

# Making Voting Easier

Election Day  
Registration in New York

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# Executive Summary

**A**s policymakers, election officials, and the public consider whether New York should change the way in which voters are allowed to register to participate in elections, and bring New York State election law into compliance with the Help America Vote Act, we provide an analysis of the potential impact of election day registration (EDR) in New York. The current system of registration is one in which citizens must register 25 days before election day in order to be eligible to vote.<sup>1</sup> Under EDR this advance registration barrier would be eliminated as citizens could register on election day.

It is important to note that our analysis of the effects of EDR on turnout is based on the experiences of other EDR states, which allow same day registration at the polling place. A legislative proposal currently under consideration in New York (A.5762) would require voters to register on election day at a location other than the polling place. Hence, the actual impact on turnout of EDR in New York is likely be less than the estimates we report here. This is because EDR in New York would entail two steps: registration at a local board of elections, and then casting a ballot at the appropriate local polling place. A second bill, A.5800, would rescind the current state constitutional requirement that voter registration take place at least 10 days before elections.

Our findings may be broadly categorized in three ways. First, EDR should help increase voter registration and turnout in New York. In particular, our analysis finds that adjusting for the effects of age, mobility, and many other factors, New York could see its long-run turnout rate increase by as much as 8.6 percentage points in presiden-

tial elections. This means that turnout in the 2000 presidential election in New York could have been as high as 59 percent if EDR had been in place.

Second, EDR is likely to make voting easier for citizens who have the most difficulty maintaining an up-to-date voter registration record in New York. Our analysis predicts as much as:

- A 12.3 percentage point increase in turnout by 18-to-25-year-olds.
- A 9.8 percentage point increase in turnout by those with a grade school education or less.
- An 11 point increase in turnout by Latinos and an 8.7 percentage point increase in turnout by African Americans.
- A 10.1 percentage point increase in turnout by those who have lived at their current address for less than six months.
- A 12.2 percentage point increase in turnout by naturalized citizens.

Third, New York could mitigate or avoid the problems commonly advanced by EDR opponents: added burdens on election administration, cost, and potential voter fraud. We address these concerns below. We show that states like Minnesota and Wisconsin that currently use EDR have developed effective laws and procedures that serve to minimize or eliminate these problems. We argue that should New York move to EDR, it too could mitigate or eliminate these problems through effective laws and procedures. And there is no reason to believe that implementation, as described in A.5762, would lead to increased voter fraud.



## New York State Registration Form

Yes, I need an application for an Absentee Ballot **Please print or type in blue or black ink**  Yes, I would like to be an Election Day Worker

1 Are you a U.S. citizen? Yes <input type="checkbox"/> No <input type="checkbox"/>		2 I will be 18 years old on or before election day: Yes <input type="checkbox"/> No <input type="checkbox"/>		For Board use only!	
3 Last Name		First Name		Middle Initial	
4 Address Where You Live (do not give P.O. address)		Apt. No.		City/Town/Village	
5 Address Where You Get Your Mail (if different from above)		P.O. Box, star rte., etc.		Post Office	
6 Date of Birth		7 Sex (circle) M <input type="checkbox"/> F <input type="checkbox"/>		8 Home Tel. Number (optional)	
10 The last year you voted		9 Your Address was (give house number, street, and city)		ID Number - Check the applicable box and provide your number	
10 In county/state		Under the name (if different from your name now)		<input type="checkbox"/> New York Driver's License Number <input type="checkbox"/> Last four digits of your Social Security number <input type="checkbox"/> I do not have a New York driver's license number or a Social Security number.	
11 Choose a Party - Check one box only <input type="checkbox"/> REPUBLICAN PARTY <input type="checkbox"/> DEMOCRATIC PARTY <input type="checkbox"/> INDEPENDENCE PARTY <input type="checkbox"/> CONSERVATIVE PARTY <input type="checkbox"/> WORKING FAMILIES PARTY <input type="checkbox"/> OTHER (write in) _____ <input type="checkbox"/> I DO NOT WISH TO ENROLL IN A PARTY		12 AFFIDAVIT: I swear or affirm that • I am a citizen of the United States. • I will have lived in the county, city, or village for at least 30 days before the election. • I meet all requirements to register to vote in New York State. • This is my signature or mark on the line below. • The above information is true. I understand that if it is not true I can be convicted and fined up to \$5,000 and/or jailed for up to four years. ↓ Signature or mark ↓ X _____		Date _____	

Please do not write in this space

## Formulario De Inscripción Del Votante Del Estado De Nueva York

Sí, necesito una solicitud para una Boleta de Ausente **Sírvase completar con letras de imprenta en tinta azul o negra**  Sí, me gustaría ser un Trabajador para el Día de las Elecciones

1 ¿Es usted ciudadano norteamericano? Sí <input type="checkbox"/> No <input type="checkbox"/>		2 Tendré 18 años el día de las elecciones o antes Sí <input type="checkbox"/> No <input type="checkbox"/>		¡Para uso exclusivo de la Junta!	
3 Apellido		Nombre		Inicial Segundo Nombre	
4 Domicilio de su hogar (no escriba casilla de correo)		Nº de apto		Ciudad/Pueblo/Aldea	
5 Domicilio postal (si difiere del anterior)		Casilla de Correo, Nº de ruta, etc.		Oficina de Correos	
6 Fecha de Nacimiento		7 Sexo (encierra en un círculo) M <input type="checkbox"/> F <input type="checkbox"/>		8 N° de teléfono de su hogar (opcional)	
10 Último año en que usted votó		9 Su domicilio era (escriba calle, número y ciudad)		Número de Identificación - Marque el recuadro que corresponde y escriba el número	
10 En el condado/estado		Con el nombre (si difiere del que utiliza actualmente)		<input type="checkbox"/> N° de licencia de conducir de Nueva York <input type="checkbox"/> Últimos 4 dígitos de su N° de Seguro Social <input type="checkbox"/> No poseo ninguno de dichos números	
Elija un partido - Marque sólo un recuadro <input type="checkbox"/> PARTIDO REPUBLICANO <input type="checkbox"/> PARTIDO DEMÓCRATA <input type="checkbox"/> PARTIDO DE LA INDEPENDENCIA <input type="checkbox"/> PARTIDO CONSERVADOR <input type="checkbox"/> PARTIDO DE LAS FAMILIAS TRABAJADORAS <input type="checkbox"/> OTRO (especifique) _____ <input type="checkbox"/> NO DESEO INSCRIBIRME EN UN PARTIDO		DECLARACIÓN JURADA: Juro o afirmo que • Soy ciudadano de los Estados Unidos. • Habré residido en el condado, ciudad o pueblo durante al menos 30 días con anterioridad a la elección. • Cumpló con todos los requisitos para inscribirme para votar en el Estado de Nueva York. • Mi firma o huella figura en la línea que está a continuación. • La información precedente es verdadera. Entiendo que si no fuera verdadera, puedo ser condenado y multado con hasta \$5,000 y/o encarcelado por un máximo de cuatro años. ↓ Firma o huella ↓ X _____		Fecha _____	

Por favor no escribir en este espacio

## 1. Introduction

Voter registration is intended to ensure that voters who are eligible to vote are able to do so, and that non-eligible individuals cannot cast ballots. A voter registration list enables election workers to authenticate eligible voters at the polls. Voter registration also serves to provide lists of persons (i.e., registered voters) who should receive notices informing them when elections are forthcoming, and where they should go to vote.

However, there are costs associated with any system of voter registration. Principally, voter registration adds another step to the voting process and thus creates a barrier to voting. In order to vote in New York people must know how to register, and must do so well in advance of any election. When people move, failure to update their registration can make them ineligible to vote. And people who show up at the polls may be disenfranchised if there are errors in the registration system.

Problems with voter registration have led to two major reforms in the last fifteen years. The National Voter Registration Act of 1993 ("NVRA," commonly referred to as "motor voter") requires states to provide voter registration material at sites where citizens register motor vehicles. It also requires states to provide agency-based registration, where state offices that provide public assistance, services to persons with disabilities, and other aid must offer registration opportunities to each "applicant for services." And, it requires states to offer and accept mail-in forms for voter registration. The Help America Vote Act of 2002 (HAVA) requires states to create a statewide, central voter registration system. Both NVRA and HAVA provide challenges for the New York State voter registration system as they establish legal mandates for services the system must provide. Notably, these legal mandates cross jurisdictional lines of state and county.

Six states currently use EDR. Their collective experience can speak to the advantages of election day registration and to the challenges and consequences of its implementation. When studying the likely impact of EDR on California, Alvarez and Ansolabehere looked at the results from two metropolitan areas in states using EDR - Minneapolis-St. Paul, Minnesota and Milwaukee, Wisconsin - and found:<sup>2</sup>

- In the long run, states that have adopted EDR show an increase in participation rates of 3 to 6 percentage points of the voting-age population. In California, such an increase would translate into as many as 1.2 million new voters.

- Voting rates of young people and of people who have recently moved are especially likely to improve, but the partisan composition of the electorate may be little changed.

- Fraud is minimal, in part because of precautions taken by the states.

- Administration is in some ways more complicated but in other ways improved. The quality of service at the polling place is no worse, and may be better. With EDR almost all registrations are done under the auspices of the election office and after providing some form of identification. Fewer people will register by mail, through registration drives, or at other government offices. The main difficulty is making sure that new voters go to the right polling place.

They also identified three keys to proper implementation:

- Requirements for proper identification, including driver's licenses, utility bills, or affidavits signed by registered voters.

- Development and implementation of procedures that will get prospective voters to the right polling places.

- Changes in polling place organization and increased polling place staff.

Based on their earlier analysis, and our further study of EDR, we are confident that EDR can be established in New York in such a way as to minimize the potential problems with fraud and election administration. New York can join a growing number of states considering the use of election day registration to make voting easier for their citizens, in particular, Connecticut and Massachusetts.<sup>3</sup> In A.5762, potential problems are minimized as there is no procedural change at the polling place.

## 2. EDR in New York

The current registration system in New York is conceptually straightforward: citizens must register to vote 25 days in advance of the election, thus placing themselves on a list of persons eligible to vote; on election day lists of eligible (i.e., registered) voters are available to the election workers to help insure that only eligible voters cast ballots. Registering on election day at polling places or election offices would be yet another way that citizens could add their names to the registration list.

There are currently six states that have election day registration (Idaho, Maine, Minnesota, New Hampshire, Wisconsin, and Wyoming). One other state (North Dakota) simply does not require registration. Idaho, New Hampshire, and Wyoming implemented election day registration following the adoption of NVRA in 1993. In contrast, Maine, Minnesota, and Wisconsin have each had election day registration for over 25 years, and thus have considerable experience using it over many election cycles. While details differ across states, all states require some form of identification when registering at the polls on election day. Idaho requires photo identification and proof of residency; Minnesota and Wisconsin allow various combinations of identification and proof of residency.<sup>4</sup>

The states currently using election day registration equip each polling place with detailed maps and lists of addresses so that any person showing up at the wrong polling place can be redirected to the right location. New York could do likewise. EDR states also offer provisional ballots to individuals who wish to register on election day but cannot provide proper identification or seek to register at the wrong polling place. These voters fill out a separate ballot that is sealed and not counted until their eligibility is verified. Like most non-EDR states, New York also offers provisional ballots (“affidavit ballots”) in similar situations.<sup>5</sup> In the 2000 presidential election, 221,876 affidavit ballots were processed statewide; only 127,482 were eventually credited.<sup>6</sup> New York only counts provisional ballots if it can verify that the voter had previously registered to vote in the election. Under HAVA, all states must now offer provisional ballots.

In states such as Minnesota that allow registration at

the polling place, poll workers are trained on how to register people, while new registrants are directed to line up in a separate area of the polling place. Similar procedural changes will be required in local boards of elections to make election day registration work effectively in New York. But as proposed by A.5762 overcrowding and long lines at the polls would not be a problem as new registrants would be registering at a location different from the polling place, and only proceeding to the polling place after having registered.

The names of people who register on election day are simply added to the existing registration rolls. Once this happens, they continue to be registered and appear on the rolls for future elections. On any given election day, most voters in EDR states have previously registered. Thus for most voters in any given election, election day registration would be the exception, not the norm. As it is practiced in states that currently use EDR, election day registration can be thought of as a combination of two reforms: reducing the restriction on how many days in advance of an election registration is required, and adding a new registration site - the polling place. As proposed by A.5762, election day registration would consist of only one of those reforms: changing how far in advance of the election voters need to register.

### Use of Election Day Registration

Most voters in EDR states choose to register on election day. Once convinced that the system really works, they opt for one-stop registering and voting at the polling place. Table 1 (see p. 4) compares first-time registrants in EDR and non-EDR states. In the states with election day registration, 55% of first-time registrants simply register when they go to the polls on election day. One important implication of this is that more voters are registering at sites under the control of election officials in EDR states than in non-EDR states. According to Alvarez and Ansolabehere, election officials “said they prefer for people to register at the election office. They are frustrated that the procedures required by the NVRA have put components of voter registration into offices, like departments of motor vehicles that do not wish to facili-

tate voter registration and are not equipped to answer people’s questions.”<sup>7</sup> Table 2 shows that the overwhelming majority of New Yorkers register at the Department of Motor Vehicles. With election day registration, one would

**TABLE 1**  
How People First Register in States without and with EDR

	States without EDR	States with EDR
Election Office	17.7	19.2
Registry of Motor Vehicles	41.5	17.3
WIC Office	1.9	0.6
At Polling Place	0	54.9
Mail-in Registration	13.0	1.8
Registration Drive	12.5	1.8
School or Hospital	6.7	2.9
Other	6.6	1.7

Source: Current Population Survey, US Bureau of the Census, 2000

expect that future registrants would elect to be registered by election officials on election day. These face-to-face registrations by trained elections staff are likely to be more secure than those accomplished through the mail.

**TABLE 2**  
Sources of Voter Registration – 2002

Department of Motor Vehicle	371,205	78.5%
By Mail	2,462	0.5%
Public Assistance Agencies	76,130	16.1%
Disability Agencies	11,345	2.4%
State Designated Agencies /AF Recruiting	12.5	2.5%

Source: New York State Board of Elections Annual Report, 2002

## 3. EDR and Turnout

The primary argument in favor of EDR is that it should increase voter turnout. Figure 1 shows the registration and voter turnout rates in New York in presidential elections since 1960. Turnout has fallen from 66.5% to 50.4% of the voting age population — mirroring national trends. This decline in turnout was the primary motivation for passage of the National Voter Registration Act of 1993.

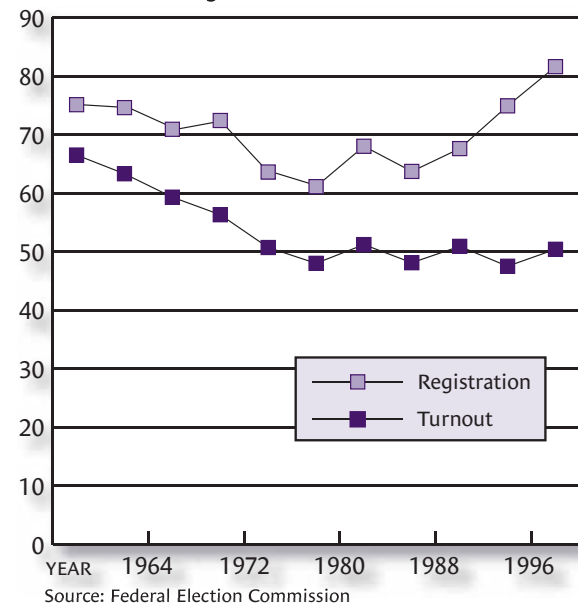
Academic studies have repeatedly demonstrated that the requirement for voters to register well in advance of elections is the largest institutional hurdle to voter participation in the United States. And studies of EDR have concluded that it has led to a 3 to 6 percent increase in turnout in states using it.<sup>8</sup>

Table 3 (see page 5) compares the registration and turnout rates for EDR and non-EDR states in the 2000 election. In states with election day registration, on average 88.8% of eligible voters were registered to vote. That

figure fell to 77.3% in states without election day registration. Voter turnout was also 15% higher in EDR states.<sup>9</sup> Note that in New York, voter turnout was close to that generally seen in the non-EDR states, at 50.4% of the voting age population.

These results are consistent with the academic literature that demonstrates the powerful relationship between barriers to registration and turnout. Allowing voters to register on election day at the polling place completely eliminates the single largest barrier to voting. However, we caution that states currently using EDR allow registration at the polling place. Thus as written, A.5762, which requires registration at a location distinct from the polling place, is not likely to provide for increases as large as those seen in other states with EDR. Even so, EDR is a very meaningful reform: it is not merely a bureaucratic change with no impact.

**FIGURE 1**  
Historical Registration and Turnout in New York



**TABLE 3**  
Registration and Turnout as Percentages  
in the 2000 General Election

	Registration	Turnout
EDR States	88.8%	65.6%
Non-EDR States	77.3%	50.5%
New York	81.6%	50.4%
Nationwide	77.7%	51.3%

Source: Federal Election Commission

## 4. New York Might See Bigger Increases in Turnout Than Other States

We think that the potential effect of EDR on voting may be even greater in New York than in most other states.<sup>10</sup> The reason for this is related to the demographics of New York and the impact of election day registration. In states that have adopted EDR, the largest increases in participation rates have occurred for two groups: 18-to-25-year-olds and those who have moved in the six months before the election.

Among 18-to-25-year-olds, voter turnout is 12 percentage points higher in states with EDR than it is in states without EDR. Voter turnout is 8 percentage points higher among older cohorts in EDR states. Hence, EDR could make a significant improvement in the civic participation of young people.

The relationship between EDR and mobility shows a similar effect. Among those who moved within the prior six months, voter turnout was 13 percentage points higher in states with EDR than it was in other states. Voter turnout was 7 percentage points higher in EDR states among those who had been in their current residence at least six months.

Adjusting for the effects of age, mobility, and many other factors, New York could see its long-run turnout rate increase by as much as 8.6 percentage points in presidential elections. This means that turnout in the 2000 presidential election in New York could have been as high as 59 percent had EDR been in place.<sup>11</sup>

We view this as an upper bound for the potential increase in participation, as under the current legislative proposal, New York might implement election day registration differently from in other states. But the implication of this analysis is significant: based on the experiences of other states with EDR, as many as 1 million more New Yorkers might have voted in the 2000 election.

### Groups with Low Current Turnout Will See the Highest Increase Under EDR

Furthermore, our statistical analysis shows that under EDR there could be sizable increases in participation by some of the groups that now have low rates of voter turnout in New York.<sup>12</sup> We find that the implementation of EDR in New York would lead to:

- A 12.3 percentage point increase in turnout by 18-to-25-year-olds.
- A 9.8 percentage point increase in turnout by those with a grade school education or less.
- An 11 point increase in turnout by Latinos and an 8.7 percentage point increase in turnout by African Americans.
- A 10.1 percentage point increase in turnout by those who have lived at their current address for less than six months.
- A 12.2 percentage point increase in turnout by naturalized citizens.

From these estimates, it is clear that EDR in New York would strongly affect groups who are currently considered to be low-propensity voters.

A separate question is whether the partisan composi-

tion of the voting public would change substantially if New York allows registration at the polls. The answer appears to be no. Professors Raymond Wolfinger of the University of California at Berkeley and Ben Highton of the University of California at Davis have studied this question extensively. Although nonvoters and voters differ politically, adoption of election day registration and changes in the closing date for pre-registration have produced only slight changes in the party division of the vote in states that have adopted those reforms.<sup>13</sup>

To some, this prediction is surprising. But it is simply a result of the arithmetic of partisanship in the United States: both major parties have significant shares of voters across all income and education groups. As a result, we expect little change in the partisan division of the electorate, but we expect that more people will vote in New York if the state adopts election day registration.

## 5. Implementation Issues: Fraud and Cost

No doubt, insuring the integrity and security of the electoral process is an essential goal of all those who care about making democracy work. No election reform, however trivial, should make election fraud easier, because the legitimacy of future elections could be at risk. But election reformers should focus on the real risks, based on careful consideration of how the results of similar election reforms work in other places.

Concerns about election day voter registration and the potential for fraud revolve around assertions that EDR could make it easier for ineligible individuals (for example, non-citizens) to cast an irretrievable ballot, or for individuals to cast multiple ballots in different locations.

But in practice it is impossible to find any evidence of EDR-related election fraud in the states that currently use this process for voter registration. As studied extensively in an earlier Demos report on EDR,<sup>14</sup> there were some allegations of EDR-related election fraud following the

2000 election in Wisconsin. However, these allegations were subsequently proven under investigation by the Milwaukee County Attorney General's Office to (in one case) lack merit, and (in the other case) involve problems with absentee voting and not problems with voter registration.

Minnesota has also been closely examined. Again, little evidence of election fraud was uncovered. In fact, Joan Grove, who became Minnesota's Secretary of State in the same year in which EDR was adopted, has stated that in "over 24 years in office, I supervised a registration process that consistently gave our state the highest voter turnout in the nation, with no increase in election fraud."<sup>15</sup>

States with election day registration have managed to make the voter registration process easier (and thereby allow more people to vote) and to maintain the integrity of the electoral process through strict procedural controls. Both Minnesota and Wisconsin have adopted steep criminal penalties for fraud. Both states have required



election day registration, such as by making voter registration offenses subject to strong criminal penalties, and like Minnesota, making sure that all fraud allegations are immediately and thoroughly investigated.

Those who oppose election day registration also argue that it can make election administration more complicated. After all, they claim, polling place workers and election officials are already overworked and underpaid. By requiring them to register new voters, EDR would only increase their burden. They frequently assert that EDR will lead to longer lines in polling places, and produce backlogs.

But the evidence from current EDR states suggests otherwise. Existing data indicates that states with EDR have worked to resolve these problems effectively. Whereas 2.8 percent of non-voters in states that do not allow election day registration cited problems at polling places (including long lines, inconvenient hours or polling place locations) as the reason why they did not cast a ballot in the 2000 presidential election, only 1.8 percent of residents in EDR states cited that same reason.<sup>18</sup>

Again, the unique implementation of EDR proposed by A.5762 in New York would entirely pre-empt such problems, as voter registration itself would take place at a local board of elections.

To smoothly implement EDR in New York polling places, a number of other procedures from states now using EDR can be adopted:

1. Provide comprehensive training to polling place or election board workers about the procedures for election day registration.
2. Have additional workers on hand on election day to help register voters.
3. Give newly registered voters clear information about where they need to go to vote, perhaps including actual directions and maps to the right polling place,

should registrations occur at the offices of county boards of elections, as proposed in A.5762.

4. Provide detailed information at each polling place about where people in the jurisdiction should vote, and direct voters to the correct polling place if they come to the wrong location.
5. Post in each polling place a visible and clear statement of the penalties for voting illegally.
6. Require the post-election investigation of all allegations of fraud.

With appropriate procedures in place, New York can welcome more citizens to the polling place on election day, and ensure that their voting experience is simple, effective, and positive.

It is true that these procedural changes — and others that might be required if EDR is implemented in New York — might call for additional resources for training polling place or election board workers. It is also possible that additional staff may be needed at polling places or elections offices under EDR. Will this substantially increase the costs of elections in New York?

We do not believe that EDR will substantially raise the costs of elections in New York, and HAVA funds could be used to help pay for EDR if it were instituted now. It is instead more likely to require a reallocation of resources. Under EDR, we expect that counties will shift part of their voter registration operations from the hectic days before the election to election day itself. Fewer resources will be devoted to voter registration before the election, resulting in less mail to process, fewer registration requests to authenticate and enter into voter registration databases, and fewer staff deployed to register voters prior to the election. Thus, while EDR may increase costs in the short-term, it is unlikely that it will impose excessive and recurring demands on New York's perennially tight election administration budgets.

## 6. Conclusion: Why We Favor EDR for New York

Decades of research and study after study have found that pre-election voter registration procedures serve as barriers to voter participation, especially for certain groups of citizens. Election day registration is an effective reform that eliminates this particular barrier to greater voter participation. Accordingly, we see EDR as an important election reform that New York should adopt.

In our analysis, we found that EDR should increase voter registration and turnout in New York. In particular, we found that after adjusting for the effects of age, mobility, and many other factors, New York could see its long-run turnout rate increase by as much as 8.6 percentage points in presidential elections. Turnout in the 2000 presidential election in New York could have been as high as 59 percent if EDR had been in place.

However, our estimates of the effect of EDR on turnout are based on the experiences of other EDR states, which allow same day registration at the polling place. As current New York proposals would require voters to register on election day at a location other than the polling place, the actual impact of this form of EDR on turnout is likely to be less than the estimates that we report here. Under those scenarios, EDR in New York would entail two steps: registration at a local board of elections, and then casting a ballot at the appropriate local polling place. Were New York to pursue a one-step registration and voting process, the effects on voter turnout would likely be in line with those we estimate based on the experiences of other states now using EDR.

We also documented how EDR may make voting easier for citizens who have the most difficulty maintaining an up-to-date voter registration record in New York. Our analysis predicts the following possible changes in the composition of New York's electorate, based on the experience of states now using EDR:

- A 12.3 percentage point increase in turnout by 18-to-25-year-olds.
- A 9.8 percentage point increase in turnout by those with a grade school education or less.
- An 11 point increase in turnout by Latinos and an 8.7 percentage point increase in turnout by African Americans.
- A 10.1 percentage point increase in turnout by those who have lived at their current address for less than six months.
- A 12.2 percentage point increase in turnout by naturalized citizens.

Last, we presented arguments against EDR: its impact on election administration, the cost of elections, and the potential for voter fraud. We analyzed these arguments and, as in previous studies, found that states currently using EDR have developed effective laws and procedures that serve to minimize or eliminate these concerns. New York can effectively address these problems by making fraud prevention a top priority, by changing specific polling place practices, and providing training to election officials and polling place workers on how to effectively implement EDR in New York.

# Technical Appendix

To estimate the impact of EDR in New York, we perform statistical analyses on the reported voting behavior of people who responded to surveys conducted by the US Census Bureau in 1998 and 2000. In doing so, we examine registration and turnout among eligible voters across the United States, controlling for individual characteristics as well as for state characteristics — most importantly, the implementation of EDR in the six states listed above. We do this with the Current Population Survey (CPS) Voter Supplement data collected by the Bureau of the Census at the time of the general election in 1998 and 2000. While we conducted our analysis of both the 1998 and 2000 elections, we utilize only the 2000 data in the body of this report.<sup>19</sup> The 1998 analysis confirms the conclusions reported in the text for the 2000 election.

The CPS is a monthly survey of about 50,000 households conducted for the Bureau of Labor Statistics. The survey has been conducted for more than 50 years. In each even-numbered year since 1964, the November Current Population Survey has included questions about registration and turnout. The sheer size of this data collection makes it particularly well suited for our analysis. Unlike the NES and the GSS collections, the CPS survey is administered to a large sample of citizens in each of the 50 US states. This enables it to yield very accurate estimates of the influence of both individual and state institutional factors on voting behavior.

A long literature in political science on voting and turnout, extending back to the 1940's, demonstrates that voting and turnout are strongly correlated with demographic variables — particularly age, education, and income.<sup>20</sup> Common theories of voting behavior suggest that these variables affect the costs an individual incurs in finding out about political issues and the candidates running for office, as well as the mechanical hurdles associated with voting, such as the registration deadline and the location of polling places. For this reason, we include the following individual-specific variables in our analysis: age, education, race gender, marital status, family income, home ownership,<sup>21</sup> whether or not one is a native-born US citizen,<sup>22</sup> and length of time at current address.

Four factors — the person's age, education, race, and income — are coded categorically. The respondent's age is

measured using five dummy variables denoting an age of 18 to 25 years, 26 to 35 years, 36 to 45 years, 46 to 60 years, or 61 to 75 years. The respondent's education is measured with three variables indicating that he or she has some grade school or high school education, a high school degree, or some college education (a BA degree is the omitted category). The race of the respondent is measured by three dummy variables denoting whether or not he or she self-identifies as white, black, or Hispanic. Lastly, the respondent's family income is categorized by three variables demarcating an income of \$0-20,000 per year, \$20,000-40,000 per year, or \$40,000-60,000 per year (\$60,000 and up is the omitted category). Gender, marital status, home ownership, whether or not one is a native-born citizen, and length of time at current address are each measured by simple dummy variables. If each of these variables takes on a value of 1, the respondent is male, married, a native-born US citizen, and a homeowner with less than six months at his or her current address. A value of zero for any of these variables denotes otherwise for the feature to which the variable pertains.

With this data of individual-specific characteristics we merge relevant contextual information from the Council of State Governments (1998-99, 2000-01)<sup>23</sup> using state codes included by the CPS. Three of these variables are determined by state electoral practices: whether or not the state has a voter registration system<sup>24</sup>; the number of days the registration deadline occurs before the election; and whether or not the state has election day registration. Three other variables are determined by the competitiveness in the relevant state of the year's gubernatorial and senate races, as well as the competitiveness of the presidential race in the state in 2000. For each of these races we produce a dummy variable that is coded a 1 when the result of the designated race was determined by a margin of 5 percent or less of the total number of votes.

An important feature of EDR is its potential to increase turnout and registration more strongly among those who face high costs of voting and are therefore traditionally less likely to turn out to vote. To test for such effects, we include in our analysis interactions between the dummy variable indicating EDR and the variables measuring the respondent's age, education, family income, whether or not the respondent is

native born, and the length of time the respondent has lived at his or her current address. We do not include interactions of EDR with every individual-level variable included in the analysis, because many are statistically insignificantly related to registration and turnout and when included demand such a multitude of coefficients that estimation is difficult.

Our purpose with this analysis is to explain two things: voter registration and voter turnout. As dependent variables, each of these is binary. A registration value of 1 indicates being registered to vote and a turnout value of 1 indicates having turned out to vote, whereas zeros for each variable indicate the opposite. Traditionally, a simple binary logit model is appropriate for this type of analysis. However, because we are especially interested in the differing effects of state institutions on turnout and registration, we wish to control for the random disturbances that may be unique to each of the 50 US states. We do this with a random-effects logit model. We estimate four such random-effects logit models: one predicting voter registration and another predicting turnout for each of the general elections in 1998 and 2000.

All of the variables — with the exception only of some of the interaction specifications — are significantly related to turnout. The influence of these factors substantiates our hypothesis of their role in determining the individual's cost of voting and supports similar descriptions by past studies of voting in the political science literature.

It is important to recognize the implications of the nonlinear relationship between the individual's estimated utility for the dependent variable action (registering or voting) and the probability that he or she will take that action. This nonlinearity means that the magnitude of the impact of an independent variable on the likelihood that an individual registers or votes can be better understood by calculating the change in the predicted probabilities due to shifts in the independent variable rather than by simply looking at tables of estimated coefficients. This is especially true for understanding the effects of interactions like those between EDR and the cost variables. The nonlinearities of probit and logit models essentially formulate an unmeasured interactive specification among the predictive variables.<sup>25</sup> For this reason, the predicted coefficients for the variables tell us little about their true impact on the individual's likely action. It is

only by calculating the change in the probabilities of an individual voting or registering under counterfactual scenarios that we may understand the impact of a variable on the individual's behavior.

Given this, we evaluate the effect of EDR on registration and voting by simulating the change it would bring about in the individual's predicted probabilities of taking either action. As this study is concerned primarily with the effect of this change in the state of New York, we do this exercise only for CPS respondents living in New York at the time they were surveyed. We first calculate the predicted probabilities that each New Yorker registered and voted. We then set the values of the EDR variables to what they would be if New York implemented EDR and adjust the EDR interactions accordingly, and then recalculate the predicted probabilities that each New Yorker registered and voted. Averaging across New York respondents for each of these two sets of predicted probabilities and taking the difference between them gives us an estimate of the increase in the aggregate rates of registration and turnout in New York under EDR.

Voter registration and voter turnout in New York are expected to increase dramatically under EDR. In 1998, voter registration would have increased by an estimated 6.3 percentage points (meaning 724,050 new registered voters) and voter turnout would have increased by an estimated 5.2 percentage points (meaning 595,375 additional voters) among the eligible voting age population. In 2000, voter registration would have increased by an estimated 2.6 percentage points (meaning 306,124 new registered voters) and voter turnout would have increased by an estimated 8.6 percentage points (meaning 1,019,767 additional voters), again among the eligible voting-age population.

Perhaps more important than these overall increases in registration and turnout are the expected relative increases among those who are traditionally least likely to vote. Turnout among those who are younger, less educated, less wealthy, and part of a minority group is likely to increase by more than turnout among other groups of eligible voters. This would serve to make the voting population much more representative of the general population. Thus, under EDR the between voters and nonvoters would greatly diminish, helping to ensure adequate representation of all constituents' political interests.

# Endnotes

- 1 While statute imposes the 25 day requirement, the state constitution requires that registration be at least 10 days prior to the election.
- 2 R. M. Alvarez and S. Ansolabehere (2002) *California Votes: The Promise of Election Day Registration*, Demos: A Network for Ideas and Action. (<http://www.demos-usa.org/pub20.cfm>)
- 3 Connecticut's state legislature had passed legislation to provide for election day registration in that state, but this legislation was vetoed by Connecticut's governor on July 9, 2003. For the arguments in favor of EDR in Massachusetts, see Stephen Ansolabehere and Charles Stewart, *Voting in Massachusetts*, August 2003, (<http://www.vote.caltech.edu/Reports/VotinginMass.pdf>). There is also a report arguing for the implementation of EDR in Ohio: Michelle R. Smith and Amy Hanauer, *Election Day Registration: Expanding the Ohio Vote*, July 2003 ([http://www.policymattersohio.org/election\\_day\\_registration.htm](http://www.policymattersohio.org/election_day_registration.htm)).
- 4 Of course, under HAVA these states may change their identification requirements. HAVA requires that eligible citizens who have not voted before in a state and who register by mail to provide certain forms of identification when they register to vote. For example, Wisconsin's Preliminary State Plan notes that "Because Wisconsin has election day registration, it is exempt from using provisional ballots. However, the Elections Board has drafted legislation (LRB 0610/3) to implement this requirement (that individuals who register by mail and have not voted previously in the state provide certain forms of identification in order to register and vote)" (See <http://elections.state.wi.us/HAVA/Preliminary%20State%20Plan.pdf>).
- 5 Some of the states (like Wisconsin) currently using EDR are claiming exemption from the provisional ballot provisions of HAVA. What this might mean for New York's eventual implementation of provisional balloting under a future EDR system is unclear.
- 6 Figures are from the Compilation of Annual Reports of County Boards, provided by the New York State Board of Elections.
- 7 Op.cit., R. M. Alvarez and S. Ansolabehere.
- 8 R. M. Alvarez, S. Ansolabehere, and C.H. Wilson, (2002) "Election Day Voter Registration in the United States: How One-Step Voting Can Change the Composition of the American Electorate," Caltech/MIT Voting Technology Project Working Paper, (<http://vote.caltech.edu/Reports/workingpapers.html>); C.L. Brians, "Voter Registration Laws and Turnout in America: The Last Two Decades," Ph.D. dissertation, University of California at Irvine, 1997; C.L. Brians and B. Grofman, "When Registration Barriers Fall, Who Votes? An Empirical Test of a Rational Choice Model," *Public Choice* 99 (1999): 161-176; M.J. Fenster, "The Impact of Allowing Day of Registration Voting on Turnout in U.S. Elections from 1960 to 1992," *American Politics Quarterly* 22 (1) (1994): 74-87; B. Highton, "Easy Registration and Voter Turnout," *The Journal of Politics* 59 (2) (1997), 565-575; S. Knack, "Election-Day Registration: The Second Wave," *American Politics Quarterly* 29 (1) (2001), 65-78; G.E. Mitchell and C. Wlezian, "The Impact of Legal Constraints on Voter Registration, Turnout, and the Composition of the American Electorate," *Political Behavior* 17 (2) (1995), 179-202; S. Rhine, "Registration Reform and Turnout Change in the American States," *American Politics Quarterly* 23 (4) (1995), 409-426; R.A. Teixeira, *The Disappearing American Voter* (Washington, D.C.: Brookings Institute, 1992); R.E. Wolfinger and S. J. Rosenstone, *Who Votes?* (New Haven: Yale University Press, 1980); S.J. Rosenstone and J.M. Hansen, *Mobilization, Participation and Democracy in America* (New York: Macmillan, 1993).
- 9 There are two common denominators used in measuring turnout: voting age population (VAP), and eligible voters. The voting age population simply refers to everyone over 18 years of age. The set of eligible voters are those persons who are citizens over the age of 18, and are not disenfranchised based on felony laws or any other factors
- 10 This evaluation is based on New York adopting EDR as it is practiced in other EDR states, allowing voters to register at the polling place. The requirements of A.5762 that voters register at Board of Election offices will lead to smaller increases in turnout than those estimated here.
- 11 These estimates are based on our analysis of the 2000 Census Bureau's Current Population Survey (CPS) Voter Supplement. Details of this analysis are provided in the technical appendix on analysis methodology.
- 12 Our statistical analysis uses individual level data from the 1998 and 2000 Current Population Survey's Voter Supplement file, collected by the Bureau of the Census, to which we append data on each state's voter registration system. With this data we use a statistical model that estimates the propensity that every eligible citizen turns out to vote in each election; the statistical model enables us to produce a simulation predicting the probability that New York's eligible citizens would turn out if New York adopted EDR.
- 13 See Rosenstone and Wolfinger, 1980, op cit; Highton, op cit; Rosenstone and Hansen, op cit.
- 14 See Demos: A Network for Ideas and Action: *Securing the Vote: An Analysis of Election Fraud*. (<http://www.demos-usa.org/pub111.cfm>).
- 15 Joan Anderson Growe, "North Star State Points the Way on Voting," *Los Angeles Times*, October 18, 2002. Further into her article, she also noted that "In Minnesota, we have a few voter fraud cases every year, but no more than we did before the election reform (EDR) was put in place."
- 16 More details of the Minnesota and Wisconsin enforcement regimes are provided in an earlier Demos report, *California Votes: The Promise of Election Day Registration*.
- 17 "New York State Voter Registration Form," (<http://www.elections.state.ny.us/voting/voting.html>).
- 18 The statistics are from the U.S. Census Bureau's Current Population Survey, Voter Supplement. See *California Votes*, page 16, for additional details.
- 19 Using the 2000 CPS Voter Supplement we estimate an eligible electorate in New York of 11,877,406. This is slightly higher than the state Board of Elections eligible voter estimate of 11,262,816. These differences in the size of the estimates of the eligible electorate do not affect any aspect of our statistical methodology. In particular, these differences do not affect our estimates of the percentage point change due to EDR in overall turnout and the composition of the electorate under EDR in New York. The use of the CPS estimates is particularly important for our analysis when we estimate the numerical change for subsets of the electorate under EDR — for example, the change in the likelihood that younger voters turn out when EDR is implemented.
- 20 Lazarsfeld, P.F., Berelson, B., and Gaudet, H., *The People's Choice* (New York: Columbia University Press, 1944). Campbell, A., Converse, P.E., Miller, W.E., and Stokes, D.E., *The American Voter*. (New York: John Wiley & Sons, 1964).
- 21 We are unable to include home ownership in the 2000 analysis because the CPS discontinued this variable in 2000.
- 22 The CPS did not ask non-citizens whether or not they voted, so we are not able to evaluate the relationship between EDR and voter fraud.
- 23 The Council of State Governments, 1998-99 and 2000-01. *The Book of the States* (Lexington, Kentucky: Council of State Governments).
- 24 This variable is coded a 1 for every state but North Dakota.
- 25 Nagler, J., 1991. "The Effect of Registration Laws and Education on US Voter Turnout." *The American Political Science Review* 85:1393-1405.

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