

Anatomy of a Successful Campaign for Election Day Registration in Iowa

Iowa Governor Chet Culver signed Election Day Registration (EDR) legislation (House File 653) into law on April 3, 2007. As of January 1, 2008, Iowa citizens will be able to register to vote and cast a ballot on Election Day. With the governor's pen stroke, Iowa became the eighth state in the nation to extend the franchise to otherwise eligible citizens who had not yet registered to vote at the close of voter registration deadlines (or whose names could not be found on the voter rolls on Election Day).¹

The enactment of EDR in Iowa was the result of a highly coordinated and strategic campaign. The Iowa Citizen Action Network, labor unions, the League of Women Voters, the faith community, Citizens for Community Improvement, the Iowa Farmers Union, the NAACP and other progressive organizations worked closely with state legislative leaders and the Iowa Secretary of State's Office to craft an EDR bill that could both increase access to the vote and preserve the efficient administration of elections. With EDR, voter turnout is projected to rise by almost 5 percent. Greater gains are forecast for young voters, recently naturalized citizens, Latinos, African Americans, and those who have moved in the last six months.

IOWA ELECTIONS

Iowa has maintained relatively liberal election rules and enjoyed high rates of voter participation in recent years. Eligible citizens were able to register to vote up until 10 days before an election. An Iowan who had moved within the same county but not yet notified the local elections office could update her voter registration record at the polls and cast a ballot at her new address. No-excuse absentee balloting has been in effect since the early 1990s. With 100 signatures, Iowans could petition for satellite, early voting stations in a precinct that would open for a minimum of six hours per day as soon as ballots for an election had been printed. Photo identification was not required in order to vote, and no voter fraud alleged. The U.S. Election Assistance Commission reported a 68 percent turnout among Iowa's voting age population in the 2004 presidential election.²

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A NETWORK FOR IDEAS & ACTION

HISTORICAL SUPPORT FOR ELECTION DAY REGISTRATION

Election Day Registration has been proposed in Iowa for several decades. Mike Gronstal, the Majority Leader in the 2007 Iowa Senate, and other prominent legislative leaders had introduced EDR bills as far back as the 1980s. But divided party control of government and rising partisanship foreclosed adoption of Election Day Registration until 2007. An EDR bill that passed the Iowa Senate and House of Representatives in the late 1980s was vetoed by then-Republican Governor Terry Branstad. While EDR has historically enjoyed the support of both Democrats and Republicans in states that offer it, consideration of Election Day Registration split along partisan lines in Iowa. In recent years the two main parties have adopted alternative frames for election reform debates. The Democratic Party has more often emphasized increased citizen access to the ballot, and championed EDR as a means to that end. The GOP has conversely tended to stress ballot security. It has opposed Election Day Registration as risking double voting and the registration and balloting of ineligible individuals at the polls. A recent survey of local election administrators in six EDR states and contemporary elections data show that states can both maintain ballot security and offer increased access to the vote.³ Nevertheless, Republican control of the Iowa House of Representatives from 1993 to 2006 foreclosed serious consideration of EDR in that chamber for over a decade.

THE RECIPE FOR EDR SUCCESS IN 2007

The enactment of EDR in 2007 reflected a “perfect storm” of factors that were put into motion over a matter of months, building upon a solid base of support. The November 2006 election in Iowa swept into leadership roles a core group of progressive policy makers in the legislature and the governor’s office who would move Election Day Registration to the top of the state’s policy agenda. A tight network of state and regional advocates and organizers would recognize and seize upon a clear opportunity to strengthen democracy by extending the franchise to more eligible voters. And Secretary of State Michael Mauro, newly elected to office after years of administering elections in Iowa’s largest county, would be recruited to help craft an EDR proposal that would address the concerns of his former colleagues in Iowa’s 99 counties.

Dēmos conducted a telephone survey of 27 individuals involved in Iowa’s EDR campaign from June to July, 2007. Interviewees included legislative leaders, election officials, lobbyists, public policy advocates and grassroots organizers.⁴ Follow-up conversations were initiated in subsequent months. The results are summarized herein. We believe that the insights gained by this research will prove instructive to those interested in pursuing Election Day Registration legislation in their states.

In general, individuals who participated in the Dēmos survey shared a common perception of the reasons behind Iowa’s successful EDR campaign. Election Day Registration passed in 2007 because of new, progressive political leadership; a

strategic organizing and lobbying campaign; the support of the state's chief elections officer; and the neutralization of any opposition by county auditors. Each would prove essential to the outcome.

Progressive political leadership

The November 2006 election, which tallied record gains for the Democratic Party across the country, ushered a group of politically progressive Democrats into power in Iowa. They moved into leadership positions in the Iowa House and Senate—Democrats had not held a majority of seats in both chambers since 1964—and the governor's office. The Senate President, Majority Leader, and chair of the Senate Government Committee were long-term champions of EDR. Senate President John Kibble had introduced Election Day Registration bills in previous legislatures. Senate Majority Leader Mike Gronstal and his colleagues in the Senate Democratic Leadership pledged to make a strong push for EDR in the 2007 session. Passage in the Senate was certain. And while EDR support was not assured in the House, progressive Democratic control there also favored passage of an Election Day Registration bill.

Meanwhile, former Secretary of State Chet Culver was elected governor. Culver had often cited EDR as an effective means to boost voter participation in his previous office. He could be expected to sign into law Election Day Registration legislation if it reached his desk.

A strategic organizing and lobbying campaign

By December 2006, well before the EDR bills were introduced in the Iowa Senate and House, the architects of Iowa's EDR campaign had mapped out a detailed roadmap for success. They envisioned a solid base of progressive legislative leadership; a strong coalition of influential organizations; organizing and lobbying by grassroots leaders and constituencies; a focused public education and media campaign; and a bid to gain the support of county election administrators, or at least limit their opposition. Each element of that plan fell into place. Much of the hard work necessary for passing Iowa EDR legislation had been undertaken before legislation was introduced.

Early campaign planning

The seeds for the 2007 initiative were planted at a post-election, November 2006 meeting convened by the Midwest States Center—a regional support organization dedicated to economic, social, racial and environmental justice. Progressive Midwest activists, legislators and election officials discussed the need for an expanded democracy campaign in the region. Iowa was identified as ripe for election reform, given its strong cadre of progressive legislators in the new Democratic majority, an established working relationship between local activists and legislators in leadership positions, a solid base of advocacy organizations and a historical receptivity to

voting liberalizations. Election Day Registration was chosen as the target reform because of its potential to increase voter participation. The Midwest States Center's ability to raise at least modest funding from national philanthropic institutions and individuals would help boost advocacy efforts in Iowa.

Local leadership: the Iowa Citizen Action Network

The success of the 2007 initiative was in large part due to the strong leadership of the Iowa Citizen Action Network (ICAN). Led by Executive Director Betty Ahrens, ICAN is a 14,000-person strong membership organization and alliance of community, religious, labor, seniors, farm, environmental and civil rights groups. Numerous observers noted that the EDR bill might never have passed in 2007 had an organization like ICAN not taken responsibility for assembling a diverse coalition of Iowa groups behind a well-planned legislative campaign. ICAN's staff, board of directors and membership organization made EDR enactment a top priority that year.

Grassroots and organizational mobilization and lobbying

Iowa has historically boasted a rich collection of organizations committed to government reform. By early 2007, ICAN had developed a detailed grassroots and lobbying strategy for EDR enactment. Labor unions, the League of Women Voters, the faith community, Citizens for Community Improvement, the Iowa Farmers Union, the NAACP, and others were recruited to endorse EDR legislation and lobby legislators to adopt it. And the voices, interests and political influence of Iowa's many unionized workers were represented through the participation of organized labor.

The mettle of grassroots support for EDR was tested after publication of an editorial in opposition to Election Day Registration. On February 27, 2007, the Waterloo-Cedar Falls Courier came out against EDR as an invitation to voter fraud. Senator Jeff Danielson, an EDR sponsor who represents that area of the state, asked EDR activists to demonstrate public support for the bill. ICAN put out the call, and was able to generate a slew of letters to the editor in favor of Election Day Registration. The engagement of Iowa citizens signaled legitimate public support for EDR to members of the state House and Senate.

Iowa's EDR proponents were able to match grassroots pressure with direct lobbying in Des Moines. With funds raised for the EDR campaign, ICAN hired John Cacciatore, a skilled lobbyist with extensive experience in electoral issue and policies. Cacciatore worked the halls of the Iowa capitol. He maintained constant contact with legislative leaders; monitored press reports and editorials for them; provided all manner of background information from EDR states; and helped keep legislators on task and the bill "on calendar."

Effective public education and communication

The first order of business for Iowa's Election Day Registration proponents was to become experts on its "ins and outs." With input gleaned from the collective experience of elections administrators in EDR states and experts like Dēmos, ICAN

and its allies inside and outside the legislature marshaled data on voter turnout, its ability to remedy potential voter disfranchisement at the polls, the mechanics of its administration on Election Day and the integrity of elections conducted with it.⁵ Fact sheets and briefing papers were developed for legislators and opinion leaders. And EDR was framed as a tool for expanding democracy, a frame that gained traction in the State Capitol and in the media.

In early 2007, Dēmos commissioned three respected political scientists to study EDR's potential impact in Iowa. In a subsequent report, they projected an overall 4.9 percent rise in voter turnout. Higher rates were forecast for young voting-age Iowans, individuals who had moved within the last six months, Latinos, African Americans and recently naturalized citizens.⁶ These findings were used by EDR sponsors in the course of legislative debates in the state house and senate, and cited in coalition press releases. The data was also widely cited in the media.

The "expanding democracy" frame could take hold in Iowa because the competing frame, the threat of potential voter fraud, was effectively eliminated early on in the debate. EDR opponents routinely allege that allowing individuals to register and cast ballots on Election Day will open the floodgates to voter impersonation at the polls and multiple voting across poll sites. Fears of corrupting democracy are amplified when the alleged illegal voters are cast as undocumented immigrants.

ICAN anticipated these voter fraud arguments, and responded. It gathered and disseminated among legislators, opinion leaders and grassroots activists the evidence of secure elections administered in EDR states over the decades. In fact, EDR proponents could justifiably argue that Election Day Registration would actually enhance security. Individuals would register in person on Election Day before trained elections staff, rather than anonymously through the mail.

One particularly persuasive testament to the near absence of voter fraud in EDR states was a 2006 report by the New Hampshire Attorney General. Dēmos brought this report to the attention of Iowa advocates, and prepared a summary and talking points about the report for use in the state.⁷ New Hampshire officials had undertaken a major effort to enforce its election laws during the 2004 election. They were primarily concerned about charges of multiple voting with EDR and voting by people who were not legally domiciled in New Hampshire. After an initial database analysis of thousands of voting and registration records, the New Hampshire Attorney General ordered follow-up investigations of 240 individuals; most were discovered to have had legally and validly registered to vote on Election Day. In the end, only six people were suspected of providing false information when they registered. Of the six suspects, four who registered to vote on Election Day provided recent but inaccurate addresses on their registration forms. Three of these four were prosecuted for providing a false address (a fourth Election Day registrant had moved to another state and a warrant was issued for his arrest). Two other persons were prosecuted for using or forging false names.⁸ The Attorney General found no evidence that anyone had voted more than once.

The Attorney General's report was repeatedly cited by Rep. Wessell-Kroeschell, Vice Chair of the House State Government Committee and floor manager of the EDR

bill, as evidence of the near-absence of voter fraud in EDR states as she shepherded the bill through that chamber.⁹ EDR supporters also put it to good use in their public relations efforts.

Positive media coverage

Iowa legislators interviewed in the Dēmos survey expressed particular appreciation for the EDR coalition's ability to generate positive editorials and news coverage. The press was a result of a well-planned media campaign. By December 2006, ICAN had mapped out editorial board visits to influential Iowa newspapers in every corner of the state. Research on EDR's potential for increasing voter turnout and the absence of voter fraud were released to the press. After editorial board visits by EDR proponents from ICAN, The League of Women Voters and Dēmos, five newspapers editorialized in favor of Election Day Registration in March 2007.¹⁰ Radio spots on EDR produced by the Iowa Radio News Service were aired by a number of subscribing radio stations.

WORKING WITH IOWA'S ELECTIONS OFFICIALS

One of the most astute decisions made in the Iowa EDR campaign was the decision to recruit the active engagement and support of newly elected Iowa Secretary of State Mike Mauro, and avoid opposition from county elections administrators. As the state's top elections officer, Mauro's views on elections legislation commanded the respect of Iowa policymakers and opinion leaders. EDR proponents invited Secretary Mauro to participate in the earliest discussions of Election Day Registration and help draft a bill that he could support. Those steps would prove decisive to the campaign for EDR.

The Secretary of State's thinking on a workable EDR proposal was heavily influenced by the experience of the neighboring EDR state of Minnesota. In a series of conversations with elections authorities, he and his staff came to understand how Election Day Registration was administered in Minnesota and could be adapted for Iowa. A full-day's meeting in the Minnesota Capitol between Deputy Secretary of State for Elections Linda Langenberg (a former county auditor in Linn County), another Iowa elections official, the Minnesota Secretary of State, and other elections administrators allowed for in-depth discussion on elections security and other concerns. The field trip was later replicated by a group of Iowa county auditors who met with local elections administrators in Minnesota.

The decision to recruit Iowa's Secretary of State would also serve a second critical purpose: neutralizing opposition from county auditors. Mauro and Deputy Secretary of State Linda Langenberg were perfect envoys to Iowa's 99 county auditors. Both had previously worked over a number of years as county auditors in large Iowa jurisdictions and commanded a measure of respect for their judgment on this issue from their former peers.

Local elections officials have historically been one of the most influential

constituencies in EDR policy debates. Their opposition can torpedo election reform bills, as has been the case with EDR legislation in a number of states in recent years. Blunting their opposition, if not winning their support, can decide the fate of an EDR proposal.

Iowa county auditors raised four primary concerns about Election Day Registration. Secretary of State Mauro and Deputy Secretary Langenberg responded to each of them, either in suggesting new provisions of the legislation or by referencing the experience of EDR states. The EDR bill included heightened proof of identity requirements and stiffer criminal penalties to respond to fears of voter fraud.¹¹ The need for extra poll workers on Election Day was dismissed as unnecessary. Counties were already obliged to have sufficient staff on hand to administer provisional balloting and to process address changes.¹² EDR would virtually replace these transactions; existing polling staff would simply shift their duties on Election Day. The fear that Election Day Registrations would balloon over time and eclipse advance registrations and swamp the polling sites was belied by the experience of EDR states. Election Day Registrations accounted for 18 percent or less of votes cast in EDR states in the 2006 election.¹³ And the Iowa Secretary of States' Office would help defray cost increases by developing new, easy-to-copy materials for county use.

One distinct selling point for EDR among county auditors was its potential for drastically reducing the demand for provisional ballots. It would actually ease the workload of local elections staff. Like other states, Iowa is required by federal law to provide provisional ballots at the polls to individuals who believe themselves registered to vote, but whose names are not found on the voter rolls. Frenzied, post-election determinations of the validity of each provisional vote can generate days of added work for elections staff. 15,406 provisional ballots were cast in Iowa in the 2004 presidential election, of which 8,038 (52.2 percent) were eventually counted. EDR is clearly an easier alternative. A citizen who does not appear on the voter rolls can simply substantiate their identity and residency, register to vote, and cast a regular ballot. Little further action would be necessary.¹⁴ And poll workers could avoid unpleasant interactions with irate voters whose names are omitted from voter rolls and denied the opportunity to cast a regular ballot.

The decision to proactively address the concerns of Iowa's elections officials and administrators proved prescient. County auditors remained largely silent in legislative debates on EDR, and Secretary Mauro became a vocal champion for bringing Election Day Registration to Iowa. He acted as an authoritative and effective spokesperson for the legislation, reporting that elections authorities in EDR states have been able to administer Election Day Registration for decades without undue cost or burden, and without undermining the security of their elections. Secretary Mauro's support was also regularly cited in the media, serving as a key official voice on the benefits of EDR for Iowans across the state.

SPEEDY PASSAGE OF EDR LEGISLATION

The Iowa General Assembly passed Election Day Registration legislation in both chambers within six weeks of bill introduction. Given strong support among leaders of the majority party and in the Iowa State Government Committees, coupled with the expert campaign mounted in support of EDR, a positive outcome was all but assured. Fraud was the chief argument raised against the bills by Republican opposition. That claim never took hold. EDR proponents anticipated the voter fraud fear and preempted opponents' claims by showing that EDR states have administered clean elections for decades. Iowa Secretary of State Mike Mauro and most editorial boards in Iowa validated their position.

EDR: A TOOL FOR EXPANDING THE FRANCHISE

EDR is a tool for greater democracy, improving the ability of Iowa citizens to register and vote. But it will only enhance democratic participation if the voters are properly informed about its availability and procedures, if poll workers are adequately trained on its implementation, and if activists grasp its potential for streamlining voter mobilization.

Signs are good that Iowans will indeed embrace EDR's potential. The Iowa Secretary of State's Office has adopted a pro-active stance on EDR implementation, convening a half-day training of county auditors in November 2007, producing instructional video for poll worker instruction, and posting a voter's guide to Election Day Registration on its website in mid-2007. Voter education initiatives are planned. Meanwhile, the engagement of a broad spectrum of civic organizations and organizers in the EDR campaign suggest EDR's potential for grassroots mobilization will be pursued. The true test will come in the various local elections scheduled throughout 2008, and in the all-important November vote.

ENDNOTES

1. A ninth state, North Dakota, does not require pre-election registration. A tenth state, North Carolina, adopted a similar measure in July of 2007—Same Day Registration—whereby citizens can register and vote at early voting centers after the voter registration deadline passes.
2. See U.S. Election Assistance Commission, *2004 Election Day Survey* (2004), <http://www.eac.gov/clearinghouse/2004-election-day-survey/>.
3. See Dēmos, *Election Day Registration: A Ground Level View; What Local Election Officials Have Learned About Letting Americans Register and Vote on the Same Day* (November 2007), <http://www.demos.org/pubs/EDR%20Clerks.pdf>.
4. List of individuals surveyed available from Dēmos: A Network for Ideas & Action.
5. Dēmos convened a two-day conference of state activists on EDR research, administration and communications in October 2005. The conference was attended by at least one active member of the 2007 Iowa EDR coalition, as well as one Iowa election official.
6. R. Michael Alvarez and Jonathan Nagler, *Election Day Voter Registration in Iowa* (Dēmos, March 2007), <http://demos.org/pubs/iowa.pdf>.
7. Memorandum from Bud Fitch, Deputy Attorney General to Chairman Robert Boyce, and Members Senate Internal Affairs Committee Chairperson, Chairman Michael D. Whalley, and House Election Law Committee Chairperson, April 6, 2006, http://doj.nh.gov/publications/nreleases/pdf/040606wrongful_voting.pdf.
8. Ibid. One was a 17 year-old who “subbed” for his father; the other was a man who signed a nominating petition twice, once using his name and a second time with the name of a relative. See Lorraine Minnite, *Election Day Registration: A Study of Voter Fraud and Findings on Voter Roll Security* (Dēmos, 2007), pg. 3, http://www.demos.org/pubs/edr_fraud_v2.pdf.
9. For further information on voter fraud and Election Day Registration, see Minnite, *Election Day Registration*; Lorraine C. Minnite, *An Analysis of Voter Fraud in the United States*, (Dēmos, 2007), http://www.demos.org/pubs/analysis_voter_fraud.pdf; David Callahan and Lorraine C. Minnite, *Securing the Vote: An Analysis of Election Fraud* (Dēmos, 2003), http://www.demos.org/pubs/EDR_-_Securing_the_Vote.pdf.
10. “Let Iowans register and vote on Election Day,” *Des Moines Register*, March 2, 2007; “Iowa should sign up for Election Day Registration,” *Ames Tribune*, March 14, 2007; “Election day registration would be safe, effective,” *Mason City, IA Globe Gazette*, March 18, 2007; “Make it easier to register and vote,” *Cedar Rapids Gazette*, March 20, 2007; “Voter convenience Election day registration measure encourages greater voter registration,” *Iowa HawkEye*, March 22, 2007.
11. Iowans wishing to register to vote on Election Day would be required to present a current and valid Iowa driver’s license or Iowa non-operator’s identification card, or one of five other specified forms of identification if such identification contains the person’s photograph and a validity expiration date. If the photographic identification does not contain the person’s current address in the precinct, the person would also need to show one of several documents that bore the individual’s name and address in the precinct. An Election Day registrant’s identity and residency could alternatively be established by an oath of another voter registered to vote in the same precinct. The penalty for voter fraud was elevated to a “Class D” felony, meriting up to 5 years imprisonment and a fine of up to \$7,500.
12. Iowa allows a registered voter who has moved to another residence within the same county to update her registration data and vote.
13. See *Voters Win with Election Day Registration*, (Dēmos, 2007) <http://www.demos.org/pubs/Voters%20Win.pdf>
14. Iowa requires that Election Day registrants provide documentary proof of their identity and residence. Identity can be established with one of the following photo IDs: an Iowa driver’s license or non-operator ID; an out-of-state driver’s license or non-operator ID; a U.S. military ID card; employer-issued ID; an Iowa school ID; or a U.S. passport. The ID must be valid and show an expiration date. Residency can be proved with an acceptable photo ID that also bares an address, or one of the following documents: a residential lease; a property tax statement; a utility bill; a bank statement; a paycheck; a government check; or another government document. An Election Day registrants may also establish her identity and residency by oath of a registered voter—including an Election Day registrants who had showed sufficient proof of identity and residence. An individual who can not establish proof of identity and residency may vote a provisional ballot. That vote will not be counted unless the individual later shows proof of identity and residence to the county auditor before the “Special Precinct Board” convenes—typically 2 days after an election. County auditors must send a non-forwardable voter registration card to each Election Day registrants within 45 days—as with all other registrants. If returned as non-deliverable, the auditor sends a forwardable letter asking that the registrant explain why her voter registration card was returned. The auditor must notify the Secretary of State and the county attorney if no response is received to the forwardable letter within 14 days. See Iowa Code § 48A.7A.

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