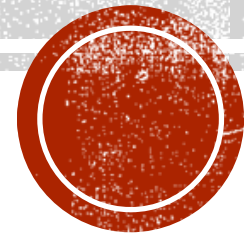


# **LOWERING THE VOTING AGE TO 16-17**

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# AN OVERVIEW OF VOTING AGE

The Voting Rights Act of 1965 was signed into law by President Lyndon B. Johnson during the Civil Rights Movement. It prevented racial discrimination in voting. Congress later amended it five times to expand its protections. It was designed to enforce the voting rights guaranteed by the 14<sup>th</sup> and 15<sup>th</sup> amendments to the U.S. Constitution.

1971, 18-year-olds across the United States won the right to vote through the 26th Amendment of the U.S. Constitution, which stated, “the right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.”

The California Constitution, Article II Voting, Initiative and Referendum, and Recall, Section 1-Section 20, states, “A United States citizen 18 years of age and resident in this State may vote.”

# OVERVIEW OF VOTING AGE ~ CONTINUED

In 1970, President Nixon signed into law a portion of the Voting Rights Act that lowered the voting age to 18 for all federal, state and local elections. However, this was challenged in court, in a case called *Oregon v. Mitchell*, where the state of Oregon argued that lowering the voting age usurped powers reserved for the state to control their own elections.

The case went to the U.S. Supreme Court and the Court held in December of 1970, that Congress had the power to fix the voting age in national elections, but not in state and local elections. Essentially letting states set a lower or higher age for state and local elections, if they chose to do so, while still reserving the right of Congress to set the voting age for federal elections.

But in a 1971, a California case, *Jolicoeur v. Mihaly*, held that every effort should be made to keep the voting process uniform for all voters equally, otherwise, there is potential disenfranchisement when voter's are confused by varying laws that make voting in different states or even in different counties look and feel very different.



# PREREGISTRATION TO VOTE

- In California, in 2016, pre-registration of 16- and 17-year-olds was implemented statewide. This allows 16 and 17 year-olds to fill-out all necessary voter registration information before turning 18, so that when they turn 18, they are ready to vote.
- Please go to: **[registertovote.ca.gov](https://registertovote.ca.gov)**
- As of February 10, 2019, 142,717 16- and 17-year-olds have pre-registered.

# CHARTER VS. GENERAL LAW

- There are General Law counties and cities and there are Charter counties and cities. This refers to how the counties and cities were established.
- Monterey County is a General Law county. General Law counties must follow state law, which means that if the Legislature has provided a method by which a county may act, then that method must be followed. (Example, the state constitution, Election Code, Government Code).
- *versus*
- Charter counties and cities, which are established through a Charter, which is a document that acts as their governing document. Charter counties and cities are granted authority under the state constitution to create a charter, as their governing document. They are allowed to create and enforce local ordinances, provided the ordinances do not conflict with the general laws of the state. Most charters can be amended or repealed with a measure, or initiative, proposed by the City Council or Board of Supervisors, or by initiative submitted to the Council by the voters. This allows them to make changes at the local level.
- Process for a General Law county to Lower the Voting Age for Local Measures: Must be done at the state level, but the county could support a state bill to lower the voting age across the state. If passed at the state legislative level, then the public vote on it.
- Process for a Charter County/City to Lower the Voting Age for Local Measures: A charter city can vote with their City Council to amend the charter and then have the public vote on it.

# EXCEPTIONS AND EFFORTS

- **Charter Cities who have Lowered the Voting Age for Limited Local Elections Only:**
  - Takoma Park, Maryland
  - Hyattsville, Maryland
  - Greenbelt, Maryland (recent addition)
  - Berkeley School Board Elections
- **Current efforts to Lower the Voting Age at the State Level:**
  - California Assembly Constitutional Amendment 8 (Low)
  - California Assembly Constitutional Amendment 4 (Mullin)

# **MONTEREY COUNTY 16 AND 17 YEAR-OLDS**

- There are 12,057 16 and 17-year-olds in Monterey County \*
- Currently 2,219 pre-registered in Monterey County
- Poll Workers – average of 60 students per election
- High School Voter Education Week Activities
  - 2 weeks in April and September

\*5-year report by the American Community Survey  
2013-2017

**CHALLENGES:  
ELECTION  
MANAGEMENT  
SYSTEM - DATABASE  
OF VOTERS – LOCAL  
AND VOTECAL  
(STATE)**

- The statewide nor the local Election Management System support underage individuals as “active” voters
- Separate database will have to be created and maintained
- Separate hardware not connected to statewide database will have to be purchased to house the new database
- One-time and reoccurring costs



# **CHALLENGES: ONLINE SERVICES TO VOTERS**

- The required voter-ballot status look-up tool will not include these voters
- Current voter status look-up tool is provided by the Secretary of State at [voterstatus.sos.ca.gov](http://voterstatus.sos.ca.gov)
- Develop local online services to underage voters
- One-time and reoccurring costs

# **CHALLENGES: INTEGRATING AUTOMATED PROCESSES**

- No integration in existing automated processes to verify eligibility
- Challenge to cross-checking vote status across unconnected databases between various modes of voting (mail ballot, poll voting, provisional, and conditional voter registration)
- Manual processes will need to be implemented to
  - Verify eligibility (Registered and meets HAVA ID Requirements)
  - Verify signature
  - Verify the voter has not already voted more than once

# **CHALLENGES: BALLOT PRODUCTION**

- Elections will have to create double the amount of ballot types in the exact same amount of time to meet the requirements of this proposal.
- Number of ballot types will double to over 200
- The creation and printing of ballots would be even more complex during presidential primaries, since partisan and nonpartisan ballots must be created to accommodate the election of central committee members for potentially four different parties

# **SUMMARY OF CHALLENGES**

- **Legal Challenges:** As a General Government County we have no process to alter the current voting age
- **Operational challenges** will prevent full compliance with current laws
- **The cost of elections** in Monterey County will increase significantly

# **CURRENT MCE YOUTH OUTREACH PROGRAM**

- **Current activities**
  - High School Voter Registration and pre-registration Competition
  - Voter Registration Trainings – Registration Drives
  - Student poll worker program
  - Career Fairs
  - Classroom Presentations
  - Office Tours and Presentations
- Expand civic education in elementary and middle schools pilot project
- Yearly youth empowerment summit, currently in development
- Request support of the Board of Supervisors for MCE efforts to provide robust and ongoing outreach to the youth of Monterey County