Increasing Virginia Voter Registration: Requiring Notification of Voter Application Denial

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**Thesis**
Virginia should include phone number and email as required fields on all voter registration forms and require the Office of Elections in every city or county to use all available methods to notify applicants if their registration is denied.

**Background Analysis**
Virginia residents are often unaware when their voter registration applications are denied because they are not notified. Under the system in place, successful applicants receive their voter cards in the mail and those deemed ineligible to register receive notice and information for filing a court appeal. However, many people either do not have working mailing addresses or live in facilities that operate their own, privately run mail services, such as senior centers, apartment complexes, homeless shelters, and universities. Because these locations are not considered USPS Managed Service Points, it is impossible for the postal service (and thus the Office of Elections) to verify that a piece of mail is received by an individual, as opposed to their private mailroom operator. As such, these populations are only able to check their registration status online.

Applicants who are computer illiterate, do not have access to the internet, or have their application processed close to or after the registration deadline may not discover until Election Day that they are unable to vote. This scenario also affects populations who live abroad and therefore have irregular access to their registered American address, those with disabilities, and those who have limited literacy and would be likely to fill out forms incorrectly or incompletely. If a form is left incomplete or is illegible, the application will be denied and a new form must be submitted. Several other states, such as Georgia and Massachusetts, have a version of denial notification; however, no state requires that notification be delivered by all means of contact listed on the application.

**Talking Points**
- Requiring voter applicants to provide a phone number and email will make it easier to contact them if their registration is denied.
- Requiring the office of the registrar to use all contact methods listed on voter applications will help to ensure denied applicants are notified before they arrive at the polls.
- Knowledge of denial is necessary to restart the application process or appeal the denial in court.
- Rectifying this policy shortfall will bolster the ability of underrepresented communities to participate in the electoral process in Virginia.

**KEY FACTS**
- In Virginia in 2012, a total of 40,946 voter registration applications were denied, amounting to 3.95 percent of all applications.
- Neither phone number nor email is required on Virginia voter registration applications.
- There is no current legal obligation for the Virginia registrar to contact denied applicants to notify them of their denial through phone or email even if listed.
- In 2016, there was a 55 percent increase in applications in the month before the deadline from September to October.
Policy Idea
Virginia’s General Assembly should amend Section 24.2-418 of the Code of Virginia to require that all applicants provide their phone number and email address when registering to vote, while still allowing the form to be processed if those fields are left incomplete. Additionally, Section 24.2-422 of the Code of Virginia should be amended to require that each Office of Elections notify applicants of their denial within 10 days through all available means of contact, and allow them to correct missing information over the phone.

Policy Analysis
Adding a requirement of phone number and email, while still giving a “None” option for those who do not have an email or phone, will increase the likelihood of contact with a denied applicant. Those who are unreachable by conventional mail, such as students or seniors, will likely have a working home or cell phone number or email. Furthermore, most applications are submitted near the registration deadline, meaning that the Office of Elections may not have time to review many of these applications until the deadline has passed and it is no longer possible to reapply. Informing last-minute applicants that their registration was denied and allowing them to amend information by phone will give them an opportunity to participate in the election.

Voter applications can be denied in the Commonwealth of Virginia for small details such as a missing middle name or a misspelled address, which prevents vulnerable populations with limited English or non-western name structures, or those who are differently abled, from registering. The current notification letter gives the options of court appeal or submitting a new form; applicants from vulnerable populations in particular need to be made aware of their denial quickly and are more likely to resolve the issue if they can speak with someone from their Office of Elections. In a state like Virginia with elections every year, full knowledge of voter registration status and a fair denial notification process is crucial to upholding a fully representative democracy.

There is no system in place for the state to provide the funds for this policy; however, given that election laws are administrated on a local level, finding funding for these changes should be left to the county level.

Next Steps
Organizations centered on voter rights and access to voting already exist within college campuses across Virginia. Creating coalitions of these groups would help bring awareness to this issue. A collective social media campaign carried out by the major parties of Virginia and nonpartisan voter registration focused groups such as Virginia 21 could bring this policy as well as the broader issue of disfranchisement of marginalized communities to the forefront of the state’s political agenda. These groups could host a series of informational sessions and start a letter-writing campaign to Virginia delegates. Following advocacy and research of the issue, these coalitions could meet with lawmakers and urge them to personally voice their concern and push for the passage of this policy.
End Notes

1 Virginia Code § 24.2-422


4 Voter Registration. Publication no. 950 CMR 57. Office Of The Secretary Of The Commonwealth, Massachusetts.


8 Virginia Code § 24.2-418

9 Virginia Code § 24.2-422