

# MAKING VOTES COUNT

CITIZENS UNION FOUNDATION  
ELECTION REFORM PROJECT

## ELECTION DAY VOTER REGISTRATION:

Simplifying the Voting Process and Increasing  
Voter Turnout in New York City

November 2005

Prepared by:

**Doug Israel**

Public Policy and Advocacy Director

**Amy Ngai**

Project Manager

*Making Votes Count Project*

**Sydney Beveridge**

Policy Associate

With assistance from:

**Matthew Gertz**

**Elizabeth C. H. Lee**

☆

**Dick Dadey**

Executive Director

  
CITIZENS UNION  
FOUNDATION OF THE CITY OF NEW YORK

299 Broadway, Suite 700  
New York, NY 10007  
(212) 227-0342

**ELECTION DAY VOTER REGISTRATION:  
Simplifying the Voting Process and Increasing Voter Turnout in New York City**

**TABLE OF CONTENTS**

|   |           |
|---|-----------|
| <b>1. IN APPRECIATION</b>   | <b>3</b>  |
| <b>2. EXECUTIVE SUMMARY</b>   | <b>4</b>  |
| <b>3. ABOUT THIS REPORT</b><br><i>Methodology</i>   | <b>5</b>  |
| <b>4. INTRODUCTION TO ELECTION DAY REGISTRATION</b>   | <b>6</b>  |
| <b>5. HISTORIC OVERVIEW</b>   | <b>8</b>  |
| <b>6. UNDERSTANDING VOTER TURNOUT &amp; EDR'S IMPACT</b><br><i>Democratic Deficit: The Decline of Voter Turnout</i><br><i>Impact of Election Day voter registration</i> | <b>10</b> |
| <b>7. UNNECESSARILY DISENFRANCHISED: WHO DOES EDR HELP?</b>   | <b>15</b> |
| <b>8. THE CITY EFFECT : URBAN EDR AND NEW YORK CITY</b>   | <b>18</b> |
| <b>9. PRIMARY CONCERNS WITH EDR</b><br><i>Voter Fraud and Error</i><br><i>Administrative Burden</i><br><i>Financial Costs</i>   | <b>21</b> |
| <b>10. EDR IMPLEMENTATION OPTIONS FOR NEW YORK</b><br><i>Precinct-Level EDR</i><br><i>Election Office EDR</i><br><i>Election Office EDR and Voting</i>                  | <b>24</b> |
| <b>11. NEXT STEPS: IMPLEMENTING EDR IN NYC</b>  | <b>27</b> |
| <b>12. CONCLUSION</b>   | <b>28</b> |
| <b>13. ABOUT CITIZENS UNION FOUNDATION</b>  | <b>29</b> |
| <b>14. SOURCES AND WORKS CITED</b>  | <b>34</b> |

# 1

## IN APPRECIATION

Citizens Union Foundation would like extend our thanks to our funders and collaborators in advancing election reform and particularly Election Day voter registration.

We wish to thank the New York Community Trust and the Lily Auchincloss Foundation for their generous grants in support of our election reform efforts. Thank you also to the Ford Foundation for their support of our preliminary work in election reform.

We appreciate the hard work and persistence of Matthew Gertz for his invaluable work on this project and the Century Foundation for providing a grant to fund his work this past summer. Our appreciation is also extended to Elizabeth Lee and the Coro Fellows Program for their help with this project in 2004.

This report builds on an already existing body of work by our good-government partners at Demos which published in 2004 *“Making Voting Easier: Election Day Registration in New York,”* and at the New York Public Interest Research Group which published in 2005 *“Expanding the Franchise: How Election Day Registration will Increase Turnout and Votes Counted in New York.”*

Many thanks to Demos, NYPIRG and to the many advocates both within and outside of government for their continued efforts to improve our elections system and create a more vibrant and participatory democracy.

# 2

## EXECUTIVE SUMMARY

Voter participation is at an all time low in New York. Turnout has been steadily declining as New Yorkers have increasingly decided to sit on the sidelines on Election Day. In the last presidential election, one of the most contentious in American history, voter turnout in New York was well below the national average earning the rank of 46<sup>th</sup> in the country. Unfortunately, these statistics are not an aberration, they are indicative of a general trend of increasing voter apathy dating back to the 1960's.

While there are many factors that this can be attributed to, New York's election system itself is hindering the ability of voters to cast a ballot on Election Day. Currently, New York requires two steps to voting – a registration process with a pre-determined deadline and poll site voting on Election Day.

By implementing common sense measures, such as Election Day voter registration (EDR), New York can remove cumbersome barriers to voting and facilitate a more engaged citizenry. Six states have adopted the more streamlined Election Day registration approach, allowing eligible voters to register and vote on Election Day. Those states have consistently shown higher voter turnouts than the national average, with four of them ranking in the top six in the nation in 2004.

As this report highlights, Election Day voter registration would have tangible benefits for the entire state. New York is a city that is more ethnically and culturally diverse than most and whose populace is extremely mobile and transitory within the City. Such factors contribute to disenfranchising tens of thousands of voters. By implementing EDR, New York stands to see greater voter participation. Election Day registration in New York would:

- Streamline registration and voting into a single process, diminishing administrative burdens associated with registration procedures and affidavit ballots.
- Allow eligible voters with uncertain registration status to re-register, therefore decreasing the number of provisional ballots cast.
- Eliminate confusion and uncertainty over voter registration status.
- Generally enfranchise and turn out more citizens to vote.

Over the next few years, as New York State begins to implement election system reforms associated with passage of the Help America Vote Act (HAVA), the opportunity to implement EDR is most advantageous. By modifying state Election Law and the State Constitution to allow EDR, New York can capitalize on the statewide computerized voter registration database that is being created and new voting machine technologies that will be implemented to greatly simplify the voting process. These modernization measures will aid the transition to EDR and assuage the concerns of those that fear that the change would be wrought with difficulty. Election Day voter registration will help New York reverse the trend of increasing voter apathy and ensure a healthy and vibrant democracy.

# 3

## **ABOUT THIS REPORT**

This report was prepared by the staff of Citizens Union Foundation in an effort to inform interested parties about how Election Day voter registration works in other states and municipalities and what its impact might be in the City of New York should the State of New York ever enact such an administrative process. As part of its election reform work, Citizens Union Foundation is concerned with removing barriers to citizen participation in the electoral process and enfranchising a greater number of New Yorkers to exercise their constitutional right to vote. Election Day voter registration is seen as a way to remove one of the several barriers that exist.

## **METHODOLOGY**

The report's information was gathered from literature review, internet research, telephone interviews with various election officials from Federal Elections Commission, commentary from New York State Election board officer Lee Daglian, and notes taken from the various EDR coalition meetings. Additionally, the in-depth research and analysis by R. Michael Alvarez, Stephen Ansolabehere, Jonathan Nagler, and Catherine H. Wilson, who have conducted significant national research on Election Day voter registration for Demos was instrumental in the development of this report.

Data for this report was derived from the U.S. Election Assistance Commission, the Current Population Survey Voter Supplement Data from 1972-2004 (CPS), the U.S. Census Bureau Population Estimates Program, and the websites of the election offices of the states discussed.

All turnout figures were calculated by dividing the total vote in the 2004 presidential election by the Voting Age Population, as determined by the U.S. Census Bureau.

The U.S. Election Assistance Commission (EAC) was established by the Help America Vote Act of 2002 (HAVA). The Commission serves as a national clearinghouse and resource for information and review of procedures with respect to the administration of federal elections.

The CPS is a monthly survey of roughly 50,000 households conducted for the Bureau of Labor Statistics. During federal election years, the November survey includes questions on voting behavior. The large sample size provides accurate data down to the state level.

Lastly, the Population Estimates Program produces for states each year a total population and county estimates are differentiated by age, sex, race, and Hispanic origin.

## 4

**INTRODUCTION TO ELECTION DAY VOTER REGISTRATION**

For years, New York's recent record of voter turnout in federal, state, and local elections has been abominably low. In the 2004 presidential election, New York's turnout was lower than that of forty five other states in the nation for voting age population (VAP)<sup>1</sup> turnout at 50.8%, and 62.9% turnout of registered voters. For the 2002 statewide election, only 42% of the registered voters voted for governor. Less than 36% of registered New Yorkers went to the polls in 2001 when the last citywide election was held. Most recently, only 16% of those eligible to vote actually cast a ballot in the 2005 Democratic primaries for citywide offices.<sup>2</sup> As illustrated, New York City and State have consistently contributed to the nationwide, decades long decline in voter turnout.

While voter registration enables the city to screen and register eligible voters, some aspects of the registration process may inadvertently prevent some potential voters from heading to the polls on Election Day. Voter registration ensures that those eligible to vote are able to do so and prohibits those who are not. Registration keeps non-eligible voters such as non-citizens, convicted felons (in some states) and minors under the age of 18 off the voter rolls. Additionally, it inhibits fraud by preventing eligible voters from voting multiple times. The registered voter rolls are also a useful tool that state and city election officials use to target individuals for educational campaigns on voting procedures, inform them about poll site locations and disseminate other essential voting information.

Each state is empowered to implement its own process of running elections for federal, state and local offices. New York, like most states, requires voters to register before Election Day. The New York State Constitution (Article 2, Section 5) requires registration at least 10 days in advance of Election Day. By enacting statute, the State requires that registration be completed at a minimum of 25 days before Election Day. After completing and filing the registration form, voters are placed on the rolls as eligible voters and may cast a vote on Election Day. The two-step process of a separate registration procedure from voting itself unnecessarily hinders voters from exercising their constitutional right on Election Day. This outdated approach keeps many potential voters from doing so particularly in an age when the use of electronic communication, computer equipment and internet access allow for expedited processing.

Election Day voter registration (commonly known as EDR or same-day registration), a process that allows eligible voters to both register and vote on the same day, has been used in other states to solve many of the problems that currently limit civic participation in New York. This streamlined system reduces voting from a two-step process to a one-step procedure, allowing voters the option

---

<sup>1</sup> Voting Age Population is a term used by the Census Bureau in their Current Population Surveys, and is used in reference to all individuals who are 18 years of age or older regardless of citizenship, military status, felony conviction, or mental state. Due to the inability of the Census Bureau or any other organization in accurately determining the number of eligible voters in the United States, the Voting Age Population is commonly used as a base number for comparison of participation in the political process.

<sup>2</sup> Percentage derived from New York City Board of Elections' "Statement and Return Report for Certification."

of registering to vote in elections held that day. EDR has been shown to increase overall turnout and enfranchise sections of the populace, many of whom are marginalized by New York's current registration system.

Although it is acknowledged that implementation of same-day registration and all other election reform must originate from the state government, it is beneficial and imperative to understand the potential impact of such administrative changes in New York City, the home to almost half of the electorate in the State. Additionally, some challenges and circumstances are specific to New York City and not applicable to the greater State as a whole.

This study will help foster a better understanding of the impact of EDR on New York City alone through an analytical comparison between counties in New York City and other municipalities that employ Election Day voter registration, demonstrate the practicality, feasibility and cost of implementation here in the city, and propose several possible avenues in which EDR can be adopted here in New York.

## 5

**HISTORIC OVERVIEW**

Election Day voter registration has its roots in a series of court rulings and federal regulations established in the early 1970s. Notably, the 1970 Voting Rights Act prohibited states from closing voter registration more than 30 days before a presidential election, and in 1972, the Supreme Court struck down laws requiring citizens to have lived at their residence for a period before being permitted to register to vote.

Most states took advantage of these and other changes in federal election law to amend their own regulations, instituting a variety of new procedures such as permanent statewide registration, registration by mail, absentee balloting, and motor-voter laws. Maine, Minnesota, and Wisconsin, which had histories of progressive reform and honest, fraud-free elections, adopted Election Day voter registration laws between 1972 and 1974.<sup>3</sup> These states are often referred to as the “First Wave” of states with Election Day voter registration.

Upon assuming office in 1977, President Jimmy Carter proposed the Universal Registration Act, the centerpiece of which was a federal EDR law based on those in Minnesota and Wisconsin. Former Minnesota Senator and then-Vice President Walter Mondale led the White House push for these regulatory changes, testifying before Congress that the system boosted voter participation without increasing fraud or resulting in an advantage for one party or the other.<sup>4</sup>

While the plan enjoyed some initial public support, Carter was forced to withdraw it after Republican senators threatened to filibuster. Those opposed to EDR claimed that the policy would result in increased fraud; however, Pat Buchanan’s claim that the system would encourage the votes of “these millions who can be counted on to pull the straight Democratic ticket – to keep that uninterrupted stream of government goodies rolling along,” did not go unnoticed.<sup>5</sup>

Following the defeat of President Carter’s initiative, the EDR movement lost inertia in election reform circles, which instead increased focus on registration at government agencies such as the Department of Motor Vehicles. Following its initial veto by President Bush, President Clinton signed the National Voter Registration Act of 1993 (the “Motor Voter” bill), implementing this policy. Rather than pay the millions of dollars necessary to become compliant with this law, Idaho, New Hampshire, and Wyoming instead adopted EDR, taking advantage of the exemption in the law made for states with that procedure. These states are known as the “Second Wave” of EDR.

Since the rise of the Second Wave, a number of states have considered and ultimately rejected EDR systems. Ballot measures to implement it failed in Colorado and California in 2002. Connecticut

---

<sup>3</sup> Smolka, Richard G. “Election Day Registration: The Minnesota and Wisconsin Experience in 1976”. American Enterprise Institute for Public Policy Research. Washington D.C.: 1977.

<sup>4</sup> Weaver, Walter Jr. “Carter to ask an end to most voter curbs in federal elections”. New York Times. New York, NY: Mar 20, 1977 p 1.

<sup>5</sup> Buchanan, Patrick J. “Reform aids welfare class”. Chicago Tribune. Chicago, Ill.: Mar 31, 1977. p. B3.



residents and lawmakers were surprised in 2003 when Governor John Rowland vetoed an EDR bill that enjoyed substantial bipartisan support in the state legislature and from the Secretary of State. Other bills are currently being considered in Vermont, North Carolina, and Massachusetts. Oregon is also considering re-instituting Election Day voter registration after a 9-year period of implementation of EDR was repealed in 1985. In New York, Assemblymember Scott Stringer has repeatedly proposed legislation to implement EDR, which is co-sponsored by 27 additional members of the Assembly, and enjoys the support of Attorney General Eliot Spitzer. The bill is currently waylaid in the State Assembly's Election Law Committee, where it died in the previous three legislative sessions.

A new potential force that can assist in the adoption of EDR is the Help America Vote Act (HAVA). New York and other states can capitalize on the impending changes mandated by HAVA on a state and citywide basis to implement Election Day voter registration, thereby initiating a "Third Wave" of EDR states.

The following are changes under the federal HAVA and New York State's Election Reform Modernization Act of 2005 that will facilitate the incorporation of EDR:

- Creation of a statewide voter database.
- Institution of a statewide standard of poll worker training curriculum.
- Establishment of a public education campaign.
- Transition to a new voting system (causing significant changes to Election Day operations).

Additionally, the recently issued report by the Carter-Baker Commission on Federal Election Reform illuminates the inadequacies of the current electoral process while providing recommendations to address those concerns.<sup>6</sup> The recommendations called for the creation of government issued identification cards for the purposes of voting, providing of adequate funding for the implementation of HAVA, changing the schedule for presidential primaries, and creation of civic education programs, amongst other recommendations.

The report has stimulated dialogue on the lagging election reform movement and may further generate momentum in the modernization of the voting process. Implementing EDR in New York would be in accordance with HAVA and consequently help address some of the inadequacies in the current system that the Carter-Baker report has identified.

---

<sup>6</sup> "Building Confidence in U.S. Elections: Report of the Commission on Federal Election Reform" September 2005

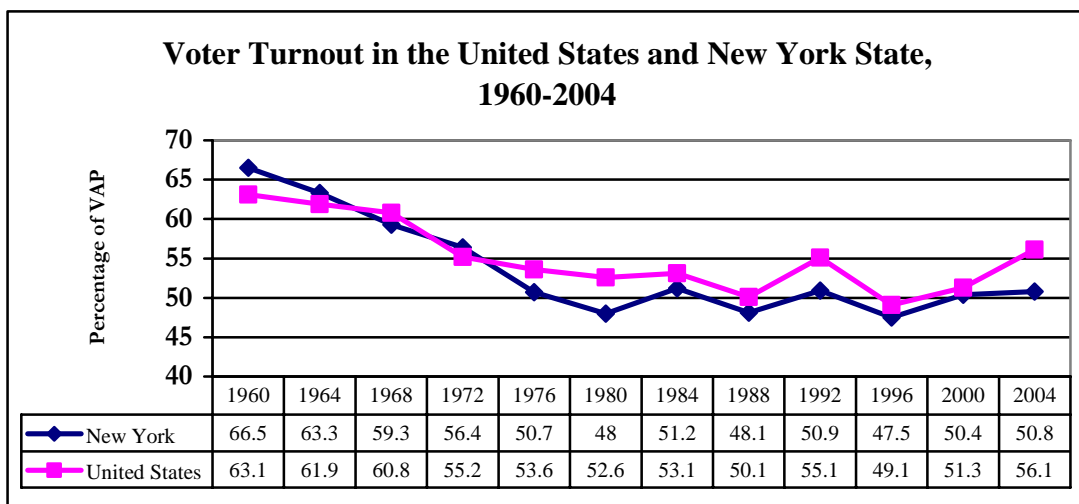
## 6

**UNDERSTANDING VOTER TURNOUT AND EDR'S IMPACT****DEMOCRATIC DEFICIT: THE DECLINE OF VOTER TURNOUT**

High voter turnout is indicative of a healthy, thriving democracy. It demonstrates that citizens are not only eager to participate in this important civic responsibility, but that they also have easy access to the process of registering and voting. Officials chosen in elections that feature high turnout have both greater legitimacy and a greater mandate to effect change, since they have garnered the support of more voters.

Unfortunately, even the highest national turnout in recent years – which occurred in 2004 – constituted just 56.1% of the voting age population (VAP). Many other developed nations boast turnout rates of 60% to over 90% of eligible voters. In parliamentary elections in the 1990s, Australia averaged 85.2%, Germany 73.2%, the United Kingdom 72.4% and France 60.3%.<sup>7</sup> Comparatively, the average turnout of the VAP in United States presidential elections over the past forty-four year period was 55.1%.

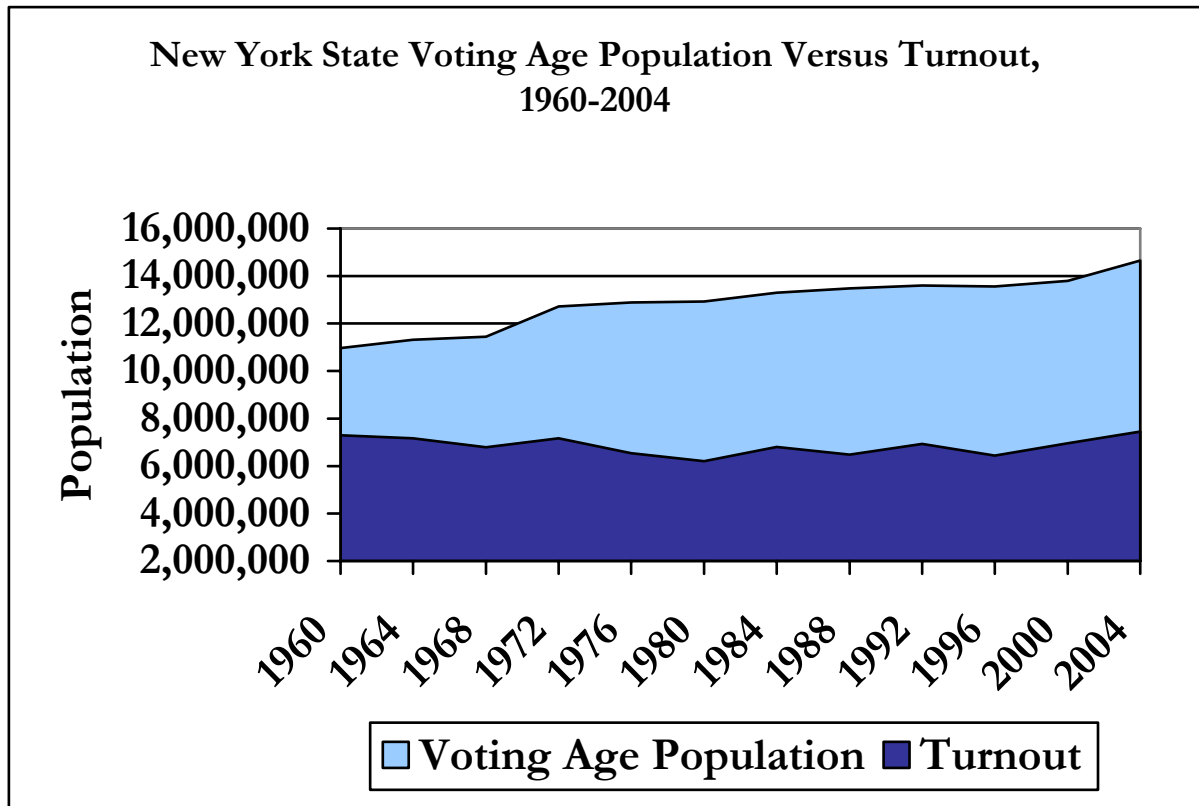
Voter turnout in the United States has been anemic at best for decades. In 1960, over 63% of the voting age population went to the polls; this sank to a low of 49% in 1996 before rising to the comparatively higher percentage that voted nationwide in 2004. Our voter turnout is the lowest of any established democracy worldwide. Within the low turnout nationwide, New York voters have been contributing to the low average by consistently turning out in percentages below the national average.

**FIGURE 1**

<sup>7</sup> Some of these countries have mandatory voting provisions.

As Figure 1 illustrates, voter turnout in New York State has fallen from over 60% in 1960 to just over 50% in the recent federal election. Additionally, the State has recorded voter turnout below the national average since 1972, and has not exceeded 51% in the last five presidential elections. New York ranked 46th out of the 50 states in 2004, and its increased turnout of 0.4% in voting age population since 2000 significantly trailed the national increase.

**FIGURE 2**



Over the past 44 years, New York State's voting age population has risen by nearly four million, an increase of almost a third. At this same time, its turnout has remained static, increasing by only 157,187 voters (2%) from 7,291,079 voters in 1960 to 7,448,266 in 2004. Until the most recent election and with the exception of the 1972 election, voter turnout had never exceeded that 1960 high point.

On the city level, voter turnout of registered voters in the previous twenty years has fluctuated between decline and stagnation. As illuminated in Figure 3, turnout of the voting age population has not fluctuated more than 5% between federal elections while turnout of registered voters has been in relative decline. Surprisingly, the total registration of the voting age population has increased in the last six presidential elections. A significant cause for this aberration maybe attributed to the implementation of the National Voter Registration Act (also know as the Motor Voter Law) in 1993, which allowed individuals who renewed or obtained a driver's license to register to vote at the same

site. Within the first year of enactment, the Department of Motor Vehicles in New York State registered 21.36% of the 3,275,102 new voters.<sup>8</sup>

Unfortunately, the success in registration by Motor Voter has not been accompanied by an increase in voter turnout. While advocates commonly agree that provisions by the National Voter Registration Act has made the voter registration process more accessible, statistics show that this phenomenon has not translated into greater voter turnout in New York City. This may be partly due to the to lack of correlation between registration and voting for those who register to vote at the Department of Motor Vehicles or other governmental agencies outside of the Board of Elections.

Conversely, Election Day voter registration draws a direct connection between registration and voting. Only those that are committed to voting would vote through this process. Without EDR this group of motivated individuals would be disenfranchised. (It should be noted that EDR states were exempt from the National Voter Registration Act's requirement of utilizing agencies to conduct voter registration, and other states were given the option to choose between implementing the two types of election reform.)

### FIGURE 3

#### New York City (Bronx, Kings, New York, Queens and Richmond County)

| Year | VAP       | Registered | Turnout   | Registered (% VAP) | Turnout (% VAP) | Turnout (% Registered) |
|------|-----------|------------|-----------|--------------------|-----------------|------------------------|
| 1984 | 5,572,694 | 3,399,394  | 2,340,181 | 61.0               | 42.0            | 68.8                   |
| 1988 | 5,687,853 | 3,017,013  | 2,126,418 | 53.0               | 37.4            | 70.5                   |
| 1992 | 5,556,806 | 3,366,332  | 2,211,473 | 60.6               | 39.8            | 65.7                   |
| 1996 | 5,547,928 | 3,870,367  | 2,028,013 | 69.8               | 36.6            | 52.4                   |
| 2000 | 6,068,009 | 4,255,399  | 2,268,502 | 70.1               | 37.4            | 53.3                   |
| 2004 | 6,196,516 | 4,494,421  | 2,468,883 | 72.5               | 39.8            | 54.9                   |

### IMPACT OF ELECTION DAY VOTER REGISTRATION

Six states – Idaho, Maine, Minnesota, New Hampshire, Wisconsin and Wyoming – have implemented Election Day voter registration. Maine, Minnesota and Wisconsin instituted EDR in the 1970's and New Hampshire, Wyoming and Idaho adopted EDR before the 1994 elections. These states have consistently recorded participation levels among the highest in the country.

Election Day voter registration allows potential voters to register on the same day they vote, either at an election office (as is the case in Maine) or at the poll locations themselves (as is the case in the other EDR states), thereby taking advantage of the natural peak of interest in elections that occurs with the approach of Election Day. EDR capitalizes on the increased campaigning, media attention and general awareness by allowing all voting age eligible citizens to exercise their right to vote by registering and voting on the day of the election rather than weeks in advance.

According to a survey published by Northwestern University's Medill School of Journalism, the number one reason that non-voters do not vote is that they are not registered.<sup>9</sup> EDR can directly target this problem by eliminating that barrier on Election Day.

<sup>8</sup> Federal Elections Commission, "Sources of Voter Application, 1995-1996"

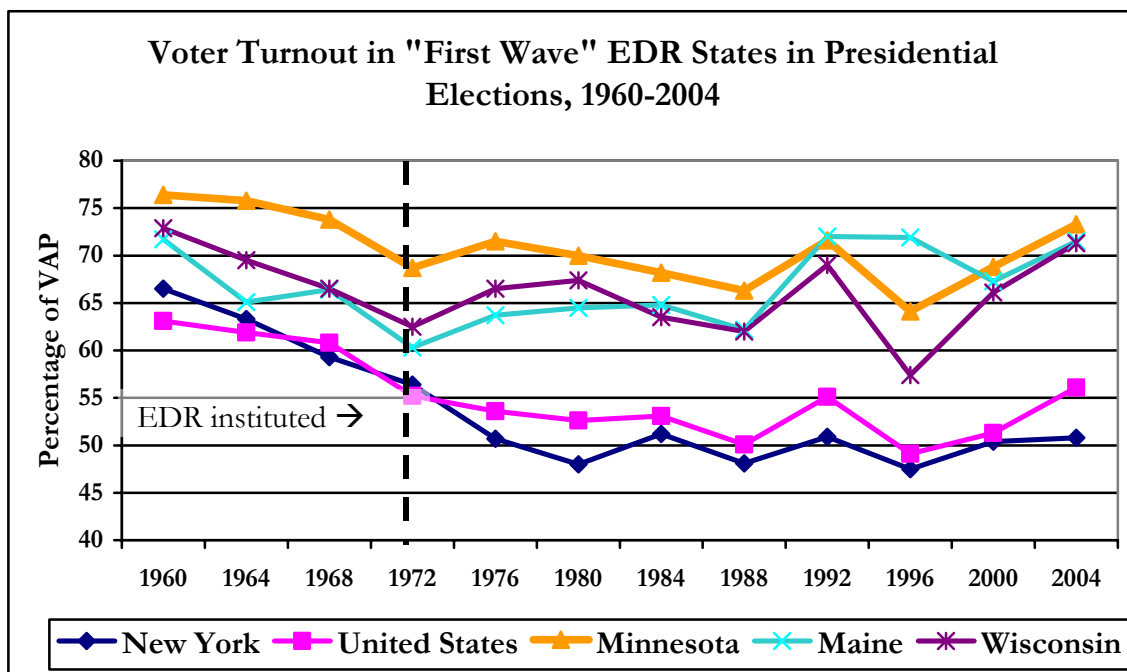
Once registered, Election Day registrants are treated like conventional voters and placed on the registration rolls until the voter moves or dies.<sup>10</sup> The method of registering voters differs by state; however, all states that have effectively implemented EDR have done so in an efficient and successful manner.

- In EDR states, 10 to 20% of votes cast in each election were submitted by those who registered at the polls that day.
- In 2000, 55% of all registered voters in EDR states first registered at the polling site, compared to 19% in local election offices, 17% at the DMV, less than 2% by mail or through a registration drive, and 9% at other locations.<sup>11</sup>

In addition to the convenience of registering at the polls, voter turnout is significantly higher in states with same-day registration than it is in the United States overall, and dramatically higher than that in New York.

The “First Wave” of states to implement EDR consisted of Maine, Minnesota and Wisconsin, which have maintained extremely high turnout figures despite the general downturn in national turnout. In 1976, the first presidential election following the implementation of EDR, all three states with EDR saw at least a 3% gain in voter participation, as national turnout dropped by over 1.5%. On only one occasion have any of the states recorded a voter turnout below 60%, and turnout in all three states exceeded 70% in the most recent elections and has always topped national turnout.

**FIGURE 4**



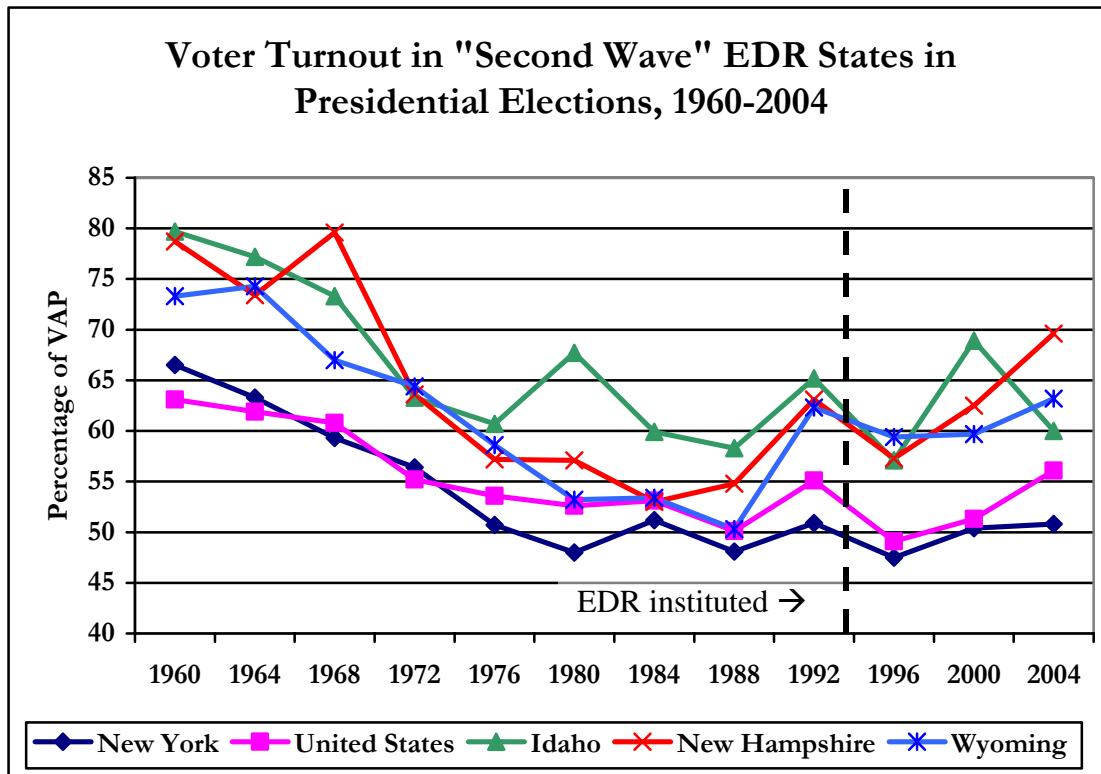
<sup>9</sup> Doppelt, Jack and Ellen Shearer. “America’s No-Shows: Who They Are, Why They Don’t Vote, and What It Could Take to Bring Them to the Polls.” The Medill School of Journalism. September 2001.

<sup>10</sup> EDR states currently do not have a provision for inactive voters.

<sup>11</sup> Alvarez, R. Michael and Stephen Ansolabehere. “California Votes: The Promise of Election Day Registration.” *Demos*. New York: 2002.

The “Second Wave” of states to implement EDR consisted of New Hampshire, Idaho and Wyoming, which adopted EDR after the 1992 election. Implementation of EDR in this group of states has not been as successful in increasing voter turnout as the “First Wave,” but the positive effects are still apparent. As nationwide voter turnout fell by 6%, New Hampshire dropped by 5.8% and Wyoming dropped only by 2.9%, while Idaho fell within the national average by 8.1%. At the same time, however, all EDR states maintained or improved their rankings compared to the other states, and were all among the top 12 states in turnout.

**FIGURE 5**



## 7

**UNNECESSARILY DISENFRANCHISED: WHOM DOES EDR HELP?**

According to a 2001 survey of non-voters commissioned by the Medill School of Journalism, four in ten respondents claimed that they did not vote due to barriers such as work, inability to register in time, illness or travel, as opposed to choosing not to vote. Almost two-thirds (64%) of those polled believed that allowing people to register on Election Day would make them more likely to vote.<sup>12</sup>

Election Day voter registration has become popular in the states that have chosen to implement it, as demonstrated by the majority of voters who registered in EDR states over the past ten years at the polls. While its use is widespread, EDR is particularly effective at enfranchising certain groups.

**Late Interest Voters**

This group is composed of eligible voters who may not be engaged in the election process until immediately before Election Day itself. These voters are often citizens who are apathetic or uninformed in political affairs but find themselves with a heightened interest in the election as the time to vote approaches. This can be attributed to the dramatic increase of both media coverage of political campaigns and the efforts of those campaigns themselves in the period immediately before an election. Candidate advertisements and news coverage of the election saturate television, radio and print media while a flurry of political direct-mail pieces bombard mailboxes. In light of such activity, voters become more interested and attentive in the days leading up to the elections.

During the 2004 presidential campaign, for example, the voter registration rolls in New York closed on October 5<sup>th</sup>. The vice-presidential debate was held that night, and the second and third presidential debates were held three and eight days later, respectively. By this point, the deadline in most states that do not employ EDR had already passed and candidates were only addressing registered voters.

Current voter registration law fails to take advantage of the attention paid to candidates by “late interest voters” in the final weeks leading up to Election Day. Would-be voters who are inspired by the increased focus on the election in the days immediately before it find themselves barred from exercising their constitutional right to vote. Unlike marginally interested voters, these individuals may have specific, passionate views on the election, but under current law they simply come by those opinions too late to be allowed to act upon them through voting.

**Recently Mobile Voters**

According to the U.S. Census Bureau’s American Community Survey, 10% of New York City residents in 2003 were living in a different residence than the year before. Potential voters who

---

<sup>12</sup> Doppelt, Jack and Ellen Shearer. “America’s No-Shows: Who They Are, Why They Don’t Vote, and What It Could Take to Bring Them to the Polls”. The Medill School of Journalism. September 2001.

relocate after New York's registration deadline find themselves unable to vote at their new residences. Those who move from outside of the city cannot participate in upcoming local elections and may find themselves unable to return to their previous area of residence to cast a ballot. This is especially true for college students who enroll in institutions away from home. According to the National Center for Public Policy and Higher Education, New York State has a positive net migration of students.<sup>13</sup> This disproportionate level of out-of-state students must either request an absentee ballot from their home county or acclimate immediately to the voter registration guidelines of the local Board of Elections.

Election Day voter registration would allow mobile voters to register to vote with their new residences at the polls by showing photo identification and proof of residence, such as a driver's license or utility bill. This would immediately re-enfranchise voters who have been removed from the voting pool for no other reason than that they moved at an inopportune time.

### **Marginally Interested Voters**

According to the Medill study, the remaining six of ten non-voters simply choose not to vote. While some of these individuals may be making a principled decision to abstain from casting a ballot, others may be willing to vote given the opportunity, as long as doing so is not overly cumbersome. Knowledge of the issues and candidates involved in the campaign may vary among marginally interested voters, but they are united in their lack of strong feelings about the election. Under current circumstances these voters are not encouraged to vote, but may find themselves more willing to do so if the roadblocks to voting, such as a distinct and separate period of voter registration, were removed.

While the apathy of this group is troubling, it is inequitable to disenfranchise these citizens based on this judgment. It should be noted, however, that because this group may be both less informed and less politically active than other voters (up to 37% of these non-voters lack a strong interest in politics, according to the Medill survey), they may be more susceptible to both propaganda and vote-buying schemes, though little evidence of that has surfaced in the EDR states. Additionally, this type of fraud is not typical in EDR states, and may be executed in non-EDR states as well.

Although the impact of Election Day voter registration on voter turnout of marginally interested voters is questionable, barriers should not be in place to prevent these individuals from exercising their democratic right to cast a ballot if they so choose.

### **Incorrectly Registered Voters**

Every year, otherwise qualified voters are turned away at the polls because their registration forms were incorrectly filled out or lost. According to the U.S. Census Bureau's Current Population Survey Voter Supplement of 2004, 6.8% of non-voting respondents nationwide claimed that they did not vote because of a problem with their voter registration. This number is even higher among demographic groups that are traditionally underrepresented at the ballot box, including 7.2% among African Americans, 8.2% among those in the ages of 18 to 24, and 10.9% among Hispanics.

---

<sup>13</sup> "Measuring Up: The National Report Card on Higher Education." *The National Center for Public Policy and Higher Education*.



New York is particularly vulnerable to this phenomenon because so many new applicants for registration complete paperwork outside the direct oversight of the Board of Elections. In 2003, 469,109 registration forms were received by county elections boards statewide from public agencies designated under the Voter Registration Act of 1993. A full 80% of these came from the Department of Motor Vehicles alone.<sup>14</sup> In states with Election Day voter registration, 75% of all registrations are done under the supervision of the elections office, greatly reducing the opportunity for these errors to fall through the cracks.<sup>15</sup> Under EDR, new registrants fill out their registration forms with the guidance of an elections official or poll worker trained in the pertinent procedures.

While New Yorkers have the option of filling out provisional ballots when they find they are incorrectly registered, the use of EDR would not only rectify the error and streamline the process for the Board of Elections, but also increase the likelihood that these votes are counted.

### **First Time Voters**

Voters who will benefit immensely from Election Day voter registration are first time voters who are new to the democratic process. Each year thousands of individuals, ranging from newly naturalized citizens to teenagers who have turned 18, register to vote for the very first time.<sup>16</sup> These voters can be an aggregate of the groups mentioned earlier, but a distinct attribute of these potential voters is their unfamiliarity with the political process and the requirements of voter registration.

Although it is the responsibility of the City Board of Elections, Campaign Finance Board and the Voter's Assistance Commission to provide active voter education to the public, many potential new voters are still unaware of the 25-day registration deadline. The implementation of Election Day voter registration in New York City would greatly enfranchise these voters and allow them to fulfill their civic responsibilities.

---

<sup>14</sup> New York State Board of Elections Annual Report, 2003.

<sup>15</sup> Alvarez, R. Michael and Stephen Ansolabehere. "California Votes: The Promise of Election Day Registration". *Demos*. New York: 2002.

<sup>16</sup> According to the U. S. Census Bureau's American Community Survey for 2003, New York City has a population of 7.9 million, of which 1.4 million are naturalized citizens and 463,772 are between the ages of 15-19 years of age.

## 8

**THE CITY EFFECT: URBAN EDR AND NEW YORK CITY**

Major metropolitan areas present a number of additional structural problems to voter turnout that are not as pronounced in rural and suburban areas. Cities must assemble large numbers of easily accessible polling sites and veritable armies of well-trained poll workers to properly administer an election without causing long delays. Metropolitan populations are also generally more mobile and generate a lower per capita income than their suburban surrounding communities, and are more likely to have a larger number of new citizens and immigrants that face language barriers in the voting process. These factors, among others, lead to a generally lower voter turnout in the nation's cities.

Election Day voter registration has been shown to be effective in maintaining high voter turnout in urban areas. Admittedly, it is difficult to compare cities that currently use EDR with New York City; New York is the largest city in the country, with a diverse population of over 8 million people; Hennepin County (MN) is the largest metropolitan area in any EDR state, with just over 1.1 million residents.

Some comparisons can be made on the county level, however. Hennepin and Milwaukee (WI) Counties, for instance, have populations only slightly below that of Bronx County, but in 2004 had voter turnouts over thirty-five percentage points higher. Ramsey (MN) and Richmond (Staten Island) Counties have very similar population sizes, minority populations, and poverty rates, but in 2004 Ramsey had a voter turnout that was thirty percentage points higher.

**FIGURE 6**  
**Comparison of Counties With and Without EDR<sup>17</sup>**

|                       | <b>W/O EDR</b>  | <b>With EDR</b> | <b>W/O EDR</b> | <b>With EDR</b>  |                 |
|-----------------------|-----------------|-----------------|----------------|------------------|-----------------|
| County                | <b>Richmond</b> | <b>Ramsey</b>   | <b>Bronx</b>   | <b>Milwaukee</b> | <b>Hennepin</b> |
| Total Population      | 443,728         | 511,035         | 1,332,650      | 940,164          | 1,116,200       |
| % Black               | 9.7             | 7.6             | 35.6           | 24.6             | 9.0             |
| % Asian               | 5.7             | 8.8             | 3.0            | 2.6              | 4.8             |
| % Hispanic            | 12.1            | 5.3             | 48.4           | 8.8              | 4.1             |
| % Foreign-Born        | 16.4            | 10.6            | 29.0           | 6.8              | 9.9             |
| % In labor force      | 60.6            | 70.2            | 51.3           | 65.4             | 73              |
| % Families in poverty | 7.9             | 7.4             | 28.0           | 11.7             | 5.0             |
| % 2004 Voter Turnout  | <b>46.6</b>     | <b>75.5</b>     | <b>34.2</b>    | <b>70.6</b>      | <b>75.9</b>     |

In the previous five presidential elections, the turnout of New York City's VAP has failed to climb above 40 percent. Of the City's five counties (Bronx, Kings, New York, Queens, and Richmond),

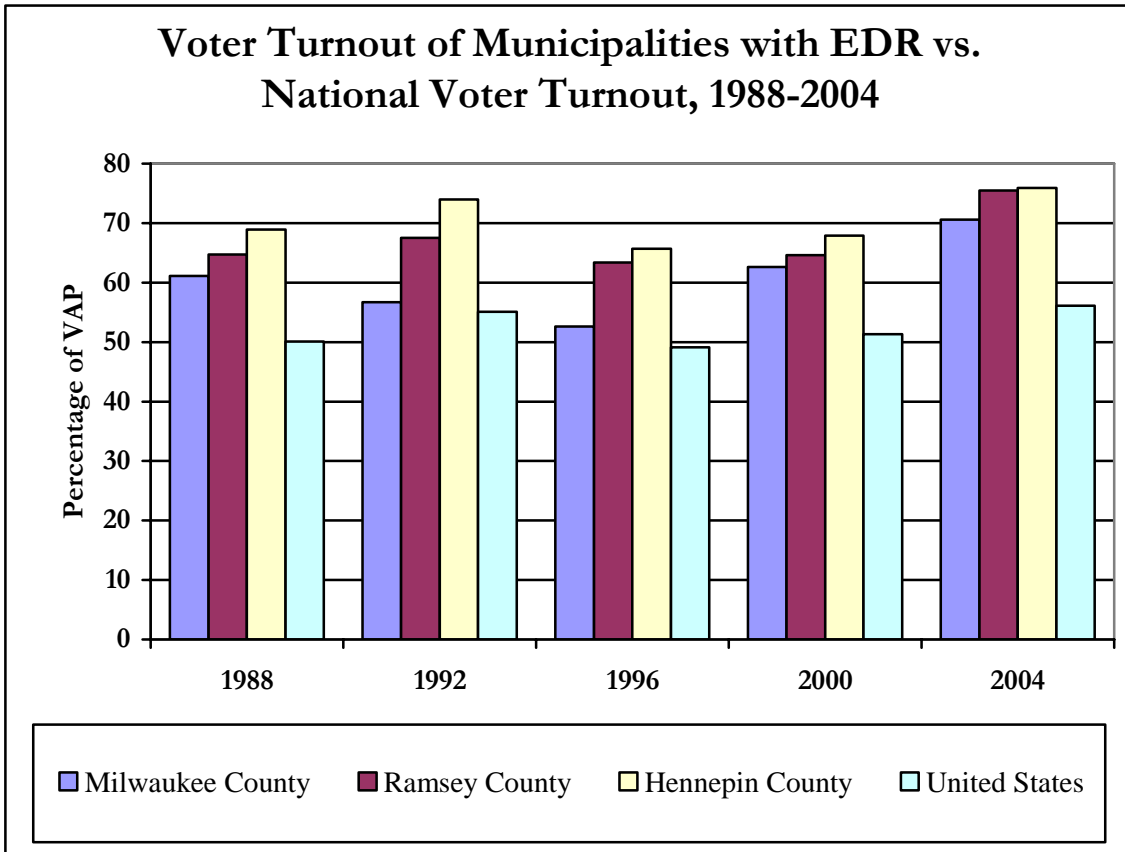
<sup>17</sup> Data derived from U.S. Census Bureau's Current Population Survey Voter Supplement

only Richmond County has had an election during that period with higher than 50% turnout, in 1992. Bronx County’s turnout has dropped in each of the last four election cycles and along with Kings and Queens Counties, has never surpassed the 40% turnout rate.

In the 2004 election, New York County showed the highest turnout of the city, with 49.8% of the voting age population going to the polls. This was still over six points percentage below the national average. Bronx and Queens Counties both had turnout figures more than twenty percentage points below the country as a whole.

Figure 7 illustrates the voter turnout of the three largest municipalities currently using EDR: Hennepin County (which encompasses the city of Minneapolis, MN), Milwaukee County (Milwaukee, WI) and Ramsey County (St. Paul, MN). In the 2004 presidential election, all three counties posted voter turnout rates above an astounding 70%, which was about 15% to 20% above the national figure.

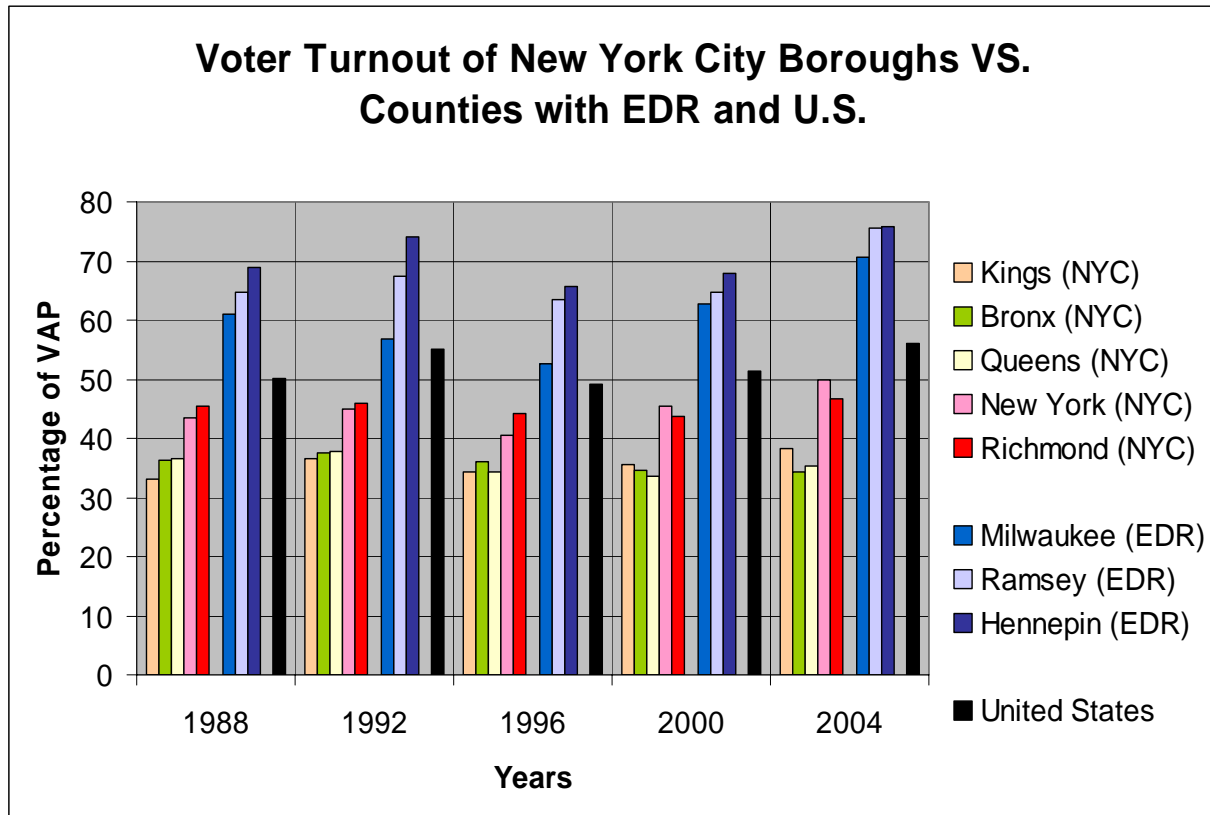
**FIGURE 7**



New York City’s voter turnout (as is the case across the country) is at its peak during presidential elections, significantly higher than it is during state or municipal elections. While voter turnout may be slightly depressed because New York is not a swing state, low participation rates are a significant problem that cannot be attributed solely to that phenomenon.

As compared to the New York City counties (Figure 8), none of the urban counties with EDR have turnouts falling below the national average in the last five presidential elections. Neither of the Minnesota counties has fallen below 60% turnout; Milwaukee reached its low point of 52.6% during the 1996 election, when national turnout fell below 50%, while none of the counties in New York City reached 45%.

**FIGURE 8**



While some of the recent increases in voter turnout of Milwaukee, Ramsey and Hennepin County over the last few elections may be due to the status of Wisconsin and Minnesota as swing states, their consistently high turnout is in part due to their use of Election Day voter registration. The consistent record of these municipalities illustrates the feasibility of same-day registration and indicates the potential effect of EDR to increase the stagnant voter turnout in New York City.

## 9

**PRIMARY CONCERNS WITH EDR**

Opponents of Election Day voter registration have consistently cited a number of concerns whenever its implementation has been discussed. Voter fraud, increased administrative burdens, and high costs are among the most resonant. While these concerns are worthy of consideration and must be addressed in the implementation of any EDR system, these issues have been effectively dealt with by states that have implemented EDR. The potential problems are preventable; additionally, the execution of the new mandates under the federal Help America Vote Act (HAVA) can ameliorate these concerns further.

**Voter Fraud and Error**

The primary concern with Election Day voter registration is voter fraud. Critics wrongly fear that if registration is allowed to occur on the day of election, voters could register and vote under different names and addresses in several polling sites, compromising the election results.

However, no solid evidence supports this claim. Same-day registration has not been shown to increase fraud. In fact, the EDR states are consistently cited as having long histories of honest, transparent, fraud-free and well-run elections.<sup>18</sup> This is largely due to the following measures that have been enacted in each of the six states with EDR to prevent fraud:

- **Requiring photo I.D. and proof of residence.** Four states (ID, MN, NH, and WI) require applicants to produce photo identification and proof of residence to register at the polls. Requiring these identifying documents is consistent with HAVA identification requirements for first time voters.
- **Requirement of voter oath or affidavit.** Five states require that an applicant sign an oath or an affidavit attesting that he or she is qualified to vote.
- **Statewide computer verification.** Ballots of those who voted at the wrong polling sites are tallied only after names and addresses are verified to ensure a person did not vote more than once. The implementation of HAVA's statewide voter registration database requirement will make this process feasible and convenient.
- **Fraud investigation and prevention.** The EDR states provide adequate resources to election officials and law enforcement agencies to investigate and eliminate attempted fraud quickly.
- **Stiff penalties for voter fraud.** Minnesota imposes a \$10,000 fine or one to two year prison sentence for those convicted of voter fraud. Knowingly attempting to cast multiple ballots in Maine is a felony punishable by fines of up to \$5,000 and up to five years in prison.

---

<sup>18</sup> Callahan, David and Lori Minnite. "Securing the Vote: An Analysis of Election Fraud". *Demos*. New York: 2003.

Other aspects that should be noted include the following:

- **New York has very few cases of voter fraud.**<sup>19</sup> Given that implementing EDR did not increase voter fraud in the six EDR states, there is no reason to conclude that if New York employs precautionary measures similar to those in the EDR states, fraud would increase in New York.
- **EDR is consistent with New York’s process of provisional or affidavit ballots.** Registered voters whose names are not at their designated polling site or have recently moved to a new location and did not have time to re-register with the new address are provided a provisional ballot, also known as an affidavit ballot in New York. These ballots are verified post-Election Day to determine if the registrant is an eligible voter. EDR in New York can be implemented in this affidavit method, therefore only counting those votes after identification and place of residence have been verified. Alternatively, introducing an electronic copy of the statewide voter registration database at polling sites would expedite the verification process. These measures will severely limit the effectiveness of whatever attempts might exist to commit fraudulent activity.
- **Having the voters register at the polling site would ensure greater accuracy and less fraudulent activity.** New York State already accepts affidavit ballots without requiring photo identification, and poll workers are trained in handling those ballots. With EDR, a poll worker or other elections official would verify a registrant’s identity and review the registration form for errors, thus incorporating greater safeguards into the process.
- **Implementation of HAVA lowers the risk of fraud.** The Help America Vote Act of 2002 requires the creation of a statewide database of registered voters. Data for new registrants could be instantly entered into that system, as well as checked against previous registrations. This would allow officials to prevent voters from registering and voting at multiple locations.

A concern in EDR states has been erroneous voter registrations where individuals register and vote at the wrong polling site. To ensure that voters vote in the right locations, EDR states have taken measures that include the following:

- Sending warning notices to those who voted at the wrong polling site with information of the proper polling site.
- Minnesota and Wisconsin verify Election Day registrants by sending non-forwardable post cards to the addresses provided by voters.

### **Administrative Burden**

Opponents voice concern that EDR will lead to greater gridlock and administrative burden on a system that is already over-extended in many respects. While these are genuine concerns, EDR states have taken measures to ensure that administrative burden is not placed on the workers and that the process runs smoothly and effectively. For example, some states have introduced “greeters” inside the polling place who direct voters either to a line where they can vote or register to vote, and/or have one poll worker assigned solely to service Election Day registrants. It should be noted that this procedure would require the addition of one or more poll workers to each poll location.

Registered voters in EDR states reported fewer difficulties at the polls. EDR states have been able to handle a higher volume of voters on Election Day without discouragingly long lines. In non-

---

<sup>19</sup> Ibid.

EDR states, 2.8% of registered voters who did not vote reported that the main reason they did not vote was polling place problems – long lines, inconvenient locations, and shorter hours at polling sites. Only 1.8% felt this way in EDR states. Surveys show that voters from non-EDR states have greater frustration with long lines and dissatisfaction with their Election Day process as compared to EDR states.<sup>20</sup>

Finally, with Election Day voter registration, fewer people would register by mail, registration drives or at other government agencies, such as the Department of Motor Vehicles. This would relieve the agencies of processing these forms while providing the Board of Elections with greater oversight of the registration process and limiting the prospect of incorrect or incomplete voter registration forms.

In short, EDR does require an increased administrative burden on Election Day, but this can be alleviated with the increased organization and planning of Election Day operations and hiring of additional trained poll workers. Also, Election Day voter registration will shift the burden of overseeing registration from other public employees who have less experience and training to election officials who have the experience and proper knowledge. These registration forms completed with the assistance of trained Election Day workers will likely have fewer errors than those completed offsite, thus reducing the amount of resources needed to handle incomplete or incorrectly completed forms.

### **Financial Costs**

Related to the fears of an increased administrative burden, a third objection to Election Day voter registration is the increase cost of implementation that places an unjustifiable burden on the city's budget.

In fact, the overall costs for running elections are approximately equal between EDR and non-EDR states. A comparison of per-capita election administration expenditures (for all activities) between California, Minnesota and Wisconsin showed little difference in overall costs. In 2000, \$3.30 was spent in Minneapolis and \$3.65 in Milwaukee while California spent between \$3 and \$4 per vote. Per-capita election administration costs in major cities using EDR are approximately \$3.50 per voting-age person.<sup>21</sup> By comparison, New York City spent over \$12 per person of voting age on election administration in 2004.

It should be noted that New York City features unique structural difficulties that increase the costs of elections far beyond those found in the EDR states. New York's high immigrant population, for example, requires the publication of voter registration and election materials, as well as the hiring of Spanish, Korean and Chinese language interpreters in targeted neighborhoods.

It seems likely, however, that the heaviest additional cost in implementing EDR would be the hiring of additional poll workers to administer elections. Assuming two poll workers were added to each of the roughly 1,400 poll locations at a pay rate of \$200, the cost of a single citywide election would increase by about \$280,000. For scale, the 2005 budget for New York City alone calls for the appropriation of over \$75 million for the Board of Elections. Additionally, depending on the type of Election Day voter registration implemented in the city, registration may also be centralized.

---

<sup>20</sup> Alvarez, R. Michael and Stephen Ansolabehere. "California Votes: The Promise of Election Day Registration". *Demos*. New York: 2002.

<sup>21</sup> *Ibid*.

# 10

## EDR IMPLEMENTATION OPTIONS FOR NEW YORK CITY

Election Day voter registration can be implemented through a number of different methods, each of which has its own advantages and disadvantages. New York City has distinct characteristics that must be considered in assessing the feasibility and practicality of administering same day voter registration.

### Precinct-Level EDR

Under precinct-level Election Day voter registration, citizens can register to vote in an election at their local polling site on Election Day. Idaho, Minnesota, New Hampshire, Wisconsin, and Wyoming currently employ this system. New York City has about 1,400 polling sites throughout the city and precinct level Election Day voter registration will require all such sites to be capable of handling voter registrations.

#### **Advantages:**

- Provides the maximum ease of registration for potential voters.
- Makes registration and voting a one-stop process, removing a major impediment to voter turnout.
- Has a record of proven success in rural, suburban, and urban environments for over 30 years in states that consistently exhibit the highest turnout rates in the nation.
- Employs methodology similar to the current affidavit voting system in New York City.

#### **Concerns:**

- Requires the hiring and training of one to two additional poll workers for each polling location to register voters.
- Compiling and verifying new registrations after Election Day from each polling station in a timely manner could increase the administrative burden and require overtime costs.
- Potentially delays the finalization of election results.

### Election Office EDR

In Maine, eligible voters can register on Election Day at their local election office. After appearing in person and showing proof of residency, they receive a certificate that instructs workers at their local poll location to allow them to cast a ballot. New York City has five borough Board of Elections offices and a central office located in Manhattan. Under this model, these borough offices will perform all Election Day voter registration while preserving local polling sites for voting purposes only.



**Advantages:**

- Allows voters to register with election officials who are already trained and knowledgeable in the process.
- Permits election officials to immediately enter new voter data into the statewide voter file, as well as validate registrations therefore diminishing chances of fraud.
- Voter registration occurs in centralized locations, minimizing the need to hire additional election workers and avoiding additional administrative burdens on poll site operation.

**Concerns:**

- Requires a multiple-step process to vote that forces voters to register and vote in separate locations, possibly discouraging some potential voters.
- Administrative burden will be exacerbated at both the central and borough Board of Election offices with the additional responsibility of Election Day voter registration.
- Procedure has not been tested before in a major metropolitan area.

**Election Office EDR and Voting**

Several states have enacted procedures that allow voters to cast ballots at their local election office (Arizona, Georgia, Indiana, Kansas, Tennessee and Vermont) instead of their assigned polling place. In fact, New York City already allows voters to vote by absentee ballot in advance by visiting their Board of Elections borough office within a specified time period before the election. This method could be combined with EDR to allow voters to cast a vote on paper ballot or on special machines at one of the five borough elections offices immediately after registering at the same location. This particular combination of procedures has never been applied.

**Advantages:**

- Makes registration and voting a one-stop process therefore removing a major impediment to voter turnout.
- Voters register with election officials who are already trained in the process.
- Allows officials to immediately enter new voter data into the statewide voter database, as well as check for previous registrations, diminishing chances of fraud.
- Voter registration occurs in centralized locations, minimizing the need to hire additional elections workers and the related administrative burdens.
- Minimizes potential poll site confusion as the administrative burden is shifted to a central office.

**Concerns:**

- Procedure has never been used before.
- Requires voter to register and vote at centralized locations which maybe less convenient than doing so at their local polling location.
- Election offices may not be able to handle the volume of those who wish to register and will probably require increased staffing.

FIGURE 9

## SUMMARY OF ADVANTAGES OF IMPLEMENTATION PLANS

| IMPLEMENTATION PLAN          | Maximum Convenience of Registration for voters | Makes Voting a One-Step Process | 30 Year Record of Success | Methodology Similar to Current Affidavit System | Register with Election Officials | Allow Easy Access and Update to State Voter Database | Register in Centralized Locations | Affects Currently Registered Voters | Requires Hiring Additional Poll Workers |
|------------------------------|--|---------------------------------|---------------------------|---|----------------------------------|--|-----------------------------------|-------------------------------------|---|
| Precinct-Level EDR           | Y  | Y                               | Y                         | Y   | Y                                | N  | N                                 | N                                   | Y                                       |
| Election Office EDR          | N  | N                               | N                         | N   | Y                                | Y  | Y                                 | N                                   | N                                       |
| Election Office EDR & Voting | N  | Y                               | N                         | N   | Y                                | Y  | Y                                 | N                                   | N                                       |

# 11

## NEXT STEPS: IMPLEMENTING EDR IN NYC

In order to institute Election Day voter registration in New York City, a number of legislative and administrative steps must be taken on a state level. Currently, Section 5 of Article 2 of the State Constitution of New York states,

“Laws shall be made for ascertaining, by proper proofs, the citizens who shall be entitled to the right of suffrage hereby established, and for the registration of voters; **which registration shall be completed at least ten days before each election.** Such registration shall not be required for town and village elections except by express provision of law.”

To amend the state constitution and remove the requirement that the voter registration rolls be closed ten days before any election, legislation must be put forth to rescind the clause. This constitutional amendment change must pass both houses of the State Legislature in two consecutive sessions by a majority vote, and then put before the electorate on the day of the next general election.

Additionally, a separate legislative proposal must be introduced to implement Election Day voter registration. The language of this bill will be written to reflect the method of implementing EDR, which may vary from precinct level to centralized registration locations.

Fiscal considerations such as the hiring and training of additional poll workers, establishment of a public educational campaign on Election Day voter registration and publication of additional materials must also be addressed. Adequate resources would need to be allotted on a state and city level to ensure that election officials can validate Election Day voter registrations and investigate fraud.

In the current legislative session, Assemblymember Scott Stringer has submitted two bills, A.1598 and A.6354, aimed to amend the state constitution in regards to the minimum ten day registration period prior to elections and introduce Election Day voter registration at the precinct level, respectively. The concurrent resolution to amend the constitution has been referred to the Judiciary Committee while the bill to introduce EDR is currently waylaid in the State Assembly’s Election Law Committee, where it died in the previous three legislative sessions. Due to the expected resignation of the bill sponsor should he win election to the office of Manhattan Borough President, the immediate legislative future of both these proposals are uncertain. However, it is likely that one of several election reform supporters in the Assembly may champion EDR on a legislative level. The added impetus of election reform through the implementation of the federal Help America Vote Act and New York’s Election Reform and Modernization Act increases the likelihood of passage and success for Election Day voter registration.

# 12

## CONCLUSION

As New York State moves towards modernizing the administration of elections, we are presented with a unique opportunity to strengthen not only our voting system, but our democracy as well. With the imminent acquisition of new voting machines and creation of a statewide voter database, it creates an opportunity to eliminate the unnecessary and burdensome twenty-five day voter registration deadline. Implementation of Election Day voter registration would enfranchise a larger electorate while subsequently streamlining our voting process.

Election Day voter registration will:

- Streamline registration and voting into a single process, diminishing administrative burdens associated with registration procedures and affidavit ballots.
- Allow eligible voters with uncertain registration status to re-register, therefore decreasing the number of provisional ballots cast.
- Eliminate confusion and uncertainty over voter registration status.
- Generally enfranchise and turn out more citizens to vote.

States with EDR - Minnesota, Maine, Wisconsin, Idaho, New Hampshire and Wyoming - all rank among the top twelve states in voter turnout, while New York State ranked 46<sup>th</sup> in the most recent federal election. New York City has also historically suffered from an abominably low voter turnout and has failed to surpass 40% turnout of the voting age population in the last five presidential elections. Measures must be taken to reinvigorate the participatory democracy of the city. Based on analysis and comparisons between counties in New York City and urban EDR counties, implementation of Election Day voter registration is feasible and will not only inspire more voters to go to the polls, but also alleviate the administrative burdens imposed by affidavit ballots and incorrectly registered voters.

The state has several options to implement Election Day voter registration; each will not only enfranchise more voters but also facilitate the voting process.

**Precinct level EDR-** where eligible voters may register and vote at their local polling site on Election Day. These votes will be counted at election offices once the registration is verified.

**Election Office EDR-** where citizens may register to vote on Election Day at their local election office. Once registered and verified, voters will receive a certificate that instructs poll workers to allow them to cast a ballot at their local polling site.

**Election Office EDR and voting-** where qualified individuals may register to vote at their local election office, and once registered and verified will be allowed to cast a vote at the election office.

The pending implementation of the Help America Vote Act provides New York's election officials with the tools necessary to institute EDR. Specifically, the creation and use of the statewide voter registration database will allow the Board of Elections to more easily verify voter information and assuage concerns about possible voter fraud by keeping a more accurate account of ballots cast. It is the responsibility of state government to ensure that the right to vote is available to every New Yorker who is eligible, and the adoption of Election Day voter registration will remove a significant impediment – a separate voter registration process – and allow more citizens to exercise their right to vote.

# 13

## ABOUT CITIZENS UNION FOUNDATION

Founded in 1948, Citizens Union Foundation (CUF) is the nonprofit research, education and advocacy organization affiliated with Citizens Union, though it is governed by a separate board of directors and operates with independent finances. Like Citizens Union of the City of New York, CUF is a nonpartisan force for good government which works to inform and engage the citizens of New York to ensure local and state government values its citizens, addresses critical issues, and operates in a fair, open, and fiscally sound manner. CUF also monitors the deliberations and actions of government, conducts research, and analyzes the impact of proposed public policy and legislation at the city and state level.

Today, both Citizens Union Foundation and Citizens Union serve complementary roles as watchdogs for the public interest and an advocate for good government at City Hall and the State Capitol. Working to ensure fair elections, clean campaigns, transparent governing and responsible governance, Citizens Union not only seeks to inform the debate on public issues, but influence the formulation of public policy that affects the lives of all New Yorkers.

Believing an informed citizenry is the cornerstone of good government, Citizens Union Foundation publishes [GothamGazette.com](http://GothamGazette.com), a daily news website covering the issues facing New York. GothamGazette.com features news, commentary, in-depth analysis and links to other Internet resources on New York City. It has become a vital resource for elected officials, policy makers, advocates, community leaders, students, media professionals, and concerned citizens covering local issues like no other news publication in the City. Since 1989, Citizens Union Foundation has also monitored the New York City Council and has published Searchlight on the City Council, a comprehensive guide to the city's legislative body and its actions.

In 2005, Citizens Union Foundation is not only publishing GothamGazette.com and Searchlight on the City Council, but it is also:

- ✓ pushing for ground-breaking election law reform and better administration of city elections through the state's long overdue effort to implement HAVA;
- ✓ continuing our efforts to reform state government including a focus on creating an independent redistricting commission to draw legislative district lines;
- ✓ launching a civic education initiative aimed at bringing Gotham Gazette into targeted classrooms to strengthen citizenship and civic involvement among our young people;
- ✓ undertaking efforts to bring about greater state reform in lobbying, ethics, redistricting, and the state's public authorities;
- ✓ continuing our successful poll worker recruitment program, and holding interesting forums like our "Civic Conversations" series.

## **Citizens Union Foundation Advocacy and Policy Staff Bios**

**Dick Dadey** is the Executive Director of the Citizens Union and Citizens Union Foundation, both inter-related organizations working in pursuit of good government in New York since 1897.

Mr. Dadey has an extensive background as a leader on and an advocate for civic-related issues. Mr. Dadey previously served as the executive director of City Parks Alliance, a national organization that works to strengthen city parks throughout the country. Prior to becoming the executive director of City Parks Alliance in September 2002, Mr. Dadey served as the executive director of New Yorkers for Parks, formerly the Parks Council, an organization that he helped transform into a \$2.5 million privately funded not-for-profit advocacy organization focused on building greater public support for New York's city parks. He directed government relations and client services for the New York City office of M&R Strategic Services, a national government affairs and public relations firm.

Mr. Dadey served seven years as the first Executive Director of the Empire State Pride Agenda, New York's statewide gay and lesbian political organization. Under his leadership, the Pride Agenda grew from a staff of two and budget of \$100,000, to a staff of 13 with a budget of \$1.5 million. In doing so, the Pride Agenda quickly became a powerful and effective organization in New York's political landscape. Among the accomplishments during his tenure was securing domestic partner benefits for New York City residents and New York State and City employees. Mr. Dadey also led the effort to win the first-ever funding for gay and lesbian social services and historic passage of the lesbian and gay civil rights bill in the New York State Assembly.

**Doug Israel** is the Policy and Advocacy Director for Citizens Union and Citizens Union Foundation. Mr. Israel received his master's degree in public policy from Western Washington University in Washington State and spent four years organizing and training young voters in the northwest to be more active in electoral efforts and on critical environmental issues with the Center for Environmental Citizenship (CEC). With CEC, Mr. Israel helped increase youth voter turnout on campuses across the northwest by over 10% in three consecutive elections and founded the Eco Campaign School, an intensive three month training and campaign program that trains young leaders to work on environmental ballot initiative campaigns throughout the country. Immediately prior to joining Citizens Union in 2003, Mr. Israel was the Program Director for the Sea Turtle Restoration Project, a marine advocacy organization located in San Francisco, CA. Mr. Israel was responsible for launching the organization's campaign to persuade the United Nations to institute a moratorium on industrial longline fishing and its Mercury Awareness Campaign which has resulted in a court decision that requires California supermarkets to post health warnings for seafood that is high in mercury content.

**Amy Ngai** is the Program Associate for Citizens Union and Citizens Union Foundation assisting with advocacy, policy and program activities with a primary focus on election reform and voter enfranchisement. She is a graduate from Mount Holyoke College in Massachusetts, where she received a B.A. in Politics and has been recognized in the National Dean's List. Prior to joining Citizens Union, Ms. Ngai was a coordinator with New Voters Project, a nationwide, non-partisan campaign focused on registering and engaging young voters. Her efforts contributed to registering a quarter of the 20,000 new voters in Reno, NV and over 300,000 new young voters nationally.

**Sydney Beveridge** is the Operations & Policy Associate for Citizens Union and Citizens Union Foundation, where she collaborates on policy and program activities. A graduate of Swarthmore

College, she majored in Political Science and minored in English Literature and Public Policy, with a focus on media access and community empowerment. Ms. Beveridge is a fellow with New York University Wagner's Career Ways, a program for emerging public service leaders. Prior to graduating from college, she interned at the New York League of Conservation Voters, the Office of the Public Advocate, Cultural Survival and Bronx Housing Court.

## **Citizen Union Foundation Board of Directors**

- Richard J. Davis**  
*Chair* Partner, Weil Gotshal & Manges; former Federal Prosecutor; former Assistant Secretary of the Treasury (1971-1981). Citizens Union Chair since 2004 and Director from 1991-1997 and since 1998. Chair, Randall Island Sports Foundation.
- Robert Abrams**  
*President* Partner, Stroock & Stroock & Lavan; New York State Attorney General, 1979-93; Bronx Borough President 1970-78; Member of NYS Assembly 1966-69.
- Judi Rappoport Blitzer** Principal, JRB Advisors, focusing on mergers and acquisitions, divestitures, ventures, alliances and outsourcing arrangements. Former Managing Director at Chase Manhattan Bank.
- Stanley E. Grayson** Chief Operating Officer, M.R. Beal and Co.; former Deputy Mayor for Finance and Economic Development of New York City; Trustee, School Construction Authority; Member, Boards of the New York City Outward Bound Center and the Museum of the City of New York.
- Ashok Gupta** Director, Air and Energy Program of the Natural Resources Defense Council; former Senior Economist, New York City Department of Telecommunications and Energy; former Economist, the Public Utility Law.
- George S. Kaufman** President, Kaufman Realty Corporation; Chairman, Fashion Center Business Improvement District; Trustee, Whitney Museum of American Art, Fashion Institute of Technology, and American Museum of the Moving Image.
- Robert M. Kaufman** Partner, Proskauer Rose Goetz & Mendelsohn; former President, American Judicature Society; Chair Emeritus, Fund for Modern Courts; former President, Association of the Bar of the City of New York; Citizens Union Director since 1997.
- Ogden N. Lewis** Partner and Chairman of Pro Bono Committee, Davis Polk & Wardwell; Board Member and past chair, New York Lawyers for the Public Interest; Chair of Citizens Union since 1997.
- Theodore S. Lynn**  
*Treasurer* Partner, Stroock & Stroock & Lavan; Member, Manhattan Community Board 6, 1976-present.



- Grace Lyu-Volckhausen** President, Tiger Baron Foundation; Commissioner, New York City Commission on Human Rights; Vice-chair, Board of Directors of the Legal Aid Society; Executive Board member, YWCA of New York City; Board member, the Prospect Park Alliance and the Korean American League for Civic Action.
- David L. Mitchell** President, Mitchell and Associates; formerly with Loeb, Rhodes, First Boston Corporation and S.G. Warburg and Company; Member of Advisory Boards, the Whitehead Institute and FINCA; Citizens Union treasurer since 1960.
- Dick Netzer** Professor of Economics and Public Administration, Robert F. Wagner School of Public Service, New York University.
- Marc Norman** Managing Director, Duverney & Brooks; Member, Urbanists Steering Committee, Municipal Arts Society; BA, UC-Berkley; MA, UCLA
- Susan First Pollack** Partner, Curtis, Mallet-Prevost, Colt & Mosle; Board member, Vice-President, *Girls Incorporated*.
- David Z. Robinson** Retired Executive Director, Carnegie Commission on Science, Technology & Government.
- Constantine Sidamon-Eristoff** Counsel, Lacher & Lovell-Taylor; Chairman, Audubon New York.
- Sreenath Sreenivasan** Associate Professor, Columbia School of Journalism; former Director of the Columbia Online Journalism Awards; Co-founder, South Asian Journalists Association.
- Han-Hsien Tuan** Managing Partner, Tuan, Connolly & Cho, LLP; BA, Haverford College, JD, NYU School of Law.
- Sheena Wright** President and Chief Operating Officer, Abyssinian Development Corporation; former Executive, Crave Technologies; former attorney with Reboul, MacMurray, Hewitt, Maynard & Kristol and Wachtell, Lipton, Rosen & Katz.

## 14

**SOURCES AND WORKS CITED****Interviews:**

- Phone interviews with at least one election representative from each EDR state.
- Phone interview with elections official with the Federal Elections Commission
- Phone interviews with NY Board of Elections officer Lee Daglian.

**Data Source and Literature Review**

- Alvarez, R. Michael and Stephen Ansolabehere. "California Voters: The Promise of Election Day Registration." *Demos*. New York: 2002.
- Alvarez, R. Michael and Stephen Ansolabehere. "Election Day Voter Registration in the United States: How One-Step Voting Can Change the Composition of the American Electorate." *Demos*. New York: June 2002.
- Alvarez, R. Michael, Jonathan Nagler and Catherine H. Wilson. "Making Voting Easier: Election Day Registration in New York." *Demos*. New York: 2004.
- Brians, Craig Leonard & Grofman, Bernard. "Election Day Registration's Effect on U.S. Voter Turnout," *Social Science Quarterly*. Vol. 82. No. 1. Pp. 170-183.
- Buchanan, Patrick J. "Reform aids welfare class," *Chicago Tribune*. Chicago, Ill.: Mar. 31, 1977. p. B3.
- "Building Confidence in U.S. Elections: Report of the Commission on Federal Election Reform" September 2005 [http://www.american.edu/ia/cfer/report/full\\_report.pdf](http://www.american.edu/ia/cfer/report/full_report.pdf)
- Callahan, David and Lori Minnite. "Securing the Vote: An Analysis of Election Fraud." *Demos*. New York: 2003.
- Doppelt, Jack and Ellen Shearer. "America's No-Shows: Who They Are, Why They Don't Vote, and What It Could Take to Bring Them to the Polls". The Medill School of Journalism. September 2001.
- Federal Elections Commission, "Sources of Voter Application, 1995-1996" (<http://www.fec.gov/votregis/nvra2.htm>)
- Gardner, Kent. "Balance of Revenue and Expenditure Among New York Regions". Center for Government Research. New York: 2004.
- Knack, S. "Election Day Registration: The Second Wave." *American Politics Quarterly*. Vol 29. P.65-78.
- Sagoo, Sumeet. "Federal Tax Burdens and Expenditures by State". Tax Foundation. Washington, D.C.: 2004.
- "Measuring Up: The National Report Card on Higher Education." *The National Center for Public Policy and Higher Education*. <http://measuringup.highereducation.org/stateProfileNet.cfm?myYear=2004&stateNameNew%20York&cat=AI>
- Smolka, Richard G. "Election Day Registration: The Minnesota and Wisconsin Experience in 1976." American Enterprise Institute for Public Policy Research. Washington D.C.: 1977.
- U.S. Census Bureau "American Community Survey 2003 Data Profile." [www.census.gov/acs/www/Products/Profiles/Single/2003/ACS/Tabular/160/16000US36510001.htm](http://www.census.gov/acs/www/Products/Profiles/Single/2003/ACS/Tabular/160/16000US36510001.htm)
- Weaver, Walter Jr. "Carter to ask an end to most voter curbs in federal elections," *New York Times*. New York, NY: Mar. 20, 1977 p 1.
- Office of Attorney General Eliot Spitzer. "Election Law Reforms Called Overdue in New York State." Press Release. December 18, 2000.
- Office of Attorney General Eliot Spitzer. "Voting Matters in New York: Participation, Choice, Action Integrity." February 12, 2001 ([http://www.oag.state.ny.us/press/2000/dec/dec18a\\_00.html](http://www.oag.state.ny.us/press/2000/dec/dec18a_00.html)).
- Idaho Secretary of State Election Division ([http://www.idsos.state.id.us/elect/voterreg/vtr\\_reg.htm](http://www.idsos.state.id.us/elect/voterreg/vtr_reg.htm)).
- Maine Department of Secretary of State, Division of Elections and Commissions (<http://www.state.me.us/sos/cec/elec/elec.htm>).

- Minnesota Secretary of State Elections and Voting (<http://www.sos.state.mn.us/election/index.html>).
- New Hampshire Secretary of State's Election Division (<http://www.sos.nh.gov/electionsnew.htm>).
- New York Board of Elections (<http://www.elections.state.ny.us/>).
- Wisconsin State Election Board (<http://elections.state.wi.us/>).
- Wyoming Secretary of State Election Administration (<http://soswy.state.wy.us/election/election.htm>).