



**Oregon House of Representatives  
Elections, Ethics and Rules Committee  
Public Hearing  
March 21, 2007**

**Testimony of Miles Rapoport,  
President  
Demos: A Network of Ideas and Action**

Thank you, Representative Diane Rosenbaum and members of the Elections, Ethics and Rules committee for allowing us to submit written testimony in support of HJR43.

My name is Miles Rapoport, and I am the President of Demos, a nonprofit research and advocacy organization established in 1999. Prior to assuming the helm at Demos, I served for ten years in the Connecticut State legislature. As a state legislator, I developed expertise on electoral reform, by serving and subsequently chairing the Committee on Elections. In 1994, I was elected as Secretary of the State of Connecticut and I served as Secretary of the State for four years.

As President of Demos, I have continued my work in the area of election reform. Demos works with policy makers, advocates and scholars around the nation to improve our democracy and achieve greater economic equity. Our work on voting issues, particularly Election Day Registration, provisional balloting, and voting by citizens with felony convictions is nationally recognized.

First, allow me to commend the Chair and members of the Committee for considering Election Day Registration (EDR). By passing EDR legislation, Oregon would be taking a major step towards expanding access to the democratic process for all Oregonians

The return of EDR to Oregon would be a major boost to the other states currently considering EDR proposals. The story of the Indian guru Bhagwan Shree Rajneesh and the election his followers won in the village of Antelope, Oregon, has been used as an example of what can go wrong when you allow Election Day registration. The fact that EDR played no role in the process is often ignored and all that is left is the fear of what could happen. The reality that EDR was safely used in Oregon then and continues to be used in 7 other states for years without significant cases of fraud would be amplified by Oregon's return to an Election Day Registration process.

This year Oregon is one of a number of States considering EDR proposals. In fact, this legislative season there have been EDR bills introduced in at least 21 states<sup>1</sup>. In addition to Oregon, there are several states that are on the verge of adopting a version of "same day registration" this year;<sup>2</sup> the states are Washington, North Carolina, Massachusetts, Connecticut and Iowa. Both houses in Iowa have already passed EDR this year and the bill is on its way to Governor Chet Culver for his signature. Because the Governor is the

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<sup>1</sup> This year EDR proposals were considered in the following states: California, Colorado, Connecticut, Georgia, Hawaii, Illinois, Indiana, Iowa, Maryland, Massachusetts, Michigan, New Jersey, New Mexico, New York, North Carolina, Pennsylvania, Texas, Utah, Vermont, Washington

<sup>2</sup> Some states are considering proposals to allow people to register and vote in the early voting period before Election Day but not on Election Day.

former Secretary of State of Iowa and long time EDR advocate we expect the governor to sign the bill.

## **WHY FOCUS ON ELECTION DAY REGISTRATION**

While Election Day registration is an important reform, it is not a silver bullet for our democracy. Many things must be done to encourage people to join in the process and make them feel that it is rewarding and relevant. While we can't guarantee that people will vote, we have an obligation to make the process as welcoming and as accessible as possible. EDR is an important step toward expanding access.

As you know, EDR is not a new reform. It has a proven track record. Some states have successfully allowed Election Day registration for over thirty years -- before computers and before the establishment of statewide lists of voters. Maine, the first state to adopt EDR, started the practice in 1973; today there are seven states that allow EDR. The states are Idaho, Wyoming, Montana, Minnesota, Wisconsin, New Hampshire and Maine. The participation rates in these states are generally 10-12 percent higher than states without EDR.<sup>3</sup>

In the 2006 election, EDR enfranchised over 746,418 individuals who registered and voted on Election Day. These votes comprised almost 13 percent of the ballots reported

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<sup>3</sup> Voters Win with Election Day Registration, Election Day, January 31, 2007. See <http://www.demos.org/pub1280.cfm>

in EDR states. Without Election Day Registration, hundreds of thousands of Americans might have been excluded from a momentous national election.<sup>4</sup>

## **WHY EDR BENEFITS YOUNG PEOPLE**

Among the largest beneficiaries of EDR are young people. Young Americans, especially college students, move frequently and have a harder time keeping their voter registration current. The overall youth turnout rate had increased in 2004, but lagged behind in overall turnout rates. EDR ensures that young people can register and vote on Election Day, leading to a voter increase of up to **14 percentage** points.<sup>5</sup>

## **ADDITIONAL REASONS TO SUPPORT EDR**

While participation is the strongest reason to adopt EDR, there is also an important corollary benefits that legislators should consider:

It improves the quality of campaigning and gets more people interested in the election.

In non-EDR states, candidates limit their focus to registered voters. This may appear to be an efficient way to run an election – but it is not the best way to involve people in the democratic process. It also limits a candidate’s ability to engage unregistered, natural supporters because they are compelled to focus their campaign on registered voters.

However, in EDR states, candidates have to talk to **everybody**, not just the people who are on their “lists”, because everyone is a potential voter. As a result, more people are contacted by the candidates and get interested in the election. This is particularly

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<sup>4</sup> See note 3.

important for young people; because studies show one of the factors that increases the likelihood of a young person voting is contact with a candidate or a campaign.<sup>6</sup>In this open environment candidates are encouraged to address more of the issues and concerns of the people they represent, and they are less likely to ignore people or communities simply because they are not registered or have low registration rates.

### **WHAT ARE THE ARGUMENTS AGAINST EDR?**

It's certainly reasonable to ask this question. The main two concerns I've heard for years are fraud, and problems administering EDR.

In the states that have EDR, there have been virtually no instances of illegal activities relating to fraudulent registration on Election Day. . Furthermore, in the current EDR there have been periodic "fraud" studies; the most recent were completed after the 2004 election. Following the 2004 election there were examinations of the EDR voters by the Attorneys General in New Hampshire and Wisconsin. Both found no fraud directly attributable to EDR. The registrars in states that have EDR are as concerned about the integrity of their elections as their colleagues across the country. Yet they have been able avoid any significant voter fraud, while at the same time incurring minimal costs and avoiding unmanageable burdens for election officials. To accomplish this they use proven, yet simple cost effective mechanisms to register people and prevent fraud, such as identification at the polls, specialized workers for the day, and voter and poll-worker education.

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<sup>5</sup> See Mary Fitzgerald, Easier Voting Methods Boost Youth Turnout, February 2003, available at <http://www.civicyouth.org/PopUps/WorkingPapers/WP01Fitzgerald.pdf>

<sup>6</sup> See note 4

Additionally, states with same-day registration require registrants to take an oath attesting to the truthfulness of the information they provide upon registration. Willful violations typically carry significant penalties of fines and imprisonment.

Live access to the statewide database or laptops is not required at every polling place. Elections in EDR states are no more chaotic than elections in other states. Moreover, election officials actually feel better about the overall process because they can truly further the participations of most citizens since they rarely have tell an eligible citizen that they cannot vote.

### **Conclusion**

Election Day Registration is a wonderful reform; we urge you consider re-joining the seven other states that already do this. We will applaud if you do.

### **Contact Information:**

Dēmos: A Network for Ideas & Action  
220 Fifth Avenue, 5<sup>th</sup> Floor  
New York, NY 10001  
212-633-1405 – voice  
212-633-2015 – fax  
[www.dēmos-usa.org](http://www.dēmos-usa.org)