

Election Day Registration and Same Day Registration in State Legislative Districts

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Rachel Teresa Fuentes
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ABSTRACT

Decades of research into the effects of voter registration requirements on turnout has found that voter registration disproportionately suppresses turnout among marginalized racial and socioeconomic groups that traditionally are represented by the Democratic Party. Research also shows that enacting Same Day or Election Day Registration (EDR/SDR) increases voter turnout for Democratic candidates in national elections. The conclusion drawn has been that EDR/SDR increases the representation of marginalized groups. The study in this paper challenges these findings in three ways. First, although EDR/SDR results in a larger total democratic vote, the claims of increased representation may be overstated. This study of the effects of SDR/EDR on turnout in individual state legislative districts finds that both Republican and Democratic state legislators experience vote gains after EDR or SDR are implemented. Second, if EDR/SDR increases Democratic representation then it should result in Democratic gains against Republican candidates on a district-by-district basis. This study will show that these gains are by no means certain and may even result in net gains in the Republican voteshare in state legislative districts. Third, previous studies of the effects of EDR/SDR on partisan turnout and voteshares have not included the ideological leanings of the district. This study shows that a district's ideology score influences the effects of EDR/SDR on partisan turnout and voteshares both separately and by interacting with EDR/SDR. Finally, a series of difference-in-difference models confirms that the basic findings of the effects of EDR/SDR on voteshare hold when the model is modified to account for changes to EDR/SDR law over time.

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CHAPTER ONE

INTRODUCTION

In the early 1970s, a handful of states concerned with downward trends in voter turnout began to ease their voter registration regulations. Voter registration requirements were thought to impose barriers to voting that decreased voter turnout. Moreover, underrepresented low-income and minority voters were disproportionately affected by the vote suppressing effects of voter registration requirements. Unequal turnout at the polls is thought to produce unequal representation in elected government. To combat these two inequalities, some states began reforming election laws to make registering to vote an easier and less time-consuming process.

The aim of these laws was two-fold: to increase overall turnout and, in so doing, to increase turnout among underrepresented demographic groups, or those whose representation in the political arena is lower than their proportion of the population. And, one reform, Election Day Registration and/or Same Day Registration (EDR/SDR) has been shown to achieve both goals. Academic studies show that EDR/SDR, which allows voters to register and vote in one trip to the polls, produces a small but permanent boost to overall turnout (Knack, 2001). Importantly, the rise in turnout is proportionately larger in underrepresented groups. It therefore helps decrease turnout inequality between active voters with average higher socioeconomic status (SES) and marginal or non-voters, who are more likely to be of lower SES (Alvarez, 2002; Brians & Grofman, 1999, 2001; Mitchell & Wlezien, 1995).

Although EDR/SDR has been shown to decrease inequalities in turnout among low-SES voters, questions remain about its effect on inequalities in representation. For increased turnout to translate into increased influence for underrepresented voters, the turnout effects of EDR/SDR must pull out more votes from low-SES individuals than from high-SES individuals. This paper explores the effects of EDR/SDR on representation using a model to capture the change in partisan turnout in state assembly districts that practice EDR/SDR. In addition, the increased votes should result in increased voteshares for candidates that would represent low-SES individuals. This paper estimates four different models that capture the effects of EDR/SDR on partisans voteshares. Finally, elected officials should respond to increased voteshares by providing greater substantive representation for their low-SES constituents. This paper concludes by using the literature on redistricting and representation to infer likely representation effects from the effects of EDR/SDR on partisan turnout and voteshares.

Unequal Participation

The belief that some demographic groups faced greater barriers to voting than other groups stems, in part, from Down's economic theory of voting. In *An Economic Theory of Democracy*, Downs argues that "voting costs may ... disenfranchise low-income citizens relative to wealthier citizens" (Downs, 1957a, p. 260). According to Downs, when individuals decide whether to vote they weigh the costs of voting (time taken to register, research candidates, and vote) against the potential benefits of voting (the perceived potential policy benefits they will receive if their preferred candidate wins

-- discounted by the chance that they will cast a deciding vote) (Downs, 1957a). Low-income individuals will participate less than wealthier individuals both because the costs of participation are relatively higher among low-income individuals and because they perceive less benefit from electoral outcomes than do wealthy individuals.

Subsequent research expanded this economic argument by exploring other connections between socioeconomic status and political participation. Unequal inclusion among the politically active can result in communities with skewed power distributions (Dahl, 1961). Unequal “access” to both money and time for campaign contributions means that the socioeconomically privileged have outsized influence in political campaigns (Verba et al., 1995). Even where the resources of the individual may not be at issue, membership in a marginalized group may limit group resources to mobilize and advocate for its members (Verba, 1996).

When it comes to voting, research into political inequality is an important branch of study. Keyssar attributes “that most distinctive and paradoxical feature of contemporary American politics: the low, class-correlated turnout of voters” (Keyssar, 2000, p. xxiv) to a history of partial and/or complete disenfranchisements of marginalized groups, including Black Americans, poor Americans, female Americans, and immigrants (Keyssar, 2000). Although U.S. citizens now enjoy almost universal suffrage, the structural effects of centuries of exclusion remain. The initial surge in voting among Black Americans after the Voting Rights Act of 1965 stabilized in the 1980’s at a level below that of White Americans (Shah et al., 2013). Get Out The Vote (GOTV) efforts aimed at mobilizing marginalized groups tend to activate high propensity voters more

than the low-propensity, low-SES voters (Enos et al., 2014). Even when these efforts bring marginal voters to the polls, many would-be voters are turned away. A 2011 study of bias in voter registration found income biases in state rolls large enough that attempts at electoral reform tended to exacerbate rather than ameliorate income bias in voter turnout (Rigby & Springer, 2011). Election laws like early voting that make it easier to cast a ballot are only effective if the new souls brought to the polls are previously registered to vote.

Election law and political inequality

The goal of many election law reforms is to decrease the barriers to voting that depress turnout among voting-eligible minority and persons of low socioeconomic status (SES). Individuals from these underrepresented demographics are assumed to be more likely to not vote due to these barriers than other individuals. By easing barriers to voting, states should see an overall rise in turnout with a proportionately greater rise in turnout rates among underrepresented groups than other demographic groups. Motor Voter Registration programs would increase registration among marginalized groups by making the process of registering simple and without cost as it is done at the same time as vehicle transaction. Early voting and mail-in/absentee balloting should increase turnout by allowing voters to vote “on their own time.” Election Day Registration and Same Day Registration (EDR/SDR) should increase votes cast by marginal voters by allowing unregistered voters that go to the polls to both register and cast a vote.

Among these interventions, however, only EDR/SDR have shown consistent (if small) effects in equalizing turnout across socioeconomic status (Brians & Grofman, 1999, 2001; Larocca & Klemanski, 2011; Michael R. Alvarez, 2002; Mitchell & Wlezien, 1995). Research on similarly aimed elections laws, like Motor Voter and Early Voting, have repeatedly been proven ineffective or even counteractive in reducing turnout inequality (Berinsky, 2005; Martinez & Hill, 1999; Neeley & Richardson, 2001; Rigby & Springer, 2011). Although the relative turnout gains for low-SES voters from EDR/SDR are estimated to be small, the consistency of those gains across studies and times is remarkable in the literature. But do numerical gains to turnout at the polls lead to gains in substantive representation in the policy arena? To answer that question would requires study of both electoral results and the representation that elected officials are likely to provide to their constituents.

This paper questions the assumption that the overall turnout gains from EDR/SDR experienced by marginalized voters lead to greater overall political equality by examining electoral results from state legislative races where EDR/SDR were implemented. Studies of EDR/SDR have primarily been concerned with estimating turnout effects (Brians & Grofman, 1999, 2001; Burden et al., 2014; Fenster, 1994; Fitzgerald, 2005; Hall, 2013; Highton, 1997; Highton & Wolfinger, 1998; Knack, 2001; Larocca & Klemanski, 2011; McDonald, 2008; Mitchell & Wlezien, 1995; Rigby & Springer, 2011; Vonnahme, 2012). At least two studies explore the implications of those effects on electoral politics – specifically, on partisanship in electoral results. However, one focused on national election results in a single state (Neiheisel & Burden, 2012). The other aggregated votes

across states in presidential elections (Burden et al., 2017). These studies do not consider the effects of EDR/SDR on state elections results.

Interpreting voteshares as representation

While the estimated effect of EDR/SDR on turnout may be small, it may have a significant effect on the representation of marginalized groups. U.S. state and local elections take place in thousands of districts in which the representation may be affected by the implementation of EDR/SDR. In many districts, the result of an increase in Democratic voteshares will be a swing towards more liberal legislative decision-making by elected officials (Kousser et al., 2007; Miler, 2016). If on average Democrats fair better under EDR/SDR, then, on average, Democrats will receive a direct increase in representation. Since “nonvoters tend to come from demographic groups more sympathetic to Democrats” (Burden et al., 2017, p. 566), then increased Democratic representation results in more representation for marginalized voting groups.

The partisan effects of EDR/SDR (i.e., the extent to which turnout gains result in a relative advantage for one party over others) have been shown to be generally pro-Democrat when aggregated across states in presidential elections and Democrats are thought to more closely represent low-SES voters (Burden et al., 2017). However, electoral gains in presidential elections do not tell us about the effects of implementing EDR/SDR in the thousands of local and state elections that take place during presidential election years. At the local level, the increases in turnout observed in studies of

EDR/SDR may have divergent results: in some districts bringing out proportionately more Republican voters and in others proportionally more Democratic voters.

Moreover, which party benefits is not merely a matter of turnout. EDR/SDR may also affect the share of votes that are cast for party candidates. Although turnout for Democratic candidates may increase more than turnout for Republicans under EDR/SDR, this does not mean that Democrats will experience a rise in voteshare. Smaller numerical increases in Republican turnout can result in increased Republican voteshares.

Legislators represent voters more than they do nonvoters. A 2005 study of roll call voting among U.S. Senators, the authors” find Senators to be consistently more responsive to voters [than nonvoters] when making roll-call decisions...” (Griffin & Newman, 2005, p. 1207). Thus, changes in the number and type of voters -- like those effected by EDR/SDR -- will affect representation.

Changes in the composition of a voting base will alter the pool of voter policy preferences to which legislators must be responsive. Many studies have shown that redistricting and other phenomenon that cause change in district policy preferences will result in changed policy positioning by candidates and incumbents (Ansolabehere et al., 2001; Bafumi & Herron, 2010; Kousser et al., 2007; Miler, 2016). In many cases, a net increase in party voters results in increased political decision making for the benefit of that party because elected officials are directly responsive to changes in their constituencies (Kousser et al., 2007; Miler, 2016). However, this relationship is not monolithic across districts. In some districts where ideological leaning is strong, elected officials may react to counterparty changes in their constituencies by calcifying their pro-

party stances (Canes-Wrone et al., 2002) or even doubling down by choosing a pro-party position more extreme than their constituencies' (Bafumi & Herron, 2010). On the other hand, where district leaning is weak, to be reelected, elected officials may need to moderate their pro-party stances (Canes-Wrone et al., 2002) or even avoid taking party-line policy stances altogether (Grimmer, 2013).

Research contribution

The research in this paper contributes substantially to the study of the effects of EDR/SDR on turnout and electoral outcomes. Previous studies have been conducted at the state and/or national level. The dataset created for this study will allow further research on the effects of election law at the state legislative level. This is important as it substantially increases the number of cases (and thus degrees of freedom) for analysis and allows for more fine-grained research into the effects of EDR/SDR.

Further, and unlike previous research, the dataset for this study includes a measure of the ideological leaning of districts. This helps address endogeneity between key variables in models of EDR/SDR and the partisan vote. In addition, it enables the model to account for some local political conditions in determining the effects of EDR/SDR. Third, the inclusion of the district ideological score will allow the study to explore the mechanism through which EDR/SDR affect partisan turnout and partisan voteshare and to test key findings in the literature on turnout and partisanship. Finally, this study takes advantage of the passage of time to include 2016 elections in its analysis, thus increasing the length of the study period.

Studying EDR/SDR at the state legislative district level

Election laws that ease voter registration requirements have been shown to change the composition of the group of voters that go to the polls – the voting base (Alvarez, 2002). Changes in the voting base will alter the pool of voter policy preferences to which legislators must be responsive. Elected officials will react by shifting their policy stances directly in proportion to changes in their base or, indirectly, by taking on more extreme or more moderate policy stances than are suggested by the revised composition of their bases. Whether the net result is positive or negative for the representation of low-SES person is not aggregation of the results of all of these local races. This means studying the effects of EDR/SDR on elections at the state and local level.

Moving the study from the state to the state legislative district level allows a fuller exploration of the effects of EDR/SDR. The thousands of cases of generated by this transformation will allow better studies to confirm existing findings about the effects of EDR/SDR on turnout and on partisan turnout. This study includes over 4,000 state assembly elections occurring with presidential elections between 2004 and 2016 in which EDR/SDR was active. When combined with the over 15,000 elections in which EDR/SDR was not present, the change in unit of analysis allows for more robustness in results and invites the researcher to engage in more fine-grained ancillary analysis.

By conducting the study at the state legislative level, it can answer new questions about EDR/SDR. Further studies can evaluate local political conditions to determine what factors lead to increase in turnout through the use of EDR/SDR. Most importantly for this study, this research design can give the average (rather than aggregate) effect of

the implementation of EDR/SDR on individual state elections. On average, will state legislative districts experience net turnout gains for Democrats or for Republicans? Do turnout gains translate into voteshare gains in state legislative elections? Since state legislators make decisions about enacting election law, these answers are especially important to the study of election law.

Transforming the research of EDR/SDR from the state to the state-district level posed a challenge as no dataset existed to permit this study. Accordingly, a new dataset was created for this paper which combines several existing data sets with independent data from Secretary of State offices. This dataset is structured with the state assembly district as the unit of analysis. For each district, the data set provides full state electoral results for every candidate in each assembly election held between 2004 and 2016 (Klarner 2018). In addition, the dataset includes key demographic indicators surrounding age, race, income, and education for each district (U.S. Census Bureau 2010); dummy variables for the existence of EDR/SDR, early voting, voter identification, mail balloting (revised and expanded from the Burden dataset) (Burden *et al* 2017); and an estimate of the ideological leaning of each district (Tausonvitch & Warchsaw 2013). In addition to allowing more fine-grained studies of EDR/SDR, some additional research this dataset might allow includes analyzing the localized effects of the other included voting laws; exploring the relationship between ideological leaning and election law selection; and with slight transformation, performing candidate-centered analysis of the effects of election laws.

Including a Measure of District Ideology

As with state-level analysis, the database for this paper has potential problems for the study of the effects of EDR/SDR on the Democratic vote. The general political culture of a state might positively influence both whether a state enacts EDR/SDR and the size of the increase in the share of the vote that goes to Democrats. Indeed, one study of this issue suggests that "...political culture significantly affects rates of voter turnout but that it also affects turnout as a result of its influence on the legal requirements and rates of voter registration" (King, 1994, p. 126). The purported effects of EDR/SDR on the Democratic vote may be therefore be augmented by endogeneity between the key independent (EDR/SDR) and dependent (voteshare) variables (Burden et al., 2017). For this study, which hypothesizes an EDR/SDR-caused increase in Republican votes/voteshares across state legislative districts, any endogeneity issues would weaken rather than strengthen the results. However, the dataset addresses this potential issue by including a control measure of the ideological leaning of each political district (Tasusanvtch & Warshaw 2013). Including this indicator helps to isolate the effects of EDR/SDR from the influence of partisanship on election law selection.

A second concern is reverse causality. A state's partisan leaning may affect the types of election laws its legislature enacts (Burden et al., 2017). Indeed, at least one study has shown that "Democrats.... [y]ounger people, those with lower incomes, nonvoters, and people with disabilities were more likely to support proposals that might make voting easier" (Bowler & Donovan, 2018). Given EDR/SDR's purported turnout benefits for the Democratic party, a liberal state house may be more likely to implement

EDR/SDR and therefore more likely to experience an increase in Democratic votes/voteshares after implementation. However, this study's hypothesis predicts a rise in Republican votes after EDR/SDR implementation. Therefore, any reverse causality would weaken rather strengthen results. And the inclusion of a control variable for district ideological leaning should help to decrease these potential effects.

In addition to resolving potential causal problems, adding a measure of the ideological leaning of state assembly districts to models of the effects of EDR/SDR on partisan voteshares greatly expands the field of questions the dataset can be used to answer. The ideological indicator is essential to answer the new questions posed by this research. Foremost, does the ideological leaning of a district affect the size and direction of change in partisan turnout due to EDR/SDR? When aggregated across states, EDR/SDR has been shown to result in increased turnout for both parties. However, the aggregated boost is greater among Democratic voters than among Republican voters (Burden et al., 2017). This result could be the sum of thousands of districts in which the rise of Democratic voteshares over Republican voteshares is experienced equally. This paper predicts, however, that the aggregate boost in Democratic votes is the sum of many very different net results. In some large urban liberal districts, the positive difference between new Democratic and Republican votes might be quite large, masking hundreds of small rural conservative districts in which Republicans experience net turnout gains over Democrats. By including an estimate of the ideological leaning of a district, this paper can evaluate these dynamics district by district.

The research design for this study attempts to account for these potential causality issue (endogeneity and reverse causality) in another way. It follows the research design of a previous study which included a set of difference-in-difference models to confirm the findings of its cross-sectional models (Burden et al., 2017). These models estimate the effect of EDR/SDR on the Democratic voteshare as the change in voteshare caused by a change in election law. “The differenced models take advantage of the fact that [political culture and demographic] variables evolve too slowly to be responsible for changes in turnout in elections separated by only four years. . . . Election laws, in contrast, change more abruptly and could affect the slope of our election variable coefficients” (Burden et al., 2017, p. 572).¹

Linking partisanship with the representation of marginalized voting groups

Accounting for the effect of ideological leaning on the size and direction of the shift in partisan vote shares caused by the implementation of EDR/SDR is the primary research question considered by this paper. A secondary concern is with the substance of the representation received by marginalized voters in its aftermath. While the scope of this paper does not allow for the study of the representational effects of EDR/SDR, including a measure of district ideological leaning is essential to this further research agenda.

¹ For a full discussion of the endogeneity issue and the use of difference-in-difference models in election law analysis see Burden *et al* 2017, pp 571-573.

Despite the analytical power of the ideological leaning indicator, it is an imperfect approximation of the representation of underrepresented, marginalized, low-SES voters. Partisanship is perhaps an even less perfect measure. Academic proponents of EDR/SDR do not (overtly) advocate for an increase in the representation of Democrats, but for an increase in the representation of disadvantaged groups that the Democratic Party traditionally represents (Alvarez, 2002; Brians & Grofman, 1999, 2001; Burden et al., 2017; Larocca & Klemanski, 2011; Mitchell & Wlezien, 1995; Rigby & Springer, 2011). Given the paucity of available data on the socioeconomic status of actual voters, this study accepts one central assumption of the literature on political participation: that “nonvoters tend to come from demographic groups more sympathetic to Democrats: people who are younger, lower-socioeconomic status, minority, urban, less religious, single, and geographically mobile” (Burden et al., 2017, p. 566). Therefore, increased turnout among underrepresented groups should be evidenced by increased voting for Democratic candidates in state legislative races. Increased representation of underrepresented groups should be demonstrated by the electoral success of and subsequent legislative decision-making by Democratic candidates. And gains made by Republican candidates provide a reasonable if imperfect proxy for decreased representation of marginalized groups.

Moreover, the literature linking turnout and partisanship is deep and rich. Study of the effects of increased turnout on partisanship in U.S. elections has been an active branch of election studies since at least the 1980’s (Citrin et al., 2003; DeNardo, 1980; Fenton, 1979; Fowler, 2015; Hansford & Gomez, 2010; Highton & Wolfinger, 2001;

Husted & Kenny, 1997; Nagel & McNulty, 1996, 2000; Radcliff & Saiz, 1995; Wattenberg & Brians, 2002). These studies were spurred on by the “[t]he conventional wisdom [that] tells us that Democratic candidates for national office usually win elections when there are large turnouts and Republicans are likely to win if the turnout is small” (Fenton, 1979, p. 229). This “conventional wisdom” supports the assumption that underrepresented voters tend to vote Democrat. For turnout to increase, it must include marginal voters (those who sometimes vote) and nonvoters (those who are eligible but do not vote). If increased turnout yields wins for Democratic candidates, then it is reasonable to conclude that the marginal and nonvoters included in increased turnout must be proportionately more Democratic than Republican.

In his seminal study on the subject, James DeNardo challenged this conventional wisdom and found that the picture is more complex. Democrats did not enjoy an absolute advantage from increased turnout. Rather, only when Democrats are in the minority, will they enjoy a greater advantage from increased turnout than will Republicans in Democratic districts (DeNardo, 1980). While DeNardo’s original model has been challenged, tested, and refined, the basic mathematical relationship has held when applied to real electoral data (Nagel & McNulty, 1996, 2000; Radcliff & Saiz, 1995).

Additionally, simulation-based studies support DeNardo’s basic model (Burmila & Birkhead, 2017; Citrin et al., 2003; Martinez & Gill, 2005). As simulated turnout was increased, Democrats were more likely than Republicans to experience some representational gains at the polls. DeNardo’s results suggest that the ideological leaning

of a district is important to determining the effects of increased turnout on Democratic voteshares.

While model-based simulations allowed researchers to examine the effects of turnout on partisanship in theoretically sound counterfactual scenarios, election law implementation offered many potential natural experiments to test these theories. Election laws like motor voter, early voting and election day should result in significant increases in turnout around their implementation dates. Researchers used data collected from these interventions to estimate the gains in Democratic voteshare experienced due to a one-time increase in turnout. These studies found that the partisan effects of turnout were dependent upon the specific intervening election law (Berinsky, 2005; Burden et al., 2014; Franklin & Grier, 1997; Highton & Wolfinger, 1998; Knack, 1995; Knack & White, 1998; Martinez & Hill, 1999; Neeley & Richardson, 2001).

That the effects of turnout on the partisan vote vary depending on the intervention used to increase turnout suggests a difference in the mechanisms at work within each election law. EDR/SDR is thought to work by easing the cost of voting for would-be voters with limited resources (Alvarez, 2002; Brians & Grofman, 1999, 2001; Mitchell & Wlezien, 1995) and by increasing the efficacy of mobilization efforts (Burden et al., 2014; Enos et al., 2014; Rigby & Springer, 2011). Yet, low-SES individuals can be Republicans as well as Democrats. It is, therefore, reasonable to expect that the size and direction of the shift in partisan vote caused by increased turnout through EDR/SDR would depend, to some extent, on the existing partisan divide within a district (DeNardo, 1980). This study offers a chance to test DeNardo's theory about the effects of turnout

on partisanship and an opportunity to evaluate his findings that only when Democrats are in the minority will they enjoy a greater advantage from increased turnout than will Republicans in Democratic districts (DeNardo, 1980).

If EDR/SDR does not result in an average increase in the Democratic voteshare in state assembly districts, what would this mean for the representation of marginalized groups? Underrepresented voters tend to vote for Democratic candidates (Burden et al., 2017), which should mean that underrepresented voters believe they are best represented by Democrats. If the net effect of EDR/SDR were to decrease the Democratic voteshare then representation may be affected in two ways. First (and rarely), where the partisan divide is even, the difference in voteshare may result in the election of Republican assemblymember. More often, the net effect of EDR/SDR will be to change the composition of the voting base for incumbent state assemblymembers. While the actual representational effects are an avenue for further research, the literature on redistricting suggests that Democratic incumbents may be less likely to take strong party policy stances in the face of increasing Republican voteshares (Grimmer, 2013). Where the incumbent is Republican, such results might cause a proportionate shift rightwards in policy stances (Kousser et al., 2007; Miler, 2016). If EDR/SDR results in an increase in Republican voteshares rather than Democratic voteshares, the result likely would decrease representation for marginalized groups and increase existing political inequality.

Overview of the Work

The models in this study are designed to answer three important questions. First, does EDR/SDR have an impact on partisan turnout and partisan voteshares. Second, does a district's ideological leaning affect the relationship between EDR/SDR and partisan turnout/voteshare. Third, do the effects of EDR/SDR on partisan turnout and partisan voteshare translate into increased or decreased representation for low-SES voters who are underrepresented in policy and marginalized as voters.

This study will begin by reviewing theories of findings from relevant literatures. To build the argument that EDR/SDR may result in changes to the representation of disadvantaged groups requires combining hypotheses from the literatures on political participation, election law, and representation. Research on political participation helps to explain who participates and why they participate. Election Law studies focus on how election interventions can affect who participates in elections. The literature on representation explains how voter participation in elections translates into substantive representation in state legislative chambers.

Next, the author introduces the data and models to be used in this study. The dataset created for this study is new but suffers from some data limitations that are discussed in this chapter. Each key variable is described, and some coding decisions are presented. Finally, the author sets out each of the four models created for this study. The hypothesis tested by each model is discussed and compared to expectations from the literature.

In Chapter Four, each of the study's four models is run for each political party in 2004, 2008, 2012 and 2016. The author interprets the results of each model and compares the results to the expectations from the literature. In Chapter Five, the results of the four models are discussed further. The author uses the results to make inferences about representation of marginalized voting groups. The paper concludes with a discussion of the implications of the effects of EDR/SDR on representation and by giving avenues for further study.

CHAPTER TWO

LITERATURE REVIEW

The complex theoretical connection between election law and substantive representation requires a combination of several related literatures in American politics. This chapter sets out theories and finding from the literatures on political participation, election law and representation. The purpose of this effort is to establish a clear causal link between the implementation of EDR/SDR and the representation of marginalized voting groups. To do so requires merging complementary ideas from different areas of political science.

In the political participation section, the author begins by exploring the importance of political participation. In a democratic republic like the United States, political participation indicates the consent of the governed (Ceaser, 1981). Political participation is also an important way that constituents communicate their policy preferences to elected officials. When individuals do not participate, they are marginalized both as participants in the political system and as recipients of their preferred policies.

Next, the author establishes that low-socioeconomic status is associated with low rates of political participation. A central theory is that low socioeconomic status (SES) individuals participate less politically because they have fewer resources (Downs, 1957a; Rosenstone, 1993). For example, to cast a ballot in an election, voters may need to gather information, reserve time and incur travel. Those costs may be greater than the voter can or prefers to bear. High-socioeconomic status individuals can bear these costs better

because they are less constrained by their resources. Political inequality exists because low-SES individuals participate less than high-SES individuals.

If the costs of voting prohibit low-SES individuals from voting, one way to increase voting among low-SES voters is to decrease the costs of voting. In the section on election laws, the author reviews the current state of the literature on the effects of election law interventions on turnout and voteshares. Early Voting, Motor Voter Registration, Same Day Registration and Election Day Registration are laws which all decrease some costs of voting, but which have markedly different electoral effects on turnout, partisan turnout and partisan voteshares. The literature on partisan turnout leads us to expect that EDR/SDR will increase turnout for members of both political parties but will turn out more Democratic voters than Republican voters. It also may be possible that EDR/SDR increases voteshares for Democratic candidates. Since nonvoters tend to vote for Democrats (Burden et al., 2017), then EDR/SDR should benefit the low-SES individuals that disproportionately do not vote.

The literature on representation tells us that underrepresentation at the polls can lead to underrepresentation in legislative decision making. In this section, the author briefly discusses the difference between descriptive and substantive representation before settling on substantive representation as type of representation of concern for this study. Several findings from previous work on redistricting and legislative behavior are presented because redrawn district lines can cause the same small shifts in district turnout and district voteshares that result from EDR/SDR. Legislators consider their voting bases when making legislative decisions (Miller & Stokes 1963; Mayhew 1974). Changes to

the composition of a legislator's voting base results in changes in their legislative voting (Canes-Wrone et al., 2002; Kousser et al., 2007; Miler, 2016). Thus, changes in turnout and voteshare caused by EDR/SDR may lead to changes in legislative behavior that can increase or decrease the substantive representation received by marginalized voting groups.

Finally, one finding from the literature on partisan turnout is discussed. In 1980, James DeNardo found that the partisan effects of turnout vary with district partisan strength (DeNardo, 1980). This paper will argue that the ideological leaning of a district likely contributes to the effects of EDR/SDR. This section ends with a discussion of how DeNardo's findings might guide that theory and how the interaction between EDR/SDR and district ideology might affect the representation of underrepresented individuals.

Political Participation

We care about who participates in the American political system because it reflects the quality of representation the people receive and the perceived legitimacy of elected government. At its heart, political participation includes the activities through which "citizens in a democracy seek to control who will hold public office and to influence what a government does" (Verba et al., 1995, p. 1). In a democratic system, we expect both the policies a government enacts and the elected officials who vote on policy to represent the will of the people. If the will of the people is, in large part, communicated through political participation, then the preferences of those who

participate politically are therefore more likely to be represented in government than the preferences of those who do not.

Perhaps just as importantly, the level of political participation in an electoral system may reflect the level of legitimacy of the government. In the context of an American representative democracy, legitimacy lies in the idea of the consent of the governed and “[t]he two dominant interpretations of the consent of the governed are suggested by the terms *representation* and *direct democracy*” (Ceaser, 1981, p. 124). Direct democracy requires that citizens exercise “direct popular control of political decisions” (Ceaser, 1981, p. 124). So, the legitimacy of the decisions made is directly tied to the will of the people participating in decision making. In lieu of direct participation in political decision making, representative government “...is based on the idea of according discretionary judgment to institutions whose representatives or officers are selected directly or indirectly by the people [and].... the likelihood that [representative officials] will follow the immediate wishes of the public rather than their own judgment is bound to increase with the directness and frequency of their election” (Ceaser, 1981, p. 124). In representative democracy, governmental legitimacy is granted through the peoples’ direct participation in elections.

However important voting is as a direct form of political participation, concerns about political inequality extend far beyond individuals casting votes in elections. Political participation includes “both conventional activities such as working in election campaigns, contacting government officials, contributing money to parties or candidates, and working informally in the community [Verba, Nie, and Kim 1978, 286-95] and

unconventional activities, like participation in demonstrations, boycotts, rent and tax strikes, occupying buildings, and blocking traffic [Marsh and Kaase 1979, 100, 112-26]” (Lijphart, 1997, p. 1). All these activities work directly or indirectly to shape the distribution of governmental resources (Rosenstone, 1993).

We care how people participate in the political system because all forms of participation are not equal. In representative democracy, the decisions the people make in an election can be more far reaching than the direct democracy decisions made in ballot initiatives or referendums. Indeed, an election is a single decision made by voters to influence years of decision-making by their elected representatives. Moreover, casting a vote is a more direct way of influencing political outcomes than other campaign activities.

In representative democracy, the quantity and “quality” of who votes in elections directly affects the substance of representation received by the people. “More equal levels of participation [in elections] may produce different electoral outcomes, either in terms of who is elected to office or in terms of the policy positions that candidates adopt in order to secure a majority of the electorate” (Ellis, 2017, p. 35). It follows that, when participation by voters in elections is unequal, “[i]nequalities in policy representation... seem to be the norm rather than the exception” (Ellis, 2017, p. 4). If policy representation in government unequally represents the preferences of the people, then the government is, at best, a perversion of democratic ideals in which “[t]he needs and preferences of no individual should rank higher than any others” (Verba et al., 1995, p.

10). At worst, low and unequal turnout in elections can result in declining perceptions of the legitimacy of elected governments (Hasen, 1996).

Low and/or unequal voter turnout reflects challenges to governmental legitimacy in two ways: by challenging the electoral relationship between voters and candidates and as an indicator of popular consent to government. First, nonvoters receive less representation. In a study of the rollcall votes of U.S. Senate, the preferences of voters influenced Senator decision-making, but not those of nonvoters (Griffin & Newman, 2005). Moreover, numerous studies have shown that, when voter turnout is increased (through compulsory voting or other electoral interventions), governmental policy shifts significantly (Fowler, 2011; Fujiwara, 2015; Husted & Kenny, 1997). In a representative democracy, where the will of the people is translated through the election of official representatives, failure to accurately represent the whole of the people is a challenge to government legitimacy (Ceaser, 1981).

Second, political participation through voting may serve as an important indicator of widespread consent to the status quo (Miles, 2015). Anthony Downs famously identified a voting paradox: if the benefits of participation are small (e.g., the odds of casting a decisive vote in an election), then why does anyone vote at all (Downs, 1957a)? Voters may have other reasons for voting. “Particularly when the probability of changing the composition of government through a single vote is small, participating in an election is a tacit endorsement of the existing regime” (Miles, 2015, p. 363). While we cannot look at nonvoters as positively voicing their lack of support for the government, it is reasonable to suggest that voters vote because they believe in the legitimacy of the

electoral system and the representational promises contained therein. Low turnout can therefore be seen as a challenge to the legitimacy of the status quo for U.S. electoral systems and government administrations.

In the U.S. context, turnout among eligible voters is generally low. Even the highly salient 2016 Presidential elections brought only about 60% of eligible voters to the polls nationally (McDonald, 2018). Midterm elections over the past decades have typically brought out less than 50% of eligible voters (McDonald, 2004) and state and local elections untied to Federal election can see turnout of 25% or lower (Maciag, 2014). Since about 50% of eligible voters fail to show their confidence in the electoral system by voting, such low turn-out rates may hint at problems with governmental legitimacy in the U.S. context (Miles, 2015). Low turnout does not *per se* indicate political inequality. Rather, the question of who is turning out to vote (and who is not) must be answered to evaluate equality in the electoral system and its resulting elected representation.

In American elections, turnout is not only low; it is also uneven. The higher the socioeconomic status of an individual (measured in income and education), the more likely that person is to vote (Rosenstone, 1993; Verba, 1972; Verba et al., 1995; Wolfinger & Rosenstone, 1980). Gender and race may join socioeconomic status as indicators of propensity to vote. In a study of the effects of demographic characteristics on political participation, Rosenstone shows that participation of all types is highest among educated, affluent, older, white men (Rosenstone, 1993). Importantly, the current level of demographic bias in turnout may be attributable in part to historic efforts to exclude poor, non-white, and female citizens from the vote (Cunningham, 1991; Keyssar,

2000; Lijphart, 1997; Piven & Cloward, 1988). Past barriers to the vote may directly affect the rate of voting within historically disenfranchised communities. “Low voter turnout means unequal and socioeconomically biased turnout” (Lijphart, 1997, p. 2), because the disproportionality in voting among demographic groups is exacerbated when the numbers voting are small.

The individual decision not to vote translates into governmental and societal inequality. Political participation is an important mechanism for transmitting voter preferences to elected officials. In a study of the effects of demographic characteristics on political participation, Rosenstone and Hansen show that participation of all types is highest among educated, affluent, older, white men (Rosenstone, 1993). Following their findings of unequal participation, they argue that “inequalities in participation [have] led to inequalities in influence, which [have] led to inequalities in policy outputs, which have led to inequalities in resources....” (Rosenstone, 1993, p. 245). Voting is essential to securing representation in government decision-making and, if demographic groups are underrepresented in voting, they will be equally underrepresented in government.

Participation/turnout inequality is an important indicator of political inequality, and political equality is an important criterion of governmental legitimacy. Political inequality is a problem that must be solved, and political scientists have looked to resolve political inequality by first identifying its cause(s). From an institutionalist perspective, the institutions, rules, and norms that govern individual interaction with the political realm determine levels of political participation in demographic groups. Among rules that affect political participation, poll taxes, property qualifications and literacy

requirements that were features of early American voting decreased electoral participation among the poor and uneducated (Keyssar, 2000). Importantly, even after removal, these early barriers may have longstanding impact on turnout among historically disenfranchised groups (Cunningham, 1991; Keyssar, 2000; Lijphart, 1997; Piven & Cloward, 1988).

Political participation has a structural component as well. Robert Dahl envisions a permanent political stratum whose members rapidly receive communication about the need for political mobilization because “members of the stratum read many of the same newspapers and magazines” (Dahl, 1961, p. 91). Levels of participation vary because political information is normally carried in certain types of media outlets, and media consumption may vary by education level or income. As historical barriers may discourage some marginalized groups, so structural advantages (like those suggested by Dahl) might encourage voting among historically privileged groups. If social and governmental institutions shape political participation levels, then we can modify patterns of political participation by modifying the institutions, like election administration, that connect individuals to the political system.

Classic institutional explanations of political participation place the decision to participate squarely in the hands of individuals. Some individuals choose to vote and participate less than others because the price of participation is too high and/or the perceived benefits of participation are too small. The economic theory of voting explains variations in levels of participation among demographic groups by the aggregation of individual decisions about the costs and benefits of political action. In *An Economic*

Theory of Democracy, Downs argues that “voting costs may ... disenfranchise low-income citizens relative to wealthier citizens” (Downs, 1957b, p. 261). According to Downs, individuals weigh the costs of voting (time taken to register, research candidates, and vote) against the potential benefits of voting (the perceived potential policy benefits they will receive if their preferred candidate wins discounted by the chance that they will cast a deciding vote) (Downs, 1957b). Low-income individuals will vote less often than wealthier individuals both because the costs of participation are relatively higher among low-income individuals and because they perceive less benefit from electoral outcomes than do wealthy individuals (Downs, 1957a; Hasen, 1996).

Low-SES individuals participate less than high-SES persons because their relative costs of participation are higher. Participation costs can include missed work and transportation costs, which, while negligible to the affluent, may make a noticeable impact on the wallets of the poor. Verba et al. (1995) argue that individuals choose how and when to participate based largely on their access to resources “such as money, time, and civic skills” (Verba et al., 1995), p. 16). Political participation might be seen as a “luxury,” to be enjoyed only by those with spare resources to allocate to political activity.

Low-income individuals also participate less because their perceived benefits of participation are lower than the relative costs (Downs, 1957a). Downs calculated the potential benefits of voting as a function of the expected policy benefits from having a preferred candidate elected and the odds of casting the decisive vote in an election (Downs, 1957a). That these benefits are nearly infinitesimally small gave rise to his famous Paradox of Voting: when the benefits of voting are so small, why does anyone

bear the cost of voting at all? This paradox provides the basic logic underlying institutionalist research on political inequality.

Downs' assertions about voting have been extended to other aspects of political participation to show that the costs of participation often outweigh the benefits of participating. Political participation can be defined as any "action directed specifically towards influencing the distribution of social goods and social values" (Rosenstone, 1993, p. 4). When combined with Downs' economic theory, the costs of participation are to be "paid for" by the benefits received from exerting influence over resource distribution. In its most direct and crude form, this should mean having a chosen candidate gain office. Downs reasons that, since any one vote contributes minimally to the election of any candidate, the individual benefits of voting are negligible (Downs, 1957a). As with the effect of a single vote, the effect of a single letter, contribution or phone call is likely negligible to the outcome of elections and or policy/decisions. Moreover, an accurate assessment of the potential benefits of electing a preferred candidate requires information about proposed policies and potential policy outcomes that is not readily accessible by low-income individuals (Verba et al., 1995).

Since the individual benefits of participation are negligible, even very small barriers can act as significant disincentive to participation: the lack of a stamp to send a letter; the lack of a ride to the voting registrar's office; or ignorance of polling place locations (Brady & McNulty, 2011). The less well-resourced the individual, the greater are the relative costs of procuring stamps, rides, and identification. Thus, unequal participation may result from the unequal application of and experience of barriers to

participation (Downs, 1957a; Ellis, 2017; Rosenstone, 1993; Verba et al., 1995; Wolfinger & Rosenstone, 1980).

Even when such “economic” decision making is moved from the individual to social groups, the perceived costs and benefits of participation play a decisive role. Political leaders target well-resourced (in time, education, and money) participants, reasoning that greater input by some individuals will yield greater output for the group (Rosenstone, 1993). If there is little incentive for a low-resourced (low SES) individual to participate, there is also little incentive for political elites to mobilize that individual to participate. Party mobilization efforts that target marginalized voters will target voters within those groups with higher propensity to turn out, which can potentially exacerbate existing turnout inequalities (Enos et al., 2014). And while membership in a disadvantaged group may stimulate participation through “group consciousness,” it is also likely to magnify the perceived futility of political participation (Miller et al., 1981). Where members of disadvantaged groups are dissatisfied with political outcomes, some members may be mobilized to enact systemic change through political participation. Perhaps as likely, however, “... disaffected individuals who find the system un-yielding to change, even in the face of collective demands or who do not attribute their subordinate position to systemic causes will not participate [politically]” (Miller et al., 1981, p. 508).

On the group level as on the individual level the perceived benefits of political mobilization (more souls at the polls) and participation are inextricably linked to the perceived costs (time, money, and research) and group benefits participation is thought to

accrue. Targeting marginalized groups rather than marginalized individuals does little to ameliorate inequality in political participation. Indeed, such efforts, when taken in light of the relative benefits and costs of participation, are as likely to exacerbate, as to decrease unequal levels of participation between better-resourced and worse-resourced individuals within and without social groups.

Whether taken on an individual or group basis, institutionalists argue that the relative costs of (barriers to) and benefits of political participation will determine whether people participate politically. Relative inequalities in the way that individuals experience barriers to or perceive benefits from participation can result in unequal participation rates between persons of low and high socioeconomic status. Unequal participation rates result in unequal policy representation as individuals who participate have more ability to communicate their preferences to elected representatives. Unequal policy representation can lead to (further) inequalities in resource allocation, which translate into a self-perpetuating cycle of disenfranchisement.

Some people do not participate because of existing inequalities in resource distribution. Yet, political participation is an important mechanism for amending resource allocation to reflect public needs more accurately (Fowler, 2011; Fujiwara, 2015; Hajnal & Trounstein, 2005; Husted & Kenny, 1997). The implication of these findings highlights a new paradox. Lack of resources discourages low SES people from participating. Yet, by not voting, low-SES persons inadvertently confirm their acceptance of the unequal distribution of resources that discourages them from participation. In order to combat political and economic inequality, low-SES individuals

must be encouraged to participate by either decreasing the relative costs or increasing the relative benefits of voting. In a democratic system in which each person's vote must count equally, it is not feasible to increase the benefits accrued from political participation. We cannot weight minority votes more than others, nor can we "reward" the act of voting outside of the election results shared by all. For this reason, much research and policymaking surrounding political participation is focused on identifying and ameliorating structural and institutional barriers.

Election Laws, Voter Turnout and Political Inequality

The American electoral system is a history of the simultaneous furtherance of democracy and erection of new barriers to democracy. If the foundational ideal of "one man, one vote" infused the creation of the U.S. electoral system, efforts followed closely behind to restrict the definition of who was a "man" entitled to vote in the new system (Piven & Cloward, 1988, pp. 4-5). The earliest and strongest barriers to the vote were wealth-based eligibility requirements. Somewhat less than 60% of adult white males who inhabited the 13 colonies were eligible to vote prior to American Revolution (Keyssar, 2000, p. 7). By the 1830's, nearly all adult white men living in the newly christened United States were eligible to vote as income-based barriers to the vote fell (Piven & Cloward, 1988). The history of election law in the 19th and early 20th century was the gradual expansion of the franchise to include male Black Americans in 1869 (to be strengthened by the Voting Rights Act of 1965); women in 1920; Native Americans in

1924; and Chinese immigrants in 1943. Thus, by the middle of the twentieth century, the United States finally experienced something akin to universal suffrage.

As the pool of potential voters increased, however, new election laws arose to act as gatekeepers of the franchise. “At the turn of the century, political movements in both the North and the South transformed the voting process by shifting the burden of maintaining voter eligibility from the government to the individual. The process, no longer based on a system of simple access for broad categories of eligible voters, became complicated by the imposition of a series of duties and requirements on the individual voter. Failure to comply often meant loss of the franchise” (Cunningham, 1991, p. 307). The creation of voter registration requirements, combined with poll taxes and literacy tests, allowed the exclusion of potential voters from lower economic strata in northern states and both black and poor voters in southern states (Piven & Cloward, 1988). The 20th Century can thus be characterized as an era in which the franchise was expanded by federal law removing barriers to voting while states implemented election laws that posed administrative barriers at the polls in order to exclude voters by race and economic status. This state-level trend continued into the 21st century and can be seen in the proliferation of laws that suppress rather than encourage voter turnout – especially among the most vulnerable Americans. In 2021 alone, “at least 19 states passed 34 laws restricting access to voting” (“Voting Laws Roundup: December 2021,” 2022).

Voter rolls reflect the list of eligible voters. Voter registration requirements (the administrative steps that a potential voter must take to prove voting eligibility) help to distinguish eligible from ineligible voters (Hall, 2013). The United States did not always

require potential voters to register prior to casting their ballots. Not until the mid-twentieth century did nearly every state create and maintain voter registries, and even today North Dakota has no voter registration requirement (Ansolabehere & Konisky, 2006). The result of a slow, uneven and, largely, local path to voter registration has been a voter registration system in the United States which, while nearly universal, varies greatly between states.

While voter registration requirements help to distinguish between eligible and ineligible voters, the negative result of their imposition has been twofold: first, an absolute drop in turnout in U.S. elections, and second, a relative decrease in the proportion of low-SES voters who turnout at the polls. Voter registration requirements imposed by states decrease absolute turnout among eligible voters. By the 1920's, after a slew of registration laws had been enacted, nearly 50% of eligible voters did not turn up to vote (Piven & Cloward, 1988). In an early influential study on the effects of easing registration requirements, Rosenstone and Wolfinger estimated that registration requirements suppressed absolute voter turnout by as much as 9% (Wolfinger & Rosenstone, 1980). More recent studies have reported the negative effect of voter registration requirements on turnout at 5% (Fenster, 1994), 3-5% (Ansolabehere & Konisky, 2006), and 3.8% (Knack, 2001). Scholars widely acknowledge that eased registration requirements increase voter turnout.

Voter registration requirements may also increase political inequality because they may decrease turnout more among marginalized voters than among active voters. Piven and Cloward maintain that the imposition of voter registration laws was nothing

less than “the purge of lower-strata voters from the electorate” (Piven & Cloward, 1988, p. 6). However, research into the effects of registration laws on turnout has been unable to substantiate the claim that eliminating registration requirements would decrease political inequality by changing the demographic composition of the voting base (Mitchell & Wlezien, 1995; Teixeira, 1992; Wolfinger & Rosenstone, 1980). Still, the logic behind the theory continues to support research into the effects of voter registration laws on turnout inequality.

In the U.S. context, turnout among eligible voters is generally low. The lower the percentage of eligible voters that vote, the more likely it is that regular voters in well-represented demographic groups will comprise a disproportionate share of overall turnout (Lijphart, 1997). Since low turnout means unequal turnout, election laws typically aim to increase overall turnout with the expectation that underrepresented demographic groups will be a proportionally larger share of higher turnout numbers (Berinsky, 2005). As the turnout rates increase, inequalities in voting among demographic groups should decrease.

If requiring voters to register before casting a ballot did not, on its face, lead to a relative decrease in voting among low-SES individuals, perhaps specific provisions in state election law cause their disproportionately lower turnout. Registration deadlines – the number of days before an election by which a voter must register in order to cast a ballot on election day – have been examined as a possible culprit. Rosenstone found that earlier deadlines had an outsized impact on depressing turnout among low-SES voters (Rosenstone, 1993). Another study found that shortening deadlines led to a shift in turnout away from high-SES voters (Brians & Grofman, 1999). Finally, many studies

have shown that Election Day Registration, which effectively lengthens registration until Election Day has resulted in relative increases in turnout among marginalized voting groups (Brians & Grofman, 2001; Fenster, 1994; Knack, 2001; Knack & White, 2000).

Additionally, where an individual can register to vote may affect the likelihood that an individual will register and thus be eligible to vote on election day. For example, the National Voter Registration Act of 1993 (NVRA) requires all states to allow voters to register in-person at motor vehicle departments and other public agencies or by mail. Motor Voter Registration is thought to reduce the costs of voting by permitting registration while the voter is completing applications for other essential services. While most studies do not debate the positive effect of the NVRA on registration rates, considerable disagreement exists over how well those new registrations are translated into actual votes. Studies of the effects of Motor Voter Registration programs are mixed and have found no significant effect on turnout (Berinsky, 2005), little effect on turnout (Rigby & Springer, 2011), an impressive positive effect on turnout among young voters (Highton & Wolfinger, 1998) or a positive early effect on turnout that rapidly declines (Knack, 1995). To the extent that NVRA programs do increase turnout, they may also moderately decrease inequalities in turnout among socioeconomic groups (Rigby & Springer, 2011).

Small differences in election law can cause statistically significant changes in absolute turnout and the demographic composition of the voting base. It is small wonder that much recent governmental and academic research on political inequality has turned to examining election law reform. As federal and state governments have looked at

legislative solutions to combat declining rates of voter turnout, voter registration laws have been a key focus of policy work (Highton, 2004). In addition, many states and cities across the U.S. have paid increasing attention to reforming election law in recent years, with a focus on increasing representation among underrepresented groups. These actions have two underlying theories. First, changing how individuals gain access to the voting booth will affect the likelihood that they will vote. Second, changing the level of turnout among key demographics will shift the level of representation that members of these demographic groups receive.

The state-level electoral reforms treated in this paper are aimed at increasing voter turnout; and these policies are informed by Downs' theory of economic decision-making. According to Downs, voters decide whether to vote based on an analysis of the perceived costs and benefits of voting (Downs, 1957a). The election law reforms discussed here adopt the "costs" side of Downs formula. The Voter Registration Act of 1993 (NVRA) includes Motor Voter Registration provisions which make registering easier by allowing eligible citizens to register to vote at state motor vehicle departments. NVRA also includes provisions for mail-in registration, which allow voters to register without appearing in person. Early Voting laws makes voting easier by allowing voters to cast their ballots during the weeks preceding an election. Election Day Registration (EDR) makes both registration and voting easier by allowing voters to both register and cast their ballot on election day. In states with Early Voting, Same Day Registration (SDR) laws allow voters to both register and cast their vote at the same time during the Early Voting period. Each of these election reforms attempts to lower the costs

associated with registration and voting to encourage more eligible voters to turn out at the polls. As each election law works differently to weaken different barriers to voting, so studies of the effects of each of these election laws on turnout are mixed – showing no effect, little effect, a positive effect, or a negative effect on mobilizing voters.

The National Voter Registration Act

The National Voter Registration Act of 1993 (NVRA) required all states to allow voters to register in-person at motor vehicle departments and other public agencies or by mail. The NVRA “was designed to increase electoral participation in the United States by requiring states to implement a variety of procedures to lighten the burden of voter registration” (Highton & Wolfinger, 1998, p. 1). Motor Voter Registration is thought to reduce the costs of voting by permitting registration while the voter is completing applications for other essential services. Studies of the effects of Motor Voter programs have found mixed results.

Motor Voter programs may result in increased turnout in elections immediately following implementation, but those positive effects may rapidly decline over time and may disappear after about 5 election cycles (Knack, 1995). These results may depend on how “actively” the state’s motor vehicle program promotes voter registration during motor vehicle transactions (Knack, 1995). When voter registration is actively promoted by motor vehicle departments, the NVRA may produce a large short-term effect as it reaches out to bring non-registered voters who conduct motor vehicle transactions onto the registration rolls. In states with “active” motor voter programs, voter registration may

increase by as much as 5% and voter turnout by as much as 4% (Franklin & Grier, 1997).

If Motor Voter Registration programs increase voter registration and turnout, the next important question is “among whom”?

For Motor Voter Registration to be effective at reducing political inequality, relative increases in registration and turnout rates among marginalized voting groups should be greater than increases among traditionally active voters. In fact, the turnout effect of motor voter registration is constant across political parties and “those who become registered as a result of motor voter laws tend to vote at the same rate as other registered voters” (Franklin & Grier, 1997, pp. 113-114). Motor Voter Registration may simply make registration easier among demographic groups that traditionally vote, rather than encouraging nonvoters to participate. The effect of Motor Voter Registration is to increase voter turnout by as much as 4.7-8.7 percentage points in states with fully developed programs (Highton & Wolfinger, 1998). The turnout effects of NVRA are strongest among young voters and among the residually mobile – two marginalized voting groups (Highton & Wolfinger, 1998). While young and residually mobile individuals do vote less than other demographic groups, NVRA-caused increases in registration among these groups does not reduce SES-based political inequality. As one author concludes “...Motor Voter has not altered markedly the influence of demographic characteristics on voter turnout. Early supporters of the NVRA believed that reducing the barriers to registration would increase number of eligible citizens and the diversity of the voting pool. The NVRA has modestly increased both the absolute number of registered citizens and the percentage of the voting age population that is registered. However, it

has not yet produced broad changes in the demographic profile of the pool of registered citizens. Motor Voter's marginal influence on registration suggests that we should not expect it alone to produce dramatic changes in the types of people who subsequently turn up to vote" (Rugeley & Jackson, 2009, p. 56).

The NVRA includes two other provisions to ease registration: registration in other governmental agencies; and registration by mail. Registration at other governmental agencies is not well-studied. However, mail-in registration should decrease the costs of voting by allowing voters to register without having to spend time and money on travel. Studies of the effects of mail-in registration are mixed. Mail-in registration programs may have no effect on turnout (Rigby & Springer, 2011), small positive impacts for turnout in Presidential elections (Knack, 1995), and even a slight negative effect on turnout (Highton & Wolfinger, 1998). In fact, when all three provisions of the NVRA are fully implemented by states (registration at motor vehicle departments, other governmental agencies and by mail), it is possible that states experience no positive effects on turnout when compared with states that have not fully implemented NVRA (Martinez & Hill, 1999). The net effect of full implementation of NVRA provisions was a slight decrease in measures of political equality (Martinez & Hill, 1999).

Since the NVRA was enacted, states have experimented with several election laws, including Early Voting and EDR/SDR. The turnout effects of these other election laws may cloud the pure effects of NVRA. In fact, when other voting laws that effect registration and turnout are controlled for (including EDR/SDR and Early Voting), the turnout effects of Motor Voter programs may be reduced to about 1% (Fitzgerald 2005).

With such small turnout increases, motor voter registration may be effective in reducing turnout inequality only in states where existing income bias within voter registration rolls signifies that rich voters are 40% more likely to be registered than poor voters (Rigby & Springer 2011). NVRA then may work best to ameliorate inequality where existing socioeconomic bias is large and other election interventions that reduce bias are not in place.

Finally, a 2013 report commissioned by the U.S. Congressional Research summarizes the findings of biennial reports of the effects of NVRA on turnout since its passage in 1993. The report concludes that “All-in-all, while the NVRA has been in effect for 18 years, there appears to be mixed evidence about the impact of the NVRA on increasing voter turnout. Of course, one could always argue that voter turnout might have been much worse without the NVRA, a rather difficult hypothesis to prove or disprove” (Crocker, 2013, p. 24). Overall, then, the NVRA may be successful in creating a significant short-term boost in turnout among young and residentially mobile voters, and a smaller boost in turnout among all voters. However, it has not been shown consistently to decrease political inequality and may, at times, increase political inequality.

Early Voting

Early Voting is thought to decrease the costs of voting by allowing voters to cast their ballots at alternative sites in the weeks leading up to a general election (Burden et al., 2014). Permitting voters to vote at convenient times in convenient locations reduces

the cost of voting. In theory, this should stimulate voting among underrepresented demographic groups and decrease turnout inequalities. However, research into the effects of Early Voting on turnout have produced mixed results and Early Voting is not thought to decrease political equality when implemented on its own. When implemented with Same Day Registration, however, Early Voting may increase turnout absolutely and especially among marginalized groups.

Evaluations of the effects of Early Voting have found that it tends to retain regular voters more than it stimulates new voters (Berinsky, 2005; Burden et al., 2014). Early Voting may not increase turnout because the types of people who are more likely to vote early are also more likely to vote overall. “[E]arly voters are significantly more likely than election-day voters to be strong partisans and older. Early voters are also considerably more conservative and more likely to be males than are election-day voters” (Stein, 1998, p. 61). Since early voters would otherwise vote, the net effect of Early Voting is to split existing votes between the Early Voting period and election day. An early study of the effects of election laws on pure turnout confirmed that early voting (as opposed to EDR/SDR and NVRA provisions) had no positive effect on turnout and may even decrease turnout in Federal elections (Fitzgerald, 2005).

Even when Early Voting is expanded to include mail ballots, no positive effects on turnout are observed. Early Voting allows individuals to vote in-person at designated sites for some number of days prior to election day. However, some studies expand their measures of Early Voting to account for all mechanisms through which a person might cast their vote prior to election day, including voting by mail (VBM) and excuse or no-

excuse absentee balloting. Even when these additional interventions are included, Early Voting is not shown to increase turnout, while early in-person voting alone may decrease turnout in presidential elections (Gronke et al., 2007). Early Voting, whether in person or by mail, requires the would-be voter to be previously registered to vote. It does not enable easier access to the polls for new voters.

That Early Voting may decrease turnout is a surprising find for which researchers have offered possible explanations, including decreased mobilization by party elites; deterioration of the democratic tradition symbolized by election day voting; and decreasing interest in elections (Fitzgerald, 2005; Gronke et al., 2007; Rosenstone, 1993). One activity of political parties is to mobilize their voters to turn out on election day (Aldrich, 1995). As the length of time considered “election day” is expanded to include days of early voting, the costs of sustaining a multiweek mobilization may decrease the efficacy of mobilization efforts and result in decreased turnout (Fitzgerald, 2005). For political parties to effectively increase turnout under early voting, mobilization efforts must be altered to accommodate the additional days of voting (Stein, 2003; Stein & García-Monet, 1997). Which party and, by extension, which demographics of voters is advantaged by Early Voting may be a function of local mobilization efforts.

The remaining two explanations of decreasing turnout as a result of Early Voting focus on the individual experience of mobilization efforts. Early voting may decrease the civic allure of election day voting (Fitzgerald, 2005; Gronke et al., 2007). In the United States, where election days are treated as quasi-holidays, the enticement of voting may be less when it is not focused on a single climatic day. Voters may not turn out because they

are no longer drawn to vote by the tradition of election day. Early voting may also make it more difficult for voters to get clear information about candidates (Gronke et al., 2007). Since candidate messages clarify as it gets closer to election day (Vavreck, 2009), it is likely that “election-day voters rely more heavily than do early voters on candidate issue positions, negative voting, and retrospective economic evaluations in making candidate selections” (Stein, 1998, p. 67). Thus, Early Voting may decrease turnout because the criterion by which they evaluate candidates is unclear during the expanded days of voting.

Early Voting does not help to ameliorate turnout inequality between the richest and poorest eligible voters. Early Voting will bring out well-informed, previously registered voters who tend to be older, whiter, and, more male. Early voting appears to have no discernible positive impact on turnout among minorities and low-income individuals (Burden et al., 2014; Neeley & Richardson, 2001). In fact, when implemented in states with high-income bias in their registration rolls, early voting may decrease turnout among low-income voters, resulting in increased income bias in voter registration rolls for both presidential and midterm elections (Rigby & Springer, 2011).

Early Voting provisions, whether in person or by mail (through absentee balloting), do not increase turnout and do not ameliorate existing inequality in either registration or turnout. Since Early Voting has not been shown to either increase turnout or decrease political inequality when implemented on its own, recent inquiry on Early Voting has focused on the effects of its combination with other election interventions. Since Early Voting only reduces costs for previously registered voters, Early Voting

when implemented alone is unlikely to make voting easier among nonregistered voters. Early Voting combined with Same Day Registration may have a more positive effect on turnout among underrepresented groups than early voting alone (Burden et al., 2014). Early voting alone may help Republicans more than the Democratic candidates who are preferred by marginalized voting groups. When combined with SDR, which allows voters to register on the day they early vote, Early Voting resulted in strong positive turnout effects among Democratic voters (Burden et al., 2017).

Overall, then, Early Voting has not lived up to its election reform promise. Early Voting does not increase absolute turnout because it primarily affects the voting decisions of persons who are already highly likely to vote. Instead, it may simply siphon votes away from election day. Early Voting does not decrease political inequality because people who vote early tend to represent non-marginalized demographic groups (educated, wealthy, white males). In addition, when Early Voting is not paired with voter registration interventions, only currently registered voters can vote early. Thus, Early Voting will not encourage new voters from among nonvoters in marginalized demographic groups. When paired with Same Day Registration, however, Early Voting may both increase turnout and decrease political inequality.

Same Day and Election Day Registration

Election-Day Registration or Same-Day Registration (EDR/SDR) work to increase turnout by removing the extra costs associated with voter registration. The depressive effects of registration requirements on voter turnout have been estimated to be

as high as 9% (Wolfinger & Rosenstone, 1980). Election-Day Registration (EDR) or Same-Day Registration (SDR) allows voters to register and vote on the day of an election or, in states with Early Voting, on the day that the voter goes to the polls. EDR/SDR is seen as one of the least restrictive registration requirements because, in allowing voters to register and vote on the same day, EDR/SDR allows one-step voting. Following the economic theory of voting (Downs, 1957a), “the elimination of the registration step is thought to increase turnout by decreasing the costs of voting” (Fenster, 1994).

EDR/SDR also is thought to ease turnout inequality associated with the costs of voter registration, which are relatively more onerous for low-SES individuals. Voter registration requirement began arising in the late 19th century. In the Post-Reconstruction Era, southern states featured electoral system with “burdensome residency requirements, periodic registration, imposition of poll taxes, literacy or understanding requirements and stringent disqualification provisions” (Cunningham, 1991, p. 377). Similar voting requirements were instituted in northern states during the post Tammany Hall Era. Though touted by reform advocates as fraud prevention measures, reformers made “direct equation of illiterate or poor persons voting with corruption and voting fraud” (Cunningham, 1991, p. 383). In restricting access to the polls, voter registration requirements further weakened the electoral power of poor and marginalized communities.

For the very poor, registration requirements pose a much higher relative cost than for the very rich, resulting in lower likelihood of voting among the low-SES individuals. By collapsing the two-step voting process into a single step, EDR/SDR may ameliorate

some barriers imposed by voter registration on low-SES voters. EDR/SDR lowers the absolute cost of voting and should give greater relief to the poor and disenfranchised who experience the demobilizing effects of voter registration requirements more than high SES individuals (Berinsky, 2005; Lijphart, 1997; Neiheisel & Burden, 2012; Rigby & Springer, 2011).

EDR/SDR has become an increasingly popular election law reform. “As of 2022, 21 states and Washington, D.C., have implemented same-day registration (SDR), which allows any qualified resident of the state to register to vote and cast a ballot at the same time. Of those states, 19 and Washington, D.C., offer Election Day registration, which means voters can both register and vote on election day. Montana and North Carolina are the two states that make same-day registration possible for a portion of the early voting period, but not on election day” (*Same Day Registration*, 2022). In addition, some form of EDR/SDR regularly appears as a platform or position item for prominent third parties such as the Working Families Party, the Green Party, and the Libertarian Party. The push for EDR/SDR can be explained by two goals: increasing absolute turnout and decreasing turnout inequality among demographic groups.

Estimates of the effects of EDR/SDR on turnout vary from about 3 to 10 percent. One early study found that turnout for federal midterm and presidential elections increased by about 5% in states that implemented EDR/SDR versus states that did not (Fenster, 1994). This study, however, only considered three states that had adopted EDR/SDR in the 1970s. When North Dakota, a state with no registration requirements, was added, the effects of reduced registration barriers were estimated at 10% (Highton,

1997). A subsequent predictive model of the effect of expanding EDR/SDR to other states capped predicted turnout gains at about 3.5% (Brians & Grofman, 1999).

However, as more states adopted EDR/SDR, researchers found new opportunities to estimate the actual effects of EDR on turnout at 4% (Brians & Grofman, 2001); at 3% for midterm elections and 6% for Presidential elections (Knack, 2001); at 8.1% (Alvarez, 2002); and at 7.1 % (McDonald, 2008).

EDR/SDR increases turnout more than other election law reforms. Moreover, “the impact of [SDR on turnout] is immediate and permanent,” as opposed to other registration reforms like “motor voter” programs (Knack, 2001, p. 78). This makes EDR/SDR an easy policy for political scientists to study and a desirable one for policymakers seeking to make quick and lasting improvements in voter turnout. As the number of states adopting EDR/SDR expanded in the late 1990s and early 2000s, so did the menu of election reforms adopted by new EDR/SDR states. Researchers began to consider the effects of other election laws on the turnout gains attributed to EDR/SDR.

When studied in comparison with other voting reform measures, EDR/SDR has been found to have either a greater positive effect on voter turnout (Knack, 2001) or a significant positive interaction effect with other voting laws (Burden et al., 2014) or both (Fenster, 1994). When states with EDR/SDR are compared to states with registration deadlines that closed 30 days prior to election day, turnout gains were estimated to be about 7% (Vonnahme, 2012). When compared to the effects of NVRA provisions on turnout, EDR/SDR was more effective at sustaining turnout levels (Knack, 2001).

Whereas Early Voting has been shown to decrease voter turnout, EDR/SDR consistently increases voter turnout (Burden et al., 2015).

Other election laws may confound or may interact with EDR/SDR to increase turnout. When controlling for other election laws like NVRA and Early Voting, the turnout gains attributed to EDR/SDR were less than half Knack's 2001 prediction: 1% for midterm elections and 3% for presidential elections (Fitzgerald, 2005). Same Day Registration, when combined with Early Voting allows voters to register and vote on a convenient day in the weeks prior to election day. When SDR and Early Voting are combined, turnout will increase, although that increase will be smaller than that of states that enact just EDR (Burden et al., 2014). However, when Early Voting is combined with both SDR and EDR, the resulting turnout gains are higher than for Early Voting, SDR, or EDR alone or in any other combinations. This finding suggests that Early Voting may interact with SDR and EDR to increase turnout (Burden et al., 2014).

While authors disagree over the mechanism through which EDR/SDR is said to decrease political inequality in the U.S. electoral systems, most agree that it has some ameliorative effect on the imbalance of turnout between socioeconomic strata. Some argue for EDR/SDR with other voting reforms that maximize turnout, under the belief that larger turnout overall is inherently more representative of the population (Lijphart, 1997). Others argue that that EDR/SDR is particularly well suited to increasing political equality because it stimulates new voters among the disenfranchised (Burden et al., 2014). Still others reason that the equalizing effects of EDR/SDR are contingent on political context, citing the level of existing socioeconomic bias in the voter rolls (Rigby

& Springer, 2011) or political culture (King, 1994) as intervening factors. Despite differences of opinion on how it operates, there is broad scholarly consensus that EDR/SDR not only increases turnout, but that it does so amongst the most disenfranchised in a manner which increases political equality -- at least as far as representation at the polls is concerned.

EDR/SDR increases turnout among many different categories of underrepresented voters including the young, the residentially mobile, the less educated, racial minorities, naturalized citizens, and the poor. One early study found the largest relative turnout effects of EDR/SDR were enjoyed by median income voters with a high school diploma (Brians & Grofman, 1999). These findings were confirmed by the authors in a subsequent study (Brians & Grofman, 2001). EDR/SDR also has been shown to increase turnout more among young voters, Hispanic, Asian, and Black voters, the residentially mobile, and naturalized citizens (Alvarez, 2002). Several studies confirm the positive effects of EDR/SDR on turnout among the residentially mobile (Knack & White, 2000; McDonald, 2008; Squire et al., 1987) and younger voters (Knack & White, 2000). EDR/SDR effects on turnout among marginalized low-SES voters are less clear. EDR/SDR may be effective in reducing income bias in voter registration rolls (Rigby & Springer, 2011). However, the relative increase in turnout among the poor and racial minorities may be as low as .1% (Mitchell & Wlezien, 1995) and income and education-based turnout inequality may be only slightly improved, if at all, under EDR/SDR (Knack & White, 2000).

EDR/SDR is unique among economic law reforms in consistently showing turnout increases and consistently showing improvement (if small) in turnout inequality between low and high-SES eligible voters. However, its most marked effects seem to be among young and residentially mobile voters. While young voters and movers generally turn out less than other voters (Knack & White, 2000; McDonald, 2008; Mitchell & Wlezien, 1995; Squire et al., 1987), they do not form a permanent voting bloc. Membership in the group of young and recently relocated is, by definition, temporary. Moreover, both groups can include both low-SES and high SES individuals. That EDR/SDR increases turnout more among these young and mobile voters may explain why its effects on socioeconomic-based turnout inequality are small. EDR/SDR turns out voters for both the young and the residentially mobile. Whether it increases more for low SES or high-SES voters may be a function of the demographic characteristics of the young and new residents of the district in which it is implemented.

Partisan Turnout

The literature on EDR/SDR also falters when it comes to linking numerical gains in political equality at poll sites with qualitative gains in policy representation in legislatures. Proponents of EDR/SDR do not advocate for increases in the representation of Democrats, but for increases in the representation of disadvantaged groups that the Democratic Party traditionally represents. One major assumption of the literature on political participation is that “nonvoters tend to come from demographic groups more

sympathetic to Democrats: people who are younger, lower socioeconomic status, minority, urban, less religious, single, and geographically mobile” (Burden et al., 2017, p. 566). Therefore, increased turnout among underrepresented groups should be evidenced by increased voting for Democratic candidates in state legislative races.

Early tests of this assumption explored the mathematical relationship between turnout and partisan voting. In his seminal study on the subject, DeNardo (1980) modelled partisan voting as a function of Democratic turnout propensity and the chance that a Democrat may defect from the party and vote Republican. Increased turnout primarily will include both core voters and peripheral voters, who are more likely to defect. Assuming that the majority party in a district has already turned out a greater percentage of their core voters, then the minority party in a district likely will enjoy a greater rise in core voters when turnout increases. Among core voters, individual Democrats are less likely to turn out than Republicans. Therefore, when Democrats are in the minority, they will enjoy a greater advantage from increased turnout than will Republicans in Democratic districts (DeNardo, 1980). While increased turnout will not advantage Democrats in elections with Democratic incumbents, it will disproportionately advantage Democrats in races against Republican incumbents. Since representational gains can best be made where representation is low, DeNardo’s findings support the hypothesis that Democrats should experience greater representational gains than Republicans when turnout increases.

While DeNardo’s original model has been challenged, tested, and refined, the basic mathematical relationship has held when applied to real electoral data (Nagel &

McNulty, 1996, 2000; Radcliff & Saiz, 1995). The idea of a mathematical relationship between turnout and partisan voting shaped a wing of the literature dedicated to simulating variation in turnout in order to infer partisan outcomes. Many of these studies support DeNardo's basic model. As simulated turnout was increased, Democrats were more likely than Republicans to experience some representational gains at the polls (Burmila & Birkhead, 2017; Citrin et al., 2003; Martinez & Gill, 2005).

While model-based simulations allowed researchers to examine the effects of turnout on partisanship in theoretically sound counterfactual scenarios, election law implementation offered many potential natural experiments to test these theories. If they work, election laws like Motor Voter Registration, Early Voting and EDR/SDR should produce significant increases in turnout around their implementation dates. Researchers used data collected from these interventions to estimate the gains in Democratic voteshare experienced due to a one-time increase in turnout. However, these studies also found that the partisan effects of turnout were dependent upon the specific intervention (Berinsky, 2005; Burden et al., 2014; Franklin & Grier, 1997; Highton & Wolfinger, 1998; Knack, 1995; Knack & White, 1998; Martinez & Hill, 1999; Neeley & Richardson, 2001).

Motor Voter Registration, which allows eligible voters to register as they perform motor vehicle transactions, results in increased registration among Democrats (Knack & White, 1998) and increased overall turnout (Knack, 1995). However, it does not result in a Democratic turnout advantage (Franklin & Grier, 1997) and may exacerbate existing political inequalities (Martinez & Hill, 1999). This puzzle motivated further research into

the mechanisms through which turnout is increased by different election laws. Motor Voter Registration does not turn out low-SES Democratic voters because it requires a costly two-step process to register and vote (Martinez & Hill, 1999) and primarily targeted new drivers and the residentially mobile (Highton & Wolfinger, 1998). Early voting, which makes turnout more convenient for already registered regular voters (Neeley & Richardson, 2001) may advantage Republicans more than Democrats (Berinsky, 2005; Burden et al., 2014). Election Day and Same Day Registration increase turnout by decreasing the costs of registering and voting. However, EDR/SDR has become a focus for the study of the partisan effects of increased turnout because it targets low-SES individuals who are underrepresented at the polls because the two-step voting process is costly in terms of time and transportation costs. While this study is still in its infancy, a simulation of the 2000 presidential election predicted a Democratic advantage if EDR/SDR had been implemented in all 50 states because “[we] would instead have seen higher rates of registration and turnout by groups in the eligible electorate that have the lowest rates of political participation” (Alvarez, 2002, p. 17).

Estimations of the positive impact of EDR/SDR on partisan turnout should support the hypothesis that increased turnout yields a Democratic advantage. However, one study of the effects of EDR/SDR on partisan turnout in the single state of Wisconsin found that EDR/SDR resulted in a decrease in the Democratic voteshare in presidential elections (Neiheisel & Burden, 2012). The authors expected these findings because “[a]ccording to DeNardo, increases in voter turnout advantage the minority party in the electorate, owing to the number of peripheral voters who join the electorate in high

turnout elections. We should therefore expect to see Republican candidates benefitting disproportionately in heavily Democratic areas of the state with the introduction of EDR” (Neiheisel & Burden, 2012, p. 642). In other words, the “equalizing” effects of EDR/SDR are contextually dependent. The specific context cited by DeNardo (1980) and Neiheisel and Burden (2012) is the partisan leaning of the geographic and/or political unit being investigated.

If analysis of the effects of EDR/SDR on partisan turnout was shown to decrease the Democratic voteshare in a single state, when aggregated across all states, the partisan advantage is enjoyed by Democrats. In their analysis of the impact of election law reforms in partisan turnout, Burden et al. find that EDR/SDR will result in a greater increase in voteshare among Democrats than among Republicans (Burden et al., 2014, 2017). The 2017 study is conducted across all 50 states and in multiple presidential election years (2004, 2008, and 2016). While the unit of analysis is the county, the authors aggregate their results across all counties and states.

This research design does not allow a test of DeNardo’s central finding, that the Democratic advantage is experienced only when Democrats are in the minority (DeNardo, 1980). Moreover, the aggregate gains in Democratic voteshare identified by Burden et al. may mask representational losses suffered by Democrats. An overall increase in the Democratic voteshare may have negligible effects on representation if those votes come from heavily Democratic districts. And, if DeNardo’s theory does not hold, this aggregation may even mask representational losses. To explore these effects, the study must be conducted at the district level.

By exploring the effects of EDR/SDR on partisan turnout in state legislative districts we can draw some implications about the representation of underrepresented groups. If EDR/SDR results in a greater increase in Democratic voteshare in Republican districts than of Republican voteshare in Democratic districts, the electoral connection tells us that Democrats will have made greater representational gains (Mayhew, 1974). Legislators will see partisan changes to their voting bases and will adapt their legislative decision-making to accommodate the shift (Canes-Wrone et al., 2002; Kousser et al., 2007). A disproportionate number of nonvoters are from demographic groups that tend to sympathize with Democratic policies (Burden et al., 2017). Therefore, an increase in Democratic voteshares would result in an increase in the representation of underrepresented groups.

Representation

Representation is a concern underlying the literatures on electoral systems and participation, and is the main outcome of concern in this study. However, the type of representation that should be the aim of our electoral systems is hotly argued. In her seminal book, *The Concept of Representation*, Hannah Pitkin offers a typology of representation that has been the focus of scholarly debate over the decades since its publication. According to Pitkin, symbolic, descriptive, and substantive representation primarily differ in “what constitutes the activity of representing” (Pitkin, 1972, p. 59). Descriptive representation exists when representatives mirror the characteristics (like

race, gender, and religion) of their constituents. The activity of the representative is to “stand for” the represented by providing information about the sentiments and opinions of the represented to a deliberative body (Pitkin, 1972). A descriptive represented thus only fully represents constituents with whom they share characteristics. Descriptive representation is passive representation, in which the primary role of the representative is to simply be a person with descriptive characteristics.

By contrast, substantive representation requires the representative to “act for” the representative. Substantive representation is active representation that requires the representative to perform “activity in behalf of, in the interest of, as the agent of, someone else” (Pitkin, 1972, pp. 112-113). Since the representative acts on behalf of the represented, they do not have to mirror the characteristics of their constituents. Moreover, substantive representation allows for incremental increases in representation.

Increases in descriptive representation can be measured only by the election of new descriptive representatives. Increases in substantive representation are often measured using the legislative voting records of elected officials. Although descriptive representation may be easier to measure, it is an inaccurate measure of the representational gains made by underrepresented voters. We can count the number of legislators by demographic characteristics, compare those numbers to population proportions, and determine a measure of legislative representativeness. However, a significant amount of substantive representation still occurs when members of underrepresented communities participate in elections that select representatives with whom they do not share descriptive characteristics (Harden & Clark, 2016). Substantive

representation is, therefore, a more flexible and fine-grained measure of representation received by marginalized constituent groups.

Changes to election law that stimulate turnout at the polls should result in substantive policy changes in legislative chambers. A 2013 study on the effects of the introduction of compulsory voting laws in Australia shows that maximizing turnout shifted the amount of pension spending by the Australian government to a level that better reflected the true preferences of the total Australian population (Fowler, 2011). Research on the effects of the implementation of electronic voting in Brazil demonstrated that reducing ballot complexity to increase the number of properly cast ballots resulted in a shift in healthcare spending that advantaged underrepresented socioeconomic groups (Fujiwara, 2015). One researcher found that the elimination of poll taxes and literacy requirements in the United States resulted in “a sharp rise in welfare spending” (Husted & Kenny, 1997, p. 1). Changes in the composition of an electorate caused by increased turnout result in changes in the legislative behavior of elected officials.

If we can stimulate underrepresented voters to participate by turning out to the polls, the assumption of the literature is that they will receive better representation by the candidate elected to office. That assumption is supported by two basic theories of legislative representation. First, elected officials will be responsive to their constituents. Miller and Stokes (1963) postulated and found congruence between constituents and domestic policy decisions taken by their congressmembers in office. One reason why legislators are responsive to their constituents is the desire to remain in office. Constituency influence is a critical determinant of what legislators do when they join

legislative bodies. One important way that constituents exert that influence is through their power to both elect legislators who should act in their interests and recall legislators who do not act in their interests (Miller & Stokes, 1963). According to Mayhew's theory of "the electoral connection": legislators make policy decisions that will maximize their chances of being reelected (Mayhew, 1974). Therefore, who votes is important to determining what elected officials do while in office.

Since elected officials want to be reelected, they will provide substantive representation for their voters. Mayhew finds that most incumbents are responsive to their voters because they want to be reelected; and responsiveness means, in part, making policy decisions that will reflect voter policy preferences (Mayhew, 1974). Several studies have shown that public policy moves in the ideological direction of shifts in public opinion, even if it does not accurately mirror the ideological demands of the national constituency (Bartels, 1991; Page & Shapiro, 1983; Stimson et al., 1995). The "electoral connection," however, is not between an elected official and their constituents but between an elected official and their voters. In a 2005 study of U.S Senate roll call votes, the authors "find Senators to be consistently more responsive to voters [than nonvoters] when making roll-call decisions..." (Griffin & Newman, 2005, p. 1207). Thus, legislators shift their policy preferences not to meet those of their constituents, but of their *voting* constituents.

The second piece of the connection between voter preferences and legislative decision-making posits that changes in the voting base will alter the pool of voter policy preferences to which legislators must be responsive. Changes in the number and type of

voters through EDR/SDR will affect representation through the electoral connection. Legislators know that one of the ways that voters choose among candidates is based on congruence between voter and candidate policy preferences. Therefore, changes in the pool of policy preferences represented in the voting base should change the way that legislators behave in the policy arena.

Many studies have shown that redistricting and other phenomenon that cause change in district policy preferences will alter incumbents' legislative behavior (Ansolabehere et al., 2001; Bafumi & Herron, 2010; Kousser et al., 2007; Miler, 2016). A 2016 study found that changes to the size and composition of federal legislative districts resulted in a change of 20-28 points on the DW NOMINATE score of officials transitioning from the U.S. House of Representatives to the U.S. Senate (Miler 2016). Studies have also shown that legislators that do not respond to ideological shifts in their electorates face negative electoral results (Canes-Wrone et al., 2002).

However, the relationship between shifts in voting base composition and in legislative behavior is not monolithic across districts. In some districts, legislators will react directly to perceived shifts in the composition of their voting bases. Kousser et al. (2007) produced evidence that individual California assemblymembers voted more conservatively when they perceived a conservative shift in the mood of their districts. Ansolabehere et al. (2001) found that candidates for the U.S. House of Representatives position themselves in response to district leanings -- although they also find that this relationship has weakened over time. Thus, as marginalized voters go to the polls, the

result should be an increase in their representation, *regardless of whether their preferred candidate is elected*.

Much like Denardo's (1980) findings that the partisan effects of increased turnout are dependent on district partisan strength, so the representational effects of increased turnout may be dependent on the strength of a district's ideological leaning. Where ideological leaning is strong, elected officials may react to counterparty changes in their constituencies by calcifying their pro-party stances (Canes-Wrone et al., 2002) or even doubling down by choosing a pro-party position more extreme than their constituencies' (Bafumi & Herron, 2010). It is, therefore, possible that the result of an increase in voting among marginalized groups will be less representation for those groups.

On the other hand, where district leaning is weak, elected officials may need to moderate their pro-party stances (Canes-Wrone et al., 2002) or even avoid taking party-line policy stances altogether (Grimmer, 2013) to be reelected. One study shows that, "holding district ideology constant...an incumbent's vote share decreased the more he voted with the extreme of his party" (Canes-Wrone et al., 2002, p. 138). Moreover, when a district is not clearly aligned for one party or another, "... the probability [of being reelected] decreases significantly as an incumbent's voting support for his party increases" (Canes-Wrone et al., 2002, p. 138). As marginalized voters go to the polls in districts where their preferred candidate is the incumbent, increased turnout among opposing ideological voters might work to decrease the representation received by marginalized voters. Also, "...[ideologically] [a]ligned senators are substantially more likely than their more marginal colleagues to participate in policy debates" (Grimmer

2013, p 639). In swing districts, then, the effect of changing the composition of the voting base may be to weaken and/or dilute the policy-making representation received by marginalized groups.

Summary

In this exploration of the literature on political participation, election law, and representation, several seminal theories and key findings have been discussed. Political participation matters because it provides avenues for communication between elected officials and their constituents. By voting, citizens both reaffirm their consent to the existing regime and express their desires about the next administration. Unfortunately, political participation is unequal because low-SES individuals participate less than high-SES individuals. When citizens do not vote or otherwise participate in the political process, their policy preferences may be ignored. Political inequality results from participation inequality because policy reflects the preferences of participatory high-SES voting groups disproportionately more than the preferences of non-participatory low-SES voting groups.

Low-SES individuals likely participate less because the individual benefits of participation are miniscule and the associated costs disincentivize would-be participants. The costs associated with voting include information gathering, time, and transportation. These costs are felt more by poorly resourced individuals than by highly resourced individuals. Since the costs of voting pose a more significant barrier to low-SES persons, they are less likely to vote than citizens with high-SES. For this reason, turnout inequality is a problem in the U.S. electorate. To combat this problem, states have

implemented election laws aimed at decreasing the costs associated with voting in order to encourage marginalized voters to go to the polls.

Election laws will have different levels of success at correcting turnout inequality depending on how they intervene in elections. To equalize turnout, election laws must pull out proportionately more votes from marginalized voters than regular voters. Motor Voter Registration Programs and Early Voting may sometimes increase turnout, but not in a way that would ameliorate turnout inequality. Election Day Registration and Same Day Registration both increase turnout and increase turnout more for marginalized voting groups than for other voting groups. However, it is not clear that EDR/SDR increases voteshares for the Democratic candidates that marginal voters prefer.

In order to increase representation for underrepresented groups, EDR/SDR should increase Democratic voteshares. This is because elected officials respond to changes in the composition of their voting bases by changing their legislative voting behavior. Finally, whether EDR/SDR increases Democratic voteshares may be dependent on the strength of partisanship or ideological leaning of district. Therefore, the ideological leaning of a district should be considered in order to answer the question of whether EDR/SDR increases representation for underrepresented voters.

CHAPTER THREE

DATA AND METHODS

Most studies of Election Day Registration and Same Day Registration (EDR/SDR) estimate its effects on voter turnout. Rosenstone and Wolfinger estimated that registration requirements suppressed voter turnout by as much as 9% (Wolfinger & Rosenstone, 1980). One study estimates that EDR/SDR can increase turnout by as much as 8.7% (Highton & Wolfinger, 2001). Other studies estimate the positive effects of EDR/SDR on turnout to be between 3% and 9% (Fenster, 1994; Knack, 2001). Few studies have attempted to measure the partisan effects of EDR/SDR to test whether either major party is advantaged by its implementation. Those studies that have been conducted have mixed results. In the single state of Wisconsin, EDR/SDR may have advantaged the Republicans (Neiheisel & Burden, 2012). In contrast, two subsequent studies confirmed that EDR/SDR made Democrats more likely to turnout (Burden et al., 2014), which resulted in an increase of approximately 6 percentage points in Democratic voteshares when Democratic votes were aggregated across all states (Burden et al., 2017).

The Burden, Canon, Mayer, and Moynihan 2017 study was a comprehensive national study, conducted at the county level, that will form the basis for my research design. Using cross-sectional multivariate regression, the authors regressed the Democratic share of votes in congressional elections on the existence of Early Voting and EDR/SDR within states. While controlling for other election laws and a host of demographic characteristics, the authors conducted this regression for the years 2004, 2008, and 2012. Burden et al. conduct their study at the county level. However, the

reported results were the effects of EDR/SDR on the Democratic voteshare when aggregated over 50 states (Burden et al., 2017).

While largely a replication of the 2017 Burden et al. study, this paper differs from theirs in three important respects: it is conducted at the state legislative district level; it includes a measure of district ideology; and it extends the years of analysis to 2016. Whereas Burden et al. were interested in the average overall partisan effects of EDR/SDR, the author's interest is in its effects on the composition of the voting base for individual legislators. Thus, this paper's study is conducted at the state legislative district level to allow analysis of the effects EDR/SDR on partisan turnout and voteshares within individual districts.

Unit of Analysis

The unit of analysis for this study is the state assembly district. The decision to conduct the study at the state legislative district level involved many considerations. State legislative districts have two main advantages over U.S. Congressional districts: they are smaller and there are many in each state. The partisan electoral results of a congressional district aggregate the results of the several state legislative districts they comprise. Since state legislative districts are much smaller than U.S. Congressional districts, they are more likely to produce the concentrated local effects of EDR/SDR on partisan turnout that are the concern of this study. Local partisan turnout effects may be masked if a strong increase in Republican voting in one part of the nation is overcome by an increase in Democratic voting in another area. That partisan turnout may have different effects on election results in state and federal district elections is well evidenced

by the 2020 elections. In 2020, the Democrats took control of the presidency and both chambers of the U.S. Congress. In the same election, control was given to Republicans in 29 of 49 state senate chambers.

State assembly districts provide both an appropriately sized unit for fine-grained analysis of the partisan effects of EDR/SDR and a large number of cases to enable a variety of analytical studies. Each state has at least 30 (Arizona) and as many as 204 (New Hampshire) state assembly districts for a total of 4828 cases per election. This large number of cases will increase the degrees of freedom in the study to allow models to control for the many demographic characteristics that also influence turnout. Moreover, any overall findings will be more generalizable. The single state study of Wisconsin illustrated weakness in the assumption that EDR/SDR advantages Democrats (Neiheisel & Burden, 2012). By expanding the number of cases to include districts from across the U.S., this study can ask whether those findings are unique to Wisconsin or more broadly generalizable to U.S. state legislative districts. Finally, with at least 30 cases per state, within state analysis is possible, should it be needed.

Controlling for District Ideology

The second major change from the Burden et al study is the addition of a measure for the ideological leaning of a district (Burden et al., 2017). EDR/SDR increases turnout among both Democrats and Republicans. However, James Denardo found that the Democratic advantage in turnout over Republicans only occurred in strongly Republican districts (DeNardo, 1980). This finding implies that which party is advantaged by

increased turnout is dependent on the existing partisan composition of the district's voting electorate. The introduction of EDR/SDR in the single state of Wisconsin resulted in a partisan turnout advantage for Republicans rather than Democrats in presidential elections (Neiheisel & Burden, 2012) although across all states, Democrats enjoyed that advantage (Burden et al., 2014). These results indicate that something about Wisconsin may be different other EDR/SDR states. One possible difference between states (and districts) could be the existing ideological/partisan direction and strength. By adding a measure of the ideological leaning of the analytical unit (state assembly districts), this study can control for the potential effects of district ideology on partisan turnout.

Including an ideological measure enables this study to tease out the localized effects on partisan turnout in order to explore potential effects on representation. An overall increase in the Democratic voteshare may have negligible marginal effects on representation if those votes come from heavily Democratic districts. More interestingly, the literature on redistricting tells us that aggregate gains in partisan turnout may mask important local dynamics in both strongly partisan and swing districts (Ansolabehere et al., 2001; Bafumi & Herron, 2010; Canes-Wrone et al., 2002; Grimmer, 2013; Kousser et al., 2007). Thus, while EDR/SDR may result in an aggregate increase in Democratic turnout, an increase in Republican votes in a weakly-Democratic district may have a greater impact on representation. It is possible that the result of a national increase in voting among low-SES individuals will be less descriptive substantive (representation for those marginalized voting groups (Grimmer, 2013).

Extending the Study from 2012 to 2016

Finally, the Burden et al study was written in 2017 and, by necessity, stops with the 2012 presidential election (Burden et al., 2017). The research design for this study extends the period to 2016, which increases the number of cases and allows for an additional check on model results. In addition to controlling for known, quantifiable variables, like the existence of elections laws, some concern must be paid to unknown and less quantifiable factors. For example, sociological explanations of turnout levels consider factors that, while difficult to measure, may causally affect an individual's decision to turn out. Political culture (King, 1994) or existing socio-economic biases (Rigby & Springer, 2011) will differ by state and may determine both turnout and what election laws a state adopts.

Potential endogeneity exists in models of the effects of EDR/SDR on the Democratic voteshare because a progressive Democratic state may be more likely both to implement EDR/SDR and to experience an increase in Democratic voteshare than a Republican state. We cannot determine whether increasing Democratic votes caused a state to adopt EDR/SDR or whether the implementation of EDR/SDR caused the rise in Democratic votes. Burden et al. address these concerns by using difference-in-difference models to estimate “the *change[sic]* in the Democratic voteshare as a function of *change[sic]* in election laws” (Burden et al., 2017, p. 572). The variables that might result in endogenous results change slowly over time (a state's political culture or existing economic bias). “[T]hese variables evolve too slowly to be responsible for changes in turnout in elections separated by only four years” (Burden et al., 2017, p.

572). Election laws and voter turnout, however, can change from year to year. Thus, the difference-in-difference model can estimate the change in the Democratic voteshare as a function of the change in election law, without needing to include a measure of the change of the variables producing endogeneity. Researchers agree that difference-in-difference models are an effective in decreasing endogeneity in the study of the effects of election law (Burden et al., 2014, 2017; Leighley & Nagler, 2013).

By extending the study period from 2012-2016, this study includes an additional difference-in-difference model to confirm its results. Burden et al conducted their study from the 2004 general election until the 2012 general election, which resulted in only two difference-in-difference periods (Burden et al., 2017). By including an additional year, this study can conduct difference-in-difference estimates of the change in turnout and voteshare, as a result of a change in election law for three periods (2004-2008; 2008-2012; and 2012-2016).

Dataset

This models in this paper utilize a dataset created for this study. This dataset combines four data sources into a single dataset, in which each of approximately 4,700 cases represents a single state legislative district. All state election results were taken from Carl Klarner's excellent data set of state legislative results from 1968-2018 (Klarner, 2018). The main explanatory variable (*EDR/SDR*) and a raft of election law control variables were taken from the dataset used by Burden et al in their study of the partisan effects of election law (Burden et al., 2017) and were supplemented with data from Secretary of State offices and the National Council of State Legislators (NCSL).

The district ideology scores were taken from Tausanovitch and Warshaw's constituent policy preferences ideological scoring dataset (Tausanovitch & Warshaw, 2013). Finally, all demographic controls were taken from the U.S. Census Bureau's Current Population Survey (*Current Population Survey*, 2010).

Sample Size

To facilitate a large dataset, the analytical unit for this study is the state assembly district. Each state has at least 30 (Arizona) and as many as 204 (New Hampshire) state assembly districts for a maximum of 4,828 cases. The state assembly is preferable to the state senate because there are more state assembly seats than senate seats. Table 3.1 compares the number of State Assembly Districts to State Senate Districts and gives the maximum number of cases included in each model. Although Nebraska does not have a state assembly, the number of state assembly districts (4828) is more than double the maximum number of state senate districts (1972).

Several important limitations reduce the number of useable state assembly cases. Most states hold state legislative elections in presidential years and this paper replicates the Burden et al. study, which was conducted in presidential years (Burden et al., 2017). Six states are omitted from the study because they do not hold state assembly elections during presidential election years. New Jersey, Louisiana, Virginia, and Mississippi hold their state legislative elections in odd years. Maryland and Alabama hold their state legislative elections during midterm elections. Although the omission of seven states reduces the number of cases, none of these seven states implemented EDR/SDR prior to 2016 and, therefore, are in the control population rather than the study population.

Table 3.1 Numbers of State Legislative Districts

	State Assembly Districts	State Senate Districts
Number of Districts	4828	1972
District included in study		
Model 1	4353	
Model 2	4298	
Model 3	4298	
Model 4	4353	

The 43 remaining states comprise a maximum of 4720 state legislative districts for my analysis. The number of legislative districts included in models varies by election year and may be lower because not all districts held electoral contests in 2004, 2008, 2012, and 2016. In particular, North Dakota staggers their elections so that only one half of their state representatives are up for election during each of the periods under study. Second, the number of districts per state changes from the 2004 and 2008 elections to the 2012 and 2016 elections due to redistricting. Still, each regression will be performed with a sample size of about 4300 cases.

Election Law Variables

This research design uses the Burden et al paper as a model but does not replicate their study. Burden et al.'s data on their election law control variables data acts as a baseline for the election law variables data in the dataset (Burden et al., 2017). Since this study extends to 2016, it required additional coding of 2016 data for each of the election laws included in its models: EDR/SDR, Early Voting, Voter ID, Mail Balloting and Felon disenfranchisement. In addition, the coding of some election law variables differs slightly from that of Burden et al. The same criteria and data sources used for 2016 election law variables were applied to each of the years 2004, 2008, and 2012, which resulted in some changes to the values of the election law variable from Burden et al.'s study. Table 3.2 sets out the numerical differences in the coding of election law variable from the Burden et al. study and the study conducted in this paper.

Table 3.2 Differences in Election Law Variables: Study vs Burden et al. 2017

	2004	2008	2012	2016
EDR/SDR	6	9	9	14
Burden <i>et al</i> (early_sdr + edr)	9	11	10	n/a
Early Voting	15	20	30	32
Burden <i>et al</i> (early)	20	18	20	n/a
Voter Identification	20	25	33	32
Burden <i>et al</i> (id)	21	24	30	n/a
Felon Disenfranchisement	9	8	11	10
Burden <i>et al</i> (exfelon)	11	10	13	n/a
Mail Balloting	1	2	2	3
Burden <i>et al</i> (OR, WA)	2	2	2	n/a
North Dakota	1	1	1	1
Burden et al (nd)	1	1	1	n/a

Source: Burden et al 2017

Election Day and Same Day Registration

The main explanatory variable for my study is the existence of either Election Day Registration or Same Day Registration in a state during each of four presidential election years (2004, 2008, 2012, and 2016). Election Day Registration allows voters to register and vote in person on the day of an election. Same Day Registration, which is used in conjunction with Early Voting, allows voters to both register and vote in person on any day of Early Voting permitted by the state. Both SDR and EDR combine the act of voting into a single visit to a polling place. They should therefore have nearly the same effect in easing barriers to voting. Burden et al. coded different combinations of SDR, EDR and Early Voting (Burden et al 2017). This study includes a single variable (EDR/SDR) to indicate whether voters were permitted to register to vote and cast their vote on the same day that they cast their ballots.

States are coded positive for the *EDR/SDR* dummy variable when they have implemented EDR or SDR, according to data on election law from the National Council of State Legislatures (NCSL, 2022). While differences in coding are small, the states coded for *EDR/SDR* in this study differ from those used by Burden et al. in 2017

Early Voting

For the purposes of this study, Early Voting allows voters to cast their votes on a day convenient to them, but prior to election day. The parameters of Early Voting differ among states, making this law difficult to code. For example, the number of days of Early Voting and the length of time between the end of the Early Voting period and election day are thought to contribute to the effects of Early Voting on turnout and

voteshares (Burden et al., 2014; Vonnahme, 2012). In addition, Early Voting is sometimes combined with no-excuse absentee voting – which allows any voter to request and submit an absentee ballot in person or by mail prior to election day (Gronke et al., 2007).

For this study, Early Voting is defined as in-person voting only – including states, like Kansas, which allows voters to cast their ballots in person in the weeks prior to election day. This coding decision means that the coding of Early Voting states for this paper differs significantly from that of Burden et al. (Burden et al., 2017). First, Early Voting is included as a control variable, so the coding is not as crucial as is that of the study variables (party voteshare and party turnout) or explanatory variable (*EDR/SDR*). Second, coding Early Voting as in-person only is appropriate for this research design. This study is primarily concerned with the effect of Early Voting on marginal voters -- the pool of voters that *EDR/SDR* is thought to assist. Although absentee balloting by mail is convenient, the process is costly, as it requires multiple steps. Therefore, it is not likely to increase turnout among marginal voters unless absentee ballots were automatically sent to all eligible voters. Third, states that permit all voters to vote by mail are coded separately in this dataset.

Mail Balloting (VBM)

Three states conduct their elections entirely or almost entirely by mail. Colorado, Oregon, and Washington send ballots to every registered voter within their states. While Colorado and Oregon also offer voters the opportunity to cast ballots in person on

election day, Washington conducts its elections almost entirely by mail. Burden et al. described these practices by including a dummy variable for each of the states (Burden et al., 2017). In this study, a dummy variable is created for all states that implemented Mail Balloting. This will not only allow the models to evaluate the significance of VBM as a control variable but will allow the inclusion of a dynamic VBM variable in the difference-in difference-models. Since it is unclear whether VBM may increase voting among marginal voters (Berinsky, 2005), it is important to include the variable in each specification of the models.

Voter Identification

Voter Identification Laws (Voter ID) require voters to show identification at an early or election day polling site to cast a ballot. These laws typically fall into two categories: strict and non-strict. Non-strict Voter ID laws “allow at least some voters without acceptable identification [to] have an option to cast a ballot that will be counted without further action on the part of the voter” (*Voter ID Laws*, 2022). Strict Voter ID laws require that “Voters without acceptable identification must vote on a provisional ballot and also take additional steps after election day for it to be counted” (*Voter ID Laws*, 2022). For the purposes of this study, both strict and non-strict Voter ID laws are coded as positive for the Voter ID dummy variable because they likely have similar effect on turnout. Whether strict or non-strict, the requirement to have and produce an ID in order to vote can have a dampening effect on turnout among marginal voters (Hershey,

2009). Finally, the coding for Voter ID in this dataset differs only slightly from that of Burden et al (Burden et al., 2017).

Ex-felon Disenfranchisement

Ex-felon Disenfranchisement describes a state's practice of removing the right to vote from individuals convicted of felonies. The American Civil Liberties Union provided the data for this variable in this dataset ("Felony Disenfranchisement Laws," 2022). While there are many categories of Ex-felon Disenfranchisement, for the purposes of this study, only those states which permanently bar ex-felons from voting are coded as positive for the Ex-felon variable. This includes both states like Kentucky (in which ex-felons are permanently barred from voting) and states like Arizona (in which an ex-felon must appeal or apply to have their voting rights restored). As compared with the many states that automatically restore voting rights to ex-felons upon completion of their sentences, policies like that of Arizona require an extra step to vote which could discourage voting among marginal voters within the pool of ex-felons. Therefore, Arizona's policy acts like permanent disenfranchisement for most ex-felons. This consideration resulted in two fewer states coded as practicing Ex-felon Disenfranchisement than in the dataset for Burden et al. (Burden et al., 2017). As with Early Voting, this difference should not deeply affect model results because ex-felon Disenfranchisement is included only as a control variable.

North Dakota

Unique among states, North Dakota has no registration requirement. The lack of a registration requirement is theoretically important because the costs of voting under this condition are similar to that of states that practice EDR and/or SDR. However, the practice is theoretically distinct in that registration is not considered by potential voters as a factor. Moreover, North Dakota experienced no change in its voter registration law from 2004-2016. Since this study is interested in the effects on turnout of the *implementation* of EDR/SDR, including this state among EDR states would cloud the results in most models and would cause no effect in the difference-in-difference models. Therefore, and following Burden et al., *ND* is included as a dummy variable to indicate this policy (Burden et al., 2017).

District Ideology

The more nuanced hypothesis in this study – that the effects of EDR/SDR on partisan turnout depend on the pre-existing ideological leaning of a district -- requires inclusion of a variable to capture district ideology. Tausanovitch and Warshaw offer a dataset that maps median ideological ideal points for individual state legislative districts in 2000 and 2010 (Tausanovitch & Warshaw, 2013). Using a combination of Cooperative Congressional Election Surveys (CCES) and Annenberg National Election Surveys (NAES) data across the years from 2000 to 2014, the authors disaggregate the surveys to create pools of policy responses that indicate ideological ideal points of individual state legislative districts. They then use multilevel regression with

poststratification (MRP) to extrapolate the effects of demographic and geographic factors on survey responses (Tausanovitch & Warshaw, 2013). The resulting dataset places each state assembly district on a two-dimensional ideological spectrum where the median is 0; positive values indicate conservative leanings; and negative values represent liberal leanings.

Optimally, this dataset would include ideological scores for each year (2004, 2008, 2012, and 2016) of analysis. Unfortunately, the Tausanovitch and Warshaw dataset only exists for the census years of 2000 and 2010. Therefore, the 2000 ideological scores will be used for the 2004 and 2008 elections, and the 2010 scores are used for the 2012 and 2016 election.

District ideology may impact the effects of EDR/SDR partisan turnout in two ways. First, the effects of district ideology may influence partisan turnout independent of election law because a liberal district may turn out more Democratic votes regardless of the election laws in place. One model will regress Democratic or Republican voteshare on the existence of EDR/SDR while controlling for the effects of district ideology. Second, district ideology may interact with the implementation of EDR/SDR to effect partisan turnout. A conservative leaning district with a large population of low-SES eligible voters may find that EDR/SDR increases Republican turnout as those underrepresented voters take advantage of the cost-saving process of registering and voting on the same visit to the polls. A second model will address this possible dynamic by regressing partisan turnout on the interaction between EDR/SDR and a districts ideological score.

Demographic Controls

The control variables for the study include demographic variables and dummy variables to represent the existence of other election laws (not EDR) which are believed to effect partisan turnout. These demographic variables include census measures of population, age, race, education, and income. Individuals are thought to be less likely to vote (are marginal voters) when they are younger, non-white, less educated, and poorer (Verba et al., 1995; Wolfinger & Rosenstone, 1980). All demographic control variables will be taken from the Annual Social and Economic Supplement (ASEC) of the Current Population Survey (CPS) for 2010 (*Current Population Survey*, 2010). This paper uses the 2010 data both because that data has been made accessible by the Census Bureau at the state legislative district level and because 2010 falls in the middle of the study.

Dependent variables

The dependent variables in the study are partisan votes and voteshares. The partisan vote (*dvote* and *rvote*) was calculated using Carl Klarner's (2018) dataset of state legislative election returns. For each election year, the total number of votes for each party was calculated by adding all votes for candidates from the two major parties for each state assembly district election.

Voteshare represent the portion of the vote that is cast for candidates of each major party (*dshar* and *rshar*). The party voteshares were also calculated using the state legislative election returns dataset (Klarner, 2018). The total number of votes cast for each election was calculated by adding the votes received for all candidates for election

state assembly district elections – including votes cast for third parties. The party votes (*dvote* and *rvote*) were then divided by the total number of votes cast in each election to yield voteshares for each party (*dshar* and *rshar*). Voteshares are calculated for both major parties because the small share of votes enjoyed by third party candidates means that the sum of *dshar* and *rshar* is less than 1 in many elections. Since *dshar* does not equal 1 minus *rshar*, the two party voteshares must be estimated separately.

Methodology

This study runs four models to analyze the effects of EDR/SDR on partisan turnout and voteshares. The Basic Model regresses EDR/SDR on partisan voteshares and turnout while controlling for other election laws and demographic characteristics. Next, the Ideology Model adds a district's ideological score as a control variable. Third, the Interactive Model regresses the interaction of district ideology and EDR/SDR on partisan turnout and partisan voteshares. Finally, the Difference-in-Difference Model seeks to confirm the results of previous models by analyzing the change in EDR/SDR and other election laws on the change in partisan turnout and voteshares.

Model 1.a: The Basic Turnout Model

$$\begin{aligned} \text{Democratic vote/Republican vote} = & \beta_0 + \beta_1 \text{EDR/SDR} + \beta_2 \text{Early Voting} + \\ & \beta_3 \text{Voter ID} + \beta_4 \text{ex-felon disenfranchisement} + \beta_5 \text{mail balloting} + \beta_6 \\ & \text{percent Black} + \beta_7 \text{percent Hispanic} + \beta_8 \text{percent over 65 years} + \beta_9 \end{aligned}$$

percent with a BA or higher + β_{10} median income + β_{11} population + β_{12}
North Dakota

This model estimates the pure effect of EDR/SDR on turnout. This variation of the basic model asks whether, holding all other variable constant, the existence of EDR/SDR affects the number of votes for Democrats and Republicans. The null hypothesis tested by this model is that the practice of EDR/SDR in a state has no significant effect on the number of voters that turn out for either the Democratic or Republican party. Since EDR/SDR increases overall turnout, the literature predicts that the number of both Republican (*rvote*) and Democratic voters (*dvote*) should increase (Alvarez, 2002; Brians & Grofman, 1999, 2001; Highton, 1997; Knack, 2001; McDonald, 2008).

The literature on political participation suggests that demographic indicators may also affect turnout. On average, younger, non-white, less educated, and poor individuals should vote less (Verba, 1972; Wolfinger & Rosenstone, 1980). Therefore, this model (and all model versions) include a raft of demographic controls to account for the race, ethnicity, age, education level and income level of potential voters.

Finally, all versions of the model are also run for third-party voters. The literature is fairly silent on the expected effects of EDR/SDR on turnout for candidates not running on the Democratic or Republican line. Moreover, the estimates from these models yield few significant results. Therefore, the results from these models will not be reported unless they make a theoretically interesting contribution to the study.

Model 1.b: The Basic Voteshare Model

$$\begin{aligned} \text{Democratic voteshare/Republican voteshare} = & \beta_0 + \beta_1 \text{EDR/SDR} + \beta_2 \\ & \text{Early Voting} + \beta_3 \text{Voter ID} + \beta_4 \text{ex-felon disenfranchisement} + \beta_5 \text{mail} \\ & \text{balloting} + \beta_6 \text{percent Black} + \beta_7 \text{percent Hispanic} + \beta_8 \text{percent over 65} \\ & \text{years} + \beta_9 \text{percent with a BA or higher} + \beta_{10} \text{median income} + \beta_{11} \\ & \text{population} + \beta_{12} \text{North Dakota} \end{aligned}$$

Of all the models created for this study, this version most closely resembles the Burden et al. 2017 study (Burden et al., 2017)(Burden et al 2017). This model asks whether, holding all other factors constant, the existence of EDR/SDR affects the proportion of the vote received by Democratic and Republican candidates. The null hypothesis is that states that practice EDR/SDR will experience no significant change to the share of votes received by either Democratic or Republican candidates.

While the results are mixed, in general, existing theory and research tell us that when Election Day Registration and/or Same Day Registration are practiced in a state, we should expect an increase in the share of votes going to Democratic candidates (*dshare*) (Burden et al., 2014, 2017). This is because when younger, non-white, less educated and poorer voters do turn out, they are more likely to vote for Democratic candidates (Burden et al., 2017). Additionally, we may expect changes to the partisan share of votes if other election laws are active in a state, including early voting, mail balloting, voter identification, and felon disenfranchisement (Berinsky, 2005; Burden et al., 2014). Dummy control variables represent these election laws to isolate their effects from those of EDR/SDR.

When compared to the results of Model 1.a, the estimates of the vote share model will provide critical insight into the dynamics at work behind EDR/SDR. The literature predicts that EDR/SDR will result in both increased turnout for both parties and an increased share of the vote for Democratic Candidates. This paper questions that assumption and expects that, while turnout will increase for both parties, for some districts, the vote increase will result in increased voteshares for Republicans rather than for Democrats. Model 1.a will estimate the turnout increase for both parties, while Model 1.b will show how those changes in vote totals affect the partisan split within a district.

Model 2.a and 2b: The Ideology Turnout/Voteshare Model

$$\begin{aligned} \text{2.a Democratic vote/Republican vote} = & \beta_0 + \beta_1 \text{EDR/SDR} + \beta_2 \text{Early Voting} + \\ & \beta_3 \text{Voter ID} + \beta_4 \text{ex-felon disenfranchisement} + \beta_5 \text{mail balloting} + \beta_6 \\ & \text{percent Black} + \beta_7 \text{percent Hispanic} + \beta_8 \text{percent over 65 years} + \beta_9 \\ & \text{percent with a BA or higher} + \beta_{10} \text{median income} + \beta_{11} \text{population} + \beta_{12} \\ & \text{North Dakota} + \beta_{13} \text{District Ideological Score} \end{aligned}$$

$$\begin{aligned} \text{2.b: Democratic voteshare/Republican voteshare} = & \beta_0 + \beta_1 \text{EDR/SDR} + \beta_2 \\ & \text{Early Voting} + \beta_3 \text{Voter ID} + \beta_4 \text{ex-felon disenfranchisement} + \beta_5 \text{mail} \\ & \text{balloting} + \beta_6 \text{percent Black} + \beta_7 \text{percent Hispanic} + \beta_8 \text{percent over 65} \\ & \text{years} + \beta_9 \text{percent with a BA or higher} + \beta_{10} \text{median income} + \beta_{11} \\ & \text{population} + \beta_{12} \text{North Dakota} + \beta_{13} \text{District Ideological Score} \end{aligned}$$

These models represent this paper's significant contribution to research on the effects of EDR/SDR on partisan turnout and voteshares. A district's ideology – its position on an ideological scale -- may affect any changes in party voteshares caused by increased turnout (DeNardo, 1980). If EDR/SDR increases turnout among marginalized voters, then marginalized voters from *both* parties should go to the polls to register and vote. The turnout version of this model estimates this effect. The voteshare version then asks whether relative gains in Republican and Democratic votes results in voteshare gains for either party within state assembly districts.

The null hypothesis for these models is that, when the district ideological score is held constant, we should expect no significant impact of EDR/SDR on either turnout or voteshares. Existing theory is mostly silent on the impact of ideological leaning. However the literatures findings on EDR/SDR overall suggest, if a state uses EDR/SDR, then we should expect to see an increase in *dshare*, regardless of the district's ideological leaning. If, however, a district's ideological leaning contributes to the perceived effects of EDR/SDR, then we should expect to see a difference in the estimated coefficients between the Basic Model and The Ideology Model

Including a control variable for district ideology also will ease a potential endogeneity problem. It is possible that the percentage of democratic voters in a district has a direct effect on whether EDR/SDR is implemented in a state. By isolating an alternative measure of the percentage of democratic voters in a district, controlling for district ideology allows this version of the model to address endogeneity. At the same time, district ideology may be highly correlated with both the Democratic voteshare and

the propensity for a state to enact EDR/SDR (King, 1994). For that reason, VIF tests are used to diagnose potential correlation problems for

Model 3.a and 3.b: The Interaction Model

$$\begin{aligned} \text{3.a Democratic vote/Republican vote} = & \beta_0 + \beta_1 \text{EDR/SDR} + \beta_2 \text{Early Voting} \\ & + \beta_3 \text{Voter ID} + \beta_4 \text{ex-felon disenfranchisement} + \beta_5 \text{mail balloting} + \beta_6 \\ & \text{percent Black} + \beta_7 \text{percent Hispanic} + \beta_8 \text{percent over 65 years} + \beta_9 \\ & \text{percent with a BA or higher} + \beta_{10} \text{median income} + \beta_{11} \text{population} + \\ & \beta_{12} \text{North Dakota} + \beta_{13} \text{District Ideological Score} + \beta_{14} (\text{EDR/SDR} \times \\ & \text{District Ideological Score}) \end{aligned}$$

$$\begin{aligned} \text{3.b Democratic voteshare/Republican voteshare} = & \beta_0 + \beta_1 \text{EDR/SDR} + \beta_2 \\ & \text{Early Voting} + \beta_3 \text{Voter ID} + \beta_4 \text{ex-felon disenfranchisement} + \beta_5 \text{mail} \\ & \text{balloting} + \beta_6 \text{percent Black} + \beta_7 \text{percent Hispanic} + \beta_8 \text{percent over} \\ & \text{65 years} + \beta_9 \text{percent with a BA or higher} + \beta_{10} \text{median income} + \beta_{11} \\ & \text{population} + \beta_{12} \text{North Dakota} + \beta_{13} \text{District Ideological Score} + \beta_{14} \\ & (\text{EDR/SDR} \times \text{District Ideological Score}) \end{aligned}$$

The Ideology Model includes a measure to control for a district's ideological leaning. In those models, then, the effects of EDR/SDR are analyzed as though district ideology is not a factor. Model 3 is designed to test whether a district's ideological leanings may interact with EDR/SDR to change the partisan share of votes. These specifications include the interaction variable ($\text{EDR/SDR} \times \text{idsc}$).

The specification for the Interactive Model incorporates Denardo's finding that, when turnout increases, Democrats do better in Republican districts than Republicans do in Democratic districts (DeNardo, 1980). The null hypothesis is that EDR/SDR does not

interact with a District's ideological leaning to effect partisan turnout and voteshare. According to DeNardo, however, the partisan effect of increased turnout advantages Democrats only in strongly Republican districts. Moreover, the increased turnout does not advantage Republicans in strongly-Democratic districts (DeNardo, 1980). Thus, whether any and what party is advantaged by increased turnout is influenced by the existing ideological leaning of a district. The interaction variable will diagnose whether the increase in turnout due to EDR/SDR in Republican-leaning districts has an effect on voteshares that is different from the effect of EDR/SDR in Democratic-leaning districts or whether these effects differ as the strength of partisan-leaning changes.

Model 4.a and 4.b: The Difference in Difference Model

*2004-2008 Difference in party turnout/voteshare 2008-2004 = change in
EDR/SDR from 2004 to 2008 + change in other election laws from 2004 to 2008
+ demographic constants*

*2008-2012 Difference in party turnout/voteshare 2012-2008 = change in
EDR/SDR from 2008 to 2012 + change in other election laws from 2008 to 2012
+ demographic constants+ redistricting change*

*2012-2016 Difference in party turnout/voteshare 2016-2012 = change in
EDR/SDR from 2012 to 2016 + change in other election laws from 2012 to
2016+ demographic constants*

Each of the three previous Models will be evaluated for fit to the data to determine which specification more accurately reflects the dynamic between EDR/SDR

and partisan turnout and voteshares. Comparing Models 1 and 2 will indicate whether a district's ideological leaning affects partisan turnout and voteshares. If so, then Models 2 and 3 should determine whether district ideology interacts with the implementation of EDR or SDR to change partisan voteshares.

These static models will not tell us whether EDR/SDR acts as an intervention to change partisan turnout and voteshares. To test this hypothesis, a model would need to include dynamic variables. The use of difference-in-difference models to estimate the effects of the implementation of election laws is widely accepted in the literature (Burden et al., 2014). Like Burden et al., this study will use difference-in difference-models to validate the results of its initial models (Burden et al., 2017).

The Difference-in Difference Model estimates only that portion of the change in partisan turnout and voteshares that are the result of a change in the independent variables. When EDR/SDR is either implemented or repealed by states, the Difference in-Difference Model treats the effect as a one-time intervention in partisan turnout and voteshares. The coefficients for EDR/SDR in the Difference-in Difference Turnout Model represent the change in total votes cast for each party in the election after the intervention occurred as compared to the total votes cast in the election immediately preceding the intervention. The coefficients in the Difference-in-Difference Voteshare Model estimate the change in voteshares that occurs between elections as a result of the implementation or repeal of EDR/SDR. For both versions of the model, a positive coefficient indicates that the EDR/SDR intervention increased the vote/voteshare for that

party. A negative coefficient indicates that implementing or repealing EDR/SDR decreased the vote/voteshare for that party

The null hypothesis for Model 4 is that the implementation or abolition of EDR/SDR has no significant effect on party turnout or party voteshares. The literature expects, that when a state implements EDR/SDR, the voting public reacts with an overall increase in turnout for both parties and an increase in the Democratic voteshare (Burden et al., 2014, 2017). These models will estimate the effects of implementing EDR/SDR on Democratic and Republican voteshare for 2004-2008, 2008-2012, and 2012 to 2016, which is one election cycle more than that conducted by Burden et al. (Burden et al., 2017).

Unfortunately, these models cannot estimate changes in the demographic makeup of a district because 2010 census data is applied for all years. The model therefore controls for demographics as constant variables. The model does estimate the effects of a change in ideological score for the 2008-2012 version by including the a variable that measures the difference in ideological scores before and after the 2010 redistricting. It should be noted that the effects to be calculated by this study will be limited to the eight states which implemented EDR/SDR between 2004 and 2016. No states repealed EDR/SDR during the study period.

Table 3.3 set out each model and illustrates how each model in the study builds upon the previous model. For each model, the italicized text indicates additions to or changes from the previous model. In the Basic Model, the effects of EDR/SDR on total party votes and party voteshares are estimated while controlling for a host of

Table 3.3 Description of Models in the study

Model	Study Variables	Key Independent Variables	Control Variables
Basic Model	• Total party votes • Party voteshares	• EDR/SDR	• Demographic Variables • Election Law Controls
Ideology Model	• Total party votes • Party voteshares	• EDR/SDR	• Demographic Variables • Election Law Controls • <i>District Ideology Score</i>
Interaction Model	• Total party votes • Party voteshares	• EDR/SDR • <i>EDR/SDR x District Ideology Score</i>	• Demographic Variables • Election Law Controls • District Ideology Score
Difference-in-Difference Model	• Δ<i>Total party votes</i> • Δ<i>Party voteshares</i>	• Δ<i>EDR/SDR</i>	• Demographic variables • Δ<i>Election Law Controls</i> • Δ<i>District Ideology Score</i>

demographic and election law variables. The Ideology Model adds the district ideology score as an additional control variable in order to remove the effects of ideology from the model of the effects of EDR/SDR. The Interactive Model includes the interaction of EDR/SDR and the district ideology score as a key independent variable to test whether the interaction has an effect on partisan turnout and voteshares. Finally, the Difference in Difference Model uses the Ideology Model as its base, but estimates the effects of the change in EDR/SDR on the change in total party votes and party voteshares.

CHAPTER FOUR

RESULTS AND DISCUSSION

In this chapter, each of the four models of the effects of EDR/SDR on partisan turnout and voteshares will be run and interpreted. The Basic Model estimates the effects of EDR/SDR on turnout and voteshares while controlling for other election laws and demographic characteristics. The Ideology Model includes a measure of the ideological leaning of a district as an additional control variable. The Interactive Model includes both a measure of ideological leaning and an interactive variable to capture the interactive effects of EDR/SDR and ideological leaning. Finally, the Difference-in-Difference Models estimates the effects of changes in EDR/SDR on the change in partisan turnout and voteshares.

Each of the models has two versions: a turnout model and a voteshare model. Regressions under the turnout model estimate the effects of EDR/SDR on the total number of votes cast for Democrats, for Republicans, and for third party candidates in state assembly district elections. The voteshare model estimates the effects of EDR/SDR on the share of the total vote in each district that is won by the Democrats, won by Republicans, and won by third party candidates. For each of the first three models, regressions are run separately for each party in each of four election years: 2004, 2008, 2012 and 2016. The Difference-in-Difference Model is also run for each party over three intervals (2008-2004, 2012-2008, 2016-2012).

Model 1: The Basic Model

The first model for this study uses OLS to estimate the effect of Election Day and Same Day Registration on turnout and partisan voteshares, without considering the effects of district ideology. The literature leads us to expect two things from this model. First, EDR/SDR should increase turnout for both parties (Alvarez, 2002; Brians & Grofman, 1999, 2001; Highton, 1997; Knack, 2001; McDonald, 2008). Second, increased turnout from EDR/SDR should result in a partisan advantage for Democrats (Burden et al., 2014, 2017).

Table 4.1 reports the estimated coefficients for EDR/SDR in all regressions that were run under The Basic Model. The left side of the Table reports the estimated coefficients for the effect of EDR/SDR on the number of votes cast for Democratic candidates and for Republican candidates in 2004, 2008, 2012 and 2016. The right side of the table reports the estimated coefficients for EDR/SDR on the percentage of the vote received by Republican and Democratic candidates in state assembly districts in each of the four election years. Table 4.1 will be used discuss the overall findings of the Basic Turnout Model and the Basic Voteshare Model. It will also be used to compare the overall fit of the regressions in both versions of the Basic Model. Table 4.2 reports the full results of the Basic Turnout Model and Table 4.3 reports the full results of the Basic Voteshare model. These tables will be used to discuss the overall performance of each version of the Basic Model and will accompany a full discussion of the control variables for each regression.

Table 4.1 Coefficient Estimates for EDR/SDR in for The Basic Model (1.a and 1.b)

Year/Party	Model 1.a Total Votes	p- value	Adjusted R ²	Model 1.b Voteshar e	p- value	Adjusted R ²
2004						
Republican	3235***	.000	.5669	.051***	.001	.2376
Democrat	884	.108	.4963	-.044***	.003	.2350
2008						
Republican	5406 ***	.000	.5726	.120***	.000	.2575
Democrat	1493***	.003	.5785	-.111***	.000	.2534
2012						
Republican	2115***	.000	.4641	.053***	.000	.1822
Democrat	3936***	.000	.5403	-.045***	.003	.1802
2016						
Republican	704	.140	.4643	.007	.523	.2065
Democrat	2246***	.000	.5854	.006	.604	.2097

*** 99% confidence interval ** 95% confidence interval; * 90% confidence interval

Table 4.2 Coefficient Estimates for Control Variables in Basic Turnout Model (1.a)

<u>Variable</u>	2004		2008		2012		2016	
	<u>Rep</u>	<u>Dem</u>	<u>Rep</u>	<u>Dem</u>	<u>Rep</u>	<u>Dem</u>	<u>Rep</u>	<u>Dem</u>
EDR/SDR	3325	884	5406	1493	2115	3936	704	2246
ELECTION LAWS								
Early Voting	2122	-528	4193	-3209	1160	-3400	453	-3197
Ex-felon	-896	-1942	99	-1312	744	-2095	225	-1369
Voter ID	871	-4440	4788	-1631	1414	915	404	-3082
VBM	777	1605	9997	18405	13005	17617	825	12175
North Dakota	-1758	1880	-5580	2846	-2206	3073	-	3789
DEMOGRAPHICS								
% Black	-195	74	-200	93	-164	112	-195	109
% Hispanic	-249	-84	-229	-59	-167	32	-218	42
Med. Inc (in \$1K)	83	-31	107	-3	13	2	-0	-0
% BA plus	-1838	-135	-1193	61	-1890	476	-	1447
% over 65	-45	49	14	33	-112	105	-73	73
Population (in 1K)	156	152	160	180	143	179	155	200
Intercept	4300	4400	-4132	1812	7865	-3746	863	-2927
N	4353	4353	4353	4353	4353	4353	435	4353
Adj R-Squared	.5669	.4963	.5726	.5785	.4641	.5403	.464	.5854

Bolded values were significant at the 90% confidence level or higher.

Table 4.3 Coefficient Estimates for Control Variables in the Basic Voteshare Model (1.b)

Variable	2004		2008		2012		2016	
	Rep	Dem	Rep	Dem	Rep	Dem	Rep	Dem
EDR/SDR	0.05	-0.04	0.12	-0.11	0.05	-0.04	0.01	0.01
ELECTION								
Early Voting	0.06	-0.06	0.17	-0.17	0.11	-0.11	0.06	-0.06
Ex-felon	-0.03	0.02	-0.05	0.05	0.02	-0.03	0.04	-0.04
Voter ID	0.11	-0.10	0.15	-0.15	0.10	-0.09	0.13	-0.13
VBM	-0.02	0.01	-0.04	0.04	0.04	-0.04	-0.08	0.04
North Dakota	-0.06	0.08	-0.15	0.17	-0.05	0.07	-0.00	0.03
DEMOGRAPHI								
% Black	-0.01	.01	-0.01	0.01	-0.01	.01	-0.01	0.01
% Hispanic	-0.00	0.00	-0.00	0.00	-0.00	0.00	-0.01	0.01
Med. Inc (in	0.00	-0.00	0.25	-0.00	0.00	-0.00	0.00	0.00
% BA plus	-0.05	0.04	-0.04	0.03	-0.06	0.05	-0.07	0.06
% over 65	-0.00	0.00	0.00	-0.00	-0.00	0.00	-0.00	0.00
Population (in	0.00	-0.00	0.03	-0.00	-0.00	0.00	-0.00	0.00
Intercept	0.49	0.50	0.30	0.68	0.59	0.40	0.67	0.34
N	3994	3994	3977	3977	3954	3954	3965	4965
Adjusted R ²	.2376	.2350	.2575	.2534	.1822	.1802	.2065	.2097

Bolded values were significant at the 90% confidence level or higher.

Model 1.a: The Basic Turnout Model

The Basic Turnout Model estimates the effects of EDR/SDR on the total votes received by each party in 2004, 2008, 2012, and 2016. At first glance, the Basic Turnout Model, which is reported in the left side of Table 4.1, confirms that assembly districts in states that have EDR/SDR experience greater gains in the total number of votes cast for both political parties than those that do not. For two of the four years (2008 and 2012), coefficients for total votes are positive and significant at the 99% confidence level for both Democrats and Republicans. In the other years, at least one coefficient is positive and significant at the 99% confidence level. In 2004, Republicans enjoyed an average increase of 323 votes in each state assembly district where EDR/SDR was permitted, while the turnout coefficient for the Democratic Party is not statistically significant. As compared to districts without EDR/SDR, in 2008, Republican state assembly candidates received an average of 5406 additional votes in districts that practiced EDR/SDR while Democratic candidates received an average additional 1493 votes. In 2016, Democrats enjoyed an average increase of 2338 votes in districts that practice EDR/SDR versus those that do not, while the Republican *EDR/SDR* coefficient is insignificant for Republican turnout. Thus, The Basic Model confirms that EDR/SDR increases turnout among voter of both parties.

It is unclear that EDR/SDR benefits Democrats more than Republicans when it comes to turnout under the Basic Model. The 2008 result is especially interesting because the average increased turnout for Republicans is greater than that of Democrats. In 2012, however, the turnout advantage flips, with Democrats enjoying an average

additional 3936 votes from EDR/SDR, while Republicans experienced an increase of only 2115 votes. In 2008, Republican candidates gained almost 4 votes for every vote gained by Democratic candidates. In 2012, Democrats gained about 2 votes for every vote gained by Republican candidates. Thus, while turnout increases for both parties under SDR/EDR, the impact of EDR/SDR on partisan turnout varies widely between elections under the Basic Turnout Model.

In terms of goodness of fit, Table 4.1 shows that SDR/EDR explains changes to voter turnout better than it explains changes to the partisan share of votes. The adjusted R-squared values for the Basic Turnout Model consistently are much higher than those of the Basic Voteshare model, which suggests that the turnout model is a better fit to the data. The difference in fit between the models confirms what the literature has found. EDR/SDR has clearly and consistently shown to increase turnout (Alvarez, 2002; Brians & Grofman, 1999, 2001; Highton, 1997; Knack, 2001; McDonald, 2008).

The effects of EDR/SDR on turnout are known, but its effects on partisanship, which is represented by partisan voteshares, are less clear. Evidence is mixed, with a single-state analysis yielding turnout gains for Republicans under EDR/SDR (Neiheisel & Burden, 2012), but with partisan advantage shifting to the Democrats when aggregated across all states (Burden et al., 2017). Thus, the lack of clear findings on partisan advantage in the literature may help explain why the partisan effects of EDR/SDR on turnout and the effects of EDR/SDR on voteshare are less clear than the effect on absolute turnout.

Also in terms of goodness of fit, the model explains turnout among Democrats better than it explains turnout among Republicans. The adjusted R-Squared values for the model of the Democratic vote are higher than for the Republican models for every year but 2004. This is not surprising, as the original model from Burden et al. (on which all of this paper's models are based) was created to test Democratic turnout and voteshares only (Burden et al., 2017). The demographic control variables were selected to reflect known indicators of the Democratic vote: age, race, ethnicity, income and education. As well, we know the impact on the Democratic vote for each of the election laws control variables². Therefore, the models in this study are designed to explain the Democratic vote more than they are designed to explain the Republican vote. Although the model was designed to and does better explains changes to the Democratic vote, the adjusted R-Squared values above .45 show that the Basic Turnout performs very well to explain changes in Republican turnout.

Table 4.2 reports the estimated coefficients for each variable in the Basic Turnout Model. Most control variables have significant coefficients for their effects on both Republican and Democratic turnout. In terms of the Election Law variables, the results are mostly as expected by the literature in general and by the 2017 Burden et al study. Early Voting tends to increase turnout among Republican voters in state assembly districts (Burden et al., 2014, 2017). However, the Basic Turnout Model also shows that Early Voting decreases turnout in Democratic districts. While some evidence exists, that Early Voting may decrease turnout in federal elections (Fitzgerald, 2005), in general

² see discussion in Chapter 3: Election Law Variables

Early Voting is not thought to decrease turnout. These results contradict the literature on election law of the effects of Early Voting on turnout.

In the Basic Turnout Model, laws that permanently disenfranchise ex-felons or require voter identification to cast a vote decrease turnout for Democratic candidates as expected by previous studies (Burden et al., 2017). Interestingly, the Basic Turnout Model suggests that these laws may increase turnout for Republicans, which is a finding that begs further study. Both Ex-felon Disenfranchisement and Voter ID laws make it more difficult to vote, so increased turnout for any party is a curious result. Voting by Mail increased turnout for voters from both parties, however the average increase in Democratic turnout is always higher than the Republican turnout increase under VBM.

Hispanic population of a district. In Model 1.a, the Democratic vote increases in all years for each additional percentage point of the population that is Black. It also shows increases in Democratic votes in 2012 and 2016 for as the Hispanic population grows. While this finding confirms the theory that race impacts Democratic turnout differently from Republican turnout, it does not bear out an essential finding of the literature on political participation. In general, Black and Hispanic voters are marginalized voters and therefore should participate less than other voters for all parties (Rosenstone, 1993). The Basic Model contradicts this assumption by showing increased turnout for Democrats in districts with higher numbers of Black and Hispanic voters.

Interestingly, Hispanic Districts saw lower turnout than other districts for both parties in 2004 and 2006. However, the decrease in Republican votes were much larger than the decreases in Democratic votes. In 2008 for example, each additional percentage

point of the district that was Hispanic resulted in a decrease of 229 votes for Republicans, but only 59 fewer votes for Democrats. The negative coefficients lend support to the hypothesis that Hispanics, as members of a marginalized community, vote less than other voting groups. These findings also provide additional support that an assumption crucial to this study is true: marginalized voting groups tend to vote for Democrats (Burden et al., 2017).

Demographic indicators that track more directly the socioeconomic status of voters yield results that are less clear. Poorer and less educated people are expected to vote less (Rosenstone, 1993; Verba, 1972; Verba et al., 1995; Wolfinger & Rosenstone, 1980) and to vote for Democrats more (Burden et al., 2017). The two variables that capture socioeconomic status in this study are median income (*medinc*) and the percentage of the population over the age of 25 with a Bachelor's degree or higher (*perba25*). Median Income is rarely significant as an explanation for changes in turnout. The three significant coefficients do support this theory to some extent. On average in 2004, for every increase of \$1000 in the median income of a district, we can expect a very small positive change in votes for Republican candidates in 2004 and a decrease in votes for Democratic candidates. As with the race and ethnicity variables, median income performs as it should with regards to partisan turnout by advantaging Republicans more than Democrats. However, it should not have resulted in a decrease in Democratic votes since higher median income increases turnout in general. More curious is the fact that median income phases out as an indicator of turnout for the Democratic vote in 2008

and for either party in the 2012 and 2016. As a key indicator of voting propensity, median income should play a greater role in determining turnout levels.

Education-level fails to act as the literature would predict. Higher education levels are thought to increase the likelihood that eligible voters will cast ballots in elections (Rosenstone, 1993; Verba, 1972; Verba et al., 1995; Wolfinger & Rosenstone, 1980). And, lower-educated individuals should vote more for Democrats (Burden et al., 2017)(Burden et al 2017) because education is a key component of socioeconomic status (Rosenstone, 1993; Verba, 1972). As education levels increase, so should turnout – especially for Republican candidates. However, the results reported for the Basic Turnout Model in Table 4.2 show that higher education levels in a district result in decreased turnout for Republicans. For all four elections, an average increase of one point in the percentage of the population that has a Bachelor’s degree or higher resulted in a decrease of as many as 2161 Republican votes. Only two coefficients are significant that represent increases turnout due to education levels, and those increases are allocated to the Democratic party rather than the Republican party. Thus, under the Basic Turnout Mode, education does not act as expected by the literature to increase turnout. When higher education levels do increase turnout, they do so for the “wrong” party.

Age was rarely significant as an indicator of turnout. Where the percentage of the population over 65 years of age was statistically significant, it did not match expectations. Older voters are expected to vote more (Rosenstone, 1993; Verba, 1972) and to vote for Democrats less (Burden et al., 2017). However, in 2012 older voters voted less, as evidenced by a net turnout effect of -7 votes for each additional percentage

of a district's population that is 65 or older. Moreover, the Basic Turnout Model tells us that where older voters did increase turnout, they did so for Democrats and not Republicans.

Total population is an imprecise approximation of the population density of a district – data which was unavailable for this study. Population density can indicate whether a district is urban or rural - a theoretically interesting measure. Total population size tells us only whether the district is large or small, which is not thought to contribute substantively to turnout level. Therefore, although the results suggest that larger districts have larger turnout and a comparatively turnout for Democrats, this does not yield much of theoretical import for this study.

Model 1.b: The Basic Voteshare Model

The Basic Voteshare Model estimates the effects of EDR/SDR on the share of the total vote received by each party in 2004, 2008, 2012, and 2016. As reported in Table 4.1, the Basic Voteshare Model (Model 1.b), yielded interesting results in those regression with significant coefficients for *EDR/SDR*. The coefficients for 2004, 2008 and 2010 have p-values lower than .01 and are significant at the 99% confidence level for both the Democratic and Republican share of votes. On average, when a state assembly district practiced EDR/SDR in 2004, it experienced an increase of 5.1 percentage points in the share of votes going to Republican candidates and a decrease of 4.4 percentage

points in the Democratic share of votes³. On average, when a state assembly district practiced EDR/SDR in 2008, it experienced an increase of 12 percentage points in the share of votes going to Republican candidates. In districts that had EDR/SDR, Democrats experienced an average reduction of 11.1 percentage points in the share of votes going to Democrats⁴. On average in 2012, EDR/SDR resulted in a 5.3 percentage point increase in Republican voteshare and a 4.5 percentage point decrease in Democratic voteshare in state assembly races⁵. The *EDR/SDR* coefficients were not significant for either party share in 2016.

Thus, the only significant results contradict the expectations of the literature. In three of the four election years, the Basic Voteshare Model reports that EDR/SDR resulted in an average increase in Republican voteshares and a concomitant decrease in the Democratic (and Third Party) voteshares in state assembly districts. When compared to the results from the Turnout Model in Table 4.1, we can see that this dynamic is supported by the reported coefficients for both parties in 2008. Whereas Republican candidates enjoyed an average increase of 5406 votes in 2004, Democratic candidates

³ In 2004, the coefficient for the share of votes going to third-party candidates is also significant at the 95% confidence level. On average, when a state assembly district practiced EDR, it experienced a decrease of .7 percentage points in 2004 in the share of votes going to third parties.

⁴ In 2008, the coefficient for the share of votes going to third-party candidates is also significant at the 99% confidence level. On average, when a state assembly district practiced EDR, it experienced a decrease of .9 percentage points in 2008 in the share of votes going to third parties

⁵ In 2012, the coefficient for the share of votes going to third-party candidates is also significant at the 95% confidence level. On average, when a state assembly district practiced EDR, it experienced a decrease of .8 percentage points in 2012 in the share of votes going to third parties

experienced an average turnout increase of only 1493 votes. Thus in 2008 Republicans enjoyed both a net turnout gains and a voteshare gain through EDR/SDR. In 2012, however, Democrats enjoyed the net turnout gain while Republicans won the voteshare advantage. Thus, net turnout advantage does not necessarily translate into voteshare advantage. The hypothesis advanced by the literature -- that EDR/SDR would advantage Democrats -- is never supported by the Basic Voteshare Model.

Table 4.3 reports the estimated coefficients for each variable in the Basic Voteshare Model. In terms of the control variables for the Basic Voteshare Model (Model 1.b), the results resemble those of the Basic Turnout Model. The three main election law control variables are significant for both parties in every year but 2008. Table 4.3 shows that districts that practiced Early Voting experienced equal sized increases in the Republican voteshare and decreases in the Democratic share of the vote. The symmetry in the size and direction of the coefficients would suggest that the voteshare lost by Democratic candidates was captured by Republican candidates. The coefficient estimates for Voter Id confirmed the expectation that they would disadvantage Democrats and advantage Republicans. As with Early Voting, the size and symmetry of the estimated coefficients suggests that voteshare lost by Democrats is gained by the Republican party. However, the Basic Voteshare Model shows that the Ex-Felon Disenfranchisement results in a voteshare advantage for Democrats, which contradicts the literature. Thus, in the Basic Voteshare Model, election laws meet some but not all expectation of the literature.

Whereas several demographic control variables did not behave as expected for the Basic Turnout Model, more demographic controls behave as expected for the Basic Voteshare Model. As with the Turnout Model, the coefficients for the percent of the population that is Black or Hispanic are significant for each year. Table 4.3 shows that as the percentage of the population of a state assembly district that is Black or Hispanic increases, voteshares for Democratic candidates increase while voteshares decrease for Republican candidates. As well, the coefficients for median income, an indicator of socioeconomic status, acts as the literature expects. For every year but 2016 (when the coefficients were not significant), Table 4.3 reports that for every increase of \$1,000 in a district's median income, the share of votes for the Democratic party decreases while the Republican voteshare increases by a similar (though not identical) amount. As the literature would predict higher income is indirectly related to Democratic voteshares but is directly related to Republican voteshares.

Two variables that did not behave as expected under the Basic Turnout Model also do not behave under the Basic Voteshare Model. Education is a key indicator of socioeconomic status (Rosenstone, 1993; Verba, 1972). The education variable was significant for both parties for all four election years of the study. With an increased percentage of a districts citizens over age 25 that have a BA degree or higher, the Democratic voteshare increases, while the Republican voteshare decreases by a similar but not equal amount. Thus, while the literature would predict that more highly educated voters would turn out for Republicans, in the Basic Model, highly educated voters seem to turnout for Democrats. Where income is concerned, the Basic Voteshare Model tells

us that higher socioeconomic status individuals cast Republican votes. However, where education is concerned, the Basic Voteshare Model tells us that high-socioeconomic status individuals tend to vote for Democrats. Thus, the Basic Voteshare Model yields contradictory partisan effects for two key components of socioeconomic status (income and education).

As in the Basic Turnout Model, the age of a voter did not act as the literature would expect. Older voters are expected to vote more (Rosenstone, 1993; Verba, 1972) and to vote for Democrats less (Burden et al., 2017). Coefficients for age in the Voteshare model were only significant for the 2012 elections. According to Table 4.2, for each additional percentage point of the population that is older than 65 years of age, Republican candidates won 2115 additional votes and Democrats gained 3936 additional votes in 2012. Table 4.3 reports the Voteshare model, and in 2012 Democrats gained a very small amount of voteshare while Republicans lost a very small amount of voteshare. In 2012, older voters did turn out more in the Basic Turnout Model but turned out for Democrats in the Voteshare Model.

Model 2: The Ideology Model

The second model in this study estimates the effects of EDR/SDR on turnout and voteshares for Democrats and for Republicans in states assembly elections in 2004, 2008, 2012, and 2016 while controlling for the ideological leaning of a district. Model 2, which includes the ideological scores of state assembly districts, represents the substantive contribution of this paper. The hypothesis is that the ideological leanings of a

district may contribute to whether the effects of EDR/SDR advantage Republicans, Democrats, or neither major party. James DeNardo (1980) found that increased turnout advantages Democrats only in strong Republican districts. Neiheisel and Burden (2012) found in the single state of Wisconsin that EDR/SDR resulted in an increase in Republican votes. However, when aggregated across all states, EDR/SDR subsequently was found to result in a national turnout and voteshare advantage for Democratic candidates (Burden et al., 2014, 2017; DeNardo, 1980). These seemingly contradictory findings indicate that the effects of EDR/SDR may be contextual and may vary by district. The ideological score variable helps to capture some of the contextual variation between state assembly districts. Specifically, DeNardo found that partisan strength in a district as an indicator of the direction and strength of the partisan turnout advantage in that district (DeNardo 1980). The ideological leanings captured by CCES survey responses that formed the basis for the ideological score dataset (Tausanovitch & Warshaw, 2013) serve as a proxy for partisan direction and strength in this study

Since the ideological score indicates the likely partisan leaning of a district, one concern with including the ideological variable was multicollinearity. Model 1 has shown that Early Voting, Voter ID, and Ex-felon disenfranchisement advantage Republicans, whereas VBM advantages Democrats. Moreover, there is reason to believe that a state's political culture helps to explain the adoption of election laws (King, 1994). Thus, there is reason for concern that the election law variables may be very highly correlated with the ideological score. As well, the demographic control variables were selected specifically to capture age, race, ethnicity, education, and income – all of which

are thought to influence the likelihood that a voter will vote for the Democratic Party. (Burden et al., 2017).

Variance inflation factors (VIFs) were examined after each regression of Model 2.a and 2.b., which showed that there were no concerns with multicollinearity. No variable had a VIF value higher than 2.02 or a tolerance value below .50. The highest VIF value for the ideological score variable was 2.01, which occurred when estimating regressions for the 2008 elections. In general, the most highly correlated variable was *perblack*, which measures the percent of the population that is Black. Finally, the mean VIF value for these regressions was never higher than 1.54. Thus, multicollinearity does not appear to be a problem for these regressions.

Table 4.4 reports the estimated coefficients for EDR/SDR in all regressions that were run under the Ideology Model. The left side of the Table reports the estimated coefficients for the effect of EDR/SDR on the number of votes cast for Democratic candidates and for Republican candidates in 2004, 2008, 2012 and 2016. The right side of the table reports the estimated coefficients for EDR/SDR on the proportion of the vote received by Republican and Democratic candidates in state assembly districts in each of the four election years.

Table 4.4 will be used discuss the overall findings of the Ideology Turnout Model and the Ideology Voteshare Model. It will also be used to compare the overall fit of the regressions in both versions of the Ideology Model. Table 4.5 reports the full results of the Ideology Turnout Model and Table 4.6 reports the full results of the Ideology Voteshare model. These tables will be used to discuss the overall performance of each

Table 4.4 Coefficient Estimates for EDR/SDR in The Ideology Model (2.a and 2.b)

Year/Party	Model 2.a Total Votes	p- value	Adjusted R ²	Model 2.b Voteshar e	p- value	Adjusted R ²
2004						
Republican	2703***	.000	.5842	.009	.519	.3779
Democrat`	2057***	.000	.5645	-.003	.294	.3694
2008						
Republican	3831***	.000	.5882	.032**	.012	.3626
Democrat	4486***	.000	.6300	-.027**	.037	.3698
2012						
Republican	1743***	.002	.5118	.032**	.013	.4122
Democrat	4320***	.000	.6123	-.023**	.042	.4076
2016						
Republican	1253***	.007	.5110	.032***	.001	.4349
Democrat	1422***	.001	.6472	-.017*	.073	.4281

*** 99% confidence interval ** 95% confidence interval; * 90% confidence interval

Table 4.5 Coefficient Estimates for Control Variables in the Ideology Turnout Model (2.a)

<u>Variable</u>	2004		2008		2012		2016	
	<u>Rep</u>	<u>Dem</u>	<u>Rep</u>	<u>Dem</u>	<u>Rep</u>	<u>Dem</u>	<u>Rep</u>	<u>Dem</u>
EDR/SDR	2703	2056	3830	4485	1743	4320	1253	1421
Ideological Score	9425	-17898	9971	-18985	12502	-16055	13704	-16344
ELECTION LAWS								
Early Voting	1444	751	2122	751	-980	-518	-1629	-542
Ex-felon	-805	-2125	415	-1931	311	-1576	1233	-282
Voter ID	-788	-1275	2885	2007	-355	2819	1223	-35
VBM	1735	-222	11088	16323	13589	16572	8767	11568
North Dakota	-2183	2660	-4953	1611	-1518	2324	-2759	2486
DEMOGRAPHICS								
% Black	-106	-97	-105	-88	-79	6	-102	1
% Hispanic	-185	-207	-163	-185	-82	-78	-130	-66
Med. Inc (in \$1K)	107	-78	123	-35	57	-46	48	-61
% BA plus	-1044	-1641	-482	-1291	-491	-1529	-740	-253
% over 65	53	-136	95	-122	-34	7	-2	-11
Population (in 1K)	159	147	166	178	149	170	160	195
Intercept	-556	13654	-6966	7253	3260	2418	4525	1897
N	4349	4349	4349	4272	4272	4272	4272	4349
Adj R-Squared	.5843	.5645	.5882	.6300	.5118	.5110	.6472	.6123

Bolded values were significant at the 90% confidence level or higher.

Table 4.6 Coefficient Estimates for Control Variables in the Ideology Voteshare Model (2.b)

Variable	2004		2008		2012		2016	
	Rep	Dem	Rep	Dem	Rep	Dem	Rep	Dem
EDR/SDR	0.01	-0.00	0.03	-0.03	0.03	-0.03	0.03	-0.02
Ideological Score	0.55	-0.54	0.51	-0.49	0.54	-0.55	0.57	-0.56
ELECTION LAWS								
Early Voting	0.02	-0.02	0.06	-0.07	0.02	-0.02	-0.02	0.02
Ex-felon	-0.03	0.03	-0.05	0.04	-	0.01	-0.01	0.01
Voter ID	0.01	-0.01	0.05	-0.04	0.03	-0.03	0.02	-0.03
VBM	0.03	-0.04	0.01	-0.01	0.08	-0.08	-0.05	0.02
North Dakota	-0.10	0.12	-0.13	0.15	-	0.07	0.00	0.02
DEMOGRAPHICS								
% Black	-0.19	0.22	-0.23	0.25	-	0.25	-0.28	0.30
% Hispanic	-0.09	0.11	-0.10	0.12	-	0.13	-0.23	0.25
Med. Inc (in \$1K)	0.00	-0.00	0.00	-0.00	0.00	0.00	0.00	-0.00
% BA plus	-0.00	-0.01	-0.01	0.00	0.01	-0.02	-0.01	-0.00
% over 65	0.41	-0.34	0.47	-0.47	0.01	-0.02	0.12	-0.14
Population (in 1K)	0.00	-0.00	0.00	-0.00	0.00	0.00	0.00	-0.00
Intercept	0.22	0.76	0.18	0.81	0.39	0.59	0.51	0.49
N	3992	3992	3973	3973	391	3916	3932	3932
Adj. R ²	.3779	.3692	.3626	.3498	.412	.4076	.4349	.428

Bolded values were significant at the 90% confidence level or higher.

version of the Ideology Model and will accompany a full discussion of the control variables for each regression.

Model 2.a: The Ideology Turnout Model

The Ideology Turnout Model estimates the effects of EDR/SDR on the total votes received by each party when a district's ideology score is held constant. At first glance, the Ideology Turnout Model, which is reported in the left side of Table 4.4, appears to be a better fit for the data than the Basic Model for both turnout and partisan vote share. The adjusted R-squared values for each version of the Ideology Model are higher than those of the Basic Model as reported in Table 4.1. At its highest, the model has an adjusted R-squared value of .6472 for the regression on Democratic turnout in 2016. Adding an ideological score to the model has increased its explanatory power. Unlike Model 1, the Ideology Turnout Model seems to fit the data on Democratic turnout better than it does Republican turnout. However, the adjusted R-squared values for Model 2.b (voteshare) indicate a similar fit to the Ideology Turnout Model for both political parties.

In the Ideological Turnout Model (Model 2.b), the coefficients for EDR/SDR are significant for both parties in all election years. All statistically significant coefficients are positive, indicating once again that EDR/SDR increases turnout overall for both political parties. One major change in the Ideology Turnout Model is in the coefficients for 2008. In The Basic Model reported in Table 4.1, Republicans gained 5406 votes under EDR/SDR, which is *greater than* the 1493 additional votes received by Democrats. Table 4.4 reports the estimated coefficients for EDR/SDR under the Ideology Turnout

Model. When district ideology is controlled for, Republican candidates received 3831 additional votes, which is *less than* the 4486 votes gained by Democratic candidates.

Whereas the coefficients were significant for only one party in 2004 and 2016 under the Basic Turnout Model, the coefficients for both parties are significant under the Ideology Turnout Model. If in 2004 Republicans won 600 more additional votes than Democrats, in 2016 Democrats experienced a net turnout gain of 2576 votes. In addition to having a better goodness of fit measure, the Ideology model more closely conforms to the literature's prediction that EDR/SDR should increase turnout more for Democrats than for Republicans (Alvarez, 2002; Burden et al., 2014).

Table 4.5 reports the estimated coefficients for each variable in the Ideology Turnout Model. The Ideology Turnout Model has an additional control variable representing the mean ideological score of the constituents of state assembly districts. As Table 4.5 shows, the ideological score is always significant for turnout for both political parties, meaning that the ideological leaning of a district constituency explains some portion of the difference in partisan turnout caused by EDR/SDR. As well, the coefficients have the expected direction. As the ideological score increases (shifts towards the right), the number of votes cast for Republican candidates increases and Democratic votes decrease. Since the ideological score is significant in the model and is correlated as expected with the partisan vote, it is a good indicator of partisan strength. The ideological score will be used test DeNardo's finding about the interactive effects between partisan strength and direction and party turnout. The Ideology Turnout Model

has an additional control variable representing the mean ideological score of a state assembly district constituency.

As Table 4.5 shows, the ideological score is always significant for turnout for both political parties, meaning that the ideological leaning of a district constituency explains some portion of the difference in partisan turnout caused by EDR/SDR. As well, the coefficients have the expected direction. As the ideological score increases (shifts towards the right), the number of votes cast for Republican candidates increases and the number of Democratic votes decrease. Since the ideological score is significant in the model and is correlated as expected the partisan vote, it is a good indicator of partisan strength that can be used to test DeNardo's finding about partisan strength and partisan turnout.

Fewer election law variables are significant under the Ideology Model than under the Basic Model, but they act more as expected by the literature. Early Voting, in particular, is now not significant for the model of Democratic turnout in 2012 and 2016. In 2004 and 2008, Early Voting now acts as it should by increasing turnout by a small amount for both parties and benefitting Republicans more than Democrats. That Early Voting is shown to decrease Republican turnout in 2012 and 2016 still contradicts the literature's predictions of the effects of Early voting on turnout. While Early Voting has been found to slightly decrease turnout in federal elections (Fitzgerald, 2005), it is not generally thought to decrease turnout. Ex-felon disenfranchisement and Voter Identification Laws still act as expected for partisan turnout under the Ideology Model by increasing turnout more (or decreasing turnout less) among Republican voters than

among Democratic voters. The effect of Voter ID on turnout for both parties seems to vary by election in both the Basic and the Ideology models. In the Ideology Turnout Model, VBM again has the expected effect of advantaging Democratic turnout over Republican turnout.

In terms of the demographic control variables, race and ethnicity are still mostly significant, but this model more closely reflects the role that they play with regards to turnout in the literature. Under the Basic Turnout Model, the percentage of the population that is Black or Hispanic resulted in an increase in votes for the Democratic party, which agrees with the expectations that turnout should benefit Democrats more than Republicans (Burden et al., 2017). However, as members of marginalized groups, Black and Hispanic voters should turnout less than other groups. Voter turnout should decrease for both parties as the percentage of population that is Black or Hispanic rises (Rosenstone, 1993; Verba, 1972; Verba et al., 1995; Wolfinger & Rosenstone, 1980). When a district's ideology is controlled for in Model 2.a, these variables fully act as expected: turnout decreases for both parties when *perblack* or *perhisp* increase, but the vote loss is smaller for Democrats than for Republicans.

In the Ideology Turnout Model, the socioeconomic variables (income and education) variable act more as expected by the literature. In the Basic Turnout Model, a district's median income was rarely significant to explain turnout. Yet, the literature tells us that socioeconomic status (of which income is part) is a key indicator of voting propensity (Wolfinger & Rosenstone, 1980). Consequently, coefficients for *medinc* should be significant in models of voter turnout. As reported in Table 4.5, when

controlling for district ideology, median income is always significant as a predictor of turnout for both parties. In terms of education, the coefficients for the Ideology Model seem to suggest that more education decreases turnout as it did under the Basic Model. However, the partisan direction is now correct -- higher education decreases turnout less for Republicans than for Democrats in the Ideology Model. Finally, under Model 2.a, age now effects partisan turnout as expected by benefitting Republicans more than Democrats, although age's effect on all turnout is still negative and contrary to expectations. Overall, then, the results from the Ideology Turnout Model better conform to the literature's expectations for demographic and election law variables than do the results of the Basic Turnout Model.

Overall, the Ideology Turnout model matches the key predictions of the literature better than the Basic Turnout Model for all variable types. In terms of the literature on participation, Model 2.a confirms that poorer, non-white, less-educated voters participate less than other people (Rosenstone, 1993). Model 2.a also shows that election laws that make it more difficult to vote -- voter identification and ex-felon disenfranchisement -- provide relative turnout advantages for Republican candidates. VBM, an election law that makes voting easier, advantages Democrats in turnout. EDR/SDR is also thought to ease voting, which should increase turnout more for Democrats, who are thought to represent the marginalized voters that are targeted by the law. The Ideology Turnout Model shows that, when holding district ideology constant, EDR/SDR result in greater gains in turnout for Democrats than for Republicans (Burden et al., 2017)(Burden et al 2017). Thus, the Ideology Turnout Model is a better fit to the data than the Basic

Turnout Model both because the adjusted R-square values are higher and, perhaps more importantly, because it better conforms to the expectations of the literature.

Model 2.b: The Ideology Voteshare Model

The most theoretically important change for the Ideology Model comes when it is applied to partisan voteshares (Model 2.b). In the Basic Voteshare Model, the EDR/SDR coefficients were significant for the 2004, 2008 and 2012 elections. Table 4.4 shows that for the Ideology Voteshare Model, coefficients for EDR/SDR are significant for 2008, 2012 and 2016. Although the coefficients in 2004 are not significant at the 90% confidence level or higher, their direction suggests that Republicans enjoyed the voteshare advantage from EDR/EDR in 2004. As with the Basic Voteshare Model, in 2008 and 2012, state assembly districts that practiced EDR/SDR experienced an average increase in the Republican share of votes, while the Democratic voteshare decreased. In the Ideology Voteshare Model, the coefficients for 2016 are significant and again show that EDR/SDR does not result in a voteshare advantage for Democrats in state assembly district races. In 2016, districts that practiced EDR/SDR experiences an average increase of 3.2 percentage points in Republican voteshare and a decrease of 1.7 percentage points in Democratic voteshare. These findings contradict the expectation from the literature that the increased turnout caused by EDR/SDR should result in a voteshare advantage for Democrats.

These results are remarkable because Table 4.4 shows that Democrats received a larger number of additional votes than Republicans in 2008, 2012, and 2016 under the

Ideology Model. However, districts that practiced EDR/SDR saw a voteshare advantage for Republicans when compared to districts that did not practice EDR/SDR. The Ideology Model adds additional support to the finding that a net gain in additional votes for one party does not necessarily result in a voteshare advantage for that party. In any state assembly district in which EDR/SDR is practiced, Democrats may experience an absolute turnout advantage due to EDR/SDR and still suffer a loss in voteshare when compared to Republican candidates. The Ideology Turnout Model generally explains turnout among Democrats better than it explains turnout among Republican voters. Interestingly, the adjusted R-square values reported in the right side of Table 4.4 show that the Ideology Voteshare Model explains Republican voteshares better than it explains the Democratic share of votes.

Neither the Basic Voteshare Model nor the Ideology Voteshare Model ever show a voteshare advantage for Democrats in state assembly district elections in which SDR/EDR are practiced. Moreover, each model shows a partisan voteshare advantage for Republicans in three of the four election years. When the model controls for a district's ideology (Models 2.a and 2.b), increased adjusted R-square values show that the model's fit to the data improves. In the Ideology Voteshare Model, Republicans experienced a gain in voteshares in 2008, 2012, and 2016 as a result of EDR/SDR. When the ideological leaning of a district is held constant, on average, EDR/SDR may advantage Republicans in state assembly district elections.

Table 4.6 reports the estimated coefficients for each variable in the Ideology Voteshare Model. When it comes to Model 2.b, the coefficients for EDR/SDR did not perform as

the literature expected. Instead, it gave a voteshare advantage to Republicans in the 2004, 2008 and 2012 elections and never is shown to give an advantage to Democrats. However, as with the Ideology Turnout Model, most control variables act as expected from the literature. As a district's ideology shifts towards the right, the result is the expected increase in the Republican voteshare and a decrease in the Democratic voteshare. Election laws that make it harder to vote hurt the voteshare for Democratic candidates but help Republicans. In two of the three years in which it is significant under of voters play an important role in determining representation by elected officials (Ansolabehere et al., 2001; Bafumi & Herron, 2010; Kousser et al., 2007; Miler, 2016). Even if EDR/SDR increases Democratic turnout more than Republican turnout, Democrats lose voteshare in state assembly districts that use EDR/SDR. It is therefore possible that EDR/SDR results in a decrease in representation for marginalized voters, who tend to seek representation from Democrats candidates (Burden et al., 2017).

Model 3: The Interaction Model

When the ideology of a district is controlled for, the model of the effects of EDR/SDR performs better than when ideology is omitted from the model. It is clear that district ideology plays an important role in determining partisan turnout and voteshares. The Interaction Model tests whether district ideology interacts with EDR/SDR to affect turnout and voteshares. James DeNardo (1980) found that the size and direction of partisan advantage is partly determined by the strength and direction of partisanship within a district. It is possible that EDR/SDR has one effect in districts with weak

ideological scores (values close to 0) and a different effect in districts with strong ideological scores (values close to |1|). It is also possible that the effects of EDR/SDR differ with the direction of the ideological score – acting one way while ideology shifts leftwards (towards -1) and another when ideology shifts rightwards (towards 1). The Interaction Model identifies regressions in which EDR/SDR interacts with district ideology for further analysis.

The interaction variable (*idint*) multiplies the district ideology score (with continuous values 0-1) by whether a district uses EDR/SDR (*EDR/SDR*) (with discrete values 0 or 1). Thus, the interaction will only have a value different from 0 when EDR/SDR are present. When EDR/SDR is present the values of *idint* are identical to the district ideology scores ($EDR/SDR((1) \times IDSC(.xx))$). Thus, increases in the interaction variable can be interpreted as shift rightwards in the ideology score.

Table 4.7 reports the estimated coefficients for EDR/SDR in all regressions that were run under the Interaction Model that had a significant coefficient for the interaction variable. The left side of the table reports estimated coefficients for the Interaction Turnout Model. The right side of the table reports estimated coefficients for the Interaction Voteshare Model. The first column of each section reports only significant coefficients for the interaction variable. For each regression with a significant interaction coefficient, the second column reports the remaining effect on turnout/voteshares caused by EDR/SDR alone. The third column reports the adjusted R-squared values for each regression with a significant coefficient for the interaction variable. Table 4.7 will be

Table 4.7 Coefficient Estimates for Interaction Variable in the Interaction Model (3.a and 3.b)

	Turnout Model (3.a)			Voteshare Model 3.b		
Year/Party	Interaction	EDR/SDR	Adjusted R ²	Interaction	EDR/SDR	Adjusted R ²
2004						
Republican	--	--	--	-.092*	.009	.3782
Democrat	.8349***	.2003**	.5659	.115**	.003	.3696
2008						
Republican	-.3057*	.3869**	.5884	--	--	--
Democrat	.5192***	.4421**	.6306	--	--	--
2012						
Republican	-.5407***	.1347**	.5147	-.174***	.019	.4165
Democrat	.7925***	.4902**	.6153	.196***	-.012	.4130
2016						
Republican	.2847**	.1671**	.5114	-.180***	.005	.4412
Democrat	--	--	--	.167***	.007	.4336

*** 99% confidence interval ** 95% confidence interval; * 90% confidence interval

used to diagnose regressions in which the interaction of district ideology with EDR/SDR has a significant effect on partisan turnout and voteshares.

The adjusted R-Squared values reported in Table 4.7 suggest the Interaction Model explains more variation in total party votes than did the Ideology Model for all but regressions that had significant coefficients but one. In contrast, the adjusted R-Squared values for the Interaction Voteshare Model are greater only for the Democratic regressions. For each Republican regression under the Interaction Voteshare Models, the adjusted R-squared value is lower than that of the Ideology Voteshare Model, although the interaction variable is significant. The Interaction Model explains Democratic voteshares better than the Ideology Model but does not appear to explain Republican voteshares better than the Ideology Model.

As with previous models, the adjusted R-squared values also indicate that the Interaction Model is somewhat more useful to predict partisan turnout than voteshare. Under Model 3.a, the coefficients for *idint* were significant for Democrats for every year but 2016 and for Republicans every year but 2004. Under the Ideology Model, EDR/SDR was significant for Republican turnout in 2004 but not for Democratic turnout. Under the Interactive Model, the interaction variable was significant for Democratic votes but not for Republican votes. This suggests that the effects of EDR/SDR interacted with district ideology to effect turnout for Democrats in 2004, whereas the existence of EDR/SDR alone explains the change in Republican turnout in 2004. The same applies to Democratic turnout in 2016. Finally, in the Interaction Voteshare Model (3.b), the interaction variable is significant for both party voteshares in the 2004, 2012 and 2016

elections. This suggests that a district's ideology score interacts with EDR/SDR to affect voteshare in three of the four election years

With regards to the Interaction Turnout Model (3.a), the significant interaction coefficients reported in Table 4.7 are from regressions with adjusted R-squares values slightly higher than those of the Ideology or Basic Models. Thus, the Interaction Model is at least as good a fit as the Ideology Model for all party years with significant interactions between EDR/SDR and district ideology. In party-years with no significant interaction, the Interaction Model generally had lower adjusted R-squared values than the Ideology Model.

Interestingly, in 2008 and 2012, the interaction between EDR/SDR and ideology resulted in a decrease in Republican turnout, while EDR/SDR and ideological score alone resulted in increased Republican turnout. The coefficient for the interaction variable gives only that portion of turnout that is attributable to the interaction of EDR/SDR with district ideology. The remaining separate effects of EDR/SDR are also estimated and reported. For example, Table 4.7 reports that on average in 2012, *idint* resulted in a decrease of 5407 Republican votes in state assembly districts. Also in 2012, the existence of EDR/SDR alone resulted in an increase of 1347 votes for Republican candidates for state assembly. Thus EDR/SDR may interact with district ideology to decrease Republican turnout even when EDR/SDR on its own increases votes cast for Republican candidates.

As Table 4.7 reports for the Democratic regressions in 2008, 2012, and 2016, the interaction of EDR/SDR and district ideology results in an increase in Democratic votes.

EDR/SDR alone also results in increased turnout. Thus, when EDR/SDR interacts with the ideological score of a district, turnout increases for Democrats but decreases for Republicans, although EDR/SDR itself increases turnout for both parties.

In the Interaction Turnout Model (Model 3.a), EDR/SDR interacts with values of a district's ideology score to affect the number of votes received by Democratic and Republican party candidates in state assembly district elections. In 1980, James DeNardo presented his finding about the effects of increased turnout on partisan voteshares. In DeNardo's study, increased turnout (like that experienced under EDR/SDR) only resulted in a voteshare advantage for Democrats, and that only in strong Republican districts. Republicans did not enjoy the same voteshare advantage in strong Democratic districts (DeNardo 1980). It is possible that the effects of EDR/SDR (which increases absolute turnout) on party turnout and voteshares change as the partisan direction strength of a district changes.

Auxiliary Model A: Testing DeNardo's findings on turnout and voteshares

The Interaction Turnout Model shows that the interaction of EDR/SDR with a district's ideology score effects partisan turnout and voteshares separately from the pure effects of EDR/SDR on turnout and voteshares. One reason this may occur is that the effects of increased turnout under EDR/SDR may vary by the strength as well as the direction of the partisan leaning of a district (DeNardo, 1980). The Ideology Turnout model measures the effects on turnout of changes in direction of district ideology scores but does not measure changes in strength. To test whether the dynamic suggested by

DeNardo is the mechanism at work behind the interaction, the regressions for the Ideology Model (2.a and 2.b) was run at different intervals of the district ideology score. The district ideology score variable takes on values between -1.27 and .97. The regression was run in intervals of .25, as described in Figure 4.1 for each year and party.

Auxiliary Turnout Model

Figure 4.1 plots only significant coefficients for the effects of EDR/SDR on partisan turnout in 2004, 2008, 2012, and 2016. The Y-axis shows the number of additional votes cast for each party that are attributable to EDR/SDR. The X-axis displays the intervals of district ideology from most liberal (-.75) to most conservative (.75). Each party-year is represented by a line.

When the regressions were run using intervals of the district ideological score, a notable result was that the coefficient for EDR/SDR was significant mostly in state assembly districts with ideology scores around 0. One possible cause for this is sample size. In fact, observations were too few to run the regression in most extremely ideological districts (with score values $> |.75|$). Regressions are considered valid in which the probability of the F-value being greater than a critical value is less than .10. Among the valid regressions, the coefficient for *EDR/SDR* tended to be significant more often and at higher confidence levels the closer the ideological score interval is to 0. This may suggest that EDR/SDR is most effective as a mechanism for turnout in weakly partisan districts. Of course, the strength of the ideological score is not a direct corollary

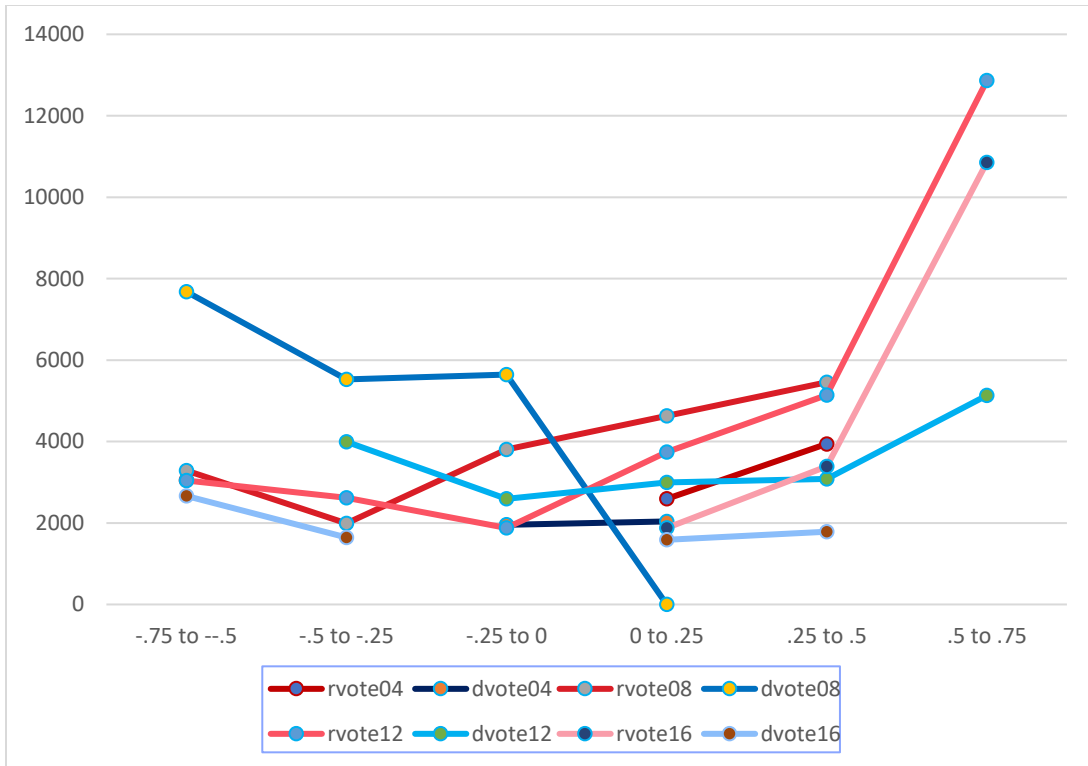


Figure 4.1 Significant Estimates of EDR/SDR coefficients for Turnout by District Ideological Score Intervals

of partisanship strength and a future study might run these regressions using scores of district partisan strength instead of district ideology.

Still, the literature on partisanship and turnout may support the suggestion that EDR/SDR is most effective in weakly partisan districts. The strength of an individual's partisanship is a key indicator of voting propensity and strong partisanship is directly correlated with turnout (Rau, 2021). The stronger a voter's party identification, the more likely they are to cast a ballot. Since EDR/SDR is expected to work by increasing turnout most among marginal voters, then it is reasonable to expect that EDR/SDR would increase turnout more effectively among voters in weakly partisan districts.

Figure 4.2 reports only significant estimates for the coefficients of EDR/SDR on partisan turnout in 2008. In 2008, Democratic turnout due to EDR/SDR increased as district ideology strengthened leftwards but decreased as ideology strengthened in conservative districts. In left-leaning districts, Democrats enjoyed a greater turnout advantage than Republicans. However, average turnout gains experience from EDR/SDR were greater for Republicans in right-leaning districts. Thus, Democrats did not enjoy a greater turnout advantage in strong Republican districts than in other districts as DiNardo's findings suggest (DeNardo 1980).

Figure 4.3 reports only significant estimates for the coefficients of EDR/SDR on partisan turnout in 2012. As with 2008, 2012 does not provide evidence to support DeNardo's findings. In 2012, it is clear that the turnout advantage changes from Democratic to Republican when a state assembly district's ideology score moves from liberal to conservative. However, the partisan turnout benefit (the gap in turnout

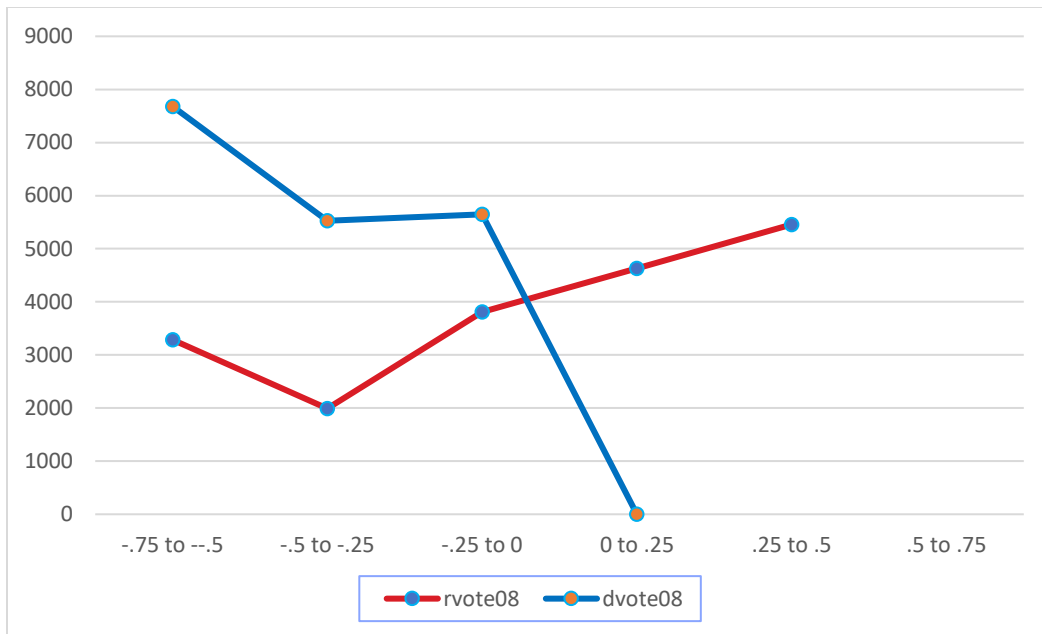


Figure 4.2: Estimates of EDR/SDR coefficients for Turnout by District Ideological Score Intervals in 2008

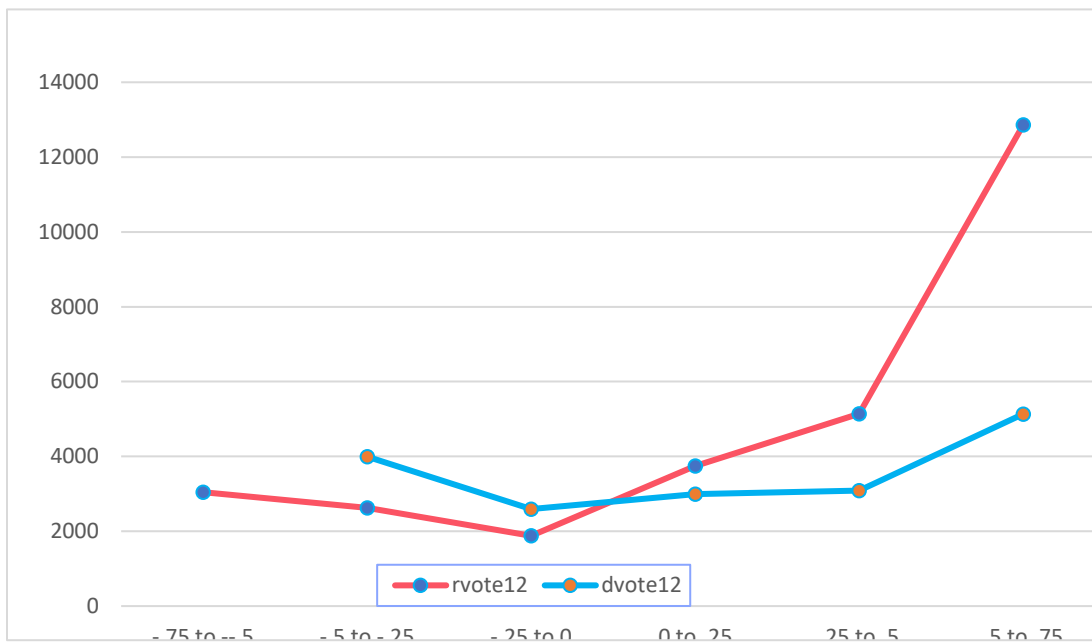


Figure 4.3: Estimates of EDR/SDR coefficients for Turnout by District Ideological Score Intervals in 2012

coefficients between parties) increased as ideology scores become more extreme. Thus, the auxiliary model seems to show that EDR/SDR interacts with district ideology to increase turnout more in stronger ideologically aligned districts than in weaker-aligned districts. Unlike Denardo's findings though, the net turnout advantage accrues for the "correct" party. Republicans enjoy the advantage in conservative districts and Democrats enjoying the advantage in liberal districts.

Auxiliary Voteshare Model

Figure 4.4 plots only significant coefficients for the effects of EDR/SDR on voteshares in 2004, 2008, 2012, and 2016. The Y-axis shows the estimated coefficients for the effects of EDR/SDR on voteshares. The X-axis displays the intervals of district ideology from extremely liberal (-1 to -.75) to leaning liberal (-.25 to 0). Each party-year is represented by a line. In terms of partisan voteshare, the interaction variable was significant only in 2004, 2012 and 2016 for the Interaction Voteshare Model but the regressions were run in intervals of district ideology for all four years.

The Auxiliary Voteshare Model runs the Ideology Voteshare Model regressions at intervals of the ideological score. The first thing to note is that the estimated coefficients for EDR/SDR were significant only in left-leaning districts. This seems to suggest that EDR/SDR does a better job at explaining partisan voteshares in Democratic districts. In Republican districts, EDR/SDR does not yield a change in voteshare that is statistically significantly different from zero. Unfortunately, this means that DeNardo's findings

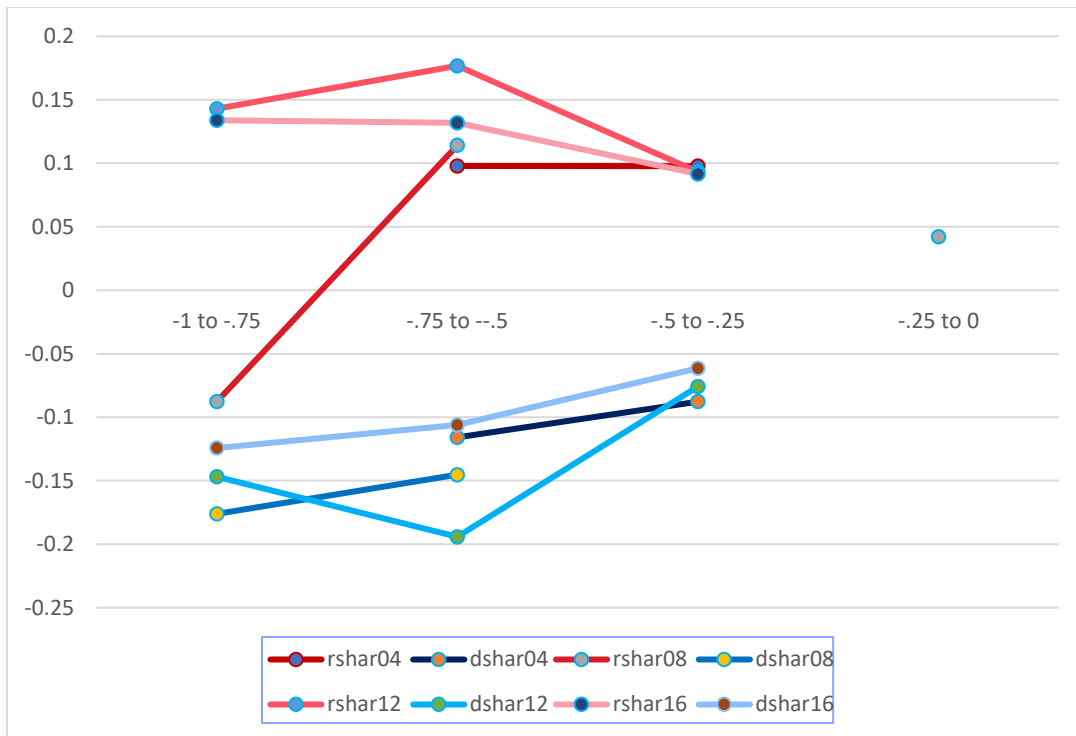


Figure 4.4: Estimates of EDR/SDR coefficients for Voteshare by District Ideological Score Intervals

cannot be tested in the Auxiliary Voteshare Model, since those findings occur only in strong Republican districts (DeNardo, 1980).

The Basic and Ideology Voteshare models showed that the voteshare advantage under EDR/SDR is enjoyed only by Republicans rather than only by Democrats. The results seem to contradict as DeNardo's findings (DeNardo, 1980). The Auxiliary Voteshare Model in Figure 4.4 shows that the Republican advantage grows as districts become more liberal. However, in extremely strong Democratic districts, the gap narrows. In other words, EDR/SDR affects district voteshares by making them more Republican in weakly liberal districts (-.50 to -.25). The Republican voteshare effect is greater in strongly liberal (-.75 to -1.), but then lessens slightly in extremely liberal districts (-1 to -.75).

Model 4: The Difference in Difference Model

To this point, the models in this study have yielded several interesting insights. In comparing the Basic Model to the Ideology Model, it appears that including a district ideology score better specifies the model of the effects of EDR/SDR on both partisan turnout and voteshares. The results from the Ideology Model show that EDR/SDR increases turnout among both Republicans and Democrats. Although Democrats generally enjoy greater increases in turnout numbers under EDR/SDR, Republicans generally enjoy a greater voteshare advantage. The Interaction Model showed that EDR/SDR sometimes interacts with district ideology to effect both partisan turnout and voteshares. The Auxiliary Model suggested that the gap between parties in turnout

widens as ideological scores become more extreme. When it comes to voteshare, however, the Interaction Model seems to show that EDR/SDR benefits Republican voteshares more strong liberal districts than it does in weakly liberal districts, suggesting that the impact of EDR/SDR on voteshares increases as ideology scores become more extreme. However, there is no statistically significant effect of EDR/SDR on voteshares in conservative districts

The Difference-in-Difference Model (Models 4.a & 4.b) estimate the change in partisan turnout or partisan voteshare as a function of the change in election law. In other words, when EDR/SDR is implemented (or repealed) in a state, the model tests the effect of that intervention on the portion of partisan turnout or voteshare that changed during the model period. The Difference-in-Difference Model was run for 2004-2008 and 2012-2016. Unfortunately, too few states implemented or repealed EDR/SDR between 2008 and 2012 to run a valid regression of EDR/SDR on partisan turnout or voteshares.

Table 4.8 reports the estimated coefficients for EDR/SDR in all regressions that were run under The Difference-in-Difference Model. The left side of the table reports the estimated coefficients for the effect of the change in EDR/SDR on the change in the number of votes cast for Democratic candidates and for Republican candidates between 2004 and 2008 and between 2012 and 2016. The right side of the table reports the estimated coefficients for the change in EDR/SDR on the change in voteshares during those two periods.

Table 4.8 Coefficient Estimates for EDR/SDR in The Difference-in-Difference Model (4.a and 4.b)

Year/Party	Model 4.a Change in Total Votes	p-value	Model 4.b Change in Voteshare	p-value
2008-2004				
Republican	1092**	.022	.021	.180
Democrat	2236***	.000	-.009	.556
2016-2012				
Republican	-410	.336	.058***	.000
Democrat	364	.408	-.057***	.000

*** 99% confidence interval ** 95% confidence interval; * 90% confidence interval

The first thing of note is that in the Difference-in-Difference Turnout Model (4.a), EDR/SDR is significant only for 2008-2004 and the Voteshare Model (4.b) is only significant for 2016-2012. Thus, we cannot compare the results from the two models. The Difference-in-Difference Turnout Model confirms the basic finding on the effects of EDR/SDR on turnout for this study. EDR/SDR causes increased turnout among voters of both parties and the turnout increase is generally higher for Democrats than for Republicans. The Difference-in-Difference Voteshare model confirms the basic findings for this study of the effects of EDR/SDR on voteshares. EDR/SDR results in an increase in Republican voteshare and a concomitant decrease in Democratic voteshare in state assembly races.

Summary

The Basic Model showed that turnout increases for both parties in districts with EDR/SDR when compared with state legislative districts that do not have EDR. It also showed that districts that practiced EDR/SDR experienced an average voteshare advantage for Republican candidates. When the district's ideology score was controlled for, the Ideology Model continues to show that EDR/SDR increases turnout for both parties, but it also confirms the literatures expectations that turnout increases more among Democratic voters than among Republican voters. As with the Basic Model, the Ideology Model provides further confirmation that the average voteshare benefit resulting from EDR/SDR accrues to Republican candidates. This finding contradicts the expectations of the literature that EDR/SDR benefits Democratic voteshares and is the essential finding for this study.

When the district ideology score was allowed to interact with EDR/SDR, the interaction term was significant in both the turnout and voteshare models for both parties in most election years. The results of the Interaction Model imply that the interaction of ideology and EDR/SDR contributes to explanations of partisan turnout and voteshares. The Auxiliary Model explored whether the effects of EDR/SDR varied with the strength and direction of a district's ideological score. The results from these models indicate that turnout increases more for a party in districts that are more strongly ideologically aligned with that party. However, the Auxiliary Voteshare Model indicates that Republicans enjoy greater voteshare advantage as a district's ideology score becomes more liberal, but EDR/SDR has no effect on voteshares in conservative districts. Finally, the Difference-in-Difference-Model confirms the basic findings from this study. EDR/SDR increases turnout among voters of both parties but increases turnout more for Democrats. When it comes to voteshare, however, the Difference-In-Difference Voteshare Model confirms that Republicans enjoyed the voteshare advantage under EDR/SDR.

CHAPTER FIVE

ANALYSIS AND CONCLUSIONS

This study asked three important questions. What is the effect of Election Day Registration and Same Day Registration on the many small state assembly district elections? Does a district's ideology score influence turnout and voteshares enough to merit its inclusion in models of EDR/SDR? Does the effect of EDR/SDR on partisan turnout and voteshares change as a district's ideology score moves from weak to strong or from liberal to conservative? The models in this study show that the effects of EDR/SDR on partisan turnout in state assembly districts is to increase turnout for both parties, but it will generally increase turnout more for Democrats than for Republicans. When it comes to voteshare, on average, EDR/SDR increases Republican voteshares and decreases the Democratic share of votes. A district's ideology is an important factor in determining both partisan turnout and voteshares and should be controlled for in models of the electoral effects of EDR/SDR. Finally, EDR/SDR explains partisan turnout and voteshares in liberal districts but not in conservative districts and the effects of EDR/SDR may increase as a district's ideology score strengthens in either direction.

It is important to study the effects of election law interventions in order to compare the stated goals of those election laws to their outcomes. An oft-stated goal in the implementation of EDR/SDR is to increase representation of underrepresented voters in order to ameliorate political inequality. EDR/SDR is thought to be effective in decreasing political inequality because it stimulates new and marginal voters to go to the

polls (Burden et al., 2014). The next question for this paper to consider is whether the effects of EDR/SDR uncovered in this study meet the political equality goals set for EDR/SDR.

Does EDR/SDR increase representation for marginalized voting groups?

For EDR/SDR to increase representation for marginalized groups it must both increase turnout and increase turnout more for candidates that traditionally represent marginalized voters than for candidates that do not. EDR/SDR does that, at least in state assembly district elections. The preponderance of the evidence from the models suggests that EDR/SDR increases turnout for both parties but increases turnout more for Democrats than for Republicans. Thus, on its face, EDR/SDR meets the requirements to decrease political inequality.

EDR/SDR is more effective at increasing turnout among marginalized voters than other voters. According to the Ideology Turnout Model, in an average state assembly district, EDR/SDR will result in a net additional vote advantage for Democrats of between 169 and 2577 votes. Moreover, previous studies have found that EDR/SDR increases turnout more among young voters, Hispanic, Asian and Black voters, the residually mobile, and naturalized citizens (Alvarez, 2002). Thus, EDR/SDR is effective in increasing representation at the polls for traditionally underrepresented voting groups.

Representation at the polls is an important piece of political representation. When voters make the decision to cast a vote, they implicitly consent to the electoral system that determines the distribution of power in states and cities across the nation. And the question of consent is essential to the perceived legitimacy of elected regimes (Ceaser, 1981). Thus, election laws (like EDR/SDR) that increase overall turnout can help to increase the “quantity” of consent. By increasing turnout more among the underrepresented, EDR/SDR also helps to ensure the broad-based “quality” of that consent. EDR/SDR is effective in creating the appearance of increasing representation among underrepresented voters by increasing their representation at the polls. The motivating question behind this study, however, is whether representational gains at the polls that are triggered by EDR/SDR translate into increased representation in the chambers of state legislative houses. If EDR/SDR increases turnout more for Democrats than Republicans, does it also shift the composition of the voting base to encourage elected officials to better represent marginalized voters? The answer appears to be, “no.”

Although EDR/SDR increases representation of marginalized voters at the polls, it may contribute to decreased representation in state legislative chambers. The Ideology Voteshare Model shows that EDR/SDR consistently results in voteshare loss for Democratic. Those losses range from 1.7 to 2.7 percentage points in the share of votes won by Democratic candidates for the state assembly. As well, Republicans directly gain the Democratic voteshare loss. Thus, in terms of the composition of the voting base, on average in state assembly districts, EDR/SDR results in a rightwards shift in the composition of district electorates.

It is worth taking a moment to contemplate how a net advantage in turnout for Democrats can result in an average voteshare increase for Republicans. In Democratic districts, more Democrats vote than Republicans. If the turnout gains experienced from EDR/SDR are considered as a percentage of the existing partisan vote, then in heavily Democratic districts lower numerical turnout increases can be greater turnout percentage increases for Republicans in Democratic districts. Indeed, the Auxiliary Voteshare Model showed that the Republican voteshare advantage from EDR grows as a district's ideology shifts leftwards.

Elected officials make legislative decisions based at least partly on the perceived policy preferences of their constituents (Miller & Stokes, 1963). According to the electoral connection theory, legislators make legislative decisions based on the perceived preferences of their voters in order to maximize their chances of reelection (Mayhew, 1974). Since legislators want to make decisions that will get them reelected, they account more for the preferences of voters than of nonvoters (Griffin & Newman, 2005). Elected officials therefore respond to perceived shifts in the composition of their voting bases if they want to remain in office (Canes-Wrone et al., 2002).

A shift in the partisan voteshare is a shift in the composition of the voting base. Increases in turnout alone change the size of the voting base, but not necessarily its partisan composition. A change in the percentage of the vote captured by a political party indicates a shift in the partisan composition of the voting base. Since EDR/SDR increases Republican representation as a proportion the voting population, it likely results

in an increase in representation of Republican voters and a decrease in representation of marginalized voters in state legislative chambers.

The electoral connection between the electorate and the policy decisions made by elected officials is not necessarily a direct relationship. In some districts, legislators will directly react to perceived shifts in the composition of their voting bases (Kousser et al., 2007). Where ideological leaning is strong, elected officials may react to counterparty changes in their constituencies by calcifying their pro-party stances (Canes-Wrone et al., 2002) or even doubling down by choosing a pro-party position more extreme than their constituencies' (Bafumi & Herron, 2010). Where district leaning is weak, elected officials may need to moderate their pro-party stances (Canes-Wrone et al., 2002) or even avoid taking party-line policy stances altogether (Grimmer, 2013) in order to be reelected.

The Auxiliary Model measured the effects of EDR/SDR on partisan turnout and voteshares on intervals of the ideology score. That model's results can be used to explore the possible effects of EDR/SDR on representation when those effects vary by partisan strength. The Auxiliary model showed that EDR/SDR is effective in shifting voteshares rightwards in Democratic districts but shows no effect for voteshares in Republican districts. Thus, if the relationship between voteshare and representation is direct, the result is an increase in representation for Republicans. The model also shows that EDR/SDR will result in a Republican increase in voteshare in weak Democratic districts. In weakly partisan districts, elected officials may react to partisan shifts in their voting bases by moderating or abandoning pro-party stances (Canes-Wrone et al., 2002;

Grimmer, 2013). If these theories are correct, then this rightwards shift may result in a weakening of Democratic representation in those districts. On the other hand, in strong Democratic districts, it is possible that the rightwards shift in voteshares will result in no representation change (Canes-Wrone et al., 2002) or increased Democratic representation (Bafumi & Herron, 2010).

By shifting the composition of state assembly districts rightwards, EDR/SDR likely decreases the representation of marginalized voters in all but the strongest Democratic districts. Even in strong Democratic districts, it is not certain that elected officials will respond to a rightwards shift in their electorates by maintaining or increasing their support for Democratic Party stances. Although EDR/SDR increases turnout among marginalized voters more than among other types of voters, the net effect is a decrease in Democratic voteshare and a likely decrease in Democratic representation. Because marginalized voters tend to seek representation from Democratic Party candidates (Burden et al., 2017), a decrease in Democratic representation translates into decreased representation for marginalized groups under EDR/SDR.

Election Laws and Political Equality

Although the literature would predict that EDR/SDR would result in an advantage for the Democratic candidates that traditionally represent marginalized voting groups, the findings in this study contradict this expectation. One reason for this difference between expectation and results may lie in the difference between increased turnout and increased

voteshare. However, another reason may lie in the mechanisms through which election laws shape election results.

Between the implementation of an election law and the estimated coefficient of a model lies the actual work. Early Voting, for example, tends not to increase overall turnout because the segment of the population it stimulates to vote tend to be regular voters (Berinsky, 2005; Burden et al., 2014; Neeley & Richardson, 2001). Early Voting alone cannot stimulate new voters because an unregistered voter can no more cast a vote early than they can a vote on election day. Motor Voter Registration works to increase overall turnout (at least in the first five elections after implementation) but is not effective in decreasing political equality (Knack, 1995). This is because Motor Voter registration helps any person who performs a motor vehicle transaction to register to vote; and motor vehicle customers come from marginalized and active voters alike. Motor Voter Programs do increase turnout more among two marginalized voting groups: the young and residentially mobile (Highton & Wolfinger, 1998). However, age and residential mobility are not indicators of low socioeconomic status. Moreover, both age and residential status are necessarily temporary characteristics of a population that do not indicate the more permanent marginalization that from the basis for political inequality.

EDR/SDR increases turnout most among the young and residentially mobile (Knack & White, 2000; McDonald, 2008; Squire et al., 1987). EDR/SDR enables newly eligible voters to vote even when they have not previously registered to vote. However, voters that are newly eligible because they have turned 18 or moved to a new location crosscut socioeconomic status and ideological leaning. They can be rich or poor, highly

or poorly educated, conservative or liberal. EDR/SDR also has been found to pull out more votes among Hispanic, Asian and Black voters and naturalized citizens (Alvarez, 2002). However, the turnout effect of EDR/SDR on low-SES voters may be as low as .1% (Mitchell & Wlezien, 1995).

If the largest effects of EDR/SDR are felt by the young and residentially mobile, and those voters crosscut socioeconomic status, then it is possible that these effects drown out any that would ameliorate political equality. In other words, the large turnout increase among young and residential mobile voters may be much greater than the turnout gains for low SES individuals. The political equality effects of SDR/EDR would then largely be a result of the socioeconomic composition of the group of young and residentially mobile voters that are turned out by EDR/SDR. If newly eligible voters in a district tend to be wealthier and highly educated, the effect of EDR/SDR might be to exacerbate existing inequality. If they are poorer and less educated, the result of implementing EDR/SDR might be and decrease in political inequality. A future study might try to tease out these effects on state or local elections.

Another key feature of EDR/SDR identified in this study is that the likely effects of EDR/SDR on turnout and voteshare differ between Republican and Democratic districts. The Auxiliary Turnout Model shows that EDR/SDR increases a party's turnout advantage as the district ideology score shifts toward that party's direction. The more liberal is a district, the greater is the turnout advantage for Democrats. The more conservative is a district, the greater is the turnout advantage for Republicans. When the effects of EDR/SDR are aggregated across all districts then, the net turnout advantage

may accrue to Democrats if there are more Democratic districts using EDR/SDR. However, in any given district, EDR/SDR will likely award the turnout advantage to the party in power. From a partisan turnout perspective, then, EDR/SDR is not likely to ameliorate within-district inequality.

In terms of voteshare, EDR/SDR acts only to increase political inequality. The Auxiliary Voteshare Model indicates that EDR/SDR results in a Republican voteshare gain in Democratic districts but has no effect on voteshare in Republican districts. That EDR/SDR has no effect on voteshares in Republican districts means that no change is made to political inequality in those districts. That EDR/SDR increases Republican voteshares in Democratic districts means that Democrats lose within-district electoral power under EDR/SDR. If the literature is correct that marginalized voters tend to vote for Democratic candidates (Burden et al., 2017), then EDR/SDR decreases the electoral power of marginalized groups within Democratic districts. However, because the model in this study shows no effects of EDR/SDR on voteshares in Republican district, future models could be designed to better capture any effects EDR/SDR may have on voteshares in Republican districts.

The effects of EDR/SDR, like other election laws, are shaped by the mechanisms through which it increases turnout. EDR/SDR does not increase turnout as much among low-SES voters as it does among young and residentially mobile voters. Thus, the primary effects of EDR/SDR may be dependent on the socioeconomic composition of the group of young and residentially mobile voters. EDR/SDR increases district turnout most for the party that best represents the district's ideological leanings. Therefore,

EDR/SDR does not through turnout ameliorate political inequalities within districts. EDR/SDR affects voteshares in Democratic districts but not in Republican districts. Marginalized voters tend to vote for Democrats (Burden et al., 2017). So, EDR/SDR does not have the reach to impact existing political inequalities in the conservative districts where they may be of most concern.

If EDR/SDR does not correct existing political inequalities within state assembly districts, however, it may yet affect political inequality at the national level. This study contradicts the findings that EDR/SDR increases voteshares more for Democrats than for Republicans at the state assembly district level (Burden et al., 2014, 2017). However, the Burden study aggregated county-level results into a single national number. Further research might compare the within-district effects of EDR/SDR with its aggregate effects across all state assembly districts.

Finally, even if EDR/SDR does not ameliorate within-district political equality on its own, it may be possible to modify its effects by combining it with other election law reforms. Early voting has been found to have no turnout effects or negative turnout effects when implemented on its own (Gronke et al., 2007). This is likely because Early Voting simply makes voting easier for people that were already going to vote (Berinsky, 2005; Burden et al., 2014; Neeley & Richardson, 2001). However, when combined with EDR/SDR, early voting increases turnout and does so more among marginalized voting groups (Burden et al., 2014, 2017). EDR is a powerful tool for increasing turnout. It is possible that combining its positive turnout effects with the effects of other election law reforms might enhance the ability of EDR/SDR to ameliorate political inequality.

Implications for Representation

The results of this study confirm what previous studies have found: EDR/SDR consistently and permanently increases turnout among all voters. For that reason alone, it is an important tool in shaping U.S. elections. A large proportion of eligible U.S. voters do not vote. Only 60% of eligible voters cast ballots for the presidential election of 2016 (McDonald, 2018). When it comes to midterm and state or local elections, turnout is typically under 50% of eligible voters (Maciag, 2014).

Casting a ballot for a candidate in any election is an indication of consent to both the electoral system and the governmental administration that results from U.S. elections (Ceaser, 1981). When fewer than 50% of an election's eligible voters cast ballots, then less than half of the population has affirmed their consent. The U.S. turnout problem may indicate that U.S. federal, state and local governments struggle to demonstrate their legitimacy to that half of the population that did not vote. On that basis then, states should embrace EDR/SDR as an important mechanism to increase turnout. By increasing turnout in their elections, states can also increase the pool of consent that administrations draw on to support the legitimacy of governmental actions.

This study found that EDR/SDR increases turnout more among Democratic voters than among Republican voters. Partisanship is an imperfect measure of marginalization, and future studies might explore the results of EDR/SDR on turnout among groups that are marginalized by different socioeconomic, racial, ethnic, or other characteristics. However, those marginalized voters, once mobilized, tend to cast ballots for Democrats (Burden et al., 2014, 2017). Therefore, increased turnout among Democrats is likely to

contain more new votes from marginalized voters than increased turnout among Republicans.

An election law like EDR/SDR that can transform nonvoters into voters is a power electoral reform. Voting is one form of political participation and citizens participate in political systems in order to shape the distribution of governmental resources within their communities (Rosenstone, 1993). The U.S. Republic is a democracy and in a democracy “[t]he needs and preferences of no individual should rank higher than any others” (Verba et al., 1995, p. 10). When individuals do not vote their needs and preferences are considered less than the needs and preferences of voters (Griffin & Newman, 2005).

When marginal or nonvoters cast ballots, they add information about their preferences into the pool of constituent information from which legislators draw to make policy decisions (Miller & Stokes, 1963). If increased turnout overall increases the size of this information pool, increased turnout from persons who previously did not vote should also change the informational content. New voters may bring new ideas and new problems into consideration by elected officials, and it is reasonable to believe that new considerations may shape future policy decision-making. The new voters turned out by EDR/SDR may add new important perspectives. For that reason, EDR/SDR can be embraced as a tool to improve the deliberative democratic process.

In this study, EDR/SDR was found to increase Republican voteshares in Democratic districts. If studies of the effects of redistricting on representation are correct, then an increase in Republican voteshare should result in an increase in

Republican representation (Ansolabehere et al., 2001; Kousser et al., 2007) and/or a decrease in Democratic representation (Canes-Wrone et al., 2002; Grimmer, 2013). Voting is one way in which “citizens in a democracy seek to control who will hold public office and to influence what a government does” (Verba et al., 1995, p. 1). If more Republicans vote in Democratic districts, then they should enjoy some additional control over the outcome of elections and, more importantly, over the policy decision-making of presumably Democratic incumbents. Political inequality occurs when the preferences of richer, more educated, whiter and older voters are overrepresented in policy decision-making as a percentage of the eligible voting population (Lijphart, 1997, p. 2). As this and previous studies have shown, higher income, more educated, white Americans over the age of 65 are associated with votes cast for the Republican party. Therefore, in Democratic districts, the representation of the most advantaged Americans increases while representation for disadvantaged Americans decreases.

EDR/SDR appears to increase political inequality overall at the state legislative level because it increases Republican representation in Democratic districts but does not increase Democratic representation in Republican districts. At the same time, in Democratic districts, EDR/SDR is successful at increasing the volume of minority voices that might otherwise go unheard. Republicans are the minority in Democratic districts. Under EDR/SDR, then, Republicans gain a bit more influence in state assembly districts, but does this reflect the exacerbation or amelioration of political inequality within individual districts?

It is possible that the shift in voteshares towards Republicans in Democratic district better reflects the actual demographic and partisan composition of its constituent. EDR/SDR also causes more new Democrats to turn out than it does new Republican voters. Therefore EDR/SDR does not specifically mobilize Republican voters rather than Democratic voters. Increased turnout should better reflect the composition of the population of eligible voters because the disproportionality in voting among demographic groups is exacerbated when the numbers voting are small (Lijphart, 1997). If increased turnout under EDR/SDR results in a voting base that contains more Republican votes, then it is possible that this better reflects the needs and preferences of the district constituents. Thus, EDR/SDR may help to decrease inequality within Democratic districts.

The Auxiliary Model showed that EDR/SDR increases turnout more for Republicans than for Democrats in Republican districts. However, EDR/SDR has no effect on voteshares in Republican districts. If EDR/SDR may correct political inequalities by augmenting Republican votes in Democratic districts, it does not appear to correct inequalities in Republican districts. Further research is needed to explore the effects EDR/SDR might have in Republican districts that were not captured by the models in this study. However, that EDR/SDR appears to correct local inequalities in Democratic districts but not in Republican district is a matter of concern.

Were we to aggregate across all districts, then the effects of EDR/SDR on political equality raise a greater concern. The models in this study show that EDR/SDR sometimes results in voteshare gains for Republicans but never results in voteshare gain

for Democrats in state assembly districts across the nation. If we aggregate the voteshare effects, the result is a decrease in the representation of marginalized voting groups in state legislatures nationally and an increase in the representation of demographic groups who are already overrepresented in the U.S. political decision-making. Although EDR/SDR may correct local political inequalities in some districts, it may exacerbate political inequality across all state assembly districts. For this reason, EDR/SDR should be viewed with skepticism as a tool to decrease political inequality.

Limitations and Future Research

The study of the effects of EDR/SDR on partisan turnout and voteshares is still young. While a few states have practiced Election Day Registration since the 1970's the pace of adoption has rapidly increased since 2000. As EDR/SDR grows in popularity, the pool of data for research increases. Researchers should take advantage of new data to conduct deeper inquiry into the partisan and political equality effects of allowing voters to register and cast their votes on the same day.

Most studies of EDR/SDR are conducted at the national level. Almost all are concerned with federal elections. The author hopes that the database created for this paper will allow future researchers to investigate the effects of EDR/SDR and other election laws at the state legislative level. State-level research is important to the field because there are likely differences in the effects of election laws on federal elections and state elections. In the case of EDR/SDR, it is possible that EDR/SDR increases representation for marginalized voters at the national level (Burden et al., 2014, 2017)

while decreasing their representation at the state assembly district as this study found. Further research should be conducted to confirm whether EDR/SDR produces contradictory voteshare effects at the national and state levels.

Most studies of the effects of turnout on partisan electoral results have been confined to Congressional and Presidential elections. This study confirms that increased turnout overall tends to benefit Democrats most in terms of additional votes cast. However, the study concludes that increased turnout under EDR/SDR benefits Republican voteshares, which contradicts findings in studies of national elections (Burden et al., 2014, 2017). This may be a characteristic of the increased turnout under EDR/SDR alone, but there is not enough research on the effects of increased turnout at the state and local level to judge whether this study's results conform to or contradict previous expectations. More thorough understanding of the basic dynamics of state and local elections would help to shape election law research at the state and local level.

If EDR/SDR advantages Democratic voteshares at the national level and Republican voteshares at the state-legislative level, then is representation for marginalized groups increased or decreased? The study of election law does not have a yardstick by which to measure the value of different levels of representation. This paper combined the literatures on representation and election law in order to make inferences about representation from the results of election law reform. Perhaps we can also look the literature on representation to root out the implications of an increase of representation at the national level when combine with a decrease in representation at the state level.

The literature on legislative behavior is slim when it comes to explaining the representation of state legislators. This study makes inferences about representation from the literature on Congressional behavior, but there is reason to believe that the decisions made in state legislatures may have different motivations. Most state legislative elections are less salient than national elections. Thus, elected state legislators may look at election results as indicating policy preferences at a national level. We do not know how or how much state legislators view their election results as important indicators of the preferences of their voters. More studies of the electoral connection at the state and local level might help to determine whether and how state legislators react to shifts within their voting bases.

This study has made some inferences about the representational effects of EDR/SDR. If EDR/SDR increases Democratic voteshares, then the Electoral Connection tells us that substantive representation for Republicans will also increase (Canes-Wrone et al., 2002; Mayhew, 1974). Since Republicans see voteshare increases in weak and leaning Democratic districts, then representation of Democratic party positions will likely decrease (Canes-Wrone et al., 2002; Grimmer, 2013). In order to verify the representational effects of EDR/SDR, further research might consider the actual roll call votes of state assemblymembers to determine the effect on legislative decision making.

Finally, the literature on EDR/SDR falters when it comes to linking numerical gains in political equality at poll sites with qualitative gains in policy representation in legislatures. The very goal which EDR/SDR advocates pursue -- equalization of voting

turnout among socioeconomic groups -- lends itself poorly to this task. While socioeconomic status may be a useful indicator in the study of political participation, in the current U.S. political climate it crosscuts ideological and political spectrums in a way that makes it a poor unit for the study of legislative representation of marginalized groups. Doubtless, adherence to socioeconomic status keeps the discussion of registration reform firmly grounded in the Downsian paradigm of reducing costs to voters (Downs 1957). However, to reach a deeper understanding of the impact of EDR/SDR on policy equality, we might also study its effects on racial and ethnic voting groups.

Race is particularly salient to discussions of political equality in the United States because of its history of overt attempts to suppress gains in political power by racial minorities, particularly of black voters during the Jim crow era of the South (Cunningham, 1991). Indeed, many electoral reforms, beginning with the Voting Rights Act of 1965, are aimed precisely at rectifying the pervasive political imbalance between white and black voters created by the racist electoral laws of the 18th and 19th centuries. EDR/SDR has not been found consistently to increase turnout more among low SES voters than among high-SES voters (Brians & Grofman, 1999, 2001). Moreover, while this study's models show that income and education levels are directly related to turnout, the data was less clear than that of race and ethnicity. The effects of EDR/SDR on turnout among racial subgroups is underexplored and may have important implications for the representation of marginalized voting groups.

This study was limited by data from conducting a more thorough analysis of the effects of EDR/SDR on socioeconomic and demographic groups. To date, the U.S.

Census bureau has made demographic data available by state legislative districts only for census years. Thus, the database created for this study includes a single measure of demographic characteristics from 2010 census data. Demographics shift more slowly than election law (Burden et al., 2014), and there was at most 6 years between the election date under study and the census data used for the study. Therefore, the lack of dynamic demographic data is not likely a major concern for this study. However, to make substantial claims about the effects of EDR/SDR on specific demographic groups would require demographic data for each year under study.

Research Agenda

This study ended in the year 2016. Since 2016, eight additional states have implemented Election Day or Same Day Registration. One obvious avenue for future research would be to extend this study to include the 2020 election. However, the 2020 election had several characteristics which would make it more difficult to simply add in to the study as currently designed. First, the methods of voting changed to accommodate voting during the Covid-19 pandemic in 2020. Many more states offered, and many more voters used opportunities to cast their votes by mail. Thus, the effects of Election Day and Same Day Registration would be likely be clouded by the large increase in absentee voting and VBM. Second, many states have retained 2020 election accommodations and will continue to make it easier to vote absentee and/or by mail. Coding of election law variables for studies that include elections from 2020 and beyond may need to consider all methods of voting that allow voters to register and cast their

votes on the same day as Same Day Registration – even when both transactions are accomplished remotely through absentee voting and/or VBM.

A final concern with extending this study beyond 2016 is in the effects of ideological polarization on voting representation. Elected officials react differently in highly polarized political environments (Bafumi & Herron, 2010). Moreover, voters vote differently when they are highly partisan (Rau, 2021). One possible way to extend this study to include elections beyond 2016 would be to include a measure for political polarization to determine whether increasing political polarization has changed the electoral effects of EDR/SDR.

Finally, two types of Democratic districts deserve special mention: majority-minority districts and rapidly gentrifying districts. In these two types of districts, even when the increase in Republican voteshares may indicate the correction of a political inequality, we should be concerned about these effects. Majority-minority districts were created in order to promote the “theory of black electoral success,” which emphasizes descriptive representation over substantive representation (Guinier, 1994). Majority-minority districts consolidate Black voters into single districts to ensure that Black elected officials will be selected. However, as a result fewer Black voters live in the surrounding districts. Thus, while substantive representation of Black voters is maximized within majority-minority districts it is diluted in adjacent non-Black districts (Cameron, Epstein, & O'Halloran, 1996).

Increasing the representation of Republican voters in majority-minority districts may decrease the substantive representation of Democrats within those districts. Black

elected officials are also responsible to their electorates should they wish to be reelected (Mayhew, 1974). Therefore, we might expect Black elected officials to respond to rightward shifts in the composition of their voting bases with rightward shifts in their policy decision-making (Kousser et al., 2007). Majority-minority districts represent a tradeoff between descriptive representation within the district and substantive representation outside it (Cameron et al., 1996). Any weakening of the substantive representation of Black voters within majority-minority districts affects the terms of this tradeoff. One further research project will research effects of EDR/SDR in majority-minority and their surrounding districts to determine whether this risk to Black representation is real. In order to conduct this research, the database will be amended to include demographic data for every year under study.

The other type of Democratic district which is of special concern are rapidly gentrifying districts. Gentrification occurs when blighted, usually urban neighborhoods are revitalized. In that process “existing residents on fixed incomes may be pushed out by higher housing costs, increased property taxes, and higher monthly rents” (Gibbs Knotts & Haspel, 2006, p. 110). In the process of gentrification, low-socioeconomic status residents are replaced by new residents of higher socioeconomic status. In gentrifying neighborhoods, turnout decreases among longstanding community members but also lags among the new voters who have moved into these neighborhoods (Gibbs Knotts & Haspel, 2006). Thus, the effect of gentrification on turnout is to decrease voting among the already marginalized low-SES voters who are long-standing community-members of the gentrifying district.

The effect of EDR/SDR on turnout is to increase turnout most among residually mobile voters (Knack & White, 2000; Squire et al., 1987). While further study is needed to explore the effects of EDR/SDR on turnout and voteshare in gentrifying districts, we might expect effects that weaken representation for existing community members. By increasing turnout among residually mobile voters, EDR/SDR might reduce the lag in turnout among new community members at the same time that gentrification decreases turnout among long-standing community members. The result could be a rapid swing away from representation of long-standing community members to representation of the new members that have replace the existing community.

Gains and losses in substantive representation not only affect the power structure of a community, but they also impact its physical and social characteristics: basketball courts are converted to dog parks, neighborhood block parties are restricted; barbershops are replaced by wine bars. By supporting policies that make a district more welcoming to new higher-socioeconomic transplants, legislators could inadvertently speed the disintegration of the existing communities. Future research in this agenda will study the effects of EDR/SDR within gentrifying districts. However, this study will need to account for the effects of EDR/SDR on primary voters and well as in general elections in order to capture variation in representation within political parties as well as between them.

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VITA

Rachel T. Fuentes was born in the state of New York. She graduated with a B.A. from Columbia University and an M.A in Political Science from the University of California at Berkeley. Rachel Fuentes devoted her professional career to nonprofit and political work in the borough of Brooklyn, New York. She wrote this dissertation on the effects of Day of Voting Registration and will graduate in Fall of 2022