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EXPANDING DEMOCRACY:
VOTER REGISTRATION
AROUND THE WORLD

Jennifer S. Rosenberg
with Margaret Chen

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This is the second in a series of white papers on Voter Registration Modernization. The first, *Voter Registration Modernization*, sets forth more detailed policy arguments in favor of modernizing America's voter registration system and is available at www.brennancenter.org/content/resource/voter_registration_modernization.

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VOTER REGISTRATION AROUND THE WORLD

The United States is one of few democratic nations that place the entire burden of registering to vote on individual citizens. Today, one-quarter to one-third of all eligible Americans remain unregistered — and thus are unable to cast ballots that will count. Even Americans who are registered risk being blocked from casting a ballot because of problems with our voter registration system — unprocessed registrations, inaccurate purges of names from the voter rolls, and other administrative and human errors. The registration system is as much a problem for the dedicated civil servants who administer our elections as it is for voters. It is costly, inefficient, and insufficiently accurate.

Now, after a decade of controversy over election and voting problems, the United States is poised to reform voter registration. For the first time, the Congress is considering voter registration modernization that would empower state governments to assure that all eligible voters, and only eligible voters, are on the rolls. Such a step would add tens of millions to the rolls, and better ensure that the information on the rolls stays accurate and up-to-date. As this report demonstrates, the systems in a number of the world's major democracies prove this can be done.

Canada shares our decentralized federal system. There, provinces create and maintain their own voter rolls, and a federal election authority builds a separate voter roll for use in federal elections that is based in part on the provincial rolls and in part on other government lists. When an individual turns eighteen, or becomes a citizen, he or she is added to the rolls. A voter who moves remains on the rolls. The system works efficiently and with no allegations of fraud. An overwhelming ninety-three percent of eligible citizens are registered to vote, compared to 68% of Americans who were registered to vote as of the last Census report.

The experience of these other democracies suggests building a modern voter registration system is a surprisingly straightforward task. In recent years, several democracies have moved to take advantage of new technologies to help build more complete and accurate voter lists. Their experiences are encouraging. These restructured systems reduce administrative costs and improve the accuracy of voter rolls.

This report is a multi-nation examination of the details of voter registration systems. It examines the way sixteen other countries create and keep voter lists. Many of the nations studied are similar to ours in diverse populations, cultural values, and government structures. Their experiences show the clear benefits to voters, overall taxpayer savings, and best practices that can be employed in the United States as Congress drafts reform legislation.

I. INTRODUCTION

The Brennan Center surveyed the voter registration systems in sixteen countries and four Canadian provinces.* We chose these countries and provinces based on a variety of factors, including high voter turnout rates and accessibility of information. We selected jurisdictions that employ various registration systems, to broaden our assessment of how different techniques work and which ones work best.

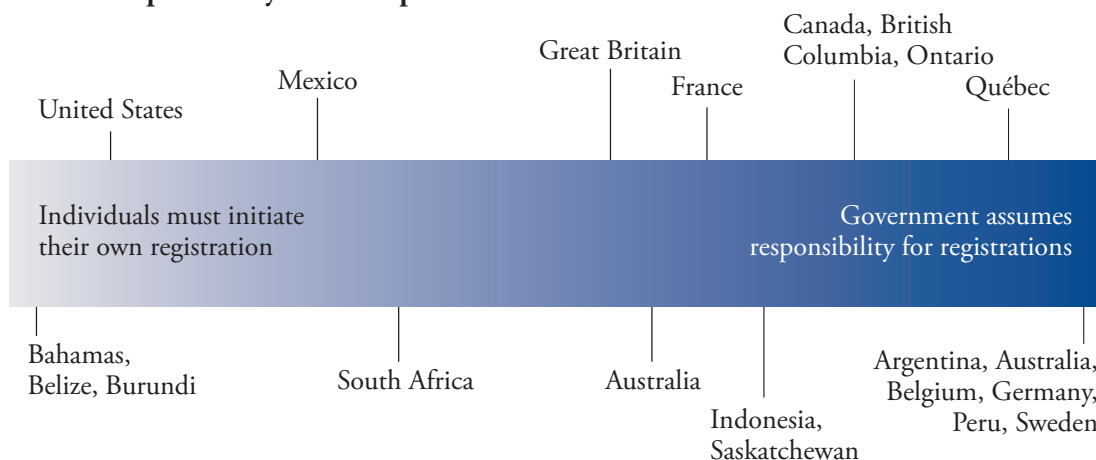
Some of the techniques and approaches described in this report are better suited than others for implementation in the United States. Accordingly, some emphasis is placed on nations like Canada, whose technological advancement and democratic traditions are similar to our own.

Because all democracies face the same fundamental challenges in maintaining accurate voter rolls, we organize our discussion according to the following four basic components of registration systems:

- Adding voters to the voter rolls
- Updating existing voter registrations
- Identifying gaps and correcting inaccuracies in the voter rolls
- Protecting the privacy of voters' information

Of the countries and provinces we studied, only four place the onus of voter registration entirely on the individual, as in the United States. These countries are the Bahamas, Belize, Burundi, and Mexico.¹ In the remaining countries and all four provinces, election authorities assume some degree of responsibility for building comprehensive and accurate voter rolls. While voter registration is mandatory in some of these countries, such as Australia, their governments nonetheless take proactive steps to register every eligible voter.

Whose Responsibility is It?: A Spectrum of How Countries Build Voter Rolls



* These countries are: Argentina, Australia, Austria, Bahamas, Belgium, Belize, Burundi, Canada, France, Germany, Great Britain, Indonesia, Mexico, Peru, South Africa, and Sweden. Canadian provinces administer elections separate from the federal level of government, and maintain their own voter rolls for use in provincial and local elections. We surveyed British Columbia, Ontario, Saskatchewan, and Québec.

All of the countries in which the government takes an active role in registering voters have much higher voter registration rates than the United States. For example, Canada's federal voter roll includes 93% of eligible voters.³ France and British Columbia have voter rolls that include 90% of eligible voters.⁴ Australia, Great Britain, and Mexico have registration rates between 92 and 96%.⁵

One modern feature is integral to how several of these countries achieve such comprehensive and accurate voter rolls: carefully regulated data-sharing between government agencies. Data-sharing allows election officials to update the voter rolls continuously, using information that already exists on other government lists. Seven countries and provinces rely heavily on data-sharing between government agencies to populate their voter rolls and/or update voters' registration information.⁶ Development of a similar data-sharing program is also underway in Great Britain.⁷

In these places — Argentina, Australia, Canada, France, and the Canadian provinces of British Columbia, Ontario, and Québec — voter registration is virtually automatic. Election officials routinely add new voters to the rolls based on information that other government agencies provide on a regular basis; there is no need for these voters to interact with election officials directly and no corresponding mountain of paperwork.⁹ In France, for instance, every 18 year old who signs up for the mandatory military or national service draft — like Selective Service registration for young men in the United States — will have her information forwarded to local election officials, who then add her to the voter rolls. In Argentina, the federal agency responsible for maintaining the national population register and issuing national ID cards routinely sends local election authorities the names of 16 year old citizens who reside within their voting districts. The local election authorities place these individuals on provisional voter lists to ensure they are added to official voter rolls on their 18th birthdays.

Voter Registration Rates⁸

Argentina (2007)	100%
Belize (2008)	97%
Saskatchewan* (2008)	97%
Great Britain (2008)	97%
Mexico (2005)	95%
Peru (2006)	95%
Sweden (2006)	95%
Belgium (2007)	94%
Indonesia (2004)	94%
Ontario* (2008)	94%
Austria (2008)	93%
Canada (2008)	93%
Germany (2005)	93%
Australia (2008)	92%
Québec* (2008)	92%
Burundi (2005)	91%
France (2007)	91%
British Columbia* (2008)	90%
South Africa (2009)	77%
Bahamas (2007)	75%
United States* (2006)	68%

* These jurisdictions are Canadian provinces.

† Citizen voting age population used.

Moreover, the number of countries relying on data-sharing to keep their voter rolls current is increasing, as governments re-evaluate and overhaul their approach to voter registration. For example, as technological capacity increased and costs decreased in the 1990s, Australia and Canada began to rely more heavily on data-sharing to keep their rolls current. Reform was phased in, with election agencies phasing in partnership arrangements with various other government agencies over the course of a few years. These countries also built on each others' techniques. For instance, Australia sent a delegation of election officials to Canada in 1999 to study how aspects of Canada's new voter database could be adapted to the Australia context.¹⁰ Their experiences demonstrate that it is feasible to modernize outmoded voter registration systems, that countries can learn best practices from one other, and that doing so can result in the creation of more comprehensive and accurate rolls with substantial cost-savings.

Country / Province	Primary Method(s) of Registering Voters
Argentina*	Local election officials add eligible citizens to the voter rolls from a national list of all citizens maintained by a federal agency.
Australia*	Election officials gather information from other government agencies to identify voting eligible individuals who are unregistered, and mail these individuals registration materials.
Austria	Local election officials automatically generate voter lists from larger population databases maintained at the municipal level. Inclusion on the municipal database is mandatory.
Bahamas	Eligible individuals must initiate their own voter registrations in-person at a local election office.
Belgium*	Local election officials automatically generate voter lists from larger population databases maintained at the municipal level. Inclusion on the municipal database is mandatory.
Belize	Eligible individuals must initiate their own voter registrations in-person at a local election office.
Burundi	Eligible individuals must initiate their own voter registrations in-person at a local election office.
Canada	Election officials use information collected from other government agencies to add eligible citizens to the rolls. If more information is required, election officials mail individuals pre-printed registration forms, with postage-paid return envelopes.
Canada: British Columbia	Election authorities automatically add voters to the rolls from motor vehicle agency records and the federal voter rolls. Voters may also register online and at the polls.
Canada: Ontario	Election authorities automatically add voters to the rolls from provincial property tax lists and the federal voter rolls. Voters may also register at the polls.
Canada: Québec	Election authorities automatically add voters to the rolls when they turn 18 years old, based primarily on information from the provincial health insurance agency. Voters may opt out of registration after receiving notice, and may also register at the polls.
Canada: Saskatchewan	Election officials go door-to-door registering eligible voters before each general election. Voters may also register at the polls.
France	Election officials automatically register 18 year olds using information compiled by the department of defense for military conscription purposes.
Germany	Local election officials automatically generate voter lists from larger population databases maintained at the municipal level. Inclusion on the municipal database is mandatory.
Great Britain	The government seeks out every eligible voter through an annual nationwide “canvass,” during which local officials mail or hand-deliver a form used for voter registration to each household.
Indonesia	The government conducts a nationwide enumeration by hiring temporary workers to go door-to-door, registering every eligible voter.
Mexico	Although most voters are required to register in-person at local election offices, the government deploys mobile units to register voters in rural areas and other places with historically low registration rates.
Peru*	The government registers all eligible voters using information from the national population database.
South Africa	Each voter must register in-person at a local election office or voting station. To facilitate registration, the government hires thousands of temporary workers to register voters out of temporary stations that will be used as polling places.
Sweden	The government automatically registers all eligible voters using information contained in the national population database.

* In these countries, voting is mandatory.

II. CANADA: A POTENTIAL MODEL FOR MODERNIZING VOTER REGISTRATION

Canada presents the most instructive model for modernizing voter registration in the United States. First, strong political and cultural parallels link the two nations. Canada is a longstanding representative democracy with a decentralized government. Neither Canada nor the United States has mandatory voting or voter registration, reflecting shared libertarian values. Both countries lack comprehensive civil registries, and both extend the franchise to virtually all citizens ages 18 and older. Canadians are as mobile as Americans, with about 14% of the population moving each year,¹¹ and so Canada confronts a similar challenge of tracking and updating voters' address information.

Here, the similarities end. Canada boasts a successful voter registration system that captures almost all eligible citizens, is highly accurate, and is cost-efficient. Canada's voter database, known as the National Register of Electors, includes 93% of eligible voters. Of these registered voters, 84% are registered at their current addresses before any election period, many more addresses are updated during a revision period, before Election Day, and the remainder may correct their address information at the polls.¹²

The centerpiece of Canada's system is a voter database that is updated continuously, based on information that 40 different government agencies routinely provide to Elections Canada, the federal election authority.¹³ Provincial and territorial departments of motor vehicles, the national postal service, provincial and territorial electoral agencies, and the federal tax authority all provide data.¹⁴

The voter database contains only basic information about each eligible voter — name, sex, birth date, and address — as well as an identifying number that is used solely to facilitate recordkeeping within the voter database.¹⁵ The secure database has four key elements:

- **Data provided by other government agencies to add new voters to the database.**

Elections Canada identifies unregistered voters and newly eligible voters — including 18 year olds — using information that other government agencies provide to the election agency on a monthly basis.

Some government agencies capture and transmit all the information necessary to enable Elections Canada to add the individual to the voter list. Thus, once a citizen interacts with these agencies, she typically appears on the voter rolls without having to interact with an election official. Where the information transmitted by an agency is insufficient to establish a voter's eligibility, such as her citizenship status, election officials do additional research to ascertain the missing information.

For instance, Elections Canada uses a “family matching” program to determine whether young voters identified through the federal tax agency are citizens. The program searches existing voter information to determine whether a newly identified voter lives in the same residence and shares the same last name as someone who is already registered to vote. If a match is found, Elections Canada assumes with confidence that the younger person is a relative of the elder and also a citizen; she is then added to the rolls. Tens of thousands of newly eligible voters are registered every year through this program. In other cases, Elections Canada sends voters pre-printed registration forms, requesting affirmations of citizenship.¹⁶

- **Data provided by other agencies to update existing voter records.** Information provided by other government agencies also facilitates updates to voters’ registration information, most of which are address changes. Multiple agencies, including provincial and territorial departments of motor vehicles, provide the election agency with monthly address updates. As a result, addresses are kept current without voters having to interface with election officials directly.

Purges of deceased voters are similarly automatic. Election officials remove deceased individuals from the voter lists based on information routinely provided by agencies that collect vital statistics.

- **Individual consent.** Canada’s federal election agency does not currently register a new voter without her consent. However, many voters indicate consent by checking an optional checkbox that exists on standard government forms, and thus their consent is already on file by the time their information is shared with federal election authorities.

For example, someone filling out a federal income tax form can mark one checkbox to affirm her citizenship and another to consent to have her basic information shared with the federal election agency so that she can be added to the voter database. By marking these checkboxes, a person will have all of her voter eligibility information transferred to the federal election authority.¹⁷

Whenever the federal election agency identifies a newly eligible voter whose consent is not yet on file, the agency mails that individual a registration consent form, pre-printed with her name and address information, along with a pre-paid return envelope.

- **Election Day corrections.** Any eligible voter whose name does not appear on the voter rolls, or whose name appears with inaccurate information, may register at the polls and still cast a regular ballot.¹⁸ Federal elections in Canada take place over the course of several days, and “same day” registration is available throughout the voting period.¹⁹

In moving to its current system, Canada substantially reduced its annual voter registration costs. Canada premiered its new voter database during the 2000 federal election, and since then has saved over \$30 million Canadian dollars each election cycle, as compared to the costs of its previous registration system.²⁰ Indeed, Canada more than recouped its initial investment after the 2000 general election, when the database was used for the first time.²¹

Canada's transition costs were relatively low. Canada built its current registration system over the course of several years, phasing in data-sharing arrangements between election authorities and other government agencies. The start-up costs for developing each arrangement varied by agency. For instance, Canada spent \$116,000 Canadian dollars over the 1997-1999 tax years developing protocols for acquiring information from federal citizenship and immigration authorities. The most expensive data-sharing arrangement to develop was with the federal tax agency, which cost \$3 million Canadian dollars.²² Canada spent \$19.2 million Canadian dollars developing its data-sharing procedures, most of which was spent on computer hardware and software.²³

III. STEP ONE: ADDING VOTERS TO THE ROLLS

In the vast majority of democracies we surveyed, the government assumes a proactive role in registering voters.²⁴ This includes a responsibility to help register newly eligible individuals, including voters who turn voting age, voters who become citizens, and voters who previously opted out of registration but would like to be registered for the future. Only four countries — the Bahamas, Belize, Burundi, and Mexico — place the onus of registering to vote entirely on the individual, as does the United States.²⁵ To cast ballots there, voters must initiate their registrations by completing and submitting forms to an election agency.

In the remaining fourteen countries and the four Canadian provinces, election authorities assume responsibility for proactively registering voters.²⁶ Methods vary. For instance, several jurisdictions add young citizens to the voter rolls automatically when they turn legal voting age, so those voters become registered without having to affirmatively contact election officials. Elsewhere, election authorities seek out unregistered voters to facilitate their registrations, using various methods to identify these individuals — from door-knocking, to culling drivers' license records.

These election authorities use one of three main techniques to help get voters on the rolls:

Data-sharing from other government agencies. Election authorities add voters to the rolls based on information that has already been collected by other government agencies. These agencies provide this information to election authorities on a routine basis.

Civil registries. Countries develop their voter rolls by culling the names of eligible voters from a larger civil registry or population list. There is no need for voters to register on their own initiative since their eligibility information is already contained in the underlying database.

Enumerations and canvasses. Election authorities deliver registration materials directly to eligible voters, either by mail or by going door-to-door, similar to how the United States conducts its decennial census.

Every country we surveyed that does not have a civil registry allows individuals to initiate their own voter registrations by contacting election authorities directly. However, since government-initiated registration is the default in these countries, self-initiated registration is seldom necessary and in some countries, like Canada, can be done at the polls on Election Day.

Primary Method of Voter Registration

Data-Sharing (lists obtained from other agencies)	Civil Registries (existing list of all citizens)	Enumerations (affirmative voter outreach by door-knocking or mail)	Voter-Initiated (in-person or by mail)
Australia	Argentina	Great Britain	Bahamas
Canada	Austria	Indonesia	Belize
British Columbia*	Belgium	Saskatchewan*	Burundi
Ontario*	Germany		Mexico
Québec*	Peru		South Africa
France	Sweden		United States

* These jurisdictions are Canadian provinces.

A. Data Obtained From Other Government Agencies

Several election authorities add new voters to the rolls by compiling information that has already been collected by other government agencies. Seven countries and provinces rely heavily on data sharing among government agencies to add new voters: Argentina, Australia, Canada and France, and the Canadian provinces of British Columbia, Ontario, and Québec.²⁷

Citizens Reaching Voting Age

The vast majority of new voters are citizens who reach voting age.²⁸ Data-sharing between government agencies allows election authorities to identify individuals who recently turned voting age or are on the cusp of turning voting age. Most countries add these voters to the rolls automatically, without requiring them to interact with the agency that administers elections. Australia, however, uses data-sharing to identify and mail registration materials to new voters. Since voting is mandatory in Australia, individuals are legally required to return these forms.

In France, virtually all 18 year old citizens are automatically registered to vote after attending *journee d'appel de preparation à la defense*, a day-long national defense obligation that is organized by the Ministry of Defense and offered on various dates throughout the year.²⁹ Lists of attendees are routinely forwarded to a national bureau of statistics, which in turn provides this information to municipal election authorities, who then add these individuals to the voter rolls.³⁰

Canada's federal election agency routinely collects data from 40 different government agencies, but it learns about newly eligible 18 year olds primarily through the federal tax authority and provincial departments of motor vehicles, which transmit information to election authorities on a monthly basis. If the information provided is insufficient to add an individual to the voter rolls

— for instance, it does not include an affirmation of citizenship — the federal election agency will mail that individual a voter registration confirmation form with a postage-paid return envelope; if a voter does not return the form, she may complete the registration process at the polls during the next election.³¹

British Columbia, Ontario, and Québec maintain their own voter databases, which they use to produce voter lists for local and provincial elections. These databases look and operate very much like Canada's federal voter database.³² Provincial election authorities use data from other government agencies — including the federal election agency — to compile and update voter databases.

In some places, authorities pre-register voters before they are eligible to cast a ballot.

In Québec, 18 year olds are added to the provincial voter database without ever having to interact with election authorities. The election agency receives weekly transmissions from the provincial health insurance board listing all citizens who will turn 18 within the next 6 months. These individuals are notified by mail that unless they opt out, they will be automatically registered to vote in provincial and local elections.³³

Argentina pre-registers 16 year olds in the same way.³⁴ At ages 8 and 16, Argentine citizens must renew their national identity cards.³⁴ Local election officials have data-sharing arrangements with the federal agency in charge of ID renewal, and through these arrangements the local election officials become aware of 16 and 17 year old citizens who reside within their voting district. Local election officials place these individuals on provisional voter lists that will feed their information into the official voter database after their 18th birthdays.³⁶

Australia's election agency learns about young voters from various institutions and agencies, similar to those in the countries above, including its departments of motor vehicles. Australia's voter database culls data provided by these agencies; whenever it identifies anyone who is eligible yet unregistered to vote, election officials send that person a voter registration form with a pre-paid return envelope.

Australia further ensures that all young citizens get added to the rolls by allowing and encouraging their pre-registration at age 17. Individuals who pre-register are listed with a special designation in the voter database, which will be removed when they turn 18, the legal voting age.³⁷ Based on information obtained by the state departments of education, election officials send birthday cards, with registration forms enclosed, to students turning either 17 or 18 years old. Australian election officials also conduct targeted outreach to young voters by sponsoring an annual week-long registration campaign in high schools across the country, and by attending university “orientation weeks,” where they register new voters and collect address updates from students who previously registered at other addresses.

New Citizens

Data-sharing also allows countries to register new citizens automatically. Based on information provided by citizenship agencies, election officials identify and register individuals who will attain the right to vote by acquiring citizenship. In Canada, 95% of new citizens are added to the federal voter database because they mark a checkbox on their citizenship application form.³⁸

Canada's federal citizenship agency also has data-sharing arrangements with provincial election authorities, some of which allow new citizens to opt out of registering as a default, rather than only registering new citizens who opt in. When Québec's election authority, for example, learns that a resident of Québec is about to attain citizenship, it will mail that individual a postcard informing her that unless she opts out of being registered, she will automatically be added to the voter rolls after her citizenship ceremony.³⁹ Local election officials in Argentina similarly add new citizens to the voter rolls based on regular updates from federal citizenship authorities.

In Australia, election officials use information provided by the Australian citizenship agency to create personalized registration forms for every individual about to obtain citizenship. Some election officials then attend citizenship ceremonies, distributing and collecting these pre-populated forms;⁴⁰ others deliver the forms by mail, along with a postage-paid return envelope.

B. Civil Registries

Background on Civil Registries

Civil registries have a long history and can be found in nearly every corner of the globe. They are common throughout Western Europe and Latin America, where they often predate the rise of representative democracy.⁴¹ Civil registries are repositories of information on citizens and long-term residents; they are used to track population numbers and coordinate government programs. Typically, people are added to civil registries at birth, as hospitals and midwives are required to report births to the agency that maintains the civil registry.⁴²

Civil registries can serve a variety of functions and the scope of information they contain can be either wide or narrow. On the one hand, the national registries of Peru and Argentina are aptly referred to as "population registries" because they are maintained by a central agency, capture the country's entire population, and track basic demographic information. On the other hand, the "household registries" of Germany and Austria are overseen at the local level and include much more detailed consumer information, such as the number of major appliances in each household, for the purpose of calculating utility bills and municipal taxes owed. Of the countries surveyed for this report, Argentina, Austria, Belgium, Germany, Peru and Sweden all maintain civil registries.⁴³

Civil registry authorities often share data with other public agencies, including departments of social services and tax agencies.⁴⁴ Citizens may also have the responsibility to self-report information to civil registry authorities — as in Austria, where residents must, for example, register their radios, television sets, and other utilities with those authorities.⁴⁵

From Civil Registries to Voter Rolls

In countries with civil registries, election officials take the names from the current civil registry to create a voter list. This “snapshot” reveals where every voting age citizen lives at that moment in time. These voter rolls are used once and then discarded. Thus, as long as a voter is listed on the civil registry at her current address, she is guaranteed to be included on the voter rolls for her assigned polling place.

Before voter rolls are finalized, officials sometimes cross-check them against other government lists in order to flag individuals who may be ineligible to vote. Belgium creates preliminary voter rolls by culling the names of voting age citizens from a municipal population register; those rolls are then cross-referenced against a separate file containing the names of individuals whose voting rights have been revoked or suspended.⁴⁶

In a few registry countries, including Germany and Argentina, local election authorities maintain separate, permanent voter rolls that are constantly updated based on information contained in the larger civil registry.⁴⁷ These countries populate their voter rolls by culling information from their local civil registry, through data-sharing arrangements between the local election authorities and the broader register. Most new voters in Argentina, for example, are automatically added to the voter rolls based on information sent periodically from the national population registry.

C. Enumerations and Canvasses

Some election authorities build voter rolls through “enumerations” and canvasses – they physically seek out potential voters. In a traditional enumeration, election officials go door-to-door, registering eligible individuals in each household. The term “canvass” is more generic. In a canvass, election officials may deliver registration materials using a combination of several techniques, such as mass mailings supplemented with door-knocking. This is how the United States conducts its census every ten years.

Very few governments still conduct national canvasses or enumerations for each election cycle. The cost is too high, and newer technologies are more efficient. Only Great Britain and the Canadian province of Saskatchewan still rely primarily on jurisdiction-wide canvasses or enumerations. However, many countries use limited canvasses and/or enumerations to register vot-

who fall through the cracks — voters who may not get registered or have their registration information timely updated through the usual registration machinery.⁴⁸ These are often voters who live in places with historically low registration rates, such as remote rural communities or chronic care facilities.

Enumerations

Enumerations once were common in Canada. The federal election agency conducted periodic enumerations until 1997, when it turned its final enumeration into a permanent voter database (which is then updated through other means). British Columbia, Ontario, and Québec made similar transitions in the late 1990s. All three provinces replaced expensive and cumbersome enumeration systems with permanent voter databases that stay current through data-sharing arrangements.

Saskatchewan still conducts a comprehensive door-to-door enumeration every election cycle, building new voter rolls from scratch each time.⁴⁹ Over an 8-day period, trained enumerators, wearing buttons to identify themselves, visit every residential address in their polling division to compile information on eligible voters. If a voter is not home on one of the occasions when the enumerators call, or is mistakenly left off their route, she may still register in designated locations prior to Election Day.⁵⁰

Two countries conducted one-time nationwide enumerations prior to historically significant elections. In Mexico, a growing public distrust of the electoral system boiled over after the 1988 presidential election, when the incumbent party's candidate narrowly won only after the computerized vote-counting system “shut down” twice.⁵¹ In 1990, the Mexican Congress overhauled the electoral system and established a new election agency. To shed the legacy of a corrupt voting process, that agency created entirely new voter rolls. Between November 1990 and July 1991, election officials conducted a comprehensive door-to-door enumeration.⁵² That voter roll has been updated for subsequent election cycles; it still includes 95% of Mexico's eligible citizens. As noted earlier, new voters in Mexico must register in-person at their local election office.⁵³

Indonesian election officials similarly coordinated a massive nationwide door-to-door registration campaign between April and May 2003, before the country's 2004 legislative elections and first-ever direct presidential election.⁵⁴ This drive, too, flowed from an upsurge of public engagement and call for democratizing reforms. As they door-knocked, enumerators recorded voter information onto scannable forms that were then uploaded into a database using optical character recognition (OCR) software.⁵⁵ Over 150 million Indonesians were registered, with relatively few complaints about the accuracy of the resultant voter rolls.⁵⁶

Great Britain's Annual Canvass

Like most modern democracies, Great Britain's government assumes responsibility for ensuring that every eligible voter appears on the voter rolls at her current address. Yet Great Britain's registration model is unique. Great Britain relies on what is known as an "annual canvass" to register new voters and update existing registrations.⁵⁷ Every autumn, local election officials mail canvass forms to the "head" of every household, which may be returned through the mail at no cost.⁵⁸ Some officials also allow residents to update their records by phone.⁵⁹

Today, momentum in Great Britain is building to replace the annual canvass — which dates back to the Victorian era, when the right to vote was conditioned on property ownership — with a new voter registration system that will track individuals, rather than households. Under the proposed new system, election officials will pool information from other government agencies, including local departments of motor vehicles, to identify unregistered voters and registered voters whose addresses or names require updating. Election officials will mail registration materials to only these individuals.⁶⁰

IV. STEP TWO: UPDATING EXISTING VOTER RECORDS

Once voters are added to the list, their information must be kept current.⁶¹ Most frequently, voters move, and must be removed from the rolls at an old address and added at a new one. Voter rolls must be revised to reflect situations that impact voter eligibility, such as death, conviction of a disenfranchising crime, or the restoration of voting rights following the completion of a criminal sentence.

Many streamlined data-sharing techniques used to help build the voter rolls also help to keep lists updated. While election authorities in the United States already regularly use information from other government agencies to prevent ineligible voters from voting,⁶² other countries have successfully applied this practice to ensure that eligible voters are able to vote even if their personal information has changed.

A. Updating Addresses and Names

Most of the jurisdictions without civil registries assume responsibility for updating registration records automatically whenever voters move or change their names.⁶³ This is true even in places like Australia, where voters are legally obligated to notify election authorities of such changes.

Address Changes

Election authorities with a proactive approach learn about address changes principally through data-sharing arrangements with myriad government agencies, including postal service agencies. Such data-sharing allows election authorities to learn of address changes without having to rely on voters to remember to submit the necessary paperwork to election authorities every time they change residences.

Data-sharing keeps voter rolls accurate. For instance, despite the fact that more than 14% of Canadians move every year, 84% of Canadian voters are registered at their current address as a result of myriad data-sharing arrangements that election authorities have with other government agencies, including postal services and departments of motor vehicles.⁶⁴

This system makes it unlikely that Canadians will fall off the rolls when they move. If a Canadian citizen moves from Nova Scotia to New Brunswick and applies for a driver's license there, she can check a box that will allow the New Brunswick Department of Public Safety to share her name, sex, birth date and address with other agencies. If she checks a similar box on her federal income tax return or Canada Post Corporation change-of-address form, those agencies will also

share her new address with federal election authorities.⁶⁵ Without having to interact at all with the federal election agency, she will appear on the voter list at her new polling location during the next election.

Election authorities in Canadian provinces also update their address information through data-sharing. Here, unlike in the United States, voters benefit from centralized social services unavailable in the United States. Québec's election authorities, for example, receive 60% of their address updates from the *Regie de l'assurance maladie du Québec* (the provincial agency that administers health insurance and prescription drug plans), and the remaining 40% from other sources, including the *Société de l'assurance automobile du Québec* (the provincial car insurance organization).⁶⁶ Relying on these and other agencies, Québec was able to ensure that 98% of its voter database reflected current information prior to its 2007 provincial elections.⁶⁷

Postal authorities are a rich source of information for address changes, because so many people use their change-of-address and mail forwarding services.⁶⁸ Australia's election agency processes 4 million address changes each year, most of which it learns about through routine data-sharing with mail forwarding services.⁶⁹

Data-sharing agreements with postal authorities obviate the need for voters to submit paperwork or interact with election authorities when they move. Some jurisdictions have eliminated the need for such paperwork across government agencies, by allowing individuals to file generic change-of-address forms over the Internet. In Ontario, for instance, a resident can submit an online change-of-address form through the province's official website and, by clicking a series of checkboxes on that form, consent to have her new address shared with various government agencies, including the provincial election authority.⁷⁰ Residents of Québec can use a similar secure online service where they can elect to have their new address information shared with six different government agencies, including the provincial election authority.⁷¹ These programs demonstrate the ease with which voter rolls — and perhaps other government databases — can be automatically and electronically updated to reflect address changes.

Other countries use data-sharing not to update the rolls automatically, but to analyze the rolls for outdated or inaccurate information. For example, the Australian electoral authorities assign codes to addresses in the voter rolls based on occupancy status, land use, and other characteristics. Addresses are further coded as “active” or “inactive,” depending on whether they are occupied by a registered voter.⁷² The authorities then consolidate and cross-check information from other government agencies to flag possible inaccuracies in the voter rolls, such as multiple entries for the same individual at different addresses.⁷³ Election officials follow up by mailing notices to households and/or specific individuals, reminding them to submit change-of-address forms to the voter registration agency.⁷⁴

Argentina has a similar cross-check program to ensure the accuracy of voters' address information. Twice per year, Argentina's National Elections Chamber (*La Camara Nacional Electoral*) conducts a cross-check among the voter databases (*registros de electores*) of each of the 24 electoral districts to ensure that nobody is accidentally registered in more than one district after a move.⁷⁵

Name Changes

As with address changes, name changes — due to marriage, divorce, or other reason — must be reflected in the voter database to ensure its accuracy. Countries that rely on data-sharing between government agencies to keep voters' addresses current rely on the same systems to keep names current. For instance, Canadian provincial motor vehicle and vital statistics bureaus are among a consortium of agencies that routinely transmit name changes to the federal election agency, which then inputs these changes into the national voter database.⁷⁶ As with address changes, these changes happen without any need for voters to interact with election officials directly.

B. Removing Deceased Voters

To keep voter rolls current, deceased voters must also be identified on a regular basis. As in the United States, most election authorities — including those in Australia, Canada, France, and Great Britain — flag deceased voters based on routine death reports provided by hospitals or bureaus of vital statistics. Civil registry agencies also receive information directly from these sources, and deaths that are recorded in civil registries will be reflected in the voter list culled for the next election.

The countries studied use various techniques to guard against mistakes. Some countries, for example, do not remove deceased voters from their rolls altogether, but instead attach a designation to a person's voter record that will prevent her information from appearing on subsequent voter lists. If the voter was not actually deceased, the designation can be removed. Great Britain, in contrast, deletes the entries of deceased voters from the rolls, but election authorities first contact residences to confirm that the individual in question should actually be removed from the voter list.⁷⁷

C. Voters Temporarily Disenfranchised Because of Conviction

In forty-eight out of fifty of the United States, some citizens are either permanently or temporarily barred from voting because of a criminal conviction; the patchwork process for citizens in some states to regain their voting rights has generated substantial confusion and controversy.⁷⁸ Most other democracies take a simpler approach.⁷⁹ Of the countries surveyed, Austria, Canada, Germany, Sweden and South Africa allow all incarcerated persons to vote.⁸⁰ The remaining countries disenfranchise limited classes of incarcerated persons for the duration of their prison sen-

tence, but may affirmatively assist with restoration of voting rights thereafter.⁸¹ For instance, while Argentina suspends voting rights for all inmates, it has in place a data-sharing agreement that automatically re-registers people with criminal convictions upon completion of their sentence.⁸²

V. IDENTIFYING GAPS AND CORRECTING INACCURACIES IN THE VOTER ROLLS

Even in the countries with the most robust, expansive programs for voter registration and list maintenance, some voters will not be accurately reflected on the voter rolls come Election Day. Some will move or change names right before an election. Mistakes are inevitable. As a result, many countries have developed safeguards to protect the voting rights of individuals who are not accurately reflected on the voter rolls.

Our survey revealed three such fail-safe processes. First, most countries publish preliminary voter lists, so that citizens can find and modify their own registration records. Second, some conduct targeted outreach to populations that are especially mobile or otherwise difficult to capture accurately on the rolls. Third, a few jurisdictions have adopted some form of registration or registration update on Election Day itself, for those who arrive at the polls and find their registration missing or incorrect. Some countries use a combination of these correction methods. Canada, for example, uses all three.

A. Publication of a Preliminary Voter List

Almost every country surveyed for this report produces preliminary voter lists in advance of an election in order to invite corrections from voters. Many countries, including Argentina, Austria, Indonesia, Peru, and South Africa, either make these preliminary voter lists available for viewing in public spaces or publish them locally. Other countries, including Canada and Sweden, use their preliminary voter lists to create personalized confirmation cards that invite correction mailed to each voter. In both scenarios, individual voters are allowed to submit corrections that will be accepted or rejected before Election Day.

Countries have different procedures for allowing and reviewing corrections to preliminary voter lists. In Austria, for example, any citizen who provides her name and address may object in writing or orally to an entry (or absence of an entry) on the list. Where a citizen claims the right to vote but was somehow left off of the civil registry producing the rolls, she may present documentary proof of residency and be added to the voter list.⁸³ In Canada, a voter who notices an error on her confirmation card may call her local election official and request a correction over the phone.⁸⁴ In Belize, local election officials are required to hold town hall meetings where they hear and make determinations on corrections to preliminary voter lists.⁸⁵

B. Targeted Outreach Campaigns

Targeted official voter registration drives can also be effective tools for reaching hard-to-find voters who may not otherwise be represented accurately on the rolls. At least six of the countries and provinces we surveyed conduct narrowly-tailored outreach campaigns to populations of voters who might not be captured by usual registration techniques. These campaigns exist both in countries that have government-initiated voter registration systems (like Canada), and in those that usually place the burden of registration on the individual (like Mexico).

Voters targeted for outreach typically live in geographically remote areas or are part of demographic groups with historically low registration rates. For instance, Mexico and Peru both deploy mobile registration units to rural communities.⁸⁶ South Africa sends door-knockers to areas with low registration rates, and to prisons to register or update the address information of incarcerated voters.⁸⁷ Australian election officials visit college campuses to register students; they also attend citizenship ceremonies, where they distribute registration forms that are pre-printed with each new citizen's information.

Governments also rely on the specialized knowledge of local election officials to identify places that could benefit from targeted outreach. In Canada, local election officials receive federal funds to conduct door-to-door voter registration drives in specific neighborhoods or buildings where they believe unregistered voters may live.⁸⁸ Common targets for such outreach include new housing developments, nursing homes, chronic care facilities, and college towns. Local election officials usually make two visits to each address, but if nobody is home on either attempt they will leave mail-in registration forms on the doorstep.⁸⁹

Modern technology helps target these outreach campaigns with greater precision and cost-effectiveness. Computer programs can analyze data provided by other government agencies to locate particular buildings or individuals that could benefit from targeted voter registration outreach.

Australia, as mentioned above, sorts and cross-checks residential information from various government sources to flag addresses that are likely to contain unregistered voters or voters whose information needs to be updated.⁸⁹ Among the households it flags are those where multiple occupants are registered to vote under different surnames, which may suggest that someone may have moved recently. Election officials follow up by mailing notices to the targeted locations, reminding them of the opportunity to submit change-of-address forms to the voter registration agency.⁹¹

C. Election Day Registration

Federal and provincial election authorities allow eligible citizens to register at their polling place.⁹² Federal elections in Canada generally take place over the course of several days, and “same day” registration is available throughout the voting period.⁹³ Since individuals have immediate recourse to correct inaccuracies on the voter list at the same time that they would otherwise cast a ballot, Election Day Registration is an effective tool for ensuring that no eligible voter is unnecessarily disenfranchised and that the voter rolls are as accurate as possible.⁹⁴

names and addresses are available for public inspection at government offices, but they are not available for sale.⁹⁸ Similarly, in Peru, the voter rolls made available to the public and political parties contain only voters' names, national ID number, and polling location.⁹⁹

A number of governments also have overarching privacy laws that govern the confidentiality of any voter information that is not expressly made public. Canada and Australia, for example, have Privacy Acts that criminalize any improper dissemination of personal information collected by government agencies, including that which is collected for the purpose of maintaining the voter rolls.¹⁰⁰

C. Opt-Out Opportunities

“Opt-out” opportunities allow individuals to exclude themselves from voter rolls, and thereby control the disclosure of their personal information. Even where voter registration is automatic — where individuals are added to the rolls and have their registrations updated without having to interact with election officials directly — voters may decide that they would rather not be included on the rolls.

Opt-out opportunities are presented to voters at different stages of the registration process in different countries. Québec election officials receive weekly data transmissions from the provincial health agency listing individuals who are about to turn 18 years old; the election officials mail these individuals notices informing them that unless they opt out, they will automatically be added to the voter rolls after their next birthday.¹⁰¹ Similarly, British Columbia's provincial driver's licensing authority will, as a default, share an individual's information with election authorities unless an individual fills out a special opt-out form.

Federal agencies in Canada take more of an “opt-in” approach: no federal agency will share an individual's personal information with federal election officials unless the individual grants express permission by checking a box on a standard agency form.¹⁰² On both the provincial and federal level, voters are also free to “de-register” at any time by requesting that officials remove their information from the voter database.

In Canadian federal elections and select provincial elections, eligible individuals who opt out of inclusion on the voter lists may still cast ballots at the polls using “same day” registration. This allows individuals to do so without sacrificing their ability to vote, although each time they go to the polls they will have to provide the identification required of Election Day registrants.

An additional form of an “opt out” is the opportunity to have one's registration information redacted from only the publicly available versions of the voter rolls. In Great Britain, for instance,

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An additional form of an “opt out” is the opportunity to have one's registration information redacted from only the publicly available versions of the voter rolls. In Great Britain, for instance, individuals can decline to be included on the public version of the voter rolls by simply marking

a checkbox on their annual canvass form; this will not affect their registration status or ability to vote in any way.¹⁰³

VI. CONCLUSION

American democracy is at a turning point. Structurally, our registration system is in a position similar to that of Canada and Australia in the late 1990s: the country is increasingly frustrated with the status quo, and poised to take advantage of enhanced technical capacity to modernize the way we do business. We, too, can capitalize on 21st century technology to automatically register voters and update their registration information, without any need for the outmoded bureaucracy that strains to keep pace with our unusual demand that individuals initiate the registration process. Such a change would add millions of eligible voters to the rolls, reduce deadwood on the rolls, and save states millions of dollars in administrative costs.¹⁰⁴

Other countries demonstrate that this bold reform is feasible. Canada, Australia, and a number of Canadian provinces all overhauled their registration systems in the late 1990s. Over the course of several years, they introduced voter databases that stay current using a basic structure prevalent in other advanced democracies as well: processing data that is continuously provided by other government agencies. Their experiences demonstrate that, with the proper safeguards, data-sharing can make the rolls more accurate. This is true not only because other agencies have more up-to-date information — including data on address changes — but also because eliminating the need for voters to submit paperwork to election officials drastically reduces the risk of inaccuracies on the voter rolls due to clerical error or mail problems.

Canada's experience also demonstrates that the cost of transitioning to a system that relies on data-sharing with other government agencies would be relatively low. Canada estimates that the total cost of developing its federal voter database and its data-sharing system, which includes over 23 million voters, was \$19.2 million Canadian dollars. In the United States, every state already has statewide voter registration databases with data-sharing capabilities, and so the primary cost of modernization would be the cost of setting up secure partnerships with other agencies. Figures from both Canada and Australia suggest that routine data-sharing would also be relatively inexpensive to maintain.

As this report shows, there are many different ways to design a registration system. Some rely on structures, like national civil registries, that may not be feasible or desirable to mimic here in the United States. Others, however, offer successful and transferable models that we would be wise to consider, as we improve the accuracy and reduce the cost of our own systems. These countries have already designed, tested, and refined their methods of voter registration. We can and should leverage their experiences.

ENDNOTES

- ¹ Mexico deploys mobile units to register voters who live in remote areas and who have been unable to travel to their nearest election office to register in person. *See* Mexico Appendix.
- ² According to a comparative study by the ACE Electoral Knowledge Network, a number of democracies that we did not survey in-depth also have government-initiated registration systems, in which elections authorities take proactive steps to include every eligible individual on the voter rolls. These countries include Bangladesh, Chile, Italy, Japan, Korea, Paraguay, Switzerland, and Taiwan. *See* ACE Electoral Knowledge Network, Comparative Data: Voter Registration, tbl. VR07, <http://aceproject.org/epic-en/vr> (last updated May 20, 2008) (last visited Dec. 4, 2008) [hereinafter ACE Comparative Data].
- ³ Statistics from the 2008 general election. Elections Canada, *Report of the Chief Electoral Officer of Canada on the 40th General Election of October 14, 2008*, at 24 (Feb. 3, 2009) available at http://www.elections.ca/gen/rep/re2/sta_2008/stat_report_e.pdf [hereinafter 40th General Election Report]; E-mail Correspondence from Marcel Vautour, International Research and Cooperation Analyst, Elections Canada (Jan-Mar. 2009) (on file with the Brennan Center for Justice) [hereinafter Vautour Correspondence].
- ⁴ Elections British Columbia, *Annual Report 2007–2008*, at 11 (Nov. 28, 2008), available at http://www.llbc.leg.bc.ca/public/PubDocs/bcdocs/309968/elections_bc_ar_2007_08.pdf [hereinafter Elections BC Annual Report 2007–2008].
- ⁵ Australian Electoral Commission, *Annual Report 2007-08*, at 30 (2008), available at http://www.aec.gov.au/pdf/publications/annual_report/2008/annualreport.pdf (statistics from June 2008); Isabel White, Parliament & Constitution Centre, *Electoral Register*, at 3 (last updated Mar. 10, 2005), available at <http://www.parliament.uk/commons/lib/research/briefings/snpc-03031.pdf>; Carlos Navarro, Case Study 5: Mexico, in GETTING TO THE CORE: A GLOBAL SURVEY ON THE COST AND REGISTRATION OF ELECTIONS, at 111 (Center for Transitional & Post-Conflict Governance, IFES & Bureau for Development Policy, UNDP, June 2005), available at <http://www.undp.org/governance/docs/Elections-Pub-Core.pdf>.
- ⁶ These countries and provinces are Argentina, Australia, Canada, France, and the Canadian provinces of British Columbia, Ontario, and Quebec.
- ⁷ Great Britain's proposed data-sharing program will allow election officials to obtain relevant information from various public agencies for the purpose of identifying unregistered voters, newly eligible voters, and voters whose addresses require updating. Election officials will then reach out to these voters, likely through individualized mailings. Telephone Interview by Jennifer Rosenberg with Andrew Scallan, Director, Electoral Administration and Boundaries, Electoral Commission (Apr. 20, 2009) [hereinafter Scallan Interview]. *See also* House of Commons, Daily Hansard Mar. 2, 2009, col. 653 et. seq., available at <http://www.publications.parliament.uk/pa/cm200809/cmhansrd/cm090302/debtext/90302-0014.htm> [hereinafter Daily Hansard]; Sam Coates, *New Ruling to Force British Voters to Show ID Before Voting*, TIMES OF LONDON, Mar. 3, 2009, available at <http://www.timesonline.co.uk/tol/news/politics/article5835407.ece>.
- ⁸ Argentina: International Institute for Democracy and Electoral Assistance, Voter Turnout: Country View—Argentina, http://www.idea.int/vt/country_view.cfm?CountryCode=AR (last updated May 19, 2009). Belize (own calculations): Elections & Boundaries Department, Belize General Elections & Referendum 2008, http://results.belize-elections.org/final_results/final_results.php; Elections & Boundaries Department, Electors by Division and Sex as at January 2008, http://www.belize-elections.org/stats_2008/div_sex_jan.html. Saskatchewan (own calculations): *Elections Canada, Report of the Chief Electoral Officer of Canada on the 40th General Election of October 14, 2008*, at 60

(Feb. 3, 2009), *available at* http://www.elections.ca/gen/rep/re2/sta_2008/stat_report_e.pdf; Statistics Canada, 2006 Census of Population, Statistics Canada catalogue no. 97-551-XCB2006011. Great Britain: Office for National Statistics, UK Electoral Statistics (2008), http://www.statistics.gov.uk/downloads/theme_other/UK_Electoral_statistics_2008.xls. Mexico: Navarro, *supra* note 5, at 111. Peru (own calculations): Jurado Nacional de Elecciones, *Elecciones Generales 2006: Elección Presidencial, Congreso y al Parlamento Andino: Resultados*, at 21, *available at* http://www.jne.gob.pe/informacionelectoral/estadisticaelectoral/1_1.pdf. Sweden (own calculations): International Institute for Democracy and Electoral Assistance, Voter Turnout: Country View—Sweden, http://www.idea.int/vt/country_view.cfm?CountryCode=SE (last updated May 19, 2009); Statistics Sweden, Population Statistics, Population by region, marital status, age, sex, and period (18 to 100+ years, all), <http://www.ssd.scb.se/databaser/makro/produkt.asp?produktid=BE0101&lang=2>. Belgium (own calculations): Belgium, Élections Fédérales 2007: Chambre—Résultats des listes, http://elections2007.belgium.be/fr/cha/results/results_graph_etop.html; International Institute for Democracy and Electoral Assistance, Voter Turnout: Country View—Belgium, http://www.idea.int/vt/country_view.cfm?CountryCode=BE (last updated May 19, 2009). Indonesia: Development Associates, *Considerations for a New Voter Registration System for Ukraine*, at 85 (Aug. 2006), *available at* <http://aceproject.org/ero-en/regions/asia/ID/indonesia-voter-registration-case-study.pdf>. Ontario (own calculations): Elections Canada, *Report of the Chief Electoral Officer of Canada on the 40th General Election of October 14, 2008*, at 60 (Feb. 3, 2009) *available at* http://www.elections.ca/gen/rep/re2/sta_2008/stat_report_e.pdf; Statistics Canada, 2006 Census of Population, Statistics Canada catalogue no. 97-551-XCB2006011. Austria: International Institute for Democracy and Electoral Assistance, Voter Turnout: Country View—Austria, http://www.idea.int/vt/country_view.cfm?CountryCode=AT (last updated May 19, 2009). Canada: Vautour Correspondence, *supra* note 3. Germany (own calculations): Statistisches Bundesamt, *Sonderheft: Erste Ergebnisse aus der Repräsentativen Wahlstatistik für die Bundesrepublik Deutschland*, at appendix tbl. 2 (Oct. 2005), *available at* http://www.bundeswahlleiter.de/en/bundestagswahlen/BTW_BUND_05/veroeffentlichungen/veroeffentlichungen/endafassung_unterstichprobe_2005.pdf; International Institute for Democracy and Electoral Assistance, Voter Turnout: Country View—Germany, http://www.idea.int/vt/country_view.cfm?CountryCode=DE (last updated May 19, 2009). Australia: Australian Electoral Commission, *Annual Report 2007-08*, at 30 (2008), *available at* http://www.aec.gov.au/pdf/publications/annual_report/2008/annualreport.pdf. Québec (own calculations): Le Directeur Général des Élections du Québec, About the Permanent List of Electors, http://www.electionsquebec.qc.ca/en/permanent_list_electors.asp (last updated May 6, 2009); Institut de la Statistique Québec, Population par année d'âge et par sexe, Québec, 1er juillet 2008, http://www.stat.gouv.qc.ca/donstat/societe/demographie/struc_popl/201_08.htm (Jan. 2009). Burundi: International Institute for Democracy and Electoral Assistance, Voter Turnout: Country View—Burundi, http://www.idea.int/vt/country_view.cfm?CountryCode=BI (last updated May 19, 2009). France: International Institute for Democracy and Electoral Assistance, Voter Turnout: Country View—France, http://www.idea.int/vt/country_view.cfm?CountryCode=FR (last updated May 19, 2009). British Columbia: Elections BC, *Annual Report 2007-2008*, at 11 (2008), *available at* <http://www.elections.bc.ca/docs/rpt/EBC-AnnualReport-0708.pdf>. South Africa: Institute for Security Studies, *Voter Turnout Key to South Africa's 2009 Elections*, Mar. 23, 2009, *available at* <http://www.polity.org.za/article/voter-turnout-key-to-south-africa-2009-elections-2009-03-23>. Bahamas (own calculation): Clunis Devaney, Press Release: General Election Results Official (May 7, 2007), <http://www.bahamas.gov.bs/bahamasweb2/home.nsf/c5d1826da66595d206256f03005e99f2/67f2a5b6dc25b933852572d4006bf87e!OpenDocument>; International Institute for Democracy and Electoral Assistance, Voter Turnout: Country View—Bahamas, http://www.idea.int/vt/country_view.cfm?CountryCode=BS (last updated May 19, 2009). United States: U.S. Census Bureau, *Voting and Registration in the Election of November 2006*, at 1 (Mar. 2006), *available at* <http://www.census.gov/prod/2008pubs/p20-557.pdf>.

⁹ One exception is Australia. Australia uses data-sharing with other government agencies to identify unregistered voters, but then mails these individuals registration packets that must be returned directly to the election agency. A similar process exists in Canada for new voters whose information, as transmitted to election officials from another government agency, is insufficient to add them to the rolls. See Appendix A: Canada.

- ¹⁰ See Electoral Council of Australia, *Report of the Visit by the Electoral Council of Australia Delegation to Elections Canada in June 1999 to Study the Canadian National Register of Electors*, Report No. 152 (July 1999), available at http://www.eca.gov.au/reports/address_change.pdf [hereinafter Electoral Council of Australia Report on Canada].
- ¹¹ Both Canada and the United States have mobility rates of 14%, reflecting the percentage of the population that moves every year. Compare Statistics Canada, 2006 Census: Mobility Status 1 Year Ago, <http://www.statcan.gc.ca/bsolc/olc-cel/olc-cel?catno=97-556-X2006008> (citing a 14.1% mobility rate), with U.S. Census Bureau, Geographical Mobility: 2005 to 2006, <http://www.census.gov/population/www/socdemo/migrate/cps2006.html> (citing a 13.7% mobility rate).
- ¹² 40th General Election Report, *supra* note 3.
- ¹³ In addition to updating the voter rolls using information provided by other government agencies, Canada makes a concerted effort to register additional voters through a nationwide outreach program that takes place once every four years, during the month leading up to a general election. This program includes door-to-door outreach known as “targeted revision,” which is typically conducted in neighborhoods and housing units with historically low registration rates. This outreach accounts for roughly 10% of updates to the voter rolls; the remaining 90% of information comes from other agencies that routinely share data with Elections Canada. See Appendix A: Canada.
- ¹⁴ A list of the agencies that have data sharing agreements with Elections Canada is available in *Report of the Chief Electoral Officer of Canada on the 39th General Election of January 23, 2006*, at 140-141 (May 2006), available at http://www.elections.ca/gen/rep/re2/statreport2006_e.pdf.
- ¹⁵ Although federal election authorities in Canada will not add anyone to the voter database unless she has affirmed her citizenship — either with the originating agency or with the federal election agency — the voter rolls do not contain citizenship information.
- ¹⁶ Telephone Interview by Jennifer Rosenberg with Rennie Molnar, Associate Deputy Chief Electoral Officer, Electoral Events, Elections Canada, formerly Executive Director, Operations, Register and Geography (May 3, 2009) [hereinafter Molnar Interview]. For more information on which agencies provide complete information and which agencies provide information that typically require follow-up, see Appendix A: Canada.
- ¹⁷ Since the citizenship checkbox on tax forms is relatively new, Elections Canada does not automatically add to the rolls unregistered individuals it learns about from the federal tax authority. Rather, Elections Canada uses its family matching program, discussed *supra* in text accompanying note 16 to confirm citizenship information and, where necessary, sends citizenship confirmation forms to these voters. Anyone who does not return the form may complete the registration process at the polls and still cast a regular ballot. Elections Canada is currently conducting quality control reviews and hopes that in the near future, the intermediate step can be eliminated. Molnar Interview, *supra* note 16.
- ¹⁸ During the 2008 general election, 731,000 voters either registered for the first time or corrected their existing registrations at the polls on Election Day. 40th General Election Report, *supra* note 3, at 24.
- ¹⁹ In order to register at the polls, voters must either show documentary proof of their identity and address, or swear an oath attesting to their voting eligibility, with another voter vouching for their status. Voters can satisfy the documentary identification requirement in by showing a government-issued photo ID, such as a driver’s license, or by providing two alternative pieces of identification, both of which must contain her name and one of which must contain her address (e.g., a utility bill or bank statement). Canada Elections Act, 2000 S.C., c. 9 § 161 (Can.).
- ²⁰ Previously, Canada relied on door-to-door enumeration to build new voter rolls each election cycle. Although Canada achieved high coverage rates using enumeration — on average, the resulting voter

lists captured approximately 95% of eligible voters — by the mid-1990s there was broad political support for modernization. This was largely due to a consensus among legislators and researchers that the changeover would garner significant cost-savings without sacrificing voter list accuracy. *See generally* Jerome H. Black, *From Enumeration to the National Register of Electors: An Account and Evaluation*, CHOICES (Institute for Research on Public Policy, Québec Aug. 2003), *available at* <http://www.irpp.org/choices/archive/vol9no7.pdf>.

- ²¹ These cost-savings exceeded Canada's expectations. Initial projections stated that the cost of developing the new data-sharing system would not be recouped until two election cycles had passed. Interview by Jennifer Rosenberg with Jean-Pierre Kingsley, CEO, International Federation for Electoral Systems, and former Chief Electoral Officer of Canada (Apr. 29, 2009).
- ²² Electoral Council of Australia Report on Canada, *supra* note 10, at 18-21.
- ²³ Molnar Interview, *supra* note 16.
- ²⁴ ACE Comparative Data, *supra* note 2, tbl. VR07.
- ²⁵ A limited exception exists in Mexico, where the government sends election officials to remote rural areas to conduct in-person voter registrations. For more information, see Mexico Appendix.
- ²⁶ Although South Africa requires voters to register in-person at their local voting station or election office, because South Africa's central election authority employs tens of thousands of temporary workers every election cycle to open registration offices, conduct comprehensive government-sponsored registration drives, and otherwise facilitate registration, we do not consider it to have a self-initiated system akin to that of the Bahamas, Belize, Burundi, or Mexico. For more information on voter registration in South Africa, see South Africa Appendix.
- ²⁷ According to the ACE Electoral Knowledge Network, numerous countries that the Brennan Center did not include in its survey also rely on data-sharing with other government agencies to populate and update their voter rolls. ACE Comparative Data, *supra* note 2, tbl. VR07.
- ²⁸ In most of the countries we surveyed, the legal voting age is 18 years. A handful of countries have slightly older or younger requirements. In Argentina and Lichtenstein, the voting age is 20. Austria extends the franchise to 16 year olds. *See id.*, tbl. VR01.
- ²⁹ C. ÉLEC. art. L17-1 (Fr.).
- ³⁰ This is the primary way the Ministry of Defense compiles its conscription list, and in this respect attendance is similar to the act of registering for Selective Service in the United States. Telephone Interview by Romain Dupeyre, Dechert LLP with Mr. Girado, Elections Officer, Bureau des élections de Paris (Mar. 16, 2007).
- ³¹ For more information on Canada's registration procedures, see Appendix A: Canada.
- ³² These provinces formerly relied on door-to-door enumerations to register voters, but stopped enumerating in the late 1990s, in favor of permanent voter registries that are continuously updated based on data-sharing with other government agencies. Each province transitioned to data-sharing in its own way, and each has come to rely more or less heavily on particular agencies. Québec, for instance, routinely cross-checks its voter database against its provincial health insurance database. Because each voter has a unique numerical code that corresponds with her entry in the health database, updates to one database can be immediately reflected in the other. Memorandum from the Directeur Général des Élections du Québec to the Brennan Center for Justice (Feb. 28, 2008) (on file with the Brennan Center for Justice) [hereinafter Québec Memo]. Ontario, by contrast, focuses more heavily on adding voters through provincial property tax lists. Telephone Interview by Judith Joffe-Block with John Hollins, Chief Electoral Officer, Elections Ontario (Jan. 23, 2008).

- ³³ Québec Memo, *supra* note 32.
- ³⁴ Voting is compulsory in Argentina, although citizens who are older than 70 years of age or who are more than 500 km away from the home address at the time of the election, among others, are exempt from voting. Law No. 19945, Aug. 18, 1983, 22568 B.O. ch. I, art. 12 (Arg.).
- ³⁵ Law No. 17671, Feb. 29, 1968, 21393 B.O. ch. III, § II, art. 10 (Arg.).
- ³⁶ Letter from Daniela Sayal, Secretaria Electoral, Distrito Capital Federal, to Judith Joffe-Block (May, 2008) (on file with the Brennan Center for Justice).
South Africa also allows 16 year olds to pre-register to vote, and encourages them to do so during government-sponsored voter registration drives that take place throughout the country every election cycle. Individuals who pre-register are placed on a provisional list, and their information is transferred automatically to the national voter rolls on their 18th birthdays. Electoral Act 73 of 1998 s. 6 (S. Afr.); Electoral Act 7 of 1998 s. 3 (S. Afr.). *See also* South Africa Appendix.
- ³⁷ E-mail Correspondence from Samuel Hannan-Morrow, Roll Management Branch, Australian Electoral Commission (Mar. 2009) (on file with the Brennan Center for Justice) [hereinafter Hannan-Morrow Correspondence].
- ³⁸ Vautour Correspondence, *supra* note 3. *See also* Elections Canada, Description of the National Register of Electors (Feb. 2005), <http://www.elections.ca/content.asp?section=ins&document=national&dir=nre&lang=e&textonly=false> [hereinafter Elections Canada National Register].
- ³⁹ Québec Memo, *supra* note 32; Le Directeur Général des Élections du Québec, Registering, Changing or Striking Your Entry on the Permanent List of Electors, <http://www.electionsQuebec.qc.ca/en/registering.asp#no3>.
- ⁴⁰ Telephone Interview by Judith Joffe-Block with Paul Dacey, Deputy Electoral Commissioner, Australian Electoral Commission (Jan. 11, 2008).
- ⁴¹ In Peru, for example, civil registration dates back to colonial times. Registro Nacional de Identificación y Estado Civil, Acerca del RENIEC—Historia, <http://www.reniec.gob.pe/portal/AcercaReniec.jsp?id=3>.
- ⁴² *See, e.g.*, Sweden and Austria. Swedish Tax Agency, *Population Registration in Sweden* 7 (Publ'n No. SKV 717B, 4th ed. 2007), available at <http://www.skatteverket.se/download/18.5cbdbba811c9a768f0c80002830/717b04.pdf> [hereinafter Population Registration in Sweden]; Austrian HELP, Information for Foreign Citizens, After the Birth—Registering at Birth/Initial Issuance of a Birth Certificate, <http://www.help.gv.at/Content.Node/143/Seite.1430400.html> (last updated Jan. 1, 2009).
- ⁴³ Additional countries that cull their voter rolls from larger civil registries, but which the Brennan Center did not survey in-depth, include: Denmark, Finland, Iceland, Italy, Norway, South Korea, Spain, Switzerland, and Taiwan. ACE Comparative Data, *supra* note 2.
- ⁴⁴ *See, e.g.*, Population Registration in Sweden, *supra* note 42, at 2.
- ⁴⁵ Austrian HELP, Information for Foreign Citizens, Registrations—Residence Registration and De-registration, <http://www.help.gv.at/Content.Node/140/Seite.1400000.html> (last updated Jan. 1, 2009). *See also* Population Registration in Sweden, *supra* note 42, at 8 (requiring residents of Sweden who are engaged to be married to report anticipated surname changes to the national registry agency, before the date of their wedding ceremony).
- ⁴⁶ Letter from Stephen DeMul, Director of Elections, Belgium, to Judith Joffe-Block (Apr. 14, 2008) (on file with the Brennan Center for Justice).
- ⁴⁷ In Germany, each municipality is responsible for maintaining a local “residence register,” or registry

of households. Each time an eligible voter registers or deregisters with local department for residence registration (*Einwohnermeldeamt*), the local voter roll is updated accordingly. Bundeswahlordnung (BWO) (*Federal Election Regulation*) §§ 14-17; Bundesdatenschutzgesetz (BDSG) (*Federal Election Act*) § 17 (F.R.G.).

⁴⁸ See, e.g., text accompanying notes 85-87.

⁴⁹ More detailed information about how Saskatchewan conducts enumerations can be found in the Saskatchewan Appendix. India offers another example of a registration system that relies on door-to-door enumerations. For a more comprehensive explanation of how India enumerates every five years and updates its voter rolls during the interim, see Election Commission of India, *A Guide for the Voters 2* (2006), available at http://www.eci.gov.in/ECI_voters_guideline_2006.pdf.

⁵⁰ Saskatchewan Election Act Election Act § 25-27. For more information on voter registration in Saskatchewan, see Saskatchewan Appendix.

⁵¹ See Jacqueline Peschard, *Mexico's Search for Credibility*, 3(3) ELECTION L.J. 412, 412 (2004) (“[T]he most salient characteristic [of Mexico’s former elections] was . . . everyone knew that they were a mere ritual to formally sanction what the government and the ruling party . . . had previously decided.”), available at <http://www.liebertonline.com/doi/pdfplus/10.1089/1533129041492204>.

⁵² Navarro, *supra* note 5, at 111-112.

⁵³ Peschard, *supra* note 51, at 415. *But see* Mexico Appendix (explaining that Mexico conducts affirmative outreach to seek out and register rural voters).

⁵⁴ See generally The Carter Center, *2004 Indonesia Election Report*, at 27, 48 (June 2005), available at <http://www.cartercenter.org/documents/2161.pdf>; INTERNATIONAL FOUND. FOR ELECTORAL SYS., *2004 ELECTIONS IN THE REPUBLIC OF INDONESIA: LOOKING BACK AND LOOKING FORWARD* (Dec. 2005), available at http://www.ifes.org/publication/9ac91198c7eda20cf140c422923d85b7/IFES_Indonesia_Election_Report.pdf.

⁵⁵ *Id.* at 15-17.

⁵⁶ *Id.* While Indonesian policymakers have proposed the creation of a continuous update system that would keep this database accurate for elections, such a system has yet to be implemented. *Id.* at 17.

⁵⁷ The annual canvass was established by the Representation of the People Act 1983. Representation of the People Act 1983, c. 2, § 10, as substituted by Representation of the People Act 2000, c. 2, sched. 1 (Eng.), available at http://www.opsi.gov.uk/Acts/acts2000/ukpga_20000002_en_1.

⁵⁸ The list of households is compiled from several sources, including local property records that reflect new real estate developments and catalogue multiple occupancy buildings. Election authorities are also authorized to elicit information on eligible voters from private companies and organizations. See, e.g., Electoral Commission, *Managing Electoral Registration in Great Britain: Guidance for Electoral Registration Officers*, at pts. C §§ 3.14-3.17; E §§ 2.1-2.4 (Feb. 2008), available at http://www.electoralcommission.org.uk/__data/assets/pdf_file/0006/42927/Full-ERO-FINAL_amended_18_July_2008_PartH_p17.pdf.

⁵⁹ Telephone Interview by Judith Joffe-Block with Kate Sullivan, Head of Electoral Administration, Electoral Commission (Dec. 11, 2007). A handful of election officials also hire canvassers to go door-to-door in certain areas, delivering and/or collecting canvass forms.

⁶⁰ The new system is expected to go online in 2012 and replace the annual canvass entirely by 2015. Scallan Interview, *supra* note 7. See also Daily Hansard, *supra* note 7.

⁶¹ Governments that assume responsibility for registering citizens as they initially become eligible may

or may not also assume primary responsibility for updating registration information. In France, for example, municipal election authorities automatically add 18-year-old citizens to the voter rolls, but individuals are expected to report any subsequent changes in registration information for their records to remain current. The opposite is also possible: a government could place the responsibility of initial registration on individuals, but accept responsibility for list maintenance by utilizing information from other sources to update registration addresses. Indeed, this practice is partially in place states like Arizona and Michigan, which automatically update voters' addresses based on information collected by drivers' licensing agencies, as well as Minnesota, which uses postal service data to automatically update voters' addresses.

- ⁶² In addition to comparing information from agencies within state bounds, several states have already harnessed technology to share voter information across state lines. See Memorandum of Understanding Between the States of Missouri, Iowa, Nebraska and Kansas for the Improvement of Election Administration (Dec. 2005), available at http://www.sos.mo.gov/elections/2005-12-11_MO-KS-IA-NE-MemorandumOfUnderstanding.pdf; Office of the Kansas Secretary of State, *Data Crosschecking Expanding to Other States*, Canvassing Kansas (Sept. 2007), available at http://www.kssos.org/forms/communication/canvassing_kansas/sept07.pdf. Thus far, however, most interstate efforts have focused on identifying citizens who may be ineligible to vote locally, rather than citizens who may have become eligible to vote.
- ⁶³ The six countries with civil registries require individuals to self-report address and name changes to registry officials. Argentina, for example, requires residents to file address changes within 90 days of moving. Law No. 17671, June 15, 2005, Ley de Identificación, Registro y Clasificación del Potencial Humano Nacional [Identification, Registration, and Classification of Human Potential Law], ch. V, § II, art. 20 (Arg.). Austrians who move within the country have only three days to report address changes to municipal authorities. Austrian HELP, Information for Foreign Citizens, *supra* note 45.
- ⁶⁴ The remainder may correct their address information at the polls. The percentage of voters on the rolls with accurate information at any given point is called the “currency rate.” As further explained below, Canada makes a concerted effort to improve its currency rate by updating the remaining addresses — and registering the remaining 7% of eligible voters — through an affirmative outreach campaign that takes place on the eve of major national elections, which generally occur every four years.
- ⁶⁵ *Id.* See also, e.g., Elections BC Annual Report 2007–2008, *supra* note 4, at 11–12 (noting that between 2001 and 2006, over 13% of British Columbia’s population over the age of 5 moved within the province, and that in 2006, over 11% of its households notified Canada Post of a change of address).
- ⁶⁶ Le Directeur Général des Élections du Québec, About the Permanent List of Electors, n.2, http://www.electionsQuebec.qc.ca/en/permanent_list_electors.asp (last modified Sept. 16, 2008). British Columbia’s election agency also receives a large share of its address updates from the Insurance Corporation of British Columbia, the sole provider of basic car insurance in the province.
- ⁶⁷ That is, 98% of the voters entered in Québec’s database did not need to revise their address information during the pre-election revision period or at the polls. *Id.*
- ⁶⁸ In the United States, in order to protect voters who change their postal delivery without changing their residential address, the National Voter Registration Act requires the voter to confirm a move in writing; without the voter’s confirmation, election registrars may change a voter’s address automatically, based on a postal notification alone, only if the voter has moved within the registrar’s jurisdiction. The NVRA also authorizes local registrars to effect half of an update, removing voters from the rolls based on postal notification, if the voter is sent a postage-prepaid forwardable postcard and does not return the card or vote before the second Federal general election; the law does not similarly provide for a local registrar in the jurisdiction to which the voter has moved to add the voter to the rolls at the address designated by the postal change of address. 42 U.S.C. § 1973gg-6(c)-(d).

- ⁶⁹ Unlike Canada, Australia does not automatically input these address changes into its voter database. Instead, Australian election authorities send voters postcards reminding them to update their voter registrations. Enrolment Steering Committee, *2004–2005 Continuous Roll Update*, at § 1.1, available at http://www.eca.gov.au/reports/cru_report_0405.pdf; Australian Electoral Commission, Electoral Roll Review, http://www.aec.gov.au/Enrolling_to_vote/About_Electoral_Roll/Roll_review.htm (last updated Aug. 3, 2007) [hereinafter Australian EC Electoral Roll Review].
- ⁷⁰ ServiceOntario, ServiceOntario Address Change, <https://www.indcoi.serviceontario.ca/WebChannel/?lang=en>.
- ⁷¹ Services Québec, Service Québécois de Changement d’Adresse, <http://www.adresse.info.gouv.qc.ca/en/service.asp> (last modified Jan. 24, 2008).
- ⁷² Australian Electoral Commission, *Submission to the Joint Standing Committee on Electoral Matters: The Conduct of the 1998 Federal Election*, at § 4.3.4 (Mar. 12, 1999), available at http://www.aec.gov.au/pdf/committee/jscom/1998_election/sub88.pdf.
- ⁷³ Australian EC Electoral Roll Review, *supra* note 69.
- ⁷⁴ *Id.*
- ⁷⁵ *Id.*
- ⁷⁶ E-mail from Nan Smith, Senior Project Manager, Elections Canada, to Judith Joffe-Block (Jan. 7, 2008).
- ⁷⁷ Telephone Interview by Judith Joffe-Block with Kate Sullivan, *supra* note 59.
- ⁷⁸ See ERIKA WOOD, *RESTORING THE RIGHT TO VOTE* 4 (Brennan Center for Justice ed. 2008), available at <http://www.brennancenter.org/page/-/Democracy/Restoring%20the%20Right%20to%20Vote.pdf>.
- ⁷⁹ See generally American Civil Liberties Union, *Out of Step With the World: A Brief Overview of Felon Disenfranchisement in the U.S. and Other Democracies* 6 (May 2006), available at http://www.aclu.org/images/asset_upload_file825_25663.pdf.
- ⁸⁰ *Id.* at 6, Tbl. 1, 11-20 (noting Austria, Germany, Sweden and a case study for South Africa); Elections Canada, Voting by Incarcerated Electors (March 2006), at <http://www.elections.ca/content.asp?section=gen&dir=bkg&document=ec90545&lang=e&textonly=false>. Germany and Austria suspend the voting rights of certain prisoners after their release from prison. In Germany, the right to vote may be revoked up to five years, but that power is rarely exercised. (Only 11 people were disenfranchised under this judicial authority in 1984.) American Civil Liberties Union, *supra* note 79, at 6 fn. 19. In Austria, the right to vote may only be suspended for a maximum of six months, and it is automatically restored thereafter. *Id.*
- ⁸¹ Until recently, the United Kingdom currently disenfranchised all incarcerated persons. However, in 2005, the European Court of Human Rights found that the general and automatic disenfranchisement was in violation of United Kingdom’s Human Rights Act of 1998. See *Hirst v. United Kingdom* (No. 2), app. No. 74025/01, slip op. ¶¶ 33-34 (ECHR Oct. 6, 2005); American Civil Liberties Union, *supra* note 79, at 15-17. While the United Kingdom has not yet entirely removed the voting ban on incarcerated persons, some implementation of the European Court of Human Rights judgment has begun. Immediately after the court’s decision, the United Kingdom Electoral Commission adjusted its ban to allow prisoners in “intermittent custody” the right to vote if they were already on the register for the 2005 election.
- ⁸² Local election officials in Argentina utilize information routinely provided by corrective services departments to add voters back on the rolls once they are released from prison. Letter from Daniela

- Sayal to Judith Joffe-Block, *supra* note 36. See also Código Federal de Instituciones y Procedimientos Electorales, [COFIPE] [Federal Code of Electoral Institutions and Procedures], *as amended*, art. 192(3), Diario Oficial de Federación, 3 de Octubre de 2008 (Mex.); Commonwealth Electoral Act, 1918, § 109 (Austl.).
- ⁸³ § 28 ¶ 1 NWRO BGB1 471/1992 (as amended 2002) (statute entitled *Bundesgesetz über die Wahl des Nationalrates*, or Federal Law on the Election of the National Council).
- ⁸⁴ Telephone Interview by Jennifer Rosenberg with Nan Smith, Senior Project Manager, Elections Canada (Mar. 23, 2009)
- ⁸⁵ Registration of the People Act Registration Rules § 49 (Belize). The local election official must provide six days advance public notice of the meeting. *Id.*
- ⁸⁶ Navarro, *supra* note 5, at 115 (Mexico); Telephone Interview by Judith Joffe-Block with Sergio Bernales, Gerente de Operaciones Registrales del RENIEC (Feb. 21, 2008) (Peru).
- ⁸⁷ INDEPENDENT ELECTORAL COMMISSION, 2004 ELECTIONS: REPORT ON THE NATIONAL AND PROVINCIAL ELECTIONS, at 24-28 (2004), *available at* <http://www.elections.org.za/papers/143/iec.pdf>.
- ⁸⁸ British Columbia conducts a similar program, by mail, and with the opportunity to register or update registration information online. Telephone Interview by Judith Joffe-Block with Linda Johnson, Deputy Chief Election Officer, Elections British Columbia (Jan. 11, 2008). Voters still have the option the complete voter registration updates in person, or by mail, fax, or telephone. Elections British Columbia, Online Voter Registration—Frequently Asked Questions, <http://www.elections.bc.ca/docs/aps/ovr/FAQs.htm>.
- ⁸⁹ In chronic care facilities and nursing homes, election officials eliminate chain of custody concerns by collecting registration forms directly from each voter. For more information on Canada’s “targeted revision” program, see Appendix A: Canada.
- ⁹⁰ Australian Electoral Commission, *Submission to the Joint Standing Committee on Electoral Matters: The Conduct of the 1998 Federal Election*, at § 4.3.4 (Mar. 12, 1999), *available at* http://www.aec.gov.au/pdf/committee/jssem/1998_election/sub88.pdf.
- ⁹¹ Australian EC Electoral Roll Review, *supra* note 69.
- ⁹² See, e.g., Election Act, R.S.B.C., ch. 106, §§ 41, 41.1 (2008) (British Columbia); Election Act, R.S.O., ch. E. § 47.1 (2009) (Ontario); Election Act, S.S., ch. E-6.01, §§ 65(2), 70 (2006) (Saskatchewan); Election Act, R.S.Q., ch. E-3.3, § 193 (2008) (Québec).
- ⁹³ Voters who register at the polls must either show documentary proof of their identity and address, or else take an oath and be vouched for by another voter who attests to their voting eligibility. Elections Canada, Backgrounders: Registration at the Polls (Jan. 2008), <http://www.elections.ca/content.asp?section=gen&document=ec90525&dir=bkg&lang=e&textonly=false> (last modified Sep. 10, 2008).
- ⁹⁴ Eight of the United States — Idaho, Iowa, Maine, Minnesota, Montana, New Hampshire, Wisconsin, and Wyoming — also allow Election Day Registration. North Carolina permits same day registration during its early voting period. North Dakota does not require voter registration at all.
- ⁹⁵ Vautour Correspondence, *supra* note 3.
- ⁹⁶ *Id.* As an exception, the Australian Electoral Commission will share voter information with government law enforcement agencies. Telephone Interview by Judith Joffe-Block with Paul Dacey, *supra* note 40.

- ⁹⁷ Vautour Correspondence, *supra* note 3; Hannan-Morrow Correspondence, *supra* note 37.
- ⁹⁸ Individuals and groups that receive information from Australia's voter rolls are subject to end-use restrictions under the Privacy Act of 1988. Telephone Interview by Tamela Smith with Paul Dacey, Deputy Electoral Commissioner, Australian Electoral Commission (Mar. 23, 2007). In addition, Australia expressly prohibits commercial use of voter rolls. Commonwealth Electoral Act, 1918, § 90B(3) (Austl.). France, by contrast, grants individuals and organizations ready access to copies of the voter rolls. C. ÉLEC. art. L28 (Fr.).
- ⁹⁹ Ley Organica de la Oficina Nacional de Procesos Electorales, No. 26487, art. 197 (1995) (Peru). *See also* E-mail from Emerson Romero, Sub Gerencia de Actividades Electorales, RENIEC, to Jonathan Blitzer (May. 7, 2009) (on file with the Brennan Center).
- ¹⁰⁰ Elections Canada National Register, *supra* note 38.
- ¹⁰¹ Québec Memo, *supra* note 32.
- ¹⁰² *See also* Appendix A: Canada.
- ¹⁰³ In Great Britain, information collected for voter registration purposes is also used to create jury lists. In addition, British law expressly grants credit agencies complete access to the electoral rolls, including the names and addresses of voters who opted out of being included in public versions of the lists. Telephone Interview by Judith Joffe-Block with Kate Sullivan, *supra* note 59.
- ¹⁰⁴ WENDY WEISER, MICHAEL WALDMAN, & RENÉE PARADIS, VOTER REGISTRATION MODERNIZATION, (Brennan Center for Justice ed. 2008), *available at* http://www.brennancenter.org/content/resource/voter_registration_modernization/.

APPENDIX A: CANADA

DEMOGRAPHICS

Canada has a federalist system composed of ten provinces and three territories. In Canada, federal and provincial governments administer elections separately, and the federal government maintains a national voter registry for use in federal elections.¹ The total population of Canada is 31,612,897.² The national voter roll includes 93% of eligible voters, over 23.6 million individuals, and 84% of these voters are registered at their current address.³ Voting and voter registration are voluntary.

ELECTION ADMINISTRATION

Federal general elections in Canada typically occur every four years, on the third Monday of October.⁴ The Canada Elections Act lays out the procedures of the voting process and mandates that certain election activities be carried out by specific dates. Federal elections are administered by an independent, non-partisan body called Elections Canada. The head of Elections Canada, the Chief Electoral Officer, manages a permanent staff of 330.⁵ However, during the election period, Elections Canada temporarily hires 190,000 people nationwide to assist in election administration.⁶ This includes 308 individuals officially known as “returning officers,” non-partisan ten-year appointees of the Chief Electoral Officer. Returning officers oversee all aspects of election administration — including last-minute additions and updates to the voter rolls — in each district. Immediately after an election is called, returning officers open their field offices and start mobilizing equipment and resources to prepare for the election.⁷

Advance voting for federal elections is available nationwide, on the tenth, ninth, and seventh days before Election Day.⁸ Canadians who cannot make it to the polls on these days may cast absentee ballots, either by mail or in-person at their local election office.

VOTER REGISTRATION

The Canadian government assumes responsibility for registering every eligible voter and ensuring that her registration information stays up-to-date. The federal election agency accomplishes this by collecting and processing information from other government entities, including departments of motor vehicles. As a result of this routine data-sharing among agencies, many Canadians get added to the voter rolls, and have their address information updated, without needing to interact with election officials.

Voter Database

Canada's voter database is officially called the National Register of Electors. It contains the following information on each eligible voter: name, sex, birth date, and residential and mailing addresses. The database contains no records relating to an individual's voting history or citizenship status. To facilitate recordkeeping, each voter is assigned a unique identifier when they are added to the database for the first time.⁹

While Canada's government has historically assumed responsibility for registering all eligible voters and updating their registration information, the National Register is relatively new. For decades, Canada built its voter rolls by conducting a nationwide door-to-door enumeration each election cycle, similar to how the United States conducts its decennial census. Canada conducted its final enumeration in 1997 and used that enumeration as a base list for creating the National Register, which was first used during Canada's 2000 general election.¹⁰ Canada spent a total of \$19.2 million Canadian dollars developing the National Register's data-sharing system; the bulk of the expense was for computer hardware and software.¹¹

Approximately one month before Election Day, the National Register is used to prepare "preliminary" voter lists for each voting district.¹² These lists are given to local election officers who will continue to add new voters and update voters' address information throughout the election period. Voters may also register or make corrections to their registration information at the polls.

Registering New Voters

Elections Canada takes the initiative to register new voters. The agency updates the National Register year-round, relying on information that 40 different government agencies provide to election authorities on a regular basis, usually monthly.¹³ Depending on the completeness of the information provided, election officials will either add new voters to the rolls or send individuals a mailing to acquire missing eligibility information; such mailings are pre-printed with individuals' names and addresses and come with postage-paid return envelopes.

This inter-agency data sharing accounts for roughly 90 percent of all additions and updates to the voter rolls.¹⁴ Sources of information include: provincial and territorial bureaus of motor vehicles, provincial and territorial election authorities, the national postal service, and the federal tax authority.¹⁵ Each of these agencies has its own data-sharing agreement with Elections Canada, which sets forth how often information will be transferred and in what format (for example, whether on a CD-ROM or through an FTP server).

Informed Consent. Canada's federal election authority operates on an "active informed consent" policy: it will not register a new voter without her consent, nor will other federal agencies share an individual's basic information — name, address, sex, date of birth and citizenship status, if available — with election officials without that individual's prior consent. Many government forms have a checkbox that provides individuals with the opportunity to express their consent to be registered to vote. For instance, 84% of Canadians who filed federal tax returns in 2007 checked a box on the front page of the form authorizing the tax agency to share their basic information with federal election authorities.¹⁶

Adding 18 year olds

Each month, Elections Canada receives data transmissions from the federal tax authority, provincial departments of motor vehicles, and provincial election agencies (Canadian provinces are responsible for maintaining their own voter rolls for use in provincial and local elections). Elections Canada culls this data to identify unregistered, voting-eligible individuals. How Elections Canada proceeds with respect to each potential registrant depends on the type of agency that provided her information.

If the source agency is another electoral agency (that of a province or territory) Elections Canada will simply add her to the database as a new registrant; there is no need for her to interact with a federal election official in order to become registered to vote.¹⁷ If the source agency is an administrative agency, like a provincial department of motor vehicles, the information may be incomplete in some way. For instance, provincial departments of motor vehicles are rich sources of information about unregistered voters aged 18-24, but because these agencies do not track citizenship information, federal election officials use various techniques to ascertain or confirm citizenship status. When information is incomplete, Elections Canada will do additional "research" on the voter.

Under a technique known as the "family matching program," the agency triangulates and cross-references existing data to determine whether a newly identified 18 year old¹⁸ lives in the same residence and shares the same last name as another registered voter. If such a match is found, the election agency can be confident the younger individual is a relative of the elder voter and also a citizen; Elections Canada will then add her to the rolls. Tens of thousands of new voters get registered every year through this program, without any need for them to interact with federal election authorities.¹⁹ If family matching proves inconclusive, Elections Canada will send individuals pre-printed registration forms, requesting them to confirm the information provided

by another government agency and affirm their citizenship.²⁰ Individuals who do not return the postage-paid form may complete the registration process at the polls.

Elections Canada is able to identify many newly eligible voters through information provided by the federal tax authority, which places a section for voter registration on the first page of the federal income tax form. The section contains two optional checkboxes, one with which an individual can consent to have her information shared with Elections Canada for voter registration purposes, and another with which an individual can affirm her citizenship, thereby providing Elections Canada with the necessary information for voter registration. Since the separate citizenship checkbox is relatively new, Elections Canada does not automatically add new voters it learns about from this source, but rather engages in the follow-up procedures explained above. Elections Canada is currently conducting surveys to confirm the reliability of the citizenship information acquired in this way, and hopes that in the near future it will be able to directly add voters to the rolls from this source.²¹

Adding new citizens

Citizenship and Immigration Canada, the federal immigration authority, provides a checkbox on all adult citizenship applications that allows new citizens to give their consent to be registered to vote upon naturalization. In 2007, over 95% of new Canadian citizens consented to be added to the federal voter database in this way.²² New citizens not captured through this process may be added through other means such as through the income tax files or provincial voter lists, or they can register during the month-long revision period that precedes Election Day, or at the polls.

Updating Existing Voter Entries

Information provided by other government agencies facilitates automatic updates to existing voter entries. Over 14% of Canadians move each year,²³ and thus the vast majority of routine list maintenance is due to address changes: each year Elections Canada updates the addresses of nearly 3 million or 13% of registered voters.²⁴ Additional updates are necessary to remove deceased voters.²⁵ Updates based on conviction status are unnecessary as Canada does not disenfranchise voters upon criminal conviction.

Address Changes

Addresses are generally kept current without voters interacting directly with Elections Canada. Multiple government agencies provide Elections Canada with monthly address updates using the same process that they provide registration information; the two richest sources of address information are the federal tax agency and provincial departments of motor vehicles.²⁶ In addition, specialized computer software helps election officials triangulate new and old information from various source agencies to identify outdated addresses; this reconciling of information, known as a “delta process,” ensures the accuracy of automatic updates.²⁷

Removing Deceased Voters

Federal election officials remove deceased voters from the voter database using information received from vital statistics bureaus on a monthly basis.²⁸



Today, Canada spends \$8 million Canadian dollars annually on maintaining the National Register through routine data-mining and matching. Most of this goes toward paying for data from source agencies (costs, if any, vary from supplier to supplier), staff who process incoming data files, software support, and mailings.²⁹

FILLING GAPS AND CORRECTING INACCURACIES IN THE ROLLS

Canada ensures that all eligible voters have a failsafe opportunity to register or correct registration data, if routine data-sharing has not accurately represented their information on the rolls, through three primary means: (1) Election Day registration; (2) affirmative voter outreach campaigns before every national election; and (3) computer software designed to search for outdated information and clerical errors.

Election Day Registration

Any eligible voter whose name does not appear on the voter rolls or whose information is inaccurate may correct their registration status at the polls.³⁰ “Same day” registration is available on Election Day, as well as during advance voting, which takes place on the tenth, ninth, and seventh days before Election Day. In order to register at the polls, voters must either show documentary proof of their identity and address, or swear an oath attesting to their voting eligibility, with another voter vouching for their status.³¹ On Election Day in 2008, 731,000 voters, or about 6% of the voting population, either registered for the first time or updated their address information at the polls.³²

Voters who register at the polls can choose whether to have their basic information added to the National Register, so that they appear on voter lists in subsequent elections. Those who wish to remain off of the National Register may do so, although they will have to re-register at the polls every election.

Affirmative Voter Outreach

Approximately five weeks before Election Day, the National Register is used to generate preliminary voter lists that are distributed to the returning officer (the head election official) in each voting district. This marks the beginning of the formal “revision period,” during which the returning officers continue to add new voters and update existing voter entries on the preliminary voter lists.³³ Returning officers input these changes into a separate computer program, which is reflected on local poll lists, and their changes are uploaded to the National Register after Election Day.

Returning officers are required to actively solicit new registrations and address corrections during the revision period. Returning officers will, for example, mail individualized confirmation cards to all registered voters.³⁴ If information on the card is inaccurate or outdated, a voter may call her local election office and correct her information over the telephone.³⁵ Returning officers also mail generic reminder cards to all households, requesting eligible citizens to follow-up if they did not receive a voter information card, either by telephoning their local returning officer or going through the Election Day registration process.³⁶

Returning officers are also required to implement door-to-door outreach campaigns in areas of their voting districts where there is the greatest probability that voters are not registered at their current address. Each returning officer targets her outreach campaign based on her knowledge of the local community, as well as a central registry of high-mobility addresses; demographic and geographic populations commonly targeted for outreach include student voters, aboriginal voters, high-rise units, and nursing homes. Then, using federal funds, the returning officer hires “revising agents” to go door-to-door in these areas, registering first-time voters and collecting updates to existing registrations. In chronic care facilities and nursing homes, revising agents ensure a secure chain of custody by collecting forms directly from each applicant; elsewhere, they may leave mail-in registration forms at the door if they fail to reach the voter personally after two visits.³⁷ Some returning officers also set up “revisal desks” in university campuses, shopping centers, and other public places, to encourage registrations and revisions from a targeted voter population.³⁸ Returning officers made 2.7 million updates to preliminary voter lists during the 2008 revision period. Of these changes, 612,660 were new voter registrations and 903,879 were address changes.³⁹ 817,232 additional voters were removed from preliminary voter lists because they were ineligible or no longer resided within the district.⁴⁰

Correcting Inaccuracies Using Computer Software

Canada uses information technology to identify potential errors and duplicates that arise in the course of reconciling data from various agencies. For example, one computer program prevents

the creation of duplicate voter entries by using “string proximity measures” to correct common name misspellings or differentiations, such as instances in which a person used a middle initial on one government form but not another. Elections Canada also has software that uses a table of common nicknames to identify potential duplicates, algorithms that deal with typos, and a “delta process” that triangulates new and old information from various source agencies to identify address changes.⁴¹ Where the reason for a discrepancy remains inconclusive, Elections Canada sends a mailing to both names and/or addresses, requesting confirmation of information. In some cases, mailings that are not returned result in the removal of an entry in the National Register.

Other computer programs confirm whether given addresses are residential, or whether someone has previously “opted out” of registration and should thus be left off the rolls regardless of any information updates provided by another government agency.⁴²

PRIVACY CONSIDERATIONS

Canada has established rigorous protections for privacy rights.⁴³ Elections Canada protects voters’ privacy and ensures the confidentiality of their information in three principal ways: (1) by offering voters opportunities to opt out of voter registration; (2) by limiting the type of information collected by election authorities and regulating data-sharing processes; and (3) by limiting access to information contained in the National Register.

Opt-out Opportunities

Canada’s voter rolls comprise only individuals who consent to being registered.⁴⁴ Voters who are on the rolls may remove themselves from the National Register at any time by submitting a written request to Elections Canada. While these individuals are given an “opt out” designation to ensure that they will not be re-added to the database, they still retain their right to vote by registering during the month-long revision period that precedes Election Day, or showing up at the polls and participating in Election Day Registration.⁴⁵

Limitations on the Information Collected

Elections Canada’s agreements to share data with other government agencies provide that the source agency may not share more than an individual’s basic information — name, sex, date of birth, and address — with election officials. The National Register is limited to this basic information as well; it does not identify the original source of its voter information or other demographic or personal information about the voters within the database.⁴⁶

Limitations on Access to the Registry

To guard against unauthorized access to individuals' personal information, no other government database is directly "linked" to the national voter database.⁴⁷ Rather, information is transmitted through FTP servers or hard media formats, such as CD-ROM or diskette. The agencies that supply information are responsible for pulling the appropriate data from their databases and making it available to election authorities, rather than election officials drawing data directly from the source agencies' systems.

Data-sharing between Elections Canada and other government agencies is unidirectional, meaning that Elections Canada receives information from its sources, but does not provide information in return.⁴⁸ Exceptions to this rule include provincial and territorial election authorities. However, Elections Canada will only enter into such arrangements with provincial agencies who agree to keep voter information private and not to use it for any purpose save updating their own electoral rolls.⁴⁹

To further protect the confidentiality of voters' information, Elections Canada closely restricts access to voter information within their own agency. Employees of Elections Canada are only permitted to view a portion of the National Register at a time, and, wherever possible, they are given a paper printout rather than online access to the database.⁵⁰ Other privacy protections include security clearances that limit access to the database by Elections Canada employees, and firewalls and encryptions that isolate the voter database server from outside access.⁵¹

When Elections Canada does release information from the voter rolls, its use is limited to electoral purposes. Elections Canada is required to share the names and addresses of all registered voters with registered political parties and members of the House of Commons on an annual basis.⁵² During election cycles, this information is also shared with candidates for office. Each person who is provided with access to this information must sign a declaration acknowledging that using this information for anything other than electoral purposes is a criminal offense.⁵³

APPENDIX ENDNOTES

- ¹ Each province and territory maintains its own voter roll for use in local elections. They use various methods to compile and update their voter rolls. Québec, for instance, automatically registers the vast majority of newly eligible voters using information obtained from the provincial health insurance agency, which provides health coverage for approximately 98% of Québécois. Régie de l'assurance maladie Québec, *Nombre de personnes inscrites et admissibles au régime d'assurance maladie du Québec¹ selon le sexe, le groupe d'âge et la région sociosanitaire Québec, 2007* (May 15, 2008), available at https://www.prod.ramq.gouv.qc.ca/IST/CD/CDF_DifsnInfoStats/CDF1_CnsullInfoStatsCNC_iut/RappPDF.aspx?TypeImpression=pdf&NomPdf=CDB1R01A_PA01_2007_0_O.PDF, own calculations. Largely as a result of data-sharing with the health insurance agency, Quebec's voter rolls capture at least 93% of the voting age population, or 5,763,493 citizens. Institut de la statistique Québec, *Population par année d'âge et par sexe*, Québec, 1er juillet 2008p (Jan. 15, 2009), http://www.stat.gouv.qc.ca/donstat/societe/demographie/struc_popl/201_08.htm. Every week, the health agency transmits to election authorities a list of beneficiaries who will turn 18 within the next 6 months and who are also citizens. Election authorities notify these individuals by mail that unless they opt out by returning a postage paid postcard, they will be automatically added to the provincial voter database. From there, their information is forwarded to the federal election agency, which adds them to the national database. Memorandum from the Directeur Général des Élections du Québec to the Brennan Center for Justice (Feb. 28, 2008) (on file with the Brennan Center). Saskatchewan, by contrast, builds new voter rolls before every election by conducting a door-to-door enumeration. Elections Saskatchewan, *Frequently Asked Questions - General Responses* (2009), <http://www.elections.sk.ca/faq-general.php>. British Columbia's election agency primarily updates its provincial voter list using driver's license information and by obtaining from the federal election agency, but voters may also register for the provincial voter roll online. Elections BC, *The Provincial Voters List — Fast Facts* (May 2009), www.elections.bc.ca/docs/news/Fast%20Facts%20-%20THE%20PROVINCIAL%20VOTERS%20LIST.doc.
- ² Elections Canada, *Report of the Chief Electoral Officer of Canada on the 40th General Election of October 14, 2008* at 24 (February 3, 2009) [hereinafter 40th General Election Report], available at http://www.elections.ca/gen/rep/re2/sta_2008/stat_report_e.pdf; Email Correspondence from Marcel Vautour, International Research and Cooperation Analyst, Elections Canada (Jan.-Mar. 2009) (on file with the Brennan Center) [hereinafter Vautour correspondence].
- ³ *Id.*
- ⁴ The Canada Elections Act, as amended in 2007, requires that elections take place every four years, although the Prime Minister may also request the dissolution of Parliament and call for new elections at any time. Canada Elections Act, R.S.C., ch. E-2.01, § 56.1 (2000) (Can.), available at <http://laws.justice.gc.ca/en/ShowFullDoc/cs/E-2.01///en> (current to Mar. 11, 2009).
- ⁵ Elections Canada, *The Role and Structure of Elections Canada*, <http://www.elections.ca/content.asp?section=gen&document=ec90600&dir=bkg&lang=e&textonly=false> (last modified Aug. 8, 2007).
- ⁶ Districts are broken down into polling divisions of approximately 400 eligible voters; for the 2008 federal general election there were 63,136 polling divisions throughout the country. Elections Canada, *The Federal Electoral Process: How are Canadian Elections Prepared and Conducted?*, <http://www.elections.ca/content.asp?section=gen&document=part2&dir=ces>.
- ⁷ It is a remnant of historical tradition that in order for an election to occur, the Canadian Prime Minister must first request the Governor General to issue a formal “writ of election.” The issuance of the writ marks the beginning of the official campaign season referred to as the “election period;” during this time election officials also begin preparing for Election Day, which by law cannot occur any sooner than 36 days after the issuance of the writ. While the Canada Elections Act mandates

that campaign periods last a minimum of 36 days, it does not prescribe a maximum number of days. Canada Elections Act, *supra* note 4, § 57.1.2(c). The writ for Canada's last general election was issued on September 7, 2008, five weeks before Election Day, October 14, 2008.

- ⁸ Canada Elections Act, *supra* note 4, § 171(2).
- ⁹ These identifying numbers are generated sequentially. E-mail Correspondence from Janice Simms of Elections Canada (Mar.-Apr. 2009) (on file with the Brennan Center) [hereinafter Simms Correspondence]. For purposes of assigning voters to polling precincts, the database also reflects each eligible voter's geographic electoral district and polling division. *Id.*
- ¹⁰ Although Canada achieved high coverage rates using enumeration — on average, the resulting voter lists captured approximately 95% of eligible voters — by the mid-1990s there was broad political support for modernization. This was largely due to a consensus among legislators and researchers that the change-over would garner significant cost-savings without sacrificing voter list accuracy. *See generally* Jerome H. Black, *From Enumeration to the National Register of Electors: An Account and Evaluation*, CHOICES (Institute for Research on Public Policy, Québec Aug. 2003), at 4–13, 21, 36, available at <http://www.irpp.org/choices/archive/vol9no7.pdf>.
- ¹¹ Telephone Interview by Jennifer Rosenberg with Rennie Molnar, Associate Deputy Chief Electoral Officer, Electoral Events, Elections Canada, formerly Executive Director, Operations, Register and Geography (May 4, 2009) [hereinafter Molnar Interview]. The necessary hardware included secure servers that could process voluminous data obtained from source agencies. Canada purchased two types of software to process incoming information: (1) underlying database technology known as “Oracle,” bought from a private company, plus licensing fees; (2) custom-built computer applications for triangulating and analyzing data, which cost \$5-6 million Canadian dollars. *Id.*
- ¹² At the time preliminary voter lists were prepared for the 2008 general election, they contained 92% of eligible voters. 40th General Election Report, *supra* note 2, at 60.
- ¹³ *Id.* Telephone Interview by Jennifer Rosenberg with Nan Smith, Senior Project Manager, Elections Canada (March 23, 2009) (on file with the Brennan Center) [hereinafter Smith Interview]. Canada sets targets for the accuracy of its voter database: 92% for coverage (the proportion of eligible voters represented) and 80% for currency (the proportion of eligible voters who are registered at their correct address). Elections Canada, Office of the Chief Electoral Officer, *Reports on Plans and Priorities: 2008-2009 Estimates*, at § 2, <http://www.tbs-sct.gc.ca/rpp/2008-2009/inst/ceo/ceo-eng.pdf>.
- ¹⁴ The remaining 10% of information is obtained throughout the “revision period” that precedes Election Day, *see infra* text accompanying notes 33-40, as well as through Election Day Registration, *see infra* text accompanying notes 28-30.
- ¹⁵ For a complete list of agencies that have data sharing agreements with Elections Canada, *see Report of the Chief Electoral Officer of Canada on the 39th General Election of January 23, 2006*, http://www.elections.ca/content.asp?section=gen&document=a1&dir=rep/re2/sta_2006.
- ¹⁶ Elections Canada, *Completing the Cycle of Election Reforms: Recommendations from the Chief Electoral Officer of Canada on the 38th General Election*, at 47 (September 2005), available at http://www.elections.ca/gen/rep/re2/r38/rec38ge_e.pdf.
- ¹⁷ Elections Canada, can do this because provincial and territorial voter lists already meet federal eligibility requirements, meaning that a voter's citizenship and consent to being registered has already been sufficiently ascertained. Molnar Interview, *supra* note 11.
- ¹⁸ Elections Canada only uses family-matching for voters it learns about from the federal tax authority, because those voters have already indicated their consent to be added to the voter database. When election officials discover other new, young voters from other sources, they write to those voters to confirm

their citizenship and to obtain their formal consent to be registered. E-mail Correspondence with Rennie Molnar, Associate Deputy Chief Electoral Officer, Electoral Events, Elections Canada (May 2009) (on file with the Brennan Center).

- ¹⁹ *Id.*
- ²⁰ Simms Correspondence, *supra* note 9. Until recently, some provincial driver's licensing bureaus also sent the federal election officials data on 16 and 17 year olds. Elections Canada would hold this information until they turned 18, at which point they would write to them, asking them to sign and return pre-printed registration forms. However, a recent audit by the Privacy Commissioner and Auditor General determined that Elections Canada does not have the statutory authority to collect information on people under 18, so Elections Canada is in the process of stopping this practice. *Report of the Auditor General of Canada to the House of Commons: Managing Identity Information 10* (Nov. 5, 2008), available at http://www.oag-bvg.gc.ca/internet/docs/oth_200902_e_32154.pdf [hereinafter 2009 Auditor Report].
- ²¹ Molnar Interview, *supra* note 11.
- ²² Vautour Correspondence, *supra* note 2.
- ²³ Canada and the United States have equally mobile populations. *Compare* Statistics Canada, 2006 Census: Mobility Status 1 Year Ago, <http://www.statcan.gc.ca/bsolc/olc-cel/olc-cel?catno=97-556-X2006008> (citing a 14.1% mobility rate), with U.S. Census Bureau, Geographical Mobility: 2005 to 2006, <http://www.census.gov/population/www/socdemo/migrate/cps2006.html> (reporting that 13.7% of Americans moved within a one year period).
- ²⁴ Elections Canada, Description of the National Register of Electors, <http://www.elections.ca/content.asp?section=ins&document=national&dir=nre&lang=e&textonly=false> (last modified Jan. 19, 2007) [hereinafter EC Description of National Register].
- ²⁵ Approximately 1% of registered voters, or 160,000 individuals, die and must be removed from the National Register every year. *Id.*
- ²⁶ Less relied-upon sources of address information include provincial electoral agencies and the federal postal agency, which offers a mail-forwarding service to individuals who move. Smith Interview, *supra* note 13.
- ²⁷ Molnar Interview, *supra* note 11.
- ²⁸ Technically, these voters are not deleted from the National Register; rather they are designated "deceased." Smith Interview, *supra* note 13.
- ²⁹ Molnar Interview, *supra* note 11. This figure does not include the cost of revision period activities such as door-to-door canvassing and mailings, which is incurred every four years. *See infra* text accompanying notes 33-40.
- ³⁰ Canada Elections Act, *supra* note 4, § 161. This election-day update is also available to voters who previously opted out of registration. Voters may also self-initiate registration at any time by submitting a registration form to Elections Canada. Since Elections Canada is able to identify and/or register new voters through data-sharing with other government agencies, and since voters may register at the polls, Elections Canada only receives approximately a thousand of these forms every year. Smith Interview, *supra* note 13.
- ³¹ Voters can satisfy the documentary identification requirement in by showing a government-issued photo ID, such as a driver's license, or by providing two alternative pieces of identification, both of which must contain her name and one of which must contain her address (e.g., a utility bill or bank statement). Canada Elections Act, *supra* note 4, § 161(1).

- ³² 40th General Election Report, *supra* note 2, at 24. In tracking the number of voters who use Election Day Registration, Elections Canada does not keep separate tallies of how many are first-time registrants, versus how many are updating their existing registration information. Simms Correspondence, *supra* note 9.
- ³³ The revision period officially begins on the 33rd day before Election Day and ends on the 6th day before Election Day. Elections Canada, Backgrounders: Revision of the Lists of Electors, <http://www.elections.ca/content.asp?dir=bkg&document=ec90870&lang=e§ion=gen&textonly=false> (last modified Jan. 16, 2008) [hereinafter EC List Revisions Webguide]. Once the revision period is over, individuals wishing to correct the rolls in order to vote at the upcoming election may do so using the election-day registration process.
- ³⁴ Local election officials are required to mail these cards between the 26th and 24th day prior to Election Day. Nationwide, these mailings cost around \$15 million each election cycle. *See, e.g.*, Office of the Auditor General of Canada, *Report of the Auditor General of Canada to the House of Commons: Chapter 6—Elections Canada—Administering the Federal Electoral Process*, at §§ 6.44–6.47, ex. 6.4 (Nov. 2005), available at <http://www.oag-bvg.gc.ca/internet/docs/20051106ce.pdf> [hereinafter 2005 Auditor Report].
- ³⁵ Interview with Jean-Pierre Kingsley, CEO, International Foundation for Electoral Systems and former Chief Electoral Officer of Canada (Apr. 29, 2009) [hereinafter Kingsley Interview].
- ³⁶ EC List Revisions Webguide, *supra* note 33.
- ³⁷ Nationwide, Elections Canada spends \$5 million every four years during the election on these door-to-door revision efforts. 2005 Auditor report, *supra* note 34, §6.47.
- ³⁸ Revisal desks replaced door-to-door targeted revision in special circumstances. 40th General Election Report, *supra* note 2, at 24.
- ³⁹ These address changers include voters who had to be added to the rolls because they previously lived in another electoral district (408,490 voters), as well as voters who moved within the same electoral district (495,398 voters). *Id.* at 60.
- ⁴⁰ *Id.*
- ⁴¹ Molnar Interview, *supra* note 11. Elections Canada retains certain information irrelevant to voter eligibility that it acquires in the normal course of obtaining data from various source agencies; this information is not uploaded into the National Registry, but rather used for quality control purposes and to prevent the creation of duplicate voter entries. For instance, provincial departments of motor vehicles typically give Elections Canada “data dumps” that include the drivers license numbers of everyone in their files over the age of 18. These numbers are not included as part of voter entries on the National Register, but they are kept in a separate database so that in the future, incoming information about that voter — or another voter with a similar name — can be checked against it. *Id.*
- ⁴² Kingsley Interview, *supra* note 35.
- ⁴³ For example, Canada has a Privacy Commissioner, whose mandate is to safeguard and promote individual privacy rights across all federal agencies, and who may audit the practices of federal election authorities at any time. Office of the Privacy Commissioner of Canada, Mandate and Mission of the OPC (Mar. 15, 2004), http://www.privcom.gc.ca/aboutUs/index_e.asp. Moreover, Canada’s Auditor General, who is generally responsible for overseeing the performance of government agencies, recently issued a report entitled “Managing Identify Information,” which analyzes the legality and efficacy of the ways in which four government agencies, including the federal elections agency, track personal data. *See* 2009 Auditor Report 10, *supra* note 20.

- ⁴⁴ As described above, Elections Canada routinely culls information provided by other government agencies to identify unregistered but eligible voters and actively seek out their consent to be registered and/or confirmation of their citizenship; until such information is obtained, however, their information is kept strictly private and segregated from the voter rolls. The exception is information obtained from provincial and territorial voter lists; since Elections Canada knows that voters identified from these sources are citizens who consent to be registered, Elections Canada automatically adds them to the federal voter rolls.
- ⁴⁵ 2009 Auditor Report, *supra* note 20; Elections Canada, *Canada's Electoral System 36* (2000), available at <http://dsp-psd.pwgsc.gc.ca/Collection/SE1-5-1-2000E.pdf>.
- ⁴⁶ Molnar Interview, *supra* note 11. For example, although the federal tax authority has an optional citizenship affirmation box on its annual income tax form, and collects this information only to know whose information to share with election authorities, the citizenship information itself is not transmitted to the federal election agency.
- ⁴⁷ Vautour Correspondence, *supra* note 2.
- ⁴⁸ Nor does the federal election agency provide information to law enforcement officials. Smith Interview, *supra* note 13.
- ⁴⁹ *Id.*
- ⁵⁰ Vautour Correspondence, *supra* note 2.
- ⁵¹ Telephone Interview by Judith Joffe-Block with Nan Smith, Senior Project Manager, Elections Canada (Dec. 14, 2007).
- ⁵² EC Description of National Register, *supra* note 24. These lists also contain the unique identifying number each voter is assigned in the database, and members of Parliament are only provided with voter lists for the electoral district they represent.
- ⁵³ *Id.*

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