AMERICA Goes to the Polls

A Report on Voter Turnout in the 2008 Election

Prepared by the Nonprofit Voter Engagement Network
ABOUT THE NONPROFIT VOTER ENGAGEMENT NETWORK

GOALS
Build Capacity for Nonpartisan, Nonprofit Voter Participation
Provide resources, training, technical assistance and support to state and local nonprofit voter participation initiatives that work year-round to increase the number of nonprofits integrating voter and civic engagement activities into their ongoing work.

Increase Voter Participation and Close Participation Gaps
Achieve sustained increases in voter participation, especially among voters with a recent history of lower participation, through engaging voters where they gather to work, learn, advocate and receive services.

Broaden the Base of Support for Election Reforms
Involve the nonprofit sector to improve how democracy works by addressing systemic issues impacting participation and voter confidence in elections and government.

Strengthen the Nonprofit Sector and Encourage New Civic Leadership
Encourage nonprofits and charities to become active participants in civic and voter engagement, gaining better representation for their communities and creating new public leaders.

OUR WORK
In 2008 NVEN worked on voter engagement initiatives with state nonprofit associations and statewide nonprofit and human service networks in 13 states. NVEN had a national voter engagement partnership with the National Association of Community Health Centers. In addition, it provided trainings, materials and technical assistance to the nonprofit sector as a whole through its website www.nonprofitvote.org

And
Connecticut Association of Nonprofits
CT Center for a New Economy
Maine Association of Nonprofits
Montana Nonprofit Association
New Mexico Association of Grantmakers and member foundations
New Hampshire Center for Nonprofits
North Carolina Center on Nonprofits
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**AMERICA GOES TO THE POLLS**

A Report on Voter Turnout in the 2008 General Election

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FOREWORD

By Michael McDonald

Voting is groovy again. After a four decade lull, American voter participation has returned to relatively high levels last experienced during the 1960s. Indeed, the 2008 turnout rate does not represent a true apples-to-apples comparison. Lower participatory eighteen to twenty year olds are now counted among the electorate. Now excluded are about half a million rejected mail ballots, compared with fewer numbers when absentee voting required a valid excuse.

What will befuddle those who study voting is that conditions posited to explain lower voter participation still exist: low trust in government, an anemic civic society, negative campaigning, and television alternatives to political programming. Some clues for the greater participation level may be lurking in this report: early voting and Election Day registration (EDR), renewed voter mobilization efforts, and greater participation among minorities.

Can participation go higher? Iowa and Montana adopted EDR since the 2004 presidential election. Yet, both experienced only modest increases in turnout. Given high turnout in other EDR states, it may be that it takes time for voters to grow accustomed to a new rule. Voters are embracing early voting, which experienced explosive growth over the last decade. Scholarly studies at the outset of early voting found no appreciable turnout benefits. The story may be different now. A telling indicator is that turnout rates increased from the modern low in 1996 along with rising early voting levels. The high number of rejected mail ballots suggests states should proceed cautiously in reformulating their early voting laws.

Beyond changing how elections are run, voter mobilization appears to the primary voting determinant. States that entered the electoral battleground in 2008 experienced the greatest turnout increase. Those remaining on the battleground experienced smaller increases or remained essentially the same. Those that left had more modest increases or actually experienced declines.

An enthusiasm gap is also evident. Non-battleground states with significant African-American populations who turned out in large numbers experienced turnout increases from 2004. Turnout rates actually decreased in some deep red states such as Utah and Alaska, among others.

Which is all to answer that turnout can go higher. As more states adopt EDR and early voting, incremental turnout benefits will likely follow. When Republicans became enthusiastic again turnout rates will increase. Still, to push turnout much higher electoral competition must be expanded. Imagine if California, New York, and Texas were battleground states. For this reason, a national popular vote for president may hold the key to further increasing American voter participation.

Dr. Michael P. McDonald is an Associate Professor in the Department of Public and International Affairs at George Mason University and a non-resident Senior Fellow at the Brookings Institute. He runs the United States Election Project and serves on the Nonprofit Voter Engagement Network’s Advisory Board.
INTRODUCTION

Voting is a core act of citizenship and civic engagement crucial to our success as a democracy. Not only are voters more likely to get involved in their communities and take part in other civic activities, but communities that vote are more likely to receive their fair share of attention from elected officials and have higher levels of community health.

With help from America’s nonprofit sector, voter participation has reversed the decline in voter turnout that followed 18-20 year olds winning the right to vote and returned to the levels last seen in the 1960s. The nonprofit community is proud to have played an unprecedentedly large role in helping America vote in 2008. Programs like those of the Nonprofit Voter Engagement Network, Community Health Vote, Every Child Matters’ Vote for Kids, Native Vote, Disability Vote and many others worked to engage communities with a recent history of non-voting, those communities least likely to be reached by traditional voter outreach methods.

Several trends have emerged from this participation increase, some of which the nonprofit sector has helped to both ignite and fuel. One of the most promising of these trends has been the steady rise in voting among young people ages 18-29. Nonprofits like Rock the Vote, the New Voter Project, Generation Engage, Declare Yourself, Voto Latino, Mobilize.org, Campus Compact, Hip Hop Summit and others played an important role. Voter assistance and election monitoring also increased in 2008, helped by websites such as the League of Women Voters Vote 4-1-1 and voter hotlines like 866-OUR VOTE, 888-Ve-y-Vota or the United Way’s 2-1-1 human service line.

Despite these increases in voter engagement, important improvements remain to be seen. Although 2008 had higher voter turnout, one in three eligible voters did not vote. It is unlikely voter participation can go higher without addressing several antiquated and discriminatory characteristics of our voting system, many of which have remained largely unchanged since the 18th and 19th century. For example, the lack of a national standard for federal elections means that the 50 states have 50 different definitions of “eligible voter” and 50 different ways to hold elections, creating confusion that disrupts voter participation every Election Day. Furthermore, by staking the outcome of a national election on the 15 battleground states where candidates and campaigns focus the majority of their time, money, mobilization and voter education activities, our current electoral system actually creates disincentives to vote for the many Americans who do not reside in these states. This report addresses the implications of these and other issues.

America Goes to The Polls draws on voter participation data from the United States Election Project, U.S. Census, Electionline.org and Secretaries of States, among others. (Sources on page 20). The report concludes with a section urging national standards for federal elections in areas like voter registration, early voting and the definition of an eligible voter. America Goes to the Polls also suggests ways to bring non-partisanship to election administration and competition and fairness to elections – all with likely...
citizenship and a democracy.

METHODOLOGY

VOTER TURNOUT
Voter turnout numbers come from the U.S. Election Project at George Mason University, directed by Professor Michael McDonald. The Election Project has compiled data on eligible voters and voter turnout dating back to 1980. To arrive at the number of citizen eligible voters 18 years or older for each state, the Election Project uses information from the U.S. Census and other government sources for citizenship data and felon data to establish the approximate number of eligible voters in each of the 50 states and the District of Columbia.

The Election Project collects voter turnout data from State Election offices and reports it in two ways: Highest Office Turnout, the total votes counted for the highest office on the ballot and, where available, Total Turnout, the total number of voters who cast a ballot that was counted. This difference between Highest Office Turnout and Total Turnout is called the “residual vote”. It is composed mainly of “undervotes” which occur when a voter chooses not to vote in the highest office race. It also includes some “overvotes” which occur when a voter mistakenly marks more than one choice for any one office and the ballot is “spoiled” for that race. For Presidential elections, total turnout has averaged about one percent higher than the highest office turnout for the last two elections.

To reflect the actual number of people voting, we use total turnout. Most states report this number. For those that do not, we calculate their total turnout based on their highest office turnout increased by 1% to account for residual votes.

VOTER TURNOUT BY GROUPS
We report turnout information for demographic groups from survey research such as that of the U.S. Census’ Current Population Survey. Other sources include CIRCLE’s for data on young voters, Pew Hispanic Research Center for Latino voters, and CNN’s America Votes 2008. A major source of the CNN data is the National Election Pool’s national exit poll conducted in 2008 by Edison Media Research and Mitofsky International for CNN, Associated Press, ABC, CBS, NBC, Fox, The New York Times and others. The U.S. Census will provide its widely used survey research on the 2008 elections later this year.
U.S. VOTER TURNOUT CONTINUES TO RISE

The 2008 presidential election saw the highest voter turnout in 40 years.

- 62% eligible voters cast a ballot, close to the levels of the Kennedy and Johnson elections in 1960 (64%) and 1964 (63%) which at that time were highest since 1908.
- This was the third consecutive presidential election in which voter turnout has risen, marking a possible end to the period of lower than usual voter turnout that began in 1972, the year when 18-20 year olds gained the right to vote.

The participation growth was fueled in part by large increases in voting by young voters 18-29 and Latino and Black voters.

- Voter turnout among young voters ages 18-29 went up for the third consecutive national election, pushing youth turnout over 50% of eligible youth voters in 2008.
- More than 12 million Latino voters cast ballots, continuing their steady climb as a share of the U.S. electorate. Latinos represented an estimated 9% those voting in 2008, up from 8% in 2004 and 7% in 2000. The largest increases in Latino voting were in the western battleground states of New Mexico, Colorado and Nevada.
- About 2.6 million more black voters went to the polls in 2008 compared to 2004, increasing their share of the national vote from 11% to 13%.

Minnesota (78.5%), Wisconsin (73.3%) and Maine (72.7%) again led the nation in turnout of eligible voters. These are the same three states that first started using Election Day registration back in the 1970s – allowing voters to fix registration issues at the polls on Election Day.

25 states and the District of Columbia achieved their highest voter turnout since the U.S. Election Project, the source of turnout data for this report, began tracking state by state turnout in 1980. North Carolina, Virginia, South Carolina, and Mississippi led states that improved their voter turnout between 2004 and 2008, surging 10.8%, 9.9%, 9.8% and 8.9% respectively (adjusted for growth in the states’ voting eligible populations.) Turnout plunged in Utah, dropping by 14.1% from 2004.

BATTLEGROUND STATES GET MONEY, VISITS AND VOTERS

95% of the 495 million dollars spent on campaign ads in the final six weeks of the campaign by the candidates, parties and interest groups went to 15 battleground states. More than half of that was spent in just the four super-battleground states of Ohio, Florida, Pennsylvania and Virginia.

More than 98% of campaign events took place in the same 15 states, with more than half of those events taking place in Florida, Ohio and Pennsylvania.

Voter turnout in the 15 battleground states averaged seven points higher than in the 35 non-battleground states.

In 2008, 132 million or three of five eligible voters, lived in non-battleground states where campaigns rarely visited, spent little to no money and did little organizing.
NEW TRENDS

Election Day Registration Spreads: Since the last presidential race, two more states (Iowa and Montana) have adopted Election Day registration (EDR), enabling voters to fix a registration issue or register for the first time at the polls on Election Day. EDR was deemed a success and both states improved their national rank in voter turnout.

“One-Stop Voting” a Success: North Carolina also adopted a form of EDR during their 16 day early voting period. Called “one-stop voting,” voters in North Carolina could register and vote at the same time when voting early. With its one-stop voting and battleground state status, voter participation in North Carolina rose faster than any state in the nation, with a 10.8% turnout increase over 2004.

Early Voting Expands: More voters than ever voted early. Close to 40 million—or 30% of Americans casting ballots—took advantage of the opportunity to vote early in-person or through the mail (compared to 20% of voters in 2004 and 7% in 1992). Early voting was not only popular with voters, but also was credited with smoother election days in Ohio, Florida and other states.

Mail-In Ballots Hit Snags: On the other hand, vote by mail had increasing problems. An estimated 500,000 to 750,000 mail ballots were rejected because voters had made simple mistakes such as failing to sign or date the correct envelope. In Minnesota 12,000 mail in ballots were deemed problems by Election Boards. North Carolina rejected 7.6% of mail or absentee votes.

Voter Registration Issues Reported Biggest Voting Problem: The problems of voter registration took center stage in the 40 states without Election Day Registration, where a maze of voter registration laws meant an estimated 1-2 million eligible voters wanting to cast ballots inadvertently missed advance deadlines or had registrations lost, returned or processed incorrectly by election boards, government agencies and third party registration drives.

Campaign Spending Set Records: For the first time ever, presidential candidate spending topped one billion dollars. While there was a hopeful rise in small donor giving, the small donors were still drowned out by larger donors giving upwards of several thousand dollars each. Over 80% of campaign funds came from large donors.

 Millions of Ex-Offenders Remain Barred from Voting: In 2008, an estimated 3.5-4 million American citizens with a felony conviction who had completed their prison term were still barred from voting in the election by felony disenfranchisement laws in 35 states. Rhode Island was the newest state to join the 14 other states that allow citizens to automatically regain their voting right after incarceration, as is the (minimum) standard of every other democracy.

States Add Paper Trail Laws: By the 2008 election the number of states that had passed a law that requires voter-verified paper records (vvpr) of ballots cast had grown to 31. Eight other states don’t have a “vvpr” law but only use paper ballots.
U.S. TURNOUT IN 2008 AND HISTORICAL TRENDS

Primary Sources: U.S. Election Project, IDEA

Broad voter mobilization efforts by the presidential campaigns, advocacy groups and nonpartisan voter engagement helped drive voter turnout to 62% of eligible voters in 2008, closely approaching the most recent turnout highs of the Kennedy and Johnson elections in the early 1960s.

- 2008 continued a trend towards higher turnout. This increase in citizen participation follows decades of somewhat lower turnout that began when 18 year olds won the right to vote in 1972 (with the exception of a spike in 1992 when Ross Perot ran an unusually strong third party campaign).
- The participation increase was fueled in part by large increases in voting by young voters 18-29 and Latino and Black voters.
- Factors lowering the turnout rate include lower turnout in many non-battleground states (see chart p.9) high rejection rates for mail-in ballots and a larger than expected number of older voters who didn’t vote.
2008 STATE TURNOUT RANKINGS

In most elections, voter turnout is driven primarily by the importance of the election, political competition, citizen mobilization, a state’s voting procedures and recent local turnout history. In presidential elections, however, it’s a state’s “battleground state” status that can have some of the strongest impact on turnout and 2008 was no exception. Colorado was not only a battleground state, but also had hard fought contests for a U.S. Senate seat and ballot measures, driving turnout to over 70%. Virginia and North Carolina emerged as swing states, while other states became less competitive.

In addition to battleground states, states with Election Day Registration (EDR) had, on average, much higher turnout rates. Minnesota, an EDR state with a steadily diversifying population, remained the turnout leader in 2008 with a record 78.1% of eligible voters casting a ballot.

<table>
<thead>
<tr>
<th>State</th>
<th>VEP</th>
<th>TO</th>
<th>Rank 2008 (2004)</th>
<th>EDR</th>
<th>SS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minnesota</td>
<td>3,721,943</td>
<td>78.5%</td>
<td>1 (1)</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>4,113,565</td>
<td>73.3%</td>
<td>2 (2)</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Maine</td>
<td>1,024,699</td>
<td>72.7%</td>
<td>3 (3)</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>New Hampshire</td>
<td>997,247</td>
<td>72.2%</td>
<td>4 (5)</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Colorado</td>
<td>3,441,907</td>
<td>70.5%</td>
<td>5 (11)</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Iowa</td>
<td>2,199,849</td>
<td>70.2%</td>
<td>6 (6)</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Michigan</td>
<td>7,263,250</td>
<td>69.4%</td>
<td>7 (12)</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Missouri</td>
<td>4,296,592</td>
<td>68.8%</td>
<td>8 (16)</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Alaska</td>
<td>477,763</td>
<td>68.5%</td>
<td>9 (7)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oregon</td>
<td>2,695,058</td>
<td>68.5%</td>
<td>10 (4)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Virginia</td>
<td>5,500,265</td>
<td>68.2%</td>
<td>11 (30)</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Maryland</td>
<td>3,888,726</td>
<td>68.2%</td>
<td>12 (26)</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Florida</td>
<td>12,426,633</td>
<td>68.0%</td>
<td>13 (20)</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Connecticut</td>
<td>2,451,296</td>
<td>67.9%</td>
<td>14 (15)</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Washington</td>
<td>4,535,438</td>
<td>67.7%</td>
<td>15 (10)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ohio</td>
<td>8,541,239</td>
<td>67.6%</td>
<td>16 (9)</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Montana</td>
<td>741,538</td>
<td>67.1%</td>
<td>17 (18)</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Vermont</td>
<td>487,430</td>
<td>67.1%</td>
<td>18 (13)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Jersey</td>
<td>5,844,477</td>
<td>66.9%</td>
<td>19 (23)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Massachusetts</td>
<td>4,652,749</td>
<td>66.7%</td>
<td>20 (21)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>North Carolina</td>
<td>6,551,412</td>
<td>66.5%</td>
<td>21 (37)</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Delaware</td>
<td>622,664</td>
<td>66.4%</td>
<td>22 (22)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>North Dakota</td>
<td>486,871</td>
<td>66.0%</td>
<td>23 (17)</td>
<td>NR</td>
<td></td>
</tr>
<tr>
<td>Wyoming</td>
<td>389,304</td>
<td>65.8%</td>
<td>24 (14)</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>9,363,381</td>
<td>64.9%</td>
<td>25 (25)</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>South Dakota</td>
<td>596,635</td>
<td>64.7%</td>
<td>26 (8)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Turnout is the percent of the Voting Eligible Population who cast a ballot that was counted on or before Election Day (including those provisional votes and other votes validated post-election). A few states report only total votes counted for the highest office race (President). For those states, we add a standard 1% residual vote rate in order to arrive at an estimate of total ballots cast. Primary source: U.S. Election Project. Swing states based on spending, candidate appearances (see p.8-9). * NC combines EDR and One Stop Early Voting.
Looking at turnout growth turns the spotlight from high turnout states like Minnesota to states like North Carolina or Virginia where participation rose sharply over 2004. The impact of higher turnout among black voters (AL, DC, etc.) and Latino voters (CA, NV) can be seen in the charts below. We also see the likely impact that having a native son on the ticket in President Obama’s home states (IL, HI) had on turnout, and how a change to battleground state status (NC, VA, IN) can improve turnout. Overall:

- 26 states achieved their highest voter turnout since the U.S. Election Project began tracking state by state turnout in 1980. Not a single state recorded its lowest turnout.

- The adjacent states of North Carolina, South Carolina and Virginia were leaders among states that improved their voter turnout between 2004 and 2008, with increases of 10.8%, 9.8% and 9.9% respectively after adjusting for growth in the states’ voting eligible populations.

- Turnout in North Carolina benefited from “one-stop” voting, which allowed voters to register and vote at the same time throughout its early voting period.

- Being a new swing state boosted turnout in Indiana, Virginia and North Carolina, while Washington, Oregon and Maine became less important Electoral College battlegrounds.

<table>
<thead>
<tr>
<th>State</th>
<th>Gain</th>
<th>Increase in Voters</th>
<th>Growth Rank</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Carolina</td>
<td>10.8%</td>
<td>802,122</td>
<td>1</td>
</tr>
<tr>
<td>Virginia</td>
<td>9.9%</td>
<td>529,903</td>
<td>2</td>
</tr>
<tr>
<td>South Carolina</td>
<td>9.8%</td>
<td>300,433</td>
<td>3</td>
</tr>
<tr>
<td>Mississippi</td>
<td>8.9%</td>
<td>138,697</td>
<td>4</td>
</tr>
<tr>
<td>Indiana</td>
<td>8.0%</td>
<td>293,844</td>
<td>5</td>
</tr>
<tr>
<td>Alabama</td>
<td>7.5%</td>
<td>215,305</td>
<td>6</td>
</tr>
<tr>
<td>Georgia</td>
<td>7.5%</td>
<td>646,348</td>
<td>7</td>
</tr>
<tr>
<td>Maryland</td>
<td>6.5%</td>
<td>255,637</td>
<td>8</td>
</tr>
<tr>
<td>Dist of Columbia</td>
<td>6.3%</td>
<td>36,766</td>
<td>9</td>
</tr>
<tr>
<td>Rhode Island</td>
<td>6.0%</td>
<td>34,237</td>
<td>10</td>
</tr>
<tr>
<td>Nevada</td>
<td>5.3%</td>
<td>138,456</td>
<td>11</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>4.6%</td>
<td>175,540</td>
<td>12</td>
</tr>
<tr>
<td>Illinois</td>
<td>4.3%</td>
<td>227,702</td>
<td>13</td>
</tr>
<tr>
<td>Hawaii</td>
<td>4.2%</td>
<td>24,402</td>
<td>14</td>
</tr>
<tr>
<td>Montana</td>
<td>4.1%</td>
<td>41,503</td>
<td>15</td>
</tr>
<tr>
<td>California</td>
<td>4.0%</td>
<td>1,153,810</td>
<td>16</td>
</tr>
<tr>
<td>Connecticut</td>
<td>3.9%</td>
<td>55,452</td>
<td>17</td>
</tr>
<tr>
<td>Michigan</td>
<td>3.6%</td>
<td>163,388</td>
<td>18</td>
</tr>
<tr>
<td>New Jersey</td>
<td>3.5%</td>
<td>272,067</td>
<td>19</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>3.1%</td>
<td>244,686</td>
<td>20</td>
</tr>
<tr>
<td>Louisiana</td>
<td>3.0%</td>
<td>23,262</td>
<td>21</td>
</tr>
<tr>
<td>Colorado</td>
<td>2.9%</td>
<td>277,339</td>
<td>22</td>
</tr>
<tr>
<td>Florida</td>
<td>2.7%</td>
<td>813,424</td>
<td>23</td>
</tr>
<tr>
<td>Missouri</td>
<td>2.7%</td>
<td>189,822</td>
<td>24</td>
</tr>
<tr>
<td>Texas</td>
<td>2.4%</td>
<td>672,612</td>
<td>25</td>
</tr>
</tbody>
</table>

### Notes on the Table

1. Turnout growth is the percent increase or decrease in total turnout of eligible voters compared to the last Presidential Election in 2004—adjusted for the growth in the number of eligible voters in the states from 2004 to 2008.

2. The numerical increase in voters is the total unadjusted for population change.
CAMPAIGN SPENDING AND VOTER TURNOUT
Primary Sources: CNN, Fair Vote, Washington Post

New fundraising records were set in 2008. As usual, most of the millions raised were spent on a small number of voters in a small number of “super battleground states,” evidenced most clearly in the final six weeks of the campaign. After the conventions, the party’s nominees spent little money and made few stops in the vast majority of U.S. states.

- In the final 6 weeks of the campaign, more than 95% of money spent by the candidates on ads was spent in only 15 states, which account for less than 40% the nation’s voting eligible population.

- More than half of that money was spent in the 4 super battleground states: Florida, Ohio, Pennsylvania and Virginia.

- Campaign ad spending correlates closely with the candidates' campaign events during that time period.

- More than 98% of campaign events took place in the same 15 states, with more than half of those events taking place in Florida, Ohio and Pennsylvania.
• In 2008, the 15 battleground states where candidates spent the most money and time- and where campaign organizing and mobilization was more intense- averaged turnout that was seven points higher than in non-battleground states.

• Low turnout in the large non-swing states of California, New York and Texas – home to 40 million eligible voters – was one reason turnout was lower than the most recent 1960 high of the Kennedy-Nixon contest.

The winner-take-all and balkanized dynamics of the Electoral College have a negative impact on voter turnout. Campaigns have no incentive to spend resources in a state that is either securely in their grasp or out of their reach when those resources could be better spent in a state where the outcome is unknown. The number of safe states has increased in the last four elections while the number of swing states has declined, with more and more voters left feeling irrelevant. In 2008, 132 million or three out of five citizen eligible voters lived in a non-battleground state where campaigns rarely visited, spent little to no money and did little organizing.

The civic loss to the 132 million eligible voters in the non-swing states can’t be quantified. Non-swing state voters must leave their state to impact the election. People in non-swing states miss the meaningful opportunity to contact their neighbors or hold events – unless it’s to call voters in swing states! They will not have a major candidate visit and will see less news coverage and fewer ads (like them or not).

Even in battleground states, all are not equal. In all but two states, the presidential election is winner-take-all. That means that, even though mobilizing the base in a state is important, campaigns often end up spending disproportionate resources on a small group of swing, undecided voters. When 95% of campaign dollars go to 15 states and most of those dollars are spent on a small group of undecided voters in those states, tens of millions of voters are left out.

A growing number of states and citizen organizations have taken up the call to replace the Electoral College with a national popular vote. It is time to extend the principle of one person, one vote to our nation’s election for its highest office to ensure every citizen’s vote counts and is campaigned for. For more on a National Popular Vote plan, see section on “National Popular Vote”, p.19.
Election Day Registration allows voters to either update their voter registration or register for the first time and vote on Election Day – all at their polling place.

The newest states to adopt a form of Election Day registration - Iowa, Montana, and North Carolina – all had great success. States that already allow voters to address registration issues when voting include Maine, Minnesota, Wisconsin, New Hampshire, Idaho and Wyoming. North Dakota does not have voter registration.

States that have Election Day Registration have had consistently higher voter participation rates, even after adjusting for all other turnout factors.

- Five of the six top turnout states in the 2008 presidential election (Minnesota, Wisconsin, Maine, New Hampshire and Iowa) are EDR states.
- Overall, in the 2008 presidential election, states with EDR averaged voter turnout 10 points higher than states without EDR.
- This higher turnout in EDR states is consistent with previous presidential elections years (see chart).

Election Day Registration represents an important first step towards universal and automatic voter registration for all eligible citizens. For more, see section on “Expanding Voter Registration”, p.14.
Early voting includes voting early in person, by mail, or dropping off a mail-in ballot on Election Day. The impact of early voting on turnout in presidential elections is difficult to quantify. However, there is no doubt that early voting, particularly early voting in-person, provides low-income and urban voters (those who face the greatest barriers to voting) or any voter, with increased opportunity to vote.

Every state has some form of early voting even if only by-mail and with an excuse. As of the 2008 election, 36 states allowed early voting in-person or by mail without an excuse. For more information, go to the additional early voting section on page 15 of this report.

Early voting continued to grow in 2008, rising from 20% of votes cast in 2004 to 30% of votes cast in 2008, representing about 40 million early voters. For comparison, in 1992 only 7% of voters cast their vote before Election Day. Reasons for this rise include changes in state law that allowed more voters to vote early; greater promotion of early voting by election officials, the campaigns and the media; and increased voter enthusiasm.

- Nearly half of all early voters in 2008 had never used early voting before. For one in 10 early voters, 2008 was their first time voting.
- In 10 states, more than half of all ballots cast were cast early (Colorado, Florida, Georgia, Nevada, New Mexico, North Carolina, Oregon, Tennessee, Texas and Washington)
- Early voting rose most dramatically in Georgia, Colorado, Utah and North Carolina. Each of these states saw an increase in early voting of roughly 30% compared to 2004.
- Higher early voting was credited with smoother election days in Ohio and Florida and other states.
Youth voter turnout in 2008 set a new record since 18-20 year olds gained the right to vote in 1972. It marked the third consecutive presidential election where turnout among young voters 18-29 has risen.

- The total youth turnout is estimated at 22-24 million, or 52-3% of eligible voters aged 18-29, up from 48% in 2004 and 41% in 2000.
- Young voters comprised 18% of the electorate on November 4th compared to 17% in 2004, continuing their steady rise in vote share in 2004, 2000 and 1996.
- A significant factor is higher voting among Latino and black youth and the large share of the youth vote they and other young voters of color represent.

CIRCLE, the leading source on trends in youth voting, notes that increases in young Latino vote and young black vote played a key role in the 2008 overall percentage increases of Latino and black voters.
AFRICAN AMERICAN VOTE

• The African American vote showed a significant jump in 2008 to 13% of those voting in the 2008 election, up from 11% in 2004.

• This represents about 2.6 million more black voters going to the polls in 2008.

• Higher black turnout helped southern states achieve their highest voter turnout in at least 30 years. (Including AL, FL, GA, LA, MS, NC, SC, TN, VA)

LATINO VOTE 2008

Latino voter turnout continued its steady rise due to both population growth and higher voter participation.

• More than 12 million Latino voters cast ballots representing an estimated 9% those voting in 2008, up from 8% in 2004 and 7% in 2000.

• The largest increases in Latino percentage of the electorate occurred in New Mexico (9 point increase), Colorado (5 point increase) and Nevada (5 point increase) – all swing states. (Pew Hispanic Center)

• In the Southwest, voter turnout increased by 10-15% in counties with large Latino populations, such as those encompassing Denver, Las Vegas, Albuquerque and El Paso.

• The Latino vote was again strongly Democratic (67%) after lower than usual support for the Democratic nominee in 2004 (53%).
ELECTION DAY REGISTRATION AND AUTOMATIC VOTER REGISTRATION

In 2008 the problems of voter registration took center stage as once again, several million eligible voters were unable to vote on Election Day due to a registration issue. Amidst a patchwork of laws, procedures and deadlines in 50 states and 3,000 counties, voters wishing to cast ballots had registrations lost, returned or submitted incorrectly by third party registration drives. Many voters, especially newer ones, missed their state’s varying advance deadlines or did not update their address and live in a state with no option to correct a registration issue when voting on Election Day. Others dutifully submitted registrations to their Secretary of State or Department of Motor Vehicles who in the flood of all their other business neglected to forward the information to local election boards.

This voter registration maze contrasts with all other mature and newer democracies, where registration is automatic or universal. Governments use existing contacts with their citizens to ensure citizens are registered to vote and that their registrations are updated when they move. Several U.S. states, though, have found an effective way to achieve the goal of universal voter registration, helping to ensure every eligible voter who wants to vote can do so. It’s called Election Day or “same day” registration. EDR has worked well for decades for states like Minnesota, Wisconsin and Maine, all of whom adopted the practice in the 1970’s. Five other states - Idaho, Iowa, Montana, New Hampshire and Wyoming - followed their lead in the last quarter century. Most recently, North Carolina adopted a version of EDR letting voters register or update their registration and cast their vote at the same time during a 16-day-long early voting period. This “one-stop” voting was one of the main reasons why North Carolina led the nation this year in its increase in voter turnout over 2004.

A FEDERAL DEMOCRACY STANDARD

Election Day Registration has proven successful in every state where it has been adopted, and should be the foundation of a national standard for Universal Voter Registration. In 2009, there is no reason for a state not to provide some version of Election Day registration, whether it’s at the precinct level or at the county election office. Not only does EDR promise citizens a more successful voting experience; it can reduce costs for local government by reducing the number of oft-faulty registrations submitted by third party groups, the processing of which wastes valuable election board time and money. States with EDR also save money on processing and counting provisional ballots, because far fewer provisional ballots are cast when voters can update their registration at their polling place.

EXPANDING VOTER REGISTRATION

• Beyond EDR, there are other valuable proposals to make voter registration more automatic and encourage higher levels of voting and citizenship.
• Register high school students at graduation or when signing up for selective service.
• Register new citizens at swearing in ceremonies.
• Implement the 1993 National Voter Registration Act that ask federal agencies to register people receiving government services.
• Make voter registration opt-out rather than opt-in with the application for or renewal of a driver’s license or other state ID.

“If not for EDR, tens of thousands of voting-eligible Iowans would not have been able to participate in this historic election.”

– Iowa Secretary of State Michael Mauro
EARLY VOTING

Early voting is a growing part of American elections. In the 2008 presidential election, a record breaking 30+ million voters cast their ballots before Election Day, either in-person or through the mail. Millions of others in non-early voting states would have done so as well, had they the option.

Since Tuesday voting was adopted to convenience farmers of the mid-19th century, work day voting has presented problems for many voters. Early voting goes much farther to address these problems than have past alternatives. Extending voting hours has limited effect. Voting on Saturday might make it easier to recruit poll workers, but Saturday is a day when most Americans are running errands, attending sporting events, vacationing, etc. Making Election Day a holiday in presidential election years is not a bad idea, but it is not a solution for the many important primaries, off-year elections and special elections.

A FEDERAL DEMOCRACY STANDARD

Early voting is a relatively new way to vote and best practices for early voting are still emerging. Early voting can be divided into two broad categories: early in-person voting and absentee voting or vote-by-mail.

Early In-Person Voting

This report defines early in-person voting as the option to vote early at a designated early voting site or at a local election office. It could also include delivering a mail in ballot in-person to an election official who can verify the outside envelope is marked correctly. Early in-person voting is generally a better option than absentee voting or vote-by-mail. Recommended are the following three guidelines for early in-person voting:

- Provide fair and good access to an early voting site starting at least 10 but no more than 16 days before Election Day and continuing through Election Day.
- Open on at least two Saturdays or weekends
- Allow early voters with identification the opportunity to update their registration or register for the first time when casting their ballot - as is done in North Carolina.

Absentee Voting or Vote-by-Mail

Vote-by-Mail is growing, but so is the list of potential problems as made strikingly evident most recently when the state of Minnesota had to recount 2.7 million ballots in its 2008 US Senate race. In spite of its numerous problems, vote-by-mail has long been an essential component of early voting, especially for those living in rural areas, unable to leave their domicile or preferring a mail ballot like those who enjoy weighing choices on lengthy ballot measures at home. Recommended are the following:

- Provide voters the option of a mail in ballot without an “excuse”. (Allow the voter to determine need.)
- Help voters avoid simple mistakes completing absentee ballots by, for example, allowing voters to turn in mail-in ballots in person.
- Monitor outside parties involved in collecting or helping voters complete mail-in ballots.

“Early Voting was a huge advantage.”

– Jane Platten, Director, Cuyahoga Board of Elections in Ohio on making for a smoother Election Day
VOTING RIGHTS FOR EX-OFFENDERS

The United States is the only advanced democracy not to restore the right to vote to people leaving prison. An estimated 3.5 million Americans with a felony conviction are barred from voting after completing their prison term and are back living in their communities. Disenfranchisement laws vary widely in the 50 states. These 19th century laws are the only laws left that allow states to choose their own definition of an eligible voter with the potential to sway elections like President and Congress.

While felon disenfranchisement laws have different roots, diluting the voting power of newly freed slaves was one of them. A striking example is the 1890 Mississippi Constitution which included provisions disenfranchising voters convicted of a specific list of crimes like vagrancy associated with ex-slave populations more likely to be homeless. The Mississippi Supreme Court wrote that the new constitution "swept the circle of expedients to obstruct the exercise of the franchise by the negro race... Restrained by the federal constitution from discriminating against the negro race, the convention discriminated against its characteristics and the offenses to which its weaker members were prone...".

Not just a southern issue, New York was accused of doing the same in the 1820’s when it targeted certain crimes for disenfranchisement.

The variance of these laws state to state provides great confusion for anyone with a past conviction. Many people with a recent conviction believe they can’t vote when in fact they often can. 15 states do allow citizen eligible voters to vote as soon as they leave prison as an important start to rehabilitation.

A FEDERAL DEMOCRACY STANDARD

Preventing a free person from voting after leaving prison runs counter to all we know about civic participation and encouraging positive and law abiding behavior. Further, as a core democratic principle, a nation must have one definition of an eligible voter for national elections. For federal elections, the United States should adopt the democratic standard already used in 15 states and standard to all other democracies: Allow and encourage citizens to vote immediately upon leaving prison and re-entering society.

For voter turnout, this national standard would enfranchise the more than three million voters who have completed their prison term and result in more voters. For democracy, voting is rehabilitative. Individuals who vote are far more likely to be involved in a positive way with community life. Studies like one done in the 1980’s and 1990’s in Minnesota demonstrate this as voting is highly correlated with a lower likelihood to commit a future criminal offense by those with or without a past conviction. Society risks permanently alienating citizens from the political process when it uses voting as a punishment - one reason why no other advanced democracy does so after prison.

Fast Facts

Felon disenfranchisement laws came after the Civil War to take away new voting rights of ex-slaves. A conviction may have meant little jail time but it did mean the loss of voting rights for years if not for life.

Today these laws still disenfranchise 13% of African American men, a rate seven times the national average.

Alabama disqualifies voters convicted of a felony involving moral turpitude but has yet to specify what offenses this includes.

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Alabama disqualifies voters convicted of a felony involving moral turpitude but has yet to specify what offenses this includes.
A SMALL DONOR PUBLIC CAMPAIGN FINANCE SYSTEM

In spite of an increase in small donors, candidates still get over 80% of campaign funds from big donors with interests before government. Large donors have a disproportionate opportunity to influence laws, government contracts and more. Citizens of ordinary means and without access to large donors are less likely to run for office. Voters wonder about the value of their vote versus the access large donors get.

A FEDERAL DEMOCRACY STANDARD

Congress has legislation pending that would base federal campaigns of the future on small donations matched by limited public funds. These “small donor systems” already work well in several cities and states. They ban candidates from accepting large donations, establish reasonable spending limits and allow qualified candidates to run a competitive campaign based on small donors incentivized by public funds.

For voter turnout, a small donor/public system can create more competition on a more level playing field, factors known to increase voter participation. For democracy, ending large campaign contributions will help put a stop to both the actual and apparent undue influence of big donors on law and policy and help restore voter confidence in our democratic process.

RANKED CHOICE VOTING/IRV

Healthy political competition is at the heart of democracy’s promise to give voters meaningful choices—the chance to re-elect or replace a candidate or party. Why do the majority of U.S. elections feature so little competition between viable candidates? The primary reason is our two hundred year reliance on a plurality voting method. This method mathematically limits competition to two major parties. Inherited in the 1700’s from colonial England, plurality voting also allows candidates to “win” even when a large majority of voters support other candidates. Its zero-sum contests encourage negative campaigns. Anyone outside the two major parties is immediately labeled a “spoiler” because, without a runoff mechanism, whenever more than two candidates contest a seat, it can and does split votes of candidates with similar views.

A FEDERAL DEMOCRACY STANDARD

There’s a straightforward solution now widely used in countries that, like the U.S., got their voting method from England. Ranked Choice Voting, or Instant Runoff Voting, allows voters to simply rank their choices 1-2-3. It is a more modern version of plurality voting that, though it remains winner-take-all, does require the winner to gain the backing of a majority of voters in the district.

For voter turnout, Ranked Choice Voting eliminates the idea of “throwing your vote away,” one disincentive to voting for those who don’t want their first choice vote to go to one of the two major parties. Because it promotes healthy competition voter participation is likely to be more robust. For democracy, Ranked Choice Voting ensures that the winning candidate is also the majority winner and removes the “spoiler” label for newer or third parties.

Fast Facts

Studies show the largest campaign donors after lawyers and lobbyists come from the securities, finance and real estate industries. Health care and business service are next.

Large campaign donors as a whole represent less than one half of one percent of the voting age population.

Given the option, voters consistently like and prefer ranked choice voting and say that it is easy to use.

Ranked choice reduces negative campaigning as candidates seek to appeal to a broader range of voters who may vote for them as a 2nd or 3rd choice.
NONPARTISAN REDISTRICTING
Every ten years, election districts get redrawn based on the new U.S. Census. Thus begins democracy in reverse! Incumbents use sophisticated software to choose their voters by re-drawing their own district lines so as to include some voters and exclude others. The party in power inevitably seeks safe districts for their own incumbents and less opportunity for opponents. Ethnic groups, minority party voters or low voting groups like students and non-citizens are packed and cracked into districts. It can reduce political competition giving voters fewer truly contested races and less reason to turnout to vote.

A FEDERAL DEMOCRACY STANDARD
Since the Supreme Court decisions of the 1960’s, newly drawn districts must abide by the one person, one vote principle. However, the practice of incumbent legislators choosing their voters remains. Though no nonpartisan system is perfect, the modern British model of a broad-based nonpartisan commission consulting voters, communities and legislators goes far in the right direction to end the practice of intentionally drawing safe districts by political parties and incumbents.

For voter turnout, nonpartisan redistricting could help participation by bringing more competition into elections and reducing the perception that elected officials are undemocratically choosing their voters instead of being chosen by them. For democracy, it would remove partisan politics from election administration, as is done or aspired to in most democracies, including all new ones established with U.S. support, as well as help keep communities together while maintaining the standards of the Voting Rights Act and one person, one vote.

PAPER BALLOT AUDIT TRAIL
The integrity of the vote can be compromised by voting technology that does not have a paper trail. The voter needs something to verify that a piece of paper reflects the choices they made. Above all, it is reasonable to ask how can we have a recount with nothing to recount? An election has little credibility with U.S. voters unless there are paper ballots to recount. This was most dramatically the case in the 2008 Minnesota US Senate race where the ability to examine all 2.7 million ballots cast in the Senate race was crucial.

A FEDERAL DEMOCRACY STANDARD
A voter-verified paper audit trail is the best protection available to guarantee that an individual’s vote has been both recorded and counted correctly by an electronic voting machine (such as a touch screen). Since 2004 the most progress was made on this issue. A law came close to passage in the recent Congress. 32 states have moved ahead with a law of their own that requires and guarantees such a paper trail for their own citizens and another nine states use paper ballots anyway. Paper ballots are also used in the UK, Canada, India and other comparable democracies.

For voter turnout, removing any interference with the integrity of the voting system serves to create greater voter confidence and thereby greater willingness to participate in our electoral system overall. For democracy, creating a paper trail helps to ensure that a technical mistake--either by error or design--will not result in a vote being lost, upholding the democratic principle that every ballot cast is a ballot counted.

Fast Facts
Partisan districting is called “gerrymandering” after the notorious salamander district drawn by Massachusetts Governor Gerry in 1820

The 1965 Voting Rights Act, made illegal the practice of packing of black voters into a few districts to dilute their voting. Vote packing today is more likely to be partisan than based on race.

9 states with computer voting have no mandate for a paper trail.

Online postings of rejected or accepted ballots from the Minnesota Senate race were a hit online, but also critical to the perception of a fair recount.
VOTER ID

The passage of the 2002 Help America Vote Act (HAVA) created a federal standard voter ID requirement of either a photo ID or paper document like a bank statement or utility bill. However, it let states expand on this requirement. Due to the cost and difficulty in both obtaining and updating government photo IDs, these requirements can discriminate against senior, low-income and young voters, all of whom are less likely to have up-to-date IDs. Ostensibly the reason for voter ID laws is to prevent voter fraud; however individual voter fraud has been shown to be virtually nonexistent, and placing an unnecessary emphasis on it serves to detract from the very real roadblocks that thousands of Americans face every Election Day when casting a ballot.

A FEDERAL DEMOCRACY STANDARD

A photo ID requirement for voting cannot work unless these IDs are freely available to all voters and easy to update. It can not be a poll tax where required IDs cost money. ID is a broader civic issue affecting employment, travel and societal access with many issues to resolve. One of the best features of the 2002 Help America Vote Act was its reasonable ID standard. It works fine today in 44 states. Minor adjustments as part of a large bi-partisan election reform package would be reasonable within that standard.

For voter turnout, removing ID as a barrier to voting will help ensure that no voter is prevented from casting a ballot on Election Day due solely to the preventative difficulties of obtaining a valid ID. For democracy, ensuring equal access to the polls by removing unnecessary voter hurdles helps create the free and fair elections necessary to a true representative democracy.

NATIONAL POPULAR VOTE

Every four years CNN and the media reboot their electoral maps and color between the lines - red or blue. Campaigns poll and target the 10-15 “battleground states” most likely to decide the election. A few bigger states like Ohio or Florida emerge as the super battleground states, absorbing half of campaign ads, mobilization expenditures and candidate visits. Meanwhile, over 100 million American voters watch from the sidelines, except to call or visit voters in other states.

The Electoral College was born to hold together a fledgling republic, a compromise between a divided north and south akin to counting non-voting black slaves as three-fifths of a person to boost the representation and electoral votes of slaveholder states.

A FEDERAL DEMOCRACY STANDARD

A bill in Congress would abolish the Electoral College in favor of a national popular vote by Constitutional Amendment. Another way to enact a national popular vote for president (without formally amending the Constitution) is known as the “National Popular Vote Plan.” States sign into law an agreement that they will give their electoral votes to the popular vote winner for the country at large. Once a majority of states have passed this law, the Plan will go into effect and the national popular vote will determine the winner of every presidential election that follows. Illinois, Maryland, New Jersey and Hawaii have signed on, and many more states are considering the bill. For democracy the national popular vote ends a compromise made for slaveholder states and instills the principle of one person, one vote to the election for president. For turnout, it brings the campaign and mobilization to voters in every state.

Fast Facts

- Of all Americans without a driver’s license:
  - One-fifth are 18-24 yrs olds
  - Over onethird are seniors
  - Over 70% are women.

In 2008, The Supreme Court, in a divided ruling, failed to overturn Indiana’s photo ID restrictions. The case has drawn national attention to the partisan intent of these ID laws and potential to discriminate.

A group of nuns were turned away in the 2008 election for lack of photo ID in Indiana

Fast Facts

“The States were divided into different interests not by their difference of size, but by other circumstance ... principally from (the effects of) having or not having slaves.” James Madison, Records of the Federal Convention, 1787

The Electoral College has deemed a candidate President the winner even though in one of four presidential elections that candidate has failed to gain the support of the majority of voters.
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“8 Easy Things Your Nonprofit Can Do to Help Your Community Vote”
“A Nonprofit’s Guide to Giving Rides to the Polls”

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