

UPPER POLICY BRIEF SERIES

What Do We Know About Voting Procedures? Lessons for Policy

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Executive Summary

Questions that voters have always faced - how to register to vote, where to vote, and how to check in on arrival at the polling station - have taken on new urgency in today's political climate in the U.S. Policymakers seeking to expand the vote and ensure its legitimacy are looking to research evidence to inform their decisions.

The three objectives of election policy

In determining voting procedures, policymakers generally seek to advance, and balance, three objectives: strong participation measured by large turnout; fair participation, whereby only eligible citizens can vote, and only vote once; and equal participation across different geographical areas and social groups. Together, these objectives safeguard the legitimacy and representativeness of the vote and ensure the public's trust in the system. In our discussion of the studies on voting procedures, we assess whether changes in voting law advance these goals, and whether progress on one comes at the cost of another.

Three steps in the voting process

Three specific studies using rigorous methodology serve as anchors for our discussion of three steps in the voting process.

1. Getting registered

Is low turnout due to the citizens' apathy or costs they face in getting registered, such as the time and effort required and the need to acquire information on how to do it? A large-scale experiment embedded in a French presidential election tested the effects of home visits made by canvassers to lower the costs of registration, and gave strong evidence

that registration requirements are indeed an important barrier to participation resulting in lower turnout by marginalized groups. We compare these results to U.S.-based studies that gave different but complementary results, and conclude that universal automatic voter registration would advance all three of the main objectives with no tradeoffs.

2. Getting to the polling station

As widely reported in the U.S. media, having to wait in long lines at polling stations creates a barrier to participation. But having to travel long distances to polling stations may have the same effect. A study used election data from two U.S. states to show that a one-mile increase in distance to polling place reduced turnout by 4.5 to 11.8 percentage points. We compare this paper to related research, then discuss two ways to compensate the wide placement of polling stations: by **making voting by mail easier** (which is a less costly option, but more politically fraught); or by **opening more polling places** (more costly, but potentially less controversial).

3. Verifying identity

Voter ID requirements are hotly contested in the U.S. today. Some people argue that they decrease participation, and others contend that they are necessary to prevent voter fraud. An analysis of a dataset of the near-universe of U.S. voting-age individuals between 2008 and 2018 showed that neither is true: stricter voting laws have no negative effect on registration or turnout – overall or for any group considered – and no effect on fraud, real or perceived. We compare these results to studies that examine the costs of identity verification from other angles and conclude that the focus on voter ID laws, as a crucial determinant of participation, is misplaced.

Rules of thumb for decision-makers

Finally, we look at what all these studies can tell us about how policymakers can approach decisions about voting procedures - the specific procedures we discuss in the brief, or any others. Our list of recommendations includes the following:

- Have your questions in mind before you approach the evidence.
- Consider whether the evidence establishes cause and effect, and whether the results are generalizable to your context.
- Ask if the evidence is aggregated or decomposed by group; and whether it measures
 effects only for voters who are already registered or for the larger group of all eligible
 citizens.
- Check what the rules state on paper, but also how they are implemented in practice.
- Ask whether the evidence on proposed changes accounts for the response of voters and parties to these changes.



High stakes in deciding election rules

Voting procedures have been the focus of fierce debate in recent years in the United States as Republican-led states move to enact stricter ID laws, Democrats in Congress try and fail to enact sweeping reforms, and a mere 20% of Americans say they are very confident in the electoral system. And while the 2020 election cycle saw higher-than-usual turnout, voter participation in the U.S. has been lower than most other established democracies for decades.

With decisions around voting procedures highly politicized by both parties, it is urgent for policymakers to consult scientific evidence to inform decisions that, in other times, may have seemed like simple technical questions.

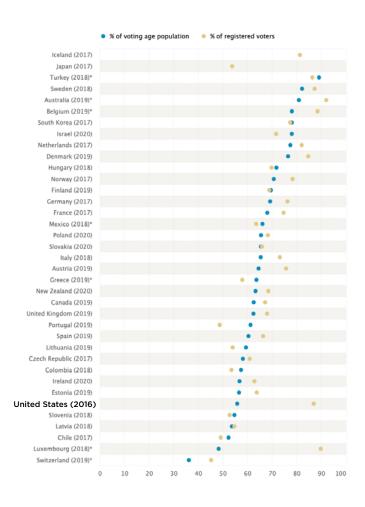
A first step for policymakers aiming to expand the vote and safeguard its legitimacy is to know how to approach and interpret research evidence. What questions should you ask when considering changes to election law? Along what dimensions can you expect procedural rules to expand the vote and include the excluded? What lies outside your control but still influences participation? What can you learn from voting procedures in other democracies?

In this policy brief, we aim to give policy makers a primer on how to approach research evidence to advance the goals of expanding the vote and protecting its legitimacy.

We do not do a comprehensive review of the literature on voting procedures. Instead, we take three key steps in the elections process our team members have analyzed with the latest research methods, and use evidence from those studies and other selected research to give policymakers a few rules of thumb to apply when considering changes to voting procedures.

Figure 1: Voter Turnout across Countries

Votes cast in most recent national election as a ...



Note: Voting age population (VAP) turnout is derived from estimates of each country's VAP by the International Institute for Democracy and Electoral Assistance. Registered-voter (RV) turnout is derived from each country's reported registration data. Because of methodological differences, in some countries estimated VAP is lower than reported RV. Turnout rates are listed for the most recent national election in each country, except in cases where that election was for a largely ceremonial position or for European Parliament members (turnout is often substantially lower in such elections). Current voting age population estimates for Iceland and Japan are unavailable.

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^{*} National law makes voting compulsory. In addition, one Swiss canton has compulsory voting.
Source: Pew Research Center calculations based on data from International Institute for Democracy and Electoral Assistance.
European Election Database, United States Election Project, Office of the Clerk of the U.S. House of Representatives and various national election authorities.

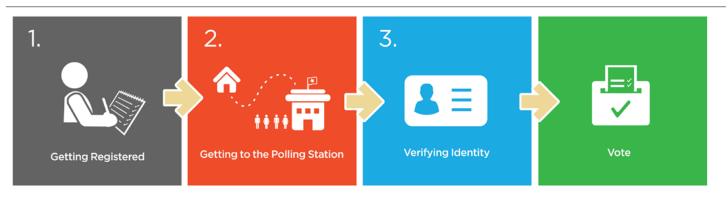
Definitions

We use the term voting procedures to mean all the dimensions related to election administration, including:

- How people get registered,
- How their identity is verified,
- How they vote (in person on Election Day, absentee voting, voting by mail or electronically, etc.),
- Where in-person voters cast their ballot (i.e., where states situate polling stations), and
- What technology is used in the vote, among other factors.

We examine what is at stake in decisions on voting procedures through three stages leading to the vote: registering, getting to the polling station, and proving identity.

Figure 2: Three Stages in the Voting Process



We exclude from this policy brief other aspects of election administration such as district magnitude, gerrymandering, and the rules used to aggregate individual ballots into an outcome (e.g., majoritarian versus proportional rule).

In the debate on voting procedures, three objectives emerge: strong participation, equal participation, and fair participation.

Strong participation is necessary to ensure the legitimacy of the winner. Thanks to the enfranchisement of the landless, women, and then minority voters (with an important step being the elimination of many barriers to voting by minorities half a century ago, with the Voting Rights Act of 1965), the vast majority of citizens now have the right to vote in the U.S. Other advanced democracies show similar patterns of enfranchisement. But the fraction of actual voters has been decreasing in democracies since the 1960s. In the U.S., this trend halted in the early 2000s, but turnout is still lower than in other countries. **Low participation** is concerning, as it signals lack of engagement of many citizens and threatens the legitimacy

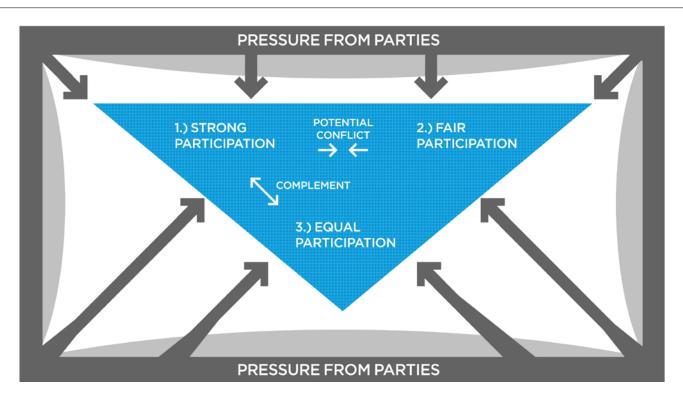
of the winner and their ability to govern. Indeed, when only about 50% of eligible citizens participate, and the election is close, it means that only about a quarter to a third of eligible citizens actually cast a ballot for the winner. One cannot help but wonder which candidate the 50% of silent abstainers would have supported.

Fair participation means only citizens who are eligible under the law to vote participate in the election – and they only vote once. This is essential for the fairness of the election and trust in its outcome. While evidence shows that irregularities and fraud are exceedingly rare in the U.S. today, examples from history (see the section on Repeaters below) and from other countries are reminders that the fairness of the vote must be safeguarded.

Finally, **equal participation** across different geographical areas and social groups is necessary to ensure the representativeness of elected politicians and of the policies they implement. Equal participation operates through two mechanisms. First, the representation mechanism, which means that the characteristics (age, gender, ethnicity), preferences, and propositions of elected politicians are more likely to align with the entire citizenry if participation in the vote is similar across groups. Put differently, if all groups vote equally, elected officials will likely look and think more like their constituencies. Second, the idea behind the accountability mechanism is that elected politicians will only consider the interests of all groups equally when making decisions if they expect all groups to participate equally at the next election.

Voting procedures that affect one of the three objectives may very well affect the others as well.

The Three Objectives of Voting Procedures



Objectives 1 and 3 go hand-in-hand: stronger participation will likely lead to more equal participation, while voting procedures which create barriers to voting tend to both lower participation and make it unequal. This is because the barriers to voting do not distribute their effects equally but, rather, concentrate them among certain subgroups. We give examples of the unequal effects of voting barriers below, and across the literature there is strong evidence showing that the lower voter participation is, the more unequal it is.

Objectives 1 and 2, on the other hand, may be in tension with each other. Voting procedures aimed at safeguarding the integrity of the vote risk creating obstacles and preventing some eligible citizens from voting. It has been argued that stringent procedures can improve participation if they increase citizens' likelihood to believe that elections are free and fair and, in turn, this belief increases turnout. However, a more likely effect is that efforts to improve the fairness of the vote by decreasing malfeasance will disenfranchise some eligible voters.

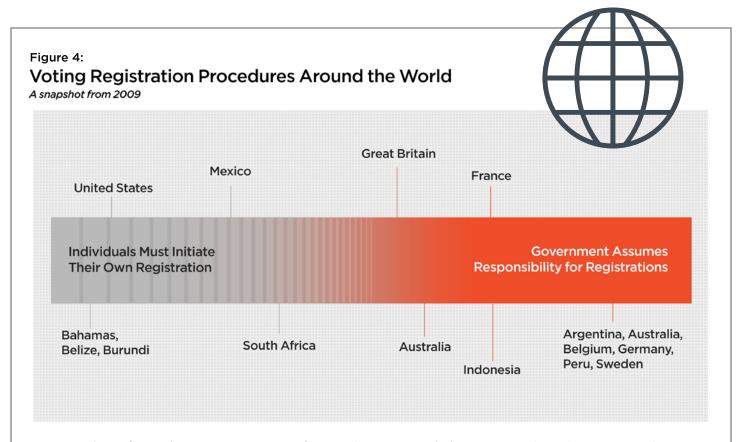
The choice of voting procedures is made more complex by the fact that they can give one political party a boost and another a disadvantage. Indeed, sociodemographic characteristics such as age and ethnicity are predictors of both voting procedures' effects on turnout and of partisanship. Political parties have an incentive to push for voting procedures which are expected to enfranchise their supporters or disenfranchise supporters of other parties. This factor makes it all the more important to root the policy debate on voting procedures in hard scientific evidence.



Voter registration: Evidence

For a policymaker wishing to expand the vote and safeguard its legitimacy, the goal in determining voter registration procedures is to get as many eligible citizens as possible on the rolls without replicating registrations or including ineligible people (Objectives 1 and 2). However, that may not be all: policymakers wishing to ensure the representativeness of the vote (Objective 3) will also take steps to draw in groups that are currently underrepresented.

stronger participation will likely lead to more equal participation, while voting procedures which create barriers to voting tend to both lower participation and make it unequal.



Researchers from the Brennan Center for Justice surveyed the voter registration systems in 16 countries in 2009. In countries such as Belize, the onus of voter registration was entirely on the individual: each and every eligible citizen had to go to their local election office to register. In Argentina, by contrast, the government assumed responsibility for the process: the federal agency that issued mandatory national ID cards sent names of voting-age individuals to local election authorities. Graph adapted from Rosenberg, Jennifer S., and Margaret Chen. Expanding democracy: voter registration around the world. New York: Brennan Center for Justice, 2009.

Research on voter registration procedures

To understand registration procedures – to what extent making it harder or easier to register will change the electorate – it is useful to start with real instances of how variation in these procedures affects registration and voting rates. Different participation rates across countries or regions that have different requirements can give us some idea of their effects, but there are so many other factors that vary from place to place that we must be cautious in attributing too much to differences in rules. What we really need is to introduce experimental (or utilize quasi-experimental) variation in a sample within a country that is otherwise generally similar. All other things equal, if making registration easier leads more people to register and vote, that would tell us, at least, that the costs (in terms of time and effort) of registration matter, and that it is not just apathy keeping people from the polls.

This is exactly what one of us, Vincent, did. Working in France, where registration is self-initiated, in the context of the 2012 French presidential and parliamentary elections, Vincent

and coauthors Céline Braconnier and Jean-Yves Dormagen took a sample of 20,500 households in 10 cities and put one quarter into a control group that received no help registering, and the others into six treatment groups that received canvassing visits providing either information about registration or help to register at home.

They found that the registration drives providing information or registering people at home increased new registrations by 29% on average, and that 93% of the newly registered citizens voted in either the presidential or the parliamentary elections that year. The easier the research team made it to register, the more people registered and voted. Furthermore, a post-election survey showed that people in the treatment groups were more interested in the vote and more informed about candidates than in the control group, suggesting that citizens registered due to the home visits became more engaged because they were able to participate in elections.

This is strong evidence that the registration step in the voting process matters, that making it easier will allow more eligible people to participate, and that this in turn can make them more engaged in the political process.

Importantly, the study found that the intervention raised participation among certain subgroups more than others. Survey data allowed the team to show that those who registered through the treatment were more likely to be in marginalized groups: immigrants, young, and less educated people. A large fraction of these new registrants participated in the subsequent elections, further indication that their failure to register initially was not due to lack of interest in voting. This is a point that we will return to: when weighing evidence for decisions about different voting procedures, it is important to consider whether the change will affect all groups evenly, or some groups more than others, as this will have bearing on Objective 3 of equal participation.

In thinking about voting procedures, it is important to think in precise terms about the obstacles they may create or alleviate. In this case, one can imagine two plausible obstacles keeping eligible voters from the polls: first, an administrative hurdle, meaning the time and effort required to collect the documents and go register; and second, an information gap, meaning the need to gather information about the process – what documents will be accepted as proof of address or citizenship, where voters can register, when that place is open, and so on. The method Vincent and his coauthors used – an experiment with several different treatment arms – enabled them to observe how these different barriers affected participation: if administrative barriers were key, then helping people with the paperwork would lead to greater increases; and if information was the barrier keeping eligible voters from the polls, then simple informational visits would have a large effect. While it stands to reason that the administrative barriers matter most, the team actually found large effects with the simple provision of information as well.

Canvassing and "automatic" registration

Do these results carry over to the U.S. context? An earlier study based in the U.S. suggests they do, but with some important differences.

David Nickerson of the University of Notre Dame randomized 620 streets in six cities into treatment groups that received face-to-face visits encouraging voter registration or control groups that received no visits. The cities ranged from Tampa, FL, to Kalamazoo, MI; the time span, from 2004 to 2007; and the type of election, from mayoral contests to the presidential election of Bush vs. Kerry in 2004.

Nickerson found that, on average, 10 more newly registered people appeared on treatment streets – an increase of 4.4% – and that 24% of the newly registered citizens cast a vote. His main conclusion mirrored Vincent's findings in France – that registration does pose a barrier to some eligible people who would otherwise vote. However, he found reducing those barriers has a much smaller effect on turnout than in the French experiment.

Nickerson found different results by socioeconomic class: the increase in registration was largest on relatively poor streets – results that also mirrored the results in France – but this difference was counterbalanced by higher turnout among new registrants on relatively affluent streets. So, his results suggest that lowering the costs of registration ultimately leaves the composition of the electorate the same (in socioeconomic terms), while Vincent's suggest it helps more marginalized people vote. Possible explanations of the contrast are that the home visits in France were all in the context of a highly salient presidential election, and they were more intensive than the typical mobilization campaign and thus more suitable to mobilize disenfranchised citizens. (In one arm of the experiment, for example, canvassers filled out registration forms for the citizens and delivered them to the town hall on their behalf.) The papers share a rejection of the idea that it is apathy alone keeping eligible voters from the polls.

A further source of variation to understand the effect of voter registration procedures has been generated as U.S. states adopt "automatic voter registration." This procedure takes advantage of situations when citizens interact with the state and provide their address information – mainly when they obtain a driver's license – to automatically put them on the voter rolls. The key difference between today's automatic voter registration and the previous system (determined by the 1993 Voter Registration Act) is opt-out versus opt-in. Previously, citizens could opt in registering when they interacted with a DMV. With automatic voter registration they are enrolled by default unless they opt out. Different rules entail different points in time when a voter may opt out of being registered to vote: at the point of service or after the fact, by mail.

In a working paper, <u>Eric McGhee</u>, <u>Charlotte Hill</u>, <u>and Mindy Romero</u> applied a number of statistical methods to the rollout of automatic voter registration in the 22 states that have adopted it since 2015. They found that this procedure raised registration rates substantially, and while these new registrants were less likely to vote, enough did participate to raise the net turnout substantially. The effect of automatic registration gradually increased the longer it was in place.

The researchers also showed that the different types of automatic registration had substantially different effects on both registration and turnout. "Back-end default" registration, where citizens were enrolled when they interacted with the state and were then given a chance to opt out later by mail, had the greatest effect, increasing registration by over 8% and turnout by 3.3%. "Front-end" registration, where citizens were enrolled unless they ticked a box to opt out, had more muted effects; and these effects disappeared altogether when citizens were forced to answer questions about their choice to opt in or out of registration.

This study did not address whether automatic voter registration enfranchised members of underrepresented groups. Indeed, it is important to note that "automatic" registration draws in citizens who interact with the state. Many categories of citizens remain excluded from automatic registration, including those without a driving license and those who need to update their registration status because they moved before an election, but whose license is not up for renewal. The poor, young, and less educated may be more likely to fall into those categories and thus less likely to benefit from automatic registration.

Another study focused on a different automatic process, focusing on re-registering existing registrants after they moved, and found that the program effects differed along party lines. Seo-young Silvia Kim exploited a natural experiment that occurred when a program automatically re-entered people in the voter rolls when they changed addresses within Orange County, California, and notified them of their re-registration. The program had a cut-off date 90 days before the election, at which point voters were neither re-registered nor notified, creating a natural control group.

Kim found that the program increased turnout by 5.8 percentage points on average, but this result was driven by an increase of 8.1 percentage points among Republicans and 7.4 among independents. Contrary to expectations, removing barriers to voter registration had no significant effect on turnout among Democrats.

A win-win for policymakers

A picture emerges from this body of work: to expand the vote in advanced democracies with high-quality citizen data, making voter registration automatic for all citizens (not just those who interact with the state) is a low-hanging fruit for policymakers. In most Western democracies, automatic registration is already universal; in the U.S. and France, the state has the capacity and information to make it so by moving beyond the DMV and merging datasets maintained by different government departments.

Furthermore, while having a voter registration roll is critical to make sure citizens are enrolled and vote only once, there is no risk that a switch from self-initiated to universal automatic registration would generate fraud. In fact, a more centralized registration process would help the state identify cases where a few citizens register in a new place and remain registered for a period at their previous address – resulting in cleaner registration rolls.

If we return to our three objectives, universal voter registration advances all of them with no tradeoffs.



Distance to polling stations: Evidence

In many contexts, entering a physical voting booth is the main (or only) way to participate in elections. This creates an invisible source of variation across individuals: their distance to the polling station generates a cost to voting, in terms of time and effort. For the policymaker wishing to expand the vote and safeguard its legitimacy, a simple proposition – to compensate voters who are far from polling stations by allowing them to vote by mail – may be complicated by political interests.



Figure 6: Long lines at voting stations are a barrier to participation

The 2020 election saw long lines at polling stations. There were reports of 11-hour wait times to vote in Georgia, and the Pew Research Center found nearly one-in-five in-person voters waited more than a half hour to vote. But this was nothing new: long lines and wait times had plagued several elections over the preceding decade.

The effects of waiting in long lines are unequal. Researchers used cellphone data to measure wait times in the 2016 election and found that residents of entirely Black neighborhoods were 74% more likely to spend more than 30 minutes at their polling place than residents of entirely white neighborhoods, and waited 29% longer to vote.

Research on distance to polling stations

While press reports on Election Day often focus on long lines, the low density of polling stations across the U.S. also translates into a second, more hidden, cost. Arguably, a 30-minute drive may be at least equally impactful as a 30-minute wait in line. For a potential voter, what are the real effects of the distance to the polling station?

One of us, <u>Enrico</u>, conducted a study that showed distance to polling stations has large effects on participation. In the context of four elections between 2012 and 2016 in Massachusetts and Minnesota municipalities, he used detailed maps and address lists to compare voters who were practically neighbors – and thus shared many community characteristics – but voted in different precincts. The discontinuity in length of the journeys to polls between people with no other discernable differences gave Enrico the quasi-experimental setting he needed to isolate the effect of distance to polling station on participation in elections.

He found that a one-mile increase in distance to polling place reduced turnout by 4.5 percentage points (in the 2016 presidential primary) to 11.8 percentage points (in the 2012 presidential election).

Importantly, Enrico found that, during non-presidential elections, the negative impact of distance to the polling place was concentrated disproportionately on minority voters. Specifically, the effect of distance to the polling place on voter participation was three times larger in high-minority than in low-minority areas, in part because minority voters are less likely to have a car. He estimated that a hypothetical policy that erased the impact of distance to the polling place would close gaps in participation between high- and low-minority areas in midterm elections by 11.2 to 12.8%.

These results are complementary but larger than findings from an earlier paper that used different methodology. Henry E. Brady and John E. McNulty took advantage of a natural experiment created by the consolidation of districts in a 2003 California gubernatorial recall election to show that changing polling location led to a decrease in in-person turnout of 3.0 percentage points. Both distance and the challenge of finding a new polling station played roles in this small decrease. The authors found that Democrats were more sensitive to the change in polling places than registered Republicans, and while the effects were too small to make a difference in the vast majority of elections, they pointed out that if distance were employed strategically (which was not the case in the election they examined) the effects could be great enough to change some election outcomes.

One important difference between this paper and Enrico's – and a potential explanation of its modest findings on distance – is that it looked at a single election, while Enrico's paper looks at multiple elections and found very different results in the four elections considered.

A recent working paper applied Enrico's methodology to a different sample and found similar results in cities but lower effects in rural areas. <u>Gaurav Bagwe, Juan Margitic, and Allison Stashko</u> used information about the distance to polling stations and turnout for over 15 million voters in Pennsylvania and Georgia. Across the sample, a one-mile increase in the distance to polling place decreased the likelihood of voting at polls by 0.5 to 1.7 percentage points. However, the effects also depended on whether people use public transportation:

in areas where a large share of the population relied on public transportation to commute to work, a one-mile increase in distance to polling place decreases turnout by up to 28 percentage points. Both studies illustrate how the effects of an obstacle to voting can vary greatly with the context - an important point for policymakers to consider when weighing research evidence.

The Bagwe et al. paper exploited individual-level data on the methods voters used to cast their ballot in order to decompose the net effect into two parts: the direct effect of polling location, and the adjustment voters could make by voting by mail. The authors found that in Georgia, where any voter could request a mail-in ballot, enough voters substituted by voting by mail that the reduction in participation with distance was nullified, on average. However, this was not the case in Pennsylvania, where voters had to give a reason for voting by mail. This shows us that voters (and parties) can adjust to obstacles, but also that different obstacles can reinforce each other. A long trip to the nearest polling station, combined with strict rules about who can vote by mail, will result in lower turnout because there are obstacles between some voters and all possible voting options.

How far is too far?

The picture that emerges from these studies – and recent history – is a complex one. The assignment of citizens to distant locations disenfranchises some more than others, even when it is a transparent, nonpartisan process, as was the case in Enrico's sample. One way to counteract the effects of distance is to expand vote by mail – but the persistence of accusations of vote-by-mail fraud in 2020 election two years after the fact shows that there are political and societal costs to this option, even when no such fraud is evident. Policymakers might need to take these costs into account and take steps to reduce them or explore ways to circumvent. In terms of our three objectives, this may be a case where Objective 1 of strong participation is in tension with Object 2 of fair participation – even if fairness is called into question falsely.

An easy way to increase turnout without risking public trust might be to spend more on elections and open more polling places, thus reducing average distance between voters and their polling place as well as waiting times. A recent working paper showed that this is possible. Christian R. Grose of the University of Southern California analyzed a program where a nonpartisan institute offered localities in several U.S. states grants to increase their election budgets and open polling places in the 2020 elections. A field experiment was embedded in the program whereby randomly selected local election officials received encouragement to apply for this funding. This intervention led to a turnout increase of 0.4 percentage points for each dollar per capita in the counties of local officials applying for and receiving the funding, compared to control group counties. Pecuniary costs may be worth paying to expand the vote and protect its legitimacy – real or perceived.



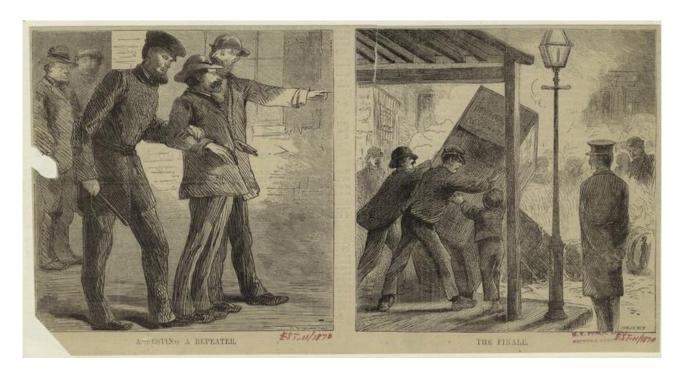
Strict versus non-strict ID laws: Evidence

Once a voter is on the rolls and has made it to the polling station, they must verify their identity. By default in many U.S. states, this can be accomplished simply by individuals stating their name or signing the voter rolls (without verification of identity), unlike in most other Western democracies. This results, in part, from the lack of a national piece of ID. In

this context, verifying voters' identity through more stringent methods may decrease the risk of fraud, but also exclude voters who do not have an ID.

In recent years, several U.S. states, mostly with Republican statehouse majorities, have adopted strict voter identification measures requiring voters to either show ID or cast a provisional ballot and return later to prove their identity. Critics have argued that this is a tool to disenfranchise certain voters who are more likely to vote for Democrats, since Black and Hispanic voters, young voters, and poorer and less-educated voters are among the groups less likely to hold an ID. But what does research evidence tell us about the effects of ID requirements?

"Gangs of repeaters, thugs and perjurers": Election fraud in the 19th century



Examples of mischief on Voting Day from Every Saturday magazine, 1870: Arresting a Repeater; tipping over a voting booth. Image courtesy New York Public Library.

Election-day fraud is <u>extremely rare</u> in the U.S. today, but that was not always the case. Vote-buying, ballot stuffing, and voter intimidation were widespread in 19th Century America. Parties hired large groups of "repeaters" to vote several times at different polling locations, bribing them with cash, plying them with alcohol, and sometimes <u>beating and forcing drink</u> on them to engage them in the scheme. The <u>newspaper</u> for the small town of The Dalles, Oregon, reported in the lead-up to an 1896 election, "It leaked out today that worthless characters are to be shipped from here to Portland to be used as 'repeaters' in the primaries Thursday." <u>The Los Angeles Herald</u> in 1899 reported that "gangs of repeaters, thugs and perjurers" made Philadelphia's "Republican stronghold to be the rottenest, most corrupt place in the country."

Registration rolls and voter verification rules were, in part, a measure against repeaters.

Research on voter ID laws

It would be impossible to conduct an experiment on the effect of stricter ID requirements as that would imply randomly assigning the enforcement of these laws. However, in a recent paper, two of us, <u>Enrico and Vincent</u>, examined the effects of these requirements using a statistical method that allowed them to simulate an experimental setting. By comparing changes in turnout in "treatment" states (those that adopted a strict ID law) and other states in a dataset of the near-universe of U.S. voting-age individuals – 1.6 billion observations over the decade between 2008 and 2018 – they were able to establish causality. Unlike most previous papers, they were also careful to measure effects on the full population of eligible voters, and not just turnout of registered citizens.

They found, perhaps surprisingly given the heated debate, that the laws have no negative effect on registration or turnout, overall or for any group defined by race, gender, age, or party affiliation. They did observe some party mobilization against the laws: when strict ID laws were put in place, the number of nonwhite voters who were contacted by a campaign increased, and this might have offset modest direct effects of the laws on the participation of ethnic minorities. In this case, Enrico and Vincent investigated parties' ability to react to circumvent obstacles created by voting procedures similarly to how other papers we have discussed took into account voters' ability to do so. The net effect of states enacting strict ID laws and parties and individuals reacting to the laws was not distinguishable from zero.

Furthermore, Enrico and Vincent brought in datasets from both conservative and liberal organizations to measure the effects of stricter ID laws on voter fraud and on beliefs in election fairness. They found no significant effect on these outcomes either.

Other studies applying different methods to administrative data in order to examine the effects of strict voting laws complement Enrico and Vincent's findings. Phoebe Henninger, Marc Meredith, and Michael Morse used the number of Michigan voters using affidavits to prove their identity, in lieu of ID, in the 2016 election to estimate the upper bound of how many people would be disenfranchised by a shift to strict ID requirements. They found that only 0.45 percent of voters fell into this category. The paper's methodology allowed the authors to focus on people most likely to be affected, namely people who vote without ID when the requirements are not in place. They found that minority voters were about five times more likely to be in that group than white voters. (This is one advantage the paper had over Enrico and Vincent's, which measured overall effects and might miss small effects on the subset of voters without an ID.)

In another paper, <u>Mark Hoekstra and Vijetha Koppa</u> used historical data on ballots cast without identification in more than 2,000 races in Florida and Michigan, and found only up to 0.10% and 0.31% of total votes cast in each state were cast without IDs.

These papers find small, but not null, effects of strict ID laws. If certain groups are more likely than others to be disenfranchised by strict ID laws, those findings require further examination. However, on a closer look, the methodologies of these papers mean that even those small effects could be overestimations. Many of the people voting without identification under a non-strict law have a valid ID at home and would bring it to the polls if required – this was a finding in the Henninger et al.'s paper – and some of those who actually lacked an ID might acquire one before the election. Furthermore, neither paper took into account

indirect effects that may result from anger against the laws, countermobilization efforts, and other mechanisms which Enrico and Vincent's results did include.

Other papers examine ID requirements from a different angle: the discretion poll workers have in applying them. A <u>Harvard-based research team</u> sent 7,000 election officials in 48 states emails from both Latino and non-Latino aliases asking questions about voter ID requirements, or a control question. They found that emails sent from the Latino names were significantly less likely to receive any response from local election officials and received responses of lower quality. <u>Another study</u> in New Mexico built on earlier findings that strict ID laws are sometimes enforced more stringently against Black and Latino voters, and used poll-station observation and surveys to show that election workers exercised significant discretion on how they applied requirements law, and this correlated with their belief in the law and their educational attainment.

These studies give evidence of discretionary application of voting laws - a threat to the Objective 3 of equal participation - but the net effect on participation is unclear. Enrico and Vincent's study show that enactment of strict requirements themselves do not translate to any discernible impacts on voter turnout.

Choose your battles

A broad message emerges from the evidence: the focus on voter ID laws, as a crucial determinant of participation, may be misplaced.

Enrico and Vincent's paper gives evidence that tempers the arguments of both the right and the left. Republicans seeing stricter ID laws as an effective measure against fraud might be disappointed. Even those moderates who might acknowledge the low instance of voter fraud and still argue that even the perception of fraud must be addressed might be underwhelmed. The enactment of strict ID laws had no effect on any of these outcomes. At the same time, Democrats who argue against strict voter ID laws as a binding constraint for participation might be surprised by their real effect.

All in all, the considerable energy devoted to combatting (or promoting) strict ID laws would probably be better spent on other reforms that may more effectively expand the vote and include the disenfranchised.

Rules of thumb for decision-makers

In the sections above, we have given some specific recommendations for how to approach current election procedure policy debates in the U.S. However, the political and research landscapes may shift by the time you read this, requiring you to consider other evidence. Furthermore, this brief has only examined some election procedures. Others, such as the technology used in voting, may also affect participation, and research evidence exists measuring their effects.

So, how should a policymaker seeking to expand the vote and safeguard its legitimacy weigh available evidence? Our examples have suggested a set of heuristics to use when deciding voting procedures based on research evidence.

- Have your questions in mind before you approach the evidence. Researchers are asking their own questions. If you don't have a clear agenda, you might end up following their arguments rather than finding the right information to guide your decisions.
- Does the evidence establish cause and effect? We have given particular weight to experimental and quasi-experimental evidence for good reason. While studies that point out correlations are valuable in decision-making, they allow more room for error than in peer-reviewed studies that use large samples and randomized controlled trials or tried-and-true quasi-experimental methods to establish causality.
- To what extent are the results generalizable? As we saw in the studies on distance to voting stations, a paper that looked at cities had very different findings than one that also considered rural areas. Studies that include multiple settings or larger samples may have more to say about your decision.
- Context matters. Is the evidence you're considering based on presidential or midterm elections? Local or national? As we've seen, rules on election procedures can have very different effects depending on the salience of the election.
- Is the evidence aggregated, or decomposed by group? Overall turnout is important to make progress on Objective 1, strong participation. But in order to make progress on Objective 3, equal participation, you must also consider the turnout of groups who are underrepresented.
- The devil is in the detail. Check what the rules state on paper, but also how they are implemented in practice. As we saw with voter ID procedures, rules can be applied more or less stringently. In making decisions about voting procedures, you may consider how likely they are to be followed and the effects of the decisions of the people who will implement them.
- Who do you care about all registered voters or all eligible citizens? The effects of voting
 procedures can vary a lot based on whether you consider effects on participation among
 those registered, or on registration and turnout of all eligible citizens. Not all papers show
 effects of the latter type, because it's easy for researchers to obtain a list of registered
 citizens, but harder to get the list of eligible citizens.
- Does the evidence on proposed changes account for the responses of voters and parties? When we looked at the effects of distance to polling stations, we saw that some citizens circumvented the obstacle by voting by mail. When we looked at strict ID laws, we observed that voters could circumvent the obstacle by acquiring an ID and parties, by encouraging their supporters to do so. When assessing the net effect of a law, you should take into account their direct effect (arising from whether they make voting easier or more difficult) and their indirect effect (arising from citizens' and parties' responses).

Zoom out, Zoom in

Over recent decades, the U.S. has seen lower turnout than other advanced democracies. This would be a concern anywhere because Objective 1 of strong participation contributes to the legitimacy and representativeness of elections; but it is of particular concern in the U.S. because this country has more elected offices than most other democracies. Low turnout means that these elected legislative, executive, and judicial officeholders are selected by a smaller segment of the public, who may not represent the concerns of all equally, and it may lead to the enactment and implementation of unrepresentative policies.

Given these concerns, it is urgent that policymakers use the evidence available to them to make decisions that increase turnout, particularly among groups of citizens with the lowest participation rates. The heuristics above can help them weigh the available evidence, and the discussion of voting procedures should encourage them to exercise their perspective in two ways, both to "zoom out" in order to consider what lies outside current debates but still matters to participation, and "zoom in" to look closely at obstacles that vary at the substate level.

To see how "zooming out" can give policymakers useful perspective on decisions, let's return to voter registration procedures. Much attention has been given to laws adopted in specific states, particularly when these decisions fall along partisan lines. In part, this attention is generated strategically by parties to mobilize their base on contentious issues. But the examples we have shown suggest that laws that are left out of the debate – either because they concern voting procedures that do not vary within the U.S. or that vary at a very local level – can be more impactful. Indeed, some of the difficulties U.S. policymakers face in determining these procedures are absent in other countries that have a centralized way to automatically register all eligible citizens, thanks for instance to the existence of national ID cards. The U.S. has no national ID, but could mimic its effect by combining administrative data collected by different government departments.

The graph in the first section of this brief gives us a "zoomed-out" view: the distance between the yellow and blue dot is wider for the U.S. than any other country on the list. As we have argued, making voter registration automatic for all eligible citizens (not just those who happen to interact with the state before the election) is a win-win, and would put an end to this dubious American exception without being overly costly. It would narrow the gap between participation as a percentage of all eligible voters and participation as a percentage of all registered voters.

For an example of the value of "zooming in," consider again the obstacles created by waiting lines and long distance to one's polling place. As we argued, bureaucratic decisions regarding the number and location of polling stations and other logistical aspects of local election administration can dramatically affect the level and equality of participation. Perhaps slightly higher cost than universal registration – but still worthwhile doing – is opening and staffing more polling places.

When there are no tradeoffs between the three objectives of strong, fair, and equal participation, such moderate costs associated with expanding the vote are worth paying to revitalize U.S. democracy.

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