

### *Non voting citizens:*

**Problem:** In a fully democratic country, not only should the vote of any citizen count for as much as the vote of any other citizen, but all citizens should be given the opportunity to vote. Unfortunately, according to CNN, only about 55% of eligible citizens voted in the 2016 presidential election. The percentage is much lower during non-presidential year elections, and the percentage voting is still lower for many offices such as local legislators, school board members, judges, etc.

Clearly, the country is governed by voters who represent considerably fewer than half of the population. There are two broad reasons for this.

- Some people are not eligible to vote; and
- some people choose not to vote, or are unable to navigate impediments to voting.

### **Citizens not eligible to vote**

**Prisoners:** A recent estimate reported that a little over 6% of voting age Americans are restricted from voting because they have been convicted of a crime. Even more surprising is that most of these disenfranchised individuals are no longer in prison. This is a large enough number to affect the outcome of an election. Rules governing the eligibility of persons convicted of a crime vary widely by State.

**District of Columbia:** Residents of the District of Columbia are ineligible to vote for candidates for national office. In addition, the District has no voting representative or senator in congress. They do elect one *nonvoting* delegate to the House of Representatives.

The undemocratic and unfair nature of this arrangement becomes obvious when it is noted that there are two States, with both a voting representative and two senators, with smaller populations than the District of Columbia.

**Territories:** The United States has five territories with permanent residents - Puerto Rico, Guam, Northern Mariana Islands, the Virgin Islands, and American Samoa which has only about 55,000 inhabitants. All residents are considered U.S. citizens with the exception of American Samoa - this comprises approximately 4 million persons with American citizenship, Puerto Rico, with about 3.4 million residents, has a **greater** population than 21 states.

Despite this large population of U.S. citizens, these territories do not vote in National elections and have no representation in the U.S. senate or house of representatives. It should also be noted that residents of these territories are not subject to the federal income tax

### **Citizens who do not vote**

There will always be some citizens who do not vote because of lack of interest. Of much

more concern are deliberate efforts to impede voting by some group, **voter suppression**. This is obviously a very controversial topic. The rules governing voter registration are established by each State, subject only to the constraint that they cannot overtly discriminate against a specific identified group. However, laws that have the effect of impeding voting by identifiable groups have been enacted by some states. These laws have been extensively reported and might well have effected the outcome of the 2016 presidential election. Among the most important methods of voter suppression are:

***Creating difficulties in registering to vote:*** In every state, citizens are asked to register in advance of the actual election. This requires proof of citizenship which can consist of any one of numerous documents, e.g., birth certificate, hospital birth certificate, etc. Some people lack easy access to such a document, e.g., older citizens may never have had a birth certificate issued, certificates may have been destroyed or lost. In consequence, some people may be discouraged by the problems of identifying where to obtain a needed document or the cost of doing so, etc.

***Requiring voter identification at the polls:*** Some states require photo identification at the polls which for many people is easily supplied with a drivers license. Of course, a significant number of people do not have a drivers license. They may be offered the option of obtaining state provided photo identification, usually at the State department of motor vehicles (DMV). Problems arise when people, who do not have vehicles, must travel a long distance to reach a State DMV. And frankly, some people apparently do not feel that it is worth the time or money spent to obtain a photo ID if it is used only to vote.

***Restricting the number of places where ballots can be cast:*** Anyone who has worked in a political campaign knows that there are always people who have trouble reaching the polls on election night. One way of suppressing votes is to have polls that are not near some eligible voters, or so few polls that long lines discourage some potential voters. In addition, a significant number of voters do not drive and are sometimes unable to reach the location where they vote.

### **Speculative Solutions:**

***Prisoners:*** One can argue as to whether felons still in jail should lose their right to vote. However, what about prisoners who have been released from jail.

- If released because they have completed their sentence, I can see no logical reason why they should not fully regain their citizenship, including the right to vote.
- If released on probation, or to a half way house, then one must consider that the purpose of probation or a half way house is to assist the individual to become a fully functioning member of society. Enabling them to vote is an important step towards that goal, and, in fact, might assist in achieving that goal.

***District of Columbia:*** Statehood for the District of Columbia has been a long standing controversy. One argument against statehood has been the small size (in terms of land area) of

the District. One might argue that the fact that two states have smaller populations than the District would counter this argument.

Nonetheless, if one believes that **all** U.S. citizens should be entitled to vote for a president and representation in Congress, then some solution should be found.

***Puerto Rico:*** In the recent past, both the Republican and Democratic parties have supported statehood for Puerto Rico. In 2012, 61% of Puerto Ricans voted in favor of Statehood. It is difficult to know why Puerto Rico, with a large population, and whose inhabitants enjoy full U.S. Citizenship, including the right to relocate anywhere in the U.S., should not also be fully subject to U.S. law, including Federal taxation

***Territories:*** The relative small sizes (both in terms of land area and population) of the remaining four inhabited U.S. territories precludes statehood. Nonetheless, some people who take the concept of democracy seriously, regard it as unacceptable that U.S. citizens should lack the ability to vote in national elections or to have representation in congress, as is currently the case. Numerous possibilities exist, a few of which are:

- Puerto Rico and the Virgin Islands (population a little over 100,000) are in close proximity and could be combined into a single state.
- Guam, American Samoa, and the Northern Mariana Islands are located in the rough vicinity of Australia and I suppose could be combined with Hawaii and possibly be combined into a single congressional district.
- Or perhaps one could conceive of a bolder solution. Perhaps the constitution could be amended to allow for the creation of a mini state where each territory (or some combination thereof) could be entitled to a single representative. They could also be entitled to a single senator when, and if, their population exceeded some level, say one half of a million. I suppose one could also consider including the District of Columbia as a mini state. Of course, another solution to giving district residents nation voting rights is to divide the District between Maryland and Virginia, which has been proposed. Presumably this would give Virginia and Maryland additional representation in congress. All of these possibilities seem very unlikely, but they still seem preferable to a denial of voting rights in national elections to U.S. citizens.

***Voter Suppression:*** In an ideal world, all eligible voters would cast ballots. This has two components:

***Voter Registration:*** It should be a national goal that each State should register **all** eligible voters, and periodic national surveys should be conducted to ascertain the extent to which each State achieves that goal. Among the important steps toward that goal are:

***Accessibility:*** Voter registration should be *continuous* during the time between elections.

Locations where voters can register should be numerous and well publicized. States have numerous public offices which could be utilized, at least one of which is likely to be within a short distance of the vast majority of eligible voters. In cases where voters are homebound, or lack transportation, it should be possible to conduct registration over the phone or by mail. In a small number of cases, it may be necessary to have a state employee travel to the residence of the person registering to vote. To prevent abuse, a small fee could be charged for this service.

*Documentation:* Voter registration requires documentation of citizenship and age. Almost always a birth certificate, or hospital certificate, or church certificate will suffice. In a few cases, these, or other needed document, may be lost or rarely were never issued. Usually, the needed documents can be easily obtained with a phone call or letter. There will, however, be situations where because of cost, or the difficulty that a few people would have in knowing where these old records are located, will cause citizens to forego registering to vote. In these cases, the State should assume the burden of obtaining the necessary documents. After all, most state agencies have access to long distance telephone lines, and it would not be difficult to put together a master list of different locations where these documents can be obtained throughout the country. In a very few cases, where citizenship can only be documented by interviewing out of state people with personal knowledge of the person, perhaps the states will cooperate so one state has only to request another to send a state employee to carry out this task.

*Photo Identification:* Despite great opposition to requiring voter photo identification, I personally can see no reason why it shouldn't be required. However, if required, then the State should be required to make vigorous efforts to ensure that all registered voters could acquire a required photo I.D., at low cost and effort.

Or, one could fantasize about going even further. . Each registered voter could be issued a card, something like a credit card, with a photo I.D. and a unique identifying number that no other eligible U.S. voter has. Because people's appearances change over time, it would have to be reissued every 3 to 7 years. Actually, there is no reason why a person's social security number could not be used for this purpose. There are, of course, many details to discuss in such a proposal, but this I leave for others.

Two advantages of such a proposal are:

- Given the speed and accuracy of computers, one could eliminate **any** possibility of an single voter voting two or more times, or of ineligible persons casting votes, possibilities about which some politicians are particularly concerned.
- If reported at the time of death, it would also eliminate the possibility of persons voting by using the name of a deceased person, another issue which concerns some politicians.