

Government Administration and Elections Committee

Testimony RE: H.J. No. 161

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To the Chair and Members of the Government Administration and Elections Committee, I am Dr. Gayle Alberda, Assistant Professor Politics & Public Administration at Fairfield University. My area of expertise is election administration, including but not limited to elections laws, and more specifically early voting, as my own research record indicates. The testimony that follows pertains to H.J. No. 161, which the committee is considering. This testimony provides scientific research on the impacts of early voting. As discussed below, early voting is a popular law that creates happier voters, but it also depresses voter turnout, fails to increase representation, and alters the nature of campaigns.

H.J. No. 161 Resolution Proposing an Amendment to the State Constitution to Allow for Early Voting and No-Excuse Absentee Voting

There is no doubt that early voting is a popular election law. As you likely know, there are 39 states that have adopted this popular reform, three of which conduct vote by mail elections.¹ It should be noted that early voting is a larger term that refers any one of four methods of voting: no-excuse absentee voting, early voting, vote by mail systems, and a combination of no-excuse absentee voting and early voting. Americans overwhelmingly support offering voters early voting and absentee voting.² People have busy lives and finding the time to vote can be hard; inconvenience is a commonly cited reason why voters opt not to vote.³ By extending the duration of the voting period, like early voting does, it follows that voting would be more convenient because it gives voters more opportunities to cast a ballot. As conventional wisdom, and theory, suggest, if voting is made easier, then turnout would increase.⁴ Since early voting creates greater convenience, some research suggests it also creates happier voters.⁵ Studies suggests that early voting offers increased voter satisfaction,⁶ which is important in a democracy because voter satisfaction is associated with confidence in the electoral system.⁷

In a democracy, ideally, election laws should increase participation, representation, and/or ballot access. We all can likely agree that high participation is healthy in a democracy, that the electorate should be representative of the public, and access to the ballot should not be hindered. If we can agree on those ideals, then the decision to adopt early voting should be met with caution. According to research, Election Day Registration does the most to increase turnout;⁸ proudly Connecticut already adopted this law. On the other hand, early voting laws depress voter turnout, fail to increase representation, and alter the nature of campaigns.

Early Voting's Impact on Voter Turnout

The two most common early voting laws are vote by mail (VBM) and in-person early voting. In federal elections, such as US Senate races, VBM has a marginal increase in voter turnout⁹ and in presidential elections, it decreases turnout by 2 percent.¹⁰ However, others have found that VBM increases turnout in midterm elections by 2.9 percent.¹¹ At the state level, VBM decreases turnout in gubernatorial elections.¹² It appears that local elections have benefited the most from VBM elections, increasing participation between 7.6 and 26.5 percent. Since local

elections tend to have the lowest turnout, VBM appears to have a substantial impact on local elections, but not federal or state elections.

The most popular early voting law is the one under consideration by this committee, in-person early voting. If increasing turnout is the goal, this method of early voting might not be the best to adopt. Research has consistently demonstrated that in-person early voting has no significant impact on turnout.¹³ In federal/national elections, early voting has an insignificant, or marginal effect on turnout, or no effect at all.¹⁴ In gubernatorial elections, in-person early voting appears to only have a marginal effect on turnout.¹⁵ Early voting depresses turnout in location election by 4 percentage points.¹⁶ Empirical evidence suggests the most popular early voting law has a detrimental impact to voter turnout, especially local elections where turnout is already low.

At times early voting shows an increase at first, but over time, this effect fades away. Much like when a child receives a new toy, there is an increase in excitement and the new toy is constantly played with. Overtime the newness, or novelty, of the new toy fades, and the child plays with the new toy less. Early voting has a similar effect on turnout. The initial increase in voter turnout is a “novelty effect.”¹⁷ Voters utilize the new laws at first, which leads to an immediate increase in voter turnout. With time, the novelty wears off and voter turnout returns to its previous rate. Research suggest that this short lived increase lasts until the second presidential election after implementation upon which voter turnout decreases by 2-3 percent.¹⁸

I realize the negative relationship between early voting and turnout sounds absurd and counterintuitive. It implies that greater convenience and access to the ballot causes fewer individuals to participate – naturally this sounds ridiculous. But, voting on Election Day has valuable qualities. Citizens gather at their precinct and exercise self-governance as a community. It is these qualities that foster participation. Early voting alters these dynamics by allowing citizens to make decisions over a longer time period, in isolation, and at a place outside their precinct ahead of receiving all the information from campaigns. Thus, it takes away the civic-ness of Election Day. The loss of a civic Election Day is directly related to turnout.¹⁹

Who Votes Early?

Early voting is often expected to expand the electorate to include those who are traditionally disadvantaged on Election Day.²⁰ The idea being that early voting would draw in new voters. This would create greater access to the ballot. It is often suggested that early voting would benefit Democrat voters the most as those traditionally disadvantaged tend to lean Democrat.²¹

However, research shows this has not been the case. Instead, research suggest early voting has 1) merely shifted the electorate and 2) benefitted the politically sophisticated and resource rich. In theory, early voting would increase turnout by drawing *new* voters into the electorate.²² This is done by inviting nonvoters to actually vote, thus it would expand the electorate when they join it. Unfortunately, this is not what empirical evidence shows. Early voting simply conveniences those who would have voted anyways.²³ It shifts frequent Election Day voters to early voters.²⁴ Therefore, the electorate is not expanded as current voters just alter the time they cast a ballot versus growing the electorate by drawing in new voters.

Secondly, early voting research shows it benefits the politically sophisticated and resource rich. Those who utilize early voting have higher education levels,²⁵ are older,²⁶ have higher incomes,²⁷ are more partisan,²⁸ and are male.²⁹ Early voters also tend to be more conservative³⁰ and Republican.³¹ Additionally, early voters tend to be more interested and engaged in politics³² and have more trust in government.³³

When looking collectively at who benefits from early voting and its impact on voter turnout, research suggests it does not increase ballot access or representation. It does not help the group of voters early voting law hopes to target. Rather it benefits high SES (socio-economic status) and politically sophisticated voters. This could be problematic for representation. Voters are more likely to have their voices heard, therefore, get policies that benefit them. This creates a policy bias.³⁴ Since early voting does not make the electorate descriptively representative of the voting population,³⁵ it could enhance the already existing bias found in politics.

Effect on Candidates & Parties

The impact on candidates and political parties is twofold: increases in campaign expenses and partisan benefits. Political parties and candidates alter their campaign strategies to be effective and mobilize early voters.³⁶ This includes campaign ads and get out the vote (GOTV) programs. As a result, campaigns in states with early voting are more expensive. Early voting has increased campaign expenditures by approximately 25 percent.³⁷ This makes sense because early voting expands Election Day from one, singular day to a multi-day affair. If early voting increases the costs of campaigning because it extends the duration of the voting period, it follows that campaigns in Connecticut would also become more expensive.

More recently, research indicates that early voting benefits Republican candidates.³⁸ This is contrary to conventional wisdom that suggests early voting helps Democrat candidates. As mentioned, early voters tend to be conservative and Republican. Naturally then it makes sense that Republican candidates benefit the most from early voting.

Conclusion

The early voting law before the committee, in-person early voting, on its own does not appear to increase voter turnout, ballot access, or representation. This is likely because the very qualities that make early voting attractive are the very same qualities that erode the civic-ness of Election Day. I am glad Connecticut has adopted Election Day Registration as empirical research shows Election Day Registration meets these goals. I wish early voting laws did the same.

It may be that early voting needs to be coupled with other laws to really be effective. For instance, allowing voters to register and vote *before* Election Day, known as Same Day Registration, does increase voter turnout although not to the same extent as Election Day Registration.³⁹ Much like Election Day Registration, Same Day Registration creates a one-stop shop where potential voters can accomplish both political acts (registering and voting); the only difference is that Same Day Registration occurs *before* Election Day, much like absentee voting or early voting.

There are another laws that would likely meet these goals. For instance, creating more accessible voting locations; accessibility is important because it influences the likelihood of voting.⁴⁰ Proximity to voting locations matters. The further away a polling station or early voting site is from a citizen, the more likely that citizen will become a nonvoter.⁴¹ Research also suggests that mailing sample ballots to voters prior to Election Day, mailing information about polling locations, and having voting sites open for longer periods of time have a positive impact on turnout.⁴² Turnout is predicted to increase by three percent with the adoption of these practices.⁴³

Adopting laws that make voter registration easier would also be fruitful. For example, adopting statewide registration portability, which would allow individuals who move anywhere within Connecticut the ability to transfer their voter registration and vote. Research shows

transient voters, regardless of distance, have lower turnout rates.⁴⁴ This is mainly because movers need to find information on residency requirements and then actually re-register, which is harder as they are often unfamiliar with the new area. Registration portability increases voter turnout by 2.4 percentage points.⁴⁵ Adopting automatic voter registration, like Oregon, appears to increase voter turnout as well. One study suggests that turnout could increase by 14 percentage point with the adoption of automatic registration.⁴⁶ Voter turnout increased by four percent when comparing the presidential elections before and after Oregon implemented automatic registration; nationally there was only a 1.5 percent increase during that same time period.⁴⁷ This increase is likely because the burden to register to vote transfers from the potential voter to the government. Voters in Oregon have to opt out of being automatically registered, not opt in.⁴⁸ The adoption of S.J. No. 28 would likely also meet these goals. Voting is habit forming.⁴⁹ By capturing potential voters early on, and registering them upon reaching the voting age, it could encourage these voters to participate in elections they otherwise might not. Research suggests that individuals who pre-registered before turning eighteen are more likely to vote than those who registered after turning eighteen.⁵⁰

While early voting is a popular election law, I would caution the committee before adopting such a policy without fully understanding all of the impacts of early voting. Early voting might not be the ‘best’ law to adopt, especially when compared to other laws that may yield greater benefits.

¹ National Conference of State Legislatures

² Pew Research. 2018. “The public’s voting values.”

³ Fortier, John C. 2006. *Absentee and Early Voting: Trends, Promises and Perils*. Washington D.C.: The AEI Press; Southwell PL, Burchett JI. 2000. “The effect of all-mail elections on voter turnout.” *American Politics Research*.

⁴ Downs (1957). *Economic Theory of Voting*; Riker, William H. & Peter C. Ordeshook. 1968. “A Theory of the Calculus of Voting.” *The American Political Science Review*.

⁵ Kasdan, Diana. 2013. Brennan Center For Justice *Early Voting - What Works*. New York; Fortier, John C. 2006. *Absentee and Early Voting: Trends, Promises and Perils*. Washington D.C.: The AEI Press.

⁶ Kasdan, Diana. 2013. Brennan Center For Justice *Early Voting - What Works*. New York

⁷ Gerken, Heather. 2007. “Voter Satisfaction.” In *Democracy Index Conference*, 93–158.

⁸ Berinsky, Adam J. 2005. “The Perverse Consequences of Electoral Reform in the United States.” *American Politics Research* 33(4): 471–91.

⁹ Berinsky AJ, Burns N, Traugott MW. 2001. “Who votes by mail? A dynamic model of the individual-level consequences of voting-by-mail systems.” *Public Opinion Quarterly*.

¹⁰ Kousser, Thad and Mullin, Megan, Thad Kousser, and Megan Mullin. 2007. “Does Voting by Mail Increase Participation? Using Matching to Analyze a Natural Experiment.” *Political Analysis* 15(4): 428–45.

¹¹ Karp JA, SA Banducci. 2000. “Going postal: how all-mail elections influence turnout.” *Political Behavior*.

¹² Kousser, Thad and Mullin. 2007. “Does Voting by Mail Increase Participation? Using Matching to Analyze a Natural Experiment.” *Political Analysis* 15(4): 428–45.

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¹⁵ Stein, Robert M. 1998. “Introduction: Early Voting.” *Public Opinion Quarterly*.

¹⁶ Alberda, Gayle. 2014. *Electoral Reforms: Does Early Voting Impact Turnout in Municipal Elections*. Dissertation. Wayne State University.; Alberda, Gayle. 2017. “Is Smaller Better? Examining the Impact of Early Voting in Small Municipalities” Presented at 2017 Midwest Political Science Conference, April 6-9, Chicago, Illinois.; Alberda, Gayle. 2018. “Does Early Voting Offset the Impact of Urban Reforms among Municipalities?” Presented at 2018 Midwest Political Science Conference, April 5-8, Chicago, Illinois.

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¹⁸ Fortier, John C. 2006. *Absentee and Early Voting: Trends, Promises, and Perils*. Washington, DC: American Enterprise Institute Press.; Thompson, Dennis F. 2004. “Election Time: Normative Implications of Temporal Properties of the Electoral Process in the United States.” *American Political Science Review* 98(1): 51-63.; Burden, Barry C, David T Canon, Kenneth R Mayer, and Donald P Moynihan. 2009. Report presented to the Pew Charitable Trusts *The Turnout Effects of Early Voting, Election Day Registration, and Same Day Registration in the 2008 Presidential Election*. Burden, Barry C., David T. Canon, Kenneth R. Mayer, and Kenneth R. Mayer. 2014. “Election Laws, Mobilization, and Turnout: The Unanticipated Consequences of Election Reform.” *American Journal of Political Science* 58(1): 95–109.

¹⁹ Stein, Robert M, and Greg Vonnahme. 2007. “Poll Place Effects on Voter Turnout.” In *Democracy Index Conference*, Columbus.

²⁰ Nonvoters are younger, poorer, less educated, less partisan, and less interested in elections than traditional voters or early voters (Neeley and Richardson 2001).

²¹ Burden, Connon, Mayer, Moynihan (2017) “The Complicated Partisan Effects of State Election Laws.” *Political Research Quarterly* 3: 54-576.

²² Berinsky, Adam J. 2005. “The Perverse Consequences of Electoral Reform in the United States.” *American Politics Research* 33(4): 471–91.

²³ Neeley GW, Richardson LE. 2001. “Who is early voting? An individual level examination.” *Social Science Journal*.

²⁴ Berinsky, Adam J. 2005. “The Perverse Consequences of Electoral Reform in the United States.” *American Politics Research* 33(4): 471–91.

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