

League of Women Voters of Texas Education Fund *Voting Procedures to Increase Voting Participation*

Election Day Registration (EDR)

Facts and Issues

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Election Day Registration (EDR), also called Same-Day Voter Registration (SDVR), allows voters to register and vote on the same day. Nine states allow EDR: Idaho, Iowa, Maine, Minnesota, Montana, New Hampshire, North Carolina, Wisconsin, and Wyoming. North Carolina allows SDVR, during the early voting period only. On average, these states have higher voter turnout than non-EDR states. Minnesota has had EDR for 33 years and has always had higher voter turnout than any other state. In the 2008 Presidential Election, Minnesota had a 77.79% voter turnout.ⁱ So if EDR increases voter turnout, why is it not available in all states? Some arguments against EDR lie in what proponents refer to as myths surrounding EDR.ⁱⁱ

Opponents say: EDR encourages voter fraud.

Proponents say: EDR has safeguards in place to prevent voter fraud, and perhaps more proof of identity is required than with other voter registration practices.

Opponents say: EDR is costly.

Proponents say: According to state officials in EDR states, the cost of registering people on election day does not exceed the cost of registering the same number of applicants in a registration office.

Opponents say: EDR leads to partisan advantage.

Proponents say: EDR will help voters, not parties. It is a common misconception that EDR will disproportionately advantage the Democratic Party. EDR benefits all citizens and encourages everyone to be actively involved in the election process. Moreover, both Democratic and Republican election officials supported EDR in the states that have passed legislation authorizing EDR.

Safeguards against Fraud

Voter registration on election day is more stringent and demands a higher level of identification than pre-vote registration, thus reducing the possibility of voter fraud. Registration by mail usually requires only the last four digits of the Social Security number or a driver's license number. Persons registering by mail do not appear in person or present proof of their identity until they appear to vote on election day.

On January 1, 2008, Iowa became the latest state to implement EDR. Iowa addressed the potential for fraud in several ways. To register and vote on election day, the citizen must: 1) appear in person; 2) be determined eligible to vote; 3) provide proof of identity; 4) provide proof

of residence in the precinct; 5) complete and sign a voter registration form; and 6) complete and sign an “Oath of Person Registering to Vote on Election Day.”

Benefits of EDR

All eligible citizens who arrive at the polls may vote. If they are not registered or their voter registration has been removed or not entered properly, or there is any other problem, the citizen may re-register and vote immediately. With EDR, the number of provisional ballots would decrease dramatically, easing the burden on precinct officials. Also, changes of address could be handled at the polling place through EDR. Provisional ballots and changes of address are the two areas where precinct officials make the most procedural errors on election day.ⁱⁱⁱ

States with EDR have higher voter turnout. EDR allows people who become enthusiastic during the final weeks of a campaign to register to vote and participate in the democratic process. According to political scientists, EDR could bring millions of new voters into the system.^{iv} Census data show that 40.1 million Americans moved between 2002 and 2003.^v Many individuals who move miss registration deadlines, which in Texas are 30 days before an election. With EDR, they may register and vote on election day. Young Americans move frequently—for school, for jobs—making it harder for them to stay registered. They register to vote at lower rates than the general population. With EDR, these highly mobile Americans may register at the last moment and vote. Some believe EDR could increase youth turnout in presidential elections by as much as fourteen percentage points.^{vi}

Transportation and other access issues often prevent people with disabilities from registering to vote prior to election day. Being able to register and vote on the day of the election may reduce the burdens on Americans with disabilities and allow them to participate fully in the electoral process.^{vii} New citizens, people of color, young people, and low-income individuals are more likely to have registration problems that could be solved by EDR.^{viii}

Opposition to EDR

In addition to concerns about voter fraud, cost, and partisan advantage, other arguments have been voiced against EDR. Some find it unnecessary because there are already so many opportunities to register to vote. Some fear that taking care of registration at the same time people are voting will burden poll workers and increase the time a voter spends at the polling place. Others point to the challenge of getting the correct ballot to someone who has just registered. Temporary residents, such as college students, who register on election day, may influence the outcome of local races in towns where they are not long-time residents. Cancelling out of state registrations for those already registered elsewhere would be difficult. Arguments such as these have been voiced by those opposing EDR legislation in their state.

Implementation of EDR in Federal Elections

Though the bill did not make it out of committee, legislation that would change federal election laws was introduced in 2008 by US Representative Keith Ellison (D-MN). This bill (H.R. 5946) aimed to help more Americans register to vote by allowing EDR at polling places for all federal

elections. The Election Day Registration Act, an amendment to the 2002 Help America Vote Act (HAVA), would have addressed two chronic problems with the American electoral process--low voter turnout and archaic voter registration laws. Election day registration is also seen as preferable to advance registration since voters are actually present when they register, reducing opportunities for fraud. The bill's introduction came days after the Supreme Court upheld an Indiana voter ID law that seriously impedes the ability of elderly and low-income Americans to vote. Senators Tom Harkin (D-IA) and Jon Tester (D-MT), who represent states that had recently enacted election day registration, were cosponsors of the bill and it was supported by Senators Russ Feingold (D-WI) and Amy Klobuchar (D-MN). "The right to vote is at the heart of our democracy, and we should constantly be looking for ways to make it easier for Americans to exercise that right," Feingold said. "Election Day registration has worked well in Wisconsin for more than 30 years and is a major reason why Wisconsin is a national leader in voter turnout. By allowing people to register in person on Election Day, we can bring more people into the process, which only strengthens our democracy."^{ix}

NOTES

Special thanks to Tonya Presley and Barbara Prabhu of the League of Women Voters of Arlington for their editing assistance. Also edited by Diane Sheridan, LWV-Bay Area.

ⁱ "Briefing, December 2008", electiononline.org, The Pew Center on the States

ⁱⁱ "Election Day Registration Helps America Vote, Tools for Advocates, Summer/Fall 2006, A Network for Ideas & Actions, www.demos.org

ⁱⁱⁱ http://www.yawp.com/ican/ICANVote/EDR_Q_A.pdf. Election Day Registration for Iowa, prepared by the Office of the Secretary of State

^{iv} Demos, *Expanding the Vote: The Practice and Promise of Election Day Registration*, January 2002, p.10

^v <http://www.census.gov/prod/2004pubs/p20-549.pdf>

^{vi} <http://www.civicyouth.org/PopUps/WorkingPapers/WP01Fitzgerald.pdf>

^{vii} "Election Day Registration Helps America Vote, Tools for Advocates, Summer/Fall 2006, A Network for Ideas & Actions, www.demos.org

^{viii} "Election Day Registration Helps America Vote, Tools for Advocates, Summer/Fall 2006, A Network for Ideas & Actions, www.demos.org

^{ix} <http://feingold.senate.gov/releases/08/05/20080501.html>