

# Same-Day Registration In Delaware

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**S**ame-Day Registration (SDR) allows eligible voters to register to vote and cast their ballots on the same day. SDR offers an easy, practical solution that works to fix many registration errors that can prevent eligible voters from casting their ballot. Pioneered by Maine, Minnesota and Wisconsin in the early-to-mid-1970s, twelve states (California, Colorado, Connecticut, Idaho, Iowa, Maine, Minnesota, Maryland, Montana, New Hampshire, Wisconsin and Wyoming) and the District of Columbia currently have enacted laws to allow eligible voters to register and vote at the same time. In 2012, approximately 1.5 million Americans used SDR.<sup>1</sup>

Delaware has the opportunity to enact this important reform. In 2013, legislators introduced House Bill 105, a measure to amend Delaware's existing 24-day voter registration deadline by allowing eligible citizens to register to vote and cast a ballot on Election Day, including all primaries.<sup>2</sup> The implementation of SDR in Delaware would immediately update a system where one-quarter of a million eligible Delawareans failed to vote during the 2012 General Election.<sup>3</sup>

## The Benefits Of Same-Day Registration In Delaware

### **SAME-DAY REGISTRATION INCREASES VOTER REGISTRATION & TURNOUT**

States that allow SDR consistently lead the nation in voter participation. Four of the top five states for voter turnout in the 2012 presidential election all offered SDR

*“Same-Day Registration is a time-tested, practical solution that can increase voter turnout and help fulfill the freedom to vote for all Americans. Delaware has the opportunity to increase voter participation and strengthen its democracy by adopting SDR.”*

(the fifth, Colorado, enacted it in 2013).<sup>4</sup> Average voter turnout consistently stands, on average, between 10 and 12 percentage points higher in SDR states than in non-SDR states.<sup>5</sup>

Delaware would benefit from the increase in voter turnout with SDR. In 2012, Delaware ranked 21st in registration and 16th in turnout.<sup>6</sup> As originally proposed, House Bill 105 offers eligible voters in Delaware the opportunity to register and vote on Election Day for all general and primary election cycles. The use of SDR during all primary cycles in Delaware is especially significant. Since 2006, over 84 percent of the state's primary winners have gone on to win seats in November.<sup>7</sup> A truly democratic primary—free, fair, and accessible to all eligible voters—is essential to a truly democratic General Election outcome. The high percentage of primary winners who subsequently win the General Election indicates that primaries play a vital role in Delaware's electoral process.

#### **SAME-DAY REGISTRATION INCREASES TURNOUT AMONG UNDERREPRESENTED POPULATIONS, PARTICULARLY VOTERS OF COLOR AND YOUNG VOTERS**

Experts predict that SDR can be particularly effective in increasing voter participation among voters of color.<sup>8</sup> That prediction was borne out in North Carolina.<sup>9</sup> Though they represented 20 percent of the voting-age population, African-Americans comprised 36 percent of the states' SDR voters in the 2008 presidential election, its first SDR election.<sup>10</sup> In 2012, SDR usage among African-Americans in North Carolina rose to 41 percent.<sup>11</sup>

A comparable increase in African-American turnout could result by implementing SDR in Delaware. Across the state, there is a need to increase turnout among underrepresented voters. During the 2012 election cycle, Delaware performed below the national averages in voter registration and turnout for both African-Americans and Hispanics.<sup>12</sup> Increased voter engagement is especially important for primaries in jurisdictions with majority African-American populations, such as the Wilmington metropolitan area. Primary contests in these districts tend to be more competitive than general elections, indicating the importance of voter engagement in primary elections, yet voter turnout for primaries is very low.<sup>13</sup>

SDR also benefits young adults of all income levels, who move more frequently than the general population. SDR

offers those who have recently moved but failed to update registration records another opportunity to register and vote. Research indicates that allowing young people to register to vote on Election Day and other voting days could increase youth turnout in presidential elections by as much as 14 percentage points.<sup>14</sup> This fact is significant to Delaware, given that the state only registered 49.4 percent of its 18- to 24-year-old eligible voters in 2012 (the national average was 54.7 percent).<sup>15</sup>

### **SAME-DAY REGISTRATION GREATLY REDUCES THE NEED FOR PROVISIONAL BALLOTING**

Provisional ballots are offered to citizens who believe they are registered but whose names do not appear on voter rolls. However, one in every four provisional ballots cast in the 2012 Presidential Election were subsequently rejected.<sup>16</sup> In Delaware, during the 2012 General Election more than 9 out of every 10 provisional ballots cast were rejected.<sup>17</sup> More than 84 percent of provisional ballots have been rejected since 2006.<sup>18</sup>

Allowing eligible voters to register and vote on the Same-Day in Delaware would greatly reduce the need for provisional ballots. Reducing provisional balloting helps assure voters that their ballots will be counted and saves elections officials the time and expense of processing many provisional votes. After SDR was adopted in Iowa, provisional ballots dropped from 15,000 in the 2004 presidential election to less than 5,000 in 2008—a 67 percent decline.<sup>19</sup> North Carolina saw 23,000 fewer provisional ballots after it adopted SDR in 2008.<sup>20</sup>

### **ELECTIONS ADMINISTRATORS AGREE THAT SDR DOES NOT COMPROMISE THE INTEGRITY OF THE VOTE**

The great majority of local elections officials in SDR states surveyed reported that current fraud prevention measures suffice to ensure the integrity of elections.<sup>21</sup> SDR states impose heavy penalties for voter fraud. Voters are required to show proof of residency and must sign an oath attesting to their identity and citizenship. And unlike registration by mail, SDR requires eligible voters to attest to their identity face-to-face before an elections

official. Election audits, with strict penalties for violations, add an additional level of verification.<sup>22</sup>

SDR will not impact the integrity of Delaware's elections. To date, Delaware's current system has no history of voter integrity issues. According to state's Office of the State Elections Commissioner, not a single voter fraud nor bribery accusation, let alone formal complaint, occurred for any state election where voter registration is required.<sup>23</sup> Additionally, vote recounts or challenges, contested elections, injunctions and/or lawsuits rarely delay the election certification process. Recounts are handled by the Courts of Canvass, which are established in each county on the second day following an election.<sup>24</sup> As mandated by state law, Courts of Canvass must verify, deliver and lodge certificates within three days.<sup>25</sup> Only once, in Sussex County, did a recount delay certification, and only by one day.<sup>26</sup> Adopting SDR will not change any of these existing procedures and Delaware's issue free electoral history will continue.

SDR is a time-tested, practical solution that can increase voter turnout and help fulfill the freedom to vote for all Americans. Delaware has the opportunity to increase voter participation and strengthen its democracy by adopting SDR. ■

## Endnotes

1. Estelle S. Rogers & Steven Carbó, *Same-Day Registration* (Project Vote & Dēmos ed. July 2013), available at <http://www.demos.org/sites/default/files/publications/SameDayRegistration-Explainer.pdf>.
2. 147<sup>th</sup> General Assembly of Delaware, House Bill 105 (Introduced 30 April 2013), available at <http://legis.delaware.gov/LIS/lis147.nsf/2bede841c-6272c888025698400433a04/7df9c6a9850b800985257b4f0073d5ff?OpenDocument>.
3. Current Population Survey, Voting and Registration in the Election of November 2012 (Table 4a), United States Census Bureau (May 2013), available at <http://www.census.gov/hhes/www/socdemo/voting/publications/p20/2012/tables.html>.
4. Rogers & Carbó, *Same-Day Registration*, at endnote 1.
5. Ibid.
6. Current Population Survey, Voting and Registration (Table 4a).
7. Data derived from the Office of the State Election Commissioner of Delaware, Election Results Archive—Grouped by Year, available at [http://elections.delaware.gov/information/electionresults/election\\_archive.shtml](http://elections.delaware.gov/information/electionresults/election_archive.shtml). Of the 45 available General Assembly seats up for election between the 2012 and 2006 election cycles, 38 of those seats were won by candidates who won the preceding primary.
8. R. Michael Alvarez and Jonathan Nagler, *Election Day Voter Registration in California*, Dēmos (2011), available at [http://www.demos.org/sites/default/files/publications/CA\\_EDR\\_Report-Demos.pdf](http://www.demos.org/sites/default/files/publications/CA_EDR_Report-Demos.pdf); R. Michael Alvarez and

- Jonathan Nagler, *Same-Day Voter Registration in Maryland*, Dêmos (2010), available at [http://www.demos.org/sites/default/files/publications/SameDayRegistration\\_Maryland\\_Demos.pdf](http://www.demos.org/sites/default/files/publications/SameDayRegistration_Maryland_Demos.pdf); R. Michael Alvarez and Jonathan Nagler, *Election Day Voter Registration in Massachusetts*, Dêmos (2008), available at <http://www.demos.org/sites/default/files/publications/mass.pdf>.
9. In 2013, Same-Day Registration in North Carolina, otherwise known as One-Stop Voting, was repealed; see North Carolina House Bill 589/Session Law 2013-381, available at <http://www.ncga.state.nc.us/gascripts/Bill-LookUp/BillLookUp.pl?Session=2013&BillID=h589>.
  10. Democracy North Carolina, 2008 Recap: The Year of the Voter (19 February 2009), available at <http://www.democracy-nc.org/reports/researchreports/WrapUp.pdf>.
  11. Electronic mail correspondence, North Carolina State Board of Elections (19 February 2013). On File with Dêmos.
  12. Current Population Survey, Voting and Registration (Table 2).
  13. See above, endnote 7 for Delaware primary turnout data; see also: Delaware State House of Representatives, Minority Caucus, District Demographics as of HB 210 (8 July 2011), available at <http://www.delawarestatehouse.com/pdfs/Demographics.pdf>.
  14. Mary Fitzgerald, *Easier Voting Methods Boost Youth Turnout* (February 2003), The Center for Information and Research on Civic Learning and Engagement (CIRCLE), available at <http://www.civicyouth.org/PopUps/WorkingPapers/WP01Fitzgerald.pdf>.
  15. Current Population Survey, Voting and Registration (Table 4c).
  16. United States Election Assistance Commission, 2012 Election Administration and Voting Survey (September 2013), available at [http://www.eac.gov/assets/1/Page/990-050%20EAC%20VoterSurvey\\_508Compliant.pdf](http://www.eac.gov/assets/1/Page/990-050%20EAC%20VoterSurvey_508Compliant.pdf).
  17. Ibid.
  18. Data derived from: United States Election Assistance Commission, 2012 Election Administration and Voting Survey (September 2013), available at [http://www.eac.gov/assets/1/Page/990-050%20EAC%20VoterSurvey\\_508Compliant.pdf](http://www.eac.gov/assets/1/Page/990-050%20EAC%20VoterSurvey_508Compliant.pdf); United States Election Assistance Commission, 2010 Election Administration and Voting Survey (December 2011), available at [http://www.eac.gov/assets/1/Documents/990-281\\_EAC\\_EAVS\\_508\\_revised.pdf](http://www.eac.gov/assets/1/Documents/990-281_EAC_EAVS_508_revised.pdf); United States Election Assistance Commission, 2008 Election Administration and Voting Survey (December 2011), available at <http://www.eac.gov/assets/1/Documents/2008%20Election%20Administration%20and%20Voting%20Survey%20EAVS%20Report.pdf>; United States Election Assistance Commission, 2006 Election Administration and Voting Survey (December 2007), available at [http://www.eac.gov/assets/1/AssetManager/2006%20EAVS%20Report%20\(All%20Chapters\).pdf](http://www.eac.gov/assets/1/AssetManager/2006%20EAVS%20Report%20(All%20Chapters).pdf).
  19. Laura Rokoff and Emma Stokking, *Small Investments, High Yields: A Cost Study of Same-Day Registration in Iowa and North Carolina*, Dêmos (February 2012), available at <http://www.demos.org/sites/default/files/publications/SDR-CostStudy-Final.pdf>.
  20. Ibid.
  21. Cristina Vasile & Regina Eaton, *Election Day Best Practices: An Implementation Guide* (July 2010), Dêmos, <http://www.demos.org/publication/election-day-registration-best-practices-implementation-guide>, page 25.
  22. Ibid.
  23. Electronic mail correspondence, Delaware Office of the State Elections Commissioner (16 January 2014). On file with Dêmos.
  24. Delaware Codes, Title 15, Chapter 57: Canvas of Vote and Proclamation of Results of Election, available at <http://delcode.delaware.gov/title15/c057/index.shtml>.
  25. Ibid.
  26. E-mail, Delaware Office of the State Elections Commissioner (see above, at endnote 23).

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