

The Attack on Voting Rights, will it Change the Outcome of the Election?

Historically, the Voting Rights Act in 1965, along with new technology that allowed real-time crosschecking of administrative data, spurred states to use more citizen-friendly registration and voting procedures. Over time, however, Supreme Court rulings weakened the Voting Rights Act, opening the door to efforts to limit who can vote. The chart below shows the common ways that states have changed voting procedures between 2012 and 2020. Most of the policies made it easier to vote, but others were inherently restrictive such as requiring voters show a government-issued photo identification (Photo IDs). Also, rather than adding new procedures and options, some states have eliminated them, such as using drop boxes.

Percentage of states using various registration and voting procedures over time

Makes Voting:	Easier								Harder	
Year	Online registration	Automatic registration	Election Day registration	No excuse absentee voting	Can register close to Election Day (≤ 22 days)	Early in-person voting	Drop box <10 minutes	Average wait	Hours open > 12.5	Photo ID
2020	84%	23%	45%	69%	55%	84%	34%	55%	65%	53%
2016	69%	8%	33%	61%	45%	43%	33%	71%	57%	16%
2012	25%	4%	20%	59%	39%	71%	A	55%	55%	10%

Percentage point change: 2012 - 20

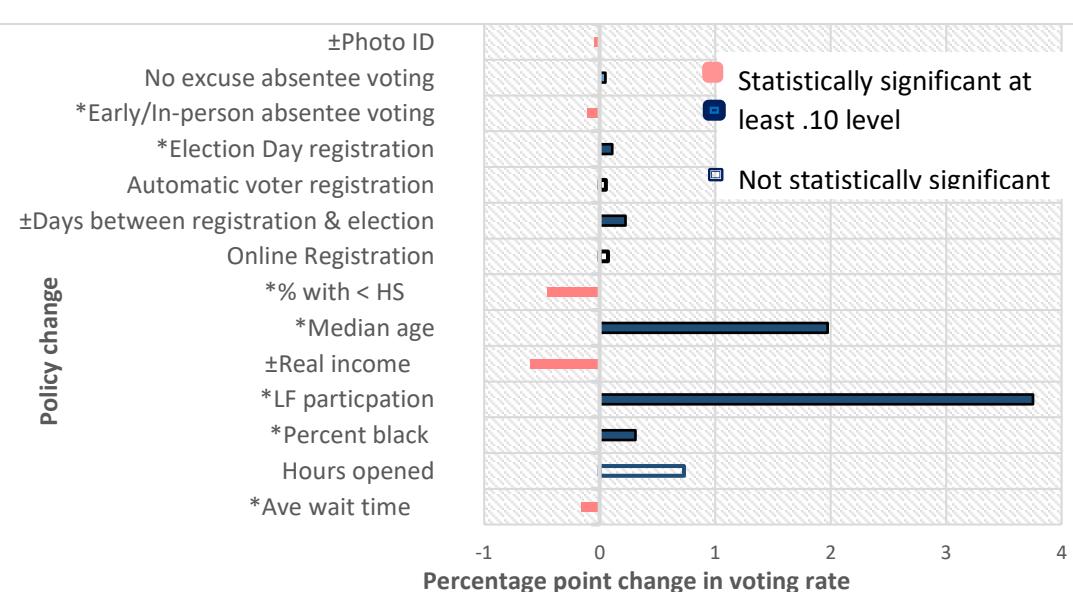
59 points	19 points	25 points	10 points	16 points	13 points	—	0 points	13 points	43 points
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But the changes to voting laws continue. Using Brennan Center for Justice data, the map summarizes the states' legislative activity on voting rights since 2020. Generally, Democratic controlled states have been enacting laws that make it easier to vote while Republican controlled states have been placing more restrictions on the process.

We use 2012-2020 presidential election data and regression to examine the relationship between state voting rates and policies and socio-demographic variables. As shown in the chart below, most voter policy variables are significant—at least marginally—in affecting voter turnout, but the magnitudes of the effects are very small. For example, a 10 percent increase in the number of states requiring a photo IDs would only cut the voting rate by a fraction of a percentage point.



Change in voting rate given a 10-percent expansion in select variables



In contrast, the socio-demographic variables are all statistically significant and tend to have larger effect sizes. Typically, small effect sizes would imply that the policy change was ineffective but given our Presidential elections are really a series of 51 state elections, and have been very close in many states, a policy change with a small effect can change the outcomes of an election.