

## **Do Voter Identification Laws Affect Voter Turnout?**

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## **Abstract**

Scholars have debated the effects of voter identification laws with some arguing tougher state voter identification laws may disenfranchise low socio-economic status voters and others arguing the new laws have no effect on voter turnout. In this article we empirically explore these potential outcomes examining whether the institutional constraint of stricter voter identification laws decrease, increase or have no effect on voter turnout. Examining voting behavior data across four elections (2000, 2002, 2004, and 2006) at both the aggregate and individual levels, our results suggest that voter identification laws do not affect voting at either level.

## Introduction

On May 2, 2006, Representative Julia Carson (D-IN) arrived at her polling place with her congressional identification card to cast a vote in Indiana's primary election. In an incident that made national headlines, Carson was initially turned away from voting because her congressional identification card did not include an expiration date and therefore did not meet Indiana's new voter identification law (Goldstein 2006). Indiana's law, the most stringent in the nation, was one of dozens of new laws passed around the country designed to prevent voter fraud.

Recent scholarship investigating electoral reforms aiming to send more Americans to the polls concludes that innovations such as voting by mail, Internet voting, and early voting have the unintended consequence of *increasing* socioeconomic biases related to voter turnout (Berinsky 2005) while only sometimes providing a modest increase in the number of voters casting a ballot (Gronke, Galenas-Rosenbaum, and Miller 2007). Less is known about situations such as those that faced Representative Carson. While the congresswoman was ultimately allowed to vote, her experience highlights the importance of understanding whether the wide variance in state voter identification laws affects turnout.

Indeed, this question is on the minds of lawmakers, pundits, and scholars alike. In 2002, President Bush signed the Help America Vote Act (HAVA) into law with the intention of bolstering confidence in the electoral system, ensuring

that votes would be counted accurately and preventing voter fraud. Some Democratic operatives argued that tough state laws, like those in Indiana, that require a government-issued photo identification with an expiration date, would disenfranchise low socio-economic status voters who are less likely to have such an id, or know that they must bring it to the polls. Some Republican operatives, like Mark Hearne, counsel at the American Center for Voting Rights, and former election counsel for Bush-Cheney 2004, predicted that the new laws would not only prevent voter fraud but prompt *higher* turnout (Goldstein 2006). The early scholarly evidence paints an incomplete picture, consisting of some qualified claims that states with stricter voter identification laws negatively, albeit marginally, affect turnout (Alvarez, Bailey, and Katz 2007; Eagleton Moritz 2006; Vercellotti and Anderson 2006) while other work finds that these marginal effects are too small to be of concern (Ansolabehere 2007; Muhlhausen and Sikich 2007).

Since the central tenet of democratic theory is that elections transfer the will and authority of the people to their representatives in government, democratic government rests on the establishment of fair elections that can accurately capture the will of the people. Throughout the history of the republic American election law has discriminated against entire populations, most notably minorities and women, preventing them from voting. These discriminatory practices have been largely addressed with legislation but democratic theorists and activists alike

remain concerned about the quality of American democracy because of continuing reported problems of voter fraud, voter intimidation, and disenfranchisement (Dahl 1989).

In this article we empirically and theoretically explore this issue, examining whether the institutional constraint of stricter voter identification laws decreases, increases or has no effect on voter turnout. We measure the effect of new voter identification laws at the aggregate and individual levels using multiple data sets across four elections (2000, 2002, 2004, and 2006). Ultimately, we find that the voter identification laws do not meaningfully affect voter turnout.

### **Voter Identification and Turnout**

Voter turnout is a topic of interest for scholars because of its theoretical significance and practical importance. As is often the case concerning topics of great concern, there is little agreement among scholars. On the one hand, many studies suggest that turnout varies significantly across different groups (Wolfinger and Rosenstone 1980; Rosenstone and Hanson 1993; Verba, Nie, and Kim 1978). Wolfinger and Rosenstone (1980) suggest that those with lower levels of education turn out less than those who have higher levels of education in states with restrictive registration laws. On the other hand, Nagler (1991) finds that restrictive registration laws have no differential effect on turnout.

This debate also extends to ways in which voter turnout affects electoral outcomes. Citrin, Schickler, and Sides' (2003) work simulating 100% voter

turnout demonstrates that high turnout marginally benefits Democrats. DeNardo (1980) shows that high turnout has two effects: one that helps the Democrats and one that helps the minority party, whichever it is. Beyond who gets elected, differences in voter turnout matter from a policy perspective as Avery and Peffley (2005) find that states with restrictive voter registration laws are likely to have higher upper-class turnout, resulting in less favorable welfare eligibility requirements for the poor.<sup>1</sup> More generally, Piven and Cloward (1989) claim that legislators need not pay as much attention to the interests of the lower economic classes since they vote less than the wealthy. Clearly, then, the additional costs to vote when voter identification laws are more restrictive have the potential to change the results of elections and the policy outputs provided by those who are elected. But should we expect different voter identification laws to affect voter turnout?

Whether considering the decision to turnout from either psychological or economic perspectives, we believe the answer to this question is clearly no. First, as Brady, Verba, and Schlozman (1995) forcefully demonstrate, political interest is the driving force behind the decision to vote. Indeed, their work echoes that of the authors of *The American Voter*, who wrote that “the stronger the individual’s psychological involvement (in political matters) the more likely he is to participate in politics by voting” (Campbell, et al 1960, 102). Additionally,

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<sup>1</sup> See Soss, et al (2001) for another view.

education remains a crucial factor with respect to turnout (Wolfinger and Rosenstone 1980; Brady, Verba, and Schlozman 1995).<sup>2</sup>

As such, voters who are already interested in politics should be interested enough to overcome the potential institutional barrier of strict voter identification requirements while citizens who are uninterested in politics should not be expected to vote anyway, regardless of the nature of a state's voter ID law; a law of which they may not even be aware.

From an economic perspective, since Downs introduced the elusive "duty" term in *An Economic Theory of Democracy* (1960), and subsequent formalization by Tullock (1967) and Riker and Ordeshook (1968), several generations of scholars have sought to explain why voters show up to vote in seeming disregard for their own self-interest. Downs' explanation for why voters would make the decision to vote, even though the chance of their individual vote making a pivotal difference is infinitesimal, is that civic duty provides a large enough direct benefit to the voter to overcome the costs of voting. Indeed, Aldrich (1993) asserts that scholars have overestimated the costs of voting. Meanwhile, Gomez, Hansford, and Krause (2007) find that a non-political factor, bad weather on Election Day, affects turnout in a way that is good for Republicans.

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<sup>2</sup> While Brady, Verba, and Schlozman (1995) do not report statistically significant results for education in their models predicting turnout, they do note that the effect of education on voting is "funneled through political interest" (see page 283).

The personal cost of voting is an important part of the decision calculus. Recent voter identification laws potentially increase this cost in at least two ways. First, voters face an increasingly specific set of requirements at the polls and voters who fail to supply the necessary form of identification will be turned away without voting. Retrieving the appropriate identification may be as simple as a trip to the parking lot, or it may require a second trip, but once turned away a voter must engage in an additional cost of voting in order to try again. Second, there is a preparation cost associated with voter identification laws that voters must pay to assure compliance with the new law. This preparation cost may be low—a sophisticated voter may become aware of the new requirements through routine conversation or news consumption—or high—a less sophisticated voter may require a call to the local board of elections or some other form of information gathering to learn the requirements.

In recent years, the federal and state governments have paid increasing attention to making voter registration and voting easier as well as taking greater steps to prevent voter fraud. Programs such as motor-voter have been introduced in states across the country to make registration easier and new voting procedures such as vote-by-mail and electronic voting have been introduced to give voters more opportunities to cast their votes.

Recent research, however, has demonstrated that these efforts at making registration and voting easier have affected different socio-economic and racial

groups differently. Berinsky (2005) provides evidence that the efforts to increase voter registration and turnout have in fact increased registration and turnout only among those groups most likely to register and vote before the new measures were implemented, i.e. those with high socio-economic status. According to Berinsky, “Individuals who utilize easy voting procedures tend to be more politically engaged and interested than those who do not take advantage of the opportunity” (2005, 482).

Put simply, we ought to expect that awareness of changes in voter identification laws may only exist for those who are likely to vote in the first place. Thus, strict voter identification laws should not decrease voter turnout. Further, strategies to improve voter turnout will not be found in changing voter identification requirements; rather, they will be found in efforts to change non-voters interest in politics.

Finally, Ansolabehere’s (2007) examination of cases in which a potential voter’s identity was in question, shows that exclusions from voting are exceptionally rare. According to Ansolabehere, “only 23 people in the entire 36,500 person sample said that they were not allowed to vote because of voter identification requirements” (2007, p. 7).

Recent scholarship, however, finds evidence supporting a different view (Alvarez, Bailey, and Katz 2007; Eagleton Moritz 2006; Vercellotti and Anderson 2006). Each report assesses the effect of voter identification laws using turnout

data from the 2004 federal election, and finds that as identification laws become more stringent, or voters must meet more requirements, turnout decreases. Specifically, they found evidence at the aggregate level that requiring a signature match or non-photo identification is negatively related to turnout when compared to requiring that a voter only state his or her name (Vercellotti and Anderson 2006). Likewise, at the individual level, Vercellotti and Anderson found that voter identification requirements including signing one's name, non-photo identification, and photo identification all had statistically significant and negative effects on the likelihood of voting (2006). These results were partially confirmed by Muhlhausen and Sikich who found that white survey respondents were less likely to vote when required to present photo identification rather than stating their name while Black survey respondents were less likely to vote when required to present non-photo identification rather than stating their name (2007). Finally, Alvarez, Bailey, and Katz found that at the individual level, strict voter identification laws, those requiring a non-photo or photo identification, or matching ones signature to a voter card on file, have a negative effect on voter participation (2007).

We question these results, however, because of the way in which some of the authors coded their key independent variable, the measure of voter identification requirements in each state, and the exclusion of political control variables from the analyses. Three reports relied on the same measure of each

state's voter identification requirements—with which we disagree (Eagleton Moritz 2006; Muhlhausen and Sikich 2007; Vercellotti and Anderson 2006). The reports identified five different voter identification requirements that states used in 2004 to identify voters. In each state, voters were required to: state their name, sign their name, match their signature with a signature on file, provide a non-photo identification, or provide a photo identification (Vercellotti and Anderson 2006, 4). Each report argues that states use a maximum standard, or the standard required by law for positively identifying a voter before he or she can cast a regular, non-provisional ballot, and a minimum standard, which can be used instead if the voter cannot provide the required form of identification, but still allows the voter to cast a regular, non-provisional ballot (Eagleton Moritz 2006; Muhlhausen and Sikich 2007; Vercellotti and Anderson 2006). The Eagleton Moritz (2006) and Vercellotti and Anderson (2006) reports identified eleven states that offered exceptions to the voter identification requirements—but our interpretation of state election law in these states suggested that there was but one set of requirements for voters to cast a regular, non-provisional ballot.

For example, Eagleton Moritz (2006), Muhlhausen and Sikich (2007), and Vercellotti and Anderson (2006) code Florida as a state that required photo identification in order to vote with a regular, non-provisional ballot in 2004 under their maximum standard. The reports conclude that if a Florida voter was unable to provide a photo identification the voter could still cast a regular, non-

provisional ballot under the minimum standard of signing an affidavit swearing that the voter is in fact who he or she claimed to be on Election Day. But Florida election law in 2004 stated, as reported by Eagleton Moritz (2006, appendix 1) (emphasis added by authors):

The clerk or inspector shall *require each elector*, upon entering the polling place, to *present a current and valid picture identification* as provided in s. 97.0535(3)(a). *If the picture identification does not contain the signature of the voter, an additional identification that provides the voter's signature shall be required.* The elector shall sign his or her name in the space provided, and the clerk or inspector shall compare the signature with that on the identification provided by the elector and enter his or her initials in the space provided and allow the elector to vote if the clerk or inspector is satisfied as to the identity of the elector.

(2) Except as provided in subsection (3), *if the elector fails to furnish the required identification*, or if the clerk or inspector is in doubt as to the identity of the elector, such clerk or inspector shall follow the procedure prescribed in s. 101.49.<sup>3</sup>

Furthermore, the Florida Secretary of State's website advised voters that (emphasis added by authors):<sup>4</sup>

When you go to the polling place to vote, you will be asked to *provide a current and valid picture identification with a signature*. Approved forms of picture identification are: Florida driver's license; Florida identification card issued by the Department of Highway Safety and Motor Vehicles;

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<sup>3</sup> Florida State law in S. 101.49 and in related sections describes procedures for voting with a provisional ballot. Voters who cannot meet this standard may complete a provisional ballot for federal offices that may or may not be counted after Election Day.

<sup>4</sup> See the Florida Department of State, Division of Elections

[http://election.dos.state.fl.us/online/faq.shtml#Elections\\_and\\_Voting](http://election.dos.state.fl.us/online/faq.shtml#Elections_and_Voting).

United States passport; employee badge or identification; buyer's club identification; debit or credit card; military identification; student identification; retirement center identification; neighborhood association identification; and public assistance identification. *If the picture identification does not contain a signature, you will be asked to provide an additional identification with your signature. If you do not have the proper identification you will be required to vote a provisional ballot.*

Each statement above indicates that Florida voters must present a valid photo identification in order to cast a regular, non-provisional ballot. The only exception in the law is for a photo identification that does not include a signature. In this case, voters are permitted to use a second form of identification to verify the voter's signature—but the exception does not absolve the voter of providing a photo identification. We found similar evidence for other states where Eagleton and Moritz (2006), Muhlhausen and Sikich (2007), and Vercellotti and Anderson (2006) found exceptions in the law.<sup>5</sup> In addition, our reading of state election law in the other 39 states where Eagleton Moritz (2006) and Vercellotti and Anderson (2006) found only one requirement to cast a regular ballot, also revealed some different conclusions about what the law required voters to provide in order to cast a regular ballot. We feel that these differences in interpretation stand

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<sup>5</sup> We did find obscure exceptions for very specific circumstances in some states. For example, Indiana includes an exception for the indigent and those with a religious objection to being photographed. Indiana requires that voters seeking an exemption from the law to cast a provisional ballot and establish identification at a later time. Again, this type of exemption does not allow voters to cast regular, non-provisional ballot without a photo identification.

testament to the difficulty voters face in interpreting complex election laws that may include ambiguous language.<sup>6</sup>

We also question previous results due to misspecification of their models. Both Alvarez, Bailey, and Katz (2007) and Muhlhausen and Sikich (2007) find marginally substantively significant relationships between voter turnout and voter identification laws but both rely on CPS data that does not include a political variable capable of accurately capturing political interest. Political interest is one of the best predictors of turnout (Berinsky 2005; Brady, Verba, and Schlozman 1995; Campbell, et al 1960) and the marginal results reported by Alvarez, Bailey, and Katz (2007) and Muhlhausen and Sikich (2007) would likely vanish with the proper controls.<sup>7</sup>

We believe that the psychological and economic costs of providing identification at the polls are not great enough to cause would be voters to not vote. Thus we hypothesize that voter identification laws will have no effect on turnout. Instead, we hypothesize that traditional socio-economic variables

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<sup>6</sup> Muhlhausen and Sikich (2007) also report differences in their coding of state laws from the data collected by Eagleton Moritz (2006) and Vercellotti and Anderson (2006).

<sup>7</sup> Alvarez, Bailey, and Katz (2007) statistically significant findings are also heavily influenced by the extremely large sample size--approximately 120,000 per year (480,000 over four years)--which benefits their goal of examining states and other populations of interest, but also creates a greater chance of statistical significance with effect sizes (substantive significance) close to zero.

(Teixeira, 1987), interest in politics, the presence of high profile campaigns for president, governor, or senator, or the presence of social issue referenda on the ballot will be statistically significant predictors of turnout.

### **Data and Methods**

We test our hypothesis using empirical analyses of both aggregate and individual-level data. We collected aggregate data that includes two presidential and two mid-term elections across four federal elections from 2000 to 2006. At the individual level, we examined four corresponding years—2000, 2002, 2004, and 2006 (pilot study)—of National Election Study (NES) data. In his comprehensive review of the factors affecting turnout, Andre Blais (2006) argues that since many variables that affect turnout vary from year to year, studies exploring the effect of new variables on turnout must include a dynamic time component, something we account for in our analyses below, but was absent from the Eagleton and Moritz (2006), Muhlhausen and Sikich (2007), and Vercellotti and Anderson (2006) analyses.

Our dependent variable at the aggregate level is *turnout*, measured as the ratio of voters in each state who cast a vote on Election Day to the number of registered voters in each state. Our dependent variable at the individual level is the respondent's self-reported voting behavior during the election.<sup>8</sup> Our

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<sup>8</sup> The self-reported vote includes those who turned out at the actual polling station, as well as individuals who cast absentee ballots.

independent variable of interest is a Guttman scale variable capturing the strength of each state's voter identification law.<sup>9</sup> For example, the lowest score reflects the minimum standard (e.g., verifying one's name) with increasing values for each additional requirement reflecting some more stringent requirements that voters must meet such as a government issued photo identification with an expiration date. In both the aggregate and individual-level models we also control for other factors that might explain turnout following the literature on voter turnout. The aggregate data include state-level socio-economic variables, political context variables, and legal restrictions. The individual-level data contain socio-demographics (e.g., sex, race, age, region, and socio-economic status variables), political affiliation (i.e., party identification), and level of political interest.

### **Aggregate Model**

The dependent variable turnout measures the number of voters who cast votes in each state in each election as certified by the Secretaries of State.<sup>10</sup> The legal factors include our primary variable of interest, a six-point Guttman scale

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<sup>9</sup> For a Guttman scale variable responses indicating higher levels on the scale will also meet the requirements of lower items on the scale. So meeting the highest requirement should satisfy all of the preceding requirements.

<sup>10</sup> We used turnout data collected by the United States Election Project at George Mason University (<http://elections.gmu.edu/>), and by the U.S. Election Assistance Commission (<http://www.eac.gov/>).

variable measuring the strictness of each state's *identification requirements* in order to cast a regular non-provisional ballot on Election Day, ranging from the easiest to the most difficult standard to meet.<sup>11</sup> State law in each of the fifty states requires voters to identify themselves as described in the law or they will not be permitted to cast a regular, non-provisional ballot. Voters who cannot meet the necessary standard will often be allowed to cast a provisional ballot that is not counted with the regular ballots, but rather, may or may not be counted depending on the outcome of a challenge or review process.

We coded state laws based on the legal standard in each state into six categories ranging from the easiest standard of stating one's name to the most difficult of providing identification with the voter's name, photograph, and an expiration date. A one (1) on the scale represents the easiest level to meet—stating one's name. The next level (coded 2) in difficulty is signing one's name. The third level (coded 3) is matching one's signature to a signature on file at the polling location. The fourth level (coded 4) in the scale is providing a form of identification that includes the voter's name and may or may not include the voter's photograph. The fifth level (coded 5) is providing identification that includes the voter's name and photograph. We included in this level states that also added requirements that the identification also include the voter's address

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<sup>11</sup> We collected voter identification law data by consulting state election law, websites run by the Secretaries of State, and through direct communication with the offices of Secretaries of State.

and or signature. The highest level (coded 6) of stringency is providing photo identification with special requirements. The only case included at this level is Indiana because it requires that a voter's photo identification must be issued by the United States or the State of Indiana and include an expiration date indicating that the identification has not expired in addition to including the voter's name.<sup>12</sup> We use this variable to test our hypothesis that increasingly difficult voter identification requirements will have no effect on voter turnout.

We begin our analysis by examining the relationship between identification requirements and turnout with a series of difference of means tests. Table 1 reports the distribution of states' identification requirements along with turnout by election by identification requirement. A quick glance at the distribution of identification requirements reveals there is a good bit of variation in identification requirements across the states. In the 2000, 2002, and 2004 elections the majority of states required the less demanding standards of stating or signing one's name in order to cast a regular ballot. But by 2006, the slight majority of states are found at the top end of the Guttman scale requiring more stringent identification requirements such as a photo identification and a

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<sup>12</sup> We felt that the inclusion of an expiration date made the Indiana law more stringent than the other state laws requiring a photo identification and therefore created a sixth level in our Guttman scale. We reestimated our models folding the sixth level into the fifth and the results we not substantively different.

signature. A two-way random effects analysis of variance (ANOVA) comparing mean turnout across election year, the presumably categorical factor level for each type of identification requirement, and the interaction between the two reveals only the year variable reaching statistical significance ( $F[3,5,545]=140.1, p<.01$ ).<sup>13</sup> Post-hoc Bonferonni adjusted t-tests show lower turnout in the mid-term election years (2002 and 2006), and higher turnout in presidential election years (2000 and 2004). Both the voter identification requirement variable ( $F[5,29]=2.35, n.s.$ ), and the interaction of year and voter identification requirement ( $F[12,161]=.46, n.s.$ ) were non-significant predictors of state-level turnout. Using the same random effects model, we also found no statistically significant relationship when treating our Guttman scale measure of identification stringency as an ordinal covariate ( $\beta=-.81, SE=.46, n.s.$ ). Thus, controlling for the

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<sup>13</sup> Random effects modeling is also called “multilevel modeling” (MLM) or “hierarchical linear modeling” (HLM). In this analysis, year is the random effect because states are nested within the election period (Tabachnick and Fidell 2006). The intraclass correlation coefficient (ICC or  $\rho$  (“rho”)) is based on Maximum Likelihood Estimation for a random effects model. The ICC is equivalent to an Eta square ( $\eta^2$ ) statistic, and indicates the amount of variance in turnout that occurs between states relative to the turnout within states. Lower ICC values indicate random effects modeling is likely unnecessary (Bickel 2007; Tabachnick and Fidell 2006). The ICC between election year and turnout is .79, indicating that approximately 62% ( $\rho^2$ ) of the variance in turnout for states can be explained by the election year. Thus, we employ random effects modeling for the aggregative level data.

election year, state voter identification laws produced no statistically significant effects on state level turnout. This very simple analysis suggests state level turnout and voter identification requirements have very little to do with one another, at least between the years of 2000 and 2006.

**[Table 1 about here]**

Having shown state voting requirement laws have no significant effect on state level turnout, we next wanted to show what factors do matter. To accomplish this, we regressed turnout on three categories of variables: legal, election-specific, and demographic factors. First we controlled for two other legal factors in addition to identification requirements, the number of days between the deadline to register to vote in each state and Election Day (*number of days before election*) and a dichotomous variable indicating whether a state's election laws changed with respect to voter identification since the previous election (*change in requirement*).<sup>14</sup> We hypothesize that a change in election law with respect to voter identification since the last federal election should cause a decrease in turnout due to increased voter confusion and a greater number of days between the deadline for voter registration and Election Day should also cause a decrease in turnout because voters must register far in advance of the election.

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<sup>14</sup> We collected the number of days between the registration deadline and Election day from state laws. The change in election law variable is a dichotomous indicator based on our identification requirement variable.

Next, we control for five election-specific characteristics that might affect turnout. *Senate race* and *gubernatorial race* are dichotomous variables indicating whether there was a senate or gubernatorial race in a state during the election year. We expect each of the variables to have a positive relationship with turnout as each type of election is generally more high-profile than elections for lower offices. *Federal campaign spending* measures the total amount of spending in 2004 dollars by federal candidates in each year as reported by candidates to the Federal Election Commission.<sup>15</sup> *Social issues* indicates the number of social issues (abortion, same sex marriage, or stem cell research) that were on the ballot in a state during each election.<sup>16</sup> We expect both of these factors to increase turnout as more spending and high-profile issues on the ballot should increase awareness of and interest in the election through increased campaign advertising and media coverage, thereby increasing turnout. We also control for each election year with a series of three dummy variables controlling for the 2000, 2002, and 2004 election years, with the 2006 election year as the excluded category. We expect that 2000 and 2004 will cause an increase in turnout as these were presidential election years.

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<sup>15</sup> We collected financial data from [www.fec.gov](http://www.fec.gov).

<sup>16</sup> We collected ballot initiative data using information from the National Conference of State Legislatures (<http://www.ncsl.org/index.htm#>).

Finally, we control for demographic factors that the literature has found to be important in explaining turnout. *Voting age population* measures the size of each state's voting age population as measured by the 2000 Census. We expect that population size and voter turnout should have a positive relationship.<sup>17</sup> *Percent Black* and *percent Hispanic* measure the percentage of each state's citizens who are Black and Hispanic, respectively. We also control for states in the *south* and interact south and percent Black to control for differences in voting in southern states with variation in the percentage of Black voters. Following the literature we expect each of these variables to have a negative effect on turnout. *Percent college* is a variable indicating the percentage of college graduates in each state and *percent urban* indicates the percentage of citizens living in urban areas. We expect that an increase in the percentage of college educated voters will cause an increase in turnout while an increase in urbanity will have the opposite effect.

Table 2 reports the results of a random effects general linear model with maximum likelihood estimation explaining turnout in four elections, 2000 through 2006.<sup>18</sup> Again, election year was treated as a random effect, and the other

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<sup>17</sup> We also estimated the model using the number of registered voters instead of population size and the results were equivalent.

<sup>18</sup> There are only 197 observations in the aggregate model because turnout data was not available for North Dakota in 2000 or for Wisconsin in 2000 and 2002.

predictors were treated as fixed effects. On the whole, the model does a very good job of explaining turnout (*Adjusted R*<sup>2</sup> = .75). Socio-demographic and ballot initiative variables that are usually statistically significant in the turnout literature are also significant in our model with coefficients in the expected direction.<sup>19</sup> The primary variable of interest, identification requirement, is again not statistically significant indicating that the type of voter identification law does not affect voter turnout. We also ran this analysis with data from each election year independently but did not find a statistically significant relationship between voter identification laws and turnout.<sup>20</sup> On the aggregate level, we are confident that variation in voter identification laws does not cause meaningful variation in turnout, particularly after controlling for socio-demographic and political factors.

Most of the control variables offer confirmation for the received wisdom on characteristics that affect turnout. Among the statistically significant variables the number of social issues on the ballot, presidential election years (2000 and 2004), and percent college each had positive effects on turnout while the percentage of Blacks, the percentage of Hispanics, southern states, and an interaction of percent Black and southern state each showed negative effects on

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<sup>19</sup> We also estimated this model using a series of dummy variables representing the different state voter identification requirements with stating one's name as the excluded reference category and the results were equivalent.

<sup>20</sup> These results are available from the authors upon request.

turnout. Ancillary analysis of the significant interaction of percent Black and southern state indicates a positive relationship between percent Black and turnout in southern states, but a negative relationship in non-southern states. More generally, there are sizable differences in turnout between southern and non-southern states when the black population is lower, but practically no differences when the black population is higher.<sup>21</sup>

### **Individual-Level Model**

To further investigate the relationship between voter identification laws and turnout we next turn to our individual-level analysis using NES data. NES data are not completely consistent over time in terms of demographic variables and sample sizes (e.g., 2006 is a Pilot study with fewer cases); however, each of the years we examine includes a variable measuring political interest, which allow us to control for a basic civic motivation. We sought to determine the effect of state level voter identification laws on individual voting behavior. Examining these potential effects required us to append the state-level data to individual level respondents in the NES data for 2000, 2002, 2004, and 2006, respectively. Such an analysis typically necessitates the use of random effects modeling since

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<sup>21</sup> The terms “higher” and “lower” are relative, since there are few states with what would normally be considered high percentages of Black Americans. We used percentiles found in the data to create our categories, which resulted in lower being between 0 and 3.4%, middle between 3.41 and 11.5%, and higher greater than 11.5%.

respondents are nested within states, and this nesting may produce correlated responses (and errors) (Bickel 2007; Tabachnick and Fidell 2006).<sup>22</sup> Yet, random effects modeling is required only when random effects are present. The intraclass correlation coefficient (ICC), which indicates the correlation between the random factor (e.g., state) and the individual level variable (e.g., turnout) is typically the determining factor for employing random effects modeling. ICC values approximating .100 call for consideration of the random effects; however, ICC values close to zero indicate the nesting variable is not significantly related to the individual level variable, and there is no need to specify (or hypothesize) an effect, when it is not already present, unless there is some theoretical grounds for including mixed level interactions. ICCs were calculated for each year to test the hypotheses that individual level turnout varied across state.<sup>23</sup> In each year the values— $\rho=.011$ ,  $\rho=.021$ ,  $\rho=.005$ , and  $\rho=.009$  for 2000, 2002, 2004, and 2006

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<sup>22</sup> We do not pool the NES data because of the variation in missing demographic across the years; however, a pooled random effects saturated model with time as the random factor, and state identification law and political awareness as predictors produced no statistically significant main effects for identification laws ( $F[1,4287]=.015$ , *n.s.*) or election year ( $F[3,4287]=.20$ , *n.s.*). The saturated model includes all possible main and interaction effects.

<sup>23</sup> The ICC ( $\rho$ ) is based on Maximum Likelihood Estimation for a random effects model. The ICC is equivalent to an Eta square ( $\eta^2$ ) statistic, and indicates the amount of variance in turnout that occurs between states relative to the turnout within states. Lower ICC values indicate MLM is likely unnecessary (Tabachnick and Fidell, 2006).

respectively—were small enough for us to conclude that individual-level models are adequate for our analysis of state level effects on individual level turnout. That is, we can statistically treat the voter identification law as an individual level variable.

We first ran bivariate correlations to examine the effects of state laws on individual turnout. Biserial correlations reveal no statistically significant effects of state law requirements on individual level turnout for any of the four years: 2000 ( $r = -0.025$ ), 2002 ( $r = -0.041$ ), 2004 ( $r = 0.001$ ), and 2006 ( $r = -0.044$ ).<sup>24</sup> The lack of statistical significance is sufficient for us to conclude individuals' voting behavior, or more aptly their self-reported voting behavior, is not influenced by voter identification laws.

**[Table 3 about here]**

To estimate the significant determinants of individual voting behavior we ran logistic regression analyses predicting whether or not respondents voted in each of the four election years. Our independent variables included *age*, *sex*, race (dummy variables for *Black* and *Other non-White Race-Ethnicity*), *education* (standardized scores), *household income* (standardized scores), living in the *south*, political party identification (dummy variables for *Democrat* and *Republican*),

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<sup>24</sup> Biserial correlations are coefficients computed between dichotomous and [assumed to be] continuous variables. The biserial correlation provides an estimate of what the correlation would have been if the collapsed dichotomous variable were continuous.

and an individual's level of interest in politics (*political interest*) measured on a 3-point scale (1=not interested, 3=very much interested). The results are shown in Table 3. Looking across all four years of data age, education, party identification, and political interest were consistently significant predictors of voting.<sup>25</sup> In addition, household income (not included in 2006) was a significant predictor of voting in 2000, 2002, and 2004. As expected, the state voter identification law variable never reached statistical significance in any of the four years we examined. Thus, our results suggest that basic socio-demographics and other individual level characteristics such as political interest have a much larger effect on voting behavior than political context variables such as the type and degree of identification required for voting.

## Discussion

Despite not having the proper identification when she arrived at the polls, Congresswoman Julia Carson was ultimately allowed to vote in the 2006 Indiana primary. Of course, a member of Congress is far more likely to aggressively pursue her right to cast a ballot than the average citizen. Our paper sought to determine whether or not states' voter identification laws, which vary greatly, affect voter turnout. Scholars, pundits, and activists make forceful arguments with respect to the ways in which identification laws can intimidate voters or encourage fraud, depending on the strictness of the rule. Our analyses, at both the

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<sup>25</sup> The 2006 NES pilot data did not include all of the demographics variables.

aggregate and individual levels, consistently demonstrate that, as was the case with Congresswoman Carson, concerns about voter identification laws affecting turnout are much ado about nothing.

Despite the intense speculation about these laws and some preliminary evidence that they do negatively affect turnout, we consistently find that demanding voting requirement laws at the state level have no significant effect on either aggregate or individual-level turnout. Our findings are consistent with the importance theories of voting behavior place on factors such as interest in politics, socioeconomic status, and the context of a particular elections year. Just as electoral reforms aimed at increasing voter turnout generally affect those citizens who are already likely to vote rather than the nonvoters that the reforms are targeting, voter identification laws of increasing strictness do nothing to dissuade Americans from casting a ballot.

One interesting finding from the individual-level analysis related to the aggregated data was the regional factor of “the South.” The aggregate analysis revealed Southern states averaged lower turnout (see Table 2). In an ancillary analysis of the pooled NES data examining which individual level predictors were most related to the degree of voting requirements, the one variable with a statistically significant correlation greater than  $\pm .100$ , was the dummy variable for the South (South=1). Individuals who lived in the south tend to live in states where the voting requirements are more stringent ( $r = 0.390, p < .01$ ). This effect

was consistent for 2000 ( $r = 0.422, p < .01$ ), 2002 ( $r = 0.395, p < .01$ ), 2004 ( $r = 0.468, p < .01$ ), and even 2006 ( $r = 0.252, p < .01$ ). If the original intent of making voting laws more stringent (e.g., government issued photo identification with signatures) was to reduce potential fraud, based on the NES data one might expect Southern states to be most fearful of the crime. Yet, there is scant evidence of widespread fraud in the South.

Our NES results do not provide strong support for the notion that individuals living in the South are less likely to vote, as south was only statistically significant in 2004, even when controlling for state voting laws, nor do the data indicate the effects of the voter identification laws differ because one lived in the South ( $\beta_{\text{South} \times \text{State ID law}} = -0.08, \text{n.s.}$ ).<sup>26</sup> Thus, even among the individual level-factors strongly associated with the stringency of the state law, the laws have no significant effect on individual level turnout.

Voter identification laws are a much smaller piece to the electoral puzzle than are factors such as the kinds of issues on a state ballot, the competitiveness of campaigns, the institutional structures of a particular election, socio-economic factors, and interest in politics. This is not to say that the rules of the game are unimportant; rather it is to suggest that some rules (voter identification laws) are not as consequential as others (i.e. same day registration in Minnesota, a state with historically high turnout). Time and energy spent debating the utility of

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<sup>26</sup> Results based on logistic regression model controlling for all factors in Table 3.

various voter identification laws may well be better spent exploring to how factors such as interest in politics (Berinsky 2005), particular kinds of elections (Gronke, Galenas Rosenbaum, and Miller 2007), and controversial social issues (Tolbert, Grummel, and Smith, 2001) can motivate voters. As Berinsky (2005) suggests, changing voter identification and registration laws are not as likely to increase turnout as are civic-minded measures aimed at raising political awareness and feelings of efficacy. Our results are certainly consistent with Berinsky's recommendation as we provide strong evidence that voter turnout is unrelated to voter identification laws.

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**TABLE 1: Mean Turnout by Identification Requirement, 2000-2006**

Identification Requirement	2000		2002		2004		2006	
	<i>M</i>	<i>N</i>	<i>M</i>	<i>N</i>	<i>M</i>	<i>N</i>	<i>M</i>	<i>N</i>
State Name	68.9	10	48.6	11	70.5	10	45.5	10
Sign Name	66.1	19	47.2	19	70.3	16	42.8	13
Match Signature	66.1	8	40.6	8	71.7	7	40.0	6
ID with Name	66.0	10	46.8	10	70.9	15	44.2	17
Photo ID	57.7	1	44.2	1	70.1	2	37.7	3
Photo ID +	---	0	---	0	---	0	36.6	1
Total <sup>27</sup>	66.5	48	46.3	49	70.7	50	43.1	50

*Note.* ANOVA F-tests comparing mean turnout across identification requirement categories reveal no significant mean differences within years; however turnout in 2000 and 2004 were significantly higher than turnout in 2002 and 2006 (see ANOVA results in the text).

*Source.* Aggregate data gathered by the authors.

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<sup>27</sup> North Dakota and Wisconsin are omitted because in 2000 and Wisconsin is omitted in 2002 because the turnout data was not available for the states. In each of the three cases, however, state law required the standard of stating one's name to cast a regular ballot.

**TABLE 2. Random Effects Parameter Estimates of Turnout on Identification Requirements, 2000-2006**

Variable	<i>B</i> ( <i>SE</i> )
<i>Legal Factors</i>	
ID Requirement	-.19 (.47)
Change in Requirement	-1.60 (2.30)
# Days Before Election	-.21 (.08)
<i>Election Factors</i>	
# Social Issues	3.28 * (1.35)
Senate Race	.72 (1.13)
Gubernatorial Race	-.71 (1.15)
Federal Campaign Spending	.00 (.00)
<i>Year</i>	
2000 Election Year	24.3 ** (1.50)
2002 Election Year	1.88 (1.58)
2004 Election Year	27.71 ** (1.43)
<i>Demographic Factors</i>	
Voting Age Population	.00 (.00)
Percent Black	-.60 ** (.17)
South	-9.47 ** (2.57)
South x Percent Black	.70 ** (.20)
Percent Hispanic	-.19 ** (.07)
Percent College	.37 ** (.14)
Percent Urban	.02 (.06)
Constant	36.16 ** (4.16)
Adjusted R <sup>2</sup>	.75

*Note.* Values in parentheses are standard errors; Total cases=182; 2000 N=48, 2002 N=34, 2004 N=50, and 2006 N=50; \* p < .05, \*\* p < .01

*Source.* Aggregate data gathered by the authors.

**TABLE 3. Logistic Regression Coefficients and Odds Ratios Predicting Individual-Level Turnout**

	2000				2002			
	$\beta$	SE		Odds Ratio	$\beta$	SE		Odds Ratio
Age (years)	.02	(.01)	**	1.02	.03	(.01)	**	1.03
Sex (Male=1)	.02	(.15)		1.02	.18	(.15)		1.20
Other Race	-.43	(.32)		.65	-.05	(.32)		.95
Black	-.07	(.26)		.94	.10	(.25)		1.11
Education <sup>b</sup>	.63	(.09)	**	1.89	.53	(.09)	**	1.70
Household Income <sup>b</sup>	.38	(.10)	**	1.46	.24	(.08)	**	1.27
South	-.12	(.18)		.89	-.31	(.17)		.74
Democrat	.96	(.22)	**	2.62	.82	(.29)	**	2.27
Republican	.92	(.23)	**	2.52	.89	(.29)	**	2.42
Political Interest	.94	(.11)	**	2.57	1.40	(.13)	**	4.04
ID Requirement	-.08	(.08)		.92	-.09	(.08)		.92
Constant	-2.28	(.45)	**	.10	-3.75	(.51)	**	.02

  

	2004				2006 <sup>a</sup>			
	$\beta$	SE		Odds Ratio	$\beta$	SE		Odds Ratio
Age (years)	.01	(.01)	*	1.01	.03	(.01)	**	1.04
Sex (Male=1)	-.44	(.20)	*	.65	.07	(.29)		1.07
Other Race	-.82	(.35)	*	.44	--	--		--
Black	-.29	(.28)		.75	--	--		--
Education <sup>b</sup>	.48	(.12)	**	1.62	--	--		--
Household Income <sup>b</sup>	.35	(.10)	**	1.42	--	--		--
South	-.59	(.23)	**	.56	-.07	(.33)		.93
Democrat	1.10	(.29)	**	3.00	2.11	(.64)	**	8.24
Republican	1.40	(.31)	**	4.04	2.05	(.64)	**	7.79
Political Interest	1.18	(.15)	**	3.27	1.03	(.20)	**	2.81
ID Requirement	.09	(.09)		1.09	.11	(.11)		1.11
Constant	-2.36	(.58)	**	.09	-5.12	(.99)	**	.01

*Note.* Analyses are based on unweighted sample data; 2000 Analytic N=1,290 ( $R^2=.31$ ); 2002 N=1,254 ( $R^2=.34$ ); 2004 N=935 ( $R^2=.34$ ); 2006 N=332 ( $R^2=.29$ ); \*  $p < .05$ , \*\*  $p < .01$

<sup>a</sup> 2006 NES Pilot did not contain some demographics. <sup>b</sup> Education and household income are standardized (z) scores based on ordinal measures found in the NES.

*Source:* National Election Studies (NES) (2000, 2002, 2004, and 2006 (Pilot)).