

Early Voting and Election Day Registration in the Trenches: Local Officials' Perceptions of Election Reform

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ABSTRACT

When states consider adopting new election laws, policy makers often take into account public opinion and the financial costs of reforms but not the receptivity of those most responsible for implementation. Implementation theory suggests that the potential success of a new law depends on the motivation and ability of local election officials to administer it. To examine these attitudes, we conducted face-to-face interviews with an extensive survey of municipal election officials in Wisconsin. The responses show a significant bias in favor of the status quo, with election clerks generally supporting existing practices (Election Day registration) but opposing new proposals (early voting). Election officials are more likely to believe that Election Day registration is a right and increases turnout compared to early voting, and that early voting would increase their workload compared to Election Day registration. Multivariate analysis demonstrates that resistance to early voting is not merely a reflection of insufficient resources but is also a philosophical stance that reflects clerks' beliefs about the importance of voting on Election Day as a civic responsibility. We conclude by discussing the broader implications of this research for future innovations and reforms in election administration.

ELECTION LAWS such as Election Day registration, same day registration, and early voting are popular mechanisms for encouraging more people to vote. Early voting has become especially widespread in recent years. Most of the research on these electoral laws examines their impact on voter turnout, but we know relatively little about what the election officials who actually implement the laws think. Election reforms are typically created at the top of the state policymaking apparatus, but they are administered locally by officials whose attitudes toward the laws may affect precisely how they are implemented.

The study of policy implementation has clearly demonstrated that the process and outcomes of new policies depend on the beliefs, incentives, and authority of the "street-level" officials with implementation responsibilities (Lipsky 1980; Pressman and Wildavsky 1973; Brehm and Gates 1997). These officials must possess the motivation and ability to implement new laws as intended by policymakers.

Local election officials (LEOs) are the street-level bureaucrats of election administration (Kimball and Kropf 2006). Making sweeping policy change without knowing what the on-the-ground administrators think is especially risky in the area of election law, given the decentralized nature of election administration, limited resources available, and significant discretion that election officials have in administering the law.¹

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¹Even in optimal conditions, election administration poses some principal-agent problems that may be impossible to solve (Alvarez and Hall 2006).

It is unreasonable to assume that election law changes will be implemented immediately, neutrally, and competently if election officials disagree with the policies. Two examples illustrate this point. Persily and Ansolabehere report that nearly half of voters in a national survey said they were asked for a photo identification at their polling place, despite the fact that only three states at the time of the survey actually required one (Persily and Ansolabehere 2008, 1755). They note that respondents may have only been asked for ID, rather than photo ID specifically, accounting for this high percentage. However, more than half the states require only a signature or stated name; even in these states, 19% of voters were asked for a photo ID (Persily and Ansolabehere 2008, 1768–69).²

The second example of election administrator discretion concerns the Help America Vote Act (HAVA) requirement that voters must be allowed to vote provisionally if they do not appear on the voter rolls, but declare that they are eligible in the jurisdiction. But the law does not define what “jurisdiction” means, and as state election officials began implementing the mandate, a controversy emerged over how to deal with otherwise eligible voters who show up in the wrong precinct. Should they be given a provisional ballot, or directed to the correct precinct? If it turns out that they were registered but simply voted at the wrong place, should their provisional vote be counted? These ambiguities produced great variation in how the law was interpreted and implemented (Mayer 2007). Moreover, the implementation of provisional balloting rules depended, at least in part, on the partisanship of local election officials, and those officials’ estimate of what rule would help their party: “provisional votes were less likely to be cast and counted in strongly Democratic jurisdictions if the local election official was a Republican. Similarly, in heavily Republican jurisdictions provisional votes were less likely to be cast and accepted if the local election official was a Democrat” (Kimball, Kropf, and Battles 2006, 448).

We investigate how local election officials in the state of Wisconsin react to proposals for new reforms and how the combination of different election laws may influence attitudes toward change. In Wisconsin, municipal clerks are the embodiment of street-level bureaucrats: while they are not responsible for overall policymaking, they are involved in nearly every aspect of implementation, from updating voter registration rolls and training of poll-

workers to selecting the polling places, purchasing voting equipment, and overseeing ballot counting. Some small-town LEOs rely on county election officials for some of these functions, but Wisconsin is unique in pushing election administration authority down to such a large number of local officials.

Little research has attempted to ascertain the preferences of election administration officials on the possible costs and benefits of employing a combination of approaches, or even whether election officials see these reforms as competing or complementary. These views are important because such officials are the ones who must implement new practices, are influential stakeholders in state election policy, and are likely to be best-placed to estimate the administrative costs of facilitating voter convenience. Adoption of policies should consider both direct effects and combinations of different reforms. For example, while early voting on its own might face financial and administrative hurdles that are too severe to overcome in a decentralized state such as Wisconsin, combining it with Election Day registration (EDR) might provide a synergy that compensates for these challenges.

We begin by providing some background and defining some terms, contrasting EDR with early voting. We then discuss our survey of Wisconsin election clerks and analyze their attitudes toward these two election reforms. Interviews with clerks demonstrate substantial support for EDR, based largely on its minimal impact on workload and endorsement of polling place registration as a right. In contrast, clerks strongly oppose early voting on philosophical grounds and because of how it would interact with EDR, even if additional resources were provided. We conduct multivariate statistical analysis that verifies both of these insights. In addition, we find that negative attitudes toward EDR are explained in part by municipal demographics and occupational variables; full-time and appointed clerks who are more invested in their electoral duties are more likely to see EDR as an administrative burden. There also appears to be a status quo bias in which local election officials endorse existing practices but

²Ansolabehere and Persily (2007) found that blacks and Hispanics were more likely than whites to be asked to produce photo ID at the polls. While not specifically a partisan issue, the disparity shows that election officials do not seem to be using their discretion in a neutral manner.

resist changes, even those the officials believe the public supports (such as early voting). We conclude with some observations about the importance of considering the views of administrators when implementing policy change and offer some topics for future research.

BACKGROUND ON VOTING REFORMS

Given the myriad of laws governing voting, we start by defining the practices that are the subject of our survey. One set of reforms permits voting outside the traditional Election Day setting, a practice widely known as early voting. In the broadest sense this encompasses any voting that takes place before Election Day, unless the practice is conditioned on some sort of qualification.³ Although early voting policies take different forms across the states, they all share the defining feature of eliminating the need for the voter to appear at the local polling place on Election Day to cast a ballot. These practices include absentee voting in its various guises, voting-by-mail, and in-person early voting (Fortier 2006; Gronke et al. 2008a). There is additional variation in the location of voting: in-person early voting may take place either at central election offices or at dispersed voting centers in locations such as shopping malls or libraries. Early voting has more than quadrupled since the early 1990s, increasing from 7% of all votes in 1992, to over 20% in 2004, and rising to 30% in 2008. Roughly two-thirds of the states allow no-excuse early voting in some form.⁴ The popularity of early voting and decrease in the importance of the traditional Election Day has led researchers to conclude that the “United States is in the midst of a revolution in voting” (Fortier 2006, 1).

An increase in early voting, especially when done in person rather than by mail, presents new challenges and opportunities for LEOs. They might resist early voting because it would require staffing polling places for multiple days rather than just a single day. On the other hand, administrators might prefer to collect as many ballots as possible before the end of the voting period to reduce the volume on Election Day itself and make tabulation of the results more orderly. Early voting might also be attractive to the degree that maximizing voter convenience is a goal for some local officials.

Whereas early voting provides convenience by allowing for voting on multiple days, EDR concentrates activity on a single day. EDR permits eligible voters to both register and to vote on Election Day. It is thought to facilitate turnout by combining the separate steps of registering and voting into “one essentially continuous act” (Wolfinger, Highton, and Mullin 2005, 3), and permitting voters to register at the last moment when interest is highest. EDR has not swept across the states with the same intensity as early voting. For many years only half a dozen states permitted EDR, with Iowa and Montana adding to the list before the 2008 election.⁵ Election officials may resent EDR because it adds an administrative burden to the already hectic business of Election Day, requiring poll workers or other officials to facilitate both registration and voting. EDR might be an attractive reform if LEOs perceive it as a way to avoid issuing provisional ballots and processing registration forms in advance of the election.

Finally, same day registration (SDR) combines aspects of early voting and EDR. SDR permits people to both register and vote in a single act prior to Election Day. It reduces the potential inconvenience of having to vote on a specific Election Day and eliminates the registration closing date. LEOs’ attitudes toward SDR will likely depend on their views of the costs and benefits of both early voting and one-stop registration. As in other states, voting before Election Day has become increasingly popular in Wisconsin, rising from a mere 6% of the total

³Not all absentee voting practices qualify, because states impose a wide range of requirements and conditions. In some states, voters must provide a justification before receiving absentee ballots, with wide variation in the stringency of the justifications. Minnesota, for example, issues an absentee ballot only when a voter is ill, away from home on Election Day, serving as an election official, when voting is impossible for religious reasons, or because of a declared emergency. “No excuse” absentee frees voters from the need to provide a reason for voting absentee. Permanent absentee voting allows voters to request absentee ballots for all elections; the ballot is automatically sent. For a review of these practices see Gronke et al. (2008a).

⁴According to the National Conference of State Legislatures, 34 states offer either no-excuse in person early voting or no-excuse absentee voting: <<http://www.ncsl.org/default.aspx?tabid=16604>>, last visited Jan. 22, 2011.

⁵The EDR reform spread in several waves. See Hanmer’s (2009) comprehensive analysis of EDR for a review of the history and reasons for adoption. By the most generous definition a dozen states permitted EDR in the 2008 presidential election (Burden, Canon, Mayer, and Moynihan 2010a).

vote in 2000 to 21% in 2008.⁶ The majority of these absentee ballots were cast in person in a municipal clerk's office. For many voters, this form of no-excuse absentee voting, part of state law for two decades, is indistinguishable from early voting. Because Wisconsinites may also register at the clerk's office, the state allows both EDR and SDR. Unbeknownst to most voters, clerks are likely to see significant administrative differences between absentee votes and "true" early votes. Absentee ballots are stockpiled and then delivered to polling places and counted on Election Day. Early voting, in contrast, could require clerks to handle these pre-Election Day ballots differently. For example, ballots might be collected or even tabulated centrally rather than distributing ballots to the appropriate polling places for counting on Election Day. Early voting law could also require additional expenses for new voting equipment and staffing polling places for multiple days.

Currently, Wisconsin allows in-person and mail-in absentee voting, but does not permit early voting in satellite locations or voting that resembles what occurs on Election Day. There is a difference in applying for an absentee ballot and simply requesting a regular ballot prior to Election Day; Wisconsin does not provide for the latter. This is a subtle distinction, but adopting a system that resembles a more permissive form of early voting (such as in Texas) would require extensive changes in administrative structure and practice.

In assessing the receptivity of LEOs to election law reforms, two considerations are often overlooked. First, administrators have developed processes for implementing the existing law and are likely to prefer the status quo over changes. The same practice may be viewed as desirable in a state where it already exists but undesirable in a state where it does not, simply because of the status quo bias. Second, it is possible that a combination of laws will be perceived differently than the laws individually. For example, local officials might resist changes in voting equipment and changes in voter ID requirements on their own, but view them as desirable if implemented simultaneously because of the synergy gained between the two reforms.

How might administrators view a combination of early voting, EDR, and SDR? Administrative costs associated with early voting may be lower in states that permit SDR because election duties would be less concentrated. The current practice in Wisconsin

requires that "EDRs" be hand-entered by staff on Election Day. With over 400,000 Election Day registration forms to process for the 2008 presidential election, this creates an administrative burden that often requires hiring additional staff just for this purpose. Furthermore, the longest lines at the polls are typically at the registration tables rather than the line to vote. If registration forms and ballots could be submitted and processed during an extended early voting period, the additional staff resources required to support early voting might be offset by the administrative savings of receiving fewer EDRs on Election Day itself, which would also increase the efficiency of the process for voters. This would allow staff to focus on other tasks on Election Day.

Previous literature has provided the basis for expecting both positive and negative responses from election administrators about the potential for combining SDR, EDR, and early voting. Gronke (2008a, 439) and co-authors write, "Convenience voting reduces the need to staff polling places on Election Days, provides more time to process ballots, and may give election administrators more time to respond to voter problems (such as an invalid or incorrect registration)." For these reasons, we expect that election officials would support an approach to multiple reforms that spreads out the burden of processing voter registrations. On the other hand, administrators are not likely to support the expansion of early voting if they see it as a burden without the payoff of lower administrative costs on Election Day. In a different context, Moynihan (2003) argues that there is often a zero-sum battle between administrators and the public when it comes to citizen participation. The public likes convenience, but administrators are more attentive to burdens than public benefits when considering new forms of participation. If administrators cannot see a benefit for themselves in presenting opportunities to participate, they will be reluctant to offer them. Extending this argument to the electoral context, LEOs may perceive offering greater convenience to voters largely as a cost.

A related reason for expecting resistance to voter convenience is simple status quo bias. Election

⁶See the Wisconsin Government Accountability Board's report, "An Examination of Early Voting in Wisconsin" at <<http://elections.state.wi.us/docview.asp?docid=16760&locid=47>>.

officials operate within a set of rules and standard operating procedures over time. Switching to a new approach creates transition costs that might be viewed as increasing long-term workload. The existence of a status quo bias has been found to explain election official attitudes toward voting technologies (Moynihan and Lavertu forthcoming), as well as their perception of efforts to change the election system, in the form of HAVA (Moynihan and Silva 2008). There is a deductive logic in play here. Because early voting in Wisconsin would rearrange the clerk workload rather than add to it, we expect to see less opposition to early voting. In states lacking EDR, the adoption of early voting could significantly increase LEO workload, and we might expect to see somewhat more opposition there. We expect, then, that opposition to early voting in Wisconsin would foreshadow opposition among LEOs in states without EDR. However, we concede that this is a speculative argument, based on a deductive chain rather than empirical evidence, and one that requires more research to confirm.

SURVEY OF WISCONSIN ELECTION CLERKS

Wisconsin provides a useful setting to examine the administrative tradeoffs in election administration. The state has a long history of EDR, dating back to 1976, but no-excuse absentee voting was not used for the first time until 2000. Clerks may be less wedded to no-excuse absentee voting than EDR, and are completely unfamiliar with the broadest forms of early voting. The state has a decentralized election administration system in which the primary responsibility for running elections rests with the municipal clerks. They maintain voter records, recruit and train poll workers, issue absentee ballots, and establish and equip poll locations including acquiring voting equipment. County clerks administer elections in unincorporated areas, and serve as the primary local office for tabulating election returns; atop this structure, the Government Accountability Board serves as the statewide election authority.⁷

Because of the state's emphasis on local administration, nearly one fifth of the nation's LEOs serve in Wisconsin. The sheer size of this population, therefore, provides a unique opportunity to examine the attitudes and behavior of election clerks. One

important variable in explaining voter turnout and the conduct of elections—the set of election laws and rules—is held constant in this analysis. Wisconsin is unusual in that it has enough election officials to allow a nuanced analysis within a specific administrative structure. We are therefore able to survey attitudes while holding constant the specific election institution and rules.

To assess the nature of the tradeoffs in election administration and the attitudes of election officials to changes in the status quo, we surveyed all election clerks in Wisconsin. The survey of all 1,851 municipal clerks and 72 county clerks achieved a 72% response rate. We administered the survey via a secure Web site for clerks who had Internet access; those who did not were provided a hard copy of the survey by mail. Clerks were assured that their responses would be kept confidential.⁸ We also conducted personal interviews with 100 municipal and county clerks. The in-person interviews used a semi-structured interview protocol developed from the themes in the survey and an open-ended comments section at the end of the survey. A sampling procedure assured representation of the state's 15 largest municipalities and then randomly selected the remaining 85 in a manner that mimics the distribution of the state's voting age population. Our goals for the survey and interviews were to (a) understand how clerks viewed the administration of elections, (b) measure their attitudes toward early voting, and (c) understand how EDR might affect their views toward early voting.

The survey reveals that nearly all Wisconsin clerks are white (99.5%) and female (86%). One-fourth of clerks have a B.A. or more and another 47% attended some college. About 62% of clerks are elected and 38% are appointed; only 38% are full-time while 62% are part-time; 30% also hold the position of treasurer for their municipality and 54% have some responsibilities other than administering elections. Relatively few report ambition for higher office (23%), only 26% make more than

⁷See Huefner, Tokaji, and Foley (2007) for more background on Wisconsin's system of election administration.

⁸The cover letter to the clerks said (in part), "The survey is being conducted by an independent team of researchers in the Department of Political Science at the University of Wisconsin-Madison....Your responses will be kept confidential and not shared directly with the GAB, as only group statistics will be published. Your honest feedback is appreciated."

\$30,000 a year in their position as clerk, and their average age is 54 years.

Of course, conducting analysis in a single state raises questions about generalizability. However, Wisconsin is a diverse state in many regards. Much of the state is relatively rural, consistent with most states that have adopted EDR. But in Milwaukee, and unlike most other EDR states, the state also has a large and diverse metropolitan area with pockets of intense poverty. It is in such settings that the administrative burdens of EDR are highest (17.2% of voters in Milwaukee County used EDR compared to 12.6% of Wisconsin voters outside Milwaukee County in 2004) and resentment toward EDR among clerks is likely to be higher. Wisconsin therefore allows us to understand election official attitudes across a range of urban and rural settings in a politically competitive state.

To further understand the issue of generalizability for our sample we compare some of the characteristics of Wisconsin election officials to a stratified national sample of election officials collected by Moynihan and Silva in 2005 and 2007 (Moynihan and Silva 2008; see also Fischer and Coleman 2008).⁹ Wisconsin officials are demographically nearly identical by race (99% white in Wisconsin, 95% nationally) and ideology (on a 7 point scale with 1 = strongly liberal and 7 = strongly conservative, Wisconsin clerks average a 4.48, against a 4.37 nationally). Wisconsin clerks are more likely to be women (86% compared to 74% nationally), and are slightly less likely to have a college or post-graduate degree. The biggest difference is income. Wisconsin clerks are far more likely to make under \$10,000 a year (44.4% against 3.4% nationally) and for less likely to make over \$70,000 (1.5% against 14.6% nationally). This is expected, because so many Wisconsin clerks are from small towns, and a significant number are part time; nearly 10% earn no income at all from their position. Some clerks work out of their homes, and about 15% of Wisconsin LEOs lacked an e-mail address when we conducted our survey. The income differences stem from the much higher levels of decentralization. But in the attitudinal measure that counts most—ideology—our sample is nearly identical to the national sample, and we are confident that Wisconsin clerks' attitudes toward voting and administration will not be biased by their partisanship or ideology, when compared to election officials nationally.

CLERK SURVEY AND INTERVIEWS

The two questions we will focus on here are those asking about the administrative burden of EDR and early voting. Clerks generally associated voter convenience with higher administrative burdens. Clerks were asked to agree or disagree (on a seven point scale) with the statement that "Election day registration increases the administrative burden on election officials like me." Nearly 55% of clerks were above the neutral position in agreeing with the statement and 25% strongly agreed. Only 30% disagreed, suggesting that nearly one in three clerks believes that EDR does not affect workload or actually reduces it. An even larger proportion, nearly 85%, said that "early voting would make my job more difficult." Only 5% thought it would make their job easier. A smaller majority of 67% thought that in-person absentee voting makes their job more difficult, while only 3% thought it made their job easier. In terms of administrative workload, early voting is perceived as most problematic, in-person absentee voting somewhat less so, and EDR even less.

Despite a modest concern that EDR increased administrative burdens, the survey revealed that clerks were quite supportive of EDR. Nearly 60% of clerks agreed that "the benefits of election day registration outweigh the costs," while only 20% disagreed. Thus, nearly half of those who believed that EDR increases workload nonetheless find it worth supporting because of the other benefits it provides.

The interviews and open-ended survey responses provide some illuminating examples of how clerks think about voting procedures. One clerk said,

I don't think there is any question that it [the state's status as the second highest in the nation in terms of voter turnout] is attributable to the fact that the state offers election day registration.

Other clerks were more specific about the tradeoffs:

I think it's [EDR] a good thing for the voters because they don't have to plan ahead. And

⁹The national sample was constructed to avoid oversampling states with large numbers of officials, and to ensure that officials from each state were selected.

it probably does increase the number of people voting, coming out to vote. On the administrative side, it's difficult to manage hundreds and hundreds of registrations very close to an election day. Yeah it is a little time consuming, but it's all for a good cause, I understand that.

One was critical of fellow clerks who may not see positive benefits of EDR:

They can't see out of their roles as administrators into a philosophical democracy role. They see it very black and white. So if you ask them "should we do away with election day registration?" they'll say "yes," because they think about how much easier it would make their jobs.

However, some clerks were critical of the practice. One noted the administrative burden imposed on clerks by voters who wait until the last minute to register:

I believe EDR just adds so much stress to the election workers. Because even though people have known for four years that there's going to be another presidential election, if you give people to the last minute, they'll take to the last minute. And even if it was 60 days, they would wait until 5 o'clock on the 60th day.

Although we found scattered opposition to EDR, clerks generally support the law and believe that it pays off in terms of fewer problems at the polls and enhancing voter participation. In contrast, opinions toward early voting were much more negative. While some clerks thought that early voting would be a manageable burden and even increase turnout, the following comments were much more typical. One clerk outlines the administrative complications:

Early voting could be a nightmare to find enough poll workers to handle the additional days/hours that would be required. There must be a lot of coordination of every aspect of the election process to handle early voting.

Another emphasized the competing demands on a clerk's time.

Early voting would be a hardship for the numerous part-time clerks that do not maintain

regular office hours and work additional jobs. We neither have the manpower, resources, or security needed to do the job over multiple days/weeks.

And another notes the costs, but also points to philosophical reasons for opposing it:

Early voting would be a HUGE hardship on our community. And it is NOT necessary. If voters cannot make it on Election Day, or request an absentee ballot ahead of time, then they are not interested in voting.

This combination of higher administrative costs without a comparable benefit was a common theme:

Early voting is an abhorrent idea since it would be difficult in many of the small towns to maintain a secured area for the equipment. There would also be great frustration from voters who obtained new information and could not change their vote.

Of course, not all clerks had these negative views about electoral laws and the process of voting. One said:

I feel it is my job to help every elector to make their vote count. It takes more time during a presidential election, but that is what the job is. I spent evenings and weekends before the presidential election registering electors and taking absentee votes. Once every four years renews the system and gets the registrations and paper work in order and updated. It's all part of the job.

Clerks in small municipalities were more likely to make the case that the burdens of early voting (in terms of costs, time, and personnel) are too onerous. These comments were often framed in the context of the growing burden that elections have created for administrators, particularly following the new mandates of HAVA. Clerks frequently pointed out that election administration is only one of their duties, but one that takes up too much of their time and would take up even more with alternative forms of voting. Some clerks suggested that if this pattern continues, and in particular if there are additional requirements such as early voting, it will

become increasingly hard to find people to fill the clerk position. A few clerks were broad-ranging in their criticisms of EDR and in-person absentee voting, such as the following response from an open-ended survey question:

Election Day registration should be STOPPED. There is no way to verify completely or through HAVA that this person is legal, felon, etc. Letting people vote absentee for no reason should be STOPPED!!!! It was originally meant for people who were disabled, etc. Go back to that!!!! Letting people come in for no reason was a nightmare for the municipalities up to the day of election. There was no way to have time to process the absentee apps, including registrations, before the day of election. That was ridiculous.

A striking pattern across a number of comments was the way in which some clerks were strongly critical of citizens who wanted greater convenience. These clerks blamed voters rather than the practice itself for the increased administrative burden, using normative and judgmental terms:

It only takes 5 minutes every four years to walk into an election booth and cast a ballot so why do we have to make so many accommodations to make it easier? We have become very lazy if we can't do this once every 4 years! As far as absentee voting, I also believe that Wisconsin should make a person need a reason not to be able to vote in person on election day. Again, we are letting people take the lazy way out. The paperwork alone makes this type of voting a nightmare and I don't think these votes are as confidential since most people are using the machines now to vote, leaving their ballots the only ones in the ballot boxes.

Sentiments like these were fairly common. As one clerk put it:

I would strongly encourage the state to stay away from increasing absentee voting...it puts more pressure on my deputy to perform her other duties when individuals that are just too lazy to come in on Election Day, want to vote early.

Another clerk stated that making it "easier" for people to vote "does not bode well for people taking their vote seriously." Wanting more convenience is viewed as being less committed to exercising the franchise in a responsible manner. This idea was echoed by many clerks who believed that absentee voting should only be permitted with a valid excuse. As one put it, "too many voted absentee because they did not want to stand in line," but the deserving "elderly did not complain, only the younger ones." Finally, another clerk summarized that people should "come to the polls" and not be permitted to vote "if people are too lazy to come on Election Day." Another clerk was critical of the type of voter that would be likely to take advantage of early voting:

I do not feel that early election, promoting absentee voting will increase voter turnout. If folks do not vote when the scheduled voting is set up they are not interested or perhaps they should not be voting. If a person is not responsible enough to be prepared and have the knowledge to know when or how or who to ask about the voting process how can they possibly have the knowledge to make a responsible decision to vote?

One conclusion that emerges from these comments is that from the vantage point of the Wisconsin LEOs, the financial and other costs associated with greater convenience are not justified. In fact, clerks would likely oppose expanding early voting even if it imposed no other costs or responsibilities on their offices. This view seems to be driven at least partly by perceptions of many officials that responsible citizens do not need additional convenience to exercise their franchise.

An alternative conclusion that could be drawn from the clerk interviews is that opposition to early voting is at least partly driven by resource issues. Some clerks made indirect references to resource questions, but some were explicit. As one clerk put it:

I would LOVE to have Early Voting, but I do not see how I can do this. The security at the [municipal town or village] Hall would be very minimal and as it is now; in-person absentee voting is done in my home (which is horrific for presidential and big General

Elections). People expect me to be available 24 hours a day for their convenience to vote. Early Voting then might require me to be available at my house 24/7. I currently pre-test and public test at the Hall and use all of the security measures for the equipment. If we went to Early Voting, I would have to drag the equipment back and forth between all of these events—a greater chance for equipment failure, security failure, etc. If there were funds available for an office, I would totally support Early Voting.

If clerks had more poll workers and more paid staff or even an office, resource constraints might not be offered as a reason to oppose early voting. However, the survey reveals that large majorities of clerks still would not support early voting even with increases in paid staff, funds to pay poll workers, security protections, office space, and funds for voter education. Table 1 shows responses to five questions asking clerks whether they would be more willing to endorse early voting if specific resources were provided. The results show that opposition is not a function of resources. Only about a fifth of clerks said that increases in staff, funds to pay poll workers, security, office space, or money for publication education would increase their support for early voting. Another fifth said it would make them “somewhat more likely to support early voting,” but approximately two-thirds of clerks remain steadfast in opposing early voting even with additional resources. This validates the impression from interview comments that concern about early voting is more philosophical than pragmatic.

Opposition to EDR, SDR, and early voting is sometimes expressed in terms of a concern about ballot security and voter fraud. Some clerks echoed this concern:

Election Day Registration creates such a large post election burden. If WI wants to make changes to elections in WI this should be eliminated. By doing so I think it could reduce voter fraud and potential errors by poll workers. The day before the election should be the last day to register in the clerk’s office.

Another said:

I do NOT agree with Election Day Registration because there is no way to catch voter fraud until weeks AFTER the fact. I also think registration requirements are too lax. Photo ID should always be required. The current rules were fine when we were not such a mobile society. Today a person could easily vote in multiple places just by traveling by car, let alone air travel. A responsible citizen can and should register at least 2 weeks prior to the election. It should be a requirement, along with photo ID and proof of address.

However, most clerks did not see ballot security as a serious issue for EDR or in-person absentee voting. Clerks were asked to agree or disagree (on a seven-point scale) whether “Election Day Registration makes it more difficult to protect the security of the voting process.” Only 26% agreed (11% strongly agreeing), while 60% disagreed (21% strongly). Clerks were even more confident that in-person absentee voting did not jeopardize the security of the voting process, with 73% disagreeing (29% strongly disagreeing) and 14% agreeing (5% strongly).

One final observation is that perceptions that an election law is an administrative burden are related to perceptions about the efficacy of the practice. Clerks who were less likely to see EDR and early voting as an administrative burden were also more

TABLE 1. RESOURCES AND CLERK SUPPORT FOR EARLY VOTING

| <i>Potential Resource Offered</i> | <i>No more likely to support early voting</i> | <i>Somewhat more likely to support early voting</i> | <i>More likely to support early voting</i> |
|---------------------------------------|---|---|--|
| Increase in paid staff | 61.1% | 18.4% | 20.5% |
| Increase in funds to pay poll workers | 57.2% | 21.5% | 20.4% |
| Increase in security protections | 65.6% | 14.1% | 20.4% |
| Increase in office space | 70.6% | 13.0% | 16.4% |
| Increase in funds for voter education | 62.6% | 15.2% | 22.2% |

Notes: Table entries are responses to the question, “How much would increases in each of the following resources affect the likelihood that you would support Early Voting?” Sample sizes range from 1,365 to 1,370.

likely to think that those practices increase turnout. Overall, 65% of clerks believed that EDR increases turnout. (Only 20% thought it decreases turnout and the rest were unsure). Of those who strongly disagreed that EDR is an administrative burden, 81% thought that EDR increases turnout compared to 51% of those who strongly agree that it is a burden. The differences are even more dramatic for early voting, where only 23% of clerks thought it will increase turnout and 48% thought turnout would fall if early voting were implemented. Of the relatively small group who thought that early voting would make their job easier by spreading out the administrative burden, 89% thought it would increase turnout compared to only 16% of those who thought it would make their job more difficult.

EXPLAINING CLERKS' PERCEPTIONS

While these quotes and descriptive statistics are illuminating, they cannot establish in a systematic way why some clerks are more supportive of electoral reforms than others. To explain the patterns in the clerks' views of their administrative burdens, we specified two multivariate models that control for various characteristics of the clerks and the communities they represent: an ordinal logistic regression model in which the dependent variable is the seven-level disagree/agree question about whether EDR increases the administrative burden on clerks and a logit model in which the dependent variable is whether or not the clerk thinks that early voting will make his or her job more difficult.¹⁰ These multivariate models allow us to determine whether clerks' views about the administrative burden of election reforms are simply a product of the municipalities in which clerks serve, the actual burdens on the clerks (in terms of the number of voters they serve), or whether the clerks' own views about various reforms influence their perceptions of the burdens of EDR and early voting.

To account for attitudes that merely reflect the differing types of voters they serve, we included controls for the percentage of high school graduates, the percentage of African Americans, and the per capita income of the municipality. We also included the number of votes cast in the municipality to control for the actual burden on the clerk. Clerks should be more likely to view EDR as burdensome when the volume of voters is higher and when the charac-

teristics of voters present greater administrative challenges. The variables that are of more substantive interest are related to the clerk's job, their perceptions of their jobs, and their level of experience. Specifically, we included measures asking clerks about their experience (number of presidential elections worked), nature of the position (full-time versus part-time), focus on elections compared to other duties (percent of job spent on elections), and method of selection (appointment versus election). It seems reasonable to expect that clerks with more resources will see EDR as less burdensome.

Finally, we include two items that allow us to investigate whether attitudes about EDR depend on how it relates to absentee voting and clerks' philosophical views about EDR as a right. The interviews and survey lead us to expect that EDR will be perceived as a greater burden when clerks do not see EDR as a right. The comments of election officials also suggest that when the connection between early voting and EDR is viewed as conflictual rather than complementary, there will be greater opposition to EDR. Given that Wisconsin does not have early voting in its broadest form, we attempted to assess the tradeoffs by asking the clerks about an expansion of in-person absentee voting. Specifically we asked, "Some people think that more in-person absentee voting would make it easier to process EDRs by spreading them out over a longer voting period. Others think it would only make processing them more difficult. How about you—do you think more in-person-absentee voting would make it easier to process EDRs, more difficult to process EDRs, or would there be no change?" Overall, clerks were three times as likely to think it would make it harder to process EDRs (36% to 12%), although many saw no relationship between the two laws.

Table 2 reports the estimates of the model explaining clerks' attitudes about the administrative costs imposed by EDR. EDR is considered more difficult when clerks serve a population that is lower income, more educated, and more heavily

¹⁰Ordinal logistic regression is used when the dependent variable is an ordinal variable, such as this 7-point agree/disagree scale, rather than a continuous variable, such as the number of votes cast in an election. A regular logit model is used with a dichotomous dependent variable, such as the one used in Table 3 (whether early voting would make the clerk's job more difficult or not).

African American. The percentage of a clerk's job that is related to election activities is positively related to perceived burden. Because clerks have multiple duties, election responsibilities reduce the amount of time they can allocate to other tasks, and clerks may therefore see electoral tasks as more of a burden. More experienced clerks (as measured by the number of presidential elections in which they have worked) are also more likely to complain, as are full-time clerks relative to part-time clerks. These findings suggest that the more specialized and experienced clerks, who are likely to have a more in-depth knowledge of the burden created by alternative forms of voting, are more likely to see EDR as a burden. However, an alternative interpretation of this result is simply that more experienced clerks are more cynical about the election process after many elections in the trenches. The findings also show that elected officials are less likely than appointed officials to believe that popular voting alternatives that increase voter convenience represent an administrative burden. Method of selection may thus be an underappreciated factor affecting implementation of election laws (Burden et al. 2010b; Kimball and Kropf 2006).

Turning to the key variables of interest, the results show that clerks who see an adversarial relationship between processing EDRs and facilitating

in-person absentee voting are more likely to see EDR as an administrative burden. Put another way, although such clerks are few in numbers, those who see synergy between EDR and in-person absentee voting are much less likely to perceive EDR as burdensome. Of course, it is possible that *both* perceptions about the administrative burden of in-person absentee voting and the burden of EDR are being driven by some third unmeasured variable. Some clerks may simply view their job as more difficult or may simply be complainers and likely to view every responsibility as burdensome. Our survey instrument does not allow us to control for that possibility, so a definitive test of that alternative explanation awaits further research. To the degree that the question is picking up general attitudes toward responsibility, it is a strong control variable that makes the significance of other variables more remarkable. Finally, there is a significant effect of the normative component to attitudes toward EDR: clerks who view EDR as a voter's right see the law as less of an administrative hassle. There might be some rationalization happening here, but it seems unlikely that the causal arrow is the opposite of what we contend. For that to be true, perception of administrative burdens would have to shape attitudes about voters' rights, which seems unlikely.

Having identified what drives attitudes toward EDR, we next examine the perception that early voting would make a clerk's job more difficult. We asked the clerks whether they thought early voting would make their job more difficult. Although Wisconsin already has a version of early voting through the absentee process, most clerks perceive this as very different from a system that allows voters to receive and submit a regular ballot prior to Election Day, whether at centralized or satellite locations.

The precise question wording is:

Imagine that the state legislature and governor were considering a bill to allow for Early Voting in Wisconsin. Some people think this would make a clerk's job easier since many votes would already be cast and counted before election day. Other people think administering the election for multiple days rather than just one would make a clerk's job more difficult. How about you—do you think that Early Voting would make your duties easier, more difficult, or would there be no change?

TABLE 2. FACTORS AFFECTING THE PERCEIVED ADMINISTRATIVE BURDEN OF EDR

| | |
|---|-----------------|
| In-Person Absentee Voting Makes It Harder to Process EDRs | .146* (.081) |
| EDR is a Right | -.356*** (.031) |
| Per Capita Income (in thousands) | -.026** (.010) |
| Number of Presidential Votes Cast (in thousands) | .041** (.020) |
| Percent African-American | .060* (.036) |
| Percent High School Graduates | .024** (.0093) |
| Percent of Clerk's Job Spent on Elections | .0058* (.0032) |
| Number of Presidential Elections Worked as a Clerk | .03 (.022) |
| Appointed | .293** (.135) |
| Full-Time | .439*** (.144) |
| Pseudo- R^2 | .062 |
| Log Likelihood | 2215 |
| Number of Cases | 1,253 |

Notes: *** $p < .001$, ** $p < .01$, * $p < .05$, one-tailed test.

The dependent variable is a seven-level variable ranging from "strongly disagree" to "strongly agree" that EDR increases the administrative burden on clerks. The model is estimated with ordinal logit and the six threshold estimates are not reported.

As we noted above, a large majority of clerks thought that it would make their jobs harder. In seeking to explain the variation in attitudes across clerks, we included all of the independent variables as in the model reported in Table 2 with one modification: we replaced the clerk's view of whether or not EDR is a right with his or her opinion about whether "most voters should be required to vote at a polling place on election day."

Table 3 shows the results. As with the variable asking whether EDR is a right, philosophical perceptions concerning the sanctity of Election Day were highly significant. When election officials believe that Election Day is when most people should be required to vote, they are also likely to see early voting in negative terms administratively. Presumably this is because election officials who believe that voting on Election Day is the right thing to do see early voting as unnecessary, providing little benefit relative to the cost it creates. In accord with the qualitative evidence presented earlier, we note that such a view was held by a plurality of clerks (45%), while 32% thought that absentee voting should be allowed for "any voter who wants to use it," if cost were not an issue. As with EDR, seeing a complementary relationship between early voting and EDR makes the administrative burden seem less of a problem. Clerks who believed in-person absentee voting only makes EDRs more

difficult to process also felt strongly that an early voting law would make their jobs more difficult.

Unlike the previous model, the control variables for the percent of African Americans and the percent of high school graduates in the municipality are no longer significant. Whether clerks are appointed or elected and their experience in presidential elections are also unrelated to perceptions of early voting. However, full-time clerks and those who devote more time to election-related matters are less likely to think that early voting would make their jobs more difficult. One reason why attitudes about EDR may be more connected to demographic and occupational variables than are attitudes about early voting is that the former is an established practice whereas the latter is merely a policy proposal. Presumably, concrete experience with EDR helps to ground attitudes in real mediating factors whereas views about potential reforms such as early voting are tied to more abstract views about workload and attitudes about the normative importance of voting on Election Day.

CONCLUSION

Convenience voting has tremendous support in the public and among public officials. But policy-makers should be aware that convenience for voters might also impose significant burdens on the election officials charged with administering new approaches, especially in smaller jurisdictions with limited resources. Our study of Wisconsin election officials found opposition to the additional administrative responsibilities posed by enhancing voter convenience, in part because of resource constraints but also because of conflicting interactions with other election laws, and because many clerks are philosophically opposed to dismantling the traditional Election Day.

EDR enjoyed greater support among election officials than early voting, and at least part of the distinction between these options is the result of comfort with the status quo. It is quite possible that animosity toward early voting would be lower than toward EDR if the former had been state practice for three decades and the latter were merely a proposal. LEOs find themselves adjusting practices constantly to accommodate new technologies, court rulings, funding levels, and federal and state laws.

TABLE 3. EARLY VOTING AND PERCEIVED DIFFICULTY OF CLERK'S JOB

| | |
|--|-----------------|
| In-Person Absentee Voting | 1.240*** (.228) |
| Makes It Harder to Process EDRs | |
| Most Voters Should Be Required to Vote on Election Day | .985*** (.193) |
| Per Capita Income (in thousands) | -.027* (.014) |
| Number of Presidential Votes Cast (in thousands) | -.050** (.019) |
| Percent African-American | .039 (.054) |
| Percent High School Graduates | -.003 (.016) |
| Percent of Clerk's Job Spent on Elections | -.011** (.005) |
| Number of Presidential Elections Worked as a Clerk | .005 (.038) |
| Appointed | -.244 (.222) |
| Full-Time | -.485* (.226) |
| Constant | 2.477* (1.185) |
| Pseudo-R ² | .173 |
| Log Likelihood | 951.4 |
| Number of Cases | 1,252 |

Notes: *** $p < .001$, ** $p < .01$, * $p < .05$, one-tailed test.

Cell entries are logit estimates with standard errors in parentheses.

The dependent variable equals 1 if clerk believes that early voting would "make my job more difficult."

Our interviews found clerks frequently concerned about changes in their duties, particularly with respect to new responsibilities. Attachment to the status quo is likely to dispose LEOs against reforms, even popular ones like early voting.

What was striking across our analysis was the degree to which election officials had strong opinions about their administrative responsibilities, the rights and needs of voters, and how these opinions appeared to influence their attitudes towards potential reforms. This was clear not only in the comments of these officials, but also in the multivariate analysis. Election officials who felt that the public had a right to Election Day registration were less likely to see EDR as an administrative burden. For those officials, the importance of EDR to citizens made the administrative costs of providing this service seem less significant, and certainly worth the investment. Officials who believed in the sanctity of Election Day were more likely to believe that early voting would make their job harder. For these officials, the limited benefit provided by early voting made its costs loom larger.

One promising avenue for future research, which we intend to pursue, is the relationship between clerk attitudes toward voting methods and beliefs about the security of the voting process. It seems likely that clerks who place more value on security would oppose less restrictive voting practices, and clerks who emphasize access would support such practices. We are also exploring the differences between elected and appointed clerks in their relative preferences for access and security.

The normative beliefs of LEOs affect their assessments of how reforms will work. This is an important finding because it should shape not just how we understand assessments of administrative burden, but also what sort of mechanisms can be used to reshape those assessments. It also raises the question of whether these normative beliefs also shape actual administrative behavior, or whether administrators subdue them during the actual implementation of their job.

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APPENDIX

TABLE A. COMPARISON WITH NATIONAL SAMPLE FROM MOYNIHAN AND SILVA (2008)

| | <i>Wisconsin Clerks</i> | <i>Moynihan/Silva National Sample</i> |
|-----------------------|-------------------------|---------------------------------------|
| Demographics | | |
| Women | 86.4% | 74.4% |
| n | 1,373 | 2,746 |
| White | 99.5% | 94.5% |
| n | 1,375 | 2,728 |
| Ideology | | |
| Strongly liberal | 1.3% | 1.5% |
| Liberal | 4.8 | 7.8 |
| Slightly Liberal | 8.1 | 10.0 |
| Middle of the Road | 44.2 | 38.7 |
| Slightly Conservative | 17.7 | 22.3 |
| Conservative | 20.1 | 15.3 |
| Strongly Conservative | 3.9 | 4.3 |
| Average | 4.48 | 4.36 |
| n | 1,345 | 2,256 |
| Education | | |
| Some High School | 0.6% | 1.6% |
| H.S. Graduate | 26.7 | 19.5 |
| Some College | 47.1 | 38.6 |
| College Graduate | 16.6 | 26.5 |
| Some Graduate Study | 4.3 | 5.7 |
| Graduate Degree | 4.9 | 8.0 |
| N | 1,379 | 2,739 |
| Annual Salary | | |
| Unpaid | 8.3% | n/a |
| Less than \$10,000 | 44.4% | 3.5% |
| \$10,000-\$29,999 | 20.0 | 17.9 |
| \$30,000-\$49,999 | 14.8 | 42.4 |
| \$50,000-\$69,999 | 11.0 | 21.7 |
| \$70,000 and higher | 1.5 | 14.5 |
| N | 1,369 | 2,553 |