

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

| | | |
|---|---|-----------------------|
| PATRICK HARLAN; CRAWFORD COUNTY |) | |
| REPUBLICAN CENTRAL COMMITTEE, |) | |
| |) | Case No. 1:16-cv-7832 |
| Plaintiffs, |) | |
| |) | |
| v. |) | |
| |) | |
| CHARLES W. SCHOLZ, Chairman, Illinois |) | |
| State Board of Elections; |) | |
| ERNEST L. GOWEN, Vice Chairman, Illinois |) | |
| State Board of Elections; |) | |
| BETTY J. COFFRIN, Member, Illinois State |) | |
| Board of Elections; |) | |
| CASANDRA B. WATSON, Member, Illinois |) | |
| State Board of Elections; |) | |
| WILLIAM J. CADIGAN, Member, Illinois State |) | |
| Board of Elections; |) | |
| ANDREW K. CARRUTHERS, Member, Illinois |) | |
| State Board of Elections; |) | |
| WILLIAM M. MCGUFFAGE, Member, Illinois |) | |
| State Board of Elections, |) | |
| JOHN R. KEITH, Member, Illinois State Board |) | |
| of Elections, all in their official capacities, |) | |
| |) | |
| Defendants. |) | |
| |) | |

COMPLAINT

Plaintiffs Patrick Harlan and the Crawford County Republican Central Committee, by their attorneys, Jacob Huebert, Jeffrey Schwab, and James McQuaid of the Liberty Justice Center, for their Complaint, state as follows:

INTRODUCTION

1. Illinois has adopted an unfair, unequal system for Election Day voter registration (“EDR”). It has guaranteed some citizens – those who live in the 20 Illinois counties with populations of 100,000 or more – a right to register to vote at their local polling places on

Election Day. But it has not guaranteed that right to the rest of its citizens – those who live in the 82 Illinois counties with populations under 100,000.

2. This scheme's arbitrary geographic discrimination appears to have been designed to benefit candidates who draw support from high-population counties at the expense of candidates who draw support from low-population counties, such as Plaintiff Patrick Harlan, who is a candidate for the U.S. House of Representatives in the 17th Illinois Congressional District, and the candidates for statewide office supported by Plaintiff Crawford County Republican Party.

3. Because Illinois' discriminatory EDR scheme cannot be justified by any compelling, legitimate, or even rational state interest, this Court should declare that it violates the Equal Protection Clause of the Fourteenth Amendment and enjoin the Defendants, members of the Illinois State Board of Elections, to prevent its implementation in the 2016 general election and all future elections.

JURISDICTION AND VENUE

4. Plaintiffs bring this suit under 42 U.S.C. §§ 1983 and 1988 to seek relief for state violations of their constitutional rights. This Court therefore has jurisdiction under 28 U.S.C. §§ 1331, 1343 (a)(3) and (4), 2201 and 2202.

5. Venue is proper under 28 U.S.C. § 1391(b).

PARTIES

6. Plaintiff Patrick Harlan is a resident of Galesburg, Illinois, and the Republican candidate for the U.S. House of Representatives in the 17th Congressional District of Illinois in the 2016 general election.

7. Plaintiff Crawford County Republican Central Committee is a political party committee based in Crawford County, Illinois, the purpose of which is to elect Republican Party candidates to office.

8. Defendant Charles W. Scholz is Chairman of the Illinois State Board of Elections (the “Board”), which maintains an office in Cook County. The Board has general supervision over the administration of voter registration and election laws throughout the State. 10 ILCS 5/1A-1. The Board has the power to, among other things: disseminate information to election authorities; publish a manual of uniform instructions to furnish to each election authority; prescribe and require the use of such uniform forms, notices, and other supplies; adopt, amend or rescind rules and regulations; and supervise the administration of the registration and election laws throughout the State. 10 ILCS 5/1A-8.

9. Defendant Ernest L. Gowen is Vice Chairman and member of the Board.

10. Defendant Betty J. Coffrin is a member of the Board.

11. Defendant Cassandra B. Watson is a member of the Board.

12. Defendant William J. Cadigan is a member of the Board.

13. Defendant Andrew K. Carruthers is a member of the Board.

14. Defendant William M. McGuffage is a member of the Board.

15. Defendant John R. Keith is a member of the Board.

16. All Defendants are sued in their official capacities.

FACTS

Illinois' Discriminatory Election Day Voter Registration Scheme

17. Illinois did not offer Election Day voter registration until it enacted a pilot EDR program in 2014, which by its terms applied only to the 2014 general election. *See* Ill. Public Act 98-691.

18. Before Illinois established its EDR pilot program, an Illinois citizen who did not register to vote during the normal registration period could make use of “grace period” registration, which began at the close of the normal registration deadline and continued through the third day before the election. During the grace period, a voter could register to vote at the county clerk’s office or at a specially designated voter registration site. *See id.*

19. With the EDR pilot program that was in effect for the 2014 general election, the state extended the “grace period” for late registration up to and including Election Day. This meant that a qualified person anywhere in Illinois could register to vote and then vote in person at the office of his or her county’s election authority or at a “permanent polling place” for early voting established by the county’s election authority. *See* Ill. Public Act 98-691.

20. Less than one month after Election Day in 2014, the Illinois General Assembly rapidly considered and passed new legislation, SB 172, which, created a permanent system of EDR in Illinois. Ill. Public Act 98-1171. SB 172 passed completely on party-line votes in both houses of the General Assembly, with all affirmative votes coming from Democratic legislators and all “nay” votes coming from Republican legislators. Outgoing Democratic Governor Pat Quinn signed the bill on Saturday, January 10, 2015, and his approval of the bill was formally recorded on Monday, January 12, 2015, the same day his successor, Republican Governor Bruce Rauner, was inaugurated.

21. The permanent EDR system that Illinois adopted in SB 172, which remains in effect, is substantially different from the 2014 pilot program. The permanent EDR system allows a qualified person to register to vote, and then vote, in person at any of the following locations: the office of the election authority; a permanent polling place for early voting; any early voting site beginning 15 days prior to the election; or *any polling place* on Election Day. *See* Ill. Public Act 98-1171; 10 ILCS 5/4-50, 5-50, 6-100.

22. Illinois' new EDR scheme does not mandate EDR at every polling place statewide, however. Rather, it mandates that counties with a population of 100,000 or more offer EDR at all polling places. Counties with a population of less than 100,000 that do not use electronic poll books are not required to provide EDR at all polling places, so long as they allow Election Day registration and voting at "(i) the [county] election authority's main office and (ii) a polling place in each municipality where 20% or more of the county's residents reside if the election authority's main office is not located in that municipality." Public Act 98-1171; 10 ILCS 5/4-50, 5-50, 6-100.

23. Thus, Illinois law now guarantees a right to EDR at every polling place to citizens who live in the 20 Illinois counties with a population of 100,000 or more ("high-population counties") but not to citizens who live in the 82 Illinois counties with a population of less than 100,000 ("low-population counties").

24. On information and belief, few low-population counties use electronic poll books, which are costly. As a result, few are required to provide Election Day registration at their polling places in the 2016 general election, and few will do so.

Contrast with Other States

25. Laws providing for EDR in other states do not discriminate against citizens of certain counties as Illinois' EDR scheme does.

26. In addition to Illinois, ten states – Colorado, Connecticut, Idaho, Iowa, Maine, Minnesota, Montana, New Hampshire, Wisconsin, and Wyoming – and the District of Columbia have EDR systems. Also, North Dakota does not have voter registration but allows any qualified elector to appear at the polls on Election Day and cast a ballot, the functional equivalent of EDR.

27. Six of the ten other states offering EDR give electors statewide the right to register and vote at their respective precinct polling locations on Election Day, and North Dakota allows electors to vote at their respective precinct polling locations on Election Day without registering.

28. The other four states offering EDR allow electors to register and vote only at select locations. In Colorado, any citizen may register to vote on Election Day at a center within his or her respective county of residence. In Connecticut, each town contains one designated EDR site. Similarly, in Maine, each city or town has a designated EDR site, typically located at city hall or the town office. And in Montana, EDR is available at the elections office in each county. Although these four states do not have EDR at every polling place, they have a uniform system and do not make distinctions between counties based on population.

29. No state with EDR, save Illinois, makes a distinction between counties based on population to determine where a person may register and vote on Election Day.

Tilting the Political Playing Field

30. Illinois' EDR system is discriminatory on its face because it guarantees some voters, but not others, the right to register and vote at their respective precinct polling places on

Election Day. The predictable result of this discriminatory scheme will be to benefit some candidates for office – and their supporters – at the expense of others.

31. As explained by Plaintiffs' expert witness, Professor M.V. Hood III, an overwhelming consensus exists in the academic literature that EDR increases voter turnout where it is implemented. (*See* Declaration of M.V. Hood III ("Hood Decl."), attached as Exhibit A and incorporated herein by reference, 7-9, 14). This is true when EDR is available at a centralized location, but EDR's effects on voter turnout have been found to be more encompassing and consistent when EDR is offered at precinct polling places. (*Id.* at 8-9.)

32. Accordingly, Illinois' EDR scheme is likely to increase voter turnout in counties that offer EDR at every polling place more than it increases voter turnout in counties that do not offer EDR at every polling place. (*See id.* at 9.)

33. Thus, Illinois' EDR scheme will tend to give an advantage to candidates who draw support from high-population counties when they compete against candidates who draw support from low-population counties.

34. In general, Illinois' EDR scheme is likely to have partisan effects, benefiting Democratic Party candidates at the expense of Republican Party candidates. In statewide elections, Democratic candidates tend to perform better in high-population counties; Republican candidates tend to perform better in low-population counties. In statewide elections from 2004 through 2014, Democratic candidates received more than three fifths (62.1%) of the two party vote in high-population counties; Republican candidates received 54.1% of the vote in low-population counties. This 16.2% difference between the average Democratic (or Republican) vote by county size is statistically significant. (Hood Decl. 11.)

35. Thus, it is quite possible that Illinois' EDR scheme will have the effect of diminishing Republican votes relative to Democratic votes. (Hood Decl. 14.)

36. Illinois' discriminatory EDR scheme appears designed to tilt the political playing field to benefit the Democratic Party at the expense of the Republican Party in statewide elections and in elections in districts that include both high-population and low-population counties.

Injury to Plaintiff Patrick Harlan

37. Plaintiff Patrick Harlan is a candidate for the U.S. House of Representatives in the 17th Illinois Congressional District.

38. The 17th Illinois Congressional District encompasses a high-population county (Rock Island), portions of two other high-population counties (Peoria and Tazewell), and the entirety of nine low-population counties (Carroll, Fulton, Henderson, Henry, Knox, Mercer, Stephenson, Warren, and Whiteside).

39. As the Republican candidate, Mr. Harlan anticipates that he will receive especially strong support from voters in low-population counties.

40. The election authorities in the 17th Illinois Congressional District's low-population counties do not intend to provide EDR at all polling locations in the 2016 general election but instead will opt out and provide the minimum EDR required under the statute.

41. As a result, electors in low-population counties within the 17th Illinois Congressional District – including some electors who would vote for Mr. Harlan – will not have the same opportunity to vote as electors in high-population counties within the 17th Illinois Congressional District. Some residents of those low-population counties who would register and vote for Mr. Harlan at their polling place on Election Day if they could will not vote at all.

42. The denial of these would-be Harlan voters' opportunity to vote on the same basis as voters in high-population counties is an injury to Mr. Harlan and an injury for which Mr. Harlan can seek relief on his would-be voters' behalf.

Injury to Plaintiff Crawford County Republican Central Committee

43. Crawford County, Illinois, has a population of approximately 19,505 people and does not use electronic polling books in elections.

44. Therefore, Illinois law does not require Crawford County to offer EDR at all polling places in the 2016 general election.

45. Crawford County's election authority does not intend to provide EDR at all polling locations but instead will opt out and provide the minimum EDR required under the statute.

46. As a result, Crawford County electors – including some electors who would vote for Republican candidates in statewide elections – will not have the same opportunity to vote as electors in high-population counties. Some Crawford County residents who would register and vote for a Republican candidate in a statewide election at their polling place on Election Day if they could will not vote at all.

47. The denial of these would-be Republican voters' opportunity to vote on the same basis as voters in high-population counties is an injury to the Crawford County Republican Central Committee, and an injury to those would-be voters for which the Crawford County Republican Central Committee can seek relief on their behalf.

COUNT I

Fourteenth Amendment – Equal Protection

48. The allegations contained in all preceding paragraphs are incorporated herein by reference.

49. Under the Equal Protection Clause, “a citizen has a constitutionally protected right to participate in elections on an equal basis with other citizens in the jurisdiction.” *Dunn v. Blumstein*, 405 U.S. 330, 336 (1976).

50. Accordingly, “[w]hen a State makes classifications of voters which favor residents of some counties over residents of other counties, a justiciable controversy is presented.” *Moore v. Ogilvie*, 394 U.S. 814, 817 (1969).

51. Illinois’s EDR system makes classifications of voters that favor residents of some counties over residents of other counties because it does not provide electors in low-population counties the same guarantee of EDR at their precinct polling places that it provides to all electors in high-population counties.

52. As a result of Illinois’ discriminatory EDR system, electors in low-population counties – including but not limited to electors in Carroll, Crawford, Fulton, Henderson, Henry, Knox, Mercer, Stephenson, Warren, and Whiteside Counties – are not provided with EDR at their precinct polling places, while voters in all high-population counties do have access to EDR at their precinct polling places.

53. Thus, Illinois’ EDR system denies electors in low-population counties equal access to the fundamental right to vote.

54. Illinois' discriminatory EDR scheme does not serve any compelling state interest, lacks any substantial relationship to any important state interest, and is not rationally related to any legitimate state interest.

55. Therefore, Illinois' EDR scheme violates the Equal Protection Clause of the Fourteenth Amendment of the U.S. Constitution.

56. Plaintiffs and the electors whose interests they represent will be irreparably harmed if Defendants do not prevent Illinois counties' election authorities from implementing the state's discriminatory EDR system in the 2016 general election and future elections.

57. Plaintiffs and the electors whose interests they represent have no adequate remedy at law.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs request that the Court enter judgment in favor of the Plaintiffs against Defendants and:

A. Declare that Illinois' system of EDR established in 10 ILCS 5/4-50, 5/5-50 , and 5/6-100 violates the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution on its face and as applied because it arbitrarily discriminates against electors in low-population counties by requiring counties with populations greater than 100,000 to allow qualified persons to register and vote at their precinct polling places on Election Day while not requiring counties with populations of less than 100,000 that do not use electronic polling books to allow qualified persons to register and vote at their precinct polling places on Election Day;

B. Preliminarily and permanently enjoin the Defendants to direct election authorities in all 102 Illinois counties not to implement EDR at any precinct polling places on Election Day;

C. Award Plaintiffs their reasonable costs and expenses of this action, including attorney fees, pursuant to 42 U.S.C. § 1988(b) or any other applicable law; and

D. Grant all other further relief to which Plaintiffs may be entitled.

Dated: August 4, 2016

Respectfully Submitted,

**PATRICK HARLAN and the
CRAWFORD COUNTY REPUBLICAN
CENTRAL COMMITTEE**

By: /s/ Jacob H. Huebert

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Exhibit A

DECLARATION OF M.V. HOOD III

I, M.V. Hood III, affirm the conclusions I express in this report are provided to a reasonable degree of professional certainty. In addition, I do hereby declare the following:

I. INTRODUCTION AND BACKGROUND

My name is M.V. (Trey) Hood III, and I am a tenured professor at the University of Georgia with an appointment in the Department of Political Science where I have been a faculty member since 1999. I also serve as the Director of the School of Public and International Affairs Survey Research Center. I am an expert in American politics, specifically in the areas of electoral politics, racial politics, election administration, and Southern politics. I teach courses on American politics, Southern politics, and research methods and have taught graduate seminars on the topics of election administration and Southern politics.

I have received research grants from the National Science Foundation and the Pew Charitable Trust. I have also published peer-reviewed journal articles specifically in the area of election administration. My academic publications are detailed in a copy of my vita that is attached to the end of this document. Currently, I serve on the editorial boards for *Social Science Quarterly* and *Election Law Journal*. The latter is a peer-reviewed academic journal focused on the area of election administration.

During the preceding five years, I have offered expert testimony in fifteen cases, *State of Florida v. United States* (No. 11-1428, D.D.C.), *NAACP v. Walker* (11-CV-5492, Dane County Circuit Court), *Jones v. Deininger* (12-CV-00185-LA), *Frank v. Walker* (2:11-CV-01128-LA), *South Carolina v. United States* (12-203, D.D.C), *Rios-Andino v. Orange County* (6:12-cv-1188-orl-22KRS), *Veasey v. Perry* (2:13-cv-193, NGR), *United States v. North Carolina* (1:13-CV-861), *Bethune-Hill v. Virginia State Board of Elections* (3:14-cv-00852-REP-GBL-BMK), *The Ohio Democratic Party v. Husted* (2:15-cv-1802), *The Northeast Ohio Coalition v. Husted* (2:06-CV-00896), *One Wisconsin Institute v. Nichol* (3:15-CV-324), *Covington v. North Carolina* (1:15-cv-00399), and *Green Party of Tennessee v. Tre Hargett* (3:11-692).

In assisting the plaintiffs in analyzing Illinois' election-day registration statute, I am receiving \$300 an hour for this work and \$300 an hour for any testimony associated with this work. In reaching my conclusions, I have drawn on my training, experience, and knowledge as a social scientist who has specifically conducted research in the area of election administration.

II. SCOPE AND OVERVIEW

I have been asked by counsel for the Liberty Justice Center to issue an opinion regarding Illinois' election-day registration statute. Section III provides an overview of the election-day registration statute as it is to be implemented for the 2016 general election. A comparison of states employing election-day registration is found in Section IV and Section V provides a synopsis of the academic literature regarding the effects of election-day registration. The penultimate section (VI) examines the potential partisan implications of Illinois' election-day registration statute and the final section of my report (VII) provides a synopsis of my overall conclusions in this case.

III. ILLINOIS' ELECTION-DAY REGISTRATION STATUTE

At the end of the 2013-2014 legislative session the Illinois General Assembly passed Senate Bill 172.¹ Among other provisions, SB 172 alters the State's election code as it relates to voter registration. Before SB 172 an Illinois citizen could make use of what is known as *grace period* registration beginning at the close of the registration deadline through the third day prior to the day of the election. During this period electors could register at the county clerk's office or a specially designated voter registration site. With passage of SB 172 voters in Illinois can now register (or change their registration) beginning at the close of the regular registration period continuing through election-day.² This alteration, set to be in place for the 2016 presidential election, effectively allows voters a same-day (SDR) registration option during the early in-person voting period or an election-day (EDR) registration option. For the 2016 general election grace period registration will begin October 12th and end on election-day (November 8th).³ Voters may register, or change their registration, and cast a ballot at five types of locations: the county clerk's office; an early in-person voting site 15 days prior to an election; a permanent polling place; a precinct polling location on election-day; or at a specially designated voter registration location.⁴

In regard to opportunities for election-day registration specifically, the State has set up a bi-furcated system based on the population of the county. Counties with a total population exceeding 100,000 persons must offer EDR at all precinct polling locations. Counties under this population threshold and which do not employ electronic poll books may choose not to offer EDR at precinct polling locations. In such cases, EDR could only be offered at the county clerk's office, a municipal precinct location containing at least 20% of a county's residents, or some other permanent or temporary site.⁵

¹SB 172 passed completely on a party-line vote. In the State Senate the bill passed by a vote of 40 to 17 with no Republican Senators voting in the affirmative and all the nay votes coming from GOP members. (Source: State of Illinois Senate Journal. Ninety-Eighth General Assembly, 140th Legislative Day [<http://ilga.gov>]). The exact pattern can also be noted in the House of Representatives where not a single vote for SB 172 came from Republicans, but all 44 nay votes were cast by GOP House members (Source: State of Illinois House Journal. Ninety-Eighth General Assembly, 151st Legislative Day [<http://ilga.gov>]).

²During the 2014 general election the State implemented a pilot program for election-day and same-day registration during the early in-person voting period. The grace period registration provisions in the statute, however, were not permanent. Passage of SB 172 made grace period registration through the date of the election permanent. During the 2014 election, EDR was only available in each county at county election office or permanent polling places established under Section 19A-10. For more information on the 2014 law and its implementation see Illinois Public Act 098-0691.

³Source: Illinois State Board of Elections at www.elections.il.gov/Downloads/ElectionInformation/PDF/2016ElectionSchedule.pdf.

⁴See 10 ILCS 5/4-50; 10 ILCS 5/5-50; 10 ILCS 5/6-100; and 10 ILCS 5/19A-10.

⁵This type of site is required only if the county clerk's office is not located in the same municipality. See 10 ILCS 5/4-50; 10 ILCS 5/5-50; and 10 ILCS 5/6-100.

As noted, the Illinois statute guiding the implementation of EDR clearly differs depending on the type of county in which a citizen resides. Citizens living in counties with total populations exceeding 100,000 will have access to EDR at all voting precincts. Conversely, it is highly likely that citizens residing in counties with smaller population counts will not have the same access to EDR sites—under some scenarios the only EDR location in a county would be the county clerk’s office. Illinois has a total of 102 counties, 20 (19.6%) have population counts that exceed 100,000 and 82 (80.4%) are below that threshold. The top twenty counties account for 83.9% of the state’s total population and the remaining counties make up 16.1% of total population.⁶ A table located in the appendix lists Illinois’ counties and their population counts.

⁶U.S. Census. 2010-2014 American Community Study. Table B01003: Total Population.

IV. ELECTION-DAY REGISTRATION STATE COMPARISON

In addition to Illinois, eleven other states and the District of Columbia will offer election-day registration during the 2016 general election.⁷ These states are catalogued in Table 1 below. In addition, the table also details the locations where voters may exercise the EDR option within their respective states. Eight of the twelve allow electors to register and vote at their precinct polling location on election-day. In these states (and the District of Columbia) all voting precincts can concomitantly serve as EDR sites.

Four states in Table 1 use another system to implement EDR. Most voting in Colorado is carried out through the mail. Voters can, however, cast a ballot in-person at what is known as a voter service polling center on election-day. Any Colorado citizen may also register to vote on election-day at a center within their respective county of residence.⁸ In Connecticut, towns serve as the point implementation for elections. Each town in the state also contains one designated EDR site.⁹ A similar system is also employed in Maine where each city or town has a designated EDR site, typically located at city hall or the town office. Finally, in Montana EDR is available at the elections office in each county.¹⁰

In comparing Illinois to these other states it is readily apparent that Illinois is the only state that employs a two-tiered system for EDR based on where a voter may reside. Two-thirds of the states in Table 1 make EDR available to all electors regardless of location (i.e. all precinct polling locations). Four other states do employ a different system for EDR, however, they are similar from the standpoint that a uniform system is utilized throughout. Illinois stands alone then in the manner in which it has chosen to implement election-day registration.

Table 1. Election-Day Registration States, 2016

| State | EDR Locations | Availability |
|--------------|--|---------------------|
| Colorado | Voter Service Polling Center ¹¹ | All |
| Connecticut | Designated EDR Location ¹² | All |

⁷North Dakota technically does not have voter registration, therefore, one could argue about the state should be classified. Since any qualified elector can appear at the polls on election-day and cast a ballot North Dakota is functionally equivalent to an EDR state (North Dakota Secretary of State [sos.nd.gov]).

⁸Every county in Colorado has at least one voter service polling center. For more information on the manner in which elections are administered in Colorado see the Colorado Secretary of State website at: www.sos.state.co.us.

⁹For more information on the manner in which elections are administered in Connecticut see the Connecticut Secretary of State website at: www.ct.gov/sots.

¹⁰See Montana Secretary of State (www.sos.mt.gov).

¹¹Colorado Secretary of State (www.sos.state.co.us).

¹²Connecticut Secretary of State (www.ct.gov/sots).

| | | |
|----------------------|---|-----|
| District of Columbia | Precinct Polling Location ¹³ | All |
| Idaho | Precinct Polling Location ¹⁴ | All |
| Iowa | Precinct Polling Location ¹⁵ | All |
| Maine | Town Office or City Hall ¹⁶ | All |
| Minnesota | Precinct Polling Location ¹⁷ | All |
| Montana | County Election Office ¹⁸ | All |
| New Hampshire | Precinct Polling Location ¹⁹ | All |
| North Dakota | Precinct Polling Location ²⁰ | All |
| Wisconsin | Precinct Polling Location ²¹ | All |
| Wyoming | Precinct Polling Location ²² | All |

¹³District of Columbia, Board of Elections (www.dcboee.org).

¹⁴Idaho Secretary of State (www.idahovotes.gov).

¹⁵Iowa Secretary of State (sos.iowa.gov/elections).

¹⁶Bureau of Corporations, Elections, and Commissions, Maine Secretary of State (www.maine.gov/sos/cec).

¹⁷Minnesota Secretary of State (www.sos.state.mn.us).

¹⁸Montana Secretary of State (www.sos.mt.gov).

¹⁹New Hampshire Secretary of State (sos.nh.gov).

²⁰North Dakota Secretary of State (sos.nd.gov).

²¹Wisconsin Government Accountability Board (www.gab.wi.gov).

²²Wyoming Secretary of State (soswy.state.wy.us).

V. ACADEMIC REVIEW OF ELECTION-DAY REGISTRATION

In this section I will review what the academic literature has to say on the effect of election-day registration on voter turnout and, second, which groups in the electorate may benefit from the implementation of EDR.

The Effects of Election-Day Registration on Overall Turnout

For this section of my report I reviewed a number of peer-reviewed articles and two university press books that examined the effect of election-day registration on voter turnout. The linkage between election-day registration and a potential positive effect on voter turnout is both straightforward and intuitive.²³ Requiring citizens to register to vote imposes a *cost* on political participation.²⁴ For example, Burden and Neiheisel argue that requiring citizens to register to vote reduces turnout by 1.7 percentage points. This negative relationship is what they term the *pure effect of registration*, literally the requirement that citizens must register to vote independent of other factors related to registration such as closing dates and residency requirements.²⁵

Different types of registration schemes, however, will act to increase or decrease voter costs. Voters in a state with a registration closing date thirty days before election-day face greater costs in terms of registration as compared to voters in a state with a five-day closing date. States offering election-day registration have reduced the effective closing day for registering to zero (i.e. the date of the election). Additionally, the costs of participation for citizens under EDR are further reduced because one can both register and cast a ballot at the same location and time. To the extent then that EDR helps reduce the costs of participation as compared to other systems/requirements for registration, one would hypothesize that citizens with this option would participate at higher rates. In a similar vein, where one can exercise the election-day registration option might also be linked to different costs. A citizen who could register and vote on election-day at their precinct polling location might face lower costs than a citizen whose only option is to travel to the county elections office in order to exercise the EDR option.

²³For a more detailed overview of this topic see: Benjamin Highton. 2004. "Voter Registration and Turnout in the United States." *Perspectives on Politics* 2(3): 507-515.

²⁴Here I am not referring to a monetary cost, but to the time and effort required to participate.

²⁵Barry C. Burden and Jacob R. Neiheisel. 2011. "Election Administration and the Pure Effect of Voter Registration on Turnout." *Political Research Quarterly* 66(1): 77-90. Burden and Neiheisel compare municipalities in Wisconsin that were required to begin voter registration due to a change in state law to those where the registration requirement had been in effect previously. At the time of the statewide registration requirement, EDR was available to citizens anywhere in the state (both municipalities that had previously required registration and those which had not. For additional work on the topic of requiring voter registration see also Stephen Ansolabehere and David M. Konisky. 2006. "The Introduction of Voter Registration and Its Effect on Turnout." *Political Analysis* 14(1): 3-100.

Quite a number of peer-reviewed academic studies have examined the relationship between election-day registration and turnout. Having reviewed these studies, I can state that a general consensus exists that EDR has a positive effect on turnout. In fact, I was unable to locate any published study that did not find a positive effect for this election reform. This conclusion would appear to be quite robust as it holds across a range of studies that rely on different research designs, data, time periods, election types, and empirical testing.²⁶ While scholars agree that EDR increases turnout, the size of the estimated effect does vary across these studies. As Leighley and Nagler note in their book, most studies show an increase in overall voter turnout associated with EDR of three to five percentage points.²⁷ Such an effect is certainly not inconsequential as other election reforms have failed to produce a positive effect on turnout. Some popular reforms, such as in-person early voting, have even been linked to negative turnout effects. One of the more recently published articles I reviewed for this report involved a comprehensive effort to simultaneously compare various election reforms (e.g. EDR, early in-person voting) and their effect on turnout across states. The authors conclude that the *only consistent way to increase turnout is to permit Election Day registration*.²⁸ One article I reviewed is particularly relevant to election-day registration in Illinois. Larocca and Klemanski take into account where citizens are allowed to use election-day registration by distinguishing between *polling place* EDR and *centralized* EDR. These researchers also examine the interplay of EDR location with residency and age, hypothesizing that election-day registration may be particularly helpful to younger citizens and recent movers.

²⁶**The following studies found a positive relationship between election-day registration and turnout:** Barry C. Burden, David T. Cannon, Kenneth R. Mayer, and Donald P. Moynihan. 2013. "Election Laws, Mobilization, and Turnout: The Unanticipated Consequences of Election Reform." *American Journal of Political Science* 58(1): 95-109; Roger Larocca and John S. Klemanski. 2011. "U.S. State Election Reform and Turnout in Presidential Elections." *State Politics and Policy Quarterly* 11(1): 76-101; Jacob R. Neiheisel and Barry C. Burden. 2012. "The Impact of Election Day Registration on Voter Turnout and Election Outcomes." *American Politics Research* 40(4): 636-664; Mary Fitzgerald. 2005. "Greater Convenience But Not Greater Turnout." *American Politics Research* 33(6): 842-867; Jan E. Leighley and Jonathan Nagler. 2014. *Who Votes Now? Demographics, Issues, Inequality, and Turnout in the United States*. Princeton: Princeton University Press; Mark J. Fenster. 1994. "The Impact of Allowing Day of Registration Voting on Turnout in U.S. Elections from 1960 to 1992." *American Politics Quarterly* 22(1): 74-87; Staci L. Rhine. 1995. "Registration Reform and Turnout Change in the American States." *American Politics Quarterly* 23(4): 409-426; Benjamin Highton and Raymond E. Wolfinger. 1998. "Estimating the Effects of the National Voter Registration Act of 1993." *Political Behavior* 20(2): 79-104; Greg Vonnahme. 2012. "Registration Deadlines and Turnout in Context." *Political Behavior* 34(4): 765-779; Michael P. McDonald. 2008. "Portable Voter Registration." *Political Behavior* 30(4): 491-501; Stephen Knack. 2001. "Election-Day Registration." *American Politics Research* 29(1): 65-78; Craig Leonard Brians and Bernard Grofman. 2001. "Election Day Registration's Effect on U.S. Voter Turnout." *Social Science Quarterly* 82(1) 170-183; and Michael J. Hanmer. 2009. *Discount Voting: Voter Registration Reforms and Their Effects*. Cambridge: Cambridge University Press.

²⁷Jan E. Leighley and Jonathan Nagler. 2014. *Who Votes Now? Demographics, Issues, Inequality, and Turnout in the United States*. Princeton: Princeton University Press.

²⁸Barry C. Burden, David T. Cannon, Kenneth R. Mayer, and Donald P. Moynihan. 2013. "Election Laws, Mobilization, and Turnout: The Unanticipated Consequences of Election Reform." *American Journal of Political Science* 58(1): 95-109. Quoted material from page 108.

Overall, Larocca and Klemanski conclude, *[o]ur results suggest that both polling-place and centralized Election Day registration are generally associated with a consistently higher likelihood of voting.* This positive turnout effect, however, is less consistent across age and residential groupings for the centralized variant of EDR. Dividing registrants into nine categories to denote age cohort, length of residency, and election-cycle the positive effect of centralized EDR on turnout is statistically significant for only ten of these eighteen groups, or 56%. Conversely, precinct EDR was shown to exert a statistically significant effect on turnout for seventeen of the eighteen groups analyzed (94%). On this point they state, *[w]e find that polling-place Election Day registration does increase the probability of voting by new residents across all age groups and elections. Centralized Election Day registration seems to increase the probability of voting only for respondents 26 to 64 years of age who have lived in their residence for some time.*²⁹

Larocca and Klemanski provide comprehensive empirical evidence that while both centralized and precinct EDR may produce positive effects on voter turnout, it is the later where the effects are more encompassing and consistent. This findings appears to especially be the case for groups who may be more likely to turn to the election-day registration option, namely the young and residentially mobile. If one were to apply these findings to Illinois, it is quite possible voters in larger counties with precinct EDR would benefit to a larger extent from this reform option than would voters in smaller counties using centralized EDR.

Who Benefits from Election-Day Registration?

If the academic consensus is that EDR increases voter turnout, then the logical follow-up question becomes exactly what type of voter benefits from this option? A number of academic studies have indeed looked into this question. Unlike the consensus regarding EDR and turnout, however, there is no overarching agreement among scholars on this particular question. However, I can point to a few patterns of commonality that have emerged.

There are two schools of thought relating to election-day registration and exactly who may be affected. The first theorizes that EDR should benefit those citizens with the fewest resources. This category might include new or first-time voters and/or those with lower income and education levels (sometimes termed socio-economic status or abbreviated as SES). A second line of reasoning is that EDR helps to mobilize marginal voters who exhibit some degree of political interest and who possess at least some resources (moderate income and education levels). Regardless of the presence of EDR, those with little interest and/or resources are unlikely to participate and those at the opposite end of the spectrum are already predisposed to vote, leaving this mid-range group the most likely to be affected by the ability to register through the date of the election.³⁰ In summary, there is some empirical evidence to support both of these theories.

²⁹Roger Larocca and John S. Klemanski. 2011. "U.S. State Election Reform and Turnout in Presidential Elections." *State Politics and Policy Quarterly* 11(1): 76-101. Quoted material from pages 96-97. See also especially Table 2 (p. 90) which houses the bulk of reported results.

³⁰Benjamin Highton. 2004. "Voter Registration and Turnout in the United States." *Perspectives on Politics* 2(3): 507-515.

In support of an EDR effect on those voters with fewer resources, a number of studies have found empirical evidence that that election-day registration boosts turnout rates of the young³¹ and those who have recently moved.³² Likewise, there is also some evidence that those citizens with lower income and education levels may disproportionately benefit from the presence of election-day registration.³³ On the question of socio-economic status, however, a preponderance of studies support the theory that voters with mid-range SES levels are more likely the beneficiaries of election-day registration. In most of the studies reviewed these voters have incomes just below the median and a high school degree or some college.³⁴

Only one study I reviewed sought to determine the partisan implications of election-day registration. Neiheisel and Burden examine the effects of EDR in Wisconsin on the change in presidential voting patterns from 1972 to 1976. Their study finds that implementation of EDR in the state decreased the Democratic share of the vote for president by several percentage points. This partisan effect is moderated, however, in heavily (majority) Democratic areas. It should be also be noted that this effect has not been subject to additional empirical testing across other contexts and/or elections.³⁵

Who benefits from election-day registration? The bulk of evidence would point to the young, the residentially mobile, and those with moderate levels of income and education.

³¹See Michael J. Hanmer. 2009. *Discount Voting: Voter Registration Reforms and Their Effects*. Cambridge: Cambridge University Press; Roger Larocca and John S. Klemanski. 2011. "U.S. State Election Reform and Turnout in Presidential Elections." *State Politics and Policy Quarterly* 11(1): 76-101; Benjamin Highton and Raymond E. Wolfinger. 1998. "Estimating the Effects of the National Voter Registration Act of 1993." *Political Behavior* 20(2): 79-104; Stephen Knack and James White. 2000. "Election-Day Registration and Turnout Inequality." *Political Behavior* 22(1): 29-44; and Jan E. Leighley and Jonathan Nagler. 2014. *Who Votes Now? Demographics, Issues, Inequality, and Turnout in the United States*. Princeton: Princeton University Press.

³²See Roger Larocca and John S. Klemanski. 2011. "U.S. State Election Reform and Turnout in Presidential Elections." *State Politics and Policy Quarterly* 11(1): 76-101; Benjamin Highton and Raymond E. Wolfinger. 1998. "Estimating the Effects of the National Voter Registration Act of 1993." *Political Behavior* 20(2): 79-104; Stephen Knack and James White. 2000. "Election-Day Registration and Turnout Inequality." *Political Behavior* 22(1): 29-44; and Michael P. McDonald. 2008. "Portable Voter Registration." *Political Behavior* 30(4): 491-501.

³³See Michael J. Hanmer. 2009. *Discount Voting: Voter Registration Reforms and Their Effects*. Cambridge: Cambridge University Press; Michael J. Hanmer. 2007 and "An Alternative Approach to Estimating Who is Most Likely to Respond to Changes in Registration Laws." *Political Behavior* 29(1): 1-20.

³⁴See Jan E. Leighley and Jonathan Nagler. 2014. *Who Votes Now? Demographics, Issues, Inequality, and Turnout in the United States*. Princeton: Princeton University Press; Benjamin Highton and Raymond E. Wolfinger. 1998. "Estimating the Effects of the National Voter Registration Act of 1993." *Political Behavior* 20(2): 79-104; Craig Leonard Brians and Bernard Grofman. 2001. "Election Day Registration's Effect on U.S. Voter Turnout." *Social Science Quarterly* 82(1) 170-183; and Craig Leonard Brians and Bernard Grofman. 1999. "When Registration Barriers Fall, Who Votes? An Empirical Test of a Rational Choice Model." *Public Choice* 99(1/2): 161-176.

³⁵Jacob R. Neiheisel and Barry C. Burden. 2012. "The Impact of Election Day Registration on Voter Turnout and Election Outcomes." *American Politics Research* 40(4): 636-664.

VI. THE PARTISAN EFFECTS OF ILLINOIS' ELECTION-DAY REGISTRATION STATUTE

Illinois is not a geographically homogenous state in terms of how partisans are distributed. As the state is an open primary state one cannot rely on partisan registration figures. Instead, I will use statewide election outcomes as a proxy to estimate partisanship. I collected data from the last ten years (six federal election cycles) for the following statewide contests: U.S. President, U.S. Senate, Governor/Lt. Governor, Attorney General, Comptroller, Treasurer, and Secretary of State. From 2004 through 2014 there were a total of 22 races available for analysis. The county-level returns collected were re-aggregated by county-type: counties with a total population exceeding 100,000 and those counties with a total population below 100,000.³⁶ For each election contest I then calculated the percentage of the two-party vote for the Democrat and, likewise, the percentage of the two-party vote for the Republican for each county group. These results are reported in Table 2 below.

Looking at the Democratic vote column for larger population counties one may note that for all elections, sans one, that the Democratic share of the two-party vote constituted a majority of votes cast. Conversely, the Republican share of the two-party vote for smaller counties equated to a majority for approximately two-thirds (64%) of the races examined. To get a better idea of the data patterns that may be present I calculated the mean two-party share of votes cast across the 22 elections by county group. These calculations are presented graphically in Figure 1. Democratic voting predominates in counties with a population above 100,000, garnering more than three-fifths (62.1%) of the two-party vote. Looking at counties with a population under 100,000 the GOP vote share is 54.1%. The difference between the average percentage of the Democratic (or Republican) vote by county size is 16.2%, which is statistically significant.³⁷ From the data gathered and analyzed in this section it is clear that the distribution of partisans in Illinois differs based on county population size.

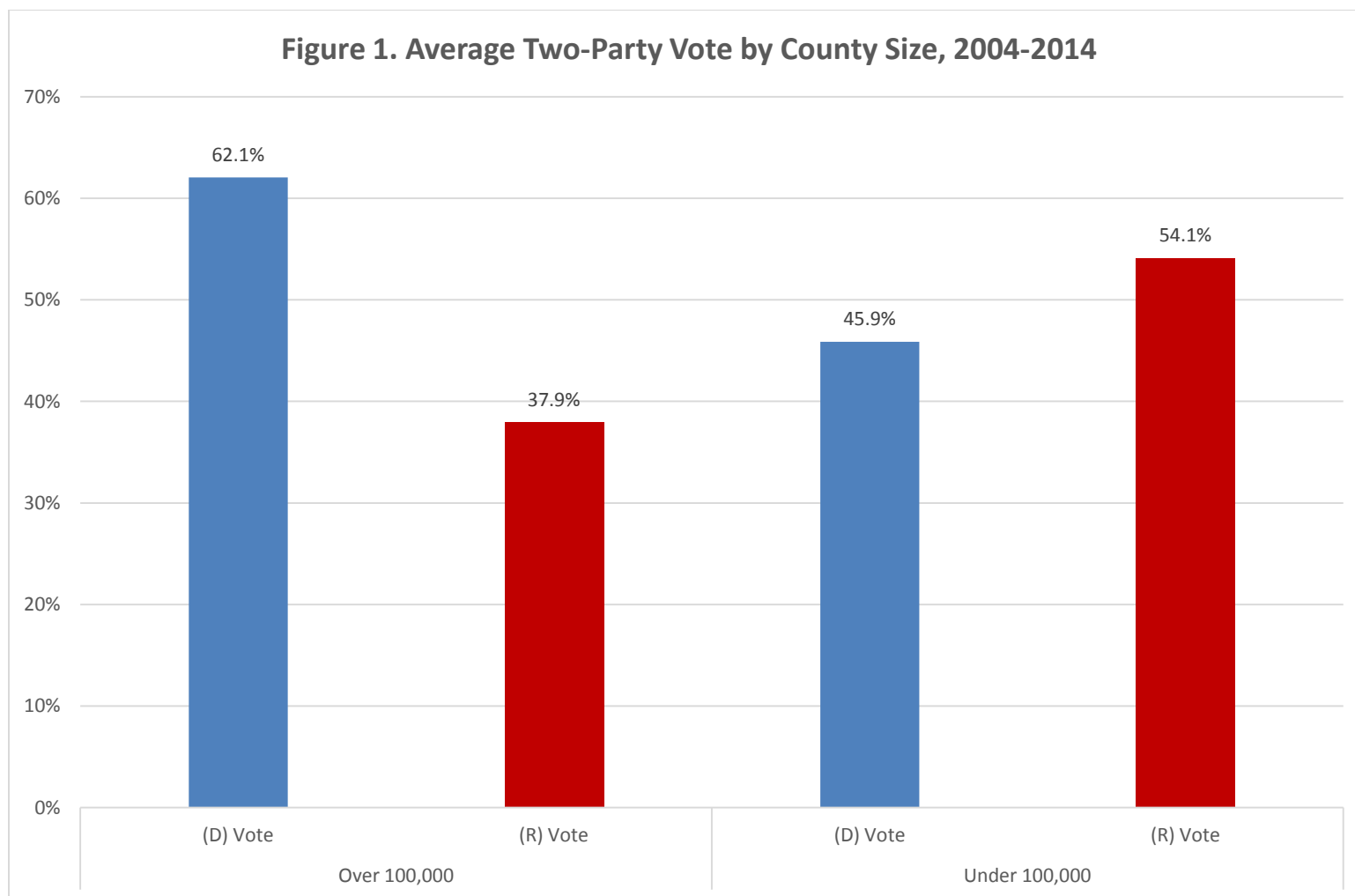
³⁶Election returns found at: <https://www.elections.il.gov/ElectionInformation/ElectionResults.aspx>.

³⁷A difference of means T-Test was performed comparing the mean vote Democratic vote share by county group (over 100,000 vs. under 100,000). A T-Test determines if the difference in mean values for two groups is statistically different from zero. If the difference is statistically significant (different from zero) then one can conclude with a high degree of confidence that the observed intergroup difference is real. The results indicate that the difference in the mean Democratic (or Republican) vote share for these county groups is statistically significant (t=-5.25; p=.001).

Table 2. Two-Party Vote by County Size-Illinois Statewide Elections, 2004-2014

| Election Cycle | Office | Over 100,00 | | Under 100,000 | |
|----------------|--------------------|--------------|--------------|---------------|--------------|
| | | (D) Vote | (R) Vote | (D) Vote | (R) Vote |
| 2014 | U.S. Senate | 59.0% | 41.0% | 40.5% | 59.5% |
| 2014 | Governor | 51.7% | 48.3% | 30.9% | 69.1% |
| 2014 | Attorney General | 64.7% | 35.3% | 45.2% | 54.8% |
| 2014 | Secretary of State | 70.6% | 29.4% | 54.8% | 45.2% |
| 2014 | Comptroller | 51.1% | 48.9% | 34.0% | 66.0% |
| 2014 | Treasurer | 53.3% | 46.7% | 36.2% | 63.8% |
| 2012 | President | 62.2% | 37.8% | 41.2% | 58.8% |
| 2010 | U.S. Senate | 52.9% | 47.1% | 32.4% | 67.6% |
| 2010 | Governor | 54.5% | 45.5% | 32.8% | 67.2% |
| 2010 | Attorney General | 70.0% | 30.0% | 54.5% | 45.5% |
| 2010 | Secretary of State | 74.5% | 25.5% | 61.7% | 38.3% |
| 2010 | Comptroller | 46.2% | 53.8% | 32.7% | 67.3% |
| 2010 | Treasurer | 50.6% | 49.4% | 34.5% | 65.5% |
| 2008 | President | 65.9% | 34.1% | 47.6% | 52.4% |
| 2008 | U.S. Senate | 72.4% | 27.6% | 61.0% | 39.0% |
| 2006 | Governor | 58.9% | 41.1% | 43.7% | 56.3% |
| 2006 | Attorney General | 77.4% | 22.6% | 64.7% | 35.3% |
| 2006 | Secretary of State | 68.1% | 31.9% | 55.1% | 44.9% |
| 2006 | Comptroller | 69.3% | 30.7% | 58.2% | 41.8% |
| 2006 | Treasurer | 59.1% | 40.9% | 46.6% | 53.4% |
| 2004 | President | 58.3% | 41.7% | 41.4% | 58.6% |
| 2004 | U.S. Senate | 74.8% | 25.2% | 59.8% | 40.2% |
| Mean | | 62.1% | 37.9% | 45.9% | 54.1% |

Source: Illinois State Board of Elections.



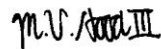
VII. OVERALL CONCLUSIONS

In implementing election-day registration the State of Illinois has created a two-tiered system dependent on the size of the county in question. During the 2016 general election access to the EDR option for citizens living in larger counties (over 100,000) will be far greater than for those citizens residing in smaller counties. In fact, among states allowing the EDR option in 2016 Illinois stands alone in failing to impose a uniform standard statewide. An overwhelming consensus has emerged in the academic literature that election-day registration increases turnout. Limiting access in 82 of the state's counties, therefore, will likely dampen any positive turnout effect relative to larger counties where EDR will be implemented at all voting precincts. Further, it has also been demonstrated that counties with diminished EDR access contain a larger proportion of Republican partisans. It is quite possible then that Illinois' EDR scheme will have the added effect of diminishing GOP votes.

VIII. DECLARATION

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge.

Executed on July 22, 2016.



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Table A. Illinois Population Counts by County, 2014

| County | Population |
|---------------|-------------------|
| Cook | 5,227,827 |
| DuPage | 926,485 |
| Lake | 703,170 |
| Will | 682,108 |
| Kane | 521,874 |
| McHenry | 307,888 |
| Winnebago | 292,026 |
| St. Clair | 268,415 |
| Madison | 267,937 |
| Champaign | 204,214 |
| Sangamon | 198,808 |
| Peoria | 187,197 |
| McLean | 172,390 |
| Rock Island | 146,964 |
| Tazewell | 135,872 |
| Kendall | 118,194 |
| LaSalle | 112,698 |
| Kankakee | 112,682 |
| Macon | 109,833 |
| DeKalb | 104,919 |
| Vermilion | 80,773 |
| Adams | 67,113 |
| Williamson | 66,808 |
| Jackson | 60,125 |
| Whiteside | 57,680 |
| Boone | 54,005 |
| Coles | 53,655 |
| Ogle | 52,782 |
| Knox | 52,447 |
| Grundy | 50,173 |
| Henry | 50,031 |
| Macoupin | 47,229 |
| Stephenson | 47,053 |
| Franklin | 39,774 |
| Woodford | 38,965 |
| Marion | 38,922 |
| Jefferson | 38,716 |
| Livingston | 38,476 |
| Clinton | 37,952 |
| Fulton | 36,616 |
| Morgan | 35,272 |
| Lee | 35,248 |
| Christian | 34,415 |

| | |
|------------|--------|
| Bureau | 34,361 |
| Effingham | 34,280 |
| Monroe | 33,373 |
| Randolph | 33,091 |
| McDonough | 32,388 |
| Logan | 30,047 |
| Montgomery | 29,740 |
| Iroquois | 29,272 |
| Saline | 24,876 |
| Jersey | 22,751 |
| Jo Daviess | 22,427 |
| Shelby | 22,216 |
| Fayette | 22,041 |
| Perry | 22,034 |
| Douglas | 19,867 |
| Crawford | 19,626 |
| Hancock | 18,808 |
| Edgar | 18,171 |
| Warren | 17,784 |
| Union | 17,620 |
| Bond | 17,571 |
| Lawrence | 16,726 |
| Wayne | 16,627 |
| Piatt | 16,552 |
| De Witt | 16,461 |
| Pike | 16,244 |
| Clark | 16,240 |
| Mercer | 16,204 |
| Richland | 16,144 |
| Massac | 15,148 |
| Carroll | 15,027 |
| Moultrie | 14,896 |
| White | 14,549 |
| Washington | 14,527 |
| Mason | 14,309 |
| Ford | 13,906 |
| Greene | 13,677 |
| Clay | 13,675 |
| Cass | 13,440 |
| Menard | 12,658 |
| Johnson | 12,650 |
| Marshall | 12,319 |
| Wabash | 11,730 |
| Cumberland | 10,950 |
| Jasper | 9,658 |
| Hamilton | 8,371 |

| | |
|--------------|-------------------|
| Alexander | 7,821 |
| Schuyler | 7,454 |
| Henderson | 7,074 |
| Brown | 6,878 |
| Edwards | 6,687 |
| Pulaski | 5,967 |
| Putnam | 5,895 |
| Stark | 5,888 |
| Gallatin | 5,439 |
| Scott | 5,260 |
| Calhoun | 5,033 |
| Pope | 4,362 |
| Hardin | 4,226 |
| Total | 12,868,747 |

Source: U.S. Census. 2010-2014 American Community Survey.

Curriculum Vitae
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Academic Positions

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Peer-Reviewed Books

The Rational Southerner: Black Mobilization, Republican Growth, and the Partisan Transformation of the American South. 2012. New York: Oxford University Press.
(Quentin Kidd and Irwin L. Morris, co-authors).
[Softcover version in 2014 with new Epilogue]

Peer-Reviewed Publications

"Race, Class, Religion and the Southern Party System: A Field Report from Dixie." 2016. *The Forum* 14(1): 83-96.

"Black Votes Count: The 2014 Republican Senate Nomination in Mississippi." 2016. *Social Science Quarterly*. (Seth C. McKee, coauthor).

- "Sunshine State Dilemma: Voting for the 2014 Governor of Florida." 2015. *Electoral Studies* 40: 293-299. (Seth C. McKee, co-author).
- "Tea Leaves and Southern Politics: Explaining Tea Party Support Among Southern Republicans." 2015. *Social Science Quarterly* 96(4): 923-940. (Quentin Kidd and Irwin L. Morris, co-authors).
- "True Colors: White Conservative Support for Minority Republican Candidates." 2015. *Public Opinion Quarterly* 79(1): 28-52. (Seth C. McKee, co-author).
- "Race and the Tea Party in the Old Dominion: Split-Ticket Voting in the 2013 Virginia Elections." 2015. *PS: Political Science and Politics* 48(1):107-114. (Quentin Kidd and Irwin L. Morris, co-authors).
- "The Damnedest Mess: An Empirical Evaluation of the 1966 Georgia Gubernatorial Election." Forthcoming 2014. *Social Science Quarterly* 96(1):104-118. (Charles S. Bullock, III, co-author).
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[Winner of the 2014 Hahn-Sigelman Prize]
- "Strategic Voting in a U.S. Senate Election." 2013. *Political Behavior* 35(4):729-751. (Seth C. McKee, co-author).
- "Unwelcome Constituents: Redistricting and Countervailing Partisan Tides." 2013. *State Politics and Policy Quarterly* 13(2):203-224. (Seth C. McKee, co-author).
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- "Achieving Validation: Barack Obama and Black Turnout in 2008." 2012. *State Politics and Policy Quarterly* 12:3-22. (Seth C. McKee and David Hill, co-authors).
- "They Just Don't Vote Like They Used To: A Methodology to Empirically Assess Election Fraud." 2012. *Social Science Quarterly* 93:76-94. (William Gillespie, co-author).
- "An Examination of Efforts to Encourage the Incidence of Early In-Person Voting in Georgia, 2008." 2011. *Election Law Journal* 10:103-113. (Charles S. Bullock, III, co-author).

- “What Made Carolina Blue? In-migration and the 2008 North Carolina Presidential Vote.” 2010. *American Politics Research* 38:266-302. (Seth C. McKee, co-author).
- “Stranger Danger: Redistricting, Incumbent Recognition, and Vote Choice.” 2010. *Social Science Quarterly* 91:344-358. (Seth C. McKee, co-author).
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- “Citizen, Defend Thyself: An Individual-Level Analysis of Concealed-Weapon Permit Holders.” 2009. *Criminal Justice Studies* 22:73-89. (Grant W. Neeley, co-author).
- “Two Sides of the Same Coin?: Employing Granger Causality Tests in a Time Series Cross-Section Framework.” 2008. *Political Analysis* 16:324-344. (Quentin Kidd and Irwin L. Morris, co-authors).
- “Worth a Thousand Words? : An Analysis of Georgia’s Voter Identification Statute.” 2008. *American Politics Research* 36:555-579. (Charles S. Bullock, III, co-author).
- “Gerrymandering on Georgia’s Mind: The Effects of Redistricting on Vote Choice in the 2006 Midterm Election.” 2008. *Social Science Quarterly* 89:60-77 (Seth C. McKee, co-author).
- “Examining Methods for Identifying Latino Voters.” 2007. *Election Law Journal* 6:202-208. (Charles S. Bullock, III, co-author).
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- “One Person, [No Vote; One Vote; Two Votes...]: Voting Methods, Ballot Types, and Undervote Frequency in the 2000 Presidential Election.” 2002. *Social Science Quarterly* 83:981-993. (Charles S. Bullock, III, co-author).

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- “The Key Issue: Constituency Effects and Southern Senators’ Roll-Call Voting on Civil Rights.” 2001. *Legislative Studies Quarterly* 26: 599-621. (Quentin Kidd and Irwin Morris, co-authors).
- “Packin’ in the Hood?: Examining Assumptions Underlying Concealed-Handgun Research.” 2000. *Social Science Quarterly* 81:523-537. (Grant Neeley, co-author).
- “Brother, Can You Spare a Dime? Racial/Ethnic Context and the Anglo Vote on Proposition 187.” 2000. *Social Science Quarterly* 81:194-206. (Irwin Morris, co-author).
- “Penny Pinching or Politics? The Line-Item Veto and Military Construction Appropriations.” 1999. *Political Research Quarterly* 52:753-766. (Irwin Morris and Grant Neeley, co-authors).
- “Of Byrds[s] and Bumpers: Using Democratic Senators to Analyze Political Change in the South, 1960-1995.” 1999. *American Journal of Political Science* 43:465-487. (Quentin Kidd and Irwin Morris, co-authors).
- “Bugs in the NRC’s Doctoral Program Evaluation Data: From Mites to Hissing Cockroaches.” 1998. *PS* 31:829-835. (Nelson Dometrius, Quentin Kidd, and Kurt Shirkey, co-authors).
- “Boll Weevils and Roll-Call Voting: A Study in Time and Space.” 1998. *Legislative Studies Quarterly* 23:245-269. (Irwin Morris, co-author).
- “Give Us Your Tired, Your Poor,...But Make Sure They Have a Green Card: The Effects of Documented and Undocumented Migrant Context on Anglo Opinion Towards Immigration.” 1998. *Political Behavior* 20:1-16. (Irwin Morris, co-author).
- “¡Quedate o Vente!: Uncovering the Determinants of Hispanic Public Opinion Towards Immigration.” 1997. *Political Research Quarterly* 50:627-647. (Irwin Morris and Kurt Shirkey, co-authors).
- “¿Amigo o Enemigo?: Context, Attitudes, and Anglo Public Opinion toward Immigration.” 1997. *Social Science Quarterly* 78: 309-323. (Irwin Morris, co-author).

Invited Publications

- “Race and the Ideological Transformation of the Democratic Party: Evidence from the Bayou State.” 2005. *American Review of Politics* 25:67-78.

Book Chapters

- “The Participatory Consequences of Florida Redistricting.” 2015. In *Jigsaw Puzzle Politics in the Sunshine State*, Seth C. McKee, editor. Gainesville, FL: University of Florida Press. (Danny Hayes and Seth C. McKee, co-authors).
- “Texas: Political Change by the Numbers.” 2014. In *The New Politics of the Old South*, 5th ed., Charles S. Bullock, III and Mark J. Rozell, editors. New York: Rowman and Littlefield Publishers, Inc. (Seth C. McKee, co-author).
- “The Republican Party in the South.” 2012. In *Oxford Handbook of Southern Politics*, Charles S. Bullock, III and Mark J. Rozell, editors. New York: Oxford University Press. (Quentin Kidd and Irwin Morris, co-authors).
- “The Reintroduction of the *Elephas maximus* to the Southern United States: The Rise of Republican State Parties, 1960-2000.” 2010. In *Controversies in Voting Behavior*, 5th ed., David Kimball, Richard G. Niemi, and Herbert F. Weisberg, editors. Washington, DC: CQ Press. (Quentin Kidd and Irwin Morris, co-authors).
[Reprint of 2004 *APR* article with Epilogue containing updated analysis and other original material.]
- “The Texas Governors.” 1997. In *Texas Policy and Politics*, Mark Somma, editor. Needham Heights, MA: Simon & Schuster.

Other Publications

- “Provisionally Admitted College Students: Do They Belong in a Research University?” 1998. In *Developmental Education: Preparing Successful College Students*, Jeanne Higbee and Patricia L. Dwinell, editors. Columbia, SC: National Resource Center for the First-Year Experience & Students in Transition (Don Garnett, co-author).
- NES Technical Report No. 52. 1994. “The Reliability, Validity, and Scalability of the Indicators of Gender Role Beliefs and Feminism in the 1992 American National Election Study: A Report to the ANES Board of Overseers.” (Sue Tolleson-Rinehart, Douglas R. Davenport, Terry L. Gilmour, William R. Moore, Kurt Shirkey, co-authors).

Grant-funded Research (UGA)

- Co-Principal Investigator. “An Examination of Non-Precinct Voting in the State of Georgia.” Budget: \$47,000. October 2008-July 2009. (with Charles S. Bullock, III). Funded by the Pew Charitable Trust.
- Co-Principal Investigator. “The Best Judges Money Can Buy?: Campaign Contributions and the Texas Supreme Court.” (SES-0615838) Total Budget: \$166,576; UGA Share: \$69,974. September 2006-August 2008. (with Craig F. Emmert). Funded by the National Science Foundation. REU Supplemental Award (2008-2009): \$6,300.

Principal Investigator. "Payola Justice or Just Plain 'Ole Politics Texas-Style?: Campaign Finance and the Texas Supreme Court." \$5,175. January 2000-Januray 2001. Funded by the University of Georgia Research Foundation, Inc.

Curriculum Grants (UGA)

Learning Technology Grant: "Converting Ideas Into Effective Action: An Interactive Computer and Classroom Simulation for the Teaching of American Politics." \$40,000. January-December 2004. (with Loch Johnson). Funded by the Office of Instructional Support and Technology, University of Georgia.

Dissertation

"Capturing Bubba's Heart and Mind: Group Consciousness and the Political Identification of Southern White Males, 1972-1994."

Chair: Professor Sue Tolleson-Rinehart

Papers and Activities at Professional Meetings

"Racial Resentment and the Tea Party: Taking Regional Differences Seriously." (with Quentin Kidd an Irwin L. Morris). 2015. Poster presented at the Annual Meeting of the American Political Science Association. San Francisco, CA.

"Race and the Tea Party in the Palmetto State: Tim Scott, Nikki Haley, Bakari Sellers and the 2014 Elections in South Carolina." (with Quentin Kidd an Irwin L. Morris). 2015. Presented at the Annual Meeting of the Southern Political Science Association. New Orleans, LA.

Participant. Roundtable on the 2014 Midterm Elections in the Deep South. Annual Meeting of the Southern Political Science Association. New Orleans, LA.

"Race and the Tea Party in the Old Dominion: Split-Ticket Voting in the 2013 Virginia Elections." (with Irwin L. Morris and Quentin Kidd). 2014. Paper presented at the Citadel Symposium on Southern Politics. Charleston, SC.

"Race and the Tea Party in the Old Dominion: Down-Ticket Voting and Roll-Off in the 2013 Virginia Elections." (with Irwin L. Morris and Quentin Kidd). 2014. Paper presented at the Annual Meeting of the Southern Political Science Association. New Orleans, LA.

"Tea Leaves and Southern Politics: Explaining Tea Party Support Among Southern Republicans." (with Irwin L. Morris and Quentin Kidd). 2013. Paper presented at the Annual Meeting of the Southern Political Science Association. Orlando, FL.

"The Tea Party and the Southern GOP." (with Irwin L. Morris and Quentin Kidd). 2012. Research presented at the Effects of the 2012 Elections Conference. Athens, GA.

- “Black Mobilization in the Modern South: When Does Empowerment Matter?” (with Irwin L. Morris and Quentin Kidd). 2012. Paper presented at the Citadel Symposium on Southern Politics. Charleston, SC.
- “The Legislature Chooses a Governor: Georgia’s 1966 Gubernatorial Election.” (with Charles S. Bullock, III). 2012. Paper presented at the Citadel Symposium on Southern Politics. Charleston, SC.
- “One-Stop to Victory? North Carolina, Obama, and the 2008 General Election.” (with Justin Bullock, Paul Carlsen, Perry Joiner, and Mark Owens). 2011. Paper presented at the Annual Meeting of the Southern Political Science Association. New Orleans.
- “Redistricting and Turnout in Black and White.” (with Seth C. McKee and Danny Hayes). 2011. Paper presented at the Annual Meeting of the Midwest Political Science Association. Chicago, IL.
- “One-Stop to Victory? North Carolina, Obama, and the 2008 General Election.” (with Justin Bullock, Paul Carlsen, Perry Joiner, Jeni McDermott, and Mark Owens). 2011. Paper presented at the Annual Meeting of the Midwest Political Science Association Meeting. Chicago, IL.
- “Strategic Voting in the 2010 Florida Senate Election.” (with Seth C. McKee). 2011. Paper Presented at the Annual Meeting of the Florida Political Science Association. Jupiter, FL.
- “The Republican Bottleneck: Congressional Emergence Patterns in a Changing South.” (with Christian R. Grose and Seth C. McKee). Paper presented at the Annual Meeting of the Southern Political Science Association. New Orleans, LA.
- “Capturing the Obama Effect: Black Turnout in Presidential Elections.” (with David Hill and Seth C. McKee) 2010. Paper presented at the Annual Meeting of the Florida Political Science Association. Jacksonville, FL.
- “The Republican Bottleneck: Congressional Emergence Patterns in a Changing South.” (with Seth C. McKee and Christian R. Grose). 2010. Paper presented at the Citadel Symposium on Southern Politics. Charleston, SC.
- “Black Mobilization and Republican Growth in the American South: The More Things Change the More They Stay the Same?” (with Quentin Kidd and Irwin L. Morris). 2010. Paper presented at the Citadel Symposium on Southern Politics. Charleston, SC.
- “Unwelcome Constituents: Redistricting and Incumbent Vote Shares.” (with Seth C. McKee). 2010. Paper presented at the Annual Meeting of the Southern Political Science Association. Atlanta, GA.

- “Black Mobilization and Republican Growth in the American South: The More Things Change the More They Stay the Same?” (with Quentin Kidd and Irwin L. Morris). 2010. Paper presented at the Annual Meeting of the Southern Political Science Association. Atlanta, GA.
- “The Impact of Efforts to Increase Early Voting in Georgia, 2008.” (With Charles S. Bullock, III). 2009. Presentation made at the Annual Meeting of the Georgia Political Science Association. Callaway Gardens, GA.
- “Encouraging Non-Precinct Voting in Georgia, 2008.” (With Charles S. Bullock, III). 2009. Presentation made at the Time-Shifting The Vote Conference. Reed College, Portland, OR.
- “What Made Carolina Blue? In-migration and the 2008 North Carolina Presidential Vote.” (with Seth C. McKee). 2009. Paper presented at the Annual Meeting of the Florida Political Science Association. Orlando, FL.
- “Swimming with the Tide: Redistricting and Voter Choice in the 2006 Midterm.” (with Seth C. McKee). 2009. Paper presented at the Annual Meeting of the Midwest Political Science Association. Chicago.
- “The Effect of the Partisan Press on U.S. House Elections, 1800-1820.” (with Jamie Carson). 2008. Paper presented at the Annual Meeting of the History of Congress Conference. Washington, D.C.
- “Backward Mapping: Exploring Questions of Representation via Spatial Analysis of Historical Congressional Districts.” (Michael Crespin). 2008. Paper presented at the Annual Meeting of the History of Congress Conference. Washington, D.C.
- “The Effect of the Partisan Press on U.S. House Elections, 1800-1820.” (with Jamie Carson). 2008. Paper presented at the Annual Meeting of the Midwest Political Science Association. Chicago.
- “The Rational Southerner: The Local Logic of Partisan Transformation in the South.” (with Quentin Kidd and Irwin L. Morris). 2008. Paper presented at the Citadel Symposium on Southern Politics. Charleston, SC.
- “Stranger Danger: The Influence of Redistricting on Candidate Recognition and Vote Choice.” (with Seth C. McKee). 2008. Paper presented at the Annual Meeting of the Southern Political Science Association. New Orleans.
- “Backward Mapping: Exploring Questions of Representation via Spatial Analysis of Historical Congressional Districts.” (with Michael Crespin). 2007. Paper presented at the Annual Meeting of the American Political Science Association. Chicago.
- “Worth a Thousand Words? : An Analysis of Georgia’s Voter Identification Statute.” (with Charles S. Bullock, III). 2007. Paper presented at the Annual Meeting of the Southwestern Political Science Association. Albuquerque.

- “Gerrymandering on Georgia’s Mind: The Effects of Redistricting on Vote Choice in the 2006 Midterm Election.” (with Seth C. McKee). 2007. Paper presented at the Annual Meeting of The Southern Political Science Association. New Orleans.
- “Personalismo Politics: Partisanship, Presidential Popularity and 21st Century Southern Politics.” (with Quentin Kidd and Irwin L. Morris). 2006. Paper presented at the Annual Meeting of the American Political Science Association. Philadelphia.
- “Explaining Soft Money Transfers in State Gubernatorial Elections.” (with William Gillespie and Troy Gibson). 2006. Paper presented at the Annual Meeting of the Midwest Political Science Association. Chicago.
- “Two Sides of the Same Coin?: A Panel Granger Analysis of Black Electoral Mobilization and GOP Growth in the South, 1960-2004.” (with Quentin Kidd and Irwin L. Morris). 2006. Paper presented at the Citadel Symposium on Southern Politics. Charleston, SC.
- “Hispanic Political Emergence in the Deep South, 2000-2004.” (With Charles S. Bullock, III). 2006. Paper presented at the Citadel Symposium on Southern Politics. Charleston.
- “Black Mobilization and the Growth of Southern Republicanism: Two Sides of the Same Coin?” (with Quentin Kidd and Irwin L. Morris). 2006. Paper presented at the Annual Meeting of the Southern Political Science Association. Atlanta.
- “Exploring the Linkage Between Black Turnout and Down-Ticket Challenges to Black Incumbents.” (With Troy M. Gibson). 2006. Paper presented at the Annual Meeting of the Southern Political Science Association. Atlanta.
- “Race and the Ideological Transformation of the Democratic Party: Evidence from the Bayou State.” 2004. Paper presented at the Biennial Meeting of the Citadel Southern Politics Symposium. Charleston.
- “Tracing the Evolution of Hispanic Political Emergence in the Deep South.” 2004. (Charles S. Bullock, III). Paper presented at the Biennial Meeting of the Citadel Southern Politics Symposium. Charleston.
- “Much Ado about Something? Religious Right Status in American Politics.” 2003. (With Mark C. Smith). Paper presented at the Annual Meeting of the Midwest Political Science Association. Chicago.
- “Tracking the Flow of Non-Federal Dollars in U. S. Senate Campaigns, 1992-2000.” 2003. (With Janna Deitz and William Gillespie). Paper presented at the Annual Meeting of the Midwest Political Science Association. Chicago.

- “PAC Cash and Votes: Can Money Rent a Vote?” 2002. (With William Gillespie). Paper presented at the Annual Meeting of the Southern Political Science Association. Savannah.
- “What Can Gubernatorial Elections Teach Us About American Politics?: Exploiting and Underutilized Resource.” 2002. (With Quentin Kidd and Irwin L. Morris). Paper presented at the Annual Meeting of the American Political Science Association. Boston.
- “I Know I Voted, But I’m Not Sure It Got Counted.” 2002. (With Charles S. Bullock, III and Richard Clark). Paper presented at the Annual Meeting of the Southwestern Social Science Association. New Orleans.
- “Race and Southern Gubernatorial Elections: A 50-Year Assessment.” 2002. (With Quentin Kidd and Irwin Morris). Paper presented at the Biennial Southern Politics Symposium. Charleston, SC.
- “Top-Down or Bottom-Up?: An Integrated Explanation of Two-Party Development in the South, 1960-2000.” 2001. Paper presented at the Annual Meeting of the Southern Political Science Association. Atlanta.
- “Cash, Congress, and Trade: Did Campaign Contributions Influence Congressional Support for Most Favored Nation Status in China?” 2001. (With William Gillespie). Paper presented at the Annual Meeting of the Southwestern Social Science Association. Fort Worth.
- “Key 50 Years Later: Understanding the Racial Dynamics of 21st Century Southern Politics” 2001. (With Quentin Kidd and Irwin Morris). Paper presented at the Annual Meeting of the Southern Political Science Association. Atlanta.
- “The VRA and Beyond: The Political Mobilization of African Americans in the Modern South.” 2001. (With Quentin Kidd and Irwin Morris). Paper presented at the Annual Meeting of the American Political Science Association. San Francisco.
- “Payola Justice or Just Plain ‘Ole Politics Texas Style?: Campaign Finance and the Texas Supreme Court.” 2001. (With Craig Emmert). Paper presented at the Annual Meeting of the Midwest Political Science Association. Chicago.
- “The VRA and Beyond: The Political Mobilization of African Americans in the Modern South.” 2000. (With Irwin Morris and Quentin Kidd). Paper presented at the Annual Meeting of the Southern Political Science Association. Atlanta.
- “Where Have All the Republicans Gone? A State-Level Study of Southern Republicanism.” 1999. (With Irwin Morris and Quentin Kidd). Paper presented at the Annual Meeting of the Southern Political Science Association. Savannah.
- “Elephants in Dixie: A State-Level Analysis of the Rise of the Republican Party in the Modern South.” 1999. (With Irwin Morris and Quentin Kidd). Paper presented at the Annual Meeting of the American Political Science Association. Atlanta.

- “Stimulant to Turnout or Merely a Convenience?: Developing an Early Voter Profile.” 1998. (With Quentin Kidd and Grant Neeley). Paper presented at the Annual Meeting of the Southern Political Science Association. Atlanta.
- “The Impact of the Texas Concealed Weapons Law on Crime Rates: A Policy Analysis for the City of Dallas, 1992-1997.” 1998. (With Grant W. Neeley). Paper presented to the Annual Meeting of the Midwest Political Science Association. Chicago.
- “Analyzing Anglo Voting on Proposition 187: Does Racial/Ethnic Context Really Matter?” 1997. (With Irwin Morris). Paper presented to the Annual Meeting of the Southern Political Science Association. Norfolk.
- “Capturing Bubba's Heart and Mind: Group Consciousness and the Political Identification of Southern White Males, 1972-1994.” 1997. Paper presented at the Annual Meeting of the Midwest Political Science Association. Chicago.
- “Of Byrds[s] and Bumpers: A Pooled Cross-Sectional Study of the Roll-Call Voting Behavior of Democratic Senators from the South, 1960-1995.” 1996. (With Quentin Kidd and Irwin Morris). Paper presented to the Annual Meeting of the Southern Political Science Association. Atlanta.
- “Pest Control: Southern Politics and the Eradication of the Boll Weevil.” 1996. (With Irwin Morris). Paper presented to the Annual Meeting of the American Political Science Association. San Francisco.
- “Fit for the Greater Functions of Politics: Gender, Participation, and Political Knowledge.” 1996. (With Terry Gilmour, Kurt Shirkey, and Sue Tolleson-Rinehart). Paper presented to the Annual Meeting of the Midwest Political Science Association. Chicago.
- “¿Amigo o Enemigo?: Racial Context, Attitudes, and White Public Opinion on Immigration.” 1996. (With Irwin Morris). Paper presented to the Annual Meeting of the Midwest Political Science Association. Chicago.
- “¿Quedate o Vente!: Uncovering the Determinants of Hispanic Public Opinion Towards Immigration.” 1996. (With Irwin Morris and Kurt Shirkey). Paper presented to the Annual Meeting of the Southwestern Political Science Association. Houston.
- “Downs Meets the Boll Weevil: When Southern Democrats Turn Left.” 1995. (With Irwin Morris). Paper presented to the Annual Meeting of the Southern Political Science Association. Tampa.
- “¿Amigo o Enemigo?: Ideological Dispositions of Whites Residing in Heavily Hispanic Areas.” 1995. (With Irwin Morris). Paper presented to the Annual Meeting of the Southern Political Science Association. Tampa.
- Chair. Panel titled “Congress and Interest Groups in Institutional Settings.” 1995. Annual Meeting of the Southwestern Political Science Association. Dallas.

“Death of the Boll Weevil?: The Decline of Conservative Democrats in the House.” 1995. (With Kurt Shirkey). Paper presented to the Annual Meeting of the Southwestern Political Science Association. Dallas.

“Capturing Bubba’s Heart and Mind: The Political Identification of Southern White Males.” 1994. (With Sue Tolleson-Rinehart). Paper presented to the Annual Meeting of the Southern Political Science Association. Atlanta.

Other Professional Presentations

“Much Adieu About Nothing?: An Empirical Assessment of Georgia’s Voter Identification Statute.” 2010. Presentation made to the Department of Political Science, Texas Tech University. Lubbock, TX.

“Report on the Aftermath of the 2010 Midterm Elections.” 2010. Presentation made to the Oconee County Republican Party. Watkinsville, GA.

“Non-Precinct Voting in Georgia-A Survey of Voters from the 2008 Election.” 2010. Presentation made to the Jeannette Rankin Foundation Program: The Life and Legacy of Jeannette Rankin: Championing Election Reform. Athens, GA.

“Non-Precinct Voting in Georgia, 2008.” (With Charles S. Bullock, III). Presentation made at the Annual Meeting of the Georgia Election Officials Association. Savannah.

Areas of Teaching Competence

American Politics: Behavior and Institutions
Public Policy
Scope, Methods, Techniques

Teaching Experience

University of Georgia, 1999-present.
Graduate Faculty, 2003-present.
Provisional Graduate Faculty, 2000-2003.
Distance Education Faculty, 2000-present.

Texas Tech University, 1993-1999.
Visiting Faculty, 1997-1999.
Graduate Faculty, 1998-1999.
Extended Studies Faculty, 1997-1999.
Teaching Assistant, 1993-1997.

Courses Taught:

Undergraduate:

American Government and Politics, American Government and Politics (Honors),
Legislative Process, Introduction to Political Analysis, American Public Policy, Political
Psychology, Advanced Simulations in American Politics (Honors), Southern Politics,
Southern Politics (Honors)

Graduate:

Election Administration and Related Issues, Political Parties and Interest Groups,
Legislative Process, Seminar in American Politics, Southern Politics; Publishing for Political
Science

Editorial Boards

Social Science Quarterly. Member. 2011-present.

Election Law Journal. Member. 2013-present.

Institutional Service (University-Level)

University Program Review Committee, 2009-2011.

Chair, 2010-2011

Vice-Chair, 2009-2010.

Graduate Council, 2005-2008.

Program Committee, 2005-2008.

Chair, Program Committee, 2007-2008.

University Libraries Committee, 2004-2014.

Search Committee for University Librarian and Associate Provost, 2014.