



LEAGUE OF WOMEN VOTERS® OF CALIFORNIA EDUCATION FUND

May 22, 2017

To: The Little Hoover Commission
From: Dora Rose, Senior Director of Civic Engagement, League of Women Voters of California Education Fund
Re: Written Testimony for the May 25, 2017, Hearing on Increasing Voter Participation in California Elections

The League of Women Voters of California (LWVC) is a nonpartisan political organization that encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy. Through our state-level 501(c)(3) organization, the League of Women Voters of California Education Fund (LWVCEF), we help Californians engage in civic life through projects designed to drive more informed and representative voter participation and a better understanding of the policy issues that impact them. A core objective is to ensure that California's electorate reflects the state's diversity and changing demographics.

It's a core objective because California has a problem. Despite the fact that we are a majority-minority state, decisions about critical issues of local and statewide importance are being made by a predominantly older, white electorate. Mindy Romero has provided testimony about the participation gap for Latinx, Asian, and youth voters. This gap means that laws are being passed through ballot initiatives, and state and local leaders are being elected, by a profoundly unrepresentative electorate.

Many Americans view government at a distance and don't trust it to serve their interests. Institutional barriers to participation make opting out more likely. The League of Women Voters of California shifts that paradigm by fostering civic literacy, connecting communities directly with their representatives, and removing barriers. This empowerment restores faith in government, cultivates engagement, makes for a more representative system, and nurtures new leaders.

The League conducts a wide range of projects designed to increase voter participation. Today's testimony will focus on three of them: our online election information site [Voter's Edge California](#); the implementation of the Voter's Choice Act; and federal motor voter law compliance along with the California's new motor voter law. You have received a good deal of written testimony and background material from my fellow panelists on the Voter's Choice Act and the motor voter laws. My discussion will avoid reiterating the information they provide.



LEAGUE OF WOMEN VOTERS® OF CALIFORNIA EDUCATION FUND

Voter's Edge California

California is an extraordinarily demanding state in which to be a voter. In addition to the usual task of merely selecting candidates, California's ballot initiative process shifts responsibility to voters to independently research and evaluate the merits of complex statutory and constitutional proposals — tasks that in most other states are handled by elected representatives. Information about measures and candidates is dispersed among a multitude of online and offline sources, each with its own level of veracity and bias. Many voters, faced with the daunting task of parsing this information overload, simply choose to opt out of the process. A 2014 CALPIRG survey of college students found that the majority of respondents who did not intend to vote in the June 2014 primary cited “a lack of knowledge about the process, a lack of knowledge about the candidates and issues, and/or the sense that it didn't affect their lives.” When asked why they thought some students choose not to vote, 37 percent of survey respondents chose “We don't know enough about who and what we are voting for.”

[Voter's Edge California](#), produced in partnership with [MapLight](#), is designed as a solution. It's an unbiased, mobile-optimized website that provides voters with personalized ballots populated with plain-language information about candidates, ballot measures, and elections in general. The site illuminates the influence of money in politics with state-level campaign finance information for both candidates and ballot measures. This transparency is hugely empowering for a skeptical electorate.

The site also offers easy access to news, editorials, endorsements, debate videos, event listings, and candidate videos. By giving candidates the opportunity to publish substantive information at no cost, we both encourage direct communication with voters and level the playing field among candidates. By hosting a professionally translated Spanish language version of the site, ensuring that the design meets accessibility and plain language best practices, and partnering with dozens of community organizations and media outlets, we maximize the site's power to engage underrepresented Californians in civic life. By incorporating the League's [Easy Voter Guide](#) to provide simple, clear, community-reviewed explanations of state ballot measures in five languages, we maximize the reach of an educational tool that has been widely heralded as a revolutionary advance in information-delivery to California voters.

Voter's Edge California ensures that voters have access to the information necessary to make choices that align with their values and interests; it is both a comprehensive source for election information and a powerful voter engagement tool.

2016 Election Impact

Voter's Edge California had 1.8 million users in 2016. Over 100,000 of those users accessed the Spanish language site. We served as the election guide for 74 media and community organizations—including California's four major public radio stations, Telemundo, and media outlets across the state. Statewide over 44 percent of



LEAGUE OF WOMEN VOTERS® OF CALIFORNIA EDUCATION FUND

candidates participated by providing information about their candidacies, and that number was much higher in some of California's most populous counties.

Feedback on Voter's Edge California was overwhelmingly positive. The online survey found that 91 percent of users reported feeling "more" or "much more" confident about their choices, 97 percent found the site useful with 89 percent stating it was very or extremely useful, 93 percent reported feeling more knowledgeable, and 74 percent reported that they would vote for more offices because of the information available on the site. This feedback is exemplified by tweets contained in the [Voter's Edge California Storify](#) and by these users who said:

"Hello...I want to thank Voter's Edge Company that has the Spanish help option. Other years I have not voted due to not having a lot of help for people that are not very good with English, and this year I did it thanks to you guys." (Translated from Spanish)

"...Without this information being offered in such a non-biased way, I may not have voted. I wouldn't have voted if I was uninformed. Thank you for giving me what I needed to do my civic duty (as old fashioned as that sounds) and to have my voice heard...."

"Hi Voter's Edge, thank you for providing me help in Spanish. It helped me understand a little more better about voting. My English is not very good. I understand very little and my kids always have to help me, but this time I did it by myself because of you. Muchas gracias!" (Translated from Spanish)

"This is the best and least partial information I have been able to find. After spending a couple of hours going through each measure and candidate, I am more informed than I have ever been before an election."

"Your guide consolidating all of the information is the best I have seen. I feel for the first time that I could be more than a casually informed voter."

The embedded [Easy Voter Guide](#) (EVG) garnered similar feedback from users. Along with distribution through Voter's Edge California, over three hundred thousand print copies, in five languages, went out to voters across the state. Along with straightforward, plain-language summaries of statewide ballot measures, the EVG offers lucid explanations of registering, voting, and what to expect in the election. An online survey revealed that 97 percent of users found it helpful – with 88% rating it as either extremely or very helpful, 83 percent said it made them extremely or very confident about their choices, and 84 percent said that it provided information that would get them to go out to vote. Notable comments included:



LEAGUE OF WOMEN VOTERS® OF CALIFORNIA EDUCATION FUND

“As a first time voter I could not have voted without the Easy Voter Guide.”

“My many past voting experiences, left me unclear about very important issues. I would rather skip the propositions section than try to understand what the issues really meant. This booklet provided me with clear and easy explanations. This is the first time I understood voting topics.”

“Homeless so it gave me information easy to obtain and understand.”

“I have had a stroke but this was so nice and easy to understand. Thank you and keep up [sic] the great work. I liked how it gave both sides.”

“Excelente información para los votantes! Keep up the good work!”

Our experience with Voter’s Edge California and the *Easy Voter Guide* projects reveal that people will participate if they have a clear on-ramp to engagement, access to transparent and easy to understand election material, are connected directly with candidates, and get unbiased information free of the cacophony of the 24-hour news cycle.

The Voter’s Choice Act

A similar philosophy underpins our support of the Voter’s Choice Act (VCA). The VCA reflects California government’s commitment to supporting fundamental voting rights through laws that encourage an informed and active electorate, while maintaining processes that safeguard voting. The League supports and encourages the state to take a strong role facilitating and expanding registration and voting. If well-implemented, the VCA will be a healthy step in that direction.

The VCA is aimed at modernizing California elections and increasing turnout. In each of the fourteen eligible counties that opts into implementing the new system, every registered voter will receive a ballot in the mail and be able to start voting about a month before Election Day. Voters have the choice to mail the ballot back, drop it off at any secure drop box in the county, or vote in person at any vote center in the county. Vote center and ballot drop off locations will be determined using factors intended to limit disruptions to vulnerable communities and enhance convenience. Considerations and accommodations for disabled and language-minority voters are clearly articulated in the law. Provisional voting will be significantly diminished because real-time data updates at vote centers will allow the staff to cancel old ballots and provide replacement ones, and to



LEAGUE OF WOMEN VOTERS® OF CALIFORNIA EDUCATION FUND

resolve many registration questions immediately. Simply put, the VCA is designed to make voting easier.¹

It's no small thing to expand voting to a month-long opportunity instead of limiting it to an anachronistic Tuesday. We will be giving a voice to busy voters dropping off a ballot on the way to work, Spanish-speaking voters needing bilingual assistance, and disabled voters who want private ballots using working accessible machines in places with ramps and entrances that aren't inopportunately locked. People who have left their mail-ballots at home will be able to get replacement, regular ballots at vote centers without having to vote provisionally. Recently moved college students will be able to register to vote the same day as casting a ballot. People will be able to stop at any location in the county to vote -- whether it's near work or home in the month before Election Day or near their kid's soccer game during the two weekends before Election Day. The list goes on. Our hope is that we will see a growth in participation akin to the one that occurred in Colorado when they pioneered this model. And that the new system will narrow the participation gap, ultimately helping to create a more representative democracy.

To help ensure the VCA's success, the League is an active member of both the Secretary of State's Task Force and the Voter's Choice California (VCC) Steering Committee, both of which are designed to facilitate effective implementation of the VCA.

The Secretary of State's Task Force consists of county election officials, members of community and advocacy organizations, and various elections experts. It interfaces with both the VCC Steering Committee and the California Association of Clerks and Elections Officials (CACEO) implementation committee. The SoS Task Force focuses on guidance to counties on matters like

¹ The specific provisions of the VCA were developed through an extensive process involving stakeholders, including the Secretary of State's office, county elections officials, and groups that represent the diversity of California voters. It includes carefully-crafted requirements for public input and engagement before the initial election administration plan is drafted, after the plan is drafted, and then for voter education and outreach once the plan is in place. In particular the VCA requires meetings and educational workshops with language-minority and disability communities. The voter education and outreach portion of the plan must be formally approved by the Secretary of State. Counties are required to establish a Voting Accessibility Advisory Committee (VAAC) and a Language Accessibility Advisory Committee (LAAC) well before Election Day. Each county will provide a voter assistance hotline and at least one PSA to the media. In addition to the sample ballot and vote by mail ballot, each county must have at least two direct contacts with voters to inform them of the upcoming election and promote the hotline. Voter notifications must be both accessible and in all the languages required in the county. Provisions also include a requirement for post-election reporting to the Secretary of State, which has established a task force to review reports and make recommendations to the Legislature. For your convenience I am attaching a draft VCA legal digest with associated checklists that the League created. While it's still a work in progress we thought that it might be helpful to the Commission to have a summary of the law. The Excel sheets are formatted either to save in PDF format or to print.



LEAGUE OF WOMEN VOTERS® OF CALIFORNIA EDUCATION FUND

a timeline for implementation, a structure for the public participation process, and templates for a Voter Ed & Outreach Plan.

The VCC Steering Committee is a project of the [Future of California Elections](#) (FoCE) and is a coalition of civil rights groups, advocates for effective government, and community based organizations. The VCC Steering Committee works to ensure broad, diverse community participation in each county, provide elections officials with assistance to ensure effective implementation, and develop collateral materials and trainings to help with the process from the planning stages through voter education and outreach.

Of course the devil is in the details. We share the ACLU's concerns about the potential for disruption with the institution of a new system. Familiar, nearby polling locations will be closed, many underrepresented demographics are inexperienced with voting by mail, and there is a historically higher rate of mail ballot rejections in certain communities. The solution to this is to use all of the tools provided by the VCA to guarantee a robust process, while engaging meaningful community input at every stage. Furthermore, improvements to ballot envelope design are critical to avoiding voter mistakes that can lead to ballot rejection. We plan to work with the Center for Civic Design and the Secretary of State's office to recommend design changes for this purpose. Finally, vote center location siting with attention to likely wait-times will be critical to the success of the Voter's Choice Act. In addition to helping solicit ideas from community organizations, we will be working with expert partners who plan to develop a siting tool to ensure that drop boxes and vote centers follow VCA guidelines and are optimally located.

Despite the potential pitfalls we remain optimistic that the move to this new model will improve elections by increasing voter convenience, providing the opportunity to register and vote on the same day, diminishing provisional voting, and ultimately expanding voter participation in California.

Compliance with the Federal Motor Voter Law (NVRA) and the California New Motor Voter Law

The ACLU's detailed written testimony on motor voter laws will not be repeated here. The League works in partnership with the ACLU and other groups to advocate with the Department of Motor Vehicles (DMV) to institute policies and procedures ensuring compliance with the National Voter Registration Act (NVRA) ("Motor Voter") of 1993 and AB 1461, the California New Motor Voter Program of 2015.

Since early 2015 we have worked with the DMV and the Secretary of State's office on compliance with the requirements of the federal motor voter law – the



LEAGUE OF WOMEN VOTERS® OF CALIFORNIA EDUCATION FUND

NVRA. This work has focused on establishing procedures that truly integrate voter registration with the driver's license (or state ID) application and renewal processes, for voters who choose to opt in, as required by the NVRA. Significant progress has been made in most aspects, but as described in the ACLU's testimony, compliance in the mail renewal process has not yet been achieved. As a result, the League and other partners to the original NVRA notice of non-compliance filed a lawsuit on May 9, 2017.

The California motor voter law, AB 1461 of 2015, established a modified "automatic voter registration" system which will make voter registration the default if someone is eligible to vote, but will also ensure people can opt out of registration if they do not want to register or are ineligible. The expected outcome is that AB 1461 will be successfully implemented by the end of 2017 so that participation in the 2018 elections can benefit from the greatly increased numbers of voters, including voters from underserved communities, who are registered under AB 1461.

In addition to the matter that is the subject of the lawsuit, there are clearly elements of the current DMV registration protocol that need to be improved – most notably the two-step process that loses participants when they have to change to a touchscreen testing terminal to provide language, party, and vote-by-mail preference. Despite this, the improved procedures instituted thus far have resulted in a huge DMV voter registration bump. Nearly a half-million people registered at the DMV under the new in-person and online processes implemented in April 2016.

As with Voter's Edge California and the Voter's Choice Act, providing easy access to the tools people need to participate in civic life will encourage participation. Motor voter laws exist because the DMV is the place where the government is most likely to interact with its diverse populace. We can't afford to squander the opportunity to expand representative democracy. Instead we must capitalize on it and make the process as seamless and user-friendly as possible.

Conclusion

In many states the legislature is working to limit voting rights through burdensome and restrictive obstacles to exercising the franchise. California is moving in the opposite direction. One of the keys to the state's success is the collaborative model it uses to implement new laws and programs. By working with good government groups, communities, and civil rights organizations, California's government has positioned itself to address American democracy's most pressing problems – disengagement, low voter participation, and the participation gap. Working together on initiatives like the ones discussed here today, we can make California a model for the nation.