



Hearing of the Vermont House Committee on  
Government Operations on SB 29 – An Act Relating to Election Day Registration  
April 27, 2015

Thank you to Chair Sweaney and the members of this Committee for allowing me to submit testimony today to share our views on Senate Bill 29. My name is Liz Kennedy, Campaign Strategist and Counsel for Dēmos, a non-partisan public policy organization that works for an America where we all have an equal say in our democracy and an equal chance in our economy.

Election Day Registration is a time-tested and proven pro-voter reform that significantly increases voter participation—particularly amongst populations with traditionally lower voter registration and turnout—without compromising the integrity of elections or substantially increasing costs. Voters in nine states and the District of Columbia successfully used Election Day Registration during the 2012 Presidential Elections; voters in five additional states were able to use Election Day Registration programs for the 2014 Midterm Elections.<sup>1</sup> Election Day Registration was pioneered by Maine, Minnesota, and Wisconsin in the 1970s, and in the last decade Election Day Registration has been adopted in California, Colorado, Connecticut, Iowa, Illinois, Maryland, Montana, North Carolina, and the District of Columbia (though it has been ended in North Carolina as part of the state’s retrogressive moves to restrict voting access).<sup>2</sup>

### **Benefits of Election Day Registration**

The number of eligible but unregistered voters in America is substantial – in 2012, 25 percent of eligible voters, roughly 51 million Americans were not registered.<sup>3</sup> One reason is because America is a highly mobile society. According to the US Census Bureau, nearly 36 million individuals changed residences between 2012 and 2013.<sup>4</sup> Many of these individuals failed to register to vote before the registration deadline, and found themselves unable to cast a ballot. Others who had timely submitted their voter registration applications found on Election Day that their names had not been added to the voter rolls and that their votes would not be counted.

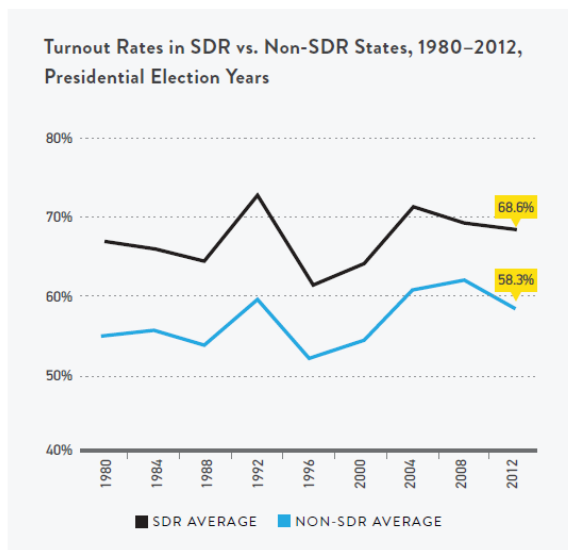
Election Day Registration remedies both of these problems. Voters simply register to vote on Election Day or during the early voting period, or update a pre-existing registration record, and cast a ballot that will be counted. In 2012, approximately 1.5 million Americans used Election-Day Registration to vote their ballots and participate in democracy.<sup>5</sup>

### **Election Day Registration Increases Voter Registration and Turnout**

States that allow Election Day Registration consistently lead the nation in voter participation. Four of the top five states for voter turnout in the 2012 presidential election offered Election Day Registration (the

fifth, Colorado, enacted it in 2013).<sup>6</sup> Average voter turnout consistently stands, on average, between 10 and 12 percentage points higher in Election Day Registration states than in non-Election Day Registration states.<sup>7</sup> Academic studies show that a significant part of this difference is directly attributable to Election Day Registration, and experts predict that adoption of Election Day Registration can increase turnout by a full three to six percentage points.<sup>8</sup> Moreover, this increase can be achieved without administrative burden or increased incidence of voter fraud.<sup>9</sup>

Vermont would benefit from an increase in voter participation. In 2014, Vermont ranked 27<sup>th</sup> in voter turnout,<sup>10</sup> and the Secretary of State reported statewide total voter turnout of 45 percent.<sup>11</sup> The Pew Charitable Trusts' Election Performance Index ranked Vermont 30<sup>th</sup> in the nation for Voter Registration Rates for 2012.<sup>12</sup>



SOURCE: U.S. Elections Project, <http://elections.gmu.edu/Turnout%201980-2012.xls>

STATE	VOTERS USING SDR	SDR USAGE (% OF VOTERS)
Idaho	117,861	17.69%
Iowa	66,289	4.17%
Maine	58,474	8.07%
Minnesota	527,867	17.89%
Montana	8,053	1.64%
New Hampshire	99,299	13.81%
North Carolina	249,922	5.61%
Wisconsin	337,880	10.95%
Wyoming*	28,017	11.18%
Washington, DC	34,646	11.77%
<b>TOTAL</b>	<b>1,528,300</b>	<b>10.04%</b>

SOURCE: As reported by state elections officials. Data on file with Dēmos.

\* Preliminary 2012 data; further review pending

### Election Day Registration Overcomes Barriers to the Vote

Voter registration serves several reasonable purposes. It helps ensure that only eligible citizens can cast a vote, and provides election officials with convenient lists they can use to notify voters about upcoming elections and the voting process.

However, pre-election voter registration requirements impose costs on voters as well, contributing to lower turnout among eligible voters in the United States. Requiring voters to register well in advance of an election is simply unworkable for many Americans. Many previously registered voters lose their eligibility merely because they have moved. About one in eight Americans moved in each of the 2008, 2010 and 2012 election, and were most likely to have registration difficulties at the polls.<sup>13</sup> When you have just moved to, or are jumping from one job to the next while raising a family, registering to vote weeks in advance of an election may not be at the top of your to-do list.

This hurdle is compounded by the fact that the “percentage of people giving ‘quite a lot’ of thought to U.S. Presidential elections rises dramatically in the final four weeks prior to the election, just at the time when registration is no longer possible in half the states.”<sup>14</sup>

Election Day Registration directly addresses these problems. Eligible citizens who have moved but failed to update their registration records, or missed the pre-election voter registration deadline, can simply register to vote and cast a ballot on Election Day or during the early voting period. Election Day Registration can particularly benefit young adults, who move more frequently than the general population. Research indicates that allowing young people to register to vote on Election Day and other voting days could increase youth turnout in presidential elections by as much as 14 percentage points.<sup>15</sup>

#### *Election Day Registration Allows Voters to Correct Registration Problems Discovered at the Polls*

Many Americans' ability to exercise the vote is frustrated each election by faulty voter registration systems and records. In a 2012 report, the Pew Center on the States found that current voter registration systems "are plagued with errors and inefficiencies that waste taxpayer dollars, undermine voter confidence, and fuel partisan disputes over the integrity of our elections."<sup>16</sup> According to experts at MIT, problems with registration resulted in 2.2 million votes lost in the 2008 general election.<sup>17</sup> Another study showed that 5.7 million people faced a registration-related problem that needed to be resolved before voting.<sup>18</sup>

Election-Day Registration provides a real-time, effective remedy to problems like these. A previously registered voter who only learns when she goes to vote that her name has been left off the voter rolls can simply update a faulty registration record or register anew with Election Day Registration, and cast a ballot that will be counted.

#### *Election Day Registration is a Cost-Effective Means of Increasing Voter Participation*

Implementing Election Day Registration may require little to no additional expenditures. In the 2008 presidential election, the state of Iowa spent less than \$40,000 to introduce Election Day Registration in its 99 counties. The single biggest cost incurred — \$26,000 — was for producing a training video used statewide by auditors and precinct officials. An additional \$9,000 was spent on Election Day Registration precinct kits, including registration forms, oath forms, and instructions; and \$1,568 was spent on Election Day Registration information brochures.<sup>19</sup> All in all, Election Day Registration was implemented in a cost-effective manner — one that could easily be duplicated.

The cost of Election Day Registration implementation for Iowa's 99 counties was also minimal. Nearly half of the Iowa counties participating in a recent Demos study reported no direct costs, or only minimal costs associated with Election Day Registration.<sup>20</sup> On Election Day, most of the counties did not require additional staffing at the polls. And while some counties hired additional precinct officials to handle Election Day Registration, most new expenses were associated with additional printing and mailing of Election Day Registration-related forms.<sup>21</sup>

The experience in Iowa is typical of the long-standing Election Day Registration states. One authoritative study indicates that elections are no more expensive to administer in states where voters use Election Day Registration than non-Election Day Registration states.<sup>22</sup> Indeed, in a telephone survey conducted by Demos of local election officials in the Election Day Registration states of Idaho, Maine, Minnesota, New Hampshire, Wisconsin, and Wyoming, most respondents described the incremental cost of Election Day Registration as "minimal."<sup>23</sup> Where costs did exist, they were used for training and employing additional staff to help with registrations and with inputting data in the days following an election.<sup>24</sup> Note, though, that respondents stated that Election Day Registration *neither added work nor expense*, but instead *shifted* the cost burden from one time and place to another.<sup>25</sup>

## Safeguarding the Vote with Election Day Registration

The great majority of local elections officials in Election Day Registration states surveyed reported that current fraud-prevention measures suffice to ensure the integrity of elections.<sup>26</sup> They also believe that Election Day Registration does not invite voter fraud.<sup>27</sup> In fact, the great majority of local elections officials in Election Day Registration states who participated in two Dēmos surveys reported that current fraud-prevention measures suffice to ensure the integrity of elections.<sup>28</sup> Election Day Registration states impose heavy penalties for voter fraud; in the majority of states voters are required to show proof of residency and must sign an oath attesting to their identity and citizenship. Additionally, unlike registration by mail, Election Day Registration requires eligible voters to attest to their identity face-to-face before an elections official. Election audits, with strict penalties for violations, add an additional level of verification.<sup>29</sup>

Moreover, elections officials familiar with SDR strongly endorse it. Mark Ritchie, Minnesota's long-time Secretary of State said, "Election Day Registration is much more secure because you have the person right in front of you—not a postcard in the mail. That is a no brainer. We [Minnesota] have 33 years of doing this."<sup>30</sup> Debbye Lathrop, the County Clerk in Laramie County, Wyoming said, "I think Election Day voter registration gives every citizen the greatest opportunity to participate in the greatest right that they have been provided."<sup>31</sup>

## Conclusion

Passage of Election Day Registration will increase voter participation, ease problems at the polls, and maintain the integrity of the vote. States that have enacted Election Day Registration stand as a testament to its benefits and ease of administrability. Dēmos strongly supports the passage of Election Day Registration in Vermont.

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<sup>1</sup> For the 2012 Presidential Election, Same Day Registration was in place in Idaho, Iowa, Maine, Minnesota, Montana, New Hampshire, North Carolina, Wisconsin, and Wyoming. California and Connecticut passed SDR in 2012; Maryland and Colorado in 2013, and in 2014 Illinois and Utah adopted Same Day Registration pilot programs. California will not fully implement SDR until June of 2016; Connecticut, Maryland and Colorado have operated SDR since 2013; Illinois passed a law in January 2015 to make Same Day Registration permanent. North Carolina repealed One-Stop Voting, which included SDR, in 2013.

<sup>2</sup> National Conference of State Legislatures, *Same Day Voter Registration*, (2013) available at <http://www.ncsl.org/research/elections-and-campaigns/same-day-registration.aspx>

<sup>3</sup> The Pew Center on the States, *Inaccurate, Costly, and Inefficient: Evidence That America's Voter Registration System Needs an Upgrade* 1-2 (Feb. 14, 2012) available at

[http://www.pewtrusts.org/uploadedFiles/wwwpewtrustsorg/Reports/Election\\_reform/Pew\\_Upgrading\\_Voter\\_Registration.pdf](http://www.pewtrusts.org/uploadedFiles/wwwpewtrustsorg/Reports/Election_reform/Pew_Upgrading_Voter_Registration.pdf).

<sup>4</sup> U.S. Census Bureau, *Geographical Mobility 2012-2013* (Table 1), available at <http://www.census.gov/hhes/migration/data/cps/cps2013.html>.

<sup>5</sup> Estelle S. Rogers & Steven Carbó, *Same-Day Registration—a Factsheet* (Project Vote & Dēmos ed. July 2013), available at <http://www.demos.org/sites/default/files/publications/SameDayRegistration-Explainer.pdf>.

<sup>6</sup> Rogers & Carbó, *Same-Day Registration*, at endnote 1.

<sup>7</sup> *Ibid.*

<sup>8</sup> See Stephen Knack, "Election Day Registration: The Second Wave," *American Politics Quarterly* 29(1), 65-78 (2001); Knack and White 2000; Craig L. Brians & Bernard Grofman, "Election Day Registration's Effect on U.S. Voter Turnout," *Social Science Quarterly* 82(1); 171-83 (March 2001); Mark J. Fenster, "The Impact of Allowing Day of Registration Voting on Turnout in U.S. Elections from 1960 to 1992," *American Politics Quarterly* 22(1)(1994): 74-87.

<sup>9</sup> See, e.g., R. Michael Alvarez, Stephen Ansolabehere and Dēmos, *California Votes: The Promise of Election Day Registration* (30 November 2008), available at [http://www.vote.caltech.edu/sites/default/files/california\\_votes.pdf](http://www.vote.caltech.edu/sites/default/files/california_votes.pdf); R. Michael Alvarez, Jonathan Nagler and Catherine Wilson, *Making Voting Easier: Election Day Registration in New York* (23 April 2004), available at [http://www.demos.org/sites/default/files/publications/NY%20EDR%20report%202004%20-%20FINAL\(2\).pdf](http://www.demos.org/sites/default/files/publications/NY%20EDR%20report%202004%20-%20FINAL(2).pdf); M.J. Fenster, "The Impact of Allowing Day of Registration Voting on Turnout in U.S. Elections from 1960 to 1992," *American Politics Quarterly* 22(1) (1994): 74-87; B. Highton, "Easy Registration and Voter Turnout," *The Journal of Politics* 59(2), 565-575 (1997); Lorraine C. Minnite, *An Analysis of Voter Fraud in The United States* (19 December 2007), available at <http://www.demos.org/sites/default/files/publications/Analysis.pdf>; Dēmos, *Election Day Registration: A Ground Level View* (20 November 2007), available at [http://www.Demos.org/sites/default/files/publications/EDR\\_Clerks.pdf](http://www.Demos.org/sites/default/files/publications/EDR_Clerks.pdf); S. Knack, "Election-Day Registration: The Second Wave," *American Politics Quarterly* 29(1) (2001), 65-78.

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- <sup>10</sup> US Elections Project, calculations by Demos from data available at <http://www.electproject.org/home/voter-turnout/voter-turnout-data>
- <sup>11</sup> Vermont Secretary of State 2014 General Election Turnout Report, available at <https://www.sec.state.vt.us/media/625911/2014GE-Voter-Turnout.pdf>.
- <sup>12</sup> Pew Charitable Trusts, Elections Performance Index, available at <http://www.pewtrusts.org/en/multimedia/data-visualizations/2014/elections-performance-index#indicator>.
- <sup>13</sup> See: U.S. Census Bureau, *Current Population Survey Data on Geographical Mobility/Migration*, available at <http://www.census.gov/hhes/migration/data/cps.html>; U.S. Census Bureau, “Mover Rate Reaches Record Low, *Census Bureau Reports*,” November 15, 2011, cited in *The Pew Center on the States*, *Inaccurate, Costly, and Inefficient: Evidence That America’s Voter Registration System Needs an Upgrade* (February 2012), at [http://www.pewcenteronthestates.org/uploadedFiles/Pew\\_Upgrading\\_Voter\\_Registration.pdf](http://www.pewcenteronthestates.org/uploadedFiles/Pew_Upgrading_Voter_Registration.pdf).
- <sup>14</sup> Steven Carbo and Brenda Wright, “The Promise and Practice of Election Day Registration,” p. 72, in *America Votes!* (Benjamin E. Griffith ed., 2008), citing The Gallup Poll, *The Nine Weeks of Election 2000* (cited in Dēmos, *Voters Win with Election Day Registration* [26 May 2011], available at [http://www.demos.org/sites/default/files/publications/Voters\\_Win\\_2010\\_demos.pdf](http://www.demos.org/sites/default/files/publications/Voters_Win_2010_demos.pdf)).
- <sup>15</sup> Mary Fitzgerald, *Easier Voting Methods Boost Youth Turnout* (February 2003), The Center for Information and Research on Civic Learning and Engagement (CIRCLE), available at <http://www.civicyouth.org/PopUps/WorkingPapers/WP01Fitzgerald.pdf>.
- <sup>16</sup> The Pew Center on the States, *Inaccurate, Costly, and Inefficient: Evidence That America’s Voter Registration System Needs an Upgrade*, February 2012, at [http://www.pewcenteronthestates.org/uploadedFiles/Pew\\_Upgrading\\_Voter\\_Registration.pdf](http://www.pewcenteronthestates.org/uploadedFiles/Pew_Upgrading_Voter_Registration.pdf).
- <sup>17</sup> R. Michael Alvarez, Stephen Ansolabehere; Adam Berinsky; Gabriel Lenz; Charles Stewart III and Thad Hall, *2008 Survey of the Performance of American Elections, Final Report* (2008), available at <http://www.pewcenteronthestates.org/uploadedFiles/Final%20report20090218.pdf>, cited in *The Pew Center on the States*, *Inaccurate, Costly, and Inefficient: Evidence That America’s Voter Registration System Needs an Upgrade*, February 2012, at [http://www.pewcenteronthestates.org/uploadedFiles/Pew\\_Upgrading\\_Voter\\_Registration.pdf](http://www.pewcenteronthestates.org/uploadedFiles/Pew_Upgrading_Voter_Registration.pdf).
- <sup>18</sup> See: Stephen Ansolabehere, “Voting Experiences,” PowerPoint presentation, July 30, 2009. This presentation reported findings originally published in the Cooperative Congressional Election Study (Cambridge, MA: Common Content, Release 1, 2009), cited in *The Pew Center on the States*, *Inaccurate, Costly, and Inefficient: Evidence That America’s Voter Registration System Needs an Upgrade*, February 2012, at [http://www.pewcenteronthestates.org/uploadedFiles/Pew\\_Upgrading\\_Voter\\_Registration.pdf](http://www.pewcenteronthestates.org/uploadedFiles/Pew_Upgrading_Voter_Registration.pdf).
- <sup>19</sup> [Former] Iowa Secretary of State Michael A. Mauro, “Iowa Secretary of State 2008 Report,” on file at Demos.
- <sup>20</sup> Laura Rokoff, Emma Stokking, *Small Investments, High Yields: A Cost Study of Same-Day Registration in Iowa and North Carolina*, Demos: A Network for Ideas & Action (forthcoming February 2012).
- <sup>21</sup> *Ibid.*
- <sup>22</sup> R. Michael Alvarez, Stephen Ansolabehere and Catherine H. Wilson, *Election Day Voter Registration In the United States: How One-Step Voting Can Change the Composition of the American Electorate* (June 2002), available at [http://vote.caltech.edu/sites/default/files/vtp\\_wp5.pdf](http://vote.caltech.edu/sites/default/files/vtp_wp5.pdf).
- <sup>23</sup> Dēmos, *Election Day Registration: A Ground-Level View*, available at [http://www.demos.org/pubs/EDR\\_Clerks.pdf](http://www.demos.org/pubs/EDR_Clerks.pdf).
- <sup>24</sup> *Ibid.*
- <sup>25</sup> *Ibid.*
- <sup>26</sup> Cristina Vasile & Regina Eaton, *Election Day Best Practices: An Implementation Guide* (July 2010), Dēmos, <http://www.demos.org/publication/election-day-registration-best-practices-implementation-guide>, page 25.
- <sup>27</sup> See: Lorraine C. Minnite, *The Myth of Voter Fraud* (Ithaca, NY: Cornell University Press, 2010); also Minnite, *Election Day Registration: “A Study of Voter Fraud Allegations and Findings on Voter Roll Security* 18 November 2007), available at [http://www.demos.org/sites/default/files/publications/edr\\_fraud.pdf](http://www.demos.org/sites/default/files/publications/edr_fraud.pdf).
- <sup>28</sup> Dēmos: *Election Day Registration: A Ground-Level View* (see above, at endnote 30).
- <sup>29</sup> *Ibid.*
- <sup>30</sup> Steven Carbó & Brenda Wright, *The Promise and Practice of Election Day Registration*, *America Votes! A Guide to Modern Election Law and Voting Rights* Ch. 5 (Chicago: ABA Publishing ed. 2008), available at <http://www.demos.org/sites/default/files/publications/The-Promise-and%20Practice-of-Election-Day-Registration-copy.pdf>.
- <sup>31</sup> *Ibid.*