

The Election Law Glass Floor?

Why States Choose to go Beyond HAVA Mandates: Voter Identification

Emily F. Huston

Roanoke College

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Abstract

Passed by Congress in 2002, the Help American Vote Act (HAVA) was the response to a demonstrated weakness in the country's voting systems seen during the 2000 general elections (U.S Congress Senate 2002). Signed into law by President George W. Bush in October of the same year, the act "embodies the most sweeping overhaul of elections laws since the Voting Rights Act of 1965" ("Help America Vote Act of 2002" para. 1). A detailed bill that covers all aspects of the voting process from acceptable voting machines to how voters are able to identify themselves, HAVA was seen as a way to mitigate many of the pitfalls seen throughout the country that November.

As implementation of HAVA began, many states were forced to quickly introduce new bills in their state legislatures in an effort to comply with newly mandated HAVA measures. And while many of these measures met little resistance, other facets of the bill faced steep opposition and still incite controversy today. One such measure deals with the identification of voters within the states, with disagreement originating over how far is too far when it comes to verifying a voter's identity. At its core, this debate deals with why certain states choose to go beyond HAVA's minimum requirements and whether such deviations from HAVA both necessary and legally acceptable. This research however, delves into the states themselves, examining specific characteristics, to see whether they play a role in how legislators choose to fashion state voter identification requirements. Through the investigation of characteristics such as political ideology, income distribution, the elderly population and the non-English speaking population, perhaps light will be shed on why state legislatures choose to enact the voter identification laws present in states today.

Introduction

In the months and years following HAVA, as states began to fully implement the regulations and mandates the bill stipulated, controversy arose over various areas of the bill. One controversy in particular that still sparks debate today deals with state voter identification laws. When HAVA was passed in 2002, the bill essentially established “mandate floors,” or rather, guidelines that directed a state that it could not pass laws less stringent than those concerning HAVA provisions with which base guidelines were already in place. In doing this, Congress gave states the opportunity to enact laws more stringent than those the bill established, so long as they met all of HAVA’s minimum requirements as well. To further comprehend the impending controversy, the basic guidelines that HAVA set forth can be found in Appendix A, subsection “A.” It is in this section that the acceptable forms of identification are listed (U.S. Congress. Senate. 2002). The bill allows for a wide range of acceptable forms of identification that a voter may provide in order to verify their identity (U.S. Congress. Senate. 2002). It is important to note that HAVA minimum requirements only concern voter identification when a first time voter is registering to vote, however such policies have been carried over to Election Day voting and in person identification at the polls by way of Section 304 of the bill that allows states to go beyond the minimum requirements section in the bill. Through the inclusion of Section 304, the bill gives states a great deal of room to tailor voter identification requirements to suit their own needs, stating explicitly that “The specific choices on the methods of complying with the requirements of this title shall be left to the discretion of the State.” (U.S Congress. Senate. 2002).

In giving the states substantial leeway on how to model identification requirements, there was a huge influx in bills concerning this area of election law, with forty six states introducing

over seven hundred voter identification bills in the past eight years (National Conference of State Legislatures 2008, hereafter NCSL). Although much of this legislation typically dealt with simply solidifying states' voter identification policies, other states took full advantage of Section 304, introducing legislation that tightened requirements on acceptable forms of identification for voters both registering to vote, and in person voting at the polls. Since the passing of HAVA, twenty five states have gone beyond the base line stipulations and have outlined more rigorous voter identification requirements that must be met if a voter wishes to cast a ballot (NCSL 2008). These heightened guidelines include various measures, from requiring every voter that arrives to the polls to provide simple forms of identification, such as a utility bill, to requiring the production of a document with a current photo.

In passing more stringent voter identification laws than HAVA mandated, state legislatures often point to the need to ensure voter security and confidence within the system. But are there more concrete factors that point to reasons why a state legislature might pass regulations extending beyond HAVA provisions? This question is both core to this analysis and one that has been disputed in county and state legislatures, all levels of the state and federal judiciary, while simultaneously accompanied by fiercely contested arguments among civil rights groups and concerned citizens. In the following sections an assortment of variables will be introduced, five of which explained below in depth in order to assess their possible influence on how voter identification policies are made within the states. It is the ultimate goal of this research to shed light on factors that have affected and continue to affect the process through which states choose to identify citizens that arrive to the polls on Election Day.

A Review of Relevant Literature

Voter Identification

Since 1971, the United States has permitted any citizen ¹(with few exceptions by states) over the age of eighteen to register to vote, and subsequently show up to the polls on Election Day and cast a ballot for the candidate of their choice (U.S. Constitution, 26th Amendment). This in turn has spurred law makers to establish laws dictating how citizenship would be documented for registration, along with how one's identity would be confirmed at the polls. An issue that was very much alive before the 2000 elections and the passing of HAVA, the topic of voter identification has come to the forefront in more recent years due to an increase in the pool of eligible voters, civil rights concerns and the technology that has opened the door to new ways of election fraud (McDonald 2008). In their paper, "Show Me the ID," Thad E. Hall and Tova Wang delve into the tension that can arise from these factors, explaining that it is an issue between letting all those who are citizens and eligible voters cast a ballot, while at the same time keeping those who wish to corrupt the electoral system away from the ballot box (2008, 2-4). This in turn presents a crossroads in policy outcomes; between strict voter identification laws that prevent voter fraud, or compromise an election and voter identification laws that do not inhibit any eligible voter from casting a ballot. And while this balancing act is central to the present debate, many other factors have made their way into the discussion.

In the aftermath of the 2000 elections debacle, where rumors of voter fraud were abundant, many voters, along with law makers began grappling at a ways to put confidence back in the American voters' hand. Suggestions were prevalent; both from private groups, and the Election Reform Commission, a body of twenty one members headed by former President Jimmy Carter, established to lead a task force on helping Congress develop sound election policy for the future (Overton 2007, 633). Once again, suggestions for better voting policy included

¹ These state-by-state restrictions often include the policies under which felons are permitted to vote, along with groups such as the mentally disabled.

many facets, one of which the commission explicitly gave its opinion being voter identification. It was in the Election Reform Commission's report that a majority of its members advocated strict identification policies to help restore integrity to the American electoral system (Overton 2007, 633). Although there were many areas in which lawmakers, policy advocates and interest groups saw the need for change, the area of voter identification continues to incite intense debate, despite other issues arriving to agreeable resolution. Because of this issue's continued discussion, it has become a very interesting example of how and perhaps why certain policies are agreed to within state legislatures. For further reference and clarification, a map depicting state voter identification laws can be found in Chart 1, in subsection "B" of Appendix "A" (Brennan Center for Justice 2008, 1).

Party Politics within State Governments:

From the beginning of debate surrounding HAVA, there was contention over how far the bill should go in prescribing solutions to the nation's problems in handling elections. Various state legislatures argued that the way they dealt with elections was fair, consistent and efficient, and that they need not consider fundamentally altering the way voters register to vote, or cast ballots on Election Day. Conversely, the idea prevailed in many other states that there did in fact need to be a change in the way elections were conducted and furthermore, that the federal government should play a large role in ensuring that further regulations were implemented. As in many other instances where partisan politics can play a large role, voter identification may be seen as diverging little from that basic model. In his paper, "Fashioning a Constitutional Voter-Identification Requirement," Samuel P. Langholz explains that the topic of voter identification has divided state legislatures, spurring passionate debate that has leaked out of the congressional conference room and courtroom floors all around the country (2008, 731). And as is often the

case, the division Langholz speaks of falls on party lines, with Democrats and Republicans constantly disagreeing over the issue of how to best protect the nations electoral system while at the same time not disenfranchising voters (2008, 731). When it comes to political ideology, republicans are most often affiliated with those that wish to heighten voter identification measures, most commonly to high levels, suggesting that photo identification be provided at the polls before a voter receives his or her ballot. Conversely, Democrats frequently cite the way measures such as photo identification impede on a person's civil liberties and disenfranchise voters around the country (Project Vote 2008). John R. Lott, a member of the Economics Department at SUNY Binghamton explains in his paper "Evidence of Voter Fraud and the Impact that Regulations to Reduce Fraud have on Voter Participation Rates" that while "There has been some bi-partisan support for stricter registration and ID requirements (e.g., the Carter-Baker commission). Generally, Democrats are concerned that stricter rules will discourage voters, while Republicans think that stricter rules are needed to ensure confidence in the voting process" (2006, 1-3).

Do these differences in ideology, however, affect the way policy is made within the states? In examining the makeup of state legislatures, particularly at what is considered to be the upper house within the states², I will examine the effect of party affiliation on the strictness of each state's voter identification law. Subsequently hypothesizing that those states in which a republican legislature holds the majority will be more likely to enact strict voter identification policies that go beyond HAVA guidelines than those states in which a Republican majority is not present. In addition, a secondary variable describing the political party affiliation of each state's governor in 2004 will also be analyzed under the scope of the political breakdown of state

² In the majority of cases, (with the exception of Nebraska, who follows a unicameral system) a state's "upper-house" is analogous to their "senate" or primary legislative body.

legislature in an effort to generate a comprehensive analysis of the role party politics may play in why certain states pass laws beyond HAVA minimum requirements.

Income Distribution and Inequality:

There are a multitude of factors that affect the formulation of public policy; public opinion, triggering events, necessity, the list goes on, and it would also be hard to neglect the role that money, or lack of money plays in how public policy is created. In his essay “Money is Politics,” Jonathen Kirshner suggests quite simply that “The management of money is always and everywhere political...” (2003, 645). In stating that the management of money is always political, it can also be reasonably suggested that many things political also have to do with the management of money. In this case the revenue from taxes each state earns, the gross input and output along with income levels among state inhabitants are reasonable factors that may affect the way a state legislature considers various policy choices. Even in light of these factors swaying public opinion, or going as far as to affect congressional input, could they also help determine how policy is made? In looking at these statements in conjunction with voter identification laws, the question becomes whether or not a state’s inequitable distribution of capital could possibly affect the way certain voting policies are viewed. A key argument of the plaintiffs in *Indiana Democratic Party, et al., v. Todd Rokita, et al.*, was that requiring photo identification of Indiana voters posed an undue financial burden on those potential voters that did not already possess a photo identification card (*Indiana Democratic Party, et al v. Todd Rokita et al* [7th Cir. 2006]). Specifically, the plaintiffs pointed to costs incurred during transportation, absence from work along with the real costs of obtaining various forms of identification as factors that severely hindered a voter’s ability to cast a ballot on Election Day (*Indiana Democratic Party, et al v. Todd Rokita et al* [7th Cir. 2006]). The difficulty however, comes in

finding the best way to measure this inconvenience or the burden certain financial requirements may pose to some voters, in addition to the way this assumed burden could affect the way in which states formulate election law. For the purposes of this research, the Gini coefficient or Gini ratio will be used, along with median household state income in an effort of capturing the clearest picture of income distribution within the state. The Gini ratio, which is derived from the Lorenz Curve, calculates income inequality on a zero to one scale, with 1.0 denoting the least equitable distribution of wealth (Rodrigue and Slack 2009, 1). The Gini ratio, along with other factors that will be mentioned in the forthcoming sections will be analyzed in conjunction with other variables that pertain to the strictness of state's voter identification laws. In examining the Gini ratio for each state, along with the median household income for each state, while considering that state legislature's may legitimately shy away from policies that place an undue financial burden on a large group of people that may already be struggling, it is expected that those states in which greater income inequality is seen, and lower median household incomes are present, will be more likely to have less strict voter identification laws than those states in which the Gini coefficient is closer to zero and median household incomes are higher.

The Aging Population within the States:

In continuing the discussion of outside factors that may influence election policy formulation, another area of concern in the debate over how to properly identify voters deals with the aging population in the United States. In 2008³ the United States Census Bureau estimated the number of people to be over sixty five at 38,869,716, amounting to 12.78 percent of the then estimated population (U.S. Census Bureau 2008). This number, which is continually growing, is one that many civil and voting rights' groups point to when discussing the downfalls

³ Although a national census was not conducted in 2008 the US Census Bureau has establish and "estimates" program to better gauge changes year to year in many population statistics.

of voter identification that goes beyond HAVA mandates, particularly concerning states that require photo identification. Groups such as the ACLU, NAACP, The Brennan Center and Project Vote oppose strict voter registration and Election Day identification requirements that unduly and discriminately burden those in certain groups opposed to others; one group of concern being the elderly. Project Vote, on their opening page concerning voter identification laws, argue that voter identification laws that require proof of citizenship, photo id, or other government issued id “disproportionately impact the elderly, students, women, people with disabilities, low-income people, and people of color” (“Voter ID Requirement” 2009). Similarly, The Brennan Center for Justice argues that “Burdensome photo ID or proof of citizenship requirements for voting could block millions of eligible American voters without addressing any real problem” (“Voter ID Requirement” 2009). And while there is contradictory evidence as to whether certain groups, such as the elderly are in fact more likely to be negatively affected by strict voter identification laws than other citizens, that particular area of concern will not be addressed in the scope of this research. Instead, the questions posed throughout this analysis will focus on the supposed inequality surrounding older voters, suggesting that a state with a higher percentage of those over the age of sixty five will be less likely (than those states in which a relatively low elderly population exists) to pass strict voter identification laws.

Voter Fraud, is it Important?

Over the past three centuries, the United States has reworked, remodeled and at times fundamentally reconstructed its voting and election laws. Most often, these changes have come at times of drastic social and political change, one of the first monumental changes coming in 1870, when the fifteenth amendment was passed, barring anyone from excluding a man the right to vote based on the color of his skin(U.S Constitution 15th Amendment). At the turn of the

nineteenth century, further changes would follow, including a major restructuring of voter registration within the country in addition to giving women the right to vote in 1920 (Mayfield 1993, 59-61). In justifying many of these policies, policy makers pointed to voter fraud as a rampant and serious problem that needed to be dealt with accordingly. In the early 1900's this meant new regulations when registering to vote (Mayfield 1993, 59). In his article, "Voting Fraud in Early Twentieth-Century Pittsburgh," Loomis Mayfield uses Pittsburgh as a case study to examine whether or not voter fraud was a legitimate concern of the time, warranting drastic changes to American election law (1993, 1). This argument, which is still very much alive today, questions the extent to which illegal voting practices are used and whether or not they are a legitimate concern to policy makers.

When it comes to the discussion concerning voter identification, those in favor of stricter, more narrow policies point to voter fraud as not only a legitimate concern, but one that is still very much alive today and one that must be dealt with through legislative action. In their brief filed to the Supreme Court in *Crawford v. Marion County Election Board*, counsel representing Secretary of State Todd Rokita argued that both inflated voter registration rolls and instances of voter fraud called into question the integrity of the Indiana state voting system and had to be dealt with (Carter 2007, 10). Conversely, counsel for the petitioners, including the ACLU, argued that accusations pointing to voter fraud were misconstrued and unwarranted (Ciccolo 2007 6-7). Both sides of these arguments have been analyzed in various settings yielding different results, including Howard W. Allen and Kay Warren Allen's study on, "Vote Fraud and Data Validity," in which Mayfield points out, "They found little hard evidence of fraud and concluded that the usual anecdotes were gross exaggerations" or, Philip E. Converse pointing to voter fraud as a reasons for inflated voting rolls in the early twentieth century in his article

“Changing the American Electorate” (Mayfield 1993, 60-62). Mayfield also points out that rhetoric of voter fraud is often used by groups wanting to change policy in their favor, by creating what could be a false need for new policies (Mayfield 1993, 62-63).

In a context similar to that which will be used to examine the aging population in the United States, the questions concerning voter fraud will not cover the extent to which it does or does not exist, but instead the effect that the discussion of the subject may have on public opinion, and how that opinion may affect policy changes within the states. With the help of Newsbank, an extensive online database of newspapers around the country, the search phrase “voter fraud” was searched in the oldest, most highly distributed daily newspapers in each state for a span of six years beginning in the year 2000. The variable used to describe this measure, in addition to the means by which data was retrieved will be covered in more detail in the methodology section of this analysis, however it is important to understand the connection the variable of the frequency of the appearance of the term “voter fraud” may have to public opinion and how that could affect the policy choices a certain state legislature makes. The frequency of the appearance of these terms will be examined in comparison to the strictness of each states voter identification laws, specifically hypothesizing that those states in which the most widely distributed newspaper frequently mentions the term “voter fraud,” will be more likely to have stricter voter identification laws in place than those states in which characteristically similar newspapers report lower numbers of articles discussing the term “voter fraud.”

Non-English Speakers:

In October of 2003, the United States Census Bureau released a report based on data collected in 2000, which focused on the non-English speaking population in the United States (Bruno and Shin 2003, 1-11). In this report a wealth of data is included, from what percent of the

population speaks a language other than English at home, to what those languages are, even where these characteristics are most concentrated. What the report does not cover however, and what this analysis aims to examine in depth is; the extent to which a state's non-English speaking population may affect certain legislative choices, namely voter identification policies.

Similar to the aforementioned cases of those states with elevated income inequality and high elderly populations, many voting rights groups also point to citizens whose first language is not English as a group that can be burdened by strict voter identification laws. In Arizona, a group of residents, Native American voters and voting rights groups took action against the state in *Gonzales v. Arizona*, contesting that a public law "requiring non-English proficient American Indian voters to provide ID at the polls" was a violation of their constitutional rights (*Crawford v. Marion County* 553 U.S 2008, 37). The Brennan Center for Justice at the New York University Law School provides many publications on the ills of requiring minority voters to provide photo voter identification, citing that nearly ten percent of Hispanic voters, and eight and a half percent of Asian American voters surveyed, reported that they did not have the documents required to obtain proper identification within their state ("Citizens Without Proof" 2007, 2-3).

Those in opposition to this view often cite Section 203 of the Voting Rights Act of 1965, amended to acknowledge the right to a ballot in another language to those voters who do not speak English proficiently (Slass 2006, 1). It is the tension between these two ideologies that is often seen on voting rights groups' web pages, discussed in the media and has even spilled out onto the courtroom floor, as seen in *Crawford v. Marion County*. More often than not it is the anti-voter identification rhetoric that can be heard most loudly, with groups from many different spheres citing the plight of minority groups, including the non-English speaking population in the United States. In the cases where these groups do have a large voice, most likely in those

states in which a high non-English speaking population exists, it might be expected that they could have a significant influence on policy decisions made within that state. Again, whether these cries of voter disenfranchisement have merit is not the concern of this study, but instead the extent to which, if any, the population of non-English speakers in a particular state affects the adoption of more strict, or less strict voter identification policies. In doing so however, it is still relevant and necessary to examine those opposed to the law, seeing as many of these citizens, interest and civil rights groups can make a great impact on what legislation state governments consider. In order to examine this possible relationship, a variable containing the non-English speaking population for each state from the year 2000 will be used to test against the strictness of each state's voter identification laws. The term "non-English" specifically refers to the percentage of each state's population that does not speak English as a first language. It is hypothesized that those states in which higher populations of those that do not speak English as their first language are present will also be states that enact less strict voter identification policies.

Other Issues Surrounding HAVA:

In addition to the creation of new federal election laws, HAVA also allocated funds to the states in order to offset costs associated with bringing their election systems up to date. Under HAVA provisions, there were three main sections under which states could request funds. These sections include Sections 101 and 102 found in Title I, along with Section 251, found in Title II of the bill. Under these sections, HAVA funds could be requested by states to fund a variety of HAVA mandates, from "developing and implementing a computerized statewide voter registration list," to "establishing identification requirements for first-time voters who register to vote by mail" (United States Election Assistance Commission, 2008, 5). Because HAVA funds

could be used for a wide variety of implementation procedures, a variable describing the percentage of total funds expended from the sections above will be included in this analysis to hopefully shed light on factors that influence state legislatures in their fashioning of voter identification requirements.

In further questioning the habits of state governments pertaining to voting law, it may be important to inspect both the percentage of each state population that is registered to vote, along with the voter turnout in non-general elections. These factors are important for determining the scale on which a state must prepare for and handle elections. In states with high percentages of registered voters and high mid-term Election Day turnouts, it may be the case that they choose more stringent voter-registration, and Election Day identification procedures.

Methodology

In the proceeding sections of this analysis, the variables discussed above will be tested through both ordinary least squares and logistic regression in order to determine their possible significance in affecting the way states shape their voter identification policies. Before we can begin to discuss the results of these tests however, it is important to understand the variables themselves and how they will be referred to throughout the remaining sections of this study.

Dependent Variables Explained:

In the months and years following the signing of HAVA, there was an influx in state legislation dealing with how to best meet the new requirements the bill set forth. And while impending legislation soon waned in many areas, the issue over when, where and how to identify a state's voters became increasingly difficult, with legislation not beginning to taper off until 2006 (NCSL 2008). It is subsequently beneficial to this research that few states have made

changes to their voter identification policies since then, allowing the analysis of these laws to be more concrete.

With help from the National Conference of State Legislatures (NCSL), a bipartisan organization that works to keep state legislatures informed on a variety of issues, a comprehensive list of states and their corresponding voter identification policies was obtained and coded into SPSS in order to be more efficiently analyzed (NCSL 2008). There are two variables that describe voter identification laws that will be used throughout this analysis, both created with the help NCSL data. The first is a categorical variable created based on prior research in the field of voter identification laws that separates states into five categories. The first group of states, those coded “1,” describes those states that conform to the very minimum requirements HAVA sets forth, which stipulate that all first time voters must present identification from a list of acceptable forms when first registering to vote. Following this group are those states coded “2,” in which it is requested that all first time voters registering to vote show a valid photo id, however it is not required and in the case photo id is not presented, other HAVA approved forms of identification are accepted. States coded “3” are states in which all voters arriving to the polls are required to provide state approved identification in order to cast a ballot. Those states coded “4” are states in which all voters arriving to the polls are requested, but not required to go beyond simple forms identification such as a utility bill and provide what are considered to be more stringent forms of identification, often including a photo id card, or proof of citizenship. Finally, those states coded “5” are states in which voter identification requirements are most strict and voters are required to present a valid form of photo identification before being permitted to cast a ballot. Because there are many ways in which states can go beyond HAVA’s minimum requirements, these five categories provide the most

relevant and coherent separation of politics among the fifty states and District of Columbia.

Looking to figure “C” in Appendix “A,” one can see a graphical representation of the number of states that belong to each “voterid” category.

In addition to a categorical variable describing state’s voter identification policies, NCSL also provides a simple break down of states that go beyond HAVA guidelines and those that do not. For this division a dichotomous variable was created and named “voterid2,” in which states are coded “0” if they follow baseline HAVA mandates to establish voter identification policy, while any state that goes beyond minimum HAVA requirements is coded “1.” (NCSL, 2008). This dichotomous variable was created in order to more clearly depict the division of states according to HAVA minimum requirements. While it is important to understand how states typically go beyond HAVA mandates, minimal variation within the variable “voterid” prompts the need to look past small policy variations to the more overarching separation between states that follow HAVA minimum guidelines, and states that go beyond those minimum requirements. Together, “voterid” and “voterid2” will serve as the dependent variables that will shape the analysis to follow. Thus, the analysis section of this research is best understood in two sections; the first being that which deals with a more detailed look at voter identification laws within the states, focusing on the dependent variable “voterid” and a second section that focuses less on small variations within the variables in question, and more on the straightforward separation between those states that follow HAVA’s minimum requirements and states that have passed legislation going beyond those requirements.

Independent Variables Explained:

Throughout the course of this analysis, a total of ten independent variables will be examined for their effect on voter identification laws within the states. The first variable that will

be examined consists of the breakdown of each state's upper house legislature, often referred to as the state's "senate," or primary legislative body. For this particular analysis, the variable "republican" will indicate the percentage of each state's upper house legislature that identifies with the Republican political party (NCSL "Partisan Composition of State Legislatures" 2009). This is a continuous variable that lists a percentage of elected Republican legislators for each state, including the District of Columbia, with the exception of Nebraska which follows a unicameral system. In addition to the political dominance within state legislatures, the political party affiliation of each state's governor is documented by way of the variable "governor04," in states with a Republican governor are coded "1" and those states in which the governor is not republican are coded "0." Although there are states in which governors are identified as "Independent," the above coding method most clearly conforms to the hypothesis that those states in which a Republican governor are present will be more likely to pass strict voter identification laws. Together, these variables aim to depict a more total picture of the political affiliations of each state's legislature.

The third variable that will be examined deals with income inequality, using the measure of the Gini ratio, or Gini coefficient to determine how equitably wealth is distributed within each state, including the District of Columbia. The Gini ratio for each state was obtained with the help of the U.S. Census Bureau, who includes the measure in their census data, in addition to estimates made year to year (Bishaw and Webster 2007, 17).⁴ Throughout this analysis this variable will be referred to as "gini06." In an effort to most clearly depict the impact monetary issues can have within state legislatures, the variable "medianincome" was also created from

⁴ Although a nation-wide census is only conducted every ten years, the Census Bureau calculates yearly estimates for a majority of the statistics they provide in the census.

Census Bureau data detailing three year average estimates for 2004, 2005 and 2006 for each state's median income.

The next variable examined deals with the percentage of elderly within a state, defined by those aged sixty-five and over compared to the total state population. This variable, named "elderly" was also retrieved with the help of Census Bureau yearly estimates from the year 2006(U.S Census Bureau 2006). Just as the four variables aforementioned, "elderly" is also a continuous variable.

The next variable of concern focuses on how the public perceives the discussion of voter fraud in newspaper media. This variable was created with the help of the Newsbank Online Database, a database which allows thousands of newspapers around the country to be scanned for specific words, terms or phrases. For each state, including the District of Columbia the oldest and most distributed newspaper in each state was scanned for the phrase "voter fraud" in both the lead paragraph of articles and the articles as a whole for a six year span from 2000 through 2006. The numbers for articles containing these terms vary from just over 20 to over one thousand, providing a wide ranging continuous variable. In looking at the numbers retrieved in searches in both the lead paragraph and entire article, it became clear that while there were outlying and irrelevant articles present when the phrase "voter fraud" was scanned for an entire article; instances of such were few and far between (Newsbank 2000-2006). That being said, the number used for the purpose of this research was the number obtained in a search done of complete, or full articles in a given newspaper, with the variable being given the name "vote fraud."

The next variable focuses on the number of citizens in each state that do not speak English as their first language. Once again, this data was retrieved with the help of the Census bureau, specifically with the assistance of a report they issued in 2003 entitled "Language Use

and English-Speaking Ability: 2000” focusing on data collected in 2000. This too is a continuous variable, which throughout the remaining sections will be referred to as “nonenglish.”

In addition, two variables aimed at determining the magnitude at which states must prepare for and handle elections were created from the percentage of each state’s citizens that were registered to vote and the voting eligible population turnout for the mid-term election in 2006. These variables were named “percregvote” and “turnout,” respectively. These variables are important when studying the hypotheses that suggest that those states in which more voters are registered to vote, and actually turn out to the polls are also more likely to enact more stringent voter identification procedures. When examining voter turnout, data was selected from mid-term elections to better depict typical turnout rates for the states, as a general election can many times bring out voters that rarely or never vote in statewide or local elections.

The final variable used in this analysis covers the percentage of HAVA funds expended within each state that were originally allotted under Sections 101 and 102 of Title I, in addition to Section 251 of Title II. This variable was obtained with the help of the United States Election Assistance Commission (EAC) by way of an annual report published to Congress. This variable, which is named “percexfunds” is important to the hypotheses in this analysis because it too covers not only a monetary aspect of state politics, but more importantly, the money flowing into the state by way of HAVA provisions. This variable will be important when examining the connection between the percentages of HAVA funds expended within the states and their respective voting laws.

Together, these ten variables will be the basis for which this analysis begins its investigation of outside factors affecting the passage of voter identification laws within the states. And while it may be the case that one or many of these variables is shown to have

empirically little effect on the variable “voterid,” it is important that the impact of outside forces when it comes to state politics not be ignored.

Analysis

To most clearly depict the possibility of outside influence concerning state voter identification laws, the following analysis has been broken down into three sections. The first section works to analyze five variables that I hypothesize will have the most statistically significant impact, while the second section is a summation of the inclusion of the remaining five variables, and an analysis of their addition and impact on state voter identification laws. Finally, the third section will cover the analysis of the dichotomous variable “voterid2,” which was created in order to most clearly depict the separation among states regarding HAVA voter identification measures.

“voterid”:

In beginning our analysis of the above five variables in conjunction with the dependent variable “voterid”, a frequency table of “voterid” and a Descriptives output of the five independent variables: “republican,” gini06,” “nonenglish,” “sixtyfive” and “votefraud” was requested to outline basic attributes of each variable. Looking to the output found in subsections “A” and “B” in Appendix B, one can see two tables with several values highlighted. The most important piece of information needed from the first table is the number of states that go beyond HAVA mandates. These numbers are highlighted in yellow and will be the core of the next dependent variable discussed, “voterid2” while also serving as our key focus in this study in attempting to understand if there are certain outside factors that contribute to a state having a higher number on this voter identification scale. The next table, seen under subsection “B” outlines key characteristics of the five variables that will be examined. It is important to note the

two last numbers highlighted, denoting the two variables that have the most extensive ranges within this set of variables. To better understand if these minimal ranges may play a role in the significance of these variables compared to “voterid,” an ordinary least squares regression was run on each variable to preliminarily test its impact on “voterid.” For each regression computed, the “Model Summary” and “Coefficients” tables can be found under subsection “C” in Appendix B.

The first regression computed examines the relationship between the percent of each state upper house legislature that is Republican to how strict a state’s voter identification laws are on a scale of one through five. Looking first to the “Coefficients” table, under “Unstandardized Coefficients” the first statistic of note, the regression coefficient is highlighted under “B” and carries a value of .028. This value tells a reader that for every one percentage point increase in the percentage of a state’s legislature that is republican, the strictness of that state’s voter identification law will increase by .028, or roughly .03 points on the one through five scale. And while this statistic says a great deal about the two variables in context of change to one another, it says little about the original hypothesis concerning the significance of the role the makeup of state legislature play in forming identification policy. For some assistance in this area, the t-ratios and p-values will be used to test the null hypothesis. The t-ratio, which is highlighted under the column “t” and the P-value which is highlighted under the “Sig.” column both serve to reject the null hypothesis, which argues that there is no connection between the two variables; “republican” and “voterid.” Generally a t-ratio greater than two is accepted to reject the null hypothesis, and the t-ratio seen here, at a value of 2.487 does exactly that (Pollock, 158, 2009). In addition, the observed P-value of .016 (below the benchmark of .05) tells a reader that this relationship is rarely one of chance (less than two percent). Both the t-ratio and p-value confirm that there is in

fact a relationship between “republican” and “voterid.” To determine the strength of this relationship, the “Adjusted R-Square” value, highlighted in the “Model Summary” box will be used. This value of .094 explains that 9.4 percent of the variation seen in “voterid” can be explained by the variable “republican.” And while this is not a large percentage, leaving just over ninety percent unaccounted for, it does not discount the basic and statistically significant relationship seen between the two variables.

In continuing to run an ordinary least squares regression on the remaining four variables, it soon becomes clear that these variables appear to have little impact the strictness of state’s voter identification laws. Looking back under subsection “C” in Appendix B, the “Coefficient” and “Model Summary” tables are given for each of the remaining four variables, listed in the order they are discussed in preceding section. In most cases, one need only look to the p-value, highlighted under the “Sig.” column to conclude that the relationship seen would occur too often by chance to be considered significant. In the case of the variable “gini06,” which carries a p-value of .283, and a t-ratio of 1.085 it seems quite unlikely that the Gini coefficient has a strong bearing on how states choose to fashion their voter identification requirements. Similarly, variables such as “vote fraud” and “nonenglish” seen with calculated p-values of .599 and .758, respectively, also make one unable to reject the null hypothesis when it comes to determining the effect these variables may have on “voterid,” suggesting that too often the results seen could happen through random sampling error. In addition, the regression coefficients, t-ratios, p-values, and adjusted R-square values can be found for each variable, under their designated heading under subsection “C” in Appendix B.

In the above SPSS queries, each variable was computed against the dependent variable “voterid,” independently, not in conjunction to any of the other four variables in question. And

while this analysis may give a preliminary picture of possible significance of each variable, it is also necessary to examine each of these variables in relation to each other, controlling for the other variables in question. In subsection “A” of Appendix “C” is the Model Summary and Coefficients output tables for the ordinary least squares regression tabulation on all five variables simultaneously, thus controlling for each. Once again, the statistics of importance are highlighted in the tables. Although the output seen here seems to depict similar results to its previous independent analysis, it is important to note the increased R-Square values, which determine what degree of variation can be explained by the independent variable in question, in addition to the increased t-ratios, which are an informal measure by which to reject the null hypothesis. Although “republican” remains the only dependent variable to show a statistically significant impact on “voterid,” it is still important to consider the proximity to which the variable “gini06” approaches these statistically significant benchmarks. Looking to the row giving the statistics for “gini06,” a t-ratio of 1.619 is calculated, very close to the absolute value of 2 that is looked for when analyzing this statistic. In addition, when controlling for the other four variables in question, “gini06” reports a p-value of .112, not exactly close to the customary .05, or 95 percent confidence interval bench mark, but not far from the less conservative marker of .10. Despite a lack of greater statistical significance when each variable was run controlling for the others, it is relevant that many of the variables, when examined collectively seem to bear more heavily on how state legislatures fashion voter identification requirements.

The Remaining Variables:

In addition to the variables describes and analyzed above, there are five remaining variables that have yet to be examined for their potential statistical impact on how voter identification laws are adopted within the states. These variables, while thought to be secondary

may continue to provide further insight into the first set of variables analyzed and election law patterns. Looking to section “A” in Appendix “D,” the Model Summary Table and Coefficients Table are presented from the output acquired when all ten variables; “republican,” “gini06,” “sixtyfive,” “nonenglish,” “votefraud,” “perceregvote,” “percexfunds,” “medianincome,” “governor04” and “turnout” were run through an ordinary least squares regression model, controlling for each other, serving to estimate the independent effect of each independent variable on the change in the dependent variable, in this case state voter identification laws. The values of the most importance are highlighted in each table. Looking first to the Model Summary table, SPSS reports a much higher R-Square value of .229, denoting that 22.9 percent of the variation seen within state voter identification laws can be attributed to the independent variables calculated. This statistic is in contrast however with the more prevalently used Adjusted R-Square value, which account only for 3.2 percent of the variation in “voterid.” Moving on to the Coefficients table seen below, the rows for the variables “gini06” and “republican” are highlighted in order to draw attention to their statistical significance at the 90 percent confidence interval, or .10. Although this is a less conservative measure than the typical .05 benchmark, it still serves to draw attention to the significance of each of these variables when controlling for the remaining eight variables in question. Particularly in the case of the variable “gini06,” both the calculated t-ratio and p-value change slightly with the inclusion of these five new variables, pushing it closer to statistical significance at the .05 level. In addition it is important to recognize each of these variables respective regression coefficients; 33.595 and .029 which have both changed from the previous regression output that focused solely on the first five variables in question. And while the variables “gini06” and “republican” continue to exhibit some signs of stable significance, the original five variables that were analyzed independently continue to lack

any reasonable statistical meaning. This is in addition to the newly included variables that have also been calculated to be statistically insignificant in their impact on the way voter identification laws are fashioned within the states.

“voterid2”

As previously mentioned in the methodology section, two independent variables were used throughout this analysis in order to most thoroughly analyze the impact of certain outside factors as they pertain to the creation of voting law within the states. This second independent variable, “voterid2” looks to separate states according to the very basic question of whether or not they go beyond HAVA mandates. In continuing this investigation, only the first five variables will be used in conjunction with “voterid2” due to the irrelevance seen in the previous addition of the second set of five variables, and in an attempt to gain more insight into those variables such as “republican” and “gini06” which have consistently shown signs of significance. In this new dichotomous variable, those states that abide by HAVA mandates are coded “0.” These too would be the same states that are coded “1” on the previous 1-5 scale. All other states, that is, any state that has enacted legislation departing from HAVA’s most basic requirements are coded “1” and would coincide with those states coded a “2” through “5” on the first “voterid” scale.

Located in section “A” of Appendix “E,” are four core tables produced by the comparison of “voterid2” and the variables “republican,” “gini06,” “nonenglish,” sixtyfive” and “votefraud.” In order to establish the coefficients seen in these tables, it is the first step of logistic regression model to calculate how well it can predict the observed values of the dependent variable without using the help of the independent variables as a predictor. This then results in what is known as the “Initial-2 Log Likelihood,” here calculated to be 70.681. This technique,

referred to as maximum likelihood estimation (MLE) then brings the independent variables into the equation, running the variables again and again resulting in the “final step -2 Log likelihood,” of 63.866, explaining to what extent the variables in question can be used to predict how state legislatures create laws concerning voter identification. What this final number actually means is best understood in the change it went through, that is, subtracting it from the “Initial -2 Log likelihood to gain the chi square statistic of 6.815. This chi square statistic and its accompanying P-value tell a reader whether or not the inclusion of the above variables significantly better one’s chances at predicting state voter identification laws. However, in this case when examining the P-value of .235 it is clear that the addition of these variables does little to help the model explain identification requirements. In determining the impact of the aforementioned variables, the model also provides coefficients for each variable, detailing the impact of each while controlling for the others in question. Looking to the first table in section “A,” labeled “Iteration History,” one can see the coefficients for each variable displayed. Because the variable “republican” has consistently displayed significance, the analysis will begin with its accompanying coefficient of .038. This number tells a reader that while controlling for the other variables in question, each additional percentage point that a state legislature is republican increases the logged odds that a state will have stricter identification protocol when it comes to voting by .038. While this is a small degree, its positive relation is confirmed by Wald and the accompanying P-value of .045. Much like the previous tests run, none of the remaining variables show significance at the .05 level. Once again, the variable “gini06” proves to be a close second with a P-value of .189, however still not technically significant at either the .05, or .10 levels. Finally, in order to gain a more complete understanding of the total impact these variables may have on voter identification policy, one can look to the Model Summary table in which the

statistics for the Cox and Snell and Nagelkerke R-Square measures are listed. These statistics, .125 and .167 are pseudo R-Square measures that, like typical R-Square measures explain what percentage of the variation seen within the dependent variable, or “voterid2” can be explained by the inclusion of the independent variables in question. Because Cox and Snell is considered to be a more conservative measure, Nagelkerke corrects for this reporting a higher value of .167 suggesting that 16.7 percent of the variation seen in “voterid2” is explained by the independent variable in the model. Despite trying to account for the minimal variation seen in “voterid” with the help of “voterid2,” little change was seen in the impact the variables have on voter identification policies within the states. Once again, “republican” proved consistently significant, while the other variables provide little explanation of the state’s behavior (Pollock, 2005)

Conclusion

In a comprehensive analysis of ten variables, all of which originally thought to be pertinent to the decision making process concerning voter identification laws, only one variable, that of the composition of state legislatures stood out as *consistently* significant. While “gini06” also displayed signs of significance in some instances, “republican” is the only variable that consistently displayed statistical significance at the .05 level. This apparent lack of significance among this relatively wide range of variables may leave many still wondering why states choose to identify their voters in more stringent ways than others. It may also suggest a great deal of unnecessary political charged rhetoric in the realm of election policy. One example in particular looks to those in favor of strict voting regulations, who often cite voter fraud as a legitimate concern, largely in opposition to those against strict voting policy who argue that voter fraud is enormously exaggerated and is not a legitimate concern in the current political climate. Although it is clear this discussion is present in scholarly works and within interest groups, it is also

apparent, when considering the lack of significance seen when testing the variable “votefraud” that it seems to have no legitimate bearing on how legislatures choose to form their state’s voter identification policies. Through the above analysis however, it is clear that this lack of significance, despite a great deal of conversation on the matter is also the case with the variables “sixtyfive,” “nonenglish,” “votefraud,” “percregvote,” “percexfunds,” “medianincome,” “governor04” and “turnout.” While at first glance the lack of significance within these relationships is troubling, it may perhaps point to a more interesting, overarching theme between the variables and their prevalence in the overall scholarly and legislative debate. Through the analysis of various scholarly works, the positives and negatives of certain voter identification practices have been advanced by calling into account all of the variables examined throughout this research. Researchers and think-tanks often cite that it has been “proven” that select variables either affect, or fail to affect the desired outcome of voter identification laws. Looking to the results above however, it seems less and less likely that the variables above, all of which are prevalent in voter identification dialogues have little, if any impact on the way voter identification policy is adopted within the states.

Although only one of the above mentioned variables was proven regularly significant, it is important to understand that this significance along with the insignificance of the remaining variables examined are both applicable when discussing voter identification policies within the states. One particular example seen in this research deals with the variable “voterfraud.” As of yet, the subject of voter fraud is still highly contested in state legislatures, in public forums and high ranking judicial arenas such as the Supreme Court. And despite its constant discussion, in a close analysis of one area of potential significant impact, it yields no statistical significant data suggesting that affects the passing of strict voter identification laws. In addition, it is not only the

variable “vote fraud” that failed to yield significant results, but many of the other variables tested as well. It is through this observed insignificance that citizens, scholars and academia may need to start looking beyond commonly noted characteristics when discussing the impact outside factors may have on state voter identification requirements.

Suggestions for Further Research

Through the examination of election law, voting legislation and the politics surrounding this vast field, it is the goal of this research to shed unbiased light on the many outside factors that affect government policies and actions. While this analysis covers only the issue of voter identification, there are many related issues, particularly in conjunction with HAVA that would be not only interesting to examine, but at the same time helpful to the scholarly world if they were analyzed in a nonpartisan fashion. It is my hope that this study is only the first of series concerning the core provisions of HAVA and the factors that impact their debate in state legislatures.

In many of the above sections, certain hypotheses are prefaced to indicate that the research done throughout this paper will not focus on examining the validity of the occurrence of the variable itself, but instead its impact on state policy making. It would make for an interesting study to examine the true presence of the variables discussed throughout this analysis; focusing on the impact they may have on the national electorate as a whole. Like many topics in the political sphere it is often hard to find unbiased, non-partisan information. Various, although often times biased studies have been conducted on the true presence of voter fraud in the county and have often yielding interesting results. And likewise I believe it would be of note to analyze the impact groups such as the elderly, predominantly non-English speakers and those who fall below median income levels have on the ways in which the American electorate operates. Do

these groups often protest at political rallies, or is it instead think tanks and interest groups lobbying on their behalf. And while the existence of these groups seem to have little effect on the way certain election policies are adopted, perhaps they do play a significant role in other areas of American voting culture.

Limitations

Due to the relatively short amount of time in which this study was to be completed, the presence of original data collection is very minimal, with the only instance of such seen in the variable “voterfraud.” This reliance on pre-constructed data in many ways limited the number and range of variables that could be collected. This is also in addition to the sample size, which is relatively small by default due to the number of states. Despite these restrictions, the preceding analysis is continually effective in estimating the effect or in many cases the non-effect of many variables as they pertain to the passage of voter identification policies within the states.

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United States Constitution.

Appendix A

A

2) Requirements.--

(A) In general.--An individual meets the requirements of this paragraph if the individual--

(i) in the case of an individual who votes in person--

(I) presents to the appropriate State or local election official a current and valid photo identification; or

(II) presents to the appropriate State or local election official a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter; or

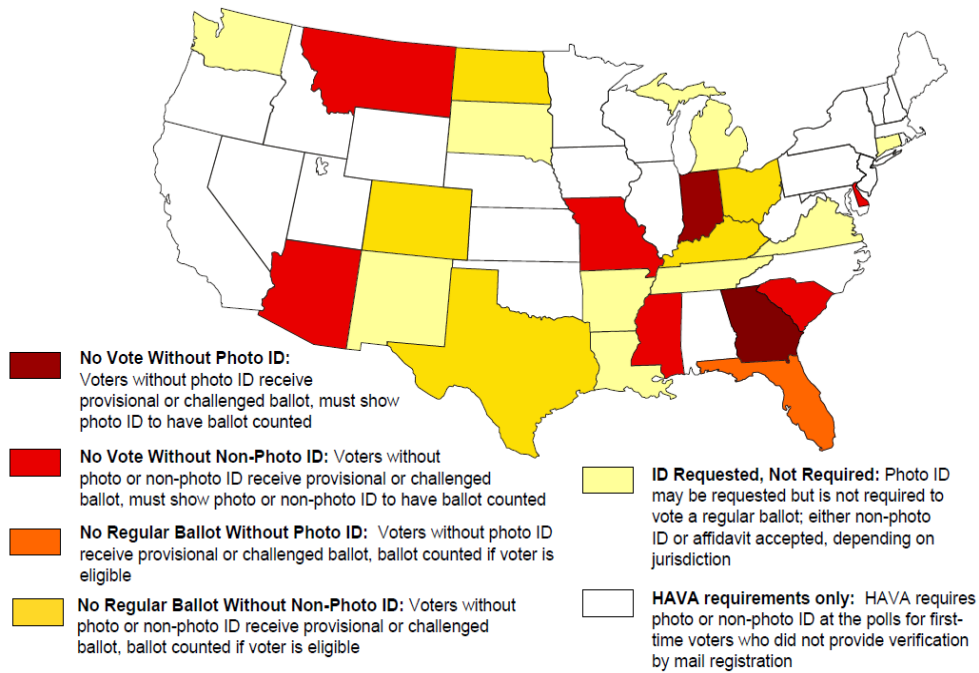
(ii) in the case of an individual who votes by mail, submits with the ballot--

(I) a copy of a current and valid photo identification; or

(II) a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter.

(U.S. Congress. Senate. 2002)

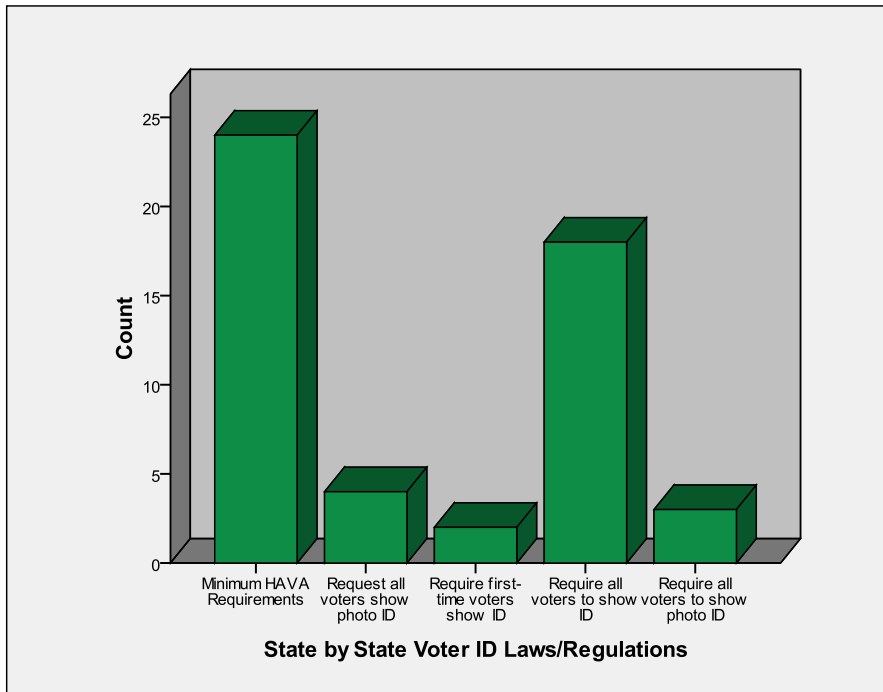
B.



Source: Brennan Center for Justice, 2008

(Brennan Center 2008, 1)

C.



Appendix B

A.

State by State Voter ID Laws/Regulations

| | | Frequency | Percent | Valid Percent | Cumulative Percent |
|---------|--|-----------|---------|---------------|--------------------|
| Valid | Minimum HAVA Requirements | 24 | 46.2 | 47.1 | 47.1 |
| | Request all voters show photo ID | 4 | 7.7 | 7.8 | 54.9 |
| | Require first-time voters show ID at the polls | 2 | 3.8 | 3.9 | 58.8 |
| | Require all voters to show ID at polls | 18 | 34.6 | 35.3 | 94.1 |
| | Require all voters to show photo ID at polls | 3 | 5.8 | 5.9 | 100.0 |
| | Total | 51 | 98.1 | 100.0 | |
| Missing | System | 1 | 1.9 | | |
| Total | | 52 | 100.0 | | |

B.

Descriptive Statistics

| | N | Range | Minimum | Maximum | Mean |
|---|----|-------|---------|---------|---------|
| Gini Ratio for States in 2006 | 51 | .127 | .410 | .537 | .44871 |
| Percent of State Population 65+ | 51 | 10.00 | 7.00 | 17.00 | 12.5882 |
| % Speaking Language Other than English at Home | 51 | 36.8 | 2.7 | 39.5 | 12.657 |
| Percent of Upper House Legislature that is Republican | 51 | 72.0 | 8.0 | 80.0 | 45.092 |
| “Vote Fraud” in Articles | 51 | 1161 | 21 | 1182 | 324.51 |
| Valid N (listwise) | 51 | | | | |

C.

“republican”

Coefficients^a

| Model | Unstandardized Coefficients | | Standardized Coefficients | t | Sig. |
|---|-----------------------------|------------|---------------------------|-------|------|
| | B | Std. Error | Beta | | |
| 1 (Constant) | 1.172 | .552 | | 2.122 | .039 |
| Percent of Upper House Legislature that is Republican | .028 | .011 | .335 | 2.487 | .016 |

a. Dependent Variable: State by State Voter ID Laws/Regulations

Model Summary

| Model | R | R Square | Adjusted R Square | Std. Error of the Estimate |
|-------|-------------------|----------|-------------------|----------------------------|
| 1 | .335 ^a | .112 | .094 | 1.441 |

a. Predictors: (Constant), Percent of Upper House Legislature that is Republican

“gini06”

Coefficients^a

| Model | Unstandardized Coefficients | | Standardized Coefficients | t | Sig. |
|-------------------------------|-----------------------------|------------|---------------------------|-------|------|
| | B | Std. Error | Beta | | |
| 1 (Constant) | -2.076 | 4.176 | | -.497 | .621 |
| Gini Ratio for States in 2006 | 10.088 | 9.295 | .153 | 1.085 | .283 |

a. Dependent Variable: State by State Voter ID Laws/Regulations

Model Summary

| Model | R | R Square | Adjusted R Square | Std. Error of the Estimate |
|-------|-------------------|----------|-------------------|----------------------------|
| 1 | .153 ^a | .023 | .004 | 1.511 |

a. Predictors: (Constant), Gini Ratio for States in 2006

“sixtyfive”

Coefficients^a

| Model | | Unstandardized Coefficients | | Standardized Coefficients | t | Sig. |
|-------|---------------------------------|-----------------------------|------------|---------------------------|-------|------|
| | | B | Std. Error | Beta | | |
| 1 | (Constant) | 3.345 | 1.521 | | 2.200 | .033 |
| | Percent of State Population 65+ | -.071 | .120 | -.085 | -.594 | .555 |

a. Dependent Variable: State by State Voter ID Laws/Regulations

Model Summary

| Model | R | R Square | Adjusted R Square | Std. Error of the Estimate |
|-------|-------------------|----------|-------------------|----------------------------|
| 1 | .085 ^a | .007 | -.013 | 1.524 |

a. Predictors: (Constant), Percent of State Population 65+

“vote fraud”

Coefficients^a

| Model | | Unstandardized Coefficients | | Standardized Coefficients | t | Sig. |
|-------|---|-----------------------------|------------|---------------------------|-------|------|
| | | B | Std. Error | Beta | | |
| 1 | (Constant) | 2.326 | .319 | | 7.291 | .000 |
| | Number of Articles that Contain "voter fraud" | .000 | .001 | .075 | .529 | .599 |

a. Dependent Variable: State by State Voter ID Laws/Regulations

Model Summary

| Model | R | R Square | Adjusted R Square | Std. Error of the Estimate |
|-------|-------------------|----------|-------------------|----------------------------|
| 1 | .075 ^a | .006 | -.015 | 1.525 |

a. Predictors: (Constant), Number of Articles that Contain "voter fraud"

“nonenglish”

Coefficients^a

| Model | | Unstandardized Coefficients | | Standardized Coefficients | t | Sig. |
|-------|--|-----------------------------|------------|---------------------------|-------|------|
| | | B | Std. Error | Beta | | |
| 1 | (Constant) | 2.546 | .374 | | 6.813 | .000 |
| | % Speaking Language Other than English at Home | -.008 | .024 | -.044 | -.310 | .758 |

a. Dependent Variable: State by State Voter ID Laws/Regulations

Model Summary

| Model | R | R Square | Adjusted R Square | Std. Error of the Estimate |
|-------|-------------------|----------|-------------------|----------------------------|
| 1 | .044 ^a | .002 | -.018 | 1.528 |

a. Predictors: (Constant), % Speaking Language Other than English at Home

Appendix C

A.

Model Summary

| Model | R | R Square | Adjusted R Square | Std. Error of the Estimate |
|-------|-------------------|----------|-------------------|----------------------------|
| 1 | .414 ^a | .171 | .079 | 1.453 |

a. Predictors: (Constant), Number of Articles that Contain "voter fraud", Percent of State Population 65+, Percent of Upper House Legislature that is Republican, % Speaking Language Other than English at Home, Gini Ratio for States in 2006

Coefficients^a

| Model | | Unstandardized Coefficients | | Standardized Coefficients | t | Sig. |
|-------|---|-----------------------------|------------|---------------------------|--------|------|
| | | B | Std. Error | Beta | | |
| 1 | (Constant) | -6.866 | 5.723 | | -1.200 | .237 |
| | Percent of State Population 65+ | -.051 | .115 | -.061 | -.443 | .660 |
| | Gini Ratio for States in 2006 | 19.524 | 12.060 | .297 | 1.619 | .112 |
| | % Speaking Language Other than English at Home | -.005 | .025 | -.028 | -.191 | .850 |
| | Percent of Upper House Legislature that is Republican | .033 | .012 | .384 | 2.683 | .010 |
| | Number of Articles that Contain "voter fraud" | -.001 | .001 | -.126 | -.689 | .494 |

a. Dependent Variable: State by State Voter ID Laws/Regulations

Appendix D

A.

Model Summary

| Model | R | R Square | Adjusted R Square | Std. Error of the Estimate |
|-------|-------------------|----------|-------------------|----------------------------|
| 1 | .479 ^a | .229 | .032 | 1.491 |

a. Predictors: (Constant), Median Household Income, 3 year average '04-'06, Number of Articles that Contain "voter fraud", Percent of State Population 65+, Political Party Affiliation of Governor 2004, Percent of HAVA Funds Expended by State (under all sections-101, 102, 251), Percent of Upper House Legislature that is Republican, Percent of Population 18+ Registered to Vote, % Speaking Language Other than English at Home, Gini Ratio for States in 2006, VEP Turnout 2006 General Election (Highest Office)

Coefficients^a

| Model | Unstandardized Coefficients | | Standardized Coefficients | t | Sig. |
|--|-----------------------------|------------|---------------------------|--------|------|
| | B | Std. Error | Beta | | |
| 1 (Constant) | -13.386 | 10.054 | | -1.331 | .191 |
| Percent of HAVA Funds Expended by State (under all sections-101, 102, 251) | .038 | .095 | .061 | .399 | .692 |
| VEP Turnout 2006 General Election (Highest Office) | .033 | .046 | .169 | .723 | .474 |
| Percent of Population 18+ Registered to Vote | -.006 | .052 | -.030 | -.123 | .903 |
| Percent of State Population 65+ | -.081 | .128 | -.097 | -.634 | .530 |
| Gini Ratio for States in 2006 | 33.595 | 18.007 | .431 | 1.866 | .070 |
| % Speaking Language Other than English at Home | -.011 | .035 | -.063 | -.302 | .764 |
| Percent of Upper House Legislature that is Republican | .029 | .014 | .340 | 2.115 | .041 |
| Number of Articles that Contain "voter fraud" | -.001 | .001 | -.104 | -.551 | .585 |
| Political Party Affiliation of Governor 2004 | .215 | .447 | .071 | .480 | .634 |
| Median Household Income, 3 year average '04-'06 | -1.178E-5 | .000 | -.057 | -.263 | .794 |

a. Dependent Variable: State by State Voter ID Laws/Regulations

Appendix E

A.

Iteration History^{a,b,c,d}

| Iteration | -2 Log likelihood | Coefficients | | | | | |
|-----------|-------------------|--------------|------------|--------|-----------|-------------|------------|
| | | Constant | republican | gini06 | sixtyfive | vote frau d | nonenglish |
| Step 1 1 | 63.939 | -9.301 | .034 | 21.583 | -.103 | -.001 | -.023 |
| 2 | 63.866 | -9.871 | .038 | 23.158 | -.124 | -.001 | -.026 |
| 3 | 63.866 | -9.880 | .038 | 23.197 | -.125 | -.001 | -.026 |
| 4 | 63.866 | -9.880 | .038 | 23.197 | -.125 | -.001 | -.026 |

a. Method: Enter

b. Constant is included in the model.

c. Initial -2 Log Likelihood: 70.681

d. Estimation terminated at iteration number 4 because parameter estimates changed by less than .001.

Variables in the Equation

| | B | S.E. | Wald | df | Sig. | Exp(B) |
|--------------------------------|--------|--------|-------|----|------|----------|
| Step 1 ^a republican | .038 | .019 | 4.025 | 1 | .045 | 1.039 |
| gini06 | 23.197 | 17.646 | 1.728 | 1 | .189 | 1.187E10 |
| sixtyfive | -.125 | .177 | .501 | 1 | .479 | .882 |
| vote fraud | -.001 | .001 | .814 | 1 | .367 | .999 |
| nonenglish | -.026 | .037 | .496 | 1 | .481 | .974 |
| Constant | -9.880 | 8.373 | 1.393 | 1 | .238 | .000 |

a. Variable(s) entered on step 1: republican, gini06, sixtyfive, vote fraud, nonenglish.

Model Summary

| Step | -2 Log likelihood | Cox & Snell R Square | Nagelkerke R Square |
|------|---------------------|----------------------|---------------------|
| 1 | 63.866 ^a | .125 | .167 |

a. Estimation terminated at iteration number 4 because parameter estimates changed by less than .001.