

Election Day Voter Registration in MASSACHUSETTS



EXECUTIVE SUMMARY

We have analyzed the likely impact of adoption of Election Day Registration (EDR) by the Commonwealth of Massachusetts.¹ Consistent with existing research on the impact of EDR in other circumstances, we find that EDR would likely lead to substantial increases in voter turnout. We are able to offer the following estimates of increases in turnout for Massachusetts, and for specific groups of eligible voters under EDR:²

- » Overall turnout could go up by 4.9 percent.
- » Turnout among those aged 18 to 25 could increase by 9.7 percent.
- » Turnout for those who have moved in the last six months could increase by 7.9 percent.
- » Turnout for African Americans could increase by 5.6 percent.
- » Turnout among the poorest citizens could increase by 5.6 percent; turnout among the richest of citizens would likely increase by only 3.4 percent.

INTRODUCTION

The purpose of voter registration in the United States is to make sure that only eligible citizens vote. Voter registration also provides election officials with convenient lists they can use to notify voters about upcoming elections, as well as other information about elections and voting. Lastly, when individuals enter a polling place, a voter registration list gives poll workers the information they need to authenticate voters before they cast ballots.

At the same time, the process of voter registration imposes costs on voters, and these costs have been shown in many research studies to serve as barriers to many potential voters.³ In Massachusetts, eligible citizens have to register to vote at least 20 days before major elections.⁴ For some eligible citizens, especially those who have moved recently, requiring registration before election day might

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make it very difficult for them to cast a ballot in an election. Given that non-registered, but otherwise eligible citizens are not on the lists that election officials or groups use to mobilize voters in elections, some non-registered eligible citizens may not be aware of an upcoming election or about how and when they can register to vote.

The costs associated with voter registration have been the focus of significant federal legislation, in the last few decades. With the National Voter Registration Act of 1993 (NVRA), Congress required that states provide voter registration forms in places where state residents register their motor vehicles, and in other state offices like public assistance offices. The NVRA also called for mail-in voter registration. More recently, the Help America Vote Act of 2002 (HAVA) attempted to significantly improve voter registration practices across the nation by requiring states to develop computerized, statewide voter registries. HAVA also directed all states to adopt provisional or “fail-safe” voting.

Six states currently have substantial experience with allowing eligible citizens to register to vote on Election Day: Idaho, Maine, Minnesota, New Hampshire, Wisconsin, and Wyoming.⁵ Iowa, Montana and North Carolina only recently adopted EDR or similar procedures. The six original EDR states have shown that Election Day Registration is an effective way to increase voter participation without complicating election administration or leading to increased voter fraud. Research regarding the experiences of these other six states has shown that:

- » **Voter participation is somewhere between 3 and 6 percentage points higher than were EDR not used in those states;**
- » **Citizens who have recently moved or are younger find it easier to register and vote;**
- » **Election administration, when EDR is thoughtfully implemented, can be improved and EDR does not undermine the Election Day experience of poll workers or voters; and,**
- » **There is no evidence that the prospects for election fraud are increased.**⁶

Thus, based on the previous experience of these states, research we have earlier done on these experiences, other academic studies on voter participation and Election Day Registration, and new research that we present below, we believe that if appropriately implemented, Massachusetts will have a positive experience with Election Day Registration.⁷ In particular, we show below that both voter registration and turnout would increase once Election Day Registration is implemented in Massachusetts: we estimate that voter turnout could increase by almost 5 percent. Having more voters on the rolls will improve election administration, and give election officials throughout the state better information when they go to contact voters about upcoming elections and provide them with information about those upcoming elections. And increasing voter participation should lead to a stronger democracy and a strengthened civic culture in Massachusetts.

EDR, REGISTRATION AND TURNOUT

Determining a voter’s eligibility before allowing them to cast a vote has a long history in the United States. Studies of early American political history have shown that eligibility was determined by party observers at the polling places, who could challenge a voter’s ability to participate in an election.⁸ Pre-election voter registration practices began early in American history, but became widespread in the decades after the Civil War.⁹ In some states voter registration requirements were part of an array of measures, including poll taxes and literacy tests, that were used to disenfranchise segments of the potential electorate, including immigrants, the poor, and minorities. Early registration practices were themselves often quite restrictive, such as requiring annual or periodic, in-person registration at a county office during weekday business hours.¹⁰

Liberalization of voter registration laws began with the civil rights movement, culminating in the passage of the

Voting Rights Act of 1965 (VRA). The VRA eliminated many of the systematic barriers that made registration and voting difficult for poor and minority voters, and empowered the federal government to oversee the elimination of voting restrictions. Many states substantially reformed their registration and voting procedures after passage of the VRA.

But even with these reforms in some states, many other states continued to use restrictive registration practices after the passage of the VRA. A patchwork quilt of registration practices developed in many states and across the nation as many local election officials had substantial discretion over registration and voting procedures. And research by scholars showed that many voting and registration practices, particularly the practice of requiring registration well in advance of Election Day, substantially reduced voter turnout.¹¹ This led to the enactment of the National Voter Registration Act of 1993 (NVRA), through which Congress sought to simplify the registration process and to improve the integrity of voter registries. Key to the NVRA was an expansion of avenues by which a citizen could register to vote, including registration by mail, at departments of motor vehicles, and in state public assistance offices. The NVRA also promulgated new rules regarding procedures for the removal of voters from the registration rolls.

More recently, problems in the 2000 presidential election led to additional federal efforts to reform the voter registration process. The Help America Vote Act of 2002 (HAVA) directed that states develop a “centralized, interactive computerized statewide voter registration list defined, maintained, and administered at the State level” (Section 303(a)(1)(B)). HAVA also required that states implement “fail-safe”, or provisional voting procedures, if they did not already have them, so that otherwise eligible citizens could cast a provisional ballot rather than be disenfranchised due to the omission of their names from the voter registry.

Six states had Election Day Registration in place when HAVA was enacted. Generally speaking, states with EDR have higher rates of voter registration and turnout than do states that do not have EDR. Based on data collected by the U.S. Census Bureau, in 2004 states with EDR reported registration rates of 86.4 percent, while states without EDR had reported registration rates of only 79.1 percent.¹² These numbers are consistent with data from previous elections: states with EDR have consistently had higher registration rates.¹³ And EDR states had demonstrably higher levels of voter turnout in 2004. According to the official voting statistics reported by secretaries of state, and the U.S. Census Bureau estimates of state population, EDR states had a voter turnout rate of 70.3 percent in 2004, while non-EDR states had a turnout rate of only 54.7 percent.¹⁴

Were Massachusetts to implement Election Day Registration, voter participation could increase substantially in a presidential election year like 2004 or 2008. Furthermore, voter participation might increase strongly among sectors of the population that typically turnout at lower rates, such as newly relocated eligible citizens or young voters, as they are the types of voters that previous research has shown are helped by EDR.

EDR IN MASSACHUSETTS

Massachusetts ranked 21st in the nation in voter turnout in 2004.¹⁵ 59.1 percent of the voting age population cast a ballot in the 2004 general election; 84.9 percent of Massachusetts citizens reported being registered.¹⁶ To estimate the potential impact of EDR, we turn to data from the U.S. Census Bureau’s 2004 Current Population Survey (CPS) and use a methodology that we have employed in past research on voter turnout, discussed below in the Technical Appendix. In summary, we estimate statistical models predicting whether individual respondents in the 2004 CPS report being registered and whether they voted. In this estimation we control for many factors, including the voter registration process in the state. We control for the respondents’ age and level of education, whether or not respondents have moved recently, their ethnic background, and whether or not they are native-born citizens or have been

recently naturalized. We then used these estimates to simulate the impact of Massachusetts having used EDR in the 2004 election.¹⁷

Estimates of the potential effect on voter turnout had Election Day Registration been in effect in Massachusetts in the 2004 election are provided in Table 1.¹⁷ First, we see that our analysis predicts that Massachusetts' turnout would increase under EDR. Most importantly, our analysis predicts a 4.9 percent increase in voter turnout if Massachusetts moves to EDR.

We might also see other substantial increases in voter turnout for those who might be most affected by EDR:

- » **Turnout among those aged 18 to 25 could increase by 9.7 percent.**
- » **Turnout for those who have moved in the last six months could increase by 7.9 percent.**
- » **Turnout for African Americans could increase by 5.6 percent.**
- » **Over 173,000 additional eligible voters who do not have college degrees could vote; 53,000 new voters with college degrees could vote.**

CONCLUSION

One of the more robust conclusions in the study of turnout for the last 35 years has been that making the registration and voting process easier will increase turnout among eligible voters.¹⁹ Our analysis of the impact of EDR in Massachusetts is merely another piece of evidence supporting this claim. By comparing voter turnout in states with EDR and states without EDR, we have estimated the impact EDR would have in Massachusetts. Adoption of EDR could raise turnout by almost 5 percent according to our estimates. And it could raise turnout substantially more among groups such as young voters, and voters who have moved in the period preceding the election.

The trend in the United States has been to ease the barrier that registration places on voting by moving the deadline closer to election day. Moving to EDR would lower that hurdle for thousands of citizens in Massachusetts, and bring more participants into the democratic process.

TECHNICAL APPENDIX

To estimate the impact of EDR in Massachusetts, we analyzed individual survey data collected by the Census Bureau. Each month the Census Bureau surveys approximately 50,000 households in the Current Population Survey. In even numbered years the November survey includes a battery of questions asking respondents whether or not they were registered to vote, how they registered, and if they voted. The CPS is considered to be the “gold standard” of datasets for analyzing individual-level factors affecting turnout, and turnout across states. The Census Bureau has a higher response rate than any other survey and the sample size is large enough to draw statistically valid samples within a state. Whereas the typical media poll might have 1,500 respondents nationwide, the November 2004 CPS included 1105 respondents from Massachusetts.

Our model incorporates factors that have been shown in extensive research on voter turnout to be correlated with an individual’s decision on whether or not to vote. We include categorical variables to indicate whether or not the person is in one of five age groups: 18 to 25, 26 to 35, 36 to 45, 46 to 60, or 61 to 75. We include categorical variables for education, placing the respondent as having less than a high school degree, a high school degree, some college education, or a college degree and beyond. For annual family income, we include brackets of less than \$20,000, between \$20,000 and \$40,000, between \$40,000 and \$60,000, and above \$60,000. The respondent’s ethnicity is measured as white, black, or Latino. We also include variables indicating whether or not the respondent was a naturalized citizen, and if so, whether they had come to the United States within 10 years of the 2004 election or within 16 years of the 2004 election.

Our model includes variables at the state level for the number of days before the election that registration closes and for the presence of a competitive election. Three categorical variables indicate the presence (or absence) of a senate, gubernatorial, or presidential race within the state that was decided by a margin of 5 percent or less.

To be able to determine the impact of EDR on particular groups of the population, and because we expect that EDR will have larger effects on those who have the most difficulty meeting the burden of pre-election registration, we include interaction terms between the availability of EDR and the respondent’s age, education and income; whether or not the respondent had moved previously; and whether the respondent was a native-born citizen or a naturalized citizen (and if so, whether recently immigrated or not).

Given these specifications, we estimated the model on all respondents in the CPS. Doing this provided estimates of the model parameters. We then computed the predicted probability of each respondent in the Massachusetts sample voting under current legal conditions—that is, the state’s requirement that voters register well before Election Day. We also compute the probability of each respondent in the sample in Massachusetts voting under the counterfactual condition that Massachusetts had Election Day Registration. By aggregating those predicted probabilities over different sub-groups of interest, we are then able to estimate the impact of EDR on any sub-group within the population, or we can estimate the impact of EDR on all voting age persons in Massachusetts. Again, we assume that the impact of EDR in Massachusetts will closely resemble the impact of EDR experienced elsewhere.

Table 1: Simulated 2004 Turnout Increases In Massachusetts under EDR

	Percentage Increase	Additional Votes
Entire State	4.9	226,015
Persons who have moved in the last 6 months	7.9	27,211
Persons Age 18 - 25	9.7	61,402
Persons Age 26 - 35	5.4	43,641
Persons Age 36 - 45	3.8	30,495
Persons Age 46 - 60	3.9	47,127
Persons Age 61 - 75	3.8	27,926
Persons Age 76 - 90	3.5	15,422
African American	5.6	14,338
Latinos	5.5	11,984
Whites	4.7	190,706
Naturalized Citizens	5.6	16,921
Lower Income (\$0 - \$20,000 household income)	5.6	43,091
Middle Income (\$20,000 - \$40,000)	7.8	96,000
Upper Income (\$40,000 - \$60,000)	3.2	36,395
Top Income (\$60,000 and above)	3.4	50,529
Grade school education	6.1	32,906
High school graduates	5.2	88,606
Some college	4.5	51,614
College graduates	4.2	52,889

ENDNOTES

1. This report is similar to an analysis we produced for Dēmos on the impact of Election Day Registration (EDR) in Iowa, and borrows liberally from that report in the general discussion of the impact of voter registration laws. See R. Michael Alvarez & Jonathan Nagler, *Election Day Voter Registration in Iowa* (Dēmos: A Network for Ideas and Action, 2007), <http://www.demos.org/pubs/updatedIOWA.pdf>.
2. A ‘5 percent increase’ refers to an increase of 5 *percentage points*, or 5 percent of voting age population, not 5 percent of those *already voting*. Thus, an increase from 50 percent turnout to 55 percent turnout is referred to as a 5 percent increase.
3. How voter registration imposes costs on potential voters was originally researched by Raymond E. Wolfinger and Steven J. Rosenstone, *Who Votes?* (New Haven: Yale University Press, 1980).
4. According to information from the Massachusetts Secretary of State, “in order to vote you must be registered: 20 days before all primaries and elections, and/or 10 days before a special town meeting.” See <http://www.sec.state.ma.us/ELE/elevf/howreg.htm>.
5. North Dakota does not currently require voter registration. Iowa and Montana and North Carolina recently adopted Election Day Registration.
6. See, for example, R. Michael Alvarez and Stephen Ansolabehere, *California Votes: The Promise of Election Day Registration* (Dēmos: A Network for Ideas and Action, 2002); R. Michael Alvarez, Jonathan Nagler and Catherine Wilson, *Making Voting Easier: Election Day Registration in New York* (Demos: A Network for Ideas and Action, 2004); M.J. Fenster, “The Impact of Allowing Day of Registration Voting on Turnout in U.S. Elections from 1960 to 1992,” *American Politics Quarterly* 22(1) (1994): 74-87; B. Highton, “Easy Registration and Voter Turnout,” *The Journal of Politics* 59 (2) (1997): 565-575; Lorraine C. Minnite, *An Analysis of Voter Fraud in The United States* (Dēmos: A Network for Ideas and Action, 2004), <http://www.demos.org/pubs/Analysis.pdf>; Dēmos: A Network for Ideas and Action, *Election Day Registration: A Ground Level View* (2007), <http://www.demos.org/pubs/EDR%20Clerks.pdf>; S. Knack, “Election-Day Registration: The Second Wave,” *American Politics Quarterly* 29(1) (2001): 65-78.
7. Also, in an earlier study, Charles Stewart III of MIT and the Caltech/MIT Voting Technology Project recommended that Massachusetts adopt EDR; it was the first of his twenty-four recommendations for election reform in Massachusetts. See “Voting in Massachusetts” (2003), <http://www.vote.caltech.edu/media/documents/VotinginMass.pdf>.
8. Richard Franklin Bense, *The American Ballot Box in the Mid-Nineteenth Century* (New York: Cambridge University Press, 2004), pages 22-30, 90.
9. Alexander Keyssar, *The Right to Vote: The Contested History of Democracy in the United States* (New York: Basic Books, 2001).
10. J. Morgan Kousser, *The Shaping of Southern Politics: Suffrage Restriction and the Establishment of the One-Party South, 1880-1910* (New Haven: Yale University Press, 1980).
11. Wolfinger and Rosenstone (1980).
12. These statistics are computed by the authors from the *Current Population Survey, November 2004: Voting and Registration Supplement*, U.S. Census Bureau, machine-readable file, 2005. Data compiled by the U.S. Election Assistance Commission (EAC) were not used because in some cases the EAC reports voter registration figures higher than the voting age population for the country; thus the data were not viewed as reliable indicators.
13. See, for example, Table 2 in Alvarez and Ansolabehere (2002): there registration in non-EDR states in the 2000 election was 77.3 percent, in EDR states it was 88.8 percent; turnout in non-EDR states in the 2000 election was 50.5 percent, while in EDR states it was 65.8 percent. Alvarez and Ansolabehere, *supra* n.6, at 12.
14. Turnout figures are taken from the U.S. Census Bureau, *2007 Statistical Abstract of the United States*, Table 408, available at <http://www.census.gov/prod/2006pubs/07statab/election.pdf>. These data are in turn based on reports of secretaries of states on votes cast for president and on Census Bureau estimates of state voting age population.
15. Massachusetts’ voter turnout ranking comes from the U.S. Census Bureau’s *2007 Statistical Abstract of the United States*, Table 408. It is computed by the Census Bureau based on official reported votes for president, and the Census Bureau’s estimate of the state’s voting age population.
16. Reported registration is computed by the authors from the *Current Population Survey, November 2004: Voting and Registration Supplement*, U.S. Census Bureau, machine-readable file, 2005, and is based on citizens of voting age. In the analyses reported here, we treat those who do not answer the “Were you registered to vote?” question in the CPS as missing data (these are those who say “Don’t know,” “Refused”, or are coded as “Non-Response”). In reported statistics, the Census Bureau treats these responses as the same as having answered “No” to this question. Turnout is from the U.S. Census Bureau, *2007 Statistical Abstract of the United States*, Table 408, and is computed by the Census Bureau based on official reported votes for president, and the Census Bureau’s estimate of the state’s voting age population.
17. The reported registration and turnout rates in the CPS data differ from those found in the EAC’s Election Day Survey. The CPS data are based on surveys of households, and thus are affected by both sampling error and response error.
18. The authors provide estimates of the potential effect on voter registration of Massachusetts’ move to EDR in the 2004 election in Table 2, using the same methodology as discussed in the text and in our technical appendix.
19. R.E. Wolfinger and S. J. Rosenstone, *Who Votes?* (New Haven: Yale University Press, 1980); J.E. Leighley and J. Nagler, “Individual and Systemic Influences on Turnout: Who Votes? 1984,” *Journal of Politics*, 54 (1992): 718—740.

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ABOUT DĒMOS

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