

# Making the List:

## Database Matching and Verification Processes for Voter Registration

*by*

Justin Levitt, Wendy R. Weiser,  
and Ana Muñoz



BRENNAN  
CENTER  
FOR JUSTICE  
AT NYU SCHOOL OF LAW

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VOTING RIGHTS &  
ELECTIONS SERIES

March 24, 2006

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# Making the List:

## Database Matching and Verification Processes for Voter Registration

This report is the first comprehensive summary of critically important new voter registration procedures effective in most states at the beginning of 2006.

Federal law now requires, as of January 1, 2006, that states create and maintain statewide databases to serve as the central source of voter registration information. Citizens' ability to get on the rolls—and thus their ability to vote and have their votes counted—will now depend on the policies and procedures governing the use of these databases in the voter registration process. Evidence demonstrates that poor policy and procedure choices could result in the unwarranted disenfranchisement of millions of eligible citizens attempting to register to vote. The new statewide databases, and their role in the voter registration process, are poorly understood, but extremely consequential.

This report, issued just as the state databases begin to come online, presents the first comprehensive catalog of the widely varying state database practices governing how (and in some cases, whether) individuals seeking to register will be placed on the voter rolls. The report covers each state's voter registration process, from the application form up through Election Day—including the intake of registration forms, the manner in which information from the forms may be matched to other government lists, the consequences of the match process, and any opportunity to correct errors. Each variation at each step of the process has tangible consequences for voters seeking to register and vote in 2006 and beyond.

*Making the List* is the result of an extensive national survey of state election officials, supplemented by a review and analysis of the relevant state statutes and regulations. It is the best available summary of current and anticipated state practices employed to place new registrants on the rolls, using the new voter registration databases. In addition to state-by-state summaries, this report includes detailed policy recommendations regarding the registration process, based on the best practices in the states and comparative research from other fields. These recommendations are intended to ensure that computerized voter registration lists are compiled and maintained as accurately as possible, in a manner that minimizes the risk that eligible voters will be unintentionally or unfairly disenfranchised.

This report is intended to serve as a resource for election officials, legislators, citizens, and advocates interested in safeguarding access to the franchise and making effective use of the new statewide databases. We hope that the information in this report will contribute to greater understanding of the policies states are currently contemplating to govern the voter registration process, as well as the best policy options available.

# Executive Summary

In 2006, virtually every state will experience serious changes in its voter registration process. The Help America Vote Act of 2002 (known as “HAVA”) now requires that states create and maintain statewide databases to serve as the central source of voter registration information. Citizens’ ability to get on the rolls—and thus their ability to vote and have their votes counted—now depend on the policies governing the use of these databases in the voter registration process. While good policy choices could help the voter registration process run more smoothly than ever, poor policy choices could result in the unwarranted disenfranchisement of millions of eligible citizens attempting to register to vote.

After an extensive national survey, the Brennan Center for Justice at NYU School of Law presents the first comprehensive catalog of the widely varying state database practices that will now govern how individuals get onto the voter rolls. Our survey found that:

- A few states—Nebraska and Oregon, for example—plan to implement voter registration databases for their intended purposes: to help clean the registration rolls, to provide those new voters who are subject to identification requirements with a convenient alternative means to confirm their identity, and to promote the smooth administration of a process that enables every eligible citizen to vote. States like Minnesota and Wisconsin go further, offering Election Day registration as an additional safeguard for citizens who have encountered unforeseen problems in the registration process.
- In contrast, a few states have adopted database policies that create unwarranted barriers to the franchise. Iowa, South Dakota, Texas, and Washington, for example, report that they will reject the application of citizens whose information cannot be matched to the state’s motor vehicles database or the database of the Social Security Administration, barring the applicant entirely from the polls. And Maryland will reject such applicants unless they provide certain identification documents by the registration deadline. A 2004 trial run in New York City showed that up to 20% of eligible new applicants could have been rejected under such a rule solely because of data entry errors by election officials, and the Social Security Administration is now showing a 28.5% failed “match” rate nationwide.
- In the rest of the country, implementation of HAVA’s database provisions seems to be mixed: some state policies are good, fulfilling the intent of the law while minimizing the burdens on eligible citizens, and others create unnecessary hurdles for eligible voters.

Fortunately, most state policies are not yet either codified or hard-wired. Indeed, some may have changed since this report was issued. This report is intended not only to shed light on states’ plans, but also to encourage them to bring their policies in line with best practice. To that end, the Brennan Center offers recommendations for the proper implementation of HAVA’s database provisions. These include recommendations that states enact:

- Policies to account for the wide variety of common database matching errors by ensuring that the match process will not bar registration of an eligible voter.
- Reasonable guidelines for matching voter information to other government databases, with built-in flexibility and ample opportunity to correct the mistakes that arise.
- Standards for clarifying registration forms, for ensuring accurate data entry from the forms into registration databases, and for keeping database information updated.
- Clear, transparent, and voter-protective procedures for database maintenance and purging, to ensure that eligible voters are able to get on—and stay on—the voter rolls.

Brennan Center staff are available to discuss these recommendations in more detail, and to assist officials, advocates, and interested citizens more generally in implementing the new statewide voter registration databases in a voter-protective manner. For additional materials, including the state-by-state analyses of the policies and procedures summarized here, please see [www.brennancenter.org](http://www.brennancenter.org).



# Background

In the 2000 elections, the states' varying systems of election administration were tested under a national spotlight. Many longstanding problems in the administration of federal and state elections suddenly became salient. In the aftermath of the elections, policymakers turned their attention to some of these problems. The Help America Vote Act of 2002 (HAVA) was the federal government's first attempt to devise some solutions.

## The new databases

One of HAVA's centerpieces is its requirement that each state create and use a single computerized statewide voter registration database by January 1, 2006. Previously, in most states, each county was responsible for its own list. This resulted in spotty and inconsistent standards for keeping the lists up to date, and little practical ability to keep track of voters who moved across county lines. As of January 1, however, each state is now required to maintain a single official database of registered voters, subject to uniform state standards. This requirement is intended to ensure that voter registration lists are as complete and accurate as possible.

## Duplicate entries and unique identifiers

The HAVA drafters also recognized that existing state voter lists were plagued by duplicate entries, representing individuals who had moved within the state or who for other reasons had registered multiple times. These duplicates—part of the registration list's "deadwood"—clutter the rolls, create confusion, and artificially depress turnout estimates by inflating the apparent number of registered voters. In mandating statewide databases, Congress sought to mitigate the duplicate problem. Michigan, one of the models for HAVA's database provisions, had managed to cut its deadwood by 600,000 to 1 million after implementing a statewide voter registration database in which each voter's entry was associated with a unique identifying number. Consequently, to help resolve duplicate entries, HAVA requires that each voter's statewide database entry contain a numerical key used to uniquely identify each voter.

To supply this numerical key, HAVA requires that most applicants provide, on the voter registration form, a current and valid driver's license number to be used as a unique identifying number. If the applicant does not have a current and valid driver's license, HAVA requires that she provide the last four digits of her Social Security number. (The full number is not required in most states, for privacy reasons.) Although these four digits alone will not be unique within a state (there are only 10,000 possible combinations of four digits), in combination with an individual's name and birth date, they should uniquely identify any given voter. Finally, if the applicant has neither a current and valid driver's license nor a Social Security number, the state must create and assign her a unique identifying number.

HAVA also created an additional step to ensure that the unique identifying numbers are correct, so that individuals are not mismatched in the databases. HAVA requires election

officials to try to “match” information from the registration form with information in the state’s motor vehicles database (for forms with driver’s license numbers) or the Social Security Administration database (for forms with Social Security digits), to verify that the identifying number is correct. Without this step, a mistake or typographical error might cause states to wrongly presume two individuals to be the same because they appear to share the same unique identifying number—and mistakenly overwrite the valid information of an eligible voter.

## Verifying identity of selected voters

This match process also serves another purpose in HAVA’s statutory scheme. HAVA represents a compromise between legislators who wished to subject many voters to identification requirements and those who believed that ID requirements exclude legitimate voters. For one class of registrations in which fraud was seen as more likely to be an issue—those submitted by voters registering for the first time in a given jurisdiction, and doing so by mail—HAVA requires that states attempt to verify the registrants’ identities before voting.

The statute recognizes, however, that there are several ways in which the identity of a first-time voter registering by mail can be verified. First, the voter may present—either at registration, at the polls, or in between—a form of documentary identification, including a current photo ID, utility bill, bank statement, government check, paycheck, or another government document listing the voter’s name and address.

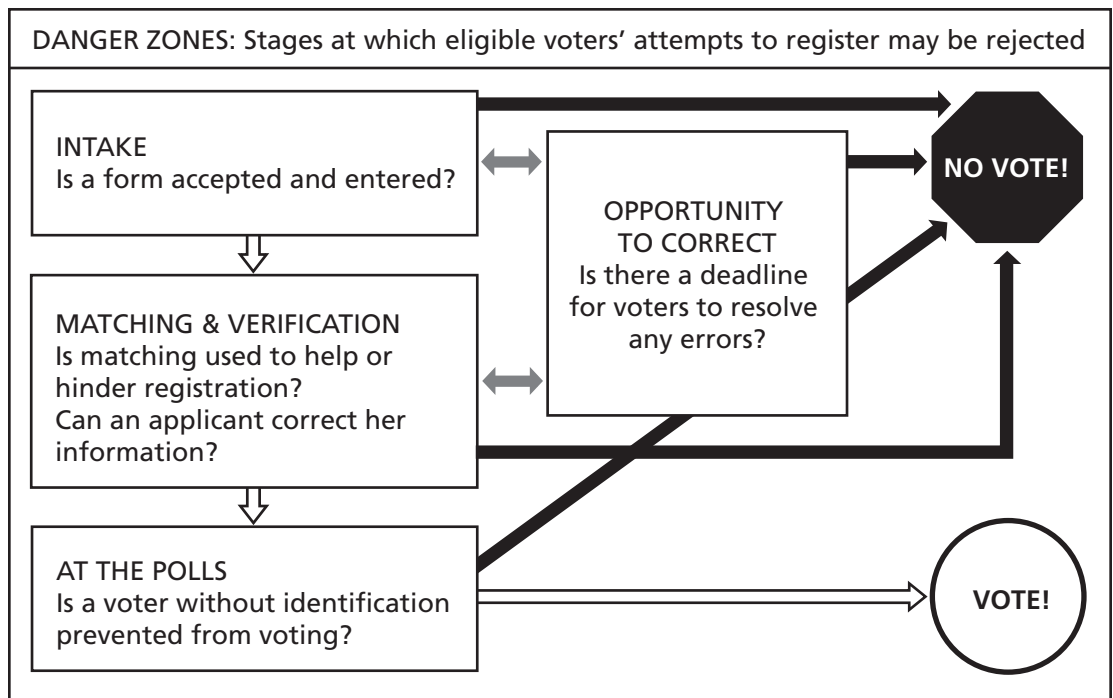
Second, and in the alternative, if the registrant’s information matches information in the state’s motor vehicles database or the Social Security administration’s database, HAVA also recognizes this match as a verification of the applicant’s identity. HAVA therefore exempts individuals whose information is matched in this way from its ID requirements for first-time voters who register by mail. This is the only consequence of the match process that is specifically mentioned in HAVA.

Third, HAVA leaves states the discretion to use alternate means to verify a voter’s identity. If a first-time voter who registered by mail neither “matches” nor provides ID, HAVA entitles her to cast a provisional ballot that will be counted if the state determines that she is eligible under state law to vote. States use a variety of means to verify a provisional voter’s eligibility, including signature matches, verification mailings, and sworn affirmations.

## The new process from the voter’s perspective

From the voter’s point of view, a state’s implementation of HAVA’s database provisions changes the registration process in a few significant ways. Before HAVA, in most states, a voter would submit a voter registration form—directly or indirectly—to a county or municipal official, and information on that form would be entered directly into a local list, for transfer to the pollbook. Now, when a voter submits her form to the local official, a number of steps intervene on the way from form to pollbook:

- First, the official reviews the form for a driver’s license number or Social Security digits. If no number appears on the form (or if the entry is illegible), the state may presume that the applicant lacks such a number,<sup>1</sup> and a unique identifier will be assigned. Or the state or local entity may presume that the applicant has made an error, decide whether the error is material or immaterial, and decide how it may be resolved.
- Second, for forms with a complete driver’s license number or Social Security digits, the state will attempt to match the information on the application form with information in the motor vehicle or Social Security databases. Different states will have different criteria for determining when information is deemed to “match,” and different abilities to account for typos and similar errors.
- Third, in the event that the state cannot find a match, the state will notify the voter and may provide an opportunity to resolve the problem. States vary, of course, in the processes used to resolve mismatches.
- Fourth, in some states, the result of the match process will affect whether the voter is put on the pollbooks, and if so, under what conditions she may vote. In a few states, the voter will be kept off of the rolls entirely if no match is found; in most others, the match process will not be an absolute barrier to registration. Most states will flag entries in the pollbooks if no match is found, at least for first-time voters registering by mail, to indicate that the voter must show ID in order to vote a regular ballot. Conversely, if a match is found, some states will note that the voter (at least, a first-time voter registering by mail) need *not* show ID.



<sup>1</sup> Some, but not all, states’ forms include some space for the voter to indicate that she has neither a driver’s license number nor a Social Security number.

These additional intervening steps can be used—as HAVA intended—to foster more efficient election administration, or—contrary to HAVA’s intent—to impose additional hurdles on voter registration. As noted above, most states plan to use the verification and matching process to try to ensure that the most accurate unique identifying numbers are associated with each registrant’s record, so that the record can be identified should the registrant move or re-register. And many states also plan to use the verification and matching process to provide an alternate means of confirming the identity of first-time voters who register by mail. In contrast, a handful of states plan to use the matching process as a barrier or screen: only those for whom a successful match can be found may proceed through registration. This is a dramatic change from established registration practice, is not warranted by—indeed, is contrary to—HAVA, and creates significant problems for the eligible voter.

## The limits of databases

Using the match process as a barrier to registration creates problems for eligible voters because of the inherent limitations of databases. All large databases have errors—glitches like typos, transposed names, and omitted information. Such errors could prevent a legitimate match for two records that in fact reflect the same individual. Also, databases compiled at different times and for different purposes record information differently, which makes it even more difficult to find proper matches: “William” may not match “Will” or “Billy”; a maiden name may not match a married name. A sample of these problems are outlined in the following table:

The Problem(s) with Matching: Examples of Potential Database Errors		
Name of Registrant		
Source of Error	On Voter Registration Form	In Database
Typos	Pierce	Peirce or Pearce or Perce or Pierrce
Transliteration	Mohammad	Muhammed
Marriage	Mary Pierce (née Owens)	Mary Owens or Mrs. Martin Pierce
Nickname	Sam Pierce	Samuel Pierce
Transposed field	Bao Lu	Lu Bao
Double names	“Mary Ann” (first) “Pierce” (last)	“Mary” (first) “Ann” (middle) “Pierce” (last)
Hyphenated name	“Mary” (first) “Owens-Pierce” (last)	“Mary” (first) “Owens” (middle) “Pierce” (last)
Punctuation	al-Amin	al Amin
Date of Birth		
Source of Error	On Voter Registration Form	In Database (Voter, DMV and/or SSA)
Typos	01/03/05	02/03/05 or 1/00/05 or 1/03/05 or 11/03/05
Transposed field	01/03/05	03/01/05 or 05/01/03
Invented default	01/03/05	01/01/05 (submitted only as January 2005)

Such errors occur quite frequently in large databases, and could create enormous problems for new registrants if additional hurdles—or absolute bars—are imposed in the event the state cannot successfully find a match. A sample run in New York City in late 2004, for example, foreshadowed the scope of the problem: an audit conducted after attempting to

match 15,000 records in the voter registration database against those in the state motor vehicle database revealed that almost 20% of those records did not match because of typos by election officials. If the right to vote were conditioned on a proper match, up to 20% of new voter registrations would have been rejected *solely* because of data entry errors completely unrelated to eligibility. There are protocols and programs available to reduce this error rate, but even the most sophisticated matching technologies—which are not being used in most states—will leave many eligible voters unmatched. Depending on the state’s policies and procedures, these eligible voters may end up disenfranchised, through no fault of their own.

Despite these limitations, databases can and should be used as tools to improve the voter registration and record-keeping process for both voters and election officials. But states must account for, and avoid compounding, the unavoidable limitations of databases and record matching procedures. Many states have recognized these limitations and adopted policies accordingly, as this report shows below. Unfortunately, in a few outlier cases, a tool meant to smooth the road to accurate registration has instead been used to create a significant pothole.



# Findings

## Four key categories of state policy

This report catalogs states' policies and procedures with respect to the new voter registration process under HAVA, paying particular attention to the policy choices that may affect an eligible citizen's voting rights.

As a result of HAVA, when a citizen now attempts to register to vote, she must (in most states) submit her driver's license number or state identification card number, if she has one; if not, she must submit the last four digits of her Social Security number. (If she has neither number, the state must assign her a unique identifying number.) Most states then attempt to match information on the voter registration form—including this “identifying number”—to information in other government databases, including the driver's license database of the state motor vehicles department or the database maintained by the Commissioner of Social Security.

State practices regarding this matching process—and its effect on a citizen's voter registration—vary widely. The survey reveals that there are four primary ways in which these state practices differ:

1. **Match criteria:** First, states vary in the criteria they use to determine whether the information on a voter registration form matches information in another government database. Some states use a fairly flexible standard, to account for typos and other mistakes; other states use a very exacting standard that does not compensate for these kinds of errors. The more exacting the standard, the more likely that a minor error prevents an eligible match—decreasing the chance that the state's database stays clean.
2. **Failed match:** Second, states vary in the consequences they impose when they are unable to find a match between information on a citizen's application for voter registration and information in another government database. Some states implement the limited identification procedure required by HAVA for first-time voters who register by mail; other states place additional burdens on the voter or reject the application outright. The more burdensome the consequences, the more likely that eligible citizens will be barred from the polls because of errors in the process.
3. **Incomplete information:** Third, states vary in the way in which they treat applications submitted with a missing, illegible, or incomplete identifying number. Some states check whether the right number can be located in another database, or assign a new unique identifier and then register the applicant; other states immediately reject the application. The more rigid the response, the more likely that an eligible citizen will not be registered due to a minor and immaterial mistake.

4. **Correcting errors:** Finally, states vary in the opportunities they provide to resolve errors in the matching process. All states notify the voter when a problem occurs, but they differ in the form such notice takes and the process by which errors can be resolved. The greater the opportunity for correction, the less likely it is that errors will remain unresolved and create problems at the polls for eligible voters.

Each of these categories reflects a different opportunity for states to address the errors that inevitably arise in the registration process, including common errors that have no bearing on a citizen's eligibility to vote. There are many ways in which errors arise: the applicant may make an honest mistake on the form, transposing a number or omitting a digit; an elections clerk may make an honest mistake in data entry, such as a typo or a mistake in reading handwriting; there may be a mistake in other government databases, such as in those maintained by a state department of motor vehicles or the Social Security Administration; or there might simply be a mismatch between two correct sources of information, such as a woman listed with a maiden name in one database and a married name in another.

None of these mistakes mean that the applicant is ineligible to vote, but any of them may keep eligible citizens from the polls, depending on a state's practices. In general, the more accommodating the state's approach in each area, the more likely it is that eligible voters will retain the opportunity to vote; conversely, the less accommodating the approach, the more likely it is that eligible voters will be barred from the polls.

We now discuss the states' intended practices in relation to each category. This following discussion represents a snapshot of state intentions in early 2006; state policies are, in many cases, still developing as election officials develop experience with the statewide voter registration databases.<sup>2</sup>

## 1. Criteria for matching: state practices

States employ different criteria to determine whether information on a voter registration application matches information in another government database. Some states use a flexible match standard, requiring that fields match substantially, but not exactly: for example, under such a "substantial match" standard, "Michael" would match "Michael," but might also match "Mike," "Micheal," "M.," or even "Michaela." Some states require each character of each field to be the same: under such an "exact match" standard, "Michael" would match only "Michael," and would not match any of the other variants above. Some states' criteria fall in between.

The more exacting the match criteria, the greater the likelihood of a "false negative," in which a match between two records will not be found when the records in fact belong to the same person. The possibility for error is exacerbated as the number of compared fields (name, date of birth, etc.) increases, because of the increased opportunity for typos or similar mistakes. Conversely, the more flexible the match criteria, the greater the likelihood of a "false positive," in which two records are deemed to match when they do *not* belong to the same person. This effect, however, is mitigated as the number of compared fields (name,

<sup>2</sup> Neither **Hawaii** nor **North Dakota** is reflected in the tallies of individual state practices below. Hawaii did not respond to this survey, and no relevant policies were reflected in its state statutes or regulations. North Dakota has no system of voter registration at all, and does not collect any of the information described in this report.



date of birth, etc.) increases, because each field acts as a double-check on the others.

Other industries—including the security, insurance, and health care industries—compare information from multiple sources all the time. Standard practice in these industries accounts for the balance between “false negatives” and “false positives” by comparing multiple fields using sophisticated and flexible matching protocols. The flexibility of the protocol is tuned to the application: more flexible when it is more important to err on the side of catching every true match (e.g., when comparing an airline manifest to a watch list for terrorists, it is more important to make sure that no name that should be matched slips off of the list—that is, it is more important to minimize “false negatives”); less flexible when it is more important to err on the side of catching every true mismatch (e.g., when comparing a class list to a list of kids who are exempt from an immunization shot, it is more important to make sure that no name gets on the exemption list that shouldn’t be—that is, it is more important to minimize “false positives”).

In the voter registration context, most states appear to have built some flexibility into their match criteria, at least when comparing records based on driver’s license numbers. Unfortunately, our survey found that when comparing records submitted with Social Security digits, contrary to standard industry practice, many states may not be using the most appropriate matching criteria for the job.

## Records with driver’s license numbers

Consider first the attempt to match records of applicants submitting a driver’s license or state identification card number. Eleven states<sup>3</sup> use or plan to use some form of a “**substantial match**” standard to seek matching records. In these states, motor vehicle records are culled—either by an automated process or by manual review—to produce a list of possible matches. An election official reviews this list of possible matches, to determine whether any of these records represents the applicant.

An example will help demonstrate the “substantial match” systems used by these 11 states. Consider a voter registration record application submitted by Jane Elizabeth Smith, born February 5, 1975, ID #123456789. The motor vehicle records might include any of the following potential matches:

- |    |            |                      |            |                                |
|----|------------|----------------------|------------|--------------------------------|
| 1. | #123456789 | Jane Elizabeth Smith | 02/05/1975 | (all fields identical)         |
| 2. | #123456889 | Jane Elizabeth Smith | 02/05/1975 | (typo in ID)                   |
| 3. | #123456789 | Jane Elizabeth Smith | 05/02/1975 | (swapped month/date of birth)  |
| 4. | #123456789 | Joan Elizabeth Smith | 02/05/1975 | (mistake in first name)        |
| 5. | #123456789 | Jane S. Martin       | 02/05/1975 | (married name)                 |
| 6. | #123456789 | Martin Brown         | 11/08/1955 | (ID typo for different person) |

The culling algorithm used in the particular state will determine which “possible match” records are returned; each algorithm has a different capacity to accommodate typos or other common errors. Some algorithms, for example, will find example #6 (where the ID numbers appear to match) but not #2 (where they do not). Others will find #2 (where the

<sup>3</sup> AK, AR, CO, FL, IL, IN, NC, NH, OR, VT, and WY.

names are the same) but not #6 (where they are not). An official will then review the possible matches to determine whether any represent the same individual.

At the time of this survey, 8 of the 11 states using a “substantial match” standard had not determined precisely how they would select a list of “possible match” records, but intended to employ flexible criteria to do so.<sup>4</sup>

**Florida’s** “substantial match” system is based on the way in which it generates driver’s license numbers. Florida generates a test number for a would-be voter in the same way that it would generate a driver’s license number for a driver: it derives a basic set of characters from the applicant’s name, date of birth, and gender such that individuals with similar names and birthdates (like “Tim Johnson” and “Tom Jensen”) end up with the same basic character set.<sup>5</sup> It then produces its “possible match” list by returning all motor vehicle records which match either this generated test number or the license number listed on the voter registration form.

**Vermont’s** “substantial match” system is even more dependent on human intervention. Vermont election officials regularly receive a duplicate copy of the full state driver’s license database. The officials search this copy of the driver’s license database for the individual on the voter registration form, looking first for an exact match of the driver’s license number, name, address, and date of birth. If no exact match is found, the officials will keep checking for variants and typos, searching manually through the database for partial matches if need be. **Alaska’s** system is similar, but officials directly access the driver’s license database, looking for a match based on either the identifying number or the name.

**Fifteen states** plan to use a sort of **hybrid system**, requiring an “exact match” of every character in one field, but permitting “substantial matches” of one or more other fields.<sup>6</sup> These systems are designed to be somewhat flexible, but are still susceptible to failure in the event of typos. **Montana’s** system is among the most flexible of the hybrids. To generate its “possible match” list, the system returns records that exactly match *either* identifying number, first name, or date of birth; the returned records are then ranked by the number of fields that match exactly.

**Seven** of the 15 states<sup>7</sup> with this sort of hybrid system will generate “possible match” records for election official review by returning records for which the identifying number matches exactly. **Pennsylvania** similarly returns for official review records matching the identifying number and the first two letters of the last name. Because each of these 8 states make the identifying number the keystone of a match, if there is an error in the identifying number, as in example #2 above—on the application form, as entered by election officials, or in the motor vehicles database—a match will not be found. If the identifying number is correct, however, other errors in the record, such as typos in the spelling of the name, will be subject to human judgment. **Minnesota** uses a slight variation of the above scheme, returning records matching *either* the identifying number *or* the last name, first initial, and date of birth. This gives some flexibility in the event of an error in the identifying number; Minnesota would find example #2 above, where the other hybrids would not.

<sup>4</sup> AR, CO, IL, IN, NC, NH, OR, and WY. Oregon will not only use a “substantial match” protocol, but if the state can find a match despite a “scrivener’s error” in the identifying number, it will correct the identifying number on the applicant’s behalf. Colorado has indicated that it will consider nicknames and common name variants a match, and will account for minor errors (e.g., omission, transposition) in the identifying number, but has not determined precisely how the match will be carried out.

<sup>5</sup> When Florida produces a real driver’s license number, it adds unique digits to this basic set to distinguish a “Tim Johnson” from a “Tom Jensen.”

<sup>6</sup> AZ, DE, IA, ID, MI, MN, MT, NE, NJ, NY, PA, RI, UT, WA, and WI.

<sup>7</sup> DE, ID, NE, NJ, RI, UT, and WI.

<sup>8</sup> In Arizona's system, the last name must have five letters in common, and the first name must have three letters in common.

<sup>9</sup> CA, LA, MA, MD, ME, MO, MS, SD, and TX.

<sup>10</sup> AK, AZ, DE, IL, IN, LA, MA, ME, MN, MS, and WI.

<sup>11</sup> AK, IL, and IN.

<sup>12</sup> AZ, DE, MN, and WI.

<sup>13</sup> LA, MA, ME, and MS.

<sup>14</sup> 7 states (GA, HI, KY, NM, SC, TN, and VA) collect the registrant's full Social Security number and do not ask for a driver's license number or state identification card number.

<sup>15</sup> CA, CO, FL, IA, ID, MD, MI, MO, MT, NC, NE, NH, NJ, NY, OR, PA, RI, SD, TX, UT, VT, WA, WV and WY.

<sup>16</sup> Iowa's contract with the Social Security Administration indicates that the SSA may only be willing to match information for voter registration through AAMVA, which would render the AAMVA standard the *de facto* national standard.

<sup>17</sup> Indeed, as of January 2006, the Social Security Administration reported that 28.5% of the first 143,000 attempted matches—over 40,000 voters—had been rejected. This rate—more than 1 in 4 voters—most likely reflects an enormous number of “false negatives.”

Curiously, AAMVA has devised a *different* matching protocol to compare information for the purposes of issuing driver's licenses than the protocol described in this report, which is used only in voter registration. The AAMVA protocol for issuing driver's licenses is more flexible—and less prone to error—than the protocol for voter registration described above.

In contrast, 5 of the 15 states use or plan to use hybrid systems that are dangerously close variants of an overall “exact match” standard. These systems leave a little flexibility to account for a limited range of data errors, but only in certain circumstances. **Iowa** and **Washington** will seek an exact match of the identifying number, last name, and date of birth, but will accept variations of the applicant's first name—they would find example #4 above, but not #2, #3, or #5. **Arizona** will seek exact matches of the number and date of birth, and find substantial matches of the name<sup>8</sup>—it would find example #4, and might find example #5, but would not find examples #2 or #3 above. **Michigan** will seek exact matches of the number, last name, and first initial of the first name, but will find all other substantial matches—it would find examples #1, #3, and #4 above, but not examples #2 or #5. **New York** will seek an exact match of the identifying number; for all such records, the system will return a code stating *whether* the name, date of birth, or address match exactly (in examples #4 and #5 above, the official would see only a code stating that date of birth matches but name does not). The official then has the discretion to determine whether enough fields match to constitute a matching record.

Finally, 9 states<sup>9</sup> use or plan to use an “exact match” standard likely to lead to many “false negatives.” In these states, certain fields are selected (usually the identifying number, first name, last name, and date of birth; some states include the applicant's middle initial or current address), and records are deemed to match only if each and every character of each selected field matches exactly. Using this method, only example #1 above would be returned as a match; all other examples would be rejected.

## Records with Social Security digits

There is a similar division in how states approach the records of an applicant submitting the last four digits of her Social Security number—except that even more states plan to use a rigid “exact match” standard. **Eleven states**<sup>10</sup> use or plan to use the same system noted above that they will use for driver's license or identification card numbers (3 “substantial matches,”<sup>11</sup> 4 hybrid,<sup>12</sup> 4 “exact matches”<sup>13</sup>).<sup>14</sup> **Twenty-four states**<sup>15</sup> instead use or plan to use a common “exact match” procedure developed by the Social Security Administration and the American Association of Motor Vehicle Administrators, which is likely to lead to many “false negatives.”<sup>16</sup> Under this procedure, an automated system will seek an exact match of the applicant's last four SSN digits, first name, last name, month of birth, and year of birth. A code will then be returned indicating only whether or not an exact match was found. Using the examples above, only example #1 would be returned as a match; all others would be rejected.<sup>17</sup>

**Tennessee** and **Virginia**—both of which collect a full SSN (all nine digits), and do not request either a driver's license or state identification card number—use hybrid systems that are variants of the “exact match” standard. Tennessee seeks an exact match of the SSN, last name, and date of birth, and a substantial match of the first name. Virginia seeks an exact match of the SSN and date of birth and a substantial match of name. Tennessee would find examples #1 and #4 above; Virginia would find examples #1, #4, and #5. Neither state would find the others.

Matching Driver's License Numbers				
	Match Standard	Match Fields	Match Process	Likelihood of error
AK	substantial	ID #, name, DOB	official searches database directly	moderate
AL	did not respond	ID #, name, DOB	did not respond	?
AR	substantial	ID #, last name, DOB	official checks a list of possible matches	moderate
AZ	hybrid	exact ID #, DOB substantial name	system finds matches automatically	high
CA	undecided (will likely use exact)	ID #, name, DOB	undecided (likely: system finds matches automatically)	very high
CO	substantial	ID #, name, DOB	undecided	?
CT	undetermined*	ID #, name, DOB	undetermined*	?
DC	undecided	ID #, name, DOB	undecided	?
DE	hybrid	exact ID # substantial name, DOB, address	official searches database directly	moderate
FL	substantial	name, DOB, gender	official checks a list of possible matches	moderate
GA	no match system	no match system	no match system	n/a
HI	did not respond	did not respond	did not respond	?
IA	hybrid	exact ID #, last name, DOB substantial first name	official checks a list of possible matches	very high
ID	hybrid	exact ID # substantial name, DOB	official checks a list of possible matches	significant
IL	substantial	undecided	undecided	?
IN	undecided (likely: substantial)	ID #, name, DOB	undecided (likely: checks list of possible matches)	moderate
KS	undecided	ID #, name, DOB	undecided	?
KY	no match system	no match system	no match system	n/a
LA	exact	ID #, name (accounting for maiden name), address	system finds matches automatically	very high
MA	undecided (likely: exact)	ID #, last name, first initial, DOB	undecided (likely: system finds matches automatically)	very high
MD	exact	ID #, name, DOB	system finds matches automatically	very high
ME	undecided (likely: exact)	ID #, name, DOB	undecided	?
MI	hybrid	exact ID #, last name, first initial, DOB substantial first name	system finds matches automatically	very high
MN	hybrid	ID # or last name, first initial, DOB	official checks a list of possible matches	significant
MO	undecided (likely: exact)	ID #, last name, DOB	undecided (likely: system finds matches automatically)	very high
MS	undecided (likely: exact)	ID #	undecided (likely: system finds matches automatically)	very high

\* Because of litigation in Connecticut pending at the time the survey was conducted, Connecticut materials in this report reflect only the practices codified in state statues and regulations, and do not reflect the phone survey.

Matching Driver's License Numbers				
	Match Standard	Match Fields	Match Process	Likelihood of error
MT	substantial number of fields must match exactly	ID #, name, DOB	official checks a list of possible matches	significant
NC	substantial	ID #, name (including maiden name), DOB, address	official checks a list of possible matches	moderate
ND	no registration	no registration	no registration	n/a
NE	hybrid	exact ID # substantial first name, DOB address	official checks a list of possible matches	significant
NH	substantial	ID #, name, DOB	official checks a list of possible matches	moderate
NJ	hybrid	exact ID # substantial name, DOB, address	official checks a list of possible matches	significant
NM	undecided	ID #, DOB	undecided	?
NV	did not respond	ID #, name, DOB	did not respond	?
NY	substantial number of fields must match exactly	ID #, name, DOB, address	official checks a list of possible matches	high
OH	did not respond	ID #, name, DOB or address	did not respond	?
OK	no match system	no match system	no match system	n/a
OR	undecided (likely: substantial)	undecided	undecided	?
PA	hybrid	exact ID #, last initial substantial name, DOB	official checks a list of possible matches	significant
RI	hybrid	exact ID # substantial name, DOB	official checks a list of possible matches	significant
SC	no match system	no match system	no match system	n/a
SD	exact	ID #, last name, first name (variant), DOB	1st: database finds matches automatically 2nd: officials search database directly for unmatched records	high
TN	SSN match only	SSN match only	SSN match only	n/a
TX	exact	ID #, last name, former last name, DOB	database finds matches automatically	very high
UT	hybrid	exact ID # substantial last name, DOB, and, in some counties, address	official checks a list of possible matches	significant
VA	SSN match only	SSN match only	SSN match only	n/a
VT	substantial	ID #, name, DOB, and address	official searches database directly	moderate
WA	hybrid	exact ID #, last name, DOB substantial first name	database finds matches automatically	very high
WI	hybrid	exact ID # substantial name, DOB	official checks a list of possible matches	significant
WV	undecided (likely: exact)	ID #, name, DOB, address	undecided	?
WY	substantial	ID #, name, DOB	official checks a list of possible matches	moderate

Matching Social Security Digits				
	Match Standard	Match Fields	Match Process	Likelihood of error
AK	substantial	ID #, name, DOB	official searches database directly	low
AL	did not respond	ID #, name, DOB	did not respond	?
AR	undecided (likely: substantial)	undecided (likely: ID #, name, DOB)	undecided (likely: official checks a list of possible matches)	low
AZ	hybrid	exact ID #, DOB ----- substantial name	system finds matches automatically	high
CA	AAMVA	AAMVA	AAMVA	very high
CO	AAMVA	AAMVA	AAMVA	very high
CT	undetermined*	ID #, name, DOB	undetermined*	?
DC	undecided	ID #, name, DOB	undecided	?
DE	hybrid	exact ID # ----- substantial name, DOB, address	official searches database directly	moderate
FL	AAMVA	AAMVA	AAMVA	very high
GA	no match system	no match system	no match system	n/a
HI	did not respond	did not respond	did not respond	?
IA	AAMVA	AAMVA	AAMVA	very high
ID	AAMVA	AAMVA	AAMVA	very high
IL	substantial	undecided	undecided	?
IN	undecided (likely: substantial)	ID #, name, DOB	undecided (likely: checks list of possible matches)	moderate
KS	undecided	ID #, name, DOB	undecided	?
KY	no match system	no match system	no match system	n/a
LA	exact	ID #, name (including maiden name), address	system finds matches automatically	very high
MA	undecided (likely: exact)	ID #, last name, first initial, DOB	undecided (likely: system finds matches automatically)	very high
MD	AAMVA	AAMVA	AAMVA	very high
ME	undecided (likely: exact)	ID #, name, DOB	undecided	?
MI	AAMVA	AAMVA	AAMVA	very high
MN	hybrid	ID # or last name, first initial, DOB	official checks a list of possible matches	significant
MO	AAMVA	AAMVA	AAMVA	very high
MS	undecided (will likely use exact)	ID #	undecided (likely: system finds matches automatically)	very high
MT	AAMVA	AAMVA	AAMVA	very high
NC	AAMVA	AAMVA	AAMVA	very high
ND	no registration	no registration	no registration	n/a
NE	AAMVA	AAMVA	AAMVA	very high

\* Because of litigation in Connecticut pending at the time the survey was conducted, Connecticut materials in this report reflect only the practices codified in state statutes and regulations, and do not reflect the phone survey.

Matching Social Security Digits				
	Match Standard	Match Fields	Match Process	Likelihood of error
NH	AAMVA	AAMVA	AAMVA	very high
NJ	AAMVA	AAMVA	AAMVA	very high
NM	undecided	ID #, DOB	undecided	?
NV	did not respond	ID #, name, DOB	did not respond	?
NY	AAMVA	AAMVA	AAMVA	very high
OH	did not respond	ID, name, DOB, or address	did not respond	?
OK	no match system	no match system	no match system	n/a
OR	AAMVA	AAMVA	AAMVA	very high
PA	AAMVA	AAMVA	AAMVA	very high
RI	AAMVA	AAMVA	AAMVA	very high
SC	no match system	no match system	no match system	n/a
SD	AAMVA	AAMVA	AAMVA	very high
TN	hybrid	exact ID#, last name, DOB substantial first name	official checks a list of possible matches	very high
TX	AAMVA	AAMVA	AAMVA	very high
UT	AAMVA	AAMVA	AAMVA	very high
VA	hybrid	exact ID #, DOB substantial name	official checks a list of possible matches	high
VT	AAMVA	AAMVA	AAMVA	very high
WA	AAMVA	AAMVA	AAMVA	very high
WI	hybrid	exact ID # substantial name, DOB	official checks a list of possible matches	significant
WV	AAMVA	AAMVA	AAMVA	very high
WY	AAMVA	AAMVA	AAMVA	very high

## No matching

**Four states**—Georgia, Kentucky, Oklahoma, and South Carolina—do not match or plan to match information from new voter registration forms to the motor vehicles or Social Security databases before placing the registrant on the rolls.

## Undetermined

Finally, the match criteria for **8 states**<sup>18</sup>—for matching records with either driver’s license number or SSN digits—could not be determined for this survey. The determination could not be made either because the state in question had not yet decided on its match criteria or because it did not respond to the survey and had no policy reflected in state law.

<sup>18</sup> AL, AR, CT, DC, KS, NM, NV, and OH. Because of litigation in Connecticut pending at the time the survey was conducted, Connecticut materials in this report reflect only the practices codified in state statutes and regulations, and do not reflect a survey response.



## 2. Consequences of a failed match: state practices

Even using the most flexible criteria for finding a “substantial match,” for a significant number of eligible citizens, the state will simply not be able to match the information in their applications to information in another government database. States differ in how they treat applications for which they cannot find a match.

In some states, if a match cannot be found, the only consequence for the voter is the alternative verification scheme required by HAVA: voters registering for the first time and by mail must show some form of identification at the polls. Other states place additional burdens on the voter—or in the most extreme cases, reject the application outright, even if the citizen is eligible to vote. The more burdensome the consequences, the more likely it is that eligible citizens will be barred from the polls because of errors in the process.

Only 4 states—Iowa, South Dakota, Texas, and Washington—take the most extreme position, rejecting a citizen’s application outright if the state cannot find a match. (Most of these states have also decided to use error-laden “exact match” criteria, as explained above, for most fields to be matched.) Pursuant to a new agreement with the Department of Justice, **California** may also reject unmatched applications.<sup>19</sup> **Maryland** (which also uses an “exact match” standard) and **Pennsylvania** (which uses a “hybrid” standard) intend to reject the application if the state cannot find a match, unless the applicant submits documentary proof of identity before the close of registration.<sup>20</sup>

In 4 states, Election Day registration compensates somewhat for the consequences that the state assigns to a failed match. **Idaho, Maine, and New Hampshire** will reject an application for which the state cannot find a match; however, because these states provide for Election Day registration, the applicant is not barred from voting, but may re-register at the polls. **Wyoming** gives each county the discretion to determine how to treat an application when a match cannot be found; because Wyoming also features Election Day registration, in counties that reject the application, the applicant may re-register at the polls.

**Twenty-four states**<sup>21</sup> will place the voter on the pollbooks despite the failure to find a match. Some states describe such voters as “registered,” while others describe their registration status as “provisional” or “pending.” In either case, the voter will appear on the pollbook, often with an annotation stating that identification or an affidavit is required to complete the registration process or vote a regular ballot. Sixteen of these 24 states<sup>22</sup> ask all unmatched voters to show ID or sign an affidavit before voting a regular ballot; eight states<sup>23</sup>—following HAVA—ask such voters to do so only if they are registering for the first time in the jurisdiction and doing so by mail. Seven of the states requiring identification<sup>24</sup> require the same identification whether or not a match is found: in these states, the match process does not independently serve as an adequate means of verifying the voter’s identity.

**Oregon** will also place the voter on the pollbooks despite the failure to find a match. The voter will be fully registered for all state elections. She may also vote a provisional ballot

<sup>19</sup> Pursuant to a new agreement with the Department of Justice, California has changed its policy since the research for this report was conducted. The new policy, as with all new policy changes documented and submitted to the Brennan Center, will be reflected in the summary of each state’s practices in the Appendix to this report, available online.

<sup>20</sup> Pennsylvania has also changed its policy since the research for this survey was conducted. See note 19, above.

<sup>21</sup> AK, AR, AZ, CO, CT, DC, DE, IL, IN, KS, LA, MA, MI, MN, MO, MS, MT, NE, NJ, NY, RI, TN, VA, and WI. Pursuant to a new agreement with the Department of Justice, California has changed its policy.

<sup>22</sup> AK, AR, AZ, CO, DC, DE, IL, IN, KS, LA, MO, MS, MT, RI, TN, and WI.

<sup>23</sup> CT, MA, MI, MN, NE, NJ, NY, and VA.

<sup>24</sup> AZ, CO, IL, IN, LA, MO, and MT.



in federal races,<sup>25</sup> which will be counted if she supplies an identifying number that can be matched, a statement that she has no such number, or documentary identification.

Five states provide that a voter for whom a matching record cannot be found may vote only a provisional ballot. In **Florida**, the provisional ballot will be counted if the identifying number is later verified or if the voter submits evidence to the county that the identifying number submitted on her voter registration form was accurate. **Utah** and **West Virginia** will count the provisional ballot if an election official is able to verify the voter’s identity and residence. In **Vermont**, the provisional ballot (for federal races only) will count if administrative error prevented a match and the voter is otherwise eligible. **North Carolina** believes that the voter will be able to vote a provisional ballot, but has not yet determined when that ballot will count.

Four states—Georgia, Kentucky, Oklahoma, and South Carolina—do not match or plan to match information from new voter registration forms to the motor vehicles or Social Security databases before placing the registrant on the rolls.

Finally, the consequences of a match for 5 states<sup>26</sup> could not be determined for this survey. The determination could not be made either because the state in question had not yet decided on the relevant consequences or because it did not respond to the survey and had no policy reflected in state law.

Failure to Match Information to Motor Vehicle or Social Security Databases					
Not Registered	Registered / On the Rolls	No Matching Pre-Registration	Provisional Ballot Voting	Election Day Registration	Undetermined
Iowa Maryland* Pennsylvania* South Dakota Texas Washington	Alaska Arizona Arkansas California° Colorado Connecticut Delaware District of Columbia Illinois Indiana Kansas Louisiana Massachusetts Michigan Minnesota Mississippi Missouri Montana Nebraska New Jersey New York Oregon† Rhode Island Tennessee Virginia Wisconsin	Georgia Kentucky North Dakota†† Oklahoma South Carolina	Florida North Carolina Oregon† Utah Vermont West Virginia	Idaho Maine New Hampshire Wyoming	Alabama Hawaii Nevada New Mexico Ohio

<sup>25</sup> Because Oregon conducts elections by mail, it intends to maintain a dual system distinguishing valid registration entries and valid ballots for state elections and for federal elections.

<sup>26</sup> AL, HI, NM, NV, and OH.

\* Maryland and Pennsylvania voters whose information does not match will be registered if they submit identification before the close of registration. Pennsylvania has changed this policy; see note 20, above.

° Pursuant to a new agreement with the Department of Justice, California has changed this policy; see note 19, above.

† Oregon voters whose information does not match will be fully registered to vote in state races.

†† North Dakota does not register its voters.

### 3. Incomplete information: state practices

If a citizen submits an application with an incomplete, illegible, or missing “identifying number,” states also vary in how that application is treated. At least one state may affirmatively attempt to find the right number in another database.<sup>27</sup> Most states assign a new unique identifier for database maintenance purposes, and proceed to register the applicant. A substantial minority of states immediately reject the application, creating the risk that an eligible citizen will not be registered because of a minor and immaterial mistake.

**Twenty states**<sup>28</sup> will treat the application as if the applicant had no driver’s license number, state identification card, or Social Security number, and proceed to place the applicant on the pollbooks. However, as with the “provisional” or “pending” registration status described above, such voters may be asked to show identification or sign an affidavit at the polls before casting a regular ballot. Fifteen states<sup>29</sup> ask all such voters to do so, and 5 states<sup>30</sup> ask such voters to do so only if they are registering for the first time in the jurisdiction and doing so by mail.

**Oregon** will also place the voter on the pollbooks despite an incomplete, illegible, or missing identifying number. The voter will be fully registered for all state elections; she may also vote a provisional ballot in federal races,<sup>31</sup> which will be counted if she supplies an identifying number that can be matched, a statement that she has no such number, or documentary identification. In **Tennessee** and **Utah**, such a voter may vote only a provisional ballot for all races; the ballot will count if a county election official is later able to verify the voter’s identity and residence.

In contrast, **14 states**<sup>32</sup> will reject the application if the missing information is not supplied. In 10 of these states,<sup>33</sup> the application will be rejected for lack of an identifying number even though the state also requires identification of all voters at the polls. **Maryland** and **Pennsylvania** will accept documentary identification in lieu of an identifying number, but will reject the application if neither is supplied by the close of voter registration.<sup>34</sup>

**Five states**—Idaho, Maine, Minnesota, New Hampshire, and Wyoming—will reject an application with incomplete information as an initial matter, but because these states provide for Election Day registration, the applicant will not be barred from voting; rather, she may attempt to register again at the polls on Election Day. **Illinois** gives each local jurisdiction discretion to determine how to treat an application with an incomplete, illegible, or missing “identifying number.”

The policy of **4 states**—Alabama, North Carolina, Nevada, and Ohio—could not be determined, either because the state in question had not decided how to treat such applications, or because it did not respond to the survey and had no policy reflected in state law.

<sup>27</sup> A new agreement with the Department of Justice seems to require California—at least for applications with no listed number—to seek a matching record in other state databases, and if a match is found, to apply the identifying number contained in those other databases to the voter registration application.

<sup>28</sup> AR, AZ, CA, CO, CT, DC, DE, GA, KS, KY, LA, MI, MS, MT, NE, NJ, NY, RI, VT, and WI. Georgia has adopted this position pending the outcome of litigation; if litigation is resolved in favor of the state, it intends to reject applications in which the Social Security number is missing.

<sup>29</sup> AR, AZ, CT, DC, DE, GA, KS, KY, LA, MS, MT, NY, RI, VT, and WI.

<sup>30</sup> CA, CO, MI, NE, and NJ. Pursuant to a new agreement with the Department of Justice, California will apparently accept applications with an illegible or incomplete number only if submitted by mail.

<sup>31</sup> See note 25, above.

<sup>32</sup> AK, FL, IA, IN, MA, MO, NM, OK, SC, SD, TX, VA, WA, and WV.

<sup>33</sup> AK, FL, IN, MO, NM, SC, SD, TX, VA, and WA.

<sup>34</sup> See note 20, above.

## 4. Opportunity to correct errors: state practices

If a citizen submits an application with an incomplete, illegible, or missing “identifying number,” or if the state cannot find a matching record in its other databases, each state will notify the applicant that there has been an error. But states have different means of delivering this notice. For example, some states send a letter; some follow-up with a phone call; and some send a new application form with any notification. Moreover, states also differ in the processes by which eligible citizens may resolve an error. Some require the applicant to resubmit another voter registration form, affirming all information anew; others allow the applicant to resolve errors over the phone or by mailing additional information. Finally, states differ in whether errors may be corrected after the voter registration deadline. Some permit corrections after the deadline as long as the original application was timely; others do not.

The less robust the notice, and the less practical opportunity for an applicant to resolve an error, the greater the likelihood that any of the mistakes discussed above will remain unresolved through Election Day. And many of these minor errors can have serious consequences, including the potential to bar eligible citizens from the polls.

A state’s decision as to whether to allow errors to be resolved after the voter registration deadline is likely to have severe ramifications in practice. Many voter registration applications will inevitably be submitted close to the voter registration deadline, as campaign intensity, media attention, and voter interest all heat up. These timely applications, however, may be derailed by immaterial errors. Depending on a state’s policy, an immaterial error in the process for an application submitted at the registration deadline may preclude any practical opportunity to resolve the error, resulting in extra burdens on the voter or outright disenfranchisement.

**Twenty-two states**<sup>35</sup> allow an applicant to resolve errors in the registration process even if the voter registration deadline has passed. (Vermont permits corrections to the identifying number after the deadline.) This correction period ranges from several days after notice of an error is sent, up through Election Day. **Three states**—Idaho, Minnesota, and Wyoming—will reject corrections submitted after the voter registration deadline, but will give the applicant the opportunity to re-register at the polls on Election Day.

In contrast, in **10 states**,<sup>36</sup> any correction submitted after the voter registration deadline will not be considered timely for an upcoming election. **Iowa** and **South Dakota** will reject any correction after the voter registration deadline if the mistake is on the part of the applicant, but if the new information corrects an error on the part of someone other than the applicant, it will be accepted after the deadline.

**Illinois**, **Mississippi**, and **Utah** leave the decision to the local jurisdiction to determine whether corrections will be accepted after the voter registration deadline. **Louisiana** will generally accept corrections within 21 days after the notice of an error is sent to the applicant, but has not decided whether corrections within 21 days will be accepted if the voter registration

<sup>35</sup> AR, AZ, CO, DE, IN, MA, ME, MI, MT, NE, NH, NJ, NV, NY, OR, RI, TN, TX, VT, WA, WI, and WV.

<sup>36</sup> AK, CA, DC, FL, KS, MD, MO, NC, NM, and VA. Pennsylvania has changed this policy; see note 20, above.

Opportunity to Correct Errors in the Matching Process After the Voter Registration Deadline				
Reject Corrections After Deadline	Voter May Correct Errors After Deadline	Reject Corrections, but Election Day Registration	No Matching Pre-Registration	Undetermined
Alaska California District of Columbia Florida Kansas Maryland Missouri New Mexico North Carolina Pennsylvania <sup>o</sup> Virginia	Arkansas Arizona* Colorado* Delaware* Iowa <sup>†</sup> Illinois <sup>†</sup> Indiana Maine Massachusetts Michigan Mississippi <sup>†</sup> Montana* Nebraska* New Hampshire* New Jersey Nevada New York* Oregon* Rhode Island* South Dakota <sup>†</sup> Tennessee Texas Utah <sup>†</sup> Vermont Washington Wisconsin* West Virginia	Idaho Minnesota Wyoming	Georgia Kentucky Oklahoma South Carolina	Alabama Connecticut Louisiana Ohio

<sup>o</sup> Pennsylvania has changed this policy; see note 20, above.

\* These states allow voters to correct errors up through the day before Election Day. MT, NH and WI allow corrections after the voter registration deadline, and also permit Election Day registration.

<sup>†</sup> These states only allow voters to correct errors under certain circumstances. IL, MS, and UT grant discretion to local election officials to accept or reject errors after the voter registration deadline. SD and IA only allow voters to correct errors if the inaccuracy was not the result of an applicant's error.

NB: Hawaii did not respond to the survey. North Dakota does not register its voters.

deadline has already passed. Because **Georgia, Kentucky, Oklahoma, and South Carolina** do not match or plan to match information from new voter registration forms to the motor vehicles or Social Security database before placing the registrant on the rolls, no correction process is necessary. Finally, neither **Alabama, Connecticut, nor Ohio** responded to the survey or reflected their correction policy in state law.<sup>37</sup>

## Summary of findings

As the survey results reveal, a few states will implement HAVA's verification and matching provisions precisely as they were intended: to help clean the registration rolls, to provide first-time voters registering by mail with a convenient alternative means to confirm their identity, and to otherwise promote the smooth administration of a registration process enabling every eligible citizen to vote. Nebraska and Oregon, for example, report that they intend to use at least moderately flexible match criteria<sup>38</sup> with ample opportunity to correct errors, and will impose only the consequences anticipated in federal law: the opportunity for first-time voters registering by mail to confirm their identity by other means if no match can be found. States like Minnesota and Wisconsin go further, by offering Election Day registration as an additional safeguard for their citizens.

<sup>37</sup> Because of litigation in Connecticut pending at the time the survey was conducted, Connecticut materials in this report reflect only the practices codified in state statutes and regulations, and do not reflect the phone survey.

<sup>38</sup> While these states intend to use flexible criteria for matching information on applications with driver's license numbers, they also intend to implement AAMVA's exacting match criteria for applications with Social Security digits, which creates a substantial risk of error.

In contrast, the survey also shows that a few states intend to implement HAVA's verification and matching provisions in a manner that twists the intent of the law to create a new barrier. Iowa, South Dakota, Texas, and Washington, for example, all report that they will reject the application of citizens whose information cannot be matched, barring the applicant entirely from the polls. And most of these states compound the burden by using a character-by-character exact match that is particularly likely to result in widespread disenfranchisement.

In the rest of the country, HAVA implementation seems to be mixed: some state policies fulfill the intent of the law, others create unnecessary hurdles for eligible voters. Fortunately, most state policies are not yet either codified or hard-wired. This report is intended not only to shed light on states' current intentions, but also to encourage them to bring their policies in line with best practice. To that end, we offer below specific recommendations for the proper implementation of HAVA's verification and matching procedures.



# Recommendations

The Brennan Center’s recommendations regarding state implementation of HAVA’s verification and matching provisions are designed to facilitate the opportunity of every eligible citizen to register to vote, smoothly and without undue burden, and to ensure that states maintain complete and accurate voter registration lists. The new verification and matching processes described in this report, like many other tools, have the potential to improve the voter registration process—or render it a hopeless mess.

New York City’s recent experience suggests the scope of the disaster that could ensue if states make flawed verification and matching choices. In September 2004, New York City’s board of elections sent 15,000 registration records to the state department of motor vehicles for verification. The DMV attempted to match the driver’s license number on the voter registration form to a license number in its own database. 2,951 of those forms—19.6% of the total—could not be matched solely because of typos by city officials. (An additional 4% of the forms did not produce a match because of a nonmaterial error by the registrant, such as the transposition of a character in the driver’s license number.) Moreover, the city attempted to match only driver’s license number to driver’s license number; had the city attempted to match additional fields such as name or date of birth, the potential for error would have increased.

It is essential to learn from such trials. If New York had chosen to reject voter registration applications that could not be exactly matched, up to 20% of eligible registrants could have been disenfranchised due solely to minor mistakes of election officials. Furthermore, New York’s experience is not an anomaly. Peer-reviewed studies from other disciplines indicate that error rates of 20-32% are common in similar contexts.<sup>39</sup>

When voting rights are at stake, such error rates are unacceptable—but they are not unavoidable. By adopting good practices with respect to the verification and matching process, and forgoing bad practices, states may fulfill HAVA’s mandate without jeopardizing the voting rights of eligible citizens. Our recommendations for how to accomplish this—whether through clear and transparent policy, regulation, or legislation—are laid out in detail below.

## Recommendations for match criteria

Minor errors—things like typos, transpositions, and inconsistencies—occur frequently even in relatively “clean” databases. For example, one study found as many as 40 different spelling variations of “Fort Lauderdale” in a Florida social service database—and Fort Lauderdale, as Florida’s seventh largest city, is presumably familiar to the Florida officials entering the social service data. For unfamiliar entries like surnames and random digits, error rates are likely much higher. Such errors could prevent a system from recognizing that two records reflecting the same individual should actually be matched.

<sup>39</sup> See, e.g., Neil A. Maizlish & Linda Herrera, *A Record Linkage Protocol for a Diabetes Registry at Ethnically Diverse Community Health Centers*, 12 J. AM. MED. INFORMATICS ASS’N 331, 335 (2005); Shaun J. Grannis et al., *Analysis of Identifier Performance Using a Deterministic Linkage Algorithm*, 2002 PROC. AMIA ANNUAL SYMPOSIUM 305, 307-08; Carol Friedman & Robert Sideli, *Tolerating Spelling Errors During Patient Validation*, 25 COMPUTERS & BIOMEDICAL RESEARCH 486, 503-04 (1992).



The Brennan Center therefore recommends that in the verification process, states employ “**substantial match**” criteria capable of compensating for typos and other common database-related errors in every field compared.<sup>40</sup> AAMVA and the SSA should do the same. Whether the process of matching voter registration information to information in other databases is automated or manual, that process must account for inevitable mistakes and minimize the risk that these “false negatives” create hurdles for eligible voters. There are many technologies and procedures available to help account for mistakes, from the most sophisticated software to manual double-checks involving common sense. Whatever the particular matching procedure that a state chooses for verification purposes, the Brennan Center strongly recommends that it reflect the following standard: an individual’s voter registration information will be deemed “matched” if a reasonable person would find it substantially likely that a record in an existing government database refers to the same individual on the registration form.

## Recommendations for addressing failed matches

Even with a “substantial match” protocol, states will inevitably fail to find matches for a significant number of eligible citizens who provided accurate information on their registration forms. There are many reasons for this: a match protocol that remains imperfect, a name change more recent than the last DMV entry, mistakes in Social Security records, and so on. Driver’s license and Social Security databases are immense government systems that are not compiled for national identity or elections purposes. These databases will yield errors when used for these ends. Indeed, the Social Security Administration’s Director of Information Exchange and Computer Matching has admitted that at least 10% of the information obtained when attempting to match identifying information in the SSA’s database with other identifying data may be inaccurate.<sup>41</sup>

Given the potential for error even under favorable circumstances, the Brennan Center strongly recommends that an applicant be registered despite the failure of the state to find a match. Indeed, such a policy is *required* to make sense of HAVA.<sup>42</sup> A failed match should produce only the single consequence expressly identified in the statute: a citizen registering by mail and for the first time in a given jurisdiction is subject to an identification requirement, unless the state is able to match the information in her registration form. The match thus serves as one means by which the state may identify a voter; if the match fails, the state must use some other means of identifying the voter.<sup>43</sup> There are several readily available alternative means to confirm a voter’s identity—including matching her signature to the signature on her registration card, requesting documentary ID for first-time voters who register by mail, or requiring the voter to swear to her identity under penalty of perjury.

## Recommendations for addressing forms with incomplete information

HAVA states that a voter registration application may not be processed unless it includes an identifying number—primarily, the number of the applicant’s current and valid driver’s license, or if the applicant has none, the last four digits of her SSN. If the applicant has neither, the state must assign the applicant a unique voter registration number. HAVA then

<sup>40</sup> In contrast, a more exacting standard should be used when seeking to remove names from the list because “false positive” matches could disenfranchise eligible voters in that context. Further recommendations for purge practices are described below.

<sup>41</sup> Remarks of Pete Monaghan, Director of Information Exchange and Computer Matching of the Social Security Administration, at the February 2004 meeting of the National Association of Secretaries of State.

<sup>42</sup> For an explanation as to why this policy is required by HAVA, see [http://www.brennancenter.org/programs/dem\\_vr\\_hava.html](http://www.brennancenter.org/programs/dem_vr_hava.html).

<sup>43</sup> This is what HAVA’s sponsors expected: in the Congressional record, Senator Kit Bond described the verification provision by stating that “[i]n lieu of the individual providing proof of identity, States may *also* electronically verify an individual’s identity against existing State databases.” 148 CONG. REC. S10488-02, \*S10489 (daily ed. Oct. 16, 2002) (statement of Sen. Bond) (emphasis added).



expressly reserves to each state the discretion to determine whether the information provided by an applicant on a form is sufficient to meet the HAVA requirement that this number be provided.

The Brennan Center recommends that states exercise this discretion to protect eligible citizens from disenfranchisement because of immaterial error. Some voter registration applications will inevitably be submitted by eligible citizens without an identifying number: because the form is unclear, because the citizen has lost her driver's license or does not know the number when she completes the form, or for some other reason. As one of HAVA's chief sponsors explained, a missing or incomplete number need not become an insurmountable hurdle:

[N]othing in [the verification section of HAVA] prohibits a State from accepting or processing an application with incomplete or inaccurate information. [This section] specifically reserves to the States the determination as to whether the information supplied by the voter is sufficient to meet the disclosure requirements of this provision. So, for example, if a voter transposes his or her Social Security number, or provides less than a full driver's license number, the State can nonetheless determine that such information is sufficient to meet the verification requirements, in accordance with State law. . . . Moreover, nothing in this section prohibits a State from registering an applicant once the verification process takes place, notwithstanding the fact that the applicant provided inaccurate or incomplete information at the time of registration . . . or that the matching process did not verify the information.<sup>44</sup>

The Brennan Center recommends that states construe applications with missing or incomplete information, consistent with the law, so that eligible citizens may still become registered. If an application has a missing or illegible identifying number, but the appropriate number is discovered during the match process, states should process the form as if the number had been legibly provided in the first instance: there is no need to penalize the voter if the information can be found by other means.<sup>45</sup>

Furthermore, if no identifying number is found during the match process, the state should presume that the applicant has no such number, assign a unique voter registration number, and proceed with registration.<sup>46</sup> If there is any lingering doubt about an applicant's identity, especially for first-time voters registering by mail, the state may still ask her to provide some sort of identification before voting—but at least she will be registered, and able to resolve any doubt at the polls.

## Recommendations for correcting errors

The attempt to match information on a registration form to information housed in a large government database compiled for a different purpose is inherently error-laden. And because errors introduced into large databases tend to persist and create unanticipated problems, it is best to ensure ample opportunities to correct any errors, with minimal burden on the voter.

<sup>44</sup> 148 CONG. REC. S10488-02 (daily ed. Oct. 16, 2002) (statement of Sen. Dodd).

<sup>45</sup> This practice is consistent with HAVA because states would not “process” applications until a number was assigned to and included with the application. See 42 U.S.C. § 15483(a)(5)(A)(iii).

<sup>46</sup> This practice similarly comports with HAVA's reservation of discretion to the states. See *id.*

The Brennan Center recommends that whenever there is any error on a voter registration application or in the verification and matching process, state officials notify the applicants—not only by mail to all valid addresses on file, but also by phone if a valid phone number is available. The Brennan Center also recommends that states allow applicants to resolve errors by phone, by mail, or in person, without submitting a new form (which may present new opportunities for error). The state should make the correction process as straightforward as possible, to increase the chance that errors are caught and corrected quickly.

Furthermore, in order to ensure that voter registration applications near the end of an election cycle are not unduly prejudiced, the Brennan Center recommends that states process corrections to timely applications up through Election Day, even if the correction itself is submitted after the voter registration deadline. If a correction arrives too late to be represented on the poll books, it should be accepted and processed, so that any provisional ballots cast can be evaluated against the most recent, most accurate registration information.

## Other recommendations for voter registration databases and the registration process

In addition to the four most salient categories of findings addressed in detail above, this survey revealed several additional important ways in which state policies and practices differ with respect to voter registration and the interaction with the statewide voter registration databases. Based on our research, the Brennan Center makes the following additional recommendations:

### Inputting and Storing Voter Registration Information

- **Data entry audits.** One of the primary sources of error in the registration process is data entry. States should conduct regular audits of information entered into the voter registration database, including procedures for checking the electronic records against original paper applications.
- **Online voter registration.** One means of reducing errors in data entry is to allow applicants to enter their own registration information. Arizona provides, and Washington has just proposed, an online gateway through which eligible citizens may register to vote. With appropriate security protocols, such online systems offer not only greater convenience, but also greater accuracy as well. Even if applicants are not able to register online, they should be able to view and confirm their registration information in the system through a secure public portal.<sup>47</sup>
- **Real-time synchronization.** Although the Election Assistance Commission has confirmed that a single central voter registration database accessed by local terminals is “most closely akin to the requirements of HAVA,” the survey reveals that a small minority of states continue to maintain local databases that are regularly synchronized at the state level. To the greatest extent possible, the official state records should be

<sup>47</sup> For model legislation on such public access portals, see [http://www.brennancenter.org/programs/downloads/HAVA/Public\\_access\\_portal\\_mode\\_%20bill\\_09\\_21\\_05.pdf](http://www.brennancenter.org/programs/downloads/HAVA/Public_access_portal_mode_%20bill_09_21_05.pdf).

updated immediately upon any local change, so that there is no confusion regarding a citizen's official voter registration status.

- **Security log.** The state should keep an electronic log of all database transactions, to ensure database security and to correct processing errors. These records should indicate the date and time of each transaction, the identities of the persons who accessed the system, the identities of the persons who authorized the transaction, and the reason for any modification to existing information.
- **Information privacy.** States should adopt strict protocols for access to voter records stored in the database, including different layers of security to restrict access to information to authorized individuals for discrete authorized purposes. Sensitive personal information, such as a voter's social security or driver's license number, or the information provided by domestic violence victims, should be subject to greater protection.

## Information Collected on the Voter Registration Application

- **Registration forms.** As is apparent from the forms reproduced in the Appendix to the report, many states' voter registration forms are cluttered and confusing. A reasonable voter looking at these forms will often be uncertain about the information requested or required. For example, some forms may lead voters to believe that they may submit a recent out-of-state driver's license when such a license will not in fact be accepted; other forms do not clearly state how the voter should indicate that she has no driver's license or Social Security number. Voter registration forms should clearly label all mandatory and optional information, and explain the consequences of errors or omissions.
- **Non-driver's identification card number.** Only 14 states<sup>48</sup> specify on the form that voters may provide a non-driver's state ID card number rather than a driver's license number. Allowing other government-issued identification suits both the history and the purpose of HAVA's verification provisions.<sup>49</sup> An individual's authorization to drive a car does not reflect upon her eligibility to vote; HAVA selected the driver's license number because—like a non-driver's ID number issued by a state licensing authority—it is a commonly available personal number verified by the government as belonging uniquely to a particular individual.

<sup>48</sup> AK, AZ, CA, CO, FL, IL, IA, MD, MI, MN, TX, UT, WA, and WI.

<sup>49</sup> It is true that HAVA specifically designates a "driver's license number" as the principal identifier, 42 U.S.C. §§ 15483(a)(5)(A)(i)(I), 15483(b)(3)(B)(i)(I), but this term naturally embraces ID numbers issued by state licensing agencies that serve as official identification for non-driving residents.

## The Match Process

- **Transparent standards.** This survey was made necessary by the fact that the process and criteria by which most states will implement HAVA's matching provisions is not expressly provided in statute or regulation or publicly available policy guidance. States should develop uniform, non-discriminatory, and specific procedures that maximize election officials' ability to find matching records—and they should do so in a fashion transparent to the public.

- **Searching additional databases.** Congress designed HAVA's matching procedures to help establish a unique identifying number for each individual in the voter registration database, and to serve as one means of verifying the identity of a first-time voter who registers by mail. HAVA specifies the motor vehicle and Social Security databases as targets of the matching process, but other government databases may suit these purposes just as effectively. If information on a voter registration form cannot be matched with the motor vehicle or Social Security databases, states should attempt a match with other reliable government records that uniquely identify citizens, including records of agencies registering voters under the NVRA.

## Procedures at the Polls

- **Identification acceptable at the polls.** The matching process represents just one way to confirm the identity of a voter. When the state cannot find a match, it should look to non-burdensome alternative methods, including signature matching, sworn affidavits, or, as a last resort, documentary proof of identity. Any of these methods should be sufficient to serve as proper identification.
- **Meaningful provisional ballots.** Some states will apparently still issue voters a provisional ballot which is certain—at the time it is issued—to be void. For example, Texas will issue a provisional ballot to voters who arrive at the polls without identification, but that ballot will only be counted if identification was provided at the polls. These ballots are deceptive placebos: the voter believes that she has cast a valid ballot, but the ballot is actually meaningless. States should reconcile their election law so that a provisional ballot will be counted if the information submitted with the ballot comports with information timely submitted on the voter's registration form.
- **Database access at the polls.** By statute, the statewide voter registration database represents the only official list of registered voters. Election officials should therefore be able to access the database at polling places on Election Day. Polling place access to a searchable database will reduce the number of registered voters whose names cannot be found on a printed page, reduce the number of provisional ballots, enable poll workers to determine quickly and easily if a voter is in the correct polling place, and generally facilitate a smoother election process with shorter lines. Jurisdictions like Forsyth County, Georgia, have already reported tremendous success with such programs.<sup>50</sup>

## Recommendations for voter registration databases and continuing list maintenance

Although the body of this report addresses only verification and matching for purposes of “making the list,” states may attempt to match voter registration records with records in other databases for other list maintenance purposes as well. For example, states will attempt to match voter registration records with records of other databases to account for voters who become ineligible because of death, criminal convictions, or relocation. These

<sup>50</sup> See Gary J. Smith, Director of Elections, Forsyth County, Ga., *Forsyth County Electronic Poll Book Program*, in THE ELECTION CENTER, 2005 PROFESSIONAL PRACTICES PAPERS 53 (Janis K. Womack ed., 2005), available at <http://electionupdates.caltech.edu/2005%20Election%20Center%20Prof.%20Pract.%20Papers.pdf>.

databases, too, are imperfect. And just as record matching may be beneficial or detrimental in placing voters *on* the list, matching may be beneficial or detrimental in taking them *off* of the list of active voters (or, better, labeling them as inactive). We therefore make the following recommendations for using databases for other list maintenance purposes:

## Ensuring accuracy of records

- **Using other databases to correct records.** We recommend that states attempt to match registration records with records of other government databases in order to flag voter registration information that may need to be corrected, supplemented, or updated. Voters must be notified, of course, before any such change is made, but the process should help keep the registration database as accurate as possible. All available reliable databases should be consulted for this purpose, including those of social service and disability agencies.

## Database purges

- **Uniform procedures.** Most controversial purges or attempts to purge the voter rolls occur outside of a regular process that citizens can monitor and evaluate. States should establish uniform, transparent, non-discriminatory, and regular procedures for purging the voter rolls. The procedures should specify how, and under what conditions, databases will be used in the purge process.
- **Accurate match criteria.** Most states will attempt to match database information in order to find, in the database of registered voters, records of citizens who have become ineligible. Removing a voter from the rolls is in many ways the inverse of placing a citizen on the rolls, and requires inverse matching criteria. As shown above, in verification, a “false negative” (an improper failure to match) could keep an eligible citizen from voting—and so a flexible protocol should be used to minimize the chance of an improper failure. In purging, the opposite is true: a “false positive” (an improper match) could keep her from voting—and so an exacting protocol should be used to minimize the chance of an improper match. When matching for purposes of purging, states should conclude that a voter may be ineligible only if there is no reasonable doubt that she is the person listed in a record in a database of ineligible persons.
- **Notice and opportunity for correction.** While the match criteria appropriate for verification and purging are very different, the appropriate opportunity to correct errors is identical. In either case, the voter must be notified of any problem that arises in the matching process,<sup>51</sup> and afforded a practical and reasonable opportunity to respond, before the results of an attempted match may be used to impose an additional burden or to block access to the polls entirely.<sup>52</sup> To ensure that such problems are resolved well in advance of any election, states should not purge voters from the database within 90 days of an election, unless the voter has become ineligible during that period.

<sup>51</sup> Notification should be made by a certified, forwardable letter to her last known address, along with a postage pre-paid response card.

<sup>52</sup> This recommendation is similar to that made by the Midwestern Legislative Conference of the Council of State Governments in its August 2002 report, which recommended that “[p]rocedures governing the purging of duplicate registrations should include sufficient notice to affected voters and an opportunity to correct errors in a timely fashion.”

- **Use of all relevant sources of information.** HAVA directs states to look to agency records on felony “status” when seeking to determine the eligibility of voters who have been convicted. This must include not only records of conviction, but also records pertaining to the restoration of voting rights. States should ensure that any search for voters rendered ineligible by conviction includes clemency records as well as, where applicable, records indicating whether citizens have completed their terms of incarceration, parole, or probation.
- **Authorization to remove names.** States should develop clear rules to ensure that only authorized state officials have the ability to remove names from the database and that these “purges” can be audited and monitored. The database should prevent any one person, acting alone, from removing names from the list. The purging of any voter record must be authorized by at least two officials (preferably with different political affiliations and at different levels of government).



# Methodology

During the summer and fall of 2005, the Brennan Center conducted an extensive phone survey, successfully contacting elections officials in 46 states and the District of Columbia. The survey was conducted by research associates, legal interns, paralegals, and attorneys, closely supervised by staff attorneys. In each case, the surveyors attempted to contact the individual designated by the state as responsible for determining how new voter registration applications are or will be processed once the voter registration database is in use. The title and position of this official varied from state to state; the appropriate individual was often an election official in the office of the Secretary of State charged specifically with HAVA implementation. Where it was necessary to speak with multiple officials in order to determine state practice—for example, when several statewide officials shared responsibility, or when the state deferred substantial portions of the registration process to county officials—the surveyors attempted to contact these individuals as well. In some states, surveyors spoke first with an election official with general knowledge of registration policy, and then with a second official versed in the technical aspects of the database and matching process.

Because the status quo was changing so rapidly throughout 2005, the survey questions reflected anticipated practices for the registration and/or matching process in 2006 in each state. More specifically, the survey addressed: the process by which information from voter registration forms is collected and entered into the state’s database; the procedure for addressing forms with missing or illegible information; the procedure for matching information against data in other state records, if matching occurs; the procedure for correcting any errors in the process; and the consequences, if any, of an attempted match.

The verification and matching process is sufficiently new that practitioners and advocates have not yet established common, agreed-upon jargon; that is, different officials describe the same practices using different language. For example, consider a voter for whom the state cannot find a match, but who may vote a valid provisional ballot upon presentation of ID at the polls. In one state, an official will describe such a voter as “not registered”; in another, the voter is “provisionally registered”; in a third, the voter is “registered, but flagged.” Due to this lack of common language, the Brennan Center employed a flexible survey instrument. Surveyors used a written guide, but did not follow this guide mechanically; rather, they were instructed to ask appropriate follow-up questions, in order to best understand the actual practice—and the effect on the voter—in each state. The survey was designed to be completed in approximately 30 minutes. The surveyors took detailed notes of each call to memorialize the state’s response.

After reviewing the survey responses and each state’s relevant statutes and regulations, Brennan Center attorneys then prepared summaries of the pertinent state practices. In most states, existing statutes and regulations address few of the relevant questions. Survey notes were therefore used to fill in the interstices; thus, information in this report that does not reflect existing statute or regulation was derived from the interviews. Occasionally, information from the interviews seemed to conflict with existing state law; these inconsistencies

—which may reflect misunderstanding on the part of the interviewer, the interviewee, or both—were noted in the summaries, but state policy as reflected in statute and regulation was deemed controlling.

Each relevant summary was then distributed by email to the appropriate respondent, with a two-week opportunity for the relevant election officials to correct misunderstandings and to add information on policy decisions made since the surveys were conducted. Twenty-one of the officials who received these draft descriptions of state policies returned those descriptions with minor revisions or affirmations of their accuracy. Relevant modifications were included in the attached summaries, except in the few instances in which the suggested revision was contradicted by existing state law. Where a state's stated practices remained unclear, the Brennan Center attempted in early 2006 to follow up with particular election officials. Such clarifications were also incorporated in this report.

Since this research was conducted, states may also have substantively changed their policies; to the extent that such changes are communicated to the Brennan Center, they will not be reflected in this summary of findings, but will be reflected on an ongoing basis in the individual state descriptions collected in the Appendix, available online.

In addition to surveyed facts and legal provisions for each state, the attached summaries contain the most recent available copy of the relevant pages of each state's voter registration form and instructions. The applicable sections have been highlighted. In California, Delaware, Massachusetts, Missouri, New Mexico, Nevada, and Ohio, a state-based form was not available online; summaries for those states include the federal voter registration form and the relevant state instructions. In Wyoming, each county uses a different form; the form included in the Wyoming summary is only a sample.



# Scope of State Summaries in Appendix

The state-by-state summaries attached to the electronic version of this report and available at [www.brennancenter.org](http://www.brennancenter.org) describe states' standard voter registration practices, from the time a voter fills out an application form up through the time that she casts a vote in a general election. The summaries reflect the information obtained by surveying election officials and the relevant laws and regulations in each state. At times, the information from these sources appears inconsistent or contradictory. This may reflect the fact that election officials may have been articulating some of the policies discussed in this report for the first time. This confusion underscores the need for concerted attention to implementing the voter registration database process and the importance of adopting clear policies that protect the rights of eligible citizens to vote.

These summaries reflect usual state practice, and may not account for certain special circumstances. The summaries of states' identification requirements, in particular, are tailored to individuals who vote in person in a regular election on Election Day. States may provide different requirements and procedures for voters who vote by mail, vote absentee, or vote early. These different procedures are not reflected here. Similarly, this report does not capture different procedures that may govern special elections or municipal elections.

This report also does not reflect many of the different means by which a state may confirm an individual's voter registration information other than by matching to motor vehicle or Social Security records. For example, several states compare a voter's signature at the polls to the signature submitted on a registration card. Some states also mail a non-forwardable confirmation card to the address on the voter's application; if the card is returned as undeliverable, the application may be rejected. Other states authorize a physical canvass of applicants' homes. Such practices are beyond the scope of this report.

Finally, this report does not reflect the means by which a state may remove voters from the voter registration rolls, or the means by which a state will flag certain voters as "questionable" or "inactive." For example, the report does not describe ongoing state database maintenance practices, such as purging of voters who have become ineligible or inactive. Nor does the report address challenge procedures or their aftermath.

# Report Glossary

The verification and matching process is sufficiently new that practitioners and advocates have not yet established common, agreed-upon jargon; that is, different officials describe the same practices using different language.

To compare apples to apples, this report defines terms consistently across states—even if a different descriptive word is used by a particular official or within a particular state. This glossary explains how terms are used within this report:

**DMV:** the agency in each state responsible for maintaining motor vehicle license records, which is usually the same agency responsible for issuing state non-driver's identification cards.

**Identifying number:** the driver's license number, state non-driver's identification card number, full Social Security number, or last four digits of the Social Security number, as appropriate within each state.

**SSA:** Social Security Administration.

**SSN:** Social Security number.

**SSN-4:** last four digits of the Social Security number.

**States:** includes the 50 states and the District of Columbia.

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