

BY THE PEOPLE:

Promoting Democratic Participation
through Comprehensive Voter Registration



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The Center for Popular Democracy works to create equity, opportunity, and a dynamic democracy in partnership with high-impact base-building organizations, organizing alliances, and progressive unions. CPD strengthens our collective capacity to envision and win an innovative pro-worker, pro-immigrant, racial and economic justice agenda.

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Voting is the cornerstone of our democracy

Since the birth of the United States of America, we have worked to put into practice the ideal that our government would derive its “just powers from the consent of the governed.”¹ Ever since then, Americans have fought to expand the vote from a very limited franchise available to only propertied white men to the near-universal suffrage of adult citizens, regardless of race, national origin, and gender.² But, our 19th-century system of individual registration prevents continued progress toward truly engaging everyone in our democratic process.

Our arcane system of registration stands as the biggest barrier to voter participation. Almost 50 million eligible voters could not cast a ballot in the 2012 presidential election solely because they were not registered to vote.³ Another 12 million would-be voters had problems with their registration that kept them from voting.⁴ Our system also imposes unnecessary costs and burdens on states and counties, which struggle to process the inevitable influx of registrations shortly before the deadline.

In the 21st century, we can remove the barriers of an outdated, outmoded voter registration system by directing our governments to deploy tools they already have at their disposal to ensure that all eligible citizens are registered. With readily-available data and systems, states can be the engines of democratic participation by assuming responsibility for reaching and registering all eligible citizens. Indeed, it should be the government—not the individual—that is responsible for maximizing voter registration since the legitimacy of our democratic system is predicated on maximum participation.

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Enacting the policies to promote democratic participation—particularly, a system of Automatic Voter Registration administered by the states—would facilitate broad participation by shifting the obligation to register voters to the state. Notably, this game-changing innovation—Automatic Voter Registration—is already common practice in most democracies around the world and results in registration rates that commonly exceed 90 percent. With a system such as automatic registration, where the government assumes responsibility for putting eligible citizens on the voter rolls, at least 36 million voters could reasonably be expected to cast a ballot in future elections.⁵ The time has come for state governments in this country to be the prime driver promoting democratic participation by all eligible voters.

At its core, Automatic Voter Registration would mean states would integrate information from existing government databases to compile and update the voting rolls. Various government offices—departments of motor vehicles, revenue agencies, the Postal Service, and others—already collect essentially all of the necessary information, including name, age, address, citizenship, and signature. The state can pull the relevant information needed to determine eligibility and register voters from such agencies, ensuring a dramatic expansion of the registered voting population.

Automatic Voter Registration is the single most effective tool for registering eligible voters. But to be truly effective it must be integrated with a comprehensive series of reforms. Indeed, a comprehensive 21st century voter registration system that promotes democratic participation combines three basic imperatives:

- **Provide a failsafe for unregistered, eligible voters to vote.** Even while voting rolls would be made more complete and reliable with the robust and responsible use of other government data, some voters will no doubt be overlooked. Safeguards are therefore needed to ensure that such voters be able to register themselves and cast a ballot on Election Day. In particular, states should establish Same Day Registration, allowing eligible individuals to register on Election Day and during early voting periods. States should also establish online registration systems to enable people to check their registration status and update their registration records, and to make registration easier for any eligible voter not yet registered through the state's automatic voter registration system.
- **Implement pre-registration programs.** States should implement programs to pre-register 16-year-olds, automatically adding them to the voter rolls when they turn 18. This simple mechanism would effectively reach a crucial, under-registered population.
- **Conduct targeted outreach and education.** States should monitor registration rates and develop targeted outreach programs to reach those who may not otherwise be caught by a comprehensive system, such as those whose eligibility information is missing from state databases. Such programs can help ensure that all eligible residents are registered to vote, and help overcome disparities in registration based on race or income.

By implementing these changes, we can ensure the near-universal registration of those eligible to vote.

In this 50th year following the passage of Voting Right Act (VRA), we know that pro-active policies can make a dramatic difference in voter registration and participation rates. Now fifty years later, voter registrations rates among Latinos and Asian Pacific Islanders continue to significantly lag behind white eligible voters.⁶

With the gains of the VRA under attack by those working to suppress the vote (e.g., through strict voter ID laws, early voting restrictions, and repeal of progressive reforms like Same Day Registration), our participatory democracy is under threat. Decisive policies are needed to promote democratic participation, leveraging tested technologies to comprehensively reach and register eligible voters and keep voter rolls up to date.

The problem: The current voter registration system is both expensive and an obstacle to participation

While a system of individual voter registration might have smoothed the administration of elections in the days before computers, the 19th-century innovation was in many instances also used to disenfranchise people of color, immigrants, and workers.⁷ Now today, voter registration remains a barrier to participation for many people of color and young people. In 2012, then-Assistant Attorney General Thomas Perez observed, "One of the biggest barriers to voting in the country today is our antiquated registration system."⁸ The observation echoed the 2001 National Election Commission characterization: "The registration laws in force throughout the United States [are...] among the world's most demanding... [and] one reason why voter turnout in the United States is near the bottom of the developed world."⁹

Expensive paper registration systems

Paper registration systems are expensive and create barriers to voting. The system, administered through some configuration of state, county, and municipal authorities unique to each state, is difficult to conclusively cost-out, but selective evidence is illustrative. According to the Presidential Commission on Election Administration, local and county elections offices spend one-third or more of their budgets on maintaining and updating voter registration records.¹⁰ That amount drops dramatically when elections offices modernize their voter registration functions. Each online registration processed by Maricopa County, Arizona costs 3 cents to process, as compared to 83 cents per paper registration.¹¹ Through its paperless motor-voter registration, Delaware has saved roughly \$200,000 per year in labor costs.¹²

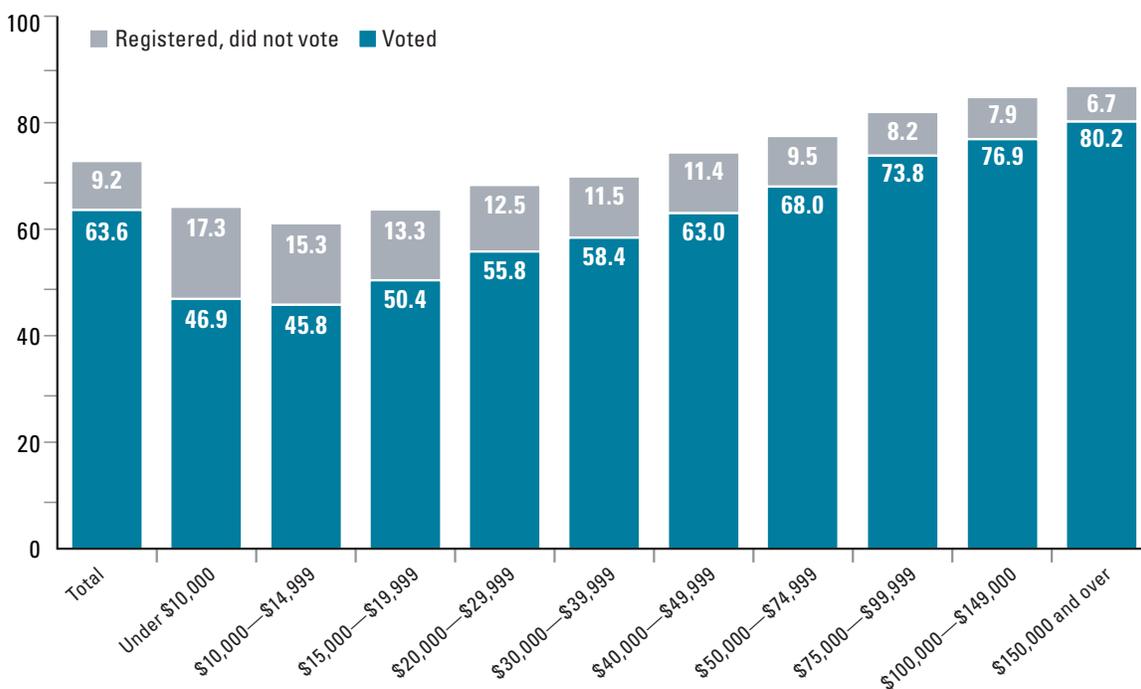
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Low voter participation

The United States has one of the lowest rates of electoral participation in the world, ranking 120 in a study of 169 countries.¹³ Although roughly 215 million were eligible to vote in the presidential elections of 2012, only about 133 million (or 62 percent of eligible voters) actually voted. In the 2014 midterm elections, only 36 percent of eligible voters voted.¹⁴ A recent poll showed that non-voters skew dramatically younger than likely voters, are twice as likely to be people of color, and are less affluent and less educated.¹⁵

Rates of voting also correlate dramatically with income levels. Among families earning between \$20,000 and \$29,999 (the annual income range for families whose primary, full-time wage earner is paid between \$10 and \$15 per hour), voting rates are nearly 10 points lower than among those earning between \$50,000 and \$74,999 (the US median household income was \$51,847 for 2011-2013).¹⁶

Reported Rates of Voting and Registered but Not Voting by Annual Family Income, 2012 (percent)



Source: US Census Bureau, Current Population Survey, November 2012

Registration is the biggest barrier to voting

The data shows that disappointing voter engagement levels in the United States are closely linked to voter registration. Those who are registered turn out to vote. In 2008, 90 percent of individuals who were registered to vote cast a ballot, as compared to only 64 percent of the voting age population. Eighty-seven percent of registered voters cast a ballot in 2012.¹⁷ In fact, the number of eligible voters who are not registered to vote is three times greater than the number of registered voters who stay at home on Election Day.¹⁸ Younger voters are less likely than older voters to be

registered; eligible Latino adults are less likely than non-Latinos to be registered. Eligible voters with low incomes are least likely either to be registered or to vote.¹⁹

While whites disproportionately reported not registering because they were “not interested in elections or politics,” other racial and ethnic groups were more likely to have not registered because of difficulties with the registration process. Younger voters similarly disproportionately reported difficulties with the registration process.

The 2008 Current Population Survey (CPS) shows that the reasons people do not register vary by race and ethnicity. While whites disproportionately reported not registering because they were “not interested in elections or politics,” other racial and ethnic groups were more likely to have not registered because of difficulties with the registration process (e.g., “did not meet registration deadlines”, “did not know where or how to register”). Younger voters similarly disproportionately reported difficulties with the registration process.²⁰

In addition to the 50 million eligible but unregistered voters, as many as 12 million more voter registrations contain incorrect addresses, primarily because people have moved. Young people, military families, and people in economically distressed communities tend to move more than the national average.²¹ The CPS survey found that 6 percent of

registered non-voters did not vote in 2008 because of “registration problems.”²² Another study found that almost 6 million people face a registration-related problem that needed to be resolved before voting; a third study found that 2.2 million actual votes were lost in the 2008 general election because of registration-related problems.²³

Current registration patchwork

The United States’ voter registration system is really a patchwork of 50 state (plus the District of Columbia) voter rolls pulled from 8,000 county and local election offices, and distributed out to 186,000 precincts.²⁴ This patchwork creates a greater challenge to ensuring the registration of all eligible voters because most states, counties, and municipalities rely on outmoded paper-based systems—which slow down the process and sometimes introduce mistakes into files—and have a highly mobile electorate—as many as 12 percent of Americans move each year. These factors lead to “incorrect information in records; obsolete information, such as changes in names or signatures; duplicate or out-of-date records, such as when a person moves but does not notify the election office; and improperly dropped records, such as when a person has not moved but is dropped from the rolls.”²⁵

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The Solution: Promoting democratic participation through Automatic Voter Registration

In promoting democratic participation, government should leverage tested technologies to comprehensively reach and register otherwise unregistered voters—citizens who are disproportionately of low income, people of color, and youth. This approach would lower barriers for eligible voters to participate in the democratic process. While the National Voter Registration Act of 1993 helped ease access to registration by enabling registration by mail and at various government offices, 50 million eligible voters are still unregistered. Promoting democratic participation will encourage voting by eligible voters, particularly those for whom current, rigid registration requirements create unnecessary barriers to the vote.

Our state governments can proactively promote democratic participation by passing a series of comprehensive, integrated reforms, the most important of which is Automatic Voter Registration. Under such a system, states have the responsibility to integrate information from existing databases in order to compile and update the voting rolls. Various government offices—departments of motor vehicles, revenue agencies, the Postal Service, and others—collect essentially all of the information needed to compile and update the voting rolls, including name, age, address, citizenship, and signature. The state can help capture and pull relevant information needed to register eligible voters from such agencies, ensuring a dramatic expansion of the registered voting population.

When automatically registering new voters, the government would mail out a notice that allows people to decline registration; to add, change or decline party affiliation; and to verify eligibility and personal information. The state would allow sufficient response time before activating the registration. When voting for the first time, new registrants would be required to sign an oath attesting to the accuracy of the voter registration information, if such attestation had not yet been obtained.

Several other policies buttress Automatic Voter Registration:

- **A failsafe for unregistered, eligible voters to vote.** Even while voting rolls would be made more complete and reliable with the robust and responsible use of other government data, a small percentage of eligible voters whose information cannot be confirmed in state databases may not be reached. Therefore, safeguards are needed to ensure that such voters can register themselves and cast a ballot on Election Day. In particular, states should establish Same Day Registration, allowing eligible individuals to register on Election Day and during early voting periods. States should also establish online registration systems to make registration easier for those not registered through the state’s automatic voter registration system.
- **Pre-registration programs.** States should implement programs to pre-register 16-year-olds, automatically adding them to the voter rolls when they turn 18. This simple mechanism would effectively reach a crucial, under-registered population.
- **Targeted outreach and education.** States should monitor registration rates, and develop targeted outreach programs to reach those who may not otherwise be caught by a comprehensive system, such as those who do not drive. Such programs can help ensure that all eligible residents are registered to vote, and help overcome disparities in registration based on race or income.

Existing Models

Automatic Voter Registration draws on models that have already been successfully implemented in states across the country and other countries around the world with high registration rates. Many other democracies around the world have registration rates greater than 90 percent of the voting age population because the government plays an active role in ensuring that all eligible voters are registered. Many of these countries have full population registries from which they can pull eligible voters. Some governments crosscheck these lists with other data sources, like healthcare rolls and military conscription lists.²⁶ Though there is no population registry in the United States, local and state governments already have much of the information needed to register eligible voters. Indeed, more than 40 states²⁷ already have implemented reforms that modernize voter registration.

Electronic motor-voter. Electronic voter registration at state motor vehicle agencies illustrates the feasibility of a fully automatic voter registration system. The National Voter Registration Act of 1993 requires states to allow eligible voters to register when they interface with departments of motor vehicles and other government offices and to register by mail.²⁸ In enacting and improving upon these mandates, states have begun to lay the groundwork for a more comprehensive voter registration standard. Nearly 30 states—Arizona, Arkansas, California, Delaware, Florida, Georgia, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Nebraska, New Jersey, New Mexico, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, South Dakota, Texas, Washington, and West Virginia—have or soon will have some form of electronic voter registration at their departments of motor vehicles.²⁹

Delaware is the standard-bearer of these improvements. In 2007, Delaware’s Division of Motor Vehicles (DMV) began moving voter registration into the computer-based driver’s license process at its DMV offices. DMV computer screens walk intake workers through each step of their client interactions, requiring each screen be completed before workers can proceed to the following screen. The system automatically populates a voter registration application with the relevant information from the DMV process. Using the signature pads already required for credit card transactions at the Division of Motor Vehicles, clients certify their citizenship, their acceptance or refusal to register to vote, and choose party affiliation. Voter registration applications are then transmitted to county elections offices in real time. County election officials make eligibility determinations, process the applications, and send polling place information.

A decade ago, the Delaware Elections Office began underwriting the program costs, which have amounted to \$600,000 to the office, plus roughly \$50,000 in incidental expenses incurred by the DMV. These investments are offset by an estimated annual savings of about \$200,000 in labor costs, plus additional savings from reduced use of paper. Where motor-voter registrations had previously taken 90 seconds, they now take only 30 seconds. Delaware is now in the process of expanding the program to the Department of Health and Human Services and the Department of Labor.³⁰

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Portable Registration. Twenty-five percent of Americans believe that voter rolls are updated when a Postal Service change-of-address form is filed a reasonable assumption given that it is possible, but an inaccurate assumption that nullifies their ability to vote.³¹ But 8 states—Colorado, Delaware, Florida, Hawaii, Maryland, Ohio, Oregon, and Utah—and the District of Columbia have adopted portable registration systems that accommodate registered voters who have not updated their in-state registrations before Election Day, allowing them to cast regular ballots that will certainly be counted. Portable registration systems include automatic address updates

for voters who have moved within the state and election day procedures to allow voters who have moved within the state to cast regular ballots in their new location.³² Studies have determined that portable registration, if widely adopted, could increase turnout by as many as 2 million voters.³³

Same Day Registration. Same Day Registration a vital failsafe for voter registration problems, has now been enacted in fifteen states: California, Colorado, Connecticut, the District of Columbia, Hawaii, Idaho, Illinois, Iowa, Maine, Maryland, Minnesota, Montana, New Hampshire, Wisconsin, and Wyoming. They now or will soon allow voters to register and cast ballots on Election Day and/or during the early voting period.³⁴ Utah enacted an Election Day Registration pilot project in 2014.³⁵ Robust research affirms that Same Day Registration significantly increases turnout by allowing participation by people who have recently moved or become interested in the election, or discover they have been left off the rolls.³⁶ In the 2014 midterm election, average voter turnout in Same Day Registration states was over 7 points higher than in other states.³⁷

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Implementation of Same Day Registration in states has been cost-efficient. Counties participating in a survey associated with the introduction of Same Day Registration in the North Carolina and Iowa in the 2008 general election reported that costs had not been prohibitive. Almost 50 percent in Iowa and about 30 percent in North Carolina identified no or only minimal additional expenditures with Same Day Registration. In North Carolina, much of the cost resulted from smaller counties needing additional staff to handle registration, but may also be attributed to the sharp rise in early voting that year.³⁸ (An ascendant conservative political majority repealed Same Day Registration in North Carolina in 2013.)³⁹

Online Registration. States should also establish online registration systems to enable people to check their registration status and update their registration records, and to make registration easier for any eligible voter not yet registered through the state's automatic voter registration system.

Electronic Registration Information Center (ERIC). The Electronic Registration Information Center (ERIC) is an interstate compact to improve the voter rolls among participants. Twelve states currently participate: Colorado, Connecticut, Delaware, the District of Columbia, Louisiana, Maryland, Minnesota, Nevada, Oregon, Utah, Virginia, and Washington. Established in 2012, ERIC facilitates data sharing from state voter files, motor vehicle records, change of address orders, and death records in order to update voter lists. ERIC members commit to communicate with each other when a new voter indicates a previous address in a partner state. After identifying likely-eligible voters not on the rolls, states must "initiate contact with each and every eligible or possibly eligible citizen and inform them of how to register to vote."⁴⁰ In 2012, ERIC identified 750,000 voters who moved within a state, 90,000 voters who moved between states, and 23,000 deceased voters still on the rolls.⁴¹ A project initiated by the Pew Charitable Trusts, ERIC is now independently run by the member states.

Pre-registration of 16- and 17-year-olds. Registration rates are skewed towards older Americans. While 71 percent of all eligible voters are registered, only 59 percent of eligible voters between 18- and 24- years-old are registered to vote.⁴² Pre-registration of 16-year-olds and 17-year-olds, perhaps when they get their first driver's licenses or enroll in civics classes, helps correct the generational imbalance by automatically adding them to the voter rolls once they reach the voting age. At least 22 states have enacted some version of the reform: Alaska, California, Colorado, the District of Columbia, Delaware, Florida, Georgia, Hawaii, Iowa, Kansas, Louisiana, Maine, Maryland, Minnesota, Missouri, Nebraska, Nevada, Oregon, Rhode Island, Texas, West Virginia, and Wyoming.⁴³

More than 40 States Have Existing Initiatives that Partially Promote Democratic Participation.

More than 40 states have already taken at least one of these steps toward the government playing a more active role in promoting democratic participation. Electronic Motor-Voter, Portable Registration, and Pre-Registration of 16- and 17-year-olds take advantage of the moments when eligible voters interact with other government agencies. Same Day Registration takes advantage of the natural momentum of the election cycle, allowing people to participate in elections even if they have not registered a month or more earlier. The ERIC project is emblematic of the pro-active role that states can take to identify and reach out to potential voters.

Conclusion: The consent of the governed

Roughly 62 million eligible voters are currently unregistered,⁴⁴ either because they never registered or their registration information is incorrect. Assuming that Automatic Voter Registration systems would capture approximately 90 percent of the total electorate, the initiative could result in the registration of 55.8 million more voters. The remainder would easily be able to register if the other recommended policies are also implemented.

Based on the proportions of unregistered voters in the Census Bureau survey,⁴⁵ we estimate that these steps would result in newly registered voters, including:

By Race/Ethnicity

White, Non-Latino	37.8 million
Black	6.8 million
Asian	3.4 million
Latino	9.1 million

By Age

18 to 24	11.5 million
25 to 44	19.7 million
45 to 64	17.0 million
65 to 74	5.2 million
75+	3.3 million

By Income

Under \$10,000	3.3 million
\$10,000 to \$19,999	6.4 million
\$20,000 to \$29,999	7.2 million
\$30,000 to \$39,999	7.2 million
\$40,000 to \$49,999	4.5 million
\$50,000 to \$74,999	9.8 million
\$75,000 to \$99,999	4.7 million
\$100,000 to \$149,999	3.9 million
More than \$150,000	2.0 million
Income not given	6.6 million

Even assuming that 46 percent of non-registered voters who profess a disinterest in politics or elections would not vote, at least 36 million more voters could reasonably be expected to cast a ballot in future elections with automatic voter registration.⁴⁶

With the data and tools readily available in the 21st century, the states can and should be the engines of democratic renewal by assuming responsibility for reaching and registering all eligible citizens. The legitimacy of our democratic system is predicated on maximum participation. Implementing Automatic Voter Registration administered by the states would promote democratic participation by shifting the obligation to register voters to the state. Notably, this game-changing innovation is already common practice in most democracies around the world and most of our states have taken steps that demonstrate the soundness of this approach. The time has come for state governments to be the prime driver promoting democratic participation by all eligible voters.

At least 36 million more voters could reasonably be expected to cast a ballot in future elections with automatic voter registration

Appendix: Existing State Initiatives that Partially Promote Democratic Participation

	Automated Motor-Voter	Same-Day Registration	Portable Registration	ERIC Participant	Pre-registration of 16 & 17 year olds
Alabama					
Alaska					x
Arizona	x				
Arkansas	x				
California	x	x			x
Colorado		x	x	x	x
Connecticut		x		x	
Delaware	x		x	x	x
DC		x	x	x	x
Florida	x		x		x
Georgia	x				x
Hawaii		x	x		x
Idaho		x			
Illinois		x			
Indiana	x				
Iowa	x	x			x
Kansas	x				x
Kentucky	x				
Louisiana	x			x	x
Maine		x			x
Maryland	x	x	x	x	x
Massachusetts	x				
Michigan	x				
Minnesota	x	x		x	x
Mississippi	x				
Missouri					x
Montana		x			
Nebraska	x				x
Nevada				x	x
New Hampshire		x			
New Jersey	x				
New Mexico	x				
New York	x				
North Carolina	x	x			
North Dakota					
Ohio			x		
Oklahoma					
Oregon	x		x	x	x
Pennsylvania	x				
Rhode Island	x				x
South Carolina	x				
South Dakota	x				
Tennessee					
Texas	x				x
Utah		pilot	x	x	
Vermont					
Virginia				x	
Washington	x			x	
West Virginia	x				x
Wisconsin		x			
Wyoming		x			x

Notes

The Center for Popular Democracy wishes to acknowledge the research contributed by its Gardner Fellow, Karl Kumodzi.

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- 3 US Census Bureau, Voting and Registration in the Election of November 2012, Table 2, <http://www.census.gov/hhes/www/socdemo/voting/publications/p20/2012/tables.html>.
- 4 US Census Bureau, Voting and Registration in the Election of November 2012, Table 2, <http://www.census.gov/hhes/www/socdemo/voting/publications/p20/2012/tables.html>.
- 5 Our estimate of the number of newly registered voters under Promoting Democratic Participation multiplies the number of unregistered eligible voters (62 million) by 90 percent, a conservative estimate of the registration rate we could achieve with automatic voter registration. We then multiply the total (55.8 million) by the Census estimates of the racial/ethnic, income, and age distributions of unregistered voters. The estimate of new voters participating in elections takes the 55.8 million newly registered voters and multiplies that by 46 percent, the rate at which unregistered voters respond that they do not care about elections in the Census survey.
- 6 Registration gaps between Latino and Asian American citizens and whites have not narrowed to the same extent as they have for Blacks. US Census Bureau, "Table A-1. Reported Voting and Registration by Race, Hispanic Origin, Sex, and Age Groups: November 1964 to 2012," <http://www.census.gov/hhes/www/socdemo/voting/publications/historical/index.html>.
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- 23 Both cited in "Inaccurate, Costly, and Inefficient," 5.
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