VOLUME THIRTY • NUMBER ONE

FALL 2025

THE LEGAL EAGLE

A LEGAL NEWSPAPER FOR KIDS

Published by New Jersey State Bar Foundation

Becoming a Lifelong Voter in New Jersey **Could Start at Age 16**

by Maria Wood

Thomas Jefferson once said, "We do not have government by the majority. We have government by the majority who participate." For the most part, those who can participate in government by exercising their right to vote are citizens that are 18 years of age or older, as cited in the 26th Amendment to the U.S. Constitution.

Some cities across the country, however, are expanding the right to vote for those younger than 18 in certain elections. For example, in January 2024, New Jersey Governor Phil Murphy signed the New Voter Empowerment Act into law. The law allows 17-year-olds to vote in primary elections as long as they will turn 18 years of age on or before the general election. The law takes effect on

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Grappling with **Ghost Guns**

by Emily Pecot

The legal landscape of gun safety faces a new frontier centering around the "ghost gun." While the term ghost gun may be catchy, the official name is "privately made firearms" (PMFs), and these untraceable weapons present a significant challenge for courts and law enforcement.

PMFs are firearms that people build themselves, often from kits bought online. The key component in a ghost gun kit is called an "80% receiver" or frame, which is deliberately left unfinished. The "80%" refers to the amount of work already completed when someone purchases the kit.

Under the Gun Control Act of 1968, the "incompleteness" of the receiver means it is not legally considered a firearm. This loophole allows people to buy ghost gun kits without background checks, or other gun safety regulations that are applied to traditional guns. Once assembled, the ghost gun works just like any other firearm, but without a way to track who owns it or where it came from. The weapons are untraceable because they

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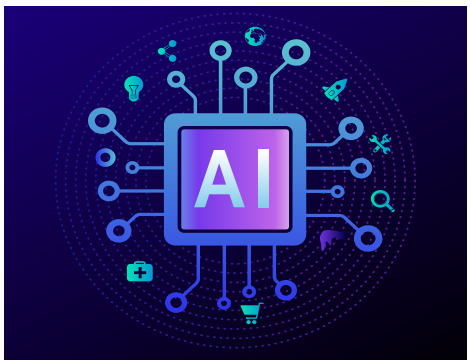
New Law Regarding Deepfakes Says, **"Take It Down"**

by Robin Roenker

In October 2023, male students at Westfield High School in New Jersey were caught distributing nude images of several female classmates in group text chats.

The images in question were not real, but rather so-called "deepfakes"— images or videos that have been generated by artificial intelligence (AI) with such accuracy that they appear to be real. Students



behind the cyberbullying attack in Westfield used deepfake technology to blend the girls' faces, sourced from real social media photos, onto realistic-looking, AI-produced nude bodies.

Westfield student Francesca Mani, one of the victims, appeared on *The New York Times*' podcast, The Daily, and told technology reporter Natasha Singer how she felt when she realized that she was one of the victims

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lack serial numbers, which are similar to a product's bar code or a car's VIN number.

PMFs can also be made using 3D printers, presenting an even more difficult challenge for regulators. People can download digital blueprints and print parts at home, making the manufacturing process even more decentralized.

Andrew Willinger, a professor at Duke University Law School and executive director of the Duke Center for Firearms Law, notes, "If gun assembly kits are not considered firearms, then they can be sold without the seller conducting a background check on the purchaser to determine whether that person is prohibited from possessing a gun."

For example, convicted **felons** and domestic abusers with restraining orders against them are prohibited from possessing guns and therefore would not pass a background check. However, through the internet, they can purchase a ghost gun kit.

The untraceable nature of ghost guns has a significant impact on criminal investigations. According to statistics from the U.S. Department of Justice, between 2016 and 2020, nearly 45,000 "privately made firearms," or ghost guns, were recovered from crime scenes or during criminal investigations. According to the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), 99% of those guns can't be traced. ATF data from 2017 to 2023 shows law enforcement recovered 92,702 PMFs.

Stats prompt action

In 2021, soon after taking office, former President Joseph Biden directed the ATF and the Justice Department to regulate ghost guns. In April 2022, ATF issued a new rule surrounding ghost guns. The rule stated that ghost gun kits would be considered as a firearm under the Gun Control Act of 1968. That meant that, like any other firearm, ghost guns would require serial numbers, and those purchasing them would be subject to a background check.

"This allows us, ATF, to track these firearms when we're covering a crime scene and give that information back to a police department so they can have a lead or someplace to start an investigation involving a crime with that firearm," Special Agent in Charge David Booth with ATF's Denver Division told CBS News when the rule was announced. "In this state, if you sell a firearm, you're required to go through a dealer. So, if you make a (privately made firearm) and you want to sell it to me, you have to take it to a dealer now and the dealer has to mark it and conduct a background check on me."

Agent Booth said that because the gun is now marked if it is involved in a crime or if it gets stolen, the police have the means to trace it.

According to statistics from Everytown, a non-profit organization that advocates against gun violence, the ATF rule change led to a reduction in the number of ghost guns recovered at crime scenes. For example, 2024 crime statistics from the Los Angeles Police Department revealed that the recovery rate of ghost guns at crime scenes in LA dropped by 50% since 2022. Several other major cities like Philadelphia, New York and Baltimore also saw a decline in ghost gun recoveries in 2023, offering evidence that the rule had an impact.

U.S. Supreme Court weighs in

Two individual gun owners, along with a gun-rights advocacy group, challenged the new rule in a Texas federal court. The case—*Bondi v. VanDerStock*, formerly *Garland v. VanDerStock*, eventually ended up at the U.S. Supreme Court. The case's name change occurred because there was a change in presidential leadership and in the U.S. Attorney General. The Court heard oral arguments in the case in October 2024 when it was still called *Garland v. VanDerStock*. The case's name changed to "Bondi," the newly appointed U.S. Attorney General, after President Donald Trump took office in January 2025.

According to Professor Willinger, the case was really a question of administrative law and not a true Second Amendment case.

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This publication was made possible through funding from the IOLTA Fund of the Bar of New Jersey.

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Ghost Guns CONTINUED FROM PAGE 2

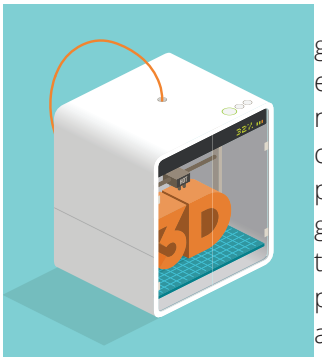
"The argument was that ATF had exceeded its authority as a federal agency to interpret the language that Congress enacted back in 1968," Professor Willinger says.

In other words, had the ATF acted in an arbitrary way when it wrote the new rule because it didn't actually have the **statutory** authority to say that a gun assembly kit should be classified as a firearm under the Gun Control Act of 1968.

In March 2025, the majority of the Court in a 7-2 decision **upheld** the Biden-era federal rule, finding that the Gun Control Act's wording allowed the ATF to regulate ghost gun kits.

In the **majority opinion** for the Court, Justice Neil Gorsuch compared gun kits to an unfinished manuscript or a piece of furniture that needs to be assembled. He also called out one kit in particular—Polymer80's kit which is called "Buy Build Shoot."

"An author might invite your opinion on her latest novel, even if she sends you an unfinished manuscript. A friend might speak of the table he just bought at IKEA, even though hours of assembly remain ahead of him," Justice Gorsuch wrote. "In the same way and for the same reason, an ordinary speaker might well describe the 'Buy Build Shoot' kit as a 'weapon.' Yes, perhaps a half hour of work is required before anyone can fire a shot. But even as sold, the kit comes with all necessary components, and its intended function as [an] instrument of combat is obvious. Really, the kit's name says it all: 'Buy Build Shoot.'"



The dissenting justices disagreed with the majority, believing ATF had overstepped its authority and that only Congress can regulate firearms parts, which it has not done.

"The Government asked this Court just last Term to 'rewrite' statutory text so that it could regulate semiautomatic weapons as machine guns. We declined to do so," Justice Clarence Thomas wrote in his dissent, referring to a decision that struck down the rule classifying bump stocks as machine guns. "The Government now asks us to rewrite statutory text so that it can regulate weapon-parts kits. This time, the Court obliges."

A patchwork of laws

While the U.S. Supreme Court has weighed in on the federal rule, Professor Willinger anticipates more state-level cases. In the absence of fully settled federal law, many states have taken matters into their own hands, creating a complex and varied set of laws across the country. These state-level rules often go further than the federal standard.

State laws on ghost guns in New Jersey, for example, require serial numbers and background checks for component parts, require all ghost guns to be reported to officials, ban the 3D printing of guns, as well as the distribution of 3D printing instructions, and also ban plastic undetectable guns.

"We're going to see a lot of this action happening at the state level," says Professor Willinger. "We could end up with a situation where these devices are treated differently in different states."

DISCUSSION QUESTIONS

1. **Do you agree or disagree with the U.S. Supreme Court's ruling in *Bondi v. VanDerStock*? Explain your answer.**
2. **Do you think Congress should regulate PMFs or ghost guns like any other firearm? Why or why not?**

Deep Fakes CONTINUED FROM PAGE 1

"In the beginning, I felt shocked because I didn't think it could happen to me. And that's the funny part because it could happen to anyone," Mani said. "I'm kind of sad, too, because it's surprising, because I didn't think my classmates could do this to me."

Mani isn't wrong; the deepfake threat is real and wide-reaching. According to Sensity AI, an image-detection firm, more than 90% of deepfakes are pornographic. AI advances have made it possible for attackers, with no specialized knowledge or training, to create sexually explicit images and videos of their intended victims in a matter of minutes.

Ben Colman, chief executive of Reality Defender, which works with companies and the government to detect AI-generated fake images, told *The Wall Street Journal*, "You would have needed an entire cluster of computers to generate images a few years ago. Now you just need an iPhone."

In addition to Westfield, cases of classmate-created nude deepfakes targeting middle or high school students have been reported in dozens of cities across the U.S., including Newtown Township, Pennsylvania; Laguna Beach, California; Aledo, Texas; and Miami, Florida.

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Deep Fakes CONTINUED FROM PAGE 3

According to a survey conducted by the Center for Democracy and Technology, a nonprofit organization that advocates for digital rights and freedom of expression, 40% of students and 29% of teachers were aware of deepfakes depicting individuals in their schools during the 2023-2024 school year, though not all of those cases involved pornography.

Spreading nude or explicit images without the depicted person's permission—often called **non-consensual** intimate image (NCII) abuse—can leave victims feeling deep trauma. These attacks represent not only an inherent privacy violation but also a serious blow to victims' self-esteem and reputation within their peer groups.

Emotional toll

Beyond student-driven deepfake incidents, there has also been an alarming rise in so-called "sextortion" cases. In these NCII scenarios, which often target pre-teen and teen boys, an internet bad actor threatens to post real or digitally created intimate images of victims online without their consent, unless they pay a ransom.

The shame and embarrassment that stem from an NCII attack—no matter the type—can lead victims to experience profound depression, anxiety or even thoughts of self-harm. Earlier this year in Kentucky, 16-year-old student Elijah Heacock died by suicide after someone created fake, AI-generated nude images of him and threatened to post them online unless he paid them $3,000.

The National Center for Missing and Exploited Children told CBS News that it received more than 500,000 reports of sextortion scams targeting minors in 2024. The Federal Bureau of Investigation estimates that since 2021 at least 20 teenagers have committed suicide due to sextortion scams.

Enacting protections

Since the Westfield incident, Mani and her parents have pushed for stronger protection for victims of real or AI-generated NCII attacks, both in New Jersey and across the nation.

In April 2025, Governor Phil Murphy signed a **bipartisan** bill dealing with deepfakes into law. The new law establishes civil and criminal penalties "for production or dissemination of deceptive audio or visual media, commonly known as "deepfakes." Violating the new law is a **third-degree crime** subject to imprisonment and a fine up to $30,000. In addition, the law has a provision that enables victims to sue for damages.

"I am proud to sign today's legislation and take a stand against deceptive and dangerous deepfakes," Governor Murphy said in a press release. "While artificial intelligence has proven to be a powerful tool, it must be used responsibly. My administration is laser-focused on combatting misinformation and ensuring media integrity. We stand with the victims of deepfake imagery and will continue to prioritize the safety and well-being of all New Jerseyans."

Now 16, Mani was present for the signing of the New Jersey law. She also appeared at a Washington, D.C. press conference with First Lady Melania Trump in March 2025, where they called for passage of then pending federal legislation to address the growing deepfake threat. The federal legislation was dubbed the "TAKE IT DOWN Act."

"It's heartbreaking to witness young teens, especially girls, grappling with the overwhelming challenges posed by malicious online content like deepfakes," First Lady Melania Trump said, while advocating for the new privacy protections. "This toxic environment can be severely damaging."

In February 2025, the U.S. Senate passed the TAKE IT DOWN Act unanimously. In April 2025 the House of Representatives approved the legislation by a vote of 409-2. The Act represents the first federal law to take action against the growing problem of NCII.

In May 2025, Mani and her parents were again invited to the U.S. capital to witness President Donald Trump's White House signing of the "TAKE IT DOWN Act" into law. The act prohibits non-consensual distribution of nude images or videos, whether real or deepfakes. The act also requires digital platforms to remove such content within 48 hours, once its presence is reported.

The new law, whose full title is the "Tools to Address Known Exploitation by Immobilizing Technological Deepfakes On Websites and Networks Act," makes it a federal crime to post or to threaten to post sexually explicit images without the permission of the person being shown.

Online platforms, including popular social media outlets like Instagram, Facebook and Twitter (now X), will be required to create a streamlined process that enables users to report non-consensual images and to request their removal. Websites and social media platforms must enact such a reporting framework by May 2026.

Platforms must also fully document their "good faith" efforts to comply with the

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Deep Fakes CONTINUED FROM PAGE 4

new law, including steps to remove NCII promptly, once alerted to its presence on their site. The Act empowers the Federal Trade Commission (FTC) to bring legal charges against any platform that does not comply, citing existing consumer protection laws.

TAKE IT DOWN also asserts that individuals behind NCII attacks can now face fines and up to two years imprisonment for posting or threatening to post nonconsensual images of adults. Individuals who post or threaten to post nonconsensual images of **minors** (people under age 18) can face fines and up to three years of jail time.

While the distribution of child pornography is already criminalized under U.S. federal law, proponents of TAKE IT DOWN argue that the law fills an important legal gap by criminalizing the non-consensual distribution of nude or exploitative images of children—including deepfakes—with an intent to harass the victim. In some scenarios, such actions had been difficult to prosecute under traditional child pornography restrictions.

Possible challenges

In addition to vast bipartisan support on Capitol Hill, the legislation has also received widespread approval from leading technology companies, including Google, TikTok, Microsoft and Meta (parent company of Facebook, Instagram and WhatsApp).

In a statement, victims' rights advocates, including RAINN (Rape, Abuse & Incest National Network), a leading anti-sexual violence organization, praised passage of the new law as "historic legislation...represent[ing] a monumental shift in protecting victims—especially children and survivors of tech-enabled sexual abuse—from exploitation in the digital age."

The new law is not without its detractors. Some civil liberties advocates have pushed back against TAKE IT DOWN, citing concerns that it may trigger removal of creative content that should, lawfully, be shielded by existing First Amendment free speech protections. One such group, the Electronic Frontier Foundation, a non-profit digital rights organization, says the law will lead to overreach and censorship of lawful speech.

"There's a tension between First Amendment values and the need to protect vulnerable people, including younger people, from content like deepfakes or non-consensual sexual content," says David Opderbeck, a professor at Seton Hall Law School and co-director of Seton Hall's Institute for Privacy Protection and its Gibbons Institute for Law Science and Technology.

Professor Opderbeck says the TAKE IT DOWN law "deals with really tricky First Amendment issues on freedom of speech." As a result, he expects constitutional challenges to the law and says that the U.S. Supreme Court may eventually have to weigh in.

In the meantime, students should strive to keep an open line of communication with a parent, teacher or other trusted adult if they become targets of a deepfake or other NCII attack. With adult support, students can take steps to alert appropriate school and local authorities to the situation—and leverage the TAKE IT DOWN ACT's new guidelines to ensure exploitative images are erased from social media sites.

DISCUSSION QUESTIONS

1. **In terms of creating deepfakes, do you think technology is moving faster than the public can handle? Why or why not?**
2. **Supporters of the TAKE IT DOWN Act say it provides needed protection for victims of a deepfake attack, while detractors contend that it conflicts with First Amendment rights. Make your best argument for either side.**
3. **What do you think is the best way to protect yourself from having a deepfake made of you?**

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January 1, 2026. According to the National Conference of State Legislatures, 21 states and Washington, D.C. have similar laws.

Also in January 2024, the Newark City Council voted to lower the required voting age for school board elections to 16. The measure took effect in April 2025, making Newark the first city in New Jersey to allow 16- and 17-year-olds to vote in any type of election.

The New Jersey State Constitution **affirms** the right of 18-year-olds to vote, but it does not specifically prohibit younger people from voting. Cities around the state are free to do what Newark did in opening the vote to 16- and 17-year-olds.

Boost April voter turnout

As the state's largest city, Newark's Board of Education oversees more than 40,000 students and an annual budget of more than $1.5 billion. After the Newark City Council's decision was announced, schools and local organizations launched a campaign to encourage 16- and 17-year-olds to register by the March 25, 2025 deadline, which would allow them to vote in the school board election scheduled for April 15, 2025. To facilitate voting by this new group of voters, registration forms were available at high schools and registration drives were held during lunch hours.

The goal with the registration drives in Newark was not only to get younger people involved in the voting process, but to boost historically low voter turnout for the April school board election. While most districts in New Jersey have moved their school board elections to November to draw in more voters, Newark is one of the few that still hold theirs in April.

Yael Bromberg, a voting rights lawyer and former adjunct professor at Rutgers Law School in Newark, says getting younger teens engaged in voting steers them on the path to lifelong voting. Through outreach programs at schools and in the community, Newark's teens were taught how to navigate the voting process beginning with registering, researching and choosing their preferred candidate, and ultimately casting their vote.

"It's a unique opportunity to support future voters and a stronger democratic republic," says Professor Bromberg, who is now an adjunct professor at American University's Washington College of Law where she teaches election law.

Voting in school board elections is especially important for 16- and 17-year-olds because it gives them a voice in issues directly impacting them, she says.

"High school students are very interested in school safety, specifically gun control, and climate justice," Professor Bromberg says. "We need to connect what voting means to their everyday lives and concerns."

In October 2024, Vote16NJ, a statewide voting rights organization formed by students, sponsored a summit at the Rutgers University campus in Newark. At the summit, Matthew Bassily, then a senior at Monroe Township High School, said he was inspired to bring the fight to lower the voting age back to his town.

"It was just really shocking to see that everyone attending these meetings and using their voice doesn't actually have a stake in the decisions of the board of education," Bassily told Chalkbeat, a non-profit news organization that exclusively covers education. "We're not asking for them to vote in the presidential election, especially in a time of polarization. We're asking for a 16-year-old to be able to vote in school board elections that directly affect them. I should be the one that has a say that can actually impact what happens in my school."

Disappointing turnout in Newark

When the ballots were counted after the April 15 election, actual voter turnout from 16- and 17-year-olds was low compared to the number that registered. Of the 7,000 eligible Newark voters in that age group, 1,851 registered to vote for the school board election. Of those, only 73 actually cast a ballot—a 3.47% participation rate. According to the New Jersey Institute for Social Justice (NJISJ), that number is in line with the typical voter turnout for an April election, which is between 3 and 4%.

Assatta Mann, senior community organizer for NJISJ, which actively supported lowering the voting age in Newark, told Chalkbeat that students faced challenges in actually casting a ballot, including a short timeframe to register and difficulties that the city of Newark had with implementation.

Professor Bromberg says implementation is key to boosting voter turnout among high school students. She suggests making voting more accessible to the youngest voters, such as having shuttles to polling places and sponsoring candidate forums in more accessible locations. It should be a collaborative effort between school administrators, faculty and student groups, the

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county clerk, and the secretary of state, she says.

Mann also noted that transportation was a problem, pointing out that students were not allowed to leave school to vote, and they could only vote in a school that hosted a polling place.

Professor Bromberg also advocates for a strong civics education program in high schools to boost youth voting.

"We should be supporting civics education just as we support youth sports," Professor Bromberg says.

Despite the low turnout in Newark, a study published in the *American Journal of Political Science* claims that teens who begin voting at 16 or 17 could become lifelong voters by starting the voting habit early on. According to the study, "Voting in one election substantially increases the likelihood of voting in the future."

What about the rest of New Jersey?

Two other large New Jersey cities have considered following Newark's lead in giving permission to 16- and 17-year-olds to vote in municipal and/or school board elections. In 2024, Jersey City proposed an ordinance to lower the voting age to 16 for municipal elections. Also in 2024, the Atlantic City Council considered an ordinance to permit 16-year-olds to vote in school board elections. At press time, Jersey City's ordinance was still undergoing evaluation, and Atlantic City had postponed a public hearing to discuss lowering the voting age

Governor Murphy has expressed his support for lowering the voting age in school board elections statewide.

"I know, to some, this proposal may sound unconventional," Governor Murphy said when speaking at Hoboken High School in October 2024. "But voting is a lifelong habit, and studies show that if a person votes in one election, they are more likely to turn out in the next election."

Governor Murphy's initial budget proposal for fiscal year 2026

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Lowering the Voting Age Around the World

According to the National Youth Voting Rights Organization, 28 countries across the globe have lowered the voting age to 16 or 17—some for all elections and some in just select contests. In 2007, Austria was the first European country to lower the voting age to 16 for all elections. A study conducted a year after the lower voting age was implemented found that turnout in that age group was higher than for 18- to 20-year-olds and not significantly lower than the average turnout rate.

Researchers concluded that lowering the voting age can encourage higher voter participation, which makes for a stronger democracy.

Could the U.S. be next?

Could the U.S. be the next country to expand voting rights to younger ages nationwide? In 2023, Representative Grace Meng of New York introduced legislation in the U.S. House of Representatives that would lower the federal voting age to 16. The proposal would replace the 26th Amendment to the U.S. Constitution, which states, "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."

Representative Meng's bill was referred to the House Judiciary Committee. So far, there has been no movement on the bill. Even if approved, which would take two-thirds of the U.S. House of Representatives and the U.S. Senate, the measure would have an uphill climb. It takes approval of three-fourths of state legislatures to **ratify** an amendment to the U.S. Constitution.

Also in 2023, Senator Elizabeth Warren of Massachusetts re-introduced the Youth Voting Rights Act. Among other things, the act would mandate that states establish a preregistration process for 16- and 17-year-olds to register to vote for federal elections that will take place when they turn 18. Yael Bromberg, an adjunct professor at American University's Washington College of Law where she teaches election law, worked on drafting Senator Warren's bill and says the senator plans to introduce it again in 2025.

—Maria Wood

included $1 million in new "Youth Vote Expansion Grants" that would have been made available to "local government leaders across New Jersey to create new opportunities for 16- and 17-year-olds to vote in local school board elections." The final approved budget, however, did not include this expenditure.

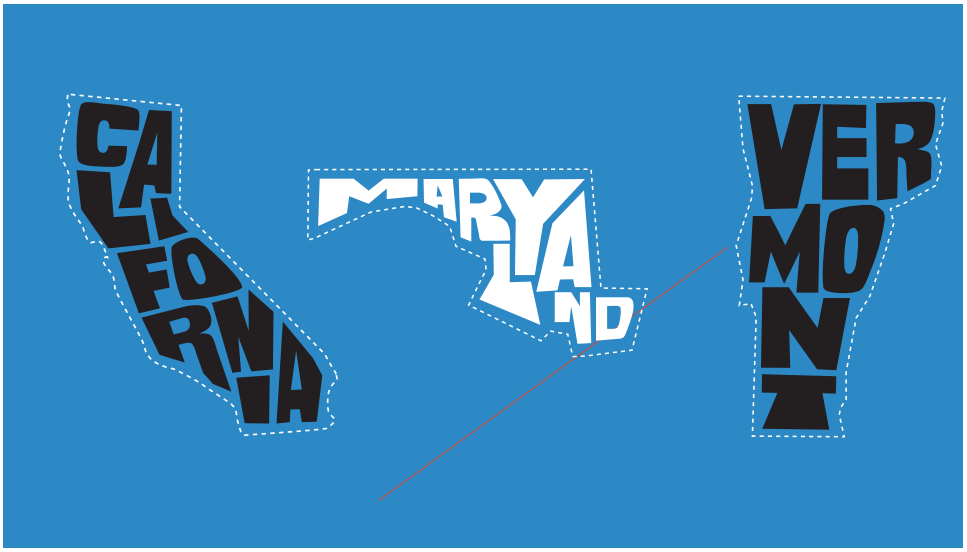
A survey conducted by the Center for Democracy and Civic Engagement revealed that 26.8% of New Jersey voters support 16-year-olds voting in school board elections but not in local or federal elections. The survey stated that "many respondents described 16- and 17-year-olds as immature, uninformed and easily influenced."

First in the nation

Takoma Park, Maryland is the first city in the nation to lower the voting age. In 2013, the Takoma Park Town Council voted 6-1 to allow 16- and 17-year-olds to vote for mayor and city council.

Just as in Newark, the youth turnout was initially low in Takoma Park. During the first year, of the 370 teens eligible to register, only 134 did so, and 47 actually voted. According to Vote16USA, over time Takoma Park teens have shown up in higher rates than the general population.

In Maryland, the cities of Greenbelt, Hyattsville, Riverdale



Park, Somerset Town, Chevy Chase, Cheverly, and Mount Rainier followed Takoma Park's lead, allowing 16- and 17-year-olds to cast ballots in local elections. Brattleboro, Vermont has a similar ordinance, according to the National Youth Voting Rights Organization. In Oakland and Berkeley, California, 16- and 17-year-olds can vote in school board elections only.

Professor Bromberg compares voting in school board elections at age 16 or 17 to getting a driver's permit at age 16 to develop driving skills. "Just like a driver's permit, this is an opportunity to teach young people how to become habitual practitioners of democracy."

DISCUSSION QUESTIONS

1. **Do you agree or disagree with the effort to lower the voting age for school board elections statewide? Explain your answer.**
2. **What measures would you suggest to increase voter turnout for 16- and 17-year-olds? What issue would get you out to the polls?**
3. **Once you are old enough to vote do you think you will become a lifelong voter (i.e., voting in all elections, not just the presidential years)? Why or why not?**
4. **As a future voter, what would you look for in a candidate for public office? Explain your answer in detail.**

GLOSSARY

affirm—to uphold, approve or confirm.

bipartisan—supported by two political parties.

felon—a person that is convicted of a felony, which is a crime usually punished by imprisonment of more than one year.

majority opinion—a statement written by a judge or justice that reflects the opinion reached by the majority of their colleagues.

minor—a person under 18 years of age.

non-consensual— without the agreement or permission of all parties involved.

ratify—to approve or endorse.

statutory—based on legislative enactment.

third-degree crime—a crime that carries a maximum sentence of five years in prison.

upheld—supported; kept the same.