TESTIMONY
From Sean McElwee, Founder AVR NOW, Advocacy Group Dedicated to Passing Automatic Voter Registration in New York
Before the Joint Legislative Public Hearing 2019-2020 Executive Budget Proposal: Local Government Officials/General Government
RE: Implementing Automatic Voter Registration, Specifically a Back-End System with Multiple Source Agencies

Thank you for the opportunity to submit my testimony regarding Automatic Voter Registration (AVR) legislation in the FY2019-20 budget. My name is Sean McElwee and I am the founder of AVR NOW, an advocacy group dedicated to passing AVR in New York. I am also a policy analyst, writer, and co-founder of the progressive think-tank Data for Progress.

In my testimony, I will affirm the belief of AVR NOW, as well as the progressive grassroots organizations, good government groups, and labor unions who support us, that not only is AVR essential to advancing New York's voting process, but that specifically "back-end" legislation must be enacted. While we are excited to see Governor Cuomo take the significant first step of including AVR reform in his budget, we believe his current proposal of a "front-end" system falls short and cannot provide the benefits that come with a back-end system. Implementing a back-end AVR policy in New York would ensure more accurate voter rolls, facilitate registration for eligible citizens and establish more secure, streamlined elections.

Introduction

New York's outdated election laws have placed arbitrary obstacles on voting for decades. As a result, New York is routinely among the states with lowest registration rates for eligible voters in the county – and ranked 48th in terms of eligible voters casting ballots in 2018. In the 2016 election, we saw hundreds of thousands of voters purged from the rolls due to errors at the New York City Board of Elections. And while important voting reforms have been signed into law in the past month, AVR remains a crucial final piece to the puzzle in order to fix New York's historically broken electoral system.

The idea behind AVR is simple: the state can register eligible citizens automatically when they are already interacting with New York State government agencies. It can update eligible voters' address when they interact with an agency, so they don't need to re-register when they move. We've seen AVR implemented in various forms in more than a dozen states, including our neighbors New Jersey and Massachusetts.

We have an obligation to make it more convenient – not more difficult – for New Yorkers to vote.

How AVR Works

AVR looks slightly different in each state but there are two basic ways it can be implemented: back-end or front-end. A back-end policy automatically adds eligible voters to the rolls without requiring any action at the agency and gives them the chance to opt out via mail afterward, while a front-end policy gives eligible voters the opportunity to opt out and make decisions related to registration while interacting directly with the agency.

A back-end system, such as the legislation introduced by Deputy Majority Leader Michael Gianaris, is generally agreed upon by experts to be superior to a front-end system because it leads to a significantly higher percentage of eligible voters being registered and is less prone to human error than a front-end system.

Under Senator Gianaris' legislation, the documents and information (name, age, address, and citizenship status) already provided in an individual's interaction with a government agency, such as the Department of Motor Vehicles or State Department of Health, will be electronically sent to the Board of Elections, which will verify voter eligibility.

After the information is securely collected, transferred to the Board of Elections, and verified, the Board sends a pre-paid postcard to the voter, who can indicate a party preference or opt out of registration. If the eligible voter chooses not to opt out, they are added to the rolls.

For example, in 2016 Oregon passed the first ever back-end AVR system and yielded incredibly successful results: 94 percent of eligible voters who interacted with the DMV were registered with only 6 percent opting out. Additionally, 44 percent of new registrants voted in the subsequent election. By contrast, California implemented a front-end AVR system in 2018 and saw only 40 percent of eligible voters who interacted with the DMV registered.

Using Multiple Source Agencies

Most AVR policies have utilized the DMV as the main source agency to register eligible voters. While this makes sense at face value, data and experience tell us that large portions of the population do not interact with the DMV at all. Under Senator Gianaris' legislation, New York would implement an AVR policy with multiple source agencies, which would produce voter rolls more reflective of our citizenry.

For example, the New York Department of Health operates the second largest Medicaid program in the country with 6.5 million people enrolled as of July. This program presumably serves a portion of New Yorkers would be less likely to interact with the Department of Motor Vehicles. Under Senator Gianaris' back-end legislation, which includes the Department of Health as a source agency, New York would create a robust AVR system with reach into low-income communities which have historically had lower rates of voter registration.

New York's back-end AVR system could serve as a model for other states to implement comprehensive and transformative voting reform.

Cost Savings and Security

We also know from experience that moving away from paper-based registration dramatically reduces the staff time needed to handle paperwork. A study in Arizona showed that it costs $0.83 of staff time to enter a single paper voting application into the system, compared to just $0.04 with an electronic system. Across the country, localities have saved an average of about $3.54 in labor costs per registration by moving from a paper to an electronic method.

Additionally, AVR further helps to secure our elections by ensuring that voter information on our rolls is up to date and includes only eligible voters. By using the documents people provide to state agencies, and relying on electronic transfer of data, AVR minimizes human error and ensures our rolls are

accurate. Officials can prevent voter suppression and better protect voter rolls on election day when they are free of errors and contain the most up-to-date information.

A Majority of New Yorkers Want AVR

In January, AVR NOW released polling showing overwhelming support for AVR:

- AVR enjoys support in all but two State Senate districts across New York State, including both Democratic and Republican districts.
- In some State Senate districts, support for AVR hovers around 80 percent approval.
- 64 percent of likely voters statewide support the reform.
- 75 percent of New York City likely voters support AVR.

Conclusion

New York has the opportunity to pass the most comprehensive back-end AVR model in the country and truly establish ourselves as a national leader on voting reform. We've seen what years of a broken electoral system has produced and we owe it to all New Yorkers to implement a reform that will bring all eligible voters to the polls. Automatic Voter Registration ensures accurate information, reduces duplicate registrations, and reduces the workload for localities that face challenges on election day.

Several states – both red and blue – are reaping the benefits of having more eligible voters on the rolls and involved in our democratic process. It's time for New York to get on board.