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Automatic and Permanent Voter Registration: How It Works

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INTRODUCTION

The voter registration systems in much of our country are not up to par. One in four eligible citizens is not on the voter rolls, and one in eight registration records is invalid or has serious errors, according to the Pew Center on the States.¹ The source of the problem? Outdated systems using outdated technology. Despite the ubiquity of computers in modern life, too many states still rely on ink and paper for voter registration.

Fortunately, there is a solution with the potential to clean up the rolls, save states money, and enfranchise voters. If states take a few simple steps to modernize voter registration, we can sign up as many as 50 million more eligible citizens and dramatically improve the accuracy of the rolls.² Over the past decade, many states have adopted the key components of modern voter registration, and in 2015, California and Oregon enacted breakthrough laws to automatically register voters when they interact with motor vehicle agencies.³ These are tremendous steps in the right direction. If we continue along this path, the country is headed toward transformative reform.

WHY WE NEED TO MODERNIZE VOTER REGISTRATION

The aim of a voter registration system is to collect and record accurate information concerning every one of the more than 200 million eligible Americans who may wish to participate in elections.⁴ The resulting voter rolls are critical to our democracy, since in every state but one they are the gateway to voting.⁵ At a time when we deposit checks on our smartphones and push a button to start our cars, it should be unthinkable to build such massive and important lists using paper. And at a time when government agencies already create and maintain reliable computerized records for most American citizens, it defies common sense for the government to rely on millions of citizens to mail in or deliver paper forms in order to build the voter rolls.

A paper-based system inevitably leads to gaps and errors. Voters might not find registration forms or may fill in the information incorrectly. Officials may introduce typos or other mistakes as they decipher often illegible handwriting and then type in registration information from thousands of forms. Papers may be lost or damaged when transferred from office to office or by mail. And when voters move or their information or eligibility changes, their registration records may not be updated.

Error-laden voter rolls hurt election management and create confusion at the polls. Election officials rely on the voter rolls to manage elections. If the information is not reliable, election administration suffers. If registration addresses are incorrect, for example, then affected voters will not receive election mailings, including notices of polling place locations, and they might be listed on the rolls at the wrong polling place. When they show up at the correct polling place for their current address, their names will not be found on the rolls. Then officials must search through error-laden lists for names, identify alternate polling place addresses, and then process provisional ballots for affected voters. Too often, these steps lead to long lines.

These problems can disenfranchise voters. Too many voters who face long lines leave without casting a ballot. And voters whose registration records are not found too often are turned away or do not have their ballots counted. A Caltech/MIT study found that in 2008, approximately 3 million people tried to vote but could not because of registration problems,⁶ and millions more were thwarted by other issues. Data from 2012 similarly demonstrates that millions of voters experienced registration problems at the polls.⁷ Inaccurate voter rolls can also create the perception that the system is vulnerable to fraud, undermining the public's confidence in our voting system.

THE WAY FORWARD

America can do better. Thanks to technological advances, government officials now have the tools to ensure that all eligible citizens — and only eligible citizens — who wish to be registered are signed up, have accurate records, and stay registered throughout their lives. When the government can ensure complete and accurate voter rolls, it ought to do so. Moving the work of voter registration from individuals to government is a paradigm shift that puts the task where it belongs. When an eligible citizen takes responsibility to vote, the government should take responsibility to ensure that she is on the list and her vote counts. By making this shift, we can move away from a messy system rife with pitfalls for voters and election officials alike, and toward a more streamlined and accurate system.

The ultimate goal of reform is universal voter registration, where every eligible voter is on the rolls, only eligible voters are on the rolls, and the government takes responsibility to build the rolls and automatically updates voters' records where possible. To achieve this goal, states must take concrete steps to modernize their voter registration systems. A fully modern system has the following features:

- 1.) **Automatic Registration:** State election officials automatically register all eligible citizens who interact with government offices, using reliable information from those government lists. All are given the chance to decline registration — nobody is registered against their will. Many states have already taken one important step in this direction: adopting electronic, paperless, and seamless registration at agencies, and reaping substantial benefits. Automatic registration takes this one step further by shifting the onus of voter registration to the government.
- 2.) **Portability:** Once an eligible citizen is on a state's voter rolls, she remains registered and her records move with her.
- 3.) **Online Access:** Voters can register, check, and update their registration records through a secure and accessible online portal.
- 4.) **Safety Net:** Eligible citizens can correct errors on the voter rolls or register before and on Election Day.

PROGRESS IN THE STATES

We know these reforms are achievable and effective. All of them are already being used or are in the process of being implemented in the states. Indeed, momentum for reform has been accelerating in recent years. Today, 33 states have adopted online registration, 31 have passed laws to make the voter registration process at motor vehicle offices at least partially electronic, and 23 already, or soon will, do both.⁸ In contrast, prior to 2010 — just five years ago — only four states allowed voters to register online, and 20 had made the process fully or partially paperless at DMVs.⁹ Ten years ago, only one state had online registration, and 11 states had some form of electronic registration.¹⁰ Similarly, today, the number of states that allow voters to register and vote on the same day is 15, more than double the number 10 years ago (seven).¹¹ In 2015 alone, eight states took steps to modernize registration through automatic registration, electronic registration, online registration, and same-day registration.¹²

Notably, there is broad bipartisan support for modernization, and many of those new laws passed on a bipartisan basis in the states. At the national level, the bipartisan Presidential Commission on Election Administration's 2014 recommendations on how best to fix our voting system included as its top recommendation a call for states to adopt electronic and online voter registration.¹³ The Commission was co-chaired by the former lead campaign lawyers for Barack Obama and Mitt Romney.¹⁴

Automatic registration now has real momentum. In 2015, California¹⁵ and Oregon¹⁶ both enacted laws that will automatically register voters when they interact with motor vehicle agencies. New Jersey’s legislature passed an automatic registration bill, and a total of 27 states and Washington, D.C. are considering measures in 2016 that would automatically register citizens who interact with motor vehicle offices, and ensure that voter information is electronically and securely sent to the voter rolls.¹⁷ Nationally, two major presidential candidates have called for automatic registration and a number of bills have been introduced in Congress to implement automatic registration nationwide.¹⁸

Ideally, a fully modern system would incorporate all four of these features. Nonetheless, each incremental step has a significant impact.

THE PATH TO UNIVERSAL REGISTRATION

1.) Automatic Registration

For states that have the capacity to implement it, automatic registration is the best way to leverage citizens’ interactions with government agencies to ensure that all eligible voters are registered to vote and registered accurately.

Q: What is automatic registration?

Automatic registration is a system in which the government takes responsibility for registering voters, using reliable information from other government lists. It has two main features: (1) it is paperless and seamless for voters when they interact with participating government agencies, and (2) it presumes that all eligible citizens should be registered, while allowing those who do not wish to be, or shouldn’t be, registered to stay off the rolls. The first feature is also called electronic voter registration, and it involves upgrading to modern computer list and data sharing technology.

The second feature is merely a shift in presumption, but a significant one. Currently, an individual is not registered to vote unless he takes affirmative steps to get himself on the rolls — find a voter registration form, fill it out, and submit it to an appropriate government agency. The default status is unregistered. Automatic registration switches that default, so that an individual who meets all necessary qualifications to vote will be registered unless he declines registration, or “opts out.” Automatic registration is *not* compulsory registration — citizens always have the option of declining registration. But those who do not decline can expect that they will be registered and their registrations will be kept up to date by using the reliable data they provide to other government agencies.

Q: How does automatic registration work?

Every time an eligible citizen signs up for or renews services with a designated government office — and every time she moves and updates her records — she is notified that she will also be automatically registered to vote unless she does not wish to be registered. No separate process or paper form is required, though the citizen may be asked to swear to her eligibility. After she finishes her transaction with the government office, if she does not decline registration, her voter registration information — name, address, birth date, citizenship, and other selected information — is electronically and securely sent from that office to the appropriate elections office in a form that can be added to the voter rolls. Election officials then review the information to ensure that she is eligible to vote and, if she is, her information is added to the voter rolls without any additional paper or data entry. If she is already registered, officials update her voter registration record. The whole process is seamless and paperless for voters and government officials alike.

Q: What are the benefits of automatic registration?

Automatic registration is better for voters and for election officials. For voters, automatic registration offers convenience and an opportunity to participate in the political process. When a voter provides all the information necessary for voter registration to a government agency, she will no longer have to obtain, fill out, and submit a separate form with the same information to get on the rolls or to update her registration. If the voter moves, she will no longer have to remember to update her registration. The improved process could add up to 50 million eligible new voters to the rolls. Automatic registration also reduces the risk that these voters will experience problems with their registrations, including the typos and other glitches that could keep them from casting a ballot.

For election officials, automatic registration would streamline their administrative process and increase the accuracy and security of the voter rolls. Officials managing the rolls would no longer have to handle reams of paper forms, decipher handwriting, and spend thousands of hours each election cycle entering voter registration information into their database. And they would no longer have to deal with the consequences. Our research shows that electronic registration dramatically improves the accuracy and security of voter registration.¹⁹ Automatic registration is only now being implemented for the first time, but because it is “electronic registration plus,” it is expected to yield the same benefits, plus increased registration. States also stand to save hundreds of thousands of dollars each year by reducing the amount of paper forms passing through election officials’ hands, which would likewise happen under automatic registration.²⁰

Q: Is it hard to move to automatic registration?

Not at all. While the benefits of automatic registration are dramatic, the mechanism to implement it is quite straightforward. This is because automatic registration builds on technology and systems currently in place.

The building blocks of automatic registration include:

- **Motor Voter:** Under the federal Motor Voter law,²¹ a variety of state agencies, including driver’s license offices, are already required to provide voter registration opportunities when eligible citizens apply for or renew services. Most of these agencies already collect all the information needed to register — name, address, age, citizenship status, and signature.
- **Computerized Voter Lists:** As a result of a federal law passed in 2002,²² every state (except for California²³) now has its voter rolls on a computerized statewide voter registration database. These databases are already linked to state motor vehicle databases, and they are capable of syncing up to databases at other government agencies as well.
- **Electronic Registration:** A growing number of driver’s license and other government agencies have recently taken a big step toward automatic registration by implementing electronic registration.²⁴ Under electronic registration, an agency electronically transfers a voter’s registration information to the appropriate elections office, without paper forms or snail mail. Agencies with electronic registration can quickly and securely get registration information to election officials. As of 2016, 29 states electronically transfer information from DMVs to election officials, and three states have expanded this to other voter registration agencies.²⁵

With these three building blocks in place, automatic registration is only a short step away — and indeed the next logical step.

Q: Who would be registered to vote under automatic registration?

Under automatic registration, only eligible citizens who interact with selected government agencies and do not decline registration would be signed up to vote.

Q: Which government agencies would register voters?

Ideally, automatic registration would be available to eligible citizens at the following agencies:

- DMVs;
- Health benefits offices;
- Public assistance offices;
- Military recruiters and other military offices;
- Unemployment benefit offices;
- Firearm licensing agencies;
- Colleges and, as appropriate, high schools;
- Law enforcement, corrections, and other agencies that interact with people who regain their voting rights after a criminal conviction;
- Government offices providing job training and placement services;
- Naturalization offices; and
- Other offices designated by a state.

To achieve universal voter registration, the agency registration system must reach as many eligible citizens as possible. To ensure the integrity of the rolls, the participating agencies must collect reliable information, including the core information about voting eligibility — citizenship, age, and residence. Accurate citizenship information is especially critical, since many agencies serve both citizens and non-citizens.

The natural first candidates for automatic registration are those agencies that are already required by law to offer voter registration services to citizens — motor vehicle offices, public assistance agencies, agencies that provide services to people with disabilities, and military recruitment offices. Many of those agencies already collect citizenship information as part of their ordinary business — and many even maintain records of citizenship documents.²⁶ Those that do not still collect citizenship information from citizens who wish to register to vote under the current system.

Additional databases should be used to supplement. For example, Social Security benefits and Medicare lists can be used to reach older non-drivers or individuals with disabilities who do not qualify for public assistance. Naturalization lists are the best way to reach new citizens. And health care and school lists are a great way to reach many young people who are currently left out of the system. This could bring in many who have traditionally had the least access to voter registration.

An agency's ability to responsibly register voters automatically is only as good as its recordkeeping. If the agency's existing database has inaccurate or incomplete information, care is needed to ensure that automatic registration applies only to new transactions and does not pull in pre-existing records. If, as with Oregon's department of motor vehicles,²⁷ the agency maintains reliable information, including especially reliable citizenship information, then automatic registration can also be used for existing records.

Q: Will agencies register only citizens who show up after automatic registration becomes law, or also citizens who are already on their lists?

Ideally, an automatic registration system would do both. It would prospectively register eligible citizens who come in after automatic registration is law, and it would also register eligible citizens who already have records on file because of prior interactions with the agency.

Automatically registering citizens is a straightforward process at the time they interact with government offices. It is a natural extension of already existing registration processes — collecting the same information and including information to confirm eligibility and signatures from prospective voters at many of the same agencies already required to provide voter registration opportunities. It improves upon these existing processes by ensuring that every citizen will be registered unless she declines to do so, and that the process will be seamless and paperless.

To ensure the broadest access to registration, a system should automatically sign up voters who previously interacted with a government office and have pre-existing records with that office. However, registering voters based on prior records should only happen at agencies that already have trustworthy information regarding voter eligibility, including citizenship status. For example, Oregon is in the process of implementing automatic voter registration at its DMVs, including for citizens with existing records at the DMV, because the agency has collected reliable citizenship and other relevant information from citizens for years.²⁸ If an agency's records are reliable only after a certain date, then it is best to limit automatic registration to individuals whose records were created or updated after that date. It is also critical for states to ensure that those who do not want to be registered have an easy way to opt out of registration, as discussed more below.

Q: How can we ensure that individuals who aren't eligible to vote don't get registered?

Some people with records at, for example, their state's motor vehicle agency may not be eligible to register and vote. This could be because they are not U.S. citizens, because they are under 18 years old, or because they have temporarily or permanently lost the right to vote due to a past criminal conviction. Any system of voter registration should guard against ineligible people becoming registered. Fortunately, automatic registration systems will be better than paper-based systems at ensuring that only eligible citizens are signed up. There are multiple ways to keep ineligible voters off the rolls in a state with automatic registration.

- **People Under 18.** Because state agencies already collect date of birth, it is easy to automatically register citizens only once they are old enough to vote, and to exclude those who are not. Ideally, government agencies would also forward the records of citizens who are under 18, and election officials would automatically register those citizens when they turn 18. Twenty-one states plus the District of Columbia currently let citizens under 18 pre-register to vote.²⁹
- **Non-Citizens.** The most appropriate agencies for automatic registration are those that already collect reliable citizenship information. In those instances, automatic registration is a simple matter of transferring only the records of citizens from an agency to an election office. The agency's already vetted information will form the basis for voter registration records and updates. And during the sign-up process, the government will provide people with notice of voter eligibility requirements and that they are being registered to vote, along with the opportunity to decline registration for any reason, including because they are not eligible. To be clear, automatic registration does not require that state agencies begin collecting citizenship information if they do not already do so. As a state moves toward automatic registration, it should explore which of its agencies already require and store citizenship information and what tweaks, if any, are needed to use this already-collected information to register voters.

- **People Disenfranchised Due to Criminal Conviction.** The current system provides two safeguards against the registration of people disenfranchised due to criminal conviction: regular culling of the lists by election officials who receive lists from law enforcement and criminal justice agencies — the most important and effective method — and registrants’ affirmations of eligibility. (Most state agencies have no information concerning voter ineligibility due to criminal convictions.) Both of these safeguards will still be in place in an automatic registration system.
- **Additional Safeguards.** As in the current system, in a system of automatic registration, election officials will continue to review prospective registrations for eligibility and errors, adding a human check against erroneous registrations (for example, voters who have passed away but remain in government databases). Another way to ensure that ineligible people are not registered is through the process of offering people the opportunity to opt out of registration, discussed in detail below. When a state provides the necessary opt-out opportunity, it should provide clear notice of the state’s eligibility criteria and state that those who are ineligible to vote should decline registration. The information collected for automatic registration, including the decision to opt out, should be used for voter registration purposes only. And laws should include effective safe harbor provisions to protect people who may be registered by accident against negative legal consequences. Regular audits of the system can help identify and prevent any problems from arising.

A well-designed automatic registration system will do a better job of keeping ineligible voters off the rolls than our current system. Under the current system, ineligible people have many opportunities to accidentally register to vote, even if the rate of ineligible voting is low. A modern system will be more secure and reduce errors of all types throughout the registration process, including improper registrations. Putting the onus of registering voters on government agencies that already collect eligibility information, including citizenship information, is far more likely to result in accurate rolls. And election officials will continue to review prospective registrations and prune the voter rolls.

Q: What if someone does not want to be registered to vote?

They can always decline. Any system of automatic registration must afford individuals an easy and cost-free way to decline or “opt out” of registration. One simple method is to provide the opportunity to opt out when an individual signs up for or renews a service at the government agency. States, of course, may establish other ways to opt out, including by a mailed form designed especially for the purpose of enabling people to decline registration and by the online voter registration system.

Any opt-out opportunity should clearly state the state’s voter eligibility requirements and that those who are ineligible should decline registration. It should also clearly explain how to opt out. When a state provides opt-out opportunities through a form mailed to prospective registrants, it should allow a sufficient amount of time for individuals who may wish to remain unregistered to return the opt-out form without being added to the rolls.

Q: How do voters choose a party in an automatic registration system?

States have a number of options for deciding how to give voters a chance to pick a political party when registering voters automatically. In states that provide the opportunity to opt out at the point of service—in other words, when an individual signs up for or renews a service—states can pretty much use whatever method was used under the old system of registration. In most instances, that means the voter will be asked during the application process what, if any, political party would they like to select. If states use another method, such as a mailed opt-out form, the choice to pick a political party can be included on that form. This form should include language that explains clearly the rules and consequences of party affiliation. States with closed primaries—in which only voters affiliated with the party may participate—should consider shortening the deadline to affiliate with a party in advance of a primary, including allowing affiliation on Election Day.

Of course, other state-specific rules—for example, laws requiring that parties maintain a certain percentage of the electorate to retain their status—can be modified as needed to ensure voters have the opportunity to affiliate with minor parties.

Q: What about someone who's already registered to vote? Would they be re-registered under automatic registration?

No. When a person gives their information to a government agency under automatic registration, the agency will either update an existing record for someone already signed up to vote or create a new record for someone not registered. States already have to avoid creating duplicate registrations — for example, when someone moves and registers to vote without canceling their old registration. Many states have effective ways to address duplicate registrations, and these processes can be equally used in automatic registration systems. Upgrading to electronic systems enables a state to better identify potential duplicate records and to use the most recent and up-to-date information for the list.

When mistakes occur, a modern registration system is better at correcting them since it provides voters with the opportunity to correct errors both online and at the polls when voting. To minimize the risk of harm to voters from any errors in the process of updating records, states should send forwardable notices of changes to voters at their old record addresses.

Q: What about voters whose registration information is kept private, such as domestic violence survivors? How would their privacy be protected under automatic registration?

Automatic registration can and should be implemented to give full force to existing state laws shielding from public disclosure information belonging to people in certain protected groups, like domestic violence survivors, peace officers, and judges. Under the current system, states are already required to handle these privacy concerns, and they have developed a variety of ways to do so, such as by making privacy notations in government agency records, programming the voter registration database to not publish certain private records, or removing from the list residential addresses for certain people. Automatic registration should not disturb any of these critical processes — and can even enhance them. Any privacy notations in agency records should be transmitted with the other voter registration information to enable officials to follow appropriate privacy protocols. Computerizing the process can ensure that the appropriate privacy safeguards are automatically put in place for every affected person.

Q: How do we inform voters about a new automatic registration system?

Election officials should take every opportunity available to give their voters information about how to participate in our democracy, including information about automatic registration. These officials could use, among other tools, mailings, outreach to specific community groups, posters in government agencies, and explanations on state and county election websites. The public education should cover any issues of interest and concern, while making people excited about the idea of registering and voting.

Q: Does automatic registration create a risk of hacking the voter rolls?

States already have computerized voter registration databases that are accessible to election officials across the state, and so there already is a need for them to employ security measures against hacking and misuse of information. Automatic registration systems can and should be built to enhance security.

When designed properly, automatic registration systems, like electronic registration systems, will not increase the risk to the privacy or security of Americans' information. Basic systems and protocols to protect information that is transmitted from one database to another are widely in use across our economy and government. The best practices from these sectors should be incorporated into the design of a system of

automatic or electronic registration. Common sense protocols include limiting the number of authorized users who can access voter registration records, monitoring for anomalies in volume and sources of records, and designing the system to withstand potential breaches. These should be supplemented with penalties for violations and misuse of private information. Keeping a paper backup of the rolls is another important safeguard to cabin the harm that hacking could do to a registration database.

It is worth emphasizing that automatic registration is completely unrelated to online voting or elections. There may be certain incentives to hack into an online voting system because doing so might give the hacker the ability to change the outcome of the election. Those incentives do not exist for hacking an automatic registration system because it would not alter an election outcome, any changes would be easily detected, and registration information is publicly available anyway.

2.) Portable Registration

According to the Pew Center on the States, 24 million voter registration records are out of date.³⁰ Our traditional registration systems are not keeping up with Americans' mobility. According to the Census Bureau, 1 in 9 people move each year; for young Americans under 34, the number is more than 1 in 4.³¹ We need a registration system that can handle these frequent changes and ensure that Americans stay registered when they move. The impact of this change could be considerable: A 2002 Harvard study found that 1 in 3 Americans who are not registered is a formerly registered voter who moved.³²

Q: What is portable registration?

Portable registration means that once somebody registers to vote, that person stays registered when she moves within the state, without having to “re-register” at her new address. It allows voters to update their addresses with a state agency — like the DMV or a social service agency — when they relocate, and then syncs those updates with the voter rolls.

Making registration portable cuts down on two big problems: inaccurate and out-of-date registrations and voters falling off the rolls when they move. Put in positive terms, it increases voter registration rates and makes the rolls more accurate, benefiting voters and election administrators, and curbing the potential for fraud.

Q: How is portable registration accomplished?

In order to make registration portable, we need procedures in place that update voters' addresses regularly or ensure voters can cast a ballot that counts on Election Day, even if they have not updated their addresses before going to the polls. Automatic and online registration provide easy mechanisms for voter addresses to be updated more frequently than before, and therefore go a long way toward reducing out-of-date registration addresses. States can also use postal service data to help update addresses, though their processes should account for any deficiencies in postal service data. Even with these processes in place, some address updates will be missed, and so there also needs to be an Election Day mechanism for updating addresses to ensure full statewide portability. Most states that offer statewide portable registration use one of two Election Day practices: (1) same-day registration, in which voters can submit address changes at the polling place when they go to vote on Election Day, or (2) provisional ballots for voters who have moved, which include a space on the provisional ballot envelope for voters to provide an updated address, and which are counted unless the voter is found ineligible. In both cases, the address changes should be reflected on the voter list for future elections.

Q: Does portability increase the risk that someone will register or vote twice?

No. Frequent address updates will actually reduce the possibility of double voting because it will eliminate move-related re-registrations, which cause voters to have more than one registration record. For individuals who update their addresses on Election Day, states currently successfully prevent double voting using several methods, including verifying and updating the statewide computerized database before the individual votes, or using provisional ballots that can be verified after Election Day. Existing criminal laws will continue to prohibit anyone from voting more than once.

3.) Online Registration

Online voter registration lets eligible citizens register to vote, update their registrations, or view their voter information over the internet — just as they can go online to access their bank accounts, pay their taxes, and transact other aspects of their daily lives. A rapidly growing number of states already use online voter registration. Studies show that online registration saves money and increases accuracy over paper registration.³³ For example, the cost of processing an online registration application in Colorado is estimated to be one-quarter the cost of processing a paper application.³⁴ Moreover, there is consensus among election administrators that online registration significantly reduces the number of mistakes, because voters enter their own information, and prevents voters from submitting incomplete applications.³⁵ This reform is wildly popular among citizens as well as among policymakers across political lines; both Republican and Democratic-controlled legislatures have passed online registration bills, and governors of both parties have signed them into law.³⁶

Q: How does online registration work?

An unregistered American who wants to register to vote, or an already-registered voter who wants to update her registration record, can do so over the internet by using an electronic form available on a state website. The person provides all of the same information — name, age, address, and other eligibility information — as she would using a paper form. The voter’s signature can be provided in several ways — including by the state pulling the voter’s digital signature from their record in the state’s motor vehicle or other state database, by an electronic mark provided during the online registration process, or by asking the voter to provide a signature at the polls the first time she votes after registering online.

Q: Is it secure?

Yes. Thirty-one states are already using or will soon use online registration — a testament to officials’ confidence in the system’s reliability.³⁷ In several states, online registration has been in place for years, and no security problems have arisen. With respect to preventing fraudulent registrations, states can verify the identity of people registering to vote online using all the same tools they would for a paper registration. With respect to safeguarding personal information, states use a variety of different measures, including websites that “time out” after a period of inactivity, “CAPTCHA” tests that require people using the system to type in words or numbers to foil automated attacks on the system, and computer programs to monitor suspicious activity.³⁸ With respect to hacking, the same security measures described above for automatic registration would protect against breaches of security through the online system.

Q. Who can use online registration?

All eligible voters should be able to register online. In most states that currently have online registration, the system is limited to those who have driver’s licenses or non-driver’s state ID cards.³⁹ In those cases, voters provide their driver’s license or non-driver’s ID number, and their signatures and other voter registration information are pulled from their DMV records and transmitted to election officials. The ideal system, however, is one that is fully accessible for all eligible voters, including those without motor vehicle IDs and those with visual impairments or other disabilities. Some states have successfully expanded online access beyond driver’s license holders. Delaware, Minnesota, and Missouri offer different options for accessing the

online registration system.⁴⁰ Minnesota’s system, which accepts a typed signature for the purposes of voter registration, allows citizens to use their DMV ID number *or* the last four digits of their Social Security number. Similarly, in Delaware, voters’ signatures are transferred from the information on file with the DMV or the elections bureau, and voters without a signature on file can cut and paste their own digital signature into the form or provide their signature at the polls. Missouri’s online registration system requires neither a DMV ID number nor a Social Security number. Instead, voters complete their online registrations by providing their signatures on their touchscreen devices.

Q. What other functions should online registration systems include?

Existing online registration systems should add features to increase their usefulness and reduce administrative burdens. For example, while many online registration systems allow voters to update their addresses and party affiliations, and look up their polling places, some do not and should add those features.⁴¹ In addition, few systems allow voters to update their names or to cancel their registrations (an additional fail-safe in the unlikely event someone is inadvertently registered) — though all should. Additionally, online systems should be available in languages other than English and be accessible to people with disabilities — for instance by ensuring compatibility with screen readers, which turn website text into speech.

4.) Safety Net

A government mistake should not keep citizens from voting. A modern voter registration system should include some kind of safety net to ensure that voters who take the responsibility to show up at the polls to vote are not prevented from voting because of a registration problem.

Q. Why have an Election Day safety net?

Voting is too important to not have a fail-safe for when things go wrong. Even with the best registration procedures before Election Day, some problems are bound to occur. If an eligible citizen shows up to vote and encounters a registration record problem, there should be some way for the voter to correct the record and cast a ballot that will count. Fortunately, if the steps to modernize voter registration outlined above are taken, this fail-safe will be needed only infrequently.

Q. How does a safety net work?

A safety net provides a convenient way for a voter with a registration problem to get it corrected on Election Day. The most popular and effective safety net, adopted already in 15 states, is same-day and Election Day registration.⁴² Under same-day and Election Day registration, eligible voters can register and vote during early voting or on Election Day. Detailed information about how to best implement same-day and Election Day registration is available from the nonpartisan organization Demos.⁴³ Other states, such as Vermont for example, offer a safety net through a process that allows a citizen who appears at the polls to affirm she should be registered, then to correct any error or omission on the voter rolls, and to cast a ballot that counts. (Vermont is now slated to implement same-day registration for 2017).⁴⁴ In either case, the safety net ensures that government mistakes do not prevent eligible voters from casting a ballot.

Q: Will a safety net at the polls mean additional costs?

Minimal, if any. Most states that already offer a safety net have been able to do so with little additional staff time and resources, using existing voting sites, poll workers, poll books, and election materials. Wisconsin’s nonpartisan Government Accountability Board estimated in 2013 that eliminating Election Day registration in that state would likely not save the state any money because any savings from fewer Election Day processes would be offset by increased processing of amended registrations and provisional ballots.⁴⁵

Research by Demos demonstrates that Iowa and North Carolina both implemented same-day registration with little cost.⁴⁶

Q. What is the point of having voters register in advance if a safety net allows all voters to participate on Election Day?

Most voters in states with same-day and Election Day registration still choose to register in advance of the election. Advance registration ensures that voters will receive advance information about the election, such as the date and locations of the voters' assigned polling places, and possibly outreach by candidates and community groups. A modern registration system should provide multiple convenient opportunities for voters to register and correct their registrations before Election Day. A safety net simply ensures that those eligible Americans who fall through the cracks still have a chance to participate in our democracy.

Q. Will the administration of an Election Day safety net cause longer lines at the polls?

Not if it is done right. Numerous states have a safety net, and have no particular problems with long lines. Like everything else on Election Day, advance planning and well-trained poll workers are the linchpin to a smooth voting experience. A safety net also shortens the time to vote by reducing the confusion and resources needed to deal with provisional ballots, which under current law are supposed to be offered to all voters whose names are not on the list.

Q: Does a safety net increase fraud?

No. Numerous states already use safety nets, and the evidence from both qualitative and quantitative studies, including a six-state examination by Demos, shows that the incidence of voter fraud in these states is exceedingly rare, and is no greater than in states without an Election Day safety net.⁴⁷ Election administrators have numerous tools and protocols to protect against fraud, including on Election Day. For example, some states require proof of residency from Election Day registrants, some use provisional ballots that election officials verify after Election Day, and some use electronic poll books with the ability to update the voter rolls and to record voters in real time.

Q: Can I get more information?

Yes! Here are some useful resources:

- The *Case for Automatic, Permanent Voter Registration*, available on the Brennan Center's website, goes into greater detail as to why we need to modernize our voter registration system: <http://www.brennancenter.org/publication/case-automatic-permanent-voter-registration>
- There you can also find two studies of current state systems demonstrate the benefits of paperless voter registration: *Voter Registration in a Digital Age* (2010), <http://www.brennancenter.org/publication/voter-registration-digital-age>, and the updated publication, *Voter Registration in a Digital Age: 2015 Update* (2015): <http://www.brennancenter.org/publication/voter-registration-digital-age-2015-update>.
- The Brennan Center's "Automatic Voter Registration" webpage collects existing state laws and pending state legislation on automatic voter registration: <http://www.brennancenter.org/analysis/automatic-voter-registration>.
- The Brennan Center's "Automatic Registration in California" webpage contains extensive information about the recently passed automatic registration bill in California, including dozens of

letters of support.: <http://www.brennancenter.org/analysis/automatic-voter-registration-california>

- These Brennan Center webpages collect voter registration reform and other voting legislation introduced around the country over the past three years: “Voting Laws Roundup 2013,” “Voting Laws Roundup 2014,” and “Voting Laws Roundup 2015.” They are available at <http://www.brennancenter.org/analysis/election-2013-voting-laws-roundup>, <http://www.brennancenter.org/analysis/voting-laws-roundup-2014>, and <http://www.brennancenter.org/analysis/voting-laws-roundup-2015>.
- Additional studies on voter registration reform include: *Voter Registration Around the World* and *Voter Registration Modernization: Collected Studies*, available at <http://www.brennancenter.org/publication/expanding-democracy-voter-registration-around-world> and http://www.brennancenter.org/sites/default/files/legacy/publications/VRM_compendium_Brennan.pdf

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