

Automatic Voter Registration in Tennessee

A Policy and Advocacy Action Plan

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Abstract

## Topic of Focus

### Policy Description

Americans are proud of our democracy, and voting is the bedrock of democracy. The very act of casting a vote and electing our leaders helps to set policy for our nation. However millions of eligible citizens in our country are blocked from the voting polls, and this is often due to our outdated and mistake-prone voter registration system (Brennan Center for Justice, 2019). This impacts residents who are considered low income, racial minorities, and young people the most (Lowes, 2018). Among developed democratic countries in the world, the United States, the country that birthed democracy, placed 26<sup>th</sup> out of 32 in actual voter turnout because we make it more difficult for people to register to vote (Desilver, 2018). A Harvard review reported that only about 55% of the voting-age population in the U.S. cast a ballot in the 2016 election, compared to 87% in Belgium and 83% in Sweden and that the way the U.S. administers the voting process helps to propel this trend (Auslen, 2018).

Since 2015, the United States has been on the verge of a new paradigm for registering voters when Oregon became the first state to implement automatic voter registration (AVR). Over the past four years, fifteen additional states plus the District of Columbia have passed amendments to their state voting laws to adopt automatic voter registration (Brennan Center for Justice, 2019). In 2019, H.B. 0553 was introduced to the Tennessee General Assembly to implement automatic voter registration in Tennessee (H.B. 0553). The National Voter Registration Act (NVRA) was passed in 1993 to create a new way to register to vote in the United States, and it became effective in Tennessee on January 1, 1995 (NCSL, 2019). The NVRA of 1993 required states to give citizens an opportunity to register to vote at the Department of Motor Vehicles (DMV) when applying for a driver's license or when renewing or making changes to an existing driver's license. However, the potential positive effects of the NVRA have been limited because when a qualified state resident has an interaction at a DMV, they have to choose to "opt

in” in order to register to vote because the default is set to automatically “opt out”. This has resulted in an unintended consequence of fewer people registering to vote (Brennan Center for Justice, 2019).

Currently to be eligible to vote in the state of Tennessee, a person must be at least 18 years old, a citizen of the United States, and a resident of Tennessee (Tennessee Secretary of State, 2019). Because of the NVRA of 1993, one can register to vote during a transaction at several state agencies, including DMVs (Tennessee Secretary of State, 2019). In 2016 the Tennessee Online Voter Registration law was enacted, and it offered a way for voters to register or change their address online (Tennessee Secretary of State, 2019). This made it easier for people who have access to a computer.

The goal of H.B. 0553 is to require the Department of Safety in Tennessee to make a change and set the default to “opt in” for voter registration when qualified residents have an interaction at the DMV (H.B. 0553). Additionally, a box will be on the driver’s license application that someone can check if they are under the age of 18 and desire to automatically be registered to vote upon turning 18 years old. If someone chooses not to register to vote in the state of Tennessee, they must intentionally “opt out” when getting or renewing their driver’s license (H.B. 0553). The proposed automatic registration bill, H.B. 0553, will impact residents of Tennessee by making it easier for them to register, especially younger residents who get their driver’s license when they turn 16 years old, as they will automatically be registered to vote on their 18<sup>th</sup> birthday. Residents who relocate within the state of Tennessee will also be impacted by H.B. 0553 by having their voter registration automatically updated when they change their address at the DMV.

An unintended consequence of AVR happened in California when they implemented their system in 2016. Their system was plagued with technical glitches and errors when it was first rolled out, but they have since been corrected the issues (Fessler, 2019). If Tennessee does

not have safeguards in place with their technical processes, they could potentially have similar issues. Another potential unintended consequence could be confusion among state residents about the voter registration process if the implementation is not adequately communicated to the general public.

State Senator Raumesh Akbari (D-Memphis) introduced the bill for H.B. 0553/ S.B. 0822 on February 7, 2019, and it was subsequently assigned to the General Subcommittee of Senate State and Local Government Committee on March 19, 2019. Rep. Bill Beck (D- Nashville) is a supporter of automatic voter registration, and advocate organizations in the state include the League of Women Voters of Tennessee and the Tennessee Voter Revivalist Alliance (Flessner, 2019, League of Women Voters, 2017). The issue is generally opposed by the Republican-controlled state legislature (Flessner, 2019).

### **Policy Context**

This project will focus on advocating for the passage of H.B. 0553 in the state of Tennessee to change the current state policy, which conformed the state's voter registration procedures of the NVRA, to an automatic system that will include more state residents on the voter rolls. This will create a new policy to implement automatic voter registration in Tennessee in order to streamline the process and include those disenfranchised citizens in the decisions of the state. Too often registration can be a significant obstacle to voting, but this project seeks to propose a better way to ensure that all eligible voters have a say in our democracy.

### **Importance**

According to 2018 data from the U.S. Census Bureau, only 63.5% of eligible Tennesseans are registered to vote, ranking the state 45<sup>th</sup> in the nation (U.S. Census Bureau, 2018). Furthermore, of those who are registered to vote, only 51% actually turned out to vote in the 2016 elections, which ranks Tennessee 49<sup>th</sup> out of the 50 states in voter turnout (Elections Performance Index, 2018). Therefore, it is important to address the issue of voter registration, as

it is the beginning point of voting and participating in the process of democracy. The goal of H.B. 0553 is to increase voter registration in Tennessee by making it easier for people to register, and thus increase voter turnout and participation.

### **Theoretical Framework**

Jansson's Six-Step Policy Analysis Framework is an appropriate model to apply to this issue. This framework first begins with analyzing the issue, and then secondly asking what relevant policy could be used as a strategy to address it. The third step asks what are the relevant advantages of the alternative policies. From this analysis a specific policy proposal emerges as the fourth step of the framework. For this particular policy project on voting, the specific framework is automatic voter registration. Next Jansson recommends a strategy to solicit supporters for the policy proposal. The AVR in Tennessee campaign plans to attract supporters across the state and collaborate with them. Finally a sixth step of Jansson's framework focuses on the key factors that need to be communicated about the substance of the proposal. This specific project plans to have a strategy of communicating the benefits of AVR.

### **Researching the Issue and Literature Review**

#### **Nature of the Current Policy**

As it presently stands, automatic voter registration has not been passed or implemented in Tennessee. Eligible state residents can register to vote in person at County Election Commission offices, County Clerk's offices, Register of Deeds offices, or public libraries (Tennessee Secretary of State, 2019). In addition they can register when they have an interaction at the Department of Motor Vehicles and other state agencies such as the Department of Health, Department of Human Services, Department of Intellectual and Developmental Disabilities, Department of Mental Health, and the Department of Veteran Affairs (Tennessee Secretary of State, 2019). Since 2016 Tennessee residents can register online. However, voter registration is cut off at 30 days before an election day, and anyone who tries to register to vote within 30 days

of an election is denied (Tennessee Secretary of State, 2019). Nearly 40% of Tennesseans who are eligible to vote are unregistered (U.S. Census Bureau, 2018). When a state resident moves under the current registration policy, their voter registration is not updated when they change the address on their state driver's license. Voters are purged from the state voter rolls by their own request, by death, by failing to change their name within 90 days (except for in cases or marriage, by committing a felonious crime, and by failing to respond to a confirmation notice (Tennessee Secretary of State, 2019).

### **Contextual Factors**

The issue of voting has a long history of barriers and controversy in the United States, a country that gave birth to democracy. After the founding of the United States in 1776, only white men over age 21 who were property owners were allowed to vote (Gruber, Hardy, & Kresky, 2019). In fact only 6% of the residents of the new country were eligible to vote when George Washington was elected to be the first U.S. president in 1789 (Huskerson, 2014). The first voter registration law was passed in 1800 in Massachusetts, and while some New England states quickly followed suit, most states did not implement voter registration until after 1860 (Rothman, 2019). By the mid 1800s most white men could vote regardless of property ownership, but some states required literacy testing, poll taxes, and religious tests in order to intentionally deny legal immigrants and Native Americans the right to vote (Huskerson, 2014). Voter registration was actually instituted to ensure that non-citizens could not vote, and consequently many poor citizens were disenfranchised (Huskerson, 2014). Even though the 15<sup>th</sup> Amendment to the Constitution gave African American men the right to vote in 1870 following the Civil War, many were not able to exercise this right of citizenship for many years due to barriers such as literacy tests that made it more difficult for them (usa.gov, 2019). Southern states, in particular, like Tennessee, were known for creating obstacles for African Americans to vote, such as being subjected to arbitrary exams by white election officials who judged their understanding of the issues



(Huskerson, 2014). It was not until 1964 that poll taxes, which had been used in some Southern states to keep African Americans from voting, were eliminated by the passage of the 24<sup>th</sup> Amendment during the Civil Rights Movement. Women did not receive the right to vote until 1920 when the 19<sup>th</sup> Amendment was ratified due to the Women's Suffrage Movement (usa.gov, 2019). The Voting Rights Act of 1965 (VRA), in the wake of the beatings and murders of several African Americans and the attention it garnered, prohibited the discrimination of any voter based on race, color, or membership in a language minority group. The purpose of the VRA was to prevent widespread state-sponsored discrimination in voting by requiring discriminating states to send changes in their state election laws or practices to the federal government to be reviewed before new laws can take effect (Udall, 2014). Southern states opposed the VRA and initially ignored the law until minority groups used the legal system to challenge restrictions (Brennan Center for Justice, 2018).

The National Voter Registration Act (NVRA) of 1993, also known as the Motor Voter Act, was passed to make it easier for Americans to vote at a state Department of Motor Vehicles. The NVRA was originally vetoed by President George H.W. Bush, but his Democratic successor, President Bill Clinton, signed it (Highton & Wolfinger, 1998). All of the state governors who originally refused to implement the NVRA were Republicans, and it took a court order for them to finally follow the law (Highton & Wolfinger, 1998). An article in the *Michigan Law Review* reports that the NVRA of 1993 was a compromise between Democrats who advocated for more convenience in registering to vote and Republicans who wanted to prevent potential voter fraud (Weinstein-Tull, 2016). Tennessee implemented the NVRA on January 1, 1995, but the U.S. government filed a complaint on September 27, 2002 accusing the state of violating the Act by failing to implement voter registration opportunities in state public assistance offices and by failing to ensure that driver's license applications also serve as voter registration applications (United States Department of Justice, 2019). In *United States v. State of Tennessee*, Tennessee

was eventually forced in 2002 to establish and implement uniform procedures pertaining to voter registration applications and to develop annual mandatory NVRA training programs for state workers whose responsibilities included voter registration (United States Department of Justice, 2019).

In 2013 the Supreme Court of the United States ruled in favor of *Shelby County v Holder* and struck down a major part of the Voting Rights Act of 1965, claiming that the patterns of voter discrimination no longer exist in the country that previously justified the 1965 law (Vandewalker & Bentele, 2015; Hauer, 2014). The Supreme Court's 2013 ruling resulted in new laws, mainly in Southern states, that restrict the right to vote (Brennan Center for Justice, 2018). These new restrictions include narrower voter photo identification requirements, curtailing early voting, eliminating same day voter registration, and ending voter registration drives in some states.

This historical context of movements for voting rights, including the including the initial step of voter registration, led to the state of Oregon becoming the first state to adopt automatic voter registration in 2015 (H.B. 2177, 2015). The process works when anyone has an interaction with a DMV, their computer system automatically verifies to see if the person is old enough to vote, is a U.S. citizen, is a resident of the state, and if they are already registered (Griffin & Gronke, 2017). At DMVs in Oregon, information on anyone who is not already registered to vote but is eligible is sent automatically to their state elections division, cutting down on the costs of paperwork and errors (Cascino, 2018). Most states' DMVs are already linked to their state voter registration databases due to the NVRA of 1993, so the necessary information can easily be transferred through scheduled uploads to the voter registration database (NCSL, 2019). Fifteen states and the District of Columbia have not followed Oregon with similar AVR bills of their own, as momentum continues to grow in the U.S. for a streamlined registration system that automatically registers more voters.

### **Policy Impact**

The impact on voter registration in Tennessee since the state's implementation of the NVRA in 1994 was an initial decrease from 71.82% in 1992 before the NVRA to 68.82% in 1994 after its implementation according to data from the Federal Election Commission (n.d.), possibly due to cleaning up voter rolls by the new rules on purging. However by the 1996 election it had increased to 76.76%. Twenty years later though the number had dropped to 63.5% in 2016, ranking Tennessee 45<sup>th</sup> in the nation in voter registration and 49<sup>th</sup> in voter turnout (Census Bureau, 2018). The first step in the voting process is to register to vote, which then affects voter turnout. Low voter turnout has been found by wide margins to have the effect of skewing federal and state politics and the resulting policymaking toward the preferences of those groups who are most likely to vote: Caucasians, older citizens, the wealthy, and those who have more education (Gruber, 2019). Under Section 7 of the NVRA, in addition to the DMVs, state offices that provide public assistance or operate a state-funded program that helps people with disabilities have to provide an opportunity for citizens to register to vote (NCSL, 2019). Having this process automated would increase voter registration in Tennessee by automatically registering those who have an interaction with these state agencies that often serve minority populations.

Oregon's AVR program, the first in the country, added 390,000 new voters in the first 18 months, and over half of them were under the age of forty (Fessler, 2019). Oregon also saw a 4.1% increase in voter turnout from 2012 to 2016, which was the highest rate in the country, and AVR helped propel the state from the bottom of state rankings for the number of people of color registered to vote to the second highest in the country (Oprysko, 2019). Vermont implemented AVR in 2017 and increased their registration rolls by 62%, and Georgia saw a whopping 94% increase in the same year (Brennan Center for Justice, 2019). States that have already amended their NVRA laws to enact automatic voter registration have found that compared to citizens who were already registered, the new automatic registrants were from populations that had lower

incomes and levels of education, were significantly younger, more racially diverse, and lived in areas with lower population densities (Griffin & Gronke, 2017).

The NVRA also provided for states to purge their voter rolls on a regular basis. One Southern state had over 100,000 voter show up at the polls for the 2016 presidential election who were told that they could not vote because they had been purged from the voter registration rolls (Wise, 2018). A Pew Center study in 2012, prior to Oregon becoming the first state to enact automatic voter registration, found that about 24 million voter registrations in the U.S. were no longer valid or accurate, and it underscored that the voter registration system in the U.S. is disorganized and underfunded (Gaughan, 2019). A recent study found that Latinos, African Americans, and low-income citizens were more likely to be purged from voter rolls (Parker, et., 2018). Automatic voter registration has resulted in cleaner voter registration rolls because it updates existing voter registrations with current addresses and names (NCSL, 2019).

### **Future Direction**

This year the Republican-dominated Tennessee General Assembly overwhelmingly passed in both the House and the Senate a new bill that will fine voter registration groups up to \$10,000 per county, along with possible jail time, for violations such as missing deadlines to send in forms, enrolling more than 100 voters without undergoing new state training, and submitting more than 500 faulty forms (H.B. 1079). Secretary of State Tre Hargett and Tennessee Elections Coordinator Mark Goins insist that the new voter registration restrictions are necessary because of problems in November of 2018 when the Tennessee Black Voter Project turned in several incomplete paper forms (Sher, 2019). Seven voter registration groups in Tennessee sued the state to stop the new bill, including the League of Women Voters of Tennessee, the American Muslim Advisory Council, the Mid-South Peace and Justice Center, Head Count, and Rock the Vote (Associated Press, 2019). The new bill was set to go into effect on October 1, 2019, but was blocked by a federal judge on September 12, 2019, who concluded that “there is no basis in the

record for concluding that the Act will provide much benefit to Tennesseans, and even less reason to think that any benefit will come close to outweighing the harm to Tennesseans (and non-Tennesseans) who merely wish to exercise their core constitutional rights of participating in the political process by encouraging voter registration” (Sher, 2019). If left in place, the law would likely lead to fewer voter registration drives in minority neighborhoods, and thus a lower voter turnout in minority precincts. If the automatic voter registration bill (H.B. 0553) were to be enacted in the future, there would not be a need for the Republican Party’s H.B. 1079.

Elections in general are changing in the U.S. with more people voting before Election Day (Auslen, 2018). The old way to vote by waiting in line on a Tuesday at a school or church near your home is changing and with improvements in technology, so are the methods of registering to vote (Auslen, 2018). As the old method of registration changes from paper-based forms to digital automatic voter registration, the growing trend of AVR will be scrutinized in the future.

Every state that has switched to automatic voter registration has seen increases in their voter rolls, regardless of their size or political makeup (Brennan Center for Justice, 2019; Fessler, 2019). During the 2019 legislative cycle, 39 states introduced legislation to either implement or expand existing automatic registration (Brennan Center for Justice, 2019). There are research gaps in how AVR affects voter turnout due to the fact that the automatic system is still so new. Opponents argue that adding more people to voter rolls does not necessarily translate to higher voter turnout (NCSL, 2019). With Oregon being the first state to implement AVR, they are the only state to examine voter turnout during the 2016 presidential election. Statistics show that the voter turnout in Oregon increased by 4.1% from the 2012 to the 2016 election (Oregon Secretary of State, 2019). This was one of the biggest four-year increases in voter turnout of eligible voters of any state in 2016 and is an encouraging number as AVR continues to expand to other states (U.S. Elections Project, n.d.). More data on voter turnout will be available in the future.

Another possibility in the future is that states will continue to press ahead with voting reforms and move beyond the DMV to include every government agency that deals with the general public, making it even easier for eligible citizens to be automatically registered to vote (Brennan Center for Justice, 2019). This would be an important step in the future because not all eligible voters interact with the DMV, particularly people with low income and people of color. In 2002 the Help America Vote Act was passed and required states to adopt computerized voter rolls, upgrade their voting machines, and it provided federal funds to help them do it. A similar federal AVR bill could be passed in the future to institute AVR nationwide (Brennan Center for Justice, 2019).

### **Presentation of the Brand and Support Mapping**

#### **The Brand**

The brand name iVote: Verified Volunteer Voting in Tennessee will be used in the policy campaign. The name “iVote” is short and easy to remember. It implies and draws attention to the electronic nature of automatic voter registration (AVR), and it has a positive, forward-moving framework of taking action. The subtitle of “Verified Volunteer Voting in Tennessee” is an alliterative way of emphasizing aspects of AVR that counter some of the arguments against it. The word “verified” assures people that this way of registering voters has safeguards and addresses unfounded suggestions of voter fraud in the U.S. “Volunteer” counters any accusations from opponents that AVR somehow forces people to vote and violates their First Amendment rights, while also paying tribute to Tennessee’s nickname of being the “Volunteer State”. Using the name of the state in the subtitle also draws attention to the fact that this is a state campaign in Tennessee.

#### **Opinions Across the State**

Some groups in the state will support iVote, others will oppose it, and some will be in the middle (see Appendix A). Democrats nationwide tend to advocate for automatic voter

registration, and it is expected that Democratic leaders in Tennessee will get behind the issue. Several groups have already support the idea of AVR, including the League of Women Voters of Tennessee, the NAACP of Tennessee, the Tennessee Voter Revivalist Alliance, the American Muslim Advisory Council, the Tennessee Black Voter Project, Rock the Vote, and Spread the Vote (Sher, 2019; Flessner, 2019). In addition younger people who may prefer automated systems could be counted on for support, as well as people who desire a more mobile system that makes it easier to re-register to vote when moving to a new address.

There is already some strong opposition in the state. Generally Republicans have opposed AVR, particularly Tea Party Republicans who have said that an automatic process of “opting in” violates citizens’ First Amendments rights of free speech and allows the government to tell citizens what to do (NCSL, 2019). Members of the National Rifle Association, who overwhelmingly vote Republican, will also probably oppose H.B. 0533, as well as people who believe that voter fraud is a problem in the state.

Some minority groups, such as the Urban League from the business sector, have not yet endorsed AVR and may be in the middle. Also young adult college student groups like the Tennessee College Republicans and the Tennessee Young Republicans Federation may be neutral and open to the idea. Independents and moderates are predicted to be middle of the road on the issue and will need to be persuaded too. Those who are concerned about government waste and the inefficiencies associated with the current voter registration system are considered to be in the middle, as well as older citizens who are accustomed to the current system and not interested in change but do not have strong feelings against AVR either.

### **Persuasive Arguments for Support**

Several arguments will be used to persuade potential supporters who are indecisive or in the middle to join and support AVR in Tennessee. First, the fact that the state ranks 49<sup>th</sup> in the nation in voter participation according to the Elections Performance Index (2018) is an

embarrassing statistic that can be used to appeal to people's sense of pride of living in the "Volunteer State". The counter statistic from the Brennan Center of Justice (2019) that AVR has demonstrated improvements in both voter registration and turnout in those states that have already implemented it will support this argument. A second argument is the cost savings to the state after implementing AVR. Money will be saved by no longer having to print multi-lingual voter registration forms and use clerical processing (Brennan Center for Justice, 2019). A third argument is the benefit of mobility of AVR. When voters relocate to a different address within the state, their voter registration will automatically update when they change their address at the DMV, resulting in cleaner voter rolls. AVR will also likely reduce already low voter fraud rates as government officials will no longer have to pour over paper forms, decipher handwriting, and manually enter voter registration information into their database (Brennan Center for Justice, 2019). This is a fourth argument to win over indecisive people, especially those who may have heard rumors of voter fraud in the state. A fifth argument aimed at those with concerns of alleged voter fraud is the study from Udani, Kimball, and Fogarty (2018) that found that voter fraud is between 0.0003% and 0.0025% in the United States. A sixth persuasive argument will be geared toward younger people in the state. Younger people who have never voted before often do not realize that they must be registered to vote prior to the 30-day cut off before elections and sometimes find themselves ineligible to vote on Election Day. Under AVR, this will not be a problem, as they will automatically be registered when they turn 18 if they have a driver's license. The simplicity of the AVR process will be a good argument for the younger generation. Finally, a seventh persuasive argument for those in the middle of the road on the issue of AVR is that the voting population will become more representative of the state's actual demographics under AVR.

### **Legislative Allies and Detractors**



Senator Raumesh Akbari (D-Memphis), who introduced H.B. 0553 in 2019, is obviously an ally and also is Rep. Bill Beck (D-Nashville) who co-sponsored another AVR bill that failed to make it to committee. Other legislators in Tennessee who are likely to be allies include Rep. Karen Camper (D-Memphis), who is the House Minority Leader, Rep. Yusuf Hakeem (D-Chattanooga), Rep. Jason Hodges (D-Clarksville), Rep. John Clemmons (D-Nashville), and Rep. London Lamar (D-Memphis). Rep. Patsy Hazelwood (R-Signal Mountain) is a moderate and may be a possible ally. Detractors to H.B. 0553 include Governor Bill Lee (R) and Secretary of State Tre Hargett, both of whom have already spoken out against AVR (Flessner, 2019). Other detractors are likely to be Lt. Gov. Randy McNally (R-Oak Ridge), Rep. Robin Smith (R-Hixson), Rep. Dan Howell (R-Cleveland), Sen. Todd Gardenhire (R-Chattanooga), and Sen. Bo Watson (R-Hixson).

### **Opposition**

With automatic voter registration being a partisan issue in Tennessee, there will be a lot of opposition in the state. Republican leaders have already spoken out against it in the press and expressed concerns about potential voter fraud (Flessner, 2019). The Republican-controlled state legislature has already passed a law in 2019 to punish voter registration groups for mistakes and added extra requirements for them (Sher, 2019). The opposition also argues that AVR somehow forces people to vote and denies them their right to free speech (NCSL, 2019).

### **Plans to Form a Coalition**

The brand name “iVote: Verified, Volunteer, Voting in Tennessee” will be used for a coalition to advocate for automatic voter registration in the state of Tennessee and help pass H.B. 0553 in the Tennessee General Assembly. Some of the logical partners for this advocacy campaign are the diverse groups that supported a previous draft of a bill for automatic voter registration in Tennessee or have been active in blocking a new 2019 state law that restricts voter registration drives in the state (Associated Press, 2019). These potential partners include the

League of Women Voters of Tennessee, Tennessee Black Voter Project, Tennessee Voter Revivalist Alliance, Headcount, Rock the Vote, the Tennessee chapter of the NAACP, the American Muslim Advisory Council, and Spread the Vote. Geographically Tennessee is a broad state with three distinct regions of east, middle, and west. These partners could fill the role of spreading the advocacy campaign throughout the entire state and also rally diverse cultures and groups that already exist in Tennessee. The organization Common Cause has successfully advocated for AVR previously in other states and is also a good potential partner. Their role could be to serve as an advisor and provide information for policy briefs and other ways to communicate the coalition's message.

In order to broaden the base of the coalition, "odd bedfellows" will be included, particularly those that can increase bipartisan support and appeal to younger demographics. Since most people are in their late teenage years when they first get a driver's license and the fact that voting in Tennessee is permissible only when a qualified citizen becomes 18 years old, it is important to partner with the younger generation who are just beginning to register and exercise their democratic right of voting. iVote will attempt to involve groups such as Tennessee College Republicans and Tennessee Young Republicans to help the campaign by widening support across the political divide and by including, energizing and educating younger voices in the process of streamlining voter registration in Tennessee.

### **Media Campaign**

#### **Campaign Goals**

The ultimate goal of the iVote Coalition is for H.B. 0553 to become a law in Tennessee so the state can convert to an automatic voter registration system. A media campaign will be launched to different target audiences throughout the state in order to accomplish the overall goal. This will begin by raising awareness of the issue and using a grassroots perspective.

For state legislatures, the goal is to educate them on the importance of AVR, its benefits of enhanced inclusivity of eligible citizens, increased accuracy of state voter rolls, and fortified security against any concerns about potential voter fraud. The media campaign also has a goal of getting sponsors to join Sen. Raumesh Akbari in the Tennessee General Assembly in influencing other lawmakers to get H.B. 0553 passed. Eventual goals for the legislature are for them to vote “yes” and to support iVote’s campaign goal of implementing AVR in Tennessee.

For potential coalition members, iVote has a media campaign goal of recruiting members to spread the word through social media and at public events about the issue of AVR and to write opinion editorials using information from iVote’s policy brief. Coalition members and collaborative partners can also provide testimony in the General Assembly of how AVR is the best option in solving the current problems with voter registration in Tennessee.

iVote also has a media campaign goal to educate and influence the general public, particularly younger eligible voters, about the issue. This goal includes urging Tennessee residents to support AVR by signing a petition, spreading the social media message across the state to thousands of Tennessee residents, writing letters to the editors of state newspapers, and contacting their legislators to show their support and urge its passage in the Tennessee General Assembly.

### **Media Avenues**

Social media will play a prominent role in iVote’s grassroots media campaign. This includes an official iVote Facebook page that will include the benefits of AVR in context with the issue in Tennessee, ways to contact state lawmakers, as well as educating people about the successes that other states have had after implementing AVR. The individual coalition members will send the iVote page to each of their Facebook connections to expand the message of the campaign to as many people as possible and to urge people to contact their representatives and

spread the Facebook page to their contacts for an increased multiplier effect. Twitter and Instagram will also be used to provide brief information about AVR and urge state residents to contact their lawmakers and spread the word.

Newspaper will also be an avenue to promote automatic voter registration in Tennessee. A press release about the formation of the iVote Coalition and its purpose and goals will be sent to the following newspapers: the *Bristol Herald Courier*, *Kingsport Times News*, *Johnson City Press*, *Knoxville News-Sentinel*, *Chattanooga Times Free Press*, Nashville's *Tennessean*, *Jackson Sun*, and the *Memphis Flyer*. In addition, press releases will be sent to the student newspapers at East Tennessee State University, University of Tennessee at Knoxville, University of Tennessee at Chattanooga, Middle Tennessee State University, Vanderbilt University, Tennessee State University, and the University of Memphis. Newspapers will also be utilized in encouraging coalition members and collaborative partners to write letters to the editors and offer opinion editorials.

### **Media Content**

A press release will be sent to newspapers in the major cities across the state, as well as select campus newspapers to introduce the formation of the coalition and advertise public meetings that will be held in Chattanooga, Nashville, and Memphis during the month of November (see Appendix C). A policy brief and fact sheet will be sent to potential collaborative partners, student government associations, and state agencies that offer public assistance for bulletin board posting.

Social media will be the main focus of the campaign, and Facebook will be an essential tool to promote iVote's message. Specific topics that will be addressed on the coalition's Facebook page include statistics in both Tennessee and in the U.S. on voter participation, the myth of voter fraud that has been perpetuated in the state and around the country and how studies

show that voter fraud is actually very minimal, and the current requirements for registering in Tennessee. The portability of AVR will also be promoted in a Facebook post to illustrate an example of another benefit of AVR in a mobile society. Updates will be shared on social media about the progress and successes of AVR in other states, as well as the current situation in Tennessee. Information will be shared on Facebook on how to contact legislators and to write letters to the editors of state newspapers. Phone scripts for social media followers to utilize when contacting lawmakers will be posted on the iVote Facebook page (see Appendix D). Finally, a petition will be circulated online to demonstrate the amount of support throughout the state from those who are demanding reform in our voter participation system (see Appendix E).

Hashtags are an important component of any social media campaign. iVote's campaign will use the following hashtags: #VerifiedVolunteerVoters, #iVote, #AVRforAll, #VolunteersforAVR, #MakeDemocracySimple, #21stCenturyVoting, and #AVRinTN. Some of the messages on Twitter and Instagram include: (1) Let's make Tennessee a state where everyone's voice is heard. A state which will support the registering of thousands of citizens. A state which demands action towards increasing democracy for all people. #AVRforAll#VerifiedVolunteerVoters, and (2) Closing the registration gap will increase opportunities for thousands of Tennesseans to register to vote. Strong democracies depend on strong citizen participation. Automatic Voter Registration will ensure every citizen has a voice in this democracy. #VolunteersforAVR #AVRforAll.

### **Implementation Steps**

- 1) The iVote Coalition will begin their media campaign by writing a press release and submitting it to the editors of state and campus newspapers by November 15, 2019 to draw attention to the issue and publicize the group's formation and recruit coalition members.

- 2) The state lawmaker who previously co-sponsored an attempted AVR proposal, State Representative Bill Beck (D- Nashville) will be contacted by letter in November to ask for his support (see Appendix F). Additionally, the officers of the State and Local Government Committee, to which H.B. 0553 was assigned, will be contacted by letter to persuade them of the benefits of AVR and the successes that other states have experienced by implementing it. These committee officers include Sen. Steve Dickerson, Chair (R-Nashville), Sen. Richard Briggs, 1<sup>st</sup> Vice Chair (R-Knoxville), and Sen. Todd Gardenhire, 2<sup>nd</sup> Vice Chair (R-Chattanooga).
- 3) Official Facebook and Instagram pages, along with a Twitter account will be created and posted by November 30, 2019, with a goal of 10,000 contacts by January 31, 2020. In addition the petition for automatic voter registration in Tennessee will be started by November 30, 2019 and shared on all social media accounts and will have a goal of 25,000 signatures by January 31, 2020.
- 4) The Tennessee General Assembly is not in session during the summer and fall. Each year they resume on the second Tuesday in January, which will be on January 14, 2020 and go until May. In mid-January, the media campaign will begin to aggressively promote on social media and encourage in letters to the editors of state newspapers that Tennessee residents contact their representatives to urge for their support in the General Assembly for H.B. 0553. The petition will be submitted by January 31, 2020.

#### **Advocacy Plan**



# Automatic Voter Registration In Tennessee

October 27, 2019  
iVote Policy Brief



## Key Facts

**The U.S. trails most developed nations in voter registration.<sup>1</sup>**

**TN ranks 45<sup>th</sup> in voter registration in the U.S.<sup>3</sup>**

**TN ranks 49<sup>th</sup> in voter turnout in the U.S.<sup>3</sup>**

**Currently in TN you must register to vote 30 days prior to elections.<sup>5</sup>**

**Since 2015, 16 states have switched to automatic voter registration with positive results.<sup>8</sup>**

**It is portable when someone relocates within TN or to another state.<sup>2</sup>**

**It saves money.<sup>2</sup>**

**It increases accuracy, as there are no more paper forms.<sup>2</sup>**

**It improves election security through a multi-step verification process.<sup>2</sup>**

**It is a voluntary process if someone chooses to opt out.<sup>2</sup>**

### Introduction

Voting is the bedrock of a democracy. The act of voting- being able to elect our leaders and set course as a nation and as individual states- defines the U.S. at home and in the eyes of the world. However the U.S. trails most developed countries in both voter registration and turnout.<sup>1</sup> As the “Volunteer State”, Tennesseans are proud of our country’s democracy but need a more modernized way to register to vote that would automatically register all eligible residents, unless they volunteer to opt out, in order to better represent *all* residents in Tennessee.

### The Problem

Our voting system is plagued with errors, which creates barriers to voting, particularly for minorities and low-income residents.<sup>2</sup> Currently 36.5% of all eligible citizens in Tennessee are not registered to vote<sup>3</sup>, ranking the state 45<sup>th</sup> in the nation in voter registration and a dismal 49<sup>th</sup> in voter turnout.<sup>4</sup> Too many Tennesseans go to vote on Election Day only to find their names are not on the voter rolls due to inaccuracies, which ends up excluding them in a society that is supposed to be based on inclusivity.<sup>7</sup> In our hypermobile society, voter registration does not move with us, even within state lines. And those not registered to vote are disproportionately representative of low-income citizens, people of color, and the younger generation.<sup>2</sup> Fortunately, there is a better way.

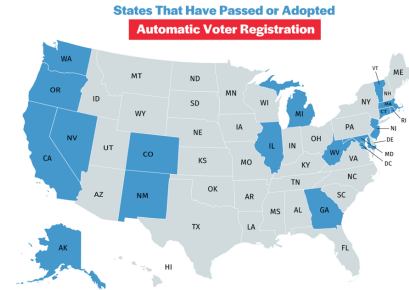
### Current Policy

Currently Tennessee is under the traditional National Voter Registration Act of 1993 where voter registration is citizen-initiated and not an automatic process that makes it easier to include everyone. Eligible residents can register to vote in person using an antiquated system of paper forms, at state agencies such as the Department of Motor Vehicles where they must intentionally opt-in to register, or they can register online.<sup>4</sup> No registrations are allowed in the state within 30 days of an election.<sup>4</sup> Paper forms can be lost or create backlogs at election offices, and the process can be prone to error and delay.<sup>2</sup> In 2019 Tennessee lawmakers passed H.B.1079 to fine voter registration groups up to \$10,000 and jail time for excessive mistakes on registration forms and to add restrictions and extra requirements to voter registration drives.<sup>6</sup> This policy largely punishes minority registration groups the most.<sup>2</sup> The current policy does not update when someone relocates, and 25% of voters incorrectly believe their registration automatically updates when they change their address on their drivers license.<sup>2</sup>


### The Solution

The U.S. is on the verge of a new paradigm for registering voters. Instead of registration acting as an obstacle, states can ensure that *all* verified citizens are registered when they interact with state agencies, such as the Department of Motor Vehicles and other state agencies that provide assistance to qualified residents. Since 2015 automatic voter registration has already been implemented in 16 states with more to pass the reform soon.<sup>2</sup> It’s time for Tennessee to bring our system into the 21<sup>st</sup> century too and ensure that all verified Tennesseans can volunteer to have a say in our democracy! H.B. 0553 has been introduced in the Tennessee General Assembly as the solution for enhanced inclusivity, increased accuracy, and fortified security.

### Success Stories From States That Have Passed Automatic Voter Registration Laws:



In just 4 short years, several states have seen substantial benefits from automatic voter registration.

- **Oregon**, the 1<sup>st</sup> state to implement, saw a 4.1% increase in voter turnout from 2012 to 2016, which was the highest increase out of all 50 states. By the 2018 midterms, voter turnout had increased from 43% to 60%. Registration rates have quadrupled, with more than half from those under age 40. It has also attracted more minorities, lower-income residents, and more non-urban people that better reflect the diversity of the state.<sup>8</sup>
- **Georgia**, a red state, saw the largest increase in voter registration when rates shot up 94% in 2017 alone.<sup>2</sup>
- **Vermont** had a 62% increase in voter registration in just the first 6 months after implementation in 2017.<sup>2</sup>
- **Rhode Island**  reported a 47% increase in voter registration in 2017.<sup>2</sup>
- **All states** that have implemented similar legislation have seen increases in voter participation.

### Recommended Policy for Tennessee

**Passing H.B. 0533 in Tennessee to implement automatic voter registration is the best option to ensure that once they turn 18, every eligible Tennessee resident can vote. This system would automatically register state residents when they have any interaction at a DMV office or other state agencies that offer public assistance. Instead of having an “opt in” system, eligible residents will automatically be registered but can actively choose to “opt out” if they desire, making it a voluntary option. Concerns over voter fraud are based on myths, according to recent studies on the issue.<sup>7</sup> However, automatic voter registration provides even increased security, as data is strictly verified on several levels before registration is complete. In the long run, it saves money as states spend less on staff time, paper processing, mailing, and other expenses.<sup>2</sup> It is a portable registration that updates as a citizen moves and changes their address with government agencies, such as the DMV or the Post Office. Automatic voter registration also makes voter rolls more accurate and current, which makes systems easier to maintain and preserve the integrity of the ballot. Fining and restricting voter registration drives, such as the bill passed in Tennessee in 2019, will not be necessary, as citizens will be automatically registered.**

### Conclusion

The current method of registering to vote in Tennessee is not working, as the state ranks near last in the nation in voter participation. Minorities and low-income residents often face barriers to staying on voter rolls, and voter registration drives are being punished by recent legislation. H.B. 0553 offers a common sense, nonpartisan opportunity to change this by implementing automatic voter registration in Tennessee. Let’s take advantage of the growing momentum for reform in the U.S. and improve Tennessee’s voter participation rates by enfranchising more people, while boosting election security, by passing H.B. 0553 in the General Assembly. The end game is to achieve full participation in our democracy. It is a verified and volunteer system that the Volunteer State needs!



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- <sup>6</sup>H.B. 1079. 111<sup>th</sup> General Assembly. Tennessee House Bill 1079. Retrieved from <https://legiscan.com/TN/bill/HB1079/2019>
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