

September 1, 2017

The Honorable Rolando B. Pablos
Texas Secretary of State
P.O. Box 12887
Austin, TX 78711-2887
secretary@sos.texas.gov

Sent via email

Re: Failure to Enforce High School Voter Registration Law

Dear Secretary Pablos,

We write on behalf of the under-signed coalition to alert you that the State of Texas is not fulfilling its continuing obligation to enforce state law related to high school voter registration.¹ As a result, your office allows high schools around the state to violate state law and hinder eligible high school students from equal participation in the electoral process. We ask that your office take specific action.

Background and Relevant Law

Texas has a law that, if correctly implemented, would allow our state to become a leader in youth registration and turnout. As you know, the law requires high school principals or their designee to provide students 18 years or older with voter registration applications at least twice during every year. Schools should be using specially-coded registration forms that they request from your office, as well as reviewing submitted voter registration applications for completeness, and delivering the applications to the appropriate voter registrar or elections administrator. Principals need to understand the details of the law because mishandling of voter registration materials, whether inadvertent or intentional, can result in criminal penalties.

Continuing Violations

We understand that compliance with this law is extremely low, and believe the Office of the Texas Secretary of State should do more to increase compliance and fulfil the promise of the law. Based on documents received from your office, the Texas Civil Rights Project shared with us the following findings:

1. Just 198 of 1,428 public high schools in Texas, or 14%, requested voter registration forms in the semester before the 2016 voter registration deadline.
2. 159 out of the 234 counties in Texas with public high schools, or 68%, did not request a single voter registration form.
3. Of the five largest counties in Texas, none had more than 12% of their high schools request a single voter registration form.

4. Though Texas law requires that a voter registration form be distributed to “each student who is or will be 18 years of age or older,” even the few schools that requested forms did not request nearly enough to cover all eligible students. Of the five largest counties, schools requested enough forms for just 3% of eligible students.

5. Not a single private high school in Texas requested voter registration forms despite being fully subject to the requirements of the law.

Requested Remedy

In order to discontinue these violations of state law, we respectfully request that the Texas Secretary of State take the following actions:

1. Distribute voter registration applications to all Texas high schools every year without requiring high schools to submit a written request for these applications;
2. Ensure that all Texas high schools offer their senior students who are eligible to vote an opportunity to register to vote by instituting a tracking process that would gauge the success of each high school’s implementation of the law;
3. Enhance procedures that notify all Texas high schools of the need to comply with the law;
4. Create trainings for all Texas high schools in order to ensure all legal duties and administrative rules are clear; and
5. Enforce state law to ensure that all Texas high schools are in full compliance and register their students to vote.

We recognize that you share our concerns regarding the way eligible high school students continue to be excluded from the electoral process, and appreciate your August 2017 editorial articles in the Austin American Statesman and the San Antonio Express News. That said, words without actionable follow-through are insufficient. We ask that your office implement the common sense reforms listed above to ensure schools move toward compliance with this important law and demonstrate that you are in fact “making voter registration of eligible high school students a top priority and ensuring that our state’s high school principals have all the tools they need to make this voter registration effort a resounding success.”

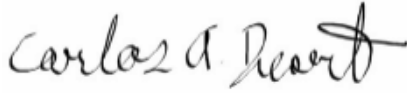
Sincerely,



Anthony Gutierrez, Executive Director
Common Cause Texas



Elaine M. Wiant, President
League of Women Voters



Carlos Duarte, Texas Director
Mi Familia Vota



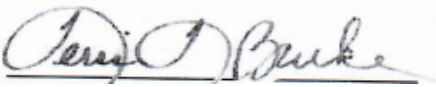
Drew Galloway, Executive Director
MOVE San Antonio



Lydia Camarillo, Vice President
Southwest Voter Registration Education Project (SVREP)



Patrick Bresette, Executive Director
Children's Defense Fund



Terri Burke, Executive Director
American Civil Liberties Union of Texas (ACLU of Texas)



Jessica Reeves, Chief Operating Officer
Voto Latino

ⁱ See TEX. ADMIN. CODE §81.7(d); *see also* TEX. ELECTION CODE §13.046(d), (g).