A NETWORK FOR IDEAS & ACTION

CONNECTICUT STATE JOINT COMMITTEE ON GOVERNMENT ADMINISTRATION AND ELECTIONS

Testimony on H.B. No. 6435
AN ACT CONCERNING ELECTION DAY REGISTRATION

February 18, 2009

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Thank you Senator Slossberg, Representative Spallone, and members of the Committee for allowing me to testify in support of HB 6435.

My name is Miles Rapoport, and I am the President of Demos, a national non-partisan research and advocacy organization established in 2000. Prior to my tenure at Demos, I served for ten years in the Connecticut State legislature, from 1985 – 1994. I served on the Government Administration and Elections Committee for 10 years, and had the honor of chairing the Committee in 1993 and 1994. In 1994, I was elected as Secretary of the State of Connecticut and I served as Secretary of the State for four years. I had the privilege of administering Connecticut's elections during this time.

As President of Demos, I have continued my work in the area of election reform. Demos works with policy makers, advocates and scholars around the nation to improve our democracy and election process.

I want to commend Representative Fleischmann for sponsoring this bill, and the Chair and members of the Committee for considering Election Day Registration (EDR). In addition, we are deeply appreciative of Secretary of State Susan Bysewiecz for her continued support of this reform and many others as well. By passing comprehensive EDR legislation, Connecticut would become the tenth state to allow citizens to register and vote on the same day. That would be a major step towards expanding access to the democratic process for Connecticut. By adopting this important election reform, Connecticut would also become a leader for many other states currently considering EDR proposals.

In fact, this week alone there are hearings on EDR proposals in three states: Connecticut, Nebraska and Maryland. And as the legislative sessions progress across the country, we are anticipating EDR campaigns in 15 to 20 states along with the District of Columbia.

WHY FOCUS ON ELECTION DAY REGISTRATION?

EDR Is A Proven Reform That Increases Turnout

EDR is not a new reform. There are eight states that allow citizens to register and vote on Election Day: Idaho, Iowa, Maine, Minnesota, Montana, New Hampshire, Wisconsin and Wyoming, and one state-- North Carolina-- that allows Same Day Registration (SDR) during their early voting period, which starts nineteen days before Election Day ends three days before Election Day.

I have attached a copy of a recently released report by Demos entitled "Voters Win with Election Day Registration" that summarizes the usage of EDR/SDR in the 2008 presidential election. By all accounts this was an extraordinary election, with huge increases in interest and turnout in many states. Turnout this year shattered voter participation records in one of the newest SDR states North Carolina.

According to a recently released report by Democracy North Carolina:

> *North Carolina led the nation as the state with the biggest increase in voter turnout over 2004. North Carolina's turnout was 61.4% of the voting-age*

population VAP in 2008 compared to 53.9% in 2004. That 7.5 point gain in turnout was the largest increase in the nation.

Turnout in North Carolina has not exceeded 55% in a century, which typically ranked it among the worst 15 states for voter participation. That position dramatically changed in 2008; the 61.4% turnout rate of VAP put the Tar Heel state at number 19 in the nation, the first time they have been among the top 20 states in more than one hundred years.

This was the first presidential election where North Carolina allowed SDR, and a stunning 253,000 of those voters utilized SDR; 105,000 to register for the first time, and 148,000 to change their address. Clearly, the availability of SDR was a major factor in the increased turnout.

While Election Day registration is an important reform, it is not a silver bullet for our democracy. Many things must be done to encourage people to join in the process and make them feel that it is rewarding and relevant. While we can't guarantee that people will vote, we believe that all of us have an obligation to make the process as welcoming and as accessible as possible. EDR is an important step toward expanding access.

EDR is not a new reform. It has a proven track record. Three states—Maine, Wisconsin, and Minnesota-- have successfully allowed Election Day registration for over thirty years -- before computers and before the establishment of statewide lists of voters. Maine, the first state to adopt EDR, started the practice in 1973.

The 2008 presidential election was marked by a tremendous surge in voter interest and participation. While final data on EDR usage in the 2008 presidential election is not yet available, preliminary figures show that over 1.1 million Americans used EDR/SDR to vote on or before November 4, 2008. They represented as high as 18 percent of citizens (Minnesota) in those states who participated in the 2008 general election.

Voter turnout in the nine states that allowed people to register and vote on the same day in the 2008 election was, on average, over seven percentage points higher than states without EDR.

EDR Benefits Young People

Among the largest beneficiaries of EDR are young people. Young Americans, especially college students, move frequently and have a harder time keeping their voter registration current. Although voter turnout among 18-29 year olds has steadily increased over the last four presidential elections, it still lagged behind the overall turnout rate. EDR is a powerful tool that can be used to ensure that young people are able to register and vote. EDR ensures that young people can register and vote on Election Day, leading to a voter increase of up to **14 percentage** points among young voters, compared to states without EDR.

ADDITIONAL REASONS TO SUPPORT EDR

While participation is the strongest reason to adopt EDR, there are also a number of important corollary benefits that legislators should consider:

1. It limits the need for provisional ballots.

In the 2000 election a number of voters were turned away from the polls because their names did not appear on the list of registered voters. Many of these citizens were properly registered yet were erroneously purged from the voter lists, or, for a variety of reasons, their correct name did not appear on the computer generated list at the polling place. Most of these people were not allowed to vote. Congress, disturbed by the disenfranchisement of citizens, developed a process of provisional ballots. In 2001, Congress passed the **Help America Vote Act** and required states without EDR to allow voters with registration problems to vote by provisional ballots.

A major cause of friction and delay at polling places is disagreement over whether someone is eligible to vote. Provisional ballots were developed to address this problem, but, unfortunately, in 2004, one third of the provisional ballots cast were not counted. Additionally, the complicated process of post-election verifications and notification of voters whose ballots were not counted caused more problems than it solved. Consequently, the process tends to frustrate both voters and election workers. EDR solves this problem fully.

We do not have the final numbers for 2008, but we know that Iowa saw a significant reduction in Provisional ballots from 2004 to 2008. In 2004 they had approximately 15,000 provisional ballots cast, and in 2008, an election with higher turnout, they had about 5000 provisional ballots cast. That is a 60% reduction. EDR resolves many of the problems of provisional ballots by providing for an on site verification process, and by allowing people to both register or re-register when necessary on Election Day. As a

result, it decreases the tension at the polling place by insuring that citizens who take the time to go to vote and are eligible will actually get to cast a ballot that they know will be counted.

2. EDR minimizes problems with third-party registrations.

One major controversy in last year's election was the role played by third party registration drives. In many states, large numbers of people registered through drives conducted by organizations seeking to increase turnout. There were issues raised about the validity of many of these registrations. The level of duplications, and in some cases forgeries, confounded election officials and led to charges and counter-charges. EDR reduces dramatically the need for third-party drives, and means that new registrants who utilize EDR will register at election offices, in front of trained election officials, with proper documentation.

3. It improves the quality of campaigning and gets more people interested in the election.

In non-EDR states, candidates limit their focus to registered voters. This may appear to be an efficient way to run an election – but it is not the best way to involve people in the democratic process. It also limits a candidate's ability to engage unregistered, natural supporters because they are compelled to focus their campaign on registered voters.

However, in EDR states, candidates have to talk to **everybody,** not just the people who are on their "lists", because everyone is a potential voter. As a result, more people are contacted by the candidates and get interested in the election. This is particularly important for young people. Studies show one of the factors that increases the likelihood of a young person voting is contact with a candidate or a campaign.

In this open environment candidates are encouraged to address more of the issues and concerns of the people they represent, and they are less likely to ignore people or communities simply because they are not registered, or have low registration rates.

WHAT ARE THE ARGUMENTS AGAINST EDR?

It's certainly reasonable to ask this question. The main two concerns I've heard for years are fraud, and problems administering EDR.

In the states that have EDR, there have been virtually no instances of illegal activities relating to fraudulent registration on Election Day. There have been periodic "fraud" studies in the EDR states; the most recent were completed after the 2004 election. Following the 2004 election there were examinations of the EDR voters by the Attorneys General in New Hampshire and Wisconsin. Both found no fraud directly attributable to EDR. The registrars in states that have EDR are as concerned about the integrity of their elections as their colleagues across the country. Yet they have been able avoid any significant voter fraud, while at the same time incurring minimal costs and avoiding unmanageable burdens for election officials. To accomplish this they use proven, yet simple cost effective mechanisms to register people and prevent fraud, such as identification at the polls, specialized workers for the day, and voter and poll-worker education.

One very interesting recent example was in Minnesota, where there was a very hotly contested recount in the United States Senate race. 550,000 people registered to vote by

Election Day registration in Minnesota, and none of those votes were involved in any of the controversies during the recount.

Additionally, states with same-day registration require registrants to take an oath attesting to the truthfulness of the information they provide upon registration. Willful violations typically carry significant penalties of fines and imprisonment.

A fully operational statewide database is a significant asset in implementing EDR. But, live access to the statewide database or laptops is not required at every polling place. Elections in EDR states are no more chaotic than elections in other states. Moreover, election officials actually feel better about the overall process because they can truly further the participation of most citizens since they rarely have to tell an eligible citizen that she or he cannot vote.

CONCLUSION:

Election Day Registration is an extremely important reform, which increases participation, reduces problems at the polls, and has been successfully administered without fraud. Connecticut can become a model for the nation by joining the nine other states that already do this. Demos will vigorously applaud if you do.