

**Testimony in Support of S. 396, H. 636, H. 685
Election Day Registration**

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Joint Committee on Election Laws**June 20, 2019**

Thank you Mr. Chairman. My name is Patrick Roath and I'm an attorney in Boston, but today I would like to testify in my role as Vice Chairman of the Board of Common Cause Massachusetts.

I am proud to testify on behalf of the members of Common Cause Massachusetts and in support of three bills before you that would implement Election Day Registration (EDR) in this Commonwealth.

Election Day Registration is a simple, proven, and common-sense reform. All eligible citizens who want to vote on Election Day should be able to, should be encouraged to, and their vote must be counted. Passing EDR will both:

- Protect the right of eligible residents to participate and be counted in our elections; and
- Make those elections easier to administer.

I urge this Committee to advance these bills and make EDR a reality in Massachusetts. It's a reform whose time has come. Massachusetts is currently well behind the curve. Twenty-one states and D.C. have already passed Election Day Registration bills, and many have implemented it.

But being late to the game gives us the advantage of studying how the rollout of EDR has gone in other states. The experiences of other jurisdictions show us that three things are true: EDR strengthens voter participation, makes elections neither more costly nor more difficult to administer, and guarantees that all eligible citizens who want to participate will be counted.

First, participation: States with Election Day Registration have 3-7% higher voter participation than those without it¹. Greater participation means a healthier, stronger, and more sustainable democracy.

Second, costs: The best data we have shows that costs do not increase under EDR, but they shift: more resources may be needed for registering voters on election day, but the cost and labor associated with

¹ <http://www.ncsl.org/research/elections-and-campaigns/same-day-registration.aspx>

provisional ballots will decline. For example, after EDR was implemented in Iowa, the use of provisional ballots dropped by 67 percent².

Third: Too often, eligible registered voters arrive at the polls only to find that errors in their registration force them to cast provisional ballots – which are often not counted. By allowing these voters to re-register on the spot, Election Day Registration guarantees that any eligible voter who wants to participate can cast a ballot, and that their ballot will be counted. Elections officials in several states have said that up to two-thirds of those who use EDR are already registered voters and do so to fix common errors in their registration. Typos and simple errors should never bar an eligible voter from participating in an election – and EDR will ensure that all eligible voters can cast a ballot. Thus, EDR actually makes voter rolls more accurate, and elections easier to administer.

We urgently need this reform because our current election laws are unacceptable. Right now, Massachusetts law imposes a 20-day registration cut-off period. That means that no one can register to vote in the 20-day run up to an election.

Many voters only really plug into an election in the final weeks. But, under the current law, eligible Massachusetts citizens who are just getting excited about their candidate of choice and tuning into policy debates are unable to cast a ballot.

That law has been in place for decades and is now arbitrary and indefensible. It freezes out eligible citizens, denies many registered voters the right to have their vote counted, and stands as an obstacle in the way of healthy democratic participation.

Last year, you passed a landmark Automatic Voter Registration (AVR) bill, and I want to commend the Committee and the Legislature for taking that step. We at Common Cause are currently working to bring that bill to life and implement it on schedule.

But AVR will never catch everyone who's eligible, and it has limitations that EDR can solve by allowing new Massachusetts residents and those whose registration contains mistakes to register on the spot. The two bills are complementary, and we need both.

Election Day Registration is a common-sense reform: it's one of those rare bills that is a win for citizens, for taxpayers, and for the strength of our democracy. I respectfully urge you to give these bills a favorable report, and I am very grateful for the opportunity to testify.

Thank you,

Patrick Roath

² https://www.demos.org/sites/default/files/publications/Sdr-Factsheet-Final_1.pdf