



VOTE!

Know the history, know your rights.

Disclaimer:

The information provided in this presentation is for educational purposes only. It is not intended as legal advice. If you have a specific legal question you should seek the advice of a lawyer.

VOTING RIGHTS IN THE UNITED STATES

A brief history.



Voting rights timeline:



1776

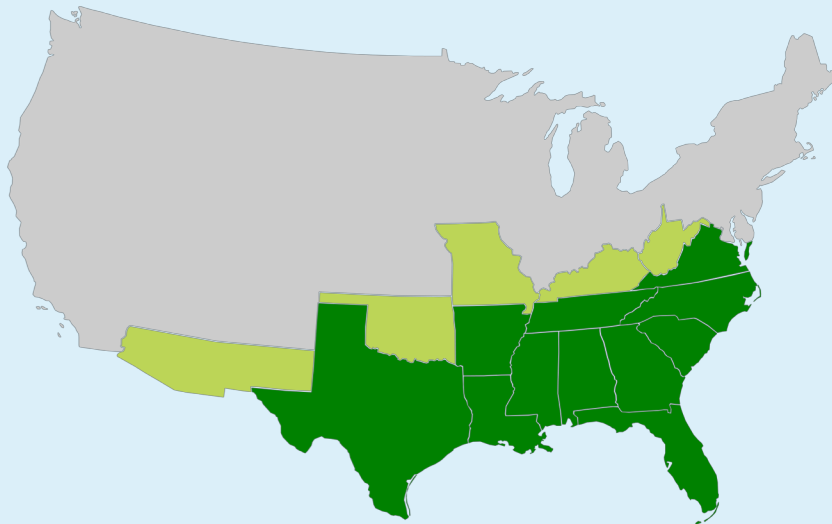
There are no federal laws governing voting rights in the United States.

States set their own voting requirements.

Most states only allow white, landowning, men, 21 years of age and older to vote.



1867



- Military Reconstruction Act:
 - *Allowed former Confederate States to be re-admitted to the Union if they adopted new state constitutions permitting universal male suffrage.*
 - *Gave all white men opportunity to vote.*
 - *Gave African American men the right to vote.*

1868

- 14th amendment:

- *Former Confederate States required to ratify as a condition of reentry to the Union.*
- *Grants full citizenship rights to all persons* born or naturalized in the US.*
- *“All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws. “*

1870

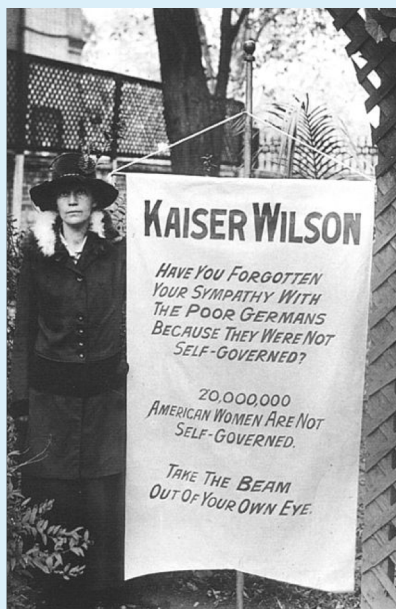
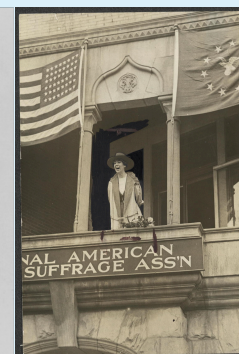
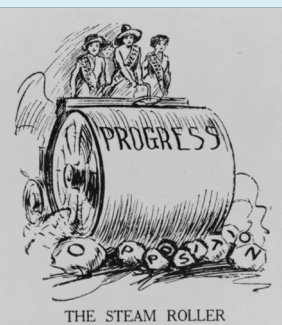
15th Amendment:

“The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude. Congress shall have power to enforce this article by appropriate legislation.”

- While outright discrimination on the basis of race is now unconstitutional, minorities are kept from the polls in a variety of ways:
 - *Poll taxes*
 - *Literacy tests*
 - *Fraud*
 - *Intimidation*

- Native Americans are still denied the right to vote.

1920



1924

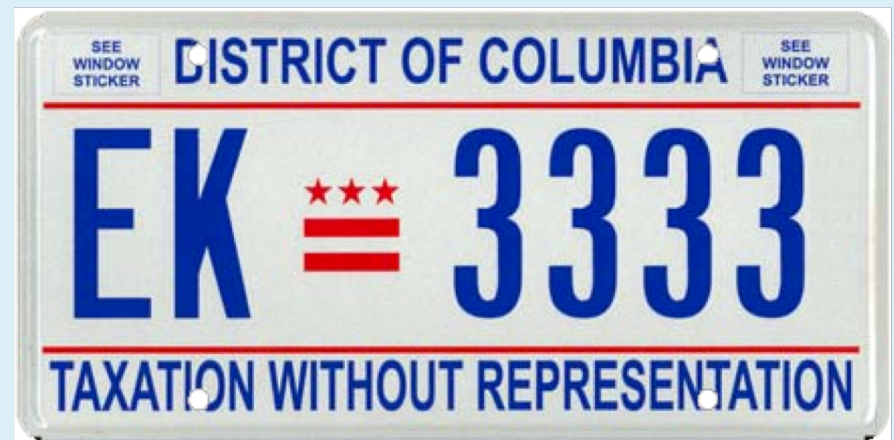
- Indian Citizenship Act (Snyder Act):
 - *Granted citizenship rights to Native Americans.*
 - *Codified at 8 U.S.C. § 1401:*
 - “The following shall be nationals and citizens of the United States at birth: . . .
 - (b) a person born in the United States to a member of an Indian, Eskimo, Aleutian, or other aboriginal tribe: Provided, That the granting of citizenship under this subsection shall not in any manner impair or otherwise affect the right of such person to tribal or other property[.]”

1961

23rd Amendment:

“The District constituting the seat of Government of the United State shall appoint in such manner as the Congress may direct:

A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State.; they shall be in addition to those appointed by the States, but they shall be considered for the purposes of the election of president and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.”



1964

24th Amendment

- “The right of citizens of the United States to vote in any primary or other election for President or Vice President for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.”

The Civil Rights Act:

- Ensured that all men and women, 21 and older, have the right to vote regardless of race, religion, or education.

1965

Voting Rights Act:

Ensured that men and women 21 and older had the right to vote regardless of race, religion, or higher education.

The Voting Rights Act contains:

- General provisions applicable to the entire United States.
- Specific provisions applicable to designated places with a history of voter discrimination



1971

- 26th Amendment:

“The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.”



1975



- Voting Rights Act amended:
- The Voting Rights Act is renewed.
 - *Permanently bans literacy tests.*
 - *Section 203 added—requires translated voting materials in areas with large numbers of citizens with limited English skills.*

1984



- Voting Accessibility for the Elderly and Handicapped Act:
- Every state must provide:
 - *Accessible registration sites*
 - *Accessible polling places*
 - *Accessible voting aids*

2013

Shelby County v. Holder, 570 US 529 (2013).

“Throwing out preclearance when it has worked and is continuing to work to stop discriminatory changes is like throwing away your umbrella in a rainstorm because you are not getting wet.”



VOTING IN AMERICA TODAY



After *Shelby County v. Holder*

The good:

- Many states have passed laws improving access to the vote.
- 36 states allow for electronic voter registration.
- 38 states allow for online voter registration.
- 12 states have automatic registration.
- 20 states have portable registration.

The bad:

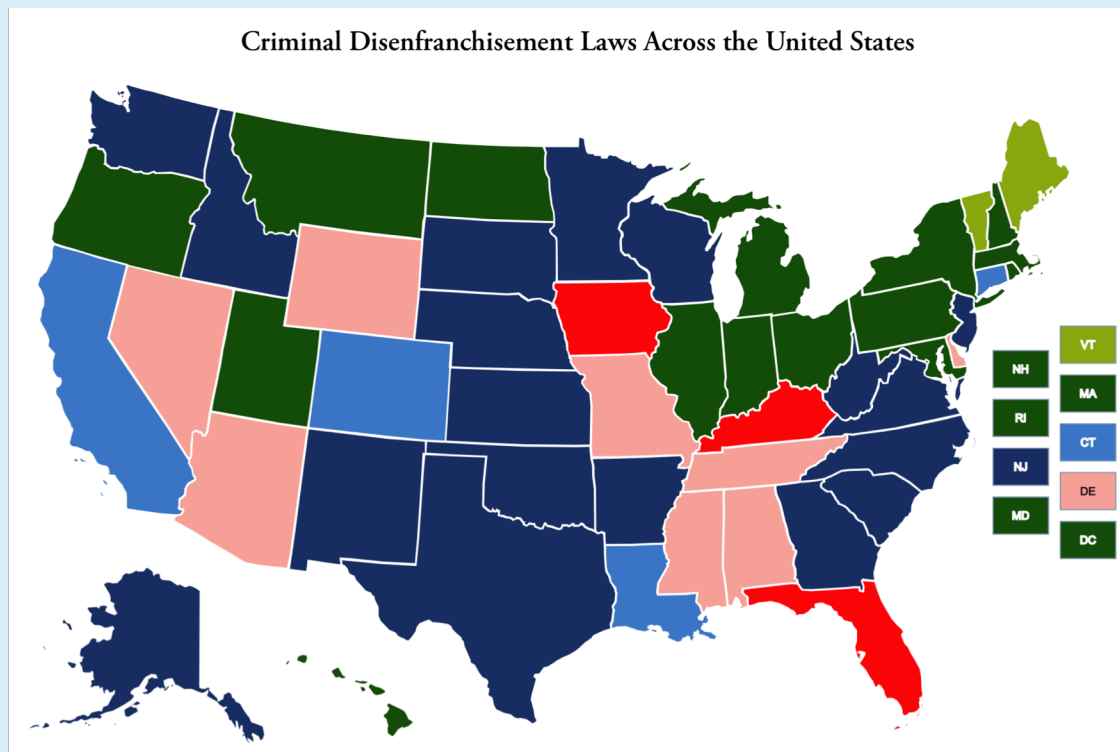
- Purging voter rolls.
- States previously under preclearance requirements passing discriminatory voting laws.
- Gerrymandering.
- Voter ID laws.

Voter ID laws: THE FACTS

- 34 states have some form of a voter ID law.
- 11% of Americans do not have a government issued photo ID.
- Government issued photo IDs cost money to obtain, even if the actual ID is free.
- Voter ID laws are costly to implement.
- Voter ID laws have a discriminatory impact.
- Solution in search of a problem.



Disenfranchisement in the United States:



Status Key:

- PERMANENT DISENFRANCHISEMENT FOR ALL PEOPLE WITH FELONY CONVICTIONS
- PERMANENT DISENFRANCHISEMENT FOR AT LEAST SOME PEOPLE WITH CRIMINAL CONVICTIONS
- VOTING RIGHTS RESTORED UPON COMPLETION OF SENTENCE, INCLUDING PRISON, PAROLE, AND PROBATION
- VOTING RIGHTS RESTORED AUTOMATICALLY AFTER RELEASE FROM PRISON AND DISCHARGE FROM PAROLE (PEOPLE ON PROBATION MAY VOTE)
- VOTING RIGHTS RESTORED AUTOMATICALLY AFTER RELEASE FROM PRISON
- NO DISENFRANCHISEMENT FOR PEOPLE WITH CRIMINAL CONVICTIONS

Disenfranchisement in the United States:

- About 30 states and DC have laws in their constitutions limiting the right of people with mental disabilities to vote.
- How states disenfranchise voters differs.
- Wyoming:
 - *Anyone adjudged mentally incompetent cannot vote.*
 - *Wyoming only requires people be found mentally incompetent by a preponderance of the evidence.*
- Other states require a judge to make a specific finding that the person is incapable of voting.

YOUR RIGHTS!



Who can vote?:

- 18 years of age on election day;
- U.S. citizen;
- Resident of the State where you vote;
- Resident of the county where you're voting;
- Withdrawn voter registration from any other jurisdiction;
- Have not been convicted of a felony, or have had civil or voting rights restored*;
- Not adjudicated mentally incompetent*.



Photo by [Parker Johnson](#) on [Unsplash](#)

Students:

- You can vote in either your home state via absentee ballot OR in Wyoming.
- CAUTION: If you have a scholarship that requires residency, registering to vote elsewhere can change your residency, or indicate a change in residency.
- Absentee voting:
 - <https://www.vote.org/absentee-ballot-deadlines/>
 - <https://www.fvap.gov/guide>

Wyoming:

- Same day registration.
- No Voter ID requirements.
- Mail-in voting.
- Early voting.
- If you are 17 you can register to vote if you will be 18 by the next general election.





QUESTIONS?

