

---

# Election Reforms and Voter Turnout

## Among Low Propensity Voting Groups

---

# Introduction

Academic research has played a role in informing efforts to increase voter participation in the United States for several decades. This work, combined with the research activities and reports of advocacy groups, think tanks, and government agencies such as the Department of Justice, the GAO and the Election Administration Commission, took on a new importance with the 2000 election. That election year laid bare the inner workings of election administration and laws, and all the ways in which those laws could be used to either promote or thwart citizens' ability (and even motivation) to register and vote. It revealed how, the end of Jim Crow and other discriminatory laws notwithstanding, the multitude and variety of registration and voting laws and procedures around the country impacts different groups of Americans in unequal ways. It also marked a new era of thinly veiled laws designed to make voting more difficult for specific constituencies.

At the same time, the last several decades have also been a period of innovation in electoral practices, including the introduction of reforms designed to make registration and voting easier and more accessible, with the goal of raising voter turnout, particularly among groups who have had low participation rates. Many of these new measures seemed to make common sense: Make registration more widely available, and more people will register. Register more people, and more people will vote. Make it easier to vote by making in-person voting available on days other than one Election Day, allow people to vote by absentee ballot through the mail, and more people will be able to participate in ways that they had not been able to do before.

In some cases, what have seemed like common sense approaches to boost turnout have had some impact. In others, the results fell short of expectations. The research was recently described by a group of leading academics in the field in this way:

*For decades, scholars have conjectured that voter turnout rates would rise if the costs of voting were reduced. Early research...considered tangible costs, such as poll taxes; later authors...focused primarily on transaction costs, such as the inconvenience of registering to vote well in advance of an election.*

*Recent years have seen a revival of this line of research in the wake of policy innovations designed to make voting more convenient: Election Day registration...early voting...voting by mail...regional polling stations...voting centers...and ballots that are translated into languages other than English...Although there is no doubt that poll taxes or extraordinary barriers to voter registration*

*depress turnout...there is less scholarly consensus about the effects of making voting more convenient. Although the pioneering work of Rosenstone and Wolfinger (1978) and Powell (1986) implied that the policy innovations of the 1980s and 1990s would substantially increase voter turnout, subsequent evaluations have found these effects to be relatively small.<sup>1</sup>*

Recent research has been inconsistent. Effects that are concluded to be small (in percentage terms) are not inconsequential in actual numbers of voters. Varying data sources and methodologies used by the different researchers explain some of the discrepancies. Some reforms have not been tested enough to fully measure their impact. In other cases, the context and dynamics around recent reforms shift, and these reforms are being applied in new ways that may alter forthcoming evaluations of impact. Some election administrators have become increasingly open to developing creative methods for making registration and voting easier. Political parties and civic groups are also finding ways to make the most of the election reforms that are being put into place.

This report aims to collect the best of the research we have regarding election reforms—specifically, changes to the laws and procedures around voting—and assess how effective these reforms have been at increasing participation among voters who have historically had low participation rates, most notably minorities, immigrant groups, low income voters, and young people.<sup>2</sup>

An examination of the research evidence can provide valuable insights into the issue. While academia, think tanks, advocacy groups, lawyers, and legislators have at times worked in tandem, actual data has not always been adequately connected to what reforms groups and individuals are pursuing, or which reform measures they are prioritizing in terms of resources, political capital, and energy.

Reformers have sometimes been overly optimistic about the effects of structural reforms upon the system. While several reforms have made a difference, all stakeholders should keep expectations realistic in order for their efforts and arguments to maintain credibility. Also, as we will describe in greater detail, advocacy groups and others interested in increasing voter participation should understand that enacting reform is just the beginning of the

---

1 Melissa R. Michelson, Neil Malhotra, Andrew Healy, Donald P. Green, Allison Carnegie, and Ali Adam Valenzuela, "The Effect of Prepaid Postage on Turnout: A Cautionary Tale for Election Administrators," *Election Law Journal*, Volume 11, Number 3, 2012, p. 280.

2 This study does not address restrictive voter laws, or voting methods that tend to suppress turnout, such as voter identification laws. The purpose of this work is to focus on proactive, positive measures that have the capacity to move toward greater inclusion. While evaluating the impact of voter suppression activities and combatting them is essential, that is not the goal of this report.

process, and additional steps are necessary to maximize their impact.

The idea of “evidence based” decision making in programming is not new concept and has been used effectively in many other fields. The concept of evaluating programming impacts to assess effectiveness is also not new. Both have played a significant role in international democracy programs. In recent years, USAID’s democracy program has made a notable shift in its programming and funding decisions, stating in a report, “Despite substantial expenditures, our understanding of the actual impacts of USAID DG [democracy and governance] assistance on progress toward democracy remains limited—and is the subject of much current debate in the policy and scholarly communities...USAID seeks to find ways to determine which programs, in which countries, are having the greatest impact in supporting democratic institutions and behaviors and how those effects unfold. To do otherwise would risk making poor use of scarce funds and to remain uncertain about the effectiveness of an important national policy.”<sup>3</sup>

Also in recent years, Nonprofit Vote, the Analyst Institute, and the New Organizing Institute have conducted thorough evaluations of different types of voter registration programs to measure their effectiveness with the aim of guiding future activities.

Voter participation, and the ways in which it can be augmented, do not lend themselves to purely scientific study. Many measures of success cannot be quantified. It is sensible to start with the best information available before making choices if we hope to maximize results—that is, more active and engaged voters. We have the best chance of achieving this goal if we can absorb concrete evidence rather than relying on (even informed) guesswork, or what seems obvious and intuitively useful with no actual proof of its effectiveness. Particularly since the research is constantly evolving, this evidence should not be the only factor in groups’ or policymakers’ decision making about how to best improve our democracy. But it plays a vital role in that process. Organizations, policymakers, and election administrators can work with researchers to make data available that can help move the goal of increased participation forward.

This report begins by describing the major structural reforms that have been implemented to increase the participation rates of certain communities in America in the last several years, and demonstrates why measures are still urgently needed to increase these participation rates. We examine the variation and multiplicity of data sources and

methodologies to assess election reforms. The report then moves to the heart of the matter, analyzing the state of the research regarding each of these reforms and assessments around improving turnout among marginalized groups. We discuss these in the order of ones with consensus, ones where the findings are mixed, and those for which we do not yet have enough data to determine whether or not they are effective.

We discuss in greater depth the argument that, for the promise of any of these structural reforms to fully be realized, there is the need for an intervention, for a third party to educate and mobilize around that reform. Finally, this report explores possibilities for moving beyond structural reform, to investing energy and resources into the deeper seated cultural, political, social, and psychological barriers to increased political participation rates in the United States.

---

## Expanding Participation Among Traditionally Low Participating/Disenfranchised Groups

Certain groups consistently have lower rates of voter participation. The data on this point is overwhelming. These groups include young people, low income Americans, immigrant communities, Native Americans, Latinos, Asian Americans, and, to varying degrees, African Americans.

Since 2000, the turnout rate of citizens under 30 has been 15-25 percentage points lower than other age groups. In 2012, the turnout rate of Americans 18-29 was 45%; for the rest of the population it was 66%.<sup>4</sup> In 2014, the youth turnout rate of was 21.5%, as compared to 36.2% overall; in the 2010 midterms it was 20.9%.<sup>5</sup> The education gap is more significant than between any racial, ethnic, or gender groups. In the 2012 election, young people who had at least some college were almost twice as likely to vote as those without college experience, 55.9% vs. 28.6%.<sup>6</sup> This level of disparity has persisted over the last several decades.

3 “Improving Democracy Assistance: Building Knowledge Through Evaluations and Research,” *Committee on Evaluation of USAID Democracy Assistance Programs, Development, Security, and Cooperation, Policy and Global Affairs, National Research Council of The National Academies*, The National Academies Press, Washington, D.C., 2008, pp. 1-2.

4 Nonprofit Vote, “America Goes to the Polls: Voter Participation Gaps in the 2012 Election,” 2013, p. 4.

5 CIRCLE Blog, November 11, 2014, at <http://www.civicyouth.org/21-3-youth-turnout-preliminary-estimate-comparable-to-recent-mid-term-years/>

6 “The Youth Vote in 2012,” CIRCLE, May 10, 2013.

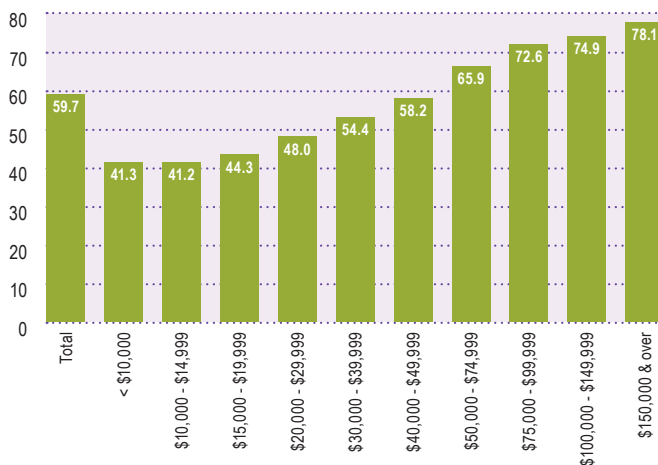
Income levels also cause an extreme disparity. According to CIRCLE, an organization based at Tufts University:

*The disparity in voter turnout between members of lower and higher income households is one of the largest and most persistent gaps. Several factors contribute, including higher mobility among lower income households, inadequate transportation, lack of information about the voting process, and the lack of contact from traditional campaigns and political parties. ...There was a 15 point gap in voter turnout between members of lower income and higher income households in 2012—the smallest it has been in the last four presidential elections. 62% of those with a household income of less than \$50,000 turned out compared to 77% of those living in households earning more than \$75,000.<sup>7</sup>*

The following graph demonstrates that 2012 was a bit of anomaly:

#### Voter Turnout by Income, 2008 U.S. Presidential Election

Source: U.S. Census



Registration and turnout among African Americans has been improving in recent years in presidential elections. Perhaps in part because of Barack Obama's presence on the ballot, African American turnout levels among citizens of voting age in 2012 and 2008 were at approximately 66% and 65%—higher than that of whites. However, this has not been the case in other types of elections. In 2010 and 2006, the gap between African American and white participation rates were 5 and 11 percentage points, respectively.<sup>8</sup> 11.2 million Latinos voted in 2012, but that was out of 23.3 million eligible to vote. Only 59% of eligible Latinos are registered. 48% of Latinos voted in 2012, 16 points lower than the rate of whites.<sup>9</sup>

<sup>7</sup> Nonprofit Vote, "America Goes to the Polls: Voter Participation Gaps in the 2012 Election," 2013, p. 2.

<sup>8</sup> National Commission on Voting Rights, *Protecting Minority Voters: Our Work is Not Done*, August 6, 2014.

<sup>9</sup> Id.

Although the U.S. Census does not publish much data on American Indian and Alaska Native voting, analysis shows that Native American voting rates are among the lowest of all racial and ethnic groups in the U.S. Almost two out of five eligible American Indians and Alaska Natives are not registered to vote. Though this figure has improved in the last few years, even among registered American Indians and Alaska Natives, the turnout rate is 5 to 14 percentage points lower than that of many of the registered voters of other racial and ethnic groups.<sup>10</sup> Asian Americans also have very low registration and voting rates. Despite relatively higher income and education levels, they vote at the same approximate rate as Latinos. In 2012, 47% of Asian Americans voted, compared to 48% of Latinos. Whites voted at a rate of approximately 64%.<sup>11</sup>

Voter turnout among naturalized citizens is much lower overall than that of native-born citizens: consistently around 9 to 12 percentage points less. In the election of 2010, almost 1 in 2 native-born citizens turned out to vote, while less than 2 in 5 naturalized citizens did. Even in 2008, a year of historic turnout among many constituencies, just over half of naturalized Americans voted, compared to a little less than two thirds of native-born citizens.<sup>12</sup>

## Overview of Recent Legal and Procedural Reforms to Improve Participation<sup>13</sup>

A number of reforms have been passed by states over the last couple of decades that seek to make voting easier. The National Voter Registration Act (NVRA) is a federal measure passed in 1993 to make registering to vote more accessible by providing registration by mail, and requiring registration to be actively offered at Departments of Motor Vehicles and at public assistance agencies.

Election Day Registration (EDR) was first passed in a handful of states in the 1970s, a few more in the 1990s,

<sup>10</sup> Id.

<sup>11</sup> Nonprofit Vote, "America Goes to the Polls: Voter Participation Gaps in the 2012 Election," 2013, p. 5.

<sup>12</sup> Tova Andrea Wang and Youjin Kim, "From Citizenship to Voting," Demos, 2011, p. 3.

<sup>13</sup> For a fuller description of these legal reforms and the states that have adopted them, see the National Conference on State Legislatures, <http://www.ncsl.org/research/elections-and-campaigns/election-laws-and-procedures-overview.aspx>.

and several more in the last decade. EDR allows a citizen to register to vote and vote on Election Day, either at the polls or a centralized location. More recently, Same Day Registration (SDR) has emerged with the growth of early voting. SDR allows citizens to register to vote and cast a ballot on the same day during early voting.

In-person early voting has grown as a reform exponentially in recent years, allowing voters to go to the polls from several days to several weeks before the official Election Day. Methods of implementing it vary widely, however, not only by state, but by jurisdiction. A total of 33 states and approximately 1/3 of voters now utilize early voting.

Other forms of early voting that have been expanded are no-excuse absentee balloting, which allows voters to vote a certain number of days or weeks after Election Day by mail without having to give a reason for not going to the polls on the official day, and vote-by-mail (VBM). VBM is in full use only in 2 states (Oregon and Washington, and, as of 2014, in most of Colorado), is a practice by which all voters vote by mail with a deadline of Election Day.

Other recent reforms include online registration, which allows voters (although typically only those with a signature on file with the DMV) to register completely via the Internet with no need to mail in any paper forms, and pre-registration, which allows 16- and 17-year-olds to register to vote and have that registration activated upon turning 18.

---

## Relevant Data Issues

A variety of different data sources and methodologies have been used to measure the impact of election reforms on voter turnout. This inconsistency in measurement has led to varied and divergent findings. There is no cost-effective central repository of data related to turnout in the United States readily available to scholars for research use. Given the highly decentralized nature of American elections, states and counties make varying amounts and types of information available. These factors force researchers to draw upon different pools of data that are impacted by a range of environmental factors. One study of early voting may look at three counties in one state over several election cycles and come up with a particular finding, while another study will look at data from several states from a single election and come up with another.

Another challenge to research in this field is that one cannot assume that, because there is a correlation between a change in practice and a change in turnout, that there is causation. If voter turnout goes up the year early voting is

introduced, we can't simply deduce that early voting was the sole reason for the increase. There could be many other contributing factors, including the competitiveness of the election and the behavior of the campaigns.

In very general terms, big data, aggregate studies (which are often nationally based and look at a number of elections over time) make inferences based on large voting patterns. Such studies may overlook many factors. Other research methods, such as case studies, randomized experiments (which are in favor among political scientists now, influenced by Green and Gerber work), natural experiments, and survey/observational work are generally better at finding causation. However, those may be skewed by limitations in geographic scope and the number of elections studied. All of these studies and the results they produce are reliant on certain assumptions, some more strongly supported than others.

Methodology in this field is often criticized, most pointedly by Adam Berinsky, Michael Hanmer, and Luke Keele.<sup>14</sup> Michael McDonald from the University of Florida has been especially critical of the use of the Current Population Study (CPS) produced by the census,<sup>15</sup> and many other political scientists agree to varying degrees that the CPS is not wholly reliable. Although it is useful as a large data source, the data is often flawed because it relies on self-reports of voting behavior that can be inaccurate and misleading.<sup>16</sup>

Leading political scientists have said that there is too much emphasis in the research on presidential elections, and therefore too much use of CPS and American National Election Studies (ANES) data sources.

---

14 Adam Berinsky, "The Perverse Consequences of Electoral Reform in the United States," MIT, *American Politics Research*, Vol. 33, No. 4, July 2005, 471-491; Michael Hanmer, *Discount Voting*, Cambridge University Press, 2009; Luke Keele and William Minozzi, "How Much Is Minnesota Like Wisconsin? Assumptions and Counterfactuals in Causal Inference with Observational Data," *Political Analysis* (2013) pp. 1-24.

15 Michael P. McDonald, "What's Wrong with the CPS?" Prepared for the 2014 American Political Science Association Conference, Washington, DC, August 27-31, 2014.

16 In an email, Barry Burden from the University of Wisconsin agreed that the CPS is problematic but had somewhat of a different take. "The CPS still has the largest samples and highest quality data of any national survey. The unusual coding conventions the Census Bureau uses are easily remedied. At the same time, Mike, the journalist Nate Cohn, and I have all pointed out in different forums that there appears to be more overreporting of participation by blacks than by whites in 2008 and 2012. This problem has appeared in other surveys, but it is more severe in the recent CPS. It might recede naturally when Obama exits the scene. In addition, there may be some new methodological devices for correcting that. For example, data imputation techniques have advanced significantly in the past several years and would be easily implemented to fill in missing responses, which is part of what causes disparities in overreporting. I haven't seen anyone do that with the CPS yet, but it's a natural next step to explore." Email to the author, December 19, 2014.



Actual voter files maintained at the state level are considered the most reliable data set, but there are obstacles to accessing them in most states. Voter files only include registered voters and therefore may leave out large segments of the marginalized citizens many organizations are most interested in targeting.<sup>17</sup>

Lack of uniformity in the use of terminology is also problematic, leading at times to confusing sets of results, especially in the area of early voting. As Barry Burden has pointed out, “One reason that studies generate conflicting results is that researchers use different definitions of practices [like] ‘early voting.’ There are really 50 different regimes, each of which is unique, so each researcher collapses those in different ways. In-person early voting at a shopping mall is surely different than returning an absentee ballot sent to a person automatically.”<sup>18</sup>

More broadly, as Robert Stein has noted in meetings with friendly scholars, we haven’t figured out how election reforms operate in a complex environment that varies by state and locality, political culture, and is constantly changing.<sup>19</sup> Using EDR as an example, Barry Burden noted, “EDR in DC is different than EDR in MN. But it is difficult to do a national analysis that doesn’t do some violence to these distinctions. A related reason for disagreement is that laws are often considered in isolation. The point of our recent [*American Journal of Political Science*] article [looking at early voting and same day registration] was to show that laws interact, much in the way that prescription drugs may interact.”<sup>20</sup> Finally, there is too little disaggregation of findings according to race, income, and age in the research, in part because of limits within the data.

17 In addition to a lack of faith in CPS data, there was skepticism of Catalist and other privately held data by some because of the secretive nature of the business. There was also criticism of EAC data because it is often inaccurate, not properly disaggregated, and is not useful for looking at inequalities in the composition of the voting electorate. There was greater approval for the CCES data, run out of Harvard by Professor Steven Ansolabehere. Survey data was also criticized although it can be useful if used in conjunction with the voter files. The possibility of using Pew’s ERIC data as a reliable source, especially since it not only includes people on the registration list, but, for the moment, anyone with a driver’s license. Pew hopes to include other sources of individual records beyond DMV. As of now, the ERIC data is not publicly available. Meeting of political scientists, December 17, 2014.

18 Email with the author, December 19, 2014.

19 Meeting of political scientists, December 17, 2014.

20 Email with the author, December 19, 2014.

## Election Reforms: The Research Evidence

As mentioned in the introduction, there is little consensus among researchers regarding the impact, or the extent of the impact, of most structural reforms to the elections process. The evidence usually shows that most structural reforms have a very modest effect, though even a small percentage increase represents many voters in numerical terms. What the existing data doesn’t adequately show—and we need to know much more about—are the demographics of the people who are part of a turnout boost from reform. Even for those reforms that may move the turnout needle, do they do so only among demographics already fairly represented in the electorate, or do they bring new groups into the system?

It must be noted early on, though it will be discussed in greater depth later in this report, that “interventions” are needed in order for reforms to be maximized. Such interventions involve mobilization by some outside actor. This element—to date, largely untapped and insufficiently studied—puts all of these reforms ideas into play, even ones for which there is some doubt as to their effectiveness.

Specific examples of interventions include major mobilization efforts around early voting in the last several election cycles by campaigns, parties, and organizations. In 2014 alone, building upon the success of the Obama campaign in the last two presidential cycles, both major parties, candidates, advocacy organizations, community groups, and churches understood the need for intense mobilization efforts to use early voting reforms to actually bring new voters into the process. Though it has not been fully vetted, there is some evidence at this early stage to show that these interventions may have had some meaningful impact.

According to press reports during the campaign, as of October 31, “More than 20 percent of the nearly three million votes already tabulated in Georgia, North Carolina, Colorado and Iowa have come from people who did not vote in the last midterm election...[In Georgia and North Carolina] black voters...represent 30 percent of the voters who did not participate in 2010. By comparison, 24 percent of all those who voted in those states in 2010 were black.”<sup>21</sup>

By the time the election was over, *The New York Times* reported that in “North Carolina, early voting increased by 35 percent from 2010, even though Republican legislators cut the number of early-voting days to 10 from 17.”<sup>22</sup> In

21 Nate Cohn, “Early Voting Numbers Look Good for Democrats,” *The New York Times*, October 31, 2014.

22 “The Worst Voter Turnout in 72 Years,” The Editorial Board, *The New*

Florida, “A get-out-the-vote drive that encouraged minority voters to cast their ballots Sunday saw record-breaking turnout Palm Beach, Broward and Miami-Dade counties... Overall, the numbers show a 48.7 percent increase over 2010...”<sup>23</sup> Among early voters in Florida, 15.4% did not vote in 2010. Among African Americans, 19.3% of early voters had not voted four years ago and among Hispanics, 24.7% had not.<sup>24</sup> In Colorado, voters who didn’t participate in 2010 comprised 33% of early voters as of the Saturday before Election Day.<sup>25</sup>

While the literature has demonstrated that early voting (and other similarly directed reforms) do not necessarily not boost voter turnout (rather, they merely provide conveniences for people who would vote anyway),<sup>26</sup> the new interventions show the potential to boost these methods’ ability to draw in those who wouldn’t otherwise be voting. This potentially applies to other reform measures too, suggesting that, as with early voting, their impact can be amplified if given a push.

## Consensus Around One Reform: Election (Same) Day Registration<sup>27</sup>

Election Day (EDR) and Same Day Registration (SDR) have been researched extensively; there is substantial literature on the subject, not all of it in agreement about these methods’ effectiveness. Nearly all of the research, however, concludes that EDR/SDR increase voter participation. In terms of gaining insight into the characteristics of those

*York Times*, November 12, 2014.

23 Christine Stapleton, “Record-breaking ‘Souls to Polls’ turnouts Sunday in South Florida,” *Palm Beach Post*, November 3, 2014.

24 Charles Stewart, “A first-cut detailed look at FL early voters,” *Election Updates*, November 1, 2014, <http://electionupdates.caltech.edu/>.

25 Nate Cohn, “It May Be Too Late, but Colorado Early Ballots Are Shifting Toward Democrats,” *The New York Times*, November 2, 2014.

26 See especially Adam Berinsky, “The Perverse Consequences of Electoral Reform in the United States,” MIT, American Politics Research, Vol. 33, No. 4, July 2005, 471-491. Since publication of this report, many academics have echoed the finding that, as Professor Berinsky says, over time, electoral reforms will likely increase the rate of turnout relative to the situation where the reforms were not in place. But it will achieve this increase by retaining those citizens who have a high propensity to vote, not by stimulating new—presumably less engaged—citizens to join the ranks of the voting public.” At. p. 478.

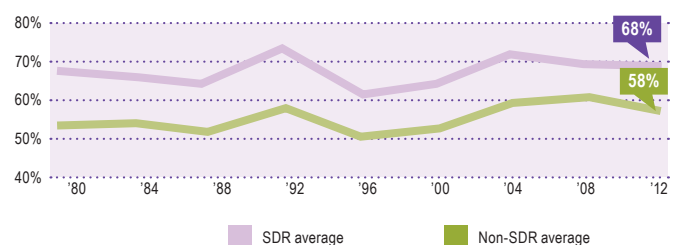
27 Election Day Registration refers to states that allow voters to register and vote on one day, Election Day. EDR/SDR will be used with reference to this reform.

new voters, there are strong indications that young people make disproportionate use of EDR/SDR compared to other groups. Since these methods are useful for people who move frequently, there are indications that they are reaching lower income and minority groups, who are typically more mobile. As discussed below, there is some additional research on usage of EDR/SDR by education and income.

Advocacy and research organizations such as Demos and Project Vote point out that average voter turnout in EDR/SDR states is more than 10 percentage points higher than other states.

### Turnout Rates in SDR vs. Non-SDR States, 1980-2012, Presidential Election Years

Source: Demos, “Millions of Polls: Same Day Registration,” 2014, p. 3.



Preliminary data from 2014 shows that EDR continues to be effective, even in off years. Maine, Wisconsin and Minnesota were among the top turnout states in the country<sup>28</sup>—again.

Other academics have also found potentially major increases in turnout as a result of EDR/SDR adoption, especially in studies conducted in the early 2000s. For example, a 2002 study by the MIT/Caltech Voting Technology Project found that in the 2000 election there was a 15% difference in turnout of the voting age population in EDR/SDR states versus those without.<sup>29</sup> While noting that states with EDR/SDR are less racially diverse but otherwise fairly similar demographically to non-EDR/SDR states, the authors posit that EDR/SDR is effective because the media, campaigns, and voters pay more attention to the election the closer it gets to Election Day. They go on to say that if all states had EDR/SDR, the registration rate would be 5.7% higher, which might result in much higher turnout rates as well. Further,

*...groups with lower registration rates will see the largest gains in voter registration. There could be greater increases in voter registration for younger relative to older citizens, and for those at the lower rungs of the educational attainment ladder relative to those at the*

28 Reid Wilson, “Best state in America: Maine, for voter turnout,” *Washington Post*, November 7, 2014.

29 R Michael Alvarez, Stephen Ansolabehere, Catherine H. Wilson, “Election Day Voter Registration in the United States: How One-Step Voting Can Change the Composition of the American Electorate,” VTP WORKING PAPER #5, June 2002, p. 5.

*higher levels. We see stronger increases in voter registration for non-whites than for whites, for those who have moved in the past six months, for the unmarried and non-native born...We estimate that voter turnout could have increased by 8.1%, from almost 63% to almost 71%...groups with the lowest turnout rates see the most substantial gains under our national election day registration scenario. We estimate that turnout among the 18 to 25 year old group could increase nationally by almost 12%, under national election day registration. National turnout could increase by almost 11% for Hispanics, 12% for Asians and other racial groups, and 7.5% for Blacks. We estimate almost a 10% increase in turnout for those who have moved residences in the past six months, a 9% increase in turnout for non-married citizens, and a 12% for non-natives.<sup>30</sup>*

Numerous state-based studies conducted over the course of the last several years also predicted that enactment of EDR/SDR would have a major impact on voter turnout. A series of such reports published by Demos have found a potential increase of around 4-5% in a number of states, with bigger predicted impacts on young people and people who have recently moved.<sup>31</sup> Very recently, Barry Burden of the University of Wisconsin found that “the availability of EDR increases turnout by five to ten points” and EDR/SDR—registration during early voting—3-4%. A few studies have been somewhat more cautious in their predictions, showing somewhat smaller impacts, but the research has nonetheless continued to demonstrate that EDR/SDR has a meaningful impact on turnout. It is the only measure on which there can be said to be consensus around a structural reform to the system. Even if there is a range in turnout levels as a result of enacting EDR/SDR, as Barry Burden concludes, the boost is “not trivial.”

One point that has been made by some, in most detail and rigor by Michael Hanmer of the University of Maryland, is that there have essentially been three waves of EDR/SDR states.<sup>32</sup> The first wave enacted such measures decades ago, and the argument is that these particular states were the ones to pass such laws because they were socially, politically and even demographically predisposed to take steps to broaden and increase the franchise. They were states that already had relatively high levels of participation. The second-wave states enacted EDR/SDR in order to get around having to implement the NVRA in the 1990s, and because that was the motivation, these states have seen less of an uptick in turnout. The more recent set of EDR/SDR states, it is argued, did not have the prerequisite political and cultural conditions that would make EDR/SDR a success. The increases in those states have also been lower than the

original group of EDR/SDR states. In making this argument, Hanmer takes some issue with the methodology by which some studies of EDR/SDR have been conducted. The inconsistency in methodology is also partly explained by the fact that campaigns “do not reach out to voters in EDR states because it is costly to identify less dependable voters, and it is less certain whom these unregistered voters will vote for.”

There may be some validity to both of these notions. Conditions do vary from state to state, impacting how effective EDR/SDR is, and the effect is blunted by the failure of campaigns to mobilize in response to the reform. But, as already stated, even a few percentage points of increase is meaningful, representing many thousands of voters. It is also possible that campaign tactics will change—as they may already be around early voting—or that outside mobilization efforts will fill this breach. As Leighley and Nagler point out, “the difference in the impact of EDR in the wave I, wave II, and wave III states suggests that variation in implementation of EDR, as well as variation in the strategic use of EDR by the parties and candidates, can determine how effective EDR is at increasing turnout.”<sup>33</sup> Leighley and Nagler also find that even in the first-wave states that already had relatively higher participation rates, EDR served to make them even higher, by 6.1%.<sup>34</sup> Arguably, there has not been sufficient time for the third-wave states to be adequately assessed. Some laws have just been passed and have only been in place for one or two election cycles.<sup>35</sup>

Given the consensus that EDR/SDR works, the critical question emerges: Whom does it work for? Here the research is more mixed, and further inquiry is needed.

Citing earlier research that EDR/SDR does have “disproportionate effects on different sociodemographic groups,” Rigby and Springer, looking at state election year data from 1978-2008, find that, in states in which the voter registration lists are heavily skewed toward the well-off, EDR/SDR substantially reduced inequality in the electorate.<sup>36</sup>

Leighley and Nagler add a great deal of additional detail to this analysis.<sup>37</sup> They look specifically at the impact of EDR/

30 Id. at pp. 15-16.

31 <http://www.demos.org/category/tags/election-day-registration?page=1>

32 Michael Hanmer, *Discount Voting*, Cambridge University Press, 2009.

33 Jan Leighley and Jonathan Nagler, “Absentee Ballot Regimes: Easing Costs or Adding a Step?,” April 7, 2011, paper prepared for presentation at the conference “Bush v. Gore, 10 Years Later: Election Administration in the United States,” co-organized by the UCI Center for the Study of Democracy and the Cal Tech/MIT Voting Technology Project, Laguna Beach, California, April, 2011, p. 16.

34 Jan Leighley and Jonathan Nagler, *Who Votes Now: Demographics, Issues, Inequality, and Turnout in the United States*, Princeton University Press, 2013, p.101.

35 Id.

36 Elizabeth Rigby and Melanie J. Springer, “Does Electoral Reform Increase (or Decrease) Political Equality?” *Political Research Quarterly*, Vol. 64, No. 2 (JUNE 2011), pp. 420-434, published by: Sage Publications, Inc. on behalf of the University of Utah.

37 Jan Leighley and Jonathan Nagler, *Who Votes Now: Demographics, Is-*



SDR on nonvoters. With respect to the original EDR states, they find the effect on “at risk” voters to be 15%. In those early adopters, between one out of six and one out of seven nonvoters was converted to voting via EDR.<sup>38</sup> Those who benefit most from EDR in those states were in the second and third income quintiles, 5.8% and 4.7% respectively.<sup>39</sup> Turnout of the very poorest increased only 0.6%,<sup>40</sup> but this is the group of Americans most at the margins of many aspects of life in America, and thus the hardest to reach.

In terms of education, turnout rose most among those with a high school degree only: 7.6%.<sup>41</sup> For those without a high school degree, the increase was 3%. The distinctions are greatest with respect to age. “Whereas the aggregate turnout of eighteen to twenty four year-olds rose 11.9 percentage points based on the adoption of EDR, we cannot even observe a positive effect for those ages sixty-one through seventy-five.”<sup>42</sup> Research conducted by CIRCLE comes to similar conclusions with respect to the age gap, finding that “EDR/SDR was a significant predictor of higher youth turnout in the 2012 election, even when we also considered individual demographic background indicators such as education, race, gender, marital status, and unemployment status, and statewide characteristics such as the poverty rate, the adult turnout rate in 2010, and whether the state was politically contested in 2012.” Notably, non-college educated youth was found to be more likely to vote in EDR/SDR states.<sup>43</sup> In another study, CIRCLE found,

*In 2008, on average, 59% of young Americans whose home state offered EDR voted; nine percentage points higher than those who did not live in EDR states. This was true for virtually all demographics of young Americans, with the exception of African American youth, who maintained a high turnout rate regardless of EDR. EDR had a relatively strong effect on voting for youth without college experience and for White Non-Hispanic youth (a 10 percentage point increase) whereas it had a relatively weak, though noticeable effect on Latinos (3 percentage point increase). After controlling for effects of educational attainment, gender, marital status, age, race, and ethnicity, young people whose home state implemented EDR were 41% more likely to vote in the November 2008 election than those who did not have residence in the EDR states.*<sup>44</sup>

*sues, Inequality, and Turnout in the United States*, Princeton University Press, 2013.

38 Id. at p. 104.

39 Id. at p. 101.

40 Id.

41 Id. at p. 105.

42 Id.

43 CIRCLE, *All Together Now*, Collaboration and Innovation for Youth Engagement, The Report of the Commission on Youth Voting and Civic Knowledge, 2013, p. 27.

44 Kei Kawashima-Ginsberg, Amanda Nover, and Emily Hoban Kirby,

Like Hanmer, Leighley and Nagler find lesser overall impacts in states that adopted EDR/SDR later on. Unfortunately, this data is complicated by the simultaneous implementation of NVRA in the 1990s, and the fact that the authors had only one election to examine with respect to the third-wave states. In the 2008 election, turnout in the third-wave states of Iowa, Montana, and North Carolina was 1.5% higher than states without EDR/SDR.<sup>45</sup>

Another aspect of EDR/SDR that has not gotten much study is that it also provides the ability to update one’s address on Election Day. Given the high mobility rates of Americans in general and low income, young and minority Americans in particular,<sup>46</sup> the ability to be able to vote without completely re-registering in advance of Election Day after moving could increase participation rates. Approximately 12% of Americans move every year.<sup>47</sup>

Related to this is the concept of “portable registration,” the idea that if a voter moves within the state, his or her registration should automatically follow. According to research by the Brennan Center,

*Millions of Americans who move can’t vote unless they re-register at their new address shortly after they’ve moved there. This is true even when a registered voter relocates within the state in which he or she is already registered. Accordingly, the longer a citizen lives in the same address, the more likely he or she is to be registered—and to vote. And a citizen is less likely to vote if she has moved shortly before election. Political scientists conclude that Americans’ mobility plays a substantial role in our comparatively low turnout. Indeed, political scientist Michael McDonald determined that if we allowed voters who move within a state to vote at their new addresses without submitting a new registration form—if, that is, we made registration “portable”—turnout would increase by as many as two million additional voters.*

Brennan’s 2009 report also finds that states that offered a form of permanent registration, one that allowed voters to update their new address if the move was within the state, on Election Day, had some of the highest voter turnout rates in the 2008 election.<sup>48</sup>

“State Election Law Reform and Youth Voter Turnout,” CIRCLE, July 2009, p. 2.

45 Jan Leighley and Jonathan Nagler, *Who Votes Now: Demographics, Issues, Inequality, and Turnout in the United States*, Princeton University Press, 2013, pp. 105-106.

46 Liz Kennedy, “Millions to the Polls: Permanent and Portable Registration,” Demos, 2014.

47 Presidential Commission on Election Administration (PCEA), *The American Voting Experience: Report and Recommendations of the Presidential Commission on Election Administration*, January 2014, p. 17.

48 Adam Skaggs and Jonathan Blitzer, “Permanent Voter Registration,” Brennan Center for Justice, 2009, pp. 1-2.

The more ambitious version of this idea would be permanent portable registration through which, with the use of government databases, any time a voter reported to a government agency that he had moved, his registration status would automatically be updated.<sup>49</sup> This has not yet been attempted in any state. Many advocacy organizations have called for portable registration to be implemented, and it would be interesting to investigate the impact of such a program.

## National Voter Registration Act: More Registration, But What About Turnout?

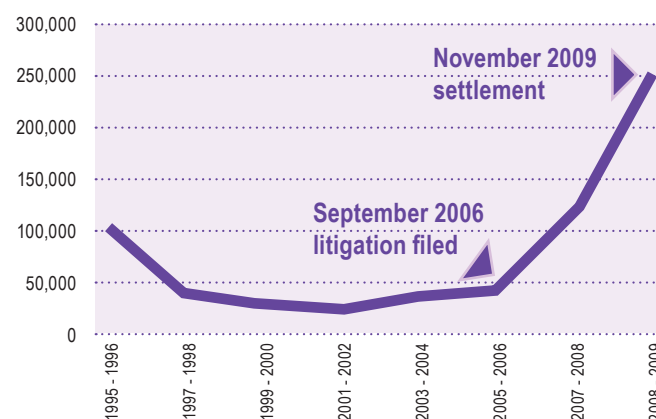
The National Voter Registration Act (which focuses on offering voter registration at motor vehicle agencies and public assistance agencies) is another reform around which there was much hope when it was passed,<sup>50</sup> and it still remains promising, though the research evidence on its impact on voting, as opposed to registration rates, is mixed. The assumption behind the NVRA is that registration is the biggest barrier to voting. There is plenty of evidence that this is the case for disadvantaged and marginalized groups. Getting these groups registered means they are likely to vote. This is bolstered by the data showing that, once registered, large majorities of registered voters do show up on Election Day. However, studies finding definitive direct causation between the NVRA and turnout improvement are scarce. The specific population groups the NVRA is helping most is even less well known.

One thing that is clear is that the NVRA has increased registration rates and that many citizens avail themselves of the methods of registration the NVRA provides, applying through the mail, at DMVs, and through federal public assistance agencies. In its most recent review of the Act, looking at 2011–2012, the Election Administration Commission found that states received over 62.5 million voter registration application forms. “The two largest sources of voter registration applications were (1) motor vehicle offices or (2) mail, fax, and email. Nearly 20.3 million applications, 32.4% of the total, were submitted to State offices that issued driver’s licenses.”<sup>51</sup> Over 2 million people submitted

registration forms at public assistance and disability agencies during that year alone.<sup>52</sup> Year after year, the NVRA helps millions of eligible voters register. In particular, the NVRA has helped bring millions of low-income voters into the political process.<sup>53</sup>

As Demos reports, the promise of the NVRA is demonstrated by its impact when implemented at public assistance agencies properly. Since finding widespread noncompliance with Section 7 of the NVRA in the states, a small coalition of organizations has simultaneously brought legal pressure, sued for compliance, and worked cooperatively with public assistance agencies and election administrators to help them improve their systems for providing registration. All of the litigation resulted in favorable decisions or settlements and, since the groups have taken action in the states, almost 2 million more people have applied to register to vote through public assistance agencies.<sup>54</sup> Individual state data following enforcement action by the groups is remarkable.

### Ohio



eral Office 2011–2012, A Report to the 113th Congress,” June 30, 2013, p. 6.

<sup>52</sup> *Id.* at p. 41.

<sup>53</sup> J. Mijin Cha, “REGISTERING MILLIONS: The Success and Potential of the National Voter Registration Act at 20,” Demos, 2013, p. 6.

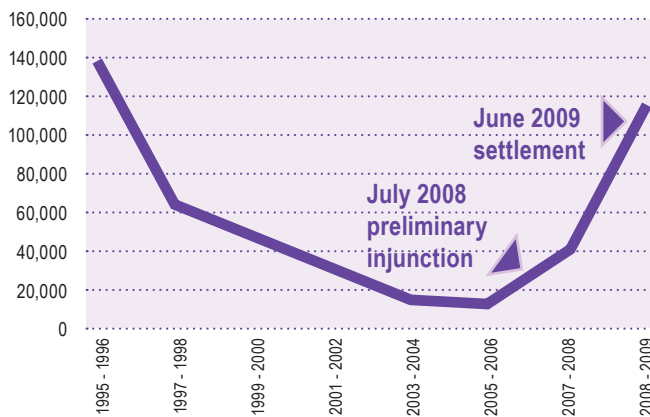
<sup>54</sup> Testimony of Lisa J. Danetz, Senior Counsel, Demos, to the United States Commission on Civil Rights, Increasing Compliance with Section 7 of the NVRA, April 19, 2013, pp. 5–6.

<sup>49</sup> Brennan Center for Justice, “The Case for Voter Registration Modernization,” p. 9.

<sup>50</sup> Piven and Cloward, 1992

<sup>51</sup> U.S. Election Assistance Commission, “The Impact of the National Voter Registration Act of 1993 on the Administration of Elections for Fed-

## Missouri



The details are equally impressive:<sup>55</sup>

- Over the three-plus years after Ohio entered into a settlement agreement, the state Department of Jobs and Family Services has reported that its public assistance offices averaged close to 15,000 voter registration applications submitted per month—compared to a monthly average of 1,775 prior to the intervention.
- In Missouri, 512,456 low-income citizens applied for voter registration at the state's Department of Social Services in the 53.5 months following a successful court action to improve compliance, representing an increase in the monthly average of voter registration applications submitted to public assistance offices of 1,376%.
- North Carolina completed its improved and revised process six years ago and the state averages 5.5 times the number of voter registration applications submitted at public assistance offices as it did prior to the new implementation process.
- In the two years after Mississippi changed its implementation procedures, an additional 90,232 low income individuals have applied to register to vote through public assistance offices, which translates to an increase of 2,303% compared to its earlier performance.

While millions of people are evidently registering to vote through state DMV offices, the DMVs' compliance with Section 5 of the law has recently come into question. It is not certain that citizens are being offered voter registration at DMVs as they must under the law, and there are additional questions about whether those registration applications are being properly processed on a consistent basis even when offered to voters and submitted.<sup>56</sup> Pew Charitable Trusts is currently studying this issue, and has found that 24% of African Americans and 24% of Latinos registered to vote at a DMV according to Current Population Survey data from 2012.<sup>57</sup>

<sup>55</sup> Id. at p. 12.

<sup>56</sup> See Pew Charitable Trusts, "Measuring Motor Voter," May 2014.

<sup>57</sup> Id. The Pew report also makes the point that likely diminishing the

The question then becomes: Are these new registrants actually voting; is the NVRA resulting in an increase in voter participation; and if more people are voting due to the NVRA, what demographic groups do they represent? Does the NVRA make the electorate more representative of the population and reduce inequalities in turnout?<sup>58</sup>

One study conducted on behalf of Project Vote focusing on low-income voters demonstrated that, in 2008, 78% of the subset of voters who registered through a public assistance agency voted. Rigby and Springer recently found that the NVRA decreases inequality in the composition of the electorate in significant ways in states where the registration rates are already skewed toward the wealthy.<sup>59</sup> What is not known from the Rigby and Springer analysis is if their findings would be stronger if they were to compare not just states with and without NVRA, but instead distinguished between states that had been subject to implementation enforcement actions and those that have not.

In a 2005 study, Stein, Leighley, and Owens find that NVRA and equivalent state level laws increase turnout by 2-3%.<sup>60</sup> Another 2005 report by Mary Fitzgerald, looking at elections from 1972-2002, finds that the NVRA boosts turnout by "more than 1%" in presidential elections.<sup>61</sup>

By contrast, in their 2013 book, Leighley and Nagler find that most studies on the NVRA have found that it increases registration significantly, but not necessarily turnout, and that there isn't much in the way of difference across different groups with respect to turnout.<sup>62</sup> However, as Leighley says, increasing registration at least increases the potential for increased voting, especially if campaign dynamics change and such voters are targets for mobilization in a way they currently are not. And, as she says, we need to set ourselves up for the possibility of increased participation. Increased registration through the NVRA lays the groundwork.<sup>63</sup>

potential impact of NVRA at DMVs is that the public is not aware that they are to be offered voter registration during these procedures. At p. 3.

<sup>58</sup> Some have observed that since registering through the DMV and public assistance agencies is a passive action—that is, clients were not actively seeking to register but just happened upon it, they will not necessarily have the motivation to vote even if registered.

<sup>59</sup> Elizabeth Rigby and Melanie J. Springer, "Does Electoral Reform Increase (or Decrease) Political Equality?" *Political Research Quarterly*, Vol. 64, No. 2 (June 2011), pp. 420-434, published by Sage Publications, Inc. on behalf of the University of Utah, at p. 429.

<sup>60</sup> Robert Stein, Jan Leighley, Christopher Owens, "Who Votes, Who Doesn't, Why and What Can be Done?" A Report to the Federal Commission on Election Reform, 2005.

<sup>61</sup> Mary Fitzgerald, "Greater Convenience But Not Greater Turnout: The Impact of Alternative Voting Methods on Electoral Participation in the United States," *American Politics Research* 2005 33: 842, at 856.

<sup>62</sup> Jan Leighley and Jonathan Nagler, *Who Votes Now: Demographics, Issues, Inequality, and Turnout in the United States*, Princeton University Press, 2013, p. 96.

<sup>63</sup> Interview with Jan Leighley, September 29, 2014.

Studies conducted on the impact on voter turnout in the years just after the NVRA's passage in 1993 were disappointing to some advocates at the time. One issue was that, in general, voter turnout in 1996 was down overall because of the lack of competition in the presidential contest. Nonetheless, Wolfinger and Hoffman found that 70% of people who registered at the DMV in 1996 voted. Half of people who registered through public assistance agencies, about 3% of the electorate, voted. These are lower rates than people who register through other methods. It is not entirely clear whether some of these voters would have registered through some other means.<sup>64</sup> Hanmer similarly reports that, in 1996, 50% of public assistance agency registrants voted and 70-75% of DMV registrants voted, but raises similar questions about causality.<sup>65</sup>

---

## Language Assistance

Studies and surveys have nearly uniformly shown a substantial increase in voter participation when language materials and assistance are provided. According to a study by Michael Jones-Correa, voters who have access to voting materials in their own language were 5% more likely to have voted in the 1996 and 2000 elections.<sup>66</sup> Another study by Jones-Correa found that in counties covered by Section 203 of the Voting Rights Act and thus required to provide language assistance at the polls, Latino voter turnout was much higher than in non-covered counties: 10-14% percent higher.<sup>67</sup> Jocelyn Benson reports that in 1992, the numerical triggers of Section 203 were amended to cover more predominantly Asian communities, and as a result, more than 672,000 citizens of Asian descent in seven states became eligible to receive minority language assistance, including translated registration forms and instructions, after the 2000 census. Census data from 1998 and 2004 shows a 61% growth in registration rates and a 98% increase in turnout rates among self-identifying Asian American citizens between November 1998 and November 2004.<sup>68</sup>

---

64 Raymond E. Wolfinger, Jonathan Hoffman, "Registering and Voting with Motor Voter," *Political Science & Politics* / Volume / Issue 01 / March 2001, pp 85-92.

65 Michael Hanmer, *Discount Voting*, Cambridge University Press, 2009 at loc 3148.

66 Michael Jones-Correa, "Language Provisions Under the Voting Rights Act: How Effective Are They?" *Social Science Quarterly*, Vol. 86, No. 3, September 2005, pp. 549-564, at p. 558.

67 Michael Jones-Correa and Israel Waismel-Manor, "Getting into the Voting Rights Act: The Availability of Translated Registration Materials and Its Impact on Minority Voter Registration and Participation" (paper prepared for presentation at the annual meeting of the American Political Science Association, August 30-September 2, 2007)

68 Jocelyn Benson, "¡Su Voto es su Voz! Incorporating Voters of Limited English Proficiency into American Democracy," *Boston College Law Review*,

These findings may indicate the need for additional state laws that address the voting needs of language-minority groups who do not meet the threshold for mandated federal coverage of 5% or 10,000 members of the population of the jurisdiction. Many states have groups such as these, and some include minority groups that are just shy of the mark. A few states have already gone in this direction. Under California state law, non-English speakers who live in places where language assistance is not required by federal law have the right to access a copy of the ballot, along with instructions translated into Spanish or another language if a local election official finds it necessary. California's laws also mandate that minority-language sample ballots be provided and posted in polling areas where the secretary of state determines that 3% or more of the voting-age citizens are low proficiency English speakers, or when citizens or organizations provide information supporting a need for assistance.

---

## Reforms With Potential (But Evidence Shows Only a Small Effect)

### In-Person Early Voting

For years, the research on early voting had consistently demonstrated that it did not produce higher turnout, and definitely did not help increase participation among minorities, low income voters, and other traditionally disenfranchised groups. It merely provided a convenient alternative for people who would have voted anyway. The bulk of the research continues to show this is the case.

Two caveats are in order. First, there are many different ways early voting is implemented that could influence how much of an impact it has on turnout. States and even counties differ in the length of time early voting is available, the days and times it is offered, in the number of early voting sites, and where the voting sites are located. The ways in which those variations might help to increase turnout have not been fully explored. Second, mobilization and voter education efforts around this reform, as mentioned in the introduction, may be changing this dynamic.

Robert Stein at Rice University has been examining early voting since the 1990s. In a 2005 report, he and co-authors described it this way: "Aggregate voter studies of early voting fail to show that turnout significantly increases in states that have adopted in-person early voting...early voting does not significantly diversify the electorate... resource-poor voters did not benefit from the adoption of

---

2007, Vol. 48, p. 251, at p. 271.



in person early voting. To the contrary, early voters appear to be more partisan, ideological and interested in politics. More importantly early voters were disproportionately likely to have voted in the past.”<sup>69</sup> As Stewart and Gronke write:

*Early voting and other election reforms were put in place by many states in the hopes that voter turnout would increase substantially, but the results have been less than some of the very optimistic estimates (Gronke, Galanes-Rosenbaum, and Miller 2008). The consensus of experts is that early voting reforms have increased turnout modestly, when examined from the 1990s through 2008...research has shown that citizens who work, regularly attend religious services, and have higher levels of education and income are more integrated into the political system and are more likely to be mobilized by political organizations (Verba, Schlozman, and Brady 1995; Rosenstone and Hansen 1993). The result is that, based on all the scholarly research up to approximately 2008, the early voter was typically described as “conservative, middle-to-upper-class, generally interested in politics, and Republican” (Gronke, Galanes-Rosenbaum, and Miller 2008, p. 443). Minority use of early voting tended to be quite low, a finding we and other scholars attributed to the comparative lower levels of income and educational attainment among minority populations (Karp and Banducci 2000; Gronke, Galanes-Rosenbaum, and Miller 2007; Berinsky 2005).<sup>70</sup>*

In fact, Rigby and Springer found that early voting exacerbates inequalities in the electorate.<sup>71</sup> Leighley and Nagler found that early voting only increases turnout if the early voting period is 45 days long.<sup>72</sup> Barry Burden, et. al., find that early voting, absent EDR/SDR, can actually have a negative impact on turnout.<sup>73</sup>

But there is evidence this may be changing. The evolution of the research is described in an important 2013 paper by Charles Stewart and Paul Gronke:

69 Robert Stein, Jan Leighley, Christopher Owens, “Who Votes, Who Doesn’t, Why and What Can be Done?” A Report to the Federal Commission on Election Reform, 2005, pp. 10-11.

70 Paul Gronke, Charles Stewart, “Early Voting In Florida,” MIT Working Paper 2013-12, Prepared for the annual meeting of the MPSA April 11-14, 2013, Chicago, pp. 5-6.

71 Elizabeth Rigby and Melanie J. Springer, “Does Electoral Reform Increase (or Decrease) Political Equality?” *Political Research Quarterly*, Vol. 64, No. 2 (JUNE 2011), pp. 420-434, published by: Sage Publications, Inc. on behalf of the University of Utah at p. 430.

72 Jan Leighley and Jonathan Nagler, *Who Votes Now: Demographics, Issues, Inequality, and Turnout in the United States*, Princeton University Press, 2013, p.115.

73 See Barry C. Burden, David T. Canon, Kenneth R. Mayer, Donald P. Moynihan, “Election Laws, Mobilization, and Turnout: The Unanticipated Consequences of Election Reform,” *American Journal of Political Science*, 2010.

*The 2008 presidential and subsequent elections have challenged the conventional wisdom, primarily because of changing voting patterns in the South. According to CPS data, African American usage of early in-person voting in the South nearly tripled in the 2008 presidential election when compared to the 2004 presidential election; African American early in-person voting in the 2010 midterm elections was twice as high as in the 2006 midterm election. In their study of the 2008 presidential election, Alvarez, Levin, and Sinclair (2012) found that primarily in southern states, African American racial identity was associated with a statistically significant increase in choosing to vote early in-person when compared to voting absentee or on Election Day. Miller and Chaturvedi (2010) compared racial differences in early in-person, absentee by-mail, and Election Day voting in North Carolina, Georgia, and Florida in 2004, 2006, and 2008. They found rapid growth in the use of early in-person voting among African Americans, and continued higher usage among African American voters during a 2008 Senate runoff election that was conducted in December 2008. Data from the 2012 CCES show that African Americans continuing to use early in-person voting in the South at high rates, comparable to the outcomes of the 2008 presidential election. African Americans voted early in-person at a rate of 41.0%, compared with 34.8% of southern White voters.<sup>74</sup>*

For close to twenty years, the predominant thinking in academia has been that early voting, while making voting easier, does not increase turnout. While many advocates assumed that allowing additional days and hours to vote would be most helpful to working and low-income voters, leading to higher rates of participation, this didn’t happen initially. But, as discussed earlier in this report, campaigns and organizations now are realizing that early voting will not have the desired outcomes in a vacuum. People who might not otherwise vote need to be asked to vote, need to be reached out to, need to be mobilized, and must be educated on how to make use of early voting. It may be that advocates assumed too much in thinking that voters at the margins were even aware early voting existed or how they could access it.

That is changing. The outreach is happening, and the reform of early voting has become a bit of a moving target that will need continued observation and analysis. One of the challenges is being able to research what political campaigns are doing. From several interviews, it is clear that candidates and parties are not inclined to allow political scientists to embed with the campaign for research purposes. When they are permitted to do so, the resulting research is kept private. Consequently, there has not been

74 Paul Gronke, Charles Stewart, “Early Voting In Florida,” MIT Working Paper 2013-12, Prepared for the annual meeting of the MPSA April 11-14, 2013, Chicago. Pp. 5-6.

any systematic study of what campaigns are doing to promote early voting to date, only anecdotal evidence.

This shift is potentially significant not only because of the desire to increase turnout among minority and low income voters. It is also important given the legal cases that are currently underway arguing that cutbacks on early voting discriminate against minority voters. Charles Stewart and Paul Gronke found that in Florida, when that state reduced the days available for early voting, cutting days minority voters had used for early voting at a disproportionate rate, voter turnout dropped.<sup>75</sup> The causal connection is not proven, but the assumption of a connection is reasonable, compounded by the fact that the reduction in early voting days also resulted in more congested polling sites and longer wait times for voting, especially in African American polling sites.<sup>76</sup>

Advocacy groups have been very careful not to make any claims about early voting's impact on turnout, citing its convenience for working people, its potential to reduce long lines at the polls, its capacity to improve poll worker performance, its popularity, and the ability it gives voters and administrators to fix glitches in the system before it's too late.<sup>77</sup>

## Unlimited Absentee Balloting and Vote-by-Mail

This statement in a Barry Burden and Brian Gaines paper sums up the state of the research on absentee voting well: "Some studies find modest positive effects of absentee voting availability on voter participation, but others find no relationship or even negative effects. Although absentee balloting is often promoted on the basis that it increases participation levels, there is no consensus that it delivers on that promise."<sup>78</sup> This is another reform that many voting advocates have advanced over the last several years, on the assumption that providing the option to vote by mail, from home, would lead to more participation among time-pressed working people. Yet it is not certain from the evidence that it has that effect.

It is important when discussing this measure to distinguish the different types of balloting by mail. There are states that do not require a voter to have a reason before requesting an absentee ballot, but a voter does have to take the step of requesting it. Other states allow voters to

put themselves on a permanent absentee ballot list and automatically receive an absentee ballot. Colorado now automatically sends all voters absentee ballots although there is still the option to vote in person. Oregon and Washington now vote entirely by mail. Some studies fail to make these distinctions in their analysis, looking instead at "early voting" or "convenience voting" in all its variations and the aggregate impact on turnout. In some cases, states change their rules around vote-by-mail and absentee balloting so frequently that the academic literature hasn't yet caught up. These factors add to the difficulty in assessing the impact of these particular reforms.

A series of studies from the 1990s and 2000s found that expanding no-excuse absentee balloting had at least a small positive effect on turnout. However, most of these studies also found that the increase is a result of retaining high propensity voters, not bringing new voters, who typically do not participate, into the system. Paul Gronke provides an overview of this research and confirms in his own study of elections over a twenty-four year period that the impact is small, though likely bigger in lower intensity elections like midterm and local elections.<sup>79</sup>

As he does with respect to other reforms that ease access, Berinsky argues most strongly that increased absentee and mail voting "reinforce the demographic compositional bias of the electorate and may even heighten that bias."<sup>80</sup> Karp and Banducci find, as do others, that absentee balloting does not expand the electorate. "The potential for absentee laws to stimulate turnout among groups not likely to vote is largely limited to the persons with disabilities and students," groups who might otherwise be "inconvenienced" by in-person voting.<sup>81</sup> Mary Fitzgerald finds unlimited absentee voting to actually have a negative impact on turnout.<sup>82</sup>

One study that finds a possible significant positive impact from no-excuse absentee voting is by Leighley and Nagler. According to these authors, when looking at states over several election cycles, states that have no-excuse absentee balloting do not see higher turnout compared to those that do not. Yet, they say, "in the multivariate model we can see that when controlling for state demographics, closeness of

<sup>75</sup> Id. at p. 21.

<sup>76</sup> Id. at p. 26.

<sup>77</sup> See Diana Kasdan, "Early Voting: What Works," Brennan Center for Justice, 2013; Estelle Rogers, "Early Voting," Project Vote, November 2013; "Millions to the Polls," Demos, 2014.

<sup>78</sup> Barry Burden and Brian Gaines, "Administration of Absentee Ballot Programs," MIT/Caltech Voting Technology Project, July 15, 2013, p. 6.

<sup>79</sup> Paul Gronke, Eva Galanes-Rosenbaum, Peter A. Miller, "Early Voting and Turnout," *Political Science & Politics*, 2007; Paul Gronke, Eva Galanes-Rosenbaum, Peter A. Miller, "Early Voting and Turnout," Paper presented at 2008 and Beyond: The Future of Election and Ethics Reform in the States. Conference sponsored by the Department of Political Science Kent State University, and presented at the Riffe Center at the Ohio State House, Columbus OH.

<sup>80</sup> Berinsky at p. 478.

<sup>81</sup> Jeffrey A. Karp & Susan A. Banducci, *Absentee Voting, Mobilization, and Participation*, 29 AM. POL. RES. 183, 2001, at p. 190.

<sup>82</sup> Mary Fitzgerald, "Greater Convenience But Not Greater Turnout: The Impact of Alternative Voting Methods on Electoral Participation in the United States," *American Politics Research* 2005 33: 842, at p. 856.

elections, and other institutional rules no-fault Absentee Voting has a statistically significant positive impact on turnout.”<sup>83</sup> In their subsequent book of 2013, Leighley and Nagler, looking at ten presidential election cycles in all fifty states, find that “adoption of no-fault absentee voting leads to a 3.2 percentage-point increase in turnout. However, this finding, reflecting a more rigorous analytical approach than previous studies, suggests that no-fault absentee voting is one of—if not the—single most important of the changes made to election laws since the Civil Rights Act.”<sup>84</sup>

This is yet another measure whose impact can be greatly influenced by the activities of outside groups. The most recent look at “voluntary mail ballot systems” by Christopher Mann finds:

*Among states within each voluntary mail ballot system... there is considerable variation in use of mail ballots... Voluntary use of mail ballots tends to grow over time because a large proportion of voters who try mail voting continue to use it in future elections... However, this growth does not occur at the same rate across states or even within states from election to election. The activity of campaigns, civic groups, and election officials to encourage use of mail ballots explains some of this variation. Recruitment to use mail ballots has proven effective for increasing mail ballot use (and total turnout) in multiple field experiments... Voter education communication by election administrators also significantly influences the use of mail ballots, even when not influencing overall turnout.*<sup>85</sup>

The data on moving wholesale to all-mail elections is extremely mixed. This is partly because, until very recently, only Oregon had entirely mail-based voting. Oregon is not a state that is particularly representative or reflective of what might occur in other places given its relative homogeneity and that it has always been a high turnout state. Washington State started vote-by-mail (VBM) elections in 2011. Colorado first moved to mail elections in 2014. These two states are now also the focus of studies. There has also been some research in California where mail voting is prevalent.

The 2014 results are compelling, though they only cover

83 Jan Leighley and Jonathan Nagler, “Absentee Ballot Regimes: Easing Costs or Adding a Step?,” April 7, 2011, Paper prepared for presentation at the conference “Bush v. Gore, 10 Years Later: Election Administration in the United States,” co-organized by the UCI Center for the Study of Democracy and the Cal Tech/MIT Voting Technology Project, Laguna Beach, California, April, 2011, p. 10.

84 Jan Leighley and Jonathan Nagler, *Who Votes Now: Demographics, Issues, Inequality, and Turnout in the United States*, Princeton University Press, 2013, p. 115.

85 Christopher B. Mann, “Mail Ballots in the United States: Policy Choice and Administrative Challenges,” in Barry C. Burden and Charles Stewart III, eds., *The Measure of American Elections*, Cambridge University Press, 2014, p. 124.

one election cycle and there may be what academics refer to as a “novelty effect” in Colorado. *The New York Times* reports, “Colorado switched to a mail ballot system this year, and it had the fourth-highest turnout in the nation, substantially larger than in 2010. (It had a highly competitive Senate race, but did much better than many states with equally hot races.) Oregon, which also votes by mail, had the fifth-highest turnout, and Washington State, with a similar system, did better than the national average, though it had no major statewide races.”<sup>86</sup>

Early research by Southwell and Burchett caused a stir in finding that VBM could increase turnout by 10%.<sup>87</sup> Over the last several years, however, many scholars have taken issue with that study. In particular, Paul Gronke and Peter Miller find in a re-analysis of the Southwell-Burchett study that when looking at VBM over time in Oregon, the impact is much less. As is also found in other studies, there is a “novelty effect” to mail voting that tends to disintegrate over time.<sup>88</sup> Looking at Washington State, which gradually moved to all VBM county by county, Gronke and Miller find an increase in turnout of 4.5%. The authors caution that turnout effects are mostly influenced by the activities of institutions, organizations and individuals, rather than the law. Another open question that several of Gronke’s reports raise is whether VBM has a greater impact on turnout in lower intensity contests, an area in need of further research. One study has indicated this is the case.<sup>89</sup>

As with other reforms, Berinsky, et. al. find that VBM only helps retain already active voters, maintaining the skew in the composition of the electorate.<sup>90</sup>

Gerber, Huber, and Hill also examined Washington State in 2012. They find that the switch to VBM increases turnout 2-4%. They also find, contrary to Berinsky and some other reports, that all-mail elections in Washington increased turnout across age groups and especially increased turnout among “rarely participating registrants.”<sup>91</sup> They too find that overall turnout increases are high when the switch to

86 “The Worst Voter Turnout in 72 Years,” The Editorial Board, *The New York Times*, November 12, 2014.

87 Priscilla Southwell and Justin Burchett, “The Effect of All-Mail Elections on Voter Turnout,” *American Politics Quarterly*, 28, 72-79, 2000.

88 Thad Kousser and Megan Mullin, “Will Vote by Mail Elections Increase Participation? Evidence from California Counties,” University of California, San Diego, 2007.

89 Thad Kousser and Megan Mullin, “Will Vote by Mail Elections Increase Participation? Evidence from California Counties,” University of California, San Diego, 2007.

90 Adam J. Berinsky, Nancy Burns, Michael W. Traugott, “Who Votes By Mail? A Dynamic Model Of The Individual Level Consequences Of Voting-By-Mail Systems,” *Public Opinion Quarterly*, Volume 65:178-197, 2001.

91 Alan S. Gerber, Gregory A. Huber, Seth J. Hill, “Identifying the Effects of Elections Held All-Mail on Turnout: Staggered Reform in the Evergreen State,” June 29, 2012.



VBM is first made, and then diminishes.<sup>92</sup>

One study of California counties actually found VBM to cause a decrease in turnout.<sup>93</sup> However, even these researchers point out that “With a full transition to mandatory mail voting, we expect that parties, candidates, and civic groups would conduct outreach designed to mobilize mail voters. Studies of absentee and early voting have demonstrated the importance of campaign mobilization activities in the context of liberalized voting laws...Alerting registrants to the imminent arrival of their ballot and designing phone call and canvassing efforts to address the earlier schedule of a mail ballot election may go far to diminish the negative effect that we have observed.”<sup>94</sup>

Another study focused on California’s mail ballots to infer what the impact of all-VBM elections would be. This study also found VBM could decrease turnout, especially among urban and certain minority voters (within the limitations of this study, this means Asian and Latino voters). However, as indicted elsewhere, the authors here also note how mobilization around voting by mail—in this case by elections officials—can make a significant difference in making VBM an effective reform. “[E]lection officials have a role to play in mitigating and possibly reversing the negative effect switching to mail-only systems has on voter turnout through repeated communication with voters. Incumbent to any successful election system changes would be efforts to increase communication with voters, specifically communication targeted at informing voters about vote-by-mail systems.”<sup>95</sup>

Some advocacy organizations have been more wary of vote-by-mail than other types of reforms. Project Vote cautions that the issue “voting by mail is that it does not always serve underrepresented or vulnerable populations as well as traditional polls.”<sup>96</sup>

92 Id.

93 Thad Kousser and Megan Mullin, “Will Vote by Mail Elections Increase Participation? Evidence from California Counties,” University of California, San Diego, 2007. It should be noted that in this case there was little voter education on the process and it was arbitrary who was affected by CA’s small precinct rules.

94 Kousser and Mullin at p. 443.

95 Elizabeth Bergman, Phillip Yates, Elaine Ginnold “How Does Vote By Mail Affect Voters? A natural experiment examining individual-level turnout,” Project Sponsored by the Pew Charitable Trusts, Pew Center on the States, Make Voting Work, 2012, p. 25.

96 Teresa James, “Vote by Mail Spreads, but Doesn’t Help All Voters,” Project Vote, June 3, 2010.

## Interventions: Realizing the Potential of the Reform

### Introduction: Election Reforms Don’t Work Well in a Vacuum—the Need for an Outside Push

Over a decade ago, Robert Stein, Chris Owens, and Jan Leighley published a report arguing the “marginal” impacts resulting from structural electoral reform could only be improved through the utilization of these reforms by external actors. The study is worth quoting at some length as being highly prescient.<sup>97</sup>

*The effectiveness of electoral reforms is contingent upon on the strategic behavior of elites. Without strategic decisions by elites to use electoral reforms to their advantage, electoral reforms will be unrelated to voter turnout. According to this logic, if vote maximizing candidates utilize these electoral reforms to mobilize voters in support of their candidacies, then voter turnout will increase... Conceptually, this argument highlights the distinction between voters having the opportunity of voting by mail, registering on election day, or voting early, for example, and candidates choosing to use these opportunities as part of their campaign strategy. Some researchers (e.g., Hansen and Rosenstone 1993; Aldrich and Simon 1986) have suggested that the efficacy of these reforms is dependent upon the campaign activities of candidates and their parties. That is, changing the “rules of the game” is not sufficient to increase turnout. Yet most research neglects the central role of candidates’ assessments of the utility of electoral reforms in winning elections.”<sup>98</sup>*

They go on to consider the disappointing results of election reforms such as the NVRA and early voting, but raise the possibility that this dynamic could be altered with more mobilization that makes the most of the opportunities these reforms present. They caution, though, that even with such mobilization, increasing turnout among “historically disadvantaged voters” remains a challenge.<sup>99</sup> While “empirical evidence that contemporary electoral reforms reduce class differences in turnout is mixed and weak... This ‘minimal effects’ conclusion may be premature. When

97 Robert Stein, Chris Owens, and Jan Leighley, “Electoral Reform, Party Mobilization and Voter Turnout,” Paper presented at Midwest Political Science Association 61st Annual National Conference in Chicago, IL, April 3–6, 2003.

98 Id pp. 3–4.

99 Id at p. 5.



candidates and parties engage in voter mobilization activities, there is a high likelihood that their efforts will be fruitful.”<sup>100</sup>

Stein, Leighley, and Owens conclude: “Electoral reforms intended to increase voter turnout are not self-actuating. That is, the implementation of these electoral reforms require agents—political parties and their candidates—to intervene between the opportunities created by state election laws to vote and eligible voters.”<sup>101</sup>

Candidates and parties have an uneven record with respect to taking on this challenge, from what we can tell. Early voting, additional registrants put on the rolls through the NVRA (including and especially through public assistance agencies), and EDR/SDR have the potential to expand the electorate and turn out new voters. But at least some campaigns continue to contact only voters with a strong voting history, deeming all other voters too risky. The campaigns don’t know enough about how these other voters will vote, even with a knowledge of their demographic profile. Michael Hamner argues:

*[T]he availability of EDR or motor voter could change the political environment in a way that makes it more likely that individuals are mobilized and, through the process of mobilization, decide they want to vote. In EDR states, the candidates and campaigns have a longer period of time to get eligible citizens interested in voting....The names of citizens who register via motor voter are placed on the lists in time for parties and candidates to seek their support...Being on the registration list is likely to put individuals’ names into the party database, but individuals without a history of voting will be viewed as more risky and thus reduce their likelihood of being contacted.*<sup>102</sup>

Other types of organizations might fill this breach and help actualize structural voting reforms more than the existing actors do. One group that might prove effective in this regard is unions.

*[I]ndividual union members are significantly more likely than non-union members to vote in presidential and congressional elections, and...this membership effect remains when controlling for individual-level characteristics such as education, income and occupation. At the same time, individuals living in states with stronger unions are more likely to vote, and this is true controlling for other aspects of campaign mobilization and demographic characteristics. These empirical findings show that unions indeed play, or have played, an important role in stimulating electoral participation in the U.S. Our estimates indicate that turnout would have been approximately three*

*percentage points higher in 2004 had unions remained as strong as they were in 1964.*<sup>103</sup>

Unions have the potential to play an especially beneficial role among Latino voters. “[D]uring the 2008 election cycle, the increase in the probability of registering to vote was 7 percentage points higher for Latino union members...compared with just 2.1 percentage points higher for non-Latino union members... the increase in the probability of casting a ballot was an impressive 8.2 percentage points higher for Latino union members in 2008 compared with non-union members, and an even greater 11 percentage points higher in 2010.”

It is evident that the unions are aware of the importance of their role, and, according to union leaders, using all manner of voter outreach techniques.<sup>104</sup>

## Evidence of Successful Interventions

### North Carolina 2008

For the first time in North Carolina’s electoral history, the state implemented a combination of in-person early voting and the ability to register and vote at the polling place during the early voting period. The Obama campaign and civic organizations conducted outreach to make best use of these new tools, and the results were phenomenal. North Carolina had the largest increase in voter turnout in the country. Some 236,700 people became new voters through same-day registration, and 39% of those were African American. More than 5% of the 4.2 million North Carolina voters in the 2008 election registered when they went to vote. Some 691,000 African Americans voted during the early voting period: 51% of the 1.32 million black registered voters in North Carolina.<sup>105</sup>

103 Jan Leighley and Jonathan Nagler, “Unions, Voter Turnout, and Class Bias in the U.S. Electorate, 1964-2004,” New York University, November 30, 2006, p. 16.

104 Interview with Jeannette Galanis, Deputy Political Director, AFL-CIO. “After the 2008 election, Anna Burger, who chaired labor’s Change to Win Federation, singled out the United Farm Workers and UNITE HERE as two unions that made especially strong efforts in the battleground states of Colorado and Nevada to increase Latino voter registration and turnout... Maria Elena Durazo, Executive Secretary-Treasurer of the Los Angeles County Federation of Labor, added that organized labor’s GOTV operation has expanded its reach and grown in sophistication in recent elections.” Peter L. Francia and Susan Orr, “Labor Unions and the Mobilization of Latino Voters: Can the Dinosaur Awaken the Sleeping Giant?” Political Research Quarterly published online 31 July 2014, pp. 7-8.

105 E-mail exchange between the author and Bob Phillips, executive director, Common Cause North Carolina, November 18, 2008.

100 Id. at p. 6.

101 Id. at p. 7.

102 Michael Hanmer, *Discount Voting*, Cambridge University Press, 2009.

## Nonprofit Vote 2012

In 2012, the organization Nonprofit Vote undertook a major evaluation of its programs, which work to enlist community based organizations to integrate voter registration into the regular services they provide their clients and constituents. The Track the Vote program, the organization's evaluation project, tracked 33,741 individuals who registered to vote or signed a pledge to vote at 94 nonprofit organizations. These included a variety of community health centers, family service agencies, multi-service organizations, and community development groups across seven states.<sup>106</sup> They discovered that what they were doing was working, and identified some best practices in the process. "Voter turnout among the clients and constituents that nonprofits registered or collected pledges from ('nonprofit voters') was 74%, six points above the 68% turnout rate for all registered voters. In fact, nonprofit voters outperformed their counterparts across all demographic groups studied."

The intervention of nonprofit organizations was particularly successful among low propensity voters, who make up a large proportion of their clientele, because of the nonprofits' credibility within the community. "Voter turnout of nonprofit voters compared to all registered voters was 18 points higher for Latino voters (72% vs. 54%), 15 points higher for voters under 30 years old (68% vs. 53%), and 15 points higher for voters with household incomes under \$25,000 (68% vs. 53%)."<sup>107</sup> The report illustrates that "nonprofit voters with the lowest voting propensity scores were three times more likely to vote than their low-propensity counterparts among all registered voters."<sup>108</sup> This is particularly important because, as we have observed, these are groups not likely to be contacted by candidates and parties because they don't have a strong voting record.

*The personal contact by the nonprofits had a measurably positive impact on turnout. When, in the context of their programs and services, nonprofit personnel engaged the people they serve, their likelihood of voting was equal to or above average turnout rates—overcoming expectations of lower voting rates. This speaks broadly to the power of personal contact in mobilizing people to vote. More specifically it affirms the impact of the personal contact coming from someone or an organization known to and trusted by the voter...More than a third of the lowest propensity nonprofit voters did turn out to vote. When nonprofits engage potential voters through their agency activities, they do not know their propensity scores. There is no pre-screening. They are simply talking to anyone eligible to vote. From a practical perspective, campaigns*

*do have to worry about cost, whether using paid canvassers or volunteers with limited time. In contrast, the agency- or site-based voter engagement model employed by nonprofits in this program appears better positioned to reach all voters, including those considered least likely to participate. Beyond those not targeted by campaigns, nonprofits also reach voters that campaigns do target but cannot or do not reach through the traditional campaign methods of door knocking and phone calls.<sup>109</sup>*

## Ethnic Media—Ya es Hora

One of the more extraordinary developments in mobilization in the last decade, particularly in the presidential and midterm elections since 2008, has been the unique partnership forged between the Spanish language media and Latino advocacy organizations to educate, empower, and encourage Latino citizens to register and vote. There is no equivalent to such a partnership in the English language press.

The Latino media, including major television, radio and print, perceive their role as including campaigns, the state of the races, and even the issues. They also aim to educate their consumers about the basics of the elections process, how to navigate it, and the importance of the Latino community, individually and collectively, participating in elections. The coordinated effort began some years ago. Beginning in 2006 and really blossoming in 2008, Univision and Latino groups' Ya es Hora campaign has been a particularly effective program to activate Latinos in the United States as a community.

A key part of the campaign's successes has been the perception the Latino community has of the on-air personalities, particularly Jorge Ramos, the star of Univision's news programs. Polls show that Ramos is the most influential person among Latino voters. His fellow anchorwoman Maria Elena Salinas is ranked eighth.<sup>110</sup> "A vast majority of Latinos say they trust and respect the newscasts, anchors, and personalities of networks like Univision and Telemundo, sentiments not often heard about mainstream English-language news outlets. The Latino networks view themselves as advocates for Latinos, not of a particular party. As a result, viewers consider them allies."<sup>111</sup>

In 2008, Ramos dedicated his Sunday news program in October to the basics of how to cast a ballot, advising viewers about what to do if one's name does not appear on the registration list and other voting-related matters. The network also aired a number of public service announcements,

106 "Can Nonprofits Increase Voting Among Their Clients, Constituents and Staff: An Evaluation of the Track the Vote Program," Nonprofit Vote, August 2013.

107 Id. at p. 2.

108 Id.

109 Id. at pp 18-19.

110 Miriam Jordan, "Univision Works to Magnify Clout of Hispanic Voting Bloc," *Wall Street Journal*, October 29, 2008.

111 Lizette Alvarez, "For Latino Groups, Grass-Roots Efforts Paid Off in Higher Numbers of Voters," *The New York Times*, November 27, 2012.

including ones with Salinas talking about the importance of the Latino vote in getting politicians to pay attention to the needs of the community.<sup>112</sup>

In 2010, Univision declared October 26 “Ya Es Hora” Day, airing special coverage and PSAs all day about navigating the electoral process and the importance of the vote. The explicit goal of the network’s programming was to increase Latino political participation.<sup>113</sup>

In 2012, the effort included Univision television and radio, with messages aired on the importance of voting and the issues at stake for the community over the course of months. This included educational tools, such as interactive sessions on its website using an animated voter registration tutorial.<sup>114</sup> Along with the second biggest Spanish broadcaster, Telemundo, Univision provided information about the election and the issues across all of their news platforms. Media personalities even went out personally into the communities.

---

## Promising Reforms in the Early Stages (Or That Need More Research)

### Preregistration

Programs allowing 16 and 17 year-olds to register to vote, and then be put on the active rolls and notified of their eligibility to vote at 18, are a relatively recent type of reform that has received very little scholarly attention. If, as will be discussed later in this report, part of the future mission may need to focus on young people’s motivation to vote, this particular reform could have a strong role to play.

The U.S. Election Administration Commission reported that, in 2011- 2012, “Nearly 439,000 voter registration applications were ‘pre-registrations’ from people under the age of 18, who were registering under State laws that allow them to preregister to vote before the age of 18 and vote upon turning 18 (or in a primary if they would be 18 by the general election). This number dramatically increased from the 2010 election cycle when approximately 168,000 pre-registrations were processed.”<sup>115</sup> Seven states allow for

16 year-olds to preregister, and eight states allow 17 year-olds to preregister, according to the National Conference on State Legislatures.<sup>116</sup>

The most thorough research has been done on the impact of the Hawaii and Florida programs, the two states with the policy in place longest. Michael McDonald’s analysis of Florida is most illuminating.<sup>117</sup>

Though the program has changed somewhat over the years, 17 year-olds have long been able to preregister, and since 2008, the preregistration age has been sixteen. The data indicates that the program is working with increasing effectiveness:

*The number of new preregistrations has increased from almost 30,000 in 2000, to a little over 65,000 in 2004, to nearly 78,000 in 2008.<sup>118</sup> Moreover, persons who preregistered had a registration turnout rate in the 2008 election of 4.7 percentage points more than those who registered after they turned 18...For the 2000, 2004, and 2008 presidential elections, those who preregister in a presidential election year and become eligible to vote in that election are more likely to do so in the presidential election than those who turn 18 in that same year and register through the normal process. In 2008, those who preregistered were 2.0 percentage points more likely to vote. In 2004, those who preregistered were 1.9 percentage points more likely to vote. In 2000, those who preregistered were 10.1 percentage points more likely to vote.<sup>119</sup>*

Interestingly, “African-Americans who preregistered were 5.2 percentage points more likely to vote in the 2008 election than those who registered after they turned 18.”<sup>120</sup>

Another study by John Holbein and D. Sunshine Hillygus also found a positive effect around these preregistration programs. Looking nationally with census data, they found that preregistration laws increase turnout rates between 2-13%, depending on the modeling.<sup>121</sup> In Florida specifically, they find a bump of up to 8%.<sup>122</sup> The researchers make the observation that, “In contrast to other reforms, preregistration laws appear to leverage the malleability of political interest by targeting young citizens when they are in school and during the increased excitement, motivation

---

2.

116 <http://www.ncsl.org/research/elections-and-campaigns/preregistration-for-young-voters.aspx>.

117 Michael McDonald, “Voter Preregistration Programs,” George Mason University, 2009.

118 Id. at p. 21.

119 Id. at p. 24-25.

120 Id. at p. 26.

121 John B. Holbein and D. Sunshine Hillygus, “Making Young Voters: The Impact of Preregistration on Youth Turnout,” August 21, 2014, p. 16.

122 Id. at p. 27.

112 Miriam Jordan, “Univision Works to Magnify Clout of Hispanic Voting Bloc,” *Wall Street Journal*, October 29, 2008.

113 NALEO, “Ya Es Hora Steps Up Voter Outreach Campaign,” press release, October 25, 2010.

114 Univision, “Ya Es Hora Kicks off ‘Liberta tu Voz’ Campaign to Encourage Voter Registration Among Latinos,” press release, April 24, 2012.

115 U.S. Election Assistance Commission, “The Impact of the National Voter Registration Act of 1993 on the Administration of Elections for Federal Office 2011–2012, A Report to the 113th Congress,” June 30, 2013, p.



and mobilization of political campaigns. These results suggest that contextual factors and supporting institutions play an important role in determining the potential for electoral reforms to increase civic engagement.”<sup>123</sup>

More research on the impact of preregistration is recommended. As the Fair Election Legal Network, which advocates for this particular type of reform, has said,

*Preregistration creates many more contact points at which government agencies, teachers, or third-party voter registration organizations can offer young people registration opportunities. It allows 16- and 17-year-olds to preregister when they obtain a driver's license. Additionally, 21 states and the District of Columbia require students to attend school until they are 18 years old while another 11 require attendance until 17 years old. High school represents one of the last opportunities to reach so many potential voters concentrated in one place before they reach voting age.*<sup>124</sup>

## Online Registration

Online registration is a newly available option for registering to vote, though it is catching on quickly in many states. At least twenty states have some form of direct registration online, without having any need for paper at all. However, in most states it has only been used in one or two election cycles. The early research is promising, but this is a reform that will require more assessment in order to determine its effectiveness.

A recent study of Arizona's online registration system found that young and minority voters are disproportionately likely to register online. With respect to young voters, the study found that registration rates among 18-24 year-olds rose from 29 to 53% after it introduced online registration.<sup>125</sup> A CalTech study cites research indicating that in two of the early online registration states, Arizona and Washington, young people disproportionately used online registration and that this method of registration might lead to higher turnout overall on the basis of data retrieved from those two states.<sup>126</sup> The Caltech study's own research similarly finds that people who live in states with online registration are more likely to register and vote. This study does not find that online registration stimulates participation among minority voters, though other studies have found to the contrary. Somewhat surprisingly, this

research finds that low income Americans have been more inclined to use online registration. It also boosts the participation of voters who have moved recently.<sup>127</sup>

The Center for Latino Policy Research at the University of California Berkeley looked at Latino and Asian American use of online registration in California. In 2012 alone, 839,297 Californians registered online; 22.6% of them were Latino and 11.1% were Asian American, with the remainder white. This is similar to the general demographic breakdown of registrants in 2012. The study also found, like the CalTech study, that online registration was used more often by low and middle-income citizens.<sup>128</sup>

Another study of California also found online registrants turned out to vote at higher levels than non-online registrants: 78% versus 70.2%. This was especially true among younger voters. “For ages 25 to 34, 78% of those who registered online actually voted—22 percentage points higher than non-online registrants of the same age group.”<sup>129</sup> All of these findings are necessarily preliminary.

## Ballot Initiatives

Though it has not been a major focus of academic inquiry to date, another factor to consider is whether allowing for greater “direct democracy” has an impact on voter participation. Several studies on the impact on voter turnout of ballot initiatives, with much of the early groundbreaking work by Daniel Smith, now of the University of Florida, have been going on for a decade and more.<sup>130</sup> While the data is not entirely consistent, the research generally finds that, while an initiative on the ballot may raise turnout slightly, perhaps .70% per initiative, ballot initiatives may raise rates as much as 2% during midterm elections unlike in a presidential election year when mobilization efforts and attention are at high pitch anyway.<sup>131</sup>

There is some debate over the underlying causes of that bump, for example, whether it is due to the increased mobilization that initiatives generate in what may otherwise be an election of less interest to the occasional voter; because there are greater resources available in a nonpresidential

127 Allyson Pellissier, “In Line or Online? American Voter Registration in the Digital Era,” CalTech/MIT Voting Technology Project, February 18, 2014.

128 Lisa Garcia Bedolla and Veronica Velez, “Differences among Latino/a, Asian American, and White Online Registrants in California,” Center for Latino Policy Research, University of California Berkeley, March 2013, p. 1.

129 “Online Voter Registration: Impact on California's 2012 Election Turnout, By Age And Party Affiliation,” UC Davis, Center For Regional Change, CCEP Policy Brief Issue 4, March 2013.

130 See, for example, Daniel A. Smith and Caroline J. Tolbert, *Educated by Initiative: The Effects of Direct Democracy on Citizens and Political Organizations in the American States*, University of Michigan Press, 2004.

131 Caroline J. Tolbert, Kent State University, Daniel A. Smith, University Of Florida, “The Educative Effects Of Ballot Initiatives On Voter Turnout,” *American Politics Research*, Vol. 33 No. 2, March 2005 283-309.

123 Id. at p. 4.

124 Fair Elections Legal Network, “Preregistration,” July 21, 2014. <http://fairelectionsnetwork.com/sites/default/files/Preregistration%20Brief.pdf>

125 Michelle K. Cohen, Online Voter Registration, May 2013.

126 Matt Baretto, et.al., Washington Institute of the Study of Ethnicity and Race and the Election Administration Research Center, Online Voter Registration (OLVR) Systems In Arizona and Washington: Evaluating Usage, Public Confidence and Implementation Processes, April 1, 2010.



election and initiative campaigners are able to garner more attention for their cause; or whether it is due to the inherent appeal of the opportunity for the citizen to have a say on an issue of interest. There is also some evidence that states that use the ballot initiative have created a climate of greater civic knowledge and engagement, and as much as 6 or 7% higher turnout overall.<sup>132</sup> In sum, there is agreement that there is a slight effect and that it is more pronounced in non-presidential elections.

The small amount of research that has been done on what types of ballot initiatives have the most potential effect shows, as one might assume, that social issues, such as gay marriage and legalization of marijuana, are more salient and therefore have a bigger impact.<sup>133</sup> But the research is not conclusive on this.

Many have been intrigued more recently by the possibility that minimum wage initiatives placed on the ballot in several states have had a serious impact on turnout. In 2014, in three states where minimum wage was on the ballot, turnout did go up, at least in part due to the initiatives, though that has yet to be thoroughly vetted.<sup>134</sup>

What has not been studied is, if ballot initiatives do lead to a small degree of greater participation, what is the demographic makeup of that increase? As has been asked throughout this paper, do ballot initiatives bring new people into the voting pool that had not voted before, particularly under-represented groups such as minorities and low income voters? This question represents a big gap in the research literature. Some research does show that initiatives likely motivate mostly partisans, rather than people who consider themselves more independent.<sup>135</sup> Other than that, the only bit of research that has been done in this regard relates to youth. Looking at elections from 2006-2012, CIRCLE found that “Of the 20 instances we looked at of recent elections with gay marriage and/or marijuana ballot measures, six to eight had youth turnout rate that may have been influenced by the referenda. These states saw youth turnout increase and a possible departure

from a previous state trend. In 2012, for example, Colorado’s ballot measure about recreational marijuana use may have contributed to a rise in youth voter turnout.” In other, similar elections, however, there was no notable increase in voter turnout, leading the researchers to state: “we cannot conclude that the existence of a controversial ballot measure on these topics automatically increases youth voter turnout, though it is possible that ballot measures could have subtle, indirect effects on turnout.”<sup>136</sup>

## Civic Education

One of the movement’s better bets may be to focus more on the next generation of voters: Very young people. This inevitably leads to the role civic education can play in improving voter turnout and, more broadly, attitudes toward the political system and political participation. There has been little research on the impact of quality civic education on later participation rates, and just a bit more on what kinds of educational experiences might have the biggest impact on young Americans.

CIRCLE appears to have done the most work around this subject, in particular in their project and 2013 publication, “All Together Now: Collaboration and Innovation for Youth Engagement, The Report of the Commission on Youth Voting and Civic Knowledge.” That publication includes many recommendations for organizations involved in youth education as to the most promising methods and techniques for encouraging youth political participation. In that report, the authors describe the very low level of civic knowledge and awareness among young people right now, pointing out that not only is civic education implemented very unevenly in the U.S., it is also provided unequally.

CIRCLE reports:

*Civics continues to be well taught in some advantaged communities, but much less so in schools that serve low-income and minority youth. Both class and race are related to a lower likelihood of scoring in the “proficient” range on the NAEP Civics Assessment, but the gap is even larger when we compare White, wealthy students to Black or Hispanic students who come from less affluent backgrounds. White, wealthy students are four to six times as likely as Hispanic or Black students who come from low-income households to exceed the “proficient” cut-off. Not only are White and wealthy students more likely to receive recommended civic education experiences in school, but the content and topics they discuss and the way these are presented are often tailored to White and middle-class students rather than students of color and poor students.*<sup>137</sup>

132 Matt Childers and Mike Binder, “Engaged by the Initiative? How the Use of Citizen Initiatives Increases Voter Turnout,” *Political Research Quarterly*, 65(1) 93–103 © 2012; Caroline J. Tolbert, Kent State University, Daniel A. Smith, University Of Florida, “The Educative Effects Of Ballot Initiatives On Voter Turnout,” *American Politics Research*, Vol. 33 No. 2, March 2005 283-309; Zaid Jilani, “How Putting Minimum Wage Increases On The Ballot Increases Progressive Voter Turnout,” Progressive Change Campaign Committee, February 17, 2013.

133 Daniel R. Biggers University of Maryland, College Park, “When Ballot Issues Matter: Social Issue Ballot Measures and Their Impact on Turnout,” 2009.

134 Jana Kasperkevic, “Can minimum wage be used as an incentive for voting in future elections?” *The Guardian*, November 9, 2014.

135 Joshua J. Dyck, University at Buffalo, The State University of New York Nicholas R. Seabrook, University at Buffalo, The State University of New York, *Social Science Quarterly*, Volume 91, Number 1, March 2010 at pp. 188-189.

136 <http://www.civicyouth.org/do-controversial-ballot-measures-affect-youth-voter-turnout/>

137 CIRCLE, “All Together Now, Collaboration and Innovation for Youth

The study also cites the National Youth Survey, which suggests that students who are engaged in classrooms where there are discussions of current issues are more likely to participate in elections.<sup>138</sup> A different study by Pala McAvoy and Diana Hess found that “Students who complete a year of American government or civics are 3-6 percentage points more likely to vote than peers without such a course,”<sup>139</sup> a difference on par with some of the strongest findings of turnout impact from structural reforms.

The Wall Street Journal recently reported an uptick in civics education around the country as a way of addressing low youth turnout. The paper reports an increase in states mandating classes and instituting civics exams. In the report, Ted McConnell, executive director of the Campaign for the Civic Mission of Schools, says that American high schools often offered three classes in civics and government until the 1960s but today there is more commonly an “American government class that focuses on the structure of democracy more than on the practicalities of making it work. Mr. McConnell said schools need more hands-on instruction now, not another test.”<sup>140</sup>

---

# Institutionalizing What We Know Works from the GOTV/Mobilization Discipline

## Introduction

The academic research on mobilization and get-out-the-vote has exploded in the last decade. We now have a multitude of experimental studies that give some clues as to how to most effectively increase turnout through get-out-the-vote (GOTV) methods. Those who work on reform of the electoral system and are interested in increasing participation might consider what lessons the GOTV research can provide. Are there ways in which the findings of the GOTV researchers can be employed by election administrators and outside groups as part of the “interventions” discussed earlier in this report? Are there certain GOTV methods found to be effective that can be institutionalized

---

Engagement, The Report of the Commission on Youth Voting and Civic Knowledge,” 2013, p. 16.

138 Id. at p. 23.

139 Paula McAvoy and Diana Hess, Spencer Foundation, “Classroom Deliberation in an Era of Political Polarization,” The Ontario Institute for Studies in Education of the University of Toronto Curriculum Inquiry 43:1, 2013, p. 17.

140 Caroline Porter, “Civics Instruction Moves Up in Class,” *Wall Street Journal*, December 26, 2014.

within the administration of elections, so that they are used systematically for every election? “Policy makers can take action to enhance turnout by adopting the proper mix of practices and backing them with adequate financial resources. Further study is likely to identify ways in which administrators can influence voter participation. When it comes to turnout, a promising line of research examines ‘postregistration’ actions that are under the control of state policy makers.”<sup>141</sup>

Chris Mann of LSU echoes this sentiment, pointing out that, for election reforms to work, people must know about them and need to be provided with this information in very simple, straightforward terms. Conversely, too much information can be counterproductive.<sup>142</sup> While it is a positive development that there are so many options now, in some ways the system has become even more complicated and difficult to understand.

## Importance of Providing Voter information

According to ongoing research by the Center for Civic Design for the Future of California Elections (FOCE), “People—especially infrequent voters and non-voters—have knowledge gaps about every aspect of elections. This category includes everything voters need to know to participate, from the mechanics of voting to having access to information in the right language or format, in vocabulary voters understand.”<sup>143</sup> For people who are particularly disassociated from politics, it is hard to know where to even begin. There are people who do not know about registration requirements. Many do not know the difference between being able to vote early and vote absentee, let alone the mechanics of doing so. These types of issues deter voters from the process before they even get to the matters that are actually on the ballot. It is possible that as we have expanded ways to access the system, we have simultaneously made it harder to navigate for people with little information. These people are in particular need of very basic information that will make them feel prepared and not intimidated by the process.<sup>144</sup>

A 2005 study by Wolfinger, Highton, and Mullin looked at the impact of a number of post-registration informational measures taken in a variety of states in 2000. In the states that mailed information about the location of the polling

---

141 Barry Burden, “Registration and Voting: A View from the Top,” in Barry C. Burden and Charles Stewart III, eds., *The Measure of American Elections*, Cambridge University Press, 2014, p. 59.

142 Interview with Christopher Mann, October 29, 2014.

143 <http://centerforcivicdesign.org/projects/how-voters-get-information/>

144 Whitney Quesenberry, Dana Chisnell, with Drew Davies and Josh Schwieger, Oxide Design, Ethan Newby, Rachel Goddard, “Final Report: Recommendations for voter guides in California,” Center for Civic Design, October 10, 2014.

place, turnout was higher by 2.5%. States that sent voters sample ballots had turnout rates two points higher than other states. Such practices had a much greater impact on the least educated, for which the turnout was 7.4% higher among registrants who received polling place information. It was 6.2% higher for those with little education when they received a sample ballot.<sup>145</sup> The researchers also found a higher affect for younger voters. Seeing the complete list of candidate races and ballot questions in the format the voter would encounter in the voting booth might reduce the uncertainty associated with voting for the first time and give the novice voter more time to make his or her decision.

“Over 73% of young registrants voted in the seven states that mailed sample ballots, while just 67.3% did so in the remaining 35 states in our sample.” However, the researchers did not find any effect on minority voters specifically.<sup>146</sup> Data from the Current Population Survey was used for this research, control variables were region of the country, CNN identification as a battleground state, a concurrent gubernatorial or senatorial election, individual employment status, education, age, family income, race, and residential stability.<sup>147</sup>

## Mode of Communication— Impact on Turnout

Donald Green and Alan Gerber have led the field in doing experimental studies as to what GOTV methods work best. In 2008, they published a book compiling some of their findings, though they had written many reports in conjunction with a variety of other scholars before then, and have published much since.

In the Brookings publication, Green and Gerber find that mail notifications about voting had little to no impact on turnout, with partisan mail having even less of an effect than nonpartisan mail.<sup>148</sup> They also describe a study conducted by David Nickerson from the University of Notre Dame looking at email notification. Students in the study were emailed about how to register, how to vote absentee, and then right before the election about the importance of voting. A final email reminder was sent on Election Day. Nickerson found no increase in participation from these methods.<sup>149</sup>

145 Raymond Wolfinger, Benjamin Highton, Megan Mullin, “How Post-registration Laws Affect the Turnout of Citizens Registered to Vote,” *State Politics and Policy Quarterly*, Vol. 5, No. 1, 2005, pp. 10-11.

146 Id. at p. 12.

147 Id. at p. 6.

148 Donald Green, Alan Gerber, *Get Out the Vote: How to Increase Voter Turnout*, Brookings Institution Press, 2008, p. 56.

149 Id. at pp. 101-104.

The gist of the book, and most of the studies carried out regarding mobilization by Gerber and Green, have found that meaningful in-person contact is the most effective way to increase participation. Second best is phone calls by a live person with real interaction. As they say, “the more personal the interaction between campaign and potential voter, the more it raises a person’s chances of voting.”<sup>150</sup> They go on to remark that face-to-face interaction makes politics come to life and helps voters establish a personal connection with the electoral process.” The act of a person taking the time to talk to the voter signals the importance of participation.<sup>151</sup> Although GOTV organizations try to undertake these types of operations on limited budgets, it has been striking that candidates and parties do not use these methodologies on a consistent basis in campaigns.<sup>152</sup>

This notion is also borne out by research focused specifically on Latino voters conducted in 2012 and 2014. An analysis of NALEO’s 2012 GOTV effort targeting voters who had not voted in the last four elections, found that voters who received a phone message were about 6% more likely than the control group to turnout, rising from 21.7% to 27.8%. When the canvasser directly spoke with the voter turnout rose by 22.9%.<sup>153</sup>

As noted, keeping the language very simple in the communication, while emphasizing the most important salient fact about the process, is key. The identity of the messenger also makes a difference. In one interesting study, researchers found that GOTV emails had a much more positive impact on turnout when coming from the trusted local registrar, a government official, than when emails came from third parties.<sup>154</sup> In a NALEO study of previously unengaged Latino voters found that the messengers they were most likely to listen to if they asked them to vote were family or close friends, Latino teachers from the community and Latino firefighters/police.<sup>155</sup> Another study found that those being contacted by a Latino organization demonstrated the biggest impact on turnout.<sup>156</sup>

The substance of the message also matters, of course. This is highlighted in the NALEO study with respect to low propensity Latino voters who connect more with localized

150 Id. at p. 10.

151 Id. at p. 45.

152 David Broockman and Joshua Kalla, “Experiments show this is the best way to win campaigns. But is anyone actually doing it?” *Vox*, November 13, 2014.

153 NALEO, “The Great Unengaged—Summary of Preliminary Findings,” January 2014.

154 Neil Malhotra, Melissa R. Michelson and Ali Adam Valenzuela, Research Note, “Emails from Official Sources Can Increase Turnout,” *Quarterly Journal of Political Science*, 2012, 7: 321-332.

155 NALEO, “The Great Unengaged—Summary of Preliminary Findings,” January 2014.

156 Latino Decisions, “A Review of Contemporary Academic Research on Latino Voter Mobilization and Political Participation,” October 21, 2014.

messages.<sup>157</sup> Other research on Latino voters shows that lower income citizens respond to a message that relates to voting as a part of ethnic identity, and that Latino voters recently are motivated more by the idea of voting in favor of Latinos as a community than a particular party or ideology.<sup>158</sup>

Text messages have been found to be effective, at least in one study. Voters who received a text message reminding them to vote the day before Election Day had a 3.1% higher turnout than those who did not in this experiment.<sup>159</sup> It is important to note that the people who were sent the messages opted in to receive them; the results might not have been so positive among a more generic group.

We know that more people than ever are following politics through social media.<sup>160</sup> The question for the last several years has been whether social media does—or could—lead to increased participation offline, including voting. A 2011 study says yes, particularly among young minority voters. “[A]cross the board for all racial groups, there is a positive effect on political participation if the respondent reports using the Internet for political information, with the most robust effect for African Americans.”<sup>161</sup> The authors see bigger implications in this in that

*Voters are no longer constrained to centralized party mobilization but are now the conduits and forces behind their own participation in offline politics because of online political activity. Voters actively engage candidates on their Web sites, blog about politics, discuss political issues through e-mail and social networks, and control their own political participation. More importantly, the role that political Internet usage plays in equalizing participation for the youngest voters illustrates that the possibility of an equally accessible political landscape is only a few clicks away.*<sup>162</sup>

In a 2014 study, Teresi and Michelson come to similar conclusions, saying, “Research with student samples and broader survey data find a statistically significant relationship between intensity of SNS use and political participation, both online and offline, suggesting that the increased use of online social networking sites should not be interpreted as a danger to social capital but rather as an alterna-

tive means of generating it.”<sup>163</sup> This includes communications via Facebook.<sup>164</sup>

According to a Pew analysis, in 2014, many election officials across the country used twitter to provide useful information that could indicate a promising trend among administrators. For example, according to Pew:

- Secretary of State Matt Schultz from Iowa tracked the number of absentee ballots returned before the election, providing graphics of the data.
- Arkansas Secretary of State Mark Martin provided up-to-date early voting numbers each day since early voting started in the state on October 20.
- Kate Brown, Oregon’s secretary of state, tracked the rate of returned mail ballots and highlighted the counties that had the highest voter turnout.
- South Dakota’s Secretary of State Jason Gant provided information to encourage individuals to register to vote and provided daily voter-registration totals by county.
- During the week before Election Day Kevin Kennedy, from Wisconsin’s Government Accountability Board, provided daily count of the number of absentee and early ballots cast in the state.
- Utah Lieutenant Governor Spencer Cox reminded voters in five counties that they can register and vote on Election Day.
- In addition to sharing election data, West Virginia Secretary of State Natalie Tennant has been recognizing voters who have voted in every general election for the last 50 years using the hashtag #WVvoterhalloffame.<sup>165</sup>

---

## Hard Reality: Do We Need to Go Beyond Structural Reforms?

As we have seen, there are steps that can be taken to the electoral process that will increase turnout, particularly if the reforms are actualized and maximized by outside interventions. But there will always be a limit to how much making voting more accessible and easier, or exhorting citizens to get out to vote, will have an impact on political participation in our modern day political environment.

---

163 Holly Teresi, Melissa Michelson, “Wired to Mobilize: The Effect of Social Networking Messages on Voter Turnout,” *The Social Science Journal*, September 2014.

164 Id.

165 Pew Charitable Trusts, “Uptick in Social Media Use Among Election Officials,” November 4, 2014.

157 NALEO, 2014.

158 Latino Decisions, “A Review of Contemporary Academic Research on Latino Voter Mobilization and Political Participation,” October 21, 2014.

159 Alison Dale, Aaron Strauss, “Mobilizing the Mobiles: How Text Messaging Can Boost Youth Voter Turnout,” September 6, 2007.

160 Pew Research Center, November, 2014, “Cell Phones, Social Media, and Campaign 2014,” Available at: <http://www.pewinternet.org/2014/11/03/cell-phones-social-media-and-campaign-2014/>

161 Marcela Garcia-Castanon, Alison Rank and Matt Barreto, “Plugged In or Tuned Out? Youth, Race, and Internet Usage in the 2008 Election,” *USA Journal of Political Marketing*, 10:115-138, 2011, at p. 126.

162 Id. at p. 134.



Lack of time and information, in addition to laws designed to suppress voter turnout among minority and lower income voters, have decreased turnout. Polls show that many voters claim lack of time or forgetting about the election as the reasons for not going to the polls.<sup>166</sup>

In reality, much of the reason for lack of participation lies in disinterest, disaffection, and alienation, a sense that one's vote does not matter, that voting in general makes no difference. This is especially the case among young voters, disturbingly. A number of recent studies and polls show many young people do not believe their political participation will change anything, although this does vary by race and ethnicity and has been subject to some degree of fluctuation.<sup>167</sup>

## Changing Americans' Relationship to and View of the Act of Voting

There is an entire literature around the psychology of choosing to vote or not, and research on how to work toward altering citizens' perceptions of political participation and their own identities as meaningful actors in the public sphere. A report overviewing the theories around motivation to vote describes them as follows:

*Psychologists and political scientists have many theories. Some see voting as a form of altruism, or as a habitual behavior cued by yard signs and political ads. Others say voting may be a form of egocentrism, noting that some Americans appear to believe that because they are voting, people similar to them who favor the same candidate or party will probably vote, too, a psychological mechanism called the "voter's illusion."...Some research suggests that people are motivated to vote because they want to "fit in." Bruce Meglino, PhD, of the University of South Carolina's Moore School of Business, for example, sees voting as an example of a behavior included in social admonitions--things people are supposed to do. Some people, of course, vote because they believe their vote will make a difference... Less-habitual voters may vote due to social pressure, a significant factor in many people's decision to vote.*<sup>168</sup>

166 Christopher Ingraham, "A Ton of People Didn't Vote Because They Couldn't Get Time Off From Work," *Washington Post*, November 12, 2014.

167 See the Voter Participation Center and Lake Research Partners, *The Rising American Electorate and the 2012 Presidential Election*; Patricia Snell, "Emerging Adult Civic and Political Disengagement: A Longitudinal Analysis of Lack of Involvement With Politics," *Journal of Adolescent Research*, 2010 25: 258; Black Youth Project, "Young People's Attitudes toward President Obama, Political Parties, and Government: Implications for the Midterm Elections," October 2014; Felicia Sullivan and Surbhi Godsay, "Electoral Engagement among Young Latinos," *CIRCLE*, September 2014.

168 Christopher Munsey, "Why do we Vote?" *American Psychological Association Monitor*, Vol. 39, No. 6, June 2008, p. 60.

A book published recently by Melissa Michelson and Lisa Garcia Bedolla presents research indicating the need to find ways to change people's sense of self-identity when it comes to voting and their relationship to political participation. In examining the consistent research demonstrating the effectiveness of face-to-face, in person interactions in increasing propensity to vote, Michelson finds that this is the result of a "change in cognition" and the adoption of what she refers to as a new "voter schema." The new voter schema is one in which the subject has an increase in feelings of internal and external efficacy: A belief that one can understand and participate in politics, and that one's actions can influence what government does. The conversations that take place through the mobilization process evoke norms of civic duty and community purpose. This activity then intervenes and modifies the subject's self-understanding. Targeted ethnic minority nonvoters who had previously felt excluded from the U.S. polity, who did not see themselves as people who were expected to be voters, reassesses this view, leading to a redefinition of self as a voter and first class citizen, perhaps for the first time.<sup>169</sup>

A publication by Todd Rogers, Craig Fox, and Alan Gerber examines the finding that in-person contact can affect the likelihood of participation, and why that is the case, with observations that support Michelson's. They observe that a "deeper social connection" develops face to face. "This social connection likely engages people's empathy and their fundamental desire for acceptance, both of which tend to engage motivation to behave in socially desirable ways." They go on to say that research demonstrates that voting is often a form of self-expression, a way to identify as a certain kind of person.

The authors argue this suggests a different perspective on the problem of how to increase turnout, that is, by developing messages that appeal to an interest in using voting as a way of expressing one's identity, particularly as part of a specific group of people. "The identity labeling tactic could be factored into GOTV content in a variety of ways. One method is to reinforce and make salient an identity that a person already likely possesses which would encourage her to vote. For example, one could develop a message that emphasizes a target's identity as an American, as a parent or grandparent, as an environmentalist, as a soldier, etc. This method would entail selectively reinforcing the pre-existing identity that is most likely to induce the pro-social behavior of voting."<sup>170</sup>

*Association Monitor*, Vol. 39, No. 6, June 2008, p. 60.

169 Lisa Garcia Bedolla and Melissa Michelson, *Mobilizing Inclusion: Transforming the Electorate through Get-Out-the-Vote Campaigns*, Yale University Press, 2012.

170 Todd Rogers, Craig Fox, Alan Gerber, "Rethinking Why People Vote: Voting as Dynamic Social Expression," Yale University and Institute for Social and Policy Studies for The Behavioral Foundations of Policy, edited by Eldar Shafir, Princeton University Press, 2012, p. 16.

# The Possible Impacts of Money in Politics, Negativity and Polarization on Turnout

It is possible that the politics of the day—including the overwhelming role of money in dictating the course of campaigns and often election outcomes, lack of civility in our discourse, and the extreme gridlock in government—are factors in low turnout among groups already on the margins, as well as the overall participation rate. The degree to which these are contributing to a depressed level of participation may indicate a different approach to increasing turnout among under-represented groups.

For example, there is much discussion now about the impact the negative tenor of our political dialogue may be having on political engagement. The conversation has been based in strong anecdotal evidence and some polling on Americans' increased alienation from politics, negative opinions of elected officials regardless of party, and the complete deterioration of trust or confidence in institutions of all kinds, including (perhaps especially) government institutions. According to Gallup, "Americans' confidence in Congress has sunk to a new low. Seven percent of Americans say they have 'a great deal' or 'quite a lot' of confidence in Congress as an American institution, down from the previous low of 10% in 2013. This confidence is starkly different from the 42% in 1973, the first year Gallup began asking the question."<sup>171</sup> A 2013 poll found that just 19% of Americans trust the government to do the right thing.<sup>172</sup>

There is little consensus as to whether our politics today lack civility compared to previous eras in American history. Nor is there agreement on whether people and politicians are more polarized. While some believe the parties have moved farther apart, to the point of paralysis, others believe that it is the Republican Party that has moved farther to the Right, and plays an obstructionist role that leads to the paralysis.<sup>173</sup> Nonetheless, it is evident from just one night of watching television during campaign season that the discourse, fueled by incomprehensible amounts of outside money, has devolved.

Is this devolution in the level of discourse depressing turnout? There isn't any research on the current situation, but previous research has indicated that political attacks,

for example, are not associated with lower turnout. Some research has found that they can actually have a motivating effect on some voters.

Research from the 1990s did find that negative advertising had demobilizing effects on the electorate. Stephen Ansolabehere wrote articles and ultimately a book in 1995 called *Going Negative: How Attack Ads Shrink and Polarize the Electorate*. Ansolabehere and colleagues used experimental methods and an analysis of aggregate level data from the 1992 senatorial elections to show that negative campaign ads dropped intentions to vote and led to increased cynicism and feelings of lack of political efficacy. "Among our experimental participants, exposure to attack advertising significantly weakened confidence in the responsiveness of electoral institutions and public officials. As campaigns become more negative and cynical, so does the electorate."<sup>174</sup>

More recent examinations of this topic differ in their findings. Looking at the available data, Gerber and Green say in their 2008 publication that "Sometimes presidential ads are blamed for decreasing turnout. Attack ads are said to polarize the electorate and alienate moderates... Apparently attack ads do not demobilize voters, and more upbeat ads do not mobilize voters. Regardless of their tone, campaign ads have little effect on turnout."<sup>175</sup> A 2011 study sponsored by the National Institute for Civil Discourse came to a similar conclusion.<sup>176</sup> A 2007 study on the effects of incivility found that, if anything, attacks on a political opponent, while not something voters favor, can have a positive impact on turnout.<sup>177</sup>

Given the sense that the discourse has gotten even more destructive in the past few years, and that polling shows higher rates of negative opinions towards politics, politicians, and government, current and future research on this topic will provide further illumination on this topic.

Another area deserving of further exploration is the impact the spiraling amounts of "dark money" and other campaign funds are having on citizens' attitudes towards participation. The influence of "big money" and the perception that rich people and corporations buy elections

174 Stephen Ansolabehere, Shanto Iyengar, Adam Simon, Nicholas Valentino, "Does Attack Advertising Demobilize the Electorate?" *The American Political Science Review*, Vol. 88, No. 4, (Dec., 1994), pp. 829-838, at p. 835.

175 Donald Green, Alan Gerber, *Get Out the Vote: How to Increase Voter Turnout*, Brookings Institution Press, 2008, p. 123

176 Robin Stryker, Department of Sociology, and Director of Research, National Institute for Civil Discourse, Carli Brosseau, School of Government and Public Policy, and Zachary Schrank, Department of Sociology, The University of Arizona, National Institute for Civil Discourse Research Brief No. 7: Negative Campaigning, September 12, 2011.

177 Deborah Jordan Brooks, John G. Geer, "Beyond Negativity: The Effects of Incivility on the Electorate," *American Journal of Political Science*, Vol. 51, No. 1, January 2007, Pp. 1-16.

171 Gallup, "Public Faith in Congress Falls Again, Hits Historic Low," June 19, 2014.

172 Pew Research Center for Politics and the Press, "Trust in Government Nears Record Low, But Most Federal Agencies Are Viewed Favorably," October 18, 2013.

173 See Thomas Mann and Norman J. Ornstein, *It's Even Worse than It Looks*, Basic Books, 2012; David Mayhew, *Partisan Balance*, Princeton University Press, 2011; Sarah Binder, "Polarized we Govern?" Brookings Institute, May 2014.

and dictate policy outcomes may be adding to a decrease in feelings of political efficacy. One poll conducted by the Brennan Center found that

*...[O]ne in four respondents—and even larger numbers of low-income people, African Americans, and Latinos—reported that they are less likely to vote because big donors to Super PACs have so much more sway than average Americans. ...29% of African Americans and 34% of Hispanics said they were less likely to vote because of Super PAC influence. 41% of respondents—including 49% of those who have no more than a high school education and 48% of those with household incomes under \$35,000—believe that their votes don’t matter very much because big donors to Super PACs have so much more influence.<sup>178</sup>*

## Recommendations for Further Action

### Data Collection

Because researchers examine different elections at different times, there is a scattershot nature to the findings. This may be inevitable under the current circumstances and given capacity. Some ad hoc ways to try to address this are:

- Having an accessible portal for researchers to access that collects all of the available research in one place in a cost-effective manner
- Looking through the existing literature to see what is working in multiple places
- Replication of studies and experiments

Political scientists have expressed great interest in the creation of a large-scale, one-stop source for voter research in which data can be collected, housed and made available to researchers either for free or at a reduced cost than some other databases. This would include state-based voter files in particular. Having all the data in one place (that does not include other added information such as consumer data, as do some existing data sources) would provide uniformity and make research much more efficient for researchers. If academics had a single source for all the necessary data, they have the expertise to clean and standardize it for further analysis.

There is also an overall dearth of data on unregistered citizens, Asian Americans, and Native Americans. Finding ways to obtain and collect more data on these groups and

their voting patterns and behaviors is important to understanding why people do not vote and how different groups are or are not participating.

### Action Items

Since SDR/EDR is the one reform for which there is virtually uncontested evidence for improving turnout, and the data that does exist indicates that it is useful for young, lower income and less educated voters, passage of SDR/EDR laws should be promoted more vigorously. As with the other areas described more fully below, more research does need to be done on who benefits from SDR and EDR most, and how mobilization techniques can be used to boost those numbers higher, especially among under-represented groups.

There is also movement in many states for what is variously called “Automatic Registration,” “Electronic Registration,” and “Voter Registration Modernization.” All of these terms refer to policies by which the burden for registration is shifted onto the government by requiring it to use data in existing databases, such as the Department of Motor Vehicles to build the registration list, giving voters the possibility to “opt out” of being registered to vote after being automatically registered. Because a form of this policy has just passed in Oregon, but has not been yet implemented there or anywhere else, attention should be paid to exploring what the potential impacts might be of automatic registration, including the degree to which it improves turnout numbers (as it is widely expected to).

Finally, though not a focus of this report, the automatic re-enfranchisement of people who have previously been incarcerated is demonstrated to have the potential to result in a great many new registrants and voters, especially with the proper outreach.<sup>179</sup> Activities to reform re-enfranchisement laws should be supported.

### Further Research Needs

This report demonstrates that the maximum potential of election reform is still not known across the board. There is some understanding of the impact of passage of a handful of reform measures on participation; however, it is becoming increasingly evident that mobilization and education are key components in fully actualizing their potential affect. More research is needed regarding the impact of existing and potential efforts to educate and mobilize, specifically around alternative methods of registering and voting and what types of actions can make the biggest difference. There is already evidence that the mobilization strategies used by some campaigns and organizations around early

<sup>178</sup> Brennan Center for Justice, “National Survey: Super PACs, Corruption, and Democracy,” April 24, 2012.

<sup>179</sup> See for example Jeff Manza and Christopher Uggen, *Locked Out: Felon Disenfranchisement and American Democracy*, Oxford University Press, 2006.

voting in the last few election cycles have been productive. More investigation into this is needed.

The study of all reforms will benefit from increased efforts to disaggregate the data on the boost in participation by race, ethnicity, income and age. Even when it is clear that a reform is having an impact on overall turnout, we often do not know whether such increases are among those groups that would make the active electorate more reflective of the overall American population. Additional work is needed to discern if these reforms are changing the composition of the electorate: whether they merely maintain the demographic status quo, or whether they may even be exacerbating the existing inequalities.

More research needs to focus on elections other than presidential elections, like congressional midterm elections, statewide elections, and local elections. It may be that voting reforms are having a different kind of impact in these elections, which are largely ignored in the academic literature.

## Research Questions – Election Reforms and Turnout

- As several states have passed EDR/SDR laws in just the past few years, more research should be done measuring their impact in these new states. Some of these new states have different demographic compositions and political histories and cultures compared to earlier wave EDR/SDR states. Additional information on the impact of reducing the number of days before an election one must register to vote would also be useful.
- It is clear that the NVRA has had a significant impact on registration. Additional research is required to understand the degree to which enforcement and expansion of the NVRA is improving voting rates, and whether it is doing so among under-represented groups. One very useful analysis would be to compare not just states with and without NVRA, but between states that had been subject to implementation enforcement actions and those who had not.
- Further study is advisable on the different methods of implementing early voting—for example, whether a longer period of early voting, more early voting locations, or extended hours—and whether certain variations can make a bigger difference over others. Such research should include a focus on how different communities implement early voting and which groups benefit the most from it.
- Additional research is recommended on the impacts of pre-registration and online registration. Early findings in these areas are promising. As with early voting, such research should include variation in use by different constituencies.
- Vote-by-mail and liberalized absentee voting should continue to be tracked. The fact that VBM exists in only two states (and to some degree in Colorado) means that data will be limited at this time, but it is important to continue to study the varying methods of implementing vote-by-mail. The mobilization that occurs around VBM is important because it may become increasingly popular among administrators, elected officials, and voters alike. It is also necessary to analyze how vote-by-mail is used by (and impacts) various communities in different ways, including low income, youth, and communities of color.
- The concepts of “permanent portable registration” and “automatic registration,” both of which involve using the information that already exists in state government databases to create and maintain voter registration lists, have not been fully examined by academia in terms of their potential impact on turnout. Such measures have yet to be fully implemented, but plans are in motion for enacting them in specific places, particularly the state of Oregon. As with the reforms that have been implemented, research is needed on effective strategies for educating and mobilizing voters in a place where one or both of these reforms might be put in place.
- There is a need to study whether civic education can be useful in changing attitudes around politics and the voting system, and, if so, what types of programs are most effective.
- There may be a benefit in looking at problems that go beyond structural challenges to voting to motivation and political interest. This effort might involve programs in which anthropologists and sociologists conduct ethnographic studies that dig into what is causing motivation and engagement problems among prospective voters.



## Research Questions: Mobilization and Election Reforms

- There is much research activity around mobilization techniques and GOTV strategies. Further exploration should be undertaken around whether the findings from that field can be applied to the realm of election administration—that is, whether the most effective GOTV strategies can be undertaken and institutionalized within the system of election administration. Can election administrators do more outreach to increase participation? Can they be required to do so? (Some states specify in the law that part of the administrator's job is to engage voters.) And are there certain activities that are best for an election administrator to undertake, and others that would be most effective if handled by different organizations? Looking at ways administrators can work best with scholars should be part of this.
- Particular emphasis should be placed on looking at the potential for registration and mobilization in high schools and community colleges, which contain captive audiences of young people.
- More research should be considered on the impact of Spanish language media on Latino turnout. If it can be conclusively determined that these media are able to reach voters, it would be useful to look at ways in which English, Asian, and other language media can replicate the results seen among Latinos.
- There is growing evidence of the impact of unionization rates and density on turnout among a number of groups, including very recent research indicating that collective bargaining laws can lead to increased turnout. It would be useful to learn more about this.
- Increased study of the form and tone of voter information materials has significant potential value. There is evidence to suggest that effective communication about voting can be helpful, but only if that information is conveyed in a way that citizens can easily understand and access. Many Americans lack very basic information about elections, especially outside of presidential years. The style and format of informational materials should be a part of this study. Notifications regarding restoration of voting rights for people formerly incarcerated should be a particular focus of research.
- More research is needed on what types of direct democracy measures could increase turnout, and whether the groups who are moved to participate as a result of ballot initiatives and referenda would have done so otherwise. Do such measures impact the turnout of under-represented groups and traditional non-voters?