TRACKING THE "EARLY" ELECTORATE

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Abstract:

Early voting—modes of balloting whereby citizens can cast a ballot at a place and time other than at the precinct place on election day—have grown in popularity over the past few election cycles to a point where nearly a third of the electorate will likely cast an early ballot in 2008. In this paper, we compare the compositional makeup of the "early electorate" to the "polling place electorate" from 1972-2006. While we observe changes in who casts an early vote, we find that for the most part, situational early voters (who find themselves in circumstances where early voting is their only viable voting mode) are being supplemented by behavioral early voters (who choose to vote early) and institutional early voters (who live in areas that have adopted all-mail elections) with little effect on the overall composition of the electorate. There is one notable exception: electorates in states that have adopted more permissive early voting laws have fewer minorities among their non-voters, which leads us to conclude that early voting may potentially dilute the voting strength of minority communities.

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INTRODUCTION

In the past decade a quiet revolution has taken place in how millions of American citizens exercise their most basic democratic duty, voting. Fewer voters are taking time from their busy weekday schedules to travel to their polling places, to stand in sometimes long lines and to cast their ballots in voting booths on Election Day. More voters are opting for or are even required to cast their ballots prior to the election at their convenience, either by casting a ballot by mail or voting at specially designated polling places prior to the election. Together, we call these innovations "early voting."

The increasing prevalence of early voting is evident from the Current Population Survey which reports that the percentage of voters casting an early vote has increased from 4% in 1972 to 20% in 2004. The rise is enabled by changes in states' election administration regimes that permit more early voting options. Where once states required voters to provide a valid excuse to cast absentee ballots, many states now permit "no excuse" absenteeism. Oregon and most counties in Washington have eschewed polling places altogether and now run their elections entirely by mail.[1] Other states permit their citizens to cast their ballots early in-person at a central election administration office, while Florida, Tennessee, and Texas offer special satellite early voting polling places established in high traffic areas such as shopping centers, libraries, and mini-malls.

In 2004, the United States experienced the highest turnout in a presidential election since 1968, suggesting a possible correlation between increased early voting and higher turnout. Theoretically, we might predict such a correlation: if early voting lowers costs then more citizens will turn out to vote in those states where more permissive forms of early voting are offered (Riker and Ordeshook 1968; Wolfinger and Rosenstone 1980; see also Gronke et al. 2007). Another possibility is that early voting shifts costs among the electorate, where some voters are more capable and some less capable of navigating early voting procedures. In this case, early voters may differ systematically from in-person voters and we might observe a change in the overall composition of the electorate as more citizens participate via early voting. Either scenario has important ramifications for American democracy since campaigns strategize how to win an electoral majority and incumbents seek to maintain their majority once elected to office (Fenno 1978).

Here, we explore if demographic characteristics of early voters changed as more people take advantage of it, and if these changes fit into our theoretical expectations about what segments of the citizenry will be most advantaged by early voting laws. To do so, we examine early voting laws among the states, taking advantage of the variation in states laws to help us gain analytical purchase on how different legal regimes may alter the size and composition of the electorate. We analyze the Current Population Survey, which with the exception of elections in the 1980s, includes questions probing early voting. We observe that situational early voters (persons who find themselves in situations where early voting is their only viable voting option) are increasingly being supplemented by behavioral early voters (who choose to vote early) and institutional early voters (voters who live in states like Oregon that have adopted all-mail balloting).

[1] Only Pierce and King Counties in Washington will not be fully vote by mail in 2008.

HISTORICAL AND CONTEMPORARY USAGE OF EARLY VOTING

Ensuring voting rights for those who are willing to die for America has been a powerful argument to expand access to the ballot throughout the nation's history (Keyssar 2000) and precipitated the adoption of the first methods of early and absentee balloting. Northern Union and Confederate Civil War soldiers voted on Election Day in special polling places established for each state's regiment, however, soldiers were also permitted to vote by mailing marked ballots to their friends or family to be turned in at their polling place (Lee 1916).[2] Interest in military absentee voting reemerged in the late nineteenth century (Ray 1918), and concurrently in 1896, Vermont became the first state to adopt absentee voting for civilians (Ray 1917). Other states followed by enacting civilian absentee voting in the 1910s, but the idea was not universally embraced. For example, 61.5% of Californians voted against a 1914 ballot initiative to adopt it (Lapp 1916). These states did not permit "early voting" per se; rather, they permitted people traveling far from their home to cast a limited ballot on Election Day at another polling place within their home state. In this respect, these laws are forerunners to contemporary laws that establish vote centers, special polling places where any eligible person within a local jurisdiction may vote (Stein and Vonnahme 2008) and a provision in California election law that allows a voter to cast a valid ballot at any precinct in their home county.

In 1902, Australia first implemented the modern method of absentee voting by mail for all citizens (Lee 1916), and in 1913, North Dakota adopted it in the United States (Ray 1914). The only permissible reason for requesting an absentee ballot in North Dakota was for travel; but Wisconsin soon followed and added provisions for sick and disabled voters (Ray 1918). During and following World War I, absentee ballot laws were extended to military personnel and civilians in nearly all states (Ray 1926). The most significant increase in absentee balloting after this time occurred in World War II, when the passage of the "Soldiers Vote Act" explicitly mandated states to develop administrative procedures whereby armed services personnel who were serving domestically or abroad were able to cast a ballot (Gronke and Galanes-Rosenbaum 2008; Fortier 2006). As the number of states that allowed absentee voting increased, the acceptable reasons to be permitted to cast an absentee ballot expanded. Michigan was a forerunner to "no excuse" absentee voting by permitting absentee voting for "any person necessarily absent while engaged in the pursuit of lawful business, *or recreation.*"[3]

The idea of extending the in-person voting period over several days also has historical roots. The New York state legislative elections of 1800 – which would determine if Adams or Jefferson would win the state's Electoral College votes and most likely the presidency – were held over three days (Larson 2007: 101). In 1845, the U.S. Congress adopted a uniform Election Day for electors to the Electoral College as the first Tuesday after the first Monday in November, which was later extended to elections of

[2] A Virginia military voting law "providing for vote by persons in military service" was passed in 1863, see *Acts of the General Assembly of Virginia: Passed and Adjourned Session 1863, in the Eighty-Seventh Year of the Commonwealth* (Richmond, VA: William Ritchie, Public Printer), pp. 72-75.

[3] *Election Laws of Michigan*, Revision of 1936, Ch. X. Art. 3134, as quoted in Steinbicker (1938), original emphasis.

members of Congress.[4] The rationale for this law was to prevent states from delaying their election and thereby gaining leverage in determining the outcome of the presidential election. During debate over the legislation, Rep. Chilton of Virginia unsuccessfully argued for voting over multiple days, because "frequently" in his state "all the votes were not polled in one day" as Virginia was "mountainous and interconnected by large streams of water" that in time of inclement weather impeded travel.[5] Contemporary early voting laws adhere to this federal regulation by "consummating" the election through the counting of early ballots on Election Day.[6]

Figure 1 illustrates state's contemporary methods of early voting. In 2008, sixteen states permitted only traditional absentee ballot laws where absentee voters are required to provide a valid excuse, which ranges among the states for reasons including religion, business, school, disability, and persons who live far from their polling place. Twenty-eight states permit absentee voting for anyone wanting it, or "no excuse" absentee voting. Two states *require* their voters to cast their ballots by mail. Oregon voters passed an initiative in 1998 that adopted all mail-in balloting for all state and federal elections (previously this method had been allowed for local contests), and Washington State is virtually fully vote-by-mail (just two counties uses polling places).[7] Other states such as California and Minnesota create special all mail-in precincts where it is otherwise difficult for election administrators to provide a physical polling place, while other states such as Colorado, Florida, Kansas, Minnesota, Missouri, Montana, Nevada, New Mexico, and North Dakota allow local, municipal, and some special elections to be conducted by mail. Thirty-one states permit early voters to cast their ballot in-person. Most states permit these early votes to be cast at local election administrative offices, however, Florida, Tennessee, and Texas establish special early vote polling places in high traffic locations, such as shopping malls.

[Figure 1 Here]

[4] See 3 U.S.C. §§ 1, in 1872, a uniform date for the election of members of the U.S. House was adopted, see 2 U.S.C. §§ 7, which was extended to U.S. Senators upon the adoption of the 17th Amendment in 1913.

[5] *The Congressional Globe* Vol. 14 No.1, p. 15. Virginia law permitted voting over three days (see *Treatise on the American Law of Elections* 1875, Sec. 162), but not one day longer (see *Draper v. Johnston* CL. & H. 702). Interestingly, some modern voting laws consider geographic barriers as a reason to allow early voting, in some areas of Kazakhstan, Georgia, and the Caucusus.

[6] The phrase "consummation" appears in footnote 5 of the U.S. Supreme Court case *Foster* v. *Love* (96-670) 90 F.3d 1026, a case that addressed Louisiana's open primary system. The issue of early voting was subsequently addressed and the practice upheld in *Voting Integrity Project* v *Keisling*, 259 F 3d 1169 (9th cir. 2001) and *Voting Integrity Project* v *Bomer*, 61 F Supp 2d 600 (US Dist Ct, Sou. Dist of Texas, 1999).

[7] Washington state uses full vote by mail for all but Pierce and King Counties. Nonetheless, mail ballots comprised 84% of ballots cast in Pierce County and 72% of ballots cast in King County in the 2006 general election (see Washington State's Vote-by-Mail Experience, 2007, pg. 6).

We can trace the increased usage of early voting through (incomplete) historical statistics. A study of the 1936 election estimated that absentee ballots constituted about 2.0 percent of all ballots counted or 0.9 million absentee ballots that were counted (Steinbicker 1938). Another study estimated 4.9 percent or 3.4 million absentee ballots were counted in the 1960 election (Andrews 1966). These estimates likely overstate absentee voting rates since they depend on extrapolating to the entire country absentee statistics in a few states that maintained records of absentee voting, which may have been states that were most interested in providing wider use of early voting.

[Figure 2 Here]

Contemporary early voting statistics reveal a recent sharp increase in early voting. The percentage of self-reporting early voters among Current Population Survey respondents who reported voted, from 1972 to 2006, is presented in Figure 2.[8] From 1972 to 1992, the percentage of early voters gradually increased from 4% to 7% (we have no reason to expect hidden surges or declines in the trend line in the period of missing data from 1982 to 1990.) In 1992, early voting entered a new phase. From 1992 to 2004, the percentage of early votes among all ballots cast increased an average of 4.25% points a presidential election, reaching 20% by 2004. Another trend evident in these data is a small increase in early voting in the subsequent miderm election, at least until 2006. Given the slight decrease in the percentage of early voters in the midterm elections of 1974 and 1978, the saw-tooth like pattern of early voting in presidential and midterm elections suggests that early voting is more prevalent in presidential than in midterm elections.

The overall increase in early voting is undoubtedly related to legal and administrative changes, as is evident when the percentage of early voters in states that have retained traditional absentee voting laws are plotted in Figure 2 along with those that offer some more permissive form of absentee balloting or early in-person voting. In 1980 and 1984, California and Oregon were the first and only states that permitted no-fault absentee voting. The number of states that adopted an alternative to traditional absentee voting for specific reasons increased from nine states in 1992 to thirty-three states in 2006. During this period, Oregon became the first state to administer elections entirely by mail in 1996 and Florida, Tennessee, and Texas began permitting early in-person voting at specially designated polling places in high-traffic locations such as shopping malls. These institutional changes have enabled more voters to cast an early ballot, while in the remaining traditional absentee states early voting has increased only slightly from 4% in 1980 to 6% in 2004 and 2006. This slight upward tick among

[8] These statistics are consistent those provided by Mitofsky International and Edison Media Research (the national exit poll organizations), who estimate that 16% or 16.8 million absentee ballots were counted in the 2000 presidential election. A similar 16% or 12.5 million were counted in the 2002 congressional election. Previous election estimates are not as reliable due to the presence of missing data for some states. At a minimum, 12% or 8.7 million absentee ballots were cast in the 1998 election, 11% percent or 10.6 million in the 1996 election, 8.4% or 6.4 million in the 1994 election, and 7.7% or 8.1 million in the 1992 election.

traditional absentee ballot states is likely a consequence of the aging of the population, as infirmity is often a valid excuse and, as we shall see, older voters are more likely to cast an early ballot.

WHO VOTES EARLY?

We classify early voters into three types: *behavioral*, *situational*, and *institutional*. *Behavioral* early voters may elect to vote early when presented with a choice of balloting methods. Essentially, these voters make a positive choice in favor of casting the early vote. The analytical problem for our research is to determine what combinations of predispositions are associated with early voting. For *situational* early voters, such as students, military personnel and the elderly and infirm, casting an absentee ballot may be their only viable option to participate in the election. For these voters, all we need to do is understand their motivation for participating; the mode of balloting is not a matter of choice. Finally, the *institutional* early voter is constrained by law. Voters in some states and localities have no choice, since all ballots are cast by mail.[9]

The costs of in-person voting differ from early voting in terms of time, travel, and administrative paperwork. In-person Election Day voting is distinguished from all forms of early voting by their differential marginal time costs. Voting on Tuesday competes with citizen's jobs, kids, and running errands. Unexpected weather or an illness may prevent some from making the trip to a polling place on Election Day (Andrews 1966). Extending the voting period thus reduces marginal voting time costs by permitting voters to cast a ballot at a convenient time of their choosing.

Another comparative cost is travel. In-person voting is a one step process whereby voters travel to their polling location and cast their ballot. Academic studies (Dyck and Gimpel 2005; Haspel and Knotts 2005) find that citizens who live closer to their polling place, particularly within walking distance of their home or easy transportation access, are more likely to vote. Early voting in-person at special polling places is similar to in-person voting, except that a person may vote at a specified polling place over an extended period of time prior to the election. Many states permit early in-person absentee voting at their central election administration offices, which may not be conveniently located near where people live and thus not mitigate travel costs. As already noted, Florida, Tennessee, and Texas address this issue by establishing additional early vote polling places in high traffic areas while other states that have adopted vote centers for their in-person voters (Stein and Vonnahme 2008).

Absentee voters bear different administrative costs than in-person voters. In many states, mail balloting is a three step process whereby a voter requests a mail ballot, receives a ballot, and returns a marked ballot. The integrity of the transportation of the ballot depends on the postal service and how well addresses are recorded by local election administrators. States may remove the step of requesting an absentee ballot by permitting voters to designate themselves as permanent absentee voters or automatically sending them a ballot if they live in a jurisdiction with all-mail elections. These voters must still take the step of returning the ballot sent to them. States that have adopted "no

[9] It is possible, of course, to cast the mail ballot by carrying it into the county office on Election Day. 15-25% of Oregon voters cast their ballots this way, but few states track the date that the absentee ballots are returned, nor can we be assured that the ballot *returned* on election day was really *cast* on election day.

fault" absentee voting enable behavioral early voters to make a choice how they will vote, absentee or in-person. For *situational* early voters, bearing the costs of absentee voting is their only option because they are literally absent from their permanent residence, such as students attending school far from home, people traveling on business or pleasure, military personnel stationed far from home, overseas civilians, or are eligible but in jail for a non-felony crime.[10] For some, the cost of a trip to the polling place is insurmountable due to health reasons. Some states, too, require people who move after the expiration of the voter registration deadline to vote an absentee ballot at their precinct of former residence.[11]

We consider these costs to develop a set of theoretical expectations regarding early voting's effect on overall turnout rates and on the composition of the electorate. Theoretical models of turnout predict that a trip to the polling place imposes a relatively low cost on higher socio-economic status citizens (Verba, Schlozman, and Brady 1995; Rosenstone and Hansen 1993). If *behavioral* early voters are high propensity, high socio-economic status voters, then the increased usage of early voting may simply be a substitution effect whereby these citizens are voting by a manner most convenient for them. We can imagine these early voters decide to cast their vote when they have made their vote choice and are unlikely to be further swayed by future campaign events, which further conforms to an expectation that early voters will be strong partisans that are older and of higher socio-economic status (SES). In this scenario, early voting would have little or no effect on overall turnout rates or the composition of the electorate, and we would expect early voters to be older and of higher socio-economic status.

In an another scenario, since the procedures of mail-in and in-person voting impose different costs, it may be that mail balloting lowers voting costs only among high propensity voters, whereas citizens of lower socio-economic status – particularly illiterates – have difficulty navigating the mail-in procedures of requesting, casting, and

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[10] Vermont grants suffrage to felony prisoners.

[11] States with Election Day registration or statewide portable registration permit qualified persons who have moved to vote at their new polling place (McDonald 2008). In other circumstances, registered voters who move may cast an absentee ballot at their old precinct under special procedures. The Voting Rights Act guarantees that eligible voters who establish new residency outside a state thirty days prior to the election are permitted to vote a "presidential ballot" for presidential electors in their state of previous domicile (see 42 USC § 1973aa-1(e)). Registrants moving within a state may fall between cracks in the presidential ballot framework. Twenty-one states permit persons who have moved with a period of time prior to the election – sometimes longer than close of registration – to cast a ballot in their old precinct within the state. At the time of our review of state laws in 2007, the following states had such laws: Idaho (also Election Day registration state), Illinois, Indiana (requires an additional affidavit by absentee voter to aid registration transfer), Iowa (EDR), Louisiana, Massachusetts, Michigan, Missouri, Montana (EDR), Nebraska, Nevada, New Jersey, South Dakota, New York, North Carolina, North Dakota (no voter registration), Oklahoma, Oregon, Tennessee, Utah, Virginia, and Washington. In most states absentee balloting is specifically mentioned as a mode of voting, and in the others, it likely is permitted since a registered voter would qualify as traveling outside their previous 'home' local jurisdiction.

returning their ballot. In this situation, the introduction of "no fault" absentee balloting or all-mail elections would increase overall turnout rates but the composition of the electorate – both overall and among early voters – would become skewed towards those of higher socio-economic status over time (e.g., Leighley and Nagler 1992).

In a third scenario, if early voting offers a more convenient and lower cost alternative for low propensity voters, then lowering, even slightly, turnout costs should increase turnout among these citizens, and as a consequence increase overall turnout rates, and result in early voters and the electorate being more representative of the entire population. Demographic differences between voters and non-voters would likewise diminish. We can also envision a compounded scenario where early voting reduces costs among both high and lower SES voters, where we would observe increased turnout rates, but the aggregate effects of early voting on the composition of the early and overall electorate is muddled.

We might also consider differential early voting effects during high and low intensity contests. In a high intensity contest, more lower-SES voters enter the electorate and all types of voters are more likely to incorporate new information, rely on policy information, and are less likely to rely on pre-existing beliefs, partisanship, or ideology (Gronke 2000, Kahn and Kenney 1999). The importance of new campaign information is perhaps best illustrated by an early vote wasted on a candidate who has quit a presidential nomination contest, as one 2008 primary absentee voter grumbled, "I would have rather been able to vote for somebody that's on the ticket."[12] During low-intensity contests we typically observe disproportionately greater participation by higher SES voters who rely on ideology, partisanship, and other more stable long term political orientations (Alvarez 1998). In these low informational campaigns, there is less likelihood of new information emerging late in the campaign. Our expectation, therefore, is that voters will hold onto their ballots during high intensity contests, such as presidential elections, hard fought Senatorial and gubernatorial races, and high profile initiatives and referenda. In contrast, during low intensity contests (many state and local contests and perhaps U.S. House races), more voters will cast an early vote. It is quite likely that there is a much more complex set of interactions between administrative procedures, the political context, and the predispositions of the individual voter that leads to a greater or lower propensity to cast an early ballot.

CURRENT POPULATION SURVEY ANALYSIS

The Current Population Survey stands out as the only survey to ask an early vote question as early as 1972 and thus is the only source available that permits us to observe how early voting has evolved over the past three decades (we hope that any memory recall or other methodology biases are consistent across the entire time period). Since 1972, the Current Population Survey has asked a question about absentee voting on their November Voting Supplement, which in 1996 was expanded to include early in-person

[12] Scott Martell. "Early-bird voters sometimes get burned." *The Los Angeles Times*, February 5, 2008. The citizen's claim is backed up by real data—in Contra Costa County, more than 80% of John Edwards's votes were cast absentee while only 40% of Barack Obama's and Hillary Clinton's votes were cast absentee (both figures are close to the overall proportion of absentee ballots in the primary).

voting.[13] Unfortunately, the CPS did not probe for absentee voting in the 1982, 1986, 1988, and 1990 surveys. A benefit of working with the CPS is that it is a large-sample survey of tens of thousands of respondents that is regularly used to generate state-level unemployment statistics. A limitation is that the CPS is a government survey that does not ask many of the attitudinal and behavioral questions known to be correlated with voting.

In Figures 3a & b though 8a & b we plot the demographic composition of the presidential and congressional election early voters, in-person voters, and non-voters from the 1972 to the 2008 general elections. Non-voters are citizens age eighteen or older, in-person voters are persons who affirmatively responded as having voted, and early voters are persons who said they cast either an absentee ballot or voted early prior to Election Day. We plot these voter types on six dimensions of age, gender, race, education, marital and student status. For presidential elections the series is missing only the 1988 election, while for the congressional elections the series is missing elections from 1982 to 1990. In all twelve figures, we provide 95% confidence intervals of these estimates in dotted lines, a close inspection of which reveals that the ranges of the 95% confidence intervals for early voters are visually narrowing over time as more CPS respondents report early voting in recent elections.

[Figures 3a & b Here]

In Figures 3a & b we plot the average age of early voters, in-person voters, and non-voters in presidential and congressional elections from 1972-2006.[14] Most striking, in presidential elections from 1972 to 1984, the average age of early voters increased twenty-five percent, from 40 to 50. A similar, if less dramatic, aging of early congressional voters occurred between 1974 and 1978. 1978 was the first election where early voters were older and statistically distinguishable from in-person voters, a pattern that has persisted thereafter. Consistent with numerous voting studies, both early and in-person voters are much older than non-voters (e.g., Wolfinger and Rosenstone 1980). Comparing the presidential and congressional elections, we also observe that the age difference between non-voters and voters increases in congressional elections, which is expected as these high propensity voters tend to participate at comparatively higher rates in midterm elections, although there is no age difference between early and in-person voters in presidential and congressional elections.

[Figures 4a & b Here]

In Figures 4a & b we plot average educational level on a four point scale, with those who did not obtain a high school diploma (coded as '0'), those that completed a

[13] Prior to 1996, the absentee vote question was a response item to a question probing the time of day a voter cast their ballot. In 1996, the question was modified to drop time of day response items and add early in-person voting.

[14] Top coding of age varies across CPS surveys, with the lowest top code category of 80. For average age, all surveys were top coded at age 80 to provide consistency across all CPS surveys.

high school diploma (coded as '1'), those that obtained at least some college or a college degree (coded as '2'), and those that continued in some post-graduate schooling (coded as '3').[15] Similar to the previous analysis, differences between early and in-person presidential voters emerged between 1972 and 1984. Early voters in 1972 were much better educated, but this gap narrows substantially by 1984. Although not as apparent, a similar closing of the gap occurs among congressional voters. In 1992 and thereafter, presidential early voters continued to be slightly better educated than in-person voters. Educational differences in this later period among congressional early and in-person voters are even narrower, yet still statistically different except for 1998, where the difference is significant only at the $p < .15$ level. Not surprisingly, throughout the entire time period, all voters were significantly better educated than non-voters.

[Figures 5a & b Here]

In Figures 5a & b we plot the percentage of non-Hispanic Whites.[16] Here, we observe that while the percentage of non-Hispanic Whites in the citizen population has been decreasing overall, the differential racial composition of the electorate and non-voters has remained relatively stable from 1972-2006. A greater percentage of early voters tend to be non-Hispanic White, compared to in-person voters, and a higher proportion of all voters tend to be non-Hispanic White compared to non-voters. However, in the presidential election of 2004 and the congressional elections of 2002 and 2006, we observe that non-voters appear to be increasingly composed of minority citizens, a pattern we will return to below in our multivariate analysis.

[Figures 6a & b Here]

In Figures 6a & b we plot the percent of women among early, precinct place, and non-voters. When examining this figure, keep in mind that there are more women than men among America's citizenry and that the scale of this figure has been narrowed so that the data can be more easily visualized. In every presidential election, a greater percentage of women reported voting early, however, the differences between early and in-person voters are only statistically significant at the $p < .05$ level for the 1972, 1984, and 2000 elections. Women also more often vote early in congressional elections, and

[15] Our categorization is driven by differing education question wording and permitted response items across CPS surveys. For 1984 and before, the highest level of grade completed was determined through two questions probing highest grade attended and if the grade was completed. In 1992 and after, the substance of these two questions were combined into one category. The total number of response items varies among surveys, too, with some offering more education categories, such as non-four year college associates degrees.

[16] The Census Bureau probes race and Hispanic ethnicity in two separate questions. We compute Percentages for Non-Hispanic White in all years except 1972, where no Hispanic ethnicity question was present. In 2000, the Census Bureau permitted persons to identify as multiple racial categories. We classify whites as persons who responded as white only, not in combination with another race.

their proportion of early voters are statistically different than in-person voters for all but 2002. Beginning in 1980, the first election where the contemporary gender gap appeared, the presidential turnout among women became greater than men, as the percentage of women among non-voters drops below the percentages for early or in-person voters to a statistically significant degree.

[Figures 7a & b Here]

In Figure 7a & b we plot the percentage of those married or separated.[17] Here we observe the falling marriage rate among all citizens since 1972. Interestingly, the percentage of married or separated persons among reported early voters increases from 1972 to 1992, with only slight differences between early and in-person voters from 1996 onward in presidential elections (statistically indistinguishable in 2000 and 2004). The trend is similar for congressional elections; however, even in 2006 more early voters were married or separated than in-person voters ($p < .01$). In all presidential elections, a greater percentage of in-person voters are married or separated compared to non-voting citizens. In 1992 onward, so too are early voters, however, they are not from 1972-1980 in either presidential or congressional elections, and are statistically indistinguishable from non-voters in 1984.

[Figures 8a & b Here]

The preceding changes in the demographic composition of early voters are perhaps best understood by examining students, shown in Figures 8a & b.[18] In 1972, the proportion of students among early voters was 23% and fell steadily thereafter, eventually falling lower than the proportion of students among non-voters.[19] 1972 may be an aberrant year since it was the first year that persons age 18-21 were first granted universal voting rights. Allowing for this, and assuming the counterfactual that early voters in 1972 would have looked similar to those in 1976, the downward trend starts in 1978, which is the year that California became the first state to adopt no-fault absentee voting. The downward trend for congressional elections is similar, except starting at a lower point in 1974, which is expected given that younger voters are less apt to participate in lower-stimulus congressional elections.

A constant since 1972 is that a higher percentage of non-Hispanic whites cast early votes compared to in-person votes (and both types compared to non-votes) in presidential and congressional elections. Otherwise, the demographic comparisons suggest that there have been two distinct early voting eras, the first running from 1972-

[17] For consistency, we categorize married and separated persons together. In 1984 and prior, separated persons were included with an absent spouses category, and after were a separate response category.

[18] In 1980 and before, students are identified by a question probing employment status and scoring students as those reporting being a student as their reason for not being in the labor force. In 1984 and thereafter, students are identified through a question probing if a person is in school.

[19]

1984, and the second from 1992-2004.[20] During these eras, early voting evolved from a method of voting used mainly by younger, single, and better-educated *situational* voters to a method increasing chosen by older, married, and better-educated *situational*, *behavioral*, and *institutional* early voters. This shift occurred in the face of a doubling in the percentage of students among the citizen voting-age population, from 3% in 1972 to 6% in 2006. During the 1992-2004 period, when states were rapidly adopted alternatives to traditional absentee voting, the demographic composition of early voting was surprisingly from 1996 and afterwards, suggesting that legal and administrative changes in the early voting regime during the second period allowed behavioral and institutional early voters to widely adopt early voting and thereby quickly dominate situational early voters as a share of all early voters.

The demographic composition of the early and in-person congressional and presidential voters is, with two notable exceptions, strikingly similar. In congressional elections, voters of both types are even older than non-voters and – perhaps related – students comprise a greater share of non-voters. This comes as a surprise since we expected to observe greater difference behavior in presidential and congressional elections due to the differing levels of interest and information present among voters across these elections.

[Figures 9a & b Here]

We leverage the variation in early voting laws among the states to understand contemporary compositional change of early voters. In 1992, forty-one states permitted only traditional absentee voting and decreased to seventeen by 2006. In Figure 9a we plot the percentage of students among early presidential election voters in the states with traditional absentee voting – where an excuse is required – against those that offer some alternative early voting in Figure 9b. Early voters in traditional absentee voting states exhibit similar percentages of students to the 1972-1984 period – presented in Figure 8a – when few states had adopted alternatives to traditional absentee voting. This pattern strongly suggests that the compositional change in early voters across all states is a consequence of behavior and institutional early voters joining situational early voters as states have expanded those who qualify for early voting.

We probe these patterns more deeply through a multivariate analysis of the Current Population Survey. We are interested in the demographic differences between non-voters, in-person voters, and early voters to reveal who votes early and if early voting has changed the demographic characteristics of the electorate. Scholars typically use logit or probit models to analyze the binary choice between voting and not voting. In this instance, our model of choice is a multinominal logit since it estimates the propensity of individuals to choose among three mutually exclusive categories: not voting, voting in person, and voting early.

[20] We are drawn to the focal point of the missing 1988 presidential data in defining these two periods. While we may be concerned by these missing data, the overall early voting trend in Figure 2 and the trends among demographic sub-categories in Figures 3 through 8 are consistent, suggesting that no unexpected deviating election lurks among the missing elections.

We are further interested if there is a difference in voting behavior among persons living in states that permit any permissive form of early voting, such as no-excuse absentee voting or early in-person voting, compared to persons living in states that permit only traditional absentee voting that requires a valid excuse. A common method to test for potential differences is through the inclusion of interaction terms. However, doing so would create a long list of variables. Thus, for the sake of exposition, we follow Nagler (1991) and disaggregate these data on the variable of interest, whether or not a state permits a more permissive form of early voting and compare estimated coefficients across models to test if behavior among individuals differs among the two types of states.

In addition to age (and its square to identify non-linear age effects), gender, education, race, marriage, and student status, we add to the multivariate analysis variables that are commonly available on Current Population Surveys since 1992 and that are known to be related to voting (and may be related to the decision to vote early). Union membership is related to voting (Radcliff and Davis 2000), and thus reasonably belongs in the statistical model, though we have no expectation of union membership with regards to early voting. Persons whose household income is below $25,000 (in constant dollars), are, like education, of lower socio-economic status and besides being less likely to vote, we posit, are less likely be a behavioral early voter because of the additional procedural costs it imposes. Persons who work more than 40 hours a week may also change their behavior by being drawn to the convenience of early voting. People who have moved recently, at least once with in the six months preceding the election, may find themselves in a situation where voting absentee is their only legal voting option. All models include state-fixed effects to account for varying levels of competition for president and other offices and to account for variation in electoral laws, such as voter registration deadlines. For the sake of exposition, these state fixed-effects are omitted from presentation of the results.

[Tables 1 & 2 Here]

We are encouraged to find that our descriptive figures are consistent with our multivariate analysis. The results of the multinomial logit estimation of non-voters, in-person voters, and early voters in four presidential elections from 1992 through 2004 are presented in Tables 1 & 2. For each year, a pair of estimates is provided for individuals residing in traditional early vote states and those that permit a more permissive form of early voting. The omitted reference category for the multinomial logit is in-person voters, which may initially confuse readers more familiar with conventional binary choice voting models. The estimates for non-voters are in relation to in-person voters, which mean that these estimated coefficients run in an opposite direction to how they are typically presented in scholarly models predicting if an individual is a voter. For example, age often has a positive coefficient and its square often has a negative coefficient which captures the increase voting propensities as persons grow older and dropping off among the elderly (e.g., Leighley and Nagler 1992), whereas the estimated coefficients for non-voters here are appropriately in the opposite directions. The benefit of this reference category choice is that individuals' propensity to vote in-person or early is more readily apparent.

The estimates for non-voters generally conform to expectations from previous voting analyses of the Current Population Survey (e.g., Wolfinger and Rosenstone 1980; Leighley and Nagler 1992), which lends construct validity to our model specification. Remembering the direction of the sign on the coefficients, voters are consistently more likely to be older (with a drop off for the eldest), better educated (and students), wealthier, married, union members, have lived at their address for a longer time. People who work long hours are more likely to vote, suggesting that these people are able to overcome their time constraints to vote. In all years, except for 1996 and 2000 among traditional absentee states, non-Hispanic Whites are more likely to vote, a pattern that we will explore more fully below.

The demographic composition of early voters depends in part on whether or not a state permits only traditional absentee voting or more permissive forms of early voting. The statistically significant patterns of who votes early conform to our expectations. Situational early voters such as the elderly and students are more likely to vote early. Institutional early voters such as recent movers are likely to vote early. We also observe the presence of behavioral early voters, who are better educated, wealthier, work long hours (statistically significant in all election except 1992), and are non-Hispanic White. The few statistically significant differences on union membership and marriage status suggest that only in traditional absentee ballot states do early voters tend to have fewer union members and married persons. Women, on the other hand, tend to take advantage of early voting more frequently in early vote states, but not traditional absentee voting states.

Looking deeper, there are notable differences in magnitude across the two types of states on some of the shared demographic characteristics, such as age and student status. In all four elections in traditional absentee ballot states, early voting among age groups starts at a low level among young voters, declines as people become middle aged, and eventually increases again as people near their retirement age. The estimates in all four elections are remarkably consistent on this point, locating the upward trend in early voting propensities in a person's early 50s. In comparison, the age of early voters in the more permissive early vote states tends to rise immediately and has a flatter upward tick for the oldest voters, as evident in the non-statistically significant coefficient on the linear term and a smaller magnitude and statistically significant coefficient on the square term. This pattern is consistent with the less mobile elderly population being situational early voters who are granted an absentee ballot excuse in traditional absentee ballot states, whereas all ages may partake in the behavioral choice of early voting in other states. The smaller magnitude – but still large and statistically significant – positive coefficient for students in early vote states may be an artifact of the early voting propensities of these younger persons being shifted into the age coefficients.

A troubling relationship emerges on race. In all four elections, non-Hispanic Whites compose a statistically smaller proportion of non-voters in early vote states than in traditional absentee vote states. The coefficients for non-Hispanic Whites among non-voters in early vote states are uniformly of larger magnitude in a negative direction than in traditional absentee vote states. Examining the standard errors on these coefficients, these differences are statistically significant at the $p < .01$ level in all four elections. The large shift in the number of states that permit some form of permissive early voting, from nine in 1992 to thirty-three in 2004 suggests that this relationship is not a spurious

consequence of which states permit only traditional absentee voting. The coefficients on education and household income (in all but the 2000 election) are statistically indistinguishable across the two types of states, so non-Hispanic White's higher socio-economic status does not seem to be a confound, either.

CONCLUSION

The question of "who votes early" is deceptively easy to ask yet difficult to answer. The overall higher levels of early voting, either in-person or by absentee ballot are a consequence of changing legal and administrative procedures used to conduct elections. Situational early voters, such as students and the elderly, whose voting participation occurs only through an absentee ballot are becoming a smaller share of early voters. As early voting options proliferate, behavioral early voters, such as those of higher socio-economic status, are increasing choosing to cast their ballot early. These voters are further being supplemented by institutional early voters, which, beyond recent movers, include states such as Oregon and others that are opting to run part of all of their elections by mail.

With one notable exception, we see very little effect from the tremendous increase in early voting on the overall composition of the electorate. Voters in states that continue to have traditional absentee voting laws that require a valid excuse are demographically similar to voters who live in states that offer some form of more permissive absentee voting, in-person voting, or all-mail voting. Their age and socio-economic status are remarkably similar.

The exception is race. States with permissive early voting laws tend to have an electorate that is composed of a higher proportion of non-Hispanic Whites than those with traditional absentee ballot laws, even when controlling for other factors known to be associated with voting. We speculate that early voting options are, for some reason, not implemented in a consistent manner across all racial communities. For example, in states that establish special in-person polling places, perhaps these polling locations are not fairly distributed across racial communities or that their availability – or the availability of no-fault absentee voting in other states – is not consistently advertised.

The mechanics of this finding deserves more study, particularly considering the voting rights ramifications. Adopting more permissive forms of early voting may make the electorate less representative and thereby dilute the voting strength of minorities protected under Section 2 and Section 5 of the Voting Rights Act. This raises a thorny moral quandary. Should early voting laws that increase convenience for some voters be rejected because they do not affect all racial groups equally? We would hope that the cause for this disparate racial impact is merely procedural that can be rectified through better outreach to the affected communities. But if it is not, the Voting Rights Act is clear that electoral laws cannot be changed in such a way to even unintentionally dilute minority voting strength.

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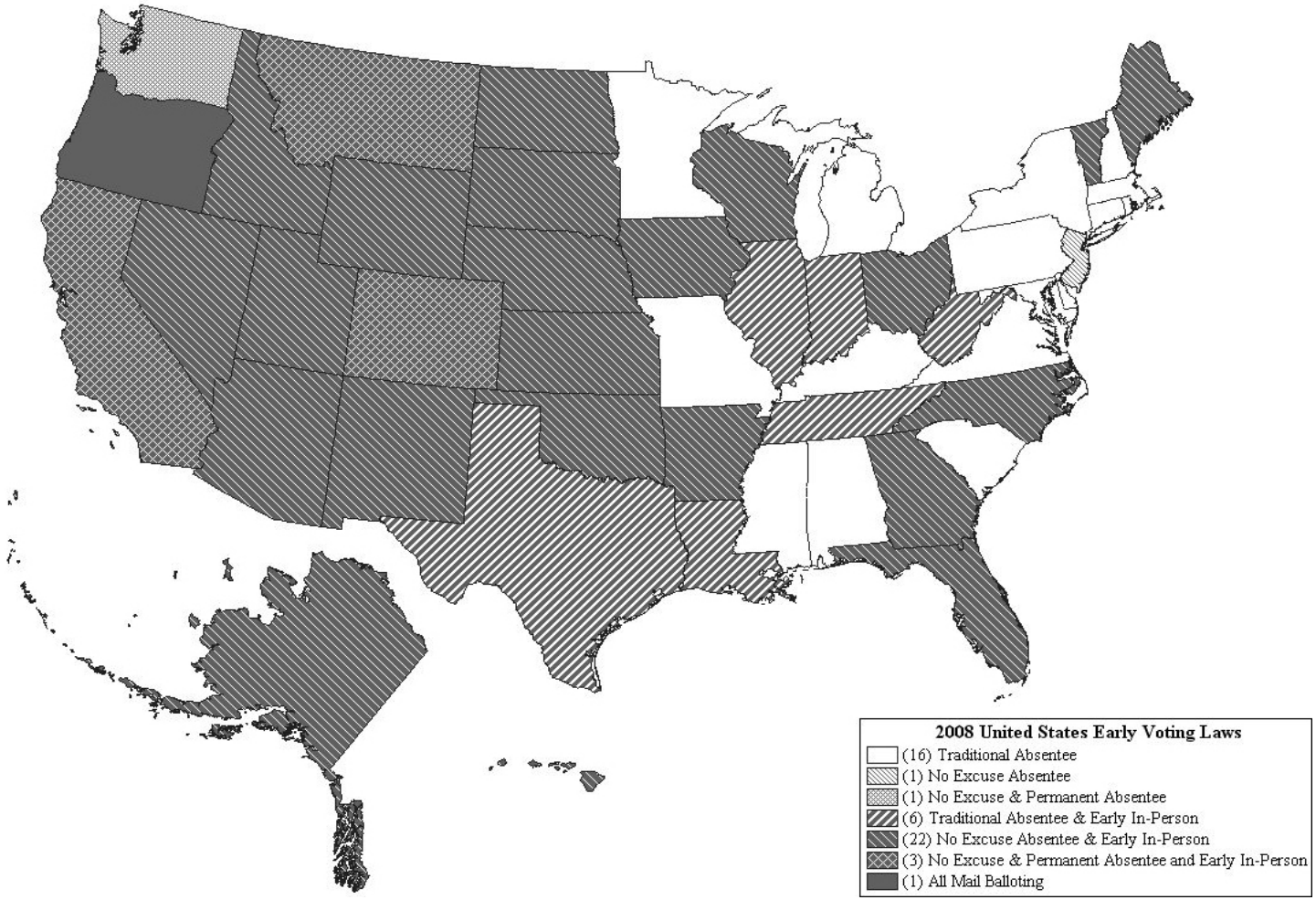

Figure 1. 2008 United States Early Voting Laws

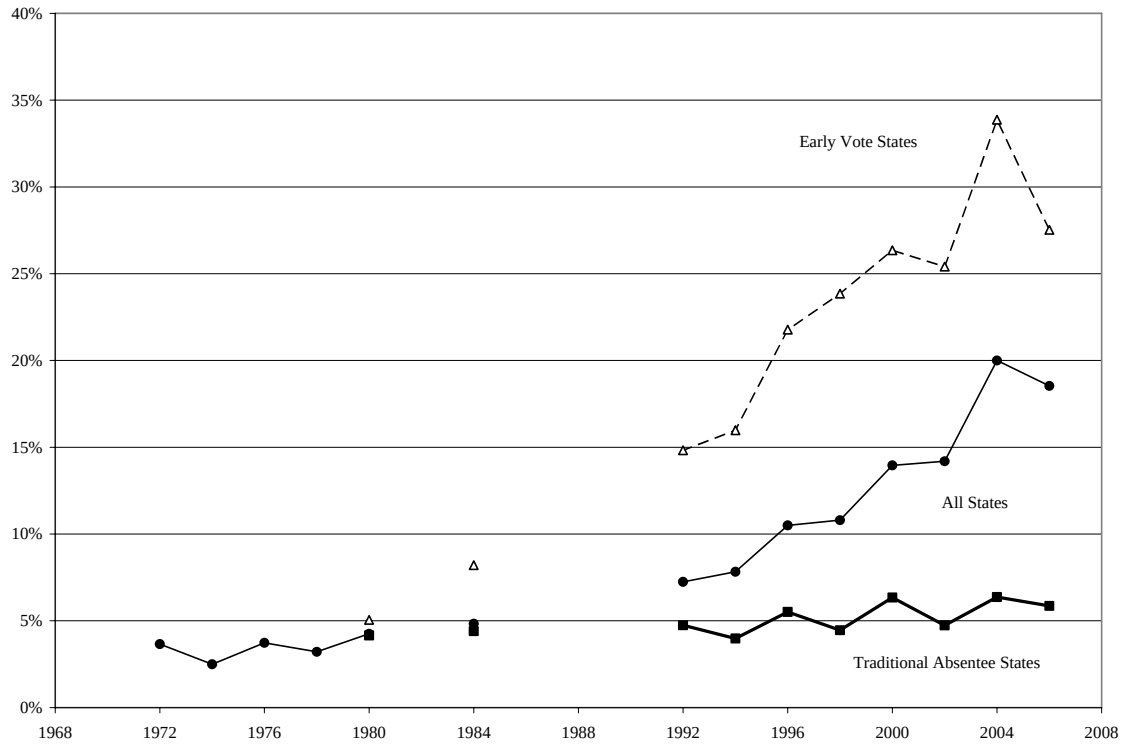

Figure 2. Current Population Survey General Election Respondents Reporting Voting Early as a Percentage of All Voters, 1972-2006, in All States, Traditional Early Vote States, and Early Vote States.

Notes: In 1982 and from 1986 to 1990, an early vote question was not asked. Until 1996, respondents were asked if they had voted by mail as a response item to a question probing the time of day when a respondent voted. In 1996, a separate question was added that probes if a person voted either by mail or in-person before the election.

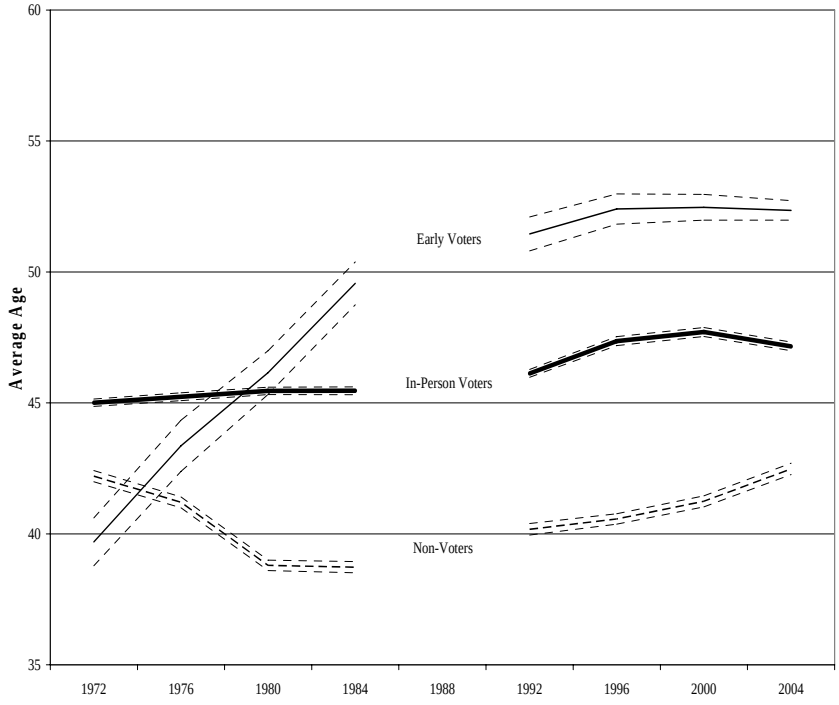

Figure 3a. Average Age of Early, In-Person, and Non-Voters, Presidential Elections

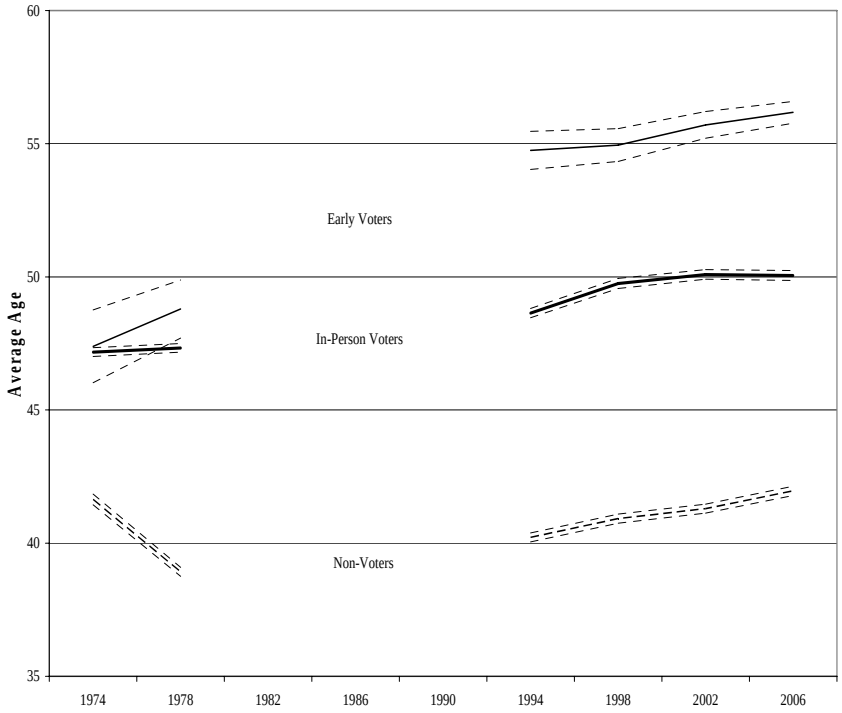

Figure 3b. Average Age of Early, In-Person, and Non-Voters, Congressional Elections

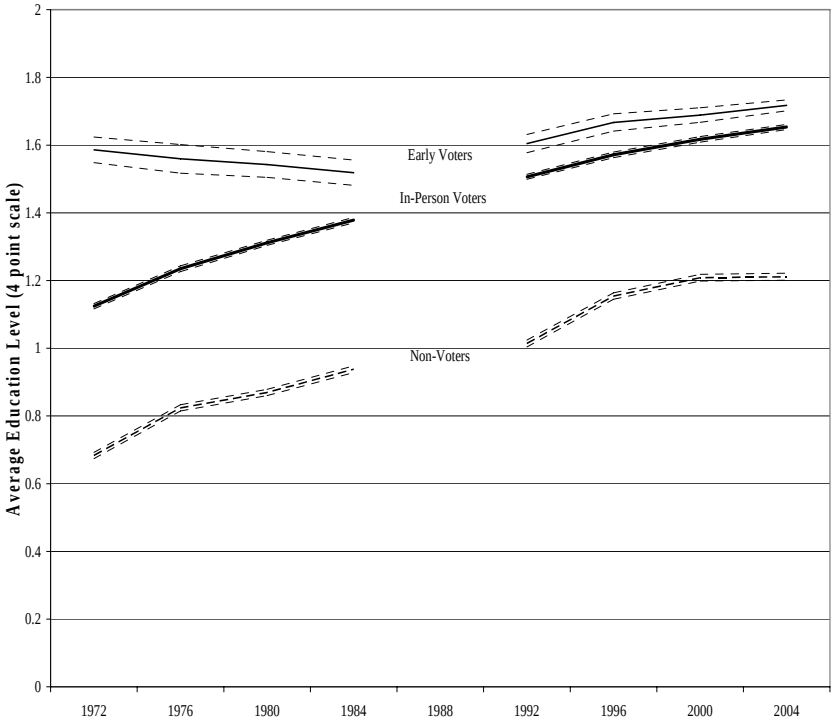

Figure 4a. Average Education Level of Early, In-Person, and Non-Voters, Presidential Elections

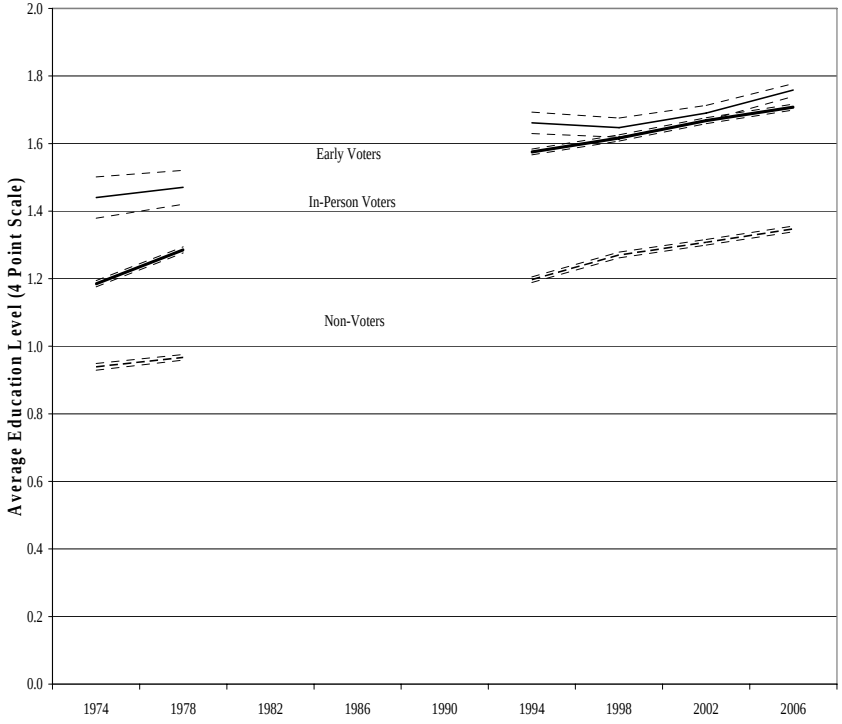

Figure 4b. Average Education Level of Early, In-Person, and Non-Voters, Congressional Elections

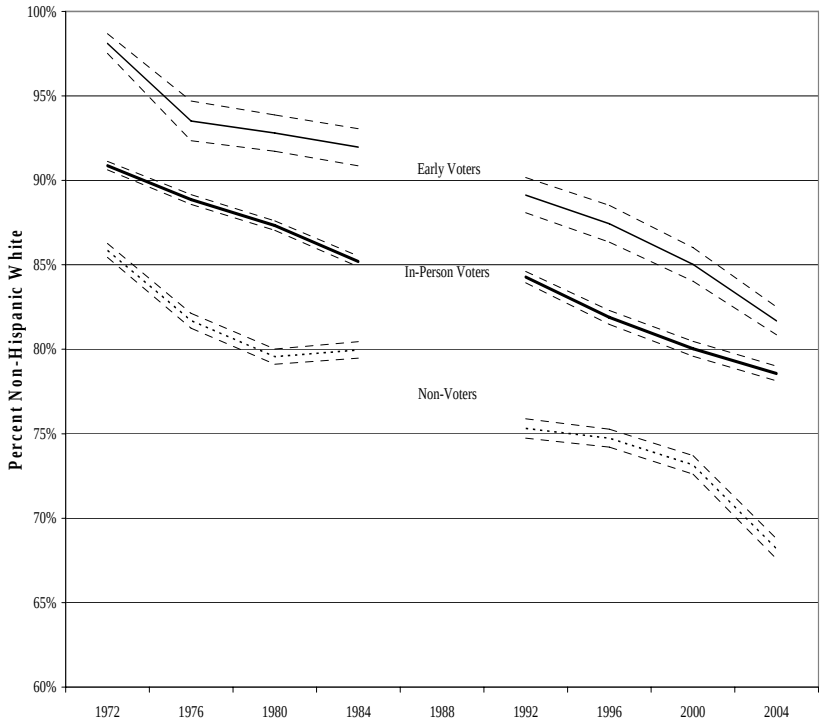

Figure 5a. Percent Non-Hispanic Whites Among Early, In-Person, and Non-Voters, Presidential Elections.

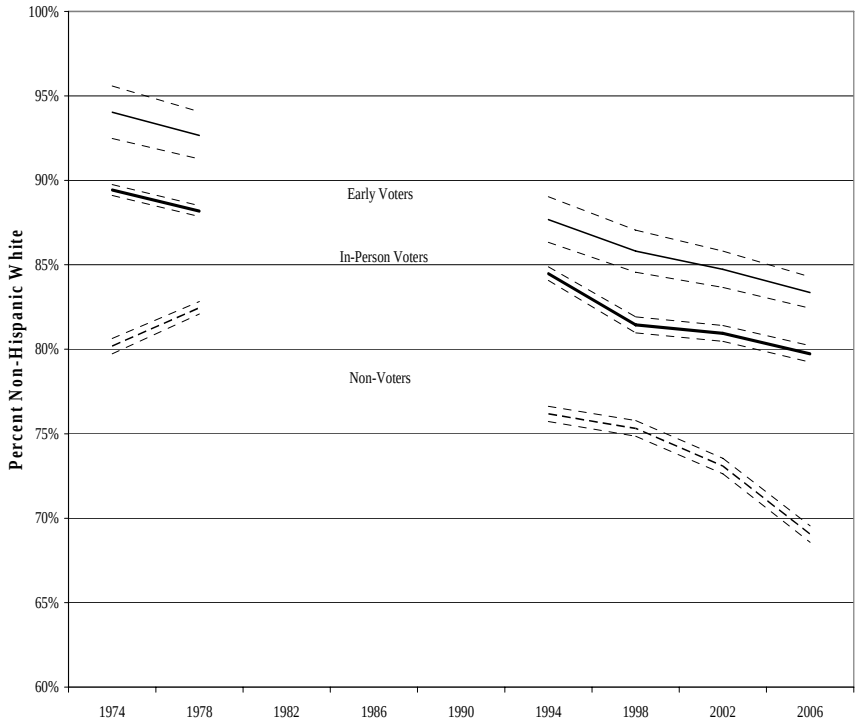

Figure 5b. Percent Non-Hispanic Whites Among Early, In-Person, and Non-Voters, Congressional Elections.

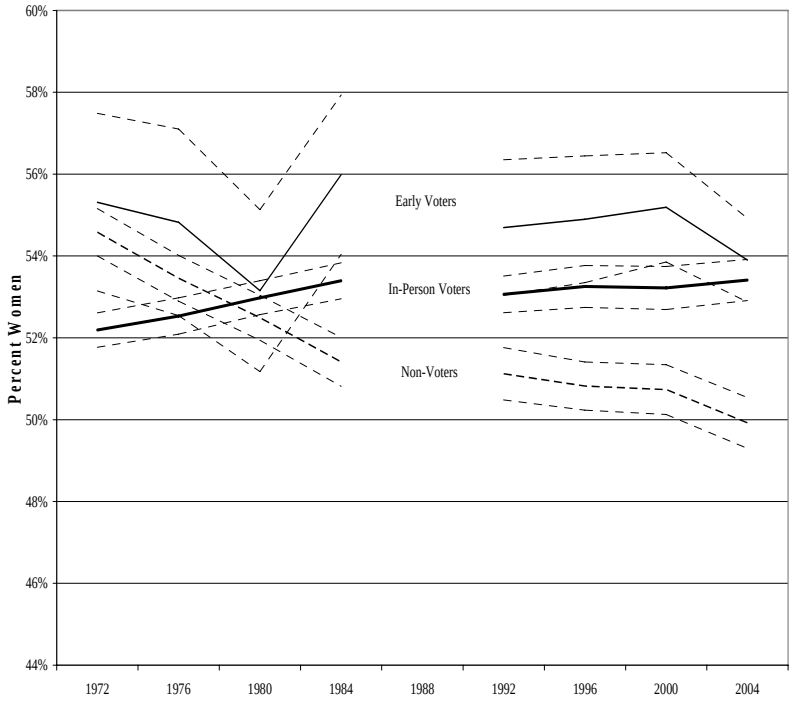

Figure 6a. Percent Women Among Early, In-Person, and Non-Voters, Presidential Elections.

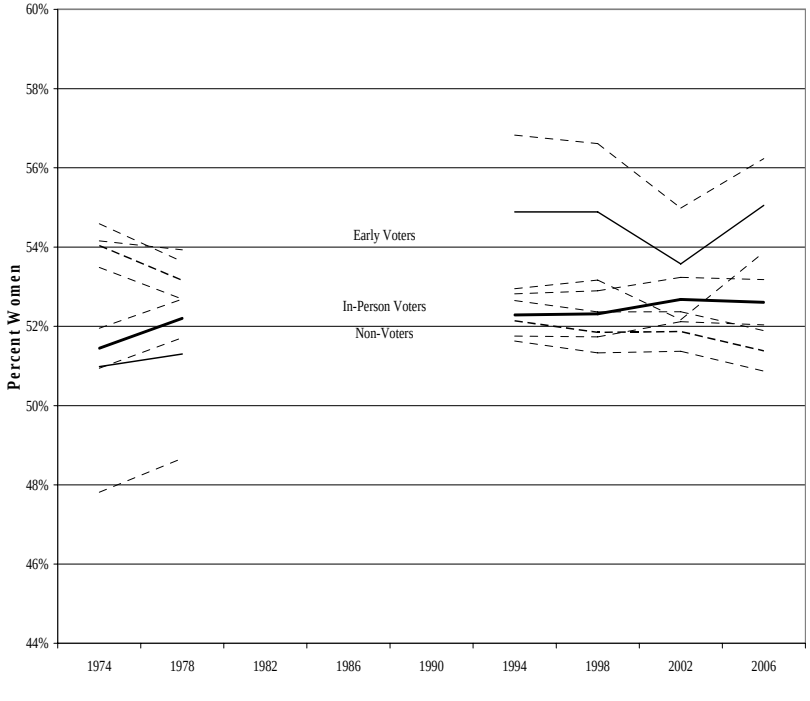

Figure 6b. Percent Women Among Early, In-Person, and Non-Voters, Congressional Elections.

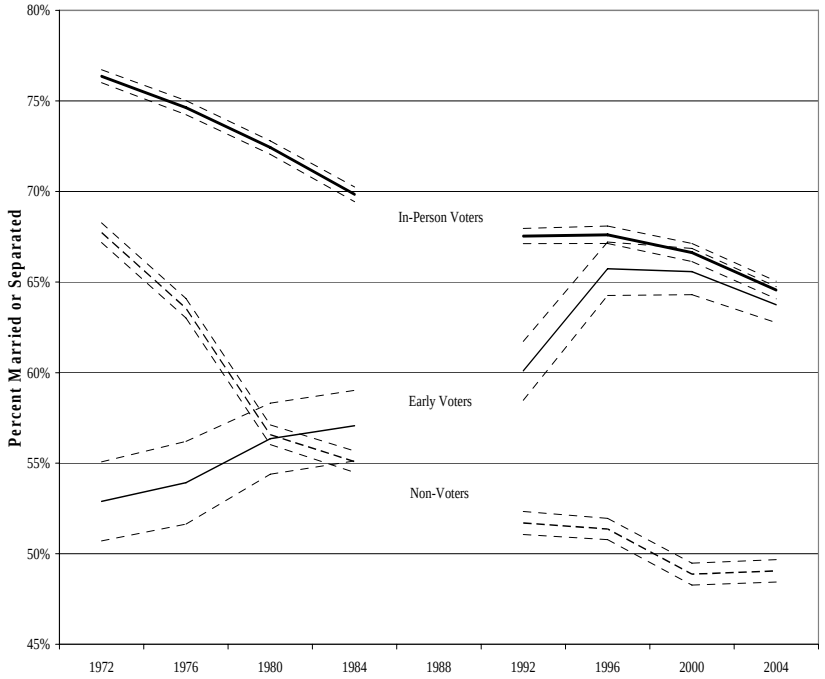

Figure 7a. Percent Married Among Early, In-Person, and Non-Voters, Presidential Elections.

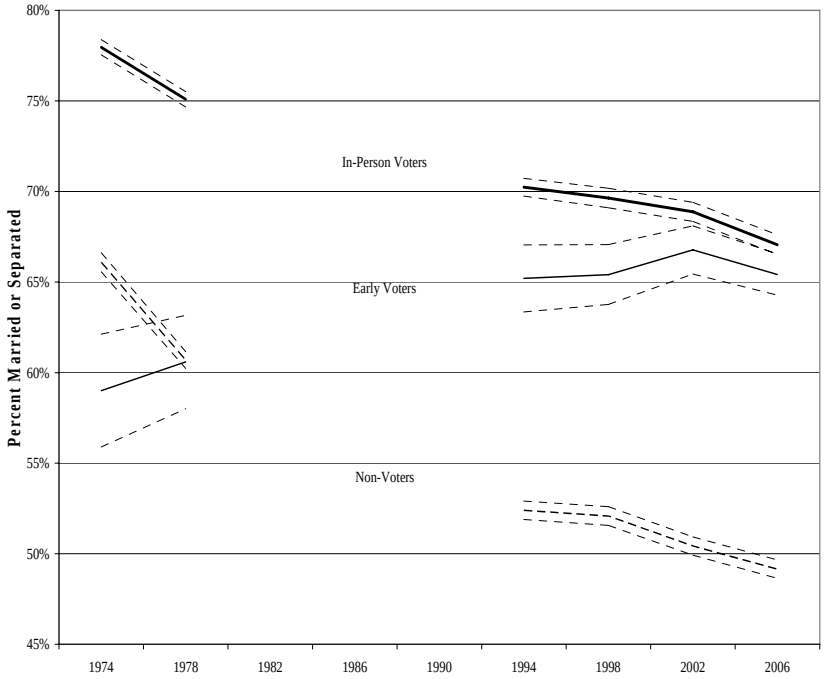

Figure 7b. Percent Married Among Early, In-Person, and Non-Voters, Congressional Elections.

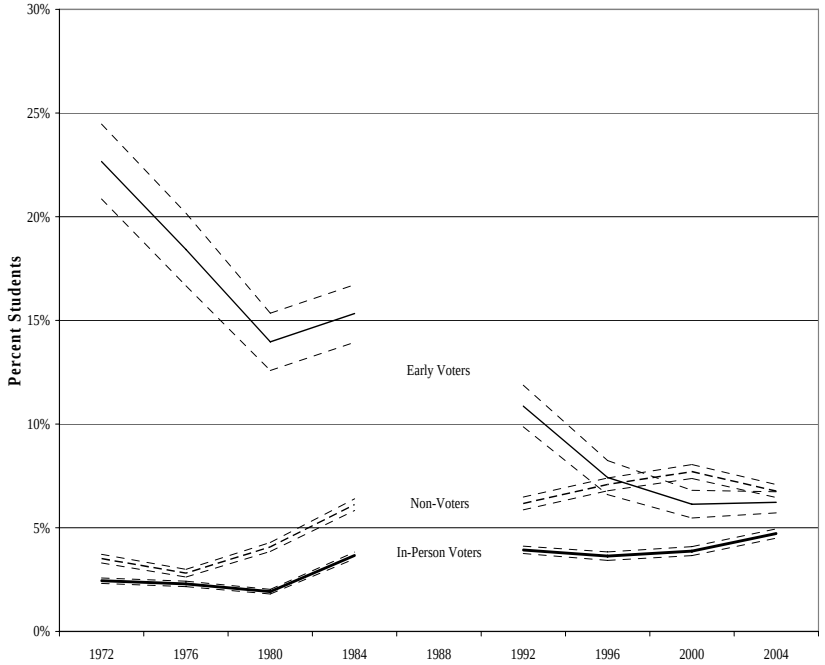

Figure 8a. Percent Students Among Early, In-Person, and Non-Voters, Presidential Elections.

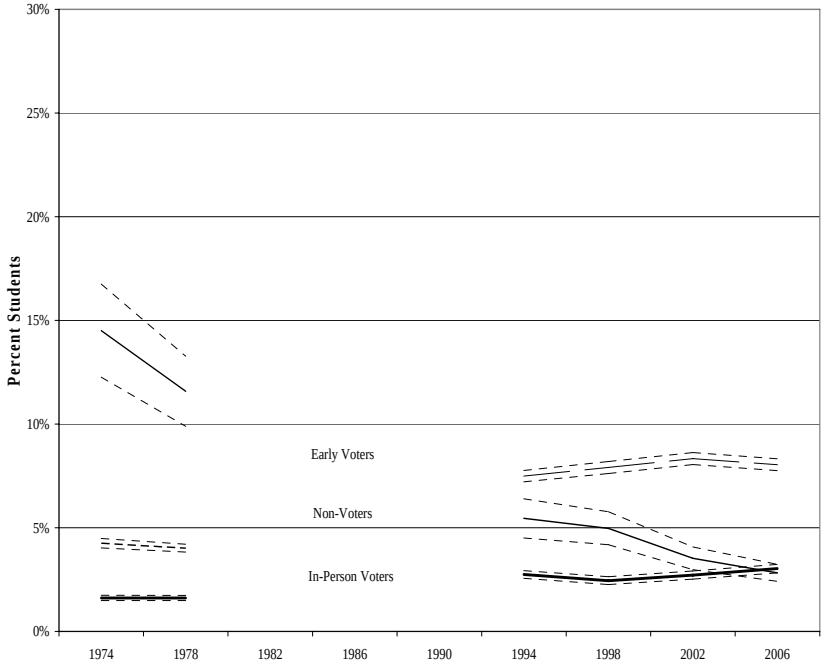

Figure 8b. Percent Students Among Early, In-Person, and Non-Voters, Congressional Elections.

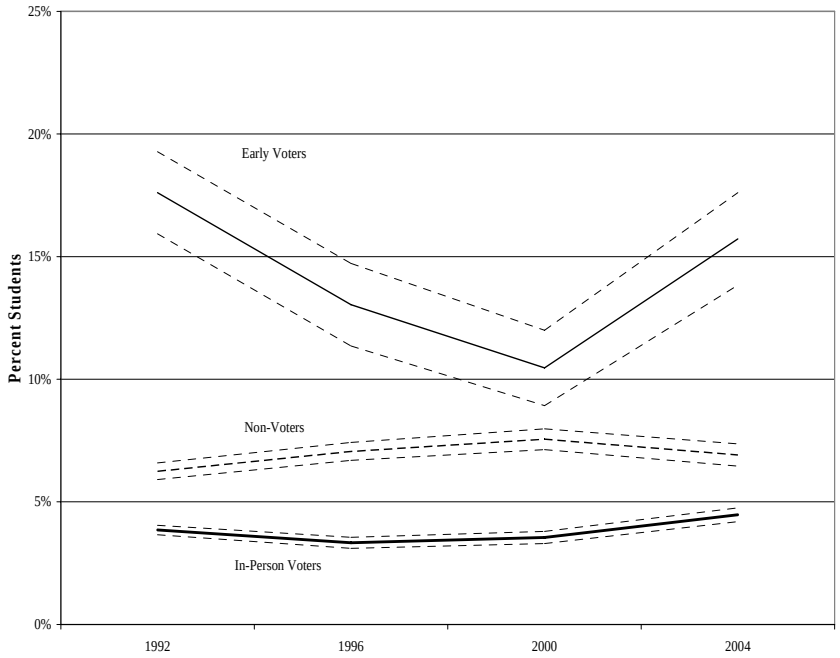

Figure 9a. Percent Students Among Early, In-Person, and Non-Voters, Presidential Elections (Traditional Absentee Ballot States).

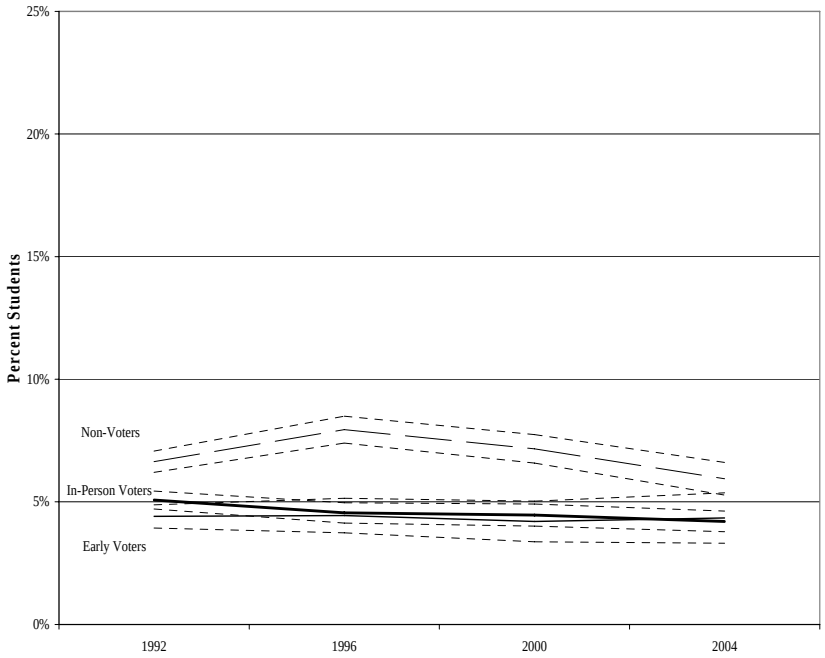

Figure 9b. Percent Students Among Early, In-Person, and Non-Voters, Presidential Elections (Early Vote States).

Variables	1992				1996			
	Traditional Absentee States		Early Vote States		Traditional Absentee States		Early Vote States	
	Non-Voters	Early Voters	Non-Voters	Early Voters	Non-Voters	Early Voters	Non-Voters	Early Voters
Age/10	-0.765 **	-0.590 **	-0.719 **	0.032	-0.779 **	-0.509 **	-0.699 **	0.030
	(0.033)	(0.090)	(0.070)	(0.117)	(0.037)	(0.107)	(0.057)	(0.097)
(Age/10)^2	0.047 **	0.090 **	0.047 **	0.027 *	0.047 **	0.079 **	0.043 **	0.025 **
	(0.003)	(0.008)	(0.007)	(0.011)	(0.004)	(0.010)	(0.006)	(0.009)
Female	-0.132 **	-0.013	-0.221 **	0.098	-0.155 **	0.043	-0.250 **	0.133 **
	(0.018)	(0.042)	(0.037)	(0.055)	(0.019)	(0.049)	(0.029)	(0.045)
Non-Hispanic White	-0.072 **	0.514 **	-0.355 **	0.362 **	0.021	0.479 **	-0.145 **	0.328 **
	(0.024)	(0.079)	(0.044)	(0.077)	(0.027)	(0.091)	(0.036)	(0.065)
Education	-0.805 **	0.218 **	-0.769 **	0.170 **	-0.700 **	0.169 **	-0.670 **	0.206 **
	(0.012)	(0.027)	(0.025)	(0.036)	(0.013)	(0.031)	(0.020)	(0.030)
Household Income <$25K	0.405 **	-0.201 **	0.425 **	-0.045	0.194 **	-0.073	0.266 **	-0.062
	(0.019)	(0.048)	(0.040)	(0.064)	(0.022)	(0.058)	(0.033)	(0.055)
Union Member	-0.216 **	0.073	-0.254	-0.129	-0.201 **	-0.317	-0.447 **	-0.326 *
	(0.063)	(0.151)	(0.130)	(0.198)	(0.063)	(0.200)	(0.101)	(0.166)
Married	-0.348 **	-0.101 *	-0.381 **	-0.052	-0.430 **	0.030	-0.343 **	0.093
	(0.019)	(0.049)	(0.040)	(0.062)	(0.021)	(0.057)	(0.032)	(0.051)
Student	-0.303 **	1.990 **	-0.473 **	0.912 **	-0.373 **	1.875 **	-0.522 **	1.007 **
	(0.044)	(0.098)	(0.091)	(0.158)	(0.051)	(0.126)	(0.075)	(0.134)
Long Work Week	-0.043	-0.026	-0.079	-0.055	-0.136 **	0.151 *	0.001	0.208 **
	(0.024)	(0.063)	(0.050)	(0.077)	(0.028)	(0.075)	(0.042)	(0.063)
Recent Mover	0.602 **	0.485 **	0.454 **	0.080	0.533 **	0.424 **	0.387 **	0.252 **
	(0.027)	(0.070)	(0.052)	(0.097)	(0.033)	(0.089)	(0.043)	(0.076)
Observations		78,085		18,427		58,288		26,246
Log Likelihood		-51396.2		-14469.5		-41597.4		-22136.5

Table 1. Multinomial Logit Estimates for Non-Voters, In-Person Voters, and Early Voters, 1992 and 1996.

Notes: The reference category is in-person voters. State fixed-effects estimates are omitted from the table.

Variables	2000				2004			
	Traditional Absentee States		Early Vote States		Traditional Absentee States		Early Vote States	
	Non-Voters	Early Voters	Non-Voters	Early Voters	Non-Voters	Early Voters	Non-Voters	Early Voters
Age/10	-0.656 **	-0.406 **	-0.547 **	-0.077	-0.473 **	-0.519 **	-0.431 **	0.057
	(0.040)	(0.110)	(0.050)	(0.078)	(0.042)	(0.113)	(0.040)	(0.054)
(Age/10)^2	0.038 **	0.070 **	0.028 **	0.034 **	0.025 **	0.085 **	0.025 **	0.019 **
	(0.004)	(0.010)	(0.005)	(0.007)	(0.004)	(0.010)	(0.004)	(0.005)
Female	-0.191 **	0.096	-0.180 **	0.124 **	-0.191 **	-0.062	-0.229 **	0.032
	(0.021)	(0.051)	(0.026)	(0.037)	(0.022)	(0.052)	(0.021)	(0.026)
Non-Hispanic White	0.104 **	0.514 **	-0.222 **	0.213 **	-0.087 **	0.366 **	-0.240 **	0.276 **
	(0.028)	(0.085)	(0.033)	(0.051)	(0.029)	(0.084)	(0.027)	(0.036)
Education	-0.666 **	0.179 **	-0.641 **	0.157 **	-0.706 **	0.140 **	-0.663 **	0.180 **
	(0.014)	(0.032)	(0.017)	(0.025)	(0.015)	(0.033)	(0.014)	(0.018)
Household Income <$25K	0.193 **	0.078	0.311 **	-0.101 *	0.179 **	0.062	0.180 **	-0.048
	(0.027)	(0.066)	(0.032)	(0.051)	(0.030)	(0.069)	(0.027)	(0.037)
Union Member	-0.441 **	-0.495 *	-0.255 **	0.008	-0.177 *	-0.300	-0.352 **	0.028
	(0.073)	(0.221)	(0.097)	(0.134)	(0.078)	(0.222)	(0.090)	(0.099)
Married	-0.439 **	-0.033	-0.452 **	0.066	-0.466 **	-0.121 *	-0.378 **	-0.024
	(0.023)	(0.058)	(0.028)	(0.043)	(0.024)	(0.059)	(0.023)	(0.030)
Student	-0.314 **	1.726 **	-0.431 **	0.880 **	-0.463 **	1.948 **	-0.452 **	0.705 **
	(0.056)	(0.138)	(0.066)	(0.110)	(0.057)	(0.133)	(0.054)	(0.077)
Long Work Week	-0.201 **	0.257 **	-0.221 **	0.159 **	-0.286 **	0.251 **	-0.212 **	0.017
	(0.032)	(0.078)	(0.038)	(0.052)	(0.036)	(0.084)	(0.033)	(0.039)
Recent Mover	0.314 **	0.573 **	0.306 **	0.223 **	0.252 **	0.442 **	0.252 **	0.110 *
	(0.038)	(0.092)	(0.043)	(0.069)	(0.040)	(0.095)	(0.035)	(0.048)
Observations		48,341		34,418		44,322		52,636
Log Likelihood		-35249.6		-29254.6		-31557.4		-48015.3

Table 2. Multinomial Logit Estimates for Non-Voters, In-Person Voters, and Early Voters, 2000 and 2004.

Note: The reference category is in-person voters. State fixed-effects estimates are omitted from the table.