# Not Home, Not Welcome: Barriers to Student Voters

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#### League of Conservation Voters Education Fund (LCVEF)

The mission of the LCV Education Fund is to help build the power of the environmental movement to involve citizens in policy decisions at all levels of American governance. LCVEF is a non-partisan 501c(3) organization that does not endorse candidates

We need to make sure that *all* citizens who care about clean air, clean water, their health and the environment are active on key policy issues and vote in elections. Our work to engage voters will increase the capacity of the overall environmental movement by engaging new citizens and piloting new, effective techniques that our allies will use for years to come.

#### **Project Democracy**

Project Democracy is a grassroots initiative of the LCV Education Fund to train and mobilize young people to make their voices heard in the upcoming elections.

#### Our goals:

- Train and mobilize young people to get more involved in voting and politics
- Register, educate and mobilize 30,000 voters in the upcoming election
- Refocus the political debate on issues that matter to young people

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## **EXECUTIVE SUMMARY**

Young voters, including college students, vote at consistently lower rates than any other age demographic. Seventy percent of those older than 25 voted in 2000, while only thirty-six percent of eligible voters aged 18-24 voted. There is a general conception that young people are uninterested and too cynical to vote, yet young people are volunteering and attending rallies at higher numbers today than in past generations. The reasons for lower voting rates go beyond the traditional explanation of apathy. Students face structural barriers to student voting and targeted voter suppression.

College students increasingly are facing obstacles to voting and civic participation in the localities where they attend school. From restrictive residency requirements to inconveniently located polling places, state and local election officials are impeding students' fundamental right to vote. These systematic attempts to prevent student voting have garnered some national attention following the reports of widespread voter disenfranchisement and suppression in the 2000 general election. However, the press focuses more on low student voter turnout than the structural barriers that discourage, and often prevent, young people from voting. Although Rock the Vote<sup>3</sup> and Rolling Stone<sup>4</sup> have highlighted individual cases of student voter suppression, very little attention has been given to the issue.

The reasons behind discouraging students from voting are often purely political. In many cases, students represent the majority or a large proportion of the population, and can swing election results if they vote as a bloc, particularly if their school is located in a small town. Locals may fear that students do not know enough about local politics and might approve legislation that would have negative effects on the town long after those students have graduated and left. Additionally, partisan politics has led both Republicans and Democrats to attempt to prohibit the student vote. Although we found more cases of Republican attempts to discourage student voting, Democrats also have employed similar tactics. Discrimination also has been a factor, evidenced in the cases at the historically black colleges Prairie View A&M in Texas and Florida A&M.

The methods of student voter suppression vary widely from case to case. City or county clerks may interpret residency requirements in a way that prevents students from declaring their college town as their primary residence, forcing students to travel home to vote or vote absentee.

However, absentee voting is not an option for students in seven states because first time voters are required to vote in person. Others employ threats or intimidation at the polls. Gerrymandering is another tactic of local governments who fear losing control of local politics to students. Unfortunately, few states have enacted measures that have been proven to encourage student voting, such as same-day voter registration. The lack of regulatory consistency between states can hinder potential voters, especially first-time voters, who wish to vote absentee but are often confused about which rules apply in which states.

The examples of student voter suppression and prevention in his report represent a nationwide trend in which young voters are being disenfranchised:

- Restrictive Residency Requirements: Many states and localities creatively interpret residency requirements in ways that students cannot fulfill. In 2004, four William and Mary College students were denied the right to register to vote in Williamsburg, Virginia, because the registrar claimed they were not permanent residents. In fact, 46% of the American population changed residencies between 1995 and 2000,<sup>5</sup> yet these citizens are not labeled "transient" or do not face resistance from becoming active citizens in their new communities.
- Intimidation at the Polls: Students often face partisan or racially motivated intimidation at the polls. Techniques include poll watchers' challenging students' residency status, making empty threats that they will lose their financial aid, and generally discouraging students from voting locally. Dartmouth students in Hanover, NH faced Republican challenges to their residency status during the 2002 elections. A GOP poll-watcher argued that out-of-state students were not legal residents.
- **Discrimination:** In the fallout surrounding the 2000 election in Florida, many claims of student voter disenfranchisement and intimidation emerged, particularly at historically black colleges and universities. Hundreds of students from the predominantly African-American Florida A&M University were turned away from the polls in 2000.

Only seven states, Idaho, Illinois, Maine, Minnesota, New Hampshire, Wisconsin and Wyoming, currently allow residents to register to vote on election day. In these states, youth voting rates have increased by an estimated 14% in presidential election years and an estimated 4% in mid-term elections.

If students cannot register or vote the first time they attempt to exercise their fundamental right, they will be less likely to participate in democracy in the future. Increasing the number of young voters will lead to increased overall voter turnout in both the short and long term. At a time when youth civic engagement is at an all-time low, it is imperative that we remove the barriers young would-be voters face. Young people must be encouraged to vote in order to maintain a healthy democracy.

### **Recommendations to Overcome Student Voter Suppression**

- Use independent poll watchers to reduce intimidation at the polls
- Educate election officials about student voting rights.
- Draft model legislation to encourage more states to enact same day registration laws
- Provide college and university student lists to election officials for proof of residency
- Clearly communicate residency requirements to students and the public through state websites.

## **BARRIERS TO STUDENT VOTING**

### **Restrictive Residency Requirements**

One common suppression tactic used against college students is to claim that they are not permanent residents of the college community. This assertion violates well-settled federal and state law. College students like *all* individuals, are entitled to register and vote in the community that they regard as their principal residence. Under most states' laws, voting residence is synonymous with domicile, which is determined by physical presence and intent to make that place home. Thus, under current law, if a student considers his/her college community to be his/her primary residence and has no present intent to leave, the student is entitled to register to vote in that community.

Although states have different standards or tests for determining a person's intent with respect to voting residence, the basic inquiry for *all* registrants is whether the place is the center of the individual's life. Under this standard, almost all students seeking to vote as residents of their college community can do so because most students live principally in their college communities; they spend ten months out of the year there, frequently hold part time jobs, participate in community activities, and pay local sales tax.

Moreover, students are included as residents of their college communities for purposes of legislative apportionment and the United States Census.

In the 1970's and 80's, many states incorrectly presumed that students were residents of their parents' communities unless they could prove otherwise. To overcome the presumption of non-residency, the burden was on students to present evidence of their intent to make the college address their new residence. Such presumptions against student voting generally have been invalidated by courts under the Equal Protection Clause of the United States Constitution, which requires that students be treated like all other individuals.

The Equal Protection Clause also precludes elections officials from subjecting students to questioning beyond that to which other applicants are subjected, considering the fact that a student lives in a dormitory when determining intent, and requiring students to intend to remain indefinitely; students do not need to know where they will live after graduation, so long as they have no present intention to move back to their parents' home. In fact, 46% of the American population changed residencies between 1995 and 2000, 7 yet these citizens are not labeled "transient" or do not face resistance from becoming active citizens in their new communities.

#### Dormitories are not residences: Hamilton College, New York

Earlier this year, a student at Hamilton College in Utica, New York tried to register to vote and was denied on three separate occasions in his college town. The local election officials did not accept his application because they determined that dorm addresses did not constitute a permanent residence. In May of 2004, the New York Civil Liberties Union, the New York Public Interest Research Group and the Brennan Center for Justice at New York University School of Law wrote a joint letter to the Oneida County Board of Elections, urging the Board to rescind its form letter encouraging students to register and vote in their parents' communities, on the basis that it erects an unconstitutional presumption against students' voting as residents of their college communities. As a result of the groups' advocacy, Oneida County has discontinued its use of the form letter and is processing all student voter registration applications.

#### Unreasonable residency requirements: The College of William and Mary, Virginia

"I could finally vote because of my obligation to the Virginia National Guard. But the other students should be just as eligible to vote in Williamsburg. People complain that kids don't get involved, but look at the challenges we've had to face." —Luther Lowe, William and Mary student

In May of 2004, four students in Williamsburg, Virginia attempted to run for city council to make local laws more student-friendly, but the city voter registrar denied their applications to register to vote, thereby preventing them from running for office. The registrar claimed, based on their answers to a lengthy questionnaire, that the students could not establish residency in Williamsburg because of where their cars were registered and their income taxes were paid. The students challenged the rejection of their voter registration applications in federal court. One student dropped out of school, moved off campus and got a local job in order to be eligible to vote and campaign. A second student sought legal representation from the American Civil Liberties Union (ACLU) of Virginia and won the right to vote and run for office based on his six-year contract with the Virginia National Guard.

The same judge that found this student eligible, denied a third student's eligibility, deciding that she did not meet residency requirements.<sup>14</sup> The judge considered her a temporary resident because her parents still claim her as a dependent in Roanoke. This student was a Virginia resident, which complies with the rules stated on the city voter registrar's website.<sup>15</sup> Other students who listed their dorm address as their residence had no problems registering to vote. This example illustrates the ability of local officials to restrict arbitrarily students' right to vote on campus.

#### Restrictive state laws: Michigan

"Critics of the bill are concerned that the legislation will discourage voting and decrease participation, particularly among students in college towns. Indeed, some people suspect this is the intent of the bill, to dilute student voting." — Michigan House Legislative Analysis of new voter registration requirement

In 2000, a Michigan state residency requirement law requiring citizens' voter registration address to match the address of their driver's license address passed over the objections of college students across the state. <sup>17</sup> A subsequent lawsuit by the ACLU on behalf of students from six state universities failed to overturn the law.

Michigan students from across the state strongly opposed the bill, calling for fewer barriers to voting, not more. In a press release by the American Civil Liberties Union of Michigan announcing the filing of the lawsuit to challenge Public Law 118, then University of Michigan student Abe Raffi said, "This law attempts to silently drag students out of the democratic process." Its passage has led to a subsequent decrease in registered voters. From 2000 to 2002, registered voter numbers dropped from 29,463 to 26, 242 in East Lansing and 91,847 to 84,512 in Ann Arbor, which are both college towns. This law is especially burdensome because Michigan state law *also* requires first time voters to vote in person, rather than by absentee ballot. Thus students who do not wish to change their drivers' license to reflect their school address, which is common, will be unable to vote in Michigan unless they travel to their parents' home, which may be impossible due to time or financial constraints.

### **Absentee Voting: off-limits or confusing**

Many students wish to vote absentee because of ties to their hometown or restrictive residency requirements. Unfortunately, seven states do not allow first-time voters to vote absentee. Thus, students must travel home in order to vote where their parents live. This can be a huge deterrent for college students who may not have the time or resources to travel to vote. For example, the state of Illinois requires that "persons who register by mail must vote in person at the polling place or by in-person absentee voting *the first time they vote*." The same is true for residents of Michigan, Louisiana, Nevada, Tennessee, Virginia and West Virginia. For students who are prohibited from voting in their college towns and cannot vote absentee in their hometowns there are no options. College students that study abroad also face similar difficulties when trying to vote absentee.

Additionally, the absentee voter laws and requirements vary widely by state, making it confusing for out of state students. For example, a student from Wisconsin cannot request an absentee ballot online and a student from North Carolina can only get the proper forms though regular mail.<sup>23</sup> A student from Alabama must request a ballot between 40 days and five days before the election, and return it by 5:00 pm the day

before Election day signed by two witnesses or a notary. Also, the student must request separate ballots for a primary and the general election.<sup>24</sup> However, a student from Illinois can return their absentee ballot before the polls close on Election day without a witness or notary signature.<sup>25</sup> The lack of regulatory consistency between states can hinder potential voters, especially first-time voters, who wish to vote absentee but are often confused about which rules apply in which states.

#### **Voter Intimidation at the Polls**

There are many documented cases of students being turned away at the polls due to voter intimidation tactics. As first time voters, students often are especially vulnerable to these methods. Blatant discrimination and intimidation tactics have been used to varying degrees of success against college students. The following cases are among a few of these.

#### **Ongoing intimidation: New Hampshire schools**

"It is simply not right to allow college students to have any say in our elections in New Hampshire. If they start voting in elections in a lot of these communities, they can have a big say in what's happening. We need to control that." -- New Hampshire House Speaker Gene Chandler (R) said at a public forum Jan. 9., 2004

Students in New Hampshire, particularly those attending Dartmouth and University of New Hampshire, have faced challenges to their voting rights in 2000, 2002 and 2003. Students at the University of New Hampshire (UNH) are routinely turned away at the polls for a variety of reasons. Despite the fact that the state of New Hampshire does not have a year-long residency requirement, the Durham town moderator has stated that a student who lived in Durham only during the school year was not a resident. Students have been forced to wait in long lines to register at the polls and sign an affidavit. The address of a student's car registration is another reason used to deny voting rights to UNH students. The Secretary of State's website states that those who declare residency in New Hampshire need to change motor vehicle registration, but also notes that the "fail[ure] to comply with these motor vehicle laws, however, will NOT affect your right to vote." In 2000, students attempting to register to vote in Durham received a memo from town officials that explained possible consequences of listing Durham as their primary residence, such as losing scholarships. These assertions are generally untrue and only serve to intimidate students.

Dartmouth students in Hanover faced Republican challengers to their residency status during the 2002 elections. A GOP poll-watcher argued that out-of-state students were not legal residents. The challenges forced students to wait in long lines to receive ballots, sign an affidavit, and get the affidavit signed by the town moderator before they could cast their ballots.<sup>30</sup> In many instances, students were scared off and decided not to pursue their rights. In 2003, Republicans vowed to step up their efforts and tighten up residency requirements.<sup>31</sup> In response to these intimidation tactics, the League of Women

Voters of the Upper Valley published a guide on student voting in New Hampshire, explaining the legal significance of establishing legal residence in the state.<sup>32</sup>

#### Partisan scare tactics: Skidmore College, New York

In 2002, Skidmore students in Saratoga Springs, New York were victims of Republican challenges to their residency at the polls,<sup>33</sup> after attempts to move the polling place away from campus in 2001 failed.<sup>34</sup> Nearly 300 students in this Democratic area had to sign affidavits attesting to their residency in order to vote. Students felt "attacked," and a city resident submitted a statement to the city council claiming he "witnessed the most disgusting and blatant form of voter intimidation I have ever seen...poll watchers [would] systematically intimidate prospective voters by threats of expulsion from college and/or criminal prosecution leading to incarceration. I witnessed many of these voters turn away out of fear and intimidation."<sup>35</sup> An anonymous city official accused the former executive director of the New York Republican Party and leading opponent to the 2000 Florida recount of employing similar voter suppression tactics in Saratoga Springs. According to the official, the former director responded, "it worked, didn't it?"<sup>36</sup>

#### **Discrimination**

"If we do not suppress the Detroit vote, we're going to have a tough time in this election cycle." -- State Rep. John Pappageorge, R-Troy, while discussing election strategy at a meeting of the Oakland County Republican Party.<sup>37</sup>

The 2000 presidential election in Florida demonstrated countless examples of disenfranchisement of African-Americans and other minorities. Students have had similar experiences; particularly those that attend historically black colleges. Students at Prairie View A&M in Texas and Florida A&M compared their experiences to the long history of denying African-American's right to vote, citing Jim Crow laws, the grandfather clause, and the poll tax as forerunners to their cases.

#### Turned away: Florida A&M University

In the fallout surrounding the 2000 election in Florida,<sup>38</sup> many claims of student voter disenfranchisement and intimidation emerged, particularly at historically black colleges and universities. It is difficult to separate general voter intimidation from specifically student-targeted tactics, but in the end, 500 students from the predominantly African-American Florida A&M University were turned away from the polls.<sup>39</sup> These students reported that they were turned away from the polls if they lacked their registration card or driver's license without being offered the opportunity to sign an affidavit like other voters. Florida election law in 2000 allowed voters whose names did not appear on the voter roll to sign an affidavit that they were eligible to vote and fill out a ballot. 40 Others showed up with registration cards but their names were not on the rolls. 41 Students voiced their frustration with a march that drew more than 2,000 protestors to the Florida Secretary of State, Kathleen Harris. Several student leaders met with Harris, but she refused to address the crowd. 42 Jesse Jackson expressed outrage by the outright racial discrimination students and Florida residents faced. Jackson pointed out that African-Americans had been stopped by police, were given misleading voting instructions, did not receive affidavits when their names did not appear on the voter rolls, and disproportionately voted using malfunctioning, old machines. He also noted that students from other historically black colleges including Bethune-Cookman College and Edward Waters College faced similar discrimination tactics as Florida A&M students.<sup>43</sup>

#### Not eligible: Prairie View A&M University, Texas

The Prairie View Chapter of the NAACP filed two voting rights lawsuits in Waller County, Texas in 2004. The first lawsuit was in response to the Waller County District Attorney's statement to county elections officials in November of 2003 that university students were not eligible to vote in county elections. Citing concerns that the vocabulary used to define 'residence' and 'domicile' was ambiguous, the DA said he "would prosecute people who failed to meet his definition of having a legal voting

address."<sup>44</sup> Students from this historically black university rallied for their right to vote and held a march that was attended by thousands. Although, the Texas Attorney General issued an opinion saying the students could vote in their college town "if they designated their campus address as their residence,"<sup>45</sup> the university NAACP chapter decided to pursue their lawsuit, citing racially and politically motivated voter intimidation. <sup>46</sup> In fact, an earlier controversy had led to a lawsuit and a 1978 federal court order prohibiting the local registrar from treating Prairie View students differently from other county voters. <sup>47</sup> In response to the lawsuit, the District Attorney apologized to the students and announced he would create a student internship position with his office. <sup>48</sup>

A second lawsuit was filed two weeks later in response to a decision by Waller County officials to limit the early voting period by reducing the number of days and working hours the nearest polling place to campus would be open. The early voting period was the most convenient way for students to cast their votes because the local primary occurred during their spring break. It would have cost less than \$200 to extend the early voting period on campus to two days. The students won the second suit.<sup>49</sup>

#### **Voter Suppression Tactics**

# Suppress the opposition: Ouachita Baptist University and Henderson State University, Arkansas

The Republican Party of Arkansas complained that the son of a Democratic justice of the peace was trying to swing the election in his father's favor when he filed a complaint asking that local university students not be considered residents for voting purposes. The GOP charged that nearly 1,000 students from the primarily conservative Ouachita Baptist and Henderson State Universities were disenfranchised after a circuit judge ruled that students from outside counties should register and vote in their hometowns. Four students, including the Republican governor's daughter, filed suit against the governor, secretary of state and their local county clerk. The circuit judge ordered the County Clerk to purge the voter rolls of "all persons listing as their address a university post office box, university dormitory, or other university owned student housing...and to refuse to accept voter registrations from persons listing as their addresses any of these places." Within a week, a federal judge restored the voting rights of all students affected by the circuit court judge's ruling.

#### **Scholarship Misinformation**

Many election officials and colleges perpetuate a myth that students may lose their financial aid or scholarships if they register to vote in their college towns, thereby changing their residency. Students at numerous schools have been mailed letters warning loss of scholarships if they register to vote locally. In nine of the eleven states that allow education grants to be applied to schools out of state, voter registration is not a factor in determining scholarship eligibility.<sup>53</sup> In the two states (Virginia and Delaware) that do consider voter registration when determining residence for the purposes of financial aid, it is only one factor among many that are considered. Because the likelihood of this issue arising is so remote, there is no benefit to informing students of this possibility and great detriment; it creates a huge disincentive for students to exercise their right to register to vote in the state they consider home.

#### **Physical Restrictions: Prevent the Vote**

#### Redistricting: dilute the student vote in Santa Barbara and Ann Arbor

Redistricting, or gerrymandering, is a common tactic for the majority to employ when trying to preserve its power. Tactics like those used in the recent redistricting controversies in Texas have become a common way to ensure reelection by diluting competition against incumbents. Redistricting is also a way to divide the student body into many districts in order to prevent students from voting as a bloc and significantly reduce the chance that a student can get elected to local office. A student representing the student government of the University of California Santa Barbara filed a lawsuit with a coalition of labor, agriculture and business groups against all five county supervisors and the county clerk-recorder-assessor, claiming the boundary lines they created disenfranchised voters, particularly Latino voters, by positioning similar populations into different voting wards. This suit is pending.

Students at the University of Michigan in Ann Arbor have great difficulty being elected to city council and other local positions because creative redistricting neatly splits the campus and surrounding neighborhoods into five wards.<sup>55</sup> Although students compose nearly one-third of the town population, they do not have a majority in any one ward.<sup>56</sup> Consequently, in the last election cycle, the three students and one alumni running for local office could not garner enough votes to be elected.<sup>57</sup>

#### No polling places on campus

Students at many colleges and universities lack convenient, easily accessible polling places, and sometimes must fight to retain their polling places. This can be especially burdensome for students, who often do not have haves. The Saratoga Springs city council moved the Skidmore College voting booth off-campus, a tactic students believed was designed to inconvenience and impede their vote. Many expressed their concerns at a city council meeting.<sup>58</sup> In the end, the students proved they voted in sufficiently large numbers to warrant a campus polling address.<sup>59</sup> In response to the lack of polling places on many campuses, such as Northwestern University, Sacramento State University and State University of New York at Oswego,<sup>60</sup> Rock the Vote has initiated a "Do It On Campus" program designed to help students be able to vote at their schools.<sup>61</sup>

# **OVERCOMING BARRIERS**

Although, there are numerous examples of student disenfranchisement around the country, there is hope that these tactics will be eliminated. The 2000 elections were a wake-up call in this country and shone a spotlight on practices that have been going on for years. As a result, many officials and non-profit organizations are working to ensure that students and other voters aren't turned away in November. We expect more lawyers at polling locations and other friendly poll watchers than in past years. These are important steps towards dismantling the barriers that students face and creating an atmosphere of civic engagement. There are also other changes that can be made that will eliminate restrictive residency requirements and other structural barriers to student voting. There were 38.4 million youth aged 18-25 in 2000 in this country. They comprise roughly 14% of the population and their involvement is vital to the future health of our democracy. 62

#### Same Day Registration

Only seven states, Idaho, Illinois, Maine, Minnesota, New Hampshire, Wisconsin and Wyoming, currently allow residents to register to vote on election day. In these states, youth voting rates have increased by an estimated 14% in presidential election years and an estimated 4% in mid-term elections. In the 2002 elections, 18-24 year olds in Minnesota voted at a rate of 52%, which far exceeded the national average of 23%, in New Hampshire the turnout rate of 18-24 year olds was 24%, in Maine 25%, and in Wisconsin 26%. In addition, the likelihood that youth would be contacted by a political party or candidate increased by 11% in presidential elections and 18% in mid-term elections. Generally candidates do not spend time contacting those they feel are unlikely to vote. Federal legislation has been introduced to allow same day registration in all 50 states -- we recommend that this idea be studied thoroughly. Same day registration could be a big step towards making it easier for students to vote, especially in places with difficult to access voter registration.

The only caveat to this approach is that most of the states that offer same day registration do not accept the national voter registration form and can make if difficult to register except at the clerk's office or at the polls. Registering at the polls can be especially problematic for students who have faced voter suppression at the polls, keeping them from registering or voting as evidenced in New Hampshire.

#### **College and University Involvement**

The National Higher Education Act of 1998 specifies that all postsecondary institutions must "make forms widely available to students." The only exemptions are Idaho, Maine, Minnesota, New Hampshire, Wisconsin, and Wyoming because they have

same day registration.<sup>67</sup> Despite this strong mandate, few colleges have institutionalized voter participation. Voter registration is rarely a part of registration or orientation for first-year students. If colleges and universities took the requirement seriously, we would see increases in student voter participation.

More importantly, the state of Minnesota has taken significant steps to help students prove residency in their college communities. Many private and state colleges and universities in Minnesota provide a list of matriculated students to the local elections officials, which is used to verify the residency of students that wish to register to vote on campus. We suggest that all states should follow Minnesota's lead. Taking this step can go a long way towards keeping students from being turned away based an inability to prove residency in their college communities. This is significant because challenges to residency status are one of the biggest obstacles to would-be student voters.

#### **Institutional Change**

Due to the state-by-state differences in residency requirements, this problem is difficult to tackle. Numerous organizations have challenged discriminatory interpretations of voter laws and the laws themselves. This is an exhaustive process that requires constant vigilance. The ultimate solution may be federal legislation that upholds the rights of students to either register to vote at their parents' home or to register at their college address. We hope Congress will take up this fight and introduce legislation to address this issue.

Recently Rep. Markey (D-MA) introduced legislation to help increase youth voter registration. Its stated intent is to increase the effectiveness of the National Voter Registration Act of 1993 and ensure that the maximum number of young adults is given the opportunity to register to vote. The legislation would create a procedure to allow young adults who do not yet meet the voting age requirement to nevertheless register to vote at the time they apply for their driver's licenses. This legislation would undoubtedly increase registration, but would not address the barriers that students face.

#### **Internet and Youth Participation**

One need not look farther than the 2004 presidential primary to identify a new trend in youth participation -- internet organizing. Moveon.org has recruited hundreds of thousands of email activists, and raised millions of dollars for campaign ads. Howard Dean's presidential campaign organized "meet up" gatherings that the New York Times Magazine suggested were breathing air back to the idea of civic participation in public life.

In an era where young people are skeptical of large media campaigns and are increasingly busy, internet organizing is helping young people form a grassroots political voice from their own keyboards. Internet organizing does not replace the need for face-to-face contact and relationship building, but the medium of the internet is a powerful way to motivate people to action, and to bring people together who might otherwise not *meet up*.

Through the internet, states and towns also have the opportunity to clearly state voting requirements. By posting residency requirements and absentee voting requirements, students will be able to navigate the oftentimes confusing statutes. Of course, this will do nothing to mitigate restrictive practices. A coalition of organizations, including Project Democracy, is encouraging students to sign a petition asking secretaries of state to indicate clearly on their websites that students have the right to register in their college or university communities, if they consider that to be their residence. We also encourage all secretaries of state to communicate with local election officials the same information. This would help prevent local election officials from misinterpreting the law.

#### **Organizations Engaging Young Voters**

Despite barriers to student voting, there are organizations and people across the country who are stepping up to monitor the process to make sure students aren't turned away at the polls or given misinformation. There are three such organizations, which represent some of the spectrum of youth voting organizations.

- 1. **Student Voting Rights Campaign (SVRC).** SVRC is a new group of students, lawyers, and youth voting advocates working to ensure student voting rights in campus communities around the country. Founded by a group of students who had themselves been denied the right to vote in their local college town, SVRC is working to provide resources and support to students facing voter suppression and raising awareness on this issue nationwide.

  www.studentsforfreedom.org/ats/sff/studentvoterightscampaign.cfm
- 2. **Rock the Vote**. Rock The Vote has launched their Do It On Campus Campaign to stamp out voter suppression. Their campaign includes a petition drive to all 50 secretaries of state asking them to take proactive steps to eliminate student voter suppression in their state. Students can report voter suppression on their website. Rock the Vote also provides a voter hotline (1-866 OURVOTE) and information about student voting rights and basic voter information. www.rockthevote.com
- 3. College Vote Initiative. Rock the Vote, the New Voters Project, the Student Voting Rights Campaign, and Project Democracy, an initiative of the League of Conservation Voters Education Fund, are part of a coalition initiative aimed at boosting the student vote on campus and fighting back against efforts to suppress student voting. The College Vote Initiative will organize students on over 200 campuses across the country to survey local residency requirements for voting; educate their peers about their voting rights; report cases of student voter suppression; and monitor polling places on Election day, in hopes of increasing student voter turnout at colleges and universities around the country. In addition to educating students, the College Vote Initiative will work collaboratively with local elections officials to help avoid potential problems before they arise.

#### Conclusion

During the height of the Vietnam War, students fought to lower the voting age in the United States to eighteen to give them a voice in their future. Some of the same concerns about peace, the environment, and gay rights face students today. Despite continuing declines in youth voting, this generation is very engaged; students today are involved in volunteering and protesting in record numbers. Groups of students have started calling attention to instances of student voter disenfranchisement and suppression at colleges and universities around the country. We hope this report has brought some of their stories to a larger audience.

As reported earlier, barriers to student voting take a variety of forms, making it difficult to completely eliminate the obstacles. Because of this difficulty, it is imperative that more people know about this problem. It is especially important that students know their rights so they will not be easily deterred when attempting to register or vote. A list of resources for students can be found in Appendix A. Same day voter registration and national residency requirements allowing students to claim their college town as their residence will go a long way towards upholding students' fundamental voting right, but not completely eliminate the barriers. We hope the lessons of the last presidential election will deter others from intimidation and other scare tactics, but recognize, that discrimination against college students will not stop until the issue is addressed in comprehensive manner.

## **APPENDIX A: RESOURCES FOR STUDENTS**

#### **How do I know if I am registered?**

Many states maintain statewide databases of voters, which you can check to make sure you are registered. Check your secretary of state's website to see if they offer this feature online. To find out more about your states database, please visit <a href="http://www.electionline.org/site/docs/pdf/svrs.briefing.03.04.2002.pdf">http://www.electionline.org/site/docs/pdf/svrs.briefing.03.04.2002.pdf</a>.

#### How do I know where to go to vote?

Contact your county election official, who may be either the County or Municipal Clerk, Supervisor of Elections, or Board/Commission of Elections for the nearest polling location to you. List of state offices: www.nass.org/electioninfo/state\_contacts.htm

#### What should I bring to the polls?

Check your local board of election for specific voter requirements in your area. Most states require first time voters to bring a picture identification and proof of address with them on Election day, especially if they registered by mail. Non-first time voters are usually not required to have picture identification, but some poll workers request it for verification purposes. So, it is always a good idea to bring picture identification along with you to the polls.

#### What to do if you are turned away from the polls

Every state has some form of provisional or affidavit voting. These allow you to cast your ballot as you normally would, but your ballot isn't counted until either an election official verifies your registration status, or you swear on penalty of perjury that you are eligible to vote.

If your name is not on the registration list, always ask the poll worker to recheck their records. They could have overlooked your name, or you could be on the state's list and registered at a different polling location.

If they do not find your name, technically, you are still allowed to vote. Ask the poll worker for a provisional or affidavit ballot, which are described below.

If you have a problem on election day, contact 1-866-OUR-VOTE, a rapid response line to ensure that students can vote whenever possible.

To find out if your vote was counted, contact your Secretary of State, who you can find at <a href="http://www.nass.org/electioninfo/electioninfo.html">http://www.nass.org/electioninfo/electioninfo.html</a>

#### **Provisional Voting**

Provisional voting makes sure registered voters can still vote in the event that they find they are not listed on the voter rolls when they show up on election day. When registered voters are left off the voter rolls, often through no fault of their own, voters can cast

provisional ballots. Provisional ballots are the same as regular ballots, except that they only count once election officials have verified the eligibility of the voter.

#### **Affidavit Voting**

Affidavit Voting is similar to provisional voting, and likewise ensures that registered voters can vote despite having been left off the voter rolls. Unlike provisional voting which requires verification by election officials, affidavit voting simply requires the voter to swear an affidavit promising that they are eligible to vote. If the voter is found to be ineligible, the voter is guilty of perjury, which strongly discourages voter fraud to abuse this method.

#### Where can I find Provisional or Affidavit Voting?

All states have some form of provisional or affidavit voting. Some states with strong provisional voter protections are AZ, CA, FL, IA, KS, NM, NY, NC, OR, SC, VA, WA, and WV. Some states with strong affidavit voting programs are AL, KY, MI, MS, and TX.

#### What can I do to help make sure the election is conducted properly?

One way to help ensure fair elections is to become a pollwatcher. Pollwatchers are sent to the polls, usually by a political party, to ensure fairness in the voting process for all voters. Poll watchers help make sure voters are properly registered, and monitor election officials to ensure that eligible voters are allowed to vote.

#### How can I become a poll watcher?

Poll watchers are usually sent to polling sites by the chair of a political party, though the process varies in every county and state. Contact your local or county election board to find out the process and requirements to become a poll watcher. For more information on poll watching, see <a href="https://www.electionprotection2004.org">www.electionprotection2004.org</a>, and <a href="https://www.workingforchange.com/electionprotection/index.cfm">www.workingforchange.com/electionprotection/index.cfm</a>.

#### **Voter Registration and Mobilization Organizations**

ACORN Institute: www.acorn.org
Hip Hop Summit Action Network: www.hsan.org
MoveOn.org: www.moveon.org

MTV Choose or Loose: www.mtv.com/chooseorlose
National Voice www.nationalvoice.org
New Voters Project www.newvotersproject.org
Project Democracy www.projectdemocracy2004.org

Project Vote: www.projectvote.org
Strive for Five www.striveforfive.com
Youth04 www.youth04.org
United States Student Association www.usstudents.org

### **Voting Rights Organizations**

American Civil Liberties Union

Brennan Center for Justice

Center For Voting and Democracy

New Voters Project

People for the American Way

Rock the Vote

Student Voting Rights Campaign:

www.aclu.org

www.brennancenter.org

www.fairvote.org

www.newvotersproject.org

www.pfaw.org

www.rockthevote.com

www.studentsforfreedom.org/ats/sff/studentvoterightscampaign.cfm

## **APPENDIX B: YOUTH VOTER ENGAGEMENT STUDIES**

Harvard Institute of Politics: The Political Personality of America's College Students (2003/2004)

Rutgers University Eagleton Institute of Politics: Political Generation Next (2003)

Salisbury University Institute for Public Affairs and Civic Engagement: Democracy and College Student Voting (2001)

University of Maryland School of Public Affairs: Center for Information and Research on Civic Learning and Engagement: State Attention to Media and Trust in Media Sources (2004)

University of Maryland School of Public Affairs: Center for Information and Research on Civic Learning and Engagement: Youth Attitude Towards Civic Education and community Service Requirements (2004)

University of Maryland School of Public Affairs: Center for Information and Research on Civic Learning and Engagement: Young People and Political Campaigning on the Internet (2004)

University of Maryland School of Public Affairs: Center for Information and Research on Civic Learning and Engagement: Volunteering Among Young People (2003/2004

University of Maryland School of Public Affairs: Center for Information and Research on Civic Learning and Engagement: Youth Civic Engagement – Basic Facts and Trends (2002)

University of Maryland School of Public Affairs: Center for Information and Research on Civic Learning and Engagement: The Civic and Political Health of the Nation – A Generational Portrait (2002)

Youth Civic Engagement: www.civicyouth.org

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