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05/04/2006 05:00 PM

To klynndyson@eac.gov
cc tokaji.1@osu.edu, foley.33@osu.edu, [redacted], "Tim Vercellotti" <tim.vercellotti@rutgers.edu>, arapp@rci.rutgers.edu,
bcc
Subject Revised Voter ID Analysis

History: This message has been forwarded.

Karen,

Attached is Tim Vercellotti's Voter ID analysis revised to use Citizen Voting Age population as the base for turnout calculations and to take account of comments or issues raised by the EAC and our Peer Review Group. This draft is for distribution to the reviewers who will meet by teleconference on May 11, at, we understand, 11:30 a.m.

You are receiving this at the same time that it is being distributed to the Eagleton-Moritz team so that the new reviewers will have a week to prepare for our conversation on the 11th. Early next week you will receive a revised summary paper on Voter ID that incorporates the new data and findings in Tim's revised analysis. That too will be for distribution to the new reviewers.

Tom O'Neill

VoterIDAnalysis VercRev0504.doc

Analysis of Effects of Voter Identification Requirements on Turnout

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May 4, 2006

Introduction

A key area of disagreement in the policy debate over voter identification requirements concerns whether such requirements dampen voter turnout. Opponents of voter identification laws argue that they constitute an institutional barrier to voting, particularly among the poor, African-Americans, Hispanics, the elderly and people with disabilities (Baxter and Galloway 2005, Electionline.org 2002, Jacobs 2005, Young 2006). This argument holds that voter identification requirements create an extra demand on voters, and thus may discourage some of them from participating in elections. Further, critics of voter identification requirements contend that the effect is greater for some specific types of requirements. For example, critics argue that requiring voters to produce government-issued photo identification on Election Day is more demanding than, say, requiring that they state their names at the polling place. Supporters of voter identification requirements, on the other hand, argue that the requirements are necessary to combat voter fraud, safeguard the integrity of the electoral process, and engender faith in the electoral process among citizens (Young 2006).

This report examines the potential variation in turnout rates based on the type of voter identification requirement in place in each state on Election Day 2004. It draws on two sets of data – aggregate turnout data at the county level for each state, as compiled by the Eagleton Institute of Politics, and individual-level survey data included in the November 2004 Current Population Survey conducted by the U.S. Census Bureau. Classification of voter identification requirements comes from a review of state statutes conducted by the Moritz College of Law at the Ohio State University.

Types of voter identification requirements

Based on research performed for this study by the Moritz College of Law, states had one of five types of requirements in place on Election Day 2004. Upon arrival at polling places, voters had to: state their names (nine states); sign their names (13 states and the District of Columbia); match their signature to a signature on file with the local election board (eight states); provide a form of identification that did not necessarily include a photo (15 states); or provide a photo identification (five states).[1] It was then possible to code the states according to these requirements, and test the assumption that voter identification requirements would pose an increasingly demanding requirement in this order: stating one's name, signing one's name, matching one's signature to a signature on file, providing a form of identification, and providing a form of photo identification.

[1] Oregon conducts elections entirely by mail. Voters sign their mail-in ballots, and election officials match the signatures to signatures on file. For the purposes of this analysis, Oregon is classified as a state that requires a signature match.

But election laws in numerous states offer exceptions to these requirements if individuals lack the necessary form of identification, and laws in those states set a minimum standard that a voter must meet in order to vote using a regular ballot (as opposed to a provisional ballot). Thus it is also possible to categorize states based on the minimum requirement for voting with a regular ballot. In 2004 the categories were somewhat different compared to the maximum requirement, in that none of the states required photo identification as a minimum standard for voting with a regular ballot. Four states, however, required voters to swear an affidavit as to their identity (Florida, Indiana, Louisiana, and North Dakota The five categories for minimum requirements were: state name (12 states), sign name (14 states and the District of Columbia), match one's signature to a signature on file (six states), provide a non-photo identification (14 states), or swear an affidavit (four states). For the purposes of this analysis I treated the array of minimum identification requirements also in terms of increasing demand on the voter: state name, sign name, match signature, provide non-photo identification, and, given the potential legal consequences for providing false information, swearing an affidavit.

Estimating turnout among citizens in the voting-age population

This report examines turnout among U.S. citizens of voting age in both the aggregate- and the individual-level data. Determining citizenship status in the individual-level data simply involved restricting the analyses to individuals who identified themselves as citizens in the November 2004 Current Population Survey. (Those who said they were not citizens did not have the opportunity to answer the supplemental voting questions contained in the Current Population Survey.)

In the aggregate data, determining the percentage of the voting-age population that has U.S. citizenship posed a methodological challenge. The Census Bureau gathers information on the citizenship status of adults ages 18 and older only during the decennial census. While the Census Bureau provides annual estimates of the population to account for changes between decennial censuses, the bureau does not offer estimates for the proportion of the adult population who are citizens as part of the annual estimates. To address this issue I estimated the 2004 citizen voting-age population for each county using a method reported in the analysis of the 2004 Election Day Survey conducted for the U.S. Election Assistance Commission (U.S. Election Assistance Commission, 2005). I calculated the percentage of the 2000 voting-age population who were citizens in 2000, and applied that percentage to the July 1, 2004 estimates for voting-age population in each county. In other words, I assumed that the percentage of the voting-age population that had U.S. citizenship in 2004 was similar to the percentage of the voting-age population who were citizens in 2000.[2]

[2] McDonald and Popkin (2001) recommend an even more stringent approach to voter turnout calculations. They point out that voting-age population estimates include adults who are ineligible to vote (such as convicted felons), and the estimates overlook eligible citizens living overseas. While estimates of the voting-eligible population are available at the state level, I was unable to find such estimates for individual counties, which provide the unit of analysis for the aggregate data analyzed here.

Analysis of aggregate data

If one treats maximum voter identification requirements as an ordinal variable, with photo identification as the most demanding requirement, one finds some statistical support for the premise that as the level of required proof increases, turnout declines. Averaging across counties in each state, statewide turnout is negatively correlated with maximum voter identification requirements ($r = -.30$, $p < .0001$). In considering the array of minimum requirements, with affidavit as the most demanding requirement, voter identification also is negatively correlated with turnout ($r = -.20$, $p < .0001$). Breaking down the turnout rates by type of requirement reveals in greater detail the relationship between voter identification requirements and voter turnout.

[Table 1 here]

The aggregate data show that 60.9 percent of the estimated citizen voting age population voted in 2004. Differences in voter turnout at the state level in 2004 varied based on voter identification requirements. Taking into account the maximum requirements, an average of 64.6 percent of the voting age population turned out in states that required voters to state their names, compared to 58.1 percent in states that required photo identification. A similar trend emerged when considering minimum requirements. Sixty-three percent of the voting age population turned out in states requiring voters to state their names, compared to 60.1 percent in states that required an affidavit from voters.

Voter identification requirements alone, however, do not determine voter turnout. Multivariate models that take into account other predictors of turnout can paint a more complete picture of the relationship between voter identification requirements and turnout. I estimated the effects of voter identification requirements in multivariate models that also took into account the electoral context in 2004 and demographic characteristics of the population in each county. I coded the voter identification requirements on a scale of one to five, with one representing the least demanding form of identification and five representing the most demanding form of identification. To capture electoral context I included whether the county was in a presidential battleground state (any state in which the margin of victory for the winning candidate was five percent or less), and whether the county was in a state with a competitive race for governor and/or the U.S. Senate (also using the threshold of a margin of victory of five percent or less). Drawing from U.S. Census projections for 2003, I included the percentage of the voting-age population in each county that was Hispanic or African-American to control for ethnicity and race. I controlled for age using the 2003 Census projection for the percentage of county residents age 65 and older, and I controlled for socioeconomic status by including the percentage of individuals who fell below the poverty line in each county in the 2000 Census.

I estimated a series of random intercept models to account for the likelihood that data from counties were correlated within each state (for further explanation of random intercept and other multilevel models, see Bryk and Raudenbush 1992, Luke 2004, Singer 1998).[3] The

[3] The data analyses provided evidence that there was, indeed, a clustering of data within each state. The intraclass correlation, bounded by 0 and 1, measures the variation between the states. A random intercept model using only the

dependent variable in each model was voter turnout at the county level, with turnout calculated as the percentage of the estimated citizen voting-age population that voted in the 2004 election.

[Table 2 here]

Turning first to an analysis using the maximum identification requirements, those requirements had a small and negative effect on turnout in 2004 controlling for electoral context and demographic factors. Both contextual factors (whether the county was in a state that was a battleground state and whether that state had a competitive race for governor and/or U.S. Senate) increased voter turnout. As the percentage of senior citizens in the county increased, so did turnout. The percentage of African-Americans in the county exerted a positive effect on voter turnout, and the percentage of individuals living below the poverty line had a negative effect. The effect of the percentage of Hispanic adults in the county on turnout fell just short of statistical significance ($p = .05$).

I then sought to test the hypothesis that voter identification requirements dampen turnout among minorities and the poor, a claim voiced by some critics of the requirements. To test this idea I incorporated a series of interactions between the maximum voter identification requirements and the percentage of African-Americans, Hispanics, and poor individuals in the counties. The interaction involving African-Americans was not significant, but those involving Hispanics and poor individuals were significant.[4] In addition, adding the interactions to the model resulted in the percentage of Hispanics in the population having a direct and negative effect on turnout. The interactions suggest that voter identification requirements have a greater effect for Hispanics and those living below the poverty line. A chi-square test of the difference in the deviance for each model (represented by -2 log likelihood in Table 2), shows that the model with interactions provides a better fit to the data ($p < 0.005$).

I also estimated the effects of the minimum voter identification requirements holding constant the effects of electoral context and the demographic variables.

[Table 3 here]

The effects of the minimum requirements fell short of statistical significance ($p = 0.08$). The battleground state variable continued to exert a positive influence on turnout, while the presence of a competitive race for governor and/or U.S. Senate had no statistically significant effect. As in the maximum identification requirement model, as the percentage of the population that is poor increased, turnout declined. As the percentage of elderly increased, so did turnout. The proportion of African-Americans in the population had a positive effect on turnout, while the percentage of Hispanics did not affect turnout.

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intercept as a predictor generated an intraclass correlation of .43, indicating considerable variation between the states.

[4] The interactions are labeled in Tables 2 and 3 as VID*African-American, VID*Hispanic, and VID*Poverty. To calculate the effects of voter identification requirements for a specific group, one must add the estimates for voter identification, the group, and the interaction. Doing so for Hispanic adults results in an estimate of -0.13 [-0.03 (voter id) - 0.13 (Hispanic) + 0.03 (voter id X Hispanic)].

Adding interactive effects to the model resulted in a statistically significant and negative effect of minimum voter identification requirements on turnout. The percentage of Hispanic adults in the county had a significant and negative effect on turnout, and the percentage of individuals below the poverty line continued to have a negative effect. Interactions between the percentages of Hispanics and those below the poverty line and minimum voter identification requirements also were significant. The percentage of African-Americans in the county and the interaction between African-Americans and voter identification requirements were not significant. A chi-square test for the difference in fit between the two models showed that the model with interactions provides a better fit to the data ($p < .025$).

Analysis of the aggregate data at the county level generates some support for the hypothesis that as the demands of voter identification requirements increase, turnout declines. This is particularly so for counties with concentrations of Hispanic residents or individuals who live below the poverty line. But aggregate data cannot fully capture the individual demographic factors that may figure into the decision to turn out to vote. For example, previous research has found that education is a powerful determinant of turnout (Wolfinger and Rosenstone 1980, but see also Nagler 1991).[5] Married individuals also are more likely to vote than those who are not married (Alvarez and Ansolabehere 2002; Alvarez, Nagler and Wilson 2004; Fisher, Kenny, and Morton 1993). To fully explore the effects of voter identification requirements on turnout, it is important to examine individual-level data as well.

Individual-level analysis

Individual-level turnout data exists in the November 2004 Current Population Survey conducted by the U.S. Census Bureau. The Census Bureau conducts the CPS monthly to measure unemployment and other workforce data, but the bureau adds a battery of voter participation questions to the November survey in even-numbered years to coincide with either a presidential or midterm Congressional election.

One of the advantages of the CPS is the sheer size of the sample. The survey's Voting and Registration Supplement consisted of interviews, either by telephone or in person, with 96,452 respondents.[6] The large sample size permits analyses of smaller groups, such as Black or Hispanic voters or voters with less than a high school education. The analyses reported here are based on reports from self-described registered voters. I omitted those who said they were not registered to vote. I also excluded those who said they cast absentee ballots because the identification requirements for absentee ballots may differ from those required when one votes in person. In addition, I eliminated from the sample respondents who said they were not U.S.

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[5] A reviewer for an earlier version of this paper recommended adding an education variable to the aggregate model. One version of the aggregate model not reported here included the percentage of adults in the county who had at least a college degree. The measure was highly collinear with the percentage of residents living below the poverty line, necessitating removal of the college degree variable from the model.

[6] It is important to note that the Census Bureau allows respondents to answer on behalf of themselves and others in the household during the interview. While proxy reporting of voter turnout raises the possibility of inaccurate reports concerning whether another member of the household voted, follow-up interviews with those for whom a proxy report had been given in the November 1984 CPS showed 99 percent agreement between the proxy report and the information given by the follow-up respondent (U.S. Census Bureau 1990).

citizens because the questionnaire design skipped those individuals past the voter registration and turnout questions in the survey.

The dependent variable in these analyses is whether a respondent said he or she voted in the November 2004 election.[7] As in the analysis of aggregate data, I coded voter identification requirements for each respondent's state of residence on a scale of one to five, with one representing the least demanding requirement (stating one's name) and five representing the most demanding requirement (photo identification or affidavit).

In addition to the voter identification requirements, the models include two other state-level factors that might have influenced turnout in 2004: whether the state was considered a battleground state in the presidential election, and whether there was a gubernatorial and/or U.S. Senate race in the state (see Alvarez and Ansolabehere 2002, Alvarez et al. 2004, and Kenny et al. 1993 for similar approaches). As in the aggregate data analysis, the threshold that determined whether the state was a battleground state or had a competitive statewide race was a margin of victory of five percent or less. At the individual level, I controlled for gender, age in years, education, household income, and dummy variables representing whether a voter was Black/non-Hispanic, Hispanic, or another non-white race (with white/non-Hispanic voters as the omitted category for reference purposes).[8] Drawing on previous research on voting behavior, I also controlled for whether an individual was employed, or at least a member of the workforce (as opposed to being a full-time student, a homemaker, or retired). Both employment and workforce membership have been shown to be positive predictors of turnout (see Mitchell and Wlezien 1995). Marital status, whether one is a native-born citizen and residential mobility also have emerged as significant predictors of turnout (Alvarez and Ansolabehere 2002, Alvarez et al. 2004, Kenney et al. 1993, Wolfinger and Rosenstone 1980). I included in the model variables for whether a respondent was married (coded 1 if yes, 0 otherwise), and whether one was a native-born citizen (coded 1 if yes, 0 otherwise). I measured residential mobility by coding for whether the respondent had moved to a new address in the six months prior to the interview (coded 1 if yes, 0 otherwise).

Results

The dependent variable is whether a respondent said he or she voted in the November 2004 election (coded 1 for yes, 0 for no). I estimated models using probit analysis, which

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[7] The U.S. Census Bureau reported, based on the November 2004 CPS, that 89 percent of those who identified themselves as registered voters said they voted in 2004 (U.S. Census Bureau 2005). Previous research has shown that, generally speaking, some survey respondents overstate their incidence of voting. Researchers speculate that over-reports may be due to the social desirability that accompanies saying one has done his or her civic duty, or a reluctance to appear outside the mainstream of American political culture (U.S. Census Bureau 1990). It is also possible that voting is an indication of civic engagement that predisposes voters to agree to complete surveys at a higher rate than non-voters (Flanigan and Zingale 2002). Hence the voter turnout rates reported in the CPS tend to be up to 10 percentage points higher than the actual turnout rate for the nation (Flanigan and Zingale 2002). Even with this caveat, however, the CPS serves as a widely accepted source of data on voting behavior.

[8] Asian-Americans are included in the "other non-white races" category. In response to a request from officials at the U.S. Election Assistance Commission who had read an earlier version of this paper and were curious about the experiences of Asian-Americans, I ran models using Asian-Americans as a separate category in addition to the models presented here. Voter identification requirements did not have a statistically significant effect on whether Asian-American voters said they turned out in the 2004 election.

calculates the effects of independent variables on the probability that an event occurred – in this case whether a respondent said he or she voted. I estimated the models using robust standard errors to control for correlated error terms for observations from within the same state.

[Table 4 here]

The two models in Table 4 use either the maximum or minimum voter identification requirements in each state. The two models generate virtually identical results. Voter identification requirements exert a statistically significant, negative effect on whether survey respondents said they had voted in 2004. Of the other state factors, only the competitiveness of the presidential race had a significant effect on turnout. In terms of demographic influences, African-American voters were more likely than white voters to say they had cast a ballot, while those of other non-white races were less likely than white voters to say they had turned out. Hispanic voters were not statistically different from white voters in terms of reported turnout. Consistent with previous research, age, education, income, and marital status all were positive predictors of voting. Women also were more likely to say they voted than men. Those who had moved within six months before the interview were less likely to say they had voted.

While the probit models provide statistical support for the influence of voter identification requirements and other variables on turnout, probit coefficients do not lend themselves to intuitive interpretation. Another common approach in studies of election requirements is to examine how the predicted probability of voter turnout would vary as election requirements vary. I used the probit coefficients to calculate the predicted probability of voting at each level of voter identification requirements while holding all other independent variables in the models at their means.[9] I calculated the probabilities taking into account both maximum and minimum requirements, with photo identification serving as the most demanding of the maximum requirements and affidavits as the most demanding minimum requirement.

[Table 5 here]

Allowing the voter identification requirement to vary while holding constant all other variables in the model showed that the predicted probability of turnout ranged from 0.912 for stating one's name to 0.887 for photo identification under the maximum requirements. In other words, the probability of voting dropped with each level of voter identification requirement, with a total drop of .025, or 2.5 percent, across the five types of identification.[10] When taking into account the minimum requirement for identification, the probability showed a similar decline, with a slightly larger total drop of 3.3 percent.

Among the key variables of interest in the debate over voter identification requirements are race, age, income, and education. Given the large sample size (54,973 registered voters), it

[9] In the case of dichotomous independent variables, holding them at their mean amounted to holding them at the percentage of the sample that was coded 1 for the variable (Long 1997).

[10] The voter turnout percentages may seem disproportionately high compared to the turnout rates reported in the aggregate data analysis. It is important to consider that the turnout rates in the aggregate data were a proportion of all citizens of voting-age population, while the turnout rates for the individual-level data are the proportion of only registered voters who said they voted.

was possible to break the sample into sub-samples along those demographic lines to explore variation in predicted probability by group. I disaggregated the sample by the variable of interest, omitting that variable while I re-ran the probit model with the remaining predictors of voter turnout, including the voter identification requirements.[11] If the analysis showed that the voter identification requirements had a statistically significant effect on turnout, I used the probit coefficients from the model to calculate the predicted probability of voting for each group across the five requirements while holding the other variables in the model constant.

[Table 6 here]

Both the maximum and minimum identification requirements had negative and statistically significant effects for White/Non-Hispanic voters. Allowing the requirements to vary from stating one's name to providing photo identification or an affidavit showed drops of 2.5 percent and 3.2 percent respectively in the predicted probability of voting. The identification requirements had no effect on the probability of Black/Non-Hispanics voting, but the minimum identification requirements had a comparatively sizable effect on voter turnout among Hispanics. The predicted probability of Hispanics voting ranged from 87 percent if stating one's name was the required form of identification to 77.3 percent if a voter would have to provide an affidavit in order to vote, a difference of 9.7 percent.

The effects of voter identification requirements also varied by age, with the greatest variation occurring among voters ages 18 to 24.

[Table 7 here]

Voters in that age group had a predicted probability of 83.9 percent when the maximum requirement was stating one's name, and the probability dropped 8.9 percentage points if voters would have to provide photo identification. The range was from 83.1 percent to 75.4 percent under the minimum requirements. The gap in probability narrowed in older age groups (4.8 percent for the maximum requirements and 5.8 percent for the minimum requirements for those ages 25 to 44; 1.8 percent for the minimum requirements for those ages 45 to 64, and 2.4 percent for the minimum requirements for those ages 65 and older).

Breaking down the 18- to 24-year-old age group by race shed additional light on the effects of voter identification requirements on specific groups.

[Table 8 here]

The gap in predicted probability that White/Non-Hispanic voters in the 18- to 24-year-old category would turn out was 9.2 percent when the identification requirements varied from stating one's name to providing photo identification. The gap was 7.8 percent when taking into account the minimum requirements. The effects of maximum voter identification requirements also were statistically significant for African-Americans in the 18- to 24-year-old age group, with a gap in

[11] See Nagler 1991 for a similar approach in analyzing the effects of registration closing dates broken down by education levels.

the predicted probability of voting of 10.6 percent. Maximum and minimum voter identification requirements were not a significant predictor of voting among Hispanics ages 18 to 24.

Variation also emerged along the lines of income, with the effects of voter identification requirements varying to a greater extent for voters in households below the poverty line compared to those living above the poverty line.[12]

[Table 9 here]

While the maximum set of requirements did not have a statistically significant effect for voters living below the poverty line, the minimum set of requirements had a significant and negative effect. The probability of voting was .784 for poor voters if they would have to identify themselves by giving their name, and the probability declined to .731 if they would have to provide an affidavit attesting to their identity. Both the maximum and minimum sets of requirements had a significant and negative effect on voters living above the poverty line, but the difference in probability across the effects was narrower (2.3 percent for the maximum requirements and 3.1 percent for the minimum requirements). Given that political discourse about voter identification requirements includes concerns about the effects of the requirements on poor and minority voters, I also ran probit analyses for sub-samples of white and minority voters who fell below the poverty line. The voter identification requirements did not exert statistically significant effects on turnout among poor White/Non-Hispanic and Hispanic voters, but did have a significant effect on Black/Non-Hispanic voters who were below the poverty line.[13] Allowing the maximum voting requirement to vary from the least to the most demanding, the probability that African-American voters below the poverty line said they had voted dropped by 7.5 percent.

The effects of voter identification requirements varied across education levels as well, with those lowest in education demonstrating the widest variation in probabilities as identification requirements ranged from least to most demanding.

[Table 10 here]

Registered voters who had less than a high school education had a 77.5 percent probability of voting if the maximum requirement would be stating one's name, and a 70.8 percent probability if they would have to provide photo identification under the maximum requirement, a difference of 6.7 percent. The difference from the lowest to the highest requirement among the minimum requirements was 7.4 percent. The difference in probabilities ranged from 3.3 percent for the maximum requirements to 4.5 percent for the minimum requirements for voters with a high school diploma. The range of effects of voter identification requirements was smaller among those with higher levels of education (and non-existent for one category – voters with some college education).

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[12] I coded respondents as being above or below the U.S. Census Bureau's 2004 poverty line based on respondents' reported annual household income and size of the household.

[13] The lack of significant effects for poor Hispanic voters is in contrast to the results from the aggregate data analysis. The sub-sample of poor Hispanic voters was small (n = 491), which may have contributed to the lack of statistical significance.

Discussion and conclusion

The results presented here provide evidence that as the level of demand associated with voter identification requirements increases, voter turnout declines. This point emerged from both the aggregate data and the individual-level data, although not always for both the maximum and minimum sets of requirements. The overall effect for all registered voters was fairly small, but still statistically significant.

The effects of voter identification requirements were more pronounced for specific subgroups. Hispanic voters and the poor appeared to be less likely to vote as the level of required identification became more demanding, according to both the aggregate and the individual-level data. In the individual-level data, for Hispanic voters, the probability of voting dropped by 9.7 percent across the various levels of minimum identification requirements. Survey respondents living in poor households were 5.3 percent less likely to vote as the requirements varied from stating one's name to attesting to one's identity in an affidavit. African-American voters from households below the poverty line were 7.5 percent less likely to vote as the maximum requirements varied from stating one's name to providing photo identification.

Effects of voter requirements also varied with education. Registered voters who had not graduated from high school were 6.7 percent less likely to say they voted as the maximum requirements ranged from stating one's name to providing photo identification. When considering the minimum requirements, those with less than a high school education were 7.4 percent less likely to say they voted if the requirement was an affidavit as opposed to stating one's name. Age was also a key factor, with voters ages 18 to 24 being 7.7 percent to 8.9 percent less likely to vote as the requirements ranged from stating one's name to providing a photo identification or affidavit. Breaking down the age group by race, the effects were significant for young White/Non-Hispanic and Black/Non-Hispanic voters.

The results shed additional light on the effects of voter identification requirements on two groups often projected as being particularly sensitive to such requirements: African-American voters and elderly voters. The effects on African-American voters were pronounced for two specific sub-samples: African-American voters living below the poverty line and those in the 18- to 24-year-old age group. Also, the elderly, while they would be slightly less likely to vote as requirements ranged from least to most demanding, would not necessarily be affected in the dramatic manner predicted by some opposed to photo identification requirements in particular.

In examining the effects of voter identification requirements on turnout, there is still much to learn. The data examined in this project could not capture the dynamics of how identification requirements might lower turnout. If these requirements dampen turnout, is it because individuals are aware of the requirements and stay away from the polls because they cannot or do not want to meet the requirements?[14] Or, do the requirements result in some voters

[14] The individual-level data offer some insight here. If advance knowledge of the voter identification requirements were to dampen turnout, it is reasonable to expect that advance knowledge of those requirements also could discourage some individuals from registering to vote. I ran the same probit models using voter registration as the dependent variable (coded 1 if the respondent said he or she was registered, and 0 if the respondent was not

being turned away when they cannot meet the requirements on Election Day? The CPS data do not include measures that can answer this question. Knowing more about the "on the ground" experiences of voters concerning identification requirements could guide policy-makers at the state and local level in determining whether and at what point in the electoral cycle a concerted public information campaign might be most effective in helping voters to meet identification requirements. Such knowledge also could help in designing training for election judges to handle questions about, and potential disputes over, voter identification requirements.

registered). Neither the maximum nor minimum array of voter identification requirements had a statistically significant effect on the probability that a survey respondent was registered to vote.

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Table 1 – Variation in 2004 State Turnout Based on Voter Identification Requirements

Maximum Requirement		Minimum Requirement	
Voter Identification Required in the States	**Mean Voter Turnout for States in that Category**	**Voter Identification Required in the States**	**Mean Voter Turnout for States in that Category**
State Name	64.6 %	**State Name**	63.0 %
Sign Name	61.1 %	**Sign Name**	60.8 %
Match Signature	60.9 %	**Match Signature**	61.7 %
Provide Non-Photo ID	59.3 %	**Provide Non-Photo ID**	59.0 %
Provide Photo ID	58.1 %	**Swear Affidavit**	60.1 %
Average Turnout for All States	60.9 %		

Table 2. Predictors of 2004 turnout at the county level taking into account maximum voter identification requirements

	Basic Model		Model with Interactions	
Variable	**Unstandardized Estimate**	**Standard Error**	**Unstandardized Estimate**	**Standard Error**
Intercept	0.64	0.01	0.69	0.02
Voter ID requirements	-0.01**	0.003	-0.03**	0.004
Battleground State	0.04*	0.01	0.04*	0.02
Competitive Senate/Governor's Race	0.04*	0.02	0.04*	0.02
% Age 65 and Older	0.48**	0.03	0.50**	0.03
% African-American	0.05**	0.01	0.06	0.03
% Hispanic	-0.02	0.01	-0.13**	0.05
% Below poverty line	-0.01**	0.0002	-0.01**	0.001
VID * African-American	----	----	-0.004	0.01
VID * Hispanic	----	----	0.03*	0.01
VID * Poverty	----	----	0.001**	0.0002
-2 Log Likelihood	-8638.0		-8651.1	

Coefficients are restricted maximum likelihood estimates. N = 3,111. * $p < .05$ ** $p < .01$ (two-tailed tests)

Table 3. Predictors of 2004 turnout at the county level taking into account minimum voter identification requirements

	Basic Model		Model with Interactions	
Variable	**Unstandardized Estimate**	**Standard Error**	**Unstandardized Estimate**	**Standard Error**
Intercept	0.63	0.02	0.66	0.02
Voter ID requirements	-0.009	0.005	-0.02**	0.006
Battleground State	0.04*	0.02	0.04*	0.02
Competitive Senate/Governor's Race	0.03	0.02	0.03	0.02
% Age 65 and Older	0.48**	0.03	0.48**	0.03
% African-American	0.05**	0.01	0.04	0.03
% Hispanic	-0.12	0.01	-0.13**	0.04
% Below poverty line	-0.01**	0.0003	-0.01**	0.001
VID * African-American	----	----	0.01	0.01
VID * Hispanic	----	----	0.03*	0.01
VID * Poverty	----	----	0.001**	0.0002
-2 Log Likelihood	-8630.8		-8620.1	

Coefficients are restricted maximum likelihood estimates. N = 3,111. * $p < .05$ ** $p < .01$ (two-tailed tests)

Table 4. Probit model of voter turnout.

	Maximum requirements		Minimum requirements	
Variable	**Unstandardized Estimate**	**Standard Error**	**Unstandardized Estimate**	**Standard error**
Voter ID requirements	-0.04*	0.01	-0.05**	0.01
Hispanic	-0.06	0.05	-0.05	0.05
Black	0.22**	0.04	0.22**	0.04
Other race	-0.23**	0.04	-0.23**	0.04
Age in years	0.01**	0.001	0.01**	0.001
Education	0.12**	0.005	0.11**	0.005
Household income	0.03**	0.003	0.03**	0.003
Married	0.20**	0.02	0.20**	0.02
Female	0.09**	0.01	0.09**	0.01
Battleground state	0.18**	0.04	0.19**	0.04
Competitive race	0.05	0.05	0.05	0.05
Employed	0.05	0.04	0.05	0.04
Member of workforce	-0.04	0.05	-0.04	0.05
Native-born citizen	0.03	0.04	0.04	0.05
Moved within past 6 months	-0.27**	0.03	-0.27**	0.03
Constant	-4.48**	0.20	-4.46**	0.20
Pseudo-R-Squared	0.09		0.09	

Notes:

N = 54,973 registered voters

$p < .05$* $p < .01$** (two-tailed tests)

Models were estimated with robust standard errors to correct for correlated error terms within each state.

Data source: U.S. Census Bureau, Current Population Survey, Voting and Registration Supplement, November 2004.

Table 5. Predicted probability of voter turnout – full model

	Maximum requirement	Minimum requirement
State name	0.912	0.911
Sign name	0.906	0.903
Match signature	0.900	0.895
Non-photo ID	0.894	0.887
Photo ID	0.887	----
Affidavit	----	0.878
Total difference from lowest to highest	0.025	0.033
N	54,973	

Figures represent the predicted probability of registered voters saying they voted as the identification requirement varies from the lowest to the highest point in the scale, with all other variables held constant.

Data source: U.S. Census Bureau, Current Population Survey, Voting and Registration Supplement, November 2004.

Table 6. Predicted probability of voter turnout – White and Hispanic voters

	White/Non-Hispanic voters		Hispanic voters
	Maximum requirement	**Minimum requirement**	**Minimum requirement**
State name	0.920	0.922	0.870
Sign name	0.915	0.915	0.849
Match signature	0.909	0.907	0.826
Non-photo ID	0.902	0.899	0.800
Photo ID	0.895	----	----
Affidavit	----	0.890	0.773
Total difference from lowest to highest	0.025	0.032	0.097
N	44,760		2,860

Figures represent the predicted probability of registered voters saying they voted as the identification requirement varies from the lowest to the highest point in the scale, with all other variables held constant. Maximum voter identification requirements were not a significant predictor of voting for Hispanic voters. Maximum and minimum voter identification requirements were not a significant predictor for African-American voters.

Data source: U.S. Census Bureau, Current Population Survey, Voting and Registration Supplement, November 2004.

Table 7. Predicted probability of voter turnout – Age groups

	18 - 24		25 - 44		45 - 64	65 and older
	Maximum requirements	Minimum requirements	Maximum requirements	Minimum requirements	Minimum requirements	Minimum requirements
State name	0.839	0.831	0.831	0.831	0.936	0.916
Sign name	0.819	0.814	0.820	0.817	0.932	0.910
Match signature	0.797	0.795	0.808	0.803	0.927	0.904
Non-photo ID	0.774	0.775	0.796	0.788	0.923	0.898
Photo ID	0.750	----	0.783	----	----	----
Affidavit	----	0.754	----	0.773	0.918	0.892
Total difference -- lowest to highest	0.089	0.077	0.048	0.058	0.018	0.024
N	5,065		20,066		20,758	9,084

Figures represent the predicted probability of registered voters saying they voted as the identification requirement varies from the lowest to the highest point in the scale, with all other variables held constant. Maximum voter identification requirements were not a significant predictor of voting for voters ages 45 to 64 and 65 and older.

Data source: U.S. Census Bureau, Current Population Survey, Voting and Registration Supplement, November 2004.

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Table 8. Predicted probability of voter turnout – Age groups by race

	White/Non-Hispanic 18 - 24		Black/Non-Hispanic 18 – 24
	Maximum requirements	**Minimum requirements**	**Maximum requirements**
State name	0.844	0.836	0.899
Sign name	0.823	0.818	0.877
Match signature	0.801	0.799	0.852
Non-photo ID	0.777	0.779	0.824
Photo ID	0.752	----	0.793
Affidavit	----	0.758	----
Total difference -- lowest to highest	0.092	0.078	0.106
N	3,814		562

Figures represent the predicted probability of registered voters saying they voted as the identification requirement varies from the lowest to the highest point in the scale, with all other variables held constant. Minimum voter identification requirements were not a significant predictor of voting for Black/Non-Hispanic voters ages 18 to 24. Maximum and minimum voter identification requirements were not a significant predictor of voting for Hispanic voters ages 18 to 24.

Data source: U.S. Census Bureau, Current Population Survey, Voting and Registration Supplement, November 2004.

Table 9. Predicted probability of voter turnout – Voters above and below the poverty line

	All voters above the poverty line		All voters below the poverty line	Black/Non-Hispanic voters below the poverty line
	Maximum requirement	**Minimum requirement**	**Minimum requirement**	**Maximum requirement**
State name	0.920	0.922	0.784	0.833
Sign name	0.915	0.915	0.772	0.816
Match signature	0.909	0.907	0.758	0.798
Non-photo ID	0.903	0.899	0.745	0.778
Photo ID	0.897	----	----	0.758
Affidavit	----	0.891	0.731	
Total difference from lowest to highest	0.023	0.031	0.053	0.075
N	49,935		5,038	1,204

Figures represent the predicted probability of registered voters saying they voted as the identification requirement varies from the lowest to the highest point in the scale, with all other variables held constant. Maximum voter identification requirements were not a significant predictor of voting for white and Hispanic voters who were below the poverty line. Minimum voter identification requirements were not a significant predictor of voting for Black voters below the poverty line.

Data source: U.S. Census Bureau, Current Population Survey, Voting and Registration Supplement, November 2004.

Table 10. Predicted probability of voter turnout – By education

	Less than high school		High school		College		Graduate school	
	Maximum requirement	Minimum requirement	Maximum requirement	Minimum requirement	Maximum requirement	Minimum requirement	Maximum requirement	Minimum requirement
State name	0.775	0.779	0.866	0.869	0.960	0.959	0.977	0.979
Sign name	0.759	0.762	0.858	0.859	0.956	0.954	0.973	0.973
Match signature	0.743	0.743	0.850	0.848	0.951	0.950	0.968	0.967
Non-photo ID	0.725	0.724	0.842	0.836	0.945	0.945	0.963	0.959
Photo ID	0.708	----	0.833	----	0.939	----	0.957	----
Affidavit	-----	0.705	----	0.824	----	0.940	-----	0.950
Total difference -- lowest to highest	0.067	0.074	0.033	0.045	0.021	0.019	0.020	0.029
N	4,903		16,361		11,017		5,739	

Figures represent the predicted probability of registered voters saying they voted as the identification requirement varies from the lowest to the highest point in the scale, with all other variables held constant. Maximum and minimum voter identification requirements were not a significant predictor of voting for those with some college education.
Data source: U.S. Census Bureau, Current Population Survey, Voting and Registration Supplement, November 2004.

025047

Juliet E. Hodgkins/EAC/GOV
01/30/2007 09:39 PM

To Karen Lynn-Dyson/EAC/GOV@EAC
cc
bcc
Subject Comments on the Voter ID summary

History: This message has been replied to.

Karen,

Here are some thoughts that I have jotted down concerning the Voter ID summary. Please feel free to contact me with any questions that you have about any of the comments.

EAC Voter ID Report - jth comments.doc

Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100

EAC Report on Voter Identification

Executive Summary

The Help America Vote Act of 2002 (HAVA) authorizes the United States Election Assistance Commission (EAC) to conduct periodic studies of election administration issues. HAVA Section 303 (b) mandates that first time voters who register by mail are required to show proof of identity before being allowed to cast a ballot. The law prescribes certain minimum requirements concerning voter identificaiton, but also leaves considerable discretion to the States for implementation of voter identification requirements. The EAC sought to examine how these voter identification requirements were implemented in the 2004 general elections and to prepare guidance for the states on this topic.

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In May 2005, EAC entered into a contract with the Eagleton Institute of Politics at Rutgers, the State University of New Jersey and the Moritz College of Law at the Ohio State University to perform a review and legal analysis of state legislation, administrative procedures and court cases, and to perform a literature review on other research and data available on the topic of voter identification requirements. Further, the contractor was to analyze the problems and challenges of voter identification, to hypothesize alternative approaches and recommend various policies that could be applied to these approaches.

The contractor also performed a statistical analysis of the relationship of various requirements for voter identification to voter turnout in the 2004 election. Using two sets of data, aggregate turnout data at the county level for each state, and reports of individual voters collected in the November 2004 Current Population Survey conducted by the U.S. Census Bureau, the contractor found the overall relationship between the stringency of ID requirements and turnout to be fairly small, but statistically significant.

Comment [J1]: Description of what data is included in census data

Comment [J2]: Need a definition of what is statistically significant – both technical and plain language

Based on The Eagleton Institute year-long inquiry into voter identification requirements EAC will implement one or more of the following recommendations:

- Further research into the connection between voter ID requirements and the number of ballots cast and counted;

Comment [J3]: What does this mean?

- A state-by-state review of the impact that voter ID requirements are having on voter's participation;
- A state-by-state review of the relationship between ballot access and ballot security and the number of voters whose ballot is counted;

Comment [J4]: Not sure what this would entail. These are buzz words, but there needs to be some specific meaning assigned to them and communicated with any recommendations

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- A state-by-state review of time periods between voters casting of provisional ballots and the time allowed to return with an ID as well as a review of acceptable forms of identification other than photo ID.

Introduction

This study was conducted at a time in which considerable attention is being paid to the issue of voter identification. Proponents of stricter identification requirements base their case on improving the security of the ballot by reducing opportunities for multiple voting or voting by those who are not eligible. The goal is to ensure that only those legally entitled to vote do so, and do so only once at each election. Opponents of stricter ID requirements seek to ensure board access to a regular ballot. There is a fear that some voters -- racial and ethnic minorities, young and elderly voters -- lack convenient access to required ID documents, or that these voters may be fearful of submitting their ID documents for official scrutiny.

This report considers policy issues associated with the voter ID debate. It examines the relationships between voter ID requirements and voter turnout along with the various policy implications of the issue.

(NEED TO ADD SOME LANGUAGE ABOUT THE TIME FRAME OF THE STUDY – I.E. THAT IT REVIEWED ONLY DATA FROM THE NOVEMBER 2004 ELECTION.)

Methodology of the Study

In May 2005, under contract with the EAC, the Eagleton Institute of Politics at Rutgers, the State University of New Jersey, and the Moritz College of Law at the Ohio State University undertook a review and legal analysis of state statutes, regulations and litigation concerning voter identification and provisional voting as well as a statistical analysis of the relationship of various requirements for voter identification to turnout in the 2004 election. The contract also included research and study related to provisional voting requirements. These research findings were submitted and reviewed by the EAC as a separate study.

The Eagleton Institute of Politics gathered information on the voter identification requirements in 50 states and the District of Columbia for 2004. Based on interpretations of state statutes and supplemental information provided through conversations with state election officials, state ID requirements were divided into five categories, with each category of identification more rigorous than the one preceding: stating name, signing name, signature match, presenting an ID, and the most rigorous, presenting a government photo ID. The Eagleton Institute also categorized and identified each state according to maximum and minimum identification requirements. Maximum requirements refer to the most that voters may be asked to do or show at the polling place. Minimum requirements refer to the most that voters can be required to do or show in order to cast a regular ballot. These definitions and the subsequent state-by-state analysis of voter identification requirements omitted those cases in which a particular voter's eligibility might be questioned using a state's voter ballot challenge process.

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(ADD A TABLE OF THE LAWS FROM EACH STATE)

Two data sets were used to apply the criteria (variables) that were developed above: aggregate voter turnout data at the county level which was gathered from the EAC's 2004 Election Day Survey and; reports of individual voters collected through the November 2004 Current Population Survey administered by the U.S. Census Bureau. Use of EAC survey data and Census Bureau CPS data provided a way to cross-check the validity of the analysis and conclusions that would be drawn regarding the effect of voter ID requirements on voter turnout.

Study Oversight and Methodological Review

A draft of the Eagleton Institute report and findings on voter identification requirements was critiqued by a peer review group convened by the Eagleton Institute. A second review of the study's research and statistical methodologies was conducted using a group of research and statistical experts independently convened by the EAC. Comments and insights of the peer review group members were taken into account in the drafting of a study report although there was not unanimous agreement among the individual reviewers regarding the study findings and recommendations.

Comment [J5]: Do we need this section. It seems to suggest that we are adopting the Eagleton report. I am not sure that is where we will end up.

The Eagleton Institute of Politics Peer Review Group

R Michael Alvarez, California Institute of Technology
John C. Harrison, University of Virginia School of Law
Martha E. Kropf, University of Missouri-Kansas City
Daniel H. Lowenstein, University of California at Los Angeles
Timothy G. O'Rourke, Salisbury University
Bradley Smith, Capital University Law School
Tim Storey, National Conference of State Legislatures
Peter G. Verniero, former Attorney General, State of New Jersey

The EAC Peer Review Group

Jonathan Nagler, New York University
Jan Leighley, University of Arizona
Adam Berninsky, Massachusetts Institute of Technology

Summary of the Research

Maximum and Minimum Voter Identification Requirements

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In order to analyze what, if any, correlation may exist between a State's voter identification requirements and voter turnout, the Eagleton Institute first coded a state according to how demanding its voter ID requirement was. The voter ID requirement, ranked from lowest to highest was as follows: stating one's name, signing one's name, matching one's signature to a signature on file, providing a form of identification and, providing a form of photo identification. Several possible caveats to this ranking system were noted. For all states which had photo identification requirements in 2004, voters without a photo ID were permitted to cast a regular ballot after signing an affidavit regarding his or her identity and eligibility. These voters were also allowed to provide other forms of ID. The researchers also noted that while each state may be assigned to a category, that categorization may not reflect the actual practice related to voter identification that may or may not have taken place at many polling places.

Research performed for this study by the Moritz College of Law found that states had five different types of **maximum** identification requirements in place on Election Day 2004. For the purposes of this study a requirement that called for a signed affidavit or the provision of other forms of ID was considered the most rigorous or the "maximum" requirement. At the polling place voters were asked to:

- State his or her name (10 states)
- Sign his or her name (13 states and the District of Columbia)
- Sign his or her name, which would be matched to a signature on file (seven states)
- Provide a form of identification that did not necessarily include a photo (15 states)
- Provide a photo identification (five states)

Using the same criteria, but applying them as **minimum** rather than maximum criteria for voting the research showed: **(check this section- it doesn't really make sense)**

- State his or her name (12 states)
- Sign his or her name (14 states and the District of Columbia)
- Matching the voter's signature to the signature on file (6 states)
- Provide a non-photo identification (14 states)
- Swear by an affidavit (4 states)

The results of the research are summarized in Table 1.

Election laws in several states offer exceptions to these ID requirements if potential voters lack the necessary form of identification. Laws in these states set a minimum requirement that a voter may be required to satisfy in order to vote using a regular ballot. In 2004 none of the states required photo identification as a minimum standard for voting with a regular ballot. That is, voters who lacked photo ID were allowed to vote in all states, if he or she was able to meet another ID requirement.

The Relationship of Voter Identification Requirements to Voter Turnout

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A statistical analysis examining the variation in turnout rates based on the type of voter ID required by each state in the 2004 election was conducted using two sets of data: 1) aggregate turnout data at the county level for each state (compiled by the Eagleton Institute of Politics-**footnote about how they collected the data**) and 2) individual level survey data included in the November 2004 Current Population Survey (CPS), conducted by the U.S. Census Bureau.
The analysis looked at the voter identification requirements as a continuous variable and as a series of discrete variables. As a continuous variable the maximum voter identification requirements were ranked according to how demanding they were judged to be, with photo identification considered to be the most demanding requirement **(what about affidavit?????).** Used as discrete variable, the statistical analysis considered stating the name as the least demanding ID requirement; the other ID requirements were then compared to that requirement.

Aggregate-level statistical analysis

Comment [J6]: We need a simpler version as well as one suited to academics

The statistical analysis performed by the Eagleton Institute of Politics found that when averaging across counties in each state, statewide turnout is negatively correlated to maximum voter identification requirements ($r=-.30$, p less than .05). When a statistical analysis is performed on the other minimum voter ID requirements (with affidavit being the most demanding requirement), the correlation between voter identification and turnout is negative, but not statistically significant ($r=-.20$, $p=.16$). These findings would suggest that the relationship between turnout rates and minimum requirements may not be linear.

The aggregate data show that 60.9 percent of the estimated citizen voting age population voted in 2004. Taking into account the maximum requirements, an average of 64.6 percent of the voting age population turned out in states that required voters to state their names, compared to 58.1 percent in states that required photo identification. A similar trend was found when analyzing minimum ID requirements. Sixty-three percent of the voting age population turned out in states requiring voters to state their name, compared to 60.1 percent in states that required an affidavit from voters. This analysis showed there was not a clear, consistent linear relationship between turnout and minimum identification requirements.

(insert table 2- Variation in 2004 State Turnout Based on Voter Identification Requirements)

Multivariate models of analysis using aggregate-level data

Comment [J7]: Same as previous comment

The Eagleton Institute of Politics performed an additional analysis that would estimate the effects of voter identification requirements, that took into account the electoral context in 2004 and, the demographic characteristics of the population in each county. The model also considers such variables as whether or not the county was 1) in a presidential battleground state, 2) if the county was in a state with a competitive race for

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government and/or the U.S. Senate, 3) the percentage of voting-age population in each county that was Hispanic or African-American 4) the percentage of county residents age 65 and older, 5) the percent of county residents below the poverty line, and 6) the number of days between each state's registration deadline and the election.

The results of this statistical modeling and subsequent analysis indicated that the stricter voter ID requirements of matching a voter's signature to a signature on file or with presenting a non-photo identification are associated with lower voter turnout when compared to voter turnout in states that required voters to simply state his or her name. These conclusions were reached when variables 1-5 listed above were held constant.

Other results from the Eagleton Institute analysis of stricter voter identification requirements showed that:

- Increased voter turnout was associated with whether the county was in a battleground state or whether that state have a competitive race for governor and/or U.S.Senate.
- A slight negative effect on turnout was correlated with those state's with a longer time between the closing date for registration and the election.
- Voter turnout declined as the percentage of Hispanics in a county's population increased.
- Higher turnout (and a positive correlation) was associated with a higher percentage of senior citizens and household median income.
- The percentage of African-Americans in the county did not have a significant effect on turnout.

DO WE HAVE ANY CHARTS/GRAPHS THAT REFLECT THESE?

The Eagleton Institute analysis of minimum voter identification requirements showed that:

Comment [J8]: What does this mean?

- A relationship between minimum voter ID requirements and turnout was not demonstrated.
- Battleground states and those with competitive state races had a significant and positive correlation to turnout.
- A higher percentage of senior citizens in the county and higher household median income were associated with higher turnout and showed a positive correlation to turnout.
- The percentage of Hispanics in the county was associated with reduced turnout.

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- The increased number of days between the closing date for registration was associated with reduced turnout.

The analysis of these aggregate, county-level data showed a significant correlation, between maximum voter identification requirements (a signature match and non-photo identification, but not a photo identification) and lower turnout in the 2004 election. This correlation was also significant when compared to the minimum voter ID requirement of the voter simply having to state his or her name.

Comment [J9]: What does this mean?

Multivariate analysis using individual level turnout data

This analysis which used November 2004 Current Population Survey data conducted by the U.S. Census Bureau is based on reports from self-described registered voters. Not included in the analysis are persons who said they are not registered to vote, those who said they cast absentee ballots and those who said they were not U.S. citizens. The CPS' Voting and Registration Supplement consisted of interviews, either by telephone or in person, with 96,452 respondents. **(why is the N is Table 3 54,973?)**

In addition to the five maximum voter identification requirements (enumerated on page XX) the analysis performed included other socioeconomic, demographic and political factors that could have influenced turnout in the 2004 election. These independent variables were analyzed against the dependent variable of whether or not the respondent said he or she voted in the November 2004 election.

In this analysis three of the voter identification requirements were shown to have a statistically significant correlation with whether or not the survey respondents said they have voted in 2004. Lower voter turnout was associated with:

- those states with maximum voter requirements to sign one's name,
- those states with maximum voter requirements to provide a non-photo ID or photo ID, or
- those states with the minimum voter requirement to swear by an affidavit in order to cast a ballot without the state-required identification

Increased voter turnout showed:

- A significant correlation with the competitiveness of the Presidential race **(explain).**
- African-American voters were more likely than white or other voters to say they have voted.
- Income and marital status were positive predictors of voting **(high income or low income, single, married?),**
- Women were more likely to say they voted than men.

025056

- Those ages 45 to 64 and 65 and older were more likely to say they voted than those ages 18 to 24.
- Those who earned a high school diploma, attended some college, graduated from college or attended graduate school were more likely to say they have voted than those who had not finished high school.

Analysis of the predicted probability of voter turnout using the individual data

Using this Census Bureau Current Population Survey data the Eagleton Institute of Politics performed an additional statistical analysis in which they calculated the effect of various independent variables on the probability that a respondent said he or she voted. This analysis, involving 54,973 voters cross-tabulated the maximum and minimum voter identification requirements in each state with the five levels of voting requirements: stating name, signing name, matching the signature, a non-photo ID, photo-ID signing an affidavit. The results of these **Predicted Probability of Voter Turnout for all Voter** tabulations are summarized in Table 3 below:

From this analysis, the Eagleton Institute of Politics found that three of the voter identification requirements **(which ones?)** exerted a statistically significant, negative effect on whether or not the CPS survey respondents said they had voted in 2004. That is, compared to states that require voters to only state their name, those states which require the voter to sign his or her name, to provide a non-photo ID, or to provide a photo ID as a maximum requirement, were shown to have a negative influence on turnout. Also, a negative influence on turnout was found when comparing those states that require voters to only state their name, as compared to those states which have as a minimum requirement for verifying voter ID, signing an affidavit.

This probability analysis also found that the competitiveness of the presidential race had a significant effect on turnout as well as some significant demographic and educational effects. For the entire voting population signature, non-photo identification and photo identification requirements were all associated with lower turnout rates compared to the requirements that voter simply state their names. The analysis further found that:

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- The predicted probability that Hispanics would vote in states that required non-photo identification was about 10 percentage points lower than in states where Hispanic voters gave their names and that Hispanic voters were less likely to vote in states that required non-photo identification as opposed to only having to state one's name.

Comment [J10]: How was this derived? What was it based on? How were other variables controlled/ What were the other variables?

Comment [J11]: How do these figures compare to the other variables such as a hotly contested race or a "no interest" race.

- Hispanic voters were 10 percent less likely to vote in non-photo identification states compared to states where voters only had to give their name. African

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American and Asian-American voters were about 6 percent less likely, while white voters were about 2 percent less likely.

- Asian-American voters were 8.5 percent less likely to vote in states that required non-photo identification compared to states that require voters to state their names under the maximum requirements, while they were 6.1 percent less likely to vote where non-photo identification was the minimum requirement.

- For those with less than a high school diploma, the probability of voting was 5.1 percent lower in states that required photo identification as the maximum requirement and 7 percent lower in those states that required an affidavit as the minimum requirement. These percentages were arrived at when comparing these states to ones that use as a minimum or maximum requirement, the voter to merely state his or her name.

Conclusions from the statistical analysis

The statistical analysis found that as voter identification requirements vary, so do voter turnout rates. These findings were borne out through analyses conducted on aggregate data and individual–level data. There were, however, some distinctions found depending upon whether or not the state's particular voter identification requirements were set as minimums or maximums.

- The overall relationship between voter identification requirements and turnout for all registered voters was found to be small but statistically significant.

- Using the aggregate data the signature match and the non-photo identification requirement correlated with lower turnout. The photo identification requirement did not have a statistically significant effect.

- In the individual-level data the signature, no-photo identification and photo identification requirement were all correlated with lower turnout when compared to the requirements that voter simply state their names.

- Across various demographic groups (African-Americans, Asian-Americans and Hispanics) a statistically significant relationship was found between the non-photo identification requirement and voter turnout

Caveats to the Analysis

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The Eagleton Institute for Politics and the EAC make note that while this analysis is a good beginning, significant questions remain regarding the relationship between voter identification requirements and turnout. These analyses are unable, for example, to capture how or why identification requirements might lower turnout. That is, is it because voters are aware of the identification requirements and stay away from the polls because of them? Alternatively, do the requirements result in some voters being turned away when they cannot provide the identification, or must cast a provisional ballot? Knowing more about the "on the ground" experience of voters regarding various identification requirements will guide state and local level policy makers in their efforts to educate voters about the requirements. These experiences could also help instruct poll workers on how to handle questions and possible disputes over voter identification requirements.

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Deleted: election judges

Public Policy and Administrative Considerations

Voter Identification, often described as the critical step in protecting the integrity of the ballot, is a process which can ensure that the potential voter is eligible and, if eligible, is permitted to cast one ballot. A voting system that requires voters to produce an identification document or documents may prevent the ineligible from voting, but also may prevent the eligible from casting a ballot.

Evaluating the effect of different voter identification regimes can be most effective when based on clear legal, equitable and practical standards. The questions outlined below might point policymakers to standards that can be created around voter identification requirements.

1. Is the voter ID system designed on the basis of valid and reliable empirical studies the will address concerns regarding certain types of voting fraud?
2. Does the voter ID requirement comply with the letter and sprit of the Voting Rights Act?
3. How effective is the voter ID requirement on increasing the security of the ballot and can it be coordinated with the statewide voter registration database?
4. How feasible is the voter identification requirement? That is, are there administrative or budgetary considerations or concerns? How easy or difficult will it be for pollworkers who must administer the requirement?
5. How cost effective is the voter ID system? That is, what are the monetary and non-monetary costs to the voter and to the state for implementing the ID system?
6. If voter ID requirements are shown to reduce voter turnout (generally, or with some particular groups), what possible steps should be taken to ameliorate this problem?

Recommendations and Next Steps

025059

As the Federal agency charged with informing election officials and the public about various issues related to the administration of elections EAC believes it should, in its capacity as a supporter of elections research, undertake additional study into the topic of voter identification requirements and the implementation of them in the following ways:

- Longitudinal studies of jurisdictions that have changed voter identification requirements.
- State-by-state and precinct-level analyses that will examine the correlations between various voter identification requirements and voter registration and turnout
- Alternative forms and methods for verifying a voter's identity.
- Continuing research into the connection between various voter identification requirements and the number of ballots cast and counted
- A continuing state-by-state update on changes to voter identification requirements.
- Continued collection of state-by-state data which will help examine the impact that voter identification requirements are having on the number of voters who are casting provisional ballots because of voter identification verification issues.

Appendix A: Summary of Voter Identification Requirements by State

Appendix B: Court Decisions and Literature on Voter Identification and Related Issue Court Decisions

Appendix C: Annotated Bibliography on Voter Identification Issues

DRAFT

025060

Juliet E. Hodgkins/EAC/GOV
01/30/2007 09:48 PM

To "Davidson, Donetta" <ddavidson@eac.gov>
cc Karen Lynn-Dyson/EAC/GOV@EAC
bcc
Subject Questions for the public meeting

History: This message has been replied to.

Donetta,

Below are some questions that I have compiled in reading through the summary that Karen developed. I have not re-evaluated the draft report provided by Eagleton. As soon as I have the opportunity to revisit that document, I will send any additional questions that I would suggest asking.

QUESTIONS FOR EAGLETON:

1. What is meant by "statistically significant"? Please explain in plain language when a result is considered statistically significant. Also, please provide an academic definition of that term. How did you calculate the mean and standard deviations from the mean?
2. What data was used to derive these research findings?
3. Did you attempt to find information or data related to elections prior to 2004 in states that have voter identification requirements?
4. What other variables other than voter identification were tested? Contested race? Historical voter turnout? Weather? Media attention to the area? Candidate activities/campaign?
5. What was the impact (positive or negative) of these other factors on voter turnout?
6. How did you control these variables/factors when measuring the impact of voter ID on voter turnout or on prospective voter turnout? For example, did you only apply the factor to like circumstances – similar historical turnout, same level of contention in the races of the ballot, etc.
7. Would the study and your conclusions have been more reliable if additional data had been analyzed? Data such as voter turn out in states that have had voter ID in past Federal elections?
8. What data did you use to identify voter turnout?
9. What data did you use to identify whether people or groups of people were more or less likely to vote when identification is required?

Why did you use census data as opposed to data on registered voters? Doesn't census data also include information from people who are not registered voters and people who are not even eligible to be registered voters?

Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100

Juliet E. Hodgkins/EAC/GOV
02/01/2007 03:29 PM

To "Davidson, Donetta" <ddavidson@eac.gov>, Karen Lynn-Dyson/EAC/GOV@EAC
cc
bcc
Subject More thoughts on Eagleton draft report

After having read the Eagleton draft report, I have some thoughts and questions:

I am troubled by the concept that Eagleton compared states as if they were equal. They assume that, all factors being equal, that the voter turn out in each state would be equal. I am not at all certain that this is the case. Further, there is no evidence that the staticians actually compared previous years' turnout in the same state to determine whether 2004 was some sort of anomally for that state (high or low). Long story short, I am very skeptical of the data that they used to draw conclusions. We should ask questions about what data they used, how they parsed it, why they used the data, what other data could have been used to provide better, more reliable results.

My second concern is how they (statistically speaking) differentiate between a minimum requirement (i.e. state name, photo i.d., etc) and a maximum requirement (i.e., state name, photo i.d., etc.). It makes no sense to me how they could possibly arrive at a different percentage for these requirement levels.

My third issue is the persistent use of the phrases "ballot access" and "ballot integrity" without some definition or some explanation of what those concepts are.

Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
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(202) 566-3100

Jeannie Layson/EAC/GOV
02/14/2007 03:14 PM

To Bert A. Benavides/EAC/GOV@EAC, sbanks@eac.gov, klynndyson@eac.gov
cc twilkey@eac.gov, jthompson@eac.gov, ggilmour@eac.gov
bcc
Subject Eagleton documents

History: This message has been replied to.

Hello everyone,
I am trying to get my arms around exactly what information from either the Eagleton voter ID or provisional voting report was sent from this office to outside parties. Please note that I have had several FOIA requests for both reports, so I need to know exactly what has been released to make sure that I have responded to these requests accurately. In other words, I want to make sure that I have not refused to provide data or information that has been provided to third parties. If you do not find any records regarding this request, please respond to this email "no records found." Thank you.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100
www.eac.gov

Jeannie Layson/EAC/GOV
02/21/2007 12:57 PM

To [redacted]
cc
bcc Karen Lynn-Dyson/EAC/GOV
Subject Voter ID

History: This message has been replied to.

Mr. Galloway,
Per your inquiry, we have been working with the Eagleton Institute to study issues related to voter ID. We held a public meeting earlier this month in which we discussed this project to provide an update on progress being made. At the meeting, EAC commissioners asked the researchers questions about what they'd found so far, methodology, etc. At the conclusion of the questions, EAC Chair Donetta Davidson instructed EAC staff to take a look at Eagleton's recommendations for moving forward and w/n 30 days present the commissioners with suggestions for further research about voter ID laws. She noted that she thought it was important to study more than one election cycle, since some of these ID laws are so new. Go here to view the testimony Eagleton presented at the meeting, and go here to read the Eagleton paper, in which they referenced some of the data they had collected on our behalf.

For your information, EAC is an independent bipartisan commission created by HAVA. It is charged with developing guidance to meet HAVA requirements, implementing election administration improvements, adopting voluntary voting system guidelines, accrediting test laboratories, certifying voting systems and serving as a national clearinghouse and resource of information regarding election administration. The Commission is also responsible for auditing the use of HAVA funds.

Let me know if I can be of further assistance. 202-566-3103.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100
www.eac.gov

Gracia Hillman/EAC/GOV
03/06/2007 11:24 AM

To klynn-dyson@eac.gov
cc Juliet E. Hodgkins/EAC/GOV@EAC, jlayson@eac.gov
bcc
Subject Feedback on Draft Statement

Karen:

Following up on yesterday's briefing about the Draft Statement on the Voter ID study, here is my feedback.

1. I agree that we should send out all of the appendices. I think EAC needs to send out as much information as we have available at this time from the Eagleton study..

2. The statement should clarify that at a minimum we are looking to compare 2008 voter participation stats with the 2004 stats used in the Eagleton report. (FYI - The term voter participation includes registration and turnout.)

Perhaps that explanation should be the fourth paragraph on Page 1, explaining why EAC decided to not perform an analysis at this time of the impact of voter id requirements on turnout.

3. I agree that the last section of the statement should include EAC's intention to convene a (one) large working group of advocates, academics (statisticians included) and election officials to discuss what the next EAC study on this topic should cover and what the time frame for such study should be.

Lastly, I read this as a draft and "assume" it will be edited to take care of grammatical and spelling errors.

Thanks,
Gracia M. Hillman
Commissioner
U.S. Election Assistance Commission
1225 New York Avenue, NW, Suite 1100
Washington, DC 20005
Tel: 202-566-3100
Fax: 202-566-1392
www.eac.gov

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Gracia Hillman/EAC/GOV
03/06/2007 11:28 AM

To klynn-dyson@eac.gov
cc Juliet E. Hodgkins/EAC/GOV@EAC, jlayson@eac.gov
bcc
Subject Further to the Eagleton Study

I forgot to add the following comment.

If the Eagleton testimony from February 8 is not included as an attachment to our Statement, then at the very least I think our statement should inform the reader that Eagleton testified on Feb 8 and the statement is posted on our website.

Caroline C. Hunter/EAC/GOV
03/07/2007 10:13 AM

To Karen Lynn-Dyson/EAC/GOV@EAC
cc Donetta L. Davidson/EAC/GOV@EAC, Gracia Hillman/EAC/GOV@EAC, Jeannie Layson/EAC/GOV@EAC, Juliet E. Hodgkins/EAC/GOV@EAC, Karen
bcc
Subject Re: Revised EAC Statement

Thank you, Karen. I believe we are getting closer to a consensus. I have a few comments which I will send to everyone soon.
Karen Lynn-Dyson/EAC/GOV

Karen Lynn-Dyson/EAC/GOV
03/07/2007 09:50 AM

To Karen Lynn-Dyson/EAC/GOV@EAC
cc Caroline C. Hunter/EAC/GOV@EAC, Donetta L. Davidson/EAC/GOV@EAC, Jeannie Layson/EAC/GOV@EAC, Juliet E. Hodgkins/EAC/GOV@EAC, "Rosemary Rodriguez" <[redacted]>, twilkey@eac.gov, Gracia Hillman/EAC/GOV@EAC
Subject Re: Revised EAC Statement

Commissioners-

Attached please find the revised EAC Statement on Voter Identification requirements.

I have attempted to craft language that expresses EAC's concern with the statistical analysis and research methodology that Eagleton employed, and to capture the essence of what EAC found problematic with that analysis.

In this draft I have kept the two options as I have not heard which option the Commissioners have chosen (e.g. for the release of all or only part of the Eagleton report)

New EAC Voter ID Report.doc

Karen Lynn-Dyson
Research Director
U.S. Election Assistance Commission
1225 New York Avenue , NW Suite 1100
Washington, DC 20005
tel:202-566-3123

"Rosemary Rodriguez"
<[redacted]
03/07/2007 09:05 AM

To klynndyson@eac.gov
cc
bcc
Subject Re: Tomorrow's Testimony

thanks.

----- Original Message ----
From: "klynndyson@eac.gov" <klynndyson@eac.gov>
To: ghillman@eac.gov
Cc: chunter@eac.gov; ddavidson@eac.gov; jlayson@eac.gov; jhodgkins@eac.gov; Rosemary Rodriguez <[redacted]> twilkey@eac.gov
Sent: Tuesday, March 6, 2007 5:51:43 PM
Subject: Re: Tomorrow's Testimony

All-

Commissioner Hunter just stopped by my office and has asked me to insert stronger language into the statement that speaks to EAC's problems with the research and statistical methodology that Eagleton employed. This is language on which she believes she and Commissioner Hillman have been able to agree.

I will draft a sentence or two to this effect and insert it into paragraph four first thing tomorrow morning.

Karen Lynn-Dyson
Research Director
U.S. Election Assistance Commission
1225 New York Avenue , NW Suite 1100
Washington, DC 20005
tel:202-566-3123

Gracia Hillman/EAC/GOV
03/06/2007 05:34 PM

To Donetta L. Davidson/EAC/GOV@EAC, Juliet E. Hodgkins/EAC/GOV@EAC
cc "Rosemary Rodriguez" <rosemaryrod2003@yahoo.com>@GSAEXTERNAL, Caroline C. Hunter/EAC/GOV@EAC, twilkey@eac.gov, Jeannie Layson/EAC/GOV@EAC, Karen Lynn-Dyson/EAC/GOV@EAC
Subject Tomorrow's Testimony Link

"Rosemary Rodriguez"
[redacted]
03/07/2007 11:45 AM

To klynndyson@eac.gov
cc chunter@eac.gov, ddavidson@eac.gov, jlayson@eac.gov, jhodgkins@eac.gov, twilkey@eac.gov, ghillman@eac.gov
bcc
Subject Re: Revised EAC Statement

History: This message has been replied to.

I prefer the second option with respect to release all of the appendices and wish we could reference timing for the convening of the working group but if that is impossible then I guess I will live with that. Also "disclaimer" paragraph re methodology is okay with me.

Is it possible to date or number drafts in the future so that I can keep them straight?

Thanks.

----- Original Message ----
From: "klynndyson@eac.gov" <klynndyson@eac.gov>
To: klynndyson@eac.gov
Cc: chunter@eac.gov; ddavidson@eac.gov; jlayson@eac.gov; jhodgkins@eac.gov; Rosemary Rodriguez <[redacted]>; twilkey@eac.gov; ghillman@eac.gov
Sent: Wednesday, March 7, 2007 9:50:08 AM
Subject: Re: Revised EAC Statement

Commissioners-

Attached please find the revised EAC Statement on Voter Identification requirements.

I have attempted to craft language that expresses EAC's concern with the statistical analysis and research methodology that Eagleton employed, and to capture the essence of what EAC found problematic with that analysis.

In this draft I have kept the two options as I have not heard which option the Commissioners have chosen (e.g. for the release of all or only part of the Eagleton report)

Karen Lynn-Dyson
Research Director
U.S. Election Assistance Commission
1225 New York Avenue , NW Suite 1100
Washington, DC 20005
tel:202-566-3123

Never miss an email again!
Yahoo! Toolbar alerts you the instant new Mail arrives. Check it out.

Gracia Hillman/EAC/GOV
03/07/2007 12:33 PM

To Karen Lynn-Dyson/EAC/GOV@EAC
cc Caroline C. Hunter/EAC/GOV@EAC, Donetta L. Davidson/EAC/GOV@EAC, Jeannie Layson/EAC/GOV@EAC, Juliet E.
bcc
Subject Re: Revised EAC Statement

History: This message has been replied to.

I have inserted my thoughts and suggested edits to Karen's latest draft -- see tracked changes and comments.

Karen: If there is more back and forth that needs to be discussed on this, it may be best to have a briefing by you later this afternoon that could include commissioners Hunter and Rodriguez.

New EAC Voter ID Report.doc

Gracia M. Hillman
Commissioner
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www.eac.gov

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Gracia Hillman/EAC/GOV
03/13/2007 09:11 AM

To Karen Lynn-Dyson/EAC/GOV@EAC
cc jlayson@eac.gov
bcc
Subject Re: Next draft of the Voter ID statement

I am comfortable with the latest redraft. However, if there are any changes of substance, even a one word change can be substantive in this document, I will want to see a redraft before it is sent for tally vote.

The statement is well written but there remain some editing issues. Lack of commas, use of the words "which" versus "that." Typo - the word "this" when I think it is supposed to be "his." (I do not consider grammatical and spelling edits as substantive.)

Thanks,

Gracia M. Hillman
Commissioner
U.S. Election Assistance Commission
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Washington, DC 20005
Tel: 202-566-3100
Fax: 202-566-1392
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Gracia Hillman/EAC/GOV
03/13/2007 08:55 AM

To Ddavidson@eac.gov, Thomas R. Wilkey/EAC/GOV@EAC, Juliet E. Hodgkins/EAC/GOV@EAC, klynn-dyson@eac.gov, jlayson@eac.gov, Elieen L. Kuala/EAC/GOV@EAC, Bert A.
cc
bcc
Subject My WhereAbouts - FYI

Sheila will be out today and I will get to the office by about 12:00 noon. In the meantime, I am available by phone or blackberry.

Jeannie Layson/EAC/GOV
03/13/2007 09:25 AM

To Gracia Hillman/EAC/GOV@EAC
cc Karen Lynn-Dyson/EAC/GOV@EAC
bcc
Subject Re: Next draft of the Voter ID statement

I am waiting until I get everyone's changes before I review for grammar. I still have not received Comm. Hunter's changes.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100
www.eac.gov
Gracia Hillman/EAC/GOV

Gracia Hillman/EAC/GOV
03/13/2007 08:11 AM

To Karen Lynn-Dyson/EAC/GOV@EAC
cc jlayson@eac.gov
Subject Re: Next draft of the Voter ID statement

I am comfortable with the latest redraft. However, if there are any changes of substance, even a one word change can be substantive in this document, I will want to see a redraft before it is sent for tally vote.

The statement is well written but there remain some editing issues. Lack of commas, use of the words "which" versus "that." Typo - the word "this" when I think it is supposed to be "his." (I do not consider grammatical and spelling edits as substantive.)

Thanks,

Gracia M. Hillman
Commissioner
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you received this message in error, please notify the sender immediately by replying to this email and delete this message from your computer.

Caroline C. Hunter/EAC/GOV
03/13/2007 04:36 PM

To Karen Lynn-Dyson/EAC/GOV@EAC
cc Donetta L. Davidson/EAC/GOV@EAC, Gracia Hillman/EAC/GOV@EAC, Jeannie Layson/EAC/GOV@EAC, Juliet E. Hodgkins/EAC/GOV@EAC,
bcc
Subject Re: Latest draft of the EAC Voter ID statement

History: This message has been replied to.

Attached, please find my edits. My intention was to try to explain in English how the Contractor conducted the study in the 2nd graph of the background statement. I realize I left some information out; for example, how he ran the numbers based on maximum and minimum id requirements. I am open to any suggestions on how to better describe what they did; however, despite reading the report and Appendix C many times, I am still do not understand exactly how the study was conducted. I think we should run the 2nd graph by the Contractor to ensure its accuracy.

VoterID Hunter edits.doc

Caroline C. Hunter
Commissioner
Election Assistance Commission
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(202) 566-3107
chunter@eac.gov
www.eac.gov

Karen Lynn-Dyson/EAC/GOV

Karen Lynn-Dyson/EAC/GOV
03/09/2007 05:20 PM

To Caroline C. Hunter/EAC/GOV@EAC, Donetta L. Davidson/EAC/GOV@EAC, Gracia Hillman/EAC/GOV@EAC, [redacted]
cc Juliet E. Hodgkins/EAC/GOV@EAC, Jeannie Layson/EAC/GOV@EAC, twilkey@eac.gov
Subject Latest draft of the EAC Voter ID statement

Commissioners-

Commissioner Hunter noted that several changes to the draft that she had recommended were not included in the latest draft that I sent to Julie and Jeannie. had.

Attached please find this new version which I hope accurately reflects her suggestions; we are asking that everyone take a look at this version.

Please get me your comments and recommended edits by Monday.

Thanks-

Deliberative Process Privilege

EAC Statement on Future Study of Voter Identification Requirements

Background

The Help America Vote Act of 2002 (HAVA) authorizes the United States Election Assistance Commission (EAC) to conduct periodic studies of election administration issues. In May 2005, EAC contracted with Rutgers, the State University of New Jersey through its Eagleton Institute of Politics ("Contractor") to perform a review and legal analysis of state legislation, administrative procedures and court cases, and to perform a literature review on other research and data available on the topic of voter identification requirements. Further, the Contractor was asked to analyze the problems and challenges of voter identification, to hypothesize alternative approaches and to recommend various policies that could be applied to these approaches.

The Contractor performed a statistical analysis of the relationship of various requirements for voter identification to voter turnout in the 2004 election. The contractor compared states with similar voter identification requirements and drew conclusions based on comparing turnout rates among states for one election – November 2004. For example, the turnout rate in 2004 in states with a photo identification requirement was compared to the turnout rate in 2004 in states with a requirement that voters sign their name in order to receive a ballot. Contractor used two sets of data to estimate turnout rates: 1) voting age population estimates[1] and 2) individual-level survey data from the November 2004 Current Population Survey conducted by the U.S. Census Bureau.[2] The contractor and the EAC agree that the report raises more questions than provides answers.[3]

Deleted: Using two sets of data– aggregate turnout data at the county level for each state, and reports of individual voters collected in the November 2004 Current Population Survey conducted by the U.S. Census Bureau– the Contractor arrived at a series of findings, conclusions and subsequent recommendations for further research into the topic.¶

The Contractor presented testimony summarizing its findings from this statistical and data analysis at the February 8, 2007 public meeting of the U.S. Election Assistance Commission. The Contractor's testimony, its summary of voter identification requirements by State, its summary of court decisions and literature on voter identification and related issues, an annotated bibliography on voter identification issues and its summary of state statutes and regulations affecting voter identification are attached to this report and can also be found on EAC's website, www.eac.gov.

EAC Recommendations for further study and next steps

EAC finds the Contractor's summary of States' voter identification requirements and its summary of state laws, statutes, regulations and litigation surrounding the

[1] The July 2004 estimates for voting age population were provided by the U.S. Census Bureau. Because these numbers include non-citizens, the Contractor reduced the numbers by the same percentage the U.S. Census Bureau estimated were non-citizens in 2000. Estimates of voting age population include persons who are not registered to vote.

[2] The Current Population Survey is based on reports from self-described registered voters who also describe themselves as U.S. citizens.

[3] See EAC Public Testimony, February 8, 2007, page 109.

025077

implementation of voter identification requirements, to be a first step in the Commission's consideration of voter identification requirements.

However, EAC has concerns regarding the research and statistical methodology the Contractor chose to employ in order to analyze voter identification requirements and the potential variation in turnout rates based on the type of voter identification requirements. EAC is not adopting the report submitted by the Contractor and, therefore, is not releasing the report.

EAC will engage in a longer-term, more systematic review of voter identification requirements. Additional study on the topic will include more than one Federal election cycle, additional environmental and political factors that effect voter participation, and the numerous changes in state laws and regulations related to voter identification requirements that have occurred since 2004.

EAC will undertake the following activities:

- Conduct an ongoing state-by-state review, reporting and tracking of voter identification requirements. This will include tracking states' requirements which require a voter to state this or her name, to sign his or her name, to match his or her signature to a signature on file, to provide photo or non-photo identification or to swear an affidavit affirming his or her identify.

- Establish a baseline of information that will include factors that may affect or influence Citizen Voting Age Population (CVAP) voter participation, including various voter identification requirements, the competitiveness of a race and certain environmental or political factors. EAC will use some of the information collected by Eagleton as well as additional data from the states to develop this baseline.

- Convene, by mid-2007, a working group of advocates, academics, research methodologists and election officials to discuss EAC's next study of voter identification. Topics to be discussed include methodology, specific issues to be covered in the study and timelines for completing an EAC study on voter identification.

- Study how voter identification provisions that have been in place for two or more Federal elections have impacted voter turnout, voter registration figures, and fraud. Study the effects, including voter turnout, voter registration, and fraud, of voter identification provisions, or the lack thereof, on early, absentee and vote-by-mail voting. Included in this study will be an examination of the relationship between voter turnout and other factors such as race and gender.

- Publish a series of best practice case studies which detail a particular state's or jurisdiction's experiences with educating poll workers and voters about various

Deleted: , s

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voter identification requirements. Included in the case studies will be detail on the policies and practices used to educate and inform poll workers and voters.

DRAFT

025079

Voter ID Statement March 9.doc

Karen Lynn-Dyson
Research Director
U.S. Election Assistance Commission
1225 New York Avenue , NW Suite 1100
Washington, DC 20005
tel:202-566-3123

EAC Statement on Future Study of Voter Identification Requirements

Background

The Help America Vote Act of 2002 (HAVA) authorizes the United States Election Assistance Commission (EAC) to conduct periodic studies of election administration issues. In May 2005, EAC contracted with Rutgers, the State University of New Jersey through its Eagleton Institute of Politics ("Contractor") to perform a review and legal analysis of state legislation, administrative procedures and court cases, and to perform a literature review on other research and data available on the topic of voter identification requirements. Further, the Contractor was asked to analyze the problems and challenges of voter identification, to hypothesize alternative approaches and to recommend various policies that could be applied to these approaches.

The Contractor performed a statistical analysis of the relationship of various requirements for voter identification to voter turnout in the 2004 election. Using two sets of data-- aggregate turnout data at the county level for each state, and reports of individual voters collected in the November 2004 Current Population Survey conducted by the U.S. Census Bureau-- the Contractor arrived at a series of findings, conclusions and subsequent recommendations for further research into the topic.

The Contractor presented testimony summarizing its findings from this statistical and data analysis at the February 8, 2007 public meeting of the U.S. Election Assistance Commission. The Contractor's testimony, its summary of voter identification requirements by State, its summary of court decisions and literature on voter identification and related issues, an annotated bibliography on voter identification issues and its summary of state statutes and regulations affecting voter identification are attached to this report and can also be found on EAC's website, www.eac.gov.

EAC Recommendations for further study and next steps

EAC finds the Contractor's summary of States' voter identification requirements and its summary of state laws, statutes, regulations and litigation surrounding the implementation of voter identification requirements, to be a first step in the Commission's consideration of voter identification requirements.

However, EAC has concerns regarding the research and statistical methodology the Contractor chose to employ in order to analyze voter identification requirements and the potential variation in turnout rates based on the type of voter identification requirements. EAC is not adopting the report submitted by the Contractor and, therefore, is not releasing the report.

EAC will engage in a longer-term, more systematic review of voter identification requirements. Additional study on the topic will include more than one Federal election

cycle, additional environmental and political factors that effect voter participation, and the numerous changes in state laws and regulations related to voter identification requirements that have occurred since 2004.

EAC will undertake the following activities:

- Conduct an ongoing state-by-state review, reporting and tracking of voter identification requirements. This will include tracking states' requirements which require a voter to state this or her name, to sign his or her name, to match his or her signature to a signature on file, to provide photo or non-photo identification or to swear an affidavit affirming his or her identify.

- Establish a baseline of information that will include factors that may affect or influence Citizen Voting Age Population (CVAP) voter participation, including various voter identification requirements, the competitiveness of a race and certain environmental or political factors. EAC will use some of the information collected by Eagleton as well as additional data from the states to develop this baseline.

- Convene, by mid-2007, a working group of advocates, academics, research methodologists and election officials to discuss EAC's next study of voter identification. Topics to be discussed include methodology, specific issues to be covered in the study and timelines for completing an EAC study on voter identification.

- Study how voter identification provisions that have been in place for two or more Federal elections have impacted voter turnout, voter registration figures, and fraud, study the effects of voter identification provisions, or the lack thereof, on early, absentee and vote-by-mail voting. Included in this study will be an examination of the relationship between voter turnout and other factors such as race and gender.

- Publish a series of best practice case studies which detail a particular state's or jurisdiction's experiences with educating poll workers and voters about various voter identification requirements. Included in the case studies will be detail on the policies and practices used to educate and inform poll workers and voters.

DRAFT

025082

"John Weingart"
<john.weingart@rutgers.edu>
03/15/2007 10:38 AM

To klynndyson@eac.gov
cc
bcc
Subject Re: EAC Statement on its future study of Voter ID requirements

Karen - Sorry I missed your call. Just back from vacation but will be touching base with Tom, Tim et al today and will be back to you by tomorrow. Thanks.

dyouklynndyson@eac.gov wrote:

>
> John and Tom-
>
> EAC staff are putting the finishing touches on the statement and data
> it will be releasing, in the next several days, related to voter
> identification study.
>
> In our brief statement we will be summarizing what Rutgers/Eagleton
> did when performing its statistical analysis.
>
> *Could you review the following statement for accuracy and send me any
> revisions and edits to it by Friday March 16, 2007?*
>
> " The Contractor performed a statistical analysis of the relationship
> of various requirements for voter identification to voter turnout in
> the 2004 election. The Contractor compared states with similar voter
> identification requirements and drew conclusions based on comparing
> turnout rates among states for one election- November 2004. For
> example, the turnout rate in 2004 in states with a photo
> identification requirement was compared to the turnout rate in 2004 in
> states with a requirement that voters sign his or her name in order to
> receive a ballot. The Contractor used two sets of data to estimate
> turnout rates: 1) voting age population estimates 1 and 2)
> individual-level survey data from the November 2004 Current Population
> Survey conducted by the U.S. Census Bureau2 "
>
> Footnotes:
>
> 1 The July 2004 estimates for voting age population were provided by
> the U.S. Census Bureau. Because these numbers include non-citizens,
> the Contractor reduced the numbers by the same percentage the U.S.
> Census Bureau estimated were non-citizens in 2000. Estimates of
> voting age population includes persons who are not registered to vote.
>
> 2. The Current Population Survey is based on reports from
> self-described registered voters who also describe themselves as U.S
> citizens.
>
>
> *Thanks for your feedback*
>
> Regards
>
>
> Karen Lynn-Dyson

> Research Director
> U.S. Election Assistance Commission
> 1225 New York Avenue , NW Suite 1100
> Washington, DC 20005
> tel:202-566-3123

--
-- John Weingart, Associate Director
Eagleton Institute of Politics
(732)932-9384, x.290

[redacted]FINISHED

ENTIRE small stack

025095

Karen Lynn-Dyson/EAC/GOV
04/27/2006 03:07 PM

To "Tom O'neill" <[redacted]>, Thomas R. Wilkey/EAC/GOV@EAC, Juliet E. Thompson-Hodgkins/EAC/GOV@EAC
cc foley.33@osu.edu, john.weingart@rutgers.edu, [redacted], tokaji.1@osu.edu
bcc
Subject RE: Schedule for completion of Prov. Voting and Voter ID research

Tom-

I am certain the provisional voting paper will be presented. The Chairman has asked that the Commissioners have an opportunity to review your corrected and final draft of that document prior to it being presented to the EAC Boards, preferably next week.

Because of the issues surrounding voter identification, I am less certain about the protocol that will be followed. I will ask Tom Wilkey and Julie Hodgkins to offer insights on that matter.

I will also ask them about the protocol to be followed regarding the formal submission and acceptance of both the papers.

Karen Lynn-Dyson
Research Manager
U.S. Election Assistance Commission
1225 New York Avenue , NW Suite 1100
Washington, DC 20005
tel:202-566-3123

"Tom O'neill" <[redacted]>

"Tom O'neill"
<[redacted]>
04/27/2006 10:26 AM

To klynndyson@eac.gov
cc john.weingart@rutgers.edu, tokaji.1@osu.edu, foley.33@osu.edu, [redacted]
Subject RE: Schedule for completion of Prov. Voting and Voter ID research

Karen,

Thanks for your quick reply.

Am I correct in understanding that the presentation to the Board of Advisors on May 24 will include both the Provisional Voting report and the Voter ID report?

If the Commissioners do not consider the reports at its June meeting, when will it take action to receive and record the reports?

Tom O'Neill

-----Original Message-----
From: klynndyson@eac.gov [mailto:klynndyson@eac.gov]
Sent: Thursday, April 27, 2006 9:50 AM
To: [redacted]
Cc: john.weingart@rutgers.edu
Subject: Re: Schedule for completion of Prov. Voting and Voter ID research

Tom-

Just had a good conversation with our folks in the legal department, who as you know, are responsible for coordinating our public meetings.

Original plans had slotted Eagleton for the presentation of its final reports on provisional voting and voter id, at a June public meeting. Those plans have been revised to have Eagleton, instead, present its findings to the EAC Board of Advisors and Standards Board on May 24th.

The details of the Board of Advisors and Standards Board meetings are being finalized this week and early next. I will be certain to get your more details, as I learn of them.

Also, I will get you the details on who will provide the EAC peer review of the Voter ID work, as soon as I have them.

Regards-

(back Karen Lynn-Dyson
Research Manager
U.S. Election Assistance Commission
1225 New York Avenue , NW Suite 1100
Washington, DC 20005
tel:202-566-3123

Deliberative Process Privilege

Karen Lynn-Dyson/EAC/GOV

04/27/2006 03:59 PM

To Thomas R. Wilkey/EAC/GOV@EAC, Juliet E. Thompson-Hodgkins/EAC/GOV@EAC

cc

bcc

Subject Fw: Schedule for completion of Prov. Voting and Voter ID research

Tom and Julie-

Take a look and let me know how you would like me to respond to Tom O' Neill's requests.

Thanks

Karen Lynn-Dyson
Research Manager
U.S. Election Assistance Commission
1225 New York Avenue , NW Suite 1100
Washington, DC 20005
tel:202-566-3123

----- Forwarded by Karen Lynn-Dyson/EAC/GOV on 04/27/2006 03:54 PM -----

"Tom O'neill"
<[redacted]

04/27/2006 03:40 PM

To klynndyson@eac.gov

cc john.weingart@rutgers.edu, foley.33@osu.edu, [redacted], tokaji.1@osu.edu

Subject RE: Schedule for completion of Prov. Voting and Voter ID research

Thanks, Karen.

Just to be sure that our expectations are clear, I'll summarize the perspective behind the schedule we submitted for the recent extension.

A. Provisional Voting

1. We presented our Provisional Voting report to the commissioners several months ago, revised its organization and clarified findings and recommendations in line with the comments of staff and commissioners, and we researched Tom Wilkey's additional question of the effect of the time for review on the evaluation of provisional ballots, which will be included in the final revision.
2. The final draft will be completed by May 5 .
3. Based on discussions with you and the commissioners we look forward to presenting that revised, final report to the Advisory Board on May 24, following whatever additional review the Commission finds appropriate.
4. Our discussions with Commissioners and staff anticipated that we would make some presentation of the provisional voting work at the Commission's public meeting in June, a presentation that might include revisions occasioned by the comments of the Advisory Board.

B. Voter ID

1. We presented our Voter ID research to the Commissioners in April and are now revising it in line with their comments.
2. That revised research paper will be discussed in mid May by reviewers selected by the Commission. That date was set specifically to allow us to prepare a final report that would be ready for review by the Advisory Board on May 24.
3. We anticipate that the Commission will want the comments of its Advisory Board on the Voter ID report before it receives it in June. (Indeed, we were advised that the Advisory Board members would be most interested in the accuracy of observations or findings specific to their individual states.)
4. The appropriate conclusion for our work is a presentation of findings and recommendations for both Provisional Voting and Voter ID, 2 closely related topics, to the Commission at its public meeting in late June, just a week before the termination of our contract under the extended schedule.

I hope you'll share this outline of our expectations with the others at the Commission involved in assuring a successful completion of this research and analysis.

Tom O'Neill

-----Original Message-----
From: klynndyson@eac.gov [mailto:klynndyson@eac.gov]
Sent: Thursday, April 27, 2006 3:08 PM
To: [redacted]t; twilkey@eac.gov; jthompsonhodgkins@eac.gov
Cc: foley.33@osu.edu; john.weingart@rutgers.edu; [redacted]tokaji.1@osu.edu
Subject: RE: Schedule for completion of Prov. Voting and Voter ID research

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Karen Lynn-Dyson
Research Manager
U.S. Election Assistance Commission
1225 New York Avenue , NW Suite 1100
Washington, DC 20005
tel:202-566-3123

"Tom O'neill"
[redacted]

04/27/2006 10:26 AM

To klynndyson@eac.gov
cc john.weingart@rutgers.edu, tokaji.1@osu.edu, foley.33@osu.edu,
[redacted]
Subject RE: Schedule for completion of Prov. Voting and Voter ID research

Karen,

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Tom O'Neill

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From: klynndyson@eac.gov [mailto:klynndyson@eac.gov]
Sent: Thursday, April 27, 2006 9:50 AM
To: [redacted]
Cc: john.weingart@rutgers.edu
Subject: Re: Schedule for completion of Prov. Voting and Voter ID research

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The details of the Board of Advisors and Standards Board meetings are being finalized this week and early next. I will be certain to get your more details, as I learn of them.

Also, I will get you the details on who will provide the EAC peer review of the Voter ID work, as soon as I have them.

Regards-

(back Karen Lynn-Dyson
Research Manager
U.S. Election Assistance Commission
1225 New York Avenue , NW Suite 1100
Washington, DC 20005
tel:202-566-3123

Deliberative Process Privilege

Karen Lynn-Dyson/EAC/GOV
04/28/2006 12:44 PM

To "Tom O'neill" [redacted]
cc arapp@rci.rutgers.edu, davander@eden.rutgers.edu, dlinky@rci.rutgers.edu, foley.33@osu.edu, ireed@rutgers.edu, "'Johanna Dobrich'"
bcc Thomas R. Wilkey/EAC/GOV@EAC; rma@hass.caltech.edu; Juliet E. Thompson-Hodgkins/EAC/GOV@EAC
Subject Re: Voter ID Paper --Final Draft

Tim, Tom, John, et.al--

The EAC has identified three academics who are going to serve as peer reviewers of the Eagleton Voter ID paper and research.

They are Jonathan Nagler of New York University, Jan Leighley, University of Arizona, and Adam Berinsky of MIT.
They are ready to review the documents as soon as they are available.

I would like to them one week to review the material and then have a joint conference call on **Thursday, May 11**, in which we would all have an opportunity to discuss the research methodology and statistical analysis, along with general comments and suggestions.

If you are able to get to me the paper and the supporting data analysis, I will distribute to the documents ASAP.
Also let me know, if you would, your availability on May 11 to do this conference all.

I anticipate that it will last approximately 90 minutes.

Regards-

Karen Lynn-Dyson
Research Manager
U.S. Election Assistance Commission
1225 New York Avenue , NW Suite 1100
Washington, DC 20005
tel:202-566-3123

Deliberative Process Privilege

Karen Lynn-Dyson/EAC/GOV
04/28/2006 01:13 PM

To Thomas R. Wilkey/EAC/GOV@EAC
cc
bcc
Subject Re: Voter ID Paper --Final Draft

Tom-

You'll recall that we discussed the fact that the peer review group who Eagleton has assembled do not have the sufficient technical expertise to give us the expert/technical advice we need on the statistical analysis of the Voter ID piece. Only two persons on Eagleton's peer review group have a requisite research and statistical background
and knowledge.

You may also remember that Mike told me that he thought that the paper needed an additional set of eyes and review by academics with a background and expertise in election statistics and analysis. When I initially proposed a review panel of six you said that was too many; we agreed that I would find three persons to do the review and that we would pay them a small honoraria for doing the review.

K

Karen Lynn-Dyson
Research Manager
U.S. Election Assistance Commission
1225 New York Avenue , NW Suite 1100
Washington, DC 20005
tel:202-566-3123

Deliberative Process Privilege

Karen Lynn-Dyson/EAC/GOV
04/28/2006 01:33 PM

To Thomas R. Wilkey/EAC/GOV@EAC
cc
bcc
Subject Re: Voter ID Paper --Final Draft

$100-$200 each, review next week.

Conference call with Eagleton to discuss results on May 11.

Karen Lynn-Dyson
Research Manager
U.S. Election Assistance Commission
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tel:202-566-3123

Thomas R. Wilkey/EAC/GOV

Thomas R. Wilkey/EAC/GOV
04/28/2006 01:23 PM

To Karen Lynn-Dyson/EAC/GOV@EAC
cc
Subject Re: Voter ID Paper --Final Draft

How much of an honorarium and how fast do we get their review.

Sent from my BlackBerry Wireless Handheld
Karen Lynn-Dyson

From: Karen Lynn-Dyson
Sent: 04/28/2006 01:13 PM
To: Thomas Wilkey
Subject: Re: Voter ID Paper --Final Draft

Tom-

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K

Karen Lynn-Dyson
Research Manager
U.S. Election Assistance Commission
1225 New York Avenue , NW Suite 1100
Washington, DC 20005
tel:202-566-3123

Karen Lynn-Dyson/EAC/GOV
04/28/2006 02:00 PM

To Thomas R. Wilkey/EAC/GOV@EAC
cc
bcc
Subject Re: Voter ID Paper --Final Draft

If we get that many varying opinions from such experts, probably says this work is too controversial to take to a level of serious public review and discussion. That would be a good thing to know, and would save us the embarrassment, I think.

Get some rest. You missed my daughter yesterday- I wanted her to meet my boss.

K

Karen Lynn-Dyson
Research Manager
U.S. Election Assistance Commission
1225 New York Avenue , NW Suite 1100
Washington, DC 20005
tel:202-566-3123

Deliberative Process Privilege

Karen Lynn-Dyson/EAC/GOV

05/01/2006 02:58 PM

To Thomas R. Wilkey/EAC/GOV@EAC, Juliet E. Thompson-Hodgkins/EAC/GOV@EAC

cc

bcc

Subject E-mail to Voter ID peer reviewers

Tom and Julie-

Please take a look at this draft e-mail and let me know if it captures all that it needs to.

Would like to get this out ASAP- appreciate your feedback..

Dear Jonathan Nagler
Dear Jan Leighley
Dear Adam Berinsky

On behalf of the U.S. Election Assistance Commission (EAC), thank you in advance for agreeing to assist us with the review of research conducted by the Eagleton Institute of Politics on voter identification. By **Friday, May 5, 2006**, you will receive, in electronic form, the research paper and relevant data analysis which supports the paper's findings. Through this independent review by a small group of experts familiar with elections data and research we are seeking feedback on:

- The research methodology which was used to support the paper's conclusions
- The specific statistical applications which were used to analyze the data and arrive at various conclusions

If there are alternate methodological and statistical approaches to analyzing the data on voter identification, and if there is other data on voter identification that you think should have been included in the analysis, please be certain to note this in your comments.

On **May 11, 2006** EAC will conduct a 60-90 minute phone call with key Eagleton Institute staff responsible for the research, members of Eagleton's peer review group and the EAC-identified reviewers who have been asked to consider the research. Through this dialogue EAC hopes to gather varying perspectives and insights on the research strategies and methods that were employed by Eagleton. As a result of this conversation, EAC anticipates that some revisions will be made to the Eagleton research paper. This paper is scheduled to be presented to EAC's Board of Advisors and Standards Boards in late May.

While EAC agency policy does not allow us to provide you with financial compensation for your review of this research we greatly appreciate your willingness to assist us with this important task. We believe that the research findings we will provide on voter identification are important and will most certainly be enhanced by your insights and expertise.

Sincerely,

Karen Lynn-Dyson
Research Manager
U.S. Election Assistance Commission
1225 New York Avenue , NW Suite 1100
Washington, DC 20005
tel:202-566-3123

Karen Lynn-Dyson/EAC/GOV
05/01/2006 03:03 PM

To Thomas R. Wilkey/EAC/GOV@EAC
cc Juliet E. Thompson-Hodgkins/EAC/GOV@EAC
bcc
Subject Re: E-mail to Voter ID peer reviewers

It's my understanding that Julie thinks we are " good to go" as long as we don't pay them.

Correct?

Karen Lynn-Dyson
Research Manager
U.S. Election Assistance Commission
1225 New York Avenue , NW Suite 1100
Washington, DC 20005
tel:202-566-3123

Thomas R. Wilkey/EAC/GOV

Thomas R. Wilkey/EAC/GOV
05/01/2006 03:00 PM

To Karen Lynn-Dyson/EAC/GOV@EAC, Juliet E. Thompson-Hodgkins/EAC/GOV
cc
Subject Re: E-mail to Voter ID peer reviewers

Did we resolve the contact issues on this?

Sent from my BlackBerry Wireless Handheld
Karen Lynn-Dyson

From: Karen Lynn-Dyson
Sent: 05/01/2006 02:58 PM
To: Thomas Wilkey; Juliet Thompson-Hodgkins
Subject: E-mail to Voter ID peer reviewers

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Sincerely,

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U.S. Election Assistance Commission
1225 New York Avenue , NW Suite 1100
Washington, DC 20005
tel:202-566-3123

Karen Lynn-Dyson/EAC/GOV

05/01/2006 05:36 PM

To berinsky@mit.edu

cc

bcc

Subject Review of EAC research on Voter Identification

Dr. Berinsky-

On behalf of the U.S. Election Assistance Commission (EAC), thank you in advance for agreeing to assist us with the review of research conducted by the Eagleton Institute of Politics on voter identification. By **Friday, May 5, 2006**, you will receive, in electronic form, the research paper and relevant data analysis which supports the paper's findings. Through this independent review by a small group of experts familiar with elections data and research we are seeking feedback on:

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Sincerely,

Karen Lynn-Dyson
Research Director
U.S. Election Assistance Commission
1225 New York Avenue , NW Suite 1100
Washington, DC 20005
tel:202-566-3123

Karen Lynn-Dyson/EAC/GOV

05/01/2006 05:37 PM

To leighley@email.arizona.edu

cc

bcc

Subject Fw: Review of EAC research on Voter Identification

Dr. Leighley-

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1225 New York Avenue , NW Suite 1100
Washington, DC 20005
tel:202-566-3123

Karen Lynn-Dyson/EAC/GOV

05/01/2006 05:38 PM

To jonathan.nagler@nyu.edu

cc

bcc

Subject Fw: Review of EAC research on Voter Identification

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U.S. Election Assistance Commission
1225 New York Avenue , NW Suite 1100
Washington, DC 20005
tel:202-566-3123

Karen Lynn-Dyson/EAC/GOV

05/04/2006 04:14 PM

To Aletha Barrington/CONTRACTOR/EAC/GOV@EAC

cc

bcc

Subject E-mail addresses for EAC peer reviewers

Aletha-

Here are the names and e-mail addresses of the three individuals who will participate in the May 11 11:30 am conference call

Adam Berinsky- berinsky@mit.edu
Jonathan Nagler- johnathan.nagler@nyu.edu
Jan Leighley- leighley@email. arizona.edu

Karen Lynn-Dyson
Research Manager
U.S. Election Assistance Commission
1225 New York Avenue , NW Suite 1100
Washington, DC 20005
tel:202-566-3123

Karen Lynn-Dyson/EAC/GOV

05/05/2006 09:00 AM

To berinsky@mit.edu, leighley@email.arizona.edu, jonathan.nagler@nyu.edu

cc Aletha Barrington/CONTRACTOR/EAC/GOV@EAC, Thomas R. Wilkey/EAC/GOV@EAC

bcc Bert A. Benavides/EAC/GOV@EAC

Subject Fw: Revised Voter ID Analysis

Colleagues-

Attached please find the data analysis on voter identification requirements which the Eagleton Institute of Politics has prepared for the U.S. Election Assistance Commission.

As you will note from Eagleton's Project Manager, Tom O'Neill, the voter id paper which incorporates this analysis, and will be presented to the public in June, is forthcoming early next week.

EAC's Contract's Assistant, Aletha Barrington, will be in touch with each of you to provide specifics regarding the May 11, 11:30 am conference call, in which we will discuss the papers.

In the meantime, many thanks again for agreeing, on such short notice, to lend your expertise to this effort.

Regards-

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----- Forwarded by Karen Lynn-Dyson/EAC/GOV on 05/05/2006 08:49 AM -----

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05/04/2006 05:00 PM

To klynndyson@eac.gov

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Subject Revised Voter ID Analysis

Karen,

Attached is Tim Vercellotti's Voter ID analysis revised to use Citizen Voting Age population as the base for turnout calculations and to take account of comments or issues raised by the EAC and our Peer Review Group. This draft is for distribution to the reviewers who will meet by teleconference on May 11, at, we understand, 11:30 a.m.

You are receiving this at the same time that it is being distributed to the Eagleton-Moritz team

so that the new reviewers will have a week to prepare for our conversation on the 11th. Early next week you will receive a revised summary paper on Voter ID that incorporates the new data and findings in Tim's revised analysis. That too will be for distribution to the new reviewers.

Tom O'Neill

VoterIDAnalysis VercRev0504.doc

Analysis of Effects of Voter Identification Requirements on Turnout

Tim Vercellotti
Eagleton Institute of Politics
Rutgers University
May 4, 2006

Introduction

A key area of disagreement in the policy debate over voter identification requirements concerns whether such requirements dampen voter turnout. Opponents of voter identification laws argue that they constitute an institutional barrier to voting, particularly among the poor, African-Americans, Hispanics, the elderly and people with disabilities (Baxter and Galloway 2005, Electionline.org 2002, Jacobs 2005, Young 2006). This argument holds that voter identification requirements create an extra demand on voters, and thus may discourage some of them from participating in elections. Further, critics of voter identification requirements contend that the effect is greater for some specific types of requirements. For example, critics argue that requiring voters to produce government-issued photo identification on Election Day is more demanding than, say, requiring that they state their names at the polling place. Supporters of voter identification requirements, on the other hand, argue that the requirements are necessary to combat voter fraud, safeguard the integrity of the electoral process, and engender faith in the electoral process among citizens (Young 2006).

This report examines the potential variation in turnout rates based on the type of voter identification requirement in place in each state on Election Day 2004. It draws on two sets of data – aggregate turnout data at the county level for each state, as compiled by the Eagleton Institute of Politics, and individual-level survey data included in the November 2004 Current Population Survey conducted by the U.S. Census Bureau. Classification of voter identification requirements comes from a review of state statutes conducted by the Moritz College of Law at the Ohio State University.

Types of voter identification requirements

Based on research performed for this study by the Moritz College of Law, states had one of five types of requirements in place on Election Day 2004. Upon arrival at polling places, voters had to: state their names (nine states); sign their names (13 states and the District of Columbia); match their signature to a signature on file with the local election board (eight states); provide a form of identification that did not necessarily include a photo (15 states); or provide a photo identification (five states).[1] It was then possible to code the states according to these requirements, and test the assumption that voter identification requirements would pose an increasingly demanding requirement in this order: stating one's name, signing one's name, matching one's signature to a signature on file, providing a form of identification, and providing a form of photo identification.

[1] Oregon conducts elections entirely by mail. Voters sign their mail-in ballots, and election officials match the signatures to signatures on file. For the purposes of this analysis, Oregon is classified as a state that requires a signature match.

But election laws in numerous states offer exceptions to these requirements if individuals lack the necessary form of identification, and laws in those states set a minimum standard that a voter must meet in order to vote using a regular ballot (as opposed to a provisional ballot). Thus it is also possible to categorize states based on the minimum requirement for voting with a regular ballot. In 2004 the categories were somewhat different compared to the maximum requirement, in that none of the states required photo identification as a minimum standard for voting with a regular ballot. Four states, however, required voters to swear an affidavit as to their identity (Florida, Indiana, Louisiana, and North Dakota The five categories for minimum requirements were: state name (12 states), sign name (14 states and the District of Columbia), match one's signature to a signature on file (six states), provide a non-photo identification (14 states), or swear an affidavit (four states). For the purposes of this analysis I treated the array of minimum identification requirements also in terms of increasing demand on the voter: state name, sign name, match signature, provide non-photo identification, and, given the potential legal consequences for providing false information, swearing an affidavit.

Estimating turnout among citizens in the voting-age population

This report examines turnout among U.S. citizens of voting age in both the aggregate- and the individual-level data. Determining citizenship status in the individual-level data simply involved restricting the analyses to individuals who identified themselves as citizens in the November 2004 Current Population Survey. (Those who said they were not citizens did not have the opportunity to answer the supplemental voting questions contained in the Current Population Survey.)

In the aggregate data, determining the percentage of the voting-age population that has U.S. citizenship posed a methodological challenge. The Census Bureau gathers information on the citizenship status of adults ages 18 and older only during the decennial census. While the Census Bureau provides annual estimates of the population to account for changes between decennial censuses, the bureau does not offer estimates for the proportion of the adult population who are citizens as part of the annual estimates. To address this issue I estimated the 2004 citizen voting-age population for each county using a method reported in the analysis of the 2004 Election Day Survey conducted for the U.S. Election Assistance Commission (U.S. Election Assistance Commission, 2005). I calculated the percentage of the 2000 voting-age population who were citizens in 2000, and applied that percentage to the July 1, 2004 estimates for voting-age population in each county. In other words, I assumed that the percentage of the voting-age population that had U.S. citizenship in 2004 was similar to the percentage of the voting-age population who were citizens in 2000.[2]

[2] McDonald and Popkin (2001) recommend an even more stringent approach to voter turnout calculations. They point out that voting-age population estimates include adults who are ineligible to vote (such as convicted felons), and the estimates overlook eligible citizens living overseas. While estimates of the voting-eligible population are available at the state level, I was unable to find such estimates for individual counties, which provide the unit of analysis for the aggregate data analyzed here.

Analysis of aggregate data

If one treats maximum voter identification requirements as an ordinal variable, with photo identification as the most demanding requirement, one finds some statistical support for the premise that as the level of required proof increases, turnout declines. Averaging across counties in each state, statewide turnout is negatively correlated with maximum voter identification requirements ($r = -.30$, $p < .0001$). In considering the array of minimum requirements, with affidavit as the most demanding requirement, voter identification also is negatively correlated with turnout ($r = -.20$, $p < .0001$). Breaking down the turnout rates by type of requirement reveals in greater detail the relationship between voter identification requirements and voter turnout.

[Table 1 here]

The aggregate data show that 60.9 percent of the estimated citizen voting age population voted in 2004. Differences in voter turnout at the state level in 2004 varied based on voter identification requirements. Taking into account the maximum requirements, an average of 64.6 percent of the voting age population turned out in states that required voters to state their names, compared to 58.1 percent in states that required photo identification. A similar trend emerged when considering minimum requirements. Sixty-three percent of the voting age population turned out in states requiring voters to state their names, compared to 60.1 percent in states that required an affidavit from voters.

Voter identification requirements alone, however, do not determine voter turnout. Multivariate models that take into account other predictors of turnout can paint a more complete picture of the relationship between voter identification requirements and turnout. I estimated the effects of voter identification requirements in multivariate models that also took into account the electoral context in 2004 and demographic characteristics of the population in each county. I coded the voter identification requirements on a scale of one to five, with one representing the least demanding form of identification and five representing the most demanding form of identification. To capture electoral context I included whether the county was in a presidential battleground state (any state in which the margin of victory for the winning candidate was five percent or less), and whether the county was in a state with a competitive race for governor and/or the U.S. Senate (also using the threshold of a margin of victory of five percent or less). Drawing from U.S. Census projections for 2003, I included the percentage of the voting-age population in each county that was Hispanic or African-American to control for ethnicity and race. I controlled for age using the 2003 Census projection for the percentage of county residents age 65 and older, and I controlled for socioeconomic status by including the percentage of individuals who fell below the poverty line in each county in the 2000 Census.

I estimated a series of random intercept models to account for the likelihood that data from counties were correlated within each state (for further explanation of random intercept and other multilevel models, see Bryk and Raudenbush 1992, Luke 2004, Singer 1998).[3] The

[3] The data analyses provided evidence that there was, indeed, a clustering of data within each state. The intraclass correlation, bounded by 0 and 1, measures the variation between the states. A random intercept model using only the

dependent variable in each model was voter turnout at the county level, with turnout calculated as the percentage of the estimated citizen voting-age population that voted in the 2004 election.

[Table 2 here]

Turning first to an analysis using the maximum identification requirements, those requirements had a small and negative effect on turnout in 2004 controlling for electoral context and demographic factors. Both contextual factors (whether the county was in a state that was a battleground state and whether that state had a competitive race for governor and/or U.S. Senate) increased voter turnout. As the percentage of senior citizens in the county increased, so did turnout. The percentage of African-Americans in the county exerted a positive effect on voter turnout, and the percentage of individuals living below the poverty line had a negative effect. The effect of the percentage of Hispanic adults in the county on turnout fell just short of statistical significance ($p = .05$).

I then sought to test the hypothesis that voter identification requirements dampen turnout among minorities and the poor, a claim voiced by some critics of the requirements. To test this idea I incorporated a series of interactions between the maximum voter identification requirements and the percentage of African-Americans, Hispanics, and poor individuals in the counties. The interaction involving African-Americans was not significant, but those involving Hispanics and poor individuals were significant.[4] In addition, adding the interactions to the model resulted in the percentage of Hispanics in the population having a direct and negative effect on turnout. The interactions suggest that voter identification requirements have a greater effect for Hispanics and those living below the poverty line. A chi-square test of the difference in the deviance for each model (represented by -2 log likelihood in Table 2), shows that the model with interactions provides a better fit to the data ($p < 0.005$).

I also estimated the effects of the minimum voter identification requirements holding constant the effects of electoral context and the demographic variables.

[Table 3 here]

The effects of the minimum requirements fell short of statistical significance ($p = 0.08$). The battleground state variable continued to exert a positive influence on turnout, while the presence of a competitive race for governor and/or U.S. Senate had no statistically significant effect. As in the maximum identification requirement model, as the percentage of the population that is poor increased, turnout declined. As the percentage of elderly increased, so did turnout. The proportion of African-Americans in the population had a positive effect on turnout, while the percentage of Hispanics did not affect turnout.

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intercept as a predictor generated an intraclass correlation of .43, indicating considerable variation between the states.

[4] The interactions are labeled in Tables 2 and 3 as VID*African-American, VID*Hispanic, and VID*Poverty. To calculate the effects of voter identification requirements for a specific group, one must add the estimates for voter identification, the group, and the interaction. Doing so for Hispanic adults results in an estimate of -0.13 [-0.03 (voter id) - 0.13 (Hispanic) + 0.03 (voter id X Hispanic)].

Adding interactive effects to the model resulted in a statistically significant and negative effect of minimum voter identification requirements on turnout. The percentage of Hispanic adults in the county had a significant and negative effect on turnout, and the percentage of individuals below the poverty line continued to have a negative effect. Interactions between the percentages of Hispanics and those below the poverty line and minimum voter identification requirements also were significant. The percentage of African-Americans in the county and the interaction between African-Americans and voter identification requirements were not significant. A chi-square test for the difference in fit between the two models showed that the model with interactions provides a better fit to the data ($p < .025$).

Analysis of the aggregate data at the county level generates some support for the hypothesis that as the demands of voter identification requirements increase, turnout declines. This is particularly so for counties with concentrations of Hispanic residents or individuals who live below the poverty line. But aggregate data cannot fully capture the individual demographic factors that may figure into the decision to turn out to vote. For example, previous research has found that education is a powerful determinant of turnout (Wolfinger and Rosenstone 1980, but see also Nagler 1991).[5] Married individuals also are more likely to vote than those who are not married (Alvarez and Ansolabehere 2002; Alvarez, Nagler and Wilson 2004; Fisher, Kenny, and Morton 1993). To fully explore the effects of voter identification requirements on turnout, it is important to examine individual-level data as well.

Individual-level analysis

Individual-level turnout data exists in the November 2004 Current Population Survey conducted by the U.S. Census Bureau. The Census Bureau conducts the CPS monthly to measure unemployment and other workforce data, but the bureau adds a battery of voter participation questions to the November survey in even-numbered years to coincide with either a presidential or midterm Congressional election.

One of the advantages of the CPS is the sheer size of the sample. The survey's Voting and Registration Supplement consisted of interviews, either by telephone or in person, with 96,452 respondents.[6] The large sample size permits analyses of smaller groups, such as Black or Hispanic voters or voters with less than a high school education. The analyses reported here are based on reports from self-described registered voters. I omitted those who said they were not registered to vote. I also excluded those who said they cast absentee ballots because the identification requirements for absentee ballots may differ from those required when one votes in person. In addition, I eliminated from the sample respondents who said they were not U.S.

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[5] A reviewer for an earlier version of this paper recommended adding an education variable to the aggregate model. One version of the aggregate model not reported here included the percentage of adults in the county who had at least a college degree. The measure was highly collinear with the percentage of residents living below the poverty line, necessitating removal of the college degree variable from the model.

[6] It is important to note that the Census Bureau allows respondents to answer on behalf of themselves and others in the household during the interview. While proxy reporting of voter turnout raises the possibility of inaccurate reports concerning whether another member of the household voted, follow-up interviews with those for whom a proxy report had been given in the November 1984 CPS showed 99 percent agreement between the proxy report and the information given by the follow-up respondent (U.S. Census Bureau 1990).

citizens because the questionnaire design skipped those individuals past the voter registration and turnout questions in the survey.

The dependent variable in these analyses is whether a respondent said he or she voted in the November 2004 election.[7] As in the analysis of aggregate data, I coded voter identification requirements for each respondent's state of residence on a scale of one to five, with one representing the least demanding requirement (stating one's name) and five representing the most demanding requirement (photo identification or affidavit).

In addition to the voter identification requirements, the models include two other state-level factors that might have influenced turnout in 2004: whether the state was considered a battleground state in the presidential election, and whether there was a gubernatorial and/or U.S. Senate race in the state (see Alvarez and Ansolabehere 2002, Alvarez et al. 2004, and Kenny et al. 1993 for similar approaches). As in the aggregate data analysis, the threshold that determined whether the state was a battleground state or had a competitive statewide race was a margin of victory of five percent or less. At the individual level, I controlled for gender, age in years, education, household income, and dummy variables representing whether a voter was Black/non-Hispanic, Hispanic, or another non-white race (with white/non-Hispanic voters as the omitted category for reference purposes).[8] Drawing on previous research on voting behavior, I also controlled for whether an individual was employed, or at least a member of the workforce (as opposed to being a full-time student, a homemaker, or retired). Both employment and workforce membership have been shown to be positive predictors of turnout (see Mitchell and Wlezien 1995). Marital status, whether one is a native-born citizen and residential mobility also have emerged as significant predictors of turnout (Alvarez and Ansolabehere 2002, Alvarez et al. 2004, Kenney et al. 1993, Wolfinger and Rosenstone 1980). I included in the model variables for whether a respondent was married (coded 1 if yes, 0 otherwise), and whether one was a native-born citizen (coded 1 if yes, 0 otherwise). I measured residential mobility by coding for whether the respondent had moved to a new address in the six months prior to the interview (coded 1 if yes, 0 otherwise).

Results

The dependent variable is whether a respondent said he or she voted in the November 2004 election (coded 1 for yes, 0 for no). I estimated models using probit analysis, which

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[7] The U.S. Census Bureau reported, based on the November 2004 CPS, that 89 percent of those who identified themselves as registered voters said they voted in 2004 (U.S. Census Bureau 2005). Previous research has shown that, generally speaking, some survey respondents overstate their incidence of voting. Researchers speculate that over-reports may be due to the social desirability that accompanies saying one has done his or her civic duty, or a reluctance to appear outside the mainstream of American political culture (U.S. Census Bureau 1990). It is also possible that voting is an indication of civic engagement that predisposes voters to agree to complete surveys at a higher rate than non-voters (Flanigan and Zingale 2002). Hence the voter turnout rates reported in the CPS tend to be up to 10 percentage points higher than the actual turnout rate for the nation (Flanigan and Zingale 2002). Even with this caveat, however, the CPS serves as a widely accepted source of data on voting behavior.

[8] Asian-Americans are included in the "other non-white races" category. In response to a request from officials at the U.S. Election Assistance Commission who had read an earlier version of this paper and were curious about the experiences of Asian-Americans, I ran models using Asian-Americans as a separate category in addition to the models presented here. Voter identification requirements did not have a statistically significant effect on whether Asian-American voters said they turned out in the 2004 election.

calculates the effects of independent variables on the probability that an event occurred – in this case whether a respondent said he or she voted. I estimated the models using robust standard errors to control for correlated error terms for observations from within the same state.

[Table 4 here]

The two models in Table 4 use either the maximum or minimum voter identification requirements in each state. The two models generate virtually identical results. Voter identification requirements exert a statistically significant, negative effect on whether survey respondents said they had voted in 2004. Of the other state factors, only the competitiveness of the presidential race had a significant effect on turnout. In terms of demographic influences, African-American voters were more likely than white voters to say they had cast a ballot, while those of other non-white races were less likely than white voters to say they had turned out. Hispanic voters were not statistically different from white voters in terms of reported turnout. Consistent with previous research, age, education, income, and marital status all were positive predictors of voting. Women also were more likely to say they voted than men. Those who had moved within six months before the interview were less likely to say they had voted.

While the probit models provide statistical support for the influence of voter identification requirements and other variables on turnout, probit coefficients do not lend themselves to intuitive interpretation. Another common approach in studies of election requirements is to examine how the predicted probability of voter turnout would vary as election requirements vary. I used the probit coefficients to calculate the predicted probability of voting at each level of voter identification requirements while holding all other independent variables in the models at their means.[9] I calculated the probabilities taking into account both maximum and minimum requirements, with photo identification serving as the most demanding of the maximum requirements and affidavits as the most demanding minimum requirement.

[Table 5 here]

Allowing the voter identification requirement to vary while holding constant all other variables in the model showed that the predicted probability of turnout ranged from 0.912 for stating one's name to 0.887 for photo identification under the maximum requirements. In other words, the probability of voting dropped with each level of voter identification requirement, with a total drop of .025, or 2.5 percent, across the five types of identification.[10] When taking into account the minimum requirement for identification, the probability showed a similar decline, with a slightly larger total drop of 3.3 percent.

Among the key variables of interest in the debate over voter identification requirements are race, age, income, and education. Given the large sample size (54,973 registered voters), it

[9] In the case of dichotomous independent variables, holding them at their mean amounted to holding them at the percentage of the sample that was coded 1 for the variable (Long 1997).

[10] The voter turnout percentages may seem disproportionately high compared to the turnout rates reported in the aggregate data analysis. It is important to consider that the turnout rates in the aggregate data were a proportion of all citizens of voting-age population, while the turnout rates for the individual-level data are the proportion of only registered voters who said they voted.

was possible to break the sample into sub-samples along those demographic lines to explore variation in predicted probability by group. I disaggregated the sample by the variable of interest, omitting that variable while I re-ran the probit model with the remaining predictors of voter turnout, including the voter identification requirements.[11] If the analysis showed that the voter identification requirements had a statistically significant effect on turnout, I used the probit coefficients from the model to calculate the predicted probability of voting for each group across the five requirements while holding the other variables in the model constant.

[Table 6 here]

Both the maximum and minimum identification requirements had negative and statistically significant effects for White/Non-Hispanic voters. Allowing the requirements to vary from stating one's name to providing photo identification or an affidavit showed drops of 2.5 percent and 3.2 percent respectively in the predicted probability of voting. The identification requirements had no effect on the probability of Black/Non-Hispanics voting, but the minimum identification requirements had a comparatively sizable effect on voter turnout among Hispanics. The predicted probability of Hispanics voting ranged from 87 percent if stating one's name was the required form of identification to 77.3 percent if a voter would have to provide an affidavit in order to vote, a difference of 9.7 percent.

The effects of voter identification requirements also varied by age, with the greatest variation occurring among voters ages 18 to 24.

[Table 7 here]

Voters in that age group had a predicted probability of 83.9 percent when the maximum requirement was stating one's name, and the probability dropped 8.9 percentage points if voters would have to provide photo identification. The range was from 83.1 percent to 75.4 percent under the minimum requirements. The gap in probability narrowed in older age groups (4.8 percent for the maximum requirements and 5.8 percent for the minimum requirements for those ages 25 to 44; 1.8 percent for the minimum requirements for those ages 45 to 64, and 2.4 percent for the minimum requirements for those ages 65 and older).

Breaking down the 18- to 24-year-old age group by race shed additional light on the effects of voter identification requirements on specific groups.

[Table 8 here]

The gap in predicted probability that White/Non-Hispanic voters in the 18- to 24-year-old category would turn out was 9.2 percent when the identification requirements varied from stating one's name to providing photo identification. The gap was 7.8 percent when taking into account the minimum requirements. The effects of maximum voter identification requirements also were statistically significant for African-Americans in the 18- to 24-year-old age group, with a gap in

[11] See Nagler 1991 for a similar approach in analyzing the effects of registration closing dates broken down by education levels.

the predicted probability of voting of 10.6 percent. Maximum and minimum voter identification requirements were not a significant predictor of voting among Hispanics ages 18 to 24.

Variation also emerged along the lines of income, with the effects of voter identification requirements varying to a greater extent for voters in households below the poverty line compared to those living above the poverty line.[12]

[Table 9 here]

While the maximum set of requirements did not have a statistically significant effect for voters living below the poverty line, the minimum set of requirements had a significant and negative effect. The probability of voting was .784 for poor voters if they would have to identify themselves by giving their name, and the probability declined to .731 if they would have to provide an affidavit attesting to their identity. Both the maximum and minimum sets of requirements had a significant and negative effect on voters living above the poverty line, but the difference in probability across the effects was narrower (2.3 percent for the maximum requirements and 3.1 percent for the minimum requirements). Given that political discourse about voter identification requirements includes concerns about the effects of the requirements on poor and minority voters, I also ran probit analyses for sub-samples of white and minority voters who fell below the poverty line. The voter identification requirements did not exert statistically significant effects on turnout among poor White/Non-Hispanic and Hispanic voters, but did have a significant effect on Black/Non-Hispanic voters who were below the poverty line.[13] Allowing the maximum voting requirement to vary from the least to the most demanding, the probability that African-American voters below the poverty line said they had voted dropped by 7.5 percent.

The effects of voter identification requirements varied across education levels as well, with those lowest in education demonstrating the widest variation in probabilities as identification requirements ranged from least to most demanding.

[Table 10 here]

Registered voters who had less than a high school education had a 77.5 percent probability of voting if the maximum requirement would be stating one's name, and a 70.8 percent probability if they would have to provide photo identification under the maximum requirement, a difference of 6.7 percent. The difference from the lowest to the highest requirement among the minimum requirements was 7.4 percent. The difference in probabilities ranged from 3.3 percent for the maximum requirements to 4.5 percent for the minimum requirements for voters with a high school diploma. The range of effects of voter identification requirements was smaller among those with higher levels of education (and non-existent for one category – voters with some college education).

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[12] I coded respondents as being above or below the U.S. Census Bureau's 2004 poverty line based on respondents' reported annual household income and size of the household.

[13] The lack of significant effects for poor Hispanic voters is in contrast to the results from the aggregate data analysis. The sub-sample of poor Hispanic voters was small (n = 491), which may have contributed to the lack of statistical significance.

Discussion and conclusion

The results presented here provide evidence that as the level of demand associated with voter identification requirements increases, voter turnout declines. This point emerged from both the aggregate data and the individual-level data, although not always for both the maximum and minimum sets of requirements. The overall effect for all registered voters was fairly small, but still statistically significant.

The effects of voter identification requirements were more pronounced for specific subgroups. Hispanic voters and the poor appeared to be less likely to vote as the level of required identification became more demanding, according to both the aggregate and the individual-level data. In the individual-level data, for Hispanic voters, the probability of voting dropped by 9.7 percent across the various levels of minimum identification requirements. Survey respondents living in poor households were 5.3 percent less likely to vote as the requirements varied from stating one's name to attesting to one's identity in an affidavit. African-American voters from households below the poverty line were 7.5 percent less likely to vote as the maximum requirements varied from stating one's name to providing photo identification.

Effects of voter requirements also varied with education. Registered voters who had not graduated from high school were 6.7 percent less likely to say they voted as the maximum requirements ranged from stating one's name to providing photo identification. When considering the minimum requirements, those with less than a high school education were 7.4 percent less likely to say they voted if the requirement was an affidavit as opposed to stating one's name. Age was also a key factor, with voters ages 18 to 24 being 7.7 percent to 8.9 percent less likely to vote as the requirements ranged from stating one's name to providing a photo identification or affidavit. Breaking down the age group by race, the effects were significant for young White/Non-Hispanic and Black/Non-Hispanic voters.

The results shed additional light on the effects of voter identification requirements on two groups often projected as being particularly sensitive to such requirements: African-American voters and elderly voters. The effects on African-American voters were pronounced for two specific sub-samples: African-American voters living below the poverty line and those in the 18- to 24-year-old age group. Also, the elderly, while they would be slightly less likely to vote as requirements ranged from least to most demanding, would not necessarily be affected in the dramatic manner predicted by some opposed to photo identification requirements in particular.

In examining the effects of voter identification requirements on turnout, there is still much to learn. The data examined in this project could not capture the dynamics of how identification requirements might lower turnout. If these requirements dampen turnout, is it because individuals are aware of the requirements and stay away from the polls because they cannot or do not want to meet the requirements?[14] Or, do the requirements result in some voters

[14] The individual-level data offer some insight here. If advance knowledge of the voter identification requirements were to dampen turnout, it is reasonable to expect that advance knowledge of those requirements also could discourage some individuals from registering to vote. I ran the same probit models using voter registration as the dependent variable (coded 1 if the respondent said he or she was registered, and 0 if the respondent was not

being turned away when they cannot meet the requirements on Election Day? The CPS data do not include measures that can answer this question. Knowing more about the "on the ground" experiences of voters concerning identification requirements could guide policy-makers at the state and local level in determining whether and at what point in the electoral cycle a concerted public information campaign might be most effective in helping voters to meet identification requirements. Such knowledge also could help in designing training for election judges to handle questions about, and potential disputes over, voter identification requirements.

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registered). Neither the maximum nor minimum array of voter identification requirements had a statistically significant effect on the probability that a survey respondent was registered to vote.

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Table 1 – Variation in 2004 State Turnout Based on Voter Identification Requirements

Maximum Requirement		Minimum Requirement	
Voter Identification Required in the States	**Mean Voter Turnout for States in that Category**	**Voter Identification Required in the States**	**Mean Voter Turnout for States in that Category**
State Name	64.6 %	**State Name**	63.0 %
Sign Name	61.1 %	**Sign Name**	60.8 %
Match Signature	60.9 %	**Match Signature**	61.7 %
Provide Non-Photo ID	59.3 %	**Provide Non-Photo ID**	59.0 %
Provide Photo ID	58.1 %	**Swear Affidavit**	60.1 %
Average Turnout for All States	60.9 %		

Table 2. Predictors of 2004 turnout at the county level taking into account maximum voter identification requirements

	Basic Model		Model with Interactions	
Variable	**Unstandardized Estimate**	**Standard Error**	**Unstandardized Estimate**	**Standard Error**
Intercept	0.64	0.01	0.69	0.02
Voter ID requirements	-0.01**	0.003	-0.03**	0.004
Battleground State	0.04*	0.01	0.04*	0.02
Competitive Senate/Governor's Race	0.04*	0.02	0.04*	0.02
% Age 65 and Older	0.48**	0.03	0.50**	0.03
% African-American	0.05**	0.01	0.06	0.03
% Hispanic	-0.02	0.01	-0.13**	0.05
% Below poverty line	-0.01**	0.0002	-0.01**	0.001
VID * African-American	----	----	-0.004	0.01
VID * Hispanic	----	----	0.03*	0.01
VID * Poverty	----	----	0.001**	0.0002
-2 Log Likelihood	-8638.0		-8651.1	

Coefficients are restricted maximum likelihood estimates. N = 3,111. * $p < .05$ ** $p < .01$ (two-tailed tests)

Table 3. Predictors of 2004 turnout at the county level taking into account minimum voter identification requirements

	Basic Model		Model with Interactions	
Variable	**Unstandardized Estimate**	**Standard Error**	**Unstandardized Estimate**	**Standard Error**
Intercept	0.63	0.02	0.66	0.02
Voter ID requirements	-0.009	0.005	-0.02**	0.006
Battleground State	0.04*	0.02	0.04*	0.02
Competitive Senate/Governor's Race	0.03	0.02	0.03	0.02
% Age 65 and Older	0.48**	0.03	0.48**	0.03
% African-American	0.05**	0.01	0.04	0.03
% Hispanic	-0.12	0.01	-0.13**	0.04
% Below poverty line	-0.01**	0.0003	-0.01**	0.001
VID * African-American	----	----	0.01	0.01
VID * Hispanic	----	----	0.03*	0.01
VID * Poverty	----	----	0.001**	0.0002
-2 Log Likelihood	-8630.8		-8620.1	

Coefficients are restricted maximum likelihood estimates. N = 3,111. * $p < .05$ ** $p < .01$ (two-tailed tests)

Table 4. Probit model of voter turnout.

	Maximum requirements		Minimum requirements	
Variable	**Unstandardized Estimate**	**Standard Error**	**Unstandardized Estimate**	**Standard error**
Voter ID requirements	-0.04*	0.01	-0.05**	0.01
Hispanic	-0.06	0.05	-0.05	0.05
Black	0.22**	0.04	0.22**	0.04
Other race	-0.23**	0.04	-0.23**	0.04
Age in years	0.01**	0.001	0.01**	0.001
Education	0.12**	0.005	0.11**	0.005
Household income	0.03**	0.003	0.03**	0.003
Married	0.20**	0.02	0.20**	0.02
Female	0.09**	0.01	0.09**	0.01
Battleground state	0.18**	0.04	0.19**	0.04
Competitive race	0.05	0.05	0.05	0.05
Employed	0.05	0.04	0.05	0.04
Member of workforce	-0.04	0.05	-0.04	0.05
Native-born citizen	0.03	0.04	0.04	0.05
Moved within past 6 months	-0.27**	0.03	-0.27**	0.03
Constant	-4.48**	0.20	-4.46**	0.20
Pseudo-R-Squared	0.09		0.09	

Notes:

N = 54,973 registered voters

$p < .05$* $p < .01$** (two-tailed tests)

Models were estimated with robust standard errors to correct for correlated error terms within each state.

Data source: U.S. Census Bureau, Current Population Survey, Voting and Registration Supplement, November 2004.

Table 5. Predicted probability of voter turnout – full model		
	Maximum requirement	**Minimum requirement**
State name	0.912	0.911
Sign name	0.906	0.903
Match signature	0.900	0.895
Non-photo ID	0.894	0.887
Photo ID	0.887	----
Affidavit	----	0.878
Total difference from lowest to highest	0.025	0.033
N	54,973	

Figures represent the predicted probability of registered voters saying they voted as the identification requirement varies from the lowest to the highest point in the scale, with all other variables held constant.

Data source: U.S. Census Bureau, Current Population Survey, Voting and Registration Supplement, November 2004.