



TESTIMONY OF
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IN SUPPORT OF SB 49
KANSAS SENATE COMMITTEE ON ETHICS, ELECTIONS, AND LOCAL GOVERNMENT

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Thank you, Chair Bowers, and members of the Ethics, Elections, and Local Government Committee for affording us the opportunity to provide testimony on SB 49.

The American Civil Liberties Union (ACLU) of Kansas is a non-partisan, non-political membership organization dedicated to preserving and strengthening the constitutional liberties afforded to every resident of Kansas. We work to preserve and strengthen our constitutional rights and freedoms through policy advocacy, litigation, and education. We proudly serve over 30,000 supporters in Kansas and represent more than 1.6 million supporters nationwide.

The ACLU of Kansas strongly supports implementing election-day registration in Kansas. Specifically, the ACLU of Kansas supports SB 49 because:

- **Election-day voter registration is a proven tool for increasing voter turnout.** States with election-day registration, including Idaho, Iowa, Montana, Utah and Wisconsin, have turnout rates 10-12% higher than states without it. Most importantly, four of the top five states for high voter turnout have election-day voter registration, and other forms of civic engagement are also higher in these states. Members of the military, geographically mobile people, the elderly, young people, voters of color, lower-income Americans, and busy professionals all benefit from election-day registration, and it is widely used by citizens across the political and demographic spectrum. In Milwaukee, Wisconsin for example, 20% of all voters are same day registrants. The program started in 1975 and the highest concentration of same day registration activity has been seen in districts with the highest concentration of people in poverty and students. Election-day registration also has a tremendous impact on encouraging participation among people of color. North Carolina began same-day registration in 2007. Since then, African-American voters have comprised 35% of same-day registrants in the state, though they are only 22% of the state's general electorate.ⁱ Census data show that over 36 million people in America moved between 2011 and 2012, and nearly half of those moving had low-incomes.ⁱⁱ Election-day registration could have an impact on increasing turnout for all Kansans.
- **Election-day voter registration is easy to implement, non-controversial, and used throughout the United States.** Election-day voter registration can be implemented in Kansas alongside existing voter ID and proof of citizenship requirements. The administrative costs and challenges of implementing the system are negligible. Surveys of local election officials in 7

states using election-day registration found that costs were “minimal” and no additional staff was needed.ⁱⁱⁱ This is because elections officials in those jurisdictions were no longer burdened by counting high numbers of provisional ballots, and election-day registration ensured that voters were providing their most recent and accurate domicile. After election-day registration was adopted in Iowa, provisional ballots dropped from 15,000 in the 2004 presidential election to less than 5,000 in 2008—a 67 percent decline.^{iv} North Carolina saw 23,000 fewer provisional ballots after it adopted election-day registration in 2008. The system is so non-controversial that it has been adopted under Republicans *and* Democrats, is used in 13 states, pending final implementation in 3, and is under consideration in 5 more during 2016. Concerns about security have also been abated, because unlike registration by mail, election-day registration requires eligible voters to attest to their identity face-to-face before an elections official.^v

We urge this committee to work on enacting election-day registration, and to support citizen participation among all Kansans.

ⁱ Estelle H. Rogers, Esq, *Same Day Registration*, Project Vote (Jun. 2013), <http://www.projectvote.org/wp-content/uploads/Policy-Paper-Same-Day-Registration.pdf>.

ⁱⁱ U.S. Census Bureau, Geographical Mobility 2011-2012, Table, <http://www.census.gov/hhes/migration/data/cps/cps2012.html>.

ⁱⁱⁱ *Election Day Registration: A Ground-Level View*, Demos, <http://www.demos.org/publication/election-day-registration-ground-level-view-0>.

^{iv} Laura Rokoff, Emma Stokking, *Small Investments, High Yields: Cost Study of Same-Day Registration in IA and NC*, Demos (Feb. 2012), <http://www.demos.org/sites/default/files/publications/SDR-CostStudy-Final.pdf>.

^v Cristina Vasile and Regina Eaton, *Election Day Best Practices: An Implementation Guide*, Demos (July 2010), <http://www.demos.org/publication/election-day-registration-best-practices-implementation-guide>, page 25.

City of Milwaukee in a Snapshot

- Milwaukee's Demographics
 - Overall population of 600,000 with 437,000 eligible voters
 - On average, 280,000 (or 64%) vote in a Presidential Election
 - People of color represent the city's majority racial demographic, with an estimated 40% African American and 17% Hispanic/Latino
 - 29% or nearly 1 in 3 residents of Milwaukee live in poverty, with a disproportionate 40% of all African American residents and 35% of all Hispanic/Latino residents living in poverty.
- Same day registration has been offered in Wisconsin since 1975 and is available at all polling places



Benefits of Same Day Registration

- **One-Stop-Shop increases voter participation:** Wisconsin turnout in a Presidential Election consistently ranks #2 in the country (after MN, which offers same day registration AND DMV registration).
- **Increases access to voting:** In Milwaukee, **20%** or **1 in 5** voters register and vote on Election Day (11% statewide average).
- **Invites the participation of populations *historically* disenfranchised from voting:** The percentage of same day registration activity varies significantly from voting site to voting site, with the highest volume of registration activity in economically challenged districts with high concentrations of people in poverty, and with students. People in poverty, due to the very nature of poverty, tend to be more transient and therefore encounter the greatest barriers to registering to vote.

Same Day Registration Demographics



Economic and racial disparities in our society often prevent access to voting for people in poverty, with people of color disproportionately represented in poverty. Same day registration reduces barriers and allows people access to voting

District	Voters	Register	%	Demo
1	16164	2903	18%	
2	16406	3013	18%	
3	23661	5615	24%	STU
4	16515	4628	28%	STU / POV
5	19563	2731	14%	EcS
6	15999	3063	19%	POC / POV
7	17266	2884	17%	POC / POV
8	8708	1787	21%	POC / POV
9	16052	2781	17%	
10	19528	2926	15%	EcS
11	19661	2725	14%	EcS
12	8974	2212	25%	POC / POV
13	17754	2386	13%	EcS
14	18694	2362	13%	EcS
15	12901	2903	23%	POC / POV
	STU = Student			
	POC/POV = People of Color / People in Pove			
	EcS = Economically Stable			



20% of all voters in Milwaukee are same day registrants. The highest concentration of same day registration activity is seen in districts with the highest concentration of people in poverty & students.

Benefits of Same Day Registration

(continued)

- **Encourages young people to vote and become lifetime voters:** First-time young voters may not be aware of pre-election registration requirements or may be focused on academics. Milwaukee experiences very high rates of same day registration clustered around college and university campuses.
- **Reduces the need for provisional voting and provides more immediate election results.**

Same Day Registration Considerations

- **Election worker staffing:** Milwaukee shares the same challenges related to election worker recruitment as experienced by most large urban municipalities. To ensure sufficient staffing, the city:
 - Engages in year-around election worker recruitment
 - Provides biannual election worker refresher training
 - Cross-trains all election workers on same day registration
 - Develops a polling place staffing plan based on past data related to same day registration activity
- **Cost:** While some costs can be offset by cost-savings opportunities, there can be additional costs attached to administering same day registration. Milwaukee's response: it is difficult to attach a price tag to democracy, even with government budget constraints. Our government leaders and our society should identify access to voting as a priority expenditure.

Same Day Registration Considerations

(Continued)

- **Increases Election Integrity:** Same day registration provides “real time” data by encouraging people to re-register at current addresses, which reduces voting from previous addresses.
- **Fraud the Great Myth:** During the same day registration process, WI voters prove their residence by providing a proof of residence document and through a by-mail verification system. Wisconsin is a long-standing swing state - elections are closely reviewed, audited, scrutinized and examined and were subject to the *ONLY* statewide 2016 Presidential Recount. There has been **no proven correlation** between same day registration and voter fraud. Safeguards that ensure the integrity of an election are important, but should not present significant barriers that prevent people from voting.

Anyone who has ever struggled with poverty knows how extremely expensive it is to be poor.

- James A. Baldwin