessary. Law enforcement agencies continue to have incentive to use forfeiture because they are often able to keep much of the seized property for their own use.

The state's sentencing scheme also still needs systemic overhaul. Broad coalition efforts to reform the state's sentencing structure, decouple financial payments from voting

rights restoration, and institute other reforms that allow Alabamians to rebuild their lives after convictions continue. Arise has the opportunity to advance our core mission by pushing these reforms forward.

## Death penalty reform



Alabama's capital punishment system is unjust, unreliable and often racist. Our state hands down

death sentences at nearly double the average national rate. Alabama is the only state that doesn't fund legal aid to death row prisoners. And state laws offer insufficient safeguards against executing people who are mentally incapable of understanding their actions.

The death penalty often is implemented for reasons that have nothing to do with justice. In January, federal officials rushed to kill three people before the incoming administration could reinstate a moratorium on federal executions. Justice shouldn't depend on which federal administration is in power or whether state judges face election that year. Arbitrariness in death sentences is a longstanding failure of the criminal justice system.

Alabama is the last state sentencing people to death via non-unanimous jury sentences. Arise has supported a bill to remedy that injustice, as

well as bills to create an execution moratorium and increase transparency in lethal injection procedures. And we back legislation to make retroactive the 2017 ban on judges overriding a jury's life sentence recommendation.

Alabama's death penalty practices reflect deep racial inequities. Before the judicial override ban, judges imposed death against a jury's determination more often when victims were white. The state argued as recently as 2016 that it should be able to kill a prisoner even when a judge explicitly cited race at the sentencing hearing. Much work remains to modernize Alabama's justice system and prevent unjust executions.

## Payday and title lending reform



Every year, high-interest loans trap thousands of struggling Alabamians in a cycle of deep debt.

Payday loans are short-term (usually two-week) loans charging high annual percentage rates (APRs), most commonly 456%. Auto title loans charge up to 300% APR and also carry the risk of repossession of the vehicle. Alabama also has no title loan database, leaving the extent of harm from these loans unknown.

These high-cost loans strip wealth from borrowers and hurt communities. Payday lenders are on track to pull

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## CURRENT ISSUES

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approximately \$1 billion in fees out of Alabama communities over the next decade, with most of that money flowing to out-of-state companies. Predatory lending practices disproportionately target people of color and exacerbate the economic challenges in struggling rural and urban areas.

Arise and partners have supported reforms for more than 15 years. Recent state-level efforts have run into well-financed lobbying to stall popular reforms, but the federal landscape has improved recently. The U.S. House voted in June to roll back a rule allowing payday lenders to use federal bank rules to avoid state interest caps. And in the U.S. Senate, the Veterans and Consumers Fair Credit Act would extend the Military Lending Act's 36% rate cap to other consumers. Strong advocate engagement remains vital to overcome the lenders' deep pockets.

## Universal broadband access



Advocates for universal broadband access saw a major victory this year with passage of the Connect Alabama

Act. The law creates the Alabama Digital Expansion Authority to oversee expansion of affordable high-speed internet services across all regions. This move comes just as federal COVID-19 relief funds are arriving to help address inequities revealed by the

sudden switch to remote learning and work during the pandemic. This is a welcome start, but much work remains to ensure transparency, affordability and community engagement.

Broadband is especially difficult to deploy in rural areas. And it is not always available in urban neighborhoods with high concentrations of people living in poverty. These realities have prompted a growing number of communities to seek other options, such as launching fiber-to-the-home networks. However, many major commercial internet providers oppose local government involvement. They have persuaded at least 20 states to prevent or discourage cities or towns from owning or operating high-speed networks.

Building on the momentum of the Connect Alabama Act, policymakers should:

- Ensure all communities maintain the right to own, operate or deploy their own broadband network and services. Those networks should be allowed to expand to new areas.
- Support targeted and transparent state or local tax credits to promote broadband to underserved populations.
- Make affordability a primary requirement for expanded broadband services.

## Voting rights



One shameful legacy of Alabama's history of white supremacist policies is a voting rights structure hostile to

democratic participation. The state still creates and preserves barriers that prevent otherwise qualified citizens from voting. One recent example was Alabama's attempt to close driver's license offices in the Black Belt soon after creating a photo ID requirement for voting.

Arise seeks to remove systematic barriers to democracy by creating automatic voter registration (AVR) and ending the modern poll tax of ordering people convicted of certain crimes to pay all fines and fees before regaining voting rights. AVR would save the state millions of dollars compared to registration by hand and likely would increase turnout rates significantly. (Georgia's turnout rate increased more than 10% after implementing AVR.)

The 2021 regular session saw modest progress, as a bill to improve the rights restoration process passed the Senate. But passage came only after removal of a provision to end the fine repayment requirement, and the bill did not pass the House.

Many bills to restrict voting rights have been introduced recently as well. Over fierce opposition, the Legislature this year passed a bill prohibiting curbside voting, a practice that eases voting barriers for people with disabilities and older Alabamians. Anti-democratic bills passed in other states may be introduced in Alabama ahead of the 2022 elections, requiring advocates to mount a strong defense.

*Compiled by Dev Wakeley, policy analyst, and Jim Carnes, policy director*

## POLICY WINS

*Continued from page 1*

- Advocating for transparency and equitable distribution of federal COVID-19 relief funding. *(See page 8.)*

As we see new opportunities to expand and shore up the social safety net this year, a portion of our policy advocacy work will continue to be this type of behind-the-scenes administrative analysis and advocacy.

One example we're working on now: pushing the Alabama Housing Finance Authority to distribute federal rental assistance more quickly. *(See page 7.)* We're also working with local advocates to streamline how city and county aid gets out into communities.

If you see a way programs aren't being implemented effectively in your community, let us know! We're continuing to expand our ability to track and support this type of advocacy. And we're looking for new ways to engage more directly impacted people in our feedback to state agencies and decision-makers.

## ADEQUATE STATE BUDGETS

*Continued from page 3*

alternatives to imprisonment. One of the more dubious places they're looking for prison construction money is the \$4 billion in federal American Rescue Plan Act (ARPA) funds, which the Legislature must appropriate. Use of ARPA money for prison construction would require approval from the U.S. Department of Treasury. At nearly twice the size of the annual GF budget, the ARPA relief could be transformational for Alabama — but

only if legislators take a strategic rather than expedient approach. *(See page 8.)*

Medicaid — a frequent focus of legislative concern in the GF — continues to benefit from a 6.2-percentage-point boost in federal match during the pandemic. Alabama's increase meant an additional \$570 million this year, the Center on Budget and Policy Priorities estimated.

Alabama Medicaid thus far has not applied those additional funds toward program services. Instead, the agency reduced its 2022 budget request by part of that amount, plus some savings resulting from pandemic-related shutdowns. That margin would have more than paid for the first year of Medicaid expansion. In total, COVID-19 relief funding includes incentives that would cover expansion for more than four years.

*Compiled by Carol Gundlach, policy analyst, and Jim Carnes, policy director*

## LITERACY ACT

*Continued from page 2*

The change that Church Women United proposes is necessary to ensure the Alabama Literacy Act will be equitably implemented across the state. Many counties lack sufficient resources to meet this law's requirements. If the state provides adequate funding to buttress the efforts of the teaching communities, then it will raise the literacy rate and create a better future for children.

The possible byproduct also could be that the guardians of these children may make up any literacy/education deficiencies that they may be

experiencing themselves as they help their children improve their reading and comprehension skills.

We hope the amended act will pass in the 2022 session because children who are entering the third grade this school year will be impacted by potential retention, even though the resources that would help them are not available.

The amendment to the Literacy Act would promote equity by ensuring the state is not looking out only for more affluent school districts that already have the resources to implement the law successfully. The amendment also would help disrupt the school-to-prison pipeline.

## PUBLIC TRANSPORTATION

*Continued from page 2*

utility of a state appropriation that could draw up to \$4 in federal grants for each \$1 the state invests.

The Legislature created the Public Transportation Trust Fund in 2018, but the law did not allocate state money for the fund through a dedicated funding source or initial appropriation. Each \$1 million in funding would create 24 to 41 high-wage, full-time jobs. Those jobs would fuel economic recovery and improve quality of life in our communities.

In the next few years, Alabama has a unique opportunity to advance public transportation via federal funds to help mitigate COVID-19's impacts. This would allow the state to use funds to improve quality of life for everyone in the state through expanded, reliable public transportation.

## Good news: The expanded Child Tax Credit is here!



Monica and Eric will get \$7,200 thanks to the newly expanded Child Tax Credit. Learn how you can get yours at [irs.gov](https://irs.gov).



The American Rescue Plan Act made the Child Tax Credit fully refundable and boosted the maximum from \$2,000 per child to \$3,000 per child. The law also increased the maximum for children under age 6 to \$3,600. Overall, about 94% of Alabama's children will benefit. Most households will receive half of the money through monthly payments from July through December.

Visit [alarise.org/blog](https://alarise.org/blog) to learn more about these improvements – and the need for Congress to take action and make them permanent.



The Millers will receive a total of \$6,000 with the expanded Child Tax Credit. Make sure you get yours at [irs.gov](https://irs.gov).



## Supreme Court overturns eviction moratorium; thousands in state at risk of homelessness

By Dev Wakeley, policy analyst | [dev@alarise.org](mailto:dev@alarise.org)

Tens of thousands of Alabamians are at risk of losing their homes after the U.S. Supreme Court overturned the new Centers for Disease Control and Prevention (CDC) eviction moratorium on Aug. 27. This moratorium — the latest in a series at the state and federal level — would have allowed renters harmed by the COVID-19 recession more time to apply for and receive federal rental assistance funds through local agencies.

The moratorium's end has increased the urgency for Alabama to ramp up distribution of that money. The state had distributed less than 3% of its federal rental assistance funds as of Aug. 30, according to the National Low Income Housing Coalition (NLIHC).

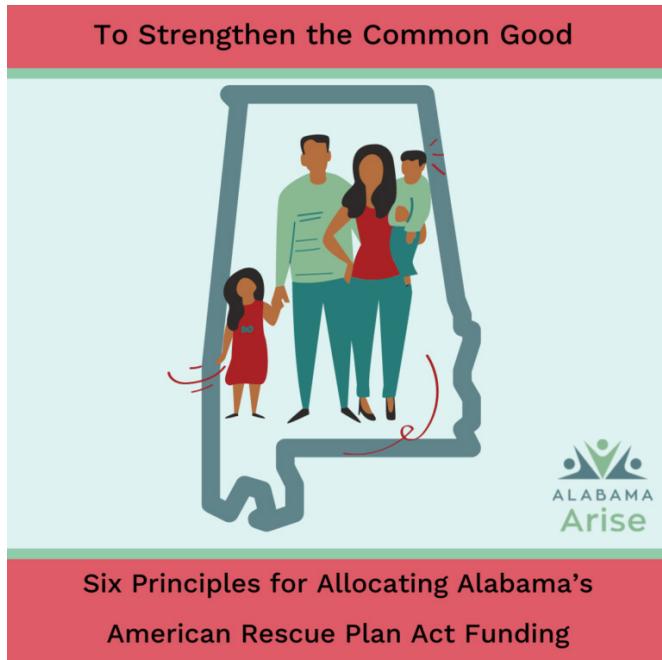
In Baldwin County, a COVID-19 hot spot, 86% of vetted applicants have been determined eligible for assistance. But only 5.8% of total applicants have received money. More than 1,000 households in that county alone now face eviction if their funds do not arrive before the eviction cases are heard. Removing the moratorium will fuel a harmful, avoidable increase in evictions leading into winter. This decision will put thousands of Alabamians at risk of homelessness or force people into already-crowded shelters while the delta variant rages through the state.

The full resumption of the eviction crisis magnifies the need for Gov. Kay Ivey to renew state-level eviction protections like those she instituted in April 2020. Alabama Arise also has asked courts to direct renters and landlords to available rental assistance when a landlord files for eviction. These steps could prevent many evictions even if Congress and state authorities continue their failure to protect renters.

To seek help paying rent, check the NLIHC's website at [nlihc.org/rental-assistance](https://nlihc.org/rental-assistance) to find the local agency serving your area. If your landlord serves you an eviction notice, call Legal Services Alabama at 866-456-4995. If you become homeless due to eviction or another reason, call 2-1-1 for shelter referral and rehousing assistance.

# Arise, 40+ other groups urge Ivey to drive transformative change in Alabama with federal COVID-19 relief funds

By Chris Sanders, communications director | [chris@alarise.org](mailto:chris@alarise.org)



Arise and partners encourage state leaders to allocate ARPA funds using these six principles as a framework:

- 1. Engage local communities at every step.**
- 2. Aim for equity in outcomes.**
- 3. Maximize well-being by addressing health in all policies.**
- 4. Invest in existing assets and capacities to help funds work faster, go further and avoid duplication.**
- 5. Think big and create a 21st-century infrastructure for the common good.**
- 6. Build public trust and engagement by following the highest standards of documentation, transparency and accessibility of information about funding awards and expenditures.**

Alabama should build a more equitable and inclusive future by using federal COVID-19 relief money for transformational investments in public health and economic opportunity, according to a letter that 42 churches and organizations across the state sent to Gov. Kay Ivey in July. Alabama Arise is among the groups that co-signed the letter.

The American Rescue Plan Act (ARPA) will provide Alabama \$2.3 billion of federal assistance for education and other vital services. Local governments across the state will receive another \$1.7 billion.

Affordable housing, education, nutrition and public transportation are a few key areas of need identified in the letter. The letter urges Alabama to use ARPA funds to expand Medicaid, increase broadband internet access in underserved areas and increase funding for child care, early childhood education and mental health care, among other investments.

"New funding at this scale can be transformative for our state, but only if we take a transformative approach to how we spend it," the letter says. "For too long, Alabama's leaders ... have settled for poor outcomes in health, education, community development and other measures of shared prosperity, because they thought we couldn't tackle such deep problems. The pandemic is challenging us to reclaim – and redefine – the common good. ARPA funding gives us a rare opportunity to meet the challenge, if we're willing."

COVID-19 and its associated recession exacerbated preexisting racial, gender and regional disparities that prevent Alabama from reaching its full potential. Enduring recovery will require breaking away from a mindset of scarce resources and limited opportunities, the letter says. ***Read the full letter at [alarise.org/rescueplan](http://alarise.org/rescueplan).***

# 2021 Arise Annual Meeting



Join us online! We won't meet in person, but members will still choose 2022 issue priorities.

**Saturday, September 25, 2021**

**9:30 a.m. - 12:00 p.m.**

This meeting will be convened online via Zoom webinar. For more information & to register, visit:  
[alarise.org/annualmeeting2021](http://alarise.org/annualmeeting2021)



**334-832-9060**