

1 MILLION NEW VOTERS AMONG THE 99%

How Agency-Based Voter Registration Gives Low-Income Americans a Voice in Democracy

by YOUJIN B. KIM and LISA DANETZ

As public concern grows over deepening economic and political inequality, there's good news to report in five states: 1 million additional members of the 99 percent have filled out voter registration forms at public assistance agencies since 2007.

This milestone reflects Dēmos' work helping five states — Ohio, Missouri, North Carolina, Virginia and Illinois¹ — to fully implement the National Voter Registration Act of 1993 (NVRA), specifically the often-neglected public agency registration requirements, otherwise known as “Section 7”.² It is proof that when laws to protect peoples' democratic rights are put into practice, they can have a major impact on bringing more voices into the political process. If more states follow suit, millions of additional lower-income Americans will have the opportunity to participate in our democracy in coming years.

For the past several years, Dēmos and its partners have been working with state officials to properly implement Section 7 of the NVRA after finding that many states neglected their obligation to provide voter registration services to applicants and recipients of public assistance benefits. Congress intended these requirements to work in tandem with the more familiar “Motor Voter” provisions of the NVRA, under which voter registration is widely available at motor vehicle offices. By ensuring that eligible individuals from all walks of life could have convenient access to voter registration, the NVRA sought to encourage broad participation in voting.

But in the years following initial implementation of the law in 1995, state

REGISTRATION RATES AMONG CITIZEN VOTING-AGE POPULATION

GENERAL ELECTION	TOTAL RATE	HOUSEHOLD INCOME	
		< \$25,000	≥ \$100,000
2008	75.8	65.2	84.6
2010	65.1	56.1	74.8

SOURCE: U.S. Census Bureau Current Population Survey, Voting and Registration, November 2008 and November 2010

TURNOUT RATES AMONG CITIZEN VOTING-AGE POPULATION

GENERAL ELECTION	TOTAL RATE	HOUSEHOLD INCOME	
		< \$25,000	≥ \$100,000
2008	67.9	54.1	79.4
2010	45.5	34.1	57.2

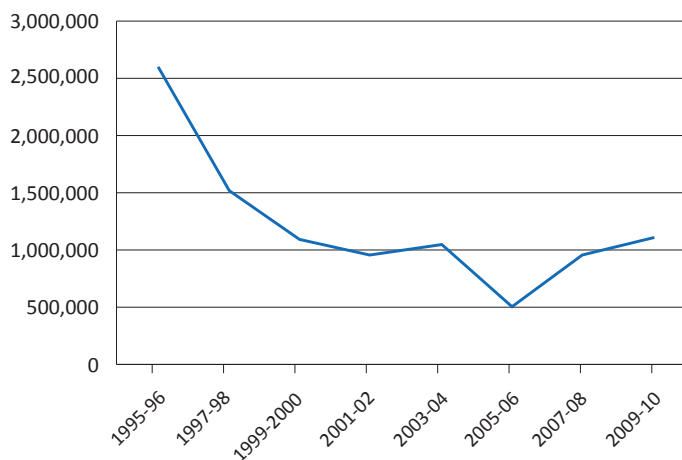
SOURCE: U.S. Census Bureau Current Population Survey, Voting and Registration, November 2008 and November 2010

neglect led to plummeting registration numbers at public assistance agencies. The number of voter registration applications at public assistance offices in 2005-2006 was only about 530,000, just 20 percent of the nearly 2.6 million achieved at the time of initial implementation in 1995-1996.³ At the same time, millions of eligible Americans remained unregistered to vote, and during the last two general elections, low-income voters were registered at a rate nearly 20 percentage points below their more affluent peers.⁴ Even in the historic election of 2008, voter turnout among eligible low-income citizens was only 54 percent, compared to a 79 percent turnout rate among higher-income persons.⁵

The work of Dēmos and its partners to revitalize public agency registration in recent years now has reversed this decline.⁶ In five key states, the millionth registration application since we began this work has now been submitted, marking a significant milestone in this effort.

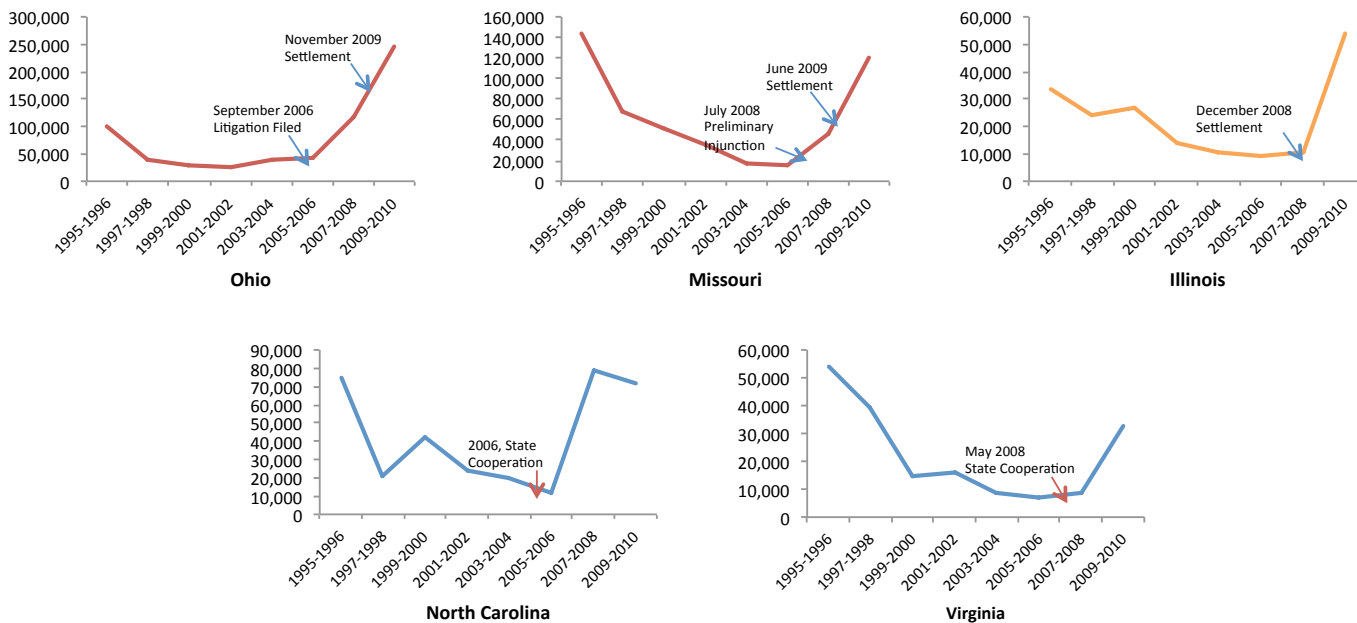
The impact of enforcement activity is clearly demonstrated by the data from these five states. Litigation and cooperative work with states to improve agency procedures and training of personnel have been followed immediately by a dramatic increase in voter registration applications submitted to public assistance agencies.⁷

TOTAL NUMBER OF VOTER REGISTRATION APPLICATIONS RECEIVED FROM PUBLIC ASSISTANCE OFFICES, 1995-2010



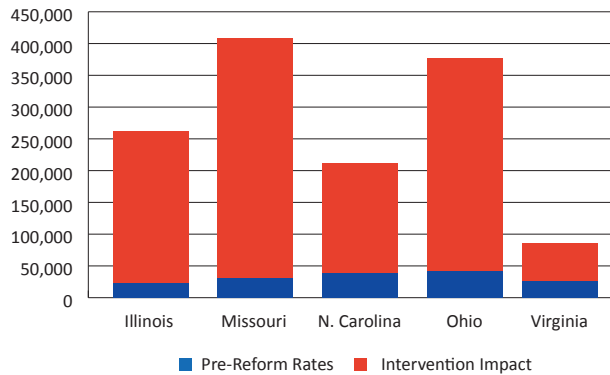
SOURCE: Dēmos, A Preliminary Analysis of the Public Assistance Agency Data Within the EAC 2009-2010 Biennial NVRA Report, 2011

STATE-BY-STATE BREAKDOWN



SOURCE FOR ABOVE: Dēmos, A Preliminary Analysis of the Public Assistance Agency Data Within the EAC 2009-2010 Biennial NVRA Report, 2011

PUBLIC ASSISTANCE VOTER REGISTRATION: BEFORE AND AFTER IMPLEMENTATION REFORM



STATE	PRE-REFORM, PROJECTED	POST-REFORM, ACTUAL	INTERVENTION IMPACT ⁸
Illinois	21,070	237,448	216,378
Missouri	31,995	374,292	342,297
N. Carolina	39,498	168,998	129,499
Ohio	42,185	331,301	289,115
Virginia	26,247	57,473	31,226
TOTAL	160,995	1,169,511	1,008,515

SOURCE: Pre-reform data from 2005-2006 EAC report (see endnote 3).

Post-reform data provided by respective Secretary of State or state public assistance agency (see endnote 11 and 12).

In the past two years, Ohio and Missouri have registered hundreds of thousands of additional low-income voters after entering into settlement agreements in 2009.⁹ Hence, Missouri and Ohio topped the charts in the number of public agency registration applications relative to the number of Food Stamp applications in the 2009-2010 biennial report by the Election Assistance Commission (EAC).¹⁰ These states *consistently* have been receiving over 10,000 (Missouri) and over 16,000 (Ohio) voter registration applications at public assistance agencies every month.¹¹ In Illinois, the number of public agency registration applications is now at levels 18 times the rate before re-implementation of the NVRA's Section 7 provisions (see figure below). Cooperative work with state officials has also bumped up the number of public agency registrations in North Carolina and Virginia.

As Americans continue to struggle from the economic downturn and increasing numbers are forced to turn to public assistance, the NVRA has never been more important for ensuring that eligible persons have a voice in the democratic process. As Dēmos' work has demonstrated, full implementation of the NVRA is a proven and effective way to ensure that all eligible Americans have an opportunity to register to vote.

PRE- AND POST-REFORM COMPARISONS (MONTHLY AVG)¹²

STATE	PRE-REFORM, MONTHLY AVERAGE	POST-REFORM, MONTHLY AVERAGE	% INCREASE IN MONTHLY AVERAGE
Illinois	373	7,088	1800%
Missouri	649	10,116	1459%
N. Carolina	484	3,045	529%
Ohio	1,775	16,161	810%
Virginia	293	1,455	397%

SOURCE: Pre-reform data from 2005-2006 EAC report (see endnote 2). Post-reform data provided by respective Secretary of state or state public assistance agency

NOTES

1. These five states are not the only states to have made improvements in public agency registration in recent years, but they are states in which the most consistent and complete data are available to Dēmos on post-intervention results over time. In Ohio and Missouri, Dēmos and partners filed litigation, while in North Carolina and Virginia, state officials agreed to work cooperatively with Dēmos to improve their compliance. Illinois, in addition, is one of two states in which the U.S. Department of Justice entered into compliance agreements in 2008 after Dēmos and its partners urged DOJ to resume enforcement of these important provisions.
2. See also Scott Novakowski, *Fulfilling the Promise: Expanding Voter Registration of Low-Income Citizens Under the National Voter Registration Act*, Dēmos, July 22, 2010, available at <http://www.demos.org/publication/fulfilling-promise-expanding-voter-registration-low-income-citizens-under-national-voter>. Dēmos' partners in this work include Project Vote and Lawyers' Committee for Civil Rights Under Law.
3. U.S. Election Assistance Commission, *The Impact of the National Voter Registration Act on the Administration of Elections for Federal Office*, 2005-2006, June 30, 2007; U.S. Federal Election Commission, *The Impact of the National Voter Registration Act on the Administration of Elections for Federal Office*, 1995-1996, June 30, 1997.
4. U.S. Census Bureau, DataFerrett, Current Population Survey, Voting and Registration, November 2008 and November 2010.
5. U.S. Census Bureau, supra note 4.
6. Youjin B. Kim and Lisa J. Danetz, *A Preliminary Analysis of the Public Assistance Agency Data Within the EAC 2009-2010 Biennial NVRA Report*, Dēmos, July 13, 2011, available at <http://www.demos.org/publication/preliminary-analysis-public-assistance-agency-data-within-eac-2009-2010-biennial-nvra-re>.
7. Kim and Danetz, supra note 6.
8. "Intervention Impact" indicates the number of *additional* public agency registrations generated from Section 7 reimplementation, taking into consideration both: 1) the rate of public agency registrations before reform and 2) the increase in Food Stamp applications since reform. First the monthly average number of voter registrations the state would have been generating without intervention is calculated by applying the pre-reform performance ratio to the monthly average number of Food Stamp applications during the post-reform period. This number is then subtracted from the *actual* monthly average number of voter registrations generated from public assistance agencies after reform and the result of this is multiplied by the number of post-reform months to arrive at the total number of voter registrations generated by intervention. Pre-reform data is based on 2005-2006 EAC report, supra note 2, and post-reform data is provided by respective secretary of state or state public assistance agency, infra note 11 and 12.
9. See "Intervention Impact," supra note 8.
10. Kim and Danetz, supra note 6.
11. Data provided by Ohio Department of Jobs and Family Services pursuant to settlement agreement in *Harkless v. Brunner*, No. 06-cv-02284 (N.D. Ohio), 01/10 - 07/11; Missouri Department of Social Services pursuant to compliance plan in *ACORN v. Levy*, No. 2:08-cv-04084 (W.D. Mo.), 08/08 - 06/11.
12. All pre-reform data based on 2005-2006 EAC report, supra note 2. All post-reform data provided by Illinois Department of Human Services, 12/08 - 10/10; Missouri Department of Social Services, supra note 11; North Carolina State Board of Elections, 02/07 - 07/11; Ohio Department of Jobs and Family Services, supra note 11; and Virginia State Board of Elections, 06/08 - 07/11.

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