

EXPANDING VOTING RIGHTS

THE PROBLEM

America's arcane voter registration system, along with other barriers to voting, hinders democratic participation and voter turnout. Voter turnout in the United States remains low compared to other democracies. In the 2016 presidential election, only 60.2 percent — 139 million — of eligible Americans voted.¹

Registration and voting rates are disproportionately lower among low-income, communities of color, young voters and naturalized citizens. Our current registration system has left up to 43 percent of eligible Latinxs voters and up to 44 percent of eligible Asian Americans unregistered to vote. Just over 30 percent of eligible black people are unregistered to vote, which closely mirrors low overall rates of registration across the country.

Young people are also less likely to be registered and less likely to turn out to vote. In the 2016 general election, only 55 percent of citizens aged 18 to 24 were registered to vote and 43 percent voted. By contrast, 70 percent of the total eligible population was registered to vote and 61 percent voted.²

The economic dimension of this problem is also significant: in 2014, only 36 percent of those whose family income was less than \$50,000 turned out, compared to 64 percent of those from households earning more than \$50,000.³ This voting gap is aggravated by the influence of corporate lobbying and spending on elections with profound consequences for public policy. A recent study of congressional votes “reported that legislators were three times more responsive to high-income constituents than middle-income constituents and were the least responsive to the needs of low-income constituents.”⁴

Moreover, more than a decade of attacks on voting rights and democratic participation by state legislatures and the Supreme Court have added additional barriers to voting in many states including voter ID requirements, restrictions on non-profit voter registration drives, and reduction of early voting and polling places on Election Day. These barriers and voter restrictions have a disproportionate impact on young voters, low-income voters,

and voters of color.

THE SOLUTION

A wide array of policies to increase voter participation should be adopted by state governments, but cities, counties and school districts have a key — and underappreciated — role to play in expanding access to our democracy. When it comes to voter registration and voting, counties and cities are where the rubber hits the road — where voters are registered, election machinery is operated, and voters cast their ballots. And a majority of the US population lives in cities and urban counties.⁵ Changing voting policies in large cities can potentially expand access to voter registration and voting for tens of millions of people.⁶

Innovative local leaders can adopt reforms that will increase voter access, facilitate increased civic participation, strengthen the responsiveness of local government to community needs, and provide models for state and federal reform.

Moreover, in the aftermath of the 2016 election, we have seen an acceleration of proposed state voter restrictions including new voter ID laws, restrictions on early voting, and attempts to purge voter registration rolls.⁷ We also anticipate new attempts in Congress to further restrict access to registration and the ballot, including congressional attempts to federalize voter restrictions like voter-ID and proof-of-citizenship. Although cities and counties cannot directly reverse the restrictive voting laws passed by the state legislatures or Congress, some jurisdictions have legal authority to expand access to voter registration and the ballot box for local residents.

The following represent some examples of creative solutions that cities have adopted:

FACILITATE AND INCREASE VOTER REGISTRATION

Local Agency Registration: As public agencies, city and county agencies should integrate voter registration as part of all their agency transactions. **New York City** was the first jurisdiction to adopt a comprehensive municipal voter registration program that required agencies to offer

eligible New Yorkers the opportunity to register to vote as part of their agency transaction. City agencies must also comply with requirements for language access and training for agency staff. While over a decade of lax and ineffective implementation limited the full impact of the program,⁸ in December 2014, New York City passed legislation that strengthened the city's Pro-Voter Law that and accelerated implementation and agency compliance, leading to a substantial increase in the number of New York City residents being added to the rolls through this program. **Twenty-five city agencies and community boards are currently required to offer voter registration and provide voters assistance in completing registration applications.**⁹

High School Registration and Pre-Registration of 16- and 17-year-olds: Local governments can also play a key role in ensuring that high school students register when they become eligible to vote. For example, in **Broward County, FL**, the Supervisor of Elections conducts an annual high school registration drive, which in 2016 registered approximately 12,000 students.¹⁰ School boards can support voter registration efforts by requiring regularly scheduled voter registration assemblies and other opportunities on school grounds where students who will be eligible to vote by the next election are provided registration forms, information, and support in filling them out. Moreover, in states that allow pre-registration,¹¹ schools districts should create programs that also pre-register eligible 16- and 17-year-olds who will then be automatically added to the registration rolls when they turn 18. Like high school registration, targeted youth outreach and pre-registration of 16- and 17-year-olds could lead to significant increases in voter registration and voter participation over a lifetime.¹² Local expansion of pre-registration in applicable states is also promising because it is low-cost and does not require any additional databases—new voters are simply entered under a “pending” status in the existing state system until they turn 18.¹³

EXPAND THE FRANCHISE TO NEW VOTERS

Youth Voting: In some states, municipalities have the legal authority to set voter eligibility requirements for local elections. Where legally possible, cities should fully enfranchise youth, as **Takoma Park, MD** did.¹⁴ Research shows that voting is habitual and that norms related to political participation in high school have lasting impacts, so that promoting participation among 16- and 17-year-olds will increase turnout for years to come.¹⁵

Enfranchising formerly incarcerated citizens: Where legally possible, cities should enfranchise citizens with a felony conviction, who have lost their voting rights because of a felony conviction to vote, to vote in local elections. **Takoma Park** granted all previously incarcerated felons the right to vote in municipal elections once they complete the prison sentence, before the State of **Maryland** recently restored voting rights to all people with

felony convictions upon release from incarceration.¹⁶

Local governments can also enact policies and develop outreach programs to ensure citizens whose rights have been newly restored know their rights and are registered to vote. In **Minnesota**, state law restores the right to vote to ex-felons after completing probation or parole but the state does not provide individuals with notice when their rights have been restored. **Minneapolis** adopted a “Restore Your Voice” initiative to “inform disenfranchised ex-felons of their voting rights.”¹⁷

PUBLIC FINANCING OF LOCAL ELECTIONS

The overwhelming evidence is that our system of campaigns funded by private dollars skews public policy in favor of the wealthy and forces elected officials to spend time raising money instead of focusing on governing. This system also distorts political representation, limiting who can run, who can win and who governs.

Cities and states cannot ban political spending, but they can reduce the outsized influence of wealthy contributors and democratize campaign funding through public financing. In **New York City**, candidates for mayor and city council receive \$6 in matching funds for every \$1 that they raise from a city resident (up to a limit of \$175 per resident). Candidates who participate in the program commit to limit their total spending. The program reduces the influence of moneyed interests, permits middle-class candidates to run competitive races and win, and engages a broader segment of the population in the electoral process.¹⁸

LANDSCAPE AND RESOURCES

The **Center for Popular Democracy** works with national partners, base-building organizations and state and local allies around the country to expand and defend voting rights at the local and state levels. **Demos, The Brennan Center, The Pew Charitable Trusts Elections Initiative, and Center for Popular Democracy** have excellent resources on voter registration modernization and campaign finance reform and examples of cities and counties that have implemented local voter registration expansion.¹⁹ **The Brennan Center** has examples of cities and municipalities that have implemented early voting and on cities trying to support voting capacity, such as Los Angeles, as they work to design their own system.²⁰ For cities looking for ballot design ideas, **The Brennan Center** offers examples²¹ from Florida counties that are working to increase ballot usability. **CIRCLE** has valuable information on youth participation.²²

INTERACTIVE CITATIONS AVAILABLE ONLINE AT WWW.LOCALPROGRESS.ORG/NOTES

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