



**MARCH 2020**

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*Supported with funding  
from the New Venture Fund*

# Implementing Automated Voter Registration in California



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## SUMMARY

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Technical appendices to this report are available on the PPIC website.

Seeking to reverse a downward trend in voter turnout and diversify its electorate, California implemented the New Motor Voter (CNMV) program in 2018. Under the CNMV, the Department of Motor Vehicles (DMV) registers all customers who affirm their eligibility to vote and do not actively decline registration.

This report explores the CNMV's impact on voter registration in California. The study finds:

- In its first year, CNMV more than doubled the number of people who registered through the DMV.
- Although it had ambiguous effects during the 2018 election cycle, CNMV continued to register people after the November election, leading to a higher registration rate overall.
- CNMV did not clearly increase registration among underrepresented groups.

The CNMV has successfully facilitated participation and raised the registration rate in a promising debut. However, it has yet to clearly demonstrate that it can raise registration rates in an election season beyond what the excitement of the election would otherwise produce. Nor has it yet made the state's electorate more representative of its broader population. It is possible that California's automated voter registration system is not aggressive enough to draw in low-engagement groups. We recommend changes that would clarify the application process and further encourage participation.

CNMV's impact on turnout should also be examined. The reform has helped the state keep its registration file up to date, which may facilitate turnout for registrants who move shortly before an election. Finally, the DMV and the Secretary of State could improve their data reporting and availability policies to facilitate program evaluation.

# California's New Motor Voter Program

California passed an automated voter registration (AVR) law—known as the California New Motor Voter (CNMV) law—in October 2015, and implemented the program in April 2018.<sup>1</sup> Like other state AVR laws, CNMV aims to increase registration by making voter registration the default outcome of most driver's license and state ID transactions at the Department of Motor Vehicles (DMV).<sup>2</sup> It is part of a suite of voter turnout reforms that California has undertaken in recent years.

The new law requires the DMV to forward voter registration information for any driver's license or state ID customer who confirms eligibility and does not explicitly decline registration.<sup>3</sup> The intent is to make voter registration the *default outcome*.<sup>4</sup> However, DMV customers have to affirm their eligibility in order to move on to the registration questions. Since they do not have to answer the eligibility questions to finish their DMV transaction, they can still avoid voter registration at the DMV (McGhee and Romero 2016). Other states have made voter registration a true default. In Oregon, for example, DMV customers receive a card in the mail after their trip to the DMV that must be filled out and returned to avoid registration.

Fortunately for advocates of AVR, the California DMV adopted a new electronic driver's license form, the eDL44, at the same time it implemented CNMV. Customers using this form are prompted to answer eligibility questions, and those who affirm their eligibility *must answer the registration questions before they can complete the form*. This is called a *forced choice*: a point in the process where a customer is required to make a decision. Any default option is triggered only if a customer skips the registration questions, yet since the forced choice does not allow such skipping, it makes the default irrelevant. At the same time, forced choice is better at ensuring participation than a typical opt-in process because customers must make a choice. They will not fail to register simply because they were distracted, in a hurry, procrastinating, or the like.

Forced choice is unlikely to have as large an effect as default registration, since default registration picks up even those who are marginally opposed but do not care enough to explicitly decline. Yet because a forced choice still requires an affirmative decision to avoid registration, the effect on registration might still be substantial.

In some ways, the eDL44 form does not go very far to engage customers: citizens can choose “decline to answer” in response to the eligibility questions. In other ways, it may go too far to encourage participation: ambiguous wording has led many voters to re-register in the mistaken belief that they must answer the registration questions or be kicked off the rolls (Department of Finance 2019).<sup>5</sup>

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<sup>1</sup> Voter registration at the DMV is not new to California. The National Voter Registration Act mandated it for almost all states in 1993. For many years, however, California's de facto policy made it very easy to finish a DMV transaction without registering. The forms were not integrated; in-person DMV customers received a paper voter registration form and online customers received a link to the Secretary of State's website. Information required for both forms had to be entered twice (Jacobs et al. 2015). Moreover, DMV employees had a lot of discretion about how aggressively to promote the voter registration option to in-person customers, and tracking employee consistency was difficult. California began to move beyond this weak implementation in 2015, when a group of advocates threatened legal action unless the Secretary of State and DMV took steps to integrate the two processes. The sides eventually reached a settlement in May 2016 that added voter registration questions to the driver's license form.

<sup>2</sup> At the time of this writing, 12 other states have implemented some version of AVR, and 7 have adopted the reform but not yet implemented it.

<sup>3</sup> This excluded anyone registering through the state's AB60 driver's license process for undocumented immigrants.

<sup>4</sup> The default option is a key component of choice architecture. Coined by Thaler and Sunstein (2008), choice architecture refers to the way options are presented to consumers. Presenting an action—such as registering to vote—as the default and requiring a decision-maker to actively reject that action makes it much more likely that the decision-maker will opt in.

<sup>5</sup> The “decline to answer” option declares that “If you select *decline to answer*, you will not be registered to vote.” DMV customers who attest to eligibility receive three options: “I want to register to vote,” “I am registered to vote and want to update my voter registration information,” and “I do not want to register to vote or update my voter registration information.” While DMV customers who are already registered can choose the third option or “decline to answer” one of the eligibility questions and remain registered, it is easy to imagine many being confused and deciding to re-register with exactly the same information as before.

# How Has CNMV Changed Voter Registration?

Our analysis explores three interrelated effects of CNMV on the voter registration behavior of Californians:

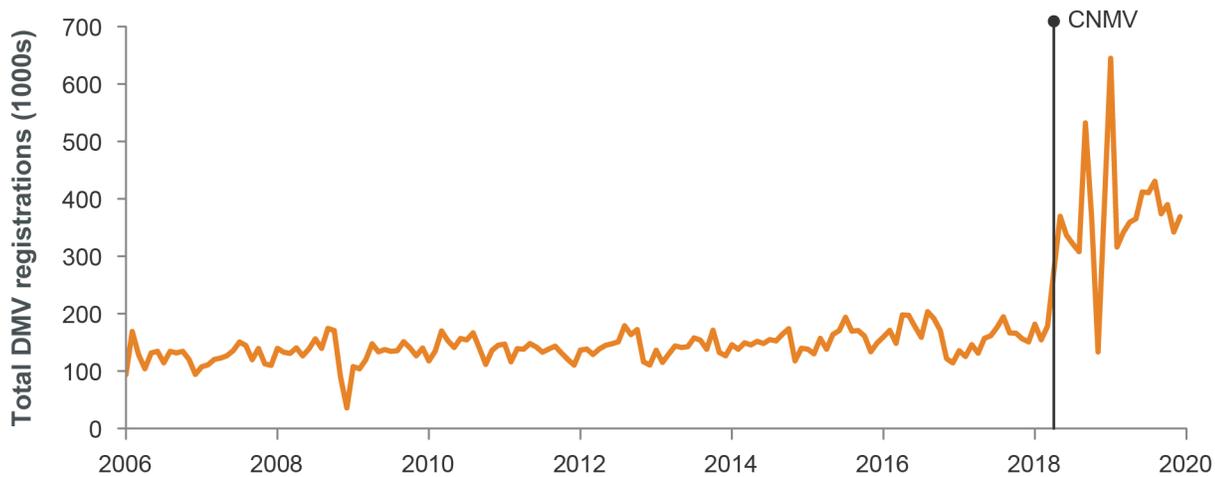
1. **Program uptake.** More people might be registering to vote through the DMV; these voters might or might not have registered in the absence of CNMV.
2. **Program effect.** More people might be registering to vote overall—that is, CNMV might be registering some people who would not have registered without it.
3. **Participation equity.** CNMV might be boosting registration among underrepresented groups in particular—in our study, Latinos, Asian Americans, and young people.<sup>6</sup> These groups tend to have distinct views on policy and politics that go unheard when they do not participate (Baldassare, Bonner et al. 2019).

## Program Uptake

Registration at the DMV has increased significantly under the CNMV. Figure 1 shows the total number of people registering, re-registering, or updating addresses through the DMV in California before and after CNMV implementation. DMV registrants have jumped from an average of 142,413 per month before CNMV implementation to an average of 371,015 after.<sup>7</sup>

**FIGURE 1**

Registrations per month at the DMV have increased significantly under CNMV



SOURCE: California Secretary of State.

<sup>6</sup> These groups register and vote at lower rates even after accounting for socioeconomic and demographic differences that might explain lower participation (McGhee 2017). They are also relatively easy to identify in the registration data that we use for much of our analysis. African Americans could be added to this list considering their long experience with discrimination and socioeconomic barriers to full participation. But their self-reported registration rates in available survey data are remarkably high, and any gaps in registration tends to be accounted for by other factors such as education, income, and homeownership. It is also more difficult to identify African Americans in the state's registration files via the standard method of surname matching, since there are fewer surnames that are predominantly African American.

<sup>7</sup> A variety of problems in early implementation prompted the Secretary of State to institute a validation process; this led to bottlenecks in reporting. As a result, reported CNMV registration numbers have fluctuated a great deal without necessarily reflecting real variation in uptake (Padilla 2019).

Limitations in data reporting make it difficult to tell a more nuanced story about this change. The Secretary of State and the DMV have not matched reporting categories under CNMV to those before the reform. This makes it impossible to calculate basic effects such as the shift in the mix of new registrants, re-registrants, and changes of address. Even the number of people declining to register is inconsistently reported, making it difficult to know how many customers are opting out of registration.<sup>8</sup>

Despite these data problems, it is clear that registration uptake has increased substantially. For instance, the exact change in the number of new registrants may be impossible to know, but the reported number of new registrants per month under CNMV has been twice as high as the number of new and re-registrants *combined* under the old system.

This substantial CNMV uptake has been fairly uniform across the state. Table 1 shows uptake for the 15 largest counties, which together account for 82 percent of the state’s population. Every one of these counties has more than doubled its uptake. The increases range from 141 percent in San Francisco to 177 percent in San Mateo. The remaining 43 counties have also had higher uptake, on average (175% versus 158%). Full county results are in [Technical Appendix B](#).

**TABLE 1**  
DMV registration numbers for 15 largest counties, before and after CNMV

County	Pre-CNMV average	Post-CNMV average	Change (%)
Los Angeles	36,698	94,705	158
San Diego	13,825	34,530	150
Orange	12,664	31,974	152
Riverside	9,082	22,413	147
San Bernardino	7,259	19,984	175
Santa Clara	7,736	19,140	147
Alameda	6,311	16,611	163
Sacramento	6,149	15,247	148
Contra Costa	4,513	12,164	170
Fresno	2,970	7,877	165
Kern	2,689	7,086	164
San Francisco	3,901	9,386	141
Ventura	3,315	8,653	161
San Mateo	2,918	8,076	177
San Joaquin	2,712	6,656	145

SOURCES: California Secretary of State.

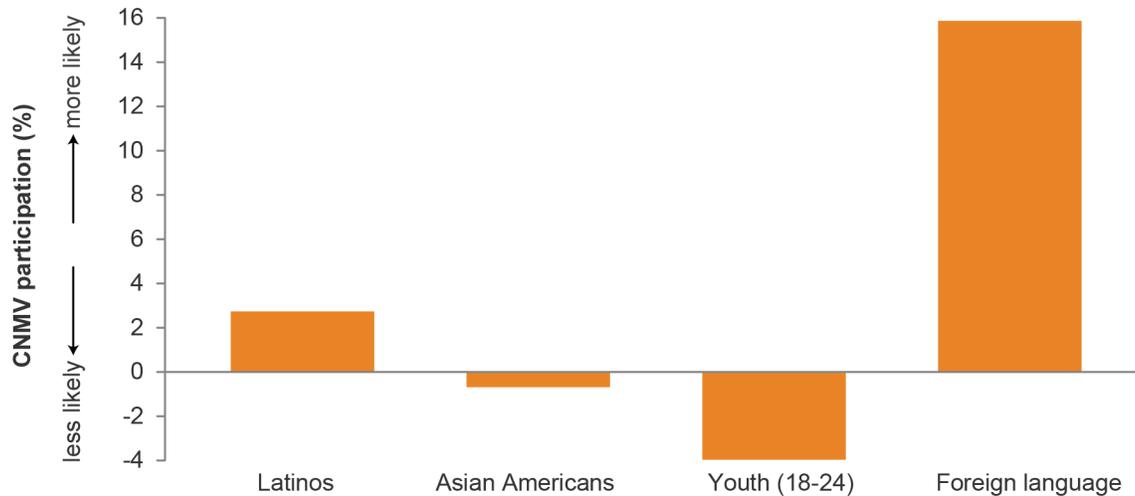
NOTES: Pre-CNMV average is the average monthly DMV registration total from April 2015 through April 2018. Post-CNMV average is the average monthly DMV registration total from May 2018 through December 2018. Counties are sorted by California Department of Finance estimated 2018 population <http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-2/index.html>.

<sup>8</sup> Change of address transactions at the DMV were reported separately before CNMV was implemented, but many are now routed through the new eDL44 process and treated as re-registrations. Likewise, the Secretary of State now separates new registrations from updates to existing registrations, a distinction that was never part of the old reporting. Finally, the DMV used to report the number of customers who did not fill out registration forms, but now those who decline to answer the eligibility questions are dropped from the reporting process. As a result, the official CNMV reports make it seem as if the total number of DMV customers has declined by about 40 percent, even though the number probably increased somewhat as the state began issuing REAL ID driver's licenses in January 2018.

Was uptake higher among underrepresented groups? Figure 2 shows CNMV registration among newly registered Latinos, Asian Americans, young people, and foreign-language speakers relative to that of other new registrants in 2018.<sup>9</sup> Latinos were somewhat more likely to use CNMV and young people somewhat less, while the CNMV usage of Asian Americans was similar to that of the comparison groups (see figure notes). However, foreign-language speakers were about 16 percent more likely to register via CNMV than those who requested their ballots in English. Uptake was higher among speakers of virtually all foreign languages.<sup>10</sup> Overall, a slight majority (53%) of foreign-language speakers registered through CNMV, compared to 37 percent of all new registrants.

**FIGURE 2**

Latinos and foreign-language speakers are more likely to use CNMV, while young people are using other methods



SOURCE: Political Data, Inc.

NOTES: Values are the difference in CNMV share between new 2018 registrants in each group and new registrants outside that group. For young people, the comparison group was anyone over 24. For both Latinos and Asian Americans, the comparison group was anyone who was not Latino *and* not Asian American, a group consisting mainly of non-Hispanic whites and African Americans. The intent is to prevent the result for Latinos influencing the result for Asian Americans and vice versa. Latino and Asian American ethnicities were identified through a combination of surname and contextual variables. For foreign language, the comparison group was anyone requesting ballot materials in English.

The lower uptake among young people is noteworthy, given that this group is more likely to appear at the DMV (usually for a first driver’s license) and far less likely to be registered to vote already. Our data set does not include pre-registrants—those who register to vote at 16 or 17 but cannot cast a ballot until age 18. The uptake rate might be higher among these pre-registrants, but this group is also small relative to 18-to-24-year-olds.<sup>11</sup> A more likely explanation is that young people are instead drawn to California Online Voter Registration (COVR),

<sup>9</sup> Latino and Asian American CNMV percentages were each compared to the percentage among not-Latino, not-Asian-American registrants. Youth CNMV percentages were compared to all new registrants older than 24. Foreign-language registrants were compared to all new registrants who requested materials in English.  
<sup>10</sup> The only language with a lower uptake than English (37%) was Hindi (28%). Uptake for each of the other foreign languages identified in the registration file was higher: Chinese (47%), Japanese (49%), Khmer (46%), Korean (59%), Spanish (54%), Tagalog (42%), Thai (52%), and Vietnamese (51%).  
<sup>11</sup> Only 22 percent of 16- and 17-year-olds have a driver’s license in California, and only 14 percent of citizens of the same ages ended up pre-registered in 2018. Together, 16- and 17-year-olds comprise just 7 percent of the licensed drivers in the 16–24 age group, despite accounting for 21 percent of the group’s total population. Driver’s license data come from the 2017 edition of the Highway Statistics Series from the Federal Highway Administration’s Office of Highway Policy Information: <https://www.fhwa.dot.gov/policyinformation/statistics/2017/xls/dl22.xls>. Population data come from an Integrated Public Use Microdata Series (IPUMS) sample of the 2017 American Community Survey: <https://usa.ipums.org/usa/>. Pre-registration data come from the 15-day pre-election registration report for the fall of 2018: <https://www.sos.ca.gov/elections/report-registration/15-day-gen-2018/>. The 2018 updates to the first two statistics were not available at the time of this writing, so we used the IPUMS estimate of 15- and 16-year-olds to adjust for the one-year discrepancy. This number (1,016,816) is virtually identical to the number of 16- and 17-year-olds (1,025,443), so the adjustment is unlikely to affect the results.

the Secretary of State’s web-based registration form. Among new registrants who are 18-to-24 years old, 34 percent used COVR at a time when CNMV was available, compared to 26 percent of older registrants.

CNMV uptake is highest among those beyond 70, at an age when driver’s license renewals must occur in person at the DMV.<sup>12</sup> Among these new registrants, 51 percent can be traced to CNMV, compared to 36 percent for everyone else.<sup>13</sup>

It is important to remember that these statistics do not tell us whether DMV uptake was higher for these groups under CNMV than under the previous system, or whether the reform encouraged new people to register. They tell us only whether CNMV was more popular among some groups compared to others. The results indicate that it was most popular among foreign-language registrants and (perhaps counterintuitively) older Californians.

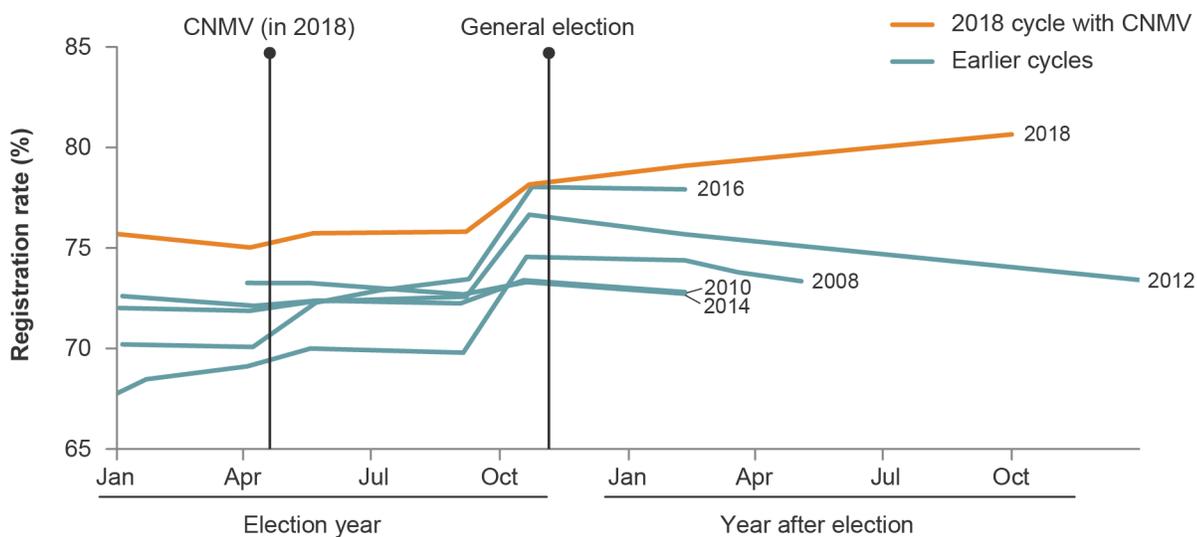
## Program Effect

The second question is whether the reform has increased the total number of people registering. This overall effect differs from uptake because many of the people who registered at the DMV might ultimately have registered to vote if CNMV had not been available. How many were drawn into the electorate because CNMV was an option?

Figure 3 offers an initial response to this question. It shows the registration rate as a share of all residents eligible to vote, from official statements of registration. The orange line is the 2018 election cycle when CNMV was implemented, while the other lines show a sample of other recent elections.

**FIGURE 3**

Registration growth in 2018 was larger than in some earlier election years and continued after the election



SOURCE: California Secretary of State.

<sup>12</sup> Given this requirement, it is possible that the large foreign-language difference reflects a difference in age: a larger share of foreign-language registrants were over 70 (17%, compared to 6% of English language registrants). But the difference in CNMV uptake was actually larger among young registrants.

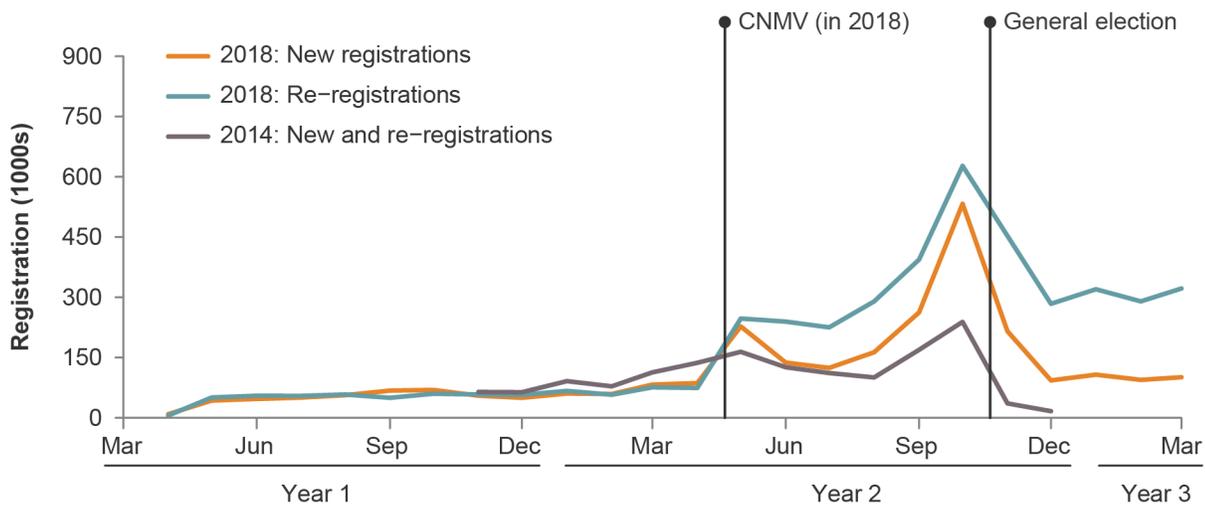
<sup>13</sup> It is also possible that in the 2018 election year young people were especially likely to be mobilized through other channels. DMV voter registration is unusual in the sense that a person cannot use it unless they are required to engage with the DMV. Thus, they cannot be “mobilized” to use CNMV, at least in the traditional sense.

The high-participation 2018 election cycle started with a higher registration rate than previous cycles, and that rate rose throughout the year. Most remarkably, it continued to grow *after* the election. This is a unique pattern in the period presented here, but it is consistent with evidence of the impact of AVR in some other states. CNMV appears to register voters even when the election is no longer uppermost in people's minds (McGhee et al. 2019).

To determine whether CNMV increased voter registration or simply shifted it to a new mechanism, we need to look at the overall number of new or re-registrants over the course of the 2014 and 2018 election cycles—not just those who registered via CNMV.<sup>14</sup> (We separate first-time registrants and re-registrants for 2018, but data constraints prevent us from doing the same for 2014.) Up until the advent of CNMV, the numbers for 2018 were comparable to those for 2014, but after CNMV there was a sharp increase in registration activity for both new registrants and re-registrants. The same sharp increase is visible if we limit the analysis to Latinos, Asian Americans, or young people (see [technical appendix Figures B1 through B3](#)). While re-registrations consistently outpaced new registrations in 2018, both exceeded the combined total for 2014 in every month under CNMV (Figure 4).

**FIGURE 4**

Registration activity in 2018 was similar to 2014 until CNMV was implemented



SOURCE: Political Data, Inc.

These numbers point to a significant CNMV effect. However, some or all of the higher activity may have been prompted by the excitement of the election season—overall turnout in 2018 was much higher than in 2014. CNMV may have affected the *timing* of voter registration by encouraging people to register earlier than they might have otherwise, without bringing new people into the electorate. One way to address this question is to compare California to non-AVR states. Did non-AVR states see similar registration increases, or was California's increase especially large?

To answer this question, we use summary totals of registration by state from the data vendor Catalist. Catalist provided the total number of registered voters in each state, as well as the number of Latinos and Asian Americans. Catalist identifies Latinos and Asian Americans using last names and other information. This method

<sup>14</sup> We use 2014, the previous midterm election year, because the volume of registration is much higher in presidential election years.

does contain some error, but that error washes out in our analytical process.<sup>15</sup> Young people are identified more accurately because the registration files of most states contain a registrant’s birthday.

Table 2 reports both the estimated effect (in percent registered) and the chance of seeing that effect for other reasons, if CNMV in fact had no effect at all. These results do not provide a clear message about the effect of CNMV. The effects overall and for Latinos and young adults are negative (-1.7% overall and -0.9% for Latinos; -1.4% for young people). For Asian Americans, there is a minimal positive effect.<sup>16</sup>

**TABLE 2**

The effect of CNMV in the 2018 election season was inconclusive

	CNMV effect (%)	Chance of no effect (%)
All groups	-1.7	32
Latinos	-0.9	49
Asian Americans	0.7	38
Youth (18–24)	-1.4	57

SOURCES: IPUMS-USA (Ruggles, Flood et al. 2019) American Community Survey micro-samples (2010–18); Catalist registration files (2010–18).

NOTES: The estimates come from a synthetic control analysis as described in the [Technical Appendix](#). “Chance of no effect” for those estimates is the share of states with an effect at least as large from the same model among states that did not adopt AVR. Traditionally, any value below five percent would be considered among researchers as “statistically significant.”

How can we reconcile these results with the ones from Figure 3 that show a growing registration rate over time? The results in Table 2 place registration changes in California *in the context of the election season*: in that context, it is not clear that CNMV increased the registration rate beyond what it might have been otherwise. The results have been far more promising since the 2018 election, but we have no broader context within which to place those results. If the 2020 fall election also proves to be an exciting, high-turnout affair, registration in other states may ultimately catch up with the increases seen recently in California. The increase in California has been large enough to make that outcome unlikely, but a firmer conclusion must wait for more time to pass.

<sup>15</sup> Our analysis compares changes after CNMV in California to changes over the same period of time in a weighted set of comparison states. Any bias in the process of identifying Latinos and Asian Americans that did not change over time would subtract out in this comparison. Moreover, even any bias that changed before and after would need to have a disproportionate effect on the type of people identified as Latino or Asian American in California when compared to the same change in bias in the comparison states.

<sup>16</sup> We were not able to acquire data on foreign-language registrants for this part of the analysis.

## Conclusions and Recommendations

California New Motor Voter is one of the most ambitious electoral reforms enacted during a period of change. CNMV is meant to ensure that all DMV customers make a decision about registration. The program has dramatically increased the number of people choosing to register or update existing registration information at the DMV. The program's effect on overall registration rates has been less clear. Placing the 2018 gains in the context of other states shows, at this point, no clear boost from CNMV during the election season.

This focus on the election season may be too limiting. California continued to add registrants after the November 2018 election, and the state has now reached near-record registration rates. This suggests that the program's full effect may be felt outside the bounds of the election season over a longer period of time.

Results from Oregon's AVR—which is a true default system—also suggest a stronger registration effect (McGhee, Gronke et al. 2019). It is possible that Oregon's model is better at adding unregistered citizens to the rolls.

CNMV's success with underrepresented groups is ambiguous. Uptake has been much higher among those who request election materials in a foreign language, and modestly higher among Latinos, while Asian Americans and young people use it at the same or even slightly lower rates. There is no evidence that CNMV has had a positive effect on Asian American registration, and the effects for Latinos and young people are somewhat negative (though also statistically uncertain).

Finally, we should consider outcomes more broadly. For example, CNMV helps ensure that registration records are up to date, which means that existing registrants receive the correct voter materials at the correct address and do not encounter problems when they vote. As a result, CNMV could have larger effects on voter turnout than on registration.

As more people use the system, the voter records will be more current and registration rates might continue to rise. But it is worth exploring changes that might produce more robust increases in registration across a wide range of groups. In particular, the performance of the reform and our understanding of it could be enhanced in several ways.

- **Develop a better understanding of CNMV's effects.** The small election season effects we found could be related to the kind of AVR used in California. Future research might also develop estimates of registration and turnout in smaller geographic areas to increase the amount of data available for analysis. As noted above, it also makes sense to look at turnout as a separate outcome of interest, since CNMV also helps maintain an up-to-date voter file that ensures people are properly registered when the election comes around.
- **Improve public reporting.** Accurate analysis will require better data than the state currently provides. Public reports make little attempt to reconcile record-keeping before and after the advent of CNMV. Definitions of basic concepts like declining to be registered have not been recorded in a way that facilitates comparison over time. Without this information it is difficult to know how DMV customers are experiencing the new reform: how far are they making it through the process, and if their information is being recorded accurately. The Secretary of State and DMV should work to provide consistent and complete data in order to ensure public accountability for this important new program.

- **Reduce unnecessary re-registrations.** The wording of the eDL44 could be revised to make it clearer that customers who are registered to vote will remain on the voter rolls if they decline to answer the registration questions. One might counter that the current eDL44 design is relatively harmless, and in fact helps the state maintain updated records. If the language is not changed, re-registrations that change nothing about an existing record should also be tallied separately from true record updates, to aid in accurate program evaluation.
- **Move toward default registration.** The eDL44 could get closer to a default registration approach without significant changes to the law. At a minimum, the choice to be registered could be pre-filled. More significantly, the form could offer only two choices to those who affirm eligibility: to supply more information (party registration, language, vote-by-mail status, and contact preference) or to decline registration. Customers who clicked the “next screen” button without choosing either option would be registered with a set of default choices.<sup>17</sup> A default registration option that is clearly conveyed would align the program more closely with the aim of the CNMV.<sup>18</sup>

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<sup>17</sup> For instance, the system could place such customers into no party preference, English language, precinct voting, and mail contact. The language-preference default might also be set to align with the language a customer chose for the eDL44.

<sup>18</sup> In hailing the law’s passage, Secretary of State Padilla argued that “citizens should not be required to opt-in to their fundamental right to vote. We do not have to opt-in to other rights, such as free speech or due process. The right to vote should be no different.” (Padilla 2015). Furthermore, the original bill specifies how party registration should be handled if a customer skips the detailed registration questions, suggesting it expects such skipping to be possible. (California Election Code, Sec 2265(a)(1)).

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## ACKNOWLEDGMENTS

The authors would like to thank Dean Bonner, Paul Gronke, Patrick Murphy, Kit Rebaskey, James Schwab, Mary Severance, Lori Shellenberger, and Lynette Ubois for help on earlier drafts. Supported with funding by the Research Collaborative Fund at New Venture Fund. The Research Collaborative Fund is funded by the Democracy Fund, Ford Foundation, and Wellspring Philanthropic Fund.

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