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TITLE   Resolving Voter Registration Problems: Making Registration Easier, Less Costly and More Accurate

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Resolving Voter Registration Problems: Making Registration Easier, Less Costly and More Accurate

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Introduction

The practice of voter registration has a long history in the United States. In 1800, Massachusetts was the first state to impose a voter registration requirement. By Reconstruction, voter registration was used in a handful of states, typically in urban areas, as a tool to prevent multiple voting. By early in the twentieth century, most states required voter registration.[2]

In recent decades, there have been many initiatives to make voter registration easier and more convenient for voters. At the federal level, the National Voter Registration Act (NVRA, 1993) and the Help America Vote Act (HAVA, 2002) both sought to ease the registration process for eligible voters. For example, NVRA made the registration process available in government agencies and by mail and HAVA required that most states develop statewide computerized voter lists, among other reforms. At the same time, many states shortened pre-election registration deadlines, allowed for election-day voter registration, and worked in other ways to make the registration process easier.[3]

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[2] For details of the evolution of voter registration practices in the United States, see Bensel (2004), p. 139; Harris (1929), pp. 65-89; Keyssar (2000), pp. 65-66, 151-159.
[3] According to information from the U.S. Election Assistance Commission, in the 2008 general election, eight states had election-day voter registration (Idaho, Iowa, Maine, Minnesota, Montana, New Hampshire, Wisconsin and Wyoming), one state had registration and voting at absentee/early voting sites (North Carolina), and one state had no voter registration (North Dakota). Of the remaining states, their pre-election voter registration deadlines generally were between two and four weeks prior to the election.

Voter registration regulations currently in the United States look like a patchwork quilt: states have different deadlines for registration before an election, they use different registration forms, and some states even allow some eligible citizens to register online.[4] Despite these varying practices, there are some important commonalities in how voter registration is practiced in every state. In the United States, voter registration is voluntary (eligible citizens do not have to register) and is passive (eligible citizens have the responsibility for registering with the appropriate government authority in their state).[5] From an international perspective, the voluntary and passive nature of voter registration in the United States is not unique, but many other nations have voter registration systems that are compulsory and/or active (appropriate governmental authorities are required to find and register eligible citizens).[6]

In this chapter, we argue that, despite federal and state efforts to make voter registration easier and more convenient for voters, the existing patchwork quilt of registration practices and regulations remain a barrier to some many eligible citizens. This patchwork quilt has produced a voter registration system that is likely more costly and less accurate that other types of voter registration systems. Thus, the United States should consider a process for implementing an active, rather than passive, voter registration process. Implementation of an active voter registration process should make registration issues less of a burden for many eligible citizens, lower the costs of election administration, and produce a voter registry that is both more accurate and more comprehensive.

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[4] Currently Arizona and Washington allow online voter registration for eligible citizens who already have a drivers' license; California is soon to implement such a system as well.

[5] One exception is North Dakota, which does not require that eligible citizens register to vote, though North Dakota does maintain a central list of voters, called the "Central Voter File" (Chapter 16.1-02, North Dakota Election Laws, 2008).

[6] See Rosenberg and Chen (2009).

Defining the Problems with the Current Voter Registration Process

In the wake of the 2000 Presidential election, there was a great deal of attention paid to voting technology and election administration issues. In 2001, the Caltech/MIT Voting Technology Project issued a study that estimated that between four and six million voters were lost in the 2000 presidential election. Surprisingly, most of these lost votes (up to three million) stemmed from voter registration problems (Caltech/MIT VTP 2001). This report, and other studies of voter registration problems in the 2000 presidential election, led to significant efforts at both the federal and state levels to reform the process of voter registration in HAVA and other state legislation.[7] Despite these efforts, the VTP estimated that roughly 2.2 million votes were lost in the 2008 presidential election due to registration problems, an estimate nearly identical to that for the 2000 presidential election.[8]

Interestingly, in research dating back nearly three decades, political scientists have studied how changing regulations associated with voter registration affect voter participation. Wolfinger and Rosenstone (1980) were the first to document how moving the registration closing date closer to Election Day, and using other registration mechanisms like election day registration, could lead to increased voter participation. Subsequent research has continued to examine how changing the regulations associated with pre-election deadlines can increase voter turnout (e.g., Nagler 1991; Leighley and Nagler 1992; Knack 1995; Rhine 1995).

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[7] See, for example, U.S. Commission on Civil Rights. Voting Irregularities in Florida during the 2000 Presidential Election. Washington D.C.: GPO, June 2001 and "Revitalizing Democracy in Florida," a report by the Florida Governor's Select Task Force on Elections Procedures, Standards and Technology.
[8] VTP 2009, p. 59.

However, despite the efforts of reformers—especially recent reforms intended to make the registration and voting process easier and more convenient—there is a debate in the research literature about whether these reforms have actually sparked additional voter participation, or have simply made it easier for already high-propensity voters to participate (Berinksy, Burns, and Traugott 2001). Others have noted that the effects of these reforms might have been counterbalanced by other changes, most notably the precipitous decline in unionization in the United States (Leighley and Nagler 2007).

Considerable data indicates that more work is needed to improve the process of voter registration. For example, in the U.S. Census Bureau's recent Current Population Survey (CPS) Voter Supplement, registered non-voters have been asked why they did not vote; registration problems were one of the explanations for non-voting.[9] Table 1 provides the number of registered non-voters estimated in each CPS sample in since 2000, the percentage who said they did not vote because of a registration problem, and the estimated number of registered non-voters who did not vote due to a registration problem.

[Table 1 here]

Table 1 shows that the CPS estimated in 2000 that 6.9% of the 19 million registered non-voters—or 1.3 million registered non-voters nationally—said they did not vote because of registration problems. Although the percentage reporting registration problems fell slightly in 2002 (a midterm election year), the number of non-voters rose. In addition, the estimated number of registered non-voters who said they did not vote because of a registration problem was essentially unchanged between 2000 and 2002 (1.5

[9] This question has been included in the CPS Voter Supplements in 2000 and thereafter. Exactly what constitutes a "registration problem" is not probed in these surveys.

million registered non-voters nationally in 2002). Furthermore, the estimates are essentially unchanged for 2004 and 2006 despite many states making significant changes in the voter registration process and the development, after the passage of HAVA in 2002, of statewide voter registries in most states.[10]

In 2008, a nationwide survey was conducted in all fifty states to assess the performance of the electoral process (Alvarez et al. 2009). Unlike the CPS, this survey probed in detail the registration process, including problems that registered non-voters experienced with the registration process. This survey found that 22.4% of registered non-voters said that registration problems were either a major or a minor factor deterring them from participating in the 2008 general election (Alvarez et al. 2009, p. 64). Significantly, this survey found that registration problems were more likely to be reported by registered but non-voting racial and ethnic minorities. Specifically, 16.5% of registered non-voting Whites reported not voting because of a registration problem but 37.0% of registered non-voting Blacks, 31.9% of registered non-voting Hispanics, and 78.2% of registered non-voting Asians reported not voting because of a registration problem (Alvarez et al. 2009, p. 81). Registration problems were also more likely to be reported by younger voters (Alvarez et al. 2009, p. 88). These data indicate that many registered non-voters perceived that the registration process is keeping them from voting and that this perception is not uniformly distributed across the potential electorate.

The exact nature of these problems need further study. It is possible that eligible citizens simply find the registration process difficult to navigate. The 2008 survey provides

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[10] As of the initial drafting of this essay, the Census Bureau has not yet released final estimates for the 2008 election, which is why they are not included in Table 1.

some indications that this might be the case, as in a number of states where there are relatively easier registration procedures (for example, many of the election-day voter registration states) the percentages of registered non-voters reporting registration problems are lower (Alvarez et al. 2009, pp. 67-68).[11] Further analysis of this and other similar data can help determine how much the registration process itself might be a problem for eligible citizens.

Recent research has assessed the accuracy of statewide voter registration lists, which might be another problem confronting otherwise eligible voters when they try to participate. For example, McDonald (2007) compared 2004 state voter registration files with data from the CPS and the media consortium exit polls; he found the three generally agreed on the gender, but not on age or race.[12] Another indication of the inaccuracies in voter registration lists comes from New York City. Levitt et al. (2006) noted that "an audit conducted after attempting to match 15,000 records in the voter registration database against those in the state motor vehicle database revealed that almost 20% of those records did not match because of typos by election officials" (p. 4-5). Gronke (2005) studied undeliverable ballot rates in 2004 in Oregon, which uses all vote-by-mail, from a selected set of Oregon counties. The study identified undeliverable ballot rates of between 3 and 7%; this is the accuracy of voter registration data in a state where election officials are in frequent mail contact with registered voters. Although some of these undeliverable

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[11] For example, 9.4% of registered non-voters in Wisconsin (an election-day voter registration state) reported registration problems as keeping them from voting, and 6.7% in New Hampshire. No registered non-voters in the sample from Minnesota reported that registration problems kept them from voting.

[12] McDonald found that the media consortium exit polls showed a younger electorate than either the voter registration files or the CPS, and that the media exit polls in 2004 showed fewer white voters than the CPS or the voter registration files.

mail rates might be due to mistakes or errors, some of these problems no doubt arise

because of the highly mobile nature of American society.[13]

Although we have not undertaken a comprehensive study of the accuracy of any

state's voter registration database, we undertook a preliminary examination of voter

registration data from Ohio. Using Ohio's public release file (dated February 8, 2009), with

8,316,482 records of registered voters, we found a variety of typographical errors. Simply

looking at the last name field of this database, we found obvious errors such as instances

where the voter's county identification number was incorrectly copied into the voter's last

name field, a case where the voter's last name was given as "%", and a voter whose last

name was listed as ".Allen" (with the leading period),   Or there are other potential errors

or issues in the database: for many registered voters, their date of registration is given as

1/1/1900, or the fact that 85,416 records have year of birth entries of "1800", nearly 200

records with birth years between 1825 and 1899, and 14204 with year of birth "1900".[14]

Although more research on the accuracy of voter registration databases is needed,

indications are that voter registration data have many errors, either due to data entry

problems, missing information, or because of a highly mobile society.

A further issue with the passive American voter registration system is that tertiary

organizations—political parties, interest groups, and other advocacy organizations—

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[13] The U.S. Census bureau estimated that 40.1 million American residents moved between 2002 and 2003, with 59% of these being moves within the same county, 19% to a different county in the same state, 19% to a different state, and 3% from abroad (Schachter 2004).

[14] While some of these entries might be correct, they appear to occur with too great a frequency, or have other problems that seem illogical. Consider for example the voter whose date of registration is given as 1/1/1900, and whose birth year is given as 1952! Our inference is that birth year entries like "1800" or date of registration entries like "1/1/1900" are being used as missing data indicators, or in some cases might be typographical errors.

currently spend considerable resources to register voters. These third-party registrations

are important because they seek to register potentially difficult-to-reach populations but

they are also controversial because there have been concerns of voter registration fraud

involving such groups.[15] In talking to election officials, there is evidence that the third-

party process also introduces duplication into the system (individuals who already have a

valid registration register again) and errors (forms are difficult to read). These groups

exist, however, because the government does not engage in active registration. Claims and

concerns about fraud can arise because of these duplications and errors in registration.

Moving Toward Active Registration

There are three clear rationales for implementing an active voter registration process:

ease, cost, and accuracy. First, as we noted before, the cost for the voter of navigating

through the current voter registration process can be difficult. As Alvarez, Hall, and

Llewellyn (2007) found, the individuals who have the most difficulty navigating the process

are minority and socio-economically disadvantaged individuals. These "less resourced"

individuals are more likely to encounter difficulties becoming registered. Moreover, even

when registered, these individuals seem to have more problems keeping their registrations

current and problem-free (Alvarez et al, 2009).

Because of these difficulties, many eligible American citizens are not registered to

vote. In the most recent Census data, they estimated that nearly 136 million Americans

were registered to vote for the 2006 federal elections, of the 210 million citizens, voting-

age eligible Americans. That means there are 74 million American citizens, over the age of

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[15] For competing views on this, see "The New Crackdown on Voter Registration Drives"
http://brennan.3cdn.net/d3f8df8f1a5316dba6_ncm6bxts8.pdf and "Stolen Identities, Stolen Votes: A Case
Study in Voter Impersonation" https://www.policyarchive.org/bitstream/handle/10207/13529/lm_22.pdf.

18, who are not registered to vote. The failure to register is important for two reasons.

First, once someone is registered, they are very likely to participate; the Census Bureau

reported that in 2006 71% of registered voters reported voting in that midterm election.

Second, with 74 million eligible American citizens who cannot participate because they are

not registered, their preferences are not being reflected in the political process. As

registered voters are more likely to be older, married, better education, more wealthy, and

white, it is probable that the political preferences of the unregistered nonparticipants differ

from those who are registered to vote.[16]

Second, the current localized system is costly to administer. In a local election

office, the process of passive registration can lead to inefficient processing of registration

forms in local election offices. In Figure 1, we provide an example of this, using data on

voter registration flows from Franklin County (Columbus), Ohio for 2007 and 2008. The

gray line represents voter registrations received from the Ohio State Bureau of Motor

Vehicles (BMV) from individuals who registered to vote when they received or renewed

their driver's license. Note that this line is relatively smooth with similar number of

registrations coming in each of the 24 months from January 2007 through December 2008.

This smooth line can be compared to the total number of registrations processed by

the Franklin County Board of Elections. From January to August 2007, the total number of

registrations track relatively closely to the number of registrations received from the BMV;

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[16] For example, in the 2006 Census CPS Voting Supplement data (File [2008], the most recent CPS report currently available), Table 2 provides detailed data on the national population of registered voters. In 2006, 69.5% of citizen voting-aged whites were registered to vote, compared to 60.9% of Blacks and 53.7% of Hispanics. Forty-six percent of the 18-24 year old citizens were registered to vote, compared to 77.1% of those citizens aged 55 years and older. In terms of education, 47.5% of voting aged citizens who had less than a high school degree were registered, compared to 77.9% of voting aged citizens with a college degree.

roughly two-thirds of all registrations during this period are coming from the BMV (4,818

registrations per month). In the months leading to the November 2007 statewide general

election and the March 4, 2008 primary elections (September to February), the number of

total registrations increases to approximately 15,118 per month. There is a lull in

registrations from March to June 2008 and a slight bump in registrations in July 2008.

However, in the three months before the presidential election, 46,742 voters were

registering every month, with 74,680 registering in September 2008 alone! More people

registered to vote in this three-month period—August to October 2008 than registered

from January 2007 through March 2008.

Handling this large volume of registrations—many of which are duplicates—

requires the local election office to hire numerous temporary workers to process the

registrations. According to a recent study by the U.S. PIRG Education Fund, maintaining the

current voter registration rolls, fixing voter registration problems, and addressing the

errors involved in this process is quite costly.[17] In addition, they note that the costs

associated with voter registration have to also include the costs of provisional balloting,

mailing last minute voting roster changes, and similar activities, all of which raise the costs

of voter registration.

Third, the current passive voter registration process lacks accuracy. The processing

of so many registration applications—which are typically re-entered by hand—increases

errors in the file and introduces the likelihood of duplicate registrations. The system also is

inefficient in noting movements of people; in a given election, the number of actual

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[17] See http://www.uspirg.org/uploads/d_/y0/d_y0Jms3xiodWDrSojL_eg/USP-Saving-Dollars-Saving-Democracy.pdf

registrants in a given precinct may be over- or under-estimated because of errors in the file. The problems of the inaccuracy in voter registration data can be very costly: poll worker allocations, precinct locations, and other services are based on the voter registration files. Voters can face problems of long lines or understaffing when they go to vote on election day because of these inaccuracies.

How Would Active Voter Registration Work in the United States?

An active voter registration system would remove the burden of voter registration from the shoulders of the voter and place that burden on government agencies. It should be more accurate, as it would largely eliminate the use of registration forms, and would minimize the potential for typographic errors. It should also be more cost efficient and streamline the election administration process. There are many models for how active voter registration works in other nations. Here, we outline the basic structure for how an active voter registration system might be established in the United States.

The goal would be to develop an active voter registration system that meets international standards, such as the IDEA standard: "The international standard for voter registration is that the register must be comprehensive, inclusive, accurate, and up to date, and the process must be fully transparent. The process should facilitate the registration of a qualified voter but, at the same time, safeguard against the registration of ineligible persons" (IDEA 2002, p. 45). Although research needs to be done regarding the quality and coverage of other local, state, and federal databases, we here will focus on a hypothetical example of a statewide demographic database that has very accurate and up-to-date information on all residents of a state, a database that includes the resident's name,

residential address, date of birth, and citizenship.[18] In our example, the state also

maintains a fully functional computerized statewide voter registration database, with the

full name of each currently registered voter, their residential address, date of birth, mailing

address, and voting history information. We assume as well that the demographic and

voter registration databases have been constructed using a single database standard to

insure that all of the information in both databases is easily comparable.[19]

Periodically, the demographic file would be matched to the voter registry and a list

of voting-eligible individuals who are on the demographic file would be added to the voter

registration database in such a way that these records would be marked as new additions

to the file of unregistered but otherwise eligible individuals. These unregistered but

voting-eligible individuals would then be notified before the election about their

registration status—where they were being officially registered, the precinct in which they

were to vote, and any change in their status that had occurred since the last time they

voted. These individuals would then be given an opportunity to alter their information, or

to opt off the registration list if they desired or if their name was placed on the registration

list in error.[20] Any newly registered voters have to follow all state and federal laws

regarding the provision of appropriate identification when they tried to vote for the first

time, either in person or by mail. Upon the verification of their eligibility the first time they

voted, they would then be made an active registered voter in the state database. For those

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[18] There have been a number of proposals recently for similar voter registration processes, see for example Weiser et al. (2009). See also McDonald (2008) for discussion of the reasons for making voter registration more portable.

[19] For a discussion of such database standards and their importance in applications like these, see Alvarez and Hall (2005).

[20] Legislation would be necessary to insure that any individual whose name was incorrectly placed on the registration list solely by the action of the government would not be subjected to any criminal penalties.

voting-eligible individuals whose information does not appear in the state demographic database, or whose information in that database was not updated in sufficient time for them to be included in the list of potential voters, some sort of election-day voter registration would be in place so that, once their voting eligibility has been verified, they can cast a ballot and have their identity added to the voter registry.

Conclusion

We have presented a broad-brush portrait of a hypothetical active voter registration system. In this system, the primary effort for registering to vote is moved from the voter to the government. Voters are placed on (and removed from) the voting rolls by the government, using data sources that are managed by the government, such as motor vehicle registries, state assistance records, death records, tax records, and related databases. This voter registry would be the primary registration method, with election day voter registration providing a failsafe system.

More research is necessary before this type of system can be fully implemented. First, there is a technological issue: what are the appropriate demographic databases are for such a process and are these databases sufficiently interoperable, with data that can be easily compared and linked with a state's existing voter registration database? Managing data interoperability can be difficult because these databases will reside in various agencies that have their own uses for the data. Making this type of voter registration system effective will also require thinking about how these data will be pushed to the local level, and then to the precinct level, for elections.

Second, potential legal barriers may hamper the creation of active registration systems. Many states have laws that govern voter registration and that govern data use that may pose a barrier to voter registration reform. If a state will not allow certain data to be used for voter registration because of privacy, for example, or limit the way in which voter registration databases are created, that could stymie reform. Third, there is need to carefully delineation the procedures associated with the development of the list of potential voters, and how their eligibility and identify will be verified the first time they vote. In addition, states will have to determine how a potential election-day voter registration system would be implemented as part of this active registration system also needs study.

However, the need for study should not stand in the way of pilot projects, in a state or set of states, in the near future aimed at developing and implementing such an active voter registration system. Such pilot projects would allow for policy learning and for the various issues related to the implementation of an active voter registration system to be identified and addressed before large-scale implementation.

Table 1: Voter Registration Problems In CPS, 2000-2006

Election	Registered non-voters	% Registration problem	Estimated number of non-voters with registration problems
2000	19,000,000	6.9	1,311,000
2002	39,000,000	4.1	1,599,000
2004	16,400,000	6.8	1,115,200
2006	39,700,000	3.9	1,548,300
2008	15,167,000		

Figure 1: Voter Registration Form Flows, Franklin County, Ohio
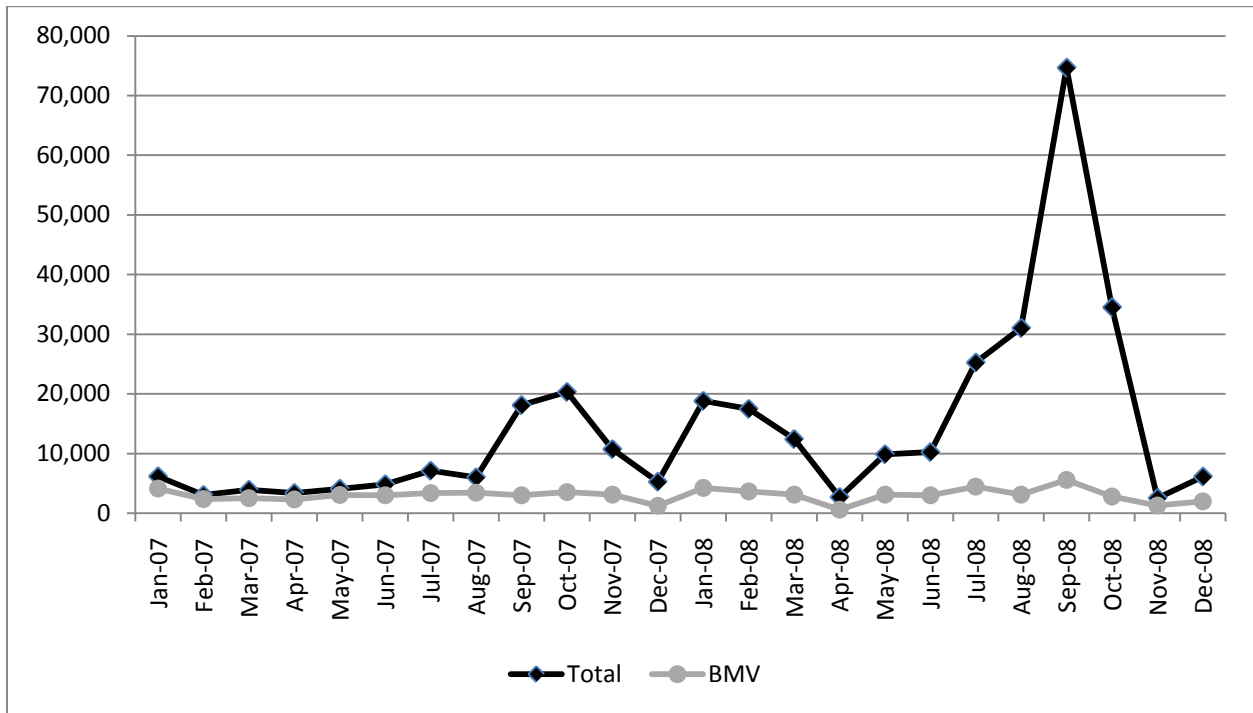
Source: Franklin County Board of Elections, 2009

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