Absentee Ballot Regimes: Easing Costs or Adding a Step?

In this paper we discuss the changes in electoral laws since 1972, and the effect some of those laws have had on turnout. We pay particular attention to the variation in absentee voting laws, and in particular the method of requesting the absentee ballot, across the states. We document the large increase in the availability of no-fault absentee voting since 1990. And we note that it often comes with a large price: the need to request a ballot each year. However, we find, surprisingly, that states that allow for permanent absentee ballot status do not neccesarily achieve larger turnout than states which adopt no-fault absentee balloting but do not offer permanent absentee status.

Jan E. Leighley
American University

Jonathan Nagler
New York University

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1   Introduction

There has been a revolution in voting in the United States in the last 40 years. In 1972 voters in only 2 states had the option to request an absentee ballot without showing cause. In 2008, 27 states allowed voters this opportunity. In 1972 voters in 45 out of 50 states who were voting at a polling place did so on election day. In 2008, voters in 31 states could cast in-person votes on multiple days (not withstanding the suggestion of the constitution that election day is the tuesday after the first monday of november).[1]

There are some obvious poltical questions about the impact of these changes. Any time an electoral institution is changed we want to know if this will advantage one particular party or another, generally thru making it harder or easier for partisans of that party to vote. Or, by changing the incentives of parties to mobilize particular voters. In the case of these laws - the most obvious to ask question is whether or not they have affected turnout. If we make 'election day' span 2 weeks rather than 1 day, we have significantly increased the opportunities people have to vote. Will otherwise non-voters take advantage of those opportunities, or - were they non-voters by choice: they simply do not want to vote?

We know that the turnout of registered voters is much higher than turnout of non-registered voters. So, if we make it easier for people to register, and increase the pool of registered voters, will we increase turnout? And if so, the turnout of whom? Young? Old? Rich? Poor? Democrats? Republicans?

In this paper we look at a particular set of institutions designed to make it easier for people to vote, those associated with absentee voting. In other work we have shown that absentee voting leads to higher levels of turnout. But as with most changes in electoral laws, the devil can be in the details. While 27 states allow for no-fault absentee voting – they differ in what persons must do to request an absentee ballot. Do these differences

matter? Changes in implementation of laws has had effects on turnout for a long time. The 14^{th}th amendment gave blacks the right to vote. But poll taxes and literacy tests were quite effective at keeping black turnout low. Allowing voters to cast an absentee ballot might have minimal impact on turnout if voters can not easily get an absentee ballot. The potential upside of absentee balloting is that it removes the cost of showing up to a specific site on election day, and potentially waiting in a line that can be as long as 3 hours (or more).[2]

However, the additional hurdle imposed by absentee balloting is that the voter must *acquire the ballot.* If this process is sufficiently costly or complex, it might outweigh the convenience of avoiding the in-person balloting experience. States vary systematically in how they allow persons to request and acquire an absentee ballot. In a project sponsored by Pew, we collected data on several aspects of this process. In particular, we gathered data on whether or not voters could request the absentee ballot by mail, and whether or not voters could request the absentee ballot electronically – either via the web or via email. And we gathered data on whether or not voters could remove this cost of requesting the ballot 'in perpetuity' (or at least as long as they maintained their present address) by requesting permeanent absentee ballot status (as opposed to having to request a ballot for each election).

There is good reason to believe that all of these administrative changes could affect the use of absentee balloting to vote. For 30 years political scientists have been preaching that lowering the costs of voting could increase turnout, and that a particularly nefarious cost of the american electoral system is that people go thru a two step process to vote: first register, then vote. The need to request an absentee ballot effectively makes voting a two step process, even after a voter is registered. And it shared the characteristic of registration that has proven to be so crucial: it must happen before the election. If voters can remove this step by acquiring permanent absentee status, it should significantly enhance the impact of absentee voting.

Similarly, being able to request a ballot by mail is a much smaller cost than having to request a ballot in person. But being able to request a ballot by email is a smaller cost still. We have started to gather evidence that doing tasks by email can impose much less of a burden than requesting things by mail.

2   Changes in Laws

When Wolfinger and Rosenstone wrote *Who Votes* (1980) in 1980 they identified several key provisions that established procedural barriers to voting. They key hurdle they cited was the need to be registered *prior to election day*. And they focused on how far in advance registration was required. They also looked at other aspects of registration. But there simply was not that much variation. Thus they examined the availability of evening hours to register, and the availability of places to register other than the county seat. But their key finding, repeated many times, is that the most effective reform available to increase voter turnout would be move the closing of the registration period closer to election day. The obvious implication of this is that nothing could be more effective than moving the registration period all the way to election day - and simply letting people register at the polls. This belief in the efficacy of easier registration has led many states to adopt some form of election day registration (EDR). In 2008 there were 9 states that either had some form of EDR, or simply had no registration (North Dakota).[3]

However, the number of voters affected by EDR provisions is dwarfed by the number of voters affected by early voting and absentee voting. Early voting does not alleviate the burden of registration. But it does give people more opportunities to vote. Logically, it follows that this could boost turnout. Similarly, absentee voting was intended as a reform to make voting easier. In Table 1 we give the number of states that offered each of these voting or registration options from 1972 thru 2008. The numbers are self-explanatory: the

voting landscape has changed drastically over time.

[**Table 1 Here**]

However, as is often the case, the devil may be in the details. Absentee voting on the face of it seems to make voting easier: no waiting in line! However, to vote absentee, one needs a ballot. And the states vary considerably in the hurdles a voter must cross to receive a ballot. What should maximize the use of absentee ballot would be for the state to remove the requirement of requesting the ballot by simply mailing it to the potential voter - requiring no action on the voter's part. This is in effect what 11 of the 27 no-fault absentee voting states do by offering voter's the option to register for permanent absentee voter status. While the other 16 no-fault states allow for absentee voting without cause, they still require the voter to actively request the ballot for each election in which they want to cast an absentee ballot.

Table 2 gives the distribution of how different states allow for requests of absentee ballots. In 2008, six states allowed for some form of online (web or email) request for an absentee ballot. And 16 allowed for a mail-in ballot request. However, we note that of the 27 states offering no-fault absentee voting in 2008, 7 of them offered no help in obtaining the ballot. Voters could not sign up for permanent absentee ballot status, nor could they request an absentee ballot via online or mail access.[4]

[**Table 2 Here**]

Table 3 lists the states with different configurations of no-fault absentee voting rules in 2008 (states not listed do not allow for no-fault absentee voting).

[**Table 3 Here**]

3   Effect of Reforms on Turnout

In previous work we have examined the effects of different registration and voting reforms on the level of turnout (Leighley & Nagler 2009). Simply comparing turnout pre-adoption of EDR to post-adoption of EDR, using a straightforward difference-in-differences approach, we found that the Wave I EDR states experienced a net increase of 4.1 percentage points in turnout since adopting EDR. And using more thorough cross sectional time series analysis, we found that adopting EDR increased a state's turnout by approximately 3.4 percentage points (assuming a 15 day closing period for registration). We also found that absentee voting increased turnout, though we did not examine the types of ballot-request rules used.

We use a model here very similar to the cross sectional time series model we used in earlier work. However, here we specify the form of availability of no fault absentee voting more thoroughly. Rather than simply coding for the existence of no fault absentee voting, we code for the availability of no-fault absentee voting, *and* the availability of permanent absentee status. Our hypothesis, as explained above, is that no-fault absentee voting should have a substantially larger effect on turnout when permanent absentee status is available.

We estimate a model of the following form, where s, t, and d index state and time respectively (we also estimate the model by demographic groups, here we suppress the d subscript):

$$
\begin{aligned}
\mathbf{T}_{s,t} \;=\;& \beta_0 \;+\; \beta_1 \mathbf{T}_{s,t-1} \\
&+\; \beta_2 \, \mathbf{DaysToClosing}_{s,t} \;+\; \beta_3 \, \mathbf{EDR}_{s,t} \\
&+\; \beta_{23} \, (\mathbf{EDR}_{s,t} * \mathbf{DaysToClosing}_{s,t}) \\
&+\; \beta_4 \, \mathbf{NoFaultAbsentee}_{s,t} \;+\; \beta_{4.1} \, \mathbf{PermNoFaultAbsentee}_{s,t} \\
&+\; \beta_5 \, \mathbf{EarlyVoting}_{s,t} \;+\; \beta_6 \, \mathbf{EVPeriod}_{s,t} \\
&+\; \beta_7 \, \mathbf{EducDUMMIES}_{s,t} \;+\; \beta_8 \, \mathbf{AgeDUMMIES}_{s,t} \\
&+\; \beta_9 \, \mathbf{MeanIncome}_{s,t} \;+\; \beta_{10} \, \mathbf{PresMargin}_{s,t} \\
&+\; \beta_{11} \, \mathbf{SenMargin}_{s,t} \;+\; \beta_{12} \, \mathbf{GovMargin}_{s,t} \\
&+\; \Gamma \, (\mathbf{State-Dummies_s}) \\
&+\; \Psi \, (\mathbf{Year-Dummies_t}) \\
&+\; \epsilon_{s,t}
\end{aligned}
$$

The results are not as we expected. As we had previously shown, the availability of absentee voting does matter for turnout. However, we found no evidence that making permanent absentee status available to no-fault absentee voters increased turnout. The coefficients are reported in Table 4. The coefficient for no-fault absentee voting represents the effect of no-fault absentee voting *without* the vailability of permanent absentee status. And the coefficient for permanent absentee status represents the *additional impact* on turnout that permanent absentee status yields beyond the effect just of no-fault absentee voting.

[**Table 4 Here**]

The coefficient on no-fault absentee voting is positive and statistically significant at traditional levels as expected. And it suggests that adoption of no-fault absentee voting would lead to approximately a 3 percentage point increase in steady state turnout. But the coefficient of permanent absentee status is negative, but so small as to be estimated to be basically zero. There are several possible reasons for this. First, since no-fault abentee voting is a relatively recent phenomena (see Table 2), it may be that not a large enough proportion of absentee voters are affected by the permanent-status provision to have made a difference so far. Alternatively, it may be an implementation issue, and voters may simply

not be aware of the option in some states that offer it.

We believe that understanding the effect of absentee voting requires understanding implementation of it. And we think that the effect of any electoral reform is likely to depend on how much it really changes the costs of voting for people. But so far, we have failed to show that the details of absentee voting change how it affects turnout.

Notes

1. See Cemenska, et-al (2009) for a summary of changes in non-precinct place voting laws since 1972.

2. Of course the availability of early voting means that it is not election day, but perhaps election weeks – suggesting the impact of absentee voting might be less in states that allow for generous early voting periods.

3. Though we note that the Montana legislature has recently passed a bill to repeal EDR.

4. And no state that did not offer mail ballot requests allowed phone requests.

References

Cemenska, Nathan, Jan E. Leighley, Jonathan Nagler & Daniel P. Tokaji. 2009. "Report on the 1972-2008 Early and Absentee Voting Dataset." Submitted to The Pew Charitable Trusts.

Leighley, Jan E. & Jonathan Nagler. 2009. "Electoral Laws and Turnout, 1972-2008." Presented at Fourth Annual Conference on Empirical Legal Studies, November, 2009, SSRN eLibrary 1443556.

Wolfinger, Raymond E. & Steven J. Rosenstone. 1980. *Who Votes?* New Haven: Yale University Press.

Table 1: Adoption of Voting Reforms

	Number of States with:		
	No-Fault Absentee Voting	**In-Person Early Voting**	**Election Day Registration**
1972	2	5	0
1976	3	6	3
1980	6	7	3
1984	6	7	3
1988	6	9	3
1992	12	11	3
1996	16	14	6
2000	22	22	6
2004	24	27	6
2008	27	31	9

Entries are number of states in the row year with the indicated voting provision.

Data on Absentee Voting and Early Voting coded from state statutes. Implementation may vary by state.

Table 2: Absentee Voting Rules

	Conditions for Absentee Voting				
	No-Fault Absentee Voting	Permanent Absentee Status[a]	Online Ballot Request	Mail Ballot Request	No-Fault, No-Help[b]
1972	2	0	0	1	1
1976	3	0	0	2	1
1980	6	0	0	3	3
1984	6	1	0	3	2
1988	6	2	0	3	2
1992	12	3	0	8	3
1996	16	4	0	11	4
2000	22	7	0	13	6
2004	24	7	3	15	6
2008	27	11	6	16	7

[a] Cell entries in columns 2 thru 4 given the number of states *with no-fault absentee voting* that have the indicated absentee ballot provision available.

[b] Cell entries in the last column give the number of states that offer no-fault absentee voting, but offer *none of*: permanent absentee status, online ballot requests, nor mail ballot requests.

Table 3: State Absentee Voting Rules in 2008

Set of Rules	States
No-Fault Absentee Voting And Permanent Absentee Status	Arkansas, Arizona, California, Colorado, Hawaii, Kansas, Montana, Oregon, Utah, Washington, Wisconsin
No-Fault Absentee Voting and EITHER (mail requests or online requests for ballots).	Florida, Georgia, Indiana, Maine Nevada, New Jersey, Oklahoma Vermont, Wyoming.
NO-Fault Absentee Voting and NONE of (Permanent Absentee Status, online ballot requests, mail ballot requests).	Maryland, Nebraska, New Mexico North Carolina, North Dakota, Ohio, South Dakota

Table 4: Multivariate Model of Turnout by State-Year, 1972-2008
Dependent Variable: Log-Odds of Turnout for Highest Office (VAP)

	Coeficient	t-statistic
Log-Odds Turnout (t-1)	0.532***	(6.88)
Days to Closing	-0.00152*	(-1.58)
No Excuse Early Voting	-0.081***	(-2.83)
Early Voting Period	0.00298**	(2.30)
No Fault Absentee Voting	0.051***	(3.14)
Permanent Absentee Status	-.0037	*(-0.13)
EDR	0.01086	(0.16)
EDR * Days-to-Closing	0.0037**	(1.16)
DMV Registration	0.0049	(0.25)
State Per-Capita Income	-7.09e-06	(-1.01)
Prop Citizens Age 25-30	0.071	(0.11)
Prop Citizens Age 31-45	0.783	(1.60)
Prop Citizens Age 46-60	0.530	(1.01)
Prop Citizens Age 61-75	0.657	(1.28)
Prop Citizens Age 76-84	0.547	(0.77)
Prop Citizens hsgrad	0.59**	(2.46)
Prop Citizens somecoll	0.109	(0.34)
Prop Citizens collplus	0.861***	(2.61)
Closeness of Pres Election	0.0024	(0.51)
Closeness of Gov Election gov_close	0.0034	(0.52)
Closeness of Sen Election sen_close	-0.00012	(-0.19)
Gov Election (0/1)	0.061	(1.95)
Senate Election (0/1)	0.0145**	(2.24)
Observations	450	
R^2	0.933	

*** p<0.01, ** p<0.05, * p<0.1

Cross-Sectional Time Series estimates, panel-corrected standard errors.