

# Improving registration and voting in Ohio's low-income populations

Norman Robbins, Research Director, Northeast Ohio Voter Advocates (NOVA) Presentation to the National Commission on Voting Rights, May 30, 2014

## Executive summary:

Part I. Low-income citizens are greatly under-represented in American elections, largely due to relatively low rates of voter registration compared to that of upper-income citizens. An estimated 300,000 low-income adult Ohioans are not registered, and many Ohioans have non-updated registrations which can cause confusion and disenfranchisement. The resulting and discouraging lack of political clout of low-income voters impedes efforts to increase or update voter registrations. Documented factors which reduce voter registration and registration updates in low-income populations include: a recently observed large decrease in voter registration by Ohio Jobs and Family Services, greater mobility of low-income populations (compared to higher income populations) which increases the need for registration updates; a lower percentage of low-income (and/or African-American) individuals having a driver's license or state ID, which eliminates the opportunity for easy voter registration by the Bureau of Motor Vehicles; and the greater probability of filing a defective registration, as was found in applications from low-income/African American communities in Cuyahoga County.

As a result of lower registration in low-income/African American populations, more provisional ballots are cast by these groups, with attendant costs, delays and potential legal disputes. Other public costs are incurred when Boards of Elections waste mailings on out-dated addresses, and when the voter who has not received the Board's mailing, makes errors in location, hours or method of voting.

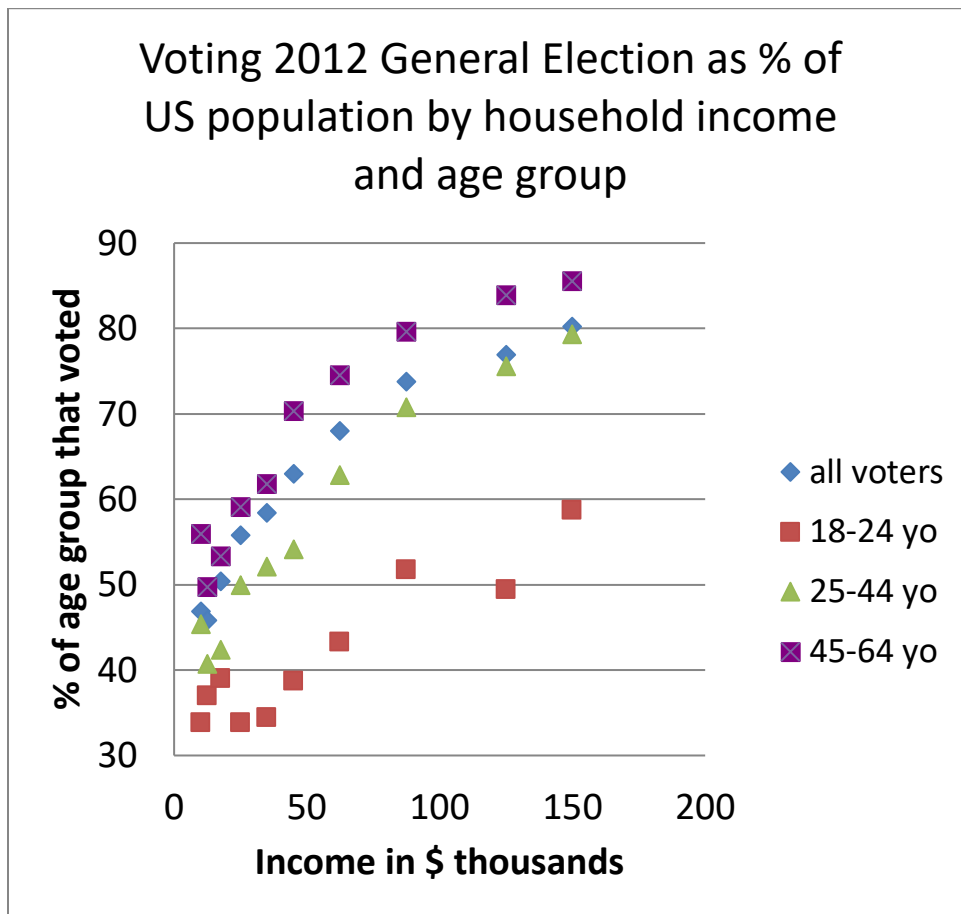
A number of procedures (some now coming into effect in Ohio) would greatly increase the number and accuracy of registration by low-income populations. These include: annual checks with the US Post Office Change of Address lists (recently implemented in Ohio); frequent checking of databases of public assistance agencies against the state voter database, which would provide a far more accurate detection of out-of-date voter addresses than the Post Office lists (The Ohio Secretary of State has enabling legislation but has not implemented this action as of this writing); providing accurate electronic in-person or on line registration as part of all applications for public assistance or changes of address, and including mechanisms whereby the voter receives a populated registration form; and providing a process for on line voter registration for citizens who do not have a driver's license or state ID.

Part II. In many counties, the percent of early in-person votes cast by African-Americans was greater than their percentage of the population in those counties. In Cuyahoga County, lower income individuals, whether Caucasian, Black or Hispanic, preferentially used early in-person voting. In addition, early in-person voters in most larger counties waited up to a median of 2

hours to vote, vs. a median of <0.5 hour in smaller counties. Therefore, proposed reductions of voting days or hours in Presidential elections, would selectively and negatively impact voting by low-income and/or African American citizens. In addition, in Ohio's 2012 election, early in-person voting was actually higher (as a percent of total vote) in smaller than in larger counties, i.e. reducing voting hours in the last-weekends of Presidential elections, would affect a wide variety of citizens, in addition to its specific effects on low-income/African Americans in larger counties. Excluding voting on the last Sunday and Monday before Election Day in a Presidential election would eliminate a time when 57,000 Ohioans voted in 2012.

## Part I. Voter Registration

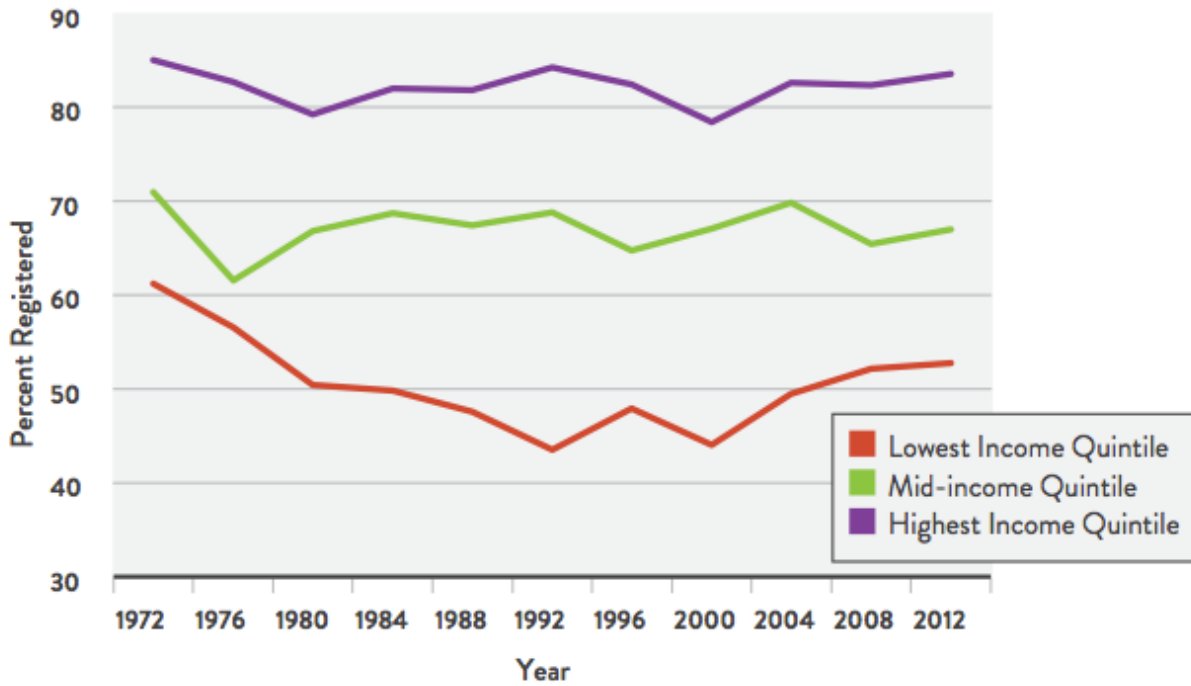
- I. **The Problem:** Low-income citizens are greatly under-represented in American elections (Figure 1).<sup>1</sup> Ohio age-based data match national data fairly well.



<sup>1</sup> Table 7. Reported Voting and Registration of Family Members, by Age and Family Income: November 2012  
<https://www.census.gov/hhes/www/socdemo/voting/publications/p20/2012/tables.html>

The disparity in voter registration related to income has changed rather little over the last 10 years<sup>2</sup> (Figure 2)

**Figure 2. | VOTER REGISTRATION RATES AND INCOME LEVELS FROM 1972-2012**

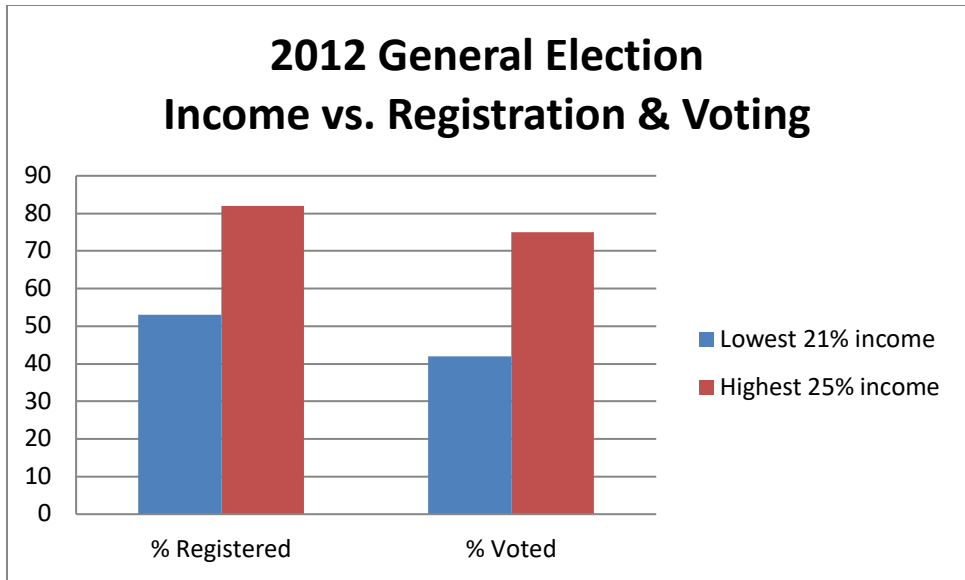


**SOURCE:** U.S. Census Bureau, Current Population Survey<sup>23</sup>

The disparity in voting between highest and lowest income groups seems to be heavily determined by the level of voter registration. For instance (Figure 3), the difference between the % registered and the % voted in either income category is small compared to the difference between low- and high income groups in % registered or % voted.<sup>3</sup>

<sup>2</sup> Taken from: Cha, Registering Millions, report by Demos, available at: <http://www.demos.org/sites/default/files/publications/RegisteringMillions-NVRA-Demos.pdf>

<sup>3</sup> For source of data in Figure 3, see footnote 1.



While the low registration rates of low-income groups apply to both Caucasians and African Americans, a higher proportion of African Americans have low-incomes. In a 2009 census report, nationally 31% of the US population had a household income of less than \$25,000. 29% of Caucasians and 39% of African-Americans were in this low-income category.<sup>4</sup> Therefore, much of what is reported here for low-income voters is likely to be even more pronounced for African-Americans (if specific race-related data are not available).

A crude estimate of the number of unregistered low-income adults in Ohio can be made using the number of Supplemental Nutrition Applications per year (650,000) in Ohio as a surrogate for the number of low-income persons in the state, and the national value of 47% of unregistered low-income voters. The estimate comes to 305,500 (47% of 650,000) unregistered low-income voters in Ohio<sup>5</sup>.

The lack of registration and voting among low-income people perpetuates a negative feedback cycle which leads to a persistence of the problem (Figure 4).

<sup>4</sup> Table 693  
[http://www.census.gov/compendia/statab/cats/income\\_expenditures\\_poverty\\_wealth/household\\_income.html](http://www.census.gov/compendia/statab/cats/income_expenditures_poverty_wealth/household_income.html)

<sup>5</sup> A larger number of the same order of magnitude (586,247) can be derived from Census data on Ohio including population, % persons in poverty, % persons over 18 years old and assuming 47% unregistered per national data.

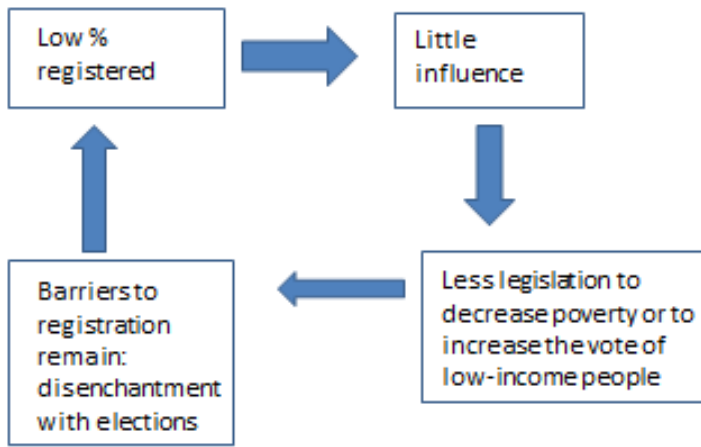


Figure. 4. The negative feedback cycle of low-income voter registration

- II. **Some factors contributing to the problem of low registration amongst low-income Ohio voters**
  - a. **Recent decreased voter registration by public assistance agencies.** Federal and state law require that state public assistance agencies offer voter registration to all their clients upon initial application for benefits or change of name or address. After a settlement of a law suit in 2009, Ohio's record in registering such voters by the Ohio Department of Jobs and Family Services became the best in the United States. However, especially in Ohio and less so in other states, there was a large drop (about 47% compared to previous years) in public assistance registrations beginning October 2012 (Figure 5) and persisting until the last data obtained in January 2014. **This would amount to some 90,000 fewer low-income registrations per year by this department, unless this drop were countered** by other means of registering this population (see below).

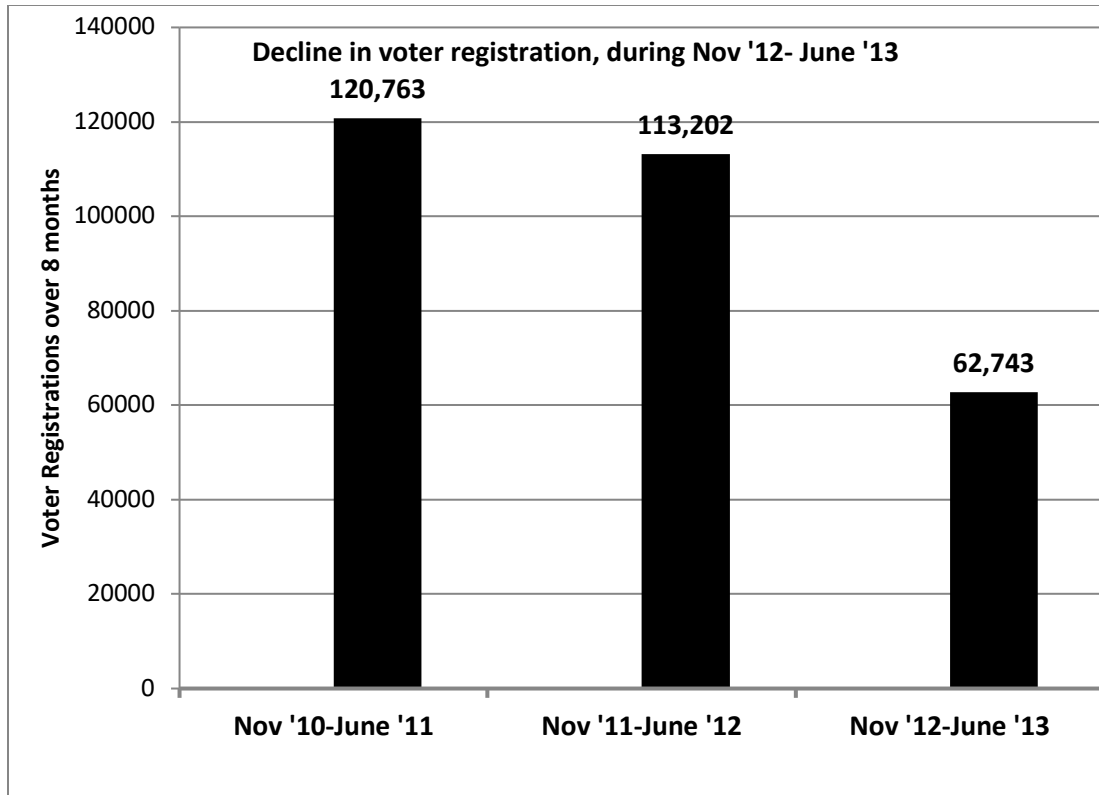


Figure 5. Decline in voter registrations reported by the Ohio Department of Jobs and Family Services after 2010-2011<sup>6</sup>.

- b. Greater mobility in low-income populations (compared to higher income populations) increases the need for registration updates.** In a GIS mapping of mobility in Cuyahoga County, one quarter of the county’s census tracts, predominantly in low-income areas, showed mobility rates (changing residence within one year) of 24-70% (Figure 6).

<sup>6</sup> N. Robbins, Decreased voter registration at public assistance agencies after the 2012 Presidential election -- findings, analysis and suggestions based on Ohio's experience. [www.tinyurl/kmnoafb](http://www.tinyurl/kmnoafb)

## Percent Who Moved in the Last Year

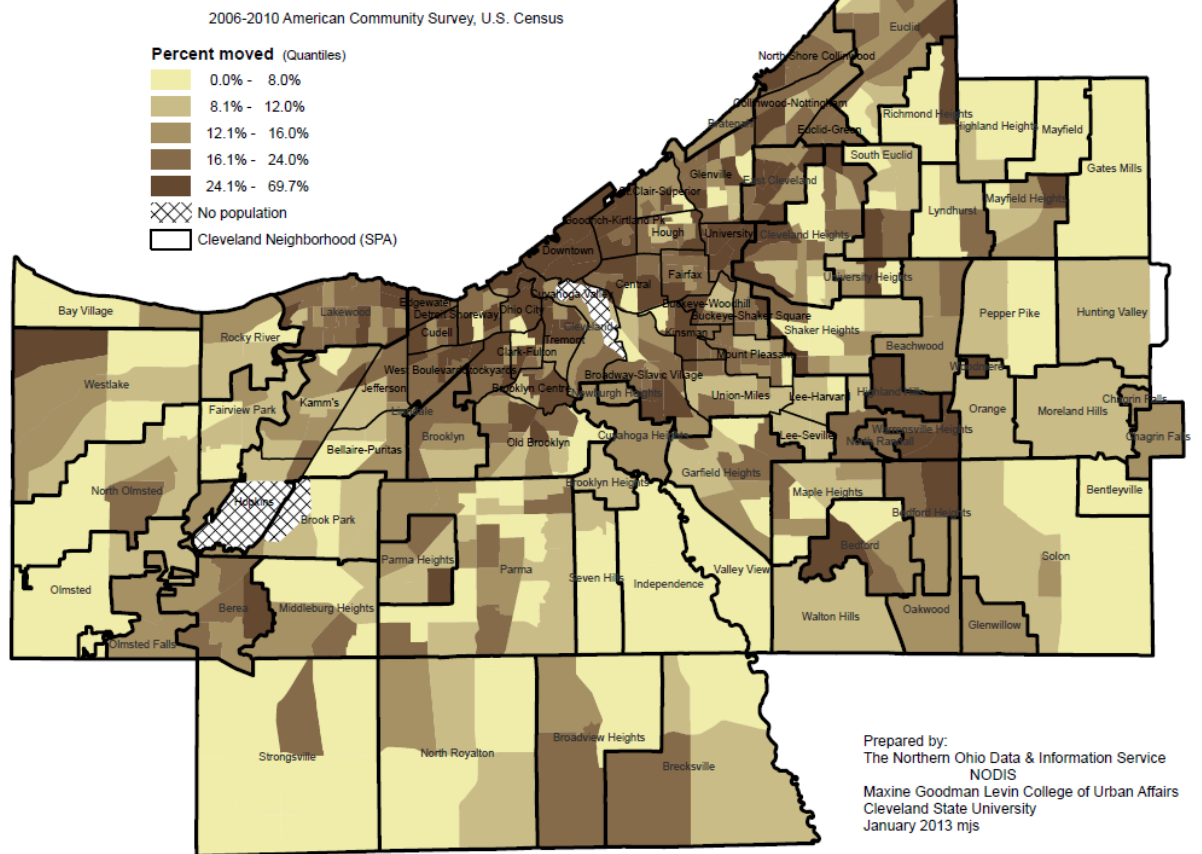


Figure 6. Census tract analysis of moving in Cuyahoga County

- c. **Lower percentage of low-income (and/or African-American) individuals having a driver's license or state ID decreases the efficacy of easy voter registration by the Ohio Bureau of Motor Vehicles (BMV).** Voter registration at BMV offices in Ohio is easy and rapid because the same data used for an application for a license is also used to populate a voter registration form. The applicant for a license needs only to date and sign the form and hand it back. The same ease prevails for an address change. Furthermore, registered Ohio voters with a Driver's License can now update their registration information entirely on line.

Unfortunately, many low-income citizens do not share in this rapid method of registration. A 2010 Census Survey found that 23% of Ohioans earning less than \$20,000 did not have a vehicle<sup>7</sup>. A University of Wisconsin study reported that

<sup>7</sup> Public Use Microdata Sample of the 2010 American Community Survey, US Census

minorities were far less likely to have a driver’s license than the majority Caucasian population<sup>8</sup>. Also, a 2011 study from the University of Michigan found that over 20% of adults ages 18-24 or over 70 years old lacked a driver’s license<sup>9</sup>.

**d. Lower income and African American populations have a greater probability of filing a defective registration.** In Cuyahoga County, an analysis using zip code demographics (Table 1), showed that income and % Caucasian were substantially lower, and %African Americans were almost twice as frequent in lists of individuals who filed invalid registrations (e.g. no signature or nonexistent address). If the numbers for just 2012 of all these invalid Cuyahoga county registrations<sup>10</sup> are extrapolated to the entire state, there would be about 14,000 affected individuals, mostly low-income and/or African American.

Table 1. Income and race of voters submitting invalid registrations in Cuyahoga County (cumulative list covering 1992-2013). Zip code analysis<sup>11</sup>.

	Household Income	% African-American	%Caucasian	%Hispanic
<b>Those with Invalid registrations</b>	<b>\$32,916</b>	<b>61.3</b>	<b>32.7</b>	<b>5.9</b>
<b>County-wide data</b>	<b>\$43,861</b>	<b>30.2</b>	<b>64.8</b>	<b>5.1</b>

- III. **Downsides of reduced voter registration in lower income and African American populations.** If low-income or African American citizens are under-represented, the U.S. cannot claim to have a truly representative democratic system. Furthermore, this under-representation creates problems and increased public expenditures for Boards of Elections, as follows:
- Increased numbers of provisional ballots are cast and must be processed because the voter’s registration name or address was not updated. Ohio is in 7<sup>th</sup> place in the

<sup>8</sup> Tables on pages 6 & 7, The Driver License Status of the Voting Age Population in Wisconsin, 2005 <http://www4.uwm.edu/eti/barriers/DriversLicense.pdf>

<sup>9</sup> [http://www.umtri.umich.edu/content/rr42\\_4.pdf](http://www.umtri.umich.edu/content/rr42_4.pdf)

<sup>10</sup> Listed as “pending” or “fatal pending”, Cuyahoga County Board of Elections, NVRA statistics for the year 2012. Total in these two categories was 1,560. Total votes cast in Ohio’s 2012 General Election (5,633,246) were 8.7 times those cast in just Cuyahoga County (650,437). Therefore, to get an estimate of the likely number of defective registrations statewide, the number for Cuyahoga County (1,560) was multiplied by 8.7, giving an estimate of 14,000.

<sup>11</sup> The most frequent zip codes that together accounted for over 90% of the voters on the list were determined, and the demographics of these zip codes were recorded. Next, these demographics were weighted by the relative frequency of the zip codes, and the totals (e.g. Household income, percent African-American) were taken as a normalized measure of the population within the zip codes comprising 90% of the voters on the list.



nation for its use of provisional ballots (3.7% of votes cast<sup>12</sup>). In Cuyahoga County in 2012, 94% of all provisional ballots were due to non-updated changes of names and address<sup>13</sup>. In addition, Increased mobility in low-income voters is likely to be associated with greater use of provisional ballots. For instance, in 2004, the “number of voters who had moved since the last time they had voted...were 6.7 times more likely to vote provisionally than voters who had not moved”<sup>14</sup>. Also, a zip code analysis of the Cuyahoga County 2012 elections showed a clear correlation between lower income and race and the number of provisional ballots cast (see Figures 7 and 8). Put together, these findings indicate that a greater effort to update addresses of low-income people (many lacking driver’s license) would reduce the number of provisional ballots cast in future elections. As it is, In Cuyahoga county, change of address in 2012 accounted for 72% of registrations

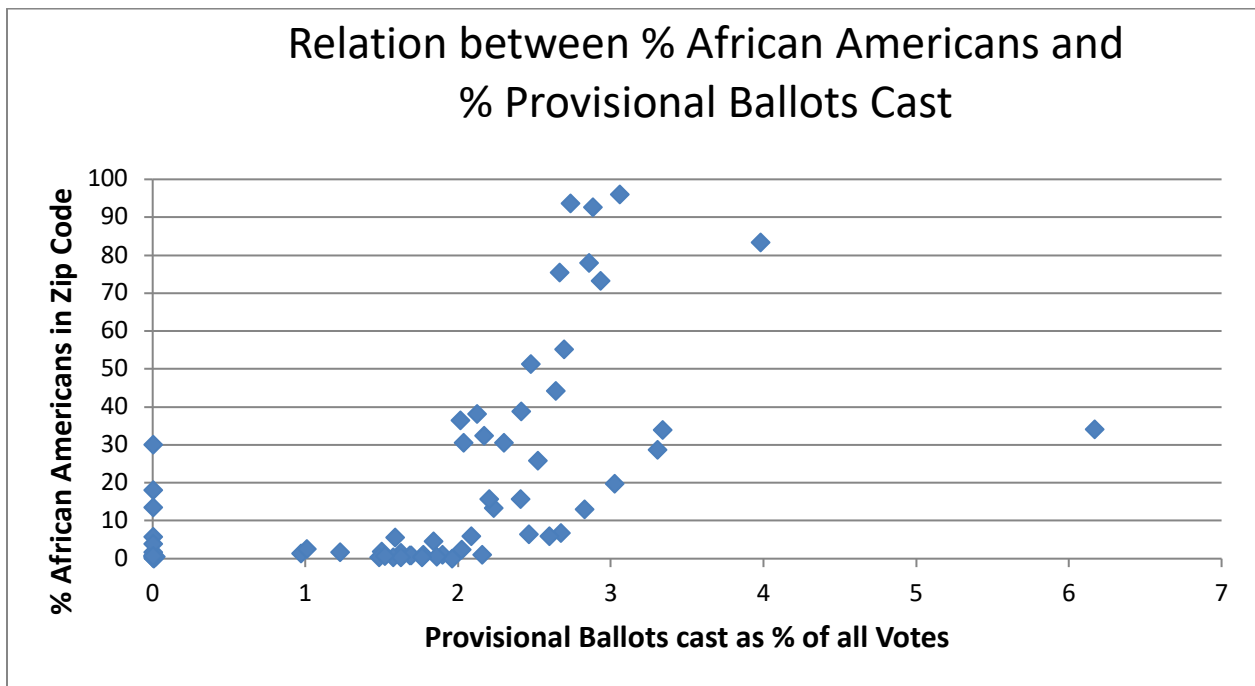


Figure 7. Cuyahoga County 2012 General Election.

<sup>12</sup>[http://www.pewstates.org/uploadedFiles/Flash\\_Library/PCS/Interactives/ElectionsPerformanceIndex/template.html#indicatorProfile-PBC](http://www.pewstates.org/uploadedFiles/Flash_Library/PCS/Interactives/ElectionsPerformanceIndex/template.html#indicatorProfile-PBC)

<sup>13</sup> Cuyahoga County NVRA statistics for year 2012. Results include changes of name or address made by provisional ballots.

<sup>14</sup> <http://www-personal.umich.edu/~wmebane/Ohio2004/OhioReportCover2Cover.pdf>

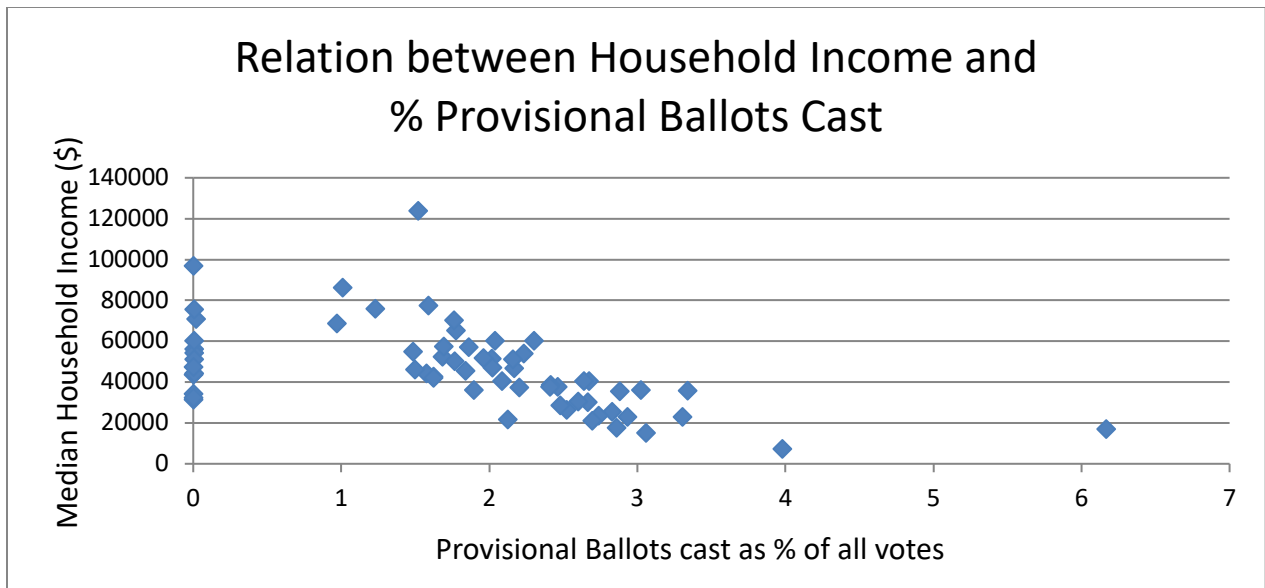


Figure 8. Cuyahoga County 2012 General Election

(Downsides of reduced voter registration – continued)

- When elections are close, legal wrangling over provisional ballots can be costly and cause delays.
- Increased errors in database entry occur compared to on line registration because hard-to-read or erroneous handwritten registrations create expense and electoral confusion
- Boards of Election must pay the cost of sending non-forwardable election mail to voters who have moved, and the intended recipient voters fail to receive important election information (e.g. dates and times, vote-by-mail, ID requirements)

**IV. What the Secretary of State and Ohio legislature have done to improve voter registration.**

- a. In 2012, the Secretary of State made available on line registration updating for those who have driver’s licenses (but many low-income people and youths do not have licenses).
- b. The Secretary of State issued a Directive, pursuant to SB200, increasing the frequency of matching of the state voter database against the U.S. Post Office’s National Change of Address listings to once every year (Previously it was every odd year). Voters who appear to have moved will be sent notification and registration forms with return postage paid. To the extent that matches are correct (e.g. if they include every registered member of the family) and that voters reply, this could be very helpful. However, a more automated, accurate, and simpler procedure is proposed below in the case of low-income voters (Item V a).

V. **What more can be done to improve registration for low-income voters**

- a. Begin to match public assistance agency databases against state voter databases, as authorized by recently enacted Ohio Senate Bill 200. This would be a far more accurate method of detecting changes of address in low-income populations than the use of the Postal Change of Address, because individual matching would be enhanced with better identifiers such as last 4 digits of Social Security number or Driver's License, and date of birth. There would also be no confusion between different family members. The procedure of notifying the voter could also be streamlined by sending the voter a populated registration form with the new address, and keeping the data in a temporary file at the Board of Elections until the voter's signed registration update had been received by the Board of Elections.
- b. Provide accurate in-person or on line registration as part of all applications for public assistance. At present, for public assistance clients, going from on line benefit application to voter registration involves complicated links and procedures (e.g. having a computer printer), especially for those with lower literacy or without a driver's license. Benefit banks at Cleveland Foodbanks are using software which populates a registration form with data that the client supplies in the course of applying for benefits. Why not provide similar software for use by all in-person and on line benefits applicants? The resulting printed registration form could be signed in person or if on line, could be sent by mail to the client with a self-addressed envelope. The same information could be supplied electronically to the client's Board of Elections, to be put into a temporary file until the client's signed form was received. This would ensure accurate registration data from clients whose error rate is often large, increase the number of registrations from these sources, and decrease cost to Boards of Elections for manual inputting of registration data.
- c. Provide a mechanism for on line registration by voters who lack a driver's license or state ID. The following is a slight modification of the system instituted by the California Secretary of State in 2012<sup>15</sup>. A citizen who wishes to register or update registration but lacks DL/ID can still go on line, provide the last 4 digits of their social security number and fill out all required sections of the form. The information supplied is then electronically transferred by the Secretary of State to the appropriate Board of Elections, and a printed registration form containing the voter's submitted information is mailed to the applicant, with a postage paid return envelope. The applicant simply signs and dates the populated form and mails it back to the Board. The Board then adds the signature to its previously received electronic information from the Sec of State, and completes the registration (including sending the applicant a confirmation card and polling

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<sup>15</sup> <http://www.sos.ca.gov/elections/ccrov/pdf/2012/august/12254jb.pdf>

location information). This system provides the same accuracy, cost-savings, and elimination of the need for printed or hand-written information that is available to applicants who have a driver's license.

- d. Other suggested improvements to enhance on line registration by Ohioans lacking Driver's license or state ID. An important addition to this system would be making a mobile voter registration app available for downloading and use by I-Phones and androids, which are heavily used in low-income communities where home computers are less available. On line registration would proceed much as in section c above.

Libraries should be encouraged or required to highlight ease and availability of on line registration and updating on all computers in public use. Many low-income individuals who cannot afford computers use them in public libraries. The presenting screen should emphasize the ease of voter registration or change of name or address, and should be announced by staff at computer education sessions. High School libraries should also advertise and offer on line voter registration.

## Part Two: Early In Person Voting

### I. **The problems:**

- a. Waiting times in large counties. In 2012, when as a result of a court decision, all counties in Ohio were directed to offer in-person voting on the last 3 days before Election Day (Sat., Sun., and Mon.), turnout was in fact higher in smaller than in large counties, contrary to expectation<sup>16</sup>. However, the median of the maximum reported waiting times during these last 3 days was less than a half an hour in the 26 "smaller" counties sampled ("smaller" defined as less than 100,000 total votes cast), although waiting time ranged from <0.5 to 3 hours. In 10 larger counties (>100,000 total votes), the median waiting time was 2 hours with a range of <0.5 to 4 hours. Individual county data are given in Table 2<sup>17</sup>. Given the Presidential Commission on Election Reform report in 2014 stating that no voter should have to wait in line longer than 30 minutes, these waiting times are unacceptable<sup>18</sup>.

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<sup>16</sup> Robbins, Kancelbaum & Lewis. Analysis of early in-person and mail-in absentee voting in the Ohio 2012 general election compared to 2008. Available at: [tinyurl.com/mz6w49d](http://tinyurl.com/mz6w49d)

<sup>17</sup> See reference 16

<sup>18</sup> <http://www.supportthevoter.gov/>

Table 2. "longer" waiting times during the last 3 days of early in-person voting in 2012

L="larger" county, >100,000 votes	county	"longer" waiting times (hours)	# votes cast in-person in the last 3 days before election day	County Population (2010 census)
	SENECA	<0.5	228	56,745
	MADISON	<0.5	292	43,435
	BROWN	<0.5	354	44,846
	CRAWFORD	<0.5	378	43,784
	HARDIN	<0.5	381	32,058
	COSHOCTON	<0.5	415	36,901
	DEFIANCE	<0.5	477	39,037
	COLUMBIANA	<0.5	519	107,841
	PICKAWAY	<0.5	579	55,698
	ROSS	<0.5	717	78,064
	MUSKINGUM	<0.5	857	86,074
	UNION	<0.5	897	52,300
	ERIE	<0.5	1,080	77,079
L	TRUMBULL	<0.5	1,336	210,312
	RICHLAND	0.5	1,687	124,475
	CHAMPAIGNE	0.67	456	40,097
	CLARK	0.75	1,561	138,333
L	STARK	1	1,446	375,586
L	MONTGOMERY	1	5,325	535,153
	DELAWARE	1.5	2,730	174,214
L	LAKE	2	1,049	230,041
L	MAHONING	2	1,506	238,823
	GREENE	2	1,919	161,573
L	SUMMIT	2	4,109	541,781
L	CUYAHOGA	2	8,489	1,289,122
L	FRANKLIN	2	12,899	1,163,414
	PORTAGE	2.5	1,273	161,419
	LICKING	3	1,135	166,492
L	LUCAS	3	3,426	441,815
L	HAMILTON	4	3,529	802,374

- b. Long waiting times for early in-person voting disproportionately affect low-income and African American voters in large counties. A study of early voting in Cuyahoga County<sup>19</sup> in the 2008 Presidential election, showed that early in-person voters (Caucasian, African-American **and** Hispanic, Table 3) were all of lower income than their counterparts who voted by mail or on Election Day.

Table 3. Comparison of median household income between in-person voters and those who voted by mail or on Election Day. 2008 General Election, Cuyahoga County.

	Caucasian		African-American		Hispanic	
	Election Day + mail-in	Early in-person	Election Day + mail-in	Early in-person	Election Day + mail-in	Early in-person
Median Family Income	\$60,802	\$54,833	\$47,207	\$39,664	\$59,337	\$53,059

- c. Analyses by different methods in several large and medium sized counties found that in counties with substantial African American populations (>9%), early in-person voters were disproportionately African-American and low-income<sup>20</sup> (Figure 9). In several smaller counties and in Lake County, ,recently analyzed by Zip Code<sup>21</sup>, where the African American population was <7%, the demographics of early-in-person voters was similar to that of the county as a whole. However, in these cases, a finer-grain census block or tract analysis will be necessary before any final conclusion is possible, because the zip code analysis may be too course to detect smaller clusters of African-American addresses.

Median household income of early in-person voters was also found to be lower than that of the county as a whole, as a function of total votes cast in the county (Fig. 10, see caption for explanation). That is, in larger counties with more total votes cast, the household income of in-person voters was less than that of the county as a whole.

<sup>19</sup> Salling & Robbins, 1) Do Caucasian, African American, and Hispanic/Latino EIP Voters Differ from Election Day and Vote by Mail Voters in Income? Available under "Reports" at: <http://www.nova-ohio.org/reports.htm>

<sup>20</sup> Robbins & Salling, Racial and ethnic proportions of early in-person voters in Cuyahoga County, General Election 2008, and implications for 2012; at <http://www.nova-ohio.org/reports.htm>. The second estimate (77.9%) of African American early in-person voters was reported by Weaver & Gill, Early voting patterns by race in Cuyahoga County, Ohio. Available at: <http://www.lawyerscommittee.org/newsroom/publications?id=0029>

<sup>21</sup> See description of Zip Code analysis in footnote 11.

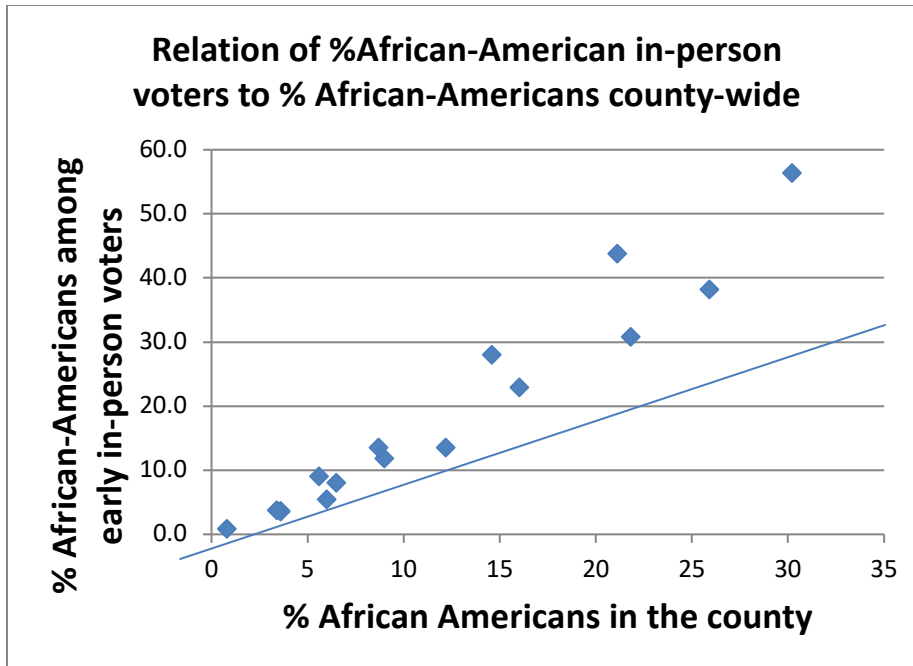


Figure 9. Sample size, 15 counties of varying percentages of African Americans. The straight line shows what would be expected if there were a perfect correspondence between % African-Americans of in-person voters and the % African Americans in the county population. The figure shows that % African Americans consistently exceeds that in the general county population for counties that are over about 9% African American. Cuyahoga and Franklin County data from 2008 census block analysis, the remainder from 2012 zip code analysis.

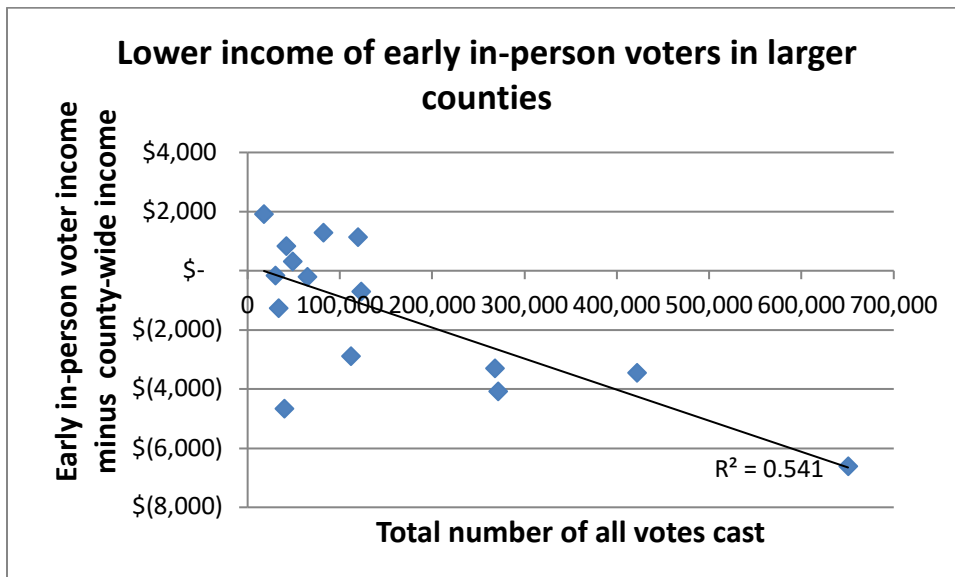


Figure 10. The vertical axis is the result of subtracting the median household income for the county from that of in-person voters. That is, negative income numbers (in parentheses) mean that household income of in-person voters was less than that of the county at large. Cuyahoga and Franklin data from 2008 census block analysis, the remainder from 2012 zip code analysis.

- d. If the last Sunday and Monday prior to Election Day are eliminated for early voting in the 2016 election, as already directed by the Ohio Secretary of State for the 2014 general election, **this would eliminate the two days in which approximately 57,000 people voted in 2012<sup>22</sup>**. Given the demographics of early in-person voters, as explained above, the effect of this restriction would apply disproportionately to low-income and African-American citizens.

## II. Recommendations

- a. At least for Presidential elections, retain 6 hours of voting on both of the two Saturdays and Sundays before Election Day
- b. Begin planning and allowing for additional measures to diminish long waiting times during the last two weekends of early in-person voting. This could include permitting multiple voting sites in large counties, encouraging vote by mail by sending unsolicited applications and explaining the advantages, distribution of sample ballots to those waiting in line, increased intake personnel, offering optical scan voting in counties with limited numbers of electronic voting machines, etc.

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<sup>22</sup>Projected from data on last Sunday and last Monday in person votes in 32 counties representing 70% of total votes cast in Ohio in the 2012 General Election.