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MODERNIZING OHIO'S SYSTEM FOR
REGISTERING VOTERS:
AUTOMATIC AND ONLINE REGISTRATION

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INTRODUCTION

Experts, election officials, and advocates agree: Ohio's voter registration system is in serious need of reform. Although Ohio has recently made significant improvements to the technology of voter registration—launching a statewide voter registration database before the 2008 elections—the system as a whole has not reaped the full benefits of that advance. Instead, Ohio still relies in significant part on outmoded and costly procedures designed for a pre-computer age. The result is a voter registration system rife with inefficiencies, which imposes serious burdens on election administrators and voters alike. What is more, each year these inefficiencies rack up costs the state can ill afford.

Fortunately, Ohio is now in a position to leverage its recent technological advances and further modernize its registration system. Building on the tools that are already in place, Ohio can significantly improve the voter registration system and save money by implementing programs of automatic and online voter registration.

Under automatic registration, state election officials would use reliable information in other government lists to automatically register eligible citizens who do not decline registration. Under online registration, eligible citizens would be able to check their registration records and submit new registration information, updates, or corrections securely and conveniently. Both programs would dramatically reduce Ohio's problems with voter registration, improve the completeness and accuracy of its voter rolls, and lead to substantial cost savings. And under both programs, Ohio election officials would retain their authority to determine voter eligibility and ensure accurate voter rolls.

As described below, both automatic and online registration are feasible and cost-effective. Other states and government agencies have successfully deployed these reforms and reaped substantial benefits. Their experience demonstrates that these reforms will make voter registration simpler and more accessible for voters, less burdensome for election officials, less susceptible to fraud, and less costly for taxpayers. For these reasons, stakeholders from across the political spectrum support them. We urge the legislature to adopt these reforms as part of its effort to improve and modernize Ohio's registration system.

I. THERE IS WIDESPREAD AGREEMENT THAT OHIO'S CURRENT VOTER REGISTRATION SYSTEM IS PLAGUED WITH PROBLEMS AND IN URGENT NEED OF REPAIR

Ohio's current voter registration system creates needless headaches and problems for election officials and voters alike, and there is near universal agreement that it needs improvement. After the 2008 elections, a disparate group of election officials, advocates, policy makers, and academics came together for the Ohio Election Summit and Conference (the "Election Summit" or "Summit").¹ While there were various policy issues on which the Summit participants did not see eye to eye, they agreed that Ohio's voter registration system needs repair. Complete and accurate voter rolls are critical to elections: under Ohio law, citizens' ability to vote and have their votes counted depends on whether their current names and addresses are properly included on the rolls; moreover, only with accurate voter rolls can election officials adequately plan and

allocate resources for Election Day. Yet the current system of voter registration all too frequently does not produce these accurate rolls.

Several aspects of the current registration system cause problems for election officials and voters alike. The system forces hundreds of thousands of Ohioans to submit new or updated registration cards every year, generating a mountain of paperwork that must be processed by an army of election clerks. Voters often submit their paperwork at the very last minute before an election, and so election offices are typically inundated with paper to process at the eleventh hour of the election cycle—the very time their attention should be focused on ensuring that Election Day operations run smoothly. Such a labor-intensive system in such a compressed time frame is costly and inefficient. It also multiplies possibilities for error. Inaccurate voter rolls create election administration and list maintenance difficulties. They also lead to unwarranted disenfranchisement of eligible voters; hundreds of thousands of eligible Ohio citizens' names cannot be found on the voter rolls each election, preventing them from casting ballots that count.

A. The Current System Makes It Costly and Difficult for Ohio Election Officials to Maintain Complete and Accurate Voter Rolls

The current voter registration system is difficult and costly to administer, especially in the face of rising political participation. This imposes high costs on election officials and undermines the effective administration of elections. The problems with the current registration system were apparent in the concerns election officials raised at the Election Summit.

1. Processing Paperwork

In today's paper-based voter registration system—a holdover from the nineteenth century—election officials must allocate substantial resources to processing paperwork. Each year, Ohio election officials process hundreds of thousands of voter registration forms. According to the U.S. Election Assistance Commission, Ohio officials reported processing over one million applications in 2007-2008,² and almost two million in 2005-2006.³

This entails substantial administrative work. It requires election clerks, first, to decipher the handwriting on the thousands of forms they receive. They must then manually enter data from the applications into the computerized voter registration database. Not only do both stages require time and staff attention, but they introduce chances for errors, as clerks may misread voters' handwriting, or make typos or other data entry errors.

Next, officials must compare the data they have entered with other records—first, to ascertain whether the voter is already registered, and then to attempt to verify the applicant's information against existing government sources, such as the databases of the Bureau of Motor Vehicles or the Social Security Administration. Any errors made in transcribing voters' data from their paper registration forms can make it impossible to recognize duplicate records, creating the potential for duplicate records to bloat the voter rolls or for new registrations to be mistaken for duplicates. Data entry errors can also prevent officials from successfully matching registration records with other data sources, requiring follow-up investigation and notice to voters—which in turn impose additional costs in time and personnel. Such attempted matches fail as often as 20 to

30% of the time because of clerical errors and typos.⁴ Errors on the rolls also make it difficult to validate provisional ballots.

2. Work Crunch

Compounding the administrative burdens on election officials, a significant portion of the paper forms that voters submit arrive in the busy weeks right before an election. Because of the unnecessary administrative steps required to process voter registration forms, election officials often do not have sufficient time to process applications and updates before Election Day. Election jurisdictions across the country receive up to 20% of all voter registration applications each election year in the last two weeks before the voter registration deadline.⁵ On the last day before the voter registration deadline for the 2004 general election, for example, the Franklin County Board of Elections received approximately 40,000 voter registration applications. To meet these demands, the County Board had to hire additional seasonal personnel, contract with a temporary service agency for the purpose of supplementing existing personnel, and had to work two shifts from approximately 6:00 a.m. to midnight in order to process the new registrations prior in time to print the poll books.⁶

Franklin County's experience is common. The last-minute flood of paperwork strains election offices at the very time they are most busy preparing for elections. It requires election officials to hire temporary, part-time data entry clerks to process the mountains of paperwork—which, of course, adds personnel costs. And because of the short time frame and the need to rely on inexperienced temporary employees, the number of processing errors increases just when there is the least time to resolve them before an election. These errors add more work for election officials, requiring them to send last-minute notices to thousands of applicants, and complicating list maintenance efforts.

3. Unnecessary Cost

The volume of paper forms flooding election offices, and the fact that a disproportionate number of these forms arrive at the eleventh hour, adds substantial and unnecessary costs to election administration.

These costs came into clear focus in the run-up to the 2004 election, when officials across Ohio made emergency requests for additional resources. The experience of the Franklin County Board of Elections was typical. The County Board had to ask County Commissioners for an extra \$337,000 to pay overtime for workers who processed a record number of new-voter registrations, handled increased absentee-ballot requests, and answered the many of post-election questions. That request increased the County Board's spending for 2004 to nearly \$6 million, which was \$600,000 more than county officials had expected.⁷

Franklin County's registration volume has grown since 2004, while its board of elections has kept the same number of full time employees assigned to voter registration activities. Nearly half of those employees are now assigned exclusively to maintaining the statewide database (most of this time is reportedly spent dealing with potential duplicate registrations), and the remainder maintain the county's local database (for activities such as entering in newly registered voters).⁸ The Deputy Director of the County Board of Elections estimates that the

county spends \$200,000 in election years on temporary employees to process voter registration applications, \$500,000 in odd-year list maintenance, and significant additional funds on validating provisional ballots and sending mailings to voters to clarify registration information. He estimates that between 20 and 25% of overall election administration costs would be eliminated by voter registration modernization.⁹

Franklin County is not the only Board of Elections to struggle under Ohio's outmoded registration system. In 2004, other counties discovered they did not have the resources to effectively process the growing volume of application forms in the weeks preceding the election. County commissioners across the state received requests for additional funds from elections boards running over budget. The Cuyahoga County Board of Elections requested an extra \$1.5 million two weeks before the 2004 election to pay for workers' overtime, temporary help, and voter education efforts, according to the Board's Deputy Director. And in Allen County, where the elections board budget fluctuates between \$500,000 and \$600,000 yearly, the Director of the County Board of Elections said he needed another \$120,000 to cover expenses.¹⁰

4. Increased Administrative Error

The voter registration paperwork in the weeks before each election leads not only to unnecessary costs, but also to increased risk of administrative error. As noted, during data entry and form processing, especially by inexperienced clerks working under extreme time pressure, errors inevitably occur. Inaccuracies on the voter rolls result from typographical and data entry errors, difficulties deciphering voter handwriting, lost or incomplete registrations, inability to process registrations on time, and inability to resolve application errors in time, among other things. These sorts of errors are common in voter registration databases.¹¹ Inaccurate voter rolls create a range of election administration and voter list maintenance headaches, including increased list maintenance workloads, increased numbers of provisional ballots to process, and confusion at the polls.

Inaccurate voter rolls also create an unacceptably high risk of eligible voter disenfranchisement. For the approximately 20% of registrants whose records contain typos or other errors, there is a risk that their information will not be properly verified by election officials or that their names will not be found on the voter rolls on Election Day.¹² Eligible citizens whose registration records are not found typically cannot cast ballots that count. And polling place confusion caused by voter list errors can lead to longer lines, which may dissuade some citizens from participating.¹³

5. Election Day Problems

Errors and omissions in the registration database create problems at the polls. Missing or incorrectly entered voter names mean longer lines as poll workers try to resolve the issues, increased use of provisional ballots if the registrations are not confirmed at the polls, and voter disenfranchisement if the issues cannot be resolved. In 2004, over 158,624 Ohio voters filled out provisional ballots.¹⁴ In 2008, the number increased to 206,859.¹⁵ While there are several reasons voters cast provisional ballots, the failure to find their names on the poll books is a significant one. Election Day problems created by registration problems are discussed further below.

B. The Current System Creates Difficulties for Voters and Voter Disenfranchisement

In addition to causing problems for election officials, Ohio's voter registration system imposes unnecessary burdens on voters.

1. Voters Experience Problems

Under the current voter registration system, Ohio citizens may face difficulty registering, or may find themselves unregistered or registered with inaccurate information, even when they make the best efforts to comply with registration requirements. At the Election Summit, advocates expressed concern about reports from voters who had registration problems. For example, they cited reports of voters who submitted registration applications on time, but found that their names were not listed when they sought to confirm their registrations on the Secretary of State's online database query website.¹⁶ Election Protection, the nation's largest non-partisan voter protection coalition, reported that 26% of the nearly 8,000 voter calls they received from Ohio voters on and before Election Day in 2008 were related to voter registration problems.

These registration problems translated into problems at the polls. "Many of the problems at the polling place were . . . problems with the voter registration system," Election Protection wrote. "In 2008, long time Ohio voters who have voted at the same precinct for many years showed up at their polling place to find out that their names have disappeared from the rolls . . . some voters were listed on the statewide voter registration database but not on the precinct list, some were listed on the statewide registration database but not the county's database and some voters showed up on the county's list, but not the statewide lists."¹⁷

These problems were not unique to 2008. In 2004 and 2006, Election Protection similarly reported that many individuals never received registration confirmations or were not listed on the voter rolls at their precincts despite the fact that they had registered.¹⁸ The complaints included longstanding registered voters whose names were not on the rolls.¹⁹

These problems are to some extent inevitable under a system of paper-based, voter-initiated registration. They occur across the country: in a comprehensive study of the 2008 election, Harvard and M.I.T. political scientist Stephen Ansolabehere reported that 2 to 3 million voters nationally were prevented from voting because of registration or authentication problems, while another 9 million citizens failed to vote because of registration deadlines or residency rules.²⁰

When registration problems are not resolved, provisional ballots are rejected, and eligible citizens lose their votes.

2. Flaws in the Voter Registration System Cause These Problems

At the Election Summit, both county election officials and voting advocates discussed how problems with the current registration system cause problems for voters, either by imposing additional hurdles they must overcome or by disenfranchising them altogether.²¹

First, there can be lag time between when a county enters a new registrant into its database and the point at which that information is uploaded to the Statewide Database. This is compounded in the days immediately before an election. As a result of these delays, some voters who

attempted to check their registration status online were told that they were not registered, and some did not receive pre-election materials informing them, for example, of their polling place locations.

Second, data entry errors or inconsistencies frequently result in poll workers being unable to find a voter's name in the voter register. For example, participants in the Election Summit reported on documented cases of incorrectly entered names and reversed numerals in a voter's Social Security number.²²

Third, some voters experience registration problems because of data format issues, where information is entered correctly into the registration database, but still causes conflicts (for instance, for women who are registered and appear in the poll book under their maiden name, but present themselves at the polls with voter identification bearing their married name).²³

Fourth, many registration forms are rejected because they contain incomplete, illegible, or inaccurate information. In 2008 in Cuyahoga County, for instance, 16,000 registrations, or about 6% of all registration forms, were found to be defective or "fatal pending."²⁴ Of these, about half were due to problems with the addresses supplied. According to one advocate, many of these errors are likely caused by voters or data entry clerks reversing digits in the house or street number; problems may also be caused by flaws in the county systems used to verify the legitimacy of street addresses.²⁵ Unfortunately, because new registrants frequently do not provide a phone number (it is listed as "optional" on registration forms), county boards have no way of notifying these voters of problems, or of supplying an opportunity to correct or verify the information.

Finally, problems also occur when voters' applications are not entered at all before Election Day. For instance, the Greater Cleveland Voter Coalition estimated that in 2004 in Cuyahoga County alone, over 900 provisional ballots were apparently rejected because voter's data was not entered into the registration system, or was entered improperly or belatedly.²⁶ The Coalition noted that it made similar preliminary findings in 2008, and it is currently working with the Cuyahoga Board of Elections to confirm these findings.²⁷ Another advocate at the Election Summit pointed to the nearly 40,000 provisional ballots cast in November 2008 that were later rejected as possible evidence that voters who should have been listed in the database were either not listed at all or were listed with information so inaccurate that the voter's eligibility could not be confirmed.

3. Failure to Comply with Federal Voter Registration Requirements

Voters also face difficulty registering because Ohio has not been in compliance with voter registration requirements in federal law. In particular, Ohio has failed to provide voter registration services at public assistance agencies or to update its voter lists based on address and name changes submitted to the Bureau of Motor Vehicles, as mandated by the National Voter Registration Act of 1993 (the "NVRA").

Under federal law, all public assistance agencies are required to distribute voter registration applications, assist applicants in completing applications, and accept completed applications for submission to election authorities.²⁸ As the Sixth Circuit Court of Appeals explained, this requirement was expressly designed to increase the registration of low-income citizens and

people with disabilities who do not have access to registration at motor vehicle offices.²⁹ Unfortunately, many Ohio citizens may not have enjoyed the benefits of this law. The Court of Appeals recently held that Ohio must respond to allegations that “[t]here is widespread noncompliance with the NVRA’s requirements.”³⁰ As a result, low-income citizens have been deprived of opportunities to register to vote or to update their voter registration records. This violation is the subject of ongoing litigation.

Federal law also requires states to treat address and name changes submitted to motor vehicle authorities as updates to voter registration records as well, unless the voter specifically opts out.³¹ The Election Summit revealed that Ohio has been violating this federal mandate as well. Rather than requiring a voter specifically to state, on his change of address form, that the change is not for voter registration purposes, the BMV only required BMV employees to make available separate change of address forms for voter registration purposes; moreover, many BMV offices may not have even followed this policy. This failure to provide address updates burdens voters and makes it more difficult for counties to keep up-to-date voter registration lists. Fortunately, the BMV has acknowledged this problem and has undertaken to reform its policy.³²

* * *

Automatic and online voter registration would eliminate many of these problems with the existing system. As discussed below, both reforms would significantly improve the voter registration system and can readily be achieved in Ohio.

II. OHIO SHOULD ADOPT AUTOMATIC REGISTRATION

Under a system of automatic voter registration, eligible citizens who interact with other designated government agencies are automatically registered to vote unless they decline registration. This is accomplished by secure electronic transfer of voter registration data from designated agencies to election authorities. Leveraging existing technologies, automatic registration yields dramatic benefits for the voter registration system: it produces more complete and accurate voter rolls, improves election administration, and realizes ongoing cost savings. It is also feasible and cost-effective to implement in Ohio, using data-sharing with the Bureau of Motor Vehicles, the Department of Jobs and Family Services, and the Department of Education.

A. Automatic Registration Will Dramatically Reduce Problems With the Voter Registration System

Because it involves automatic data transmissions from reliable data sources, and because it includes all eligible citizens who interact with designated source agencies, automatic registration has several advantages over the current system.

First, automatic registration will substantially increase voter registration rates in Ohio.

Despite surges in voter participation over the past two presidential election cycles, more than one in four adult Ohio citizens remain unregistered to vote.³³ For some groups of eligible Ohio citizens, the registration rates are even lower: only 59.8% of Hispanics and 52.2% of Asians, for example, were registered to vote in 2008.³⁴ Younger citizens and those with less education are also registered at lower rates. When voter registration is made more accessible, more convenient, or less confusing, registration rates rise substantially. For example, when voter registration services were offered at Missouri public service agencies after a lapse in service, the number of registrations collected at those agencies rose from fewer than 8,000 per year to over 100,000 in the eight months preceding April 2009.³⁵ When registration is automatic, rates rise even higher; every country to use automatic registration or similar forms of data-sharing enjoys a voter registration rate of well over 90%.³⁶ Since many unregistered, eligible Ohio citizens interact with the Bureau of Motor Vehicles (BMV), the Department of Jobs and Family Services (DJFS), or the Department of Education, Ohio can similarly expect voter registration rates to rise if automatic voter registration were implemented at those agencies. While the BMV and DJFS are currently required by federal and Ohio law to provide voter registration services to citizens, automatic registration will streamline those services and make it much more likely that eligible voters are indeed registered. And when registration rates rise, so will participation rates.

Second, automatic registration will eliminate the need for duplicative data entry by election officials.

Various government agencies—including agencies that are already required by Ohio and federal law to offer voter registration services—already enter and maintain basic information about voting-age citizens in their own databases. It is inefficient and wasteful to require election officials to type in the very same data when the data can be easily electronically transmitted to the voter registration database and reviewed by election officials.

Third, automatic registration will increase the accuracy of the voter rolls.

By eliminating data entry and the need to decipher paper forms, automatic registration reduces the potential for typos

and other processing errors that plague the current system. By spreading registration list compilation and maintenance efforts out across the year, rather than in the compressed time period right before an election, automatic registration further reduces errors. The streamlining of the registration work ensures that there is sufficient time to do it well, ensures that there is sufficient time to resolve any difficulties well in advance of an election, and eliminates the need to rely on temporary, part-time workers who make more errors. And by using automatic data transmissions, automatic registration reduces errors caused by lost registration forms, failure of voter registration agencies to transmit forms, and mail delays.

Fourth, automatic registration will prevent needless voter disenfranchisement. Because it captures far more eligible citizens than our current system, and because it reduces errors and omissions on the voter rolls, automatic registration will prevent the disenfranchisement that too often results when voters' names cannot be found on the rolls.

Fifth, automatic registration will reduce opportunities for fraud. Under automatic registration, voter registration records are regularly updated when registered citizens update their address and name information with other government agencies. By keeping the voter rolls more up-to-date, automatic registration reduces duplicate registration records that often occur when voters change address and thus reduces opportunities for fraud. Automatic registration further reduces opportunities for fraud by taking voter registration information from reliable government sources, rather than relying principally on individuals and those who assist them.

Sixth, automatic registration will dramatically reduce the cost of maintaining the voter registration system. As discussed below, automatic registration will lead to ongoing cost savings for Ohio. This will free up scarce resources for other critical tasks.

B. Automatic Registration Can Be Achieved in Ohio

Automatic voter registration is readily achievable. At bottom, voter registration is a matter of collecting and processing data. Now that computer databases can be searched, cross-checked, analyzed, and updated almost instantaneously, the time has come to replace Ohio's paper-based and labor-intensive approach to voter registration with a modern system that takes full advantage of available technology.

1. Automatic Registration Is Already Used Effectively Outside Ohio

A variety of existing programs prove that voter registration through data sharing with other government agencies is feasible and effective. The use of data sharing to facilitate voter registration is routine in virtually every other developed democracy, as a recent Brennan Center study of twenty voter registration systems around the world shows.³⁷ Canada, for example, developed a nation-wide automatic voter registration system in 1996. That system, which contains records for 23 million voting-eligible individuals, has been a great success, achieving far higher voter registration rates and far greater list accuracy than the systems in Ohio and other American states.³⁸ While Canada spent millions of dollars in initial costs to build a computerized voter registration database and launch its automatic registration system, it recouped its initial investment in cost savings associated with the 2000 general election, the first

election in which the new registration system was employed.³⁹ Other countries have had similarly positive experiences with automatic voter registration techniques.

Here in the United States, states are beginning to automate the process of voter registration successfully. In Delaware, for example, election officials have collaborated with motor vehicle authorities to launch an automated registration system that has been widely praised. Launched in February 2009, Delaware's "eSignature" program permits citizens to electronically initiate or update their voter registrations at the same time they obtain or make updates to their driver's license or state identification cards at motor vehicle offices.⁴⁰ Information provided to motor vehicle authorities is automatically and electronically transmitted to election officials, in real time. One Delaware official called its "eSignature" program "the greatest innovation since sliced bread."⁴¹

The Selective Service System also uses automatic registration and data sharing from government agencies to build its list of draft-eligible men. The Selective Service traditionally used paper-based, self-registration in the same way as the voting system still does. More recently, however, the Selective Service upgraded its list practices; the agency now receives nearly three-quarters of its registration information through data-sharing from other government agencies. This has resulted in increased efficiency and accuracy. According to the agency's report to Congress, in 2007, its registration rate was 95% for draft-eligible men (aged 18 to 25), and its mail deliverability rate to men aged 20 was 98%. The agency also reported that this reform has significantly reduced its costs for building and maintaining its registration lists.⁴²

2. Ohio Already Has the Tools in Place To Implement Automatic Registration

Ohio has the technologies in place to implement a program of voter automatic registration. First and foremost, Ohio now uses a computerized statewide voter registration database capable of sharing information with other databases. In accordance with federal law, Ohio already coordinates its voter registration database with the Bureau of Motor Vehicles ("BMV"), for the purpose of verifying new registration information, as well as with criminal justice agencies, for the purpose of removing ineligible individuals from the rolls.⁴³ There is no reason this technology cannot also be used for the purposes of adding eligible voters to the rolls and updating registration information. Moreover, like other database systems, Ohio's voter registration database is capable of running queries and detecting duplicate records.

Second, a number of Ohio agencies that serve prospective voters have both the technology and the data in place to participate effectively in an automatic voter registration program. To do so, an agency must keep its records in a computerized database capable of exporting selected data to be read by another database, and its records must contain (or be capable of modification to contain) all of the information needed to establish voter eligibility and residence. Party affiliation information is not required, because Ohio does not track party affiliation in its voter registration database. Among the agencies that are best equipped to participate in an automatic voter registration program are those currently required by federal law to provide voter registration services—the BMV and social service and disability agencies.⁴⁴

Bureau of Motor Vehicles

The BMV uses a central database to collect and store information about all the individuals it serves. BMV database records contain all the information needed for voter registration—name, residential and mailing address, date of birth, and citizenship status. Every applicant for a driver’s or non-driver’s identification from the BMV must affirm his or her citizenship, appear in person, and prove her legal residence through documentation.

The BMV database is fully capable of transmitting relevant information for eligible voters to election officials for the purposes of voter registration. As noted, the BMV already coordinates its data with election officials to verify new voter registration information. It also cross-checks voter registration data with the Social Security Administration, using a data transfer protocol administered by the American Association of Motor Vehicle Authorities (“AAMVA”). What is more, the BMV participates in another automatic registration system—automatic registration of draft-eligible men for the Selective Service.⁴⁵ When a draft-eligible man applies for a driver’s or a non-driver’s identification, the BMV automatically transfers selected information from that individuals’ BMV record—name, date of birth, mailing address, and Social Security number—to the Selective Service, using another AAMVA file transfer system. If the BMV is capable of culling and sending information to automatically register young men for the Selective Service, there is no reason it cannot do the same to automatically register eligible citizens for the vote.

Social Service Agencies

Many of Ohio’s social service agencies maintain their records in a shared statewide database called “CRIS-E.”⁴⁶ Like the BMV database, the records in CRIS-E contain all of the information necessary for voter registration—name, date of birth, residential and mailing address, and citizenship. Under Ohio law, every applicant for social services must sign a written declaration under penalty of perjury as to their citizenship as part of the benefits application process.⁴⁷

The CRIS-E database is similarly capable of responding to queries to collect records of voting-eligible citizens and transmitting selected portions of those records to election officials for voter registration or record updates. The records in CRIS-E are time-stamped, making such queries easier. In addition, the architecture of the database allows for the addition of new fields, such as a field indicating that an individual has opted not to be registered to vote. The CRIS-E database currently participates in the federal Public Assistance Reporting Information System—or “PARIS”—and therefore can share data with other agencies. Again, there is no reason why it cannot share information with election officials to facilitate voter registration.

Since both the BMV and Ohio’s social service agencies are required by federal law to provide voter registration services, implementing automatic registration would not increase the burdens on those agencies. To the contrary, automatic registration would enable those agencies to streamline compliance with federal by reducing the time spent on registration activities and providing information on eligible citizens automatically and electronically (subject to individuals’ decisions to opt out of registration). Similarly, federal law already requires address updates submitted to BMV to be automatically forwarded to election boards (again, provided the voter does not opt out). Automatic registration will bring the BMV into compliance with this

mandate, making Ohio's voting rolls far more accurate and reducing the need for awkward fixes like voter roll purges and the use of provisional ballots.

C. Automatic Registration Is Cost-Effective and Will Lead to Long-Term Savings

The cost of implementing automatic registration is relatively modest, and it will be offset by significant savings on an ongoing basis. Based on the costs of processing paper forms and provisional ballots under the current system, and the experiences of other jurisdictions that have implemented automatic registration, the costs of implementing automatic registration should be fully recouped within only a few election cycles.

Delaware's experience demonstrates the cost effectiveness of automatic registration. Its program cost approximately \$600,000 to implement (mostly to cover the salaries of two dedicated programmers), and it was able to use federal funds made available under the Help America Vote Act to cover those costs. Since the system's launch in February 2009, Delaware has reduced annual election administration costs by more than \$200,000. The state's Director of Election expects the state's annual cost savings to double once the system has been up and running for some time.⁴⁸ Savings in postage and processing can also quickly add up; from January 2008 to July 2009, Washington saved an estimated \$121,000 by automating its "motor voter" transactions.⁴⁹

Canada similarly experienced significant cost savings from automatic registration. Election authorities reported that the country recouped the costs of implementing an automatic registration system—which included the costs of building its voter registration database—within a single election. To date, officials estimate the country has saved a total of \$120 million CAD, or about \$111.5 million U.S. dollars, over the four election cycles since it has been in effect.⁵⁰ While Canada's savings are especially large given the costly nature of its prior voter registration system, Ohio can also expect significant cost savings.

As noted above, the Deputy Director of the Franklin County Board of Elections has estimated that a modernization program that includes automatic voter registration would eliminate about a quarter of the county's total election administration costs, and a much higher percentage of its voter registration costs. Although there has been no audit of the full costs of Ohio's voter registration system, the Pew Center on the States reports that a forthcoming study of the costs of Oregon's voter registration system shows that that "in 2008, voter registration alone cost Oregon taxpayers more than four dollars per voter, for a total of nearly \$9 million."⁵¹ Oregon's system is in no way unique. Applying that formula to Ohio's voter rolls, which contains close to 7 million records,⁵² yields an annual cost of \$28 million. Even a small percent reduction in that cost would constitute a very high return on an investment in automatic registration.

III. OHIO SHOULD ADOPT ONLINE VOTER REGISTRATION

While a system of automatic registration will go a long way to creating complete and accurate voter rolls, even in the most efficient system, some errors will persist. Online registration will provide Ohio election officials with an additional tool to improve the voter rolls. The experience of states that have implemented online registration demonstrates that it is feasible; can be accomplished at reasonable costs; and pays for itself rapidly in increased efficiency and costs savings.

A. Online Registration Will Improve Ohio's Voter Registration System

Ohioans can already check their registration status online. Allowing them to submit registration information in the same way will make it easier to bring new voters into the process and to maintain accurate rolls, while also reducing burdens on election officials.

Expanded Voter Rolls and Increased Voter Convenience. The ease of online registration will encourage more people to register—particularly young people, who register at substantially lower rates than other citizens.⁵³ After Arizona introduced online registration in mid-2002, 25% of registrations were submitted online the following year; the state's total registration increased by over 18% from 2002 to 2004—the state's largest two-year increase in recent history.⁵⁴ In 2007 and 2008, the percentage of all registrations submitted online was 67% and 58%, respectively.⁵⁵ In Washington State, voters age 18-24 accounted for nearly a third of online registration transactions in 2008.⁵⁶

As these figures demonstrate, online registration is very popular with voters. As Washington's Assistant Director of Elections recently testified before Congress, "One Monday morning in January 2008, we quietly turned the online system on and added the icon to our website. Out of caution, we had not issued any press releases or promotional material. But within minutes, the registrations filed in at a pace of 500 a day.... By the end of 2008, over 158,000 people had registered online."⁵⁷

Fewer Errors on Rolls. Voters are best equipped to spot and correct outdated or inaccurate data in their own records, and an online portal will allow them to do so quickly and conveniently. Online registration also reduces the potential for typos and other errors, since voters type in their own registration information. In a recent report, the National Academies of Science recommended online voter registration as a solution to a range of data capture and accuracy problems associated with paper-based voter registration.⁵⁸

Reduced Burdens on Election Officials. Because online voter registration eliminates the need for separate data entry by election clerks, increases the accuracy of voter registration records, and encourages voters to keep their registration records up-to-date, it significantly reduces the registration-related workload of election officials. This is especially valuable in weeks right before an election.

Reduced Voter Disenfranchisement. By better enabling voters to review and submit corrections to their registration records, and by reducing the errors on the voter rolls, online registration will

also decrease the number of voters unnecessarily disenfranchised by glitches in the voter registration system.

B. The Experiences of Other States Demonstrate that Online Registration is Feasible and Cost Effective, and Will Realize Ongoing Cost Savings

Online registration is already up and running and enjoying tremendous success in several states. The experience of those states demonstrates that online registration is feasible, can be accomplished at a reasonable cost, and pays for itself rapidly in increased efficiency and costs savings.

Arizona has been using online voter registration for seven years already,⁵⁹ and its success is inspiring a growing number of states to adopt the reform. Washington and Kansas also have online registration up and running, launched in January 2008⁶⁰ and July 2009 respectively.⁶¹ Louisiana,⁶² Colorado,⁶³ Oregon,⁶⁴ Indiana,⁶⁵ and Utah have all approved online systems in the past six months and expect to have their systems in place by 2010. California has authorized online registration as soon as its HAVA database is complete.⁶⁶ There have been virtually no technical problems in operating these systems,⁶⁷ and no security problems. After studying the issue in Colorado, and initial skeptic, state Senator Greg Brophy, endorsed online registration, declaring, “I am absolutely positive this is going to be not only secure, but a necessary step forward.”⁶⁸ The reform won the unanimous support of the Colorado State Senate.

Start-up costs for online registration are modest. Arizona established its pioneering system for less than \$100,000.⁶⁹ Washington spent \$279,000—\$170,000 at the state level and \$109,000 among counties.⁷⁰ And Kansas was able to build its system in-house, without any separate appropriation or use of federal funds.⁷¹ For systems currently under development, cost estimates range from \$217,000 in Oregon⁷² to \$400,000 in California.⁷³

As these states have found, online registration can be set up relatively quickly and inexpensively; developing an online system typically takes less than a year.⁷⁴ Once in place, online systems can be maintained with a minimum of effort and expenditure. In Washington, system maintenance and overhead cost \$22,000 annually.⁷⁵ Colorado expects its system to cost \$58,147 in its second year, primarily salary for one information technology employee.⁷⁶ And in Arizona, where an increasing proportion of all registration transactions now take place online, total maintenance and personnel costs are estimated at \$125,000.⁷⁷

These states’ experience suggests that these investments will quickly pay for themselves. In Maricopa County, Arizona (which includes Phoenix), processing an online registration costs an average of three cents, compared to 83 cents for each paper application.⁷⁸ As a result, online registration produces annual savings equivalent to the cost of eight full-time employees.⁷⁹ Similarly, Washington’s online system has produced over \$175,000 in savings for the state in its first year-and-a-half (\$54,000 for savings in processing forms and \$121,000 for savings generated by automating data transmission from the motor vehicles authorities), while registrants have saved over \$94,000 in postage.⁸⁰ The State Elections Director of Kansas similarly anticipates substantial savings by eliminating the costs associated with data entry error and cleanup.⁸¹

C. The Building Blocks for Online Registration Are Already in Place in Ohio

Ohio already has a computerized statewide voter registration database, the most important requirement for an online registration system. This database already shares information with the BMV database for the purpose of verifying voter registration information. In addition, voters are able to search a copy of the voter registration database online in order to confirm their registration status. Building an online registration system is simply a matter of tying these elements together; by doing so, Ohio can maximize its return on the investments it has already made.

CONCLUSION

Election reform is often a contentious issue. But the problems with our current voter registration system are so glaring, and common-sense solutions are so readily at hand, that there is a growing bipartisan consensus in favor of modernizing the system, using automatic and online registration, among other tools. Recently Robert Bauer and Trevor Potter, General Counsels for the Obama and McCain 2008 presidential campaigns, published a joint op-ed piece advocating for modernizing voter registration using automatic registration. “There is no excuse,” they wrote, “for letting more elections come and go without bringing our voter registration system into the 21st century.”⁸² Their appeal has been echoed by experts, election officials, policymakers, and observers across the country, on both sides of the aisle.⁸³ In August 2009, a bipartisan group of national political and election administration leaders launched a new Committee to Modernize Voter Registration to call for reform.⁸⁴ Editorial boards ranging from the *New York Times*, to the *Washington Times*, to the *Christian Science Monitor*, to the *Kansas City Star* have similarly called for modernizing the voter registration system.⁸⁵

Automatic and online registration are the way forward, and Ohio can and should show national leadership by taking the next steps to modernize its system. Ohio voters, election officials, and budgets will benefit.

NOTES

¹ See generally LAWRENCE NORDEN & JESSIE ALLEN, FINAL REPORT 2008-2009 OHIO ELECTION SUMMIT AND CONFERENCE (2009) [hereinafter “Election Summit Report”], available at <http://tinyurl.com/ccerau>.

² U.S. ELECTION ASSISTANCE COMM’N, IMPACT OF THE NATIONAL VOTER REGISTRATION ACT ON FEDERAL ELECTIONS, 2007-2008 42 (June 30, 2009), available at http://www.eac.gov/program-areas/research-resources-and-reports/completed-research-and-reports/program-areas/research-resources-and-reports/copy_of_docs/nvra-report-final_congress.pdf/attachment_download/file.

³ U.S. ELECTION ASSISTANCE COMM’N, IMPACT OF THE NATIONAL VOTER REGISTRATION ACT ON FEDERAL ELECTIONS, 2005-2006 30 (June 30, 2007), available at http://www.eac.gov/program-areas/research-resources-and-reports/copy_of_docs/the-impact-of-the-national-voter-registration-act-on-federal-elections-2005-2006/attachment_download/file.

⁴ See, e.g., SOCIAL SECURITY ADMIN., QUICK RESPONSE EVALUATION; ACCURACY OF THE HELP AMERICA VOTE ACT VERIFICATION PROGRAM RESPONSES 5 (June 2009), available at <http://www.ssa.gov/oig/ADOBEPDF/A-03-09-29115.pdf> (reporting failure rate of 31% when attempting to match voter information with Social Security Administration data); see also JUSTIN LEVITT, WENDY R. WEISER & ANA MUNOZ, MAKING THE LIST: DATABASE MATCHING AND VERIFICATION PROCESSES FOR VOTER REGISTRATION ii (2006), available at <http://tinyurl.com/66t6r8>.

⁵ See, e.g., Expert Decl. of Michael P. McDonald, *League of Women Voters of Fla. v. Browning*, No. 08-21243 (S.D. Fla. 2008).

⁶ See Affidavit of Matthew Damschroder, *Project Vote v. Blackwell*, No. 06-1628 (N.D. Oh. 2006).

⁷ Robert Vitale, *Elections Board Needs to Help to Pay Overtime Bills*, COLUMBUS DISPATCH, Nov. 18, 2004.

⁸ See Election Summit Report, *supra* note 1, at 22 & n. 34 (citations omitted).

⁹ Telephone interview of Matthew Damschroder by Wendy Weiser, August 2009 (on file with Brennan Center).

¹⁰ Election Summit Report, *supra* note 1, at 22 & n. 34 (citations omitted).

¹¹ See, e.g., *Washington Ass’n of Churches v. Reed*, No. 06-0726, Declaration of Andrew Borthwick (W.D. Wash. 2006).

¹² See, e.g., *Ohio Rep. Party v. Brunner*, 544 F.3d 711, 734 (6th Cir. 2008) (Moore, C.J., dissenting) (noting that between 72,750 and 145,500 Ohio voters could be at risk of disenfranchisement based on failed verification attempts); see also SOCIAL SECURITY ADMIN., *supra* note 4, at 5 (reporting failure rate of 31% when attempting to match voter information with Social Security Administration data).

¹³ See, e.g., Michael Powell & Peter Slevin, *Several Factors Contributed to ‘Lost’ Voters in Ohio*, WASH. POST, Dec. 15, 2004.

¹⁴ Ohio Sec. of State, Provisional Ballots: November 2, 2004, available at <http://www.sos.state.oh.us/SOS/Text.aspx?page=1240>.

¹⁵ Ohio Sec. of State, Provisional Ballots Statistics for November 4, 2008 General Election, available at <http://www.sos.state.oh.us/sos/upload/elections/2008/gen/provisionals.pdf>.

¹⁶ See Election Summit Report, *supra* note 1, at 24 & n. 42 (citations omitted).

¹⁷ ELECTION PROTECTION, 2008 POST-ELECTION PRELIMINARY ANALYSIS: OHIO 8 (2008).

¹⁸ ELECTION PROTECTION, SHATTERING THE MYTH: AN INITIAL SNAPSHOT OF VOTER DISFRANCHISEMENT IN THE 2004 ELECTIONS 21 (Dec. 2004), *available at* http://www.866ourvote.org/tools/publications_testimony/files/0002.pdf; ELECTION PROTECTION, REPORT ON THE LEGAL PROGRAM TO BOARD OF DIRECTORS AND TRUSTEES, STAFF, AND PRO BONO PARTNERS 32 (Dec. 2006), *available at* http://www.866ourvote.org/tools/publications_testimony/files/0003.pdf (reports from Franklin, Cuyahoga, and Hamilton Counties).

¹⁹ *Id.*

²⁰ *See Voter Registration: Assessing Current Problems: Hearing Before the H. Comm. on Rules & Admin.*, 111th Cong. 19 (Mar. 11, 2009) (testimony of Stephen Ansolabehere, Professor, Harvard University, *available at* <http://tinyurl.com/d6yp88>).

²¹ *See* Election Summit Report, *supra* note 1, at 24 & n. 44.

²² GREATER CLEVELAND VOTER COALITION, ANALYSES OF VOTER DISQUALIFICATION, CUYAHOGA COUNTY, OHIO, NOVEMBER 2004 5 (2006), *available at* http://www.clevelandvotes.org/news/reports/Analyses_Full_Report.pdf (annexed as Appendix 8 to Election Summit Report).

²³ *Id.*

²⁴ “Fatal Pending” is the status given to a record that is defective because it lacks full and accurate information. NORMAN ROBBINS, SUMMARY: FATAL PENDING REGISTRATIONS, CUYAHOGA COUNTY 2008 (annexed as Appendix 9 to Election Summit Report).

²⁵ *See* Election Summit Report, *supra* note 1, at 24 & n. 48.

²⁶ GREATER CLEVELAND VOTER COALITION, *supra* note 22.

²⁷ *Id.*; *see also* Election Summit Report, *supra* note 1, at 25 & n. 51.

²⁸ 42 U.S.C. §§1973gg-5.

²⁹ *Harkless v. Brunner*, 545 F.3d 445, 449 (6th Cir. 2008) (citing H.R. Rep. No. 103-66, at 19).

³⁰ *Id.* at 447.

³¹ 42 U.S.C. §§1973gg-3(d).

³² Election Summit Report, *supra* note 1, at 27.

³³ According to the Census Bureau, 73% of voting-age Ohio citizens were registered to vote in 2008, up from 72.3% in 2004, and 68.3% in 2000. CENSUS BUREAU, REPORTED VOTING AND REGISTRATION FOR TOTAL AND CITIZEN VOTING-AGE POPULATION BY STATE: PRESIDENTIAL ELECTIONS 1972-2008, *available at* <http://www.census.gov/hhes/www/socdemo/voting/publications/historical/index.html>.

³⁴ CENSUS BUREAU, REPORTED VOTING AND REGISTRATION OF THE VOTING-AGE POPULATION, BY SEX, RACE AND HISPANIC ORIGIN, FOR STATES: NOVEMBER 2008, *available at* <http://www.census.gov/hhes/www/socdemo/voting/publications/p20/2008/tables.html>.

³⁵ PROJECT VOTE, REGISTERING LOW-INCOME VOTERS THROUGH PUBLIC ASSISTANCE AGENCIES IN MISSOURI (2009), *available at* <http://www.projectvote.org/images/publications/NVRA/Missouri%20Case%20Study%20FINAL.pdf>.

³⁶ JENNIFER ROSENBERG WITH MARGARET CHEN, EXPANDING DEMOCRACY: VOTER REGISTRATION AROUND THE WORLD 3 (Brennan Center 2009), *available at* http://www.brennancenter.org/content/resource/expanding_democracy_voter_registration_around_the_world.

³⁷ *See id.*

³⁸ *Id.* at 6.

³⁹ *Id.* at 8; THE PEW CENTER ON THE STATES, BRINGING ELECTIONS INTO THE 21ST CENTURY: VOTER REGISTRATION MODERNIZATION (August 2009), *available at* http://www.pewcenteronthestates.org/uploadedFiles/Voter_Registration_Modernization_Brief_web.pdf.

⁴⁰ See Press Release, Del. Dept. of Transp., Electronic Voter Registration System Launched (Feb. 23, 2009), *reprinted in* ELAINE MANLOVE, 2009 PROFESSIONAL PRACTICES PROGRAM: E-SIGNATURE, THE BEST INNOVATION SINCE SLICED BREAD, at 5 (May 19, 2009), *available at* <http://www.electioncenter.org/publications/2009%20Papers/Delaware%20eSignature.pdf>.

⁴¹ M. Mindy Moretti, *Electronic Voter Registration System Launched in Delaware*, ELECTIONLINEWEEKLY, Electionline.org, Mar. 12, 2009, *reprinted id.* at 7-8 (quoting Howard G. Sholl, Jr., deputy administrative director for the Delaware Department of Elections, Newcastle County).

⁴² For a detailed description of the Selective Service's use of automatic registration and data-sharing and its implication for voter registration, see LAURA SEAGO, AUTOMATIC REGISTRATION IN THE UNITED STATES: THE SELECTIVE SERVICE EXAMPLE (Brennan Center 2009), *available at* http://www.brennancenter.org/content/resource/automatic_registration_in_the_united_states_the_selective_service_example/#about.

⁴³ 42 U.S.C. §§ 15483(a)(5)(B)(i) & 15483(a)(2)(A)(ii)(I).

⁴⁴ 42 U.S.C. §§ 1973gg(3)-(5).

⁴⁵ See generally SEAGO, *supra* note 42.

⁴⁶ CRIS-E is the shared database that is used by administrators of multiple social service programs, including the food stamps, TANF, Medicaid, and SCHIP programs.

⁴⁷ OHIO ADMIN. CODE 5101:1-1-50 (2009). Recipients of Medicaid must further submit documentary proof of citizenship.

⁴⁸ See THE PEW CENTER ON THE STATES, *supra* note 39, at 3; Telephone interview by Wendy Weiser with Elaine Manlove, Delaware Department of Elections Commissioner (July 23, 2009) (on file with the Brennan Center).

⁴⁹ E-mail from David Motz, Election Information Services Manager, Office of the Washington Secretary of State (Oct. 16, 2009) (on file with Brennan Center).

⁵⁰ JENNIFER ROSENBERG WITH MARGARET CHEN, *supra* note 36, at 8.

⁵¹ See THE PEW CENTER ON THE STATES, *supra* note 39, at 2.

⁵² See IMPACT OF THE NATIONAL VOTER REGISTRATION ACT ON FEDERAL ELECTIONS, 2007-2008, *supra* note 2, at 23.

⁵³ Nationwide, 71% of all age-eligible citizens were registered in 2008, but only 58% of the 18-24 age group. CENSUS BUREAU, REPORTED VOTING AND REGISTRATION BY RACE, HISPANIC ORIGIN, SEX, AND AGE GROUPS: NOVEMBER 1964 TO 2008, *available at* <http://www.census.gov/hhes/www/socdemo/voting/publications/historical/index.html>.

⁵⁴ OFFICE OF THE ARIZONA SECRETARY OF STATE, ARIZONA'S ELECTRONIC VOTER REGISTRATION PROGRAM (EZ VOTER) 19-20 (updated Aug. 19, 2009) (on file with the Brennan Center) [hereinafter "Arizona Summary"].

⁵⁵ *Id.* at 22.

⁵⁶ OFFICE OF THE WASHINGTON SECRETARY OF STATE, WASHINGTON STATE ONLINE VOTER REGISTRATION 6 (updated Jan. 2009) [hereinafter “Washington OVR Packet”], *available at* http://nass.org/index2.php?option=com_docman&task=doc_view&gid=632&Itemid=99999999.

⁵⁷ *Modernizing the Election Registration Process: Hearing on H.R. 1719 Before the Subcomm. on Elections of the H. Comm. on House Admin.*, 111th Cong. (Oct. 21, 2009) (statement of Katie Blinn, Assistant Director of Elections, Washington State Secretary of State).

⁵⁸ NAT’L RESEARCH COUNCIL OF THE NAT’L ACADEMIES, IMPROVING STATE VOTER REGISTRATION DATABASES, M-45, Appendix C (Oct. 21, 2009).

⁵⁹ Arizona Summary, *supra* note 54, at 1.

⁶⁰ H.B. 1528, 60th Leg., Reg. Sess. (Wash. 2007), *available at* <http://apps.leg.wa.gov/billinfo/summary.aspx?bill=1528&year=2007>.

⁶¹ E-mail from Brad Bryant, State Elections Director, Office of the Secretary of State, Kansas (Oct. 10, 2009) (on file with Brennan Center) [hereinafter “E-mail from Brad Bryant”].

⁶² H.B. 520, 2009 Leg., Reg. Sess. (La. 2009), *available at* <http://www.legis.state.la.us/billdata/byinst.asp?sessionid=09rs&billtype=HB&billno=520>.

⁶³ H.B. 09-1160, 67th Gen. Assem., Reg. Sess. (Colo. 2009), *available at* http://www.leg.state.co.us/clics/clics2009a/csl.nsf/fsbillcont3/2C915DDDB8F987AD8725753C00719C62?open&file=1160_enr.pdf.

⁶⁴ H.B. 2386, 75th Leg. Assem., Reg. Sess., (Or. 2009), *available at* <http://www.leg.state.or.us/09reg/measpdf/hb2300.dir/hb2386.a.pdf>.

⁶⁵ H.B. 1346, 116th Gen. Assem., 1st Sess. (Ind. 2009), *available at* <http://www.in.gov/legislative/bills/2009/HE/HE1346.1.html>.

⁶⁶ S.B. 381, 2007-2008 Sen., Reg. Sess. (Cal. 2008), *available at* http://www.leginfo.ca.gov/pub/07-08/bill/sen/sb_0351-0400/sb_381_bill_20080830_enrolled.pdf.

⁶⁷ The only technical problems of which we are aware are two instances in which a system could not be accessed as a result of too much traffic.

⁶⁸ Charles Ashby, *State Senate OKs Online Voter Registration Bill*, THE PUEBLO CHIEFTAIN (Colorado), Apr. 25, 2009.

⁶⁹ Arizona Summary, *supra* note 54, at 17.

⁷⁰ Washington OVR Packet, *supra* note 56, at 6.

⁷¹ E-mail from Brad Bryant, State Election Director, Kansas Secretary of State (Oct. 20 2009) (on file with Brennan Center).

⁷² Oregon Legislative Fiscal Office, Fiscal Note to H.B. 2386 (May 18, 2009), *available at* <http://www.leg.state.or.us/comm/sms/fis09/fhb2386b05-18-2009.pdf>.

⁷³ Office of Senate Floor Analyses, Bill Analysis, S.B. 381 (Aug. 23, 2008), *available at* http://www.leginfo.ca.gov/pub/07-08/bill/sen/sb_0351-0400/sb_381_cfa_20080823_110553_sen_floor.html.

⁷⁴ Washington State, for example, authorized its online registration system in April 2007 and introduced it in January 2008. *See* 2007 Wash. Sess. Laws Ch. 157 (H.B. 1528). Louisiana’s system, authorized in June 2009, will be online in April 2010, while Oregon’s, authorized in August 2009, will be introduced in March 2010. *See* 2009 La. Act No. 187 (H.B. 520); 2009 Or. Laws Ch. 914 (H.B. 2386). Utah, which authorized its system in May 2009, expects to introduce it in February or March of 2010, if not earlier. Telephone Interview with Mark Thomas, Office Administrator for Elections, Candidate Filings, and Financial Disclosure, Utah (Oct. 26, 2009).

⁷⁵ E-mail from David Motz, *supra* note 49.

⁷⁶ Colorado Legislative Council Staff, Fiscal Note to H.B. 09-1160 (Feb. 3, 2009).

⁷⁷ Arizona Summary, *supra* note 54, at 18.

⁷⁸ THE PEW CENTER ON THE STATES, *supra* note 39, at 3.

⁷⁹ Arizona Summary, *supra* note 54, at 21.

⁸⁰ E-mail from David Motz, *supra* note 49; E-mail from David Motz, Election Information Services Manager, Office of the Secretary of State, Washington (Oct. 20, 2009) (on file with Brennan Center) (regarding savings to voters).

⁸¹ E-mail from Brad Bryant, *supra* note 61.

⁸² Robert Bauer & Trevor Potter, *A New Page for Voting: It's Time to Ditch Paper-Based Registration*, WASH. POST, June 25, 2009.

⁸³ See, e.g., John Tanner, *Automatic Registration Is the Way to Go*, INDIANAPOLIS STAR, July 19, 2009 (op-ed by former chief of the Voting Section of the U.S. Department of Justice); Ken Blackwell, *Time for a Big Overhaul: Reform Could Help Rid System of Manipulators*, WASH. TIMES, Oct. 5, 2009. Additional supporters of modernizing the voter registration system are collected at http://www.brennancenter.org/content/pages/voter_registration_modernization_support.

⁸⁴ See <http://www.modernizeregistration.org>.

⁸⁵ For a catalog of editorials and news stories in favor of modernizing the voter registration system, see http://www.brennancenter.org/content/pages/voter_registration_modernization_news.