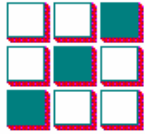


Democracy at Risk: The 2004 Election in Ohio

Section IV
Provisional Ballot Survey





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TO: The Democratic National Committee

FR: Diane Feldman
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RE: DNC Provisional Ballot Survey

Newly registered voters and voters with more residential mobility in Cuyahoga County were more likely to cast provisional ballots last November than the county electorate as a whole. Additionally, younger voters and African Americans were more likely to vote provisionally than older voters and whites, even when we account for differences in registration and residential mobility.

Other demographic and political characteristics—such as education, income, marital status, and presidential preference—did not affect the likelihood of voting provisionally, although some of these were related to whether the provisional ballot was ultimately counted.

Nearly three-fourths (72 percent) of provisional voters whom we surveyed had their ballots counted by the Board of Elections, according to the lists provided by the board.¹ Voters outside Cleveland in our survey (74 percent) were more likely than their Cleveland counterparts (68 percent) to have their ballots counted. In addition, Bush supporters (79 percent) were more likely to have their provisional ballots counted than Kerry supporters (69 percent).

¹ Provisional voters in our survey were more likely to have their ballots counted than all provisional voters in Cuyahoga County, where 66.2 percent of provisional ballots were counted. The difference is likely attributable to the inability to obtain phone number for people whose registration was not verified.

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The survey also suggests that provisional voters faced problems at the polls. Seventy-one (71) percent of provisional voters reported they were required to show identification, even though the law states that only new registrants, who comprised 23 percent of the provisional electorate, have to show identification. Additionally, many provisional voters were not fully aware that they were voting with a special ballot, one reason why only a small share actually checked with the Board of Elections to see if their vote was counted.

These surveys of Cuyahoga County voters constituted the second phase of the DNC Ohio Election Investigation Project's public opinion research. The first phase analyzed the voting experience for voters statewide in Ohio. Voters were selected at random, using random digit dialing, for the first survey. That survey found that the Election Day experience for most African American voters was starkly different from that of most white voters in Ohio. African American voters waited in line longer to vote, experienced more registration challenges, and were more likely to feel intimidated. Nevertheless, the survey also indicated that the difficulties experienced by African Americans and other voters at the polls did not, in and of themselves, cost John Kerry the election in Ohio.

This second project began with a survey of 400 provisional ballot voters in Cuyahoga County who were contacted by phone from a list provided by the Cuyahoga County Board of Elections. We then surveyed 400 non-provisional voters, each of whom was paired with a geographically proximate respondent from the provisional ballot survey² to obviate biases by geography rather than demographics, and to minimize the impact on sampling of imbalances in the availability of phone numbers for more and less mobile voters. The project explored the demographic, residential, and registration differences between provisional and non-provisional voters, and looked at the Election Day experience of provisional ballot voters.

The frequencies for the two surveys are attached. Additionally, Professor Walter Mebane of Cornell University used the survey data to calculate the probability of voting provisionally given certain characteristics, such as having registered to vote in 2004 or being African American so we could address the causes of provisional voting. His study, which examines these probabilities in more technical depth, is also included in this report.

² Respondents were matched using zip codes. Each provisional respondent was matched with a non-provisional respondent in the same Zip-9 area code, if possible. If that was not possible, we removed one digit from the end of the zip code until we found a match.

Residential and Registration Effects

Newly registered voters and voters with more residential mobility were more likely to cast provisional ballots.³ Looking at the frequencies, for example, 23 percent of provisional voters in Cuyahoga County first registered to vote in 2004 and only 3 percent of matched, non-provisional voters first registered to vote in 2004. Professor Mebane used these frequencies to calculate the probability that a newly registered voter had to cast a provisional ballot and the probability that a previously registered voter had to cast a provisional ballot.

Table 1 shows the probability of a voter having to cast a provisional ballot, given that the voter belonged to a certain group. Using this example, Professor Mebane calculated that 26.5 percent of voters who first registered to vote in 2004 voted with a provisional ballot while only 2.5 percent of voters who were already registered to vote had to vote provisionally. Newly registered voters, therefore, were 10.6 times more likely to vote with a provisional ballot than voters who were already registered.

Using the same methods, Professor Mebane calculated that voters who had never voted in Ohio prior to 2004 were 3.0 times more likely to cast provisional ballots, with 9.4 percent of those who had never voted in an Ohio election casting a provisional ballot and 3.1 percent of those who had voted in a prior election casting one.

Table 1: Registration and Mobility Effects	
	Percent Provisional
Reg to Vote in 2004	26.5
Already Reg	2.5
Ever voted in Ohio? No	9.4
Ever voted in Ohio? Yes	3.1
Moved Since Last Voted in Ohio? Yes	11.4
Moved Since Last Voted in Ohio? No	1.7
Did not vote in past at polling place	11.2
Voted in past at polling place	1.7
At current address: Five years or less	9.1
At current address: More than five years	1.3
Rent home	5.7
Own home	2.7

Voters with more residential mobility cast provisional ballots at a significantly higher rate than voters with less residential mobility. The relationship between residential mobility and provisional voting came in many forms. Voters who had moved since the last time they had voted (11.4 percent cast provisional ballots) were 6.7 times more likely to vote provisionally than voters who had not moved (1.7 percent provisional); voters who had never voted at the polling place they used in 2004 (11.2 percent provisional) were 6.6 times more likely to vote provisionally than voters who had voted at the same polling place (1.7 percent provisional). Similarly, voters who have lived at their current address for fewer than five years (9.1 percent provisional) were 7 times more likely to cast provisional ballots than those who have lived at their current address for more than five years (1.3 percent); voters who rent homes (5.7 percent

³ Our confidence level that the differences in provisional voting probabilities are *not* random is 90 percent, using a one-tailed test. Please reference Professor Mebane’s accompanying report for further explanation of the statistical confidence tests.

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provisional) were 2.1 times more likely to cast provisional ballots than home owners (2.7 percent provisional).

Demographic Effects

African American voters and voters under age 55 were more likely to cast provisional ballots than their white and older counterparts, again using Professor Mebane’s calculations. African American voters (4.1 percent) were 1.2 times more likely than white voters (3.5 percent) to vote provisionally. Voters under age 55 (6.6 percent provisional) were 4.1 times more likely to cast provisional ballots than voters over age 55 (1.6 percent provisional). The differences remain when we combine the effects of registration history and residential stability with those of race, as we will discuss in the next section.

	Percent Provisional
White	3.5
Af Am	4.1
18 to 54	6.6
55 and Over	1.6
Men	3.2
Women	3.8
<\$20K	4.4
\$20K to \$40K	3.8
\$40K to \$60K	4.9
>\$60K	5.1
High school	3.4
Some college	3.9
College grad	4.4
Post grad	2.9
Married	3.8
Single	3.6
Kerry voter	4.2
Bush voter	4.1

Similarly, as you can see from the attached frequencies, 35 percent of provisional voters are African American compared to only 25 percent of non-provisional voters matched by geography in Cuyahoga County. Seventy-two (72) percent of provisional voters are under age 55, compared to only 35 percent of matched voters.

Statistically, we can say with 90 percent confidence that African Americans were more likely to vote provisionally than whites. This follows, as well, from the conclusions of the earlier survey that African Americans were more likely to be challenged, and more likely to wait in line, than were white voters.

There are no statistically significant differences in the rates of provisional voting across other demographic or political characteristics, including income, education, marriage status, and presidential candidate preference.

	Percent Provisional
Already Registered: Af Am	3.2
Already Registered: White	2.4
Ever voted in Ohio? Yes: Af Am	3.9
Ever voted in Ohio? Yes: White	3.0
Moved Since Last Voted in Ohio? Yes: Af Am	16.2
Moved Since Last Voted in Ohio? Yes: White	8.8
Moved Since Last Voted in Ohio? No: Af Am	2.1
Moved Since Last Voted in Ohio? No: White	1.6

Differences by race and age in voting provisionally hold even when we account for related differences in mobility. Table 3, using Professor Mebane’s calculations, show that the most striking difference is between African Americans who had voted in the past but had moved since the last time they voted and the corresponding white voters who had voted in the past but had moved since the last time they voted. African American movers (16.2

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percent provisional) were 1.8 times more likely than white movers (8.8 percent provisional) to vote with a provisional ballot.

When we look at new registrants, new voters, and non-movers, African Americans were also more likely to cast provisional ballots than their white counterparts. African Americans who were already registered to vote before 2004 (3.2 percent provisional) were 1.3 times more likely to vote provisionally than white voters who were registered prior to 2004 (2.4 percent provisional). Similarly, African Americans who had voted previously in Ohio (3.9 percent provisional) were 1.3 times more likely to cast provisional ballots than white voters with a prior voting history in the state (3.0 percent provisional). In addition, African Americans who had not moved since the last time they voted (2.1 percent provisional) were 1.3 times more likely to vote provisionally than white voters who had not moved in that time period (1.6 percent).

Table 4: Age, Registration, and Mobility

	Percent Provisional
Already Registered: 18 to 54	4.7
Already Registered: 55 and Over	1.2
Ever voted in Ohio? Yes: 18 to 54	6.0
Ever voted in Ohio? Yes: 55 and Over	1.5
Moved Since Last Voted in Ohio? Yes: 18 to 54	11.7
Moved Since Last Voted in Ohio? Yes: 55 and Over	9.8
Moved Since Last Voted in Ohio? No: 18 to 54	3.7
Moved Since Last Voted in Ohio? No: 55 and Over	0.8

Voters between the ages of 18 and 54 were far more likely to vote provisionally than voters over the age of 55, even when registration and residential effects were taken into account. Younger voters who had been registered before 2004 (4.7 percent provisional) were 3.9 times more likely to vote provisionally than older voters who had been registered before 2004 (1.2 percent provisional), as Table 4 shows. In addition, younger voters who had previously voted in Ohio (6.0 percent provisional) were 4 times more likely to vote provisionally than older voters who had previously voted in Ohio (1.5 percent provisional). Finally, younger voters who had not moved (3.7 percent provisional) were 4.6 times more likely to cast provisional ballots than older voters who had not moved (0.8 percent provisional).

Counting Provisional Ballots

Seventy-two (72) percent of provisional voters in Cuyahoga County that we surveyed had their ballots counted while 28 percent had not, according to the list of provisional voters provided by the county Board of Elections. The Board of Elections counted 66.2 percent of all provisional ballots, meaning that voters in our survey were slightly more likely to have their ballots counted than the provisional voter electorate as a whole.

Table 5: Counting Provisional Ballots

	Ballot Counted
Total	72
Cleveland	68
Not Cleveland	74
Men	69
Women	74
White	71
Af Am	70
Under \$40K	72
Over \$40K	74
Under 55	73
55&Over	74
Married	76
Single	69
Own	71
Rent	75
Kerry voter	69
Bush voter	79

Bush supporters were more likely to have their provisional ballots counted than Kerry supporters as Table 5 shows. Seventy-nine (79) percent of Bush supporters had their provisional ballots counted while only 69 percent of Kerry supporters had theirs counted. Non-Cleveland residents and married voters were more likely to support Bush, which account for some, but not all, of this disparity.

Identification Checks

The law states that poll workers should only ask identification of newly registered voters who did not present identification when they initially registered to vote. However, 71 percent of provisional voters report having their identification checked while only 23 percent of voters were new registrants, as Table 6 shows.

Men (76 percent) report having their IDs checked more women do (69 percent), and younger voters (77 percent) report having their IDs checked more than older voters (57 percent), even while accounting for differences in new registrants. The problem was more acute in Cleveland, where 74 percent of provisional voters report having had their identification checked, than in the rest of Cuyahoga County, even though there were more new registrants outside of Cleveland.

Table 6: Identification Checks with Provisional Ballot Voters		
	ID Check	New Reg
Total	71	23
Cleveland	74	19
Not Cleveland	69	24
Men	76	22
Women	67	23
White	70	24
Af Am	73	17
Under \$40K	71	23
Over \$40K	73	26
Under 55	77	24
55&Over	57	15
Married	72	25
Single	71	22
Own	73	27
Rent	71	19
Kerry voter	72	20
Bush voter	73	25

Provisional Voting Experience

Many provisional voters did not realize that their vote was provisional. Respondents were asked three questions that tested whether they were aware their vote was provisional. They were asked if they had any problems with their voting or registration experience; they were asked if anyone questioned their registration at the polls; and they were asked if they voted with a provisional ballot. Respondents who answered affirmatively to all three questions are classified as “very aware,” those who voted affirmatively twice are classified as “somewhat aware,” those who voted affirmatively once are classified as “not very aware.” Finally, those who did not answer affirmatively to any of these questions are classified as “not at all aware.”

Overall, only 29 percent of provisional voters are classified as being “very aware” that their vote was provisional, another 28 percent of provisional voters are classified as “somewhat aware,” 23 percent of provisional voters are classified as “not very aware,” and 21 percent of provisional voters are classified as “not at all aware.”

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Provisional voters in Cleveland are more likely to be less aware that their vote was provisional than provisional voters in the rest of Cuyahoga County, as Table 7 shows. Just over half (51 percent) of provisional voters in Cleveland are “very or somewhat aware” while 60 percent of provisional voters in the rest of Cuyahoga County are “very or somewhat aware.” Similarly, nearly two-thirds (62 percent) of younger voters are “very or somewhat aware” compared with just over a third (36) percent of older voters.

Table 7: Awareness of Voting Experience				
	Very Aware	Somewhat Aware	Not Very Aware	Not at all Aware
Total	29	28	23	21
Cleveland	26	25	22	27
Not Cleveland	30	30	23	17
Men	29	29	22	20
Women	28	28	24	21
White	28	28	22	21
Af Am	28	27	24	21
Under \$40K	29	28	23	20
Over \$40K	27	30	22	21
Under 55	31	31	20	18
Over 55	16	20	35	19
Married	31	28	19	22
Single	26	29	26	19
Own	30	29	19	21
Rent	27	29	26	18
Kerry voter	27	27	24	22
Bush voter	28	33	20	19

A large majority of provisional voters did not check with the Board of Elections to see if their vote was counted. Only 8 percent of voters report checking with the Board of Elections to see if their votes were counted. Meanwhile, 31 percent of voters said they did not check with the Board and a majority, 59 percent, said they did not know that it was possible to do so.

For the most part, poll workers offered provisional ballots to voters rather than voters having to ask for the ballots themselves. Sixty-one (61) percent of provisional voters had ballots offered to them while only 13 percent said they had to ask for a ballot.

Voters believe they had to cast provisional ballots due to registration and location problems. A 25 percent plurality of provisional voters says they moved their residence within 30 days of the election. Nineteen (19) percent of voters say their new registrations did not go through in time for Election Day. Provisional voters who had their ballots counted were more likely to say that they had moved recently (28 percent) while provisional voters who did not have their ballots counted were more likely to think that their registrations had not gone through in time (24 percent). Only 5 percent say they had requested an absentee ballot but decided to try to vote in person. Roughly one-fifth of voters (20 percent) attribute their status to mistakes at the Board of Election, the purging of voting registrations, or mistakes by poll workers.

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