



PROTECTING THE VOTE FOR ALL AMERICANS

August 18, 2022

Brazos County Election Administration Office
300 East William J. Bryan Pkwy, Suite 100
Bryan, TX 77803

Dear Administrator Hancock:

Fair Elections Center and Campus Vote Project respectfully urge your office to take the steps necessary to designate Texas A&M University's Memorial Student Center (MSC) an early voting location for the 2022 General Election. Young voters already face diminished voting opportunities in Texas, and it is incumbent on election officials to remove barriers that make it harder for this population to participate.

Fair Elections Center is a national nonpartisan, nonprofit voting rights organization based in Washington, D.C. Its mission is to use litigation, education, and advocacy to remove barriers to registration and voting, particularly those disenfranchising underrepresented and marginalized communities, and to improve election administration. Since 2012, Fair Elections Center has operated Campus Vote Project to help students understand and exercise their freedom to vote, including in Texas. Together, the organizations published a report, *Democracy's Future*,¹ which identifies key obstacles to youth voting and opportunities to expand access.

On August 1, 2022, *The Battalion* reported that your office did not recommend MSC as an early voting center for Precinct 3 in the 2022 General Election, though it will serve as an Election Day polling place, and instead proposed College Station City Hall. The County Commissioners Court subsequently approved the plan. The article quoted you as saying, "We haven't had any problems with [the MSC] per se, but the *normal residents* of College Station find it hard to navigate campus."² You also said, "In the primary and primary run-off, we didn't see a large turnout [at the MSC early voting center], but more than I expected." Finally, you claimed that City Hall remained a convenient early voting location for Texas A&M students because it is "across the street from campus."

¹ Available at <https://www.fairelectionscenter.org/democracys-future>.

² Emphasis added.

As an initial matter, the Twenty-Sixth Amendment prohibits distinguishing student voters from other voters, to whom you referred as “normal residents.” Federal courts have repeatedly struck down election administration practices that treat young voters differently from other residents based on age or student status.³

The reasons cited for moving Precinct 3’s early voting site from the MSC do not provide support for that decision. Primaries in Texas historically enjoy less turnout than general elections,⁴ and you noted higher turnout than anticipated at the MSC location during this year’s primary and primary runoff elections. This observation is consistent with increased turnout statewide in the 2022 Primary Election, during which 55 percent of Texas voters cast early ballots,⁵ and which potentially foreshadows high turnout in the General Election. An MSC early voting site will therefore likely serve a substantial number of voters.

Any confusion non-student voters may experience in locating the MSC can be mitigated through proper signage and official pre-election communications. Furthermore, City Hall is in fact across the street from the university’s polo field and driving range, nearly 1.5 miles from the MSC. As such, student voters will be required to factor in additional time to travel to cast an early ballot, or risk longer lines and wait times on Election Day.

Young voters in Texas face several impediments, including excuse-based mail voting and an inability to use student ID as voter ID, even when issued by a state school. The removal of Precinct 3’s early vote center from the MSC only exacerbates these barriers. Accordingly, the Election Administration Office should take steps to provide an early voting polling place at the MSC.

Thank you for your consideration. If you have any questions or would like additional information about Fair Elections Center, Campus Vote Project, or youth voting, please do not hesitate to contact Campus Vote Project’s Director, Mike Burns, at mburns@campusvoteproject.org.

Sincerely,

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³ See, e.g., *Symm v. United States*, 439 U.S. 1105 (1979); *Newburger v. Peterson*, 344 F. Supp. 559 (D.N.H. 1972).

⁴ Mandi Cai & Sneha Dey, *Nearly 18% of registered Texas voters cast 2022 primary ballots*, TEXAS TRIBUNE (Feb. 14, 2022), <https://www.texastribune.org/2022/02/14/texas-primary-voting-turnout/> (last updated Mar. 24, 2022).

⁵ *Id.*

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