

**Testimony of David J. Becker  
Director, Election Initiatives  
The Pew Charitable Trusts  
U.S. Senate Rules Committee  
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Thank you for the opportunity to be here today to discuss this important topic.

We at The Pew Charitable Trusts began to look at the issue of using data to measure performance in the field of election administration several years ago, partially in response to what we heard from election officials who felt bombarded by news stories driven by anecdotes, not data. These stories, about long waiting times to vote, or polling places opening late, or registration problems, are important but it is never clear whether they truly represent systemic problems or if they are simply one-time challenges. We knew that as in other policy areas, such as health and education, there must be a way to use data and empirical evidence to get a clearer picture of what is happening across the states.

Following important research by Professor Heather Gerken and many others in the elections field, Pew partnered with Professor Charles Stewart III and MIT in 2010 to pull together an advisory group of state and local election officials from around the country, as well as leading academics in the field of elections and public administration, to determine what data was available to accurately and objectively measure performance in this field.

In 2013, Pew unveiled the results of this collaboration and our research – the Elections Performance Index, or EPI, the first comprehensive assessment of election administration in all 50 states and the District of Columbia. The release introduced the index's 17 indicators of performance, including such data relating to wait times at polling locations, voter registration rates and problems, military and overseas voting, and mail ballots. This data, collected from five different and credible data sources, including the Census and the EAC, provided a baseline of performance using 2008 and 2010 data, giving users a way to evaluate states' elections side by side.

Pew's latest edition of the index, released just over a month ago, adds analysis using data from the 2012 election. This provides the first opportunity to compare a state's performance across similar elections—the 2008 and 2012 presidential contests—and presents a rich picture of the U.S. democratic process that will be enhanced as new data are added each election cycle.

The results from the 2012 EPI were generally good news for the states and for voters, as elections performance improved overall. Nationally, the overall average improved 4.4 percentage points in 2012 compared with 2008, and the scores of 21 states and the district improved at a rate greater than the national average.

In addition, we found that:

1. *High-performing states tended to remain high-performing and vice versa.* Most of the highest-performing states in 2012—those in the top 25 percent—were also among the highest performers in 2008 and 2010. The same was true for the lowest-performing states in all three years.

2. *Gains were seen in most indicators.* Of the 17 indicators, overall national performance improved on 12, including a decrease in the average wait times to vote and an increase in the number of states allowing online voter registration.
3. Wait times decreased, on average, about 3 minutes since 2008.
4. Although voters turned out at a lower rate in 2012, fewer of those who did not vote said they were deterred from the polls by illness, disability, or problems with registration or absentee ballots.
5. 13 states offered convenient and cost-effective online voter registration in 2012, compared with just two in 2008, which may have contributed to the reduction in voter registration problems.
6. More states offered online voter information tools in 2012.
7. States are reporting more complete and accurate data. 18 states and the district reported 100 percent complete data in 2012, compared with only seven in 2008.

We present all these data in an interactive report – which can be found at [pewstates.org/epi](http://pewstates.org/epi) – that allows policymakers, election officials, and citizens to dig through each piece of information. This tool even allows users the opportunity to isolate any indicator, or compare states and regions, or look at elections in a particular state over time.

We make a series of recommendations in this report, but two are particularly relevant to this hearing. First, states should work to upgrade their voter registration systems. By adopting innovative reforms, such as online voter registration, better sharing data intrastate, and using a tool like the Electronic Registration Information Center (or ERIC) to better share interstate voter registration data – all recommendations of the bipartisan Presidential Commission on Election Administration – states can see a marked improvement in their performance. For instance, of the bipartisan group of seven states who founded ERIC in 2012, five of those states were among the highest performers that year.

Second, we encourage that states report and collect even more elections data. Several states, such as Wisconsin, have pioneered efforts to better collect source data from local election jurisdictions, but many do not. As the Presidential Commission notes, “If the experience of individual voters is to improve, the availability and use of data by local jurisdictions must increase substantially.”

And we continue our work towards this end. Just last week, we released a report entitled “Measuring Motor Voter,” where we attempted to rate how well the states were providing voters with the opportunity to register or update their registrations at motor vehicles offices. What we found was that states’ performance in this area could not be fully measured, because states were not collecting or reporting adequate data to document the provision of these important services. We therefore made several recommendations, including that states prioritize, automate, and centralize Motor Voter data collection and increase coordination among licensing agencies and election administrators. We went on to highlight several states, such as Delaware, Michigan, and North Carolina, that have already made great strides in this area.

Pew continues to see this data-driven approach lead to higher performance in the states. The EPI is being cited by policymakers and others in official testimony, and is being used in a geographically and politically diverse group of states to help inform policy and technology in election administration. We will continue this work as we look forward publishing the 2014 edition of the index and ensuring that data-driven performance measurement is enshrined in this field for years to come.

Thank you and I look forward to your questions.

# David J. Becker

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**The Pew Charitable Trusts**

[www.pewstates.org/elections](http://www.pewstates.org/elections)

David Becker is director of [Election Initiatives](#) for The Pew Charitable Trusts. He supervises all of Pew's work in election administration, including using technology to provide voters with information they need to cast a ballot; assessing election performance through better data; and upgrading voter registration systems.

As the lead for Pew's analysis and advocacy on elections issues, Becker oversees research and directs Pew's partnerships in the states, and with private sector partners like Google, IBM, and others. He also testifies before Congress and state legislatures and other government entities, presents at relevant conferences across the country, and serves as a media resource.

Before joining Pew, Becker served as a senior trial attorney in the Voting Section of the Department of Justice's Civil Rights Division, where he led numerous investigations into violations of federal voting laws regarding redistricting and minority voting rights. He served as lead counsel for the United States on litigation over statewide redistricting in Georgia in 2001, which was ultimately decided by the Supreme Court in *Georgia v. Ashcroft*. In addition, he supervised federal monitoring of elections and helped direct Department of Justice policy on enforcing the Help America Vote Act.

Becker received both his undergraduate and law degrees from the University of California, Berkeley.