



NEW AMERICA
F O U N D A T I O N

Empowering California's Youth

A proposal allowing voters to pre-register at age 16

THE PROBLEM

In California, nearly a third of eligible voters – about 6.7 million Californians – are not registered to vote.¹ Of particular concern is that young people are more negatively impacted by our voter registration system than other demographic groups. In 2004, a presidential election year, just over half of eligible Californians between 18 and 24 years of age were registered to vote (and in nonpresidential elections that rate is even lower).² This lack of civic participation is a threat to good governance and a healthy democracy. Current state law limits valuable opportunities for reaching this important and under-represented population.

BACKGROUND

Current state law and practices. California state law establishes three conditions for voting registration: an individual must be a citizen of the United States; a resident of California; and at least 18 years of age before the next election. Eligible voters register by signing a legal affidavit swearing that she or he is a citizen and has reached the required age. Finally, since passage of the federal Help America Vote Act in 2002, first-time voters in federal elections must show proof of residency (photo ID, current utility bill, bank statement or government document) either at the time of registration or when they show up at the polls for the first time. Registration forms are available at government web sites and offices. In addition, many voters are provided registration forms by political parties or advocacy groups. This all-voluntary basis for voter registration has proven to be ineffective at producing complete or clean voter rolls.

Several other states have changed registration rules to encourage civic participation by youth. In Hawaii, eligible 16-year-olds are allowed to pre-register so that their voter status is automatically activated at age 18.³ In the states of Connecticut, Iowa, Florida, Maine, Wisconsin, Missouri, and Texas, pre-registration is open to 17 year olds. Federal legislation was introduced in 2004, the Gateway to Democracy Act, to allow teenagers to preregister, with an emphasis on those applying for their driver's licenses (in most states, at 16 years of age). Wisconsin reaches out to young voters with a state law establishing a "registration deputy" at every high school, filled by a volunteering teacher or staff person. And New York State has considered a plan to automatically register 18-year-olds (as well as other eligible voters of all ages) by accessing databases at the Department of Motor Vehicles and the Department of Taxation and Finance.

California State Assembly Member Gene Mullin has proposed a constitutional amendment, ACA 17, that would seek to lower the voting age to 17 for a small class of voters -- those voters who will be 18

before the next general election also would be allowed to vote in the primary for that general election, even if not yet 18. This change requires a constitutional amendment, since it lowers the voting age for the designated class of voters. However simply lowering the voter registration age to 16 does not require a constitutional amendment, a change in state statutes will suffice.

The important role of high schools. California's diverse population is especially apparent in high schools today. Because students in effect are a "captive audience," high schools are an ideal place for engaging young people and incorporating them into our representative democracy. If young people are not hooked into democratic institutions and practices while they're in high school, it becomes more difficult to do so after they leave high school. And if they are not on the voter rolls then it is nearly impossible for candidates or political organizations to contact or engage them directly. Their lack of participation results in a "disengagement cycle" that becomes increasingly difficult to break. High school in many cases is the final opportunity to fully engage young people about participating in our democracy. Having common sense practices for engaging young people in high school is crucial. One of the most effective efforts is to lower the age for voter registration to sixteen.

THE PROPOSAL

Legislation should be passed that allows eligible 16-year-olds to pre-register as voters in all 58 California counties. Students who have reached their 16th birthday would fill out their voter registration card just as any eligible voter does and this data would be entered into the voter database, but coded with the student's birth date. As each pre-registrant turns 18, the database would automatically activate that voter registration. Once activated, those voters would receive ballot pamphlets and polling location information prior to the first election in which they are eligible. The package of information also could include a notice that their registration has been activated along with a set of Frequently Asked Questions about the voting process, the date of the next election, and their responsibilities to re-register when changing addresses (though statistics from the California Department of Education on student mobility indicate that only 9 percent of students K-12 moved during the 2004-2005 school year).⁴

The cost of lowering the voter registration age to 16 would be minimal. Current voter registration methods are not affected, only the legal age for voter registration would be changed. County and state databases will require minimal change to accommodate this practice. In fact, California already has a "birthday card" program where voter registration cards are mailed to approximately 30,000 18-year-olds each month on their 18th birthday who have previously "registered" and been entered into the voter database. According to the Secretary of State's office, it would be a relatively straightforward matter to convert that program to one of actual preregistration.

Other possibilities for implementation. Within each high school, implementation could be facilitated in several ways. Preregistration could be left as optional, or it could be required as a condition of graduation or before they are permitted to enter their senior year. Several means of registration could be employed, including registering students in their high school civics class, or as part of a student assembly or "Civics Day" in which students are visited by local political leaders. Students also could register to vote on the Internet, a practice that already is available in California.⁵ High schools might implement a "voter's ed" curriculum for high schoolers (just as many have "driver's ed" now), providing a means to introduce more young people to the importance of civic engagement. California could emulate Wisconsin's law which establishes in each high school a "registration deputy" who is a teacher or staff person volunteering to oversee the voter registration process.⁶

Over time, as all 16 to 18-year-olds are preregistered to vote, California would move closer to 100 percent voter registration. The teenage population is more ethnically diverse than the overall state population, so targeting young voters is an opportunity to increase participation among under represented minority groups. Such a policy would register far more young people in an orderly way and generate more understanding of the value of our representative democracy.

¹ Voter registration information from the web site of the Secretary of State of California, http://www.ss.ca.gov/elections/ror/154_2006/hist_reg_stats.pdf

² In 2004, 54.4% of eligible Californians 18-24 years old were registered and 44.9% actually voted (approximately 10 percentage points below national averages). In 2002, 39.2% of eligible 18-24 year olds were registered and 18.8% voted. Source: U.S. Census Bureau.

³ Here is the text of the Hawaii law:

* §11-12 Age; place of registering.* (a) Every person who has reached the age of eighteen years or who is seventeen years of age and will be eighteen years of age by the date of the next election, and is otherwise qualified to register may do so for that election. The person shall then be listed upon the appropriate county general register and precinct list. No person shall register or vote in any other precinct than that in which the person resides except as provided in section 11-21. (b) A person who is otherwise qualified to register and is at least sixteen years of age but will not be eighteen years of age by the date of the next election may preregister upon satisfactory proof of age and shall be automatically registered upon reaching age eighteen.

⁴ See 2005 Academic Performance Index Base State Report, California Department of Education, http://api.cde.ca.gov/APIBase2006/2005Base_StApiDC.aspx?allcds=0000000

⁵ Any person may register to vote online in California at http://www.ss.ca.gov/elections/elections_vr.htm.

⁶ To read the Wisconsin law, see 2003 WISCONSIN ACT 265, SECTION 41. 6.28 (2) (b) at the web site of FairVote http://fairvote.org/media/youthreg/WI_LAW.pdf