

# POLICY SPOTLIGHT: AUTOMATIC VOTER REGISTRATION BEST PRACTICES IN THE STATES

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## Introduction

The process of running a successful election begins with accurate and updated voter lists. Tracking when voters move, pass away, or become old enough to vote is one of the most important tasks in election administration. While some states allow voters to register on Election Day, in many states a voter must be registered weeks in advance in order to be able to cast their ballot. Automatic voter registration (AVR) is a policy that helps to modernize this process by automatically registering eligible voters through their interactions with state agencies, most commonly when people apply for or renew their driver's licenses. Automatic voter registration helps ensure that every eligible voter can conveniently register to vote, and strengthens the security and accuracy of our election systems.

## Automatic Voter Registration Best Practices

The advent of automatic voter registration is partly the result of the passage of the federal National Voter Registration Act (NVRA) in 1993. This law required that states provide eligible citizens the opportunity to register to vote when visiting designated state agencies, most commonly the state Department of Motor Vehicles or its equivalent. In the past decade, states have built upon this NVRA opt-in model for registration and turned voter registration at state agencies into an opt-out system, where eligible customers are registered through their agency interaction unless they specifically decline. The move towards AVR was facilitated by the development of systems to share information between government agencies; these systems have evolved as most information is now shared and stored electronically. This evolution has accelerated the recent movement to implement automatic voter registration systems, as voter information is shared easily and securely between designated state agencies and the state

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election authority. By combining electronic transfer with an opt-out model, automatic voter registration increases the number of registered voters, makes it easier to keep voter rolls accurate, efficient and secure, and lowers the costs of election administration.

While any form of AVR results in higher voter registration rates, there are approaches states can take to make their systems more effective. The effectiveness of AVR systems varies significantly based on policy and implementation details; the two primary policy approaches in AVR systems are distinguished by the use of “front-end” vs. “back-end” registration systems. In front-end systems, the voter is given an opportunity at the time of the



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relevant agency transaction to decide whether to opt-out of being registered or having their existing registration updated. In back-end systems, designated agencies such as state DMVs systematically send information from relevant transactions to state election authorities. The voter is then automatically registered (or registered in pending status) or has their existing registration updated before being given an opportunity to opt-out at a later time, usually through the mail.

Recent studies have provided evidence that the effectiveness of these systems varies widely: back-end AVR produces an 8.1% increase in registration, compared to 2.9% for front-end AVR. Back-end AVR also increases turnout among eligible voters by 3.3%, compared to 1.1% for front-end AVR<sup>i</sup>. In addition, a second recent study by Stanford professors Justin Grimmer and Jonathan Rodden looked specifically at Colorado's AVR system and confirmed Romero, McGhee and Hill's findings on registration rates using a different methodology<sup>ii</sup>. When Colorado transitioned from front-end AVR to back-end AVR, the changes roughly doubled the rate at which unregistered DMV customers registered to vote. The study also evidenced a significant increase in registration updates. Before the reforms, of the DMV customers already registered to vote who declined a registration update, about 1/3 had an out-of-date voter registration record that needed an update. This indicates that under a front-end system, hundreds of thousands of registered voters who need an update decline unnecessarily. The switch to back-end AVR in Colorado caused an additional 200,000 registered voters to have their out-of-date addresses automatically updated each year. (For comparison, Colorado's population is 5.7 million people.) In numerous states, there are millions of voters who are not registered and could be added to the voter rolls with the implementation of AVR, particularly back-end systems. Similarly, there are millions of voters registered with out-of-date information who could have their address and name updated through implementation of AVR, particularly back-end systems.

Lastly, the use of back-end of AVR versus front-end systems has a significant advantage in terms of security. Front-end systems present more opportunities for both user and system errors, particularly in relation to the inadvertent registration of non-citizens due to limited English proficiency, confusion, or inattention. Any errors by non-citizens in a front-end system would involve a false claim of citizenship and an illegal registration, which can result in severe consequences such as deportation and criminal prosecution. In addition, these mistakes diminish public trust in our election systems, which is already being eroded by misinformation and false claims of voter fraud.

Some front-end systems have made significant errors and registered non-citizens—including those used in California and Illinois. In California, the front-end AVR system had at least [23,000 incorrect transactions](#), including non-citizens who were mistakenly registered. The Secretary of State commissioned an independent [audit by Ernst & Young](#) of the state's front-end AVR system. The audit flagged issues including applicant confusion with the front-end interface. In Illinois, [multiple non-citizens](#) were mistakenly registered due to errors and the confusing structure of the state's front-end AVR system.

<sup>i</sup> McGhee, Eric, Charlotte Hill and Mindy Romero. 2021. The Registration and Turnout Effects of Automatic Voter Registration. Technical report Public Policy Institute of California.

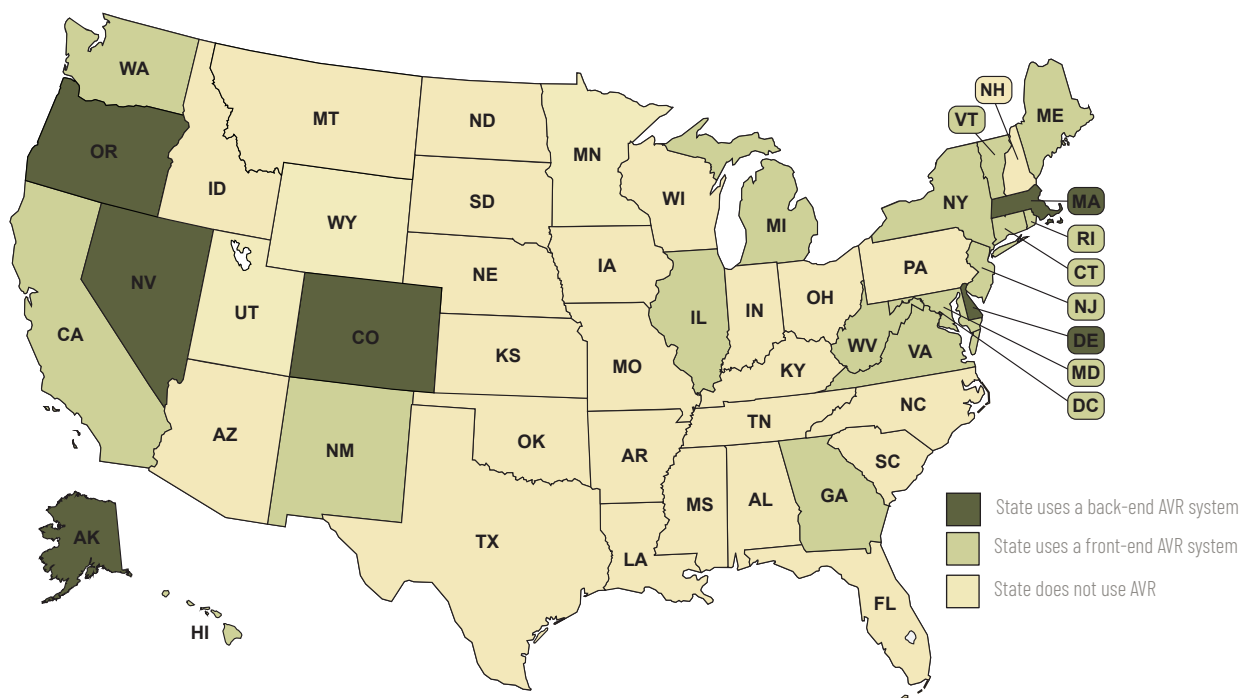
<sup>ii</sup> "Changing the Default: The Impact of Motor-Voter Reform in Colorado" (2022).

Back-end AVR improves on front-end AVR by removing complexity during an applicant's transaction. By eliminating these often poorly designed voter registration screens during the transaction to the greatest extent possible, back-end AVR protects non-citizens from inadvertently registering to vote, while streamlining implementation of the system across different government agencies and different state systems. Applicants who present documentation establishing non-citizenship (e.g. a Green Card) are automatically filtered out of the voter registration process to avoid a mistake being made by the applicant. Back-end AVR demonstrably avoids more errors in the first place while also providing more protections in the unlikely event that they do occur. Indeed, if a non-citizen is erroneously registered in a back-end system, the person has still never made a false claim of citizenship or made an affirmative request to register to vote, strongly mitigating immigration and criminal consequences that exist under a front-end system.

## AVR Landscape in the States

Of the 22 states and the District of Columbia that have adopted or are currently implementing automatic voter registration, six states<sup>i</sup> have chosen a back-end system while the other 16 and D.C.<sup>ii</sup> use some form of a front-end system.

### State Automatic Voter Registration Systems



<sup>i</sup> Alaska, Colorado, Delaware, Oregon, Nevada, Massachusetts

<sup>ii</sup> California, Connecticut, D.C., Georgia, Hawaii, Illinois, Maine, Maryland, Michigan, New Jersey, New Mexico, New York, Rhode Island, Vermont, Virginia, Washington, West Virginia

## Conclusion

While AVR does not often receive the same attention as other election and voting policies such as absentee voting, the effects of implementing AVR (and the choice of AVR system) are important and substantial. Increases in registration and turnout rates resulting from the implementation and/or reform of AVR systems have the potential to significantly affect the outcome of elections, as evidenced by extremely close margins in recent presidential races and other federal and state elections. It is also important to note that voters who frequently move, as well as many communities that have historically been excluded from America's voter registration system, are most helped by AVR systems. Employing common sense in designing, adopting, and implementing AVR can help to close registration and turnout gaps across the country and in turn bolster the health of our democracy.