



# Boston City Council

## Committee on Government Operations

Michael F. Flaherty, *Chair*

### Report of Committee Chair

April 4, 2018

Dear Councilors:

***Docket #0166, An Ordinance Increasing Access to Voter Registration***, was sponsored by Councilor Josh Zakim and referred to the Committee on Government Operations on January 24, 2018. The Committee held a public hearing on Monday, March 26, 2018.

**Docket #0166** proposes to amend the City of Boston Code, Ordinances, Chapter XI by adding a new section on voter registration accessibility, in order to increase access to voter registration in the City of Boston. The originally filed proposal required: Boston Public Library (BPL) to make voter registration forms available at BPL branch libraries, and provide forms when individuals apply for library cards; Boston Public Schools (BPS) to provide pre-registration information and forms to all students eligible to pre-register, as well as to parents/legal guardians registering their child for school, and to allow students a later start time on election days, so long as they can show proof of their time spent voting; and Boston Transportation Department (BTD) to provide registration materials to individuals apply for or renewing resident parking permits, to add a birth date requirement on resident parking permit forms and an optional request for an RMV ID, and to share information form completed resident permit parking forms with the Elections Department in order to automatically register individuals unless they choose to opt-out on the form.

This ordinance is intended to increase voter registration by providing information and forms during routine interactions between residents and city services. This ordinance reflects the City's commitment to removing barriers to registration that disenfranchise voters and have a disproportionate impact on low-income and minority residents.

At the hearing, Dion Irish, Commissioner, Elections Department, Monica Roberts, Assistant Superintendent of Engagement, BPS, Anna Fahey-Flynn, Collaborative Library Services Manager, BPL, Priscilla Foley, Director of Neighborhood Services, BPL, and Stephen Maguire, Parking Clerk, BTD testified on behalf of the Administration in support of the proposal. Commissioner Irish expressed the Administration's support for the proposal, and to spoke to the role of each city department as a component in supporting our democracy. He gave an overview of partnerships the Elections Department has had with other departments, and outreach that has been done to get people engaged, registered, and voting, for example the student poll worker program and voter registration tables outside the parking permit windows during busy season. He noted for the Committee that the Parking Clerk would be unable to automatically register people, due to the nature of the statewide voter registration database, so the Committee discussed the capability of the Parking Clerk to manually deliver voter registrations to the Elections Department instead. The Committee discussed the possibility of sending out voter registration forms with the census. Ms. Roberts discussed the ongoing work BPS has done helping students and parents register to vote and their plans to engage further moving forward, for example through the use of social media. She expressed BPS support for the proposal and openness toward other opportunities to collaborate. Ms. Foley and Ms. Fahey Flynn talked about BPL's mission of being free to all, and that the library considers voter registration access as just another way to educated and inform. They stated that there are currently 290,000 BPL cards, which must be renewed every two years, which provide opportunities to engage patrons and share voter registration information. They also noted the BPL e-card services, which extend across the state, and stated that they would be providing an online link for voter registration materials electronically, as well as in person. Mr.

Maguire noted the tens of thousands of residents the Parking Clerk encounters throughout the year for parking permit services, and stated intentions to put voter registration links on their website, as well.

The Committee discussed the success of City Hall to Go mobile voter registration. Individual councilors asked about opportunities to make voting easier for deployed members of the armed forces, about boosting resources for those in neighborhoods that typically see lower registration and turnout rates, and about the availability of ballots in languages other than the four legally required (English, Spanish, Chinese, and Vietnamese). The Committee asked about the legislative process to add ballot languages, and discussed existing poll language resources. Commissioner Irish talked about continuing efforts of the Elections Department to work with BPS and BTM to better share information and provide wider outreach. The Committee discussed the evolution of the poll worker program and the overlap of census outreach with voter information. The Committee also discussed the provision of the ordinance regarding BPS students' ability to come to school late when voting - how proof will be determined and evaluated, and the possibility of timing flexibility. Councilor Janey recommended that community centers be added to the ordinance. The Committee discussed ordinances in other cities that attempt to increase voter registration.

A second panel of speakers testifying in support of the ordinance included: Cheryl Clyburn Crawford, Executive Director, MassVOTE; John Drew, President/CEO, Action for Boston Community Development (ABCD); and Jonathan Cohn, Progressive Massachusetts. Ms. Crawford spoke to the ability of all eligible citizens to participate in elections as a fundamental civil right and central principle of our democracy, and of MassVOTE's work to remove the 20-day voter registration cut-off, and advocate for automatic voter registration. Mr. Drew talked about the history of voting rights, the barriers, and the importance of not just helping people to register but also encouraging them to use the power of their vote; he spoke of ABCD's work with immigrant communities, and combining the citizenship process with voter registration. Mr. Cohn highlighted the low rates of voter registration and participation in the millennial generation, the importance of fostering engagement in democracy early on, and the psychological logic of using opt-out voter registration.

The Committee throughout the hearing continued to emphasize the importance of voting, the importance of all communities (veterans, military, immigrant, disabled, of color, millennial, etc.) being provided with the ease, access, and support to participate, and of government doing all it can to ensure peoples' votes are being heard.

As a result of clarifications and comments heard at the hearing, the Committee has made the following changes to **Docket #0166** as filed:

1. Voter registration forms shall also be made available at Boston Centers for Youth and Families community centers;
2. BPS will have flexibility to create their own program and policy to accommodate student voting, including the timing (e.g. morning and/or afternoon) and proof required (e.g. "I Voted" sticker or something else); and
3. The BTM requirements were mostly stricken, other than the requirement to make registration materials available, and a new requirement was added for BTM to deliver any completed forms to the Elections Department.

The Chair of the Committee on Government Operations, to which the following was referred:

**Docket #0166, An Ordinance Increasing Access to Voter Registration,**

submits a report recommending that this docket ought to pass in a new draft.

For the Chair:



Michael F. Flaherty, *Chair*  
Committee on Government Operations

Offered by Councilor Josh Zakim



## CITY OF BOSTON

IN THE YEAR TWO THOUSAND EIGHTEEN

### AN ORDINANCE INCREASING ACCESS TO VOTER REGISTRATION

- WHEREAS,* The ability for all citizens to participate in elections is a fundamental civil right and a central principle of our democracy; and,
- WHEREAS,* Massachusetts currently has a voter registration cutoff law that requires voters to register at least 20 days prior to participating in an election. In the City of Boston, residents must opt-in to the voter registration system; and,
- WHEREAS,* Restrictions on registration disenfranchise voters and have a disproportionate impact on low-income and minority residents. The City of Boston should explore opportunities to increase access to voter registration during routine interactions with residents such as including Boston Public Schools registration and neighborhood parking permit applications to establish an automatic opt-out voter registration system.

*NOW THEREFORE,*

**Be it ordained by the City Council of Boston, as follows:**

Section 1.

The City of Boston Code, Ordinances, Chapter XI shall be amended by adding at the end thereof, the following new section and subsections:

**11-11 Voter Registration Accessibility.**

**11-11.1 Purpose.**

The purpose of this ordinance is to increase access to voter registration by making voter registration forms available at additional locations and establishing an automatic voter registration system.

**11-11.2 Availability of Voter Registration Forms.**

- A. The Boston Public Library shall make voter registration forms available in conspicuous locations at all branch libraries. Voter registration forms shall be provided to individuals when applying for library cards.
- B. Boston Centers for Youth and Families shall make voter registration forms available at conspicuous locations at all community centers.
- C. All Boston Public High Schools and Boston Public Schools Welcome Centers shall provide pre-registration information and forms to all students eligible to pre-register. Voter registration forms shall also be provided to parents or legal guardians when registering children for school. Boston Public Schools shall develop a policy to ensure that as many eligible students as possible have the opportunity to vote on Election Day.
- D. The Boston Transportation Department, hereinafter referred to as Department, shall provide registration materials to individuals applying for or renewing resident parking permits. The Department shall deliver any completed voter registration forms to the city's Elections Department.

## Section 2.

If any provision of CBC 11-11 shall be held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

## Section 3. Effective Date.

The provisions of this ordinance shall be effective immediately upon passage.

Filed in Council: January 17, 2018