



The League of Women Voters of Virginia

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Taking Another Look: Virginia's Public Assistance Agency Compliance with National Voter Registration Act (NVRA) Section 7 (Voter Registration Agencies)

Final Report to the Members about the Study

. . . by Therese Martin

The “Eureka Moment” came in early February when I visited my local public assistance office to check out the availability of voter registration forms and to see if any staff might be available to discuss why clients seem to be uninterested in registering to vote. I was trying to determine why the voter registration statistics reported on the Virginia Department of Elections web site showed such a nosedive in applications reported from public assistance agencies over the past two years. [It had taken the League’s preparation of a summary report of monthly totals to see the steep decrease.] The moment came when I saw the poster reading: “Don’t wait in line – Apply online!” I knew from our previous paper in 2012 that the source of the statistics from public assistance agencies were paper voter registration forms completed by clients in Virginia’s Department of Social Services (DSS) offices and periodically placed and taken in specially-coded envelopes to general registrars. A quick e-mail follow-up with county DSS staff verified that my hunch was on the right track: if clients did not come into the office, it was very unlikely that they were going to be completing and bringing in a voter registration form to be counted.

During the month that followed, I checked further into issues regarding the availability of voter registration opportunities in Virginia’s public assistance offices, including online training taken by DSS staff, the possible relevance of Census data to differences in voter registration participation in several parts of the Commonwealth, and the availability of forms and posters in DSS offices. Members of local Leagues helped by visiting the (total of 21) offices in their areas and reporting back to me. I also received informal comments of DSS staff about possible reasons for the low completion of voter registration forms by their clients and statistical information about the use of online assistance applications and forms. One fact was clear: as the use of online contacts with their clients increased, the number of paper voter registration forms submitted by the agencies decreased.

One of the side issues of particular interest to Fairfax County members is the effect of the Voting Rights Act requirement that the County now provide voting information in Spanish. We are familiar with the action taken by the County’s Office of Elections, but will be looking for the relationship and implementation of that language requirement for all other Virginia offices, including the DSS, that provide voting information to their clients in that jurisdiction.

Since completing the paper in late March, we have communicated our findings to the Virginia Departments of Elections and Social Services and had a quick review in person with the

Commissioner of Elections. Our concern is not only that the reporting procedure designed to enable monitoring of the compliance of DSS offices with the NVRA is no longer effective with the growing use of online and telephone rather than in-person contact with clients. We are also concerned about the sufficiency of new modules and processes to ensure compliance with the Act. Other states have been faced with the same situation and taken steps that Virginia might replicate, although some changes in the Code may be required. On the positive side, we were pleased to learn that the new technology has enabled the DSS to collect some data regarding the voter registration wishes of its clients, including the fact that their initial analysis showed that 22 percent of their clients stated they were already registered to vote.

We anticipate that issuance of the U.S. Election Assistance Commission survey for 2014 will elicit further investigation of the actions of public assistance agencies with regard to NVRA compliance. Meanwhile, to learn what we have discovered about Virginia thus far, see our report on the League's website: <http://www.lwv-va.org/PAVP.html>. While our PAVP project may be ended, I suggest that the LWV-VA continue to monitor the situation.

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