● SAN FRANCISCO LOCAL AGENCY FORMATION COMMISSION

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INCREASING VOTER PARTICIPATION IN SAN FRANCISCO

FINAL REPORT

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I. Definition of Terms

Absentee Voting: Is a voting method in which registered voters request a mailed absentee ballot. There are 20 states that require an excuse, while 27 states grant requests without an excuse.[1] The remaining 3 states hold all-mail elections.

All-mail Voting: Is a voting method in which all registered voters receive mailed ballot several weeks before an election. Colorado, Oregon, and Washington are the states that currently hold all-mail voting elections. In California, election officials are allowed to designate precincts with less than 250 voters as an all-mail precinct.

Automatic Voter Registration: Is a process in which government offices are able to register voters as long as there is individual consent, as part of them doing other business with that office.

Compulsory Voter Registration: Is a process in which all eligible voters are required to register without the option of opting out.

Early In-Person Voting: Allows voters to vote at predetermined election sites such as city hall, malls, schools, and libraries that open at an earlier date before election day and in general stay open longer hours.

Language Access: Provides translated voting instructions, ballots, pamphlets, and language assistance to Limited-English Proficient voters.

Limited-English Proficient: A term used to refer to people who self-report that they speak English "less than very well" on U.S. Census surveys. This includes people who know some English but are not fully proficient.[2]

Remote Internet Voting: voters can cast their votes in an election using an Internet-based system compatible with Internet-ready devices.

Online Voter Registration: Is an alternative to paper voter registrations forms and is made available for eligible voters to complete, submit directly and securely online to the California Secretary of State and San Francisco Department of Elections.

Vote 16: An initiative focused on lowering the voting age to sixteen in local elections.

VoteCal: California's new voting database system which will provide a centralized voter registration database.

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[1] National Conference of State Legislatures. *http://www.ncsl.org/research/elections-and-campaigns/absentee-and-early-voting.aspx*

[2] Joshua Alegado, Zainab Badi and Michelle Romero. "Community Voices: Improving Access to Voting For California's Limited-English Communities." *Claiming our Democracy* (2015):2.

Voter Turnout Analysis: As an analysis of San Francisco's neighborhoods, it seeks to understand voter turnout for previous elections and determine if there are solutions to increasing voter participation by making voting more accessible.

II. Introduction

The objective of this report is to analyze voter participation in San Francisco and trace probable factors that can contribute to increasing voting turnout. Although voter access is not necessarily the only explanation to low voter participation, it is a tangible element that can be addressed as a first step to reversing declining voter turnout. Voting practices that could improve access are divided into three categories:

i. Currently allowed by law or under review by the California Secretary of State
ii. Require amendment/s to the California Constitution and/or the San Francisco Charter
iii. External factors affecting voter participation

Additionally, it is critical to look at nonpartisan factors closely related to civic participation. These include:

a. Relevance or excitement surrounding an issue or candidate on a ballot
b. Outreach effort by political parties, community organizations, and/or political campaigns
c. Media coverage of the election

The impetus for this report stems from the request of Commissioner Edwin Lindo. San Francisco's Local Agency Formation Commission (LAFCo) has undertaken a special study on increasing voter participation in San Francisco. This study, undertaken pursuant to Government Code §56378 and LAFCo Policies on Special Studies §2.6, §2.62, §2.63, and §2.64, was conducted with the intent of providing an objective analysis on voter participation and relies primarily upon data and information provided by both public agencies and private groups.

There are several limitations to research discussed in this report. Some of the mechanisms for increasing voter participation first became available fairly recently and it is difficult to measure their success without significant data that would reveal trends indicative of higher registration rates, turnout rates and a more diverse electorate, which would include younger and underrepresented voters of color. Another challenge to this study is the recent high-level activity in California pushing to reform the current voting system, which has seen a number of proposed Assembly bills and initiatives spearheaded by California's Secretary of State (SOS) Alex Padilla, that might not be part of this report.

To best provide empirical evidence for this study, LAFCo examined numerous reports regarding voter access elsewhere in the nation; in addition to interviews with various public agencies such as the San Francisco Department of Elections (DOE), and the office of the California Secretary of State. Interviews were also conducted with community nonprofit organizations and political scientists who are experts in the field of voting behavior and civic participation locally, regionally, and nationally.

III. Executive Summary

This report examines the different mechanisms currently in place or that have been proposed in San Francisco and California to increase voter participation by improving voter access for underrepresented groups, which include communities of color, young voters, limited-English Proficient (LEP) and low-income communities.

In October of 2015, California became the second state to approve legislation that will authorize government offices, such as the Department of Motor Vehicles (DMV), to automatically register eligible voters when services are requested. Automatic voter registration is considered to be the right step to simplify the voter registration process, but there are some opponents of the law who believe it opens a floodgate to opportunities for voter fraud.

There are currently three states with all-mail (vote-by-mail) elections, in which every registered voter is mailed a ballot weeks before an election which can be mailed back, dropped off at a ballot box or at an accessible voting center. Although California allows absentee voting with no excuse, the state is not considered an all-mail election state since voters must initially request permanent vote-by-mail ballot status from their local elections.

San Francisco established the Language Access Ordinance in 2010, which ensures all San Franciscans have equal access to city services by providing language assistance in Chinese, Tagalong and Spanish.[3] The San Francisco DOE ensures poll workers are trained to help limited-English proficient (LEP) voters on Election Day. It also collaborates with community organizations in neighborhoods including Chinatown and the Mission with high concentrations of LEP voters to provide voting information through printed materials and presentations in the available languages.

The outreach effort of nonprofit organizations, political parties, and election offices is considered instrumental in mobilizing the electorate. According to John Arntz, DOE Director, his office organizes nonpartisan outreach by tabling at neighborhood events such as the Haight Street Fair and holding public meetings four times a year with community organizations that work closely with potential voters. Organizations like People Organizing to Demand Environmental and Economic Rights (PODER) have their own civic engagement teams that work with the Latino community in the Mission District. On Election Day, they provide transportation to anyone needing assistance getting to their polling place. Furthermore, political parties are able to galvanize supporters around their Get Out To Vote effort to get people voting. A drawback to the outreach work delivered by grassroots movements is the lack of consistency in every election as the issues and candidates might vary and therefore bring different levels of activity.

The prison population in the United States is largely composed by men of color. In San Francisco, a 2014 jail population forecast revealed that 70% of the average daily jail population

[3] "Multilingual Service," http://sfgov.org/elections/multilingual-voter-services

was made up of men of color, half of whom were African American. These statistics are relevant because data indicates that communities of color are already less likely to vote in comparison to white voters, and incarceration could perhaps be contributing to the lack of voter participation from these communities.

The convenience of remote Internet voting provokes enthusiasm in a large number of people who have grown accustomed to conducting daily tasks online such as banking, shopping, and communicating. If remote Internet voting is implemented, benefits would include the ability to vote early, to vote without the need to travel to a polling place, avoiding long lines and unnecessary waits on Election Day, and would eliminate the need for paper ballots. However, both security and anonymity are considered the biggest challenges to Internet voting that outweigh any benefits. The threats of voter fraud and election sabotage by hackers are serious and could damage the integrity of the election process. Organizations such as V-initiative are working towards creating a voting system using Bit-coin technology and Internet Protocol (IP) masking software to achieve both security and anonymity. Until then, remote Internet voting is not likely to occur in California or elsewhere in the country.

Expanding early in-person voting to public places like public libraries, shopping centers, and grocery stores results in more convenience for voters. In addition to having more days to get out and vote, wait times and long lines on Election Day could be significantly reduced. While San Francisco city hall already serves as an early in-person voting place, voting is limited to the building's regular business hours and the two weekends before Election Day. Adding early voting places around the city can extend the hours during which people can vote and could also convenience residents who do not live near city hall.

Young voters have the lowest participation rate amongst the different age groups in the United States. It is why the San Francisco Youth Commission advocates for legislation to lower the voting age requirement to sixteen. According to the Youth Commission, San Francisco's Bayview and Visitacion Valley districts not only have very high percentages of the population ages 17 years old and younger, but they were also the San Francisco districts with the lowest voter turnout for the November 2010 election. The likelihood of voting becoming habitual is much greater when civic participation occurs at a younger age, while there is more stability in a young person's life. However, there are some voting behavior experts in San Francisco who do not foresee major changes in the voting pattern of younger people and predict these to be consistent with those of existing voting groups.

There have been at least three attempts to give noncitizens the right to vote in local school board elections. Immigrant advocates believe noncitizen voting would have benefits beyond allowing immigrant parents to be part of their children's education. School board elections can become the training ground for new immigrants to learn about the democratic process in the United States. Opposition against noncitizen voting originates from a majority that believes voting in any kind of election is a privilege reserved for born or naturalized citizens.

IV. Means of Increasing Voter Participation

Today, low turnout is notable in states like California which ranked 43rd among the 50 states in 2014 for voter turnout in the general election.[4] Furthermore, U.S. Census data reveal a steady change in demographics across the country, including the increased growth of the Asian, Latino and African American populations.[5] It also shows a shrinking middle class and a widening gap between the poor and wealthy.[6] These data are especially significant since there is a correlation between voter participation, race/ethnicity, age, and socioeconomic status.[7]

San Francisco is at the epicenter of this U.S demographic shift, and analyzing voting trends in past election results could bring together state election officials and city government to deliberate about a pathway to higher voter participation while ensuring every San Franciscan has equal access to exercising their right to vote. Voting is a two-part system, which includes registration and showing up to vote. Facilitating the first step in the process does not automatically or immediately translate to higher voter turnouts. Nonetheless, it allows for focus to be placed on the second step, perhaps the most challenging—ensuring every registered voter has reasonable access to casting their ballot, and that those ballots are counted.

A. Automated Voter Registration

A path towards automated registration began in 1993, with the National Voter Registration Act[8] which required state agencies to offer and accept voter registration from eligible voters wanting to register. In 2014, the state of Oregon implemented automatic voter registration. Following Oregon's lead and with a similar objective of increasing voter turnout, California became the second state to pass legislation that will allow government agencies to register eligible voters unless they choose to "opt out" of registration.[9]
Automatic voter registration is often considered synonymous with compulsory voter registration. However, there is a major distinction in which compulsory registration does not offer an "opt

[4] McGreevy, Patrick. "California Elections Chief Proposes Making Voting Easier." Los Angeles Times. June 10, 2015. Accessed March 02, 2016. http://www.latimes.com/local/political/la-me-pc-california-elections-chief-proposes-making-voting-easier-20150609-story.html.
[5] Colby, Sandra L., and Jennifer M. Ortman. "Projections of the Size and Composition of the U.S. Population: 2014 to 2060." Population Projections. March 2015. Accessed March 02, 2016. https://www.census.gov/content/dam/Census/library/publications/2015/demo/p25-1143.pdf.
[6] "The American Middle Class Is Losing Ground." Pew Research Centers Social Demographic Trends Project RSS. December 09, 2015. Accessed March 02, 2016. http://www.pewsocialtrends.org/2015/12/09/the-american-middle-class-is-losing-ground/.
[7] McElwee, Sean. "Why Voting Matters: Large Disparities in Turnout Benefit the Donor Class." Why Voting Matters: Large Disparities in Turnout Benefit the Donor Class. September 16, 2015. Accessed March 02, 2016. http://www.demos.org/publication/why-voting-matters-large-disparities-turnout-benefit-donor-class.
[8] Title 42 - The Public Health and Welfare Chapter 20 - Elective Franchise Subchapter I-H - National Voter Registration
[9] "Left turn; Automatic voter registration," *The Economist* 417.8965 (Nov. 21, 2015): 26.

out" option like automatic registration does. With automatic registration, "the government takes responsibility for registering voters, using information from other government lists."[10] A visit to the Department of Motor Vehicles (DMV) to apply for or renew a driver's license serves as an example of how this new system will work in California. A DMV official will initiate the registration process by asking some qualifying questions and finally for consent. With the current system prospective voters who would like to register must first ask a DMV official for the paper registration form. Once the New Motor Voter Act goes into effect, the process will be seamless and paperless.[11]

With the new registration system, voters will no longer have to submit a separate form to get on the rolls or update their registration since the same information is to be shared amongst government agencies. Yet the biggest advantage to this new system comes for voters who move across county lines, as their registration will be updated automatically if there is a match in the system that links the voter file with information held by other government agencies.[12]

In 2015 the Brennan Center for Justice at New York University School of Law published a thorough guide on how automatic and permanent voter registration works. It defines portable registration, which clearly explains how California's new VoteCal system can improve the registration process for people who move within the state. ***"****Portable registration means that once somebody registers to vote, a person stays registered when moving within the state, without having to "re-register" at their new address. It allows a voter to update addresses with a state agency—like the DMV or a social service agency—when they relocate, and then syncs those updates with the voter rolls."*[13]

The new voter registration system called VoteCal is designed to allow portable registration. Research indicates that California so far has been the exception in states offering a computerized statewide registration database. There have been delays with the launch of VoteCal, but soon California will have a central database that links state motor vehicles databases and are synced to other government agencies.[14] The Motor Voter Act of 1993 began requiring certain agencies to offer voter registration to citizens and it is therefore wise to begin the process with motor vehicle offices, public assistance agencies, agencies that provide services to people with disabilities, and military recruitment offices.[15]

Transition of Registration Forms

[10] Ibid., 3.
[11] Ibid., 6.
[12] Ibid., 4.
[13] Wendy Weiser, Myrna Pérez, Jonathan Brater, Jennifer Clark, Adam Gitlan, Tomas Lopez, Sophie Schuit, and Erin Kelley. "*Automatic and Permanent Voter Registration: How it Works,* 2015, 9.
[14] Ibid., 4.
[15] Ibid., 5.

Heather Gerkin, professor at Yale Law School who specializes in election law and constitutional law stands by the efficiency of automatic registration, as she believes paperwork is a problem in the registration process. [16] "Eliminating the paperwork a voter must complete to register or update registration would simplify the process to the bare minimum and ensure all voters have to do is show up to their polling place."

Furthermore, a bigger problem with paper registration forms is the likelihood of errors causing delays or invalidations. Statistics from The Pew Center on the States found that one in eight (approximately 24 million) registrations in the United States is either invalid or contains significant inaccuracies.[17] In some cases voters show up to their polling place on Election Day only to discover that their registration is invalid. Voters with such conflicts are turned away if that jurisdiction does not offer same-day registration.

Electronic voter registrations have been found to be less error-prone than paper forms according to reports from election officials, as electronic registration forms can reduce the number incomplete, inaccurate, or illegible information.[18] Election officials in the state of California should feel optimistic about the launch of VoteCal and its ability to house a central system that links the state's registration system to other government agency databases as it presents an opportunity to increase voter registration while focusing more on turning registrants into active voters. Proponents of automatic registration systems also argue that data-matching technology often used in the private sector should be used to create a universal voter-registration list.[19]

Voter Fraud Concern

Critics of automatic registration systems have concerns regarding voter fraud as the process to register becomes easier. The apprehensions about voter fraud stem from the belief that having one centralized system connected to different databases will make it difficult to manage information that helps determine who is eligible to vote.

Although those who oppose an automatic registration system do so because they consider it prone to registration fraud,[20] automatic registration has been found to be better than the paper-based system at only allowing eligible voters to sign up. Professor Gerken's research on automatic registration concluded that "a well-designed automatic registration system" will do a better job of keeping ineligible voters off the rolls. Automatic registration systems will be better than paper-based systems at ensuring that only eligible citizens are signed up."[21]

[16] Heather K. Gerken. "Make It Easy: The Case for Automatic Registration," 2013, 21.
[17] Ibid., 19.
[18] Christopher Ponoroff. "Voter Registration in a Digital Age," 2010, 13
[19] Heather K. Gerken. "Make It Easy: The Case for Automatic Registration," 2013, 19.
[20] Ibid, 20.
[21] Ibid, 7.

Simultaneously, it eliminates partisan battles over registration and instead makes it the responsibility of government to ensure eligible voters are registered.[22] In California for example, a person who registers to vote without stating a political preference may not be able to vote in the primaries for U.S. President if the party of their preferred candidate decides not to allow "no party preference" voters to participate in their primary. In cases in which a party allows voters without party preference to participate, permanent Vote-By-Mail (VBM) voters must mark their ballot choice on a DOE sent postcard that must be returned 30 days before Election Day.

Professor Gerken found that registration outreach done by political parties is ineffective in transforming nonvoters into active voters. This is especially the case when eligible voters do not relate to the platform of a political party, and any outreach effort is futile in reaching those who do not identify with any of the political parties.

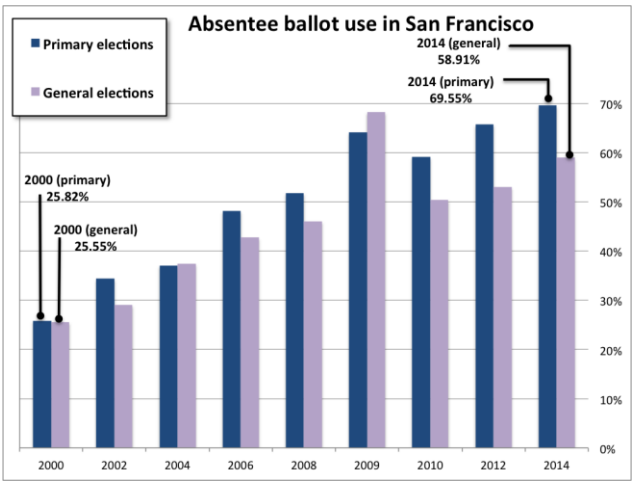
Professor Gerken's work on universal registration, another term for automatic registration, points to the United States becoming a "global outlier" in making voting accessible to citizens.[23] She also argues that democratic values make automatic registration the norm around the world. Having two U.S. states implement leading the way for automatic voter registration is a good start, but there is still a long road ahead for this to be true for the rest of the country.

Automatic registration oftentimes becomes a partisan debate in which Democrats typically favor automatic registration and Republicans for the most part oppose it. Opponents of automatic registration believed this to be a Democratic Party strategy to increase their voter base. Nonetheless, political scientists who focus their research on civic participation have linked non-partisan benefits with making voting more accessible.[24]

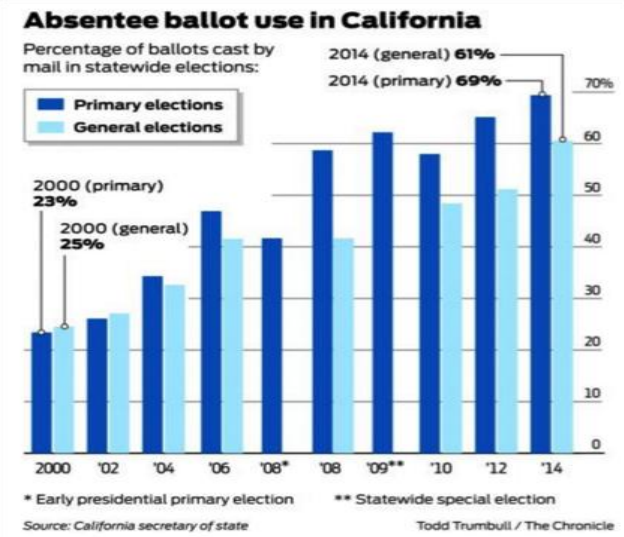
B. Vote-By-Mail

With Colorado, Oregon, and Washington leading the vote-by-mail front in the U.S., the conversation on all-mail elections has become increasingly popular in states like California, where voter turnout is generally lower. While the aforementioned states hold some form of VBM elections, turnout results for each state have been different and studies are still being conducted to determine whether VBM elections will get new people to vote while also retaining those who are already voting. San Francisco's version of VBM, referred to elsewhere in the country as absentee voting, has gradually increased since 2012. It allows registered voters to request a VBM ballot, which they can mail back, or drop off at designated dropsites or at polling places. As indicated in the chart below, absentee voting in San Francisco has become a widely used method.

[22] Ibid, 18.
[23] Ibid, 21.
[24] Heather K. Gerken. "Make It Easy: The Case for Automatic Registration," 2013, 20.



Source: San Francisco Department of Elections



According to California Secretary of State Technology Analyst Ryan Macias, Oregon's VBM elections completely eliminated voting centers, and could be considered the purest form of this type of election system. Colorado has a flexible vote-by-mail system that complements in-person voting at polling locations. Finally, the state of Washington has what Macias calls a "hybrid" VBM system that shares similarities with the systems of Colorado and Oregon. Their differences are significant; details are further explained below.

Colorado	Oregon	Washington
▪ Counties required to have voter service and polling centers open for in-person early voting 15 days before an election	▪ Counties required to have at least 2 dropsites for ballots (libraries, city halls, or outdoor mailboxes) beginning Friday before the election ▪ Counties allowed to provide dropsites as soon as ballot are available (18 days before an election)	▪ Counties required to have at least 1 voting center open for in-person early voting (18 days before an election)

Colorado, Oregon, and Washington have VBM systems that send every registered voter a ballot in the mail. In these three states it is not necessary to sign up for VBM in advance; this represents a significant difference from the absentee ballot requirements in the other forty-seven states. The outcome of this VBM practice includes extending the period of voting by up to three weeks in advance of an election. It also allows registered voters to mail in or drop off ballots at designated locations.[25]

With many factors affecting voter participation—from the issues and candidates on the ballot to whether it is a general or off-year election—not all elections are the same. Special elections, for example, receive less press coverage than general elections; this is possibly linked to the low voter turnout in these elections. Receiving a ballot in the mail can serve as a reminder for voters in non-presidential races that receive less media attention.[26] San Francisco has odd-year elections that, like special elections, do not receive much coverage, have low turnouts, resulting in a higher cost per voter. Perhaps VBM would increase awareness of an election, but it is unclear whether it is sufficient to get nonvoters to vote.

VBM in Oregon

A 2003 survey conducted by Priscilla Southwell, a Political Science professor at the University of Oregon, showed that "nearly 80% of voters favored VBM over voting in a polling place."[27] Those who defend vote-by-mail elections from critics highlight its popularity in Oregon and often use this survey number, but it is difficult to determine whether its popularity has actually increased voter turnout. Nonetheless, there are political scientists on both sides of the argument that speak on the effects of VBM elections. Since there is limited data to work with, researchers have focused on Oregon and Colorado. It is also important to understand why there is more focus on these two states than on the state of Washington, which also holds VBM.

Research results from the Institution of Political Science professors, Kousser and Mullin, found that VBM did not increase voter participation in Oregon, nor did it diversify the electorate as state officials had expected. They found problems in Oregon's voting system that might have resulted in California preferring Colorado's voting system model when looking into implementing its own version of VBM.

California's Proposed VBM System

According to James Schwab, Chief of Legislative Affairs for the California Secretary of State, California Senate Bill (SB) 450 would authorize a county to conduct VBM elections contingent on meeting set requirements. Schwab sees similarities between California's proposed all-mail election system and the VBM concept in Colorado. To ensure current voters are retained and the

[25] Ibid., 107.
[26] Thad Kousser and Megan Mullin, "Does Vote by Mail Increase Participation? Using Matching to Analyze a Natural Experiment," 2007: 441.
[27] Priscilla L. Southwell. "Voting Behavior in Vote-by-Mail Elections," 2010, 107.

voter turnout actually increases, the Secretary of State's office is trying to figure out an appropriate ratio of voters to ballot drop-off sites, voting centers opened ten days before an election and on Election
Day.

Proposed California SB 450 All-Mail Election Ratios		
Drop-Off Box Sites	Voting Centers	Voting Centers
At least 28 days before Election	10 Days before Election	Election Day
2:30,000	*1:30,000*	*1:15,000*

Drop-off site/voting center: registered voters *Source: California Legislative Information- Senate Bill 450*

Pilot Program in Two Counties

The all-mail election pilot program was first introduced under California Assembly Bill (AB) 1681 in 2010 and initially only included Yolo County. In a study conducted by the Election Administration Research Center at the University of California, Berkeley, voter participation was compared across the 2007, 2009, and 2013 special elections. The study made two significant observations vis-à-vis voter turnout and the cost of holding all-mail elections. First, replacing polling places with vote-by-mail ballots did not cause any major reduction in turnout for special elections, nor did it display differences based on attributes such as ethnicity, party, or permanent absentee status.[28] In fact, the percentage of voters becoming permanent absentee voters increased as a result. Second, data provided on the cost to conduct vote-by-mail elections compared to regular elections was insufficient to signal any savings or major difference in cost, which is contrary to what San Mateo County would find to be true in their 2015 local elections. However, it important to note that the pilot program in Yolo County only focused on two jurisdictions—Davis and West Sacramento. Davis differs from most places in California in that it is homogenous and affluent, with a highly educated populace.[29]

Elections Code Section §4001 was amended by AB 2028 to make San Mateo County the second county to participate in the pilot program that allowed some counties to hold all-mail local elections. According to Kevin Mullin, 22nd Assembly District representative and author of the bill, the goal of the pilot project is measurement of the effect of VBM elections on voter turnout and on demographic categories that include ethnicity, age, gender, disability, VBM status and political party affiliation.[30] Elections Officer Mark Church believes that in the November 2015

[28] MacDonalad, Karin, "Study of the March 5, 2013 All Mail Elections in Yolo County," 2013, 40.
[29] Ibid.
[30] "Press Release," August 4, 2014, http://asmdc.org/members/a22/news-room/press-releases/bill-to-allow-vote-by-mail-elections-in-san-mateo-county-heads-to-governor-s-desk.

election the pilot was successful in increasing turnout as compared with San Mateo County's similar 2013election.[31]

San Mateo County and Yolo County are on opposite ends of each other in terms of demographics and geographic areas; it is therefore important to note that these differences could have influenced the reported outcome by each county.

VBM Concerns

When receiving a ballot through the mail in Oregon, the mailing address on file must be current otherwise the ballot may never reach the voter since it cannot be forwarded.[32] In a city like San Francisco where sixty-three percent[33] of residents rent their housing, maintaining an updated address for eligible voters may present itself as a challenge. San Francisco DOE Director John Arntz explained how the process might improve with the new statewide database, which should make it possible for his office to receive information from government agencies such as the DMV when someone moves across county lines or within the county. If VBM were to become a reality in the state of California, San Francisco would need to be prepared to resolve issues resulting from address changes. This is especially true in a housing market like San Francisco's, in which it is usually low-income voters who are constantly on the move.

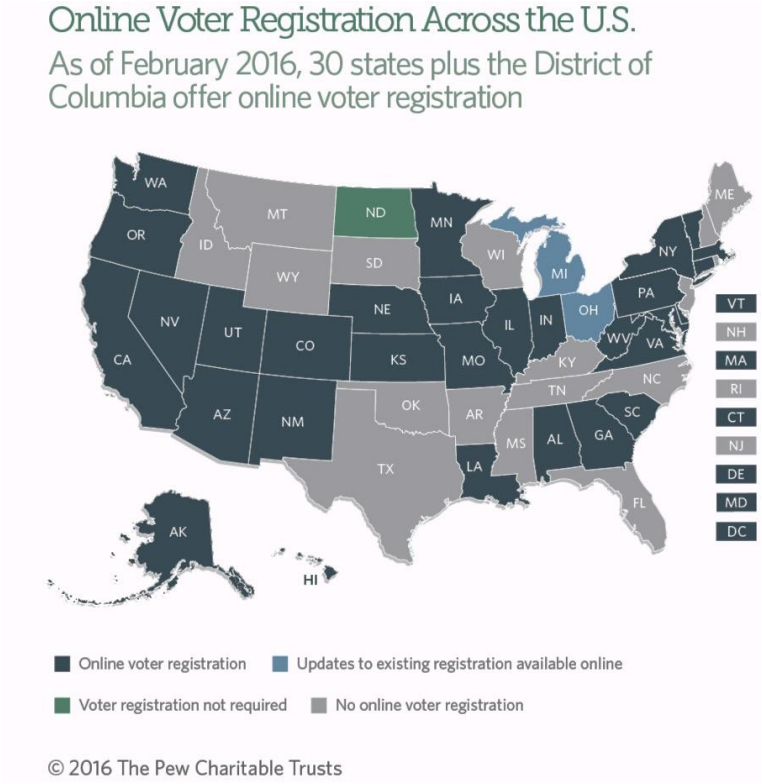
VBM is also criticized for attempting to replace polling places as the "community-gathering place." [34] Robert Putnam's book *Bowling Alone*, describes, among other things, the loss of political engagement amongst Americans. Losing polling places to VBM could be seen as another example of a decline in political engagement, as San Franciscans will no longer have the opportunity to gather together on election day to decide the fate of their city. Furthermore, it would hurt the already low voter turnout by excluding voters who prefer to vote at a polling place. If California SB 450 is passed into law, a densely populated city like San Francisco can retain voters who prefer polling places in their neighborhood without major changes.

According to Adam Berinsky, a political science professor who studies political behavior at the Massachusetts Institute of Technology, an Oregon study conducted in 2001 found that although VBM did a good job of retaining existing voters it is not very effective at "pulling resistant registered voters into the electorate."[35] This study also found that VBM mobilized "individuals belonging to groups that were already likely to participate in elections—older voters, those who are well educated, and those with substantial amounts of campaign interest."[36] That is, a VBM might not increase voter participation from groups that are considered nonvoters.

C. Online Voter Registration

[31] Rachel Myrow, "Turn Up, Costs Down in San Mateo's All-Mail Election," KQED, November 6, 2015, http://ww2.kqed.org/news/2015/11/06/turnout-up-costs-down-san-mateo-vote-by-mail
[32] Priscilla L. Southwell. "Voting Behavior in Vote-by-Mail Elections," 2010, 107.
[33] http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk
[34] Ibid, 107.
[35] Adam J. Berinsky. "The Perverse Consequences of Electoral Reform in the United States," 2005, 478.
[36] Ibid., 479.

The latest information from the National Conference of State Legislatures indicates that as of January 4, 2016, there are twenty-nine states, including California, that have set up an online voter registration (OVR) system[37]. The OVR system in California was first established in 2012 and it became widely popular, allowing users to submit their voter registration online once their eligibility is confirmed through different pieces of identification. To register online in California there are three identification requirements to determine eligibility: a California driver's license or identification card number; the last four digits of a person's social security number; and a date of birth.[38] An immediate advantage to OVR is the way it allows voters to verify their registration status in real-time. There are several things that could go wrong with a paper registration form, which an online system eliminates. Written information captured incorrectly, required spaces left blank, or lost forms are examples of what could be detected and resolved or also eliminated by registering online. A report by Rock the Vote Research argues that by simplifying the online registration system, "Election Day administration is as well simplified and helps prevent long lines at the polls."[39]



[37] "Online Voter Registration." *National Conference of State Legislatures*, 2016.
[38] http://registertovote.ca.gov/
[39] David Robinson & Harlan Yu. "Connect OVR: A Simple, Durable Approach to Online Voter Registration." *Rock the Vote Research* (2013): 1.

In accordance with California Elections Code § 2116, a voter must reregister when his or her address changes. Online registration portals can simplify the process of updating a voter registration, allowing voters to directly update their registration in a timely manner.[40] The new VoteCal system will positively impact the process of reregistering to vote as the new system will communicate and be linked to other governmental databases in California that will automatically update voter registration information if there is a match.

When someone completes the California online voter registration, a DMV database search occurs to locate that person's state issued driver's license or identification number, date of birth and the last four social security digits. If there is a match and elections officials are authorized to use someone's DMV signature, a digital copy is added to the completed online application and that signature becomes part of a person's voter file. However, what happens when a person is eligible to vote but does not have a driver's license or a state-issued identification number? The registration website allows applicants to proceed if the other information (last four digits of social security and date of birth) is entered. At this point the application is incomplete until a pre-filled application is printed, signed, mailed, and verified by the county elections office.

Multilingual service integration already exists in California's OVR system and these services have been proven beneficial for eligible voters for whom language is a barrier to voter registration.[41] The California online registration system offers services in Spanish, Chinese, Hindi, Japanese, Khmer, Korean, Tagalong, Thai, and Vietnamese.[42]

Mobile Technology and Voter Registration

Mobile device compatibility with California's online voter registration is limited to being mobile friendly. That is, the voter registration website is optimized to work with a mobile device web browser. However, California, like many other states, has not focused on developing a mobile device application that could make it easier and faster for eligible voters who might be constantly on the move and/or do not have access to an Internet-connected computer to register online and/or obtain information about an election, including candidate details and directions to the voters' polling places. The state of Kansas worked with the Voting Information Project to launch their first mobile app, called "VoteKansas," which is compatible with iOS and Android mobile devices. Data shown in several reports spotlight the rapid change in technology that has made smartphones and other kinds of mobile devices inexpensive and therefore accessible to almost everyone. In fact, more people have access to the Internet via mobile devices than Internet access via computers.[43]

[40] "Online Voter Registration." *Fair Elections Legal Network* (2015).
[41] Bosh, *Online Voter Registration: Trends in development and implementation*, 3.
[42] Ibid, 3.
[43] *Online Voter Registration: Trends in development and implementation*

Besides Internet connectivity, most mobile devices also provide integrated components such as cameras and touch-screens. These components can serve a multitude of purposes, such as a scanner and a signature pad, which could potentially eliminate steps in the registration process for those trying to register online. An identification feature that could potentially eliminate a step in the online registration process would enable people to send their signatures electronically by snapping a photo of the signature that is then enhanced for digital purposes.[44] The touch screen to a mobile device could also function as a traditional signature pad—normally found at government agencies like the DMV where a signature is required to complete the process. However, there is concern with the signature verification, as a touch screen (electronic) signature might vary significantly from a written (wet) signature.

This of course is only useful if a signature record does not already exist within a government database, if, for example, an eligible voter lacked a driver's license or state-issued identification number. Furthermore, if a signature is required for identification and eligibility purposes and the registrant does not have a signature on file, voters should be allowed to provide a signature at the polling place where they first vote. This would be especially helpful in California where an online registrant is able to proceed through the registration process with the last four digits of his or her social security number and a date of birth, but still have an incomplete application since the prefilled application would need to be printed, signed, and mailed to the county elections office. These extra steps can lead registrants to believe that their application is complete, or they might simply forget to mail their signed application.

Improve California's Online Registration

OVR has improved over the years, but there is more to be done to make voter registration effortless so that getting more people to actually vote becomes the actual focus in increasing civic participation, particularly in San Francisco.

Although California has come up with a number of innovative ways to make the voter registration process easier, it is also critical to learn what other states are doing and whether there are any indications of resulting increases in voter registration. In Minnesota, for example, eligibility and identity to register to vote are not confirmed through a signature. A social security number is used instead, and once verified the record is added to its rolls.

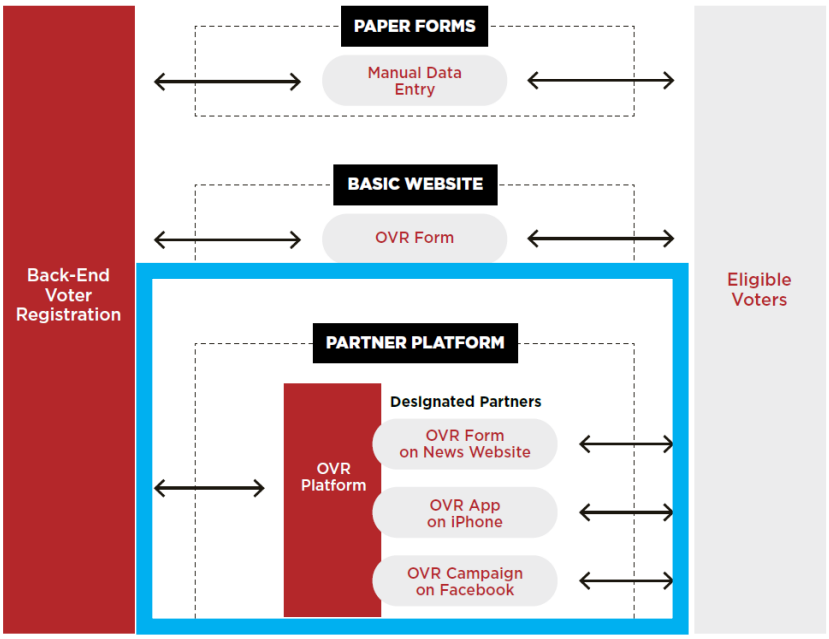
Previously mentioned as a possible technological advancement to California's online registration, the usage of mobile devices to collect signatures is already being used by such states as Delaware and Missouri. Rather than obtaining a digital copy of a signature from the DMV (if one is available), these states accept stylus pen or finger-based signatures from touch-screen devices, such as tablets and smartphones.[45]

[44] "Online Voter Registration: Trends in Development and Implementation." *The Pew Charitable Trusts* (2015): 2.
[45] "Online Voter Registration: Trends in Development and Implementation." *The Pew Charitable Trusts* (2015): 2.

Research from Rock the Vote indicates that if more states continue to build OVR platforms compatible with the latest technology, technology firms "will jump at the opportunity to advance registration efforts in an innovative way."[46] Firms like Microsoft, Google and Facebook are increasing their own civic engagement efforts by building tools to help people register or even remember to vote.[47] In recent elections, Facebook developed an "I'm a voter" status post made available during general elections to provide a method for users to tell friends that they have voted. While there is not sufficient evidence on the actual outcome or effect on people who see their friend's "I voted" status update on Facebook, it might be beneficial to see Facebook or other social media platforms develop a tool that encourages and reminds eligible voters to register at their local elections office and at the same time be able to measure the success of these tools in increasing voter registration and participation.

As a supporter for advancing civic engagement through existing technology, Rock the Vote believes that a series of partner platforms can broaden the reach of election officials when trying to register voters. Shown in the diagram below, online voter registration platforms can lure users into registering if it is facilitated by being integrated within a news website, Facebook, or an iPhone application.

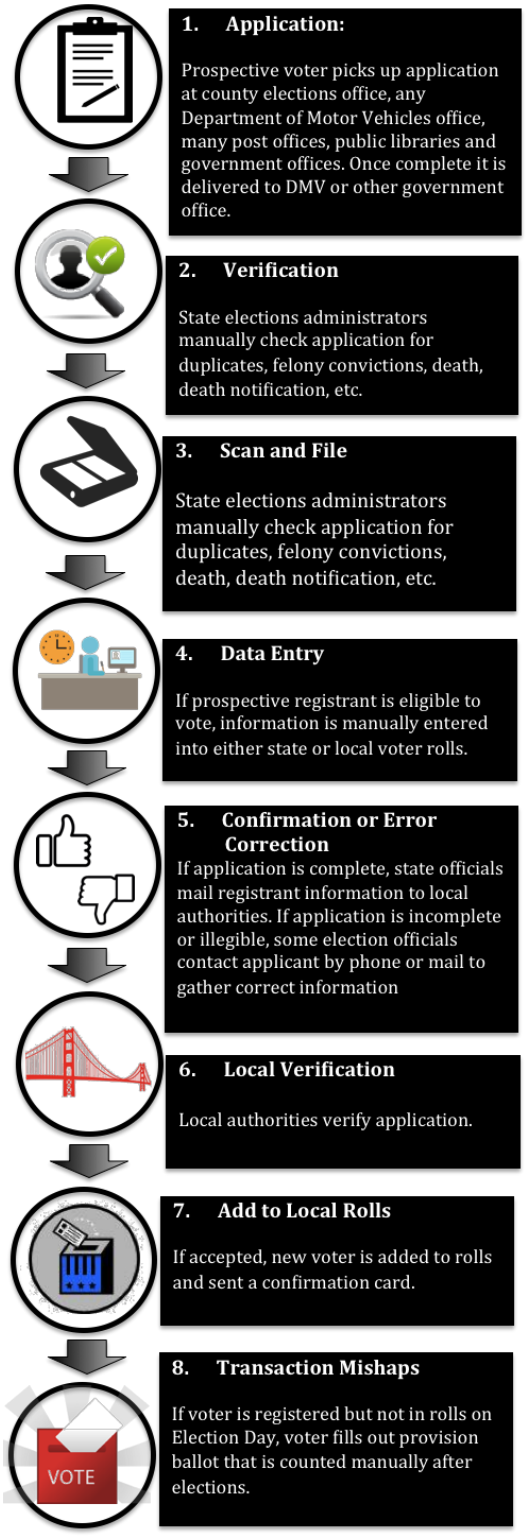
Rock the Vote Voter Registration Platform Process



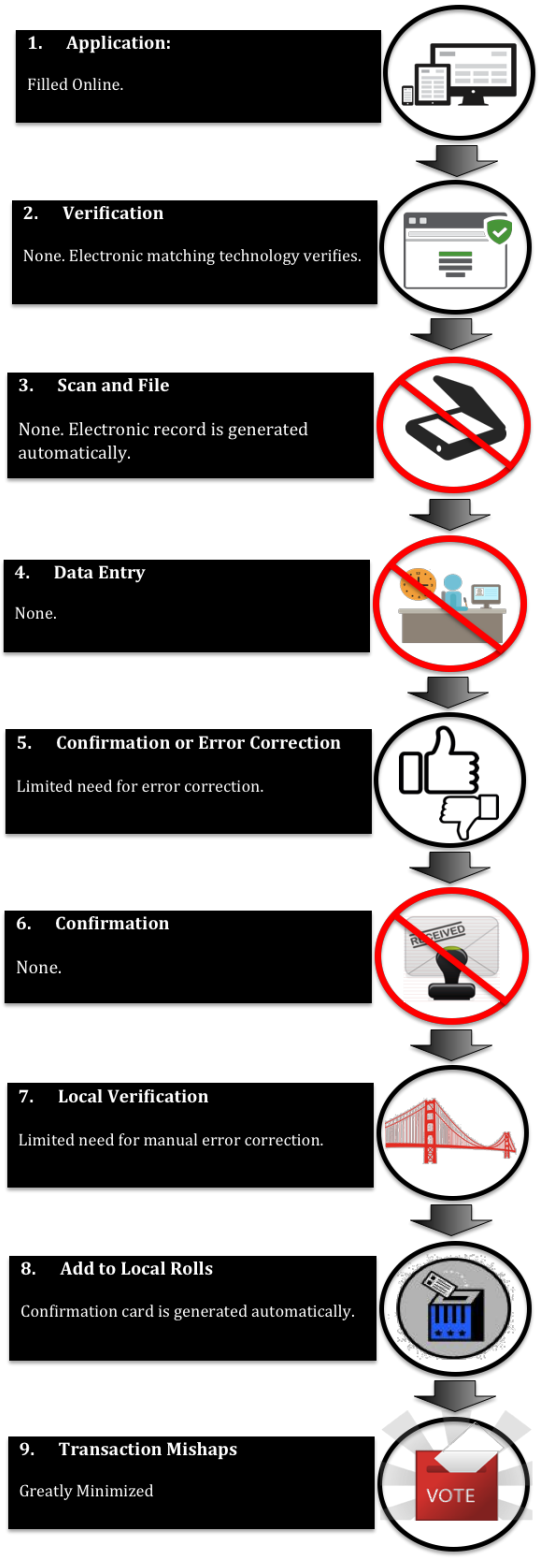
[46] David Robinson & Harlan Yu. "Connect OVR: A Simple, Durable Approach to Online Voter Registration." *Rock the Vote Research* (2013): 8.
[47] David Robinson & Harlan Yu. "Connect OVR: A Simple, Durable Approach to Online Voter Registration." *Rock the Vote Research* (2013): 8.

The degree of future improvements from which the current OVR in California can benefit, are promising. As an example, the expected arrival of VoteCal in June of 2016 means registered voters will no longer have to take separate action to reregister every time there is an address change. The voter registration system will now communicate with several government agency databases and automatically update the voter file with the new address if there is a match.

Paper-Based Voter Registration Process



Online-Based Voter Registration Process



Source: Social Science Research Council

D. **Language Access Program**

Under the Federal Voting Rights Act of 1975, counties are required to provide voting age Limited English Proficient (LEP) communities with assistance from bilingual poll workers, translated ballots and other election materials if Census data reveals a set percentage of LEP voting age citizens. In addition to this federal mandate, the City of San Francisco established the Language Access Ordinance in 2010, which ensures all San Franciscans have equal access to city services. San Francisco currently provides language assistance in Chinese, Tagalong and Spanish.[48] However, since California has a highly diverse population, the SOS offers assistance in other languages not provided by the city. Languages offered by the SOS include Spanish, Chinese, Hindi, Japanese, Khmer, Korean, Tagalog, Thai and Vietnamese. "Language assistance policies have historically helped facilitate voter participation by LEP citizens when fully implemented."[49] If California decided to change the state's voting method to VBM or absentee voting, LEP communities would not be impacted by change since language assistance is already offered through the San Francisco DOE and California SOS.

The DOE has been proactive in establishing effective multi-lingual services and is overseen by DOE Director, John Arntz. Pollworkers begin training via an oral exam with a native speaker in the language with which they will be providing assistance. The training then dives into Election Day procedures to ensure LEP voters receive the assistance they request.

Civic engagement experts who focus on the inclusion of language minorities in the U.S. civic process also recommend election officials follow a set of rules regarding publicity. Dr. James Thomas Tucker, a voting rights consultant for the Native American Rights Fund, said the following in a statement before the Presidential Commission on Election Administration. "They should make sure that information provided through English media, including voter information pamphlets, mailers, prints ads, public service announcements, signs, and radio and television ads, are also provided through similar media in the covered language."[50] With help from community leaders and its own community outreach team, the DOE has been able to figure out how different LEP communities respond to different media. For instance, the LEP Chinese prefer person-to-person contact through social workers or television ads. In contrast, the Spanish-speaking Latino community responds better to radio and television ads on certain television stations.[51]

The Greenlining Institute published a thorough report that focused on finding out why there has not been a significant increase of LEP voters in California. It concluded that there are still unaddressed issues and provided some recommendations that could potentially improve voting access for California's limited-English communities. For example, voter registration of Latinos continues to be lower than that of whites, Asians and African Americans. The Greenlining

[48] http://sfgov.org/elections/multilingual-voter-services
[49] Joshua Alegado, Zainab Badi and Michelle Romero. "Community Voices: Improving Access to Voting for California's Limited-English Communities." *Claiming our Democracy* (2015): 3.
[50] Dr. James Thomas Tucker. "Barriers to Language Minority Voter and How to Overcome Them" (2013): 18.
[51] Interview with San Francisco Department of Elections Director, John Arntz

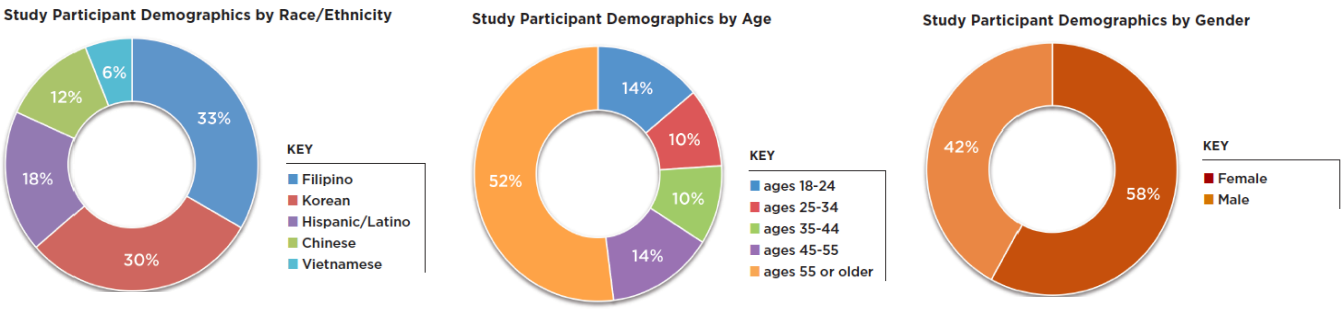
Institute believes the large number of Latinos considered to be LEP is possibly a contributing factor.

OVERALL ETHNIC TURNOUT

VOTER SET	2014 GENERAL ELIGIBLE	2014 GENERAL VOTED	TURNOUT
TOTAL	17,775,077	7,452,930	42%
LATINO	4,106,618	1,137,192	28%
ASIAN	1,595,332	584,661	37%
AFRICAN AMERICAN	1,074,325	339,802	32%
WHITE	10,663,466	5,243,563	49%
NOT US BORN	3,530,706	1,317,321	37%
US BORN	13,777,941	5,958,120	43%

Data from California's 2014 general election that show voter participation by various subgroups. *(Political Data, Inc.)*

Furthermore, the Greenlining Institute conducted three community input sessions in Alameda County, Orange County, and Los Angeles County. These sessions brought together 8-10 participants "who had served as bilingual poll workers, poll monitors, phone bankers, and/or volunteers in voter mobilization-get-out-the-vote campaigns targeting LEP voters in California."[52] The demographics for this study were as follows.



Source: The Greenlining Institute

[52] Joshua Alegado, Zainab Badi and Michelle Romero. "Community Voices: Improving Access to Voting For California's Limited-English Communities." *Claiming our Democracy* (2015): 19.

Some key findings from these three county focus groups indicate that although language access programs already exist, LEP voters are still struggling to fully understand the elections process.

1. *Translated information should be more accessible to all voters and less confusing.*
2. *Some voters who want materials in other language are not receiving them and don't know how to obtain them*
3. *LEP voters vary in their comfort with asking for assistance at the polls*
4. *LEP voters do not feel like they are part of the ballot initiative process.*
5. *For LEP communities, their access to information about candidates and issues on the ballot is limited.*
6. *Community leaders and poll workers want more opportunities to provide feedback and work strategically with election officials to increase turnout services for LEP communities*

Since San Francisco County was not included in these focus groups, these key findings may or may not be applicable to the city's current LEP program. Nonetheless, the DOE is already doing everything possible to ensure LEP communities receive assistance with the elections process. For instance, they hold quarterly open forum public meetings with community organizations to discuss ways of improving voter access, particularly in the communities they serve that tend to be of color and also LEP. Perhaps conducting focus groups with poll workers in San Francisco, similar to those done by Green Lining Institute, might bring light to possible gaps in the city's language access ordinance that could be addressed to ensure LEP voters are given all necessary support.

E. Electorate Mobilization

There are several reasons why mobilizing nonvoters through community outreach is effective in promoting civic engagement. San Francisco nonprofit organizations in collaboration with the DOE have engaged in door-to-door canvassing, tabling at community events, and other voter awareness activities. According to LeRoux and Krawczyk, authors of *Can Nonprofit Organizations Increase Voter Turnout,* "Nonprofits in the forms of voluntary associations, civic organizations, and lobbying groups have long been recognized as influential actors in American policy making and politics."[53] Health, housing, welfare, and unemployment agencies could also play an important role by providing ways for citizens to register to vote.[54]

Nonprofits under section 501(c)(3) of the Internal Revenue Service (IRS) tax code can pursue voter education efforts and conduct get-out-the-vote activities to promote voter turnout, but they cannot engage in more than *de minimis* partisan operations or endorsements. Education activities by nonprofits are protected by IRS Revenue Ruling 78-248, 1978-1, which allows "provision of

[53] Kelly LeRoux and Kelly Krawczyk, *Can Nonprofit Organizations Increase Voter Turnout? Findings from an Agency-Based Voter Mobilization Experiment*, 274.
[54] Ibid., 275.

information on voter registration deadlines, objective candidate information, information on ballot measures, assistance in finding polling locations, assistance in filling out a sample ballot, and any other nonpartisan activity intended to increase the likelihood of voter turnout."[55]

The Get Out The Vote efforts of political parties are more often than not beneficial in increasing voter turnout. However, voter mobilization through political campaigns is not a consistent form of engagement with potential voters, particularly nonvoters, and might not be a feasible long-term solution to increasing voter participation. For example, it is likely that a political campaign's involvement in voter registration and voting itself is heavily focused on the issue of interest to that campaign which may not be around in the next election cycle.

Outreach by community organizations can greatly benefit LEP communities as the registration and voting processes might be new to them.[56] Amy Aguilera at People Organizing to Demand Environmental and Economic Rights (PODER) coordinates her organization's civic engagement efforts in San Francisco and also represents that organization in a coalition of nonprofits called San Francisco Rising. At PODER, their civic engagement program in the Latino community is called *Pa' Votar* and it offers people they work with information about what will be on the ballot in upcoming elections and the organization's stance on initiatives being voted on. Furthermore, PODER staff is trained to help walk-ins register to vote; they also provide the same kind of assistance at membership meetings. On Election Day, PODER offers rides to anyone who can vote but is hindered by a lack of transportation to a voting center. PODER and SF Rising have not done their own analysis to determine whether their outreach actually leads to more people voting. However, research indicates that ethnic and immigrant communities like those with which PODER and SF Rising are working, trust messengers from their own communities.[57] Because it is composed of ten nonprofit organizations with ties to the Latino, Asian, and African American communities, all of which are known to have a low voter turnout, SF Rising has an advantageous position in San Francisco from which to implement successful voter outreach initiatives.

Measuring the Effect of Community Outreach

A downside to community outreach as a way of increasing voter participation is the difficulty of obtaining an accurate measurement of results. The difficulty is the large number of variables inherent in these outreach methods, such as the number of organizations involved, tactics used, and frequency of contact, any of which can determine whether voting-related contact leads to higher turnout rates.[58]

[55] Kelly LeRoux and Kelly Krawczyk, *Can Nonprofit Organizations Increase Voter Turnout? Findings from an Agency-Based Voter Mobilization Experiment*, 275.
[56] Dr. James Thomas Tucker. "Barriers to Language Minority Voter and How to Overcome Them" (2013): 8.
[57] Melissa R. Michelson, "How to increase voter turnout in communities where people have not usually participated in elections," 7.
[58] Kelly LeRoux and Kelly Krawczyk, *Can Nonprofit Organizations Increase Voter Turnout? Findings from an Agency-Based Voter Mobilization Experiment*, 275.

According to Director Arntz, to successfully conduct community outreach and maintain leverage, "it comes down to being on television and then on radio." His conclusion is not without evidence as a report that analyzed the effect of Spanish local television news on boosting Hispanic voter turnout found that Spanish language news broadcasts raised such turnout by four percentage points.

The San Francisco DOE also conducts outreach utilizing a community-focused approach, which includes tabling at public-oriented events such as the Haight Street Fair, or giving voter education presentations in Chinatown. As mentioned above in the section on the Language Access Program, the DOE organizes quarterly meetings with what is called the Voter Information Network. At these meetings, the DOE shares with attending community organizations its plans for voter outreach, ask for ideas and suggestions, and solicits input on ways the elections office can improve.

F. Felony Disenfranchisement

The right to vote for prisoners, parolees, and ex-felons is often quashed by voting laws that bar them from participating in the U.S. democratic process.[59] The rise of the U.S. prison population is an issue of mass incarceration; approximately 22% of the world's prison population is incarcerated in the U.S.

Marcela García-Castañon, a political science professor at San Francisco State University who specializes in American politics and Latino political socialization, regards mass incarceration as an issue that greatly affects men of color, particularly black and Latino men. García-Castañon also concurs with community advocates' and civil rights attorneys' characterizations of our prison system as one that disenfranchises black and Latino communities. The San Francisco *Update to the Jail Population Forecast* report for 2014 reveals that 70% of the average daily population was made up of people of color, half of whom were black.[60] With regard to voting rights, there are at least three things to address when looking to address the high incarceration rates for black and Latino communities: Reforming the U.S. Justice system; Restoring voting rights to inmates; And/or being proactive in terms of outreach so that once an inmate is released, off parole, and on probation, that former inmate is able to reregister to vote. At present, Maine and Vermont are the only two states that allow felons to vote while in prison.

California law currently allows felons who have completed their sentences and are off parole to reregister to vote. The San Francisco DOE provides legal services offices with ballots for their clients, while also working with the San Francisco Reentry Council and giving presentations on the voting process at halfway houses such as the Delancey Street Foundation.

[59] Weathersppon, Floyd D. "The Mass Incarceration of African-American Males: A Return to Institutionalized Slavery, Oppression, and Disenfranchisement of Constitutional Rights," 2006-2007, 614.
[60] Update to the Jail Population Forecast. Report. San Francisco: City & County of San Francisco, 2015.

G. Internet Voting

Remote Internet voting has the potential to revolutionize the way people vote in the United States. At the same time, the increased probability of fraud and sabotage of elections is much higher due to the security risks that follow. In fact, a significant amount of research on Internet voting focuses on the challenges posed by this kind of system. People who prefer to do most things online, from banking online to preparing and filing tax returns, wonder why they cannot use the same tools for voting. [61] However, remote Internet voting is a complex method with vulnerabilities that still need to be addressed. Online banking, for example, has been possible only with banks willing to lose millions of dollars as a result of online theft. This fact,however, is not disclosed in order to maintain clients' trust in bank security.

Comparing an Internet voting system and a traditional voting system shows that the traditional voting system—especially the traditional absentee voting system—suffers from as many potential threats as does Internet voting, yet voters tolerate such threats because they have never been as systematically exposed and explicated as have the threats to an Internet voting system.[62]

Voting is costly to voters; this is evident through the large gaps between those who vote and the different nonvoting populations. When voters need to make time in their day to vote, the cost increases significantly for two main reasons: the need to travel to the nearest voting site, which can be difficult given limited poll hours that conflict with busy work schedules; and secondly the need for time to learn about the candidates and initiatives on the ballot. For technology experts who see Internet voting as the appropriate response to the decline in voter participation, further research should be a priority to overcome the current security obstacles.

Replacing the current traditional paper voting method with remote Internet voting would require a gradual transition that could be accomplished by first piloting Internet voting stations at city-controlled sites at regular voting places. It would allow voters to vote on systems connected to a network administered by the DOE, which would facilitate tracking potential security threats and voter fraud activity. Furthermore, California state law would need to be amended, as Elections Code, Division 19 of Article 1 prohibits having a voting system that is connected to the Internet at any time.[63] Results from experimenting with a controlled Internet voting system could provide working data to resolve any encountered issues. As improvements are made, Internet voting could be expanded to polling places and ultimately to any location with an Internet-connected device.[64] In 2012, Assembly member Phil Ting introduced AB 19, which, had it passed, would have allowed California counties to conduct pilot programs in online voting as an additional

[61] Barbara Simons and Douglas W. Jones. "Internet Voting in the U.S.," 2012, 68.
[62] R. Michael Alvarez and Thad E. Hall. "Point, Click, & Vote: The Future of Internet Voting," 2004, 87.
[63] http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=ELEC&sectionNum=19205.
[64] R. Michael Alvarez and Thad E. Hall. "Point, Click, & Vote: The Future of Internet Voting," 2004, 20.

voting method.[65] The bill went through two sets of in-committee hearings but died before making it out of the committee process.

Internet voting is believed to address issues pertaining to voter accessibility in underrepresented groups. Allison Stacker, who has studied the impact of "e-voting" on minorities, is convinced that it would reduce linguistic barriers since instead of needing to print or have on hand ballot translations, an Internet system would have the capacity to provide instant translations of an e-ballot and be less expensive to reproduce than paper ballots. It would also allow the disabled, seniors and persons abroad to cast votes without leaving home.[66] Moreover, when asked why they do not vote, youth typically respond that they are too busy. Stacker suggests that remote voting would also increase youth participation—a group known to already be tech savvy and who would find it easier to vote online.

Nonetheless, most opposition to remote Internet voting originates from a security standpoint. As some researchers suggest, system risks under different scenarios include hacking and targeting by terrorists, computer viruses, and hijacking by political groups intending to skew election results.[67] Aviel Rubin, a computer science professor and network security expert at Johns Hopkins University is quoted as saying that remote Internet voting is not feasible until "a new generation of personal computers" is developed, in wide use, and able to fend off "unwanted intrusions in transactions between networked computers."[68]

Echoing this viewpoint, Ryan Macias, SOS technology analyst, believes that in its existing framework "there is no way of making remote Internet voting private and secure." Unlike paper-ballot voting, Internet voting makes it impossible to obtain a receipt that confirms voting without compromising the identity of the voter. This type of receipt would be necessary to prevent someone from voting more than once. With Internet voting, a computer's IP Address, Location Services, and Internet provider could reveal a person's identity. As a means of solving the issue of anonymity for Internet voting, Macias supports research into the Bitcoin security protocol.. V-initiative, an organization based in New York, is leading an effort to use Bitcoin technology and IP masking software to make "digital voting" secure and anonymous.

Internet voting has the potential of increasing voter participation of younger Americans, but it also comes with the risk of excluding minorities and those with less education and income if precautionary measures are not taken, such as providing education on the voting system and access to physical spaces with Internet access.[69] There are obvious reasons why this disparity is of concern. First, voting could become more convenient to those with the required technology at home or in their offices.[70] That is, an eligible voter who is unemployed or does not work in an

[65] http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB19
[66] Allison A. Stacker. "Cyber-Elections and the Minority Voter's Response," 2003, 495.
[67] R. Michael Alvarez and Thad E. Hall. "Point, Click, & Vote: The Future of Internet Voting," 2004, 76.
[68] R. Michael Alvarez and Thad E. Hall. "Point, Click, & Vote: The Future of Internet Voting," 2004, 24.
[69] R. Michael Alvarez and Thad E. Hall. "Point, Click, & Vote: The Future of Internet Voting," 2004, 52.
[70] Allison A. Stacker. "Cyber-Elections and the Minority Voter's Response," 2003, 482.

office setting might find it challenging to vote remotely without access to a computer. Even if election officials were to designate voting centers with available computers, these voters would not necessarily benefit from Internet voting since they would need to travel to the closest voting center to cast their ballot. Furthermore, while having computer access is important, knowing how to operate the technology is equally important. Seniors could face a barrier to voting if they are unfamiliar with the voting technology, while disabled persons may not get the additional assistance received at a traditional voting place. A properly developed online voting system can address the concerns raised by the disability community.

H. Early In-Person Voting

In San Francisco, early in-person voting at city hall begins twenty nine days before Election Day. During this time, voters are able to cast their ballot from 8:00 a.m. to 5:00 p.m. during normal business hours and from 10:00 a.m. to 4:00 p.m. on the last two weekends before the election. Political Science Professors Gronke, Galanes-Rosenbaum, and Miller at Reed College found that voting system reformers argue for expanding the number of satellite locations to include community centers, churches, and even grocery stores in order to achieve higher turnout.[71] There are those who argue that the higher cost of implementing early in-person voting outweighs any actual increase or expansion of the electorate. [72] Another concern is the possibility for voter fraud to occur if voting locations include public places.

There are several benefits for both voters and poll workers if votes can be cast over a larger number of days. Wait times would decline as the lines are shortened on Election Day, which means less crowded polling centers that allow poll workers to provide additional help to voters who need it.[73] More frequent updates to voter lists are possible as well, helping voter outreach campaigns contact those registered voters who have not voted.[74]

When laying the ground work for early voting sites in a city like San Francisco, it is crucial to take several factors into consideration that not only make it economically feasible but will also change voting trends where needed the most. These factors include past and projected turnout figures, public transportation access, and language and literacy characteristics of the community.[75] Another important factor is the time of day that best serves voters, since voting hours and how early a voting site opens should be determined by considering inflexible work schedules or whether there are families with children living in the community. Same-day voter registration is currently unavailable in California, but according to James Schwab, SOS Chief of

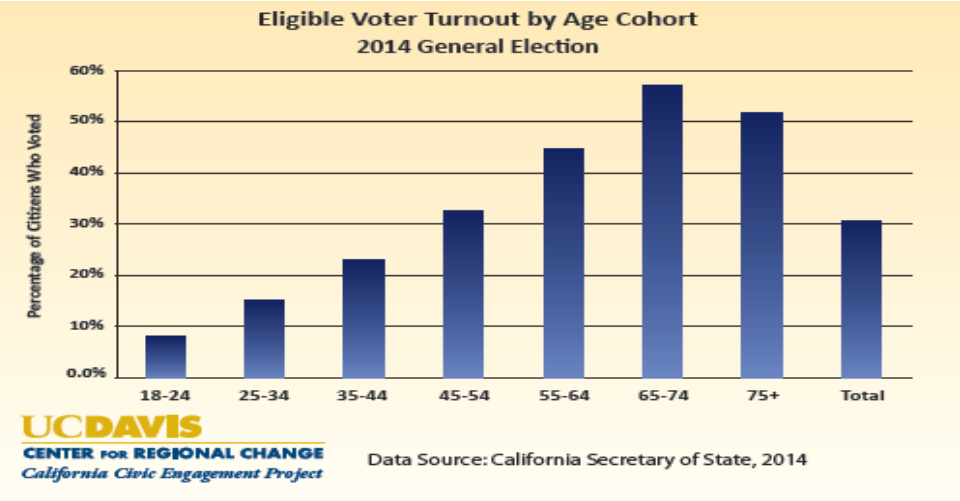
[71] Paul Gronke, Eva Galanes-Rosenbaum and Peter A. Miller, "Early Voting and Turnout." Political Science Association (2003): 639-644
[72] Teresa James, "Early In-Person Voting: Effects on Underrepresented Voters, Voting Turnout, and Election Administration." (2010): 7.
[73] J. Mijin Cha and Liz Kennedy, "Millions to the Polls: Early Voting" (2014); 2
[74] Teresa James, "Early In-Person Voting: Effects on Underrepresented Voters, Voting Turnout, and Election Administration." (2010): 2-3.
[75] Estelle H. Rofers, Esq., "Early Voting." *Project Vote* (2013): 3.

Legislative Affairs, same-day voter registration is expected to arrive in California soon as a result of Governor Brown signing SB439 into law. Although this measure was signed into law in 2013, same-day voter registration cannot begin until Vote-Cal is in full operation, as the voter database would allow real-time verification of applicants and determine if they are registered in other counties.[76] Combined with early voting, same-day registration would allow voters who are not registered to show up at a polling place, register to vote, and then vote.

To successfully implement early voting and make it into a habitual occurrence, there must be sufficient outreach through "widespread public education"—fundamentally important in communities of color and lower income groups. [77] As these underrepresented groups are known to have inflexible work schedules and often face barriers to voter registration, making such changes to the voting system might have positive outcomes.

I. Increasing Youth Participation

Rock the Vote, a nonpartisan organization, was founded in 1990 with one purpose in mind—lead the youth vote to the polls. On their website, they claim having helped to push the passage of the Motor Voter Bill of 1993 and they continue to work towards increasing voter registration of 18-year-olds. Additionally, they provide voter resources and have been successful at creating a coalition of corporate and cultural (artists, musicians) partners that have voiced their support towards engaging young voters in the political process. Despite their effort, turnout for young voters has remained relatively low for the age group of 18 to 24. As a result, there are other organizations that are also focusing on getting more youth to vote and are speaking about other strategies such as lowering the voting age.



[76] http://latimesblogs.latimes.com/california-politics/2012/09/gov-jerry-brown-approves-election-day-voter-registration-bill-.html
[77] Diana Kasdan, "Early Voting: What Works." *Brennan Center for Justice* (2013): 17.

In 2013, Takoma Park, Maryland became the first city in the U.S. to allow sixteen-year-olds to vote in local elections. The San Francisco Youth Commission, with support from Supervisors John Avalos and Eric Mar, has led its own effort to lower the voting age in local elections.

The San Francisco Youth Commission found that in Takoma Park and other countries that allow sixteen year olds to vite, such as Argentina, Austria, Brazil, Germany, Norway, and the United Kingdom, the turn out for teen voters was greater than for older voters. Additionally, teen voting has a "trickle-up" effect on parents and peers that could increase turn out amongst different electorate groups. Generation Citizen, a nonprofit focused on delivering civics education to teenagers, has a campaign called "Vote16USA," which seeks to lower the voting age. A white paper based on their analysis argues that lowering the voting age to 16 will help establish a habit of voting, and build pressure for schools to improve civics education.

In California the age requirement to register to vote is eighteen, which is not ideal for boosting the likelihood that voting behavior will become habitual. Statistics show that most eighteen-year-olds are in a period of transition that includes going from high school to college, job seeking, administering their own finances for the very first time, and/or moving out from their parents' house. Lowering the age to sixteen would ensure teens have a chance to acquire the habit of voting, while they are still living at home with their parents and enrolled in high school. This could increase the chances of inculcating a culture of voting as a civic duty.

Civics education plays a major role in the process of creating habitual voters at a young age. According to Generation Citizen, "civic classes risk falling short by teaching young people how government works without any ability to actually participate in it." For students to be able to apply concepts about American government, it is crucial to actually participate in it at its very core principle, which is that of electing their representatives.

In the most recent effort to increase youth turnout, two University of California Berkeley law students wrote a draft statute to automatically register college students to vote when registering for classes as part of a contest called "There Ought To Be a Law," that they presented to Assemblymember David Chiu in February 2016.[78] As a result, Assemblymembers David Chiu and Rob Bonta coauthored AB 2455 based on the idea of increasing voter participation of younger voters by establishing "an automatic voter registration for California citizens enrolled at state public college and university campuses."[79] The bill is currently working its way through the legislative process.

[78] Christine Mai-Duc, "If these students get their way California college students would be automatically registered to vote." (2016).
[79] http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB2455

J. Non-Citizen Voting

"Outrage" is how Tara Kini, who writes about noncitizen voting in local school board elections, describes what most Americans experience when the idea of noncitizen voting is discussed.[80] To change the mindset of those who oppose noncitizen voting, Kini explains that noncitizen voting was not only allowed, but was not considered an issue prior to 1926. During the nineteenth century, noncitizens were allowed to vote in at least twenty-two out of forty-five states and territories.[81]

While the most common argument in favor of allowing parents to participate in local school board elections is to give those parents a voice in their children's education, there are other advantages to upholding U.S. democratic values. According to Kini, the moral argument for restoring voting rights to noncitizens derives from the moral foundation of this country: no taxation without representation.[82] If noncitizens pay taxes like everyone else they should also be able to elect their representatives. Ronald Hayduk, a professor at City University of New York expands this argument further by providing examples of why noncitizen immigrants behave similarly to citizens. Besides being subjected to the same laws, immigrants are business owners, parents who have children enrolled in school, military people, and participate in many other ways in the social construct of a community.[83]

Immigrant rights advocates were successful at putting Proposition F on the ballot in 2004 and Proposition D in 2010, but both were defeated. In the 2003 San Francisco mayoral campaign, candidate Matt Gonzalez stood by his education platform, which focused on giving noncitizen parents voting rights in local school board elections. Gonzalez' proposal was modeled after New York City legislation that allowed noncitizen parents to vote in local school board elections.[84]

Challenges to Noncitizen Voting

According to Kini, California law presents three major legal hurdles to overcome if noncitizens are to be granted the right to vote:

First, *Article II, section two of the California Constitution* states that *"A United States citizen 18 years of age and resident in this state may vote."* Second, *California Elections Code sections 2000 and 2101* require United States citizenship as a prerequisite for voter registration. Finally, *California Education Code section 5390 extends the requirements of the Elections Code to local school district elections.*[85] Reported by the Examiner in April of 1996, San Francisco Superior Court Judge William Cahill ruled that the proposed ballot initiative to grant noncitizens the right to vote in local elections

[80] Tara Kini, "Sharing the Vote: Noncitizen Voting Rights in Local School Board Elections." (2005): 272.
[81] Ibid., 301.
[82] Ibid.,306.
[83] Ronald Hayduk, "Democracy for All" Restoring Immigrant Voting Rights in the US." (2004):500.
[84] Tara Kini, "Sharing the Vote: Noncitizen Voting Rights in Local School Board Elections." (2005): 273.
[85] Tara Kini, "Sharing the Vote: Noncitizen Voting Rights in Local School Board Elections." (2005): 282.

would violate California's constitution unless amended through a legislative referendum or by direct initiative. According to Kini, a legislative amendment requires a two-thirds vote in each house to approve the proposal and a majority vote for ratification. Whereas, an amendment by direct initiative would first require a petition signed by 8% of the number of voters who voted in the last gubernatorial election to get on the ballot and then require a majority vote for passage.[86] For professor Hayduk, the initiative in 1996 was an effort by immigrant rights advocates to counter the repercussions of California's Proposition 187 that would deny government services such as healthcare and public education to millions of undocumented immigrants in the state.[87]

As a charter city, San Francisco has authority, given to all chartered cities by Article IX, Section Sixteen in California's Constitution, to amend the city's charter and modify the qualifications to vote in local school board elections. That is, citizenship would no longer be a requirement to vote in those elections, and perhaps could go further as to redefine who is eligible to run for school board and grant noncitizens an opportunity to become candidates.

Voter fraud is a fear amongst opponents to noncitizen voting, but according to Hayduk there is little evidence to show that noncitizens are more likely to be involved in electoral fraud than citizens. However, with the arrival of VoteCal, voter fraud by noncitizens is unlikely since it will allow election officials in every county to maintain separate voting lists if need be to ensure only citizen voters are able to vote in general elections. Director Arntz believes there are obvious changes that would need to be figured out if new groups of voters are added within the state-wide system, but this will remain unclear until the voter registration system is rolled out. New York City, Chicago, and D.C. have attempted to give noncitizen immigrants the right to vote, but have failed to get the approval of voters. Takoma Park, Maryland has allowed noncitizens to vote in local elections since 1991, but data show that even though there was an increase of noncitizen voter registration, the turnout amongst this group remained relatively low.

[86] Tara Kini, "Sharing the Vote: Noncitizen Voting Rights in Local School Board Elections." (2005): 282.
[87] Ronald Hayduk, "Democracy for All" Restoring Immigrant Voting Rights in the US." (2004):511.

V. Concluding Remarks and Next Steps

California is on the verge of implementing new voting laws and systems that could make voting in the state significantly easier. Two anticipated events include the statewide release of VoteCal, a new voter system intended to centralize voter files and link different government agencies into one major database. VoteCal is currently doing some procedural requirements, such as testing, that need to take place before it is officially launched, which is estimated to happen in June 2016.[88] With the arrival of VoteCal and its ability to provide real-time voter verification, other measures to increase voter participation can follow such as same-day registrations. It could also improve outreach done by political campaigns and community organizations that rely on real-time data about who has already voted in order to target those eligible voters who have not. The second event is Governor Brown's signing into law of the new motor voter bill expected to automatically register eligible citizens at DMV offices in June 2016.

San Francisco residents are often portrayed as politically driven individuals, most of whom are likely to participate in every election. When compared to other parts of the county this may seem to be fact, but the reality is different and voter turnout does not confirm this claim. While, participation is higher for older, white males with higher education attainment and personal income, this is not the case for communities of color, LEP and low-income communities, and younger people. As a result, this study focused heavily on increasing voter participation through different mechanisms and simultaneously examining their ability to bring underrepresented groups of voters to the electorate.

All-mail elections and increasing the number of satellite locations for early in-person voting can perhaps address some of the issues such as time constraints, lack of mobility, and language barriers often faced by communities of color, LEP and low-come individuals. These mechanisms could provide more opportunities for these groups to cast their ballots.

With Silicon Valley as tech central, technological innovation is a constant in San Francisco. The California SOS and the San Francisco DOE could potentially look into developing partnerships with companies like Facebook and Google that hold major online presences and could mobilize their users to register and vote—particularly younger voters. Partnerships between tech companies and civic engagement organizations are already surfacing. Google and the Voter Information Project are working together to create voting information tools for iOS and Android devices that election officials can customize, rebrand and use for election cycles.

The San Francisco Youth Commission has undertaken the task of moving forward with an initiative known as Vote 16 San Francisco to expand the franchise to 16 and 17 year olds for local elections. This measure would require a charter amendment, which the Board of Supervisors has voted to place on the November 2016 ballot, to be decided by San Francisco voters.

[88] "Elections," http://www.sos.ca.gov/elections/voter-registration/votecal-project/

Expanding voting rights for felons and noncitizens (outside of local races controlled by the San Francisco Charter) would require California constitutional amendments since this is not currently allowed under California law. Expanding rights to both felons and noncitizens seems far from occurring due to major opposition on implementation. For example, noncitizen voting in local school board elections has been proposed three times in charter amendments, but has not received sufficient votes to pass. Incarceration disenfranchisement is a complex issue as it involves several parts of the U.S. legal system. It would therefore require further research that begins at the stem of the problem linked to mass incarceration in order to close the gap of voting rights for current and former inmates who are in the legal system.

Remote Internet voting is a mechanism to making voting more accessible, but security threats and lack of anonymity are hindrances to any forthcoming pursuit.

Any kind of effort to increase voter participation in San Francisco should strive to close voting gaps that lead to inequality by observing closely districts with low historic turnouts to determine whether enacting new voting mechanisms will disrupt the current trend. San Francisco could then introduce a new era of civic participation for the rest of California to follow in order to grapple with the state's low ranking amongst the fifty U.S. states in voter turnout.

VI. Abbreviation Codes

AB – Assembly Bill

DMV – Department of Motor Vehicles

DOE – San Francisco Department of Elections

IP – Internet Protocol

IRS – Internal Revenue Service

LAFCo – San Francisco Local Agency Formation Commission

LEP – Limited-English Proficient

OVR – online voter registration

PODER – People Organizing to Demand Environmental and Economic Rights

SB – Senate Bill

SOS – California Secretary of State

VBM – Vote by Mail

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