

January 12, 2011

Wisconsin Government Accountability Board  
P.O. Box 7984  
Madison, WI 53707  
Via email: [gab@wi.gov](mailto:gab@wi.gov)

Re: SVRS Facilitated Mail-In Registrations Process and Online Registration Initiative

Dear Members of the Board:

We the undersigned non-partisan organizations applaud the Government Accountability Board's ("GAB") efforts to move toward an automated and simplified registration process that is convenient for Wisconsin applicants and efficient for election administrators. However, as a group of organizations that share expertise in election administration policy, we are concerned about aspects of the Statewide Voter Registration System ("SVRS") Facilitated Mail-In Registrations process and related Online Registration initiative that are currently under development. In particular, we strongly urge the GAB to develop an online system that is available to all eligible citizens, regardless of whether they have a state-issued ID.

According to the Memorandum to Members for the August 30, 2010 meeting, the initial SVRS Facilitated process is being developed as an interim measure whereby the data entered into an online fillable application will, in the case of an applicant with a valid Wisconsin driver's license or state-issued ID card, be automatically captured and saved in a pending file in the SVRS system. For all other applicants, the data will continue to be manually entered into the SVRS system upon receipt of the paper application at the clerk's office. All applicants, whether or not they have a Wisconsin driver's license or ID card, will be required to print out, sign, and send in the paper application. As we understand it, the GAB envisions transitioning in the future to an entirely online voter registration system that will be available only to applicants with a valid Wisconsin driver's license or ID card. These related initiatives should be developed and pursued so as to extend the benefits of new technologies even-handedly.

Most importantly, as you move toward a fully online registration system, we urge you to develop a process that, while addressing administrative concerns, does not exclude eligible voters who do not have state-issued ID. By distinguishing between citizens who have state-issued driver's licenses or ID cards and those who do not, the benefits of automatic data capture and, eventually, online registration will be unavailable to hundreds of thousands of eligible voters. For example, a 2005 study estimated that, among the population of Wisconsin residents age 34 and older, over 275,000 had neither a driver's license nor a state-issued photo ID card.<sup>i</sup> Making the distinction between those who have state-issued ID and those who do not is also likely to exacerbate already-existing disparities in the electorate between certain demographic groups. According to disability rights advocates, nearly 10% of Americans with disabilities do not possess a driver's license or state-issued photo ID,<sup>ii</sup> and the Wisconsin study cited above confirms that elderly, minority, and low-income Wisconsinites are less likely to have these forms of ID than the general population.

Our understanding is that the system in Wisconsin will not involve importing electronic signatures from the driver's license database; therefore, the rationale commonly advanced for excluding voters without state-issued ID from online registration systems in other states becomes irrelevant. And though we appreciate the importance of ensuring the best possible verification process for received data — and of developing an online system that encourages submission of such data — we are

confident you can develop a system that addresses this concern without preventing individuals lacking a driver's license or state-issued ID card from completing the process online.

Moreover, in the short term, we believe the interim process will unnecessarily subject applicants who do not possess state-issued ID to the ongoing risk of data-entry errors.<sup>iii</sup> Such errors can have the effect of inadvertently disenfranchising eligible voters. Automatic data capture offers a simple and effective solution for eliminating errors at the data-entry stage, the advantage of which should extend to all eligible registrants, regardless of what system is planned in the future.

Online registration offers the exciting potential of reaching voters who traditionally face significant barriers to registration. In many cases, however, these are the same groups — such as students, minorities, and the disabled — that are less likely to have state-issued ID. Thus, closing the online registration system to citizens who lack state-issued ID will deny an innovative, convenient way to register to the very individuals most in need of such a service.

We would be happy to discuss these concerns with you further. Should you wish to contact us, please notify Megan Donovan, Staff Attorney, Fair Elections Legal Network, [mdonovan@fairelectionsnetwork.com](mailto:mdonovan@fairelectionsnetwork.com), (202) 331-0114.

Sincerely,

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Fair Elections Legal Network

Lawyers' Committee for Civil Rights under Law

Project Vote

The Brennan Center for Justice at the NYU School of Law

cc: Kevin J. Kennedy, Director and General Counsel  
Nathaniel E. Robinson, Elections Division Administrator  
Ann Oberle, SVRS User Acceptance Testing - Lead

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<sup>i</sup> John Pawasarat, Employment and Training Institute, University of Wisconsin-Milwaukee, *The Driver License Status of the Voting Age Population in Wisconsin* (June 2005), available at <http://bit.ly/9KTIG6>.

<sup>ii</sup> American Association of People with Disabilities et al, *Statement in Opposition to a National Voter Identification Card*, June 29, 2005, available at <http://bit.ly/ibSIJV>.

<sup>iii</sup> “Typographical errors are made by hitting one key when another was intended. Transposition errors transpose two letters in a field, or even two fields. Even with carefully handwritten registration forms, it is possible that transcription/keying error may approach 5 percent or more in fields such as first name, last name, and date of birth if the data entry clerks lack adequate training and monitoring.” National Research Council, Committee on State Voter Registration Databases, *State Voter Registration Databases: Immediate Actions and Future Improvements, Interim Report* 42-43 (2008), available at <http://bit.ly/e8YguR> (citing Joseph J. Pollock and Antonio Zamora, “Automatic Spelling Correction in Scientific and Scholarly Text,” *Communications of the ACM* 27(4): 358-368, April 1984). See generally Justin Levitt, Wendy R. Weiser & Ana Munoz, *Making the List: Database Matching and Verification Processes for Voter Registration* (2006), available at <http://bit.ly/5mlEsx>.