

Testimony of Adam Fogel
Before the Washington D.C. City Council
Committee on Government Operations and the Environment
Bill 18-345, the “Omnibus Election Reform Act of 2009”

July 13, 2009

Thank you for inviting me to testify today. My name is Adam Fogel; I live in the District and am the Right to Vote Director at FairVote, a nonpartisan, nonprofit election reform and voting rights organization founded in 1992. We’re an active member of the D.C. Voting Rights Coalition and appreciate the opportunity to provide testimony on this sweeping election reform bill.

The Omnibus Election Reform Act of 2009 is a first, bold step towards modernizing Washington, D.C.’s Election System. In the short term, it will improve voter registration and give more D.C. residents a chance to vote in elections. This bill will also lay the groundwork for a 21st Century voter registration system that anticipates participation as opposed to the current 19th Century system that places hurdles along the way to the ballot box. Washington, D.C.’s voter registration and election system should show the rest of the country that this city is a beacon of democracy, one that serves as a model to others and demonstrates our commitment to securing full and equal voting rights.

I’ll focus my remarks today on four provisions of the bill and offer my recommendations on continuing to move the District’s elections forward.

The bill establishes two new policies for newly eligible voters. It sets a uniform pre-registration age of 16-years-old, which will improve the current registration system in two ways. First, it will create the space necessary to allow high schools to conduct systematic, annual voter registration drives. Students registering at 16 or 17 will have plenty of time to learn about the election process, creating more informed voters. Second, this policy will decrease the last-minute rush of registration forms the Board of Elections receives before the deadline every election cycle, because this policy makes voter registration a year-round activity. Systematically registering youth as they reach voting age will also decrease the need for third party partisan and nonpartisan groups to conduct registration drives before each election, allowing those groups to focus on get-out-the-vote campaigns and voter education.

The bill also allows 17-year-olds to vote in primary elections if they will be 18 by the general election. Nearly half of states have adopted this policy because it gives voting-age young people a voice in who appears on the general election ballot. It also encourages young people to vote in the first election for which they are eligible, which has been shown to promote lifelong political participation.

This bill also establishes a best practice that has helped bring down barriers to participation in 9 states already, Election Day Registration. According to Demos, voters in states with EDR were 7-percentage points more likely to participate in the 2008 election. In implementing EDR, it is important that poll workers across the District are properly trained so there is uniformity in how the policy is put into practice. It is also important that the Board of Elections allow a broad range of forms of identification for voters to prove their residency.

While Election Day Registration is a best practice for our current voter registration system, other options exist to modernize voter registration in more significant ways. The provision mandating a feasibility study on Automatic Voter Registration is one that should be taken seriously. Washington, DC has an opportunity to lead the nation in the percentage of eligible voters on the rolls. The United States is an outlier in having a self-initiated, opt-in system of voter registration. In most other democracies, the government shares the responsibility of maintaining full and accurate voter rolls. Through the use of existing government databases, including the DMV, the Office of Tax and Revenue and public assistance agencies, D.C. can automatically register eligible residents to vote and automatically update their registration when they move. Several states are currently debating this policy and it has the support of a broad range of national civil rights and voting rights organizations, including the Leadership Conference on Civil Rights, the Brennan Center for Justice and Common Cause.

The Omnibus Election Reform Act of 2009 is a comprehensive bill that lays the foundation for making the District's election laws among the most progressive in the country. One factor this committee and the Council should consider after this bill is passed is how to best inform the public of these new policies. Educating the public—with a particular focus on youth—about these laws will promote greater transparency in the election process and improve the public's perception of D.C. elections, especially after the controversy surrounding last year's primary contests. I recommend that the City Council, in conjunction with D.C. Public Schools, make civic education and teaching the mechanics of participation a priority. Far too many young people leave high school without learning the basics of voting—including how to register to vote and what to expect on Election Day. Far too many of these students' parents do not vote and many are intimidated by the process. With a mandate from the D.C. City Council, that can change. We can improve election laws by passing this bill, but the important work begins after this bill is passed—by registering and educating students in our schools and creating a new generation of informed, active participants in our democracy.

Thank you again for giving me the opportunity to testify today and I urge your adoption of this significant piece of legislation.