OKLAHOMA VOTES:
IMPROVING THE ELECTION PROCESS, VOTER ACCESS & INFORMED VOTER ENGAGEMENT

THE OKLAHOMA ACADEMY's 2017 TOWN HALL
CHOCTAW RESORT AND CONFERENCE CENTER
DURANT, OCTOBER 15-18
The Oklahoma Academy is a statewide nonpartisan, membership organization founded by Governor Henry Bellmon in 1967, and revitalized by him in 1985, to bring public attention to policy issues, provide objective, thorough research and act as a catalyst for positive change. It is a 501c3 nonprofit.

The Mission of the Oklahoma Academy is to identify issues facing Oklahoma, provide well-researched, objective information, foster nonpartisan collaboration, develop responsible recommendations, and encourage community and legislative action.

The Vision of the Oklahoma Academy is to empower Oklahomans to improve their quality of life through effective public policy development and implementation.

The Academy Process identifies areas of need and problems facing Oklahoma, conducts research on identified critical issues, and develops long range goals, consensus recommendations, and agendas for action.

Through the Town Hall conference process, forums and summits, the Academy increases citizen awareness, encourages civic engagement and sets the stage for thoughtfully improving Oklahoma.

Moving Ideas Into Action
The Oklahoma Academy, P.O. Box 968, Norman, OK 73070
405.307.0986 (phone) 844.270.4690 (fax) Email: julie@okacademy.org
www.okacademy.org
Dear Town Hall Member Participant:

The 2017 Town Hall focus on the election process and informed voter engagement and access is a timely and serious opportunity to make thoughtful and significant change to how we, as citizens who have a right to vote, implement that right to enhance our election procedure, and improve the ability of our citizens to be better informed about the elections as well as improved access to voting.

By accepting your invitation to participate, you have promised to be prepared. This resource book has been developed to help you do that. It is important that you read the document. You have also accepted the responsibility to represent others in your geographic, demographic, and vocational area as you discuss and deliberate the discussions at Town Hall. It is critical to be prepared. The success of any Town Hall is dependent upon the preparedness of its participants. As a Town Hall member your voice can be heard, should you choose it to be.

I want to thank our two Town Hall Co-Chairs, Dan Boren and John Harper. They have collaboratively participated in the work of the research committee in developing the details and specifics of this Town Hall, as well as speaking to groups across the state about the focus of this Town Hall.

Throughout this spring and summer we held community and organization “listening sessions” on the topic of election process and voter access. By “listening session,” I mean gatherings where we have sought information from the people about their thoughts on barriers and possible solutions to the election process, voter access, and informed voter engagement. We have responses from more than 400 Oklahomans across the state. The information they shared with us has been processed and will be provided to the Town Hall participants in advance of the Town Hall.

Recognition needs to be given to Lori Harless with the Academy for preparing the materials for each of these sessions; Michael Gordon, a member of the Academy Board of Directors, for his work in leading several of the sessions; to several of the Academy’s Regional Chairs in helping set up the sessions in our member regions across the state; and to Roberta Botello with the University of Central Oklahoma for scoring the information provided from the listening sessions. We want to also thank board member Craig Knutson for designing the listening session process, for leading some of the sessions, and for his role as Research Committee Chair. I also want to thank Jamie Wade, Program & Database Manager, and Lori Harless, Research Design and Production Coordinator for their consistent work in pulling the important elements of the Town Hall together.

Your Assignment and Role…
Take advantage of your unique opportunity. Be prepared. Listen, speak, and learn. The work of the Town Hall is much easier, more fun, and more satisfying to those who have prepared themselves appropriately for the discussions. While there are some plenary session speakers who share information with us, the real speaker and developer of what comes out of a Town Hall is YOU. The better prepared you are, the richer the discussions and the better the consensus recommendations and solutions. So, I say again, Be Prepared!
The Naturalization Test

To become a naturalized U.S. citizen, you must pass the naturalization test. At your naturalization interview, you will be required to answer questions about your application and background. You will also take an English and civics test unless you qualify for an exemption or waiver.

The civics test is an oral test and the USCIS Officer will ask the applicant up to 10 of the 100 civics questions. An applicant must answer 6 out of 10 questions correctly to pass the civics portion of the naturalization test. On the naturalization test, some answers may change because of elections or appointments.

CIVICS QUESTIONS: U.S. Citizenship and Immigration Services for Naturalization
The Town Hall’s Bakers Dozen

1. What is the Supreme Law of the Land?

2. The idea of self-government is in the first three words of the Constitution. What are these words?

3. What do we call the first ten amendments to the Constitution?

4. Can you name at least three rights or freedoms from the First Amendment?

5. How many amendments does the Constitution have?

6. What stops one branch of government from becoming too powerful?

7. How many voting members are in the: Senate? House?

8. Can you name our two Senators and YOUR Representative? Bonus point if you can name all FIVE Representatives.

9. Under the Constitution, there are at least four powers that belong to the federal government. Can you name at least two?

10. There are two responsibilities that is only for US citizens. Can you name at least one?

11. Why does the flag have 13 stripes?

12. There are five American Territories. Can you name at least two? Bonus point for the other three.

13. In what year was the Constitution written?

Answers can be found on the following pages:
Q1 P# 34; Q2 P# 40; Q3 P# 52; Q4 P# 57; Q5 P# 58; Q6 P# 75; Q7 P# 78; Q8 P# 103; Q9 P# 106; Q10 P# 132; Q11 P# 136; Q12 P# 168; Q13 P# 178.
Dear Town Hall Participant:

The Constitutional Accountability Center (CAC) sent an email five years ago entitled “Yes, there is a right to vote in the Constitution.” They wrote that they had received claims that there is no right to vote in the Constitution and cited an article by Professor Garrett Epps who explains the origins of these claims. He essentially rebuts those claims and mentions that the right to vote shows up FIVE times in the Constitution, in four separate amendments (15th, 19th, 24th, and 26th). More times than any other Constitutional rights, like speech, religion, keep and bear arms, and unreasonable searches and seizures. The CAC concluded: “It’s well worth the read.”

https://www.theatlantic.com/national/archive/2012/09/voting-right-or-privilege/262511/

In researching for this year’s Town Hall, we visited FairVote.org quite frequently and recently ran across a section of their website called Right To Vote FAQ. The first question reads: “I have never had a problem voting. Don’t we already have the right to vote?” Their response: “American adults living in states typically can vote, but they do not have a federally protected right to vote enshrined in the Constitution.”

Their rationale behind that stance is that the federal government traditionally “only steps in to prevent certain broad abuses, such as denying the right to vote based upon race (15th Amendment), sex (19th Amendment), or age (26th Amendment).” Counties design their own ballots, States have wide leeway in determining policies on absentee voting, polling hours, and funding elections. It concludes “Current data shows states have chosen to deny nearly six million American citizens the right to vote because of felony convictions, including millions who have completely paid their debt to society.”

So who’s right . . . or are they both right about our “right to vote?” This Town Hall will be tackling these types of topics and issues . . . especially as it relates our election process, voter access, and voter engagement. How do we improve voting convenience, address the ambiguity of ballot initiatives, enhance voter eligibility and identification requirements, while making access to information about candidates, issues, and State Questions more available? In essence, how can we encourage greater participation AND ensure those participants are better informed?

What we have discovered is that peer-reviewed articles on this topic are far less prevalent than for previous Town Hall topics. We have attempted to blend data with balanced thoughts and opinions from a variety of perspectives and sources. The development and implementation of our listening sessions will generated relevant, primary data that should be helpful as we deliberate the various topics before us.

Amendment XV of the US Constitution, ratified in 1870, reads “Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or any state.” So, if we are registered to vote and we can get ourselves to the correct polling precinct, we can exercise that right. Is Oklahoma’s registration process a difficult one; is transportation to our voting precinct a barrier? Can we improve the political engagement of our population, especially among our 18-35 age group? These and other important questions will be addressed over the 2 ½ day process we call the Town Hall. Please commit to being active participants throughout your deliberations.

Abraham Lincoln famously stated the following. “Elections belong to the people. It’s their decision. If they decide to turn their back on the fire and burn their behinds, then they will just have to sit on their blisters.” Face the topics ahead with creativity, confidence, clarity, and civility; our nation and state’s future depend upon you. Let’s keep blisters to a minimum this Town Hall!

Craig Knutson  
Town Hall Research Chair  
President/CEO Potts Family Foundation

Lori Harless  
Research Design & Production Coordinator  
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Notes

This is a resource document for you to use. Take notes, highlight, use as a textbook.
Notes

This is a resource document for you to use. Take notes, highlight, use as a textbook.
Welcome and thank you for your participation in the 2017 Oklahoma Academy Town Hall, “Oklahoma Votes ~ Improving the Election Process, Voter Access, and Informed Voter Engagement.”

The Town Hall Conference is one of the few places left in our state where people from a diverse population and background can come together to solve unique challenges that our state is facing in a non-partisan way with integrity. What I have found in past Town Hall discussions is that we have more in common than what separates us. The recommendations that you develop from this Town Hall will have a lasting impact on policymaking within our state. These consensus recommendations will be presented to our Governor and Legislature upon completion, and then they are shared with as many individuals, groups and communities as possible. We want the recommendations to be implemented – hence our motto is “Moving Ideas Into Action.”

I look forward to personally meeting each and every one of you and listening to your unique perspective. It is an honor to co-chair this worthy endeavor with John Harper, and the two of us are eager to work with you to find common ground.

Thank you,
Dan Boren
2017 Oklahoma Academy Chairman
2017 Town Hall Co Chair

President of Corporate Development
for the Chickasaw Nation

Before joining the Chickasaw Nation, Dan represented Oklahoma’s 2nd Congressional District in the U.S. House of Representatives for four terms before retiring in 2013. Prior to his election to Congress in 2004, Dan served in the Oklahoma House of Representatives and was the first freshman state lawmaker ever to be elected as Caucus Chairman.

Dan continues to find ways to contribute to his community. He currently serves on the boards of The Jasmine Moran Children’s Museum, National Rifle Association, FATE (Fighting Addiction Through Education), Joe Foss Institute, Seminole State College Educational Foundation, OU Children’s Hospital Foundation, Ekso Bionics, Notah Begay Foundation (NB3), Grisso Mansion of the Seminole Nation, Otologic, IBC Bank, Canterbury Choral Society, The Oklahoma Academy, OKC Boathouse Foundation, and the Oklahoma City Museum of Art.

Dan earned his B.S. in Economics at Texas Christian University and an M.B.A. in International Business from the University of Oklahoma. He currently resides in Edmond, OK with his wife, Andrea, and their two children, Janna and Hunter.
The Oklahoma Academy Town Hall is a vibrant experience in democracy. It fundamentally rests on the pillars of informed and civil discourse.

Our crack research committee has done its work in providing you with high quality information that provides you with essentially a 360-degree view of our focus on Voter Engagement.

We also want to propose you consider and practice what we would call our Civility Code. Our hallmark process relies on each of us having a sense of personal humility that extends equally as respect for each others’ view. This is a fundamental tenet of any civil society that seeks to provide its citizens freedom to think and speak with mutual and sincere honor.

A festering wound in our democracy is our deepening derisive discourse. The Town Hall upholds a much higher standard for addressing our issues and differences.

We believe personal humility is not incongruent with personal passion- that civil engagement itself is a matter of authentic and passionate patriotism. Simple courtesies that we all have learned since kindergarten allow each of us to form opinions carefully with open-mindedness.

These simple standards for civil discourse, combined with relevant information as a credible resource, insure that the work you will do over the next few days will have sustaining value for Oklahoma.

As leaders on Oklahoma, we encourage you to cast a clear and vibrant shadow of influence for civil discourse as a matter of personal principle.

Thank you,
John D. Harper
2017 Oklahoma Academy Strategic Thinking Co Chair
2017 Town Hall Co Chair

Vice President, External Affairs
Public Service Company of Oklahoma

Before his current role with PSO, John was Vice President - Business Logistics for AEP, the parent company to PSO. He was responsible for providing executive leadership for the fleet services, supply chain, physical security and aviation functions within the AEP System.

Harper earned a bachelor’s degree in political science and public administration from Evangel University in 1977 and a master’s degree in business administration from Oral Roberts University in 1980.

John serves on the Executive Board of The Oklahoma Academy for State Goals and Tulsa Global Alliance. He is also on the boards of Leadership Oklahoma, Rural Enterprises of Oklahoma, Tulsa Command of the Salvation Army, the Oklahoma Center for Non-Profits, and Oklahoma State University - Tulsa Business Advisory Council. He is also active with the Tulsa Metro Boys and Girls Clubs and with the Potts Family Foundation OkCEO - Early Childhood Education Advocacy program.

He is a native of Denver, Colorado. He and his wife, Esther, reside in Tulsa.
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Ed Apple served four terms in the Oklahoma House of Representatives and then eight years as a member of the Corporation Commission feels a need to educate everyday Oklahomans about what it takes to be a public servant. Retired in his hometown of Duncan, Ed has conjured the idea of making available on a website the job descriptions of every elected office in Oklahoma from school board to governor. He believes compiling and posting the information — along with a history of the trouble some of our elected and appointed officials have gotten into — would be an excellent project for the political science department at one of our state’s colleges or universities. This would be a nonpartisan, nonissue undertaking. The focus, he said, would be “simply on the process and procedures about how to be an effective public servant.” Apple says that at the Corporation Commission, he reminded his staff regularly that they were there for three reasons — to enrich, enhance, and ennoble the lives of Oklahomans. He made it a point as a House member to listen to his constituents.

Brenda Beymer - Chapman
Ms. Beymer-Chapman is the Director of Social Studies and Personal Financial Literacy for the Oklahoma State Department of Education. In this capacity, she works with social studies teachers and leaders around the state to promote citizenship education. She is a native Oklahoman and has worked in Oklahoma schools for over twenty years. She is president of the National Social Studies Supervisors Association and a board member for the Oklahoma Council for the Social Studies and the Oklahoma Alliance for Geographic Education, she is also a member of the Oklahoma Bar Association. Ms. Beymer-Chapman has been awarded the Oklahoma Supreme Court teacher of the year, the Oklahoma Council for the Social Studies teacher of the year, Putnam City Schools Foundation Excellent Educator award, as well as, the American Lawyers Auxiliary national middle school teacher of the year. She holds a B.S. in Education from the University of Oklahoma and a Juris Doctor from the University of Oklahoma College of Law.

Stephanie Bice
Senator Stephanie Bice was elected to the Oklahoma State Senate in 2014. She represents District 22 which is comprised of northern Oklahoma County and eastern Canadian County. Senator Bice was one of 52 legislators across the U.S. for the States Legislative Leaders Foundation Emerging Leaders Class of 2015. She was also selected as a GOPAC Emerging Leader for 2015 and received the Oklahoma State Chamber of Commerce Rising Star award. Stephanie was also selected as a member of the Governing Institute Women in Government Leadership Class of 2016. She serves as Assistant Majority Floor Leader.

Senator Bice is a fourth generation Oklahoman. She earned a Bachelor’s degree in Marketing with a minor in International Business from Oklahoma State University.

Amy Curran
Amy is the site director of Generation Citizen Oklahoma, a nonprofit working to ensure students receive an effective action civics education by providing them with the knowledge and skills necessary to actively participate in our democracy. She has spent over 20 years addressing community issues specifically around empowering youth and providing opportunities through education. She began her career with Project Transformation, a community oriented summer day camp focused on improving literacy among elementary-aged children from Oklahoma’s low-income urban neighborhoods. A community volunteer in a variety of capacities over her career, she currently chairs an organization which operates a food pantry and provides eye care (and other services) to Oklahoma City’s working poor at no cost. Amy holds a B.A. in Letters from the University of Oklahoma and a Masters in Religious Education from Oklahoma City University. She enjoys adventures with her husband and two boys, knitting, cooking dinner with friends, and cheering on the OKC Thunder.
Karen Hardy Cárdenas
Karen Jane Hardy was born and raised in Pryor, Oklahoma. She left Pryor in 1961 to attend college in Grinnell, Iowa. From Iowa, she went to California where she lived for three years obtaining a teaching certificate and teaching for two years in Santa Rosa. She went back to school in 1968 at the University of Kansas where she received an M.A. and a Ph.D. in Spanish.

Karen accepted a position as an Assistant Professor of Spanish at the University of South Dakota in 1973 and, except for a brief stint as the editor of the daily newspaper at the Cuban/Haitian Relocation Operation at Fort Chaffee, spent all her professional life in South Dakota. She moved from USD to the South Dakota State University in 1992, retired in 2005, and spent five years as the Executive Director of the South Dakota World Language Association. Karen returned to Oklahoma in 2010 and lives in Tulsa.

Pam Pollard
Pam Pollard was recently elected to her second term as Chairman of the Oklahoma Republican Party. In her 20 years of service she has been elected to numerous offices including State Party Vice-Chair, State President of the Oklahoma Federation of Republican Women and Treasurer of the National Federation of Republican Women. Known for her grassroots experience, Pam has written training manuals for grassroots activists and political and campaign treasurers. She has served three terms on the National Credentials Committee for the Republican National Convention and has served as Delegation Chairman for the last 2 national conventions. Pam has extensive campaign experience having served as State Director of Coalitions and Grassroots Development for Mary Fallin for Governor, Director of the OKGOP Victory Get-Out-The-Vote Program and was Deputy Director of Americans for Prosperity-OK.

David Holt
Senator David Holt has served in the Oklahoma Senate for seven years. He has authored over 70 pieces of legislation that have become law, including several in the area of election reform. Holt is also a candidate to become the next Mayor of Oklahoma City. Holt received his B.A. from George Washington University and his J.D. from Oklahoma City University.

He served in the White House and then five years as chief of staff to the Mayor of Oklahoma City. He is the author of “Big League City: Oklahoma City’s Rise to the NBA.” Holt directs investor relations for Hall Capital and serves on numerous community boards. He and his wife Rachel, an Assistant Attorney General, have two children, George and Margaret. The Holts are members of St. Augustine of Canterbury Episcopal Church. Holt is also a member of the Osage Nation.

Dick Pryor
Dick Pryor is general manager of KGOU Radio, which serves more than one million Oklahomans with news, public affairs and entertainment programming. Pryor has more than 40 years of experience in television, radio, public relations, law and government service.

He began his career at KGOU while a student at the University of Oklahoma and returned in November 2016. For 25 years, Pryor served as deputy director, managing editor, anchor and host of news and public affairs series and programs for OETA, Oklahoma’s public educational television network. He has won numerous broadcasting awards, including three regional Emmy Awards.

A native of Norman, Pryor earned a B.A. in Journalism and a J.D. from the University of Oklahoma. In 2015, he was chosen a Distinguished Alumnus of the Gaylord College of Journalism and Mass Communication at OU. Pryor was inducted into the Oklahoma Journalism Hall of Fame in 2009.
TH Contributing Authors

Andrew Spiropoulos
Andrew Spiropoulos is the Robert S. Kerr, Sr. Professor of Constitutional Law at Oklahoma City University School of Law and the Director of the School’s Center for the Study of State Constitutional Law and Government. He is a graduate of Carleton College and received an MA in political science and his law degree from the University of Chicago. Before joining the faculty in 1991, Professor Spiropoulos clerked for Judge Danny J. Boggs of the United States Court of Appeals for the Sixth Circuit and practiced law with the Chicago firm of Gardner, Carton & Douglas. From 2005 to 2006, he served as Senior Counselor to the Speaker of the Oklahoma House of Representatives. He has been a Heritage Foundation Salvatori Fellow, was the Reporter of the Uniform Interstate Enforcement of Domestic-Violence Protection Orders Act, and is currently the Milton Friedman Distinguished Fellow at the Oklahoma Council of Public Affairs. Professor Spiropoulos writes and teaches in the fields of constitutional law, legislation, state and local government, and political theory.

John Wood, Ph.D.
Mr. Wood is an associate professor of public administration in the MPA program at UCO. He teaches about the local level focusing on leadership, policy, management and sustainability. He is the former vice mayor of Guthrie, Oklahoma, formerly chairing Guthrie’s finance and street committees. In this role, Wood also served on the ACOG board.

In addition to his teaching and service, Wood published the edited volume Taking Sides: Clashing Views in State & Local Government, as well as 13 peer-reviewed articles in areas of government ethics, public administration and environmental policy. He has also traveled to 33 countries, served in the USMC during the Gulf War in 1990-91, and is married to his beautiful wife, Bonnie.
Notes

This is a resource document for you to use.
Take notes, highlight, use as a textbook.
Nobody will ever deprive the American people of the right to vote except the American people themselves and the only way they could do this is by not voting.
Franklin D. Roosevelt

As a citizen, you need to know how to be a part of it, how to express yourself - and not just by voting.
Sandra Day O’Connor

Democracy must be something more than two wolves and a sheep voting on what to have for dinner.
James Bovard

In my lifetime, we’ve gone from Eisenhower to George W. Bush.
We’ve gone from John F. Kennedy to Al Gore.
If this is evolution, I believe that in twelve years, we’ll be voting for plants.
Lewis Black

Instead of candidates hiring people, like yours truly, to create campaign media that works on both conscious and subconscious levels to sway the voting public, what if all TV ads were, by law, only allowed to feature the candidate, with, say, the American flag as the backdrop, alone, speaking directly to the camera?
Ron Howard

Voting is an individual, personal thing.
Hill Harper
Section 1

Process

Process examines the structural design and implementation of the voting process in Oklahoma. Topics include voting methods and options, voting accuracy, voting convenience, ballot initiatives, election frequency, polling-place staffing, and districting methods.
A good redistricting process will be open and transparent, allowing communities to ask questions and give input. This participation is important, since communities are the basic units of well-designed districts.
In 2018, Americans across the country will go to the polls to vote for their congressional representatives. Most states will also elect their state legislature.

The choices that voters have will depend on the district lines that were drawn in a process called redistricting.

Here’s what you need to know:

**WHAT IS REDISTRICTING?**

Members of Congress, state legislators, and many county and municipal offices are elected by voters grouped into districts. But populations change. Some districts gain residents, others lose them. Districts also may change demographically. That’s why district boundaries are redrawn every ten years to ensure each district has about the same number of people and that districts are reflective and representative of the electorate.

**WHO DRAWS THE LINES?**

Each state decides. In most states, the state legislature draws lines both for the legislature and for the state’s congressional delegation. Typically, the governor can veto a map.

To assist in the process, some states have special commissions that advise legislators on drawing the map, or that serve as backup mapmakers if the legislature deadlocks.

And a growing number of states have independent commissions where ordinary citizens rather than politicians draw districts.

**WHY DOES REDISTRICTING MATTER?**

Redistricting affects political power. It determines which party controls Congress and state and local governments across the country. Consequently, redistricting has a direct bearing on what matters a legislature chooses to tackle, and which to ignore. Redistricting also affects whether the nation’s diverse communities are represented in its legislative bodies. Redistricting, for example, can ensure that communities of color have a fair shot at electing candidates who represent their worldview and will fight for their concerns. Or it can exclude them from having a seat at the table. Ditto all other kinds of communities of interest.

**HOW SHOULD THE LINES BE DRAWN?**

A good redistricting process should help a community secure meaningful representation. Many states consider “communities of interest” when drawing their districts and that’s a good place to start. Community of interest is a term for groups of people who share common social, cultural, racial, economic, geographic, or other concerns. These groups are likely to have similar legislative interests as well, and that means they can benefit from common representation in the government. This goes much deeper than Republican or Democrat. A district of farmers, say, and a district of city dwellers will probably elect representatives that reflect differing histories, priorities, and aspirations. Other redistricting goals — like keeping a district compact or within county borders — are usually proxies for keeping communities intact. A good redistricting process will be open and transparent, allowing communities to ask questions and give input. This participation is important, since communities are the basic units of well-designed districts.

**WHAT IS GERRYMANDERING?**

Gerrymandering refers to the manipulation of district lines to protect or change political power. In most states, the legislature is responsible for drawing electoral boundaries. But this process can go awry and result in gerrymandering. One political party, for example, may use its unilateral ability to pass a map to lock in a disproportionate share of seats. A different kind of gerrymandering also can take place when maps are drawn in a way that disadvantages racial or ethnic minorities.

Unfortunately, the United States is unique among developed democracies in leaving the power to
draw maps, by and large, in the hands of interested politicians. As a result, it’s probably not surprising that maps still are not final in more than half a dozen states because of pending litigation over gerrymandering allegations.

**HOW DOES GERRYMANDERING AFFECT DEMOCRACY?**

John Adams and the Framers of the Constitution thought that legislative bodies should be “an exact Portrait, a Miniature, of the People at large.” Redistricting allows districts to be rebalanced, ensuring to the greatest extent possible that all districts are both equally populated and representative.

Gerrymandering, on the other hand, distorts representation. In some states this decade, gerrymandered maps have allowed a political party to entrench its majority despite receiving a minority of the votes, and thus creating an environment in which the majority of voters may not see their preferred policies enacted. Gerrymandering affects what laws are created, which communities receive meaningful representation, and which party can win elections. An analysis of congressional districts drawn during the last redistricting cycle in 2011 found that the maps were consistently biased in favor of Republicans as a result of gerrymandering. This has resulted in Republicans having a 13 to 5 advantage in Pennsylvania’s congressional delegation despite the fact that the state is the quintessential battleground state. Similar distortions have been built into maps at the state and local level. Sometimes Republicans are to blame. In other cases, Democrats were the gerrymanderers. At the end of the day, it’s about more than political power. When district lines are drawn to favor or disadvantage a political party, meaningful representation is compromised and community interests are sacrificed to the partisan goals of political parties.

**WHEN IS THE NEXT REDISTRICTING CYCLE, AND WHAT CAN YOU DO NOW?**

The next redistricting will be after the 2020 census. You can hold the line drawers accountable by paying attention and speaking up. Call your state legislators and tell them you want a fair redistricting process. Participate in community mapping exercises where citizens get together and jointly work on proposed solutions. Help change the process. Lawmakers and advocacy and grassroots organizations will propose redistricting reform measures in the next few years.

Revised July 3, 2017
This Is The Best Explanation of Gerrymandering You Will Ever See
Christopher Ingraham, The Washington Post, March 1, 2015

GERRYMANDERING, EXPLAINED
Three different ways to divide 50 people into 5 districts

Gerrymandering -- drawing political boundaries to give your party a numeric advantage over an opposing party -- is a difficult process to explain. If you find the notion confusing, check out the chart above -- adapted from one posted to Reddit this weekend -- and wonder no more.

Suppose we have a very tiny state of fifty people.

Thirty of them belong to the Blue Party, and 20 belong to the Red Party. And just our luck, they all live in a nice even grid with the Blues on one side of the state and the Reds on the other.

Now, let’s say we need to divide this state into five districts. Each district will send one representative to the House to represent the people. Ideally, we want the representation to be proportional: if 60 percent of our residents are Blue and 40 percent are Red, those five seats should be divvied up the same way.

Fortunately, because our citizens live in a neatly ordered grid, it’s easy to draw five lengthy districts -- two for the Reds, and three for the Blues. Viola! Perfectly proportional representation, just as the Founders intended. That’s grid 1 above, “perfect representation.”

Now, let’s say instead that the Blue Party controls the state government, and they get to decide how the lines are drawn. Rather than draw districts vertically they draw them horizontally, so that in each district there are six Blues and four Reds. You can see that in grid 2 above, “compact but unfair.”

With a comfortable Blue majority in this state, each district elects a blue candidate to the House. The Blues win 5 seats and the Reds don’t get a single one. Oh well! All’s fair in love and politics.

In the real world, the results of this latter scenario are similar to what we see in New York, though there are no good examples of where a majority party gives itself a clean-sweep. In 2012, Democrats received 66 percent of the popular House vote. But they won 21 out of 27 House seats, or three more than you’d expect from the popular vote alone. And from a purely geometric standpoint, New York’s congressional districts aren’t terribly irregular -- at least not compared to other states.

Finally, what if the Red Party controls the state government? The Reds know they’re at a numeric disadvantage. But with some creative boundary drawing -- the type you see in grid 3, “neither compact nor fair” -- they can slice the Blue population up such that they only get a majority in two districts. So despite making up 40 percent of the population, the Reds win 60 percent of the seats. Not bad!
In the real world, this is similar to what we see in Pennsylvania. In 2012, Democrats won 51 percent of the popular House vote. But the only won 5 out of 18 House seats -- fewer than one third. This was because when Pennsylvania Republicans redrew the state’s Congressional districts, they made highly irregular districts that look like the one below, PA-7, one of the most geographically irregular districts in the nation.

Now, this exercise is of course a huge simplification. In the real world people don’t live in neatly-ordered grids sorted by political party. But for real-world politicians looking to give themselves an advantage at redistricting time, the process is exactly the same, as are the results for the parties that gerrymander successfully.

The easiest way to solve this issue, of course, would be to take the redistricting process out of human hands entirely. There is already software capable of doing just that -- good luck getting any politicians to agree to it, though.
While the Court disagreed last year over whether Arizona’s redistricting commission is constitutional, it agreed unanimously with the commission’s actual plan.

In a significant victory for election reform advocates, a unanimous Supreme Court upheld Arizona’s redistricting plan, which had been challenged by Republicans.

The case comes just a year after the Court’s liberals, plus Justice Kennedy, upheld the legitimacy of the Arizona Independent Redistricting Commission, which had been created by ballot initiative. That case was controversial, since the Constitution specifically requires districts created “by the legislature” of each state, not by an independently constituted commission. Justice Ginsberg, writing for the Court, said that the “people’s legislative power” was close enough. Not surprisingly, the Court’s more literalist wing was outraged.

It’s perhaps surprising, then, that today’s case, Harris v. Arizona Independent Redistricting Commission, was decided 8-0. On the one hand, the case may represent a consensus on at least some aspects of election law—and is thus very good news for electoral reform activists. On the other hand, since it basically defers to a state decision, it’s not a robust test case.

The facts of the case are straightforward. Despite being independent, the five-person Redistricting Commission is still divided among Democrats, Republicans, and ostensible independents: two, two, and one, respectively, with intricate appointment procedures. In April 2012, the two Democrats and one independent modified three districts, and the two Republicans voted against, arguing that the new plan favored Democrats.

Contrary to what you might expect, however, the Supreme Court has never said that partisan gerrymandering is against the law. If the districts disadvantage minorities, a redistricting plan might violate what’s left of the Voting Rights Act. And if they contain wildly different populations, the plan might violate the Equal Protection Clause of the Constitution. But it’s not actually against the law to be craven, manipulative, and duplicitous.

Given that, it’s not surprising that the petitioners lost—though it is surprising that they lost unanimously.

First, while Republicans alleged that the plan was designed to benefit Democrats, there was significant evidence in the record that showed it was actually designed to meet the requirements of the Voting Rights Act. (The plan was ratified before the Supreme Court eviscerated the Voting Rights Act in Shelby County v. Holder.) In particular, it seems those concerns swayed the one independent member of the commission.

Second, the population deviations in the Arizona plan were around 4 percent. That’s well below the 10 percent threshold the Court has adopted when applying the Equal Protection clause. True, that variation was all on one side—Republican-leading districts were generally more populous than Democrat-leaning ones. But that’s not necessarily illegal, and anyway the variation can be explained by the need for the plan to conform with the Voting Rights Act.

Third, while part of the Voting Rights Act was held unconstitutional in 2013, in Shelby County, that doesn’t corrupt Arizona’s motives in complying with it back in 2012. At the time, the redistricting commission was trying to obey the law, not stack the decks.

Does this unanimous decision represent a new dawn for election reform? Not quite.

To be sure, the unanimity does suggest that the redistricting commission is now a fait accompli. No one dissented, or even wrote a separate concurrence, to protest its existence. One wonders if Justice Scalia might have done so, but Chief Justice Roberts, certainly, is not likely to question one of the Court’s recent precedents; he is particularly committed to the legitimacy of the Court and its decisions.
contrary, he has now joined an opinion upholding the commission’s decision—and one that tends to favor Democrats.

On the other hand, the thing about unanimous decisions is that they tend to signal, at least retroactively, that these cases were relatively easy ones. They are precisely not the ones that indicate a lot of movement on key issues.

For example, while the Religious Right cheered a religious freedom case decided unanimously by the Supreme Court last year, the reason it was unanimous is that it was an old school, religious-liberty-as-shield-against-the-government case. That case involved a prison inmate wanting to grow a half-inch beard; no third parties were involved, no harm was done, and the prison’s safety rationales were ludicrous. That’s why it was uncontroversial.

While much of the Court may not like the context of the commission’s decision, that question is now settled, and what’s left is a far-fetched constitutional claim against a reasonable, and well-documented, state agency decision.

And, as usual in unanimous decisions, Justice Breyer’s opinion tends toward the minimalistic. No wild statements of law or policy here; this opinion was generated to build consensus, and it did so.

Still, this is a significant step forward for election reform. The Arizona Redistricting Commission is an innovative idea, with an elaborate attempt to minimize partisanship and increase accountability. There were constitutional grumblings last year when the Supreme Court decided “the legislature” could also mean “the people,” but as a matter of policy, the commission is an important model for how to improve the messy, dirty redistricting process. On it ride many hopes of democracy advocates.

And today, it won a ringing endorsement from a unanimous court.
A recent federal court ruling could open a new wave of redistricting challenges across the country. And that includes Oklahoma, where Republicans now control 78.5 percent of the statehouse seats – a 10 percentage-point increase since the GOP-controlled Legislature redrew legislative boundaries five years ago.

In a possible watershed case decided in November, a three-judge panel struck down the Wisconsin state assembly’s redistricting map by saying it unlawfully favored Republicans. The case is notable because it’s only the second time in the nation’s history, and the first time in decades, that a redistricting map was thrown out on partisan grounds.

It is also significant because two judges wrote they were partly influenced by the plaintiff’s use of a relatively new mathematical measure, called the “efficiency gap,” that is intended to detect evidence of partisan gerrymandering in any state. Gerrymandering involves the drawing of political boundaries, which occurs every 10 years after the U.S. census, with an intent to favor one party.

In a calculation of efficiency gaps, Oklahoma and 11 other states scored above what some legal experts and academics argue should be the legal threshold for evidence of gerrymandering.

The U.S. Supreme Court is now expected to consider the Wisconsin case because defendants have challenged the ruling and the nation’s high court is required to hear all redistricting appeals. If it were to accept the efficiency gap as an indicator of possible unconstitutional gerrymandering, it could have ramifications nationwide.

A high efficiency-gap score doesn’t automatically prove that a redistricting plan unconstitutionally favors one party over another. States could still demonstrate that their plan reflects legitimate districting goals or natural political geography.

But acceptance of the formula would place a greater burden on states to defend their plans or risk having them thrown out. “Courts have always struggled to come up with a way to tell when someone crosses the line or goes too far when it comes to gerrymandering,” said Michael Li, a senior counsel at the Brennan Center for Justice at New York University School of Law. “So the Wisconsin case is a big deal because it can finally create a framework that, if applied broadly, could be considered by the courts.”

**REPUBLICAN CONTROL OF LEGISLATURE**

Republicans hold 78.5 percent of Oklahoma legislative seats, including 42 of 48 Senate seats, for 87.5 percent, and 75 of 101 House seats, for 72.3 percent.

**THE EFFICIENCY GAP**

The efficiency gap was developed several years ago by Eric McGhee, a research fellow at the Public Policy Institute of California, and Nicholas Stephanopoulos, an assistant professor of law at the University of Chicago.

In an interview, McGhee said the intent was to provide a uniform measure of gerrymandering regardless of state or the size of a party’s control.

Essentially, the formula is based on looking at the number of “wasted votes” cast for each party’s candidates in an election. The term “wasted” refers both to votes cast above and beyond the 50 percent plus one vote needed by a party’s winning candidate and to all of the votes cast for a party’s losing candidate. (Example: If 100 votes are cast in an election, and the Republican wins 60 of them compared to the Democrat’s 40, it means 9 votes...
were wasted for the Republican, and 40 were wasted for the Democrat.)

This, McGhee said, is useful in detecting two “time-honored” strategies used in partisan gerrymandering:

– **Cracking**, which is spreading ideologically like-minded voters across multiple districts so they can’t achieve a majority in any one.

– **Packing**, which is concentrating many ideologically like-minded voters in a single district in order to concede that district and win surrounding ones.

“When a party gerrymanders, a partisan gerrymander is all about distributing those wasted votes to your own party’s advantage,” McGhee said. “So any seats the opposition wins, they should win by large margins and they should lose a bunch of seats by pretty narrow margins.”

Since the formula was unveiled in a 2014 law journal, it has been used by plaintiffs in several redistricting challenges.

**CALCULATING OKLAHOMA’S EFFICIENCY GAP**

McGhee said that unlike other formulas used previously to identify possible gerrymandering, this is particularly useful in states like Oklahoma that have a party with significant control.

“What is at stake isn’t control of the Legislature, since in Oklahoma Republicans are already going to get a majority of the vote and a majority of the seats,” he said. “So the question isn’t about control of the Legislature. It’s about how many seats you ought to have, given the vote share you received.”

**OKLAHOMA FAILS THE TEST**

In the 2012 state House election, the first election after the last redistricting, Oklahoma would have failed McGhee’s and Stephanopoulos’ efficiency-gap test, the researchers found.

They proposed that a statehouse redistricting plan is “presumptively unconstitutional” if it has an efficiency-gap score of more than 8 percent. That means one party would be able to win at least 8 percent more seats than if both parties had wasted an equal number of votes.

Using additional data modeling, the two also tested whether a plan would likely stay unbalanced for the rest of the redistricting cycle – the decade.

With an efficiency gap of nearly 9 percent favoring Republicans, Oklahoma met both of those criteria. Others states that failed the test were Idaho, Indiana, Kansas, Michigan, Missouri, North Carolina, Ohio, Rhode Island, Tennessee, Wisconsin and Wyoming, according to the political scientists’ work.

Oklahoma Watch calculated the efficiency gap for the two most recent state legislative elections and found the gap exceeded the threshold in favor of Republicans both years. In the House: 12 percent in 2014 and 10.5 percent in 2016. In the Senate: 10.5 percent in 2014 and 14.4 percent in 2016.

By comparison, McGhee’s and Stephanopoulos’ work showed that Oklahoma’s redistricting plans of the 2000s produced a range of efficiency-gap scores that favored both Republicans and Democrats, depending on the year.

Democrats enjoyed efficiency-gap scores largely in their favor during the 1990s, 1980s and 1970s – although not to the extent that Republicans are favored under current plans.

That’s not to say Oklahoma’s plans are necessarily unlawful or that any illegal gerrymandering occurred. Even supporters of the efficiency-gap method say more evidence would be needed to prove a case of gerrymandering. In Wisconsin, the plaintiffs subpoenaed memos and other documents that they argued demonstrated clear intent to draw the maps to favor Republicans.

U.S. District Judge William Griesbach, who cast the sole dissenting vote in the Wisconsin case, is among the critics who argue the efficiency gap is a substandard measure.

He wrote in his opinion that the method “appears to have substantial theoretical and practical limitations,” including that it “presupposes that voters are voting for a statewide party rather than an
individual."

Griesbach also wrote that high efficiency-gap scores can be a byproduct of a state’s political geography, especially in states where Democratic-leaning voters are typically located in tight urban areas that have more potential for cracking and packing.

But in the Wisconsin case, those who challenged the maps argued that Republicans went out of their way to ensure their party could gain seats even when Democrats fared better statewide.

Keith Gaddie

As an example, they pointed to the consulting work of University of Oklahoma political science professor Keith Gaddie, whom Wisconsin Republican leaders hired; they used his work to help craft their plan. Gaddie was paid $300 an hour and signed a non-disclosure agreement as part of his contract, court records show.

Gaddie’s work included data modeling that predicted how Republicans and Democrats could expect to fare under different versions of the proposed maps.

“We are not in court at this time,” he wrote in a memo to GOP leaders during his work. “We do not need to show that we have created a fair, balanced, or even reactive map. But we do need to show to lawmakers the political potential of the district.”

Lawyers for the group of citizens challenging the redistricting plan said this and other evidence showed the plan was enacted with “discriminatory intent” and disproved the GOP leaders’ testimony that partisan makeup played “no part at all in their decision.” The panel of judges agreed.

Reached by phone, Gaddie said he could not comment on the details of the Wisconsin lawsuit because of his involvement in the case. He said he has done similar redistricting analysis for both Democrats and Republicans but no longer performs that type of work. He added, “I think the Wisconsin (federal) court got it right. We always knew how to measure gerrymanders. We just didn’t have a legal theory to attach the measure to.”

RECEPTION OF OKLAHOMA’S PLAN

Oklahoma’s latest redistricting map also faced allegations that it favored Republicans. Former Sen. Jim Wilson, D-Wilson, sued Gov. Mary Fallin and legislative leaders shortly after the 2011 Senate Redistricting Act was passed and signed into law. He argued the GOP-controlled Senate intentionally drew boundaries to benefit the Republican Party.

Karl Ahlgren, who co-founded Republican consulting firm AH Strategies and worked there at the time, was paid $127,500 to help write the 2011 plan.

The state Supreme Court rejected Wilson’s lawsuit, saying he didn’t provide “discernible and manageable standards” to prove political gerrymandering had occurred.

Wilson said recently he still believes it was a “rigged” process that shaped several Senate districts to improve Republicans’ chances in future years.

“Look at my old district – it looks like a toilet bowl now,” he said, referring to Senate District 3 near the northeast corner of the state. “Make no bones about, they really had screwed with it so (Republicans) could compete there.”

However, few people raised accusations of widespread gerrymandering at the time, and any outrage paled in comparison to that in other states, such as Wisconsin.

Seven of the 16 Democrats in the Senate, including Sen. Sean Burrage, D-Claremore, vice-chair of the redistricting committee, voted for the plan.

The House redistricting plan was even less contentious.

It passed 93-3 in the House and 43-4 in the Senate, with most Democrats in both chambers backing the bill.

The GOP’s gains in the Legislature could be viewed as a natural political shift in the state. The number of Republicans in the House and Senate has increased from 102, or 68.5% of members, to 117, or 78.5%, in the three elections since new district boundaries took effect. During the same period, the proportion of registered voters who are Republicans increased from 40.6 percent to 45.6 percent.
If the trend continues or the GOP holds its lead, the party will be poised to have even greater sway over the drawing of new boundaries in 2021 – boundaries that could affect political fortunes for a decade.

Li, of the Brennan Center for Justice, said regardless of what party is in power in any state, it’s important that there be checks and balances on the redistricting process.

“If courts start enforcing gerrymandering cases, I think it would only be natural that lawmakers will want to avoid litigation and run these tests (before crafting redistricting plans),” he said. “As a consequence, we might get better redistricting plans. Or, you never know, maybe they’ll just find another way to game the system.”

Answer to Question #1

*The Constitution*
Gerrymandering: A GOP Advantage?

The Supreme Court will soon make “one of the most important rulings on political power in decades,” said David Savage in the Los Angeles Times. The nation’s highest court has agreed to rule on whether partisan gerrymandering—the redrawing of political districts to favor one party—is unconstitutional.

The justices have previously struck down electoral maps drawn along racial lines, but never partisan ones. What’s changed? For one thing, advances in data analysis have made the practice significantly more effective. In Wisconsin, the subject of this case, Republicans won 48.6 percent of votes in 2012 state legislative races, yet “still won 60 of the 99 seats.”

The plaintiffs have also cited a new “efficiency gap” formula, which measures “wasted votes”—those cast for a losing candidate, and for the winner beyond what was required to win—to calculate whether a map is unfair. Republicans have weaponized gerrymandering across the U.S., said Thomas Wolf in Time.com. One study found that up to 17 current GOP House seats were won with “extremely biased maps.”

Legislative redistricting has been “an inherently political exercise” for two centuries, said Kevin Williamson in NationalReview.com. All that’s changed is that Republicans “got really, really good at it.” Around 2009, they set themselves a “political goal”—win state legislatures, then redraw district maps in their own favor—and “they succeeded.” If whining Democrats think that’s unfair, they should make their case to voters. “Adjudicating partisanship is a mission impossible,” said Charles Lane in The Washington Post. The efficiency gap formula is inherently flawed: Democrats are naturally more concentrated in urban areas, which leads to big majorities and many “wasted” votes. If justices are constantly forced to decide “how partisan is too partisan,” they’ll become even more politicized than they are already.

“As with so much else at the high court,” said Michael Waldman in TheDailyBeast.com, this case will likely hinge on Anthony Kennedy. The swing vote justice “made clear his distaste for gerrymandering” in one recent opinion—but signed on to a dissent in another that implied some partisan gerrymanders “might be constitutionally permitted.”

Whatever the court decides, states are already changing their approach. Independent commissions control the redistricting process in California and Arizona; Florida and Ohio have introduced laws to curb partisan redrawing. On this most important of issues, “reform is in the air.”
Partisan gerrymandering — the drawing of federal or state legislative districts to benefit Republicans or Democrats — is among the most corrosive practices in modern American democracy. It lets incumbents keep themselves and their party in power even without majority support, it deprives voters of representatives who reflect their wishes and it contributes to the hyperpartisan gridlock in the nation’s politics.

As President Obama put it in his State of the Union speech this year, “we’ve got to end the practice of drawing our congressional districts so that politicians can pick their voters, and not the other way around.” This behavior has been hard to prevent, in part because courts don’t know how to respond to it.

Lawsuits involving racial gerrymandering are fairly common; on Monday, the Supreme Court is scheduled to hear two cases, one out of North Carolina and one from Virginia, alleging that Republicans drew district lines that diluted the voting strength of racial minorities. But even though race and partisanship are deeply entangled, especially in the South, the justices have long avoided the question of whether a legislative map drawn for partisan advantage is unconstitutional.

That could change. A federal court panel ruled last month that Republican lawmakers in Wisconsin had intentionally redrawn state legislative district lines in such a blatantly partisan way that the maps violated the Constitution. “There is no question,” the court wrote, that the new maps, which were created in 2011, were “designed to make it more difficult for Democrats, compared to Republicans, to translate their votes into seats.”

In 2012, the year after the new lines were drawn, Republican candidates for the Wisconsin Assembly won less than half of the statewide vote — but 60 of the Assembly’s 99 seats. That pattern persisted in 2014, as well as in federal and state races elsewhere around the country. In North Carolina, Democrats got 51 percent of the 2012 vote for the United States House of Representatives, which translated to only four of the state’s 13 congressional seats. The skew was roughly the same in Pennsylvania: Democrats won a little more than a quarter of the House seats, even though they got a majority of the votes cast in congressional races in the state that year.

Republicans achieved this effect in Wisconsin, according to the plaintiffs in that case, with two tactics: dividing Democratic neighborhoods among multiple districts so that Democratic voters fell short of a majority in each one and, in other places, cramming Democrats into a few districts to dilute their votes statewide.

Both Democrats and Republicans have tried to tilt the playing field when they’ve had the chance. But Republicans, who swept into power in statehouses in recent years, have done much more of it lately, and they have had the benefit of increasingly powerful mapping software to make partisan line-drawing even more precise and effective at protecting their party’s seats. The result is “the most extreme gerrymanders in modern history,” according to a paper published in The University of Chicago Law Review last year.

The paper, co-written by Nicholas Stephanopoulos, a law professor who represented the Wisconsin plaintiffs, argued that courts could address partisan gerrymandering with a measure called the “efficiency gap” — a relatively simple formula that compares each party’s “wasted” votes. Using that measure, the court in the Wisconsin case found that the new maps resulted in so many more wasted votes for Democrats than for Republicans that they violated the First Amendment and the Equal Protection Clause. The court declined to rule on a remedy.

The fate of the ruling now rests with the Supreme Court, which has two options: affirm or reverse it without argument, or hear oral arguments and consider the decision on its merits. Justice Anthony Kennedy has expressed an openness to an argument like the one that succeeded in Wisconsin, which suggests that there might be a majority to uphold the decision.
A permanent fix for partisan gerrymandering would be to take redistricting entirely out of the hands of self-interested lawmakers and give it to independent commissions. In California and Arizona, both of which have adopted such commissions, legislative races have become more competitive than the national average as measured by the smaller margins of victory. That’s good for voters, and for democracy.
Meet the Math Professor Who’s Fighting Gerrymandering With Geometry

A Tufts University professor has a proposal to combat gerrymandering: give more geometry experts a day in court.

Moon Duchin is an associate professor of math and director of the Science, Technology and Society program at Tufts. She realized last year that some of her research about metric geometry could be applied to gerrymandering — the practice of manipulating the shape of electoral districts to benefit a specific party, which is widely seen as a major contributor to government dysfunction.

At first, she says, her plans were straightforward and research-oriented — “to put together a team to do some modeling and then maybe consult with state redistricting commissions.” But then she got more creative. “I became convinced that it’s probably more effective to try to help train a big new generation of expert witnesses who know the math side pretty well,” she says.

“It’s clear that this is the right moment to do this kind of work. We want to harness all that energy.”

In part, she says, that’s because court cases over voting districts have risen since a 2013 Supreme Court decision, Shelby County v. Holder, struck down a key part of the Voting Rights Act of 1965. Former President Barack Obama is said to be making redistricting a focus after his presidency, and the former attorney general Eric H. Holder Jr. is leading a new Democratic group targeting gerrymandering ahead of 2021, the next time district lines will be drawn.

Before the Shelby decision, some states and localities with a history of racial discrimination were required to get federal clearance before redrawing electoral districts or making other changes in their election laws.

“Changes to voting rules that used to be considered by courts before they could be implemented,” Ms. Duchin says, “are now implemented first and the courts consider them after the fact.” Because of the increase in cases challenging new electoral maps, she says, there’s a need for expert witnesses who understand the mathematical concepts applicable to gerrymandering.

To meet that need, she’s spearheaded the creation of a five-day summer program at Tufts that aims to train mathematicians to do just that. The first three days of the program will be open to the public and available online, with lessons that put redistricting in legal, historical, civil-rights, and mathematical contexts. Attendees of the program’s final two days will participate in one of three specialized tracks on giving expert testimony, teaching, and working with geographic-information systems.

The summer program, created in partnership with the Lawyers’ Committee for Civil Rights Under Law, was announced late in January. Already, Ms. Duchin says, over 900 people have indicated their interest by signing up for a mailing list. “What was really remarkable,” she says, “is that the mailing list didn’t say, Sign up if you care about gerrymandering. It said, We want to train mathematicians as expert witnesses. That’s very specific.”

Overwhelmed by the interest, Ms. Duchin and the Metric Geometry and Gerrymandering Group, or MGGG — a five-person group founded by Ms. Duchin that is organizing the summer school — decided to hold additional trainings in California, North Carolina, Texas, and Wisconsin later this year.
“It’s clear that this is the right moment to do this kind of work,” Ms. Duchin says. “We want to harness all that energy.”

Ms. Duchin spoke with The Chronicle about the summer school and the group’s broader goals. This interview has been condensed and edited.

Q. What is the Metric Geometry and Gerrymandering Group’s aim?

A. In redistricting, one of the principles that’s taken seriously by courts is that districts should be compact. The U.S. Constitution does not say that, but many state constitutions do, and it’s taken as a kind of general principle of how districts ought to look.

But nobody knows exactly what compactness means. People just have the idea that it means the shape shouldn’t be too weird, shouldn’t be too eccentric; it should be a kind of reasonable shape. Lots of people have taken a swing at that over the years. Which definition you choose actually has stakes. It changes what maps are acceptable and what maps aren’t. If you look at the Supreme Court history, what you’ll see is that a lot of times, especially in the ’90s, the court would say, Look, some shapes are obviously too bizarre but we don’t know how to describe the cutoff. How bizarre is too bizarre? We don’t know; that sounds hard.

Q. It’s like how they define obscenity.

A. Exactly. When I started thinking about this, I was surprised to see that even though there were different mathematical attempts at a definition, you don’t ever see mathematicians testifying in court about it. So our first aim was to think like mathematicians about compactness and look at all the definitions that already exist, and compare them and try to prove theorems about the relationships between the definitions.

I don’t have any illusions that we’re going to settle that debate forever, but I think we can make a contribution to the debate.

Q. How was the group formed?

A. I founded it through realizing that this landscape of compactness had a hole in it. It’s not that mathematicians hadn’t been working on it; it’s that [geometry experts] hadn’t entered the legal conversation.

“What courts have been looking for is one definition of compactness that they can understand, that we can compute, and that they can use as a kind of go-to standard.”

I’m always a little bit wary of coming off sounding like I’m the very first person to work on this idea; I just want to be clear that’s not the claim. But I do think we’re taking a new approach. There are scores — one of them is called the Polsby-Popper score; that’s the area of a district compared to the area of a circle of the same perimeter, given as a percentage. Certainly courts have heard about Polsby-Popper scores. It’s just that no court has ever found that that alone is a persuasive way to rule out a bad district.

In geometric group theory, I work on what’s called metric geometry and within that, I already had a series of papers that were about essentially the average distances between points in various kinds of shapes. That’s actually directly applicable to compactness. It turns out that if you take a district and you look at the average distances between all of its points, then the bigger that is, the less compact, once you normalize by the diameter. That meant that I already had published theorems that, I think, cast some light on the districting problem.

Q. One of the group’s projects is the summer course. Are there other avenues you’re pursuing?

A. Absolutely. Our aim is to do some publication between now and then. We want to write papers where we prove theorems about different compactness metrics.

But the summer school — boy, you wouldn’t believe the incredible, incredible response we’ve gotten, including from leaders in all the various fields that touch on this problem. The point of the summer school isn’t just to bring people together so we can convince them of our ideas. We also want to pool ideas and see, putting all those brilliant people in one place, can we make some progress on what’s been a pretty intractable problem?
Q. Judges and jurors are often not mathematicians. How do you train a technical expert to explain these concepts to a lay audience in a courtroom setting?

A. That’s been on my mind a lot. Since I started working on this project, one thing that I’ve been doing is giving a lot of talks to different kinds of audiences about this work. It began with my “Mathematics of Social Choice” class. I was trying to explain to them some of these compactness statistics and to my surprise, some of the things that seemed very intuitive to me didn’t at all seem intuitive to my students. Then I started giving lectures to mixed audiences. I gave a talk at Parents Weekend at Tufts; I spoke to a public audience in Washington, D.C.; I went to a high school to talk about it.

Bouncing things off of diverse audiences has taught me things I didn’t already know about how rhetorically accessible different ideas are. This is well-known to educators: Once you achieve a certain level of expertise, it can be hard to find the difficult spots and the reasoning anymore because they’re so familiar to you.

A beautiful fact about high-stakes court cases is that they produce a lot of written documentation, so you can read transcripts of questions, you can read the decisions of particular Supreme Court cases, you can read these long detailed decisions, and you can look through those to understand what they accepted and what they didn’t accept in terms of the evidence.

Recently there was a big media sensation in Wisconsin around something called the “efficiency gap.” It was a new metric of partisan gerrymandering that, for the first time, a court said they liked.

The way it was devised was that the people who created it, they went back and they read all of Justice Anthony Kennedy’s written decisions about measuring gerrymandering. By reading his words and by reading what he said he found convincing and less convincing, they designed a statistic to appeal to him. He’s that vaunted median justice. If you can come up with something that will be convincing to Anthony Kennedy, then you’ve probably just changed the outcome.

Shannon Najmabadi writes about teaching, learning, the curriculum, and educational quality.

Answer to Question #2

We the People
Members of Congress, state legislators, and many city council and school board members are elected from districts. At least once per decade, the district lines are redrawn, block by block.

The way that district lines are drawn puts voters together in groups — some voters are kept together in one district and others are separated into different districts. And in our system, whichever group has more votes within a district usually decides which representative wins.

For example, a district composed mostly of farmers is likely to elect a representative who will fight for farmers’ interests, but a district composed mostly of city dwellers may elect a representative with different priorities. Similarly, districts drawn with large populations of the same race, or language, or political party are more likely to elect representatives with the same characteristics.

The way the lines are drawn can keep a community together or split it apart, changing whether it has representatives who feel responsible for its concerns. The way the lines are drawn can impact who wins an election. Ultimately, the way the lines are drawn can change who controls the governing body, and can change which policies get passed into law.

**THIS CAN LEAD TO SERIOUS PROBLEMS:**

**Letting Politicians Choose Their Voters.** Under California’s old redistricting system, after the 2000 census, Republicans and Democrats effectively decided to keep the incumbents of both parties safe from effective challenges.

Many incumbents each paid a consultant at least $20,000 to have their districts custom-designed, with enough friendly voters to make it extremely likely that they would win the election. As one member of Congress explained: “Twenty thousand is nothing to keep your seat. I spend $2 million (campaigning) every year. If my colleagues are smart, they’ll pay their $20,000, and [our consultant] will draw the district they can win in. Those who have refused to pay? God help them.” In the next election, every single incumbent, Republican and Democrat, won by more than 20% … except for the one who won by 19%.

**Packing Partisans.** In 1991, Texas Democrats crammed loyal Texan Republican voters into a district that spanned hundreds of miles, taking small slivers of land from five counties. By packing pockets of Republican voters into districts like the one on the right, Democrats could give themselves a better chance in the districts next door.

In 1992, Republicans and Democrats each won about 49% of Texas’ statewide vote … but under the Democratic redistricting plan, Democrats won 70% of the state’s Congressional races. TX Congressional 6

**Eliminating Incumbents.** After the 2000 elections in Virginia, the Republicans who controlled the redistricting process targeted Richard Cranwell, the leader of the Democrats in the state house, who had represented his constituents for 29 years. They surgically carved his house out of the district he had represented, and drew it into the district of his 22-year colleague, Democrat Chip Woodrum. Woodrum’s district looked like it had a tiny grasping hand reaching out to grab Cranwell’s home.

Rather than run against the hometown favorite in an unfamiliar district, Cranwell decided not to run for reelection.

**Eliminating Challengers.** In the 2000 primary for an Illinois congressional seat, state Senator Barack Obama threw together a hasty campaign against a sympathetic incumbent, and won more than 30% of the vote. Though Obama lost, his campaign set the stage for a stronger showing in a potential rematch.

When Illinois redrew its districts, the state legislators deferred to incumbent members of Congress, including the incumbent whom Obama challenged. When the redistricting was done, the block around Obama’s house was carved out of the district.
**Diluting Minority Votes.** After Democrats controlled Texas redistricting in the 1990s, Republicans took charge in 2003. The redistricting battles were so fierce that Democratic legislators actually fled to Oklahoma and New Mexico in an attempt to prevent the legislature from meeting to draw lines.

Part of the resulting plan attempted to protect an incumbent who had lost the support of most of his Latino constituents. Latinos had recently become the majority of the eligible population in the district, and would have been able to control the next election. The legislature drew lines to move about 100,000 Latino voters out of the district, replacing them with voters more likely to support the incumbent. As the Supreme Court put it, “the State took away the Latinos’ opportunity because Latinos were about to exercise it.”

**Splitting Communities.** In 1992, social unrest in Los Angeles took a heavy financial toll on businesses in many neighborhoods, including the area known as Koreatown. When residents of Koreatown appealed to their elected representatives for assistance with the cleanup and recovery effort, however, each of their purported representatives claimed that the area was really a part of some other official’s district.

The redistricting map, it turned out, fractured Koreatown – an area of barely over one square mile – into four City Council districts and five state Assembly districts. As a result, no legislator felt responsible to the Asian-American community.
Election officials often use redistricting to stack the deck in favor of one party or another. The Democracy Agenda has several concrete proposals the next president and Congress can take make the system more fair and independent.

Since the country’s beginning, redistricting has offered ample opportunity for manipulation and self-dealing. In fact, in the nation’s very first congressional election, James Madison himself had to run in a district drawn by his opponents. The word “gerrymander” was coined in 1812 to mock a congressional district, signed into law by Massachusetts Gov. Elbridge Gerry, that resembled a salamander. In the mid-20th century, courts intervened to require equalized districts. But in recent years, once again, the problem has gotten worse.

At present, district lines across the country are redrawn once a decade. The goal is to equalize the population of districts and ensure Congress and state legislatures fairly and accurately represent the people.

In 39 states, the primary responsibility for drawing legislative district lines rests with partisan elected officials. Given the sorting of the electorate — like-minded religious, ethnic, and social groups tend to cluster together, with minorities crammed into cities due to decades of discriminatory public policy and “white flight” to the suburbs — it is hard to craft perfectly competitive districts.

But today’s system has two distinct problems. First, with technology making it possible to draw maps with highly accurate micro precision, the result is a political system where most electoral battles are fought in low-turnout primaries and elected officials more and more cater to the partisan extremes that dominate those contests. It’s no wonder that ordinary voters are left increasingly feeling that their votes — and voices — do not matter. Second, there is an overlapping challenge of ensuring that district lines do not disfavor minorities — the very communities shut out from power for too long.

Thus far the U.S. Supreme Court has stepped back from challenging partisan gerrymanders. In the “one person, one vote” cases of the 1960s such as Baker v. Carr and Reynolds v. Sims, the Court ruled that legislative districts must be roughly equal in size. Since then, though, the justices have declined to strike down even the most egregious partisan gerrymanders. (A prime example: the mid-decade Texas redistricting, admittedly done solely to benefit the Republican Party.) The justices do not condone the phenomenon, decrying “the incompatibility of severe partisan gerrymanders with democratic principles.” But they found it to hard to agree on standards to do anything about it.

Now, after years of such diffidence, the Court unexpectedly heard a case, Evenwel v. Abbott, that could lead to even more distorted districting. From the country’s beginning, the overwhelming number of districts have been drawn based on total population. In Evenwel, a conservative legal group demanded that only eligible voters be counted — which would make every state legislative map in the country presumptively unconstitutional. The justices heard the case in December 2015, and a ruling can come by the end of June.

Both political parties gerrymander with glee when they can. In the past Democrats gained most. Then there was a standoff, with incumbents of both parties engaged in a mutually advantageous incumbents’ cartel. In recent years, especially after 2010, Republicans have used gerrymandering to their advantage. With political parties growing increasingly brazen as they grapple for advantage, and redistricting issues increasingly in the courts,
it’s critical for states or Congress to move toward transparent and independent redistricting processes that ensure all Americans are fairly represented.

**END PARTISAN GERRYMANDERING**

American voters dislike gerrymandering, sensing as President Obama said that “the practice of drawing … districts so that politicians can pick their voters and not the other way around” is fundamentally unfair.

Gerrymandering leads to unfairly skewed electoral outcomes, with statewide vote distribution increasingly misaligned with election outcomes. In 2012, for example, Republicans won roughly 75 percent of congressional districts in Ohio and Pennsylvania despite President Obama winning a majority of the vote in both states. In other states, such as Illinois, gerrymandering favored Democrats. Voters there elected a Republican governor in 2014, but Democrats easily won the bulk of the states’ congressional seats.

Gerrymandering has two other less visible harmful effects. It can help dampen electoral competition. Over the past two decades, the number of swing districts plummeted from 103 in 1992 to just 35 in 2012 — a broader trend beyond redistricting, but worsened by self-dealing. And it can prevent new leaders from emerging. In California, bipartisan gerrymandering to protect incumbents proved so effective that from 1998 to 2008, only one incumbent lost out of 459 legislative and congressional elections.

Although the next redistricting cycle is four years away, there are already signs that the process could be more partisan and rancorous than ever. Democratic and Republican groups plan to pour hundreds of millions of dollars into state races to gain the upper hand in mapdrawing. Something must be done to stop it this cycle.

**PROPOSAL**

The good news is there are now models of successful reform.

One approach, implemented in states including Arizona and California, takes power to draw districts away from legislators and puts it in the hands of an independent citizen commission. Such commissions appear to have increased partisan competition, while improving the fit between legislative outcomes and the desires of voters. Another approach, used in Florida, still allows the legislature to draw maps, but puts in place strong, objective rules on how districts are drawn. Still other states have adopted a middle ground. In 2015, for example, Ohio voters approved a constitutional amendment that toughened rules governing redistricting. The new approach gave the minority party a greater role, and ensured that a plan not agreed to by both parties would be only temporary.

In the past, some worried that the vital goal of ensuring adequate minority representation in legislatures was at odds with the goal of ensuring greater electoral competition. Even if that was once true, it is no longer the case. The system of partisan gerrymandering has become so extreme that it threatens all the values central to democracy. The California redistricting commission, for example, is credited with improving representation and competitiveness without compromising the goals of minority empowerment.

**WHY THIS CAN BE ACHIEVED**

Citizens have come to understand how the current system helps lead to dysfunctional government. A 2013 poll found that 7 in 10 Americans believed that “those who stand to benefit from redrawing congressional districts should not have a say in how they are redrawn.” Other recent state-level polls have found similar results. Members of Congress have taken note, with representatives from both parties introducing bills this term to increase independence in the redistricting process.

Recent court decisions have also backed reform efforts. In June 2015, the Supreme Court upheld the constitutionality of the independent redistricting commission Arizona voters created by ballot initiative in 2000. Justice Ruth Bader Ginsburg, writing for the majority, cited John Locke and the Declaration of Independence, and hailed the reform measure as “intended to check legislators’ ability to choose the district lines they run in, thereby advancing the prospect that Members of Congress will in fact be ‘chosen . . . by the People of the
several States.” And in July, the Florida Supreme Court used constitutional amendments passed by Florida voters to strike down maps that had been drawn for partisan ends.

Lawmakers often have little incentive to pass reform. In fact, most recent successful reforms have been passed through voter ballot initiatives. Yet, voters can act through the initiative process in only about half the states. Real nationwide reform will require more than a state-by-state strategy. If we are to restore American democracy to the Framers’ vision, the next president must work with the next Congress to enact a nationwide bipartisan redistricting bill. Such a bill could take as a good starting point the Redistricting Reform Act of 2015, introduced by Reps. Zoe Lofgren, Donna Edwards, and other House Democrats. It requires each state to create an independent redistricting commission. The measure is backed by groups including Common Cause and the National Council of La Raza. Another approach would be a bill along the lines of the reforms adopted in Florida in 2010 that lets legislatures continue to draw districts but adopts much tougher rules about how they are drawn.

RESOURCES

Could Partisan Gerrymandering Be Headed Back to the Supreme Court?: Analyzes a Maryland case, which could ultimately force the Court to rule on partisan gerrymandering.

Why Redistricting Matters: Highlights how gerrymandering and uncompetitive districts may have led to the government shutdown.

7 Things to Know About Redistricting: A Q&A about the redistricting process and why it’s important in American politics.

Redistricting and Congressional Control: A First Look: Focuses on how the 2010 Census process could affect electoral competitiveness and the partisan balance of power in Congress in the 2012 election. Also see this post-election follow up.

OTHER REDISTRICTING REFORMS

Fully Fund the U.S. Census Bureau
It is imperative that the Census Bureau remain fully funded in advance of the 2020 census. The Census determines how members of Congress are allocated. It is also the primary data source for drawing district boundaries. Although the Census is four years away, crucial tests of data collection methods are already taking place. Yet Congress has consistently voted to slash the Census Bureau’s budget. In the last budget bill, the Census received $1.4 billion, 10 percent less than it had requested. The next president and Congress should fully fund the Census Bureau.

Count Prisoners in Their Home Communities
The 2020 Census should count prisoners in their home communities rather than in the distant locales where most states have their prisons.

Prisoners, as a rule, have no connection to the communities where they are incarcerated, and they almost never stay there after being released. Instead, the overwhelming majority of prisoners return to their home communities to be with friends, family, and children. Counting prisoners where they are from is more accurate and appropriate.

It also makes sure communities are fairly represented. If prisoners are counted where they are incarcerated, it gives areas with high prison populations, such as upstate New York and rural East Texas, too much representation. Before reforms were passed in New York, for example, 91 percent of the people incarcerated in the state were held in upstate facilities even though 66 percent of inmates were from New York City. As a result, voting power upstate was artificially inflated while voters in New York City were underrepresented.

The next president should direct the Census Bureau to adopt residence rules that reallocate prison populations to their home addresses.
A tug of war between President Donald J. Trump and his political opponents has centered in recent months on election integrity and claims of voter fraud. According to a recent report from the conservative Heritage Foundation, voter fraud isn’t the myth that it’s claimed to be by liberal think tanks and the mainstream media.

Nine months after the presidential election, the political news continues to be dominated by the election itself. On one side is the ongoing probe of alleged Russian influence in the 2016 election. On the other is Trump’s insistence—unsubstantiated, so far—that massive fraud cooked the popular vote results in favor of Hillary Clinton.

The Russian controversy and voter fraud claims mirror a longstanding controversy over state voter identification laws. Democrats generally oppose these laws, saying that voter fraud is an invented issue.

Republicans generally support voter ID laws, claiming that enough fraud exists to warrant ID verification at polling places. The Heritage Foundation report lists 1,071 “proven instances” of voter fraud. This includes 938 criminal convictions for voter fraud, plus 43 civil penalties and 90 other types of outcomes.

A single Oklahoma case is highlighted in the report. It involved Darryl Cates, who was convicted for fraudulent use of absentee ballots for a 2009 school board election in Cave Springs (Adair County). In that election, 33 ballots were disputed based on signature discrepancies. All 33 ballots were notarized by Cates, who lived in Westville. Pleading no contest to the charges, Cates got a three-year deferred sentence.

Voter fraud can take many forms. The type in which Cates was involved is one of nine listed in the Heritage report. The most serious and most relevant to the voter ID issue are impersonation at the polls (marking a ballot in someone else’s name, sometimes a voter who has died), duplicate voting, and paying voters to choose a particular candidate or a position on a referendum question.

Election-related fraud isn’t a new topic. The stock joke about Chicago and Cook County (“Vote Early, Vote Often”) has its roots in allegations regarding the 1960 presidential election in which John F. Kennedy benefited from questionable voting patterns. His running mate, Lyndon B. Johnson, was long dogged by allegations of voter fraud in the Rio Grande Valley in an earlier race for U.S. Senate.

“The United States has a long and unfortunate history of election fraud,” the Heritage Foundation report concludes. Its survey of fraud cases is represented as a sampling rather than an exhaustive list.

The Trump administration wants more than a sampling. On July 24, a federal judge ruled that Trump’s voting commission could legally continue seeking voter data from the 50 states and the District of Columbia. The commission’s hunt for registration data unleashed a bipartisan furor from some state officials who claim the effort is a violation of privacy.

In Eureka Springs, Arkansas, last month, a city councilwoman voided her voter registration in protest of the commission’s efforts. She quickly re-registered when told council members must be registered voters.

One of the commission’s members is Hans von Spakovsky, who works for Heritage. He is a longtime proponent of strict voter ID laws.

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"Oklahoma’s voter ID law is among the nation’s most lenient because no photo ID is required and voters who arrive at the polls without an identification card can still cast a “provisional” ballot."
As the Heritage Report documents, election fraud does exist. Whether it can substantially affect the results of an election is another matter. So also is the extent to which Russian interest in American politics can “rig” an election. Some Democrats who adamantly oppose ID laws on grounds that fraud isn’t a problem are often the most vocal in claiming Russia may have swung the election to Trump. Some Republicans who scoff at the Russian influence simultaneously claim voter ID laws are vital in maintaining the integrity of elections.

According to the Washington Post, the Presidential Advisory Commission on Election Integrity is expected to copy the Interstate Crosscheck Program pioneered by Kansas Secretary of State Kris Kobach, the Republican co-chairman of the commission (Vice President Mike Pence is the other co-chair). The program is designed to flag potential duplicate registration records related to voters who move from one state to another.

However, a multi-university team of researchers found that Crosscheck sends up false flags by tagging names of separate voters who appear to be the same person. The researchers concluded last year that there is no evidence of large-scale election fraud: “There continues to be simply no proof that U.S. elections are rigged.”

This conclusion was reached before the outpouring of claims regarding Russian interference. Again, the definition and extent of “fraud” or “meddling” is highly subjective.

While both sides agree that rigging (or fraud) may be happening, they can’t agree on the form it’s taking, its extent, or what to do about it. The sound and fury over Russia will likely continue for a time. Voter ID laws will continue to be debated and challenged in court. But the political component of these debates won’t easily give way to evidence-based data.

A former managing editor of The Journal Record, J. E. McReynolds has served as a general assignment reporter, business editor, and opinion editor of The Oklahoman.
On September 18, 1990, Oklahoma voters became the first in the nation to limit the tenure of their state legislators. Since 1990, the movement has spread with term limits being applied to city, county, and state officials across the nation. Almost half of these states also elected to limit their congressional delegations; however, the United States Supreme Court in 1995 found such state-enacted congressional term limits violated the Constitution.

Oklahoma is an important state to examine in the development of the term limit movement in the United States. In addition to being the first state to enact term limits, a term limit initiative of some form has appeared in the state at least three times since 1990. An analysis of these initiative campaigns partially illustrates the history of the national term limit movement. Here we examine the campaigns in Oklahoma as a portrait of the national movement and provide some indication as to the effects of term limits on politics in the Sooner State.

To make this analysis easier for the reader, the term limit efforts will be identified as follows: Oklahoma I (1990), Oklahoma II (1994), Oklahoma III (campaign cut short in 1996), and Oklahoma IV (1997-98).

**Oklahoma I**

When Oklahoma voters approved State Question 632 in 1990, term limitations appeared to be a novel idea. By supporting the initiative, voters indicated that they believed the legislature had become too insulated, unresponsive, and self-indulgent. Examples of the legislature’s self-indulgent behavior in the late 1980’s included stopping the state capitol clock to block constitutionally mandated adjournment. An independent compensation board enacted a pay raise while a House Speaker was overthrown. By 1990, voters were understandably upset with their legislature.

The campaign which led to State Question 632 was guided by one person, Tulsa businessperson Lloyd Noble. A self-described “arch-conservative,” he believed that state legislators could be restricted through term limits. After a constitutional revision commission refused to consider legislative term limits, Noble decided to try the initiative route.

In the fall of 1989, Noble received approval from the Oklahoma secretary of state to circulate a petition limiting state legislators to twelve years. The proposal, written by a group of Oklahoma lawyers who had experience in the Legislature, was a lifetime ban on more than twelve years of service, including years served in either or both chambers. For example, a member of the State House who served four years in that body and sought election to the State Senate would be able to serve only eight more years.

Noble, working with his organization “Oklahomans for Legislative Reform,” circulated the petition during the winter of 1989-1990. The circulators were able to gather the second highest number of signatures ever on an initiative petition in the prescribed ninety-day period. The signatures were certified by the secretary of state, and the certification was validated by the State Supreme Court. After the signatures on the petitions were validated, Noble was able to persuade Republican Governor Henry Bellman to place the question on the primary runoff ballot in September, ahead of Colorado and California, which had similar initiatives on their November 1990 general election ballots. State Question 632 was approved by voters by a margin of almost two to one, in part due to the absence of any significant opposition.

Much of the credit for the success of the first term limit initiative in Oklahoma can be granted to Lloyd Noble. Oklahomans for Legislative Reform, the leading pro-term limit group, was bankrolled primarily by Noble and members of his family. The total budget for the campaign including advertising was $220,000. According to campaign finance reports filed with the state, most of the money was raised instate. Clearly, the first term limit initiative approved on a stateside basis in Oklahoma was, like in other states, a local effort. However, soon after, term limits became a genuinely national movement.
**OKLAHOMA II**

The most significant event of the term limit movement bypassed Oklahoma. In 1992, term limit initiatives were on the ballots of 14 states. These initiatives primarily sought to limit the terms of members of Congress and all 14 were successful. Oklahoma did not join the list of states with congressional term limits until 1994, in large part because, as one Oklahoma term limit advocate noted, “the money did not come from Washington [DC] until [1994].” By 1994, a Washington based group, “U.S. Term Limits,” was spearheading the term limit movement across the country.

This second term limit effort in Oklahoma was conducted by two groups: Citizens for Congressional and Legislative Reform circulated the petitions, while OK Term Limits directed the advertising campaign before election day. Walt Hill, a former Reagan administration official and director of Citizens for Congressional and Legislative Reform, determined that he was too busy to conduct a proper campaign. So OK Term Limits, directed by Gary Gardenhire, a former state senator from Norman, took control of the campaign.

State Question 662, the congressional term limit initiative in Oklahoma, was drafted to resemble a number of the 1992 initiatives. Petitions were circulated in the fall and winter of 1993-94, some circulators were paid one dollar or more per signature collected. Paying circulators per signature always raises the prospect of fraud. One circulator from Lawton was convicted of falsifying the signatures of a number of Oklahomans including the chief justice of the State Supreme Court, a seven-year-old boy, and a dead man.

Close to 300,000 signatures were gathered to put the proposal on a statewide ballot. Campaign finance reports indicated that over 80 percent of the money raised in support of the initiative was contributed by U.S. Term Limits. Most of the money was given to the campaign during the last thirty days the petition was circulated.

Owing its success to the significant financial effort of U.S. Term Limits, State Question 662 was qualified for the ballot. Before Democratic Governor David Walters could schedule the proposal for election, the state supreme court was asked to rule on the constitutionality of the measure. The Court refused to hear the constitutional challenge, arguing that it would not be appropriate to judge the proposal while it was still in the pre-election stage. Oklahoma voters approved congressional term limits, deciding the issue on the September 20 primary runoff ballot. The vote was voided in May 1995, when the U.S. Supreme Court ruled in an Arkansas case that states were constitutionally prohibited from enacting term limits on their members of Congress.

This term limits effort demonstrates the nationalization of the term limits movement. As the Oklahoma case illustrates, U.S. Term Limits became the driving force behind the movement in various states around the country when it became the national fund-raiser for term limits.

**OKLAHOMA III**

The 1995 U.S. Supreme Court ruling set the stage for the next term limit effort in Oklahoma. The initiative, first circulated in the fall of 1995, incorporated the Supreme Court’s decision by asking Oklahoma voters to vote to instruct the state legislature to ask for a federal constitutional convention on congressional term limits. According to the petition, if a legislator failed to vote for the call for a convention, the notation “violated voter’s instructions on term limits” would appear beside his or her name on the next election ballot.

The pro-term limit group, “Oklahomans for Term Limits,” collected more than 206,000 signatures on petitions. Again, as in 1994, petition circulators were paid, and most of the financial backing for the campaign came from beyond the borders of Oklahoma. Campaign finance data revealed that more than 85 percent of the money came from U.S. Term Limits. Oklahomans for Term Limits also received $5,000 from Mississippi Term Limits at approximately the same time that a term limit initiative was rejected by voters in Mississippi. This contribution from one state term limit group to another marked a new turn in the movement.

Some observers in Mississippi and Washington, DC believed it to be an attempt to hide the true source of campaign funding. The evidence suggests that U.S. Term Limits was using state-level political processes to further a national goal by shifting resources from state to state.
The third term limit initiative in Oklahoma never reached the ballot. The State Supreme Court found it unconstitutional for voters, by initiative petition, to instruct their state legislators to vote to ask Congress to call a federal convention to decide congressional term limits.

**Oklahoma IV**

OK Term Limits, now under the direction of Joe Windes of Norman, continued the drive for congressional term limits. The fourth effort involved lobbying the state legislature to enact an “Informed Voter” law. This law would identify by ballot notation those members of the Oklahoma congressional delegation who did not support a term limit amendment.

**Effects of Term Limits**

Observers in Oklahoma and across the country are assessing the effects of term limits on the political environment. There is some controversy over when the limits in Oklahoma will take effect. Oklahoma voters limited legislators to a twelve-year maximum combined, House and Senate, lifetime service after January 1, 1991. Many supporters expected the law to take full effect at the 2002 general election. However, the law allowed those members who were serving on January 1, 1991 to finish that full term before their 12 years began to accumulate toward the limit. Since legislators began their new terms in November, 15 days after the 1990 election, it was the current Attorney General’s interpretation that those elected in 1990 were allowed to finish that entire term before they were affected. This means that House members continually elected from November 1990 will be allowed to serve until November 2004. Senators continually elected from November 1990 will be allowed to serve until November 2006. (Senators serve four year terms.)

**Conclusions**

Research findings suggest that Oklahoma politics has changed little since the passage of State Question 632. Emerging trends in electoral competitiveness do not seem different from before the imposition of term limits. Since the advent of legislative term limits, women and Republicans constitute a greater percentage of the new members, but this trend was already underway before 1990. Legislative leadership has changed slightly, but this trend was also in motion. If term limits have had any real effect in Oklahoma to date, it has been primarily to accelerate changes that were already underway. Similar trends have been the result of more restrictive limits that have already prevented members’ reelection in California and Maine.

It is possible that state legislative term limits in Oklahoma may never be allowed to take effect. In April 1997, a federal district judge overturned California’s term limits because she found that the law’s lifetime ban on service violated the U.S. Constitution. A discussion of Oklahoma’s experience with term limits could be rendered moot by a case involving California’s experience with term limits. Oklahoma’s State Question 632 included a lifetime ban. A ruling by the U.S. Supreme Court of appeals may eliminate Oklahoma’s term limits law.
Oklahoma pioneered the enactment of state legislative term limits. In 1990, 67% of Oklahoma voters cast ballots in favor of State Question 632, which amended the Oklahoma Constitution by adding a provision limiting the number of terms a person could serve in the Oklahoma Legislature. This limit was not only the nation’s first—it arguably remains, with California’s, the nation’s most restrictive provision. No legislator can serve more than 12 total years in either or both houses of the state legislature. The limit lasts for life—a legislator may not leave the legislature and then return. Excepting any initial partial terms, a legislator may serve 12 years and no more.

But the provision was generous in one respect. The incumbent legislators were grandfathered, meaning that the 12-year clock started with the 1992 term, no matter how many years a legislator had already served. Consequently, the full effects of the change were not felt until the 2004 election. In that election, term limits produced 28 open seats in the Oklahoma House of Representatives, 18 from the majority-party Democrats alone. Not surprisingly, political observers concluded that the provision’s greatest initial impact was helping Republicans capture the House of Representatives and, four years later, the Senate as well.

How, of course, one evaluates the significant role term limits played in shifting the partisan balance depends on one’s partisan preference. But it should be noted that while Republicans have largely dominated state legislative elections since the full implementation of term limits, these limits will always have the effect, for good or ill, of unsettling the incumbent majority party’s hold on the legislative house. For example, in the 2016 election, the first in which term limits impacted the new Republican majority, 30 House seats became open due to term limits. The failure of Democrats to take advantage of the high number of incumbents forced from office does not alter the fact that term limits will engender a continuous cycle of legislative turnover, necessarily creating opportunities for the minority party to overturn the partisan status quo. It is fair to say, then, that term limits provisions make long-term partisan entrenchment less likely.

But for those concerned about the making of public policy, the most important effects of term limits are institutional, rather than political. The observational accounts of state political experts of the effects of term limits on both the legislative process and legislative performance generally closely track the predictions made before the enactment of term limits. Those who favor term limits argue that the newly elected legislators bring a fresh perspective to politics and are often willing to challenge the existing political establishment, making reform possible. The new representatives, in other words, are more likely to be and remain outsiders. There is evidence, for example, that term limits increase diversity in state legislatures, including that of race, gender, and profession.

The opponents of term limits, on the other hand, argue that term limits, by forcing out legislators with long experience and preventing their replacements from accumulating the experience and political capital their predecessors could choose to earn, have produced both a legislative leadership and membership that lack the expertise, experience, and institutional memory to govern effectively. Because term-limited legislators lack both the capacity to govern and the incentive to invest their time and energy to develop that capacity, governing authority has shifted away from the legislature to those with the experience, expertise, and ability to pursue their goals over the long-term. In particular, observers believe that lobbyists and the agency bureaucracies have gained power and influence at the expense of elected representatives.

The preliminary efforts of political scientists to measure the effects of term limits largely support the critics’ arguments regarding diminishing legislative performance. The studies conducted so far demonstrate that, in addition to the expected increase in legislative turnover, term-limited legislators devote less time and effort to committee work, policy research, executive oversight, and even constituent service. They also demonstrate that term-limited members are less willing to follow the lead of their
enactments, a legal and political backlash led to the invalidation or repeal of term limits in 5 states. The states that did not join the initial effort do not seem inclined to enact limits. The 16 remaining states with legislative limits seem equally disinclined to repeal their provisions. Multiple ballot initiatives to repeal term limits have been defeated in several states. It appears that states whose political culture led their people to find term limits attractive are unlikely to change their perspective.

As to the future, it appears that we have reached a sort of equilibrium. After the initial wave of 21 state enactments, a legal and political backlash led to the invalidation or repeal of term limits in 5 states. The states that did not join the initial effort do not seem inclined to enact limits. The 16 remaining states with legislative limits seem equally disinclined to repeal their provisions. Multiple ballot initiatives to repeal term limits have been defeated in several states. It appears that states whose political culture led their people to find term limits attractive are unlikely to change their perspective.

Answer to Question #3

THE BILL OF RIGHTS
PROS OF TERM LIMITS

• Politicians like Speaker of NYS Assembly exercise enormous power over the legislative agenda, committee assignments and staffing. If term limits ended his career, the leadership would pass to an assembly person who would be term limited.
• Since the 1960's state legislatures have seen pay increased and given full-time staff, encouraging people to see elected position as a desirable full-time career.
• For people who do see political life as a profession, term limits provide the necessary experience and incentive to seek higher office. Prevents dead wood from remaining in office.
• Term limits encourage younger, minority and other aspirants to run for office as the hurdle to defeat a well-entrenched and senior incumbent is lowered.
• State legislators who continue in office into their 80's create a bottleneck and discourage younger aspirants from even trying for office.
• The power of lobbyists will be weakened because they cannot form long-term relationships with legislators.
• Term limited legislators will move quickly and will try to form coalitions with other new members to get legislation passed.
• They will likely be more technology savvy than long-term members who rely on their staff to do tech work.
• More seats may be filled by minorities as long-serving members are forced to retire in districts that have seen demographic changes.
• Greater voter turnout may occur in state elections if people feel there is a real race going on and their votes can count.

CONS OF TERM LIMITS

• Reduces the list of qualified and available candidates. “We already have term limits, they are called elections.”
• Removes experienced, knowledgeable and influential office holders, thereby increasing the influence of long time lobbyists and civil service bureaucracies.
• Short term solution to long term problems.
• Available statistics do not bear out the assumption that women and minorities will have an increased chance to participate under Term Limits. Other factors, such as reapportionment, redistricting and changing demographics may have a greater impact.
• Voter participation has not increased by term limits.
• The balance of power between the Legislative and Executive branches of government will shift in favor of the greater knowledge and experience of the executive branch.
• Term limits feel like an easy fix to a more difficult problem.
The Effect of State Legislative Term Limits on Voter Turnout

Kimberly Nalder, full report available on the E-Library, Summary by Craig Knutson

In preparation for this year’s Town Hall, the Research Committee identified a number of barriers that could impede Oklahoma from having a more robust election process. One of the barriers identified was State Legislative Term Limits. There are a number of pros and cons for adopting term limits, from the lack of term limits leading to a system of seniority to term limits removing good leaders based upon an artificially set time frames. Or, as one Oklahoma lobbyist recently stated: “It is not the job of government to limit or determine who I can and cannot vote for; term limits have created a Legislature void of historical knowledge.”

Those debates occurred frequently in the 1980s. The Oklahoma State Legislative Term Limits Amendment, also known as State Question 632, was on the September 18, 1990 ballot in Oklahoma as an initiated constitutional amendment, where it was approved 67% to 33%. It provided that any member of the Legislature elected to office after the effective date of this Amendment would be allowed to serve no more than 12 (twelve) years.

A review of the academic literature for this topic is scarce. We did uncover an analysis done by Kimberly Nalder from California State University, as published in the State Politics and Policy Quarterly. In her article, which included over four full pages of references, Ms. Nalder addressed term limits advocates claims that “the reform would revitalize the electorate and spur increased voter participation.” Ironically, California also passed a term limits bill in 1990, Proposition 140.

In the abstract for the article, she cited two main mechanisms that supported those claims. First, term limits would increase the number of open-seat races, which tend to be more competitive, and the increased competition “would inspire more voting.” Second, that by removing entrenched incumbents, the electorate would have “more trust and confidence in government,” leading to greater voter turnout. Most of the article was dedicated to testing those claims against actual voter turnout in California. Ms. Nalder’s research focuses primarily on the first mechanism, “by assessing whether term limits increase the number of open seat races, leading to increased electoral competition and greater voter turnout.” While the second mechanism was not pursued, her assessment was that “if this second mechanism is at work, we should find evidence of increased turnout after the imposition of term limits for all races, not just those with open seats.”

Research from open seat races between the years 1972-2004 did support the first part of the advocates’ hypothesis that term limits lead to more open seats and that open-seat races are more competitive. However, did those competitive races translate into higher voter turnout?

Looking at voter turnout as a percentage of registered voters, the data for that 22 year period showed “no dramatic change in turnout” in the post-1990 elections. If term limits did increase political trust and efficacy, Nalder found “no evidence that translated into more enthusiasm for voting.” In fact, voter turnout actually decreased. Another finding from her research and regression analysis was that “under term limits, new candidates are cycled through elections much more quickly,” making the remaining candidates even less known to voters. With no names they recognize, “voters may just be more likely to skip voting in the race.” Finally, “although term limits remain popular with citizens, the reality is that, in terms of increasing voter participation, the reform has failed.”
Pre-Registration Can Improve Oklahoma’s Dismal Turnout by Young Voters
Matt Hecox, Oklahoma Policy Institute Research Fellow, January 5, 2016

Low youth voter registration and turnout for elections is problematic for the United States and Oklahoma. In the 2014 general election, only 42.2 percent of the United States citizens ages 18-24 were registered to vote, and only 17.1 percent actually voted. In Oklahoma registration and turnout by young voters was even worse. In 2014, only 33.8 percent of eligible Oklahomans age 18-24 were registered to vote, while a minuscule 11.8 percent voted. By comparison, 74.8 percent of Oklahomans age 65 and older were registered and 52.9 percent of them voted. While the largest voting group was age 45 to 64, the voters 65 and older outnumbered all voters younger than 45.

If young people are not participating in the voting process then it can be assumed that the problems and priorities of these Oklahomans will not be a major concern for our elected officials. While there’s no single fix for getting more young people to vote, we do have one good option for reducing the disparity — allowing pre-registration for 16 and 17 year olds.

WHAT IS PRE-REGISTRATION?

Pre-registration of youth voters allows citizens at the age of 16 or 17 to pre-register so they will be added to the voter registration rolls automatically on their 18th birthday. This policy has already been adopted in several states. Currently California, Colorado, District of Columbia, Delaware, Florida, Hawaii, Louisiana, Maryland, Rhode Island, and Utah allow citizens to pre-register to vote at the age of sixteen, while Maine, Nebraska, Oregon, and West Virginia allow citizens to pre-register to vote at the age of seventeen. Under Oklahoma law, citizens who turn 18 during the 60 days before an election can apply for voter registration between 25 and 60 days before the election.

ADVANTAGES OF PRE-REGISTRATION

A study of Florida and Hawaii, two of the first states that passed youth pre-registration laws, found that the policy was successful at increasing youth voter registration, and those who pre-registered turned out to vote at higher rates than those who registered at some later time. Another study on the effectiveness of pre-registration laws found that pre-registration increases voter turnout similarly for both young Republican and young Democrat voters. An advantage of pre-registration is that it allows for voter registration at already established points of contact for young people, such as during civics classes or when going to get a driver’s license. The same study on Florida and Hawaii suggests that an important aspect of pre-registration is linking implementation of the law with high school government courses. The authors write, “The message of the importance of voting can be delivered in person by civics education rather than relying on young people to discover how to preregister on their own.” That helps to overcome any fear or confusion young people may feel trying to register for the first time without any guidance. Incorporating registration into civics education programs also makes the educational content concrete in a way that merely discussing elections and voting cannot do, which can have benefits both for educational outcomes and democratic participation. Students will come out of these courses with greater appreciation for the importance of voting throughout their lifetime, as well as better understanding of the process for showing up to vote on election day.

THE BOTTOM LINE

The very low voter registration and turnout among young Oklahomans is a serious problem. By not participating in the election process, young adults in Oklahoma do not have their views represented or heard by our state government. The problem will not be fixed overnight or by any single reform, but pre-registration has the potential to help. Oklahoma would be wise to follow the model of thirteen other states and the nation’s capital in adopting a pre-registration law.
People tend to misunderstand Oklahoma’s early political history, says Oklahoma Historical Society Executive Director Bob Blackburn.

Because of its deep populist roots, socialist streak and Democratic Party control, Blackburn said, a common assumption is that early Oklahoma was more liberal — to use the word’s current meaning — than it is now.

That isn’t necessarily so.
“We have never been liberal in Oklahoma,” said Blackburn.

And, as the late Danney Goble and other historians and political scientists have pointed out, we have always been Southern, at least politically.

Rise of the populists

When Democrats ruled the South, they ruled Oklahoma. When civil rights and culture wars began flipping party politics in the South 50 years ago, Oklahoma went along.

Oklahoma’s “distrust of concentrated corporate and political power, its steady run-ins with federal authority, even its susceptibility to political corruption — all of these were qualities that the Sooner State shared with states of the Old Confederacy,” Goble wrote in 2007.

Blackburn says the bedrock of Oklahoma politics is a Scotch-Irish culture that first arrived with mixed-blood Indians over the various trails of tears.
“It’s not a majority culture, but it is a dominant culture,” Blackburn said. “Sort of a ‘Lord of the Valley’ mindset. ‘Don’t touch my gun.’ ‘Don’t tell me what I can do with my property.’”

But what about all those Populists and Socialists in Oklahoma’s history?

The simple answer is that Populists and Socialists — especially Oklahoma Populists and Socialists — may have been radical, but they weren’t necessarily what we would think of today as liberal.

American political parties at the turn of the 20th century were defined more by economic class, geography and history than by “liberal” and “conservative” ideology, Blackburn said.

The Republicans were the party of capital and, with memories of the Civil War still quite real, the party of the North. Democrats represented labor and the South.

The Populist Party — or, more correctly, People’s Party — arose on the plains in the 1880s and was brought to Oklahoma Territory by settlers from Kansas. The Populists were mostly white farmers who believed themselves victims of corporate monopolies in everything from commodity trading to railroads.

Although a minority party, the Populists were often king-makers in the Oklahoma Territory legislature. The first Speaker of the territorial House of Representatives was a Populist.

The unusual socialists

By statehood, the Populists had disappeared as an active party, their members absorbed either into a wing of the strengthening Democratic Party or the rising Socialist Party.

But Oklahoma Socialists were not like any others.
Oscar Ameringer, a Socialist organizer and congressional candidate, wrote in his autobiography that the national party did not know what to do with them.

Instead of urban industrial workers, most Oklahoma Socialists were small farmers. They may have wanted to nationalize the railroads and tar and feather bankers and landlords, but economic opportunity, not collectivization, was their ultimate goal.

According to University of Oklahoma political science professor Keith Gaddie’s research, “The appeal of socialism arose out of poverty and an environment of distrust of large corporate and economic actors who seemed to exploit that poverty in the eyes of Socialists.”
Instead of rejecting organized religion, state socialists embraced it. Socialism was preached from the pulpit of many a country church; no one could call himself a Christian, it was argued, if he was not a socialist, too.

So Oklahoma Socialists turned out to be budding capitalists and fundamentalist Christians, and they weren’t keen about uniting in common cause with blacks, Jews or immigrants. All five Socialists elected to the Oklahoma Legislature in 1914 were white farmers from the western half of the state. The Socialist gubernatorial candidate that year, United Mine Workers organizer Fred Holt, got nearly 21 percent of the vote in an election decided by less than 2 percentage points.

That success proved the party’s undoing. Changes to voter registration laws intended to exclude poor whites as well as blacks, combined with a disastrous, half-baked uprising called the Green Corn Rebellion and a rising fear of “Bolshevism,” brought a quick end to the party in Oklahoma.

But the Populists and Socialists left a mark on the new state’s constitution. Long and unwieldy, it protected labor and agriculture through such provisions as an elected corporation commission to regulate railroads and utilities, and an elected labor commissioner to look after the interests of workers. The “long ballot”—a plethora of elected offices that included the likes of assistant mine inspector and state printer—reflected a distrust of government.

**TURNING INTO A RED STATE**

It could be said that the Republican Party and its allies have spent the last 109 years scrubbing those Populist and Socialist influences from the constitution. From lifting a ban on “foreign” ownership of farmland to right-to-work to control of regulatory agencies, the GOP has, with increasing success, muted the anti-corporate tone of Oklahoma’s founding document.

The GOP did not fully capture state government until recent years, but it became competitive in statewide elections in the 1960s. Oklahoma has had at least one Republican U.S. senator since 1968, and two since 1994.

It became reliably red in presidential elections in 1980, when it went 61 percent for Ronald Reagan. And, it controls the state Capitol the way Democrats once did.

“We are now in the second phase of the state’s political history,” Blackburn said. Today, he said, rural populism has been replaced by an urban populism most prominent in the middle and upper middle class suburbs of Tulsa and Oklahoma City.

“The next (general) election will be interesting to me,” he said. “Our populist predisposition swings toward (Donald) Trump. His (rhetoric) will appeal to the populist streak in Oklahoma history.”

**Answer to Question #4**

SPEECH

RELIGION

ASSEMBLY

PRESS

PETITION THE GOVERNMENT

Page 57
OKLAHOMA CITY — A state lawmaker has filed a bill that would eliminate straight party voting. Sen. J.J. Dossett, D-Owasso, is the author of Senate Bill 9.

“I think it is unnecessary to have the straight-party option,” Dossett said Monday. “I think it is something that might have had value in the past when people couldn’t inform themselves on the candidate and vote.”

Ten states including Oklahoma offer straight-party voting, according to the National Conference of State Legislatures. The number of states offering it has been declining in recent years, according to the NCSL.

Dossett said it probably benefited Democrats when they were in power and now benefits Republicans.

His filing of the measure is not related to the recent elections, Dossett said.

In the Nov. 8 elections, 527,748 people went for the straight party vote, of which nearly 62 percent picked Republican, according to State Election Board figures.

On Nov. 4, 2014, some 282,578 picked straight party, of which 59.7 percent selected Republican. On Nov. 6, 2012, some 500,484 went straight party, of which 56.4 percent selected Republican, according to state election board figures.

If an individual checks straight party at the top of the ticket and then picks a candidate of a differing party, the differing party candidate is what is counted, said Bryan Dean, a spokesman for the Oklahoma State Election Board. The rest of the selection will be read as straight party, he said.

Straight party voting has been around for decades, Dean said.

“I support straight party voting,” said Pam Pollard, Oklahoma Republican Party chairman. “There are a lot of people who want to identify with the Oklahoma Republican Party and are willing to cast a vote for all the candidates in the party and behind the party platform.”

Eliminating straight party voting could have helped Democrats 18 years ago, said University of Oklahoma Political Science Department Chairman Keith Gaddie.

The “straight party pull” used to be advantageous for rural Democrats who voted and walked out, Gaddie said. He said that he doesn’t believe the measure stands a chance of securing legislative approval.

Answer to Question #5

TWENTY-SEVEN (27)
Oklahoma is currently one of only nine states to allow voters the option of voting for the Party or the individual candidate. Marking a designated box for the political party of your choice is commonly referred to as “Straight Party Voting.”

Straight party voting has been in place in Oklahoma since statehood and has been a powerful tool of political parties throughout state history. In 1974 Republican Senators Pierce and Inhofe moved to abolish straight party voting, a motion that was tabled by the Democrats who were the majority Party at the time.

Data from 2002-2016 shows no candidate has won Governor or President in Oklahoma without winning the straight party vote. During this same period, one third of all votes cast were cast as a straight party vote. Carrying the top of the ticket often means the Party enjoys a “down ballot” effect. Since 2002, the 2006 election is the only time the opposite party has won the majority of state house and senate seats. Many support the straight party voting option as a means of identifying the candidates with the platform of their political party. Party hardliners want candidates to support their platform and encourage them to prominently display their party label on all campaign material and often advertise their slate of candidates. Michigan tried to outlaw straight party voting just because of the previous statement. Many believe you should support the candidate over the party and should not be loyal based on party labels. Statistics from many states support that belief. All but 9 states have outlawed straight party voting citing the need for voters to learn more about the candidates and what they stand for and not just a vote for the party. In a general election, name recognition is often the deciding factor in who wins elections. With straight party voting, party recognition takes the place of name recognition. Low information voters and campaigns without a huge war chest benefit most from the option to vote for the party’s candidates in one easy step. Political parties encourage straight party voting, especially in states with large majority control. They encourage their candidates to prominently display their party label on all campaign material and often advertise their slate of candidates.

There are those who oppose straight party voting who believe you should support the candidate over the party and should not be loyal based on party labels. Statistics from many states support that belief. All but 9 states have outlawed straight party voting citing the need for voters to learn more about the candidates and what they stand for and not just a vote for the party. In a general election, name recognition is often the deciding factor in who wins elections. With straight party voting, party recognition takes the place of name recognition. Low information voters and campaigns without a huge war chest benefit most from the option to vote for the party’s candidates in one easy step. Political parties encourage straight party voting, especially in states with large majority control. They encourage their candidates to prominently display their party label on all campaign material and often advertise their slate of candidates.

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<th>Republican</th>
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often struggle on who to choose, and straight party voting makes their decision simpler by voting for the party.

As noted above, the Republicans tried as far back as 1974 to stop the practice but the Democrat Party fought to keep straight party voting. Today, we see Democrats wanting to do away with the law, citing other states willingness to abandon the option, but Republicans are fighting to keep the option on the ballot.

Republicans have simplified the option by making it easier to mark the ballot for straight party voting and cut down on ballot confusion. Since 2012, if you choose to vote straight party, you need only mark the box in one place on the ballot. Prior to 2012 you had to make a mark for the Party in each category of the ballot, e.g.: Presidential, Congressional, State and Legislative races. Current law allows for a voter to mark the box for a specific Party and then vote for a candidate of a different Party on the same ballot. In this situation, your individual candidate vote will be counted and all other races will be counted for the candidates of the same party as your straight party vote.

While the trends in most states are to do away with straight party voting, Oklahoma has embraced it as a method for simplification, identification, and a cost-saving feature for candidates who choose to identify themselves with their political party.
How well is America’s election system working?

Voter turnout is low; campaigns are so expensive that few people can afford to run. And, voters are subjected to months of negative campaign advertisements. In some cities and states, a system known as Ranked Choice Voting (also called Instant Runoff Voting) is being used as an alternative to the traditional system of voting.

Proponents of this system cite various reasons for preferring Ranked Choice over traditional voting systems:

- It allows the voter to choose more than one acceptable candidate.
- It reduces negative campaigning.
- It increases voter turnout and participation by women and minorities.
- And, it eliminates expensive runoffs.

Ranked Choice voting requires some explanation. When you cast your vote, you do not choose a single candidate. Instead, you are allowed to vote for several. Usually, the ballot will show all candidates’ names in separate columns labeled first, second and third, etc. You fill in the bubble beside your preferred candidate in the first column, your second favorite in the second column, your third preference in the final column and so on.

When the ballots are tabulated, a candidate receiving more than 50% of the vote (50% plus one vote) is the winner and the process is over. But, if there are four candidates and they get 37%, 33%, 20% and 10% of the vote respectively, the candidate with the lowest percentage of votes is eliminated. The ballots cast for this candidate then go to the voters’ second choice. If no candidate receives 50% plus 1 vote, the candidate with the lowest percentage of votes is again eliminated and votes for the eliminated candidate are redistributed. The process continues until one candidate has over 50% of the votes.

But, why would we want to replace the winner-take-all system that is used in most cities and states? Proponents of Ranked Choice Voting point to various weaknesses in the winner-take-all system. It is more likely to discriminate against women and minorities. It results in the election of someone who has not received a majority of the votes. It leads to negative campaigning and the importance of being able to raise enough money to engage in such campaigning. And, it does not permit voters to express their opinions completely.

Imagine that there are five candidates running for city council in my district. I think two of them would be excellent, one is acceptable and two are completely unacceptable. My ability to support more than one candidate with my vote is certainly a more adequate expression of my beliefs than being restricted to supporting a single candidate. RCV also allows me to vote for a candidate who might be unlikely to win and still vote for a more favored candidate.

Ranked Choice Voting has also been shown to reduce negative campaigning. If I, as a candidate, want to appeal to a wide variety of voters (some of whom might consider me their first choice and others who would place me second or third), I am less likely to run attack ads directed at other candidates. Such ads would discourage supporters of other candidates from making me their second or third choice. As a candidate, I might be forced to campaign solely on what I hope to achieve as an elected official. Since much of the money required by current campaigns is devoted to television ads, a reduction in negative ads might make candidates less reliant on financial support.

With all the benefits of Ranked Choice Voting, why isn’t it being used everywhere? Ranked Choice Voting is not new. The League of Women Voters of Oklahoma adopted a position favoring the IRV/RCV in 2011 and the Oklahoma Policy Institute called for its implementation in 2014. Chris Powell has described Oklahoma’s first known use of RCV which occurred in 1925.

The reasons cited most often for not adopting it are:
That it would be difficult for voters to understand
• That current voting machines are not equipped to handle the complexities of RCV.

Research has shown that neither of these concerns is valid. Kimball and Anthony looked at the number of ballots that had errors in two elections. When they looked at 24 races in the Bay Area in 2014, they found that 99% of voters submitted a valid ballot. In the 2013 mayoral race in Minneapolis, 99.4% of the ballots were valid.

As for the inadequacy of current voting machines, the research of the Ranked Choice Voting website suggests that many current voting systems can be adapted to handle RCV/IRV and, in areas where RCV/IRV are popular (such as the Bay Area) new open-source machines are being developed.

And, still, even in states like Maine where ranked-choice voting has been used for some time and where voters approved of RCV in the fall 2016 election, the legislature has blocked its implementation. They argue that Ranked Choice Voting is unconstitutional because the only way a candidate can win in this system is with a majority. Maine’s constitution calls for only a plurality. As the article explains, RCV has become a partisan issue. The various parties might all agree that Ranked Choice Voting is preferable to the current winner-take-all approach; however, they are not willing to give up a voting system that might favor their political party.

The current system being used to elect people in this country is not working well. There are many solutions being posed to correct that problem. However, it will take more than simple logic to convince politicians to abandon a system that has served them well.
BILL Clinton won two presidential elections without getting a majority of the vote either time. Harry S. Truman (1948), John F. Kennedy (1960), Richard M. Nixon (1968) and George W. Bush (2000) were other presidents who won the job without majority popular vote support.

So why is it so hard to eliminate political party runoffs in Oklahoma for legislative and county positions?

If this topic seems shopworn, so be it. We’ve noted before that the cost of runoff elections is a burden taxpayers shouldn’t have to shoulder. Spending hundreds of thousands of dollars for an election that draws limited interest isn’t justifiable politically or fiscally.

Voter participation tends to drop off — sometimes dramatically — between the primary and runoff elections. The number of races obviously drops off dramatically, but the state must go to the expense of staging an election.

Also, federal election mandates require long lead times between primary and runoff elections, so the primary must be held in late June in order to facilitate a late August runoff. Years ago, Oklahoma primaries were held in late August and the runoff a month later. Now, the election season extends from roughly mid-April to early November.

In the June 28 primary, 13 legislative races went undecided because no candidate got 50 percent plus one of the vote. In a number of these contests, the top vote-getters received more than 40 percent of the vote, and a few came within just a few votes of exceeding 50 percent. For these races, an August 23 runoff election date looms.

Is there a better way? One approach is to simply eliminate the runoff election and allow the top vote-getter in the primary to advance to the general election. This has been proposed in Oklahoma a number of times, often with the justification of saving money, but nothing has come of it.

Elsewhere, elections have been streamlined even more with the advent of the top-two primary, sometimes known as the “jungle” primary. In this system, the top two candidates from the primary meet in the general election, regardless of political party affiliation. Thus, two Democrats or two Republicans could face off in November.

In 2012, same-party candidates were the top two contenders in nine of California’s 53 congressional districts. Of the nine, seven races featured two Democrats and two offered a choice between two Republicans. Naturally, a closed primary system (only Republicans can vote in the GOP primary; only Democrats in the Democratic primary) precludes use of a true top-two system.

In Nebraska, state legislative races (they’re all nonpartisan in this case) are run on the top-two method. Washington state adopted a top-two system in 2004. It has survived vigorous court challenges. All candidates for a given office, regardless of party affiliation, appear on the primary election ballot. The top two finishers advance to the general election.

The election system in Oklahoma is above average in terms of efficiency, error-proofing and ballot counting. But the system remains stodgy in some ways. Democrats did open their primaries to independent voters this year. That’s a big step for a state with an established closed primary system — although it also means more work for precinct workers.

Perhaps the next step could be what state Sen. David Holt, R-Oklahoma City, and others have suggested: Put candidates and their party affiliations together on one ballot in August and let the top two finishers go head-to-head in November. One fewer election and a shorter campaign season are two reasons this is worth considering.
OKLAHOMA CITY (AP) — Two U.S. presidential hopefuls are suing the state of Oklahoma, arguing its ballot-access laws unconstitutionally discriminate against third-party and independent candidates for president.

The lawsuit was filed last week in federal court on behalf of Green Party presidential nominee Jill Stein of Massachusetts and independent presidential candidate Roque “Rocky” De La Fuente of Florida. Three Oklahoma residents and Stein supporters also are listed as plaintiffs in the suit.

It seeks to prevent the Oklahoma Election Board from enforcing the state’s ballot-access laws.

Oklahoma’s ballot laws for U.S. presidential candidates require “an unnecessarily early petition filing deadline, and unnecessarily high petition signature requirement,” the lawsuit states. The suit also maintains Oklahoma’s laws unconstitutionally discriminate in favor of independent candidates for non-presidential statewide federal offices, like U.S. House and Senate, because those candidates only need to pay a filing fee to appear on the ballot.

Oklahoma Election Board spokesman Bryan Dean said the agency wouldn’t comment on the lawsuit, which was first reported on Monday by The Journal Record newspaper.

Under current Oklahoma law, independent or third-party candidates must gather signatures from roughly 40,000 registered voters by July 15 in order to qualify for the ballot.

Oklahoma has not had a third-party candidate for president on the ballot since 2000, when Pat Buchanan ran as the Reform Party candidate and Harry Browne as the Libertarian Party candidate. An independent presidential candidate hasn’t appeared on the ballot since Ross Perot in 1992.

The Libertarian Party launched a successful signature drive this year to get its nominee, former New Mexico Gov. Gary Johnson, on the ballot in Oklahoma, but the Green Party was not able to secure enough signatures, said Rachel Jackson, a spokeswoman for the Green Party in Oklahoma and a plaintiff in the lawsuit.

“Because the requirements are so extraordinarily difficult and, frankly, unconstitutional, many times we’re aware of the fact that we’re not going to get on the ballot, so we use the petition effort as a way to generate awareness about how our ballot access laws limit democracy here,” Jackson said.

While Oklahoma’s laws make it difficult to get independent or third-party presidential candidates on the ballot, they have been changed to make it easier in recent years. In 2015, lawmakers passed a bill to lower the signature requirement to get a candidate on the ballot from 5 percent to 3 percent of the votes cast in the most recent presidential election.

And earlier this year, the Legislature made another change to lower the requirement for third parties, like the Libertarian Party, to remain recognized in Oklahoma from 10 percent of the votes cast for president or governor to 2.5 percent. Under that new law, the Libertarian Party will remain a recognized party if Johnson receives at least 2.5 percent of the vote in November.
Libertarians Look to First Appearance on Oklahoma Ballot in 16 Years
Chris Casteel, The Oklahoman, June 12, 2016

WASHINGTON — The last time there was a Libertarian Party primary election in Oklahoma was 2000, when three Libertarians ran for corporation commissioner.

In that race, none of the three reached the threshold to win the nomination without a runoff. But the second-place finisher dropped out to save Oklahoma the expense of what would have been the only statewide runoff election.

That year was also the last in which the Libertarian Party appeared on Oklahoma’s ballots. The party couldn’t demonstrate enough support to maintain its status under Oklahoma law.

After a change in state law, some outside financial help and an all-out effort to gather signatures, the Libertarian Party is back.

There are 17 candidates in 16 races this year. And there will be a Libertarian primary in the U.S. Senate race on June 28.

“We’re guaranteed to win an election this year,” joked Dax Ewbank, one of the Libertarians running for the Senate seat.

However, by the time the party gained state recognition in March, there was little time for voters to change their registration. New voters had until early this month to register as Libertarians.

On Thursday, there was a grand total of 786 registered Libertarians in Oklahoma, meaning that, even if every one of them voted on June 28, the primary would have fewer participants than a lot of local school board elections.

OPEN TO INDEPENDENTS

Libertarians, like Democrats, have opened up their primary elections to the 281,059 Oklahomans registered as Independents. But it will be a challenge to inform those Independents.

“We have limited resources as a new party when it comes to advertising, so getting the word out will largely depend on things like social media, word of mouth and of course interviews like this one,” said Tina Kelly, the state party chair.

Kelly said she and other party members did their best to recruit as many candidates as possible. “After so many years of being shut out of the process, we would have of course loved seeing multiple Libertarians running for every available office,” she said.

“However, with what amounts to a standing start and given that we only had 15 days to recruit those candidates, I’m proud of what we accomplished.” Ewbank, 40, of Guthrie, said he had made his decision to run for the Senate seat before he heard fellow Libertarian Robert Murphy, of Norman, was planning to run.

Murphy, 68, said he was actually hoping Ewbank would beat him but that the primary was a good thing.

“It’s good advertising to have people able to vote in a primary all around the state,” he said.

CHANGES IN LAW

The party won a couple of recent victories from state lawmakers.

The first, according to longtime party member Richard Prawdzienski, was the lowering of the signature requirement to get the party recognized. In the past, a party had to get the signatures of 5 percent of the total number of people who voted in the previous gubernatorial election.

Oklahoma Libertarians sought to reduce that threshold to 2 percent, but the state Senate would go no lower than 3 percent, and that’s what was approved, Prawdzienski said. The lower requirement, based on the 2014 election, meant Libertarians had to gather 24,745 signatures to get on this year’s ballot.
Prawdzienski said the state party got financial help from outside the state for signature gathering because the national party wanted its presidential ticket on a Libertarian ballot in all 50 states.

The second victory in the state Legislature was on the threshold for retaining its party status. Previously, the party’s top candidate needed to garner 10 percent of the vote for the party to retain its status automatically. Republican Sen. Kyle Loveless sponsored legislation to lower that to 2.5 percent, and it cleared the Legislature and was signed into law, Prawdzienski said.

Libertarians interviewed last week said they were highly optimistic that the Libertarian Party’s presidential ticket — former New Mexico Gov. Gary Johnson and former Massachusetts Gov. William Weld — would garner at least 2.5 percent of the vote in Oklahoma in November.

**SENATE PRIMARY**

The Senate primary will pit a relative newcomer to the Libertarian Party, Ewbank, against a man who has been in the party since 1974, Murphy. Ewbank said he had been a lifelong Republican but that the 2012 presidential candidacy of Texan Ron Paul “changed my thinking on a lot of issues, particularly foreign policy.”

As all Libertarians, Ewbank is suspicious of any kind of domestic surveillance and said he once got into a confrontation with Sen. James Lankford, R-Oklahoma City, about it at a town hall meeting. The winner of the Libertarian primary will face Lankford, a Democratic candidate and two Independent candidates in the general election.

Ewbank does not favor escalating U.S. military action against the Islamic State, saying it is the group’s strategy to draw the United States into a conflict. The group “thrives off being treated like a state actor and should be treated more like criminals,” he said.

Most Libertarian candidates stick closely to the national party platform, one that calls for limiting government wherever possible, Ewbank said. The only issue he and Murphy differ on, he said, is abortion. Ewbank believes legality should be linked to viability of the fetus.

The national party and Murphy don’t favor any laws in regard to abortion. Murphy, who joined the Libertarian Party in 1974 and remained a member after moving to Oklahoma a year later, said a fetus was comparable to a woman’s internal organs “and the law should recognize it as property rights issue.”

Murphy said Libertarian social, economic and foreign policy are framed around individual liberty and nonintervention. He said Libertarians would not outlaw drugs, prostitution or gambling. They would abolish the Federal Reserve and return the country to the gold standard. He said he wouldn’t station warships more than 200 miles off the nation’s coasts. The idea is to create a rule of law without an overarching state and limit wherever possible the use of force in human activity, he said.

Murphy, who, like Prawdzienski has run unsuccessfully for several offices, acknowledged the challenges in making such a philosophy appealing, particularly in a pro-defense Bible Belt state. “Freedom is not fungible,” he said. “The concept of individual liberty is what created the United States and that’s what we’re trying to focus on.”
Oklahomans Don’t Vote!
Terry W. Wheelock Pd.D, Independent Party

Pretty BOLD statement! Ok, WHY don’t Oklahomans vote? Well first it is just not Oklahomans, many Americans have become disenfranchised with the politics, elections, and voting for the simply reason that politicians, parties, “governments”, and the process do not serve, represent, or protect them anymore. The bureaucracy has become so complicated to the point people have become apathetic, suppressed, or obstructed. It is not worth the hassle and even if I vote, it doesn’t matter. That doesn’t even address the issue that none of the candidates can represent me or the candidate I would vote for can’t even get on the ballot!

I could go on and on but suffice to say the election system and “laws” ALL across the US are broken! The American ideal of one person one vote, equality of the citizens to exercise their right to vote and to vote for the candidate of their choice, and that candidate if elected can and will still be able to represent all of the people equally! This is being lost or has been lost throughout America. But more importantly we are discussing these issues within the Great State of Oklahoma!

Now more specifically we are discussing the “rights” of “Independents” to be on the ballot, to have access to the media to get their policies out, and for the citizens of Oklahoma to be able to vote for Independents, equally, as ANY other party, unaffiliated, or write in. Whoa, what am I saying that recognition, ballot access, and the vote should be Fair and Equal? That’s just nuts! Well no not if you believe in the American Ideal.

The political process: “the ability to control of the means to govern” is so partisan that no party can put forth candidates that can or will represent all the people equally. Except, for the Independent Party! Ok, that sounds like all the other parties or candidates, yes but the difference is Independents are bound by the American Ideal we can only find solutions or make legislation that allows everyone to: 1. BELIEVE in whatever they want, 2. to EXPRESS that belief, 3. to PRACTICE that belief for themselves, BUT 4. they cannot IMPOSE that belief upon others and vice versa.

Now having said that, regardless, if you are an Independent, Republican, Democrat, Libertarian, Green, Unaffiliated, Write In, or any other affiliation the process by which candidates can run and the people can vote for them should provide equal protection under the law! Well, in Oklahoma it doesn’t.

What are the issues that affect this? The first issue is the “process” should allow the equal right of the candidates to access the ballot and the media. Then the second is the equal right of the citizens to vote for the candidate of their choosing! Which for that we must have guidelines, rules, procedures, or laws to do this, and by “law” there are three requirements that must be met, to create any law: 1. there must be a genuine need for such, 2. it must only infringe the least amount as possible, and 3. it must provide equal protection for all! If it does not, then it is in violation of the charters of freedom - the Declaration of Independence, the Constitution of the United States, the Bill of Rights, the Amendments, and the American Ideal, let alone the “laws” of the States, and so on and so forth, it eliminates freedom and individual rights.

The “laws” should serve all the people equally by allowing a candidate to run as a Party Candidate, Candidate, or Write In, allow the candidate equal access to the media to put their position on the issues out, and allow the voters to, associate or not associate with parties, and to vote for the candidate of their choosing!

Then and only then are the elections and vote fair and acceptable.

So, ask the question: Does Oklahoma’s Election and Voter Laws do this? The answer is NO! So how or what “laws”, guidelines, rules, procedures should be implemented to ensure our rights as citizens are served by these laws? That is the reason for this conference!

We submit these improvements: free, open, and
equal access to the ballot, media, and vote for all Oklahomans. As are the ideals of the Greatest Nation, the United States of America and the Great State of Oklahoma!

“The Independent Party of Oklahoma” exists and we have the best solution to the issues that confront all Oklahomans! So that ALL Oklahomans can vote for the best choice, not a lesser of the two evils.

Now that we have resolved the issue of fair elections and vote, that leads us to fair and equal representation for all by those elected…. but that’s a whole other issue!
Notes

This is a resource document for you to use.
Take notes, highlight, use as a textbook.
Here, in this very first paragraph of the Declaration, is the assertion of the natural right of all to the ballot; for how can ‘the consent of the governed’ be given if the right to vote be denied?
Susan B. Anthony

It’s not opinion polls that determine the outcome of elections, it’s votes in ballot boxes.
Nicola Sturgeon

That’s what my Dad always told me, on the ballot, they should always have a third choice, like none of the above, then if enough people picked that, they’d have to get new candidates.
Meg White

Actually, I believe there are more independents than either Republicans or Democrats, and yet those are the the choices we have on the party ballot.
Gloria Steinem

First rule of politics: you can’t win unless you’re on the ballot. Second rule: If you run, you may lose. And, if you tie, you do not win.
Donald Rumsfeld

In reality, there is no such thing as not voting: you either vote by voting, or you vote by staying home and tacitly doubling the value of some Diehard’s vote.
David Foster Wallace
Access refers to issues surrounding equal and open access for citizens to cast a vote or run for elected office in Oklahoma. Specific topics include access to and availability of polling stations, voting windows, voter eligibility and identification requirements, discriminatory or unfair access outcomes, and candidate requirements.
Oklahoma’s proof of identity law (sometimes called the “voter ID” law) was contained in State Question 746 (Legislative Referendum No. 347). The question appeared on the ballot at the November 2, 2010, General Election, and it was approved by 74% of the votes cast.

The proof of identity law requires every voter who votes in person at the precinct polling place or during early voting at the County Election Board to show proof of identity before receiving a ballot.

There are three ways to prove your identity.

**PHOTO IDENTIFICATION**

A document used for proof of identity for voting must have been issued by the United States government, the State of Oklahoma, or a federally recognized tribal government.

The law requires a document used for proof of identity for voting to contain the following information:

- The name of the person to whom it was issued
- A photograph of the person to whom it was issued.
- An expiration date that is after the date of the election, unless the identification is valid indefinitely

The law requires the voter’s name on the proof of identity document to “substantially conform” to the voter’s name in the Precinct Registry. In other words, your name on your proof of identity must match your name in the Precinct Registry.

**COUNTY ELECTION BOARD VOTER IDENTIFICATION CARD**

In addition, voters may use the free voter identification card they received by mail from the County Election Board when they registered to vote. The law allows use of the voter identification card even though it does not include a photograph.

**AFFIDAVIT WITH PROVISIONAL BALLOT**

If you do not have or if you refuse to show proof of identity, you may vote by provisional ballot and prove your identity by signing a sworn affidavit.

Provisional ballots are sealed inside special envelopes and are not put through the voting device. After election day, County Election Board officials will investigate the information provided by the voter on the affidavit and either will approve the provisional ballot for counting or will reject it based on the outcome of that investigation.

A provisional ballot cast by a voter who declines or is unable to produce proof of identity shall only be considered verified and approved for counting if:

- The voter’s name on the affidavit substantially conforms to the voter’s name in the voter registration database.
- The voter’s residence address on the affidavit substantially conforms to the voter’s residence address in the voter registration database.
- The voter’s date of birth matches the information in the voter registration database.
- The voter’s Oklahoma driver license number or the last four digits of the voter’s Social Security number on the affidavit matches the information in the voter registration database. (This provision does not apply if the voter was not required to provide a driver license number or the last four digits of the voter’s Social Security number at the time of registration.)
- The provisional ballot meets the eligibility requirements set forth in Section 7-116.1 of Title 26 of the Oklahoma Statutes.
All men are created equal, says the Declaration of Independence. But not all voter ID laws. Some (like the one in federal law) are flexible, to try to make sure that every eligible citizen can be identified and can vote. Others are stricter, designed in a way that will keep large swaths of the population from voting. Unfortunately, there has been a concerted effort to push strict voter ID laws this past year—an effort that has resulted in eight new laws requiring voters to show forms of ID that many Americans don’t have. More than 20 million Americans—one in 10 eligible voters—do not have the kinds of photo ID required by strict new state voter ID laws, according to research by the Brennan Center and others. Some are even harder hit: Eighteen percent of older Americans, 18 percent of citizens aged 18 to 24, and 25 percent of African-Americans don’t have these kinds of photo IDs. It is wrong to pass laws that block some Americans from voting and to deny them the opportunity to participate equally in our democracy.

**These ID laws affect real people.**

Viviette Applewhite is 92 years old and uses a wheelchair. She was a wartime welder and marched with Dr. Martin Luther King, Jr. during the civil rights movement. But she does not have a driver’s license or other state photo ID to vote. So far, state officials have been unable to find her birth certificate, which she needs to get a new state ID. She is currently part of a lawsuit challenging Pennsylvania’s voter ID law, which would prevent her from voting this year.

**The list goes on and on.**

These laws also affect elections. Indeed, that appears to be their main point. The Republican leader of the Pennsylvania legislature recently said new voter ID laws would “win the election” for Mitt Romney. A recent government report shows 758,000 registered Pennsylvania voters don’t have the ID they now need to vote. All told, millions of eligible voters could find it harder to vote this year because of strict new ID laws and other voting changes.

Politics is one thing, but denying people the right to vote should not just be an acceptable political tactic. It’s the one time we are all equal—when we cast our vote. And no one should mess with that.
BACKGROUND

Voter identification laws are a part of an ongoing strategy to roll back decades of progress on voting rights. Thirty-four states have identification requirements at the polls. Seven states have strict photo ID laws, under which voters must present one of a limited set of forms of government-issued photo ID in order to cast a regular ballot – no exceptions.

Voter ID laws deprive many voters of their right to vote, reduce participation, and stand in direct opposition to our country’s trend of including more Americans in the democratic process. Many Americans do not have one of the forms of identification states acceptable for voting. These voters are disproportionately low-income, racial and ethnic minorities, the elderly, and people with disabilities. Such voters more frequently have difficulty obtaining ID, because they cannot afford or cannot obtain the underlying documents that are a prerequisite to obtaining government-issued photo ID card.

VOTER ID LAWS DEPRIVE MANY AMERICANS OF THE RIGHT TO VOTE

Millions of Americans Lack ID. 11% of U.S. citizens – or more than 21 million Americans – do not have government-issued photo identification.

Obtaining ID Costs Money. Even if ID is offered for free, voters must incur numerous costs (such as paying for birth certificates) to apply for a government-issued ID.

Underlying documents required to obtain ID cost money, a significant expense for lower-income Americans. The combined cost of document fees, travel expenses and waiting time are estimated to range from $75 to $175.

The travel required is often a major burden on people with disabilities, the elderly, or those in rural areas without access to a car or public transportation. In Texas, some people in rural areas must travel approximately 170 miles to reach the nearest ID office.

Voter ID Laws Reduce Voter Turnout. A 2014 GAO study found that strict photo ID laws reduce turnout by 2-3 percentage points, which can translate into tens of thousands of votes lost in a single state.

VOTER ID LAWS ARE DISCRIMINATORY

Minority voters disproportionately lack ID. Nationally, up to 25% of African-American citizens of voting age lack government-issued photo ID, compared to only 8% of whites.

States exclude forms of ID in a discriminatory manner. Texas allows concealed weapons permits for voting, but does not accept student ID cards. Until its voter ID law was struck down, North Carolina prohibited public assistance IDs and state employee ID cards, which are disproportionately held by Black voters. And until recently, Wisconsin permitted active duty military ID cards, but prohibited Veterans Affairs ID cards for voting.

Voter ID laws are enforced in a discriminatory manner. A Caltech/MIT study found that minority voters are more frequently questioned about ID than are white voters.

Voter ID laws reduce turnout among minority voters. Several studies, including a 2014 GAO study, have found that photo ID laws have a particularly depressive effect on turnout among racial minorities and other vulnerable groups, worsening the participation gap between voters of color and whites.

VOTER ID REQUIREMENTS ARE A SOLUTION IN SEARCH OF A PROBLEM

In-person fraud is vanishingly rare. A recent study found that, since 2000, there were only 31 credible allegations of voter impersonation – the only type of fraud that photo IDs could prevent – during a period of time in which over 1 billion ballots were cast.
Identified instances of “fraud” are honest mistakes. So-called cases of in-person impersonation voter “fraud” are almost always the product of an elections worker or a voter making an honest mistake, and that even these mistakes are extremely infrequent.

Voter ID laws are a waste of taxpayer dollars. States incur sizeable costs when implementing voter ID laws, including the cost of educating the public, training poll workers, and providing IDs to voters.

Texas spent nearly $2 million on voter education and outreach efforts following passage of its Voter ID law.

Indiana spent over $10 million to produce free ID cards between 2007 and 2010.

Answer to Question #6

CHECKS AND BALANCES

SEPARATION OF POWERS
Voter ID laws are good protection against fraud

A Post editorial last month criticized Kansas’s Secure and Fair Elections Act, which was drafted by my office. The act requires that voters present photo identification when they vote in person, that absentee voters present full driver’s license numbers and have their signatures verified, and that voters present proof of citizenship at the time of registration.

The June 22 editorial also criticized other states that moved in this direction during their 2011 legislative sessions. Wisconsin, Texas, Tennessee, Alabama and South Carolina adopted photo ID requirements; Alabama also enacted a proof-of-citizenship requirement for registration similar to Kansas’s.

The editorial asserted that voter fraud is a “minuscule” problem and that I failed to show that any of the 221 incidents of voter fraud reported in Kansas between 1997 and 2010 resulted in convictions.

In fact, I presented this information to the Kansas legislature in January, and the numbers were extensively reported by the media. The 221 incidents of voter fraud included absentee ballot fraud, impersonation of another voter and other crimes. The vast majority of the cases were never investigated fully because Kansas county attorneys lack the time and resources to pursue voter fraud at the expense of other criminal investigations. Of the approximately 30 cases that were fully investigated, seven resulted in prosecutions. All seven yielded convictions.

The frequency of voter fraud in Kansas is not unusual. Unfortunately, voter fraud has become a well-documented reality in American elections.

The editorial cited figures from New York University’s Brennan Center comparing the number of reported cases of voter fraud in a state to the number of votes cast in the state. Not surprisingly, the percentages are small.

But such use of these statistics is fundamentally flawed. First, most forms of voter fraud are extremely difficult to detect. We see only the tip of the iceberg; the number of instances is likely to be much higher than the number of reported cases. Second, asking what percentage of votes were cast illegally misses the point. The relevant question is: Does the number of illegal votes exceed the margin of victory in a particular race? All too often, the answer is yes.

One of the most brazen cases of voter fraud occurred in a state representative race in Kansas City, Mo., last year. It was a Democratic primary between J.J. Rizzo and Will Royster in a district where the victor was certain to win the general election. Rizzo received about 50 votes illegally cast by citizens of Somalia. The Somalis, who didn’t speak English, were coached to vote for Rizzo by an interpreter at the polling place. Rizzo ended up winning by one vote.

In another example, an 18-month study by Minnesota Majority found that 341 felons in the Minneapolis-St. Paul area illegally voted in the 2008 election. Compared with the 2.7 million votes cast in the state, 341 seems insignificant. But after the recount of the U.S. Senate race between Norm Coleman and Al Franken, Franken’s margin of victory was only 312 votes. The illegal votes cast by felons were not discovered until after the recount, making 341 an awfully significant number.

The editorial also cited a questionable 2006 survey from the Brennan Center, using the claim that 11 percent of the U.S. population lacks a photo ID as a basis for concluding that hundreds of thousands of citizens lack photo IDs.

But we don’t have to rely on such inaccurate estimates; actual numbers are available. According to the 2010 Census, there are 2,126,179 Kansans of voting age. According to the Kansas Division of Motor Vehicles, fully 2,156,446 Kansans age 18 and older have valid driver’s licenses or non-driver IDs. In other words, there are more photo IDs in circulation than there are eligible voters in Kansas. It is simply incorrect to assert that there are tens of thousands of voters in Kansas, or any state, without photo identification.
Photo IDs have become ubiquitous and unavoidable. You can’t cash a check, board a plane or drive without one. That is why it’s not unreasonable to require picture identification to protect our most important privilege of citizenship. And just in case a voter lacks a photo ID, Kansas’s legislation requires that he or she be given one free of charge.

Photo ID requirements are a reasonable way to secure our elections. It’s absurd to suggest that anyone is “disenfranchised” by such protective measures.

More states are moving to ensure the integrity of our voting process by requiring photo IDs, not as part of a devious plot to discourage voting, but because voter fraud is a real problem. And it’s a problem that voters want solved.

According to a 2010 SurveyUSA poll of 500 Kansans, 85 percent supported photo ID laws. Fortunately, state legislators are listening to their constituents, not the Brennan Center, on this question.

Kris W. Kobach is secretary of state of Kansas. He is also co-author of Arizona’s S.B. 1070 law on illegal immigration.
All states should require photo ID both to vote in person and to vote by absentee ballot (by providing a copy of the ID). This is a basic requirement to help ensure the integrity of elections. All Americans who are eligible should have the opportunity to vote, but their ballots should not be stolen or diluted by fraudulent votes.

The vast majority of Americans of all racial and ethnic backgrounds support such common-sense election reform. Voter ID can significantly defeat and deter impersonation fraud at the polls, voting under fictitious names or in the names of dead voters, double-voting by individuals registered in more than one state, and voting by individuals who are in the United States illegally. The Supreme Court has upheld voter ID since “flagrant examples of [voter] fraud … have been documented throughout this nation’s history.”

No one claims that there is voter fraud in every election. But, as the Supreme Court said, “not only is the risk of voter fraud real,” but “it could affect the outcome of a close election.” And it wasn’t too long ago that we had a presidential election decided by only about 500 votes. Voter ID also increases the public’s confidence in election results, an essential element in a stable democracy.

Opponents are wrong that voter ID will depress turnout or prevent large number of individuals from voting. ID laws have been in place in Georgia and Indiana for more than five years, and there has been no decrease in the turnout of minority, poor, and elderly voters. That is because Americans of every background overwhelmingly have photo ID. And the few who do not can easily obtain a free one in the states that have implemented such laws.

Americans have to use photo ID constantly in everyday life—to drive a car, board a plane, buy a beer, check into a hotel, get into many government buildings, or see a doctor. They even need one to get into the Justice Department in Washington where Eric Holder is unjustly and unfairly fighting election integrity by trying to stop voter ID laws.

Voter ID is a perfectly reasonable and easily met requirement that protects the integrity of our democracy. That is why the American people support it.

**Answer to Question #7**

*FOUR HUNDRED THIRTY-FIVE (435) IN THE HOUSE*

*ONE HUNDRED (100) IN THE SENATE*
REQUIRING citizens to present identification before voting is an idea broadly popular with citizens. It’s also an idea that continues to withstand legal challenges.

The latest judicial victory was handed down by U.S. District Judge Thomas Schroeder, who recently issued a 485-page ruling upholding a 2013 North Carolina election-law overhaul that included voter ID requirements.

While the North Carolina law included several reforms not relevant to Oklahoma, Schroeder’s decision regarding the voter ID requirement is relevant. Oklahoma is among 33 states that require some form of identification before citizens can vote in person.

Not all state voter ID laws are the same, and Oklahoma’s is considered fairly lenient. North Carolina has actually shifted closer to Oklahoma in that regard, because that state’s lawmakers added a “reasonable impediment” option in 2015 to allow voters who could not produce an ID the option of casting a provisional ballot.

Yet the evidence presented in the North Carolina trial mostly undermined the claims of voter ID critics who argue the law effectively disenfranchises poor and minority voters.

Several individuals who testified about voter ID challenges were actually dealing with problems getting Social Security documents. In other words, their problems were generated by federal law and federal bureaucracy, not North Carolina’s voter ID law.

Schroeder also noted some of those individuals were still able to vote.

Those who lack a driver’s license in North Carolina can get a free state voter ID card. Since the beginning of January 2016, approximately 2,170 applicants had sought those cards and 2,139 had been issued.

Even evidence presented by one plaintiffs’ expert, who attempted to match the names of North Carolina registered voters to names in various databases of acceptable IDs, did little to show voter ID laws are unduly restrictive.

That analysis found 96.5 percent of all North Carolina registrants had a qualifying ID, and 97.4 percent of all active voters had an ID. So the overwhelming majority of people faced no problem complying with voter ID. That’s not surprising. How many people live in this day and age without a form of identification?

And even when a name wasn’t matched with a valid ID, Schroeder noted that did not necessarily mean individuals didn’t have one. Among 172,098 North Carolina residents whose names didn’t match those on existing lists of valid IDs, nearly 5,000 reported having an ID when sent a questionnaire by mail.

The idea that people who don’t have an ID are somehow civic-minded voters was also undermined. Of the North Carolina residents identified as potentially lacking ID, it was determined 39.5 percent had never voted.

Schroeder noted the evidence suggested “only a fraction of the small fraction of individuals who lack qualifying ID will cast a ballot under the reasonable impediment exception. This is not because these voters will be deterred by the ID requirement; it is because they did not vote at a significant rate before the requirement existed, even in high turnout elections.”

The bottom line is that even opponents of voter ID laws struggle to find valid cases where eligible people are prevented from voting as a result of these laws.

As many have noted, if it’s reasonable to impose an ID law to purchase allergy medicine, surely the same method can be used to preserve electoral integrity.
Almost every day, I get e-mails and Twitter messages asking me about the effect of voter identification laws on turnout. Most of these messages, I presume, are from Democrats. They worry that more onerous laws, like those in Pennsylvania, could make it more difficult for Democratic-leaning voting groups like African-Americans and young voters to participate in this November’s election.

These concerns are perfectly logical — although it is also possible to exaggerate the effects that these laws might have. Academic studies suggest that they very probably reduce turnout, but not by more than a couple of percentage points. And although Democratic voters may be more affected by the laws, some Republican voters will be disenfranchised by them, too.

As I mentioned, there are quite a number of academic studies that seek to evaluate the effect of identification laws on voter turnout; John Sides has compiled a list of them here; or you can do some searching for yourself on Google Scholar. On the surface, these studies seem to disagree with one another about whether or not there is any effect on turnout from harsher voter identification laws. But if you read them in more detail, you’ll find that much of the disagreement is semantic rather than substantive.

There is something of a consensus in the literature, in fact, about the rough magnitude of the effects. The stricter laws, like those that require photo identification, seem to decrease turnout by about 2 percent as a share of the registered voter population.

Whether this effect is deemed to be “statistically significant” or not varies from study to study. It depends on what particular type of statistical test the researcher has applied, and how much data he or she is looking at.

Statistical significance, however, is a funny concept. It has mostly to do with the volume of data that you have, and the sampling error that this introduces. Effects that may be of little practical significance can be statistically significant if you have tons and tons of data. Conversely, findings that have some substantive, real-world impact may not be deemed statistically significant, if the data is sparse or noisy.

My view is that something which might reduce turnout by 2 percent in a key state is meaningful in a practical sense — at least if you looking at the election in a detail-oriented way, as we often do.

Statistical significance tests start by specifying a null hypothesis. In the case of these studies, the null hypothesis is that voter identification laws do not impact turnout. Then it’s a question of whether the data is robust enough to persuade you otherwise. Some studies say that it is, and others say it isn’t.

However, the null hypothesis is not very logical in this case. Why should we give the benefit of the doubt to notion that voter ID laws will not affect turnout? The mechanism for how these laws work is very simple, after all. Some people show up at the polling place and find that they are not able to cast a ballot (or must vote by provisional ballot) when they otherwise would have voted. It would be stunning if these laws didn’t have some downward effect on the number of legal votes counted. (If you’re using Bayesian statistics, the hypothesis that voter ID laws do impact turnout would be your prior belief.)

In other words, although the effects seem to be small, and although their precise magnitude is uncertain, the position that they don’t have any effect at all is hard to defend.

With that said, there is also not necessarily a reason to think that the laws would reduce turnout by more than a couple of percentage points. It’s important to keep the following in mind:

- The vast majority of adults do have some sort of identification.
- Many people who do not have identification are not registered to vote — or if they are registered, they are unlikely to turn out.
- The laws may be inconsistently enforced by thousands and thousands of poll workers at the precinct level.
In many cases, voters without proper identification can cast a provisional ballot, which could eventually be counted in the event of a vote-counting dispute.

The campaigns have an opportunity to educate their voters about ID requirements as part of their turnout operations.

News media accounts, like some of those about the new voter ID laws in Pennsylvania, sometimes seize on the most dramatic estimates of the effects of these laws — rather than the most accurate ones.

It has been reported, for instance, that about 750,000 Pennsylvanians, or about 9 percent of the state’s registered voter pool, do not have an ID issued by the state’s Department of Transportation. The 750,000-voter figure, however, includes some cases where there are database-matching problems: for instance, a woman is listed by her married surname in one database and her maiden surname in another may be included on that list, even though she should have few problems voting. It includes some cases of voters whose registrations are inactive. And it includes voters who will have some valid form of ID other than that issued by the Department of Transportation, like a passport, which would still make them eligible to vote. Based on the experiences of other states, it is more likely that these laws will prevent something like 2 or 3 percent of registered voters from actually casting a ballot, rather than 9 percent.

Still, that could be meaningful depending on which candidate these voters would have chosen. None of the studies I mentioned have sought to measure how a decline in turnout could effect the Democratic and Republican candidates in particular, rather than the overall figure.

But some implied that Democratic-leaning voting groups, especially African-Americans and Hispanics, were more likely to be affected. Others found that educational attainment was the key variable in predicting whom these laws might disenfranchise, with race being of secondary importance. If that’s true, some white voters without college degrees could also be affected, and they tend to vote Republican.

Nevertheless, it’s clear enough that stricter voter ID requirements are probably bad for Democrats, on balance. In almost every state where the ID laws have been at issue, Republican governors and legislatures have been on the side of passing stricter ones, while Democrats have sought to block them.

I sought to back into an estimate of the net effects of these laws, therefore, in a couple of different ways. First, I compared the popular vote in each state in 2008 against the turnout there, as listed at Michael McDonald’s Web site. As a control, I looked at the party identification of all adults in the state in 2008, according to Gallup polling. This analysis suggested that for every one-percentage point increase in voter turnout, Barack Obama’s margin over John McCain increased by about six-tenths (0.6) of a point in 2008.

Alternatively, I looked at the change in the popular vote margin between 2004 and 2008 as a function of the change in turnout. (For this version of the analysis, I excluded states that were the home state of any of the presidential or vice presidential candidates in 2004 or 2008, since this introduces noise related to native-son effects.) This version indicated that a 1-point increase in turnout increased Mr. Obama’s margin over John McCain by about 0.4 percentage points in 2008.

Both of these estimates are crude — I am open to looking into more robust means of estimating these effects, in case any of you have ideas.

But they square with the general notion that higher turnout is helpful to Democrats, on balance. If you take the average between them, it suggests that a 1-point increase in turnout would improve the Democrat’s margin in the popular vote by a half a percentage point, accounting for other factors.

I then looked at which states have changed their voting laws since 2008, according to the National Council of State Legislatures. Their Web site classifies states along a 4-point spectrum from having no voter ID laws to strict photo identification requirements.

Pennsylvania, for instance, went from having no voter ID laws to a strict photo ID requirement. Based on the academic studies, I estimate that this will reduce turnout by about 2.4 percent as a share of registered voters. And based on my formula to
convert changes in turnout to changes in the popular vote, I estimate that this would reduce President Obama’s margin against Mitt Romney by a net of 1.2 percentage points.

Changes for other states are listed below; I exclude cases where changes in a voter ID law have been struck down by courts, or are pending approval by the Department of Justice. Note that, other than Pennsylvania, no swing states have passed major changes to voter ID laws, although others like Wisconsin have sought to pass laws that have been struck down.

Starting with Saturday’s forecast, these shifts are applied to the “state fundamentals” calculation that the FiveThirtyEight forecast model uses along with the polls in each state. The state fundamentals calculation is based on large part on how the state voted in 2008 or 2004 — so if there have been changes in the fundamentals since that time which we think might have predictable effects, it is worth accounting for them.

<table>
<thead>
<tr>
<th>State</th>
<th>Turnout change</th>
<th>Popular vote shift</th>
</tr>
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<tbody>
<tr>
<td>Pennsylvania</td>
<td>2.4% decrease as share of registered voter population</td>
<td>1.2% net swing to Republican candidate</td>
</tr>
<tr>
<td>Kansas</td>
<td>2.4% decrease as share of registered voter population</td>
<td>1.2% net swing to Republican candidate</td>
</tr>
<tr>
<td>Idaho</td>
<td>1.6% decrease as share of registered voter population</td>
<td>0.8% net swing to Republican candidate</td>
</tr>
<tr>
<td>Tennessee</td>
<td>1.6% decrease as share of registered voter population</td>
<td>0.8% net swing to Republican candidate</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>0.6% decrease as share of registered voter population</td>
<td>0.4% net swing to Republican candidate</td>
</tr>
<tr>
<td>Rhode Island</td>
<td>0.8% decrease as share of registered voter population</td>
<td>0.4% net swing to Republican candidate</td>
</tr>
<tr>
<td>Utah</td>
<td>0.6% decrease as share of registered voter population</td>
<td>0.4% net swing to Republican candidate</td>
</tr>
</tbody>
</table>

The effects of the adjustment are ultimately fairly minor. In Pennsylvania, for instance, it reduced Mr. Obama’s chances of winning the state to 82.6 percent from 84.2 percent, according to the model’s estimate. Still, it makes Pennsylvania a little closer, and slightly increases the chance that it will be the tipping point state in the election.

One last thing to consider: although I do think these laws will have some detrimental effect on Democratic turnout, it is unlikely to be as large as some Democrats fear or as some news media reports imply — and they can also serve as a rallying point for the party bases. So although the direct effects of these laws are likely negative for Democrats, it wouldn’t take that much in terms of increased base voter engagement — and increased voter conscientiousness about their registration status — to mitigate them.

I do not apply any adjustment to the polls themselves. My notion is that the pollsters are responsible for accounting for these effects, such as by means of their likely voter models or their mechanism of accounting for registered voters.
While many Americans view 2017 as an “off” election year, Minneapolis election officials and voters know better. This November, voters will select local municipal leaders and your election officials are already deeply engaged in the work to ensure a secure, accurate and accessible election. We look forward to seeing their progress firsthand and getting a few pointers from them this week while we visit Minneapolis for the U.S. Election Assistance Commission’s (EAC) Board of Advisors meeting.

The Help American Vote Act of 2002 established the EAC and its Board of Advisors, a 37-member board that assists the commission with its work to help state and local election leaders improve voting systems and ensure better access to elections. This year’s gathering in Minneapolis takes place against the backdrop of news stories about potential voting irregularities, attempted election system hacking and implications of our nation’s aging election equipment. While discussions and strategy sessions about these critical topics will shape much of our agenda, we will kick off our meeting by visiting with Grace Wachlarowicz, Minneapolis’ assistant city clerk and director of elections and voter services, and later hear from Minnesota Secretary of State Steve Simon. One of the things we’re hoping they will discuss with us is the city and state’s demonstrated commitment to language access for Limited English Proficiency voters.

**VOTING MATERIALS IN 11 LANGUAGES**

According to U.S. Census Bureau data, more than 100 languages besides English are spoken in Minnesota homes, and Minnesota Public Schools note that 75 percent of classrooms in the city have at least one student who speaks a language other than English. As Minnesota’s diversity continues to grow, so does the demand for election officials to keep pace by providing the resources necessary for all voters to participate. Minneapolis officials currently provide election and voting materials in 11 languages — just five fewer than New York City, where the number of languages available only recently jumped from five to 16.

In addition to the typical translation of voter registration and general election materials, Minneapolis election officials also provide videos and other supplemental materials that demonstrate a commitment to making elections accessible to all eligible voters. Ahead of last year’s election, the city hired the Minneapolis College of Art and Design’s in-house studio DesignWork to improve voting signage by providing required information in a way that is easier to understand and improves voter experience. This effort was so successful that Secretary Simon is implementing it statewide. Minneapolis also seeks out poll workers and precinct workers who can provide assistance in a variety of languages. It’s these kinds of best practices that the EAC seeks to share with state and local election officials across the nation.

The timing for our meeting in Minneapolis could not be better as we are just weeks away from hosting our second annual Language Access for Voters Summit on June 6. This summit, hosted in partnership with Democracy Fund Voice, will examine the importance of language access for all voters and the need for innovation in U.S. elections to keep pace with the changing demographics of the United States. Election officials, voting rights groups and translation experts will be among those on hand to discuss how best to serve Limited English Proficiency voters and what strategies communities are using to provide access to all voters. We look forward to taking the insights and lessons we learn in Minneapolis back to this summit and helping others.
election officials put them into practice ahead of next year’s Federal Election.

**LANGUAGE SERVICES TO VOTERS AND LOCAL ELECTION LEADERS**

Beyond our annual summit, the EAC is committed to sustained efforts to serve Limited English Proficiency voters and their local election leaders. We offer glossaries of election terminology in six different languages. The glossaries contain 1,843 terms and phrases used in the administration of elections in the United States. To ensure the translations were culturally and linguistically appropriate, terms were translated and reviewed by a multi-dialect team of translators representing the main regions of each language. For example, the Spanish to English Glossary was produced by teams represented from four of the main regions of origin of the Hispanic population living in the U.S: Mexico, Puerto Rico, Cuba, and Central America.

We also provide a voter’s guide to Federal Election is 11 different languages and the National Mail Voter Registration Form in seven languages.

With all of the challenges facing election officials today, it’s important to not lose sight of the day-to-day things that state and local election officials do to improve voter access and experience. The EAC looks forward to our visit to Minneapolis and bringing home some of the city’s best practices to inform our own efforts to help election officials from coast to coast carry out secure, accurate and accessible elections.

Matthew Masterson is chairman of the U.S. Election Assistance Commission. Thomas Hicks is vice chairman, and Christy McCormick is a member of the commission.
A more than four-year legal challenge to overturn Oklahoma’s voter identification law was rejected earlier this week by a state district court judge who upheld the constitutionality of the measure. Oklahoma County District Court Judge Aletia Haynes Timmons dismissed the case Monday after hearing arguments from lawyers representing the Oklahoma State Election Board and Tulsa resident Delilah Christine Gentges. Gentges’ attorney said he plans to appeal the decision.

Gentges sued after 74 percent of voters approved a state question in 2010 that requires every voter to show proof of identity issued by the U.S. government, Oklahoma state government or an Oklahoma tribal government.

Like in many other states that have passed similar laws, voter-rights advocates here argued the requirement is unconstitutional because it interferes with residents’ right to vote.

Tulsa attorney James Thomas, who represents Gentges, said the law also unfairly targets those who struggle to obtain or pay for a government identification, such as young voters, elderly voters, minorities and those living in poverty.

“We estimated in this case that there are more than one million people in Oklahoma without identification,” he said. “And the thing is when you make it harder to vote, people just stop voting.”

According to the National Conference of State Legislatures, 33 states have laws requesting or requiring voters to show some form of identification at the polls. Supporters of the measures say they are needed to prevent voter fraud and protect the integrity of elections. The remaining states use other methods to verify voter identity, such as signing an affidavit or providing personal information.

Many laws requiring an ID have been challenged and overturned. This includes federal court judges fully or partially overturning voter ID laws in Wisconsin, Texas and North Carolina this summer. In all of those cases, the states’ laws required voters without a valid ID to request a provisional ballot and take additional steps for their vote to be counted.

Oklahoma’s law is somewhat less strict. It allows voters with an ID to request a provisional ballot and prove their identity by signing a sworn affidavit. Their ballot is required to be verified later by election workers.

Lawyers for the state argued the law allows voters to cast a ballot without placing an undue burden on those who don’t have a valid ID or choose not to show one. The state also pointed out that every registered voter is given a free voter identification card that satisfies the requirements of the law.

“Thus, there is no circumstance under which a registered voter will not have the opportunity to vote,” lawyers for the Attorney General’s Office argued in a trial brief.

The state’s court filing also argued that voter ID laws “are a reasonable way to further the legitimate interest of detecting and deterring voter fraud.”

Thomas said he disagreed because the type of voter fraud that would be detected by voter ID laws hasn’t been a problem in Oklahoma. He added that voter ID laws are typically a tactic used in Republican-dominated states to keep voters who traditionally vote Democratic away from the ballot box.

“It’s a political decision, not a policy decision,” he said. “These are laws that make sense for Republicans because it helps Republicans win seats.”

Bryan Dean, a spokesman for the State Election Board, said there have been several cases of election fraud prosecuted in the state in recent years. However, he said he is not aware of any instance where the fraud was because of voter impersonation. Monday’s decision came after a lengthy legal fight that initially saw another district court judge dismiss the case in 2012 by ruling that Gentges lacked standing to bring the challenge. That decision was overturned by the Oklahoma Supreme Court in 2014 and sent back to the district court level.
The president has continued to claim voter fraud was a problem in the 2016 election. But a look at the facts makes clear fraud is vanishingly rare, and does not happen on a scale even close to that necessary to “rig” an election.

Sensationalist claims have circulated this election season about the extent of voter fraud, with some politicians going so far as to tell voters to fear that this November’s election will be “rigged.” Because electoral integrity is one of the elements necessary to making America the greatest democracy in the world, claims like this garner media attention, and frighten and concern voters. But putting rhetoric aside to look at the facts makes clear that fraud by voters at the polls is vanishingly rare, and does not happen on a scale even close to that necessary to “rig” an election.

**STUDIES AGREE: IMPERSONATION FRAUD BY VOTERS VERY RARELY HAPPENS**

The Brennan Center’s seminal report on this issue, The Truth About Voter Fraud, found that most reported incidents of voter fraud are actually traceable to other sources, such as clerical errors or bad data matching practices. The report reviewed elections that had been meticulously studied for voter fraud, and found incident rates between 0.0003 percent and 0.0025 percent. Given this tiny incident rate for voter impersonation fraud, it is more likely, the report noted, that an American “will be struck by lightning than that he will impersonate another voter at the polls.”

A study published by a Columbia University political scientist tracked incidence rates for voter fraud for two years, and found that the rare fraud that was reported generally could be traced to “false claims by the loser of a close race, mischief and administrative or voter error.”

A 2017 analysis published in The Washington Post concluded that there is no evidence to support Trump’s claim that Massachusetts residents were bused into New Hampshire to vote.

A comprehensive 2014 study published in The Washington Post found 31 credible instances of impersonation fraud from 2000 to 2014, out of more than 1 billion ballots cast. Even this tiny number is likely inflated, as the study’s author counted not just prosecutions or convictions, but any and all credible claims.

Two studies done at Arizona State University, one in 2012 and another in 2016, found similarly negligible rates of impersonation fraud. The project found 10 cases of voter impersonation fraud nationwide from 2000-2012. The follow-up study, which looked for fraud specifically in states where politicians have argued that fraud is a pernicious problem, found zero successful prosecutions for impersonation fraud in five states from 2012-2016.

A review of the 2016 election found four documented cases of voter fraud.

Research into the 2016 election found no evidence of widespread voter fraud.

A 2016 working paper concluded that the upper limit on double voting in the 2012 election was 0.02%. The paper noted that the incident rate was likely much lower, given audits conducted by the researchers showed that “many, if not all, of these apparent double votes could be a result of measurement error.”

A 2014 paper concluded that “the likely percent of non-citizen voters in recent US elections is 0.”

A 2014 nationwide study found “no evidence of widespread impersonation fraud” in the 2012 election.

A 2014 study that examined impersonation fraud both at the polls and by mail ballot found zero instances in the jurisdictions studied.

A 2014 study by the non-partisan Government Accountability Office, which reflected a literature review of the existing research on voter fraud, noted that the studies consistently found “few instances of in-person voter fraud.”
While writing a 2012 book, a researcher went back 30 years to try to find an example of voter impersonation fraud determining the outcome of an election, but was unable to find even one.

A 2012 study exhaustively pulled records from every state for all alleged election fraud, and found the overall fraud rate to be “infinitesimal” and impersonation fraud by voters at the polls to be the rarest fraud of all: only 10 cases alleged in 12 years. The same study found only 56 alleged cases of non-citizen voting, in 12 years.

A 2012 assessment of Georgia’s 2006 election found “no evidence that election fraud was committed under the auspices of deceased registrants.”

A 2011 study by the Republican National Lawyers Association found that, between 2000 and 2010, 21 states had 1 or 0 convictions for voter fraud or other kinds of voting irregularities.

A 2010 book cataloging reported incidents of voter fraud concluded that nearly all allegations turned out to be clerical errors or mistakes, not fraud.

A 2009 analysis examined 12 states and found that fraud by voters was “very rare,” and also concluded that many of the cases that garnered media attention were ultimately unsubstantiated upon further review.

Additional research on non-citizen voting can be found here: http://www.brennancenter.org/analysis/analysis-noncitizen-voting-vanishingly-rare.

**Courts Agree: Fraud by Voters at the Polls is Nearly Non-Existent**

The Fifth Circuit, in an opinion finding that Texas’s strict photo ID law is racially discriminatory, noted that there were “only two convictions for in-person voter impersonation fraud out of 20 million votes cast in the decade” before Texas passed its law.

In its opinion striking down North Carolina’s omnibus restrictive election law—which included a voter ID requirement—as purposefully racially discriminatory, the Fourth Circuit noted that the state “failed to identify even a single individual who has ever been charged with committing in-person voter fraud in North Carolina.”

A federal trial court in Wisconsin reviewing that state’s strict photo ID law found “that impersonation fraud — the type of fraud that voter ID is designed to prevent — is extremely rare” and “a truly isolated phenomenon that has not posed a significant threat to the integrity of Wisconsin’s elections.”

Even the Supreme Court, in its opinion in Crawford upholding Indiana’s voter ID law, noted that the record in the case “contains no evidence of any [in-person voter impersonation] fraud actually occurring in Indiana at any time in its history.” Two of the jurists who weighed in on that case at the time—Republican-appointed former Supreme Court Justice John Paul Stevens and conservative appellate court Judge Richard Posner—have since announced they regret their votes in favor of the law, with Judge Posner noting that strict photo ID laws are “now widely regarded as a means of voter suppression rather than of fraud prevention.”

**Government Investigations Agree: Voter Fraud Is Rare**

Kansas Secretary of State Kris Kobach, a longtime proponent of voter suppression efforts, argued before state lawmakers that his office needed special power to prosecute voter fraud, because he knew of 100 such cases in his state. After being granted these powers, he has brought six such cases, of which only four have been successful. The secretary has also testified about his review of 84 million votes cast in 22 states, which yielded 14 instances of fraud referred for prosecution, which amounts to a 0.00000017 percent fraud rate.

Texas lawmakers purported to pass its strict photo ID law to protect against voter fraud. Yet the chief law enforcement official in the state responsible for such prosecutions knew of only one conviction and one guilty plea that involved in-person voter fraud in all Texas elections from 2002 through 2014.

A specialized United States Department of Justice unit formed with the goal of finding instances of federal election fraud examined the 2002 and 2004 federal elections, and were able to prove that 0.00000013 percent of ballots cast were fraudulent. There was no evidence that any of these incidents involved in-person impersonation fraud. Over a five year period, they found “no concerted effort to tilt
in the election.”

An investigation in Colorado, in which the Secretary of State alleged 100 cases of voter fraud, yielded one conviction.

In Maine, an investigation into 200 college students revealed no evidence of fraud. Shortly thereafter, an Elections Commission appointed by a Republican secretary of state found “there is little or no history in Maine of voter impersonation or identification fraud.”

In Florida, a criminal investigation into nine individuals who allegedly committed absentee ballot fraud led to all criminal charges being dismissed against all voters.

In 2012, Florida Governor Rick Scott initiated an effort to remove non-citizen registrants from the state’s rolls. The state’s list of 182,000 alleged non-citizen registrants quickly dwindled to 198. Even this amended list contained many false positives, such as a WWII veteran born in Brooklyn. In the end, only 85 non-citizen registrants were identified and only one was convicted of fraud, out of a total of 12 million registered voters.

In Iowa, a multi-year investigation into fraud led to just 27 prosecutions out of 1.6 million ballots cast. In 2014 the state issued a report on the investigation citing only six prosecutions.

In Wisconsin, a task force charged 20 individuals with election crimes. The majority charged were individuals with prior criminal convictions, who are often caught up by confusing laws regarding restoration of their voting rights.

The verdict is in from every corner that voter fraud is sufficiently rare that it simply could not and does not happen at the rate even approaching that which would be required to “rig” an election. Electoral integrity is key to our democracy, and politicians who genuinely care about protecting our elections should focus not on phantom fraud concerns, but on those abuses that actually threaten election security.

As historians and election experts have cataloged, there is a long history in this country of racially suppressive voting measures — including poll taxes and all-white primaries — put in place under the guise of stopping voter fraud that wasn’t actually occurring in the first place. The surest way toward voting that is truly free, fair, and accessible is to know the facts in the face of such rhetoric.
President Trump has asked for a full investigation into voter fraud. Without citing any evidence, the President claims at least 3,000,000 votes were illegal in this past election. But is voter fraud an issue in Oklahoma?

While you must show your ID or your voter card on election day, there are also provisions in place that specifically address the president’s claims.

“When you look at the people that are registered,” said President Trump in an interview, “dead, illegal, and two states and some cases maybe three states. We have a lot to look into.”

Not only is Oklahoma looking into those cases, state election officials feel our system prevents those cases. Every month, State Election Board secretary Paul Ziriax works with the state health department to match death records with registered voters. In December alone, over 1,300 deceased voters were removed from the database.

“If it’s an exact match, then by law we have to remove those,” said Ziriax.

To prevent voters registered in multiple states, there’s an address confirmation process where the voter must respond.

“And that’s for someone that may slip through the cracks for example if they moved out of state, didn’t let anyone know. It’s a way to make sure those voters get removed.”

Despite the provisions Ziriax admits voter fraud does exist. Out of the more than 1.4 million votes cast in the last two years, only 10-20 cases of voter fraud have been reported. Ziriax says most cases are the result of an elderly person voting absentee, forgetting, and trying to vote a second time.

But if the federal investigation uncovers wide spread and malicious voter fraud, Ziriax will welcome some changes.

“Any voter fraud is too much, just like any attempt to deny someone the legal right to vote. If that happens once, that’s once too often,” said Ziriax.

Voter fraud is a felony in Oklahoma. The punishment is up to 5 years in prison and/or a $50,000 fine.
The American Voting Experience:
Report and Recommendations of the Presidential Commission on Election Administration

Full report available on the E-Library, Summary by Craig Knutson

What follows is a summary of a 112 page report submitted to President Barack Obama on January 2014. We have provided a link to the entire report in out e-library as follows: www.okacademy.org/e-library. This summary was prepared by Craig Knutson, Chair of the Academy’s Town Hall Research Committee.

While the document focused its recommendations so as to “significantly improve the American voter’s experience and promote confidence in the administration of US elections,” many of their recommendations dove-tailed nicely with many of the barriers we face here in Oklahoma. Quotations that follow are lifted directly from the report; all other statements represent summary conclusions of mine.

“The Commission’s focus in this Report remained resolutely on the voter. We discovered, as officials, experts, and members of the public from across the country testified, that voters’ expectations are remarkably uniform and transcend differences of party and political perspective. The electorate seeks, above all modern, efficient, and responsive administrative performance in the conduct of elections.”

In that vein the Commission introduced their key recommendations by providing some background to their assessment process. “The United States runs its elections unlike any other country in the world. Responsibility for elections is entrusted to local officials in approximately 8,000 different jurisdictions. In turn, they are subject to general oversight by officials most often chosen through a partisan appointment or election process. The point of contact for voters in the polling place is usually a temporary employee who has volunteered for one-day duty and has received only a few hours of training. These defining features of our electoral system, combined with the fact that Americans vote more frequently on more issues and offices than citizens anywhere else, present unique challenges for the effective administration of elections....”

“Long wait times at select polling places result from a combination of mismanagement, limited or misallocated resources, and long ballots. Problems faced by military voters and their dependents in receiving and transmitting ballots, and then having them counted, still remain. Accommodations for voters with disabilities or with limited English proficiency vary widely, dependent upon the attention they receive from local officials and compliance with statutory protections. Bloated and inaccurate voter registration lists – the source of many downstream election administration problems – arise in the absence of a national list of voters that is uploaded when voters move, die, or change their names.”

The Report than sets forth many recommendations and best practices derived from the Commission’s examination of the issues. The key recommendations are as follows:

**Voter Registration:**

**On-line Registration:** The steady trend toward on-line registration should continue as every state should allow eligible citizens to register to vote and to update their registrations via the internet.

**Interstate Exchange of Voter Lists:** States should update and check their voter registrations lists against each other, as is done with the IVRC and ERIC projects, to ensure that voters are correctly registered at ONE location, that registration lists are more accurate and not a source of polling place congestion, and that these more accurate lists can assist in identifying individuals who are eligible to vote, but are not registered.

**Access to the Polls:**

**Expansion of Voting Before Election Day:** In order to limit congestion on Election Day and to respond to the demand for greater opportunities to
vote beyond the traditional Election Day polling place, states that have not already done so should expand alternative ways of voting, such as mail balloting and in-person early voting.

**Schools as Polling Places:** States should encourage the use of schools as polling places. Because they often provide the best facilities to meet voters’ needs, roughly one-third of voters currently vote in schools. To address security concerns, Election Day should be scheduled as an in-service day for students and teachers.

**Polling Place Management:**

**Adoption of Resource Allocation Tools:** Local officials should employ resource allocation calculator, akin to the ones presented at www.supportthevoter.gov, in order to optimize the number of voting machines and staff at polling places, thereby reducing the potential for long line.

**Voting Technology:**

**Addressing the Impending Crisis in Voting Technology:** By the end of the decade, a large share of the nation’s voting machines, bought ten years ago with HAVA funds, will reach the end of their natural life and require replacement. To address this impending challenge and to usher in the next generation of voting machines, the standards and certification process for new voting technology must be reformed so as to encourage innovation and to facilitate the adoption of widely-available, off-the-shelf technologies and “software-only” solutions.
Turnout varies greatly by state. In the 2012 Presidential Election, 76% of eligible Minnesotans cast ballots, whereas only 45% of eligible Hawaiians did. Many different factors influence voter turnout levels.

**Electoral Competitiveness:** One of the most important factors is the competitiveness of the presidential election in each state. Overall, 66% of eligible voters turned out to the polls in the nation’s 12 most competitive states in 2012, but only 57% did in the nation’s 39 other states (including the District of Columbia).

**Election Type:** Low turnout is most pronounced in primary elections, off-year elections for state legislators, and local elections. For example, a 2013 study of 340 mayoral elections in 144 U.S. cities from 1996-2012 found that voter turnout in those cities averaged at 25.8%. In many cities, mayors have been elected with single-digit turnout. For example, turnout in Dallas’ 1999 mayoral election was a mere 5%.

Run-off elections for all offices also tend to have lower turnout that first round elections, especially if the first round election takes place on the same day as several other elections. For example, of 171 regularly scheduled primary runoffs for U.S House and U.S. Senate from 1994 to 2012, all but six of them resulted in a turnout decrease between the initial primary and the runoff, meaning that 96.5% of federal runoff elections had fewer people voting in the second round than in the first. The average reduction in turnout was 35.3%. Additionally, the longer the wait between the initial primary and the runoff, the higher the decrease in voter turnout between elections. Primary elections with a gap of more than thirty days had a median decline in voter participation of 48.1%, while those with a gap of twenty days or less had a median decline of 15.4%.

**Voting Laws:** Voter registration laws, voter identification laws, early voting, and polling place accessibility can also affect voter turnout, though not always in the ways that we might expect. For example, the introduction of early voting, which was intended to make voting easier and increase turnout, appears to have actually decreased turnout.

**Demographics:** In the aggregate, voters tend to be older, wealthier, more educated and whiter than non-voters.

**Age:** Young people are much less likely to vote than older ones. From 1972 to 2012, citizens 18-29 years old turned out at a rate 15 to 20 points lower than citizens 30 year and older.

**Race/ethnicity:** Voter turnout also varies by race and ethnicity. In 2012, turnout rates among eligible white and black voters was 64.1% and 66.2%, respectively, while it was only 48.0% and 47.3% among Latino and Asian American voters respectively. The 2012 election was the first presidential election since Reconstruction ended in which black turnout exceeded white turnout.

**Gender:** Women’s voter turnout has surpassed men’s in every presidential election since 1980. In the 2012 election, 7.8 more women than men voted. Interestingly though, older women are actually less like to vote than older men. In 2008, 72.2% of men 75 years and older voted, compared to only 64.9% of women that age.

**Socio-economic status:** Wealthy Americans vote at much higher rates than those of lower socio-economic status. During the 2008 presidential election, only 41% of eligible voters making less than $15,000 a year voted, compared to 78% of those making $150,000 a year or more. Studies have shown that this difference in turnout affects public policy: politicians are more likely to respond to the desires of their wealthy constituents than of their poorer constituents, in part because more of their wealthy constituents vote.
Online Voting and Democracy in the Digital Age
Bill Hewitt, Consumer Reports, May 17, 2016

We now use the Internet to shop for cars, file taxes, and everything else in-between. But are we ready to vote with our smartphones?

As Diane Harris set out to vote in the presidential primary in Arizona on March 22, she had no idea of the grueling odyssey she was in for. She and a friend ended up driving to five polling sites. At each one they encountered long lines and no parking available within a half-mile of the door. Harris, 62, a retired paralegal who was using a cane that day, and her friend Helen, who was in a wheelchair, spent almost 3 hours traversing the Phoenix area until they arrived at a polling site 20 miles from home, where the wait was only 20 minutes. “It was all so frustrating,” Harris recalls.

MORE PARTICIPATION

Considering the importance of elections in the U.S., the country sure does make voting a challenge. National elections are held on a Tuesday in November, a workday for most people. In 11 states and Washington, D.C., you can register to vote on Election Day. (Maryland allows same-day voter registration only for early voting.) Other states have registration deadlines of eight to 30 days before an election.

Some states have expanded voting by mail, online registration, absentee voting, and similar practices. But others have become more restrictive: 33 states request or require voters to show identification at the polls, and 17 of those states request or require a photo ID. And voters in places like Maricopa County in Arizona, where budget cutbacks have significantly reduced the number of polling spots, can find crowded conditions more reminiscent of a Depression-era breadline than a polling site in the Internet Age.

Why, then, when everything from buying airline tickets to filing federal income taxes is routinely done online, is voting for most Americans still such a manual, show-up-in-person, paper-ballot-based process?

We’re in the midst of a dramatic political year, one that’s raising questions about elections in the U.S., including how parties assign delegates and the rules of primaries.

Leaders are also questioning the very act of how we vote. At the SXSW Interactive Festival in Austin, Texas, in March, President Barack Obama questioned why voting technology hadn’t advanced in step with Internet-based commerce.

“We’re the only advanced democracy in the world that makes it harder for people to vote,” he said, adding, “how do we redesign our systems so that we don’t have 50 percent or 55 percent voter participation on presidential elections, and during off-year congressional elections, you’ve got 39 or 40 percent voting.”

Both Democrats and Republicans have experimented with online voting. In the 2000 presidential primary, the Arizona Democratic Party offered online voting to registered Democrats. And in the Utah GOP’s presidential caucus this year, registered Republicans were able to vote online.

Consumer Reports is a nonpartisan organization that doesn’t endorse any candidate or party, but it believes the voting process should be simple, safe, and secure. But are American voters ready for online voting? Are they even interested? To find out, the Consumer Reports National Research Center surveyed 3,649 voting-age U.S. Citizens in March 2016.

The results showed that a considerable number of respondents were receptive to the idea. Thirty-nine percent of likely voters said they would choose the option to vote by computer, tablet, or smartphone in the 2016 election rather than vote by traditional methods. The Internet option was especially popular with people under 30.

Diane Harris doesn’t fall into that demographic, but after her ordeal, she says she’d like to vote online, too. “I hope [it] becomes the norm,” she says. “We do our banking online, pay our bills online. It just
seems like we should be able to.”

But is Internet voting really a pragmatic solution to low turnout and other electoral concerns? Or is it on the order of a nuclear-powered can opener—a technological step forward but perhaps more trouble than it’s worth? Our survey found that there were significant concerns among respondents about the privacy and security of an online voting system.

And even though the survey found that many people would choose to vote online, it also suggests that the option might increase the number of likely voters by only 7 percentage points. That may seem like a small bump, but the popular vote in several modern presidential contests has been close. For example, in Bush vs. Kerry in 2004 and Obama vs. Romney in 2012, the margins were 2.47 and 3.86 percent, respectively.

**A TOE IN THE ONLINE WATERS**

Some forms of Internet voting already exist in the U.S. All 50 states and D.C. send ballots to overseas voters electronically, and 32 states and D.C. allow electronic ballot returns via fax, email, or the Web from some voters, although those voters may have to waive their right to a secret ballot. In 2012 Alaska was the first state to establish an electronic voting system for all absentee voters, whether overseas or not. Alabama recently unveiled a system that allows residents who are overseas at election time to vote on a special website.

Alabama’s secretary of state, John Merrill, a Republican, says the program ensures that those in the armed forces will have their voices heard without having to rely on the postal service to return their ballots on time.

“I’m enthusiastic about what we’re doing about our military men and women,” Merrill says. “We need to take care of them and make sure their vote is counted.”

Everyone Counts, the company that created the software used in Alabama, is one of a number of firms marketing Internet-based voting systems. Lori Steele, the company’s founder and CEO, says demand is about to take off. “All the people saying why can’t I vote on my tablet or mobile phone actually can,” she says. “And governments are tired of not being able to give it to them.”

Steele argues that in addition to making voting easier, her company’s system offers multiple advantages over traditional methods. For one thing, she says, “security is exponentially increased over any other kind of voting because each ballot, as well as the electronic ballot box, has military-grade encryption.”

She also claims that Web voting is more accurate—no more hanging chads or marks on a paper ballot that may be difficult to interpret. Web systems can also save money and can be upgraded or reconfigured as laws change, Steele says.

Online voting is already further along elsewhere in the world; about a dozen governments have explored the technology. The boldest adopter is the Baltic nation of Estonia, which began offering voters the option of casting their ballots from a website in 2005. With a population of about 1 million, Estonia provides a case study of how such a system might work. Voters use their national identity smart card and PIN with a card reader when they log in to the website to vote. Internet voting is quite popular, with almost 25 percent of eligible voters going digital.

In addition to letting its citizens vote in their pajamas, Estonia has changed other fundamental mechanics of elections. For example, people voting online can change their vote multiple times, right up to when the polls close.

**HACKING THE VOTE**

Whatever the political system, efforts to introduce Internet voting face the same overriding issue: how to make sure ballots aren’t subject to manipulation or fraud by hackers or compromised by a system failure.

Pamela Smith, president of Verified Voting, a nonpartisan and nonprofit advocacy group in Carlsbad, Calif., that works for improvements in the management of elections, argues that the Web isn’t necessarily the safest voting booth.
“Let’s face it; the number of cyberattacks is increasing, not decreasing,” Smith says, citing the Pentagon and Sony hacks, to name just two. “Part of it is the Internet was not really designed with fundamental security in mind. It was designed as an open communications platform.”

Smith says that online banks and stores are plagued by enough fraud to give anyone pause about adopting Internet voting. (Worldwide, cybercrime costs about $445 billion annually, according to the Center for Strategic & International Studies.) “They’re willing to do it because they’re still making enough money,” she says. “It’s just a cost of doing business.”

Moreover, with online banking and commerce, if something goes awry either through malfeasance or malfunction, it can generally be corrected, given that there’s an identifiable account that can be scrutinized. By contrast, voting depends on the anonymity of the ballot. No outside party should ever be able to check to see whether your vote was properly recorded.

“When it comes to elections, the question is how many votes you could afford to lose to fraud or malfunction and still call it a legitimate election,” Smith says. “You need something a lot closer to a zero tolerance policy.”

Steele contends that’s what her company’s software provides. “We’ve been busy building a good solution,” she says. “You can’t be in this decade and pretend that technology hasn’t advanced.”

In addition to the progression of encryption, Steele says, there are logistics and processes to deter any hacker bent on, say, stealing a national election in the U.S. Because there are about 8,200 local election jurisdictions in the U.S., “it’s not one election, it’s 8,200 elections,” she says. “You can’t take down a country.”

But Aviel Rubin, a professor of computer science at Johns Hopkins University, says hackers could try to steal a presidential election by manipulating the tally in a few key districts. And the cyberattacks wouldn’t need to be that sophisticated. Rubin says all the attackers would need to do is identify counties in a battleground state where the candidates they oppose might have strong support. Using a technique known as a distributed denial of service, they could flood servers with Internet requests to impede access to them.

“What I would do is drop their Internet service by maybe 80 percent, so that some small fraction of voters would give up in frustration,” Rubin says. “Some people are just not going to bother.”

And some computer-science experts say that experience has shown that voting online is a dangerous practice. A case in point: In 2010 the District of Columbia planned to introduce online balloting for overseas absentee voters. In the run-up to the election, officials invited people to try to hack the system by what's known as “penetration testing.” The results were disquieting. It took a team from the University of Michigan only 48 hours to seize almost complete control of the election server and successfully change every vote and reveal the identity and vote of almost every voter. And as it was rummaging around the server, the team observed attack traffic from such places as Iran and China.

Can any of those vulnerabilities be readily fixed? Not in the foreseeable future, according to Rubin and other computer experts. “I’d love to be able to vote on my phone, but I don’t see how it could be done securely,” he says. “It would mean completely changing systems on our devices and how our networks are configured.”

If anything, Rubin adds, the potential vulnerabilities of the Internet are looming larger than ever before. “I think it’s much more likely that in the future we’ll have to stop online banking,” he says, “than it is that we’ll have online voting.”

Steele dismisses the naysayers. “We know the bad guys work hard all the time to make it harder to stay secure,” she says. “That’s why we work hard all the time.”

Merrill seconds that sentiment, insisting that any qualms about security are exaggerated. “We have some people who are opposed to anything until it’s 100 percent secure,” he says. “If that were the case, we wouldn’t have a lot of the inventions we have today.”
Surprisingly, though, Merrill has no desire to see online voting expanded to the entire electorate. To him, the real danger isn’t security; it’s that it might make the process so easy it might be taken for granted. “I’m not supportive of electronic voting for just anybody, just because somebody’s too sorry to get up and cast a ballot,” he says. “I think you should have to show a little initiative.”

**Would Internet Voting Make You More Likely to Vote?**

We commissioned a survey to find out how the option to vote online would affect the 2016 presidential election if the technology were widely available. We asked 3,649 U.S. Citizens of voting age whether they would be more likely to vote if they could cast their ballot via the Internet from wherever they choose.

The survey results suggest that Internet voting would increase the number of likely voters by 7 percentage points. That may not seem like a lot, but eight presidential elections since 1916 have had popular-vote margins under 5 percent. Our survey didn’t collect enough responses at a state level to determine how these new voters might affect the electoral map. Our survey also found that women, younger adults, Hispanics, and Independents had a higher representation within the group of new potential voters than in the overall voting-age population.

![Infographic: Thomas Porostocky](Infographic: Thomas Porostocky)
Bill Seeks To Improve Voter Access For Native Americans
Jazmin Kay, Generation Progress, August 20, 2015

According to the National Congress of American Indians, Native Americans are 17 percent less likely to vote than non-natives. With a history of difficulty securing citizenship and voting rights, Native Americans did not attain full United States citizenship until 1924 with the passing of The Snyder Act and were not given the right to vote until 1957. Despite these legal victories, many Native American voters still face disenfranchisement today.

Native voters from the Duck Valley Reservation in Nevada have to drive over 104 miles to the nearest polling station, while residents of the Goshute Reservation in Utah have 163 miles to travel if they want to exercise their constitutionally guaranteed right to vote.

This is why the Native American Voting Rights Act is a necessary step towards improving low voter turnout among Native Americans and ensuring their right to vote is protected.

Introduced on July 31, 2015 by Senators Jon Tester (D-Mont.), Heidi Heitkamp (D-N.D.), Tom Udall (D-N.M.), and Al Franken (D-Minn.), the Native American Voting Rights Act would, as the press release from Sen. Udall reads, require “each state to establish polling locations on reservations upon request from the tribe, including early voting locations in states that allow votes to be cast prior to Election Day.”

Furthermore, the bill “directs state election administrators to mail absentee ballots to the homes of all registered voters if requested by the tribe.” The act would also require states that enforce voter ID laws to recognize tribal IDs as a valid form of identification and expand provisions under the Voting Rights Act to require the U.S. Attorney General to enforce tribal voting protections and supply poll observers to make sure no one is denied their right to vote if they meet the qualifications under state and federal law.

“Nobody should be denied the basic right to vote and have a say in the democratic process,” Senator Tester said. “We should be doing everything we can to increase access to the polls and remove the barriers that keep too many folks from voting. The Native American Voting Rights Act ensures that tribes are receiving the resources needed to increase the opportunity for folks to cast their ballot.”

Jazmin Kay is a reporter for Generation Progress, covering voting rights and civic engagement. Follow her on Twitter at @jazminlkay.

http://genprogress.org/voices/2015/08/20/39079/bill-seeks-to-improve-voter-access-for-native-americans/
Oklahoma City — Oklahoma’s online voter registration law becomes effective Nov. 1, but that doesn’t mean the system will be operational anytime soon.

“Nov. 1 does not mean it will be up and running,” said State Election Board spokesman Bryan Dean. “It’s when we’re authorized to officially begin working on it.”

This may come as a disappointing surprise to those planning registration drives incorporating online technology, but state Sen. David Holt, R-Oklahoma City, said it shouldn’t be.

“We’ve been clear all along that this would take some time,” said Holt, the Legislature’s leading proponent of online registration. “The hope has always been for it to be ready by the 2016 general election. If we don’t make that, I know it won’t be because all of those involved aren’t trying.”

Informal meetings between Election Board, Department of Public Safety and other officials have been going on for some time. After Nov. 1, activity will pick up as the formal process of requesting information, proposals and bids gets underway.

Twenty-four states and the District of Columbia have online voter registration systems. The most recent, Nebraska, went active earlier this year.

Most took one to three years to go from authorization to implementation.

The process involves interfacing voter registration and the Department of Public Safety’s driver’s license databases so that applications to the former can be checked against the latter.

Dean said how long that will take and how much it will cost is unclear, but federal Help America Vote funds are expected to cover most or all of the expense.

Other states have spent anywhere from $250,000 to $1 million on their systems, according to a brief issued earlier this year by the Pew Charitable Trusts. The report says states saved between 50 cents and $2.49 per transaction with online registration, which translated to $2 million a year for California.

And online registration seems to be safer. Pew said no case of identity theft-related breaches has been reported, and the rolls are more accurate.

“The current (paper) system is simply built on trust,” Holt said. “You sign an affidavit swearing your information is correct, and it’s a felony to give false information, but nobody ever checks it.”
By Nov. 4, more than $5 billion will have been spent trying to persuade voters to cast their presidential and congressional ballots one way or another. Despite all the money and the news media hysteria, and even with record numbers of Americans heading to the polls, the United States won’t even come close to the top nations in the world for voter turnout. We will be well behind — to name just a few — Iceland, Sweden and New Zealand.

What do those countries, among many others, have in common? Their citizens all vote on a weekend day. But in the United States, for more than 150 years, we’ve voted on Tuesday. Why? It’s not in the Constitution. It isn’t to avoid holidays. And it’s not because people hate Mondays.

The reason we vote on Tuesday makes perfect sense — at least it did in 1845.

To understand the decision Congress made that year, let’s imagine ourselves as members of early agrarian American society. Saturday was for farming, Sunday was the Lord’s day, Monday was required for travel to the county seat where the polling places were, Tuesday you voted, Wednesday you returned home, and Thursday it was back to work.

It’s a safe bet that today most Americans don’t follow the same schedule as our farming forefathers. In fact, for many, Tuesday is one of the most inconvenient days to hold an election. One in four people who didn’t vote in 2006 said that they were “too busy” or had “conflicting work or school schedules.”

Legislation now before Congress would finally tailor our voting system to modern American life by establishing weekend voting for national elections. (Mr. Israel is sponsoring the bill in the House.) Here’s how it would work: The presidential election would be held on the Saturday and Sunday after the first Friday in November, while for those who aren’t often home on the weekends, there would be a few days of early voting.

Our current system penalizes single parents, people working two jobs, and those who have to choose between getting a paycheck and casting a ballot. Two weekend days of voting means those working families would have a greater chance of making it to the polls. It means easing the long lines during rush hour at the polling sites. It means more locations, more poll workers and more voters.

Some have suggested making Election Day a holiday, but that would involve a serious cost to the economy. Moving Election Day to the weekend means more convenience and less expense.

Making a change like this won’t be easy, but it’s not unprecedented. In 1968, Congress passed the Monday Holiday law, which moved Memorial Day, Columbus Day, Veterans Day and Washington’s Birthday from their original dates to Mondays. If we can alter our federal holidays to benefit shoppers and travelers, surely we can change Election Day for the benefit of our voters.

Let’s take a cue from the Congress of 1845 and ensure that voting is available to as many working Americans as possible — not just those who can make it to the polls on a Tuesday.

Steve Israel is a Democratic representative from New York. Norman J. Ornstein, a resident scholar at the American Enterprise Institute, is the co-founder of Why Tuesday?, a nonpartisan group seeking to increase voter participation.

Paul Krugman and David Brooks, whose columns are normally published on Fridays, will appear on the Op-Ed page this Sunday in a special election edition.
Low voter turnout in the United States has confounded politicians, activists and academics seeking to reverse a trend that puts the country behind many of the world’s developed nations in participation at the polls.

In August, the Pew Research Center ranked the U.S. 31st out of 35 countries for voter turnout based on the voting age populace, among the mostly democratic nations that are a part of the Organization for Economic Cooperation and Development.

The study showed 53 percent of eligible voters in the U.S. cast ballots in 2012, the last time a presidential election was held, with about 129 million people out of a potential 241 million citizens taking part in the election.

In recent history, participation in the U.S. has peaked during presidential elections, when the last several decades show about 55 to 60 percent of the eligible electorate will vote. But those numbers trail off during non-presidential years and in primary races.

Internationally, Belgium had the highest participatory rate in its most recent election at 87 percent, followed by Turkey at 84 percent and Sweden at 82 percent. The study found that compulsory voting often had an impact on voter turnout, which was the case with three of the top five ranked countries, including Belgium and Turkey.

While mandatory voting is unlikely to happen in the U.S., some states are looking to improve those statistics, even though many concede the reasons for low voter turnout are both varied and elusive.

According to interviews with research institutions, advocacy groups and legislators involved in those efforts, restrictive voting laws in some states discourage the electorate from registering to vote. Additionally, they said gerrymandered districts cut across party lines reducing the number of competitive races and interest, and disgruntled citizens, fed up with the often contentious nature of politics, can choose not participate.

But David Becker, who led Pew’s election work before launching the Center for Election Innovation & Research (CEIR), an organization whose goal is to increase voter turnout, said none of those potential causes are wholly responsible for the dismal turnout statistics.

"THE SHORT ANSWER YOU’LL PROBABLY HEAR IS NOBODY REALLY KNOWS," BECKER SAID. "THERE HAS BEEN A LOT OF MONEY AND A LOT OF EFFORTS TO INCREASE TURNOUT. THERE IS NO ONE ANSWER TO WHY, ALL WE CAN SAY IS HERE IS THE EFFECT."

According to the United States Election Project, which tracks voting trends, only 36 percent of registered voters cast ballots during the 2014 election cycle, the lowest turnout in a general election since 1942, when many of the nation’s young people were out of the country fighting in World War II.

Becker said only three of 10 voters participated in presidential primaries this year.

“A smaller and smaller slice of the electorate are making decisions that are important,” he said.

Voter participation also depends on the state where you vote. According to a Wall Street Journal analysis on state participation, fewer Americans vote when their states are less competitive in races between Democrats and Republicans.

Many of the states with the lowest turnout are dominated by the Republican Party in the South, where restrictive laws can hamper participation. But two states known to be solid Democratic Party supporters – Hawaii and New York – also fall in the bottom 20 percent of turnout.

In 2016 alone, at least 14 states installed restrictive voting laws around the country, including limitations on voter registration, photo ID mandates and narrower time periods for early voting, according to the Brennan Center for Justice.
In New York, voters have chosen Democrats in every statewide election since 2002, according to Blair Horner, legislative director with the New York Public Interest Research Group. While the lack of competitive elections are a factor for low turnout, it may also be attributed to other issues like one-sided political districts and a timetable to register that is “among one of the longer ones in the country.”

“Voting is a hassle and the elections are run in a very chaotic way,” Horner said, especially in New York City. “I don’t think the political establishment has incentive to expand the electorate.”

Since 2012, New York State Assemblyman Brian Kavanagh has pushed for legislation that could address some of those issues, such as early voting, extended registration deadlines and updated technology at polling places, but so far few of them have received broad support, he said.

“Lines are often too long, poll workers are often confused, administration of polling sites are often challenging,” Kavanagh said. “I would say there’s no magic bullet. But New York has systematically failed to have an election system to keep up with election practices.”

Becker said nationally, these issues can vary by states and even by election cycles.

“There’s a variety of reasons why people aren’t voting,” he said. “The number that drives me the most is 47 million. That’s the number of people who voted in 2012 that didn’t vote in 2014. For some reason nearly 50 million people didn’t show up who had voted before.”

While solutions to the voting dilemma remain fluid, the turnout rate in the U.S. may also come down to the age of the country’s democracy, Becker said. One Harvard University study found that citizens from advanced democratic nations tend to abstain from voting.

“A lot of these democracies are younger,” Becker said, of countries that were ranked. “We’ve been having elections for almost 250 years. That’s a lot different than Germany.”

Michael D. Regan is an Associate Multimedia Producer for PBS NewsHour Weekend.
If Voting is Sacred, Then Early Voting Must Go
Jonah Goldberg, USA Today, November 3, 2016

Let’s work backward.

Less than a week before the election, the Wall Street Journal and Fox News’ Bret Baier reported that the Clinton Foundation has been under investigation for “pay-for-play” allegations for over a year — and that the Department of Justice may have been trying to monkey-wrench the effort.

Eleven days before the election, FBI Director James Comey announced that he was reopening the inquiry into Hillary Clinton’s emails. A few days before that, WikiLeaks dropped a bombshell of a hacked memo showing the full extent of “Clinton Inc.” — the tawdry, tacky and some would argue criminal web of for-profit, nonprofit and political entities that make up the Clinton empire. A couple weeks before that, NBC News released a tape of Donald Trump describing how he likes to sexually assault women. Since then, nearly a dozen women have come forward describing treatment that closely tracks the behavior Trump himself described in an unguarded moment.

Those are just the highlights.

Both candidates have also made controversial statements about their policies and philosophies. In the third debate, Clinton refused to support any limitations on even late-term abortions. She also claimed that the longtime gun ban in Washington, D.C., ruled unconstitutional by the Supreme Court in the Heller decision, was really just an effort to keep toddlers from getting their hands on guns.

And Trump? Well, let’s just say he’s said a lot of things.

And you know what else happened during all of this? People have been voting. A lot.

Early-voting start times vary by state and often by county. In Minnesota, people started casting ballots in September. In Ohio, voting began just five days after the “Access Hollywood” tape surfaced, three days after the second presidential debate and a week before the final debate. As of this writing, more than 22 million people have voted already. In all, an estimated 40 percent of voters will cast ballots before Election Day.

And that’s nuts.

Before you rush to the safety of the usual argument, let me admit that, of course, some early and absentee voting is necessary. Obviously, overseas military personnel and voters with certain disabilities should be accommodated. But defending their right to vote absentee is not a defense of mass-scale early voting.

The standard argument against widespread early voting is that it encourages many people to make their decisions without important information available to the voters who wait until Election Day. That’s really not debatable, so early-voting supporters concede the point and then say it just doesn’t matter. They
note that the people most likely to cast early votes are committed partisans, immune to new facts and information. There’s surely some truth to that, but as the scale of early voting increases with each year, it must also be less and less true every year. Also, one might wonder why people who decry the rise of ideological polarization and partisanship are so eager to make it easier for hardcore partisans to vote.

Comey’s bombshell is a perfect illustration of how new facts can make a hash of things. Trump is imploping people who’ve already cast their votes for Clinton to remedy their “buyer’s remorse” and switch to Trump — which is legal in six states. The problem is worse in the primaries. Voters often cast early ballots for candidates who drop out before Election Day. That’s real voter suppression. But my main problem with early voting is different. Every day we hear pious actors, activists and politicians talk about the solemn and sacred duty to vote, and yet everyone wants to make voting easier and more convenient. Many still dream of the most cockamamie idea of all: online voting, so we can

make choosing presidents as easy as buying socks on Amazon.

This gets human nature exactly backward. Nothing truly important, never mind sacred and solemn, should be treated as a trivial convenience. Churches that ask more of the faithful do better at attracting and retaining congregates. The Marines get the best and most committed recruits because they have higher standards. Elite schools demand more from students and get more as a result. No wonder one study found that early voting actually lowers turnout because it makes Election Day seem like a less special event.

Of course we shouldn’t put up any insurmountable obstacles to voting. But if we want citizens to value their vote, why are we constantly lowering the price?

Jonah Goldberg is a fellow at the American Enterprise Institute and a senior editor of National Review. Email goldbergcolumn@gmail.com

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**Answer to Question #8**

**U.S. SENATOR JIM INHOFE**  
**U.S. SENATOR JAMES LANKFORD**

**CONGRESSMAN JIM BRIDENSTINE, 1ST DISTRICT**  
**CONGRESSMAN MARKWAYNE MULLIN, 2ND DISTRICT**  
**CONGRESSMAN FRANK LUCAS, 3RD DISTRICT**  
**CONGRESSMAN TOM COLE, 4TH DISTRICT**  
**CONGRESSMAN STEVE RUSSELL, 5TH DISTRICT**
Denver, Colorado, has spent the last eight years modernizing its elections, offering a model for how a city and county successfully maintains voter rolls.

The city began taking steps in 2009 to make it easier for voters to cast ballots, officials to count them, and administrators to maintain accurate, clean voter rolls. In the process, they’ve increased voter turnout and saved taxpayers money.

In the 2016 general election, turnout was at 72 percent — up six points from the city’s 2008’s turnout, and ten points higher than the national average in 2016, according to the city’s data. The effort has driven election costs down, from $6.51 per voter to $4.15 per voter.

“In Denver, we’ve said, ‘What do we want our voter experience to be?’ and worked backwards from there,” Amber McReynolds, director of the Denver Elections Division, told NBC News. The city employee been running the Mile High City’s elections for the last six years.

Some voters are so impressed with the changes — and later how she handled the president’s voter integrity commission’s request for voter data — they’ve mailed in thank you notes, McReynolds said. She keeps one on her desk: a homemade secrecy sleeve for a ballot a voter cast in honor of her mother, born 18 years before suffrage, and three aunts.

Denver also uses technology to keep voters in the loop. You can text questions to an automated help system (15,396 queries were answered this way in 2016), and watch ballots being counted and verified by signature on a Periscope live feed. Ballots are mailed to voters, and returned by mail or at designated drop-off locations, where bar codes are scanned to prevent duplicates. This has improved accuracy and efficiency: In 2016, there were just 340 provisional ballots cast by voters whose eligibility or registration was questioned, down dramatically from 10,721 in 2012.

Changes to the voter rolls are automatic, and accompanied by proactive mailings that advocates say help voters catch potential errors. If you move in the city and fill out a change-of-address form at the Post Office or update your driver’s license, your voter registration is updated and a confirmation of that activity is mailed to the voter. Move out of state? Denver will begin its purge process, as well as send a notice to your new address detailing the change in voter registration and encouraging you to register in your new area.

They’ll even help you figure out where to go to get registered in your new state if you need it, McReynolds added.

“We’re better serving the customer by making them fill out less paperwork, but we’re also at the same time making our list cleaner,” she said.
I am often asked why Oklahoma’s Legislature is so dysfunctional and why it annually falls short of its potential. The same question could also be asked of Congress and so many other legislative bodies across our nation. Regardless of the level or the location, the cause of this dysfunction is largely the same: a small minority of voters are dominating the process and making different decisions than would a broader electorate.

And why do a small minority of voters dominate the process? I point to three main causes: a media that doesn’t cover civic life, a populace that has failed to instill civic duty in rising generations, and an election process that requires an almost superhuman level of interest from its participants.

It is this last cause that I have attempted to address as a policymaker.

It has become my conclusion that the electoral process dictates the outcome. If we want better outputs, we have to engineer better inputs. To attract and elect the “best and the brightest” at all levels of government, we have to change the electoral system so a broader electorate participates in the process. Many candidates with a pragmatic approach or a focus on relevant issues are discouraged from participating or are defeated by a partisan primary electorate applying unusual priorities and extreme views.

We have experiments upon which to test this thesis that limiting the electoral decision makers leads to different outcomes. Look at places like Oklahoma City where city elections are nonpartisan and open to all voters. Compare the candidates who emerge victorious with the candidates who emerge from the partisan primary system in the very same geographical areas. For those who follow politics closely, the contrast is staggering. And not coincidentally, Oklahoma City has been acknowledged for a quarter century as the most successful government in Oklahoma and perhaps one of the most successful in the nation.

So, with this in mind, I have pushed a variety of election reform proposals to change the process, broaden the electorate, and increase turnout. In 2015, I introduced a package of 10 bills at the Oklahoma Legislature. These included:

A “TOP TWO” PRIMARY SYSTEM – In this system, all candidates would appear on the same ballot and all voters would be invited to participate. This “markets” the election better by ensuring that there is always something for every voter to consider on election day. It also reduces the elections necessary to fill each office from three to two. It also forces candidates to court the entire electorate, rather than one end of the ideological spectrum or the other.

AN ALL-MAIL ELECTION SYSTEM – Other states that have done away with polling locations and moved to an all-mail election enjoy much higher turnout rates.

CONSOLIDATION OF ELECTION DATES – This bill (which did become law) consolidated city and school elections. More can be done in the area of election consolidation.

CREATION OF AN ONLINE VOTER REGISTRATION SYSTEM – This bill (which did become law but is still being implemented) will allow voters to register to vote online. This modern accommodation has been allowed for in a majority of states, but not yet in Oklahoma.

ALLOWING VOTERS TO REGISTER AT THE COUNTY ELECTION BOARD DURING THE EARLY VOTING PERIOD – Currently, voter registration cuts off 25 days before an election, right about the time potential voters might actually realize an election is approaching.

ALLOWING VOTERS TO PERMANENTLY SIGN UP FOR ABSENTEE BALLOTS – Essentially, this is all-mail voting one person at a time.

MODERNIZING ABSENTEE VOTING – This would have updated various aspects of absentee
voting, including allowing a copy of an ID to be submitted rather than notarization, a process that is a mystery for many.

STREAMLINING AND EXTENDING EARLY VOTING – This would have added days to early voting and streamlined the hours, so that the early voting accommodation was more intuitive. As with many of my ideas, I believe just applying basic customer service principles would go a long way.

LOWERING THE REQUIREMENTS TO GET PARTIES AND PRESIDENTIAL CANDIDATES ON THE BALLOT – This has largely been adopted by other legislation since 2015 and is a positive change toward giving voters more choices. Until recently, Oklahoma clearly had the most restrictive ballot access laws in the nation.

LOWERING THE REQUIREMENTS FOR GETTING BALLOT INITIATIVES ON THE BALLOT – This would engage more people in the process but also make reforms in many areas more likely, until such time that a Legislature is seated that has the courage or focus to do what must be done.

Some of these ideas, especially the game changers like “top two” and an all-mail election, will almost surely never occur unless an organized and funded petition drive is mounted to embrace the cause.

National organizations like “Open Primaries” stand ready to join such an effort.

Though not among the ideas I have presented, I should note that others have proposed a nonpartisan redistricting commission, public funding for campaigns, Saturday elections, instant runoff, and automatic registration, among other ideas. No doubt there are even more proposals yet to be explored.

I hope this conversation about election reform continues, and I’m pleased to have contributed to it. I will be leaving the Legislature in 2018, but I sincerely hope others take up the cause. Though rarely anyone’s top priority, election reform is in fact the most impactful effort that a concerned group of citizens could undertake, because who we elect affects everything else.

Answer to Question #9

TO PRINT MONEY ▪ TO DECLARE WAR
TO CREATE AN ARMY ▪ TO MAKE TREATIES
Thousands of people in Oklahoma can’t vote because of their criminal record, even though they are no longer incarcerated.

More than 54,000 convicted felons aren’t eligible to vote in the state, including 27,000 no longer in prison, according to state Corrections Department reports.

During a week focused on criminal justice reform, President Barack Obama gave a speech Tuesday at the 106th annual NAACP conference and urged states to eliminate laws that prevent convicted felons from voting.

The speech, delivered in Philadelphia, came one day after the president granted clemency to 46 nonviolent drug offenders, and two days before he was set to visit the Federal Correctional Institution El Reno.

In some states, felons are banned from voting for life. In Oklahoma, felons are disenfranchised for the length of their sentence, including incarceration and any time on parole or probation.

Ryan Kiesel, executive director of the American Civil Liberties Union of Oklahoma, said the voting ban isn’t an effective punishment.

“Just because you were convicted of a felony doesn’t mean your ability to weigh in on the state’s government has no merit,” Kiesel said. “Even if you’re released on exceptional behavior back into your community, working, spending time with your family and friends, you are still not a full citizen in Oklahoma.”

Felons released from incarceration also face confusion regarding when they become eligible to vote again, Kiesel said. Some think they’re eligible upon release. Others believe they can never register again.

If an ineligible felon registers to vote, it could result in another felony.

Bryan Dean, an Oklahoma State Election Board spokesman, said the board doesn’t have a database that checks registering voters for ineligibility. However, a law that goes into effect Nov. 1 that will permit electronic voting registration in Oklahoma could change that.

Dean said the new online registration will be connected to the state’s drivers license database. The online system requires people who want to register to have a valid Oklahoma drivers license or ID card, he said. Regular paper registration still will be available.

Oklahoma’s disenfranchisement laws aren’t uncommon. Eighteen other states have similar laws that temporarily remove the voting rights of felons. Twelve states have harsher laws that disenfranchise some or all felons for life. Only two states, Maine and Vermont, don’t disenfranchise felons at all.

About 5.8 million people in the U.S. are unable to vote because of a past criminal conviction, according to research done by The Sentencing Project.

The number of incarcerated offenders in Oklahoma has continued to increase over the past few years, rising 6.2 percent from 2013 to 2014, according to state Corrections Department reports.
Virginia made headlines earlier this month when Governor Bob McDonnell signed an order automatically reinstating voting rights to nonviolent offenders who had completed their sentences and fulfilled other requirements. This has sparked a national conversation on felon disenfranchisement, so we thought we’d take a look at how things stand on the topic in Oklahoma.

Under Oklahoma law, felons are disenfranchised, or have their voting rights suspended, for the full lengths of their sentences. This means, for example, that a felon who is sentenced to eight years in prison but serves only four is unable to register to vote for a full eight years. As of 2010, about 1.8 percent of Oklahomans (51,491 people) were unable to vote due to felon disenfranchisement. Because African-Americans tend to be overrepresented in the criminal justice system, they are similarly disenfranchised disproportionately, at 6.6 percent (13,526 people).

While Oklahoma ranks above the national average for felony convictions (one in twelve Oklahomans have a felony record, compared to one in fifteen nationally), it ranks below average in felon disenfranchisement. Nationwide, about 2.5 percent of the American population is disenfranchised (5,852,180 people), including 7.7 percent of African-Americans (2,231,022 people). The national average is bumped up by very high levels of disenfranchisement in a handful of mostly Southern states, peaking in Florida where more than 10 percent of the population and more than 23 percent of African-Americans are disenfranchised.

Oklahoma’s disenfranchisement policies are relatively common across states; twenty states disenfranchise felons as Oklahoma does, and nine states are harsher, disenfranchising some or all ex-felons for life. Only two states, Maine and Vermont, do not disenfranchise felons at all.

So why do we disenfranchise felons? In colonial America, penalties for moral crimes such as drunkenness included loss of civil rights, justified by the need to protect the “purity” of the ballot box from the morally corrupt. In the Reconstruction-era South, felon disenfranchisement was unevenly applied to people of color as part of a latticework of methods used to block them from voting. Although people of color are disproportionately affected at every step of the criminal justice process, the Supreme Court has upheld felon disenfranchisement, ruling that the intent is not inherently racist.

Those who support re-enfranchisement of felons point to studies that have linked re-enfranchisement to lower recidivism rates. Commentators have noted that in a country that struggles with low voter turnout, and especially in a state such as Oklahoma, which had the third-lowest voter participation nationwide in the 2012 election, it seems counterproductive to deliberately block American citizens from voting.

There is unlikely to be any serious reconsideration of the state’s policy on felon disenfranchisement within the near future. A bill introduced in the spring of 2012 by Sen. Constance Johnson (D-Oklahoma County) that would have restored voting rights upon release from prison was defeated in committee. In a press release, Sen. Johnson commented, “Voting is essential to the process of reintegrating into society. The fact that we are so unforgiving is a sad state of affairs.”

Furthermore, having a felony record should not mean Oklahomans lose all ties to their families, neighborhoods, and communities. School boards races, mayoral races, and even presidential elections play fundamental roles in their daily lives, whether behind bars or out on parole. OK Policy has previously discussed how restrictions on jobs available to ex-felons is counter-productive and unjust. Disenfranchisement is another example of how we prohibit what we should encourage. If we want felons to reintegrate lawfully into their communities and to break the cycle of incarceration, we should not forbid this most fundamental right of citizen participation in a democratic society.
## Top 10 Pros and Cons

Should felons who have completed their sentence (incarceration, probation, and parole) be allowed to vote?

**procon.org**

### Pro

**Trusting a Felon’s Judgment**

“We let ex-convicts marry, reproduce, buy beer, own property and drive. They don’t lose their freedom of religion, their right against self-incrimination or their right not to have soldiers quartered in their homes in time of war. But in many places, the assumption is that they can’t be trusted to help choose our leaders... If we thought criminals could never be reformed, we wouldn’t let them out of prison in the first place.”

Steve Chapman
Columnist and Editorial Writer at the Chicago Tribune

### Con

“We don’t let children vote, for instance, or non-citizens, or the mentally incompetent. Why? Because we don’t trust them and their judgment...

So the question is, do criminals belong in that category? And I think the answer is clearly yes. People who commit serious crimes have shown that they are not trustworthy.”

Roger Clegg, JD
President and General Counsel of the Center for Equal Opportunity

### Felon Disenfranchisement and Race

“In many states, felony disenfranchisement laws are still on the books. And the current scope of these policies is not only too significant to ignore – it is also too unjust to tolerate...

And although well over a century has passed since post-Reconstruction states used these measures to strip African Americans of their most fundamental rights, the impact of felony disenfranchisement on modern communities of color remains both disproportionate and unacceptable. Throughout America, 2.2 million black citizens – or nearly one in 13 African-American adults – are banned from voting because of these laws. In three states – Florida, Kentucky, and Virginia – that ratio climbs to one in five.”

Eric H. Holder, JD
Former US Attorney General

### Constitutionality

“The Eighth Amendment ‘succinctly prohibits ‘excessive’ sanctions,’ and demands that ‘punishment for crime should be graduated and proportioned to the offense’... Thus, the states that continue to exclude all felons permanently are outliers, both within the United States and in the world.”

Pamela S. Karlan, JD
Professor of Public Interest Law at Stanford University

“Unlike any other voting qualification, felon disenfranchisement laws are explicitly endorsed by the text of the Fourteenth Amendment.... They are presumptively constitutional. Only a narrow subset of them - those enacted with an invidious, racially discriminatory purpose - is unconstitutional.”

Alex Kozinski, JD
Circuit Judge, US 9th Circuit Court of Appeals
Notes

This is a resource document for you to use. Take notes, highlight, use as a textbook.
Notes

This is a resource document for you to use. Take notes, highlight, use as a textbook.
Every election is determined by the people who show up.
Larry Sabato

A low voter turnout is an indication of fewer people going to the polls. Dan Quayle

In America, anyone can become president. That is the problem.
George Carlin

American youth attributes much more importance to arriving at driver’s license age than at voting age. Marshall McLuhan

That’s the trouble with trying to influence an undecided voter. First you have to find one.
Pat Sajak

Political promises are much like marriage vows. They are made at the beginning of the relationship between candidate and voter, but are quickly forgotten.
Dick Gregory
Section 3

Engagement

Engagement examines the role of active and informed participation by eligible voters and candidates in the Oklahoma election process. Policy topics include demographic trends, voter registration methods, voter turnout rates, and the role of ballot initiatives.
Millennial Voting
John Wood, Associate Professor of Political Science, University of Central Oklahoma

At the University of Central Oklahoma (UCO), voter engagement efforts were multidimensional—tabling, speaking to classes, working with student success orientation classes—and yet surprisingly lackluster.

For years, UCO’s American Democracy Project (ADP) has participated in the Oklahoma Regents’ efforts to increase voter engagement at the state’s colleges and universities. In 2016, we were disappointed after exhaustive efforts. Only 504 students registered to vote compared to more than a thousand in the last presidential campaign four years prior. It was even short of the 2014 Gubernatorial election with more than 600 – typically half of presidential years. With such dismal results, we thought we would lose the 2016 voter registration contest, instead we won beating both OSU and OU again. Not surprisingly, indicating registration among Millennials was unfortunately down in Oklahoma as it was nationwide.

On the state level, there were more than 5,300 registered college voters in the fall of 2008, with barely more than 3,700 in the fall 2016 in the Oklahoma Campus Compact Voter Registration contest – a 31 percent drop, according to Debbie Terlip, executive director of OK Campus Compact of the Oklahoma State Regents. The Tulsa World found a student who said, “I don’t think there have been a lot of candidates that have connected really well with the Millennial age group,” she said. “I think a lot of it is just political disillusionment. It feels like the races have all been determined before they start.” This lack of voting seems to translate into lack of electoral power. Last year, for example, the Oklahoman found that while Millennials make up 31 percent of the population, only 6 percent represent Oklahoman’s in the state legislature. Likewise, the Pew Research Center found Millennials have overtaken Baby Boomers in 2016 as the United States’ largest living generation. The potential is there; whichever party can figure out how to mobilize this generation cohort will win in 2018 and beyond.

WHO ARE THE MILLENNIALS?

In Howe and Strauss’s Millennials Rising: The Next Great Generation, they describe the Millennial Generation, also known as Generation Y, as the demographic trailing the cohort before it—Generation X. Millennials start their birth cohort year in 1982 through about 2004, making them 13 to 35 years old. These authors describe this cohort as high-achieving, engaged, and confident, among other “core traits.” The Pew Charitable Trusts called them “digital natives,” essentially people who have an innate understanding of the digital age—i.e., social media, videos, and iPads. On the other hand, Marc Prensky coined the term “digital immigrants” in his book On the Horizon where he argues that such a language seems foreign to other generations. This generation’s new language has created friction between them and other generations in not only the classroom, but at home and in the workplace.

A NEW LANGUAGE, A NEW TIME

While the Chapman University survey on fears of Americans, they found that their top five were technology focused—cyberterrorism, corporate tracking of personal information, government tracking of personal information, robots replacing the workforce, and trusting artificial intelligence. Those are above people’s fear of ghosts, mass shootings or death. In recent article: “Digital Natives vs. Digital Immigrants” Jeff DeGraff, articulates that these digital natives are much different; they embrace technology and are less worried about security involved in it. They eschew centralized control instead embracing democracy and egalitarianism. Their thinking is in the digital realm where ideas are accepted in “open access” to those from the outside and who are diverse, opposed to other generation’s notion of meritocracy. This is likely why many employers find that Millennials want leadership positions before they may be ready. In addition, Millennials tend not to stay in long-term jobs but have more careers in different locations. Millennials are also more focused on instant communication and feedback. All this creates friction between the generations.
This generation also finds that consistent interaction, as they experienced at home, is important. To illustrate, Jean Twenge and others argue in the article “Generational Differences in Young Adults’ Life Goals, Concern for Others, and Civic Orientation, 1966 –2009” that instead this generation has been guided by their “helicopter” parents to place their own needs over others and focus on themselves, which is problematic for society itself.

Participating in politics is not what these Millennials are disposed to do. For example, 74 percent of young people said in a survey by the Center for Information and Research on Civic Learning and Engagement that “voting is something older people do.” Likewise, a Focus on the Family report discovered “Millennials are increasingly disassociating with churches and individuals who practice what they see as strident conservative political rhetoric.” The Millennial Generation is not really paying attention either. For example, Student Poll found that less than 40 percent of them agreed that they found “keeping up to date with political affairs” important.

Bowling Alone’s Robert Putnam wrote that this is a troublesome indicator of future trends when America’s youngest generation is the least likely to participate in civic life. As a result, politicians as well as the party elites themselves know that they really do not have to fight for this generation’s vote; therefore, politicians feel secure in keeping their seats even while ignoring the Millennial point of view. For example, “Look,’ a fed-up former Congress member Wyche Fowler, Jr., once said, “students don’t vote. Do you expect me to come in here and kiss your ass?”

This new way of thinking coupled with low voter turnout creates new issues and problems. This lack of voting means that the proportion of older voters and their propensity to vote skews whose decisions governmental bodies are going to reflect. Issues Millennials most care about, according to the Harvard Institute of politics at the Kennedy School of Government—the economy, defeating terrorism, reducing inequality, uniting the country, dealing with immigration, and reducing the role of money in politics—may go largely ignored if not already embraced by previous generations. From this poll John Della Volpe, director of Institute of politics polling, said: “Should the leadership of both political parties—in Washington and throughout state and local governments—choose to ignore Millennials’ values and principles and only engage them at election time as subgroups in swing states, there is every chance that we will lose their participation in politics and their support of government, paralyzing American progress.” But, if low voter turnout in this generation is any indication, this might not be a worry anytime soon.

It seems voting may be an archaic expression of democracy for this generation. Unlike their forerunners, they seem to not find government as the best place to perform their civic duty.

However, there is good news. Jeffrey Stern of Market Intelligence Lead conducted a survey that found if voting is conducted electronically, there is a more than 20 percent uptick in voter turnout because of its immediacy and convenience.

While the Millennial Generation has avoided traditional politics more than other generations, the good news is that it has turned to civic engagement. An Allstate-National Journal Heartland Monitor Poll found that more than 80 percent of Millennials agreed that if “Americans volunteered more time and money to community groups and charitable organizations, it would make life better around them.” However, just over 60 percent of older adults said the same thing. In Sara Long’s The New Student Politics, a student Tobi Walker, argued, “In a culture that regards politics with distrust and disgust, for young people eager to make a difference service may present a welcome way of ‘doing something’ without the mess and conflict of [traditional] politics.”

Therefore, it is not that Millennials do not care about politics in that they do not vote at high rates; instead they are more likely to care about expressing themselves in a different more immediate way, through their careers, civic engagement or voting in a new way, electronically.

John Wood, Associate Professor of Political Science, University of Central Oklahoma
Millennials Aren’t Taking Over Politics Just Yet

At some point, the age of the baby boomer in American politics will end. It’s simple demographics: Boomers keep getting older and older, and that means there are fewer and fewer of them. But, contrary to two recent news articles, the boomer political era hasn’t ended yet — and it won’t end next year, either.

We will start with an article from Pew Research, which notes that, for the first time, voters younger than the boomers outnumbered baby boomers (and those older) in votes cast in 2016.

There’s an important caveat to this that we’ve noted before. Unlike “baby boomer” — people born between 1946 and 1964 — there is no set definition for “millennial” (or “Generation X,” for that matter). Generations are mostly made-up marketing gimmicks, with the exception of the boomers for whom particular demographic boundaries exist. So Pew’s definition of “millennial” isn’t necessarily someone else’s, and that’s important to remember for analysis of how the generations compare.

That same issue affects another recent article. At CNN, political analyst Ron Brownstein predicts that 2018 will be the first election in which there are more millennials eligible to vote than boomers. “That transition,” he writes, “will end a remarkable four decades of dominance for the baby boomers, who have been the largest generation of eligible voters since 1978, when they surpassed what’s been popularly referred to as the Greatest Generation (or G.I. Generation) raised during the Depression.”

But then he raises a critical point, one also at the heart of the Pew analysis: Young people vote less consistently.

Pew’s combination of Gen Xers and millennials in its comparison to boomers is important because there are more millennials than Gen Xers — but Gen Xers vote a lot more heavily.

Take Gen Xers out of Pew’s calculus and boomers are still the biggest voting bloc.

In early 2015, we used data from Political Data to graph turnout by age in California the previous November. The result was a remarkable curve in which first-time voters cast ballots more heavily than those in their 20s, after which point turnout tracked upward along with age.
That was an off-year election, which matters. We pulled exit polling data from elections since 1976 and compared turnout in that year’s presidential or House elections with the composition of the population at large. In every election, the composition of the electorate contained a lower percentage of the youngest age group (usually 18- to 29-year-olds) than the population on the whole. In most elections, the second-oldest group turned out more heavily as a percentage of the electorate than of the population.

But notice the difference between the red years (presidential) and the green (off-year) ones. While in most presidential years, the oldest age group turned out as a lower percentage of the electorate than they constituted in the population, that wasn’t the case in off-year elections. (Arrows mark exceptions and extremes to this rule.)

This a critical point for Brownstein’s thesis: Millennials (however you define the group) aren’t going to vote more heavily than boomers next year because young people simply don’t vote as much, particularly in off-year elections! And they didn’t vote more than boomers last year, either.

Again: At some point, this will change, and millennials will call the shots in our political process. But for that to happen, they need to actually vote. And for that to happen, it seems, they need to get a little older.
Are you ever unhappy with the way the world is going? Many people complain but do not do anything to change it. In the United States of America, as a citizen over the age of 18 you have the right to vote. Voting means you have a say in who represents you in government and whether certain initiatives are passed. You can vote in both local and national elections. Not everyone participates, however, even though all citizens should exercise their right to vote and be heard.

There are many people who choose not to vote and for many different reasons. The voter turnout in the 2014 midterms in the U.S. was the lowest it has been in any election cycle since World War II, with only 36.4 percent of the voting-eligible population casting ballots. Some of the different reasons for not voting include people thinking their vote won’t count, they’re too busy, the voting lines can be hours long, registration requirements can be confusing, voters can be apathetic, people don’t like the candidates, or they cannot get to the polls. In some countries, there is voter intimidation.

It is the right, privilege and duty to vote as a citizen of your country and a member of your community. People might think their vote does not matter, but votes can shape foreign, economic and social policies.

In the U.S. presidential election of 2000, only 54.2 percent of eligible voters cast their ballot. The result was almost a tie. George W. Bush received 47.9 percent (50,456,002) of the votes. Al Gore received 48.4 percent (50,999,897). Only 543,895 votes separated the two candidates. If 100 percent of the eligible voters participated in the election, the result would probably have been a lot more clear. Even though Gore won the popular vote, because of the electoral system, Bush became president. In this instance, every vote counted.

People have fought long and hard for the opportunity to vote, even losing their lives. Emily Davison threw herself under one of King George V’s horses at the races at Epsom, England, in a demonstration that women should have the right to vote. She died four days later.

In 13 percent of the world’s countries, voting is deemed so important a civic responsibility that it has been made compulsory.

Every citizen should exercise their right to cast a vote in an election. People have died to establish this right to be heard, to have a say in social, political and economic matters and to leave the best administration for future generations. People who do not vote but complain about how the government is run are hypocrites. You have to earn your right to complain.
This summer, I’ve been working as an intern at a small online news organization. For eight hours a day, five days a week, I sit at a desk editing spreadsheets, sending emails and transcribing interviews, underneath a large flat-screen television tuned to MSNBC at full volume. There is nothing I would rather do than press the mute button and never have to listen to any of it again.

I have been dumbfounded by how obfuscating the media has been toward any news that contradicts their neatly packed punditry, and how they have ignored much of the public’s desire for unbiased and unsensational content. Every day we hear reports on another bombshell allegation about the Trump administration. Every day more Americans simply turn their televisions off.

I voted for Donald Trump in November, albeit reluctantly, as did much of my extended family in Kentucky and Western New York. Many of them used to be registered Democrats, and some are or were members of labor unions. Like much of my family since the election, I have been drawn toward nontraditional news sources from Fox News to Breitbart. They may peddle biased and occasionally incorrect information, but at least conservative news outlets welcome me with open arms.

As a high-school graduate about to enter college, I am well versed in the vocabulary of the modern social justice movement. It seems to me right-leaning voters are increasingly abandoning traditional news media in favor of “safe spaces” of their own. I feel marginalized when I watch NBC or CNN, or when I read the New York Times and the Washington Post. That unpleasant feeling pushes conservatives like me away from the mainstream media, and toward Mr. Trump.

The story of Russian meddling in the 2016 election has consumed the media for weeks, even months. It is an issue of national importance and possibly a threat to the Trump presidency, but the media should be embarrassed by how totally subsumed they are in this endless feeding frenzy. They hardly take time to breathe between their allegations. When they do take a break, it’s to pivot to another perceived failure of Mr. Trump—and, by extension, of his voters. The mainstream media may not be the “enemy of the people,” but they don’t feel like a friend to me.

For much of the 46% of the electorate that voted for Donald Trump, the Russia story is more embarrassing than sinister. These are just the fumes that the swamp lets out from time to time—foul, but quick to disperse. When the mainstream media drops everything to bash the President every few weeks, it has a tendency to ignore issues that are also of major national interest.

Many in the media were apoplectic when the members of a girls’ robotics team from Afghanistan were denied U.S. visas. Much less attention was paid by those same reporters when Mr. Trump personally interceded and got them the visas. And the media virtually ignored that a Democratic National Committee consultant met with Ukrainian officials during the presidential election in an attempt to sabotage the Trump campaign.

My conservative friends and I understand that Donald Trump was a flawed candidate and is a flawed president. But if I could repeat to journalists what I have been told in school: Show, don’t tell. Show us Mr. Trump’s actions, both good and bad, and let us make the judgment calls. It does not benefit the mainstream media to alienate a good chunk of viewers and readers with heavily editorialized content.

While I may be too young to remember an earlier time, it seems to me that average people are zoning out at an alarming rate. I know, among my friends in high school, “I don’t pay attention to politics,” or “I don’t want to get into an argument,” pre-empted a lot of discourse this past year. The reasons for staying informed are gradually being outweighed by the desire to be accepted or at least left alone with our worldview. The gulf between liberals and conservatives only widens.

Mr. Dubke will be a freshman this fall at Georgetown University’s School of Foreign Service.
Exercising the Right to Vote is Essential to Being a Good Citizen

Generally speaking, most Americans tend to take their hard-won voting rights as guaranteed givens that go with the territory of U.S. citizenship. Such a lackadaisical attitude is extremely dangerous and may backfire with permanent loss of a false sense of political security, however. The primary reason why that’s true is due to proverbial mice’s bent to begin playing whenever their space is free of human inhabitants. In practical real-world terms, such a scenario invariably leads to progressive devolution of life circumstances beyond the point of no return that could have been completely avoided by electing the right candidate for the job. This is precisely what non-voting citizens do by effectively surrendering to defeat by default.

**True Democracy vs. Total Hypocrisy**

There are many reasons why you should vote, but the first and most important thing that non-voting eligible U.S. citizens must fully comprehend and keep firmly in mind at all times is the basic purpose of casting a ballot in any election: Tacit expression of personal preference in a public representative. That basic rule holds true for U.S. Presidential campaigns and local court administrators alike: Selecting the best candidate to represent constituents’ special interests.

Therefore, failure to vote constitutes implied consent to governance by incumbent public officeholders.

It further equates to forfeiture of any right to voice any complaint about current governmental officials – despite how inept or corrupt they may be. The combined truths of all foresaid facts of American political life amount to a singular conclusion: failure to vote equals inexcusable neglect of public and private affairs.

**Voting Rights Are Mandatory Responsibilities for Naturalized and Native Citizens Alike**

A popular school of thought exists that holds voting as a mandatory obligation for naturalized U.S. citizens. The official Guide to Naturalization contains the following verbatim passage: “Citizens have a responsibility to participate in the political process by registering and voting in elections.”

As such, the standard naturalization oath requires pledges to solemnly swear or affirm to support the U.S. Constitution, which entails voting as an integral part of that affirmation.

While native U.S. citizens currently have no legal compulsion to vote, many knowledgeable observers urge the passage of legislation to mandate that every eligible citizen participate in all popular elections.

**Many Benefits vs. Major Detriments of Voting**

Despite a lack of notoriety or fame, political activism by casting a ballot in all elections can impart many subtle indirect advantages to citizens that include but are not limited to:

1. Having the relatively rare opportunity to exercise one of the primary privileges of membership in a democratic society.

Public officials in the U.S. are handpicked by
a majority vote of governed populists. Such a momentous privilege must never be taken lightly and always exercised rightly. Numerous wars have been fought and many lives were lost to build and preserve democratic governance. Anyone who doubts the gravity of that point merely need to ask a fresh foreign immigrant whose homeland is ruled by leaders that weren’t chosen by the people. Indeed, such social catastrophes are precisely what many immigrants seek to escape by taking up residence in the U. S. of A. Even more startling is the dawning realization that failure to vote by all eligible citizens would result in an identical situation for America. After all, if no one bothers to express their desired pick for public representation, the U.S. federal government will install somebody to fill open seats in Congress and elsewhere throughout Washington.

2. Enhanced political clout and personal credibility

Even the least informed people can readily appreciate and respect potential gains to be made via consistently high levels of political activism. Thus, voting on a regular basis garners greater respect and admiration of others who become inspired to do likewise on their own behalf. This positive trickle-down effect ultimately culminates as increased voter participation on a much larger scale that is more representative of the entire electorate.

3. Nobody wants, needs or appreciates taxation without representation

As taxpayers, most citizens want some say so in where and how their hard-earned money goes and the manner in which the nation is run. The only way to ensure having some say to hold major sway with delegated responsible decision makers is voting for those in whom you repose complete trust and confidence.

In the final analysis, voting offers a means of speaking your mind without ever talking loud enough to let your voice be heard! Your vote is your voice. When you vote, you actually tell elected reps what you want and where you stand on important issues pertaining to public safety, retirement benefits, affordable healthcare and other matters of vital import. If you don’t vote for your personal beliefs, others will and you probably won’t like the end outcome. Not to dare mention betraying children by tossing their futures to the whimsical Fates.

A prime example of proof that one man, one vote really works was the 1960s Civil Rights Movement whereby sweeping, far-reaching positive changes occurred solely due to political activism of African Americans fed up with generations of extreme deprivation and second-class citizenship to such an extent that even precluded entry into public places via the front door. A peculiar aspect of those major victories was having to fight for the right to vote before being able to vote for positive change.

However, take heart! If those forbears of color did it while facing huge hurdles that had to be overcome, so can you!
I spend a fair amount of time talking to students and
other young people about Congress and politics in
general, and I’ve noticed something. It used to be
that I’d regularly get asked how one runs for office.
Nowadays, I rarely do.

This is a young generation that is famously leery
of politics. Every year, the Harvard Institute of
Politics surveys young Americans about their
attitudes. In their most recent survey, only 21 percent
of respondents considered themselves politically
engaged. Last year, only a third counted running
for office “an honorable thing to do” — compared
to 70 percent who considered community service
honorable.

A lot of young people are repelled by politics;
they’ve lost faith in the system just as many other
Americans have.

And I fully understand that elected office is not for
everybody. You can make wonderful contributions
to our communities and to our society as a whole
without holding office. But look. If you don’t have
people who are willing to run for office, you don’t
have a representative democracy. As the leading
edge of the Millennial generation reaches the age
where running for office is a realistic possibility, I
hope they’ll consider a few things.

First, it’s hard to find a more challenging job. The
number, complexity, and diversity of the problems
we face are astounding. As a politician, your
work is never done; your to-do list is always full.
It’s intellectually as challenging an occupation
as anything I can imagine. It’s the chief way we
resolve, or at least manage, the problems we face.
In a country as diverse as ours, building a consensus
behind a solution — which is what accomplished
politicians try to do — is difficult work. It can also
be immensely satisfying.

The long and short of it is this: I’ve encountered
plenty of accomplished people in other professions
who told me that in the end, they’re a bit bored. I
can’t ever recall hearing a politician say that he or
she was bored.

Second, I don’t know of another profession that puts
you in touch with more people of different types,
ages, and views. You meet — and, if you’re serious,
really engage with — liberals and conservatives,
voters rich and poor, religious believers and secular
humanists alike.

It’s often said that if you don’t like people, you
should stay out of politics. This is true: politics isn’t
for everyone: You have to enjoy all kinds of people
and learn to get along with all kinds. Inevitably,
you’ll encounter people who idolize you, others who
demonize you, supporters who praise you, and critics
who are more than happy to tell anyone who’ll listen
that you should just drop dead. Odd as this sounds,
this is one of the great attractions of the job: the
splendid array of individuals and convictions that you
encounter in politics.

Finally, and perhaps most important, the work can be
immensely satisfying. Whatever level you’re running
at, whether it’s for the school board or for President,
you’re doing it to try to make things work.

My first year in Congress, in 1965, I voted for
Medicare. I’d had no role in drafting it. I played no
substantive part in its passage. Yet I still remember
that vote, and I still derive deep satisfaction from it.
Because I know that I voted for legislation that has
helped millions of people, and will continue to do so
into the future. That’s the thing about holding public
office: you have a chance to contribute to the direction
and success of a free society. In the scheme of things,
this chance isn’t given to all that many people.

I know a lot of people who’ve worked mainly in
private sector but spent some time in public office,
and they almost invariably speak of their time in
the public sector as among the most rewarding and
satisfying times of their professional lives.

That’s because I think they understand a simple
formula: there’s no America without democracy, no
democracy without politics, and no politics without
elected politicians. There are a lot of exciting,
challenging and satisfying professions out there, but
here’s what I tell young people: I consider politics
chief among them.
An analysis shows a drop-off in registrations as population increases. Their reasons may vary, but one thing is certain: Young adults are increasingly uninterested in voting. The number of registered voters in Oklahoma ages 18 to 24 has declined nearly 40 percent in the past decade, according to a Tulsa World analysis of voter registration records.

In 2005, there were some 224,000 registered voters between the ages of 18 and 24 years old, the analysis shows. By January 2015, there were about 138,000 Oklahoma registered voters in that age range.

So where did all the voters go? Vanessa Sweet used to vote prior to moving from Minnesota to Oklahoma. The 22-year-old college student said many young voters are turned off by the candidates.

“I don’t think there have been a lot of candidates that have connected real well with the millennial age group,” Sweet said. “I think a lot of it is just political disillusionment. It feels like the races have all been determined before they start.” Timing may be to blame in some of the decline in young adult voter registration.

In 2005, it had been less than a year since voters re-elected President George W. Bush. This year, it has been over two years since voters re-elected President Barack Obama.

Voter registration typically runs in cycles, said state Election Board spokesman Bryan Dean. “It tends to crest directly after a presidential election and then it goes down and starts going slightly back up again before a gubernatorial election,” Dean said.

The overall state voter registration has increased 3 percent from 2005 to 2015. The two major parties in Oklahoma may have their differences, but Democrats and Republicans share the desire to attract young voters.

The state GOP has seen the number of 18- to 24-year-old voters decline by 35 percent since 2005. Meanwhile, the number of Democrat voters has declined by nearly 50 percent. Independent voter registration numbers have suffered too, declining 26 percent since 2005.

The declines in voter registration rates among 18- to 24-year-olds come while their total population grew 15 percent in the state since 2005, according to Census Bureau data.

Put another way, nearly two in three Oklahomans ages 18 to 24 were registered to vote in 2005 compared to 35 percent in 2014, the most recent year for population figures.

Tulsa resident Allison Bell said she plans to register to vote but hasn’t gotten around to it. The 19-year-old college student said she tries to stay up on national politics but admits not being as in tune with local issues.

“I’ve never actually talked to any of my friends about politics,” Bell said, “It just never seems to come up apart from people touting their gun rights and whatnot.” She said it’s hard knowing where some politicians
stand on the issues.

“Nobody is really straightforward,” Bell said. “At this age we have a hard enough time keeping up with our school work and so adding another layer to that is a bit much.”

She said she will probably register as an independent, although she said the Republican Party platform is more likely to reflect her opinions. Bell said more people her age would register if it was easier, such as an online process.

“I feel like if they would do that, if it was all online, more people would do that, especially among people my age,” Bell said.

A new law should address some of those wishes. State Sen. David Holt, R-Oklahoma City, shepherded a bill into law this year allowing the Oklahoma Election Board to develop an online voter registration system beginning Nov. 1.

“Online registration is going to be useful to people of all ages and demographics, but there’s no question it’s most useful to young people who expect to be able to accomplish these kinds of tasks online,” Holt said. “So I’m hopeful it will increase registration among young people when all you have to do is tweet out the link.”

Holt said he hopes the new online system will be operational by the 2016 presidential election.

Increasing voter registration is the first step in attracting younger voters to politics, Holt said. Increasing the turnout will be the next step.

“We have created a system that is extremely difficult to participate in unless you have an almost superhuman level of interest in politics, at least outside of the big elections,” Holt said. “I think there are things we can do to simplify the process and essentially market elections better than we do today so that people who lead very busy lives will participate again.”

The 2014 elections showed the stark aversion to voting among young adults.

The November election, which featured a state gubernatorial race and congressional races, drew 40.7 percent of registered voters to the polls, the lowest turnout in Oklahoma since 1978. The turnout among 18- to 24-year-olds was almost nonexistent, with 14.5 percent of registered voters in that age group casting ballots, the World analysis indicates.

The trend is not unique to Oklahoma. Nationally, America’s youngest voters slipped from 50.9 percent showing up to vote in the 1964 presidential election to 38 percent in the 2012 election, according to a 2014 Census Bureau examination of presidential election voting trends.

The League of Women Voters of Metropolitan Tulsa knows of the decline among young voters and is trying to address it.

At 30, Elizabeth Harris is the first millennial to become president of the league’s board of directors. She said her generation got its first taste of politics in 2000 with the Bush-Gore election. “If that’s the first brush you have of a presidential election and really understand the importance of it, then that is going to shape your view of how important voting is from there on out,” Harris said. The league plans to approach voter registration efforts differently this election cycle using a coalition of interested groups, Harris said.

“We’re taking a community approach towards it,” Harris said. “The league can’t do it on their own, so it’s about creating a coalition and making sure that we all have the same goal around voter registration and engagement.”

She recognizes the challenge lying ahead. “People are really disillusioned with the political environment right now,” Harris said. “It’s becoming very partisan and very contentious even within the parties.”
**Why Don’t Millennials Vote?**


**WILL MILLENNIALS SHOW UP ON ELECTION DAY?**

They’ve been turning out for Sen. Bernie Sanders in large numbers, but now, it appears, he won’t be the nominee. Election analysts such as Philip Bump look at the historical data and conclude that any campaign that depends on the millennial vote is doomed to failure. And beyond voting, the young appear to be political dropouts. For instance, in a cover story for Time Joel Stein calls millennials the “narcissistic generation,” and Jean Twenge says they are the “me generation,” stuck to their phones and uninterested in politics. Are they right?

Of course, “kids these days” is a perennial accusation. The young people of the “roaring twenties” were accused of being selfish and entitled. The baby boomers were once called the “me generation.” To understand where millennials fit in the history of generational voting patterns and political engagement, I turned to the data.

**LET’S LOOK AT THE DATA**

In 2014, the General Social Survey, one of the most highly respected opinion surveys in the social sciences, repeated several questions from Sidney Verba et al.’s classic studies of American political participation in 1967 and 1987. As you can see in the figure below, over time, people have become much less likely to vote in local elections. But they’ve continued to be involved – sometimes more so — as civic volunteers, by contacting politicians, and in other ways.

Other major academic surveys confirm this. The American National Election Study found that around 30 percent of the public tried to influence others how to vote in elections from 1952 until 1996; since 2000 this has averaged over 40 percent. The World Values Survey shows that protest activity has increased since 1981. And more Americans are active in new forms of political action such as political consumerism (buying or not buying a product for political reasons), and online activity.

So how are different generations politically engaged?

To find out, I compared generations over time. Millennials in 2016 are significantly less likely to vote or try to influence others vote than were the ’80s generation in the 1987 survey, or the first wave of postwar baby boomers in 1967. But millennials display about the same level of political interest as the youngest generation did in 1987, and millennials contact local government and work with others in the community at essentially the same rates as did youth in the earlier surveys. And today’s youth are likely to get involved in protests or other political confrontations.

An overall index of the five activities included in all three surveys reveals this generational pattern, as you can see in the figure below. The three circles in the figure represent Americans’ average number of activities at each time point. Overall activity is essentially stable, or increases if we add protest. At the same time, a widening age gap in participation occurs at both ends of the life cycle. Or to put it differently, there are bigger differences today between how the generations behave: young people and elderly people behave more differently politically in 2014 than they did in 1967 or 1987. For instance, younger Americans in 1987 and again in 2014 are less politically engaged than young Americans were in 1967. Youth participation may have been exceptionally high in the 1960s, as many young people were protesting against the Vietnam War or with the civil rights movement. But the overall decline in youth activism in 1987 and 2014 comes primarily in voting turnout rather than other forms of activism.

Conversely, older Americans in the two later surveys are significantly more active than seniors were in 1967. Thus, the participation gap across the life cycle is increasing. On the one hand, better-educated, more affluent, and healthier seniors today remain socially and politically engaged into later life — more so than they were in 1967.

On the other hand, a growing percentage of the young have delayed their careers, marriage and children, which delays their political involvement. But as we see with the ’80s generation, as they
entered middle age in the 2014 survey, they become as politically active as the average Americans in the 1967 survey. In other words, the 1980s generation that was once considered apathetic is now, in middle age, more politically active than earlier generations were at the same stage of life. The same is likely to occur for millennials.

In short, the widening participation gap between the less involved youth and the very involved elders in 2014 might not mean that millennials — or “kids these days” — don’t care. Rather, it could be that the long slope of differences by life stage is getting steeper, with less involvement in youth and more involvement in later life. And even this widening participation gap is largely based on millennials reluctance to vote, while remaining engaged in other ways.

**SO WHAT’S THE TAKEAWAY?**

We can take two major lessons from these findings. First, lower youth turnout is not a sign of a broad malaise. Millennials are about as interested in politics as youth in prior generations, and about as politically active outside elections. They’re involved in local communities, volunteering, and challenging political elites. UCLA’s 2015 survey of first-year college students in the U.S. found “interest in political and civic engagement has reached the highest levels since the study began 50 years ago.” Second, if politicians want more young people voting, they can find ways to encourage it. Automatic voter registration systems as in Oregon and California make voting easier for young people who are likely to move often. Colorado’s 2013 reforms make it easier to register and vote on election day by pairing mail-in ballots with drive-through drop-off.

This increases turnout and decreases the cost of vote administration. And as we’ve seen in the 2008 and 2016 campaigns, when candidates actually speak to the concerns and interests of the young, more are drawn into the electoral process. Most important, however, if we look at the full range of political activity, millennials are good democratic citizens — at least as much as their elders were in their youth.

Russell Dalton is research professor at the Center for the Study of Democracy, University of California, Irvine.
SACRAMENTO, Calif. (AP) — Donald Trump’s characterization of Mexican immigrants as criminals and rapists during his presidential campaign angered Heidi Sainz, whose family is from Mexico and who has close friends who are immigrants. She was also upset that she couldn’t do anything about it at the ballot box because she was a year shy of being able to vote.

Sainz favors a bill in the California Legislature that would lower the voting age to 17, which she thinks would give a voice to more people affected by the outcome of elections.

“Looking at all the protests throughout this year throughout all the high schools across the nation, we could see a lot of the minors were protesting because they felt as if they didn’t have a voice,” said Sainz, a senior at Inderkum High School in Sacramento.

Lawmakers in more than a dozen states are trying to increase voter participation by targeting young people. Their bills are among nearly 500 pieces of legislation introduced around the country this year to make voting easier, according to a March analysis by New York University’s Brennan Center for Justice. While Republican-leaning states have moved to tighten voting rules — nearly 90 such bills have been introduced — those efforts have been outstripped by the number of bills seeking to expand access to the polls.

“A lot of young people last year wanted to make their voices heard but were unable to do so because the rules prohibited them,” said Jonathan Brater, counsel with the nonpartisan Brennan Center Democracy Program.

“That has certainly renewed interest in making the system more accessible,” Brater said.

Democrats and Republicans have supported efforts to expand access, particularly online registration. But it’s mostly Republicans who are pushing restrictions such as requiring photo identification at the polls.

Roughly 20 states are considering voter ID laws this year that supporters say prevent fraud and boost public confidence in elections. Critics say such laws target minorities and the poor, who might not have driver’s licenses and find it difficult to obtain them. Recent voting expansion efforts include automatic registration and extending absentee voting opportunities.

Republicans control the governorship and legislature in 25 states and so far have been relatively successful in pushing through the more restrictive laws. Democrats control just a half-dozen states. In California, where Democrats command a super-majority in the Legislature and control the governor’s mansion, lawmakers say they want to take the lead in expanding voting access as other states move to restrict it.

The bill to lower the voting age to 17 proposes an amendment to the state Constitution. Passage would require a two-thirds vote in the Legislature and approval by voters.

Assemblyman Evan Low, the bill’s author, believes now is a good time to lower the voting age. Britain’s vote to leave the European Union and the ouster of South Korea’s president have shown people the importance of voting and holding public servants...
accountable, Low said.

The Silicon Valley Democrat also pointed to the election of Trump, whom Low and his Democratic colleagues routinely criticize.

“We’ve realized that democracy is relatively fragile,” Low said.

Lowering the voting age could help foster a sense of civic duty before teens move away from home to attend college or start a job and become less motivated to vote, he added.

Tyler Christensen, one of Sainz’s classmates at Inderkum High School, said he’s torn on the issue. “I liked the idea when I was 17,” said Christensen, who turned 18 in February. “But now that it doesn’t matter for me anymore, I feel like a lot of people are still too immature.”

Sen. Joel Anderson, a Republican from the San Diego area, said he supports encouraging young people to vote but opposes some approaches pushed by Democrats.

He voted against a 2014 bill that legalized preregistration of 16- and 17-year-olds because he worried it would make voter rolls less accurate and lead to voter fraud. He thinks Low’s proposed amendment to lower the voting age is simply an effort to get more Democratic votes.

“Every poll that I’ve seen says that young people tend toward voting for Democrats, so I believe that it’s self-serving,” he said. “It can’t just be about gaming elections for your own support.”

In Iowa, two Republicans introduced bills this year to expand teen voting. One bill would have allowed 17-year-olds to vote in primaries if they turned 18 by the general election. The other would have allowed Iowans to preregister to vote when they turn 16. Both bills stalled, but the primary voting provision has since been added to a voter ID bill advancing through the Legislature.

The same reforms were proposed by Democrats in Minnesota, but they have since stalled in the Republican-controlled state Senate. Jack Joa, a high school student who suggested letting 17-year-olds vote in primaries, said he was preregistered but was turned away at his polling place during Minnesota’s August primary because he was not yet 18.

Joa said he spent hours a day for months researching policies in other states and studies on teen voter participation before he took his proposal to lawmakers. Joa is a Democrat but has worked on multiple campaigns for Republicans and Democrats in the state Legislature, as well as the Democratic presidential campaigns of Hillary Clinton and Bernie Sanders.

“I felt that the people that turned 18 by the general but weren’t able to vote in the primary would feel disenfranchised,” he said.

The Nevada Legislature is also considering letting 17-year-olds preregister to vote.

“Early pre-registration is one way of getting youth and teens more engaged in the civics process early on,” said state Senate Majority Leader Aaron Ford, a Las Vegas Democrat who proposed the bill.

Nevada Gov. Brian Sandoval, a Republican, declined to comment on the measure. He has previously vetoed proposals to establish same-day voting registration and automatic registration through the Department of Motor Vehicles.

Associated Press writers Christina A. Cassidy in Atlanta; Alison Noon in Carson City, Nevada; Steve Karnowski in Minneapolis; and Linley Sanders and Barbara Rodriguez in Des Moines, Iowa, contributed to this report.
I’ve long been a fan of making the U.S. citizenship test a graduation requirement for every American student. Yes, I know our kids already take too many tests. Yes, I know the test requires little more than regurgitation of basic facts about civics and history.

But let’s be real: If you graduate from an American school unable to name one right or freedom in the First Amendment, the name of one of your senators, or the country from which we won our independence, something has gone very, very wrong.

My latest column for *U.S. News* looks at the move to make the test a graduation requirement. Already this year, four states have done so. I’m hoping many more follow suit. From the piece:

People who take civic education seriously (yes, they exist) fret that states that adopt the citizenship test may be tacitly encouraging their schools to abandon more rigorous, semester-long classes in civics. I’m skeptical. At present, more than 90 percent of U.S. high school grads get a semester in civics and at least a year of U.S. history. But something is clearly not sticking. An Xavier University study showed that while 97.5 percent of those applying for citizenship pass the test, only two out of three Americans can do the same. Raise the bar to seven of ten—still pretty low—and half of us fail. It’s hard not to wonder what exactly kids are learning in those ostensibly rich and rigorous civics classes.

The bottom line: I see no conflict between classes that seek to develop deep civic engagement (I teach such a class at Democracy Prep in Harlem) and establishing a rock-bottom, basic level of civic knowledge as a public school exit ticket (Democracy Prep has made passing the citizenship test a graduation requirement). There’s no reason not to have both.

No one should confuse being able to name the authors of the Federalist Papers with solving the civic education crisis in America. But we shouldn’t pretend that demonstrating a minimal knowledge of civics and history is too much to ask.
When I attended middle school in the late ‘80s, one of the class requirements as an 8th grade student was a 9-weeks civics course. I vividly remember walking into the classroom and the words Republican and Democrat were boldly written at the top of two large chalkboards. Under each heading, a myriad of terms and phrases relating to each political party. This was my first recollection of any exposure to the political process.

Over the years, schools have focused their attention on higher math scores, reading comprehension, STEM and other seemingly worthy subjects, but one curriculum seems to have all but vanished: civics. While these other courses are extremely important, incorporating a small amount of civics into a history class or failing to teach any civics curriculum at all is leaving Oklahoma kids with virtually no political knowledge.

The lack of civic engagement (or to be specific, voter engagement) became glaringly apparent to me when I was campaigning in 2013. As I walked neighborhoods and scoured over precinct lists, one particular area in my Senate district did not have a single, active, registered Republican voter under the age of 55. As if this wasn’t disappointing enough, the runoff election in which I secured my Senate seat had less than 7,000 votes total – which is less than 10% of the population of any given Senate district in Oklahoma.

It was then I began to look at how could I increase political knowledge and voter engagement. I researched age demographics and was disappointed to learn less than 50% of Oklahomans ages 18-24 are registered to vote and of those, 33.7% voted in the 2016 general election. Part of the reason for voter apathy? Lack of knowledge about the political process.

In 2009, a study by the Oklahoma Council of Public Affairs showed only 2.8% of Oklahoma students could pass the U.S. Citizenship Test. Questions on the test include “U.S. Senators are elected for how many years?” (11% answered correctly) and “What are the two major political parties in the United States?” (41% answered this question correctly).

In a study of historical knowledge carried out in 2015 for the American Council of Trustees and Alumni (ACTA), more than 80 percent of college seniors at 55 top-ranked institutions would have received a grade of either a D or F. Here’s an overview of some of the 2015 results, which were based on standard high-school civics curricula:

Only about 20 percent knew that James Madison was the father of the Constitution, while over 60 percent gave the title to Thomas Jefferson.

More than 40 percent of college graduates did not know that the Constitution grants the power to declare war to Congress.

Finally, consider the eye-opening findings of a July 2016 ACTA study on the inclusion of American history in the curricula of the leading colleges and universities in the United States. The survey found that only about half of the students at the top 50 colleges and universities could identify the purpose of The Federalist Papers, and only 22 percent knew that the phrase, “government of the people, by the people, for the people” could be found in the Lincoln’s Gettysburg Address.

It is for these reasons I chose to run Senate Bill 162, or the “Oklahoma Civics Education Initiative Act.” The bill is designed to give high school students some exposure to basic civics by requiring them to score 60% or higher on the U.S. Citizenship test. This test, comprised of 100 multiple-choice questions, is available online, in English or Spanish, and has a pass rate of 92% by individuals taking the exam to gain citizenship to the United States. Compare that with the 2.8% pass rate of Oklahoma, and it becomes apparent why youth are not participating in elections.

Currently 23 states require civics education, including our own border states of Kansas and Arkansas. High school students who know so little about civics will soon be running this country. It’s time we prepare them for success by passing the Oklahoma Civics Education Act. Civics education is crucial for a successful democracy.
The Oklahoma State Department of Education values citizenship education and has prioritized it in the latest draft of the ESSA state plan. In the plan, the SDE has proposed a unique program for recognizing schools that excel in providing teachers and students with opportunities to create a model social studies program. This award program will recognize schools that emphasize civics as an important part of a well-rounded education. The state has adopted social studies academic standards from Pre-K through high school and also has graduation requirements and a state test in United States history that contribute to the civic education opportunities in the state. A number of organizations also contribute to the overall creation of opportunities for teachers.

At all grade levels, Oklahoma social studies academic standards encourage civic engagement. In the early elementary grades, social studies academic standards are arranged into four key areas: citizenship literacy, economic literacy, geographic literacy, and historical literacy. Citizenship literacy standards include: identifying the main purpose of rules, laws, and the government; rights and responsibilities; American symbols; patriotic traditions like the Pledge of Allegiance; the role of national leaders; the five rights in the First Amendment; and why we commemorate particular holidays and honor certain people. In upper elementary grades, students will study the Founding Fathers; the founding documents; the constitutional convention; Oklahoma’s government and leaders; Oklahoma’s symbols; the purpose of local, state, tribal, and national governments in meeting the needs of the people; and state and national monuments. In middle school, students learn about systems of government all over the world and compare those to our own. They also will study the world’s economic systems and cultures and the role of citizens as responsible stewards of natural resources and the environment. In addition, students will evaluate the role of the citizen in the forms of government they are comparing. In eighth grade, students once again learn about the Founding Fathers; the founding documents; the causes and effects of the Revolutionary War; westward expansion; reform movements; and the causes and effects of the Civil War, including how the Constitution changed after the war.

In high school, students are required to take a semester of Oklahoma history (1/2 credit), a semester of government (1/2 credit), a year of U.S. history (1 credit), and one additional history/government class (1 credit). Several schools require that class to be world history. These classes all have state academic standards, as do geography, economics, sociology, and psychology. Citizenship is integrated throughout these high school standards. For example, in Standard 5.1 in U.S. Government, students will distinguish between civic life and private life by defining civic virtue and explaining the individual’s duty and responsibility to participate in civic life by voting, serving on juries, volunteering within the community, running for office, serving on a political campaign, paying taxes for governmental services, and respecting lawful authority.

Oklahoma is a local control state when it comes to schools, which means the state does not dictate when these classes are taken in the course of a student’s high school career; the local district makes this decision. In one district, for example, a student might take the required semester of government as a senior, making it more of a capstone class. In another district, a student might take a semester of government paired with the semester of Oklahoma history as a freshman. This practice also applies to elective classes. Some districts will offer a stand-alone course in current events, service learning or leadership. Districts might also choose to participate in programs like National History Day, We the People, Model UN, Youth and Government, Generation Citizen, and Law Day. The U.S. history test is given to students in whatever grade they take the U.S. history class. The U.S. history test, however, does not figure into the school’s A-F report card for accountability purposes. Only seventeen states include social studies testing in their accountability framework, and a few states require some kind of civics class to graduate. Hawaii requires a ½ credit participation in democracy class to graduate. Louisiana and Maine both require a ½
credit of civics to graduate. Maryland is the only state so far to have a service learning requirement to graduate.

Moving forward, Oklahoma will continue to emphasize the civic concepts integrated into all social studies academic standards. In an increasingly media-saturated world, it is imperative that students recognize credible sources and bias in their everyday lives and teachers emphasize the need for informed, engaged citizens who participate in their community and government. Embedded in our social studies education efforts is the notion that students should have many opportunities to think critically about their community and try out their ideas for improvement. After all, these are the future leaders that will make their own history.

Answer to Question #10

SERVE ON A JURY

VOTE IN A FEDERAL ELECTION
News consumers today face a flood of fake news and information. Distinguishing between fact and fiction has become increasingly challenging. In the past, news organizations sifted through information to try to determine its validity and veracity. Being trusted for what they reported became an important part of journalists’ reputations. But that was then.

YOU ARE PART OF THE PROBLEM.

Journalists like Walter Cronkite used to be gatekeepers of the news. Now the gate-keeping role that the legacy media newspapers and network television news once played falls to all of us. Today, everyone assumes the position of publisher. Technology has democratized the process of making, or making up, news.

Journalists no longer decide what goes public. Information flows unimpeded and unchecked through the internet, filling a multitude of websites, blogs and tweets.

All of it flows through social media streams and into our laptops, tablets and smartphones. Everyone who posts, or reshares, a news story on Facebook or retweets a link takes on a role once held by only a powerful few media executives. The problem that emerges today stems from the fact that most social media “publishers” fail to consider the responsibility for what they post.

It’s not that fake news is new. Thomas Jefferson complained in 1807, “Nothing can now be believed which is seen in a newspaper.” Jefferson’s comment represents just one of many views regarding news not only in the U.S. but in Europe. Fake news can be traced back Italy in 1475 when a priest made a false claim about a child’s disappearance. Even the political battle between Marc Antony and Octavian to succeed the murdered Julius Caesar engaged the use of fake news. Octavian’s use of fake news enabled him to succeed Caesar.

And it’s not that the old gatekeepers were infallible or consistently apolitical. But in today’s technological world, we’re in the midst of an informational perfect storm. The equation I might offer would be: Velocity + Volume = Volatility. All the news on the internet moves so fast, and assaults us with so much, that the outcome becomes unpredictably dangerous.

Some people who use social media check what they publish. Others repost or retweet information without reading it carefully, much less doing any due diligence for accuracy. That plays into what those who produce fake news hope to accomplish. While some believe they hope to deceive people, press critic Tom Rosenstiel asserts, “The goal of fake news is not to make people believe the lie. It is to make them doubt all news.”

Some may think that young people, with their social media savvy, might be better able to assess the information they consume.

A Stanford University study found it shocking that many of them couldn’t “evaluate the credibility of that information.” The study noted that more than 80 percent of middle schoolers saw “sponsored content” as actual news. High school students didn’t verify photos. Most college students failed to suspect potential bias in an activist group’s tweet.

Step up your game

So what are news consumers to do? How can they act as their own gatekeepers, intent on vigilance and verification like the best journalists and publishers of old?

HERE’S HOW TO BEGIN.

#1. Check out the source. This may seem basic, but it’s easy to read headlines without paying attention to who wrote it. Writers and websites operate with their own perspective. Some want to offer a balanced view. Some advocate a point of view. Others hope to deceive you.

Know the “who” or the “what” of the source. Is the source, website, Twitter handle or blog familiar to you? Have you read them before? Read other work
they have done. See if writers you trust link to them. Read the “About” section of the writer/website. Use search engines to track the name. Sometimes such sites as Linkedin or Facebook turn up basic background information. The key is to know where they are coming from.

#2. Check out the information. Do other sources corroborate what you’re reading, viewing or hearing? Have you used verification sites such as Snopes, PolitiFact and FactCheck.org?

Snopes, for example, reported that some of the “2017 inauguration photos” tweeted out of Trump’s inauguration were taken weeks or years earlier. One was a photo of the Kansas Royals baseball team rally. PolitiFact pointed out President Donald Trump’s press secretary’s assertion the inauguration had the largest audience – period – was disputed by other measurements. And FactCheck.org noted that former President Barack Obama “falsely claimed that a treaty he signed with Russia in 2011 ‘has substantially reduced our nuclear stockpiles, both Russia and the United States.’”

Dick Grefe, a senior reference librarian at Washington and Lee University, alerted me that two professors at the University of Washington have proposed teaching a course “Calling Bullshit: In the Age of Big Data.” The course would “focus on bullshit that comes clad in the trappings of scholarly discourse.” What’s fake isn’t limited to news.

#3. Be aware of your biases. Remember that we tend to read, listen to and watch news with our own built-in prejudices. We evaluate information based on whether it supports what we already believe. It can be easy to discount that which upsets or challenges our worldview. Reports about “confirmation bias” abound. As studies and writers have noted, we basically believe what we want to believe.

The concern journalists feel about how misleading and confusing the news can be has prompted a number of them to offer their own guides to approaching biases and fake news. Journalist and media expert Alicia Shepard offers her suggestions on how to avoid being duped. Alan Miller, a Pulitzer Prize-winning journalist who founded the News Literacy Project, grapples with confirmation bias head on. Steve Inskeep at NPR provides a guide to facts.

Battle your own confirmation bias by expanding the sources of information you seek. Be open to thinking about different points of view. Read widely. Read counterpoints. Watch for innovations from the media. For example, one recent study published on MarketWatch placed different news sources on the “truthiness” scale. Another, older piece on businessinsider.com could help you identify the ideology underlining your favorite source of news.

There’s no need to close the gate, but be sure you know what’s flowing in. It matters.
Journalism is the only profession protected in the U.S. Constitution. The protection is found within the 45 words of the First Amendment:

Congress shall make no law respecting an establishment of religion; or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the rights of the people peaceably to assemble; and to petition the Government for redress of grievances. (emphasis added)

The architects of the Constitution understood a vibrant, independent press was essential to ensuring success for the fledgling democracy. The founders feared autocratic rule, and saw press freedom serving as a check on government power.

Free press advocates expected journalists, pamphleteers and opinion writers to be surrogates for the people – gaining access to politicians and asking questions necessary to hold government officials accountable. Information and commentary provided by news organizations have also been protected for educating voters. The long-accepted belief has held that informed voters will be more engaged in the political process, and will cast thoughtful votes, resulting in stronger representative government.

Even though the United States has gone through periods of sensational “yellow journalism,” Americans have traditionally relied on newspapers, periodicals, broadcast and cable news to keep informed about important issues, government actions and elections. Trust in the news media is particularly critical during political campaigns when voters are forming their opinions about candidates and ballot initiatives. Misinformation undermines the process, so professional journalism is imperative.

At its core, the role of journalists is to seek and tell the truth. Professional journalists work in accordance with well-defined methods and within the constraints of stringent ethical standards. Journalists must operate with integrity to build and maintain their credibility. The financial viability of news organizations depends on their public image and ability to be trusted.

However, as choices have increased and the media audience has fragmented, financial pressures have forced many news organizations to downsize, change their editorial emphasis and seek more sustainable business models. All news outlets must generate dollars to survive, and shifting news consumption habits have caused alterations in the type and quality of news coverage produced. These changes have also affected the information voters receive about candidates, politics, policies and elections.

Increasingly, today’s news consumers want information that confirms their own views rather than challenging them. News outlets that provide differing points of view are considered by some to be untrustworthy or biased. With politicians gaining political capital by attacking legacy media, and social media gaining popularity as a place for spreading gossip and falsehoods along with selfies, pet photos and recipes, it’s no wonder approval ratings for journalists are low. The contemporary marketplace of ideas is fractured and noisy, and a lot of people just don’t know who to trust anymore.

According to Gallup polling conducted March 9-29, 2017, 62% of U.S. adults say the “media” favor one political party over the other – up from about 50% just a couple of years before. In the same poll, 55% say news stories are “often inaccurate” while only 36% believe news organizations get stories right.

While reporters, editors and anchors do make mistakes (we are human, after all) professional journalists strive to be honest, unbiased, ethical and fair. Real journalists understand they wield tremendous influence and strive to work responsibly
to serve the public. Real journalists are not stenographers, but writers who gather data, connect the dots and draw logical conclusions to create informative stories.

Journalists interpret facts based on their own experience and understanding. “The media” don’t get daily memos from a mythical “main office” that tell them which stories to pursue, which ones to ignore or which people to attack. Journalists are not part of a vast conspiracy. It’s just that journalists are trained to be skeptical and ask questions. The media are watchdogs, seeking to expose unfairness, illegality, abuse of power and government excess. Journalists have an obligation to probe, challenge and look for the fire when they see smoke, then report it.

Journalists often hear the bias charge when they do a story someone doesn’t like. People don’t like to hear those “inconvenient” truths or have their belief systems questioned. But, when that happens, it doesn’t mean the media are biased or dishonest.

Bias, it seems, is largely in the eyes of the beholder. News consumers frequently see bias when their side is taking hits or when the facts don’t square with their worldview. They see bias in others, when the bias often comes from within, based on preconceived or ill-informed notions of reality.

So, just as journalists should always strive to improve their service to the people, honest journalism requires meaningful participation by news consumers. Citizens have an obligation to learn, reflect, engage and discuss. Discerning citizens make democracy function more effectively. Citizens have a right to expect more from their institutions (government, business, and media), but for the system to work well they must expect more from themselves, too. A functioning democracy and election process requires each person, and every voter, to take their own job seriously, as citizens.

“The media” may set the tone for debate and elections, but journalists generally follow the national mood and chase stories the public either wants, or needs to know. Media scrutiny forces a healthy “dialogue of democracy” that needs the participation of educated citizens.

The First Amendment gives the press freedom to operate independently and the obligation to serve the common good by delivering honest journalism. The news media, like it or not, binds Americans together, informs the electorate and gives the United States the opportunity to endure.

Dick Pryor is general manager of KGOU Radio – Your NPR Source.

Answer to Question #11

BECAUSE THERE WERE 13 ORIGINAL COLONIES

BECAUSE THE STRIPES REPRESENT THE ORIGINAL COLONIES
DAVID GREENE, HOST:
Fake news - I mean, it seems to be everywhere these days. You have politicians accusing their opponents of spreading it. You have pundits and commentators who are really worried that too many people believe in it. Well, there is new research suggesting that there is something that makes you more susceptible to fake news.

And to explain this, we are joined by none other than NPR’s social science correspondent Shankar Vedantam. Hey, Shankar.

SHANKAR VEDANTAM, BYLINE: Hi, David.

GREENE: So you’re telling me that you can make me more likely to fall into the trap and believe fake news?

VEDANTAM: I think I can, David. Very simply, being around other people seems to increase our propensity to believe in fake news.

GREENE: What? The fact that you and I are doing this together means that we’re - I don’t believe that.

VEDANTAM: (Laughter) Well, I was speaking with Gita Johar. She’s a marketing professor at Columbia University. Along with her co-authors Youjung Jun and Rachel Meng, Johar had a hypothesis. Groups trigger a certain attitude in us when it comes to evaluating information.

GITA JOHAR: You somehow feel like you’re part of a crowd and you don’t need to fact check because somebody else will. And maybe down the road, they’re going to tell you, hey, you know the thing you were exposed to or that we all read a few days ago? That actually turns out to be false.

GREENE: So there’s a laziness thing going on. You assume that the person who’s with you is going to do the fact check. I mean, this was an actual experiment? How did she test this?

VEDANTAM: That’s right. She conducted a series of experiments, David. People were presented with ambiguous statements. Volunteers could say they either believed it, disbelieved it or they could keep an open but skeptical mind and demand evidence, in other words, ask for fact checking. Here’s the catch. Some of the volunteers heard these claims while they were by themselves.

Others felt they were in a group setting or in a social media environment where other people were present and also hearing the same claims. In group settings, people quickly accepted or rejected claims that were in line with their prior beliefs. But compared to when they were by themselves, they were significantly less interested in being skeptical but open-minded.

Volunteers did 30 to 50 percent less fact checking when they heard information presented to them in a social media context compared to when they were alone.

GREENE: Well, that’s interesting. So there’s a general laziness that can be a problem, but also this group factor comes in when you know someone else is there. You see them or you’re on social media with them, you expect that they might do the fact checking. If you’re alone, maybe you have to do it yourself.

VEDANTAM: Precisely. Now, psychologists have sometimes talked about an effect known as the bystander effect where people in a group will sometimes hesitate to step forward and do something important because each person thinks someone else will step forward and do what’s needed. But Johar found that was not the case here. People in groups simply seem to let their guard down.

GITA JOHAR: To us, it seems like it’s almost something that’s evolutionary. It goes back to even herding behavior in animals, the fact that you feel safer in a crowd. And this feeling of safety actually leads
to you lowering your guard. So merely feeling the presence of other people seems to make people fact check less and be less vigilant.

VEDANTAM: The researchers do find, David, that when you tell volunteers to be on their guard, they are able to be open-minded but skeptical even in group settings. So the bottom line is you can overcome the effect of groups on your behavior, but it does take conscious effort.

GREENE: All right. Shankar, well, I have to tell you, I do have an editor here and I’m quite sure he’s going to check everything you said because I certainly don’t have to.

VEDANTAM: (Laughter).

GREENE: Thanks, Shankar.

VEDANTAM: Thank you, David.

GREENE: That is Shankar Vedantam, who regularly comes on the program to talk about social science research. And Shankar explores this topic and a lot of other ideas on his podcast Hidden Brain. Transcript provided by NPR, Copyright NPR.
In Search of Ways to Attract More Oklahoma Voters to the Polls
Trevor Brown, The Oklahoma Watch, August 22, 2016

A little more than 40 percent of registered voters, or about 29 percent of Oklahoma’s voting-age population, cast ballots in the 2014 general election. That ranked Oklahoma among the lowest in the nation in voter turnout for the year. It also was one of the state’s poorest showings since Oklahoma began tracking voter registration in 1960.

But the turnout wasn’t an outlier. Over the past decade, voter participation has been declining in both presidential-year and midterm elections. The trend has some Oklahoma lawmakers taking a different tack than other conservative states that enacted laws to make it more difficult to vote.

More than 20 bills have been proposed over the past few years that, in one way or another, seek to make it easier to vote or register to vote. Few of the bills have passed, however, especially the more sweeping changes.

“I think some of the things we’ve done have been good,” said Sen. David Holt, R-Oklahoma City. “But I can’t say that we’ve done anything I would call a game changer.”

Holt was the lead sponsor of a set of bills in 2015 and 2016 seeking to change the state’s voting laws. One of the proposals approved in 2015 consolidates the number of elections held each year. Holt said this should help prevent “voter fatigue” by no longer having separate elections for city council, school board and the like.

Another new law will allow voters to register online instead of having to mail in an application or fill out the form in person. That measure also passed in 2015, but won’t take effect until next year. Among the proposals that didn’t advance in the Legislature:

– Allow voters who missed the registration deadline to register and vote in person during the early-voting period.

– Give voters the option to be permanently placed on the absentee voter list instead of having to apply each year.

– Expand the days and hours when early voting is available.

– Establish a system in which voters could receive ballots by mail and return them by mail or in person; the change was to take effect by 2020.

Holt said the mail-voting proposal might have the biggest chance of boosting voter participation. Only a handful of other states, including Washington, Colorado and Oregon, use this method, and he said it has been successful.

Meanwhile, some voter-rights advocates say Oklahoma should overturn one of its laws to get more people to the polls.

Tulsa attorney James Thomas has been working on a court challenge for four years to overturn Oklahoma’s voter ID law, put in place through a state question in 2010. The law requires voters to present at the polls identification issued by the U.S. government, Oklahoma state government or an Oklahoma tribal government.

A district court judge upheld the constitutionality of the law this month, but Thomas said he will seek an appeal.

Thomas said the law violates the Oklahoma constitution because it erects an unnecessary barrier to voting. He said hundreds of thousands of voters – particularly minorities and elderly, young and low-income voters – lack a valid ID or may have trouble
locating it on election day.

The state allows voters without an ID to vote by showing their free voter ID card or signing a sworn affidavit.

Regardless, “It shows that Oklahoma is not encouraging voters,” he said. “If you say you have to prove this or prove that, people will say it’s just not worth it.”

In a court filing, lawyers from the Attorney General’s Office argued the voter ID law hasn’t affected turnout. They said the decline in turnout is due to other factors, such as lack of hot-button state questions, popular candidates or high-profile races.

Oklahoma State University political science professor Rebekah Herrick agreed that the lack of meaningful, competitive races is a major reason for the low voter turnout in the state. In many congressional and legislative races, Republicans are basically assured a victory and may not even face a Democratic opponent, she said. The carving-out of safe districts for both parities through the redistricting process is a national issue.

Herrick said one of the biggest changes that might attract more voters is to offer same-day registration, which 13 other states have. Voters could register and vote at the same time on election day or during the early-voting period.

“People tend to get more interested about the election as it gets closer to the election,” she said. “And structurally, I don’t think it would be that difficult to do.”

Holt said he plans to introduce or reintroduce several voting reforms for the 2017 legislative session, but had not yet determined which legislation he would push.
WHEN Oklahoma enacted a law requiring citizens to provide identification before voting, critics claimed thousands would be arbitrarily denied the right to vote. If last week’s record turnout in the Republican presidential primary is what happens when votes are suppressed, one wonders just how many people would participate otherwise.

That voter ID doesn’t disenfranchise people is obvious, even as the law has prevented some non-eligible voters from casting ballots that effectively negate the legitimate votes of other Oklahomans.

Oklahoma’s experience in this year’s Republican presidential preference primary mirrors the experience of other states that have seen record turnout from both political parties after voter ID laws were implemented.

On the flip side of the coin, efforts to drive up turnout by making voting easier are not having the intended effect, as noted by Adam J. Berinsky, a political science professor at the Massachusetts Institute of Technology.

Writing in the Stanford Social Innovation Review, Berinsky notes that social scientists have long believed more people would vote if the process was simpler. A 1980 study argued that the process of registering effectively created barriers to voting. At that time, Berinsky notes, registration was often much more complex than the actual act of casting a ballot.

A 1988 study even suggested that easing registration requirements would generate greater socioeconomic equality in the composition of the electorate.

In the years since, lawmakers have done as researchers asked. In 1993, Congress voted to require states to allow voter registration at motor vehicle agencies and through mail-in procedures. In various states, lawmakers have gone further, making early voting easier, reducing restrictions on absentee voting, and even authorizing universal voting by mail.

Thanks to the changes made over the last 40 years, Berinsky notes that “it has never been easier to cast a ballot than it is today.” But the results of those reforms have “surprised scholars and reformers alike. The recent wave of electoral reforms does not seem to have had any significant effect on voter turnout. And there is even evidence that some of the new reforms may have actually decreased turnout.”

Berinsky says one reason for that trend, according to work done by another researcher, is that “early voting thwarts traditional mobilization activities, thereby counteracting any gains that could rise from lowering the direct costs of voting.”

Berinsky adds another explanation for the failure of voting reform laws to generate greater participation. “The problem, I believe, is that when we talk about the ‘costs’ of voting, we have been thinking about the wrong kinds of costs — the direct costs of registering to vote and casting a ballot.”

He argues that “the more significant costs of participation are the cognitive costs of becoming involved with and informed about the political world. Studies of voting from the last 60 years make this point clear. Political interest and engagement, after all, determine to a large extent who votes and who does not.”

In other words, if people aren’t interested in politics and actively invested in political debates, then they are not likely to vote — even if it’s astoundingly easy to do so. Instead of making the physical voting process their concern, politicians who want to increase turnout need to focus on voter engagement. Sometimes, the simplest answer is also the correct answer.

OFFICIALS recently announced that Oklahoma state agencies will more aggressively promote voter registration opportunities to individuals seeking public assistance. That’s fine, but does anyone honestly think people capable of applying for welfare assistance are incapable of independently filling out a voter registration form?

Under the federal National Voter Registration Act, the state Department of Human Services, the Health Department and the Oklahoma Health Care Authority must ask welfare applicants if they want to register to vote, offer them registration materials, and help them complete the forms.
Groups such as the League of Women Voters said Oklahoma agencies were insufficiently zealous. They noted that the number of voter registration applications reported by state public assistance agencies has declined 81 percent since implementation of the federal law in 1995. Yet that statistic, like many others regarding low voter participation, likely reflects the fact that some people just aren’t interested in voting. It’s certainly not difficult to register to vote today, regardless of income.

A voter registration application form can be downloaded from the Oklahoma Election Board’s website. All a citizen has to do then is fill it out and mail it in (the card is already addressed). Citizens also can obtain registration forms at county election boards, post offices, tag agencies and libraries. Registration applications also are provided when citizens get a driver’s license.

The information required to register to vote is basically your name, birth date, Social Security or driver’s license number, political party preference and home address. You must sign an oath stating you’re a U.S. citizen who is 18 or older and who isn’t a convicted felon or mentally incapacitated. That’s far less than what’s required to qualify for public assistance.

To apply for Medicaid, citizens can download a form at the website of the Oklahoma Health Care Authority. Applicants must be able to provide information on their household taxable income; Social Security numbers and birthdates of people in a home; current or recent health insurance information; citizenship information; their employer’s name, address and phone number (for all household members who are employed); amount of money received from other types of income; expected date of delivery for any pregnant household member; current health insurance information for all household members that includes the insurance company name, policy or group number, type of coverage, effective date, and policyholder’s name and ID; and the name, address, phone number, date of birth, and Social Security number of any absent parent for any child applying for benefits.

Surely someone who can handle that process can obtain and fill out a voter registration form if they’re interested.

We don’t oppose easy access to voter registration forms, but instead question the idea that voter registration is somehow daunting.

The poor are hardly the only group failing to register to vote. A Tulsa World analysis recently found nearly two in three Oklahomans ages 18 to 24 were registered to vote in 2005, but just 35 percent were in 2014. Yet the newly announced agreement appears to prioritize helping welfare applicants register to vote more than those with higher incomes. Why treat the two groups differently?

Ultimately, what Oklahoma needs are more informed voters, not apathetic people badgered into voting. From a societal standpoint, having hordes of disinterested, uninformed voters casting ballots may be a worse outcome than the current wave of nonparticipants.
Can We “Nudge” Voters into Becoming Better-Informed?


Widespread voter ignorance is one of the major shortcomings of modern democracy. It may be an even more serious problem in this year’s presidential campaign than in most other elections. Georgetown Professor John Hasnas and New School student Annette Hasnas have an interesting proposal to “nudge” voters into becoming better-informed:

A perennial complaint about our democracy is that too large a portion of the electorate is poorly informed about important political issues. This is the problem of the ignorant voter. Especially this year, with its multiplicity of candidates, keeping track of the candidates’ various, and often shifting, policy positions can be extraordinarily difficult...

Isn’t there some way to nudge the voters into making more informed choices? Well, actually, yes, there is...

Imagine the following scenario. A bipartisan good government group creates a list of the most significant contemporary policy issues. It then invites all candidates to state their positions on the issues. In the current campaign, candidates could be invited to state where they stand on gay marriage, immigration, intervention in Syria, climate change, tax reform, the minimum wage, gun control, income inequality, etc.

This information would be collected and fed into the relevant election commission computer. When voters enter the voting booth, they would have the option of electronically recording their policy preferences on the same form that the candidates completed. The computer would display a ranking of the candidates on the basis of how closely their positions aligned with the voter’s. After receiving this information, voters would cast their ballots.

Our proposal is a nudge. It is completely non-coercive. No candidate would be required to complete the list of his or her policy positions, although refusing to do so might be viewed negatively by voters. No voter would be required to utilize the option... Yet, it makes it more likely that citizens will cast more informed votes than they do at present.

I very much share the Hasnas’ concern about political ignorance, and I think their proposal deserves serious consideration. There already are a number of websites where interested voters can compare their views to those of candidates. But most rationally ignorant voters are unwilling to take the time and effort use them. What makes the Hasnas idea distinctive is that it puts this information before voters in a context where they are more likely to pay attention to it. Still, I have two significant reservations about it.

First, as with proposals to increase political knowledge by rewarding voters who score high on a “Voter Achievement Test,” the Hasnas proposal could easily be manipulated by incumbent parties and politicians. There are many ways in which the questions could be skewed to make it seem like the voters’ views align better with Party A than Party B or Candidate X relative to Candidate Y, even if that isn’t really the case. Bias could also easily infect the selection of issues to be included in the survey. Even if the survey is produced by an independent organization rather than by government officials, the latter could still skew the results by choosing which organization gets the contract. A liberal organization might skew them in a left-wing direction, a conservative one in a right-wing direction, and so on.

Second, even if the selection of issues and the wording of the questions were completely objective, the result might exacerbate the problem of political ignorance in some ways even as it diminishes it...
in others. Effectively implementing the Hasnas proposal would probably increase voters’ knowledge of the candidates positions on issues, and thereby reduce the gap between voters’ views and those of elected officials. But a major aspect of the problem of political ignorance is that voters’ views on issues are themselves heavily influenced by ignorance. For example, public opinion in both parties tends to be highly protectionist, even though economists across the political spectrum agree that free trade is generally good for the economy. This gap is in large part due to the public’s ignorance of basic economics and what economist Bryan Caplan calls “antiforeign bias” – suspicion and fear of economic activity involving foreigners that is usually seen as completely innocent if conducted by Americans.

Trade is just one of many issues on which majority public opinion is heavily influenced by ignorance. It is also often greatly skewed by bias in the evaluation of the little information most voters do know, which cuts across the political spectrum, and affects even those who are otherwise relatively sophisticated in their reasoning. This doesn’t mean that majority opinion is always wrong. But it cautions against reforms that bring policy into closer alignment with public opinion without improving the quality of the latter. Such reforms could easily make policy worse rather than better. This is a particular danger in a world where the size and scope of government is so large that even the most attentive voters are likely to be ignorant about a high percentage of the issues addressed by political leaders.
Americans are used to hearing about elections that are plagued by low voter-turnout. Many Americans see voting as optional, and in most elections (that do not involve choosing the president) a majority of eligible voters choose to abstain. But what if voting wasn’t a choice, but rather a duty that was legally required of a country’s citizens? This idea isn’t as outlandish as it may initially sound. In fact, there are at least 26 countries that currently employ some form of compulsory voting.

While giving a speech just this past March, President Obama expressed his support for mandatory voting. Seeing compulsory voting as a way to combat the influence of money in politics, he said:

“It would be transformative if everybody voted [...] The people who tend not to vote are young, they’re lower income, they’re skewed more heavily toward immigrant groups and minorities.”

Obama’s concern regarding voter turnout in the U.S. is not unfounded. In the most recent 2014 midterm elections voter turnout rates were at their lowest levels since 1942, with less than 37% of the eligible population making it to the polls. In addition, voter turnout can be as low as 4% when municipalities hold special elections.

President Obama is not the only world leader who has been contemplating the possibility of mandatory voting recently. Canadian Liberal leader Justin Trudeau has seriously argued for compulsory voting, expressing hopes that it might take effect immediately after this Fall’s national election.

Because compulsory voting is a hot topic in the United States, as well as our neighbor up north, it is important to consider some of the pros and cons of such a policy:

**Pro: Higher Turnout Elections**

Not surprisingly, one of the main arguments which champions of the policy present in favor of compulsory voting is that it leads to drastically higher voter turnout rates. Australia serves as a prime example of such an effect. Prior to Australia’s implementation of compulsory voting in 1924, the voter rate had sunk to around 47% of registered voters. After the adoption of mandatory voting, turnout rates soared, with the current level resting at over 80% of the eligible population (and over 90% of registered voters). This percentage should be considered in comparison to the U.S., in which only 57% of eligible voters turned out in the 2012 presidential election.

Additionally, some proponents of the policy emphasize that under compulsory voting, voting becomes more a duty than a right. The idea is that making voting mandatory alters civics norms, so that eventually it is simply expected that everyone takes part in elections.

As is often highlighted by supporters of the practice, in a democracy where politicians are supposed to represent the interests of all citizens, it is especially important that as much of the population votes as possible. When voter participation rates are low, a small minority often ends up controlling leadership and policy decisions, while lower-income, younger and non-white voters are less often heard by political leaders.

Another benefit advocates cite in support of compulsory voting is that it will help to minimize political polarization in the United States. Lower turnout, it is argued, enables more hard-core partisans and ideologues to dominate elections. Senior Fellow of the Brookings Institution, William Galston, believes a fully engaged voting population can counter this problem. “If the full range of voters actually voted,” Eric Liu of TIME explains “our political leaders, who are exquisitely attuned followers, would go where the votes are: away from the extremes.”

Lastly, some people assert that mandatory voting will ultimately help make it easier for people to vote. If a state legally compels its citizenry to vote, the burden shifts from the individual to the state to ensure that everyone has the means to be able to take part in elections. An example of this shift can be
seen in Australia’s usage of mobile polling facilities in hospitals, nursing homes, prisons and remote Aboriginal communities to ensure that those who are unable to get to a polling location can still vote.

**CON: THE RISE OF THE UNINFORMED VOTER**

Of course, the range of arguments supporting compulsory voting is matched by a plethora of reasons why the U.S. should keep voting voluntary.

One of the major arguments given by those against compulsory voting is that it leads to a greater number of uninformed voters, noting that those who choose not to vote are generally less educated on political issues than those who choose to vote. Critics argue that the resulting surplus of politically ignorant voters has three main negative consequences:

Misleading uninformed voters. It is often asserted that uninformed voters are more susceptible to the influence of money and spending on television ads. A short advertisement is likely to have a greater influence on an uninformed voter than one who already has strong views. This encourages the use of sensational and misleading advertising and may have a negative effect on campaigning techniques. While politicians no longer need to try to convince citizens to go out and vote, they still need to find ways to maximize their vote among less informed voters. Australian political scientist, Haydon Manning notes that compulsory voting often “require[s] banal sloganeering and crass misleading negative advertising.”

Ignoring the wishes of most voters. Since uninformed voters are more easily persuaded, some politicians may choose to focus on marginal voters and ignore their main base of support. Even if compulsory voting leads to less polarization, it may not result in better policy outcomes because complicated and nuanced legislation may be perceived negatively by swing voters.

Dampening the voice of the majority. An additional concern under a compulsory system is that people who are uninformed (or simply do not care about the outcome of an election) may end up voting randomly. The impact of ‘random’ votes ends up being particularly detrimental because it fails to increase civic engagement and may skew election results.

Compulsory voting presents some ethical challenges. Many people argue that it infringes upon individual liberty by denying people the ability to choose not to vote. While it is true that ballots may include a “none of the above” option (though, in practice, typically do not), the act of voting itself may be seen as “endorsing” the current politicians and political system, an endorsement that some citizens may not want to make.

While it seems pretty unlikely right now that compulsory voting will be adopted in the United States, at least on a federal level, it is a policy to keep in mind as America continues striving towards a better democracy.
American Voters Are Responsible for Protecting Democracy

Vartan Gregorian, Time, November 2, 2016

As I write these words, we are coming to the end of what has seemed to many to be an unusually vitriolic election season, most recently with a last-minute controversy over some “unspecified emails.” Have American politics ever been so fraught, so divisive? In his presentation to Carnegie Corporation of New York’s Board of Trustees in September, Michael Waldman, president of the Brennan Center for Justice at New York University, reminded his listeners that the divisions, the animosities, the rough and tumble of American political life are by no means unprecedented. Speaking of his new book, The Fight to Vote, Waldman told us, “When you look at the full sweep of American history...these fights are consequential, they are intense, but they are not new. This fight over the vote, the fight to vote, the fight over American democracy, has been at the center of American politics from the very beginning.” One might be tempted to shrug one’s shoulders and say “plus ça change, plus c’est la même chose.” But the fact is, U.S. democracy has made tremendous progress.

American democracy today remains a living, breathing idea, a work in progress. Indeed, the course of American history attests to the long and arduous struggle to right the wrongs and attempt to strengthen the institutions of our democracy in order to do justice to the values and rights embodied in the Declaration of Independence, the Constitution and the Bill of Rights. For my part, I have always believed that American democracy is not perfect, but it is perfectible. For all of us, whether Americans by birth or naturalization, America is not just an actuality but a potentiality, too.

A major example of America’s continued struggle for a more perfect union is illustrated by the fight for voting rights. As Waldman points out, by current standards the modern world’s first democracy—the United States of America—was, at its beginning, in many ways limited and undemocratic. After all, only propertied white men could vote. Since then, the history of voting in our country has been one of a gradual expansion of rights: first to unpropertied white men, then to African-American men, and then, at last, to women. It has been a constant battle, marked by many setbacks. But it is important to remember that we have come a long way from where we began. Although there is certainly more to be done, it is a fact that the democratic process in the United States has never been as inclusive as it is today. In large part, this is because each generation has struggled to close the gap between reality and our ideals.

Listening to Waldman’s enlightening speech to the Board of Trustees regarding The Fight to Vote brought to mind the fascinating analysis and observations of one of the earliest studies of American democracy, Alexis de Tocqueville’s Democracy in America. This classic work, first published in 1835, described our nation’s dynamism and resilience. These qualities, the author argued, fostered the very principles upon which a successful democratic society could be built. Tocqueville had great hopes for American democracy to succeed. He saw in our country a dynamic and progressive phenomenon uncharacteristic of European society at the time—so new that he had to coin a word to describe the American character: individualism. For Tocqueville, this term was not to be equated with self-centeredness, selfishness or egoism, nor with “the cult of the self.” Rather, it stood for independence of both thought and action, as well as the reconciliation of personal interests and the public.
good. Individualism, he argued, was essential to a healthy democracy, for it ensured that citizens’ desire for equality never came at the expense of liberty.

Indeed, he believed individualism would safeguard liberty and encourage the harmonization of private and public interests. That was his hope, and what he saw as one of the great strengths of the new nation.

But while lauding the rights and privileges of the Americans he observed, Tocqueville also adumbrated the responsibilities that came with being an American citizen. While each American deserved the vote, it was also important that each understood that right came with certain obligations. That is why, as part of the social compact, individuals had to be able to recognize the importance of postponing the desire for immediate gratification for the public good. It was this understanding, of the interrelationship between the self and the community, that enabled Americans to reconcile their personal well-being with the common welfare of the people.

Thus, Tocqueville raised the concept of participatory citizenship as the cornerstone of any true democracy. And indeed, from the founding of the republic to the present, we have witnessed seminal changes in our democracy. The democratic process is unquestionably more representative; voting rights have been expanded to all. Men, women, young people; native and naturalized citizens; and all racial and ethnic groups—everyone participates in the process. That being said, Tocqueville did not foresee a number of structural issues in our democracy. For example, he did not anticipate the growing role of big money in politics, the rise of gerrymandering or the emergence of a new professional class of lobbyists to push special interests, be they corporate, regional, international or ethnic.

We as Americans cannot abdicate our responsibilities and claim our rights at the same time.

He did recognize, though, that democracy constantly faces great risks and challenges. As a supporter of both the free press and the open discussion of ideas as critical to the vitality of democracy, he may himself have been musing on the possibility of even a free and progressive society degenerating into “Orwellian” conditions when he wrote,

“I am aware that, at a time like our own, when the love and respect which formerly clung to authority are seen gradually to decline, it may appear necessary to those in power to lay a closer hold on every man by his own interest, and it may seem convenient to use his own passions to keep him in order and in silence.”

So far, as Americans, we have thankfully managed to avoid allowing ourselves to be manacled by all-powerful overlords or permitting the strength of our democracy to be leeched away by the fear of what the future may bring. That does not mean, however, that we must not constantly be mindful of the importance of preserving our democratic principles and defending the individual freedoms that are the legacy of our founders’ trust in the nation they established and in the descendants to whom they bequeathed the guardianship of their great “experiment in liberty.”

Tocqueville believed that true democracy stands for and promotes the equal right of all citizens to the advantages of this world, yet at the same time causes anxiety in our quest to attain these advantages. Frustrated by the apparent tension between liberty and equality, the individual is often pressured to choose between the two. And that pressure may come from the same democratic government that citizens have put in place to protect their freedoms. Tocqueville writes:

“The true friends of the liberty and the greatness of man ought constantly to be on the alert, to prevent the power of government from lightly sacrificing the private rights of individuals to the general execution of its designs. At such times, no citizen is so obscure that it is not very dangerous to allow him to be oppressed; no private rights are so important that they can be surrendered with impunity to the caprices of a government.”
Nevertheless, referring to the push and pull between equality and freedom that are endemic to both the American character and the American political process, Tocqueville went on to say, “I firmly believe that these dangers are the most formidable... but I do not think they are insurmountable.” I would add that it is only possible to confront these challenges with the participation of a committed citizenry.

Another peril our democracy faces that the French nobleman alluded to is that our democratic system allows free people to constantly review and question the principles they live by, while they appreciate the matchless benefits of that very system. It is undeniably true that since Tocqueville’s time we have come a long way. When Tocqueville wrote his seminal book nearly 200 years ago, America was still in a state of becoming. He would have been gratified to know that, while during his era there were only twelve Amendments to the U.S. Constitution, today there are twenty-seven, many of them dealing with expanding and ensuring the rights of all American citizens.

As in the past, if America is to continue its course of progress, one thing is clear: not only do we need exceptional captains of our ship of state, but committed citizens, too. We as Americans cannot abdicate our responsibilities and claim our rights at the same time. After all, a committed citizenry—assisted by a responsive free press—is the best watchdog of democracy. To paraphrase one of my illustrious predecessors at Carnegie Corporation, John W. Gardner, when it comes to our democracy, we must be loving critics and critical lovers, but never indifferent.

Our challenges today are different than those faced during Tocqueville’s time—whether ensuring the universal right to high-quality education, fighting against economic inequality, or preserving freedom of speech. As citizens, we are all responsible for preserving liberties while rectifying inequities. We are, each and every one of us, the guardians of our democracy. Indeed, as Pulitzer Prize-winning historian Alan Taylor reminds us in the cover story of the most recent issue of the American Scholar, the founders warned that uneducated voters make us vulnerable to reckless demagogues.

Today we as Americans still strive to safeguard our democracy while taking great care to balance our quest for social and economic justice for all with our foundational commitment to individual freedom. Liberty, as the history of our nation and many others has shown, is an irreplaceable prize that, without vigilance, is easily lost.

This essay was first published in the Carnegie Reporter.
The biggest group of voters politicians will have to woo this November are the ones who often don’t get a say in which candidates make it to the general election ballot.

Turned off by the partisan wars in Washington, 39 percent of voters now identify themselves as independent rather than affiliated with one of the two major political parties, according to a 2014 analysis by the Pew Research Center. Self-identified Democrats accounted for 32 percent of the electorate, Republicans 23 percent.

That’s a big shift from as recently as 2004, when the electorate was nearly evenly divided into thirds by the three groups.

But many states require voters to affiliate with a party in order to take part in presidential primaries and caucuses.

NPR checked in with several member station reporters to see what the rise of independent voters means in different parts of the country.

Colorado: Young Voters Flex Political Muscles
Colorado’s more than 1 million officially unaffiliated voters now outnumber Republicans and Democrats in the state. Both parties have about 900,000 registered voters.

Many are under the age of 35, the millennial generation. Colorado has the second-fastest-growing millennial population in the country, and, by far, the most as a proportion of the population of any swing state.

To get a sense of their political power, consider the fact that more Republicans voted in the 2012 elections than Democrats. Republican Mitt Romney should have been the favorite, “but as it was, the unaffiliated probably washed out that difference and then created the winning margin for Obama,” said Judd Choate, who runs the elections division for the Colorado secretary of state’s office.

That winning margin was thanks in part to voters like Sara Heisdorffer. The 24-year-old lives in the Denver suburb of Westminster. Like many of her friends, neither the Democratic nor the Republican party interests her.

“People my age will hate me for saying this,” said Heisdorffer. “But it’s kind of that special snowflake thing that millennials get crap for all the time I think.”

Neither party aligns with Heisdorffer’s views, which she describes as socially liberal and fiscally moderate. Like many unaffiliated voters, however, she’s not necessarily independent and generally votes for Democrats.

It’s a long-running pattern to see younger voters of any generation not identify with political parties.
“Younger people tend to be less likely to affiliate with parties than older people,” said Jocelyn Kiley, a researcher with the Pew Research Center. But “this is as pronounced as it’s ever been.”

Millennials are shunning political parties at an even greater rate than previous generations did, in part due to political dysfunction.

“People give some of the most negative ratings of either party that we’ve seen in the last 20 years,” said Kiley.

But these trends may be changing this election. Since September, 30,535 voters have registered with the Colorado Democratic party.

That includes voters such as Curtis Haverkamp, who attended a Bernie Sanders rally a few months back. At the rally, he learned unaffiliated voters like him couldn’t participate in the caucus.

“Upon hearing that, I registered Democrat,” recalled the 30-year-old Haverkamp, who lives in Denver. Both the Sanders and Hillary Clinton campaigns have been on voter registration drives here, so it’s not clear yet who this spike in Democratic registration will favor. But Haverkamp says either way, the day after the caucus, he’ll switch back to being unaffiliated.

- Ben Markus, Colorado Public Radio

Florida: Puerto Ricans Opt Out Of Party System

In the packed parking lot of a supermarket in the central Florida city of Kissimmee, Jeamy Ramirez and her staff pace toward customers with clipboards in hand, trying to register new voters. Half the population of this growing area are Latino and native Spanish speakers.

“We got a lot of people from Colombia, Venezuela — but most are Puerto Rican right now,” said Ramirez, a canvasser with Mi Familia Vota, a voting advocacy group.

In the past year, thousands of Puerto Ricans have left the struggling island for central Florida, and they’re the fastest-growing group of independent voters in this crucial swing state, according to an analysis of voter registration data from the Florida secretary of state’s office.

New Puerto Rican arrivals find that moving to Florida means being able to vote for president, something that’s not possible on the island, and adjusting to a completely different political system.

“They don’t know a lot of the candidates. They start seeing the debates and all that stuff. That’s why they put no party affiliation,” said Ramirez.

But many newcomers keep their focus on politics in Puerto Rico.

“They pay attention to politics on the news. It is an ever-present topic of conversation. It is a cultural event of sorts,” said Carlos Vargas Ramos, a researcher at the Center for Puerto Rican Studies at the City University of New York Hunter College.

Here in the U.S., Puerto Ricans discover there are more frequent elections that are often less competitive. Ramos says other barriers to voting are language, voter registration requirements and a general feeling of distance from the political process. But even Puerto Ricans who have been here a long time choose to stay out of the party system. Luz Maria Sanchez, who is 69, hasn’t been registered with a political party for 25 years, even though the state’s closed primary keeps independents from deciding who’ll make it on the November ballot. But Sanchez said she’s not missing out.

“They say things just to win the candidate. Republicans, they say they’re going to fix the country; and Democrats, they follow almost the same, but they go the other way around,” said
Sanchez.

Back in the parking lot, Jeamy Ramirez hopes that even if Puerto Ricans don’t vote in next month’s primary, they’ll turn out in November when Florida is likely to be a key swing state.

“We can decide right now the presidential election,” said Ramirez.
- Renata Sago, WMFE, Orlando, Fla.

Arizona: Independent Voters Try To Organize

It may sound like an oxymoron, but Arizona’s unaffiliated, independent voters are organizing themselves and banding together.

Independents are now the largest voting group in the state, and that trend is only growing. For the past three years, the number of voters registering or re-registering as independent has outpaced new Republican and Democratic registrations combined. But the last voter registration period that ended Feb. 22 was different. The number of independents in Arizona dropped slightly. That’s likely because unaffiliated voters can’t participate in Arizona’s upcoming presidential primary, and some independents chose a party for that reason. The rule that excludes independents from the presidential primary is just one example of what independents here find to be unfair about the state’s voting system.

Now this growing group of voters wants more rights at the polls, and they are trying to change that through grass-roots pressure.

Patrick McWhortor of the group Open Primaries organized a phone “town hall” last month for independent voters that nearly 13,000 people called into to discuss these efforts.

“Independent voters, now 37 percent of all Arizona registered voters, are treated like second-class citizens,” said McWhortor at the start of the meeting. He discussed his group’s efforts to get two election reform initiatives on the November ballot. One would make a single primary election with every candidate on the same ballot. The top two candidates would advance regardless of party affiliation. The initiative would also reduce current barriers for independents running for office.

Deb Gain-Braley, a 57-year-old retired accountant in Tempe, became interested in independent voting rights issues after she realized that she would not be able to vote in Arizona’s March 22 presidential primary unless she re-registered again with a party. She had previously been registered as a Republican. “I think that no one should have to choose a party to vote in America,” Gain-Braley said. “So I went looking to see if there were any other organizations arguing against what’s going on.”

In addition to the Open Primaries group, Gain-Braley also discovered Independent Voters for Arizona, a campaign focused on opening the presidential primary to independents that she now volunteers for. The group got more than 30,000 people to sign a letter to party leaders asking them to open the primary. So far those calls have not been heeded, and the primaries will remain closed this year.

Timothy Castro, who runs Independent Voters for Arizona, argues it’s not fair to exclude Arizona’s 1.2 million voters from a presidential primary paid for with taxpayer dollars.

“If we are paying for something we aren’t allowed to vote in, then let us vote in it, or don’t make me pay for it,” Castro said.

In fact, independents may have more luck getting out of paying for the primary in future years rather than actually voting in it.

A bill making its way through the Arizona Legislature would make political parties — not taxpayers — pick up the tab for presidential primaries starting in 2020. The bill is backed by the secretary of state’s office.

If the bill succeeds, it will still leave independent voters to find a way into future presidential primaries here.
Does Your Vote Count? A Look into the Electoral College
Kathleen McClear, Parade Magazine, April 21, 2016

The Electoral College doesn’t have a sweatshirt, a logo or a mascot. It’s not a physical building, its members never get together (except with colleagues from their own state) and it ceases to exist as soon as it has performed its function. The term “Electoral College” doesn’t even appear in the Constitution. Yet its 538 members are responsible for one of the most significant tasks in the world: choosing the president of the United States.

When you cast your vote for president this November, you’re not voting for the candidate on the ballot, you’re voting for which group of electors from your state—Republican, Democrat or some third party—get to vote for president. If you don’t understand exactly how it works, you’re not alone. “For most Americans, even those who study it, the process is still a mystery,” says Christina Greer, associate professor of political science at Fordham University.

How does the Electoral College work?

It works a lot like Congress: The U.S. is divided into 435 congressional districts, each of about 710,000 people. Each district elects one person to the House of Representatives. Every state elects two senators. Electoral College votes are allocated the same way. (The District of Columbia is the exception; it doesn’t have representation in Congress, but it gets three electoral votes.) There are 538 total electors, each with one vote.

In a presidential election, every party picks its own group of electors. The candidate who gets the most popular votes in a state on Election Day “wins” all the electors for that state (except in Maine and Nebraska, where electors are doled out differently, see page 14). Electors then meet in their own states on a set day in December and vote by paper ballot. Results are sent to the vice president and other officials, and the Electoral College is dissolved (until next time). On Jan. 6, Congress meets and states’ electoral votes are counted.

Why is it called a “College”?

It has roots in the word “collegium,” which means a group of people with equal power. “It goes back to the concept of the college of cardinals that elects the pope,” says Thomas Neale, elections expert at the Library of Congress.

Why do we elect presidents this way?

The Electoral College process is outlined in Article II, Section 1, of the Constitution. It was adopted at the Constitutional Convention in 1787 and was the process used to elect George Washington. The system reflects the Founding Fathers’ concern with separation of powers and checks and balances. The people get to vote for president, the states retain plenty of power (each state gets to decide how to choose electors and how to divvy them up) and electing a president is a separate process from electing members of Congress.

Originally, electors each voted for two people. The person with the most votes became president and the second-place finisher became vice president. The Twelfth Amendment (ratified in 1804) changed that. It requires electors to specify a candidate for president and vice president, which is how we do it today.
WHO ARE THE ELECTORS?

The Constitution requires that electors can’t work for the federal government and can’t vote for a president and vice president who are both from their own state. And that’s it. The rest is up to each state. During early presidential elections (before 24/7 coverage of candidates), “people were more likely to know who their electors were than to know the presidential candidates,” says Tara Ross, author of Enlightened Democracy: The Case for the Electoral College.

Some states choose electors during party conventions; some states have the party central committee pick electors; in Pennsylvania, presidential candidates choose their own electors. Electors are “prominent party figures” in their state (governors, state legislature leaders, long-term poll workers), loyal party members who can be counted on to vote in accordance with their state’s popular vote. In a year like this, with a highly contested election even before the national conventions, states will be very careful in choosing electors, Neale says. “They’ll want to go the extra mile to make sure the electors are fully committed.”

WHAT IF ELECTORS DON’T VOTE FOR THE CANDIDATE THEY PROMISED TO VOTE FOR?

There haven’t been many “faithless” electors (those who break ranks and vote for the other party’s candidate), but it’s happened—eight times since 1900 (nine if you count the blank ballot cast by one elector in 2000). More than 99 percent of electors have voted the way they pledged to since the system began. And those few contrary votes have never influenced the outcome of a presidential election.

ELECTORAL COLLEGE: PROS & CONS

Are superdelegates a factor?

They aren’t. “The primary process and the Electoral College are two completely different things; they’re not at all connected,” says Ross. Primaries, caucuses, delegates, superdelegates and conventions are all about choosing a candidate and have nothing to do with the Electoral College. The Electoral College is about choosing a president.

WHAT IF THERE’S A TIE?

Fasten your seat belts, because it’s going to be a bumpy night. If there’s a tie on Jan. 6 (the day electoral votes are counted), the newly elected Congress immediately holds a “contingent election” in which the House of Representatives elects the president and the Senate elects the vice president. The twist: Every state gets the same number of votes, regardless of population. So California, with 55 electoral votes, gets one vote in the House and two votes in the Senate; Rhode Island, with four electoral votes, also gets one vote in the House and two votes in the Senate. A contingent election raises some interesting issues, says Neale. “If each state casts a single vote, what if that state’s House members split evenly? If you’re a representative, you have in your own mind, Do I vote for the candidate who won the national vote statewide? Do I vote for the candidate who won in my district?” Congress has two weeks to elect the new president and vice president and can’t address other legislation until that decision is final.

WHAT IS THE ALTERNATIVE?

To move to a popular vote nationwide would require a Constitutional amendment, no easy task. An amendment requires approval of two-thirds of both houses of Congress and a green light from three-fourths of the states. “Any proposed Constitutional amendment faces an uphill struggle,” Neale says. But there are other options.

The District Method Because states get to choose whatever method they want for divvying up electors, some would love to see more states use the “district” method like Maine and Nebraska, where two electoral votes go to the candidate who wins the popular vote statewide and the rest go to the popular vote winners in each congressional district. The Proportional Plan With this plan, electoral votes are awarded in direct proportion to percentage of the popular vote each candidate receives.

The National Popular Vote Interstate Compact In this plan, states award their electors to whoever wins the popular vote nationwide, not statewide. So far 11 states (with 165 electoral votes) have signed on; to take effect, the compact needs enough states to total 270.
Why Do So Few Citizens Participate in our Democracy?
Eric Black, MINN Post, September 29, 2014

**Democracy.**

**In America.**

**How’s it going?**

On the one hand, I assume that most Americans (myself included) believe that the United States, since the founding, has been a generally positive force and an example for the idea of democracy, the development of democracy, the promotion of democracy, and (even in spite of many historical deviations from that generalization) we are mostly proud of that in some gauzy, inchoate way that links up with both our patriotism and our national vanity.

On the other hand, in 1958, when pollsters first asked Americans whether they trusted the government to do the right thing, 73 percent said “yes,” “just about always” or at least “most of the time.” In 2010 that number was down to 22 percent. (Although, not to awfulize overmuch, by 2013, with the improvement in the economy, it had bumped back up to 26 percent.) The National Election Survey, which created that question, developed a slightly more complicated “Trust in Government Index,” shown here, but it makes the same point.

At the moment, we have a president, chosen twice by us for that (hard, thankless) job, whose approval ratings long since fell below 50 percent and keep reaching new lows. On the third hand, approval of President Obama looks positively stratospheric compared to the approval ratings of Congress, at least collectively. And since, at least according to the theory, We the People elected all these folks we dislike, distrust and disapprove of, the question might be raised what kind of approval rating We the People give to We the People when we look (figuratively and collectively) in a very large mirror.

**Or is it the system?**

It’s an election year here in the nation that considers itself the capital of world democracy, and a reasonable occasion for considering those questions. Collectively, theoretically at least, we have an opportunity to change some of the things that are bothering us. But, strangely, there doesn’t seem to be much real, consequential change on the ballot. The pundits think it’s somewhat likely that, after the election, partisan control of the U.S. Senate will have flipped from Democrats to Republicans. But with Obama still in the White House, it seems likely that some form of gridlock will continue in a Washington that has mostly forgotten how to compromise across party lines.

But that conundrum is mostly about the constitutional system of government, as evolved, which is in many respects built for gridlock. I wrote that series in the last election year. This time, I want to focus on issues of campaigning and especially voting. My plan is to look at some of the troubling indicators that our way of doing democracy is not delivering all the democracy it should or could, and then to look around the world, and talk to political scientists who specialize in those kinds of international comparisons of democracies and see what we can figure out.

I hope the series will be an invitation to the open-
minded to set aside our (possibly overweening) pride in America’s system of democracy and consider whether we can learn anything from the rest of the democratic world, as the rest of the democratic world has learned much from our example, including, in some cases, what not to do.

Many relatively recent comers to the world of democracy have benefited from our older experiment, but few of them decide to adopt our system. They have the benefit of our experience and can look for ways to avoid our mistakes.

The idea of my little exercise of comparative democracy is to reverse the favor by looking at aspects of democracy that may be working better elsewhere and see if they have figured out any tricks worth emulating or even just considering.

**Citizen participation**

How do you measure the health of a democracy? One obvious and absolutely valid first thought is to measure the level of citizen participation, and the basic form of such participation is voting. Of all the developed democracies in the world, the United States ranks near the bottom in the portion of its voting-age citizen population that votes. And, I’m afraid to tell you, the situation is even worse than that general statement makes it look.

“A Different Democracy: American Government in a 31-Country Perspective,” a soon-to-be published text on comparative democracy, examines U.S. democracy in the context of (you guessed it) 31 developed democracies across the six populated continents of the world (although the biggest chunk of the 31 are in Europe). The lead author, political scientist Steven Taylor of Troy University in Alabama, kindly shared with me an advance copy of the chapter that deals with voter turnout.

It includes a chart depicting the percentage of the voting-age population that actually voted in all 31 democracies in the period 1990-2010. The highest turnout is Italy, with an average participation rate of 86.12 percent. The top 10 countries by this measure — all with average turnouts above 78 percent — are Italy, Belgium, Greece, Australia, Denmark, Sweden, Brazil, Finland, Korea and New Zealand. The United States comes in 29th of the 31 nations, with an average turnout of 57.28 percent. That is a bad number. Very bad. You can argue, I suppose, that as long as people have a right to vote, it is up to them whether they choose to exercise that right. I’m not interested in making excuses for lazy or tuned-out voters, but Professor Bingham Powell of the University of Rochester, a veteran comparer of different systems of democracy, urges me (and you) to bear in mind that “lots of things affect voter turnout other than interest and competence of the voters.”

Even bearing that mind, in judging the health of a democracy, I don’t know how a low rate of voting participation can be taken as anything other than a serious sign of democratic ill health.

**It gets worse...**

Some of those “other” factors will be the subject of the next installment, but first allow me to argue that the U.S. turnout is actually quite a bit worse than that 57 percent participation rate makes it look.

Because this is 2014, it’s a midterm election year, as you know. The bad number above is the average of five presidential elections. And presidential elections always have a substantially larger turnout than any other in the U.S. election cycle.

Curtis Gans of the Center for the Study of the American Electorate, who specializes in studying turnout, says that presidential election turnouts in recent history have been generally in the upper 50s, occasionally breaking into the low 60s, and midterm turnouts have fairly consistently hovered just above and below the 40 percent mark. Here are Gans’ calculations of the turnouts over the last five midterm elections:

- 1994: 40.9 percent
- 1998: 37.9 percent
- 2002: 39.6 percent
- 2006: 40.6 percent
- 2010: 41.5 percent

As you can see, there’s been a slight uptick over the last few cycles, but Gans believes this trend is ending. After studying turnout in the primaries so far this cycle (it hit a record low in 15 of the first 25 states to hold primaries this year), Gans is projecting a drop in the turnout on Election Day this year from
the level of recent midterms.

When constructing the table that ranked the United States 29th out of 31 democracies in turnout, the authors of the textbook cited above rated each country according to the highest-turnout election in its normal cycle. But nobody else on the list has a system that alternates regularly between a high-turnout election and a low-turnout election. In a typical election elsewhere in the democratic world, everything is on table.

So let’s just look this square in the face. It’s true that the presidency is not on the ballot this year. And that makes the midterm a somewhat less important election. But all 435 seats in the U.S. House of Representatives and 35 Senate seats, including the one in Minnesota (there’s a couple of extras because of vacancies), will be on the ballot.

Theoretically, this is an opportunity for the electorate to deeply change the power structure in Washington, and to send, in the most meaningful and democratic way, a signal about what they want their national government to do over the next two years. It’s somewhat unlikely that this election will result in such a clear signal. But even if it does, the message will be sent by just 40 percent of the voting-age population.

**WE’RE DIFFERENT**

No other democracy in the world has a system quite like this, a system in which the legislative branch is regularly up for grabs in an election in which the executive branch is not. A system in which we have alternating turnouts from bad (60 percent) to worse (40 percent) then back to bad then back to worse. You can say this was in a sense part of the Framers’ design. They built the staggered terms into the U.S. Constitution. There is general agreement that they wanted to cushion the national government from short-term swings in public opinion, and to make a bit harder to change the whole government with one sudden gust of public opinion that might be short-lived.

But the Framers did not mean to set up this weird alternation between bad and worse turnouts. It was not anyone’s intention and it’s hard to imagine why anyone would ever intend such a pattern. It has just evolved. And it’s pretty crazy. And no other democracy in the world has anything like that going on.
Concerned with an alarming decrease in local and national voter turnout — especially among young adults and minority groups — more than 70 community members gathered on a drizzling Saturday morning to bring awareness to the problem and discuss possible solutions.

The 2015/2016 Voter Registration Drive, hosted by the Voting is Power Coalition at Rudisill Regional Library, 1520 N. Hartford Ave., introduced several speakers who tackled the topic of voting and why so many choose not to exercise that right.

In 2005, around 224,000 of Oklahomans between the ages of 18 and 24 were registered to vote, according to Tulsa World archives. That number declined nearly 40 percent by 2014.

“The No. 1 issue cited when people were asked why they didn’t vote in 2014 was because they were too busy or not interested,” said Nick Doctor, senior vice president of government affairs for the Tulsa Regional Chamber. “So apathy is our biggest problem.”

Tulsa’s Young Professionals member Brooklyn Brock expressed disappointment with her generation’s lack of interest in politics and the importance of voting.

Brock said it’s crucial for younger people to think about what they want the future to look like, and how their involvement in politics is the only way for that to happen.

“Our young people today are not voting like their parents and grandparents did before them, and I think it’s because they’ve forgotten what it took to get us here,” Brock said. “They’ve forgotten the values that our country was founded on, so I think there needs to be some re-education and remembering everything that’s happened to get us here today.”

In addition to Millennials, several minority and social groups with high populations of eligible voters have relatively low registration numbers, said Mana Tahaie, director of mission impact at YWCA Tulsa.

Thirty-one percent of unmarried women are not registered to vote, making up 28 percent of all unregistered citizens, Tahaie said.

Twenty-seven percent of eligible black Americans are not registered, and 41 percent of eligible Latinos are unregistered, she said.

“These are people who are not showing up on the radar of elected officials and other policymakers,” Tahaie said. “When elected officials do polls about campaign issues, about what messages work for their campaigns, they’re only polling people who are not just registered but turning up.

“So when you think about the number of people who are unregistered, they’re not just underrepresented in the policy-making process. They’re invisible. These populations are invisible to policy.”

It’s no wonder that policies go the way they do when the majority of people who are speaking up are 75 years and older, Tahaie said.

During her presentation, titled “Reaching Underrepresented Populations,” Tahaie stressed the importance of explaining the necessity of voting to these untapped groups without being too overbearing.

She also discussed the need for better education regarding local politics.

“We know that a lot of people are unaware of elections below the presidential level,” Tahaie said. “That’s the election most people who vote think about, and then you have dramatically declining awareness and voter turnout the closer to home that you get.”

Being able to explain the role of city councils and their impacts on society would go a long way in getting people to vote, she said.
43 states had a higher voter turnout than Oklahoma in the last presidential election in 2012. We wanted to know more about why the state’s voter turnout is so low.

With support from the Kirkpatrick Foundation, KOSU and KGOU are collaborating on a series called Oklahoma Engaged. In the first of several stories, we focus on the state’s changing electorate.

We heard some statistics recently that caused us to take notice: 42% of Oklahomans under the age of 24 are minorities, but 75% of the people that actually go to the polls are white. We checked the census data and it’s true. We wanted to know more about this changing demographic and why they aren’t going to the polls.

So, we picked a neighborhood in south Oklahoma City that’s emblematic of the shift and got in the car. It’s an interesting neighborhood. There’s the Capitol Hill district that was once the downtown hub of south Oklahoma City — a coffee klatch of old timers still meets there every week. There’s also Southwest 29th Street. In the 1950s, it was known as the car capital of the world because of its vast number of car dealerships. Today, it’s a hub for the growing Hispanic community and is peppered with immigrant-run auto repair shops and taquerias. On the north side of the district, just south of the Oklahoma River, is the new Wheeler Ferris Wheel, a beacon of gentrification.

It was in the shadow of that Ferris wheel that we met Chris Castaneda at his auto body repair shop. “Nobody’s gonna listen to the guy that lives over here, the guy that lives in this neighborhood. That’s my opinion. I don’t think they would listen to anything I have to say.”

Chris doesn’t vote. He says he doesn’t know anyone in his neighborhood who does.

“What always lies in the back of my head is that it ain’t gonna matter what I say because what I say or what I do even in my vote, really don’t think it’s gonna make a big difference.”

He’s not alone.

Jeanette Mendez is a professor and the head of political science at Oklahoma State University. She says there are several predictors of whether or not people will go vote. Education level is a big predictor, but there’s another one, especially in communities with lots of immigrants like the one where Chris lives.

“I think it depends predominantly on if you have a history of voting in your family. Right? So, your social network is and your peers and your family are like number one indicators of if you’re going to vote.”

That’s true for Chris. He grew up in the neighborhood and never heard anyone talk about politics or saw his parents go vote. So, we asked him if he was thinking about voting this year.

Rachel: Do you have any idea what’s on the ballot in November?

Chris: No.

Rachel: I mean, clearly you know that Trump is running. What else have you heard?

Chris: That’s it. Just that Trump and that Hillary and the last time I heard. I just kind of watch the news in the morning, and that’s about it.
Mendez, the political science professor, says this is a big problem. Because the information people are getting is limited and they’re unaware of the down ballot races or questions that really affect their communities.

“Most of the media attention we’re getting, even local media attention, really is fixated on the presidential election as if that’s the only election going on.”

We wondered if any of the other down ballot races or state questions in this year’s election would change Chris’s mind about whether or not his vote matters. So, we told him a little bit about some of them to see what he thought.

“Well now that you mention it, it does make sense, ya know. ‘Cause that could affect our kids. I never really, really took the time to think about that. It’s not to make up excuses, but I’m just always constantly going non-stop, just working, working, working, so I really don’t take time to think about this.”

We’re going to keep following Chris to see if he decides to register to vote or goes to the polls this year.

This is the first in the Oklahoma Engaged series of stories about this year’s elections. In the coming weeks, we’ll bring you more profiles of this neighborhood that are emblematic of Oklahoma’s changing demographics and we’ll break down the seven state questions on the November 8 ballot. We hope you’ll join us on the journey.

Oklahoma Engaged is a collaborative series between KGOU and KOSU, with support from the Kirkpatrick Foundation. You can find more and follow along at OklahomaEngaged.com.
Action Civics: Increasing Voter Participation
Amy Curran, Generation Citizen, Oklahoma Site Director

Everyone benefits when young people participate in their community’s political processes. Civic engagement, particularly voting, occurs only when one understands that her voice and actions matter in our democratic system. Informed voter engagement doesn’t start when someone turns 18 or shows up for the first time at their polling place.

Young people care about their communities. Neither their voting habits nor their participation in established institutions, however, reflect their concern. This is not because they don’t care, but that they doubt those behaviors are effective at making real change. They have been taught to be “hands-on” and voting feels anything but.

Young Americans, both across the country and here in Oklahoma, are ready to make a difference, but we consistently fail to educate them as to how they can actively participate in their own communities. They fail to recognize that the institutions within their own neighborhoods are the most powerful means to influence policy. The great divide between public frustration and civic engagement isn’t due to a lack of interest, but rather a lack of understanding and instruction as to the processes and the importance of individual voices in our country.

While the recent recalibration of public education, emphasizing STEM and standardized testing, has brought benefits, this focus all but eradicated civics education from the classroom. A technically skilled and well-educated workforce serves a necessary purpose in society, but without a foundation in the political systems and the skills required to maneuver through such systems we continue to fail our students.

This doesn’t mean civic education is nonexistent, but rather that the quality and consistency of civics education is startlingly disparate across various socio-economic factors. Students in low-income schools, when compared with students in “average” socio-economic status schools, are half as likely to study how laws are made, and 30% less likely to report experiencing instructed debating or panel discussions in social studies classes. Dubbed “the Civic Engagement Gap” this reality faced by students at low-income schools doesn’t hamper their desire to participate civically within their communities. Rather, this opportunity gap translates into a participation gap and perpetuates the cycle of limited civic engagement, leading to fewer and fewer young adults from low income communities developing into well informed and active citizens.

Just as students understand and appreciate science through hands on experience in the lab, students learn the value of civics through active engagement with the civics process itself. Memorization of our government’s branches, or singing along to “I’m Just a Bill,” can only go so far. “Action Civics” is a framework that facilitates classroom discussion about the local, statewide, and national issues that students care about. From these discussions, and through direct interaction with community leaders, government officials, and school administrators, action civics teaches students to identify how the various levels of government affect these issues and how to participate in this process.

Studies have found that students who receive a robust and comprehensive civics education course retain their knowledge of civics and perform highest on civics assessments, entering the adult world prepared to do more than just correctly answer questions on a test. Students who engage with action civics are prepared to think critically about issues, exercise their right to vote at all levels of government, and more actively engage in civic opportunities.

Simply put, educated and civically active students thrive.

During the spring semester in Oklahoma City, over 300 students received instruction in action civics through a program called Generation Citizen. The students worked on a variety of local issues that interested them ranging from access to quality city water supplies, incarceration rates, youth homelessness, and school discrimination policies. Oklahoma City’s students investigated these issues, explored the role of local and state government, and proposed solutions. They attended Civics Day to present their work and to converse with leaders.
in the state. They were articulate, intelligent, and passionate about their respective issues.

“I feel like Generation Citizen has helped me learn that I have a voice. That my opinion matters and that I can make a change.”
- Maribel Rodriguez, Student at Southeast High School

A civics education where students leave high school prepared for active citizenship must include analysis of current events, deliberative discussion, and the opportunity to participate directly in the local democratic process. Action civics accomplishes these goals while maintaining compatibility with Oklahoma’s current education policies. Generation Citizen’s program is far more effective than a standardized test in meeting the recently overhauled social studies curriculum standard’s vision that schools should “develop informed, competent, and responsible citizens who are politically active and aware.”

Informed voters make informed choices, but to develop informed voters we must teach civics with the intention of moulding students into active and prepared citizens. Civic engagement leads to voter engagement, but the benefits don’t just stop there. Students who receive adequate instruction and skills to address community issues on their own are more likely to graduate high school. Those students who receive both traditional and interactive civics education score highest on assessment and demonstrate especially higher qualities of necessary twenty-first century workplace skills, like critical thinking, news comprehension, and work ethic.

Without active civic engagement we will continue to fail in solving pressing issues whether they be economic or social. We will continue to fail not only ourselves, but by refusing to adequately educate young Americans on the structures and processes of civic engagement we will fail future generations of Americans.

Our state leads the nation in early childhood development, urban renewal, and energy innovation while maintaining the character that makes our people unique. Oklahoma is uniquely positioned to lead the way in developing action civics education for our students. We are a state founded on innovation with a pioneering spirit that marries our gritty resourcefulness with individualism and a dedication to doing what’s right and taking care of our neighbors. The Oklahoma Standard for public service, innovation, and perseverance through adversity has fashioned our state with a platform to strengthen our democracy at home and nationally. Oklahoma can, and should be, leading the nation in empowering our youth’s active investment in the revitalization of our communities and government.

In order to guarantee a better future for our kids and ensure that Oklahoma fulfills its full potential, it is up to us to implement the most effective civics education. Action civics is a proven framework to equip our students with the skills and knowledge required to participate effectively as engaged citizens and informed voters.
Which state will have the highest voter turnout on Nov. 6? History suggests it will be one of the following six.

Using data from the United States Elections Project at George Mason University in Virginia, the Monitor ranked the states by their average turnout as a percentage of eligible voters (the voting age population excluding ineligible felons and noncitizens) for the past six elections.

On average, about half (51.6 percent) of eligible US voters cast ballots, but six states averaged more than 60 percent. The policies and attitudes in these states may hold lessons for those trying to get out the vote around the country.

Here is a countdown to the top states in voter turnout.

6. **Oregon**

Oregon is one of two states that employ a vote-by-mail only system. Voters receive an information pamphlet three weeks before the election, followed a few days later by their ballots. With an average voter turnout of 60.13 – 8.5 percentage points above the national average – the system is working for Oregonians.

“There is absolutely no doubt in my mind that we see high turnout because of vote-by-mail,” says Oregon Secretary of State Kate Brown. “It’s extremely convenient and accessible; it’s secure and cost-effective.”

Oregonians passed a referendum in 1998 to institute the vote-by-mail system – with almost 70 percent approval.

Secretary Brown rejects the criticism that mail-in ballots diminish the sense of civic engagement people may feel standing in line with their fellow citizens on Election Day. She says Oregonians have block parties and talk to their neighbors; issues are discussed in churches and synagogues.

“Civic engagement is much more meaningful and expansive when you have a ballot in hand for 2-1/2 weeks,” Brown says. “Election Day is not just one day – it’s several.”

Another criticism of mail-in ballots is that there is more opportunity for voter fraud. Since 2000, 15 million ballots have been cast by mail in Oregon, but there have been only nine convictions of voter fraud, Brown says. The state takes extensive measures to ensure that ballots are secure: each envelope has a unique barcode, election officials verify every signature, and there are cameras in every election office to monitor the counting. People can also check online to make sure their ballot was counted.

Voter outreach is another factor at play in Oregon, says Michael Slater, executive director of the nonprofit Project Vote and a Portland resident. Campaigns can check to see if people have voted, and encourage them to cast their ballot.

“People knock on my door and ask if I need my ballot delivered,” Mr. Slater says. “It’s a very helpful way to keep people engaged.”

5. **South Dakota**

One of three Upper Midwest states with high voter turnout, South Dakota’s high average – 60.17 percent – comes from a history of civic engagement and competitive politics in the state.
“South Dakota is part of the collection of Upper Midwest states where a strong sense of community, civic duty, and civility in political discussion are abundant,” Bryan Dettrey, an assistant professor at the University of South Dakota, writes in an e-mail. “These cultural factors contribute to higher levels of turnout.”

The history of civic engagement in South Dakota can be traced back to the Populist movement in the early 1900s, when farmers banded together to support progressive agrarian policies and candidates for governor and Congress. This movement planted the seeds for interest and mobilization in politics, says Eric Ostermeier, a research associate at the University of Minnesota’s Humphrey School of Public Affairs.

“Voting behavior in a culture or community is an acquired habit,” Dr. Ostermeier says. “It doesn’t begin or end with one election cycle – it is generations in the making.”

Competitive races also drum up more voter interest, Ostermeier says. He points to the 2004 US Senate race, when then Senate majority leader Tom Daschle (D) lost to the Republican candidate John Thune. Senator Thune defeated Senator Daschle by 2 percentage points, and it was the first time a sitting Senate majority leader had been defeated in 52 years, reported The New York Times.

Additional factors contribute to South Dakota’s high turnout, according to Dr. Dettrey. New voters can register up to 15 days before the election. The state uses ballot measures – such as requiring the government to balance the budget or using tax revenues to give teachers bonuses – which give voters a greater voice in government. The state has also made strides in increasing turnout among Native Americans.

4. ALASKA

Alaska’s eligible voter turnout rate – 60.42 percent – is attributed to competitive gubernatorial and senatorial races in the past several elections.

Carl Shepro, professor emeritus at the University of Alaska, Anchorage, suggests that voter interest “hinges on the candidates rather than any state laws.”

In Alaska’s most recent US Senate race, sitting Sen. Lisa Murkowski (R) won as a write-in candidate, beating Republican Joe Miller, who defeated her during the primary. Senator Murkowski was the first write-in candidate elected to the Senate since 1954, reported The New York Times.

Murkowski appealed to Alaska’s nonpartisan and undeclared voters – more than half of registered voters – in order to defeat Mr. Miller, a tea party favorite backed by former Gov. Sarah Palin, Shepro says. She also received support from the Alaskan Native population: Turnout in the North Slope borough was 90 percent.

Also making Alaska’s elections more competitive – there is always a third-party candidate running, usually from the Alaskan Independence Party. Shepro says those candidates don’t get a lot of support, but they do help balance the state’s majority Republican Party, which has twice as many registered voters than do Democrats.

Convenience is another factor at play in Alaska – as the state offers early (in-person or by mail) and absentee voting. Also, any registered voter can apply to have a ballot faxed to them. The “electronic transmission ballot” is due by 5 p.m. on Election Day, according to Alaska’s Division of Elections.

3. WISCONSIN

Wisconsin is the second Upper Midwest state with high voter turnout – 60.93 percent over the past six elections – and the only battleground state on this list.
The state shares similar characteristics to its regional neighbors (like South Dakota) with a history of political participation and competitive state and national races, says Eric Ostermeier of the University of Minnesota.

Wisconsin’s history of civic engagement began with the Progressive Party, which supported farm and labor union rights and generated numerous close elections between the 1920s and 1940s, Dr. Ostermeier says.

Political participation and voting has become almost an expected behavior.

“People want to live up to the expectation for themselves or community norms,” says Michael Slater of Project Vote. “They think, ‘voting is what we do in this community.’ ”

Another reason for Wisconsin’s high voter turnout: allowing new voters to register and vote on Election Day. Same-day registration is the biggest factor in generating high voter turnout as it generates a possible voter increase of 10 percent, Ostermeier says.

Nine states have same-day registration, and some opponents of the policy say it could increase voter fraud, according to Project Vote. Same-day registration benefits students and low-information voters – those who don’t pay attention early in the campaign, says Ostermeier. “Having the ability to vote at the last minute helps the process if one believes that democracy is as many people being able to vote as possible,” he says. Wisconsin’s high voter turnout is also a result of intensely competitive elections in recent years.

Most notably 2010, when the state Senate and governor’s office switched to Republican control. In the presidential elections since 1998, Wisconsinites voted Democratic. But several Republican rising stars are gaining more support in the state and on the national political stage: Gov. Scott Walker won a competitive recall election in June and Rep. Paul Ryan is the vice presidential candidate.

2. **Maine**

Maine was the first state to institute same-day registration in 1973, which is a main reason for its 62.1 percent average turnout. But not all politicians support the policy.

Republicans in the state legislature amended the state’s voter registration laws, requiring that new voters register two business days before the election. Gov. Paul LaPage approved the amendment in June 2011.

But opponents of the amendment – forming the Protect Maine Votes coalition – worked to put a question on the 2011 referendum ballot, gathering more than 70,000 signatures in less than a month, according to the Bangor Daily News.

Question 1 on the referendum election ballot asked: “Do you want to reject the section of Chapter 399 of the Public Laws of 2011 that requires new voters to register to vote at least two business days prior to an election?”

Mainers voted 60 percent in favor of repealing the amendment, restoring the state’s same-day registration system.

“It’s not just a law,” says Eric Ostermeier of the University of Minnesota. “How the population
defended same-day registration speaks to the culture in the state and its pride in high voter turnout.”

In addition to same-day registration, competitive gubernatorial races have also contributed to high voter turnout.

In the 2010 election, independent candidate Eliot Cutler narrowly lost to Governor LaPage. Mr. Cutler lost by 1.7 percentage points, or about 10,000 votes. “Strong independent candidates in high-profile races are more competitive,” says Ostermeier.

“A third-party candidate with a legitimate chance of winning brings out those voters who have been turned off by the increasing polarization of the two-party system.”

1. Minnesota

The third Upper Midwest state on the list, Minnesota has had the highest voter turnout in 12 of the past 16 elections, including the past eight straight. Minnesota’s average eligible voter turnout in the past six elections – 67.6 percent – is 16.4 percentage points higher than the national average.

Minnesota Secretary of State Mark Ritchie attributes the state’s consistently high rating to state policies and an emphasis on reducing barriers to voting access. The most effective policy is same-day registration, Ritchie says.

“It’s clearly a critical factor,” he says. “Election Day registration can increase voter turnout by 500,000 people in a presidential election year. And more than 60 percent of Minnesotans have taken advantage of it in their lifetime.”

When Ritchie was elected secretary of state six years ago, he focused on educating Minnesotans on the “nuts and bolts” of voting. Election officials go to high school civics classes or assemblies, and they bring voting machines to the state fair to show people how easy it is.

Beyond policies that enable higher turnout rates, Ritchie says Minnesotans are very patriotic. Minnesota was among the first states to respond to President Lincoln’s call for troops during the Civil War. Voting touches deeper motivations of service and stewardship.

“Minnesotans do love this place we call home,” Ritchie says. “It’s our responsibility to take care of this place, and voting is one of the ways we do that.”

Minnesota also has a history of third-party candidates winning high offices and close elections: Jesse Ventura’s 1998 gubernatorial victory for the Reform Party and the contested 2008 Senate race between Al Franken (Democratic-Farmer-Labor Party) and Norm Coleman (Republican).

“Minnesota is a state firing on all cylinders,” Michael McDonald, associate professor at George Mason University, writes in a 2010 US Elections Project report. “The prescription for higher levels of voter participation in the United States is thus clear. Do what Minnesota does: make it easy for people to vote, educate your citizenry, and hold interesting elections.”
Using a national analysis of state legislators, Lynda Powell, a professor of political science at the University of Rochester, documents the subtle and not-so-subtle ways in which money buys influence — from setting a party’s agenda, to keeping bills off the floor, to adding earmarks and crafting key language in legislation.

"Other scholars have examined the relationship between campaign contributions and the floor votes an individual legislator casts, but this is the wrong way to approach the question," says Powell. "On floor votes, most legislators vote with their party and constituency. Any influence of donations is likely to be limited to a small set of close votes that are not important to the legislator or to his or her party or constituents."

In her new book, The Influence of Campaign Contributions in State Legislatures (University of Michigan Press, 2012), Powell argues instead that the real power of money is exerted long before the roll call.

"The question is, what went into these laws," says Powell. "The wording of just a sentence or two or the addition of an earmark makes all the difference to a special interest group. For other contributors, the goal may be to preserve the status quo and prevent a bill from coming to a vote at all."

Powell combines theoretical clarity with unique empirical data to offer the most rigorous case yet for the widespread but difficult-to-document idea that campaign money influences public policy.

Through formal models and statistical analysis, Powell teases out the personal, institutional and political factors that make moneyed interests increasingly powerful in some states, but not others. For example, her data shows that political money carries more weight in states with more highly compensated legislators, larger chambers, and more professionalized leadership structures. Money is also more important in states whose majority party’s advantage is tightly contested and whose legislators are more likely to hold hopes of running for higher office.

By contrast, donors to campaign coffers wield less power in states with term limits and more highly educated voters.

These conditions, writes Powell, predict how much time legislators devote to fundraising for themselves and for their party. She shows that the more time
members spend on either type of fundraising, the greater the influence of contributions in the legislative process.

“I am not arguing that there is much quid-pro-quo influence,” says Powell. “But even the best intentioned legislator receiving money from an interest group is likely to at least listen to what donors have to say. And if you are hearing much more from people who donate money to you, it is hard not to be swayed by the greater body of argument and evidence from donors.”

Powell also looks at the relationship between fundraising and lobbying. While some have argued there is little linkage between the two, Powell’s study documents that the access legislators give to lobbyists clearly is biased in favor of campaign donors.

By identifying the conditions that encourage lawmakers to be more beholden to donors, Powell provides insights into new ways to reduce corruption in the political process beyond contribution regulations. Campaign finance reforms, she argues, can have only modest effects. For example, her study suggests that so-called “clean” campaign laws under which candidates who accept public funds agree to forego private contributions to their campaigns do effectively limit personal fundraising—but these same limits result in members devoting more time to fundraising for their caucus which is not restricted by the law.

A more effective solution, says Powell, would be to change the institutional incentives that encourage extensive fundraising in the first place. This too, she acknowledges, is not a simple task. The effects of institutional changes, like term limits for example, can be complex. While term limits reduce the value of legislative office by limiting tenure, they also increase interest in running for higher office. This ambition, and the fundraising it engenders, cancels out much of the effect of term limits on reducing fundraising, the study shows.

Answer to Question #12

Puerto Rico
U.S. Virgin Islands
American Samoa
Northern Mariana Islands
Guam
In the 2016 presidential race, most candidates have implicitly chosen a favored super PAC. There is often little separation between the candidate and these “candidate-specific super PACs.” Several candidates even appeared to delay formally entering the race so they could fully coordinate with a supportive super PAC as long as possible. Candidates have also fundraised prominently for super PACs, and their top aides now work for the groups rather than on the candidates’ campaign teams.

These activities send a strong signal to donors that checks sent to favored super PACs will be treated just like a direct contribution to the candidate. It should be no surprise that in the first half of 2015, $273 million, almost all of the outside money raised, went to groups reported to have ties to one particular candidate. And as the Brennan Center has shown, these activities extend to the state level as well. Candidates for governor, attorney general, or state legislator can often exponentially increase their fundraising potential by working with an outside group with close ties to the candidate.

These “shadow campaigns” mock the campaign finance system. When candidates help raise money for a super PAC and also have a say in how that money is spent (whether it buys political advertisements, what advertisements it buys, and where the advertisements air), that spending becomes virtually indistinguishable from that of campaigns. As a result, the current limits on direct contributions to candidates, which the Supreme Court has long recognized as an important check on corruption, become meaningless. Allowing collaboration between super PACs and campaigns also threatens the efficacy of public financing systems, which depend on participation of candidates who are removed from big money.

When the Supreme Court removed limits on election spending in Citizens United, the majority assumed the newly freed spenders would follow laws requiring them to operate independently of candidates. If spending was coordinated with candidates, it could be corrupting, and could therefore be subject to limitations. Six years later, candidates and allegedly independent super PACs are making a mockery of the law by coordinating their activities in plain sight.

The good news is that regulations preventing such coordination are achievable and can prevent the worst abuses. Some states have already shown us how to do this.

**Proposal**

A simple set of rules can ensure that candidates and their chosen super PACs maintain a proper distance. Some states and cities have already enacted many of these restrictions, and there are proposals to improve rules for federal elections.

Candidates should not raise money for super PACs that back them. The act of fundraising is a clear indication that the candidate supports the group’s activities, creating a threat of corruption.

Any staffer who works for the candidate should be barred for a few years from working for a super PAC that supports the candidate.

Super PACs formed by a candidate or at the candidate’s suggestion should be prohibited from making independent expenditures in support of the candidate.

The same major outside vendors or strategists who work for the candidate should be barred from simultaneously working for a super PAC supporting the candidate.

Outside groups’ ads should be treated as a contribution to the candidate if they republish the candidate’s campaign material or use video or audio footage recorded by the candidate.

These rules will not cure all of the ills created by super PACs. Even without coordination between super PACs and candidates, millions of dollars in spending surely gives wealthy donors unfair influence. That won’t change until the Supreme Court reconsiders Citizens United. Nevertheless, in
the meantime, implementing strong rules like those detailed above can curb coordination of unlimited outside spending and better protect the integrity of other campaign finance reforms not implicated by Supreme Court decisions, like public financing.

**Why This Can Be Achieved**

State and local efforts since Citizens United show that coordination rules can be passed and can successfully prevent super PACs from working closely with candidates. Connecticut and California both have comprehensive laws to prevent candidates from fundraising for super PACs and to ensure that outside groups may not hire a candidate’s staffers or consultants. And cities such as Philadelphia and Santa Fe have amended their rules to prevent similar abuses. Congress could likewise pass a law that would ensure super PACs operate independently from candidates.

The Supreme Court has long recognized that coordination rules are necessary to preserve the independence of outside groups and to make contribution limits meaningful. In its seminal 1976 decision, Buckley v. Valeo, the Court explained that “prearrangement and coordination of an expenditure” would create a heightened corruption risk. Justice Anthony Kennedy voted with six other Justices to uphold federal coordination rules in 2003, and his Citizens United opinion emphasized that corporate spending was permissible only when it was made in a truly independent manner.
Millions of small donors now participate in campaigns online, giving citizens of modest means the ability to wield tremendous power over elections and government. Yet the same is true of wealthy contributors, and they have much more money to spend. In the “race” between the small donors empowered by the Internet and the big money empowered by the U.S. Supreme Court, the big donors are winning, particularly at the congressional level. As the amount raised from a relative handful of wealthy donors has risen dramatically in recent election cycles, the amount winning congressional candidates receive from small donors has shrunk. Meanwhile, the presidential public financing system, designed to decrease candidates’ reliance on big money donors, has disintegrated. From 1976 through 2004, most qualifying candidates participated, meaning they had to collect a certain amount in funds from small donors and had to limit their spending. But in 2008, President Obama made history by declining to take public funds, and by 2012 no major party candidate joined the system. By now, the program provides such a low amount of money that there is little hope of its revival without significant improvements.

Federal public financing should be improved and renewed as a way of countering the tremendous inequality of influence. The most effective public financing systems match small contributions with public funds, thereby lessening candidates’ reliance on big money donors, while also expanding and diversifying the donor pool.

**PROPOSAL**

Congress should enact a federal public financing system that encourages small contributions. This approach should be used to revitalize the dormant presidential public financing system. And it could be extended to Congress as well. The Brennan Center supports the Empowering Citizens Act, introduced by Reps. David Price (D-N.C.) and Chris Van Hollen (D-Md.), which would amplify the voices of small donors by matching contributions up to $250 with public funds at a 6-1 ratio. The measure encourages congressional and presidential candidates to run grassroots-oriented campaigns by cutting contribution limits in half for those who accept public funding. The bill also combats loopholes created by Citizens United by making it harder for super PACs and political non-profits to function as arms of candidates’ campaigns.

The system is modeled on New York City’s successful matching system, which provides qualified candidates with $6 for each $1 contributed of $175 or less. Participation in the city’s system is high. Candidates now “reach out to their own constituents rather than focusing all their attention on wealthy out-of-district donors.”

The program has also encouraged greater donor diversity:

Contributors to city candidates are much more racially and economically diverse than donors to candidates for New York’s state legislature, which does not have a small donor matching system. Matching small donations at the federal level could allow a wider spectrum of candidates to run competitive campaigns with contributions from average citizens.

There are other valuable methods of public financing that can let candidates run without relying on big money. Recently there has been a strong push for a voucher system, in which every citizen (or voter) would be given a small voucher to give to a chosen candidate. Last fall, Seattle became the first city to adopt such a program. Starting in the next election, the city will provide every voter with four $25 vouchers to give to city candidates. Other states and cities, such as Minnesota and Virginia, have given citizens rebates or tax credits if they make a small contribution to a candidate or party. And there is another set of states and cities that give qualified candidates block grants.

Several types of public financing can be combined to provide incentives for candidates and donors to
participate. For example, the Government by the People Act, by Rep. John Sarbanes (D-Md.), would create a voucher pilot program, provide a tax credit for small contributions, and institute a matching system.

**WHY THIS CAN BE ACHIEVED**

Unlike some other common-sense reforms, small donor matching systems are permissible under Citizens United and other Supreme Court decisions. Those cases principally invalidated limits on expenditures (by individuals and corporations), and generally do not prevent the government from offering candidates incentives to rely on small donors or limit spending. In fact, by 9-0, the Court recently declined to reverse the longstanding constitutionality of these voluntary systems. Public financing laws cannot prevent expenditures by super PACs, but they can ensure that candidates who face high-spending opponents or outside groups can fight back without relying on big checks from a small group of wealthy funders.

Public financing is the best and most promising method for giving the American people more power over their government. A majority of Americans also favor using small donor matching in elections. With many success stories in federal, state, and local elections, and several new and creative systems proposed, candidates can access a wealth of data and experience when assessing how to encourage participation by small donors and discourage elections that are dominated by wealthy individuals and corporations.

**RESOURCES**

Empowering Small Donors in Federal Elections: Proposal showing how small donor matching funds, used successfully in New York City, could work in congressional elections.

Donor Diversity Through Public Matching Funds: Analyzes how small donor matching programs can boost public participation, change the way candidates campaign and raise money, and engage a much broader array of citizens in the political process.

Small Donor Matching Funds: The NYC Election Experience: Examines the ways that New York City’s small donor matching system changed the dynamics of money in politics in the City.

New York City Small Donor Matching Program: A voluntary public financing program that matches contributions up to $175 at a 6-1 ratio.

Seattle Voucher System: The city recently passed a ballot initiative that will provide every voter with four $25 vouchers they can use to donate to some local campaigns.

Government by the People Act: A bill sponsored by Rep. Paul Sarbanes (D-Md.) that would provide citizens with a $25 tax credit for campaign contributions, amplify small donations with a six-to-one match, and allow candidates to earn additional public matching funds within 60 days of the election.

EMPOWER Act: A bill sponsored by Reps. David Price (D-N.C.) and Chris Van Hollen (D-Md.) that would increase public matching funds, provide six-to-one matching for donations under $250, eliminate spending limits on participating candidates, and require publicly-funded candidates to accept contributions of no more than $1,000.
Why Lobbying Is Legal And Important In the U.S.
Daniel Weiser, Investopedia, April 30, 2015

In the first quarter of 2015, Washington’s top 10 lobbying groups spent a combined $64 million plus on influencing federal policy. A new Congress is providing increased opportunities for lobby groups to use political influence as a means to create productive legislation, and with an increase in lobby dollars being spent it is timely to remember both why lobbying is legal, and why lobbying is important for a productive government.

Why is Lobbying Legal?

Lobbying is often misinterpreted or criticized as bribery, which it is not. Lobbying is a practice performed by either individuals or organizations whereby public campaigns (which are legally registered with the government) are undertaken to pressure governments into specific public policy actions. The legality of lobbying comes from the Constitution and from our participatory democracy.

First Amendment Protection

Often overlooked in the many rights protected by the 1st Amendment is the right to lobby. While never expressly using the term “lobby,” the right “to petition the Government for a redress of grievances” is specifically noted. This translates into modern times as a right to lobby, a right addressed in the U.S. Constitution.

The Lobbying Disclosure Act of 1995

By rule of law, the Lobbying Disclosure Act also provides for the legality of political lobbying. Concerning both the legislative and executive branches of the government, this act defines what constitutes a lobbyist and her required government registration, what lobbyist actions consist of, and how lobbyists must comply in order to avoid penalties. The Lobbying Disclosure Act was enacted to ensure that lobbying is publicly registered. While acknowledging the importance of lobbying, the act allows the public to evaluate any undue influences that may be affecting decision making in the government.

Participatory Democracy

In addition to the legal framework that protects lobbying, lobbying is further supported as an inherent part of a participatory democracy. For our government to succeed and protect the rights of its citizens the citizens must participate; lobbying is a way for our citizens to do that. Lobbyists represent the interests of citizens who do not have the opportunity or access to represent them personally to the government. Through lobbying, their interests are still heard. Economist Thomas Sowell provides that governments do not work without lobbying: “Reform through democratic legislation requires either ‘public consensus or a powerful minority lobby.’”

Lobbying Affects Everyone

Government actions do not pertain to specific individuals; all laws are applicable to all citizens. This fact further legalizes lobbying as opposed to bribery. Bribery provides for an instance of favoritism to an individual or a group, but lobbying does not specifically ask for special treatment. Instead lobbying is a way to influence legislative action that affects all citizens.

Why is Lobbying Important?

Lobbying is an important lever for a productive government. Without it, governments would struggle to sort out the many, many competing interests of its citizens. Fortunately lobbying provides access to government legislators, acts as an educational tool, and allows individual interests to gain power in numbers.

Lobbying Access

Lobbying provides access to government legislatures that no single individual could possibly hope to achieve. By grouping individual goals together into a lobbying aim, lobbyists represent the interests of many and are more likely to be heard by legislatures than if they came bearing the concerns of one voter.
With the number of tasks and matters required of a legislature ever growing, populaces need lobbying to bring issues front and center, otherwise government can fall into an “out of sight, out of mind” trap.

Not only does lobbying bring access to issues, any issue brought to a legislature’s attention will be a focal point of a legislature’s constituents.

Recognizing this, governments will be more likely to address a lobby’s interests knowing there is a large swell of support backing this interest.

In addition to providing introductory access to government, lobbyists apply continued pressure on issues. Once an issue has been brought to the attention of government legislature, it can easily be superseded by any other issue that comes to light without lobbyist pressure. The presence of lobbyists in Washington allows for constant communication, and continued support of specific interests.

**Power in Numbers**

As alluded to above, lobbyists serve an important purpose in aggregating the interests of many individual constituents. Any individual can have a cause, but with over 10,000 bills introduced to the U.S. Congress over every two-year session for an example, it is close to impossible for one voice to be heard, let alone actioned upon. Lobbyists can represent many voices, and in addition their size and singular focus allows for research and fact checking needed to bolster arguments.

For perspective on the tremendous size of lobby groups, the total dollars spent in 2014 on lobbying interests totaled over $3.2 billion dollars and the total number of lobbyists employed reached almost 12,000. The money spent on lobbying in 2014 is not an anomaly. 2014 matched 2013 in terms of total spend, and lobbyists in 2015 have already registered $.8 billion in lobbying spend.

**Lobbying as an Educational Function**

Citing once again the over 10,000 bills presented to Congress over a two year period, and understanding that this is simply one example of a government being tasked with a tremendous amount of legislative material, it is very easy to appreciate that no one person in government can be an expert in everything. Lobbying helps to cover any gaps in knowledge. With each issue brought to legislative attention, lobbyists present research and facts about their issue, and then try and persuade government into action.

Lobbyists additionally will bring the best, most thorough knowledge and expertise to an issue, as the issue they lobby for is their sole interest and reason for employment. Policy decisions made with the best possible information are a benefit to both lobbying groups and a legislature’s constituents on the whole.

**The Bottom Line**

Lobbying is an integral part of a modern participatory government, and is legally protected. In the U.S., the right to lobby is protected by both the 1st Amendment and the Lobbying Disclosure Act of 1995, and additionally by the inherent need for participation in our democratic environment.

The legal framework in support of lobbying notwithstanding, lobbying should continue to play a role because of its many benefits. With lobbying, personal interests are aggregated into lobby groups; strengthening their voice, constant pressure is applied to government legislatures whose attention can often be pulled in various directions, and finally with lobbying, legislatures are provided with expert knowledge of a subject matter they may not normally be educated enough on to provide for their constituents.
Wouldn’t it be nice if lobbying were illegal?

It’s a tempting thought. But it seems impossible. Lobbying is a multi-billion dollar industry and an accepted—if hated—part of American politics. American courts have ruled that lobbying is constitutionally protected free speech, and lawyers and laymen alike generally accept this.

The same is true of more indirect lobbying, like the Citizens United Supreme Court ruling that allows businesses to spend unlimited sums of money on Super Pacs and advertisements for or against a candidate.

Yet from America’s founding through much of the 19th century, the legal system treated lobbying as a corrupt and illegitimate activity. Lobbying still happened, but a number of states made lobbying a criminal offense, and the federal government banned some forms of lobbying. This all happened without legal challenge, as the courts viewed lobbying as incompatible with the rights and responsibilities of citizenship.

This forgotten history of lobbying in America has been documented by Zephyr Teachout, an Elizabeth Warren-style academic turned activist-politician who believes that Americans—and American legal minds—have forgotten the long American tradition of treating lobbying as a violation of a citizen’s responsibility to represent only him or herself in the political process.

SO HOW DID WE GO FROM TREATING LOBBYING AS ILLEGITIMATE OR ILLEGAL TO PROTECTED FREE SPEECH?

In 1785, the King of France gave Benjamin Franklin a diamond-encrusted snuffbox.

The gift was not a comment on Franklin’s rumored inclination toward drug use. It was a customary parting gift. Franklin had represented America as a diplomat in France, and in royal Europe, a rich gift was a sign of respect.

In the uncouth, young nation of America, though, the gift was seen as dangerous. According to the Articles of Confederation, Congress had to approve any gift from a foreign official.

“At the level of basic human intercourse, Franklin owed something to the king after receiving such a gift,” Zephyr Teachout writes. “These subtle sympathies threatened to corrupt Franklin because they could interfere with his responsibility to put the country’s interest first in his diplomatic judgments.”

Teachout opens her book Corruption in America with this incident in order to show how differently early Americans treated lobbying. And the contrast is stunning.

Over the past two decades, the Supreme Court has sanctioned any lobbying that is not explicit, quid pro quo bribery.

A 1999 Supreme Court case, for example, overturned a federal law that banned officials from receiving gifts. A farmer’s association had given the Secretary of Agriculture sports tickets, luggage, and free meals—all delivered by hiring the Secretary’s college roommate as a lobbyist—and then benefited from policies made by the Secretary. Yet the court sanctioned the act. Justice Scalia wrote that banning all gifts would lead to “absurdities,” and he could not imagine banning an organization from organizing a

When Lobbying was Illegal
Alex Mayyasi, Priceonomics, August 15, 2016
free lunch for a policymaker. Similarly, in the Citizens United case, Justice Anthony Kennedy, writing the majority’s opinion, noted that “Ingratiation and access… are not corruption.”

This logic and these conclusions, Teachout contends, are a complete break from the reasoning of judges in 18th and 19th century America.

For 100 years, judges so believed that using personal influence to ingratiate and gain access to lawmakers led to corruption that they refused to enforce lobbying contracts. Teachout cites a 19th century legal textbook that stated that “what are known as ‘lobbying contracts’… [which are] any agreements to render services in procuring legislative action… by personal solicitation of the legislators or other objectionable means, is contrary to the plainest principles of public policy, and is void.” For decades, when business failed to pay lobbyists, America’s courts considered their employment unlawful and refused to make the businesses pay their lobbyists’ fees.

Judges also did not object when legislators banned lobbying. In 1877, Georgian legislators wrote “Lobbying is declared to be a crime” into the state constitution. A number of state legislatures took similar action—for a time, lobbying was a felony in California—and in 1852, Congress passed a law banning anyone “employed as an agent to prosecute any claim pending before Congress” from being present during legislative sessions.

In 1999, Scalia considered it absurd that lawmakers should not be allowed to accept any gifts—he pointed out that this meant the president could not accept a jersey from the Patriots if they won the Super Bowl. But early Americans considered the dangers of gift-giving so alarming that they endured those absurdities—like forcing Benjamin Franklin, a retiring diplomat, to ask Congress to vote on whether he could keep his parting gift from the leader of France.

In another absurd example, in 1866, an old, infirm man who was owed money by the federal government hired a lawyer to appeal to Congress for his money. When the man’s son refused to pay the lawyer, the lawyer sued. “One could hardly imagine a more sympathetic context for enforcing a lobby contract,” Teachout writes. “If there was any right to petition the government, ought it not extend to the aged, who might need to hire someone on their behalf?”

Yet the court still refused to uphold the contract, as the judge said that doing so would sanction a corrupt practice. “If any of the great corporations of the country were to hire adventurers who make market of themselves in this way, to procure the passage of a general law with a view to the promotion of their private interests,” he wrote, “the moral sense of every right-minded man would instinctively denounce the employer and employed as steeped in corruption.”

Legal scholars today would likely look askance at this logic. The First Amendment, which protects free speech, guarantees the right to “to petition the Government for a redress of grievances.” Hiring a lobbyist for help doing so is considered constitutionally protected.

Legal thought in the 19th century, Teachout notes, had no problem with individuals hiring a lawyer to write reports and present them to congressional committees. But it viewed hiring lobbyists to argue someone else’s views (especially in contexts outside of formal government settings), and to use their personal influence on someone else’s behalf, as a betrayal of civic virtue.

As one judge wrote, a lobbyist is “induced to use his influence for the money he is to obtain; when, as a patriot and a citizen, he should only act for the good of his country.”

Everyone has the right to petition the government. But it was seen like the right to vote—something that could not be sold.

Lobbying still happened, and it was never wholesale banned. But for 100 years, it was commonly seen as corrupt and illegitimate, and the courts refused to sanction it.

**So What Changed?**

The First Amendment—and the perceived right to lobby—is not the only Constitutional Amendment whose meaning has changed dramatically over time. Although it seems like established canon today that the Second Amendment guarantees the right to own
a gun, this idea is a recent development. As recently as 1990, the conservative former Chief Justice Warren Burger denounced the idea that the Second Amendment offers an “unfettered individual right to a gun” as a “fraud on the American public.” Describing the Second Amendment as a “gun control amendment,” New Yorker writer Adam Gopnik writes that legal thought had long focused on the phrase “well regulated” in “a well regulated Militia.” Journalists and historians chronicling the recent change in the interpretation of the Second Amendment seem to agree on the story: The National Rifle Association and like-minded allies funded and cultivated a revisionist movement in legal thought that found its triumphant expression in 2008, when Justice Scalia struck down Washington D.C.’s ban on handguns.

This was the first articulation of this logic; previously, as Justice John Paul Stevens wrote, the amendment was always understood as allowing the regulation of the private use of firearms—as long as it didn’t interfere with the upkeep of a regulated militia.

According to Teachout, our understanding of lobbying and the First Amendment underwent a similar, if longer and less consciously orchestrated, revisionary process. One of the first blows came in 1890, when Massachusetts passed a law requiring that lobbyists register with the government. Several states followed, which gave the sense that lobbyists were accepted professionals, rather than rogues improperly selling their personal influence. A second development was the court’s increasing inclination to honor and protect all contracts. In the past, courts had given more consideration to whether the contracts served public interests, which was the justification for refusing to enforce lobbying contracts.

The idea that lobbying was a legitimate enterprise and protected by the First Amendment slowly gained a legal foundation. Yet it’s striking that as late as 1941, the Supreme Court debated and ruled on a case involving lobbying without invoking the First Amendment and free speech.

Although the court’s denouncements of lobbying matched the public’s disdain in the 18th century, with some legislatures even banning the practice, it’s not like that period was a lost golden age.

Even as judges condemned lobbying with fire and brimstone rhetoric, the term ‘lobbying’ gained prominence in the early 1800s as railroad companies sought contracts and land from legislators. But lobbyists often did not need to ingratiate and subtly influence; they simply bribed outright. The letters of the railroad baron Leland Stanford, who later served as governor and senator of California, are full of embarrassingly frank details about bribes, kickbacks, and monopolies. During the golden age of vote buying in New York, Tammany Hall politician George W. Plunkitt famously explained the difference between “honest and dishonest graft.” In 1877, when the Georgia legislature banned lobbying, they did so after it came to light that lawmakers had sold 35 million acres of land to a business conglomerate for a scandalously low price. All but one of the lawmakers had been given shares in the business venture.

When Georgians discovered the scale of the corrupt land sale, they literally set fire to the documents used by the government to grant the land in a giant bonfire presided over by the Speaker of the House and President of the Senate. It was like they were ceremoniously burning the possessions of a boyfriend or girlfriend who had scorned them. It’s hard to say whether America has become more or less corrupt since then. Researchers who study the topic note that most hard data comes from subjective surveys, which are recently initiated and simply ask people about their perceptions of corruption. America does fairly well in these surveys, ranking 16th in the world as of 2015. But explicit bribery still exists: Between 1990 and 2002, 10,000 officials were convicted for corrupt acts.

The corruption that dominates headlines today, however, is mostly the legal kind: Bank regulators who act feckless so they can move onto plush banking jobs; Super Pacs that receive millions of dollars from companies that want access and influence; and lobbyists who take out lawmakers for expensive lunches.

The result is the cynical political culture that 19th century judges worried about when they refused to sanction even lobbying that seemed above board. Nearly half of all members of Congress now take lobbying jobs when they leave office. Congressmen have written that serving on a congressional committee is now “mainly valuable as part of the
interview process for a far more lucrative job as a K Street lobbyist” and that it has “become routine to see members of Congress drop their seat in Congress like a hot rock when a particularly lush vacancy opens up.”

Since 2014, as journalist Ezra Klein points out, businesses have spent more money lobbying Congress than taxpayers have spent funding

We have traded an era in which bribery was widespread but provoked outrage and consequences when it was discovered for an age in which corruption is condemned but seen as inevitable, legal, and even constitutional.

**Answer to Question #13**

1787
Early disclaimers and admonitions:

- At 84 years of age, I admit to being in a nostalgic and reflective thought process. Based on experiences acquired during the above mentioned age, I emphasize that there is a BIG DIFFERENCE between a suggestion and a decision.

- I believe that it is best for a person to make their own assessment of information and then accept, reject or amend it as they opt to do.

- It is helpful to understand the original and definitive meaning of the first three words of our Constitution. (Reading or re-reading of the “Federalist Papers” also, will be instructive).

- I AM AN AMERICAN. (I do not need any adjectives to qualify the preceding statement).

OK, let’s start.

The people who are solely and completely responsible for the acts and actions of our government are the citizens of legal age of the United States of America....that would be “WE THE PEOPLE”.

Nothing complicated here: Elected and appointed governmental positions ALL work for We The People. They DO NOT work for a political party or the myriad and pervasive “Special Interest” groups.

The above being the case, how, in the current reality, are things going? If WTP have concerns about the State of the Union at the local, state and/or national levels, it would be good if WTP did some serious analysis of what’s going on.

This is where the significance of the differential between a suggestion and a decision comes into play. The best personal characteristic that WTP possess to help us here is objective judgement......aka common sense and logic.

Admission: The preceding is easy to say and write. How to go about it is going to require some serious consideration. Thus, the purpose of some of WTP who have met to address questions raised about our political and governmental status.

During the past few years, several former elected and appointed governmental officials, as well as others who are interested, have committed to work together on a non-partisan, non-policy program that will address the issues relative to our various forms of government. This project will take a comprehensive participation in order to identify and prioritize an action plan that will be in the best interest of “WTP”.

We are developing a program that will help candidates know what would be expected of them as an office holder. It is a program that specifically lets candidates for school board or city council, for example, know the ins and outs of what holding that position entails. It will provide the candidates who decide to go through the program with a “Seal of Approval” so to speak, thereby also letting voters know who’s gone through the program and who hasn’t gone through.

The organization is appropriately called “WE THE PEOPLE FOR THE COMMON GOOD”. Those of us who are working on this noble adventure respectfully solicit input from anyone who is interested in helping. A web site will be established for input and questions in the near future. In the meantime, I can be contacted at bapple@cableone.net and 580-255-6699.

I have long been inspired by the wisdom expressed in this adage: “An ounce of application is worth more than a ton of abstraction”.

And this one with ten two letter words: “IF IT IS TO BE, IT IS UP TO ME”

With mutual respect for all,  
Ed Apple  
Duncan, OK
Notes

This is a resource document for you to use. Take notes, highlight, use as a textbook.
Notes

This is a resource document for you to use. Take notes, highlight, use as a textbook.
I never guess. It is a capital mistake to theorize before one has data. Insensibly one begins to twist facts to suit theories, instead of theories to suit facts.
Sir Arthur Conan Doyle

**In God we trust, all others must bring data.**
W. Edwards Deming

*He uses statistics as a drunken man uses lamp posts – for support rather than for illumination.*
Andrew Lang

Not everything that can be counted counts, and not everything that counts can be counted.
Albert Einstein

**Facts do not cease to exist because they are ignored.**
Aldous Huxley

*If you torture the data long enough, it will confess.*
Ronald Coase

Statistics are like bikinis. What they reveal is suggestive, but what they conceal is vital.
Aaron Levenstein

Data are just summaries of thousands of stories – tell a few of those stories to help make the data meaningful.
Chip & Dan Heath
Section IV
Data
Helpful Websites

- Oklahoma State Election Board
- Projectvote.org
- Usvotefoundation.org
- Nonprofitvote.org
- Democracyfoundationcenter.org
- Fairvote.org
- Heritage.org
- Brennancenter.org

- Brookings.edu
- Rockthevote.com
- Aceproject.org
- Aapd.com
- Lulac.org
- Southerncoalition.org
- Census.gov

Additional Articles on our E-Library


Repairing Oklahoma’s Broken Democracy, David Blatt, December 2014.


Social Studies, Oklahoma State Department of Education.

The Effect of State Legislative Term Limits on Voter Turnout, Kimberly Nalder, May 2013.

Political Polarization & Media Habits, Pew Research Center, October 21, 2014.


The Truth About Voter Fraud, Justin Levitt, The Brennan Center for Justice, November 9, 2007

Oklahoma Ethics Commission.

History of the State Election Board, Rusty Clark, Secretary of the Cherokee County Election Board.


NOTE: In lieu consuming more pages in this document for historical data, we have shared three websites that have election and voter data for Oklahoma and, in the case of the Census Bureau, all fifty states. We have highlighted the key tabs at each of the websites that might prove useful and informative to our discussions at the Town Hall.

Oklahoma State Election Board: www.ok.gov.

ELECTION RESULTS
Primary, General, and Special
Federal, State, and Legislative; Judicial Races; County Results
1994 – 2017

VOTER INFO
Voter Registration Statistics by County and District
Absentee Voting, Online Voter Tool, Early Voting, etc.

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Oklahoma Registration by Party
# 2016’s Most and Least Politically Engaged States

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<table>
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<th>Overall Rank</th>
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WalletHub: [www.wallethub.com](http://www.wallethub.com); Tools, Articles and Studies
## VOTING & REGISTRATION

### Election Profiles by state

#### Redistricting Data

Voting and Registration in the election of November 2016 (and 2014)

Voting and Registration tables, dataset, and tools

Voting and Registration publications, visualizations, and papers

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*This figure added to or subtracted from the estimate provides the 90-percent confidence interval.

Among minority groups, black Americans showed the sharpest decline in voter turnout—7.1 percent since 2012. At 59.6 percent, it was the lowest black turnout rate since 2000. This is notable because 2012 was the first year since records were kept that black turnout eclipsed white turnout nationally. The 2016 black turnout rate lies nearly six points behind that of the white turnout rate.

Hispanics and Asians shifted in different directions, though the turnout for both stayed below 50 percent. While many expected a strong Hispanic turnout...
surge in a Trump-Clinton match-up, Hispanics registered a modest 0.4 percent decline. Of the major minority groups, only Asians increased their voter turnout, though only by less than two percent. Overall, it was the decline in black turnout that weighed down the minority voter turnout rate.

One final note on white Americans: Much has been made of the strong impact that white men without college degrees made in the election of Donald Trump. While it is true that those who voted, among this group, gave Trump a substantial Republican-Democratic voter margin, the turnout of these voters had not increased dramatically, jumping from 54.8 percent in 2012 to just 55.8 percent in 2016 (download Table 1). The turnout for these men was markedly lower than it was in 2004, when George W. Bush beat John Kerry. It was also four points below that of white women without college degrees, and more than 20 points lower than white men or women with a college degree.

**Voters Became Only Slightly Less White**

Another way the November 2016 election differed from its immediate predecessors was in the modest magnitude of change in the racial profiles of voters. It is certainly the case that the eligible voter population has become more racially diverse over the past four elections. The white share of eligible voters declined at about two percent per four-year period—from 75.2 percent white in 2004 to 68.9 percent white in 2016. During this time each of the major minority groups increased their shares, especially Hispanics as younger members of these groups became aged 18 and eligible to vote.

The profile of voters tend to be “whiter” than that of eligible voters because, as shown above, eligible white American voters turnout to vote at a higher rate than the combined minority population. Even so, the share of white American voters declined by more than two percent for each of the periods between 2004 and 2012, due to rising turnout rates among minorities.

A notable detail about the 2016 election is the very slight decline in the white share of voters since 2012—from 73.7 percent to just 73.3 percent. This can be attributed to the declining voter turnout of minorities, especially black Americans. For the first time in more than a decade, the black share of voters declined, compared to the previous election—from 12.9 percent in 2012 to only 11.9 percent in 2016.
This occurred despite a small rise in eligible black American voters. Thus, the 2016 election reversed a pattern which favored the Democratic candidate in 2008 and 2012. In both of those elections, black Americans registered higher voter turnout, comprised higher shares of voters and greater voting margins for the Democratic candidate than in previous elections. In 2016, all three measures of black voting support moved in the opposite direction.

**KEY SWING STATES**

Even though there was a downturn in black Democratic support in 2016, Hillary Clinton still won the popular vote with the help of all minority groups. It was the Electoral College that elected Donald Trump—who squeezed out close votes in six states: four in the industrial North (Michigan, Ohio, Pennsylvania and Wisconsin) and two in the fast-growing South (North Carolina and Florida).

Although Trump’s win in each of these states can be chalked up to the vote advantages he received among white Americans who showed up on Election Day, this was amplified by the improved turnout of white Americans compared with black Americans. As shown in Figure 2, there was an increase in the white-black turnout advantage in each of these six states.

In Ohio, Pennsylvania, North Carolina and especially Wisconsin, a 2012 black turnout advantage either reversed or was eliminated in 2016 due to declines in black turnout and, in most cases, a rise in the turnout of white Americans. In Michigan and Florida, the 2012 white turnout advantage increased. In Florida, Hispanic as well as black turnout declined markedly as white turnout rose. In fact, each of these states except Pennsylvania (where Hispanic and Asian turnout rose), registered declines in their overall minority voter turnout in 2016 compared with the previous election—a pattern which occurred in 33 states.

These new Census numbers show that the strong minority and black voter turnout that made a difference in electing Barack Obama in both previous elections diminished in 2016. It remains to be determined whether Obama’s performance was unique and attributable to an extraordinary surge in enthusiasm for the first African American major party nominee or whether a variety of factors, including voter suppression, helped to tamp down minority turnout in 2016. Nonetheless, Obama’s experience coupled with demographic projections make plain that racial minorities can be consequential voting blocs in the future, especially if their members can be energized nationally and in key swing states.
Notes

This is a resource document for you to use.
Take notes, highlight, use as a textbook.
Notes

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Town Hall Chair: Cliff Hudson, SONIC, America’s Drive-In

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Town Hall CoChairs: John Feaver, University of Science and Arts of Oklahoma, Howard Barnett, TSF Capital; and Larry Nichols, Devon Energy Corp.

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Town Hall Chair: William R. McKamey, AEP Public Service Company of Oklahoma

2005 - Drugs: Legal and Illegal
Town Hall Chair: Howard G. Barnett, Jr., TSF Capital LLC

2006 - Oklahoma’s Second Century
Town Hall CoChairs: Larry Rice, Tulsa University and John Feaver, University of Science and Arts of Oklahoma

2007 - Building Alliances: Tribal Governments, State & Local Governments
& the Private Sector Town Hall Chair: Douglas Branch, Phillips McFall

2008 - Oklahoma’s Criminal Justice System: Can We Be Just as Tough but Twice as Smart
Town Hall Chair: Steve Turnbo, Schnake Turnbo Frank PR

2009 - Oklahoma’s Education and Workforce
Town Hall Chair: Howard Barnett, OSU-Tulsa

2010 May - Oklahoma Water ~ A Special Town Hall on Oklahoma’s 50 Year Water Plan
Town Hall Chair: John Feaver, University of Science and Arts of Oklahoma

2010 - Nov—muni.ok.gov ~ Addressing Municipal Governance
Town Hall Chair: Tom McKeon, Tulsa Community College

2011 - Developing Oklahoma’s Economy
Town Hall Chair: Susan Winchester, The Winchester Group

2012 - It’s 2032 – Where in the World Is Oklahoma?
Town Hall Chair: Steve Kreidler, University of Central Oklahoma

2013 - Moving Oklahoma: Improving our Transportation Infrastructure
Town Hall Chair: Darryl Schmidt, Executive Vice President and Chief Credit Officer of BANCFirst

2014 - We Can Do Better: Improving the Health of the Oklahoma People
Town Hall CoChairs: Kay Goebel, PhD, Psychologist, Gerry Clancy, MD, President, OU-Tulsa, and Steve Prescott, MD, President of the Oklahoma Medical Research Foundation

2015 - Oklahoma Priorities: The Government & Taxes We Want
Town Hall CoChairs: Howard Barnett Jr., President OSU-Tulsa, and Dan Boren, Vice President of Corporate Development for the Chickasaw Nation Department of Commerce

2017 - Oklahoma Votes: Improving the Election Process, Voter Access, & Informed Voter Engagement
Town Hall CoChairs: Dan Boren, President, Corporate Development, the Chickasaw Nation Department of Commerce, and John Harper, Vice President of External Affairs, Public Service Company of Oklahoma

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