

Changing the Way People Vote?

An Examination of the Voter Choice Act and Vote Center Implementation in California

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Abstract

In 2018, California implemented a series of voting reforms under the new Voters Choice Act. Counties were allowed to opt in to the program rather than be required by law. Five counties, Madera, Napa, Nevada, Sacramento and San Mateo, implemented the changes for the 2018 primary and general elections. This paper examines the effects from the adoption of the Voter Choice Act in 2018 in terms of turnout and voting methods, with a focus on the shift toward vote by mail. The goal of this study is to better understand who is voting when and how in the revamped California election environment. Results show that when given multiple convenience options such as vote by mail and vote centers with early voting hours, voters overwhelmingly choose to vote by mail. Results also suggest that when voters change their behavior in a reform environment, the majority move from in person voting to vote by mail rather than vice versa. While the Voter's Choice Act does not push California toward all mail voting, it does aid vote by mail to a greater extent than in person voting and the results suggest that adopting counties voted by mail at high enough rates in 2018 that all mail elections could be on the horizon.

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The health of democracy depends on the quality of elections and the primary responsibility of election officials is to administer fair, efficient, transparent and cost-effective elections for their jurisdiction (Toulouse Oliver 2011), but election officials are also charged with making sure that all registered voters (and by some accounts, all citizens) within their jurisdiction have the ability to participate in elections. Since 2003, many election reforms have aimed to make voting less costly and more convenient for voters in an attempt to increase voter turnout. Convenience voting has been defined as casting a ballot in any method other than at a precinct polling place on Election Day (Gronke et al. 2008). Convenience voting may include early-in-person voting, no excuse absentee voting, all-mail elections, voter convenience centers, and even Internet voting (Gronke et al. 2008) and in 2018 California expanded the number of conveniences available to voters in a big way.

In 2016, California passed The California Voter's Choice Act (VCA) to make voting more convenient, accessible, and modern, starting with the 2018 elections. California already had no-excuse absentee voting and a permanent vote-by-mail (VBM) option and approximately 60% of voters throughout the state were registered as permanent absentee voters and voted by mail, but the VCA aimed to make voting by mail even easier by expanding the number of ways a voter could return their ballot. Beyond this, the VCA would also transition counties from the precinct model to the vote center model of elections, increase access to early voting by having more than one early voting location in each county, and allow conditional voter registration (aka Election Day registration) at all vote centers. This model is an amalgam of voting conveniences offered in several states, including Colorado, Washington, Oregon, New Mexico, and Arizona and was tested in California in 2018 through a limited opt-in by five counties (Madera, Napa, Nevada, Sacramento, and San Mateo) in both statewide primary and general elections before much

broader implementation in 2020.¹ The number of changes being implemented at once, effectively producing a complete overhaul of the election system in these five counties, make the Voter Choice Act worth studying. In this paper I will limit my analysis to turnout and registration effects, an examination of vote method, and an examination of whether or not voters in VCA counties were more likely to change their vote method than those in non-VCA counties.

The Voter's Choice Act in 2018

California counties who opted into the Voter's Choice Act simultaneously implemented many election reforms for both the primary and general elections in 2018. The biggest change is that *all* voters in VCA counties receive a vote by mail (VBM) ballot, not just those registered as permanent vote by mail (PVBM). All voters will then have the choice of three ways to return their ballot, they could mail the ballot, place it in one of designated, secured ballot drop boxes located throughout the county, or return it in person to a vote center during open hours. The introduction of ballot drop boxes was not new to all counties in the state (three counties and several cities across the state conduct all mail elections), the VCA requirements were. The number of drop boxes located throughout a county follows a formula created by the law, requiring one ballot drop-off location for every 15,000 registered voters in a county, with a minimum of two drop-off locations per county. All ballot drop-off locations are required to be accessible during normal business hours for no less than 28 days prior to and including Election Day.

If voters did not receive a ballot or need a ballot replacement or simply wish to vote in person, they also have options under the law. Voters wishing to vote in person can their ballot

¹ All but 14 counties were allowed to opt in for the 2018 implementation test, but only five joined. Eight additional counties have joined as VCA counties for 2020, including the largest county by population, Los Angeles County. I hope to continue this study into the 2020 election as well, so any additional information and feedback would be useful moving forward, especially that would be useful to state and local election officials.

to a vote center and vote in person instead. If voters need to exchange their ballot for one in another language, they will be allowed to do that at vote centers as well. If they did not receive a mail ballot, they could get a replacement ballot-on-demand at vote centers and their original ballot would be cancelled. One of the biggest problems that has been observed with the implementation of vote centers has been underestimation by election administrators of how many computers and printers are needed at vote centers or how long the Ballot on Demand system takes to print ballots for voters (Atkeson, Adams, and Bryant 2012) thereby causing a bottleneck of voters.² California is notorious for their long ballots, which could exacerbate this issue. By sending all voters a ballot in the mail, election administrators were hoping to reduce the number of people who voted in person or would need ballots printed at vote centers, thereby reducing the risk of bottlenecks for in-person voters.

Under the VCA California, counties are estimating the number of vote centers needed based on the number of registered voters 88 days prior to Election Day. California Elections Code 4005 requires one voting center per 10,000 registered voters, with a minimum of two centers, which is a 40% reduction in voting locations compared to the precinct model. In addition, a small set of vote centers will be open 10 days prior to Election Day, and 90% of vote centers will open the 4 days prior to Election Day. These requirements should be adequate given the number of VBM voters, but the new rules allowing VBM voters to cast their ballot in person instead could affect in-person turnout. This is important information to examine from an administration perspective, because this rule could potentially cause counties to underestimate the number of voting centers needed and the number of ballot on demand terminals and printers needed at each location, which could have negative effects. On the other hand, expanding the number of

² In many places, like Maricopa County, AZ, or Sandoval County, NM initial implementation of vote centers and ballot on demand systems has resulted in long lines, which have frustrated voters but did not necessarily effect turnout (Atkeson and Adams 2015; Atkeson 2017).

days that in-person voting is allowed and sending all voters a vote by mail ballot may alleviate the strain on vote centers on Election Day and lines may not be an issue for counties that adopt the VCA.

A key component of the Voter's Choice Act is the delivery of vote by mail ballots to all registered voters in a county. Colorado, Oregon, and Washington conduct all of their elections by mail and consistently rank high for voter turnout (McDonald 2019) and California may be trying to emulate this model through the recent reforms. California has passed a series of reforms to make voting more inclusive and (possibly) encourage voting by mail. In 2013, the state passed AB1135, requiring that voters whose ballots were rejected be made aware of why their ballot was rejected and have the ability to fix the problem for future elections. The law included provisions that allowed voters to update their signature if needed and expanded the types of identification that could be used to confirm identity.

In 2014, California passed a law (SB29) that went in to effect in 2015 and ensured ballots postmarked by Election Day and received within three days after the polls close would be counted, rather than requiring they be received by the close of the polls on Election Day, as many states require. A 2016 law loosened restrictions on who was allowed to drop off an absentee ballot on behalf of a voter. Prior to 2016, only an immediate family member, a registered caretaker, or someone who lived in the same household was allowed to drop-off a ballot for a voter. The law expanded this right to political organizers and campaigns, who were allowed to collect or "harvest" ballots from voter's homes and deliver them to the polls. This law may cause concerns among voters for the security of elections, but it also provides a convenience for voters who may otherwise have a difficult time leaving their home or remembering to return their ballot.

Finally, in 2018 the California State Legislature approved Every Vote Counts Act (SB 759) which provides voters the opportunity to verify and correct mismatched signatures on mail ballots, requiring local election officials to notify voters of mismatches signature at least 8 days

prior to the certification of the election. The voter then has the opportunity to verify and update or correct their signature as long as it is at least 2 days prior to certification of the election. Upon passage of the law, Secretary of State Alex Padilla issued a statement claiming, “SB 759 is also critical to ensuring that California voters can take full advantage of the conveniences of voting by mail,” (Padilla 2018) again suggesting the state may have an interest in having more people vote by mail.

In addition to the slew of reforms focused on vote by mail ballots, in 2018 California also implemented Conditional Election Day voter registration (CVR), which allowed citizens who missed the 15-day prior to Election Day voter registration deadline to register in person at the local election officials office or a limited number of locations anytime between 14 days prior to the election and Election Day and cast a provisional ballot that would be counted upon verification that the person was otherwise eligible to vote. The VCA expanded the number of locations where CVR could be done to all vote centers in the county. Because of this added convenience, we should expect to see higher rates of CVR in VCA counties than in non-VCA counties, where it may be challenging to get to the election official’s office or there may be long lines.

This study will examine whether or not people continued to vote in person at similar rates in VCA and non-VCA counties. It will also examine who chooses to vote by mail or use ballot drop-boxes rather than vote in person based on the limited demographics in the voter file such as vote history, age, and party affiliation. It is reasonable to expect that habitual voters and those who are not permanent vote by mail voters may choose to go to the polls at higher rates. Recent research has also found that young people are less likely to vote by mail than older voters and have more difficulty receiving their absentee ballot (CIRCLE 2016), but that may be because of the requirement many states have that voters have to request a mail ballot and keep their address

up to date. It is possible that if all voters receive mail ballots automatically, young people will vote by mail at rates similar to older voters.

Finally, this study will examine whether or not people changed their method of voting by comparing how ballots were cast in 2018 compared to the 2016 Presidential election, which is the most recent preceding statewide election and the 2014 Midterm/Gubernatorial election, which is the preceding election of the same election type. The expectation of a convenience model is that by sending ballots directly to all voters, they will be more likely to vote by mail, even if they were an in-person voter in the past. The overall goal of the study is to better understand how voters are exercising their right to vote in the revamped California election environment.

Data, Methods and Results

To assess whether or not turnout had any effects on voter turnout, vote method (or mode), or create changes in voter behavior, analysis will be done using the California voter registration file with complete voter history, including the method the voter used to cast the ballot. The voter file was acquired from the California Secretary of State in January 2019 after all counting was complete and the Statement of the Vote had been certified. The file is limited to those who registered in time to vote in the 2018 primary and general elections, including those who registered conditionally between the cutoff of 15 days prior to and on Election Day for each election, if a vote was certified and recorded. The data is also limited to those 18 and over, because although CA does allow pre-registration starting at age 16, voting is not allowed until 18 years of age. The data used contains a total of 19,591,655 registered voters.

Because the data used is population data and not a sample, most analysis is done using difference of means tests and linear regression.

Turnout effects

One of the key goals of the convenience reforms is to increase turnout. Looking at turnout among all registered voters shows that turnout was higher in VCA counties than in non-VCA counties in both the primary and general elections. On average, VCA counties saw a turnout rate of 41.8 percent in the 2018 primary election compared to 34.9 percent in non-VCA counties, as is shown in Table 1. This difference of 6.7 percent is both meaningful and statistically significant ($t=162.4$, $P<.001$) increase in turnout. Similarly, in the 2018 general election there was a difference in turnout of 7.3 percentage points ($t=168.7$, $p<.001$), with VCA counties seeing an average turnout rate of 69.8 percent among registered voters compared to 62.5 percent in non-VCA counties. While these differences do not test for causation, they suggest that the adoption of the Voter's Choice Act may lead to higher turnout.

Table 1. Turnout Rates in VCA and non-VCA Counties in the 2018 Primary and General Elections

	Primary 2018		General 2018	
	Non-VCA	VCA	Non-VCA	VCA
Did not vote	65.1	58.2	37.5	30.2
Vote	34.9	41.8	62.5	69.8

Vote mode

The statewide voter history file contains information about which voting method or mode a voter used to cast their ballot. The 2018 voter file includes five ways that a voter may have cast their ballot: conditional voter registration (CVR), early-in-person (ERLY), in person on Election Day (POLL), absentee ballot/vote by mail (VBM), and at a vote center (VCR). The statewide file does not indicate how a VBM ballot was returned, so that level of detail is not included in the analysis presented here (but is in the overall plan for this project). The statewide voter file also does not include dates for early and vote center voting, so it is not possible to distinguish when

people are voting using this data. For the analysis presented here, CVR, ERLY, POLL, and VCR are all coded as in-person voting (0) and VBM is coded as vote by mail (1).³

Like many other states, the majority of Californians have voted by mail in the past several elections (Figure 1).⁴ In the 2018 primary election, 70.2% of all votes cast were vote by mail and it was nearly as high, 66.7% during the general election. As stated earlier, it is expected that these numbers will be higher in VCA counties due to the fact that all voters automatically receive a mail ballot. In the 2018 primary election, 93.5 percent of vote cast used a VBM ballot, and 6.5 percent of voters voted in person. In non-VCA counties, 31.9 percent of voters turned out to the polls and 68.1 percent of voters voted using a mail ballot. It is not surprising that the 25 percentage point difference is statistically significant ($t=405.2$, $p<.001$).

The differences are similar for the general with 90.5 percent of voters using a VBM ballot in VCA counties, and only 64.7 percent of voters opting for that method in non-VCA counties. Again, this difference of nearly 26 percentage points is statistically significant ($t=518.7$, $p<.001$) and highly suggestive of support for the idea that sending a ballot to all voters is likely to increase the use of voting by mail.

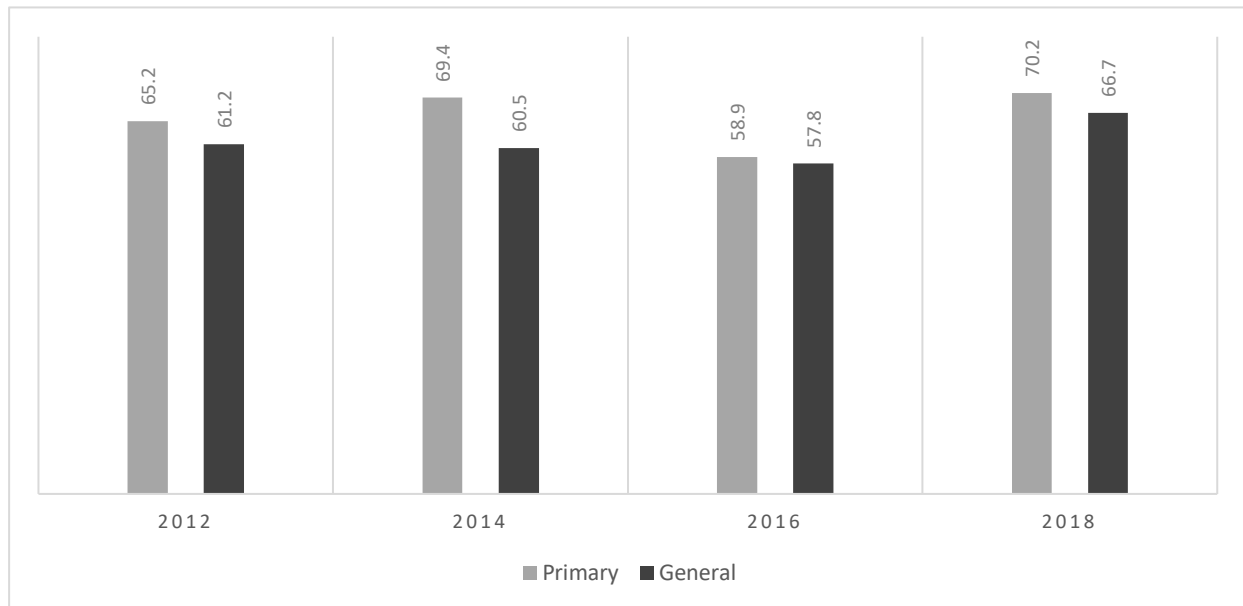
It is possible that there is something unique about the counties that self-selected in to the VCA and that even without the reform, they would have had higher rates of voting by mail. For example, one of the counties that adopted VCA in 2018 was San Mateo county, which has a history of using all mail elections for local or special elections. While there is likely some loss of voter data from past elections (death, relocation, purges, etc.) most voters who voted in the 2016

³ There were very few cases of Conditional Voter Registration in the 2018 general election, making up only .4% of all votes cast, however 33% occurred in VCA counties.

⁴ The figure was made with numbers from the statewide voter registration file provided by the Secretary of State after the certification of the 2018 General Election. Due to voter file deterioration over time, the statistics for the previous elections (2012-2016) were taken from the CA SOS report on the history of absentee ballot use in statewide elections.

statewide elections are likely still in the registration file as they would still be listed as active, having voted in a recent statewide election. Using the same classification (the 5 VCA counties that adopted in 2018), data from the 2016 presidential general election show that there was a much smaller, but still significant difference in VBM, with the 5 early adopting counties having higher rates of voting by mail. In 2016, 67.9 percent of voters used VBM ballots in the VCA counties, while 59 percent voted by mail in non-VCA counties, creating a difference of 9 percent ($t=172.8, p<.001$).

Figure 1. Percentage of Votes Cast Using Vote by Mail Ballots, 2012-2018 Statewide Elections



Source: 2018=2018 CA Statewide Voter Registration file, extracted January 2019
 2012-2016=CA Sec. of State, Historical Vote by Mail Report

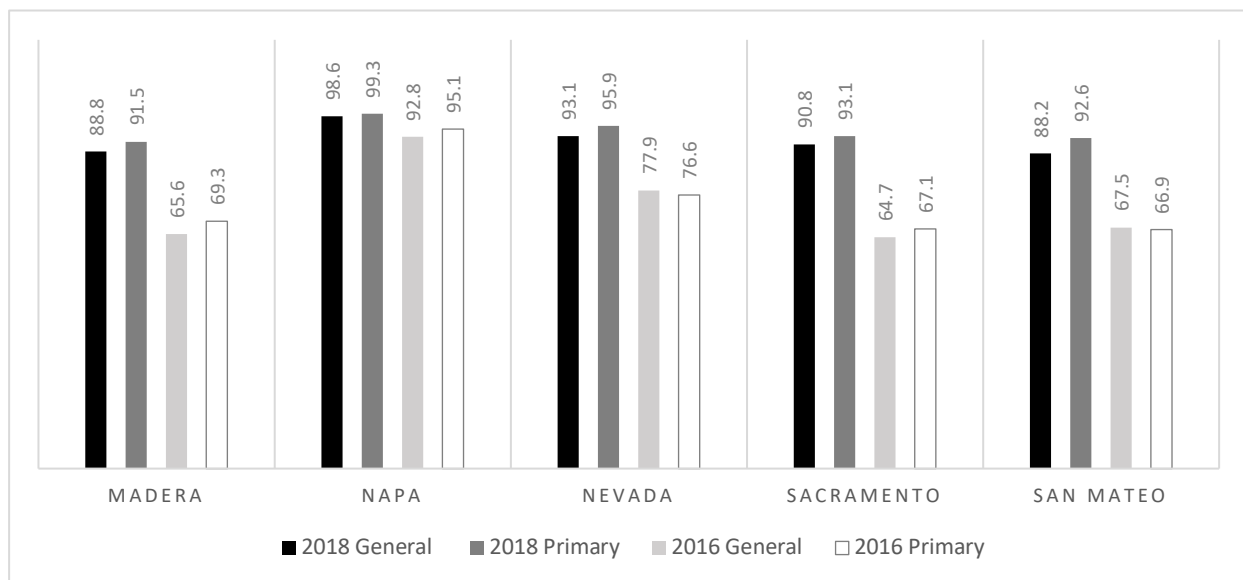
Urban/Rural Differences Among VCA Counties

The counties involved in the study allow for a natural urban/suburban/rural comparison on how voters utilize new convenience options. Napa and Madera Counties are fairly rural or suburban counties with no major metropolitan areas included in the county boundaries. Napa County does house Napa, which is a tourist destination, and Madera is not far from the City of

Fresno, which is a large metropolitan area, although voting locations are not necessarily located near Fresno where people may commute to work, eat, or shop. Nevada County, on the other hand, is quite sparsely populated and fairly removed from any sizeable metro area. The closest major city is Reno, Nevada and during certain winter months, residents in Nevada County would not be able to make it through mountain pass to reach Reno. Conversely, Sacramento County includes the capital city of Sacramento and San Mateo County includes the densely-populated areas southwest of San Francisco, including places such as East Palo Alto, Menlo Park, and South San Francisco. Thinking about the differences in use of VBM ballots in the VCA counties, it is reasonable to expect that the differences are primarily being driven by rural voters who do not want to travel long distances to vote, while voters in urban areas would be more likely to use vote centers. The characteristics of the counties that opted in to the VCA may also help explain why VBM use was higher even prior to adoption.

Using both the voter registration file and records from the Secretary of State's office, Figure 2 shows that Napa County voters have been utilizing VBM ballots at a high rate for the last several elections, with all four elections showing over 90 percent of votes cast with VBM ballots. Nevada County, the most rural of the counties, had the second highest rate of VBM ballot usage both prior to and after the adoption of the Voter's Choice Act. The three remaining counties are all fairly similar in the patterns of VBM usage. All were in the mid-60s range prior to adoption of VCA and all saw around 90 percent of votes cast using vote by mail ballots in both elections in 2018. It is not clear that any one county is driving the results for the increased use of VBM, but rather it seems that there was a marked increase in use of VBM in four of the five counties after the adoption of the reforms.

Figure 2. Percentage of Votes Cast Using Vote by Mail Ballots, 2016-2018 Statewide Elections in Voter Choice Act Counties



Source: 2018=2018 CA Statewide Voter Registration file, extracted January 2019
 2016=2016 CA Sec. of State, Voter Participation Statistics by County

Demographic differences

While there is limited information about voters in the voter registration file, it is possible to glean some understanding of who is more likely to vote by mail. Using logistic regression on the dependent variable Vote by Mail in the 2018 General Election (in-person=0, VBM=1), we can determine which demographics or voter behavior may have an impact on voting method.

Model 1 in Table 2 shows the results of logistic regression on all voters and includes covariates for being registered as a permanent VBM voters, living in a VCA county, voter registration with the Democratic, Republican or Other political party (No Party Preference is left out as the comparison category), and age. Model 2 is limited to voters outside of VCA counties and Model 3 is again includes all counties, but includes a variable for habitual voting, which is a count variable ranging from 0 to 4 of whether or not somebody voted in the 2016 primary, 2016 general, 2018 primary and 2018 general. Because one would have to be registered in both 2016 and 2018 in order to obtain a 3 or a 4 in the count, the model is limited to voters who were

registered on or before June 6, 2016, which was the date of the California primary election in 2016. It is worth noting that all of the variables in all of the models are significant at least the $p < .01$ level, however most are $p < .001$, likely due to the sample size.

Table 2. Logistic Regression on Voting by Mail in the 2018 General Election

	Model 1 All Voters	Model 2 Non-VCA Counties	Model 3 Restricted Voters
Permanent VBM	4.349 (.002)	4.531 (.002)	5.410 (.004)
VCA County	2.836 (.004)		3.877 (.007)
Democrat	.038 (.002)	.049 (.003)	-.195 (.005)
Republican	.160 (.003)	.167 (.003)	.013 (.005)
Other	-.044 (.005)	-.023 (.005)	-.026 (.010)
Age2	.000 (.000)	.000 (.000)	.000 (.000)
Habitual Voters			.453 (.002)
Constant	-2.848 (.003)	-2.994 (.003)	-4.209 (.007)
R2 (Cox & Snell)	.470	.488	.581
N	12,321,596	11,372,079	6,349,936

Note: All variables were significant in all models at the $p < .01$ level.

Certainly, one would expect that voters who sign up for permanent vote by mail would be more likely to cast their ballot by mail and in all three models that is the case. Voters who live in VCA counties are also more likely to cast their ballots by mail. Partisanship is where the most interesting differences lie. Republicans are consistently more likely to vote by mail than those who are registered Democrat or with a third party (such as Green, American Independent, etc.). In all three models, those registered in a third (or small) party are less likely than No Party Preference registrants to vote by mail. Finally, habitual voters may be more likely to vote by mail

as well. This could be an unsolvable chicken and an egg problem for future research. Does providing PVBM status create more habitual voters or do habitual voters request PVBM status?

Change in vote mode

Voting reforms are presented as convenience options, but they are often attempting to change behavior of voters and make the elections process more streamlined, secure, and efficient. The Voter's Choice Act provides options to voters on whether or not to vote in person or by mail, but by providing all voters with a mail ballot, there appears to be a preference on the part of lawmakers. In fact, at a recent Future of California Elections conference, the Sacramento County Elections Clerk stated that she would be happy to move to all mail elections, a position she her office has supported since 2014 (Cadelago 2014).

Vote history allows us to see whether or not voters were moved to change their voting method in response to VCA reforms. Analysis is limited to voters who voted in both the 2016 and 2018 general elections. While it would be ideal to have similar types of elections, the 2016 and 2018 elections are immediately before and after the implementation of the VCA and turnout was more comparable than between most presidential and midterm years.⁵ Using a 3-point scale, where -1 indicates changing from voting by mail to voting in person, 0 indicates no change in method and 1 indicates moving from in-person voting to vote by mail, we can test if change was more common in in VCA counties.

Of the 10,449,697 voters in the file who voted in both the 2016 and 2018 general elections, 86.3 percent of them did not change their method of voting. They either voted in person in both elections (33%) or they voted by mail in both elections (67%). Approximately, 4.3

⁵ The expansion of the VCA in 2020 will allow for a direct comparison between presidential election voting behavior.

percent of voters sent a vote by mail ballot in 2016 and voted in person in 2018, whereas nearly twice as many, 9.4 percent, switched from in person voting in 2016 to vote by mail in 2018.

Table 3 presents the results of vote method change broken down by VCA adoption. Voters in non-VCA counties were less likely to change the way they voted than voters in VCA counties. Only 13.6 percent of voters made any change to the way they voted in non-VCA counties, while 26.1 percent of voters in VCA counties changed the way they voted. This difference between county types is statistically significant ($t=441.4$, $p<.001$).

Table 3. Changes in Vote Method from 2016 to 2018 by County Type

2016 to 2018	Non-VCA	VCA	Total
VBM to In-person	4.5% (438,109)	2.0% (15,980)	4.3% (454,089)
No change	87.3% (8,417,962)	73.9% (599,100)	86.3% (9,017,062)
In-person to VBM	8.1% (783,181)	24.1% (195,365)	9.4% (978,546)
N	9,639,252	810,445	10,449,697

Note: Analysis is limited to voters who cast a ballot in both 2016 and 2018 general elections.

When looking at how voters changed their behavior, in both VCA and non-VCA counties, voters were more likely to switch from in person to a mail ballot than vice versa. Almost all of the change in behavior in VCA counties was seen in voters changing to mail ballot (24.1%) as opposed to in-person voting (2%). This suggests that when multiple conveniences are offered, vote by mail or being allowed to vote at any location in the country for an extended period of time, they are inclined to choose the mail option.

Discussion and Future Research

Completing a ballot from the comfort of one's home has increasingly become the preferred way to vote in states that allow no-excuse absentee balloting or vote by mail, and

California is no exception. In 2018, California implemented the Voter's Choice Act which expanded vote by mail by sending all registered voters in VCA counties a ballot, while allowing them to go to a vote center if they still wanted to vote in person. Overwhelmingly, voters in those counties chose to vote by mail, at rates significantly higher than their fellow citizens in counties who chose not to adopt the Voter's Choice Act.

Looking at voting behavior in more detail, results suggest that in most of the counties that adopted the VCA, there were significant gains in voters choosing VBM. Approximately 24% of voters in VCA counties changed the method they used to vote between the 2016 and 2018 general elections by moving from in person voting to vote by mail. That is a noticeable change for election administrators and if trends continue, it may allow administrators to reduce the number of polling locations and the amount of equipment needed to conduct future elections.

This study was a preliminary look at how the VCA impacted voters in the 2018 elections. Further analysis will focus on when voters returned their ballot to determine if voters are waiting until the last minute and taking advantage of the three-day window allowed under California law. California is consistently the last state to confirm their election results, and not only because they are the most populous state. Generous reforms allowing voters to return ballots late and correct signature mismatches contribute to the delays in results. How these reforms work to the voter's advantage and invite more participation is an area that is ripe for further investigation.

Vote centers are also new in California. I would have liked to include a time of use analysis in this paper, but acquiring information on exactly when a voter cast their ballot has proven difficult. Hopefully, as working relationships grow and trust is built, local election officials will be willing to share that information. This could be both interesting and informative in thinking about how many vote centers are needed, which ones are being utilized, and how many days they should be required to be open.

While California has created a policy that is a combination of many successful policies nationwide, the size and potential impact of the reforms make California an interesting case to study. California trailed other states for many years, so attention to detail from the larger election sciences community can only help inform California election officials of how to continue to improve voter participation and the voter experience in future elections.

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