



# THE WEST VIRGINIA VOTER

Published Semi-annually by the League of Women Voters of West Virginia

Vol. 68 No. 1 Fall 2024

## News from the LWV of WV!

By: Lyn Widmyer and Julie Archer

## New Empty Chair Policy Adopted by LWVWV

### LWVWV Opposes Amendment 1 on the General Election Ballot

On August 24, the LWVWV Board voted to oppose Amendment 1 "to prohibit the practice of medically assisted suicide, euthanasia or mercy killing of a person." The amendment states "nothing in this section....prevents capital punishment." The proposed amendment conflicts with the League's positions on health care and the death penalty. For more on our reasoning, see article on page 2.

### Autumn Summers is our new Voter Service Chair

We are thrilled that Autumn Summers is our new LWVWV Voter Services Chair. Autumn is a West Virginia native who currently lives in Morgantown. She graduated from WVU with a Masters in Public Administration specializing in Community Development and Local Governance. Autumn is dedicated to increasing voter turnout, promoting civic education, and supporting democratic participation.

Thank you, Autumn, for filling this important position!



### LWVWV participation in VOTE411 moving forward

This is really an exciting project! Vote411 is a project of the LWVUS. They are preparing questions for the national ticket. Autumn and her committee are assembling lists of those running for state offices and preparing questions to submit. Local leagues can prepare questions for county and municipal races. This is a huge undertaking, but Autumn and crew are tackling it with efficiency and grace.

### LWVWV adopts uniform policy for "empty chair" candidate forums

Questions that continually arise from local Leagues as they prepare for candidate forums are: "What happens if only one candidate shows up at the forum or what if only one candidate agrees to attend? Do we invite them to participate?" The newly adopted LWVWV policy states, "NO!" For more details, keep reading.

At the August meeting, the LWVWV Board approved a uniform empty chair policy for candidate forums. The written policy will apply to all Leagues in West Virginia so that we speak with one voice and have clear and consistent policies. Most importantly, the Empty Chair Policy aids in preserving the League's nonpartisan reputation.

For some races, gaining political party or candidate participation in forums has become increasingly difficult. Over time, we hope that parties and candidates will be more likely to participate in our League-sponsored candidate forums in response to this policy.

The Policy is as follows:

### *LWVWV Policy on Open or Empty Chair Candidate Events, 8/24/2024*

It is extremely important that all Leagues in West Virginia speak with one voice, have clear and consistent policies, and adhere to our nonpartisan policy.

Therefore, "open or empty" chair candidate meetings will not be permitted at any level of the LWVWV for any elected position.

Any League-sponsored public event that invites a candidate for elected office will be considered a candidate meeting. A candidate meeting with only one candidate for a particular race physically present is an "open or empty" chair candidate meeting.

You may call this policy:

- Empty Chair
- Empty Chair: Two or More Candidates for Each Race Must Be Present
- Or you can just refer to it as candidate event policy and state requirements

Requirements: Two or more candidates for each race must be present.

## LWVWV Urges NO Vote on Amendment 1

The League of Women Voters of West Virginia urges voters to reject Amendment 1 to “prohibit the practice of medically assisted suicide, euthanasia or mercy killing of a person.” The LWVWV finds the proposed amendment troubling for a number of reasons:

1. The proposed language is vague and appears to conflict with [current state law that already addresses this issue](#).
2. The amendment is yet another example of the government attempting to interfere with very difficult and personal medical decisions. The League believes decisions on medical procedures that would prolong life should be made jointly by patient, family, and a licensed health care provider. Patient decisions, including those made prior to need, should be respected by our state government, not prohibited.
3. Amendment 1 should be rejected as it relates to capital punishment. The Amendment states “nothing in this section prevents the State from providing capital punishment.” The League believes the death penalty should be abolished. West Virginia abolished capital punishment in 1965. Amendment 1 clearly conflicts with this [long standing law](#).

LWVWV President, Julie Archer, and 2<sup>nd</sup> Vice President, Judy Ball, have both been interviewed about the League’s opposition. “It’s about a person’s bodily autonomy, its about their right to make decisions about their own body to be able to get the care they need and not have the government interfering in those decisions,” Julie told *the Exponent Telegram*, saying that access to both physician assisted suicide and abortion ensure people can seek the medical care they need without shame or potential legal consequences.

In an interview with WV Public Broadcasting, Judy called the proposed amendment “government interference in one of the most personal decisions a person and their family will ever have to make.” Judy also noted that the language appeared designed to confuse voters. With West Virginia’s low voter turnout, an amendment like this could become part of the Constitution with a tiny fraction of voters in favor.

The ACLU of West Virginia has also come out in opposition to Amendment 1. Read more at <https://www.acluwb.org/en/news>.



LWVWV will be participating in VOTE411 and we are excited to see what we can do with this powerful tool. VOTE411.org is designed to be a one-stop-shop for voter information. With access to VOTE411 we'll be able to:

- Publish an online voter guide in an easy-to-use, voter specific format (only shows voters the races on their personal ballot).
- Cover all statewide and legislative races, as well as local races in areas where we have local Leagues.
- Invite candidates to participate and answer our questions, using a custom email tool.
- Download all data entered into VOTE411 for formatting into a traditional printed voter guide.
- Promote state and local candidate debates/forums and share recorded videos of League sponsored events.

We're hopeful that this will help us streamline our voter guide preparation and reach a wider audience.

### HELP WANTED

#### Did you know?

- WV ranks at or near the bottom of all states in voter turnout, and
- Illness or disability is a major reason for not voting in WV.

Yet, current law contains barriers to voting for persons with specific disabilities, including “*illiteracy, blindness, disability, or advanced age*”.

#### What does the law say?

Voters who request assistance in voting due to these disabilities may have their **requests challenged** by election officials (W.Va. Code §3-1-34, §3-3-4, §3-3-10) and their **ballots not counted**.

LWVWV seeks assistance from WV citizens or organizations to work with us to **REPEAL** these onerous provisions in our law.

#### Want to get involved?

Can you recommend an advocate?

Send an email to [LWVmorgantown@gmail.com](mailto:LWVmorgantown@gmail.com)

# This Could Be The Start of Something Big!

By Nancy Ulrich

“Fostering futures” a headline in *The Dominion Post*, on Saturday morning, on September 7, 2024, had read. The article informed that a partnership has been formed between Fairmont State University (FSU), Marion County Schools, KVC of West Virginia and the West Virginia Schools of Diversion and Transition. The purpose of the partnership, the article continued, is to implement a new and innovative educational pathway for certain qualified teens in foster care.

FSU has established [Middle College](#) in Prichard Hall that provides a unique opportunity for 16-17 year olds currently in foster care placement to combine high school and college education in a supportive and nurturing environment. This is a two-year program that allows the student to complete coursework to earn a high school diploma and an associate degree in interdisciplinary studies or 60 credit hours toward a college degree. Emily Swain, the dean of the Middle College, said, “We want to provide them with fundamental knowledge, and also offer them the opportunity to explore possible career paths, and interest.” The students will live year-round, 24–7, 365 days, on campus in a nurturing and supportive environment. They will have access to campus events, opportunities to attend sports and performing arts events and can use recreational facilities. The program offers students the chance to make lifelong friendships, develop independence and gain critical life skills.

Middle colleges in American education are not new. The first middle college in the country was founded in 1974 at LaGuardia Community College in New York City. Since then, middle colleges have been developed all over the country. The original model focused on at-risk students who had high academic potential, but needed a special setting to be able to succeed academically and emotionally. This is about a new innovative program and not about building new educational facilities. The term “middle college” generally refers to a special high school program on a community college campus that offers high school curricula along with college courses. But unlike traditional middle colleges that work with a wide range of students, Middle College at FSU will focus exclusively on children currently in foster care placement. This is a first of its kind middle college in the United States.

In addition to the educational opportunities, the Middle College assures that every student receives emotional and mental support provided by KVC of West Virginia, a leading foster care and mental health provider. The students will receive around the clock assistance from resident hall staff, case managers, therapists and specialized supervisors focusing on students’ safety, well-being, and academic success. (KVC of West Virginia is a private, national, nonprofit organization, whose stated purpose is to help health

and human services organizations to excel at caring for families in the most complex needs through a proven plan. It is located in West Virginia, Kansas, Kentucky, Missouri and Nebraska. It advertises as providing in-home family strengthening services, foster care, adoption and mental health treatment.)

The FSU program started in August, currently with 18 students but has resources for 50 students. Tuition, fees and on-campus living expenses are covered by federal and state resources. Donations are also accepted. The Fairmont State Foundation is fundraising to support the program. To be eligible for FSU Middle College the student must be: 16 or older; in the custody of West Virginia Department of Human Services and currently in foster care; working toward graduating from high school or diploma equivalency; motivated to pursue a higher education and complete and pass the Adult Basic Education test with a minimum score of 560 in both reading and math, which indicates an academic ability, equivalent to at least eight to ninth grade.

There are a number of ways to support this program: Sponsor a student by providing essential items from the Sponsor a Student list. Check out the full list at [hubs.ly/Q02GPzKx0](https://hubs.ly/Q02GPzKx0); Stock the student pantry by donating products from the Stock the Pantry list at: [hubs.ly/Q02GPst00](https://hubs.ly/Q02GPst00); Make a donation at: [fsufoundation.org/give-to-middle-college](https://fsufoundation.org/give-to-middle-college) or [westvirginia.kvc.org/donate/](https://westvirginia.kvc.org/donate/). For more information contact: Middle College at FSU at (304) 367-4593 or [middlecollege@fairmontstate.edu](mailto:middlecollege@fairmontstate.edu).

Legislative sessions have come and gone, the DHHR was split into three separate agencies, and lawsuits have been filed, etc., all without solutions for the foster care crisis. Finally it appears that someone has thought outside of the box and has come up with an innovative solution for at least some of our teen foster children. As of September, 5,981 children are in foster care in West Virginia; 64.54% are children under 13 years of age, 30.1% are 13 to 17 years old, and 5.05% are 18 or older. So we have lots of work to do. Let’s try to make something big happen.

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**Beginning January 2025, all existing and new members will join their local or state league via the LWV US membership platform. Stay tuned to learn more on how to continue to support and contribute to the League of Women Voters.**

## League Legislative Action Workgroup (LLAW): Get Ready for 2025

Judy Ball, Chair, LLAW

While most folks are thinking about the 2024 General Election, LLAW has been busy preparing for the next Legislative session, which will convene in February 2025.

### Since the last edition of *The Voter* ...

The 2024 *LWVW Legislative Scorecard* was completed and released April 20 on [lwvww.org](http://lwvww.org). That release date met LLAW's goal of having the Scorecard in voters' hands prior to the WV Primary Election.

Scorecards for both 2023 and 2024 continue to be there for voters making decisions for the November election.

### LLAW Doesn't Stop -- Preparing for 2025

Our first goal was to revisit the LWVWV Legislative Scorecard. After two cycles, we identified ways to improve it. So, expect to see some changes in 2025. Our goal is to make the Scorecard more user-friendly and remove features that may appear to demonstrate bias. Don't worry! All the good stuff will remain.

Then, more improvements are coming. From the beginning, we heard one concern about the scope of the Scorecard: it only includes bills that became law. What about the hundreds of other bills that fit into LWVWV priorities but never made it through the legislative process? As you may recall, most of the bills that received Make Some Noise Action Alerts during 2024, did not pass!

#### LWVWV Legislative Priorities – The 4 Buckets



Strengthening  
Democracy



Safeguarding  
Equal Rights



Protecting Chil-  
dren & Families



Creating a Sus-  
tainable Future

In response to this feedback, LLAW decided a worthwhile adjunct to the Legislative Scorecard could focus on bills that did not pass. We're tentatively calling it a *Legislative Preview*. "Preview" because many bills that do not pass in one session are re-introduced in the next, sometimes for multiple consecutive years. That's often how a bill becomes a law – by persistence. That is predictable, and we hope to have some influence on which bills are re-introduced and whether they will be successful. To enhance the likelihood of success, we need to start early.

Like the Scorecard, the *Legislative Preview* will have a specific and limited focus:

- These are the best bills (within LWVWV priorities) the Legislature did not complete (or the Governor vetoed) in the last legislative session.
- This Preview can be the basis for advocacy *before* the 2025 Legislature convenes.
- Some of the bills from 2024 are orphans; they had sponsors who have retired or otherwise will not be in the 2025 Legislature. With our Preview priorities, we have time to seek new sponsors for orphaned bills.
- Some bills from 2024 had sponsors who will retain their seats (through re-election or continuation of their terms). With our Preview priorities, we can contact those legislators well in advance of the 2025 session to:
  - express our support for their bills,
  - request amendments to improve their bills, and
  - offer our assistance to promote their bills.

## League Legislative Action Workgroup (LLAW): Get Ready for 2025 *cont.*

Judy Ball, Chair, LLAW

### Getting the Word Out – Preparing for 2025

LLAW relies on two forms of communication to announce **Make Some Noise** Action Alerts during the legislative session.

1. Emails directly to LWVWV membership.
2. Facebook.

During the 2024 legislative session, our Facebook penetration increased dramatically. At this writing (September 2024), followers of LWVWV number more than 800. Yet, we frequently hear concerns that Facebook is a dying platform.

A League colleague from Alaska suggests otherwise and pointed us to data from the Pew Research Center. According to Pew, Facebook is the second most frequently used social media platform after YouTube, and more than 60 percent of adults say they use Facebook.

We conclude from these data that LWVWV can and will continue to use Facebook.

## LWVUS to Initiate Study on the Federal Judiciary

As we know, the League's education and advocacy efforts are constrained by its established positions. History illustrates how critical this is. In 1965, the LWVUS lacked a position on voting rights while Congress debated the Voting Rights Act. Without a position, the LWVUS was forced into silence during consideration of this landmark legislation.

Now we face a similar situation. For the three branches of government, the League has positions only on Congress and the Presidency. LWVUS lacks any position on the judicial branch. The danger is clear: the League may be silenced again while the legitimacy of the Supreme Court is at issue and legislation for reform is making its way through Congress.

During the June 2024 LWVUS National Convention, the LWVUS Board recommended a study regarding **the Federal Judiciary**. As proposed, the study would *formulate a position around the Federal Judiciary for Leagues to use to carry out the mission of empowering voters and defending democracy*. This study is intended also to serve as a pilot to identify methods to streamline the process and procedures for effectuating a League study.

The proposal was adopted by a vote of Convention delegates. Since then, LWVUS has been working to assemble the study committee.



We can now report that LWVUS has invited LWVWV Board member Judy Ball to serve on the 7-member study committee. Judy is 2<sup>nd</sup> Vice President of LWVWV, chairs the League's Legislative Action Workgroup (LLAW), and is current President of the LWV of Morgantown-Monongalia County.

# A RADICAL IDEA?

By Nancy Ulrich

In June 2015 a candidate, when campaigning for a federal office, speaking at a historically black college in Houston, Texas, called for a “ universal automatic voter registration.” The candidate proclaimed that “Every citizen in every state in the Union, every one, every young man or young woman should be automatically registered to vote when they turn 18 - unless they actively choose to opt out. We should modernize our entire approach to registration. The current system is a relic from an earlier age.”

Historically Americans were not always required to register to vote. Currently all states, except for North Dakota, have some form of registration. (Massachusetts became the first state to adopt registration laws in 1800.) Prior to the requirement for registration, voters simply showed up to vote with whatever documents or witnesses that they would need to prove their eligibility, The earliest registration processes were to enforce the requirement that qualified voters had to pay their taxes.

Anti-immigration of the 1830s led to new state voter registration laws that were used to prevent non-citizens from voting. (Several states at this time permitted non-citizens to vote). But still throughout most of the 19th century many states did not require a registration to vote.

In the late 1800s eligibility to register to vote became more complex, driven by partisan politics, attempting to make it more difficult and burdensome for poor, less educated, immigrant citizens and African-Americans to vote. During the so-called Progressive Era (1890-1929) many states adopted registration laws that applied only to cities. This was a period of rapid social and political change due to immigration and urbanization in the North and the enfranchisement of African-Americans in the South. Even with the ratification in 1870 of the 15th Amendment to the United States Constitution which unequivocally proclaimed that the “ right of citizens of the United States to vote shall not be denied or abridged..... on account of race, color, or previous condition of servitude”. Still the states continued to pass laws that denied African-Americans their constitutional right to register and vote.

The civil rights movement led to the passage of the Voting Rights Act and additionally, called for lowering voter registration barriers for reasons other than race. In 1962 President Kennedy appointed *The President’s Commission on Registration and Voting Participation* which recommended a series of reforms to ease voter registration, most of which were adopted.

In 1993 Congress passed the National Voters Registration Act in an attempt to further relax the registration requirements. It

was vetoed by President George H.W. Bush. In 1963 a similar bill was passed into law by President Bill Clinton.

Although the registration process has changed considerably during the 20th century, there continues to be obstacles for many people to register to vote. The Massachusetts Institute of Technology, Election Data Science Lab has found that “According to the comprehensive report from the 2022 Election Administration and Voting Survey, states reported rejecting 1,873,700 registration applications between the 2020 and 2022 general elections. This accounts for 2.5% of total registrations received in 2020 (2.5%) and 2018 (3.4%). These numbers do not include duplicate registrations.”

Increasingly states attempt to minimize the negative effects of registering and adopt new approaches to registration. This has been brought about by citizen activism, concerns regarding low voting turnout rates and the use of new technologies. The National Conference of State Legislatures reported that as of October 2023, 20 states and the District of Columbia have implemented same-day voter registration. (Minnesota has been doing this since 1974.). Of these, 18 states allow the voter to register and vote simultaneously.

Online registration now occurs in 42 states and the District of Columbia. This usually requires having some form of state identification at the time of registering. The newest development in voter registration is automatically becoming registered to vote when applying for or renewing a drivers license. The license holder has the option to opt out.

After considering this very simplification of all that has occurred and somewhat still occurring in attempting to register to vote, I ask you, wouldn’t it be simpler and more cost-effective to automatically register to vote each and every citizen upon their reaching their 18th birthday? Author Michael Waldman says that the right to vote should not be the fight to vote. The Brennan Center for Justice proclaims that every citizen should have a fair and equal opportunity to get and stay registered to vote. Could such a radical idea someday become law? Just think about it.

Resources: Brennan Center for Justice; MIT Election Data Science Lab; Institute for Responsive Government

## LOCAL LEAGUE HIGHLIGHTS



LWV of Huntington Honors 50 Year Members. The five honorees are Betty Barrett, Marcia Doaust, Rose Riter, Joan Weisberg and Martha Woodward.

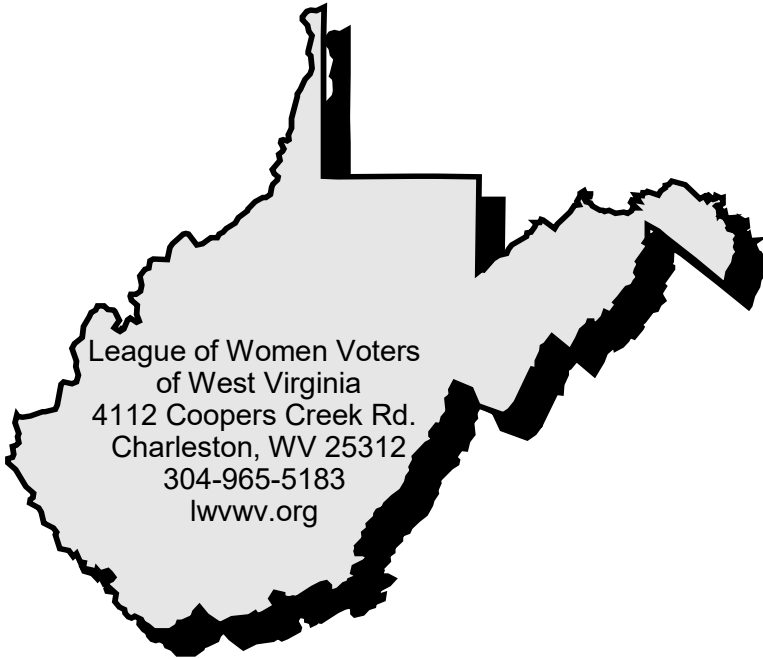


Jefferson County LWV interviews retiring county commissioner

Jane Tabb, retiring from the county commission after 18 years of service, shared with the public lessons learned. Interviewed by Lyn Widmyer, LWV of Jefferson County, Cmr. Tabb said commissioners should show up, listen to their constituents, use social media wisely and be prepared to research issues.

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Teresa Koon  
 Editor

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