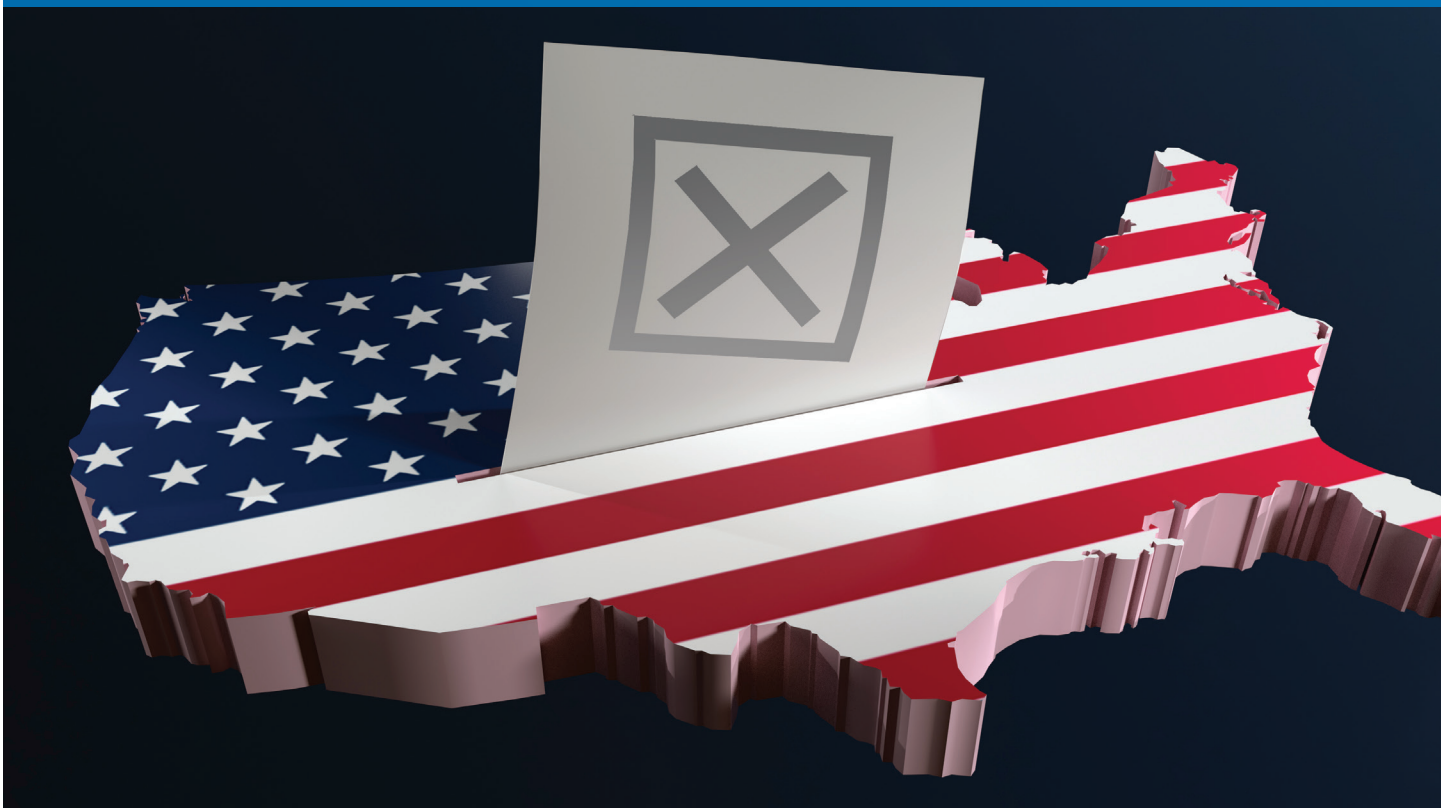


# AMERICA GOES TO THE POLLS 2018

*Voter Turnout and Election Policy in the 50 States*



Prepared by

 Nonprofit VOTE

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### AMERICA GOES TO THE POLLS 2018

*A Report on Voter Turnout and Election Policy in the 50 States  
March 2019*

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**Nonprofit VOTE** partners with America's nonprofits to help the people they serve participate and vote. We are the leading source of nonpartisan resources to help nonprofits integrate voter engagement into their ongoing activities and services.

**The U.S. Elections Project**, founded and directed by Dr. Michael McDonald at the University of Florida, is an information source for the United States electoral system. The mission of the project is to provide timely and accurate election statistics, electoral laws, research reports, and other useful information regarding the United States electoral system. By providing this information, the project seeks to inform the people of the United States on how their electoral system works, how it may be improved, and how they can participate in it. It serves as the official source for national and state turnout rates for biennial national elections.

## INTRODUCTION

History was made in 2018 as voters across the country turned out in numbers not seen in a midterm election in over 100 years. When measured against the voting-eligible population, voter turnout was 50.3%, the highest midterm turnout since 1914 and the largest increase from a previous midterm in U.S. history. Even states without competitive statewide elections saw record turnout, which makes clear that national factors, including support and opposition to the Trump presidency, were driving voters to the polls.

But beneath this record turnout is a more important and informative story – a story this report seeks to tell. Despite the record turnout nationwide, vast differences in voter turnout between states persisted – differences driven largely by election-related policies.

The top 10 states – those with voter turnout averaging 61% – had policies that promote greater participation in our democracy. Seven of the top 10 states had Same Day Registration (SDR) that lets voters register or fix a problem with their registration when they vote. Three of the top ten with Vote at Home (VAH) in place sent all registered voters their ballots that can be mailed in or dropped off at a nearby secure vote site. A relatively new policy, Automatic Voter Registration (AVR), made its appearance in the top 10 and helped many states set registration records.

By comparison, the bottom 10 states had turnout averaging just over 43%, nearly 20 points lower. The vast majority (eight of ten) went to the other extreme by requiring voters to be registered four weeks ahead of Election Day. None of the bottom 10 states had policies like VAH or AVR known to make voting easier, more convenient, and help improve the accuracy of voter rolls.

While the historic turnout of the 2018 elections has captured the nation's attention, the interplay between public policy and voter turnout in each state contains far more valuable lessons for policy makers and advocates across the country. By lifting up these differences and the policies that drive them, we hope this report provides a road map for strengthening our democracy and ensuring that more eligible voters participate and vote... year-after-year.

Brian Miller  
*Executive Director*  
*Nonprofit VOTE*

# EXECUTIVE SUMMARY

## HISTORIC MIDTERM VOTER TURNOUT

The 2018 midterm was a national referendum on the Trump presidency as voters on both sides of the aisle surged to the polls in record numbers.

- **The midterm voter turnout, at 50.3% nationwide, was the highest it has been in over one hundred years,** since 1914.
- Every state except Alaska and Louisiana saw an increase in midterm turnout over 2014.
- **Overall, turnout saw its largest increase over a prior midterm in U.S. history.**

## ELECTION POLICIES DRIVE LARGE TURNOUT DIFFERENCES BETWEEN THE STATES

Despite the nationwide surge in voting, vast turnout differences between states remain. Election policies that made it harder or easier to vote were a major factor in those turnout differences, even more than political competition.

### Same Day Registration

- **Seven of the top ten states with the highest turnout** offer Same Day Registration (SDR).
- **In contrast, eight of the bottom ten states in turnout** cut off voter registration four weeks before the election.
- States with SDR policies had **turnout rates seven percentage points higher** than non-SDR states.

### Vote at Home

- **Three of the four Vote at Home States** – Colorado, Oregon, and Washington – **ranked in the top ten in turnout.** These states send all registered voters their ballot two or more weeks in advance and provide secure and convenient options to return it.
- **Utah, the fourth** and newest state to implement Vote at Home statewide, **led the nation in voter turnout growth over 2014.**

### Automatic Voter Registration

- Since 2016, 17 states and the District of Columbia have enacted automatic voter registration policies.
- The five states\* that reported their AVR registration data saw **their state's list of registered voters increase on average four times more** over 2014 than 22 states without AVR or SDR policy.

\* Alaska, California, Georgia, Oregon, and Vermont

# 2018 NATIONAL TURNOUT

The United States saw historic voter turnout in the 2018 midterm. With all 50 states now reporting official election result, 118,532,829 ballots were cast and counted – 35 million more than the 83.2 million ballots cast in 2014.

- **Voter turnout officially set a 100 year record.** It was the highest turnout as a share of voting eligible population in a midterm since 1914.<sup>1</sup>
- **Voter turnout had its largest increase over the prior midterm in U.S. history** since midterms began in 1790. Final turnout was 50.3% of eligible voters, 13.6 percentage points higher than the 36.7% turnout in 2014.

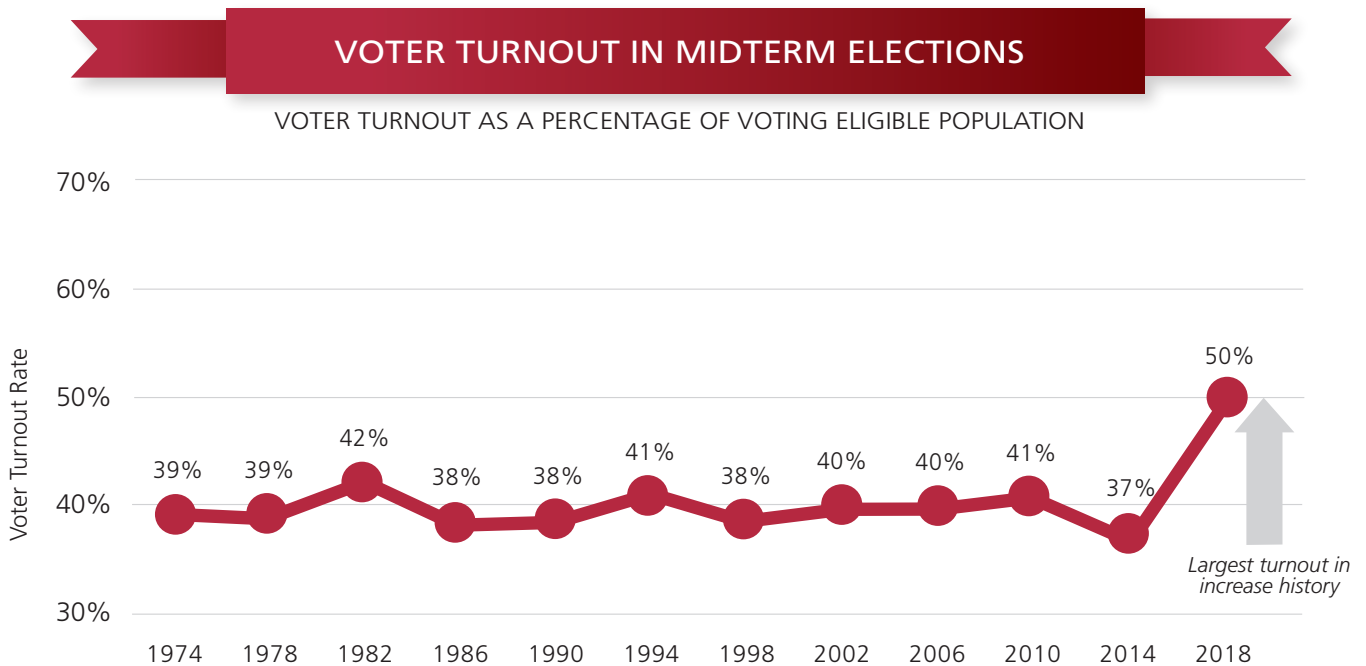


Figure 1

Source: U.S. Elections Project

- **The 2018 midterm was a national referendum on the Trump presidency** driving record midterm turnout in almost all 50 states. Turnout went up in every state but Alaska and Louisiana.
- **35 states had their highest midterm turnout in at least 40 years**, since the U.S. Elections Project started tracking official state turnout in 1980.

<sup>1</sup> National General Election Turnout Rates, 1789-Present, <http://www.electproject.org/national-1789-present>

## STATE ELECTION POLICIES DRIVE TURNOUT DIFFERENCES BETWEEN STATES

Election policies that made it harder or easier to vote were the most visible difference between the states with the highest and lowest turnout states.

- **Nine of the ten highest turnout states** offer Same Day Voter Registration or Vote at Home (Vote by Mail) policies.
- **Eight of the ten lowest turnout states** have registration deadlines four weeks before the election.

### TOP 10 TURNOUT STATES HAVE SAME DAY REGISTRATION AND VOTE AT HOME POLICIES

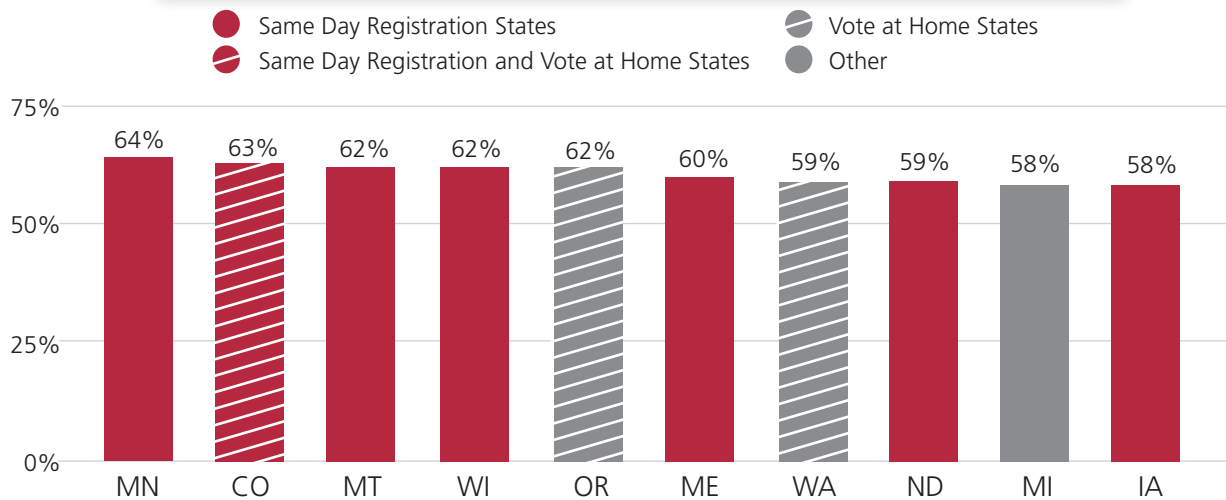


Figure 2

Source: U.S. Elections Project, State election websites

### BOTTOM TEN TURNOUT STATES HAVE FOUR WEEK REGISTRATION DEADLINES

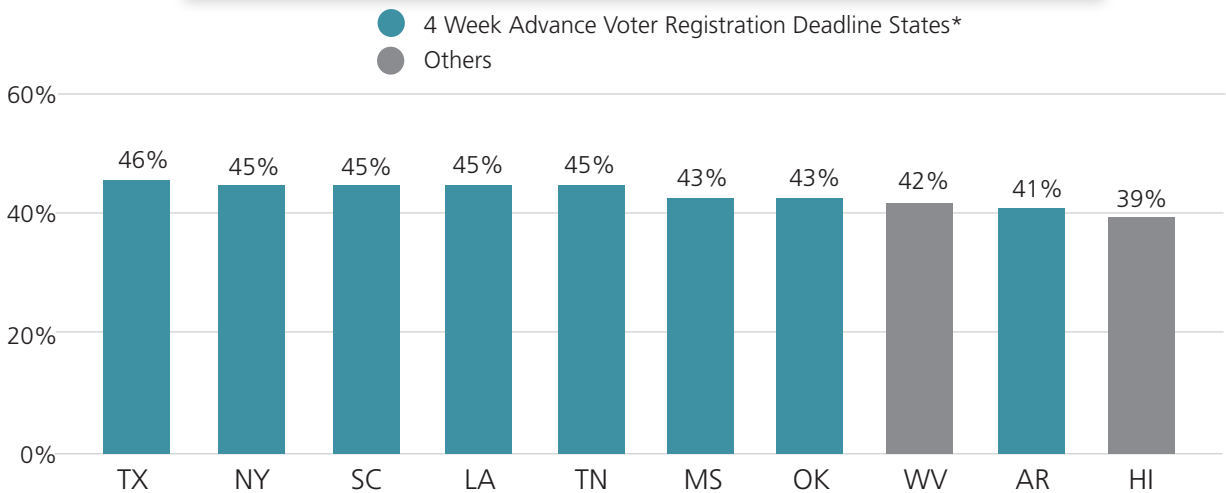


Figure 3

Source: U.S. Elections Project, State election websites

\* 4 Week deadline states include those that had their main voter registration deadline 25-31 days before their election. For more, see methodology, p.37.

## STATE VOTER TURNOUT RANKINGS

### VOTER TURNOUT AS A PERCENTAGE OF VOTING ELIGIBLE POPULATION

VOTER TURNOUT AS A PERCENTAGE OF VOTING ELIGIBLE POPULATION

SDR States\*\*

4 Week Deadline\*

^ Vote at Home (VAH) States

† SDR in Early Voting Only States

STATE	TURNOUT	RANK '18	STATE	TURNOUT	RANK '18	STATE	TURNOUT	RANK '18
Minnesota	64.2%	1	Connecticut	54.4%	18	Kentucky	48.6%	35
Colorado ^	63.0%	2	Maryland†	54.2%	19	Rhode Island	48.1%	36
Montana	62.0%	3	Missouri	53.4%	20	Nevada	47.5%	37
Wisconsin	61.7%	4	So Dakota	53.3%	21	New Mexico	47.3%	38
Oregon ^	61.5%	5	New Jersey	53.1%	22	Alabama	47.3%	39
Maine	60.2%	6	Utah ^	52.0%	23	Indiana	46.9%	40
Washington ^	58.9%	7	Nebraska	51.8%	24	Texas	46.3%	41
North Dakota	58.6%	8	Pennsylvania	51.4%	25	New York	45.2%	42
Michigan	57.8%	9	Delaware	51.4%	26	So Carolina	45.2%	43
Iowa	57.7%	10	Illinois	51.4%	27	Tennessee	45.1%	44
Vermont	55.9%	11	Kansas	51.2%	28	Louisiana	44.8%	45
Georgia	55.0%	12	Ohio	50.9%	29	Dist of Col	43.8%	46
Florida	54.9%	13	Idaho	50.0%	30	Mississippi	42.7%	47
Virginia	54.8%	14	California	49.6%	31	Oklahoma	42.5%	48
New Hampshire	54.6%	15	No Carolina†	49.6%	32	W Virginia	42.5%	49
Alaska	54.6%	16	Arizona	49.1%	33	Arkansas	41.4%	50
Massachusetts	54.6%	17	Wyoming	48.7%	34	Hawaii	39.3%	51

Figure 4

Source: U.S. Elections Project

- **Colorado**, with its highest rank ever, has solidified its place in the top five of national turnout rankings since adopting SDR and Vote at Home policies in 2013.
- **Utah** led the nation in growth in voter turnout in 2018. It was the first year it fully implemented SDR and extended its Vote At Home-Vote by Mail program statewide to cover 98% of all registered voters. *(Full chart on turnout growth in Appendix 1)*
- **Texas**, in spite of having one the nation's closest, most watched, and most expensive U.S. Senate elections, still ranked among the bottom ten in turnout thanks in part to a registration deadline 4 weeks before Election Day.

\* 4 Week deadline states include those that had their main voter registration deadline 25-31 days before their election. For more, see methodology, p.37.

\*\*15 states with full SDR for 2018 election. See Methodology p. 36 for more.

## SAME DAY VOTER REGISTRATION

Same Day Registration (SDR) lets voters with valid ID register or fix a registration issue when they vote on Election Day or during early voting at their poll, election office, or early voting site. *See full description of SDR policy on pages 15-17.*

- **In 2018, average voter turnout in SDR states was seven percentage points higher** than that of Non-SDR states. Even as more states have enacted the policy, their turnout advantage has remained consistently **7-11 points higher** than states without SDR.
- **Seven of the 15 states with SDR were among the top ten states in voter turnout.** All but one had turnout above the national average.
- **The “SDR advantage” has long been cited in political science research.** It is generally estimated that a state is likely to see a three to seven percentage point increase in voter turnout once implemented.<sup>2</sup>
- **In 2018, Maryland, Michigan, and Utah became the latest states to adopt SDR, with Utah implementing it for this election.** This brings the total to 19 states that have SDR.

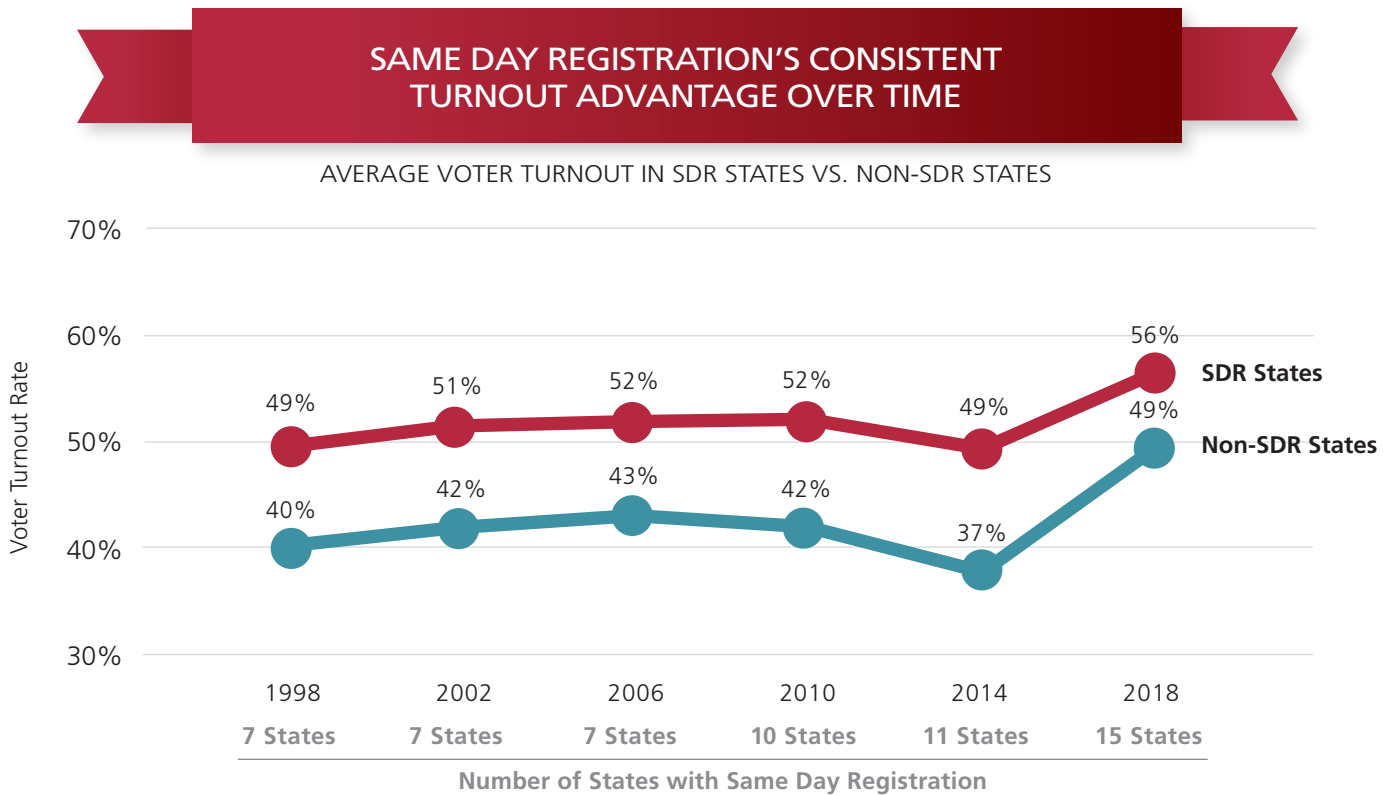


Figure 5

Source: Analysis of U.S. Elections Project data by Nonprofit VOTE

<sup>2</sup> Same Day Registration resource page of the National Conference of State Legislatures, <http://www.ncsl.org/research/elections-and-campaigns/same-day-registration.aspx>



## VOTE AT HOME

### ALSO KNOWN AS VOTE-BY-MAIL

As of 2018, four states send registered voters their ballot at least two weeks in advance of the election, with the option of returning completed ballots at a nearby ballot collection site, by mail, or in-person during early voting or on Election Day. Several more ran pilot programs in 2018. *See full description Vote at Home policy on pages 22-25.*

- **Three of the four VAH states ranked in the top seven of 2018 voter turnout** – Colorado, Oregon, and Washington. The other, Utah, had the highest turnout growth over 2014 of any state.<sup>3</sup>
- **The turnout difference was striking in 2018 state primaries.** Turnout in Vote at Home / Vote by Mail states outperformed states with traditional poll-based voting by 15.5 percentage points.<sup>4</sup>

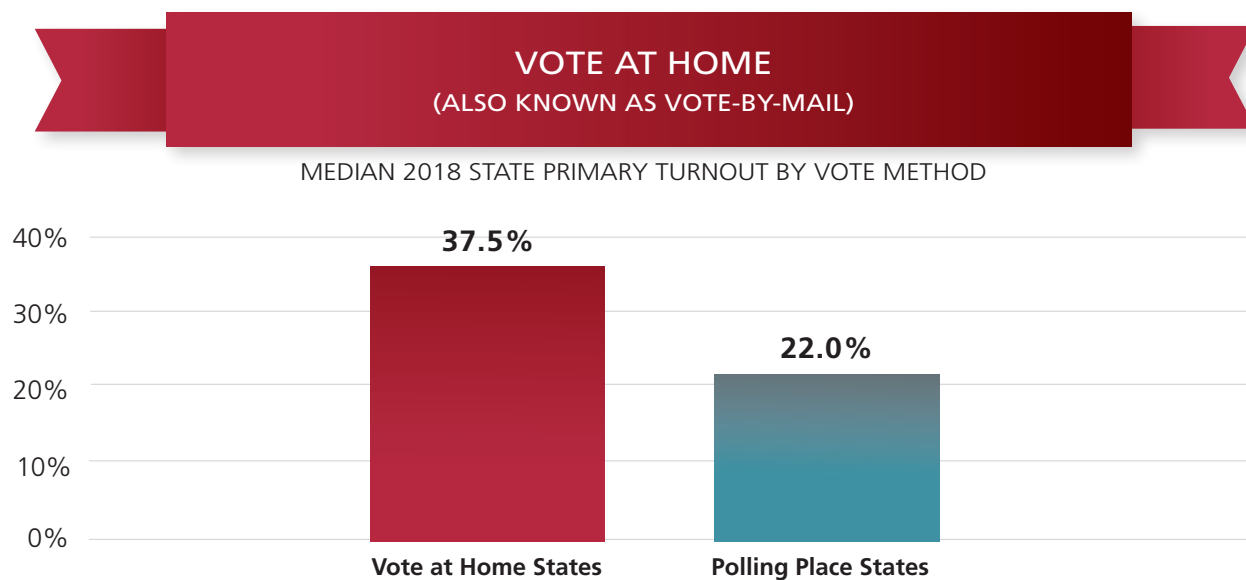


Figure 6

Source: Official state election websites and NVAHI estimates  
VAH states include the states that used 100% mailed-out ballots or states where 60% or more voters used absentee ballot

### More results from states.

- **Anchorage, Alaska** set a turnout record in April 2018 in its first ever VAH election, after sending ballots in advance to all voters.
- **California** started to roll out 100% VAH with five counties in 2018. They easily beat turnout of the other 53 counties in both the primary and general. As the next step, 10-15 counties plan to use VAH in 2020.
- In 2018, a **Nebraska** county ran its May primary by mailed-out ballot. It saw 58% turnout versus 24% statewide. Four counties followed in the midterm with similar results. Now 11 counties are set for 2020.

<sup>3</sup> Appendix, p. XX

<sup>4</sup> VAH 2018 state primary chart, <https://www.voteathome.org/wp-content/uploads/2018/12/2018-Primary-turnout-graph.pdf>

## AUTOMATIC VOTER REGISTRATION

Automatic Voter Registration (AVR) makes registration at motor vehicle and other government agencies an opt-out rather than opt-in activity. AVR automatically enrolls eligible citizens and updates existing registrations unless the person declines the option. *See full AVR description on pages 18-21.*

First used in Oregon in 2016, the policy has spread quickly to 17 states and the District of Columbia. Most have yet to be fully implemented. Five states that have implemented the policy and reported results for 2018 are featured here. In these states, AVR had a large impact on increasing registration rates of eligible voters. As Oregon demonstrated in 2016, that translates into higher voter participation.<sup>5</sup>

- **Registration growth was nearly four times higher in the five states reporting AVR registrations data in 2018** compared to states that lack either AVR or SDR policies.

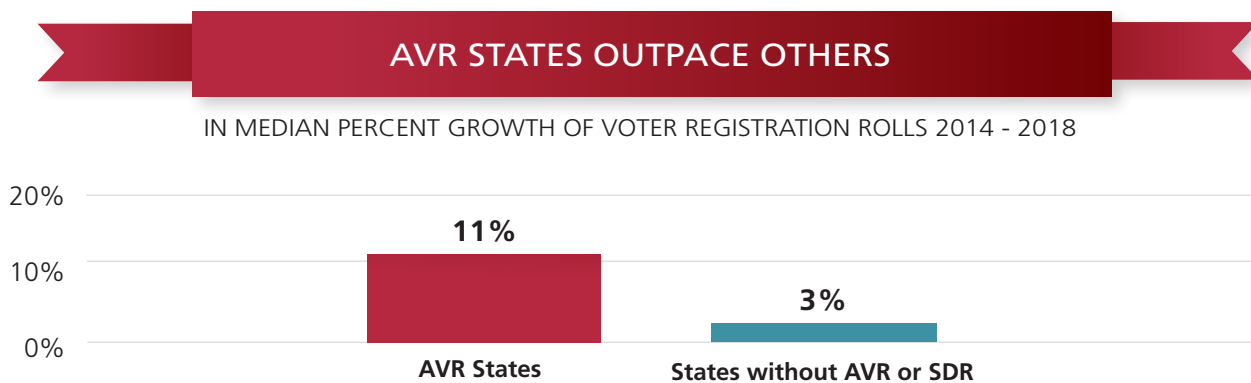


Figure 7

Source: voter registration totals from state election websites. VEP data from the U.S. Elections Project. The chart reflects net growth in registration rates, accounting for percent change in eligible voters

- **Oregon:** In 2016 it registered 272,000 new voters and led the nation in its increase in voter turnout. In 2017 and 2018 the Oregon DMV recorded 303,362 new registrations and 623,188 registration updates.
- **Alaska:** The state incorporated AVR as part of its Permanent Fund Dividend (PFD), a fund to encourage Alaskans to maintain permanent residence. In 2018 the PFD registered 30,499 new voters and updated 310,195 registration records. Even without population growth Alaska’s voter registration rates improved 11 percentage points over 2014.
- **California:** Starting in April the state processed 828,221 new voter registrations, and 330,036 address updates. California had the fifth highest increase in turnout in the nation, rising from 31% in 2014 to 50% this year.
- **Georgia:** In the year before AVR, the Department of Driver Services processed 570 thousand registration-related applications. By 2018, requests had tripled to 1.7 million. Along with record registration rates and turnout, it cited benefits such as applications processed more quickly, fewer election day complaints about voters having to go vote where they were formerly registered, less provisional ballots, and cost savings.
- **Vermont:** In 2018 with AVR the state registered an unprecedented 92.5% of all eligible voters ahead of the 2018 election<sup>6</sup>. Like Georgia it cited benefits such as more people registered with more complete and accurate information and applications easy to process and faster to update for Election Day.

<sup>5</sup> Turnout data for the 2018 for more states will be available this year. For 2016 Oregon turnout see “Who Votes with Automatic Voter Registration”, Center for American Progress, 2017 <https://www.americanprogress.org/issues/democracy/reports/2017/06/07/433677/votes-automatic-voter-registration/>

<sup>6</sup> <https://vt.digger.org/2018/10/16/vermont-hits-record-92-5-percent-voter-registration-ahead-election/>

## ELECTION COMPETITION AND TURNOUT

Historically the states with a competitive statewide election – won by a margin of 10% or less – have had higher turnout. This was not true in 2018.

- **In 2018, voter turnout showed little difference** in states with a competitive statewide race than turnout in states with no statewide competition.
- In contrast, in 2014 battleground states with a competitive race had an 11 percentage point turnout advantage compared to only two points in 2018.

### COMPETITIVE STATES SHOW MINIMAL TURNOUT ADVANTAGE IN 2018

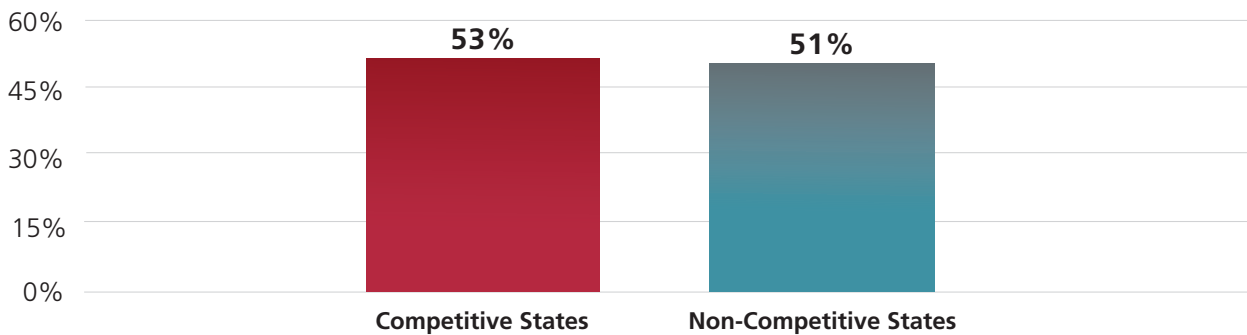


Figure 8

Source: Dave Leip's Atlas of U.S. Presidential Elections

- **A “wave” election brought more competition to House elections.** The number of House seats that were competitive more than doubled over 2016 where only 33 house seats were competitive.
- **Still only one in five House seats (20%) ended up competitive.** The majority were uncontested or won by landslide margins.

### MOST HOUSE ELECTIONS WON BY A LANDSLIDE

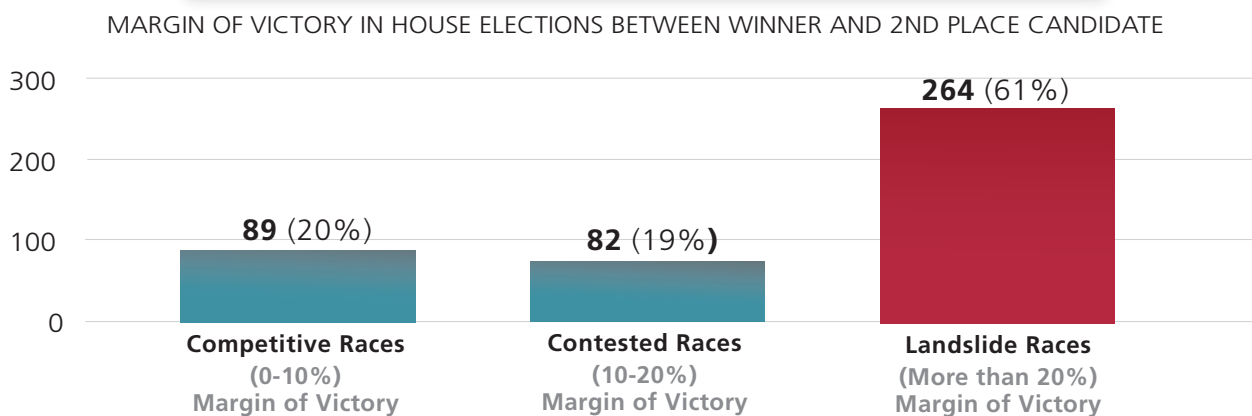


Figure 9

Source: Dave Leip's Atlas of U.S. Presidential Elections

## 2018 VOTER ENGAGEMENT AND MOBILIZATION EXCEED PRESIDENTIAL LEVELS

- **More Latino and Asian-American voters reported being personally contacted about voting or registering to vote** from an organization, campaign, or political party than in the 2016 presidential election, and likely played an important role in the record turnout nationwide.

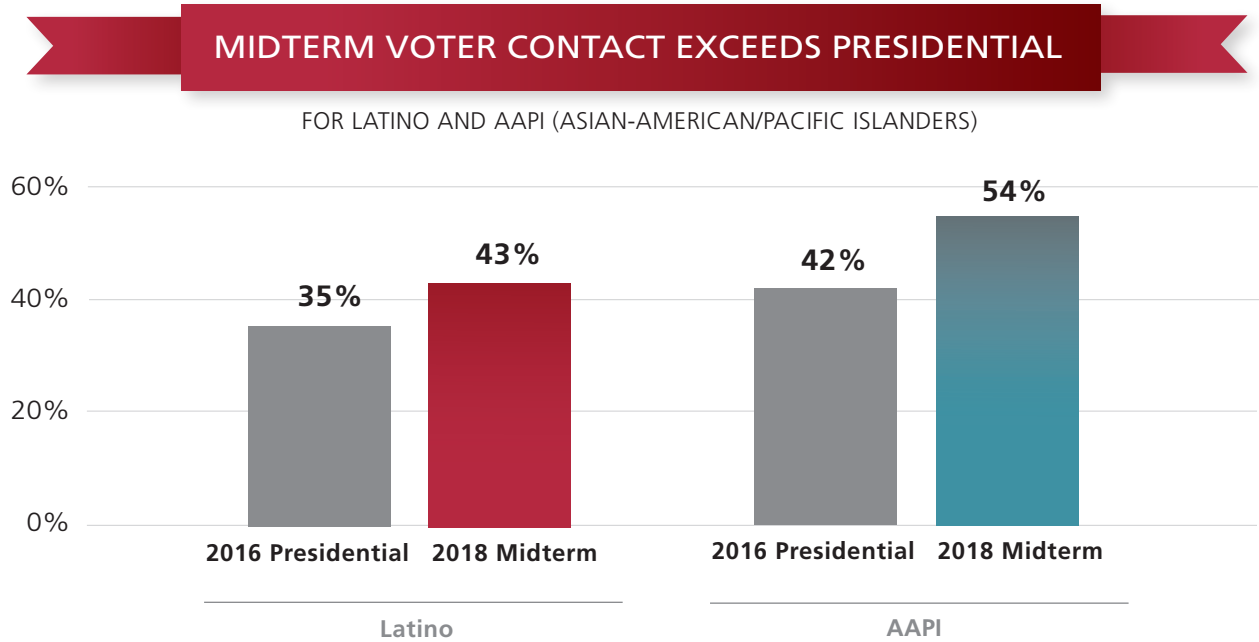


Figure 10

Source: American Election Eve Poll 2018, Latino Decisions and 2016 Election Eve polls by Latino Decisions and Asian American Decisions

- **Community-based organizations played a large role in the 2018 mobilization.** Nearly half of those voters surveyed reported they were contacted by a nonprofit or community organization.

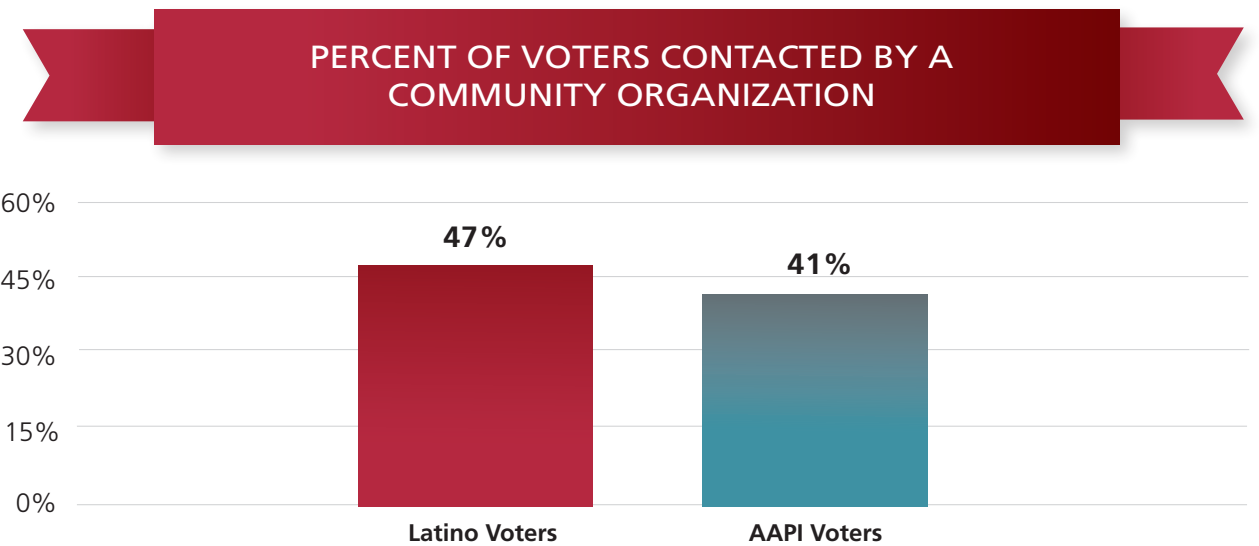


Figure 11

Source: American Election Eve Poll 2018, Latino Decisions

## THE LATINO VOTE

Historic turnout by Latino voters made the Latino vote go up more than any demographic by race or ethnicity and likely influenced the outcome of elections in several states.<sup>7</sup>

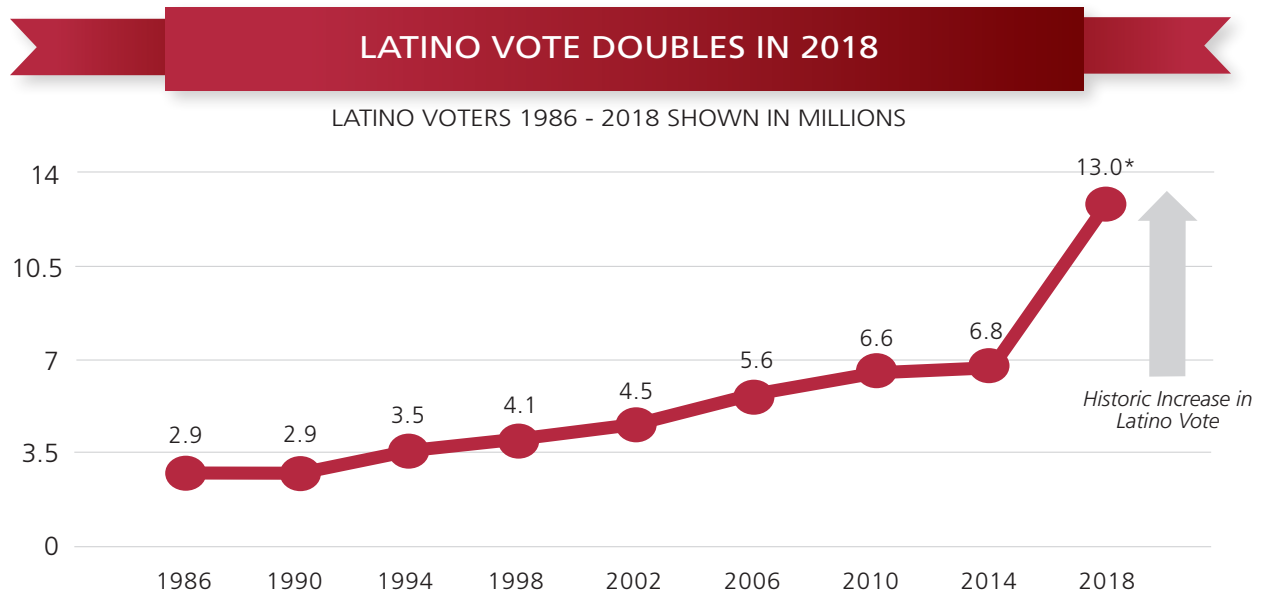


Figure 12

Source: Census CPS estimates reported by Pew Research Center

\* 2018 turnout estimate based on the National Election Exit Poll and Census CPS estimate of voting eligible population.

- A post-election study in eight states with the largest Latino populations showed **voter turnout was markedly higher in the precincts with the most Latino voters** compared to precincts with smaller Latino populations.

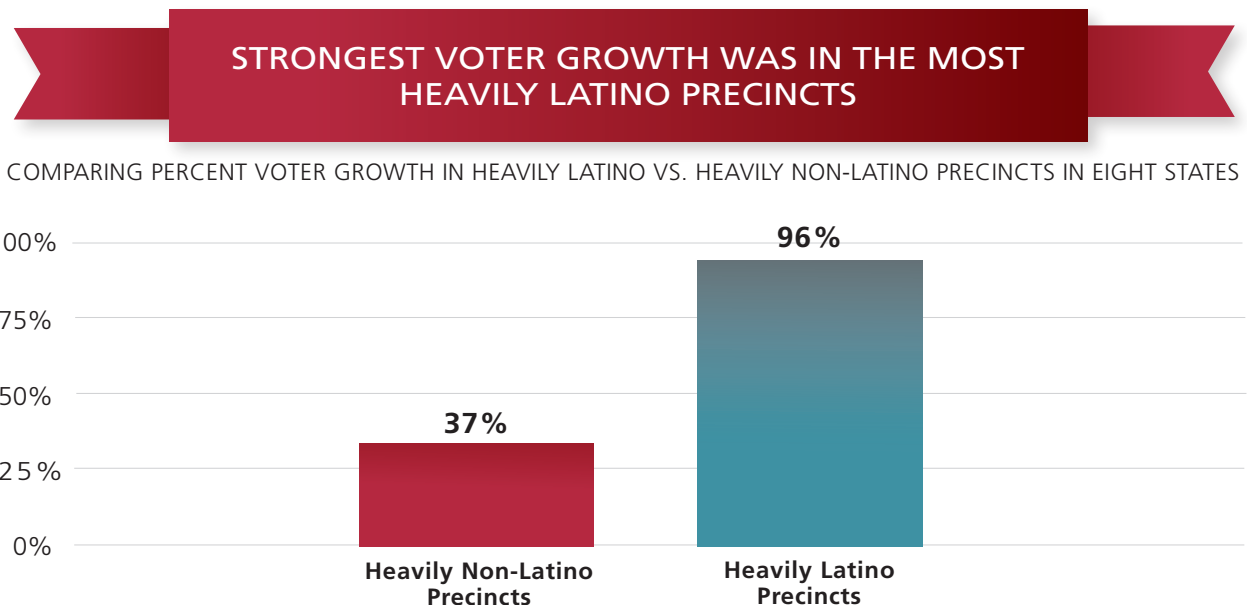


Figure 13

Source: Latino Politics and Policy Institute, The 2018 Latino Vote, [latino.ucla.edu/work/vote/](http://latino.ucla.edu/work/vote/)

<sup>7</sup> Young People Dramatically Increase their Turnout, this was further evidenced in the National Election Exit Poll where the Latino vote showed the highest increase in its share of the vote by race/ethnicity

## THE YOUTH VOTE

Young voters ages 18-29 had their highest turnout in a quarter of a century and an historic increase in voting over a most recent midterm.

- **Voter turnout among young voters ages 18-29 went up an estimated 11 percentage points** over 2014.<sup>8</sup>
- It was the largest increase in the youth vote over the previous midterm since 18 year olds gained the right to vote in 1971.

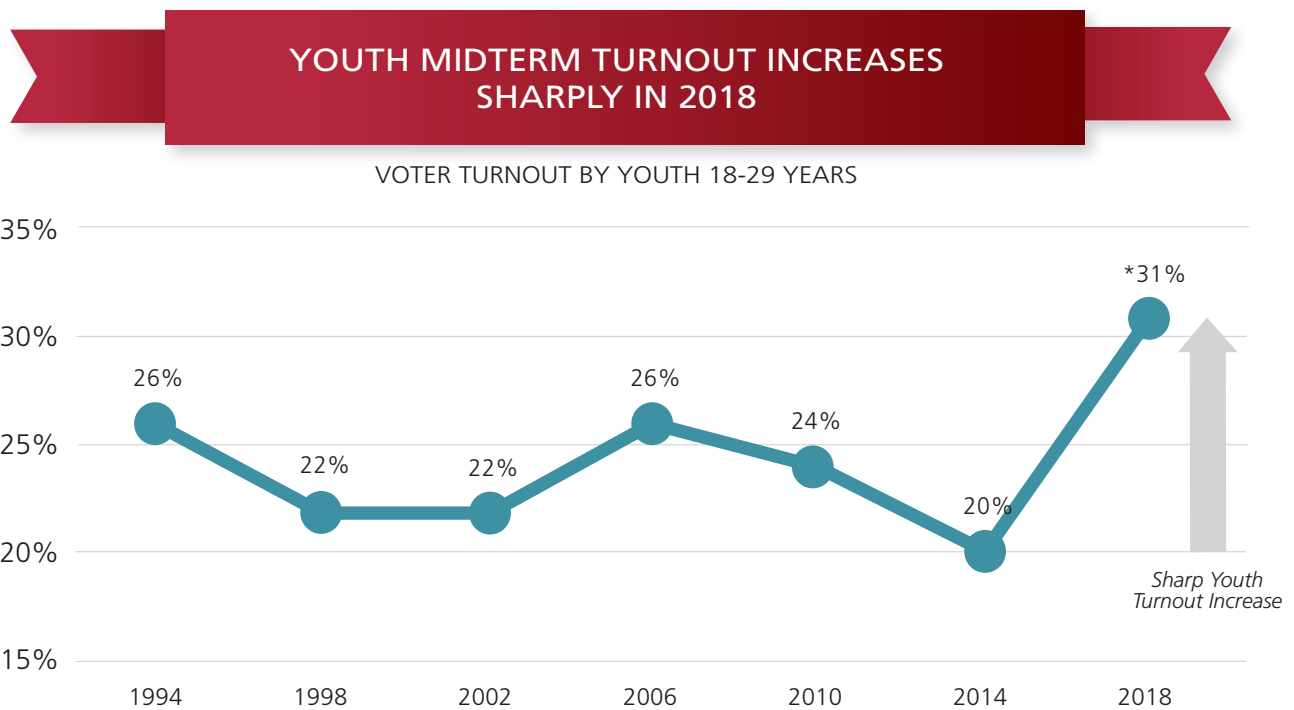


Figure 14

\*2018 turnout estimate based on the National Election Exit Poll and Census CPS  
Source: CIRCLE at the Tisch College of Civic Life at Tufts University

<sup>8</sup> <https://civicyouth.org/young-people-dramatically-increase-their-turnout-31-percent-shape-2018-midterm-elections/>

# MAKING DEMOCRACY WORK

## Policies to Increase Voter Participation, Promote Active Citizenship, and Build Voter Confidence in Elections and Government.

If states are laboratories for democracy, this is no truer than in elections. How you register and vote is largely determined by your state, and no two states do it exactly the same way. The following is a discussion of practical reforms – already implemented in many states – that have shown the promise of making democracy work in the 21<sup>st</sup> century and beyond.

### **SAME DAY VOTER REGISTRATION**

#### **Fixed advance registration deadlines are among the largest legal barriers to voting.**

Advance deadlines that cut off the ability of eligible voters to vote weeks before the election had a purpose when everything was done on paper. The now 19 states that have allowed for Same-Day Voter Registration, dating back to the 1970's, show the justification for fixed cut off is no longer applicable. Today, there is no reason a state should let a registration issue prevent a citizen of voting age from voting.

Today nineteen states and the District of Columbia have Same-Day Registration (SDR) policies and at least three more are set to adopt it. (See Map). SDR allows voters to register and vote on Election Day or during early voting periods. In some states it's only on Election Day. The policies allow voters to register or fix a registration issue when they vote. In contrast, states that cut off registration weeks in advance of the election do not have this opportunity. For more than 40 years, SDR has proven to be an effective, secure, and cost-efficient policy that allows any eligible voter who goes to vote to do so successfully. This increases voter participation in every state that has it.

#### **Preamble of Wisconsin law enabling Election Day registration, 1975**

"The (Wisconsin) legislature finds that the vote is the single most critical act in our democratic system of government; that voter registration was not intended to and should not prevent voting."

## How It Works

Voters with valid ID and proof of residency can register or update their registration when they vote on Election Day or during the early voting period. States differ in how it's implemented. Most offer SDR at the polls. Others, including the vote-by-mail states that don't have traditional polls, do so at a voter service center and local election offices.

## Impact on Turnout

- Over time, voter turnout in states with SDR has consistently averaged 7-12 points higher than states without SDR policies and cut off registration in advance.
- Research cited by the National Conference of State Legislators (NCSL) shows that when a state adopts SDR, even after controlling for other factors, it will see an increase in voter turnout by three to seven points.
- Its impact is higher among young voters (18-35) who move more frequently.<sup>1</sup>

## Benefits and Attributes

- Ensures that any eligible voter, regardless of registration status, can vote.
- Increases voter confidence among all voters, especially first-time voters, when they make the effort to vote early or on Election Day they can have their vote count and their voice heard.
- Allows voters to fix any and all errors made by third party registration drives, election officials, government agencies, or by themselves – including when their name has been removed from the rolls.
- Eliminates the cost and need for provisional ballots.
- Increases accuracy of registration rolls since all SDR registrations are overseen by election officials.

## Recommended Practices

SDR works best when:

- It is available at the polls or a vote center rather than only at an election office.
- It does not require a second trip to another site, often not feasible for voters due to work or transportation issues.
- Election workers are trained to carry out and expedite the process.
- There is public education in advance on the availability and opportunity to register.

## Resources

National Conference of State Legislatures,

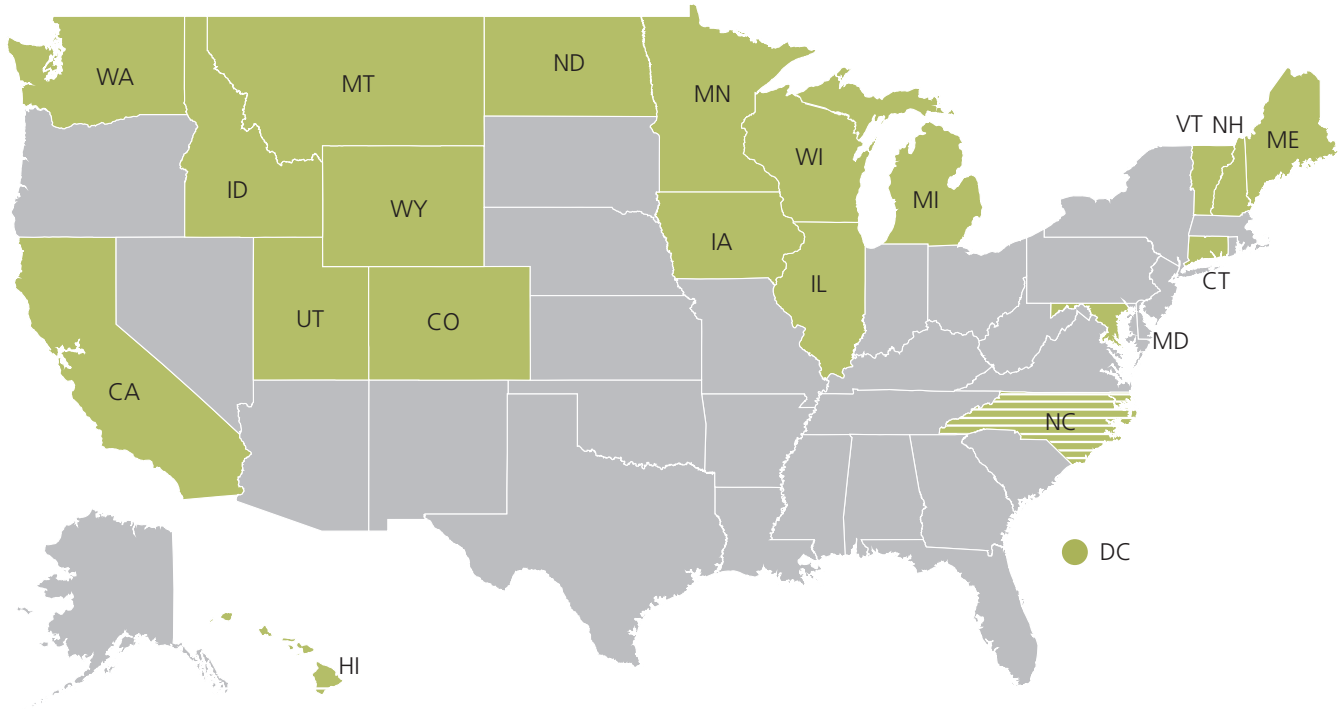
<http://www.ncsl.org/research/elections-and-campaigns/same-day-registration.aspx>

*SEE STATE MAP for a list of states that offer SDR and first year used in a national election.*

<sup>1</sup> Alvarez and Nagler, Election Day Registration in California, 2011 [http://www.demos.org/sites/default/files/publications/CA\\_EDR\\_Report-Demos.pdf](http://www.demos.org/sites/default/files/publications/CA_EDR_Report-Demos.pdf)



STATES WITH SAME DAY VOTER REGISTRATION



● SDR States      ■ SDR in Early Voting Only

States with Same Day Registration and Year Implemented

Before 1990	2010-2018	Start Date Pending for 2019-2020
<ul style="list-style-type: none"> <li>Maine</li> <li>Minnesota</li> <li>North Dakota*</li> <li>Wisconsin</li> </ul>	<ul style="list-style-type: none"> <li>California</li> <li>Colorado</li> <li>Connecticut</li> <li>D.C.</li> <li>Hawaii</li> <li>Illinois</li> <li>Montana</li> <li>Utah</li> <li>Vermont</li> </ul>	<ul style="list-style-type: none"> <li>Maryland</li> <li>Michigan</li> <li>Washington</li> </ul>
1990-2008		2008
<ul style="list-style-type: none"> <li>Idaho</li> <li>Iowa</li> <li>New Hampshire</li> <li>Wyoming</li> </ul>		<ul style="list-style-type: none"> <li>North Carolina*</li> </ul> <p><i>*Early Voting Only</i></p>

For additional background: National Conference of State Legislatures: Same Day Registration

## AUTOMATIC VOTER REGISTRATION

To promote voter participation and maintain up-to-date voter rolls, advanced democracies automatically register those eligible to vote once they reach voting age.

In 2016, Oregon became the first U.S. state to implement Automatic Voter Registration (AVR), changing voter registration at motor vehicle departments from opt-in to opt-out. Sixteen more states have adopted AVR at motor vehicle departments and other government agencies. These programs automatically register eligible citizens during driver's license or state ID transactions or at other government agencies – unless the person declines the option. This updates “motor voter” registration instituted as part of the National Voter Registration Act of 1993.

AVR has proved to be an impactful and effective complement to policies like Same-Day Voter Registration and Online Voter Registration. Together, these policies expand registration rates while also creating more accurate and up-to-date voter registration rolls.

### How it Works

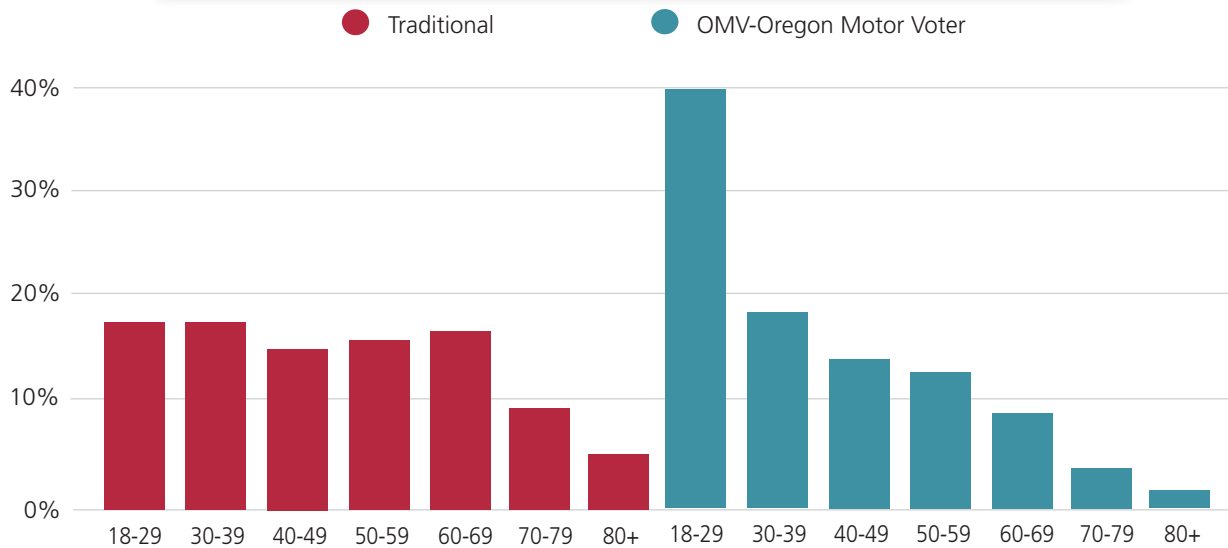
- AVR makes voter registration “opt-out” instead of “opt-in.” Eligible citizens who interact with government agencies are registered to vote or have their existing registration information updated unless they affirmatively decline.
- Depending on the state policy, voters can opt-out in response to a notification sent either after or during the transaction. Oregon and Alaska send mailers to all enrolled registrants with the option to choose a party affiliation or to opt-out. If no mailer is returned after some period of time, the individual is then registered. Other states like California and Colorado do the opt-out in person.
- Registration is fully automatic in agencies like motor vehicles that can confirm citizenship.
- If citizenship can't be confirmed or in states with laws that bar ex-offenders from voting post-release, AVR can still take place effectively, but eligibility must be confirmed during the transaction in person by the registrant.
- Most states transfer the data electronically to election officials. Some use paper registrations.

### Impact on Turnout

Realizing the full turnout benefit of AVR will take time because only a portion of voters interact with motor vehicles and other agencies included in AVR in any given year. However, initial registration data and related studies show a promising impact.

- As shown in the five states highlighted on page 11, AVR expands the number of registered eligible voters who may not have registered or voted otherwise.
- For now Oregon’s 2016 experience is the only source of turnout data until researchers are able to analyze data on who voted for 2018 later this year. In Oregon AVR over a third of AVR registrants voted – lower than average but with a net impact on turnout both positive and statistically significant.<sup>2</sup>
  - Oregon led the nation in its growth in voter turnout in 2016, even though it neither was a battleground state nor had a competitive statewide election.<sup>3</sup>
  - More than 272,000 new registrants were added to Oregon’s voter rolls. More than 98,000 (36%) of them voted.
  - 116,000 (43%) of those who became registered were unlikely to have done so otherwise.<sup>4</sup> Another 260,000 voters had their addresses updated through AVR.
  - Over 37% of AVR voters were ages 18-29. In comparison, only 13% of traditional voters were ages 18-29 as the chart shows.

### AGE COMPOSITION OF TRADITIONAL AND OMV 2016 OREGON REGISTRANTS



Source: Who Votes with Automatic Voter Registration, Authors' analysis of Oregon voter list, obtained from Oregon Secretary of State Dennis Richardson, "Request for Voter List," available at <http://sos.oregon.gov/elections/Pages/request-for-voter-list.aspx> (last accessed January 2017)

<sup>2</sup> Who Votes with Automatic Voter Registration, Center for American Progress, 2017, <https://www.americanprogress.org/issues/democracy/reports/2017/06/07/433677/votes-automatic-voter-registration/>  
<sup>3</sup> <https://www.nonprofitvote.org/documents/2017/03/america-goes-polls-2016.pdf/>  
<sup>4</sup> Ibid, Who Votes with Automatic Voter Registration

## Benefits and Attributes

- Increases accuracy of information on voter rolls, such as names and addresses.
- Once they are on the voter rolls, helps low-propensity voters get more education and become more engaged through contact with candidates and campaigns.
- Saves states and counties time and the costs of processing registrations.<sup>5</sup>
- Increased participation of younger, less-educated, and/or lower-income voters.
- Enrolls voters who wouldn't otherwise be contacted to register and vote.

## Recommended Practices

States can provide opt-out options one of two ways:

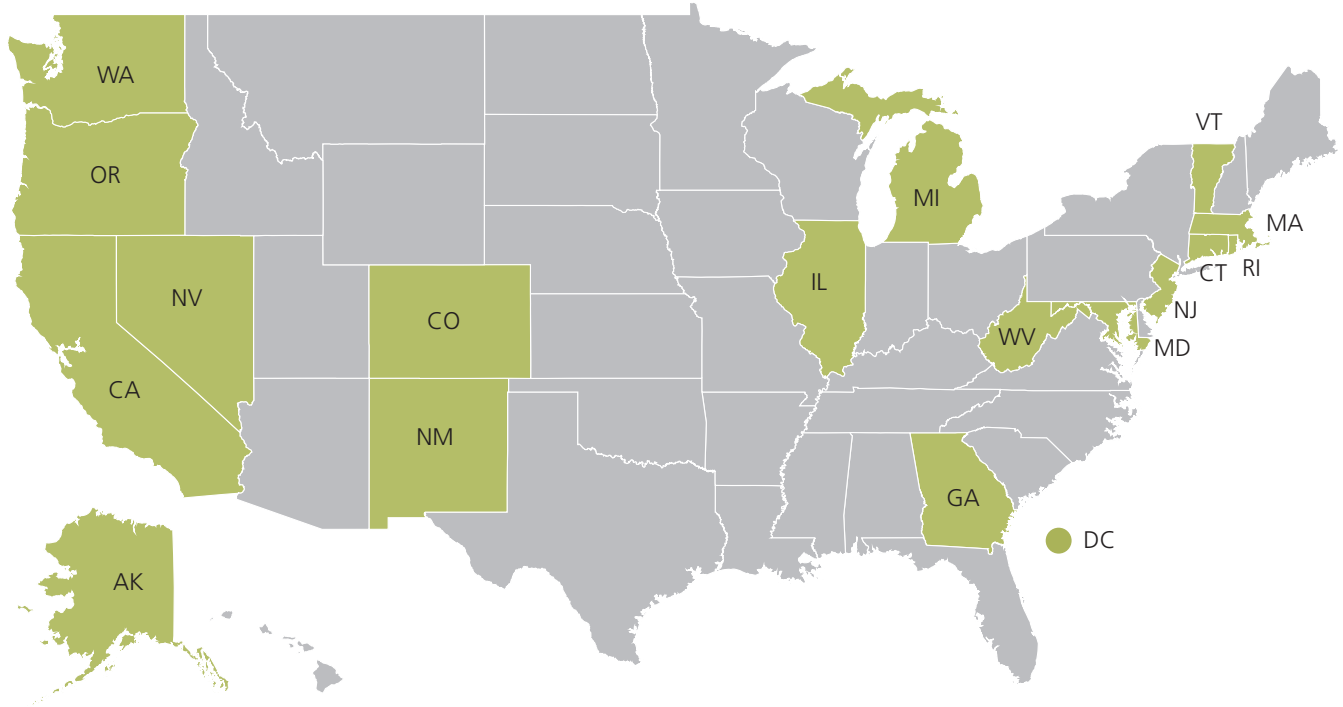
- In a confirmation mailer to the registrant after the transaction to allow them to opt out and choose a party affiliation. This has the advantage of lower declination rates and giving voters more time to consider the option.
- In person during the transaction depending on their laws regarding ex-offenders, confidentiality concerns for domestic violence survivors, and the ability of the department of motor vehicles or other agencies to confirm citizenship.
- States can reach a broader population using other government agencies to also implement AVR such as in health care enrollment sign-up for other benefits and services.

## Resources

- Who Votes with Automatic Voter Registration, Center for American Progress, [americanprogress.org/issues/democracy/reports/2017/06/07/433677/votes-automatic-voter-registration/](https://americanprogress.org/issues/democracy/reports/2017/06/07/433677/votes-automatic-voter-registration/)
- Brennan Center for Justice, [brennancenter.org/issues/voting-rights-elections](https://brennancenter.org/issues/voting-rights-elections)
- Center for Modern and Secure Elections, [modernelections.org/](https://modernelections.org/)
- National Conference of State Legislatures, Automatic Voter Registration, [ncsl.org/research/elections-and-campaigns/automatic-voter-registration.aspx](https://ncsl.org/research/elections-and-campaigns/automatic-voter-registration.aspx)

<sup>5</sup> Chapin, Kuennan, The Cost (Savings) of Reform: An Analysis of Local Registration-Related Costs and Potential Savings Through Automatic Voter Registration, [vote.org/wp-content/uploads/registration-related-costs\\_030817.pdf](https://vote.org/wp-content/uploads/registration-related-costs_030817.pdf)

**AUTOMATIC VOTER REGISTRATION**



Source: National Conference of State Legislators

*Automatic Voter Registration and Year Implemented*

State	Year of Implementation	State	Year of Implementation
Alaska	2017	Michigan	2019*
California	2018	New Jersey	2018
Colorado	2017	Nevada	N/A
Connecticut	2016	New Mexico	N/A
District of Columbia	2018	Oregon	2016
Georgia	2016	Rhode Island	2018
Illinois	2018	Vermont	2017
Maryland	2019*	Washington	2019*
Massachusetts	2020	West Virginia	2019*

\* anticipated

## VOTE AT HOME

### THE CONVENIENCE OF GETTING YOUR BALLOT IN ADVANCE... AND RETURNING IT WHEN AND HOW YOU WANT.

In the 2018 election, a record 42 million ballots were mailed out to voters in all 50 states. In three states (Colorado, Oregon, and Washington), every active registered voter was automatically mailed a ballot, as were 100% of voters in nearly 70 counties in California, Nebraska, North Dakota, and Utah where 98% of voters received ballots in advance.

- Since the first three states adopted the Vote at Home program, this promising reform has received high marks from voters and election administrators alike. Now it's spreading to other states.
- Voters like getting their ballots in advance at home. It gives them time to review and understand their choices and the convenience of returning it the way they want; at a nearby drop box, by mail, or at a voting location on Election Day.
- VAH should not be confused with absentee voting. Standard absentee voting requires voters take the added step of applying for an absentee ballot every election or every year with more limited options, mainly mail, to return it. Some states also offer voters the option of permanent absentee status.

#### How it Works

- Registered voters automatically receive their official ballot 2-4 weeks before the election by mail, with each envelope bar coded (both outbound and return) to the individual voter. If needed, they can order a replacement ballot online.
- Voters may return the ballot to a secure and convenient local drop-box or by mail. Colorado also allows voters to register as well as vote or drop off their ballot on Election Day or in early voting at vote centers. See a report on Mailed-Out Ballot Return Choices. <https://www.voteathome.org/wp-content/uploads/2018/12/Optimizing-ballot-return-choices.pdf>

#### Turnout Impact

There is mounting evidence of its impact in state turnout rankings, with a growing body of supporting research.

##### *TURNOUT RANKINGS AND GROWTH*

- In the 2018 midterms, three of the four Vote at Home (VAH) states that mail all voters their ballots before the election – Colorado, Oregon, and Washington, were in the top seven of turnout. The three states had over 10% higher turnout on average than the remaining 47 states.
- In the 2018 state primaries, the broader range of VAH-centric states exceeded the median turnout of the polling place states on average by 15.5 percentage points.<sup>6</sup>

<sup>6</sup> Primary turnout in "ballot-delivery" states 2018 <https://www.voteathome.org/wp-content/uploads/2018/12/2018-Primary-turnout-graph.pdf>

## RESEARCH

- *Utah*: A study of Utah’s 2016 election showed the 21 counties that mailed ballots to all registered voters before the election outperformed the eight counties with traditional polling place-based voting by five to seven percentage points in turnout. Low-propensity voters, including young voters, showed the greatest increase at a 10% lift. In 2018, Utah expanded VAH to 98% of the state, one reason Utah led the nation in overall turnout growth.<sup>7</sup>
- *California*: In five of its 58 counties, California started the roll-out of sending all voters ballots automatically in 2018. These counties used the “Colorado model” and let voters return ballots by mail at drop boxes or voter centers that also offered same day registration. Together, the five counties – with a combined population larger than many states – had the second highest turnout in the 2018 state primaries. In the general election, these counties easily beat the average turnout rates in the rest of the state. It is expected the roll-out will include include 10-15 counties in 2020.
- *Washington*: A 2013 study in Washington found that the state’s adoption of Vote-by-Mail (VBM) increased turnout in all types of elections by an aggregate of two to four percent.<sup>8</sup>
- For more results from *Alaska, New Mexico, Nebraska* and other states go to: [voteathome.org/wp-content/uploads/2019/01/What-a-Year-for-VAH.pdf](https://www.voteathome.org/wp-content/uploads/2019/01/What-a-Year-for-VAH.pdf).

## Benefits and Attributes

- Receiving a ballot at home 2-4 weeks before Election Day means that voters have more time to study and understand their choices.
- It can increase “down ballot” voting for state or local races, especially among regular voters. A Utah study showed a 5.5% increase in down-ballot voting in VAH counties.
- Transportation and polling place challenges are mitigated.
- It lowers costs and reduces the need for provisional ballots<sup>9</sup>. It also reduces difficulties related to finding one’s polling place and navigating the voting process.
- Young and diverse voters may participate at higher rates, since they’ve been shown to participate at equal or higher rates in VAH states<sup>10</sup>, often increasing their participation at every level of election <sup>11</sup>.

<sup>7</sup> Utah 2016: Evidence for the positive turnout effects of “Vote At Home

<https://www.voteathome.org/wp-content/uploads/2018/12/Utah-2016-Voter-File-Analysis-Pantheon-Analytics.pdf>

<sup>8</sup> Gerber, et al, Identifying the Effect of All-Mail Elections on Turnout, Political Science Research and Methods, 2013, <http://dx.doi.org/10.1017/psrm.2013.5>

<sup>9</sup> Down Ballot Voting: <https://www.voteathome.org/wp-content/uploads/2019/01/Utah-2016-Downballot-Analysis-FINAL-Pantheon-Analytics.pdf>

<sup>10</sup> Cost Savings: <https://www.voteathome.org/project/cost-savings/>

<sup>11</sup> Gerber, et al, Identifying the Effect of All-Mail Elections on Turnout, op cit.

## Recommended Practices

- Provide convenient secure drop boxes that are open 24 hours and near places of business, (e.g., malls and libraries) to maximize opportunities to return the ballot. Voters often prefer the in-person drop-off option to mail.
- Maintain in-person voting options in early voting and on Election Day. In addition to drop boxes and mail, the “Colorado model” provides options for in-person voting at early voting sites or at voter centers. At these locations, a person can both fix a registration issue and vote on a regular ballot or just return a filled out mail ballot. For this reason, Same Day Registration and Vote-at-Home are policies that work well together.
- Address the cost of postage which can be an issue for those unable to get to a local drop box. States should consider a postage-paid return like Washington and California.<sup>12</sup>
- Offer a tool that allows voters to track their mail ballot. Ballot tracking tools like [Ballot Trace](#) used by Denver and Ballot Scout let voters follow their ballot through the entire process. They are well tested and help voters feel confident that their vote will be counted.

## Other Resources

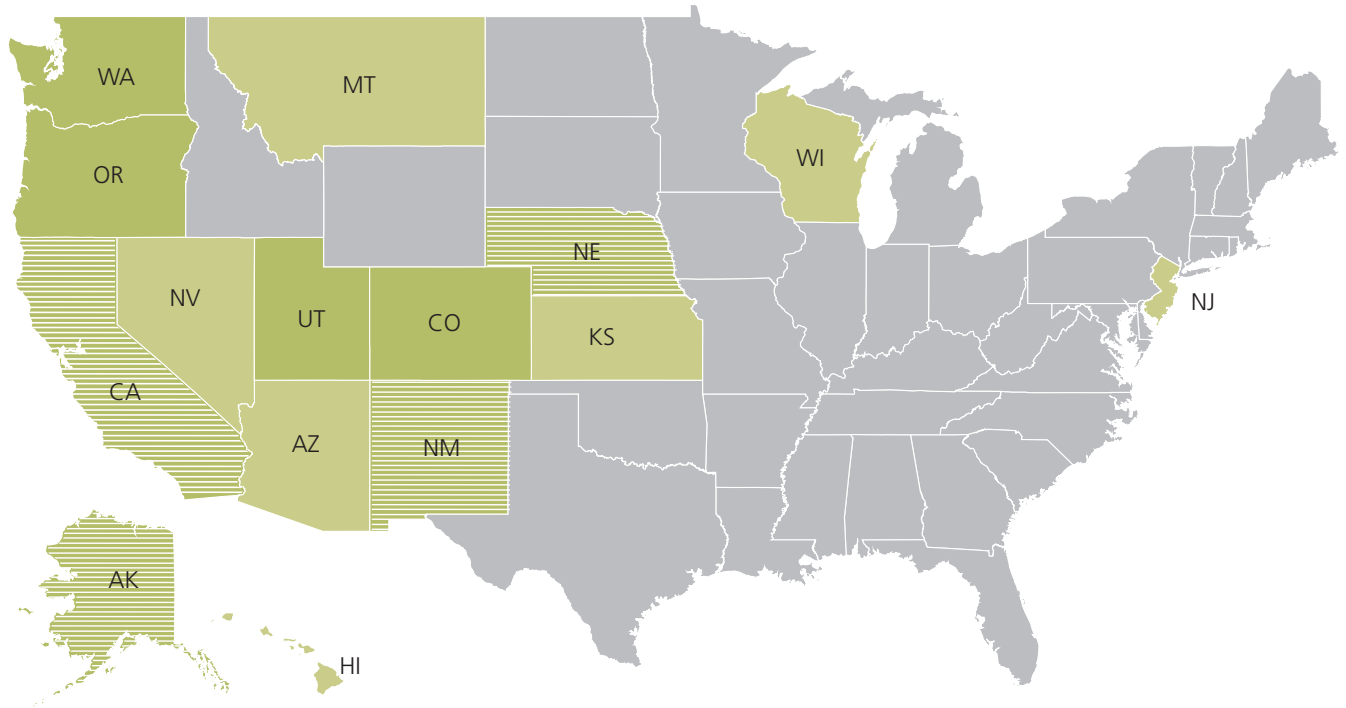
- [Voteathome.org](#): The leading source of Vote at Home resources and guidance.
- Vote at Home Reference Library: <http://www.voteathome.org/wp-content/uploads/2019/02/NVAHI-Reference-Library-v2.pdf>
- Connecticut report on implementing Vote at Home (Vote by Mail): Assessing the requirements to implement a robust program. <https://www.voteathome.org/wp-content/uploads/2019/01/Voting-by-Mail-Report-Pursuant-to-CT-EO-64.pdf>
- Ballot Trace: <https://www.denvergov.org/content/denvergov/en/denver-elections-divison/voter-election-information/ballot-trace.html>

**VOTE**  **HOME**

<sup>12</sup> New California ballot requires prepaid mail-in ballots, July 18, 2018 <https://www.kcra.com/article/new-california-bill-requires-prepaid-mail-in-ballots/22411967>



## VOTE AT HOME STATES



Source: Vote at Home, [voteathome.org/about/](http://voteathome.org/about/)

**● Full Vote at Home States**

- Colorado
- Oregon
- Utah\*
- Washington

**● States with Permanent Mail Ballot Option**

- Arizona
- Hawaii
- Kansas
- Montana
- Nevada
- New Jersey
- Wisconsin

**▨ States with Counties or Cities Adopting or Piloting VAH**

- Alaska
  - California
  - Nebraska
  - New Mexico
- Partial list

\* 98% of voters sent ballots

## PREREGISTRATION OF 16 AND 17 YEAR OLDS

One way to improve voter participation for young people is to welcome them into the democratic process early. Sixteen states have some form of preregistration that allows youth to “preregister” when they reach 16 or 17 in preparation for voting when they turn 18. Preregistration lets young people register while living at home or still in high school, where they can talk about voting with their families and friends.

### How it Works

- States enable 16 and 17-year olds to fill out a registration form and be able to vote as soon as they turn 18. While most states start preregistration at 16, some start at 17.
- Pre-registration is available by all methods – paper, online, or at motor vehicles and other public agencies.
- For states that already allow a 17 year old to vote who will turn 18 by the election, adds 17 year olds not eligible to vote until the follow year.

### Turnout Impact

- A recent study found the likelihood that youth will vote increases in states with preregistration laws by an average of 2 to 13 percentage points, depending on the model used for their analysis.<sup>13</sup>
- A Florida study found preregistrants 4.7% more likely to vote in the 2008 election compared to youth who waited until 18 to register.<sup>14</sup>
- In California, more than 100,000 citizens ages 16 and 17 preregistered to vote in the first eight months of 2018.

### Benefits and Attributes

- It welcomes teens to the political process and increases their likelihood of staying registered and voting when they turn 18.<sup>15</sup>
- Many 16- and 17-year-olds visit the DMV for the first time well before they're 18. Preregistration allows them to use that visit to register, especially when coupled with AVR.
- It creates opportunities for young future voters to register in high school and through a broad range of other youth-oriented community and civic activities.

<sup>13</sup> Holbein and Hillygus, “Making Young Voters: The Impact of Preregistration on Youth Turnout,” *American Journal of Political Science*, 2016, <file:///C:/Users/Owner/Downloads/SSRN-id2483860.pdf> cited in “Do preregistration laws improve voter turnout among young adults?”, *Journalist's Resource*, 2016 [journalistsresource.org/studies/politics/citizen-action/voter-turnout-registration-teen-youth](http://journalistsresource.org/studies/politics/citizen-action/voter-turnout-registration-teen-youth)

<sup>14</sup> Michael McDonald, Voter Preregistration Programs, [http://www.cses.org/plancom/2009Toronto/CSES\\_2009Toronto\\_McDonald.pdf](http://www.cses.org/plancom/2009Toronto/CSES_2009Toronto_McDonald.pdf)

<sup>15</sup> 15 High school students can pre-register to vote, <https://www.sacbee.com/news/politics-government/capitol-alert/article218994780.html>. Sacramento Bee, September 25, 2018



### Recommended Practices

- State and local officials recommend that implementing preregistration through “close partnerships between elections officials, government institutions, schools, and community organizations that are trusted by youth, parents and student volunteers are critical components of a successful preregistration program”.<sup>16</sup>
- More publicity about preregistration to make high schools, youth organizations, and organizations doing registration drives at youth-oriented events aware of this option.

### Resources

- National Conference of State Legislators, Preregistration for Young Voters, [ncsl.org/research/elections-and-campaigns/preregistration-for-young-voters.aspx](https://ncsl.org/research/elections-and-campaigns/preregistration-for-young-voters.aspx)
- Path to the Polls: Building a More Inclusive Democracy by Preregistering California's Youth, 2016, [frontiergroup.org/reports/fg/path-polls](https://frontiergroup.org/reports/fg/path-polls)

### States with Preregistration

- California
- Colorado
- Delaware
- District of Columbia
- Florida
- Hawaii
- Louisiana
- Maine
- Maryland
- Massachusetts
- Nevada
- New Jersey
- New York
- North Carolina
- Oregon
- Rhode Island
- Utah
- Washington
- West Virginia

<sup>16</sup> Ibid

## NONPARTISAN REDISTRICTING

### **A nonpartisan, citizen-led solution to lawmakers drawing their own districts.**

Every ten years, state legislatures re-draw the lines of all election districts for themselves and their state's Congressional districts in order to adjust for population change in the decennial census. The practice of re-drawing election district lines to advantage incumbents and/or the party in power is called "gerrymandering." This common practice tends to disempower voters and undermine their trust in government when they know or suspect their vote will not count in a district biased towards one party. Today, sophisticated software and big data give legislators even more power to move redistricting even further away from impartiality.

In a poll conducted after the 2018 elections, by a margin of 73 to 14 percent, voters expressed support for removing partisan bias from redistricting, "even if it means their preferred political party would win fewer seats."<sup>17</sup> Having sitting lawmakers choose their voters before voters get to choose them is seen as democracy in reverse.

Some states have created bi-partisan commissions intended to mitigate partisan bias. A more genuine, long-term solution is embodied by Independent Redistricting Commissions (IRCs), such as those in California and Arizona, that take a more non-partisan and independent approach. Three more states – Colorado, Michigan, and Missouri – had IRCs enacted this past election by voter-sponsored ballot measures. Independent commissions are used in almost all democracies similar to the U.S. that use single-winner election districts to draw district boundaries for their legislatures. Examples of this include England, Australia, and Canada.

### **How Independent Redistricting Commissions Work**

The elements of Independent Redistricting Commissions (IRCs) are:

- *Composition:* IRCs are made up of 5-15 members diverse by partisanship, background, and geography.
- *Selection Process:* Applicants are appointed through an independent process that assesses their potential conflicts of interest (e.g. lobbyists, etc.) and commitment to unifying democratic principles.
- *Criteria:* Commissions must follow established criteria, such as promoting political competition, ensuring contiguous and reasonably compact districts, and respecting federal laws and standards, including the Voting Rights Act.
- *Public Engagement:* The commissions have explicit guidelines for transparency, public hearings, and educational outreach.
- *Rules for Plan Consensus:* A final plan(s) requires a consensus beyond a simple majority. The rules facilitate and incentivize both negotiation and compromise.

<sup>17</sup> <https://campaignlegal.org/update/results-are-most-americans-want-limits-gerrymandering>



### Benefits and Attributes

- Increases voter confidence by ensuring a more transparent, independent, and non-partisan process.
- Gives more priority to promoting political competition, and creates contiguous and compact districts.
- Includes representation of independents and third parties.
- To the extent that IRCs increase competition and reduce the number of non-competitive or uncontested districts, they contribute to increasing voter turnout.

### Recommended Practices

- Bi-partisan commissions largely appointed by legislative leaders are insufficient. Commissions should be fully nonpartisan. They should include some commissioners unaffiliated with the two major parties, as the largest number of Americans identify as independents or members of third parties.
- Commissions need a set of agreed on criteria and a commitment to balance important redistricting factors such as contiguity, compactness, communities of interest, political competition, and equal opportunity under the Voting Rights Act.
- Commissions should have 9-15 members to allow better representation of different partisan beliefs, demographics, and geography and map-approval rules that facilitate and incentivize negotiation and compromise. See recommendations from the Brennan Center for Justice at its redistricting reform resource center. <https://www.brennancenter.org/issues/redistricting-reform-resource-center>
- A full and accurate count of people in the Census at their last known address before incarceration to ensure fair representation of communities without undue distortion.

### Resources

- Common Cause, [commoncause.org/fairmaps](http://commoncause.org/fairmaps)
- Campaign Legal Center, [campaignlegal.org/](http://campaignlegal.org/)
- Brennan Center for Justice, [brennancenter.org/](http://brennancenter.org/)
- National Conference of State Legislatures Redistricting, [ncsl.org/research/redistricting.aspx](http://ncsl.org/research/redistricting.aspx)
- Prison Gerrymandering Project, [prisonersofthecensus.org/](http://prisonersofthecensus.org/)

### States with Independent Redistricting Commissions

State	Year Enacted	State	Year Enacted
Arizona	2000	Missouri	2018
California	2008	Utah (Advisory)	2018
Colorado	2018	Iowa*	1980
Michigan	2018		

Source: National Conference of State Legislatures and organizations listed in this section as resources

\* Not a commission but an independent process that gives legislators a set of computer generated maps based on set criteria and drawn by a nonpartisan legislative staff commission to choose from.

## RESTORING VOTING RIGHTS FOR EX-OFFENDERS

**The U.S. stands alone in the world for its extensive restrictions on voting even after individuals complete their prison terms and return to their communities.** Of the world's 45 advanced democracies, only three others<sup>18</sup> have laws that bar citizens from voting after prison, and even then only for certain severe crimes, such as election fraud or terrorism. Having the right to vote is an essential part of a person's rehabilitation and re-integration into society. In places without this right, the restriction becomes a punishing reminder for some that their voices are irrelevant to the society into which they are reintegrating.<sup>19</sup>

Felony disenfranchisement laws were enacted in Mississippi, Alabama, and others to disenfranchise the growing number of black voters post-reconstruction (1847-1890).<sup>20</sup> More than a century later, over two-thirds of our states still have these restrictions. Of the several million citizens the laws disenfranchise, most are still disproportionately black and minority Americans.

Continuing to restrict people while on parole or probation serves no social or community purpose. Voting is rehabilitative. People who vote are more likely to connect, avoid a return to prison, and engage in community affairs. Further, post-release restrictions serve only to confuse voters and election administrators and can lead to an ex-offender inadvertently committing another crime. As one example, last year the state of Texas sent a woman who voted to prison for five years because she was unaware that a past felony conviction still restricted her from voting.<sup>21</sup>

### How It Works

- 16 states and the District of Columbia allow citizens to register and vote after leaving prison and upon re-entry.
- Many of these states include voter registration and voter education as part of re-entry and re-integration into society.
- 34 other states continue to bar voting for eligible citizens on parole, probation, or in some states for life.

### Turnout Impact

- Restoring voting rights of ex-offenders would increase voting in two ways.
  - First, it would immediately enfranchise 3-4 million people across the U.S.<sup>22</sup>
  - Second, it would end the fear of punishment for voters with past felonies. One survey showed that 68 percent of all ex-offenders, including those with their rights restored, were confused about their right to vote.<sup>23</sup>

<sup>18</sup> Chile, Armenia, and Belgium, <https://felonvoting.procon.org/view.resource.php?resourceID=000289>

<sup>19</sup> Hamilton and Vogel, The Violence of Voicelessness: The Impact of Felony Disenfranchisement on Recidivism, Berkeley La Raza Law Journal, Vol. 22, 2012 <https://scholarship.law.berkeley.edu/cgi/viewcontent.cgi?article=1252&context=blrj>

<sup>20</sup> Pippa Holloway, "'A Chicken-Stealer Shall Lose His Vote': Disfranchisement for Larceny in the South," 1874-1890 Journal of Southern History, Vol. 75, No. 4, pp. 931-962, November 2009, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1508526](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1508526)

<sup>21</sup> Texas woman sentenced to five years in prison for illegally voting in 2016 election, CNN, March 2018 <https://www.cnn.com/2018/03/30/politics/texas-woman-voting-illegally/index.html>

<sup>22</sup> King and Erickson, "Disenfranchising the Enfranchised: Exploring the Relationship Between Felony Disenfranchisement and African American Voter Turnout," *Journal of Black Studies* 47 (8) (2016): 799-821, <http://journals.sagepub.com/doi/abs/10.1177/0021934716659195?journalCode=jbsa>

<sup>23</sup> McCahon, A Legacy of Exclusion: How Felon Disenfranchisement Affects Patterns of Civic Engagement in Ex-Felony Offenders, 2015, <https://escholarship.org/uc/item/74r4186x>

- In light of the voting rates of rights-restored populations being generally lower due to demographics and other factors,<sup>24</sup> percent turnout rates may marginally decrease. On the other hand, if all states shared the same standard of registering ex-offenders upon re-entry, the single standard and lack of confusion could lead to an increase.

### Benefits and Attributes

- The Florida Parole Commission found lower recidivism among those whose civil rights had been restored.<sup>25</sup> One study of urban youth also found that ex-offenders are less than half as likely to be re-arrested when they vote.
- Promotes the inherent health and social benefits of civic engagement. Voters are more likely to volunteer, contact elected officials, stay informed about local affairs, and contribute to their neighborhood's social capital.<sup>26</sup>
- Decreases the stigma that ex-offenders without the right to vote face in their communities.<sup>27</sup>
- Ends the confusion for ex-offenders on whether or not they can or can't vote.

### Recommended Practices

- *A single federal standard* that allows all voting-eligible citizens to register and vote upon re-entry and leaving prison.
- Registration and voting information as part of re-entry. In Rhode Island and other re-entry states, the Department of Corrections registers voters as part of its release duties.<sup>28</sup>
- Post-release education for all ex-offenders on their voting rights. Voter education and awareness of voting rights and voter education efforts can increase this group's likelihood to vote in future elections.<sup>29</sup> Only 10 percent of ex-offender respondents self-report being educated about their voting rights by a judge, prison staff, or parole staff.<sup>30</sup>

### Why Call People Felons?

People with a past felony conviction are routinely called felons or "ex-felons." In reality, they are foremost people or citizens. No one should carry the brand felon for their whole life. The U.S. Department of Justice, calling the term "disparaging," eliminated its official use in 2016. "The labels we affix to those who have served time can drain their sense of self-worth ..." It deters efforts to reduce recidivism, it just makes it harder to re-enter society and gain community respect and employment and amend laws that deny returning citizens the opportunity to vote.

[bit.ly/DeptofJustice on use of felon](https://www.justice.gov/opa/pr/2016/08/16-cv-0001)

<sup>24</sup> Burch, Turnout and Party Registration among Criminal Offenders in the 2008 General Election, 2011 <https://onlinelibrary.wiley.com/doi/abs/10.1111/j.1540-5893.2011.00448.x>

<sup>25</sup> Status Updated: Restoration of Civil Rights' (RCR) Cases Granted 2009 and 2010, Florida Parole Commission

<sup>26</sup> <https://www.nonprofitvote.org/how-it-works/why-voting/>

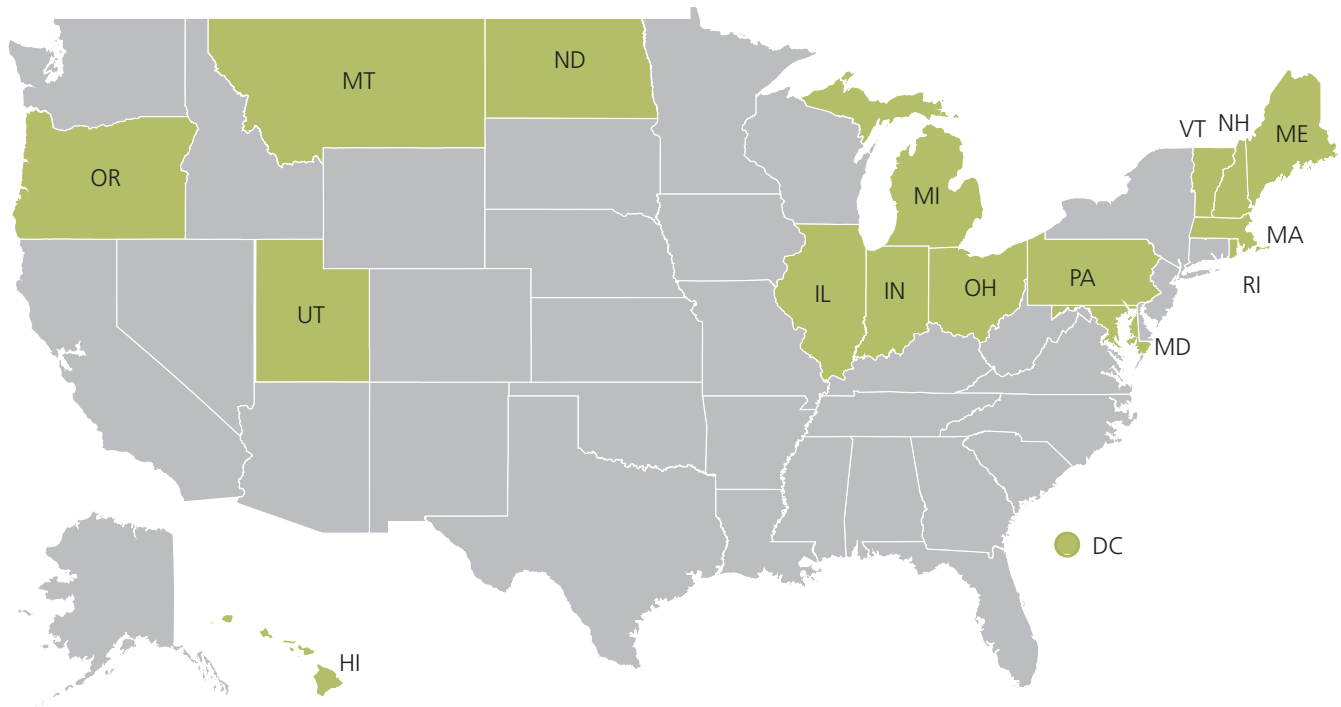
<sup>27</sup> Hamilton and Vogel, "The Violence of Voicelessness: The Impact of Felony Disenfranchisement on Recidivism," Berkeley La Raza Law Journal, Vol. 22, 2012 <https://scholarship.law.berkeley.edu/cgi/viewcontent.cgi?article=1252&context=blrj>

<sup>28</sup> <http://ccresourcecenter.org/state-restoration-profiles/rhode-island-restoration-of-rights-pardon-expungement-sealing/>

<sup>29</sup> McCahon, "Combating misinformation in the ex-felon population: The role probation and parole agencies can play to facilitate civic reintegration in the United States," Probation Journal, 2015. <https://journals.sagepub.com/doi/abs/10.1177/0264550515620690>

<sup>30</sup> Ibid

STATES RESTORING VOTING RIGHTS POST-RELEASE



Source: Nonprofit VOTE

● States Restoring Voting Rights Post-release

- Hawaii
- Illinois
- Indiana
- Maryland
- Massachusetts
- Michigan
- Montana
- New Hampshire
- North Dakota
- Ohio
- Oregon
- Pennsylvania
- Rhode Island
- District of Columbia
- Maine\*
- Utah
- Vermont\*

\* Maine and Vermont have no restrictions and allow voting rights while in prison

For full list of states that prohibit voting while on parole, probation or longer see:  
[www.nonprofitvote.org/voting-in-your-state/special-circumstances/voting-as-an-ex-offender/](http://www.nonprofitvote.org/voting-in-your-state/special-circumstances/voting-as-an-ex-offender/)



## RANKED-CHOICE VOTING

In 2018, Maine became the first U.S. state to use ranked-choice voting (RCV) for state and federal elections.<sup>31</sup> It met every test – political, legal, and voter acceptance. Utah lawmakers also passed legislation giving local jurisdictions the option to use ranked-choice voting in their local elections. Six cities, including the state’s fourth largest, opted to do so in 2019. More are expected to follow suite in 2020. However, ranked-choice voting is not new. It’s in use in local and state elections in 18 states.

Ranked-choice voting is an upgrade of the current voting method, “plurality voting,” which the U.S. inherited from colonial England in the 1700s. Plurality rules allow candidates to split the vote and win with a simple plurality rather than a majority of votes. A candidate can “win” even if the majority of voters voted for someone else. Plurality voting forces a two-party only system (Duverger’s Law<sup>32</sup>). It puts independent or third party candidates in the role of “spoilers,” and limits opportunities for both more candidates to run and more perspectives to be heard.

In ranked-choice voting, instead of only picking one choice, the voter can rank a second, third, or other choice as well. While giving the ballot more expression, it addresses the problem of split-votes, the spoiler factor, and plurality voting’s anti-competitive and polarizing incentives. For these reasons, in 2011 Robert’s Rules of Order changed its manual to recommend ranked-choice voting be used for all elections with more than two candidates running.<sup>33</sup>

### How It Works

Voters rank the candidates in the order of preference. They mark their first choice and as many backup choices as they want.<sup>34</sup>

1. The voter’s first choice is counted first. If after counting all the first place votes a candidate has an outright majority, that’s it. The candidate is elected.
2. If no candidate has a majority, the candidate with the fewest first place votes is eliminated first. Those votes are transferred to the second choice on the ballot.
3. The process repeats itself as needed until a candidate has a majority and is declared the winner.

Post-election surveys, voters reliably report that they both understand how ranked-choice works and a majority want to see it used for all elections.<sup>35, 36</sup>

State of Maine Sample Ballot General Election, November 6, 2018					
Rep. to Congress District 2	1st Choice	2nd Choice	3rd Choice	4th Choice	5th Choice
<b>Bond, Tiffany L.</b> Portland Independent	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Golden, Jared F.</b> Lewiston Democratic	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Hoar, William R.S.</b> Southwest Harbor Independent	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Poliquin, Bruce</b> Oakland Republican	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Write-in</b>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

<sup>31</sup> Currently RCV in Maine can be used in federal elections and state primaries. It requires a constitutional amendment to use in the general elections. Plans are underway to make this change.

<sup>32</sup> Duverger’s Law, [https://en.wikipedia.org/wiki/Duverger%27s\\_Law](https://en.wikipedia.org/wiki/Duverger%27s_Law)

<sup>33</sup> Robert’s Rules of Order, [https://en.wikipedia.org/wiki/Duverger%27s\\_Law](https://en.wikipedia.org/wiki/Duverger%27s_Law)

<sup>34</sup> A few jurisdictions like San Francisco limit the voter to three choices.

<sup>35</sup> Voter Support, [https://www.fairvote.org/data\\_on\\_rcv#research\\_rcvotersupport](https://www.fairvote.org/data_on_rcv#research_rcvotersupport)

<sup>36</sup> Executive Summary 2017 Elections in Minneapolis and St. Paul, <http://www.fairvotemn.org/ranked-choice-voting-2017-elections-report>

## Benefits and Attributes

- *Ensures a majority winner:* Ranked-choice voting ensures the winner is the consensus choice of the majority of voters.
- *Eliminates vote splitting:* Votes no longer get split among like-minded candidates. Instead, they're transferred among candidates who share similar views, building support for a consensus winner.
- *Removes the spoiler factor:* Voters can vote with their hearts, knowing that their votes can go to a backup choice. More candidates and parties can compete and express their views without the label of a "spoiler."
- *Removes a path to victory for polarizing candidates:* Candidates with a narrow base can't win with a only a plurality or small percent of votes cast when opponents split the vote.
- *Increases voter choice and competition:* More candidates and parties are free to compete. Uncontested elections are rare.
- *Reduces negativity and incentivizes civility among candidates:* When candidates have to compete for second and third place votes of their opponents, they are much less likely to attack or "go negative." Candidates still campaign on their differences; they do so with more civility in a less polarizing environment.<sup>37, 38</sup>
- *Saves the cost and time of a second-round runoff:* In states or cities with two-round runoff elections on separate dates, ranked-choice voting eliminates the expenses and time of what usually is a low turnout second election.

## Impact on Voter Turnout

- Ranked-choice voting increases election competition, and with that, the likelihood of higher turnout.
- The six largest cities that use ranked-choice voting have all seen higher turnout since implementation when compared to similar prior elections.
- Studies have shown a significant increase in the otherwise lower turnout associated with a second-round or runoff election.<sup>39</sup>

## Common Questions, Common Myths

- *"It's complicated":* It's not. For single-winner elections as for governor or state legislature it's just a majority runoff. Surveys show voters find it easy to use and understand what it means to rank their choices. Watch this video on an election for favorite color: <http://bit.ly/VoteWithRCV>
- *"It violates 'one person, one vote'":* Federal Courts, most recently in Maine,<sup>40</sup> have consistently found ranked-choice elections constitutional and consistent with all federal law. Voters only have one vote. Ranked-choice voting *strengthens* "one person, one vote" by letting voters cast a more expressive vote. Plurality voting *dilutes* it by unduly restricting choices.
- *"It takes too long to count":* Voting equipment is now widely available to quickly conduct the count and report results the same day, with a paper trail as needed for audits and recounts. Smaller jurisdictions with all paper ballots may take longer.

<sup>37</sup> 2017 Minneapolis election news conference, YouTube, [https://www.youtube.com/watch?v=BrgVh6\\_wKw&feature=youtu.be](https://www.youtube.com/watch?v=BrgVh6_wKw&feature=youtu.be)

<sup>38</sup> Civility Brief, <https://fairvote.app.box.com/v/APSA-Civility-Brief-2015>

<sup>39</sup> Kimball and Anthony, Voter Participation with Ranked Choice Voting in the United States, October 2016, <http://www.umsl.edu/~kimball/d/KimballRCV.pdf>

<sup>40</sup> Decision\_US District Court of Maine, Brett Baber, et al., V. Matthew Dunlap, et al., December 2018, <https://legislature.maine.gov/doc/2493>

## Resources

- FairVote, <https://www.fairvote.org/>
- Ranked-Choice Voting Resource Center, <https://www.rankedchoicevoting.org/>
  - Everything You Need to Know About Ranked-Choice Voting, <https://www.nonprofitvote.org/everything-need-know-ranked-choice-voting/>
  - Fair Voting Methods for Multi-Seat Elections Explored, <https://www.nonprofitvote.org/fair-vote-methods/>
  - Ranked-Choice Voting as a Runoff vs. a Proportional Election: How They Differ and the Benefits of Both, published in IVN news, September 26, 2018, <https://ivn.us/2018/09/26/two-types-ranked-choice-voting-differ-mean-vote/>

## METHODOLOGY

*America Goes to the Polls* reports official voter turnout in national elections as reported by the 50 states. Certified election results were collected by the U.S. Elections Project from state election offices in the months following the election, finalized this year as of February 28, 2019.

## VOTER TURNOUT

**% Voter Turnout Is:**

$$\frac{\text{\# of ballots cast and counted}}{\text{voting eligible population}}$$

### Total Ballots Cast

This includes all ballots cast and counted. In 2018, 43 states and the District of Columbia reported official ballots cast. For the states that did not report total turnout, the U.S. Elections Project estimates total ballots cast based on the statewide election that attracts the most votes i.e. U.S. Senate, Governor, At-large seat for Congress, or a ballot measure. The average difference between totals for “votes for highest office” and “total votes” cast in the states that report total turnout (residual vote) and past reporting practices of that state. The Elections Project will update total ballots counted in 2018 as states report data later in this year, but a handful states never report this statistic.

### Voter Eligible Population (VEP)

Since 1980, the Elections Project has provided the official estimate of voter eligible population. It includes the number of citizens over 18, except for those who cannot vote due to a past felony conviction. The Elections Project uses current data from the U.S. Census and other government sources.<sup>41</sup>

### Same Day Registration States

The report looks at the 15 states that had SDR policies fully implemented for 2018. When comparing voter turnout in SDR states to states without SDR (Figures 2, 4, and 5), five states and Washington DC are excluded from either category. Maryland and North Carolina offer SDR in early voting only. The District of Columbia and Hawaii have SDR but lack any competitive midterm election comparable to other states. Oregon and Washington don't currently have SDR (Washington will start SDR in 2019), however they both have a Vote at Home policy shown to create higher turnout independent of SDR or other factors.

<sup>41</sup> Overview of how the voting-eligible population (VEP) is constructed, Election Project, <http://www.electproject.org/home/voter-turnout/faq/sold>



### **Four Week Advance Deadline States**

Four-week advance deadline states are the 22 states that had their mail and other deadlines to register to vote 25-31 days before the election – and do not offer an SDR policy. Nevada and Louisiana had shorter deadlines for online registration. Washington did not have an in-person deadline at county offices. The data for deadlines was compiled by the U.S. Vote Foundation and cross-checked with state election sites. (Figure 3 and 4)

### **Vote at Home States**

States that send all registered voters their official ballot two to four weeks in advance of the election, including Utah which sent ballots to 98% of voters (two small counties did not participate in 2018). Figure 6 looks at a broader range of VAH-centric states that also includes states where 60% or more voters used an absentee ballot. (Figure 6)

### **Automatic Voter Registration States:**

Since 2016, 17 states and the District of Columbia have adopted AVR policies. The report highlights a subset of the five states that fully implemented the policy before the 2018 election *and* reported their AVR-related registration results. Figure 7 compares the net increase in total registrations from 2014 to 2018 of the five reporting AVR states to the 21 states without either AVR or SDR. (Figure 7)

### **Electoral Competition and Turnout**

The report uses a standard measure of electoral competition where an election is considered to be competitive if the margin of victory between the winner and the second place candidate is 10 percentage points or less. (Figures 8 and 9)

### **Voter Contact**

The data comes from the 2018 American Election Eve polls conducted by Latino Decisions and the 2016 Election Eve Polls by Latino Decisions and Asian American Decisions. The charts report data from identical questions asked in both election years. The percent of Latino and Asian American and Pacific Islander (AAPI) voters contacted by a “campaign, political party, or community organization to vote or register to vote” and, of those contacted, what percent was “a group not related to a political party.” (Figures 10 and 11)

### **Latino Vote**

New Citizen Vote: 1. Estimates of Citizen Voting Age Population (CVAP) and voter turnout are from the Census’ Current Population Survey’s biennial supplement on voting and registration. The report used the Census’ October 2016 estimates of CVAP in the states. 2. These estimates were also used to determine the number of voters by race/ethnicity living in and outside battleground states. 3. Latino and AAPI voter contact rates for voters in non-battleground vs. battleground states was reported in election eve polls by Latino Decisions and Asian American Decisions. (Figures 12 and 13)

### **Youth Vote**

Youth turnout is based on estimates of reported voter turnout in the U.S. Census’ Current Population November supplement on voting and registration.<sup>42</sup> The 2018 turnout is based on an estimate of youth age 18-29 turnout in the National Election Exit Poll and the voting eligible population reported by the U.S. Census. The chart and analysis are from CIRCLE: Center for Information and Research on Civic Learning & Engagement at the Tisch College of Civic Life, Tufts University. (Figure 14)

<sup>42</sup> <https://www.census.gov/topics/public-sector/voting.html>

## APPENDIX 1

### Change in Voter Turnout and Rank: 2014 – 2018 Midterm Elections

State	Total Ballots 2018	% Turnout 2018	Total Ballots 2014	% Turnout 2014	% TO Change 2014-2018	Rank 2018 (2014)
Alabama	1,721,906	47.3%	1,191,274	33.2%	14.1%	39 (40)
Alaska	285,009	54.6%	285,431	54.8%	-0.2%	16 (3)
Arizona	2,409,910	49.1%	1,537,671	34.1%	15.0%	33 (38)
Arkansas	898,793	41.4%	852,642	40.3%	1.1%	50 (26)
California	12,712,542	49.6%	7,513,972	30.7%	18.8%	31 (43)
Colorado	2,583,580	63.0%	2,080,071	54.7%	8.2%	2 (4)
Connecticut	1,421,953	54.4%	1,096,556	42.5%	11.8%	18 (19)
Delaware	365,467	51.4%	238,110	34.9%	16.5%	26 (37)
Dist of Columbia	231,482	43.7%	177,176	35.7%	8.0%	46 (35)
Florida	8,318,824	54.9%	6,026,802	43.3%	11.6%	13 (15)
Georgia	3,949,905	55.0%	2,596,947	38.6%	16.4%	12 (29)
Hawaii	398,657	39.3%	369,554	36.5%	2.8%	51 (31)
Idaho	612,536	50.0%	445,307	39.8%	10.3%	30 (27)
Illinois	4,635,541	51.4%	3,680,417	40.8%	10.6%	27 (25)
Indiana	2,308,258	46.9%	1,387,622	28.7%	18.2%	40 (51)
Iowa	1,334,279	57.7%	1,142,284	50.3%	7.4%	10 (7)
Kansas	1,060,000	51.2%	887,023	43.3%	7.8%	28 (16)
Kentucky	1,612,353	48.6%	1,459,409	44.9%	3.6%	35 (11)
Louisiana	1,519,405	44.8%	1,503,975	44.9%	-0.1%	45 (12)
Maine	646,013	60.2%	616,996	58.7%	1.5%	6 (1)
Maryland	2,335,128	54.2%	1,745,104	42.0%	12.2%	19 (21)
Massachusetts	2,752,665	54.6%	2,186,789	44.7%	9.9%	17 (14)
Michigan	4,341,340	57.8%	3,188,956	43.2%	14.6%	9 (17)
Minnesota	2,611,365	64.2%	1,992,613	50.6%	13.6%	1 (6)
Mississippi	940,000	42.7%	644,041	29.5%	13.2%	47 (48)
Missouri	2,442,306	53.4%	1,509,025	33.6%	19.9%	20 (39)
Montana	509,213	62.0%	373,831	47.5%	14.5%	3 (9)
Nebraska	706,652	51.8%	552,115	41.4%	10.4%	24 (22)
Nevada	975,980	47.5%	552,546	29.6%	18.0%	37 (47)
New Hampshire	580,568	54.6%	495,565	48.3%	6.3%	15 (8)

Source: U.S. Elections Project

State	Total Ballots 2018	% Turnout 2018	Total Ballots 2014	% Turnout 2014	% TO Change 2014-2018	Rank 2018 (2014)
New Jersey	3,248,642	53.1%	1,955,042	32.5%	20.6%	22 (41)
New Mexico	701,654	47.3%	522,693	36.1%	11.3%	38 (34)
New York	6,230,959	45.2%	3,930,310	29.0%	16.2%	42 (49)
North Carolina	3,755,778	49.6%	2,939,767	41.2%	8.4%	32 (23)
North Dakota	330,598	58.6%	255,128	45.0%	13.6%	8 (10)
Ohio	4,496,834	50.9%	3,149,876	36.2%	14.7%	29 (33)
Oklahoma	1,190,000	42.5%	825,607	30.0%	12.6%	48 (45)
Oregon	1,914,923	61.5%	1,541,782	53.4%	8.1%	5 (5)
Pennsylvania	5,020,000	51.4%	3,535,576	36.5%	15.0%	25 (32)
Rhode Island	381,267	48.1%	329,212	42.4%	5.6%	36 (20)
South Carolina	1,726,527	45.2%	1,261,611	35.2%	10.0%	43 (36)
South Dakota	341,048	53.3%	282,291	44.7%	8.5%	21 (13)
Tennessee	2,267,428	45.1%	1,430,117	29.8%	15.3%	44 (46)
Texas	8,375,000	46.3%	4,818,356	28.9%	17.4%	41 (50)
Utah	1,082,972	52.0%	577,973	30.3%	21.7%	23 (44)
Vermont	278,230	55.9%	202,445	40.8%	15.1%	11 (24)
Virginia	3,363,505	54.8%	2,194,346	36.8%	18.0%	14 (30)
Washington	3,133,448	58.9%	2,123,901	43.1%	15.8%	7 (18)
West Virginia	597,149	42.5%	462,864	32.0%	10.5%	49 (42)
Wisconsin	2,675,000	61.7%	2,422,248	56.9%	4.8%	4 (2)
Wyoming	205,275	48.7%	171,153	39.7%	9.0%	34 (28)
<b>United States</b>	<b>118,537,867</b>	<b>50.3%</b>	<b>83,262,122</b>	<b>36.7%</b>	<b>13.6%</b>	

Source: U.S. Elections Project

