

Provisional Ballots in the 2008 Ohio General Election

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Introduction

In recent presidential elections, Ohio has been a battleground state contested by all the major presidential candidates. An important election administration issue in Ohio has been the implementation of provisional ballot regulations and our essay examines how many provisional ballots were issued to voters across Ohio's 88 counties in the 2008 presidential election.

Currently, Ohio allows the following individuals to cast a provisional ballot in an election:²

- a person whose name does not appear on the official poll list for an election, who an election official asserts is not eligible to vote, or is unable to determine their eligibility;
- a person is unable or declines to provide the required proof of identity;³
- a voter's name appears on the poll list or signature book as having requested an absentee ballot;
- a voter's name is marked on the poll list or signature book with a notation that registration mailings have been returned as undeliverable;
- a hearing on a challenge to a voter's eligibility as an elector has been postponed until after Election Day;
- a voter's signature, in the opinion of the precinct officers, does not match the signature on the registration form; or
- a voter's eligibility to cast a ballot has been challenged by the precinct officers.

If election officials verify the voters' eligibility to vote in the particular precinct in the election, then the provisional ballot is included in the tally. Below, we examine two measures of provisional ballot use across Ohio counties and undertake a preliminary analysis that seeks to understand why the rate of provisional ballot use differs across counties in the 2008 presidential election.

Provisional Votes in 2008

In the 2008 general election, there were 5,773,777 votes cast in Ohio, with 4,029,024 cast in in-person (there were 1,744,753 absentee ballots).⁴ Statewide, 206,859 provisional

¹ We thank Dean Hindenlang, Projects Coordinator, Voting Rights Institute, Ohio Secretary of State Office, for his help with the data we use in this essay.

² <http://www.sos.state.oh.us/elections/voterInformation/provisional.aspx>.

³ Ohio identification law allows current, valid photo identification or military identification; or a copy of a current (within the last 12 months) utility bill, bank statement, government check, paycheck, or other government document that shows your name and current address (including from a public college or university).

⁴ <http://www.sos.state.oh.us/SOS/elections/electResultsMain/2008ElectionResults/turnout110408.aspx>. County demographic data was taken from the United States Census.

ballots were issued in the election, 5.13% of the precinct votes cast.⁵ However, the distribution of provisional ballots as a percentage of ballots cast was not uniform across counties.

In Table 1, we examine the rate of provisional ballot use across Ohio counties, expressed in two ways: as a percent of total ballots cast and the number of provisional ballots divided by the number of precincts. We see wide variation in the percentage of provisional ballots issued across counties. In some counties, fewer than 2% of ballots cast were provisional ballots but in others, more than 9% of ballots were provisionals. There is a 7.4 percentage point gap between the highest and lowest provisional voting rates, with the average county having 4% of ballots cast provisionally. The second row shows the number of provisional ballots issued per precinct, where we see up to 33 ballots issued provisionally on average in some counties and as few as one per precinct in other counties.

What explains the differences in rate of provisional ballot use across counties in Ohio? Voters are given provisional ballots because their name is not on the registry in their precinct but believe they are correctly registered. We first hypothesize that provisional ballots are likely to be used in areas with a high degree of residential mobility. Becoming registered to vote or reregistering after moving is costly in terms of time and effort, and those costs are greater for some voters than others. We hypothesize that, in counties with highly mobility populations and voters sensitive to the cost of registration, there will be higher rates of provisional ballot use.

We tested the mobility hypothesis using two data sources: First, counties that have a college or university with a large student population⁶, and a more direct indicator for mobility, the county's number of new registrants in the months just prior to the 2008 general election (June to October). Additionally, we use the percentage of the county's population older than 65 to test the other aspect of the mobility hypothesis, that a younger population is more likely to be mobile and to consist of new voters.⁷ We tested the registration cost hypothesis using county-level data for the percent of the population that was White and the poverty rate.⁸

Figure 1 is a scatterplot matrix showing the relationships between these variables, except whether there is a large college or university in the county, which we analyze separately. The first two columns of Figure 1 provide data for our two variables of initial interest: (1) the

⁵ Absentee voters cannot vote provisionally so we exclude these ballots from the analysis.

⁶ There are ten colleges or universities in Ohio with student populations exceeding 15,000. The colleges are University of Akron (Summit County), Bowling Green (Wood), University of Cincinnati (Hamilton), Cleveland State (Cuyahoga), Kent State (Portage), Miami (Butler), Ohio State (Franklin), Ohio University (Athens), Toledo (Lucas), and Wright State (Montgomery). Enrollment data were taken from Wikipedia.

⁷ This data comes from the 2000 US Census, Table DP-1, Profile of General Demographic Characteristics: 2000, from the Census 2000 Summary File (SF 1) 100-Percent Data.

⁸ The poverty rate information comes from 2005 Census Bureau estimates of the percentage of all individuals in poverty, http://www.census.gov/cgi-bin/saige/saige.cgi?year=2005&type=county&table=county&submit=States%20%26%20Counties&areas=all&display_data=Display%20Data&state=39#SA91. Data on race are also estimates from the Census Bureau, "Annual Estimates of the Resident Population by Age, Sex, Race, and Hispanic Origin for Counties: April 1, 2000 to July 1, 2008", <http://www.census.gov/popest/counties/asrh/CC-EST2008-alldata.html>.

percentage of all ballots cast in the 2008 general election that were provisionals and (2) the average number of provisional ballots issued per precinct. The next five columns are data on the percent of the population that is White, the percent in poverty, the percentage of the population over 65-years-old, the percentage of new registrants, and the turnout percentage.

Beginning with the percentage of the county's population that is White (reading across the second row of Figure 1), we see that there is an apparent correlation in the data: the lower the percentage White population, the higher both provisional balloting measures. The estimated correlations are both negative and statistically significant; the correlation between the percentage White population and the percentage provisionals cast of all ballots is 0.61 and is 0.47 between the percent White and the rate of provisional ballots issued per precinct. Next, we see a slight positive and significant correlation of 0.24 between a county's percent of population in poverty and the percentage provisional of all ballots cast. However, there is not a significant correlation (-0.08) between the percent of the county's population that is in poverty and the number of provisionals per precinct. There is a negative relationship between the over 65 population in a county and provisional ballot use (-0.26 and -0.36 for the two measures respectively). Figure 1 also reveals positive and significant associations between both provisional ballot measures (0.42) and the percentage of new registrants (0.41) but a negative correlation between the provisional ballot rates and turnout (-0.29 and significant for the percentage provisional of total ballots but -0.06 and insignificant for the rate per precinct measure).

Because we only have an indicator measure for whether a county has a large college or university, we simply compare the means of both provisional ballot measures between counties that have large colleges or universities and counties that do not. The mean percentage of provisionals issued in 2008 was 6.11% for counties with large colleges or universities but 3.74% for those without. Similarly, the rate of provisionals per precinct for counties with large colleges and universities is 22.98 but 13.68 for those without colleges or universities.⁹ Thus, the use of provisional ballots is greater in counties with large colleges or universities.

What happens when all of these factors are considered together and which factors are most important for understanding provisional balloting rates holding the others constant? To keep things short and simple, we present in Table 2 simple multivariate regression analyses to gain some leverage on whether these effects seen for some of these variables remain when we control for the other variables; entries that are starred are statistically significant.¹⁰

The results of this analysis lead to a number of conclusions. First, a county's racial composition is a significant factor related to provisional voting, controlling for all other factors in the model. Counties with higher White populations have lower provisional voting rates. Second, we see that the age of the county's population consistently has an effect in these

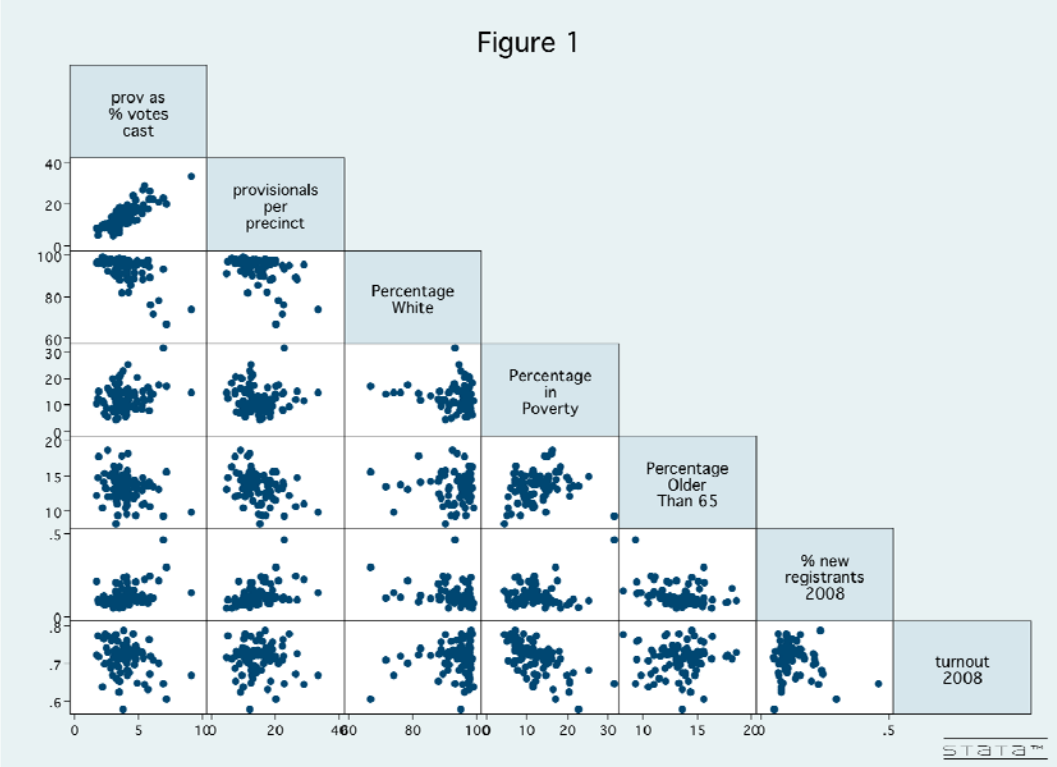
⁹ A t-test for both of the difference in means discussed here show a statistically significant difference.

¹⁰ We also replicated these models using a logged dependent variable to account in an initial way for potential problems caused by the truncated distribution of the dependent variable; those results are qualitatively similar to what we report in Table 2.

models, as counties with a higher percentage of citizens over age 65 have a lower provisional ballot usage. Third, we see some additional evidence that counties with large colleges or universities have higher provisional ballot use --- this effect is not significant in the first model but is significant in the second. Finally, we see that counties with higher rates of new registered voters do see higher provisional ballot usage rates, though in these two models those estimates are not statistically significant when we control for other factors (such as age and mobility) that might be related to the new voter registration rate.

Table 1					
	Number of Counties	Fewest Provisional Ballots Issued	Most Provisional Ballots Issued	Range Between Highest and Lowest	Median
Provisional Ballots Issued as Percent of Total Ballots Cast	88	1.74%	9.14%	7.41%	3.84%
Provisional Ballots Issued per Precinct	88	4.78	33.33	28.55	13.98

Figure 1



	Provisional Ballots Issued as a Percent of Total Ballots Cast	Number of Provisional Ballots Issued Per Precinct
Constant	14.77**	43.32**
	3.27	15.09
Percent White	-0.08**	-0.21**
	0.02	0.10
Percent Poverty	0.03	-0.19
	0.03	0.12
Percent Over 65	-0.12**	-0.56**
	0.05	0.25
Percent New Registrations	2.28	10.92
	1.89	8.73
Turnout	-2.62	-0.96
	3.05	14.08
College Town	0.69	5.37**
	0.46	2.14
Adj-R Square	0.48	0.39

Estimates marked with ** indicate those that are statistically significant at the p=.05 level.
Estimates marked with * are statistically significant at the p=.10 level.
Both are two-tailed tests.