RE: AVR Impact on State Voter Registration

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ABOUT THE AUTHOR AND ADVISORS

Collectively, these individuals are responsible for a majority of the academic and think tank research on automatic voter registration (AVR). The signers have published their research on AVR in leading political science publications and with leading think tanks and research centers, including Demos, Center for American Progress, and Analyst Institute. The signers' work includes a broad array of research methods, academic, campaign, and think tank. The signers of this letter have advised Presidential, Senate, and House campaigns and national political organizations on data, voter registration, and cutting edge analytics. Collectively, the signers have decades of practitioner, academic, and think tank experience.

AVR NOW welcomes the recent Brennan Center study demonstrating the effectiveness of automatic voter registration at improving voters rolls.[2] We agree, and our research has reached a similar conclusion. However, we write this letter to express concern about the claim, made both in the report and in other public forums by the researchers, that the report can be construed to give us any insights into the effectiveness of different policy designs.[3] In our view, a back-end registration system is more effective and equitable, resulting in a larger and more representative registration roll. Neither the Brennan Center study, nor the previous literature, suggest the superiority of front-end systems. We find as follows:

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[1] The author thanks Andrew Gelman and Jonathan Robinson for their input.
[2] Morris, Kevin and Dunphy, Peter, "AVR Impact on State Voter Registration," Brennan Center (2019), https://www.brennancenter.org/publication/avr-impact-state-voter-registration.
[3] "The increase in registration rates is similarly high whichever version of the policy is adopted." "There is little evidence that one particular version of AVR works uniformly better than others. We did not find that certain distinctions between AVR systems (such as method of opt-out) were particularly meaningful. For instance, states with back-end opt-out like Oregon and Alaska did not achieve categorically higher levels of registration increases compared with states with a front-end opt-out."

- The Brennan Center study is not designed in a way that allows comparison between various AVR policy designs because it does not control for important factors that influence registration rates and does not analyze the variable of interest: the share of eligible individuals who become registered. The use of matching allows for extensive noise, making it difficult to isolate treatment, much less compare the treatment effect across states. Further, the study does not address the diversity of registration or registrant turnout rates.
- Previous research has established that back-end systems improve the diversity of the electorate and increase turnout. Research has not to our knowledge established either fact about a front-end system.
- Policymakers should not view this study as evidence that front-end performs as well or better than back-end, simply that AVR is a valuable policy intervention. More research on the comparative effects of policy design is warranted and ongoing.
- The Brennan Center study does not address several important questions related to policy design that are of interest to policymakers, including declinations at point of service, updated registrations, the diversity of electorates and, crucially, voter turnout.
- Based on the available research, AVR NOW and the expert advisors who have signed here urge policy makers interested in reducing declinations, increasing the diversity of the electorate, and creating cleaner and more accurate rolls to pursue a back-end system of automatic voter registration.

BACK-END VERSUS FRONT-END AVR

AVR changes the decision about registering to vote through a DMV or public assistance agency from an opt-in to an opt-out. However, there are differences in design that make a substantial impact on how many citizens are registered, notably the point at which a "declination" occurs (a choice not to register). These differences in design are commonly referred to as "back-end" vs. "front-end" systems.

In Oregon, Massachusetts and Alaska, the opt-out is done on the "back-end," meaning that the DMV transmits information about all eligible individuals whose citizenship is confirmed by information already provided during the transaction and verifiable to the Board of Elections or Secretary of State. The Board or SoS then sends a postcard to those eligible but unregistered individuals where they can choose to register with a party or opt-out. If they do not decline registration, they are added to the rolls.

In other states like California, Colorado, Georgia and Vermont the opt-out is done on the "front-end," meaning that individuals are faced with the decision to opt-out during their transaction at the DMV or public assistance agency. Only those who affirmatively choose not to opt-out have their information sent to the BOE or SoS.

Policymakers should not understand the Brennan Center report to offer guidance as to which version of AVR policy design best meets the goals of increasing equitable voter registration, voter participation, and accurate voter registration lists.

1. The study does not support claims about the relative efficacy of front-end or back-end systems. Rather the study examines the rate of new registrations relative to the previous rate of registrations. That previous level can matter massively. Theoretically, if a state averages registering 100 people per month, and that becomes 200 registrations per month, that would be a 100 percent increase in registrations. Such a state would come out on *top* of the Brennan center rankings, despite generating just 100 extra registrations per month. That's the core problem with using this study to judge the efficacy of program models across states.

2. Some of the matched tracts are unbalanced across relevant variables. For example, the average percent Latino in the treatment and control tracts in California differ by 5 percentage points, and the percentage black by 6 percentage points. That could bias the results because these AVR and non-AVR tracts differ beyond just their AVR status.

    Furthermore, the study may underestimate Oregon's increased registration compared to that of other states by not adequately accounting for the timing of AVR implementation. The study makes comparisons between increased registration in Georgia and Oregon during the early months of 2017, shortly after Georgia implemented front-end AVR but a full year after Oregon implemented its back-end system, meaning the first year of registration gains through Oregon's AVR program are incorporated into the baseline for comparing registration growth.

3. There are several factors that could influence registration trends that the study does not adequately control for. State registration trends before AVR may be different across individual states using different front- and back-end systems, potentially biasing results. The authors of the study recognize this on pg 4-5: the impact of AVR on the rate of registration is critically dependent on prior registration levels, but these levels are not considered in the analysis. Matching is only done on the weekly rate of registration.

    Georgia's dramatic increase in registration could be accounted for by highly competitive Georgia 6th special election, which occurred during the time in question and attracted $50 million in spending, and the work of New Georgia Project, whose primary goal is to register minority voters. The control state would not have a similar primary or similar intensive investments in registration efforts. Without controlling for competitive campaigns and voter engagement investment decisions, it is difficult to analyze the effect of different AVR systems without looking at declination rates at target state agencies.

    For example, in Oregon in 2015, there are many more registrations in the control group than the non-control group, despite being prior to treatment. This could suggest that there are systematic differences between treatment and control groups. Given there are such differences, and these differences show up differently in different years (e.g. compare 2013

to 2015 in the Brennan Center study), it is difficult to isolate the effect of treatment (as we saw in Georgia, there are often other obvious explanations for turnout increases that cannot be explained by treatment).

4. When determining the most effective policy design, a key number of interest is not the general increase in registration but the share of individuals who interact with an agency and end up becoming registered or having their registration updated. To answer this question, the matching scheme the Brennan Center designed is suggestive but not dispositive. Instead, we should analyze publicly available transaction data from ongoing AVR programs. For example, in the first 16-18 months of implementation, Oregon's declination rate was 6%. The Brennan Center study doesn't speak to this critical consideration.

5. The Brennan Center study does not address the impacts of front-end and back-end for the diversity of registrants. Previous research has established that back-end systems increase the diversity of the voting pool, which has not been established for front-end systems.[4] We've already noted that declination rates vary enormously between the two systems. If we care about the representativeness of the pool of registered voters, and not just the size of the pool, we must pay attention to diversity.

6. The core question for policymakers is the share of the unregistered population that becomes registered. More registered eligible voters leads to a larger and more engaged electorate and a more representative and responsive democracy. More accuracy also improves the security of our election system. Here, back-end automatic voter registration far out-performs the alternatives.

The Oregon Secretary of State's November 2018 report shows 2,751,512 registered voters.[5] The US Elections Project 2018 general election estimate of Oregon's voting eligible population (VEP) is 3,113,178.[6] These two numbers show an 88.4 percent registration rate in Oregon. In November 2016, the state had 2,568,602 registrants with 3,024,174 eligible citizens, for a registration rate of 84.9 percent.[7] In November 2014, the state had just 2,194,692 registrants with 2,887,517 eligible citizens for a registration rate of 76.0 percent. Oregon experienced a 12 percentage point increase in registration over this period.[8]

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[4] Griffin, Rob, Gronke, Paul, Wang, Tova and Kennedy, Liz, "Who Votes With Automatic Voter Registration?", Center for American Progress (2017),
https://www.americanprogress.org/issues/democracy/reports/2017/06/07/433677/votes-automatic-voter-registration/,
McElwee, Sean, Schaffner, Brian and Rhodes, Jesse, "Oregon Automatic Voter Registration," Demos (2017),
https://www.demos.org/policy-briefs/oregon-automatic-voter-registration.
[5] Oregon Secretary of State (2018),
https://sos.oregon.gov/elections/Documents/registration/november-2018.pdf.
[6] McDonald, Michael, "2018 November General Election Turnout Rates," United States Elections Project (2018),
http://www.electproject.org/2018g.
[7] Oregon Secretary of State (2016), https://sos.oregon.gov/elections/Documents/registration/Nov16.pdf, McDonald, Michael,
"2016 November General Election Turnout Rates," United States Elections Project (2016),
http://www.electproject.org/2016g.
[8] Oregon Secretary of State (2014), https://sos.oregon.gov/elections/Documents/registration/nov14.pdf, McDonald, Michael,
"2014 November General Election Turnout Rates," United States Elections Project (2014),
http://www.electproject.org/2014g.

OREGON					
2014		**2016**		**2018**	
Registrants	**% of VEP**	**Registrants**	**% of VEP**	**Registrants**	**% of VEP**
2,194,692	**76%**	**2,568,602**	**84.9%**	**2,751,512**	**88.4%**

Colorado and Oregon often engage in a friendly competition for the most participative systems in the nation. Colorado has a front-end system. In a state with similar demographics to Oregon, and a more hotly contested political climate, participation was high, yet registration increased only 4 percentage points over the same period. It's worth noting that Oregon implemented AVR a full year before Colorado. However, when coupled with the high declination rates in Colorado, along with the very competitive electoral climate, the differences in registration are stark.

COLORADO					
2014[9]		**2016**[10]		**2018**[11]	
Registrants	**% of VEP**	**Registrants**	**% of VEP**	**Registrants**	**% of VEP**
2,986,362	**78.6%**	**3,273,112**	**82.4%**	**3,379,992**	**82.4%**

AVR systems handle party registration differently, but relevant research does not indicate that front end systems result in a greater number of new party registrants than back end systems.[12] Previous research that looks at the rate of individuals declining registration at the DMV indicates that AVR does not significantly change the number of registrants who choose to affiliate with a political party. Instead, AVR increase the overall number or registrations, which helps ensure the voter rolls are accurate and that eligible Americans can participate in elections, including primary elections.

CONCLUSION

Brennan Center and AVR NOW agree that AVR is the policy best suited to maintain complete and accurate rolls. However, the Brennan Center study does not address the AVR model that policymakers should pursue. Based on the available research AVR NOW and our expert advisors urge policy makers to pursue a back-end system of automatic voter registration where possible to most effectively reduce declinations, boost turnout, increase the diversity of the electorate, and create cleaner and more accurate rolls.

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[9] Colorado Secretary of State (2014), https://www.sos.state.co.us/pubs/elections/VoterRegNumbers/2014/October/VoterCountsByStatus.pdf, McDonald (2014).
[10] Colorado Secretary of State (2016), https://www.sos.state.co.us/pubs/elections/VoterRegNumbers/2016/October/VoterCountsByStatus.pdf, McDonald (2016).
[11] Colorado Secretary of State (2018), https://www.sos.state.co.us/pubs/elections/VoterRegNumbers/2018/October/VoterCountsByStatus.pdf, McDonald (2018).
[12] AVR NOW, "Truths About Automatic Voter Registration," (2019), https://avr-now.dataforprogress.org/truths-about-avr.