

How the Delegation of Voting Rights Affects the Measurement of Voting Behavior

Anna Bassi
Department of Politics
New York University
ab142@nyu.edu

Rebecca Morton
Department of Politics
New York University
rbm5@nyu.edu

Jessica Trounstine
Department of Politics
Princeton University
jtrounst@princeton.edu

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Abstract

There is substantial agreement in political science literature that election laws shape electoral outcomes. The existing literature assumes that election laws are implemented as written, but there is extensive anecdotal evidence that this is not the case. States delegate the administration of elections to county and municipal officials. We argue that these administrators are frequently unaware of or misinformed about the laws, granted insufficient resources to properly determine who is eligible (or ineligible) to vote, and have incentives to purposefully act in opposition to state and federal law. In order to test these claims we collected original data on the partisanship of local registrars and turnout in state elections. In a cross-sectional analysis we find that Democratic and Republican registrars increase turnout of their partisans in gubernatorial elections, but that these effects can be mitigated by institutions set up to monitor the electoral process like bipartisan boards. We show that Democratic registrars are significantly more likely to increase Democratic turnout in competitive elections while Republican registrars increase Republican turnout only in noncompetitive elections.

In 2005 Indiana state officials enacted a law requiring voters to show government issued proof of identification at their polling place. Now, two years later, amid a storm of controversy, the Supreme Court has agreed to hear arguments on this divisive voting rights case. At present seven states require photo ID to vote and seventeen others require different forms of identification. The implications of the court's decision loom large over the 2008 presidential election. Democrats charge that laws like Indiana's discourage poor, minority, and elderly residents from voting because they are less likely to be able to show proper identification. Republicans have championed such requirements in an effort to prevent fraudulent votes from being cast. In a country where elections are often decided by razor-thin margins, election laws have the potential to determine the outcome of political contests. But, what the law proscribes and how the law is implemented may not be the same thing. Some observers have criticized voter ID laws because of their potential for discriminatory application. Spencer Overton notes "...some politicians...reap political benefits by reducing turnout among legitimate voters of particular demographic groups."¹

In fact, there may be significant disjunctures between what state laws require or permit and how they are carried out by local administrators. Substantial anecdotal evidence suggests that many local officials are unfamiliar with state laws or purposefully act in opposition to them. In 2006 the Cooperative Congressional Elections Study found that half of their sample of more than 36,000 voters was asked to show photo identification although only state laws in Indiana and Florida required IDs (Ansolabehere 2007). Ansolabehere argues "this result is instructive

¹ Spencer Overton, "The Carter-Baker ID Card Proposal: Worse than Georgia," Roll Call, September 28, 2005.

because of what it suggests about how rules are *not* followed,” (p1, emphasis in original). Yet there has been little academic work focused on the administrative process.

For the most part research on the effect of state election laws assumes that the laws are implemented as written. Aside from a handful of exceptions (Kimball and Kropf 2006, Kimball, Kropf, and Battles 2006, Hayduk 2005, Tokaji 2005, Hamilton and Ladd 1996), analysis has focused wholly at the state or federal level. Although the nuts and bolts of conducting elections are a matter of state responsibility, state level officials are removed from the actual running of elections because the administration of elections is delegated to lower levels of government. Legislatures may design state election laws, but local officials determine how the law is carried out. Each state has a unique process for structuring this delegation, and as a result United States elections are handled by at least 50 different procedures. Election administration varies on a number of dimensions including who is charged with conducting elections, the amount of independent authority local officials are granted over the election process, and the degree to which local officials are monitored by state officials and other local actors. Given that there may be political benefits to reducing or increasing the participation of certain groups of voters, local officials’ discretion may be used to influence outcomes. Even when local administrators disregard the law accidentally or unconsciously their actions can affect who votes. In other words, within certain bounds local registrars effectively determine the size and shape of the electorate and therefore the results of elections. While the scholars cited above have explored various aspects of this delegation process, none have systematically analyzed the relationship between the partisanship of election officials and turnout.

Recent studies (Berinsky 2005, Wolfinger, Highton, and Mullin 2005) have suggested that the amount of information voters have regarding both the voting process and the choices

they face in the election are integral components of determining turnout.² If individual factors such as income, education, and mobility can be overshadowed by administrative structures, the role that local registrars play in the voting process may be extremely important. Scholars can not fully understand the impact of election laws on turnout, participation, election outcomes, and policy without opening this black box of election administration. In this paper we take a step toward this end by analyzing discretion and autonomy of election officials at the sub-state level.

In the next section we lay out the possible reasons that we might see differences in the administration of elections within a given state. We argue that local administrators are frequently unaware of or misinformed about the laws, granted insufficient resources to properly determine who is eligible (or ineligible) to vote, and have incentives to purposefully act in opposition to state and federal laws. We then turn to our quantitative analysis. In order to test our claims we collected original data on the partisanship of local registrars and county level turnout in state elections. We find that Democratic and Republican registrars increase turnout of their partisans in gubernatorial elections, but that these effects can be mitigated by institutions designed to monitor the electoral process, like bipartisan boards. We show that Democratic

² Recent theoretical work on the relationship between information and voting suggests that abstention by uninformed voters may not be necessarily a problem. That is, Feddersen and Pesendorfer (1999) show that abstention by voters who are uninformed about the consequences of political choices may be rational in voting situations with homogeneous preferences leading to an increase in the efficiency of electoral outcomes. However, when there are partisan differences over outcomes, uninformed voters should rationally vote to offset partisan biases, leading to outcomes closer to the outcomes that would occur if they were informed. But, if uninformed voters are uninformed about their eligibility to vote and the voting process as well as the consequence of political choices, then empirical evidence suggests that they are less likely to turn out. Thus, even if rationally motivated to do so, they are less able to offset partisan biases that work against their own preferences because of a lack of knowledge of the voting process itself.

registrars are significantly more likely to increase Democratic turnout in competitive elections while Republican registrars increase Republican turnout only in noncompetitive elections.

Laws Vary in Degrees of Discretion

By placing state laws along a spectrum of specificity it is possible to understand the different ways in which local administrators might affect elections. At one end of the continuum are laws that permit local officials to make decisions regarding the administration of state and federal elections and at the other end are those that define precisely how a local official should act.³ In the former case the laws are usually vague or imprecise such that local administrators are implicitly granted legal discretion to make decisions regarding election procedures.⁴ Many kinds of election laws fall into this category. For instance, a number of states allow local officials to determine what type of voting equipment will be used in their jurisdiction and what hours their polls will be open (subject to some minimum constraints). Ballot design is also left to the discretion of local officials in some states. The amount of information local officials are required to provide to residents can vary widely. For instance, some states require local administrators to mail registered voters their polling location for state and federal elections, but most do not. As a result, some county administrators will choose to provide this information

³ The reason why states select laws at various points on this continuum is an important research topic in its own right. Although we do not study it here we do so in a separate formal theoretical paper (Bassi, Morton, and Trounstein 2006).

⁴ Some states also allow administrators wide latitude in running elections for local offices, but because this is not an example of delegation, we are not analyzing these cases here.

and others will not; all within the confines of the laws. Similarly, many states leave it up to local administrators to determine how many voting machines per polling place will be available.

In a recent example of discretion, a 2006 change to Ohio's election code requiring voter identification allowed voters to present a "current" utility bill, bank statement, paycheck, or government document as proof of identity, but failed to specify what counted as "current." The Northeast Ohio Coalition for the Homeless and the Service Employees International Union filed a case against the state claiming that counties had made different decisions regarding how recently documents needed to be dated in order to be accepted by poll workers (*NEOCH v Blackwell* 2:06-cv-00896-ALM-TPK). Some counties had determined that only statements dated October or November would be accepted while others accepted much older documents. The court later ruled that "current" would be defined as within one year of the election.

In Alabama local officials have legal discretion at the registration stage of the voting process. Alabama state laws regarding criminal disenfranchisement states that all those committing crimes of "moral turpitude" lose the right to vote. Consistent confusion has arisen over which crimes fall into this category and the discretion of local officials was historically quite broad. For example, prior to clarification offered by the court, voters in some counties but not others were purged from the rolls (or denied the opportunity to register) for being convicted of driving under the influence or possession of drugs (*Gooden v Worley* 2:05-cv-02562-WMA). A recent court ruling stated that the legislature must define the disqualifying crimes. If the legislature complies with the court's decision Alabama's felon disenfranchisement policy will move toward the end of spectrum where local administrators have no *official* discretion.

At the end of the continuum where local administrators lack discretion, laws limit administrators' freedom of choice through detailed or precise instruction. For example,

California code defines the font size and spacing for all ballots. Section 13203 states “Across the top of the ballot shall be printed in heavy-faced gothic capital type not smaller than 30-point, the words ‘OFFICIAL BALLOT.’” With regard to felon disenfranchisement, many states with such laws have clearly defined what types of crimes lead to disenfranchisement and the phase of punishment which must be completed for regaining the right to vote. Local officials in these circumstances do not officially have the freedom to determine which convicted felons will be allowed to register and vote on the basis of their criminal record. According to these types of laws the administration of elections should be identical across local jurisdictions within a given state. However, local officials may or may not implement the laws correctly.

Deviation from Laws that do Not offer Discretion

Sometimes qualified residents are denied the opportunity to participate in elections and in other instances unqualified residents cast votes even when the laws are clear. So, why does this happen? Why might registrars deviate from state laws even when they are clear and specific? Research on principal agent relationships is helpful in explaining these outcomes. The registrar might imperfectly implement the laws because his preferences differ from the state officials’ who enacted the laws (intentional deviation) or because he lacks the requisite knowledge or resources to implement the laws (unintentional deviation).

Intentional deviation from the laws is possible because local officials frequently have site specific knowledge and expertise that is unavailable or difficult for state level officials to obtain. As Kiewiet and McCubbins (1991) explain “The agent has incentives to use this information strategically or simply keep it hidden” (p25). Using information strategically allows the agent to produce outcomes that come closer to his preferences than would perfectly implementing the

laws. In the electoral context we might think of this in a number of different ways. The agent might prefer that turnout favor his party and believe that perfectly implementing the laws would hinder that outcome. For instance, white supremacy was maintained in the South following the end of Reconstruction through discretionary application of state laws. The 1925 Michigan Law Review reported:

The history of suffrage in the South during the last thirty-five years has been largely a story of the adoption and administration of discriminatory regulations devised to catch the Negro without debarring any considerable number of white people. This legal disenfranchisement has been accomplished by....giving a great deal of discretion to election and registration officials, who, understanding what is expected of them, find quite uniformly that the negroes do not meet the [property or educational] requirements while the white applicants generally do (p279).

We illustrate with a historical example because individuals involved in election fraud currently have an obvious incentive to keep silent (Follman, Koppelman, and Vanian 2007). But the possibility of a similar pattern exists in modern elections. If, for example, a Republican registrar believes that white felons are likely to favor the Republican party while nonwhite felons are likely to favor the Democratic party, he might selectively restrict only nonwhite felons from registering (or similarly selectively request proof of eligibility from nonwhite registrants). A less direct example might be a local official selecting a voting machine that she thinks is likely to result in a high number of invalid ballots for the opposition.

Another type of purposeful deviation from the laws could be motivated by a local administrator's desire to decrease his workload or minimize expenditures. An example of this occurred in Ohio where a state law requires county election officials to randomly select 3% of

the county's precincts for a hand count to serve as a check on the mechanical vote tabulations. If the total arrived at in the hand count does not match the machine tabulation for any of the precincts the state law requires that a countywide hand recount be conducted. In Cuyahoga County the Board of Elections staff developed an approach in which a small number of precincts were selected for hand recounts. If the staff discovered that a precinct had a hand count total that did not match the machine tabulation the vote total from that precinct was set aside and a new precinct selected for hand count. Using this strategy, the Cuyahoga board found enough precincts with matching hand and machine counts to total 3% of the county's vote. The Prosecutor in the case alleged that the procedure was developed to avoid a lengthy and expensive countywide recount.⁵ Even though the law did not offer the officials discretion to determine how to conduct the recount, the administrators deviated from the rules because their preferences were in conflict with the requirements of the law.

A third type of preference divergence occurs when the local official believes the state official or agency to be in violation of another aspect of election laws. An instance of this type occurred in Florida during the 2000 election where more than half of Florida's county supervisors chose not to purge their voter rolls using the list of ineligible felons provided by the state Department of Elections because they believed it to be inaccurate. Stuart (2004) finds that to some extent these decisions were driven by partisan motivations – Republican supervisors were more likely than Democratic supervisors to remove registered voters from the rolls whose names appeared on the Department of Elections list.

Although it is clear that purposive deviation from state laws occurs, there are also examples of inadvertent violations of state laws. Local administrators may implement laws

⁵ Candice Hoke email correspondence

imperfectly because they lack knowledge or lack the capacity, resources, or expertise to implement them properly. Scholars who research “fraud” find that unintentional deviation is the most common source of error (see Minnite 2007 example). In a 2005 study of felon disenfranchisement administration Ewald “concludes that [county and town elections] officials, while conscientious, hardworking, and well intentioned, often lack the information and resources to implement the law fairly and effectively.” He finds that 37% of the local officials he interviewed were unable to correctly describe which criminals are disenfranchised by their state’s laws.

State laws have the potential to exacerbate a lack of knowledge among local officials. Most states do not have a coherent structure for letting local officials know who has been convicted of a felony and who has completed their sentence and thus regained the right to vote. We asked one of the Massachusetts town clerks with whom we spoke how a clerk would know whether a potential registrant was a felon. The clerk explained “The only way the felon could alert us is if the person requests an absentee ballot to the prison; in which case the ballot would not be sent.” This seems straightforward except for the fact that not all felons are incarcerated in prisons, and most of the people incarcerated in jails are not felons. Further, persons in prison awaiting pretrial judgment are still eligible to vote. In response to a similar question posed by Ewald a New Hampshire official wrote “This is a small state, so people often know who has been in jail.” Massachusetts and New Hampshire state laws only bar incarcerated felons from voting; in states where probationers and parolees are also disenfranchised the task for local officials may be even more onerous. The lack of specificity and instruction could lead some counties to allow felons to vote where they should not be allowed (thereby increasing turnout) and others to deny felons the right to vote where they should be allowed participate (thereby

decreasing turnout). In some cases, like California, local election law conflicts with state law creating additional opportunity for confusion.⁶

If local administrators are likely to err systematically in ways that are influenced by their preferences or beliefs, even these unintended deviations may produce identifiable patterns in outcomes. In Ewald's study of local administrators he found that the majority tended to make mistakes in an exclusionary direction, stating, for example, that a felon on probation loses his or her right to vote when state law is limited to incarcerated felons. In 2004, the Asian American Legal Defense Fund conducted an exit poll of nearly 11,000 Asian American voters and found that in jurisdictions in which voter identification was not required in order to vote, 66% were asked to show such identification in violation of state law. We can not know from this finding whether or not local administrators purposefully defied the law, but the effect is clear.

Mechanisms of Control

Regardless of the motivations for local officials to deviate from state laws, the extent to which state officials can discover errors is integral to their ability to maintain control over outcomes. The degree to which local officials can actually implement their own version of laws without being caught or sanctioned is the degree of autonomy possessed by the officials. A high degree of autonomy can advantage local registrars at the expense of state officials, but it does not need to have this effect. State officials may *choose* not to ensure compliance with state laws in order to achieve outcomes that they prefer as well. As noted above, in the South during the first half of the 20th century registrars were unofficially encouraged to disqualify African American voters.

⁶ Examples offered to authors by Larry Levine, via email

There is variation in the extent to which states select, control, monitor, and sanction local officials. In most states election officials are selected (either by appointment or election) by local constituencies. However, twelve states select local election officials at the state level. When considering mechanisms state officials might use to ensure compliance, the delegation literature is again helpful. States can set up procedures to encourage both “police patrols” (formal oversight) and “fire-alarms” (informal oversight) for monitoring lower level officials (McCubbins and Schwartz 1984). Police patrols are oversight techniques by which the principal (in this case state officials) searches for violations through active surveillance or oversight, thereby discouraging deviation from state laws. Some states, for example, have established bipartisan boards at the local level to monitor registration and voting. In other cases state officials attempt to uncover violations themselves. Todd Rokita, Indiana’s Secretary of State, convened public hearings in 2006 to determine whether the state’s voting system’s vendors violated state laws after his office discovered problems with ballot counting. Rokita subpoenaed company officials and local administrators in order to “hold the appropriate parties accountable” (Rokita Press Release).⁷

Another type of police patrol includes providing training to local officials on a regular basis. In twenty one states, training or certification of local elections officials is mandated; in seventeen states voluntary training is offered, and in twelve states no training at the state level is provided. Finally, thirty one states provide at least some funding to localities for running elections and forty four states regulate local purchases of voting machines both of which might be used to constrain the behavior of local officials. In an extreme case in which a state wants all local registrars to perfectly implement the states’ laws, these control strategies should produce

⁷ <http://www.in.gov/sos/press/2006/04122006.html>

more similar turnout levels across counties within the state (controlling for the other factors that would generate differences in turnout across counties).

The more common mechanism of control over local officials is for states to rely on outside observers or interested parties to file complaints against local officials through the judicial system or a state elections agency. This represents the second type of oversight technique; the use of fire-alarms. Fire-alarm strategies are less centralized, less active, and less direct. State officials can encourage outsiders to sound alarms by “establishing a system of rules, procedures, and informal practices that enable individual citizens and organized interest groups to examine administrative decisions,” charge the agents with violating state goals, and seek redress through specific channels (McCubbins and Schwartz 1984, p166). With regard to election laws, states can give standing to individuals or groups to challenge local officials, provide access to information regarding state laws and the election process, and make it easy to lodge complaints (e.g. posting complaint forms on the internet, permitting anonymous grievances to be filed, setting up hotlines).

Recent research by Kropf, Kimball, and Battles (2006) finds that competitive elections mitigate local officials’ attempts to affect electoral outcomes through administrative decisions. This makes sense from a delegation perspective. In tight races there is a greater incentive for political parties and interest groups like MoveOn.org to pay close attention to the electoral process. Knowing that they are more likely to be caught, local officials may operate with reduced autonomy. However competitive races may be precisely the environment in which officials are most tempted to deviate from state laws to meet their own preferences. In fact, Minnite (2007) argues that increased activity from outsiders complicates the registration and

voting process leading to unintentional violations that can then be exploited for partisan purposes.

State laws vary with regard to punishments for election law violations. Fines and prison time are common penalties, but harshness varies across states. If convicted of violations, Mississippi fines election commissioners between \$25 and \$100 or requires that they be imprisoned in county jail for 10-90 days. Other states, like North Carolina, consider at least some violations felonies with penalties up to \$100,000, substantial jail time, and possible removal from office. In other states, violations are less likely to lead to serious consequences. In states like Vermont where the number of voters in each jurisdiction is small, unintentional violations are frequently handled by a phone call from the Secretary of State to the offending local clerk to explain and correct the problem.⁸ We might expect that states with stronger penalties would have fewer registrars deviating from the law.

Another source of variation arises because it can be difficult to determine exactly who should be held accountable for a given issue of noncompliance. In one example, Milwaukee resident Derek G. Little was charged with a felony because he voted in the 2004 election while under court supervision for felony drug trafficking. The charge was later dismissed when Little was able to prove that he registered to vote on election-day with his prison ID that had the word “OFFENDER” printed across the front. No charge was brought against the registration official. One Michigan clerk testified “I have found through my years serving as a local clerk that there are really no consequences for the local clerk, or county clerk, who thinks they know better than to follow the statute.” (Gloria Maichele, quoted in Electionline 2002). In the Cuyahoga County example mentioned above two election workers were sentenced to eighteen months in prison for

⁸ Email communication with Vermont Director of Elections, Kathy DeWolfe March 15, 2007

inappropriately following state recount procedures during the 2004 election. According to some observers the workers were actually carrying out what was considered standard operating procedure in the county; but there was no system-wide corrective mandated by the court. While two employees were imprisoned, it is possible that no changes will be made to the county's standard procedure. States tend not to have universal policies that cover accountability so it is unclear how much these penalties limit local officials' autonomy.

Quantitative Analysis

Given the wide variety of laws that offer local officials both discretion and autonomy we argue that it should be possible to see evidence of the effects in the actual outcomes of elections. Ideally we would have a comprehensive data set allowing us to determine how many ineligible residents participate in the election process and how many eligible residents are denied the opportunity to cast a ballot. Since these types of data are not available we take an indirect approach. We assume that local officials deviate from the law and that in at least some cases they deviate in such a way as to encourage outcomes that are preferable to them. We then derive a set of testable hypotheses about the interaction of preferences, structures, and outcomes given that assumption.

Voting is a multi-step process and administrators have the potential to affect at minimum two of these steps: registering to vote and turning out to vote. Data on registration is not universally available at the county level, but turnout data from state and federal elections are. While not ideal, we use these turnout data to provide evidence that local administration can matter for election outcomes. The use of these data requires that we collapse the two stages of

the voting process; we can not say at what point local control matters, only that we should be able to see evidence of it on election day.

We propose a number of hypotheses derived from the theoretical discussion presented above. First, we expect to see smaller variation in turnout levels across counties when states engage strategies for mitigating deviation like appointing local officials at the state level and certifying voting machines. Second, we predict that partisanship of local administrators matters for turnout. We use partisan affiliation as a proxy for preferences regarding election outcomes. We do not assume that officials are coordinating within their parties, but only that Republican officials prefer the election of Republican governors and Democratic officials prefer Democratic governors. Specifically we expect to see increased turnout among the local administrator's partisans. However states should have the ability to mitigate this discretion; so we should see decreased partisan effects when states invoke control mechanisms. We also expect that discretion and thus partisanship will play more important roles in competitive elections where the stakes are highest.

In order to understand the effects of administration on election outcomes we collected data at both the state and county levels across the United States. Our data are roughly cross-sectional. Each observation represents a single county in a gubernatorial election year. We chose the year closest to (but not after) the year 2000 (1998 is the modal year). The selection of this time frame was driven by the availability of data on our key independent variables as will be explained below. With one observation for every county we have a total of 3,119 observations.⁹

⁹ Some states delegate the administration of elections to town or city officials. Vote returns are not available for this low level of geography, so we are forced to use county data for these states. We are

The number of counties in each state can be found in Table A2. For our dependent variables we use a number of different measures of turnout of age-eligible voters in the governor's race. Our denominator for this measure is the population aged 18 and over. Scholars like McDonald and Popkin (2001) have argued that the proper denominator for turnout should exclude felons and non-citizens because they are legally ineligible to vote. Given that these laws are subject to the same processes of administration and delegation as other election laws, we do not want to exclude these populations from our analysis outright. Denying eligible felons or naturalized residents the right to vote or permitting ineligible felons or non-citizens access to the ballot may contribute to variation across counties.¹⁰

missing data for Alaska because election data, vote administration data, and census data are collected at different geographies.

¹⁰ We reran all of our analyses with an alternate denominator that excludes non-citizens and persons housed in correctional facilities. Felon data are not available at the county level. We attempted to get around this in a number of different ways. First, we estimated the number of felons currently under supervision at the state level (a complicated process in and of itself) and used these figures to simulate estimates at the county level using a combination of felony arrest data and demographics (which are available at both geographic levels). Given the enormous number of problems with small areas estimation techniques we decided not to use this measure for our dependent variable and instead include the demographics on the right hand side of the equation. Second, we tried using felony arrest data as a substitute measure. Finally, we settled on using the number of persons housed in correctional institutions. We like this measure best because it seems to us the least prone to error. Instead of making the assumption that all persons arrested of felonies are treated like felons when it comes time to vote, we need only make the assumption that incarcerated persons are unlikely to be allowed to vote. This is reasonable in part because of residency requirements. Additionally we believe that persons housed in prisons or jails

Our main independent variables are local level institutions. First we attempted to obtain the partisan affiliations of the officials in charge of registration at the county level. Our goal was to collect this data for the relevant election year. For a number of states we found these data in blue books or election records posted on-line. For many states published data were not available thus we contacted the registrars directly. When possible we asked how long the official had been in office and whether they knew the partisan affiliation of the person who had served previously. Fortunately for our purposes many registrars have held their positions for very long periods of time, and changes in partisan affiliation were not the norm. In most cases this allowed us to determine the partisanship of the registrar in the relevant year. As a check on the stability of partisanship we were able to collect data over time for most of the counties in seven states.¹¹ There are a total of 486 counties in these states. Among the 338 counties for which we confirmed the partisan affiliation of the current local administrator and the affiliation of the administrator who was elected or appointed to the position in the previous term, 98% were represented by the same party. We were able to confirm the partisan affiliation for two previous terms in 246 counties. Of these 97% were represented by the same party over the time period.

are unlikely to seek to participate in the electoral process. The results change very little with any of the measures mostly because the felon population is a relatively small share of eligible voters. None of these measures capture the largest group of people potentially affected by felon disenfranchisement laws – felons who are no longer under state supervision.

¹¹ The states and years of collection are as follows: Arkansas 2006, 2004; Colorado 2006, 2002, 1998; Florida 2004, 2000, 1996; Indiana 2006, 2004, 2002; Louisiana 2006, 2000, pre-2000; Montana 2006, 2002, 1998; South Dakota 2006, 2002, 1998. Our statistical analysis only includes one observation per county in all states. We use the partisanship of the registrar from the year 2000 for these seven states except Arkansas where we used the data from 2004.

Appendix Table A1 provides the distribution of years for which we coded the partisan affiliation of the local administrator for use in our cross sectional data analysis.

In states where the registrar is appointed the official frequently refused to tell us their affiliation. Because issuing public information requests for all of these officials would have taken more time and resources than we had available, we coded the partisan affiliation of the appointing official. In states that require local officials to run on nonpartisan tickets we coded the local official as nonpartisan. In some states registration duties are shared among different local offices. In these cases we selected a single official to code for our data set. For the most part this was the official who had the largest (or clearest) responsibility for the registration process; but in one case, Alabama, we selected the elected official for whom we could get partisan affiliation data. In other states the registration process is handled by a board of officials that is either appointed by state or local officials or has equal bipartisan representation. When the board is appointed we coded the county as having the same partisan affiliation as the appointing official. Counties in which the board is divided equally between the parties are coded .5 for both Democratic and Republican local officials. Table A2 in the appendix lists the offices we coded for each state as well as the method of selection and any bipartisan requirements. Our officials are 38% Democrats, 31% Republicans, 23% Nonpartisans/Independents, and 8% bipartisan. In addition we coded the selection mechanism of the local official (state appointed, locally appointed, and locally elected). Most administrators, 67%, are locally elected, 14% are state appointed, and 18% are locally appointed.

For each county we collected demographic control variables from the census. We linearly interpolated data for the non-census years.¹² We also collected a number of state level variables including state laws regarding the selection of local officials, the partisan affiliation of the governor, and state control over voting machine selection. We constructed a measure of competitiveness coded one if the two-party margin of victory for the governor was smaller than the proportion of the population 18 and over that is comprised of non-citizens and felons under supervision by the state. It is our argument that in these elections discretion of local officials should be most important. Approximately 25% of elections are competitive by this measure.¹³ Tables A3 and A4 display summary statistics for the variables in our analysis.

Evidence of Local Influence

If local officials can influence the registration and turnout process we argue we should be able to see evidence of such behavior. Our dependent variable is *Democratic Turnout* - the Democratic vote for governor in a given county divided by the total number of residents aged 18 and older. We use a log odds transformation of this measure to normalize the distribution and bound estimates between zero and one. We begin with a simple model analyzing the effect of the partisan affiliation of the local official (*Democrat* and *Non Partisan* with *Republican* as the

¹² Using 2000 Census data for all observations produces models with a slightly worse fit, but does not change any of our conclusions.

¹³ We recognize the endogeneity of this measure. We retest our analyses using a measure of the closeness of the partisan divide of the lower house in each state's legislature. We code states as competitive if the Democratic party holds between 47% and 53% of the seats. Our findings hold in all cases.

excluded category) on Democratic turnout. We control only for state fixed effects and *Year* of the gubernatorial election.¹⁴ Column 1 of Table 1 presents these results.

	Model 1		Model 2	
	Coefficient	St. Err	Coefficient	St. Err
Democratic local official	0.260 **	0.017	0.108 **	0.015
Nonpartisan local official	0.175 **	0.039	0.025	0.033
Lagged Democratic Vote Margin			0.021 **	0.001
1997	-0.939 **	0.111	-0.406 **	0.168
1998	-0.453 **	0.134	-0.009	0.174
1999	-1.141 **	0.123	-0.578 **	0.168
Constant	-1.044 **	0.114	-2.229 **	0.166
N	3065		2984	
R ²	0.697		0.790	

** p<.05, *p<.10; fixed effects for states included but not presented

The evidence is clear; counties with Democratic local election officials have higher levels of Democratic turnout. Of course the most obvious explanation for this finding is that Democratic voters select Democratic election officials and cast ballots for Democratic gubernatorial candidates. That is, both the existence of a Democratic official and high Democratic vote totals may be caused by the presence of a large percentage of Democrats in the county. In order to separate out these factors we take three different approaches. First we add a measure of the county level *Democratic Margin of Victory* in the previous gubernatorial election.¹⁵ These results, displayed in Column 2 of Table 1, show that there remains a strong effect. In counties with Democratic registrars, turnout is about 1.5 percentage points higher.

¹⁴ Hausman tests confirmed that random effects models were not appropriate. Our conclusions do not change with Huber-White calculations for errors.

¹⁵ The correlation between this measure and our dependent variable is 0.36.

Next, we rerun the analysis changing the dependent variable to a log-odds measure of *Turnout* of the incumbent governor's partisans. In states where the incumbent governor is a Republican the measure is Republican turnout, where the incumbent governor is a Democrat, the measure is Democratic turnout. The main independent variable is a dummy indicator noting whether the local administrator is of the *Same Party* as the incumbent governor. We display these results with and without a lagged *Incumbent Margin of Victory* term in Table 2.

Table 2: Factors Affecting Turnout for Incumbent Governor's Party

	Model 1		Model 2	
	Coefficient	St. Err	Coefficient	St. Err
Governor/Local Official Same Party	0.197 **	0.018	0.154 **	0.017
Lagged Incumbent Vote Margin			0.012 **	0.001
1997	-0.793 **	0.215	-0.569 **	0.108
1998	-0.191	0.214	-0.118	0.127
1999	-0.183	0.207	-0.158	0.115
Constant	-0.785 **	0.201	-1.553 **	0.111
N	3063		2982	
R ²	0.554		0.566	

** p<.05, *p<.10; fixed effects for states included but not presented

The results indicate that in counties where governors and local officials represent the same party the governor's party sees higher turnout by about 2.7 percentage points compared to counties in which the local official represents the opposition party. In our final test to ensure that partisan affiliation of voters is not driving our results, we return to using the model from Table 1, but we split our sample by the proportion of the two party vote received by the Democratic gubernatorial candidate in the current election. We look first at counties in which the Democratic candidate received at least 55% of the vote; and then at counties in which the Democratic candidate received 45% of the vote or less. Columns one and three of Table 3 display these results.

Table 3: Factors Affecting Democratic Turnout

	Democratic Counties				Republican Counties			
	Model 1		Model 2		Model 3		Model 4	
	Coefficient	St. Err	Coefficient	St. Err	Coefficient	St. Err	Coefficient	St. Err
Democratic local official	0.141 **	0.037	0.066 **	0.031	0.165 **	0.021	0.069 **	0.016
Nonpartisan local official	0.104	0.090	0.103	0.069	0.058	0.041	0.039	0.032
Log Population			-0.087 **	0.015			-0.077 **	0.008
% Urban			-0.081	0.066			-0.115 **	0.037
% Black			0.583 **	0.092			0.320 **	0.106
% Asian			0.711	0.571			1.799 *	0.946
% Latino			0.699 **	0.194			-0.104	0.106
% Female			3.039 **	0.896			1.227 *	0.688
% Moved Last 5 yrs			-0.977 **	0.195			-0.916 **	0.119
% College Graduates			1.981 **	0.219			1.559 **	0.163
% Unemployed			0.222	0.542			0.672 *	0.405
Median HH Income			0.000	0.000			0.000 *	0.000
% in Poverty			-0.458	0.361			-0.668 **	0.238
% Renters			-0.979 **	0.205			-0.575 **	0.151
% Non Citizens			-1.415 **	0.558			-1.167 **	0.380
% Correctional			1.030 *	0.533			-0.332	0.390
Lagged Dem Margin			0.008 **	0.001			0.022 **	0.001
1997	-0.658 **	0.182	-0.735 **	0.180	-0.556 **	0.181	0.305 *	0.184
1998	-0.203	0.339	-0.141	0.260	-0.282 *	0.164	0.676 **	0.172
1999	-1.340 **	0.187	-0.583 **	0.162	-0.418 **	0.166	-1.392 **	0.277
Constant	-0.847 **	0.187	-1.768 **	0.546	-1.247 **	0.148	-2.494 **	0.406
N	714		641		1655		1653	
R ²	0.727		0.793		0.698		0.830	

** p<.05, *p<.10; fixed effects for states included but not presented

The results are still strong - counties with Democratic election officials produce more votes for the Democratic gubernatorial candidate in both Democratic and Republican oriented counties. Where counties cast a majority of their votes for the Republican gubernatorial candidate, but are represented by Democratic election administrators the partisan effect of the

administrator is slightly stronger (though the difference is not statistically significant). In the second and fourth columns in Table 3 we add the lagged *Democratic Vote Margin* and a number of additional controls for potential variation in turnout and Democratic leanings. These include the natural log of the county *Population*, the proportion of the county that lives in *Urban* areas, percent *Black*, *Latino*, and *Asian*, percent *Female*, the proportion of the county that *Moved* within the last five years, the proportion of the population that are *College* graduates, the percent *Unemployed*, *Median* household income, percent in *Poverty*, percent who *Rent* their homes, the percent who are *Non citizens*, and the percent housed in *Correctional* institutions. Even with these controls counties with Democratic registrars witness higher Democratic turnout.

Can Institutions Mitigate Local Partisan Influence?

The extent to which local officials are able to deviate from the law depends in part on the likelihood that they will be caught or sanctioned. To estimate the effect of monitoring institutions we analyze one particular type of state laws that may constrain the partisan behavior of election officials – bipartisan boards. In this analysis we use the same basic model as presented in Table 2 with the log-odds of county level *Turnout* for the incumbent governor’s party as the dependent variable and the main independent variable a dummy indicator noting whether the governor and local official represent the *Same Party*.¹⁶ To account for the

¹⁶ In 261 counties Democrats and Republicans are represented in equal numbers at the local level; creating a bipartisan monitoring system. In other cases the bipartisan board is an external monitor, and the local official and the governor may or may not represent the same party. In the following analysis the cases in which the bipartisan board is not a separate body are coded such that the local administrator and governor do not represent the same party. Dropping these cases does not change our findings.

partisanship of the county we include the lagged *Incumbent Party's Margin of Victory*. We add the same control variables presented in the expanded models in Table 3. The presence of bipartisan boards is primarily a state level decision so we use a split sample design. First we estimate the relationship between sympathetic local administrators and turnout when bipartisan boards are not in place, and then where they are in place. If bipartisan boards mitigate partisan effects we should only find significant results in counties without bipartisan boards. This is in fact what we see in Table 4.

Table 4: Effect of Bipartisan Boards on Turnout for Incumbent Governor's Party

	No Bipartisan Board		Bipartisan Board	
	Coefficient	St. Err	Coefficient	St. Err
Governor/Local Official Same Party	0.146 **	0.015	0.038	0.181
Log Population	-0.095 **	0.008	-0.076 **	0.017
% Urban	-0.051	0.036	-0.005	0.078
% Black	0.277 **	0.074	0.168	0.126
% Asian	-2.484 **	0.536	-1.48	1.428
% Latino	-0.348 **	0.09	0.212	0.478
% Female	2.249 **	0.591	1.798	1.425
% Moved Last 5 yrs	-1.124 **	0.116	-0.611 **	0.240
% College Graduates	1.792 **	0.149	2.245 **	0.270
% Unemployed	-2.575 **	0.346	0.389	0.868
Median HH Income	0.000 **	0.000	0.000 **	0.000
% in Poverty	-1.325 **	0.221	-3.13 **	0.471
% Renters	-0.788 **	0.134	-0.922 **	0.275
% Non Citizens	-0.127	0.336	-0.294	1.060
% Correctional	-0.184	0.347	-0.863	0.756
Lagged Incumbent Vote Margin	0.005 **	0.001	0.014 **	0.001
1997	-0.368 **	0.107	†	
1998	-0.072	0.107	-0.679 **	0.243
1999	0.100	0.099	†	
Constant	-0.746 **	0.347	-0.729	0.798
N	2388		594	
R ²	0.724		0.746	

† Variables dropped due to insufficient variance; ** p<.05, *p<.10
fixed effects for states included but not presented

Regardless of the presence of bipartisan boards a local official of the same party increases turnout for the incumbent governor's party. However, the effect is small and insignificant when bipartisan boards are in place. We see a similar result when we change the dependent variable to a measure of the county level margin of victory for the incumbent governor's party. This

evidence suggests that bipartisan boards may mitigate the effect of local administrators' partisan behavior.

Strategies for Mitigating Deviation

Given that state laws can limit the partisan behavior of local officials we should be able to see evidence of this with regard to statewide variation in turnout. In this test we are interested in how state laws affect turnout within states across counties. For our dependent variable we use the standard deviation of *Gubernatorial turnout* for each state. Our key independent variables are strategies of state control. We include a dummy variable coded one if the *State appointed* the local administrators and zero otherwise. Secondly we have three dummy variables indicating the degree of state control over the process of *Voting machine* certification. States that purchase voting machines for localities are coded *Strong*, states that require localities to purchase machines that are tested and approved by state officials are coded *Weak*, and states with no formal requirements beyond the federal standards are excluded as the base category. In a third model we analyze the effect of having a bipartisan board monitor the registration and election process at the county level. Since the measures for state appointment of local officials and the presence of bipartisan boards are highly collinear, running a combined model is inappropriate.

Given the small number of observations available for this analysis we use a limited number of control variables that we think are likely to affect variation in turnout. We include each state's standard deviation (*SD*) on five county level demographic measures: *Total population*, the proportion of the population that *Moved* counties within 5 years, the proportion in *Poverty*, the proportion that are *Non citizens*, and the proportion housed in *Correctional* institutions. We add fixed effects for year of the election (*1997, 1998, and 1999* with 2000 as the

excluded category) to account for the possibility that concurrency with Congressional or Presidential elections affects gubernatorial turnout patterns. Table 5 presents the results of this analysis.

Table 5: Factors Affecting Variation in Gubernatorial Turnout Across States

	Model 1		Model 2		Model 3	
	Coefficient	St. Err	Coefficient	St. Err	Coefficient	St. Err
State Appointed	-0.023 **	0.010				
Weak State Voting System			-0.008	0.011		
Strong State Voting System			-0.027 **	0.013		
Bipartisan Local Board					-0.024 **	0.008
% Moved (SD)	0.137	0.280	0.170	0.288	0.208	0.263
% in Poverty (SD)	0.578 **	0.223	0.538 **	0.227	0.495 **	0.214
Population (SD)	0.000	0.000	0.000	0.000	0.000	0.000
% Non Cit. (SD)	0.794 *	0.347	0.921 **	0.351	0.819 **	0.329
% Correction (SD)	0.599 *	0.319	0.492	0.320	0.386	0.296
1997	-0.041 *	0.021	-0.041 *	0.021	-0.042 **	0.020
1998	0.003	0.009	0.005	0.009	0.007	0.008
1999	-0.005	0.018	0.006	0.018	0.001	0.017
Constant	0.013	0.014	0.017	0.016	0.014	0.014
N	49		49		49	
R ²	0.563		0.560		0.602	

** p<.05, *p<.10

These models offer solid evidence that when states appoint their local officials, manage the selection and maintenance of voting machines, and install bipartisan local oversight boards they see lower standard deviations in turnout. The average standard deviation in turnout across all states is 0.071. The effect of having state appointed officials reduces the estimated standard deviation to 0.051 (holding all other variables constant at their means). Similarly, states with more control over the certification of local voting machines have lower standard deviations in

turnout. When states purchase local voting machines the average standard deviation is 0.055. Bipartisan boards reduce the standard deviation to 0.052.

Competitive Elections

We suggested above that competitive elections may create countervailing pressures for local administrators. On the one hand competitive elections may increase scrutiny of administrators' behavior making it more difficult for them to deviate from the law. On the other hand these may be the elections in which administrators are most likely to act in ways that increase turnout among their partisans. A preliminary analysis of the relationship between turnout of the incumbent governor's partisans and the partisan affiliation of the local registrar suggested that there was no evidence for either hypothesis. Local administrators that shared partisan affiliation with the incumbent governor were equally likely to increase turnout in competitive and noncompetitive elections. But this setup does not allow us to analyze the most intense kinds of electoral environments. To isolate the cases in which the incentive for mobilization of partisans (and for scrutiny from outsiders) is likely to be strongest, we make use of partisan differences at the state and local level. First, using log odds of *Democratic Turnout* as the dependent variable, and a dummy indicator for *Democratic Local Officials* as the main independent variable, we restrict the analysis to states with Republican incumbent governors. We use the same control variables as presented in Table 3 and add an additional indicator for *Bipartisan Boards*. We split the sample into states with competitive and noncompetitive gubernatorial races. We then change the dependent variable to *Republican Turnout*, and use an indicator for *Republican Local Officials* as the main independent variable and restrict the analysis to states with Democratic governors. The results presented in Table 6 provide

substantial support for the mobilization hypothesis where Democratic registrars are located and for the mitigation hypothesis in the case of Republican registrars.

Table 6: Effect of Partisan Registrars on Partisan Turnout

	Democratic Turnout Republican Governors				Republican Turnout Democratic Governors			
	Competitive Election		Noncompetitive Election		Competitive Election		Noncompetitive Election	
	Coefficient	St. Err	Coefficient	St. Err	Coefficient	St. Err	Coefficient	St. Err
Dem. local official	0.155 **	0.027	0.044 **	0.020				
Rep. local official					-0.003	0.028	0.068 *	0.035
Nonpart. local official	0.134 **	0.042	-0.069	0.089	-0.089	0.066	0.022	0.145
Log Population	-0.091 **	0.011	-0.065 **	0.013	-0.110 **	0.015	-0.033	0.023
% Urban	-0.098 *	0.051	-0.029	0.052	0.009	0.063	0.076	0.097
% Black	0.128	0.119	0.659 **	0.100	-0.165	0.114	-0.193	0.229
% Asian	0.623	0.649	-0.767	1.792	-0.821	1.098	0.167	2.133
% Latino	0.022	0.110	-0.933 **	0.432	0.274	0.194	0.521	0.786
% Female	2.427 **	0.987	-1.701 *	0.894	5.530 **	0.821	-5.975 **	1.681
% Moved Last 5 yrs	-1.109 **	0.177	-0.977 **	0.171	-0.709 **	0.163	-1.189 **	0.346
% College Graduates	1.551 **	0.227	1.556 **	0.224	1.425 **	0.215	1.17 **	0.379
% Unemployed	0.847	0.532	1.462 **	0.460	-1.83 **	0.697	-2.063 **	0.925
Median HH Income	0.000	0.000	0.000 *	0.000	0.000	0.000	-0.000	0.000
% in Poverty	-1.190 **	0.350	-0.819 **	0.29	-2.118 **	0.401	1.443 **	0.575
% Renters	-0.428 **	0.186	-0.872 **	0.206	-0.825 **	0.227	-1.458 **	0.379
% Non Citizens	-1.346 **	0.438	1.458	1.027	-0.161	0.549	-3.523 *	1.806
% Correctional	0.662	0.573	-0.873 *	0.511	1.117 **	0.451	-3.358 **	1.112
Lagged Vote Margin	0.027 **	0.001	0.021 **	0.001	0.020 **	0.001	0.016 **	0.002
Bipartisan Board	-0.491 *	0.289	0.353 **	0.152	-0.119	0.119	-0.141	0.226
1997	-0.917 **	0.091	†		†		†	
1998	-0.648 **	0.323	-0.465 **	0.106	-0.452 **	0.054	0.014	0.166
1999	†		†		†		†	
Constant	-1.793 **	0.534	0.139	0.476	-3.132 **	0.495	2.244 **	0.949
N	1125		897		554		408	
R ²	0.793		0.884		0.881		0.894	

† Variables dropped due to insufficient variance; ** p<.05, *p<.10
fixed effects for states included but not presented

When the gubernatorial election is competitive in states with Republican governors, counties with Democratic registrars have significantly higher turnout. At the same time bipartisan boards have a strong negative effect on turnout. In noncompetitive elections Democratic registrars have a much more modest effect on turnout. The reverse appears to be the case for Republican registrars. In noncompetitive elections they have a significant effect on Republican turnout. In competitive elections this effect completely disappears. This may indicate that administrators from different parties have divergent approaches to reaping the political benefits from delegation. Republicans are able to increase Republican turnout when there is less attention paid to elections and lower turnout while Democrats are able to increase Democratic turnout when elections are more intensely watched and tend to have higher turnout.

Concluding Remarks

In order to fully make sense of differences in who registers and turns out to vote we argue that scholars need to have a clearer picture of the role of election administration. Some differences can be accounted for by the discretion offered in state and federal laws which lead local registrars to make varied choices. But even when state laws are clear, we suggest that there are reasons registrars may deviate. Local registrars may lack knowledge or resources to implement laws properly, or they may have certain preferences over workload or the outcome of elections. In support of this prediction, we find that the partisanship of local registrars affects partisan turnout levels. Furthermore, we find that states are able to mitigate differences in turnout across jurisdictions by relying on monitoring structures like state appointed registrars and bipartisan boards. We conclude that differences in the local administration of elections offers new insights into understanding registration and voting patterns.

These results have important implications for the recent debates over voting rights and election laws. Until scholars take the administration of election laws into consideration, it will be difficult to know whether or not a given law has aggregate partisan effects. What we know for certain is that the degree to which local officials are able to deviate from state laws can substantially impact electoral outcomes. This means that the precision of state laws and the degree to which local officials are monitored by bipartisan or state level institutions are at least as important as the law itself in determining who participates in American democracy.

Appendix

Table A1: Years Local Election Official Data Collected

Year	% of Observations
1998	1%
2000	51%
2002	13%
2003	3%
2004	11%
2006	4%
2007	17%

Table A2: Local Officials Included in Data Collection

State	# of Counties	Official We Coded	Selection Mechanism	Bipartisan Boards
Alabama	67	Judge of County Probate Court	Elected; Partisan	Some
Alaska	4	Election Supervisor	State appointed; Nonpartisan	No
Arizona	15	County Recorder	Elected; Partisan	No
Arkansas	75	County Clerk	Elected; Partisan	No
California	58	County Clerk/Registrar of voters	Elected/appointed; Nonpartisan	No
Colorado	64	County Clerk and Recorder	Elected; Partisan	No
Connecticut	8	Registrar of Voters	Elected; Bipartisan	Yes
Delaware	3	County Department of Elections	State appointed; Bipartisan	Yes
Florida	67	Supervisor of elections	Elected; Partisan	No
Georgia	159	County Board of Registrars/Elections	Local appointed; Nonpartisan	No
Hawaii	4	Clerk of the Council	Local appointed; Nonpartisan	No
Idaho	44	County Clerk	Elected; Partisan	No
Illinois	102	Election Commission/County Clerk	State appointed/Elected; Partisan	Some
Indiana	92	Clerk of the Circuit Court	Elected; Partisan	No
Iowa	99	County Auditor	Elected; Partisan	No
Kansas	105	County Election Commissioner/County Clerk	State appointed/Elected; Partisan	No
Kentucky	120	County Clerk	Elected; Partisan	No
Louisiana	64	Parish Registrar of Voters	Local appointed; Partisan	No
Maine	16	Municipal Clerk	Local appointed/Elected; Nonpartisan	No
Maryland	24	County Board of Elections	State appointed; Partisan	Yes
Massachusetts	14	Board of Registrar of Voters	Local appointed; Bipartisan	Yes
Michigan	83	County Clerk	Elected; Partisan	No
Minnesota	87	County Auditor	Local appointed/Elected; Nonpartisan	No
Mississippi	82	Clerk of the Circuit Court	Elected; Partisan	No
Missouri	115	County Clerk/Board of Election Commissioners	Elected/State appointed; Partisan	Some
Montana	57	County Clerk	Local appointed/Elected; Partisan	No

State	# of Counties	Official We Coded	Selection Mechanism	Bipartisan Boards
Nebraska	93	County Clerk/Election Commissioner	Elected/Local appointed; Partisan	No
Nevada	17	County Clerk/Registrar of Voters	Elected/Local appointed; Partisan	No
New Hampshire	10	Town/City Clerk	Elected; Nonpartisan	No
New Jersey	21	County Clerk	Elected; Partisan	No
New Mexico	33	County Clerk	Elected; Partisan	No
New York	62	County Board of Election	Local appointed; Bipartisan	Yes
North Carolina	100	County Board of Election	State/local appointed; Bipartisan	Yes
North Dakota	53	County Auditor	Elected; Nonpartisan	No
Ohio	88	County Board of Elections	State appointed; Bipartisan	Yes
Oklahoma	77	County Election Board	State appointed; Bipartisan	Yes
Oregon	36	County Clerk	Local elected/appointed; Nonpartisan	No
Pennsylvania	67	County Registrar	Local appointed; Partisan	Yes
Rhode Island	5	County Canvassing Board	Local appointed; Bipartisan	Yes
South Carolina	46	County Board of Registration	State appointed; Partisan	Yes
South Dakota	66	County Auditor	Elected; Partisan	No
Tennessee	95	County Election Commission	State appointed; Bipartisan	Yes
Texas	254	County Tax Assessor or Clerk/Elections Administrator	Elected/local appointed; Partisan/Nonpartisan	No
Utah	29	County Clerk	Elected; Partisan	No
Vermont	14	Town clerk	Elected; Nonpartisan	No
Virginia	136	County/City Registrars	Local appointed; Nonpartisan	No
Washington	39	County Auditor	Elected; Partisan	No
West Virginia	55	Clerk of County Commission	Elected; Partisan	No
Wisconsin	72	County Clerk/Board of Election Commissioners	Elected/Local appointed; Partisan	Some
Wyoming	23	County Clerk	Elected; Partisan	No

Table A3: Summary Statistics, State Level Variables

Variable	Observations	Mean	Std. Deviation	Min	Max
Gubernatorial Turnout (SD)	49	.0707144	.0320297	.0223269	.1549414
% Moved Counties Last 5 Yrs (SD)	49	.0585186	.0178051	.0141468	.1207204
% in Poverty (SD)	49	.0461237	.0193727	.012608	.1157891
Population (SD)	49	197735.2	223998.1	19506.04	1329314
% Non Citizen	49	.0206049	.015659	.0036144	.0610617
% Correctional	49	.0201278	.0139689	.0005698	.0544986
Governor's Race					
Competitive	25				
Non Competitive	24				
Incumbent Governor					
Republican	31				
Democrat	18				
Monitoring of Voting System					
No monitoring	6				
Local purchase, State Tested	35				
State purchase	8				

Table A4: Summary Statistics, County Level Variables

Variable	Observations	Mean	Std. Deviation	Min	Max
Democratic Turnout	3065	0.17796	0.0814	0.01095	0.61249
Log Odds Democratic Turnout	3065	-1.64264	0.60921	-4.50341	0.457789
Incumbent Party Turnout	3065	0.230409	0.089026	0.027817	1.428571
Log Odds Incumbent Party Turnout	3063	-1.27799	0.516488	-3.5539	0.584388
Incumbent Party Margin of Victory	3065	57.53704	14.60797	10.7	92.55
Lagged Inc. Party Margin of Victory	2984	56.37107	14.26416	13.54	91.91
Democratic Margin of Victory	3065	44.03197	15.31631	8.11	92.55
Lagged Dem. Margin of Victory	2984	43.96288	14.40964	8.09	85.93
Log Population	3065	10.22369	1.396094	4.317488	16.05495
% Urban	3065	0.396971	0.305089	0	1
% Black	3065	0.085321	0.142614	0	0.860742
% Asian	3065	0.008204	0.022269	0	0.550399
% Latino	3065	0.057735	0.11715	0	0.979914
% Female	3065	0.505704	0.018077	0.334903	0.564812
% Moved Counties Last 5 Yrs	3065	0.221101	0.078056	0.060296	0.875258
% College Degree	3065	0.160289	0.075462	0.049673	0.604587
% Unemployed	3065	0.059097	0.026876	0	0.351865
Median Household Income	3065	33481.23	8299.594	13066.8	76686.8
% in Poverty	3065	0.144811	0.066072	0	0.545514
% Renters	3065	0.261734	0.075091	0.11084	0.807897
% Non Citizen	3065	0.019651	0.029588	0	0.255777
% Correctional	3065	0.011168	0.028725	0	0.337132
Population 18 & Over	3065	66743.93	214897.9	53	6859536
Year of Election					
1997	156				
1998	2098				
1999	250				
2000	561				
Local Election Official					
Bipartisan	261				
Democrat	1180				
Independent	2				
Nonpartisan	670				
Republican	952				
Governor/Local Official Same Party	1120				
Bipartisan Review Board	594				
State Appointed Local Official	442				

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