

# **Exhibit 2**

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WISCONSIN**

THE ANDREW GOODMAN FOUNDATION  
AND AMANDA SCOTT,

Plaintiffs,

v.

MARGE BOSTELMANN, JULIE M. GLANCEY,  
ANN S. JACOBS, DEAN KNUDSON, ROBERT  
F. SPINDELL, JR., and MARK L. THOMSEN, in  
their official capacities as Wisconsin Elections  
Commissioners,

Defendants.

Civil Action No. 19-cv-955

**January 22, 2020**

**EXPERT REPORT: BURDENS OF STUDENT ID RESTRICTIONS**

**Barry C. Burden**



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Barry C. Burden

## **Introduction**

Wisconsin Act 23, enacted in 2011, implemented a strict voter ID requirement in Wisconsin that prohibits use of college and university IDs unless they meet unique specifications and are accompanied by proof of enrollment.<sup>1</sup> I was asked to offer a preliminary opinion on the purpose and effect of the student identification requirements on young voters in Wisconsin. I am being compensated at a rate of \$300 per hour.

It is my opinion that the provisions related to college student IDs in Act 23 are tenuous in their ability to meet state interests and are burdensome on young adults in Wisconsin who wish to vote. The provisions do not enhance election security or public confidence in the election system. Further, by demanding more of college student IDs than other forms of identification, the provisions place a disproportionate burden on young adults in Wisconsin who wish to vote. These burdens are more consequential for young people because they have less familiarity with voting requirements and are in the process of establishing nascent habits of voter participation that are more easily disrupted. In addition, many standard-issue college IDs in Wisconsin do not comply with the unusual requirements in the law, thus necessitating a second ID that requires additional time and resources to obtain. As a result, college students and other young adults will be hindered and deterred from voting by the poorly justified ID requirements in Act 23.

## **Qualifications and Basis of Opinion**

I am a Professor of Political Science at the University of Wisconsin-Madison, where I have taught since Fall 2006. I earned my Ph.D. at The Ohio State University in 1998. From 1999 to 2006, I was a faculty member in the Department of Government at Harvard University.

My expertise lies generally in American politics with a focus on elections and voting, public opinion, representation, political parties, and research methodology. I teach courses on these topics at both the undergraduate and graduate levels. I am the author of *Personal Roots of Representation* (Princeton University Press), co-author of *Why Americans Split Their Tickets* (University of Michigan Press), and co-editor of *The Measure of American Elections* (Cambridge University Press). I have also published articles in respected scholarly peer-reviewed journals such as the *American Political Science Review*, *American Journal of Political Science*, *Electoral Studies*, *Public Opinion Quarterly*, *Legislative Studies Quarterly*, *Public Administration Review*, *Election Law Journal*, and *Political Analysis*. I serve on the editorial boards of *Electoral Studies* and *Election Law Journal*. I am a member of the American Political Science Association and have been active in the profession, giving presentations at many conferences and universities.

I have particular expertise in elections and election administration. I am Director of the Elections Research Center at the University of Wisconsin-Madison, a nonpartisan institute that provides rigorous analysis of elections. One of the Center's key areas of focus is election

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<sup>1</sup> In the remainder of my report I will use the term "college" to refer to both colleges and universities. My use of the term "student" will refer to students enrolled in colleges and universities within the state of Wisconsin. High school IDs are not acceptable for voting under Act 23 even if a high school student is eligible to vote.

administration. I have testified before state officials and the bipartisan Presidential Commission on Election Administration and provided expert advice to the U.S. Government Accountability Office. I serve on the advisory board of the MIT Election Data and Science Lab. I am frequently contacted by journalists and civic organizations to speak about election administration and have been quoted in several national media outlets.

I have provided expert reports and testified in several federal and state cases concerning changes in election law. This includes testimony in two prior Wisconsin cases involving Act 23. The case of *League of United Latin American Citizens of Wisconsin et al. v. Judge David G. Deininger et al.* (2013) in the Eastern District of Wisconsin concerned whether the voter law violated the federal Voting Rights Act. The case of *One Wisconsin Institute Incorporated et al. v. Judge Gerald V. Nichol et al.* (2016) in the Western District of Wisconsin concerned in part whether the voter ID law violated the Voting Rights Act and the U.S. Constitution. A full list of cases in which I have provided expert testimony as well as more information about my academic and scholarly experience is included in my curriculum vitae, included as Appendix A.

As a faculty member at the University of Wisconsin-Madison, I also have firsthand knowledge of how election laws and practices affect college students in Wisconsin. During the 2018 election season, I was the faculty lead of the campus coalition supporting the Big Ten Voting Challenge, a friendly competition within the Big Ten Conference to encourage student voters in the midterm elections. My involvement with the group allowed me to learn from local election officials, campus staff, and students themselves about the impacts of the voter ID requirements contained in Act 23.

To establish an expert opinion in this case, I reviewed an array of materials from academic, governmental, legal, and media sources. Building on my existing knowledge, expertise, and experience, I consulted scholarly research on the general causes and effects of changes in state election laws. My review also included data sources and statutes made available by agencies of the Wisconsin and federal governments. I also drew on direct knowledge of the state election system and observations of students attempting to vote in Wisconsin. All of the sources and methodologies I used are standard in my field.

### **Overview of 2011 Act 23**

In 2011, the Wisconsin state legislature passed and Governor Scott Walker signed into law Act 23. Act 23 created a strict voter ID requirement for voting in all Wisconsin elections, whether at a traditional polling place or by absentee. The law requires a prospective voter to provide one of the following forms of ID to receive a ballot:

- Wisconsin driver's license,
- Wisconsin non-driver ID issued by the Department of Transportation,
- U.S. Passport,
- military ID card,
- certificate of naturalization,
- federally-recognized Indian tribe ID,

- Veteran’s Health Administration ID card,<sup>2</sup> or
- ID from an accredited college located within the state.

Act 23 singles out college student IDs in four specific ways. First, a student ID must contain an expiration date.<sup>3</sup> Second, a student ID must also include a date of issuance. Third, the listed date of expiration on a student ID must be no later than two years after the date of issuance. Fourth, a voter using a student ID must also provide proof of current enrollment such as a tuition fee receipt or a letter from the college attesting to enrollment status.

No other form of ID under Act 23 must be accompanied by these additional requirements, yet the legislature and governor nonetheless deemed those non-student forms of ID to be satisfactory for establishing a voter’s identity.

Consider how the requirements are applied inconsistently in practice.

- For voting purposes, being a current military service member is akin to being a currently enrolled student. In both cases, a person is issued an ID when they join the organization. One would expect proof of current membership or enrollment to be required in either both cases or neither case. But this is not the practice in Wisconsin. A retired military member may use a card issued by a uniformed service as an acceptable form of ID even when the person is no longer actively serving.<sup>4</sup> Even the ex-spouse or former dependent of a military service member may continue to use a military ID for voting purposes after the legal relationship between the service member and card holder has been severed (as in the case of a divorce or a dependent turning 18 years old).
- Proof of enrollment makes the required issuance and expiration dates unnecessary. Nonetheless, all three things are required of student IDs. This court’s findings of fact in *One Wisconsin Institute* has already found that the “three requirements...are redundant,”<sup>5</sup> and that requiring student IDs to be unexpired is a violation of the Fourteenth Amendment (though the court made no finding as to the requirement that the expiration date be listed at all or that the specific requirements at issue here should be removed or otherwise changed).

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<sup>2</sup> VA cards were technically established as acceptable forms of ID on March 16, 2016 by Wisconsin Act 26.

<sup>3</sup> On the distinction between two types of Veteran Affairs cards, see [https://elections.wi.gov/sites/elections.wi.gov/files/news/137/veterans\\_ids\\_for\\_voting\\_pdf\\_12338.pdf](https://elections.wi.gov/sites/elections.wi.gov/files/news/137/veterans_ids_for_voting_pdf_12338.pdf) (last visited December 13, 2019). The law also allows an individual to receive a ballot who was approved for a driver’s license or state ID card in close proximity to the election but has not yet received it. In these cases, use of a driver’s license receipt or state ID card receipt is accepted for a limited time period. As a result of the decision of this court in *One Wisconsin Institute*, a person may also for a limited time period use a temporary ID card issued by the DOT as part of the identification petition process (IDPP).

<sup>4</sup> The forms of military ID provided by the Department of Defense are listed here: <https://www.cac.mil/uniformed-services-id-card/> (last visited December 9, 2019).

<sup>5</sup> *One Wisconsin Inst., Inc. v. Thomsen*, 198 F. Supp. 3d 896, 961 (W.D. Wis. 2016), order enforced, 351 F. Supp. 3d 1160 (W.D. Wis. 2019).

- Although a Wisconsin driver's license includes a date of issuance, this is not required by Act 23.
- Generally speaking, an acceptable ID under Act 23 must either be unexpired or expire after the date of the most recent general election, but there are exceptions to the expiration date requirement. For example, tribal IDs that lack expiration dates, naturalization certificates, which do not include expiration dates, and Veteran ID Cards (VICs), which do not include expiration dates are all exempted from this requirement. Because Act 23 explicitly permits use of IDs without expiration dates, the law makes evident that printed expiration dates are not necessary to establish a voter's identity. Nevertheless, without sound justification, it requires that student IDs contain expiration dates.

The additional demands layered on voters using student IDs place heavier burdens on young adults with no apparent benefit to the state. If the name and photo on an ID are sufficient for an election worker to confirm the identity of a voter, then the issuance date and proof of enrollment are superfluous requirements. As noted in the complaint filed in this case, it is possible under Act 23 for a poll worker to confirm that the name and photograph on a student ID match that of a prospective voter but nonetheless prohibit the person from acquiring a ballot due to lack of an issuance date or proof of enrollment. Voters using other forms of ID are permitted to receive ballots without these requirements. As I describe in the following section, social science research on the factors that affect voter turnout demonstrates that young adults and college students face more challenges than do other potential voters, and the additional requirements on college IDs serve to exacerbate those disparities.

### **Theoretical Frameworks for Understanding the Effects of Act 23 on College Students**

Experts on voter participation use two frameworks to understand why some people vote in an election and others do not. The two frameworks are (a) the theory of the *calculus of voting*, and (b) research on voting as a *habit*. These theories are relevant because they identify the burdens on voting that the state may impose and how those burdens may inhibit the practice of voting.

The "calculus of voting" is the dominant theoretical framework used by scholars to study voter turnout. Under this theory, researchers conceptualize the likelihood of voting as a formula that involves benefits and costs. An individual will generally vote if the *probability* of their vote determining the outcome (P) multiplied by the net psychological *benefit* of seeing one's preferred candidate win the election (B) is greater than the *costs* of voting (C). The theory does not necessarily imply that these parameters are the only factors influencing voter turnout, but rather are important variables that can explain why turnout varies between elections, across groups, or even by an individual in different contexts.

The cost term, C, is the most relevant parameter for understanding the student voter ID requirement in Act 23. This is because C is the only term that the state can manipulate directly, by setting election rules that affect the costs of voting. The costs include the effort required to

become informed about the candidates and issues over which the state has only limited influence. But costs also include the time, resources, and activity needed to overcome the administrative requirements and other barriers to registering to vote and successfully casting a ballot.<sup>6</sup> The state has almost exclusive control over these costs. Raising the value of  $C$  increases the burden on potential voters.

Any voting process incurs some costs; people use *resources* available to them to pay these costs. The “calculus of voting” framework suggests that, for many individuals, small changes in benefits or costs may alter the likelihood of voting dramatically. The decision to vote is sensitive enough to costs that even election day weather has been shown to depress turnout.<sup>7</sup> It is little surprise, then, that adding more costs to the voting process is enough to deter voting.<sup>8</sup> For example, relocating polling places has been shown to decrease turnout by several percentage points.<sup>9</sup> Implementing new registration requirements also reduces turnout.<sup>10</sup>

The second framework I use to understand the effects of Act 23 on young people views voter participation as a *habit*. Like many other repetitive behaviors that people adopt and sustain, voter turnout may be understood as habitual. Having paid the costs to participate in a first election, a person then becomes more likely to participate at later opportunities, thus contributing to the establishment of a persistent habit. After a person becomes a voter, they tend to remain a regular voter, at least in major general elections.<sup>11</sup>

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<sup>6</sup> Some formulations add a “duty” term to indicate the positive effect of norms supporting the democratic system. This addition might not be necessary because the cost term can be viewed as the net costs that encompass one’s sense of duty. See John H. Aldrich (1993), “Rational Choice and Turnout,” *American Journal of Political Science* 37:246-78. Alternatively, it has been suggested that costs matter more for individuals with a low sense of duty. See André Blais, Robert Young, and Miriam Lapp (2000), “The Calculus of Voting,” *European Journal of Political Research* 37:181-201.

<sup>7</sup> Thomas G. Hansford and Brad T. Gomez (2010), “Estimating the Electoral Effects of Voter Turnout,” *American Political Science Review* 104:268-88.

<sup>8</sup> Henry E. Brady and John E. McNulty (2011), “Turnout Out to Vote: The Costs of Finding and Getting to the Polling Place,” *American Political Science Review* 105:115-34. John E. McNulty, Conor M. Dowling, and Margaret H. Ariotti (2009), “Driving Saints to Sin: How Increasing the Difficulty of Voting Dissuades Even the Most Motivated Voters,” *Political Analysis* 17:435-55. Moshe Hapsel and H. Gibbs Knotts (2005), “Location, Location, Location: Precinct Placement and the Costs of Voting,” *Journal of Politics* 67:560-73.

<sup>9</sup> Brady and McNulty (2011). McNulty, Dowling, and Ariotti (2009). Hapsel and Knotts (2005).

<sup>10</sup> Barry C. Burden and Jacob R. Neihsel (2013), “Election Administration and the Pure Effect of Voter Registration on Turnout,” *Political Research Quarterly* 66:77-90.

<sup>11</sup> Alan S. Gerber, Donald P. Green, and Ron Shachar (2003), “Voting May Be Habit-Forming: Evidence from a Randomized Field Experiment,” *American Journal of Political Science* 47:540-50. Eric Plutzer (2002), “Becoming a Habitual Voter: Inertia, Resources, and Growth in Young Adulthood,” *American Political Science Review* 96:41-56. Alexander Coppock and Donald P. Green (2016), “Is Voting Habit Forming? New Evidence from Experiments and Regression Discontinuities,” *American Journal of Political Science* 60:1044-1062.

What may appear to be equal costs imposed by a restriction on voting practices are in fact often more acute for young people. The college student ID requirements in Act 23 place unique and additional burdens on students at a time in their lives when the voting process is most challenging. For young people who are in the midst of establishing a voting habit, costs loom larger than for older individuals. This can have the effect of delaying the onset of the practice of voting.

Professor Eric Plutzer's research has demonstrated that voter turnout is affected by developmental stages over the course of the life cycle. It is worth quoting from his study at length:

As young citizens confront their first election, all of the costs of voting are magnified: they have never gone through the process of registration, may not know the location of their polling place, and may not have yet developed an understanding of party differences and key issues. Moreover, their peer group consists almost entirely of other nonvoters: their friends cannot assure them that voting has been easy, enjoyable, or satisfying. (p. 42)

A voting requirement imposed on young people is more consequential than a similar requirement imposed on older cohorts. The lack of experience with the voting process and lack of an established voting habit make the costs of meeting legal requirements to vote for the first time more challenging. When the requirements for young people go beyond the standards applied to other kinds of voters, as is the case with college IDs under Act 23, the costs will be even more difficult for voters to pay. The next section of the report analyzes the degree to which Wisconsin college students are likely to possess acceptable ID and how actions by colleges to offer compliant ID have affected student voter participation.

### **Student Possession of Compliant IDs**

Approximately 300,000 students are enrolled in Wisconsin colleges.<sup>12</sup> Data from the Wisconsin Department of Public Instruction indicate that approximately 59.4% of high school completers enroll in a college immediately after graduation and that 67.9% enroll at some point after graduating from high school.<sup>13</sup> Because such a large share of young adults are enrolled in postsecondary educational institutions, any voting requirements that affect college students in Wisconsin have immediate implications for young voters (i.e., voters ages approximately 18 to 29).

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<sup>12</sup> The National Center for Education Statistics, which relies on fall semester enrollment numbers, estimates fall 2017 enrollment in Wisconsin of 340,770, *see* [https://nces.ed.gov/programs/digest/d18/tables/dt18\\_304.10.asp](https://nces.ed.gov/programs/digest/d18/tables/dt18_304.10.asp) (last visited December 12, 2019). In contrast, the National Student Clearinghouse Research Center, which relies on spring semester enrollment numbers, estimates fall 2018 enrollment in Wisconsin of 289,086, *see* <http://nscresearchcenter.org/currenttermenrollmentestimate-spring2018/> (last visited December 12, 2019).

<sup>13</sup> Wisconsin Information System for Education Data Dashboard (WISEdash), available at <https://wisedash.dpi.wi.gov/Dashboard/portalHome.jsp> (last visited December 12, 2019).

The circumstances that college students in Wisconsin encounter suggest that many will wish to use their student IDs for voting purposes. This is because young adults often lack other common forms of identification and because the student ID is often an essential form of identification that is routinely carried and frequently used for a variety of essential purposes. For many college students, especially those enrolled full-time on residential campuses, the student ID is a daily necessity. It provides access to classrooms, their dormitories, libraries, recreational facilities, parking structures, transportation, and laboratories while also serving as a financial tool that may be used to make purchases at dining facilities and book stores. Indeed, the fact that student IDs are explicitly named in Act 23 indicates that the legislature and governor who enacted the law believed that they would be the primary form of identification for many voters.

Despite the value of such IDs to students, many standard-issue student IDs at Wisconsin colleges did not conform to the requirements of Act 23 when the law was enacted. This required colleges to issue secondary forms of ID if they wanted their students to be able to participate in the voting process, requires students to acquire other forms of acceptable ID, or both.

Because many students lack other forms of acceptable ID, they would be likely to rely on their college IDs to vote. Research by professor Kenneth Mayer prepared for the *One Wisconsin Institute* case provides an estimate of how many Wisconsin college students who are registered to vote lack a Wisconsin driver's license or state ID card.<sup>14</sup> Mayer linked records in the statewide voter registration database with information on cardholders from the Department of Transportation as of late 2014. That analysis showed that about 8% of registrants lacked a license or state ID card. Although the files did not identify conclusively who was a college student, limiting the analysis to "student wards" (defined as those with colleges nearby or with large concentrations of registrants who are 18 to 24 years old) revealed a non-possession rate of 21%.

Based on what scholars have learned about the demographic differences between registrants and non-registrants, this can be regarded as a lower bound estimate. For example, U.S. Census Bureau data show that people who are unregistered have lower incomes, have lower levels of formal education, are more likely to be unemployed, and are more likely to have disabilities.<sup>15</sup> If it had been possible to examine the full electorate in Mayer's analysis, including eligible voters who are not yet registered, it would have almost certainly produced an even higher non-possession rate.

Students and other young people who lack Wisconsin driver's licenses and state IDs are also not likely to possess other kinds of compliant IDs such as U.S. Passports, veteran IDs, and military IDs. Support for this assertion comes from an expert report by professor Stephen Ansolabehere in the case of *Marc Veasey et al. v. Rick Perry et al.* concerning a strict voter ID

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<sup>14</sup> Expert report dated December 10, 2015 of Kenneth R. Mayer in the case of *One Wisconsin Institute, Inc. et al. v Judge Gerald C. Nichol et al.*

<sup>15</sup> For example, see the Census Voting and Registration Supplement tables for the 2016 election available at <https://www.census.gov/data/tables/time-series/demo/voting-and-registration/p20-580.html> (last visited December 18, 2019).

law implemented in Texas.<sup>16</sup> In research similar to Mayer's analysis in the Wisconsin case, Ansolabehere linked records in the statewide voter file to information on license and state ID holders maintained by the Department of Motor Vehicles to determine which registrants lacked acceptable ID for voting. However, Ansolabehere was also able to include data from federal agencies such as the Department of Defense (to capture military IDs), the Department of State (to capture U.S. Passports), and the Department of Veterans Affairs (to capture veteran IDs). Adding these sources to the record linkage process demonstrated that many individuals lack *any* of the non-student forms of ID. Depending on the exact methodology used, matching on the state-issued forms of ID alone produced a non-possession rate of 6 to 7% (just below Mayer's estimate in Wisconsin).<sup>17</sup> Adding federal IDs reduced the non-possession somewhat to 4 to 4.5% (again depending on the methodology). Although Ansolabehere did not disaggregate the results by age, his report showed that non-Hispanic whites are much more likely than blacks and Hispanics to possess a compliant ID. Because blacks and Hispanics (in both Texas and the country overall) are substantially younger on average than are non-Hispanic whites, it must be the case that state and federal ID possession in Texas is lower among young people than in the general population. I have no reason to believe the age disparity is absent in Wisconsin.

### **College Student Voter Turnout in Wisconsin Under Act 23**

To understand how the reliance on college student IDs affects young adults who wish to vote in Wisconsin, it is helpful to consider rates of voter turnout among students who attend college in the state. Information on student voter turnout is made available through the National Study of Learning, Voting, and Engagement (NSLVE). NSLVE is a project of the Institution for Democracy and High Education (IDHE) at Tufts University. The project covers more than 10 million students enrolled at over 1,000 institutions of higher education. Universities participate in the service by providing NSLVE staff with enrollment records for their students. Those records are matched against a national database of official voting data from the states to determine the voter turnout rate at each participating campus. Rates are adjusted to reflect the degree to which students are known to be noncitizens who are ineligible to vote in federal elections, but the inability to identify the total number of enrolled noncitizens means that estimated student turnout rates are slightly deflated. Each participating campus has received a report on its students' voting participation in general elections starting with the 2012 presidential election.

The NSLVE data show how student voter turnout rates changed in Wisconsin between elections before and after 2015, when the student ID requirements in Act 23 went into continuous effect.<sup>18</sup> As a reference point, the national data show that overall student turnout among participating institutions across the country rose by 3.2 percentage points between the

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<sup>16</sup> Corrected Supplemental Report dated September 16, 2014 of Stephen D. Ansolabehere, *Marc Veasey et al. v. Rick Perry et al.*, Southern District of Texas (No. 2:13-cv-193). See also Stephen Ansolabehere and Eitan D. Hersh (2017), "ADGN: An Algorithm for Record Linkage Using Address, Date of Birth, Gender, and Name," *Statistics and Public Policy* 4:1-10.

<sup>17</sup> See Tables V.3.A through V.4.B of the Ansolabehere report.

<sup>18</sup> Recall that the law was briefly in effect in February 2012 but was then put on hold by court action. It has been in effect continuously since April 2015.

2012 and 2016 elections.<sup>19</sup> According to the NSLVE reports, 743 out of 973 participating institutions (76% of the total) saw increases in student turnout between 2012 and 2016. In contrast, all sixteen of the Wisconsin institutions had changes in turnout that were below the national median, and thirteen of the sixteen colleges saw outright decreases.<sup>20</sup>

All of the publicly available NSLVE reports for individual colleges that I was able to find online show a drop in Wisconsin student turnout. Student turnout at UW-Madison dropped by 4.3 percentage points.<sup>21</sup> UW-Superior fell by 6.6 points.<sup>22</sup> UW-Parkside fell by 4.1 points.<sup>23</sup> UW-Whitewater fell by 9.4 points.<sup>24</sup> Private colleges around the state also saw declines. Turnout among students at St. Norbert College fell by 8.0 points.<sup>25</sup> Madison Area Technical College fell by 3.9 points.<sup>26</sup> Edgewood College dropped 7.3 points.<sup>27</sup>

It would be a mistake to attribute all of the turnout decline in Wisconsin in 2016 to the suppressive effect of the voter ID requirement in Act 23. Some of the decline, both in the state overall and among students, is due to the lighter presences of the presidential campaigns of Hillary Clinton and Donald Trump compared to prior Democratic and Republican nominees. Clinton has been criticized for not appearing in the state, the first major party nominee to skip Wisconsin since 1972.<sup>28</sup> Her campaign also purchased much less advertising in Wisconsin than is typical. Both Clinton and Trump invested less in the “ground game,” opening fewer field

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<sup>19</sup> “Democracy Counts: A Report on U.S. College and University Student Voting,” <https://idhe.tufts.edu/sites/default/files/NSLVE%20Report%202012-2016-092117%5B3%5D.pdf> (last visited December 9, 2019).

<sup>20</sup> *Id.* at 14.

<sup>21</sup> <https://www.allinchallenge.org/wp-content/uploads/University-of-Wisconsin-Madison-NSLVE-2016.pdf> (last visited December 9, 2019).

<sup>22</sup> <http://www.allinchallenge.org/wp-content/uploads/University-of-Wisconsin-Superior-NSLVE-2016.pdf> (last visited December 9, 2019).

<sup>23</sup> <https://www.uwp.edu/learn/colleges/socialsciencesprofessionalstudies/upload/2012-and-2016-NSLVE-Report-University-of-Wisconsin-Parkside.pdf> (last visited December 9, 2019).

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<https://www.uww.edu/Documents/ir/Compliance%20and%20Reporting/External/2012%20and%202016%20NSLVE%20Report-University%20of%20Wisconsin-Whitewater.pdf> (last visited December 9, 2019).

<sup>25</sup> <http://www.allinchallenge.org/wp-content/uploads/St.-Norbert-College-NSLVE-2016.pdf> (last visited December 9, 2019).

<sup>26</sup> <http://www.allinchallenge.org/wp-content/uploads/Madison-Area-Technical-College-NSLVE-2016.pdf> (last visited December 9, 2019).

<sup>27</sup> <http://www.allinchallenge.org/wp-content/uploads/Edgewood-College-NSLVE-2016.pdf> (last visited December 9, 2019).

<sup>28</sup> Barry C. Burden and Evan Crawford, “Hillary Clinton’s Absence in Wisconsin Reflects Her Strength—and One Weakness,” *Wisconsin State Journal*, October 29, 2016.

offices around the state than Barack Obama and Mitt Romney had done in 2012.<sup>29</sup> Research shows that engagement by campaigns helps to stimulate voter participation.<sup>30</sup>

Although it is not surprising in retrospect that voter turnout declined in Wisconsin between 2012 and 2016, it is noteworthy that student turnout fell more sharply than among the electorate as a whole. Statewide turnout fell from 72.9% of eligible voters to 69.5%, a decline of 3.4 points.<sup>31</sup> All of the Wisconsin college turnout rates documented above dropped by a larger amount.

Even if less robust presidential campaigns in 2016 contributed to the decline in student turnout compared to 2012, campaign activity alone cannot explain the pattern in the midterm election of 2018. Nationwide turnout among all eligible voters in 2018 was 50.3%, the highest rate in a midterm election in more than a century and the highest rate since constitutional amendments provided for the direct election of U.S. Senators and women's suffrage.<sup>32</sup> This represents a remarkable increase of 19.4 percentage points over the previous midterm election in 2014.<sup>33</sup> NSLVE data coincidentally show the same 19.4-point increase in student voting at participating institutions. But colleges in Wisconsin saw smaller increases than in most other states. While turnout was up at all but a handful of the campuses participating in NSLVE, the rise in Wisconsin institutions between 2014 and 2018 ranked 37th out of 42 states for which data were reported.<sup>34</sup>

This makes two elections in a row (the 2016 presidential and the 2018 midterm) in which student turnout in Wisconsin underperformed in terms of movement relative to the rest of the country, other U.S. college students, and the Wisconsin electorate. Wisconsin students withdrew from voting more sharply in 2016 and took to voting less dramatically in 2018. Given the common pattern despite the great differences between these two elections (one favoring a Republican presidential candidate and the other favoring Democratic gubernatorial and other statewide candidates), I conclude the student voter ID requirement was one of multiple factors that suppressed student voter participation. This conclusion is supported in part by the following examination of the usability of student ID cards for voting in Wisconsin.

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<sup>29</sup> Joshua P. Darr (forthcoming), "Abandoning the Ground Game? Field Organization in the 2016 Election," *Presidential Studies Quarterly*.

<sup>30</sup> See Robert A. Jackson (2008), "Macro Research on Campaign Mobilization in the United States," *Journal of Political Marketing* 2:25-45.

<sup>31</sup> United States Election Project, <http://www.electproject.org/home/voter-turnout/voter-turnout-data> (last visited December 9, 2019).

<sup>32</sup> United States Election Project.

<sup>33</sup> United States Election Project, <http://www.electproject.org/national-1789-present> (last visited December 9, 2019).

<sup>34</sup> "Democracy Counts 2018: Increased Student and Institutional Engagement," available at <https://idhe.tufts.edu/sites/default/files/DemocracyCounts2018.pdf>, at 9 (last visited December 10, 2019).

### **Usability of Student ID Cards for Voting**

A key reason why young people have difficulty overcoming the costs of the voter ID law and, more specifically, the student ID requirements, is that only some of the ID cards provided to students enrolled in Wisconsin colleges are compliant with Act 23. According to recent research conducted by Common Cause Wisconsin, the standard ID cards issued to students are compliant at only four of the thirteen four-year UW universities,<sup>35</sup> twelve of the fifteen technical colleges,<sup>36</sup> and eight of the 23 private colleges and universities.<sup>37</sup>

Some of the compliant IDs were made so intentionally, as colleges attempted to mitigate the impact of Act 23 on their students. At other colleges, such as UW-Madison, a second ID was created and offered as a way to facilitate student voting without modifying the standard-issue ID to make it compliant. Students must typically make a separate trip to an ID office on campus to acquire the second form of ID.

Structural changes have taken place at the state's thirteen UW Colleges that require separate discussion. In 2017 the UW Board of Regents proposed a restructuring of the state university system that transformed the state's 13 two-year college campuses into branch campuses of proximate four-year UW universities. For example, Waukesha and Washington County colleges are now part of UW-Milwaukee. The reconfiguration of campuses was officially instituted on July 1, 2018, but implementation is ongoing. This restructuring has consequences for how and what kinds of IDs are issued to almost 9,000 students. It is unclear to me at this time whether an ID issued by a UW College that satisfies Act 23's requirements is still acceptable if the student holding it is now enrolled at a branch campus that has been renamed. It is possible that a student who received an ID less than two years ago must not only obtain a new school ID but also a new voting compliant ID from their new branch campus. In this evolving administrative environment, it is likely that some students will be confused or uncertain about which IDs are accepted for voting and how to acquire them. This environment will be especially challenging for lower resource students enrolled at the branch campuses that were previously part of the UW Colleges, which the UW System describe as being "critical higher education access points, particularly for first generation, low income, and under-served students."<sup>38</sup>

Setting aside the unique administrative complexities of IDs at the former UW Colleges, the general picture is that many students enrolled in Wisconsin colleges do not have driver's licenses or other non-student IDs acceptable for voting and are not issued standard student ID cards that are acceptable for voting. It is my understanding that most Wisconsin colleges make

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<sup>35</sup> [http://www.commoncause.org/wisconsin/wp-content/uploads/sites/28/2019/02/Univ-of-WI-4-Year-Colleges\\_Student-ID-Voter-ID-Compliance.pdf](http://www.commoncause.org/wisconsin/wp-content/uploads/sites/28/2019/02/Univ-of-WI-4-Year-Colleges_Student-ID-Voter-ID-Compliance.pdf) (last visited December 10, 2019).

<sup>36</sup> [http://www.commoncause.org/wisconsin/wp-content/uploads/sites/28/2019/08/Wisconsin-Tech-Colleges\\_Student-ID-Voter-ID-Compliance.pdf](http://www.commoncause.org/wisconsin/wp-content/uploads/sites/28/2019/08/Wisconsin-Tech-Colleges_Student-ID-Voter-ID-Compliance.pdf) (last visited December 10, 2019).

<sup>37</sup> [http://www.commoncause.org/wisconsin/wp-content/uploads/sites/28/2019/02/Wisconsin-Private-Univ-Colleges\\_Student-ID-Voter-ID-Compliance.pdf](http://www.commoncause.org/wisconsin/wp-content/uploads/sites/28/2019/02/Wisconsin-Private-Univ-Colleges_Student-ID-Voter-ID-Compliance.pdf) (last visited December 10, 2019).

<sup>38</sup> <https://www.wisconsin.edu/uw-restructure/access/> (last visited January 7, 2020).

some form of acceptable ID available for students to acquire,<sup>39</sup> but that it is often provided separately from the regular ID. This approach to offering voting-compliant IDs has left many students unsatisfied. When it became clear that Act 23 was going into full effect, the College Democrats and College Republicans student groups at UW-Madison issued a joint statement in October 2015 calling on the administration to modify the existing Wiscard ID so that it would be acceptable for voting.<sup>40</sup> For a variety of security, administrative, and financial reasons, the university decided instead to issue a secondary card that could be used periodically for voting.<sup>41</sup>

Because of the extra administrative steps required to acquire the second ID, the rarity with which it is used compared to the standard ID, and lack of knowledge students may possess about what is needed to vote, many students are likely to be unpleasantly surprised when they attempt to vote but lack an acceptable ID that includes a signature and appropriate issuance and expiration dates.

The insufficiency of a secondary voting-compliant student ID can be demonstrated by what happened when UW-Madison attempted to mitigate the costs of Act 23 for students in the 2016 and 2018 elections. In addition to the plastic cards available at a regular Wiscard student ID office in one of the student unions, the university located computers and paper printers operated by staff members at seven on-campus voting sites. The service was provided to generate temporary paper IDs for students who arrived at the polls and discovered that they lacked ID for voting. Staff members at each location were able to print the paper IDs for students who provided adequate documentation of their identities.

A total of 989 IDs were issued on election day in 2016 and 1,189 were issued on election day in 2018.<sup>42</sup> Only 345 and 322 of these were plastic cards issued in the Wiscard office. The vast majority were thus issued at voting sites on demand as surprised students realized what was needed for them to receive ballots. Without the printing service, it is unclear if students would have learned about the possibility of acquiring the plastic ID at the Wiscard office. If they did know about the opportunity, it is not likely that all of them would have had the interest, time, and ability to travel to what would have been an extremely busy office and return to the polling place before voting ended at 8:00 p.m.

Because the number of IDs printed on election day actually increased between 2016 and 2018, it appears that students' ID needs have not been satisfied over time through university or other efforts. To put the need in perspective, the NSLVE report states that 16,806 UW-Madison

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<sup>39</sup> It appears that at least two of the state's technical colleges do not offer their students any form of ID that is compliant with Act 23. See [http://www.commoncause.org/wisconsin/wp-content/uploads/sites/28/2019/08/Wisconsin-Tech-Colleges\\_Student-ID-Voter-ID-Compliance.pdf](http://www.commoncause.org/wisconsin/wp-content/uploads/sites/28/2019/08/Wisconsin-Tech-Colleges_Student-ID-Voter-ID-Compliance.pdf) (last visited January 7, 2020).

<sup>40</sup> <https://web.archive.org/web/20151026120815/http://collegedemsumadison.org/?p=765> (last visited December 18, 2019).

<sup>41</sup> <https://chancellor.wisc.edu/blog/campus-support-for-student-voting-under-new-wisconsin-voter-id-law/> (last visited December 18, 2019).

<sup>42</sup> Big Ten Voting Challenge Recap Memo to Chancellor Blank from Barry Burden and Megan Miller, January 18, 2019.

students voted in the 2016 election. The 989 students who were issued voting-compliant IDs on election day represent one out of every 17 students who voted. In the 2018 election, the 1,189 IDs issued on election day amount to one of every 16 of the 18,470 students who voted. Without the unnecessary Act 23 requirements for a signature, issuance date, and expiration date to appear on the ID, these and other students could have simply used their standard campus Wiscards that they carry on a regular basis for many other commercial, academic, and personal purposes. Based on a variety of indicators, I expect UW-Madison student turnout in the 2020 election to exceed the levels it reached in 2016 and 2018 and for an even larger number of election day IDs to be issued.

### **Qualitative Evidence of the Effects of the Student ID Restrictions**

While the constraints of this preliminary report do not permit a full causal analysis of all the factors that led to the disproportionate drop in student turnout, my knowledge of academic research, understanding of the situation faced by Wisconsin college students, and firsthand observations and interactions with student voters, poll workers, and university partners indicates that students were deterred by the voter ID requirements in Act 23.

Students enrolled in one of my courses during the fall 2016 semester were required to observe Wisconsin polling places one election day and write reports on the functioning of the administrative process they observed. In another course I taught that semester, many students voluntarily served as poll workers at polling locations on or near the UW-Madison. Both groups of students reported cases of students being turned away for lack of acceptable ID. Other media coverage highlighted similar instances of students lacking ID at the polls.<sup>43</sup> In my subsequent work as faculty lead of the Big Ten Voting Challenge, I heard from multiple stakeholders about student voters who lacked IDs and knowledge about how to acquire them.

More systematic evidence on the effects of Act 23 on young voters in 2018 is reported by the Wisconsin chapter of the League of Women Voters. As it has done in several recent elections, the League dispatched its volunteers as observers at a large number of different kinds of polling places around the state on election day in 2018. Their firsthand observations about the administration of the election were summarized in a report.<sup>44</sup> Their observers reported that 58 people were not able to vote because they lacked approved forms of ID and that “[s]ites with student populations were more than twice as likely to report voters having difficulty producing a photo ID than sites without such populations” (p. 19). Observers saw many instances where a voter without ID was not offered a provisional ballot as required by state law; this problem was more common in areas known to have large student populations (p. 21). In Madison, multiple voters mistakenly believed they could vote using the standard Wiscard ID issued by UW-Madison. Even more than three years after Act 23 was permitted to go into continuous effect, it is apparent that young voters continue to be challenged by the college ID requirements.

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<sup>43</sup> Carrie Scherpelz, “Open Letter from a Poll Worker to the UW Student Who Tried to Vote Yesterday,” *Isthmus*, February 17, 2016, available at <https://isthmus.com/opinion/opinion/open-letter-from-a-poll-worker-to-uw-student/> (last visited December 18, 2019).

<sup>44</sup> “Wisconsin Election Protection 2018 Midterm Election Report,” <https://drive.google.com/file/d/1jMNNrkeG982rZ5VWE8cpZG0fjInfzFnc/view> (last visited December 18, 2019).

### **Lack of Public Knowledge about Act 23 is Likely to Affect College Student Turnout**

Public awareness of photo ID requirements is essential so that aspiring voters can successfully navigate the law to cast ballots that will be counted. A lack of public information has been a concern in other states where photo ID laws have been implemented because it has apparently depressed voter turnout. Both courts and academic research have concluded that public uncertainty and misinformation can damage the implementation of voter ID requirements.

In permanently blocking a photo ID law adopted in 2012, the Supreme Court of Pennsylvania cited in its opinion an expert witness who provided evidence about public knowledge of the law. A statewide survey analyzed by the expert showed that 38% of eligible voters did not know that the state had an ID requirement.<sup>45</sup> In addition, while 98% respondents believed that they had valid ID for voting, subsequent questions about specific forms of identification revealed that only 86% in fact did have acceptable forms of IDs.

In Wisconsin, a statewide survey conducted by Marquette University Law School was conducted following a highly publicized federal appeals court ruling enforcing the state's photo ID law.<sup>46</sup> The survey showed that 20% of registered voters erroneously believed that a photo ID would not be required to vote in the upcoming election.<sup>47</sup>

A more recent study in Wisconsin by Michael DeCrescenzo and Kenneth Mayer also finds that misinformation or lack of information about the state's voter ID requirement deters voter participation.<sup>48</sup> Examining the state's two most populous counties, the authors estimated that 5.8% of nonvoting registrants who wished to vote were prevented from participating in the 2016 presidential election because they lacked acceptable ID or named the voter ID requirement as the *main* reason for not voting. Using a more expansive definition of who was impeded by the law, 10.2% were deterred from voting because they lacked acceptable ID or named the voter ID requirement as *one* of the reasons for not voting. In addition to the direct effect of Act 23 on the ability to vote, the authors found that much of the deterrence was an indirect effect due to misinformation. Upon detailed questioning of the respondents, the authors determined that only three percent of nonvoters actually lacked acceptable ID for voting.<sup>49</sup> Less knowledgeable individuals were also more likely to report being deterred or prevented from voting by the ID requirement.

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<sup>45</sup> Declaration of Matt A. Barreto, *Applewhite, et al. v. Commonwealth of Pennsylvania et al.* (No. 330 MD 2012).

<sup>46</sup> The decision was issued on September 12, 2014. The Marquette University Law Poll was in the field September 25-28. A subsequent order from the U.S. Supreme Court reinstated the injunction on October 9, 2014.

<sup>47</sup> The rate was a similar 18% for "likely" voters.

<sup>48</sup> Michael G. DeCrescenzo and Kenneth R. Mayer (forthcoming) *Election Law Journal*.

<sup>49</sup> These estimates of the percentage of people affected by the law are lower than the estimated percentages of the overall population that lacks acceptable ID cited earlier in my report. The DeCrescenzo and Mayer study focused on possession rates among registered nonvoters in two counties rather than the entire eligible population.

Research suggests that inaccurate information will be a significant reason for non-voting even among those who have acceptable ID. Problems of misinformation are more likely among young people who are new to the voting process who tend to have lower levels of knowledge about the laws. This makes the additional burdens of enrollment verification, issuance dates, and expiration dates on student IDs more concerning. The complexity of the law and unique demands placed on student IDs, along with the patchwork of approaches being taken by the state's colleges, will contribute to misunderstanding and will inhibit some young adults in Wisconsin from taking part in the 2020 elections.

### **Effects of Act 23 on Election Security and Public Confidence in Elections**

The most common rationales offered for a strict voter ID requirement are that it protects election security and increases public confidence in the election system. However, a wide variety of scholarly and legal evidence indicates that voter ID requirements target some of the rarest kinds of election crimes and have no overall effect on public confidence in the integrity of Wisconsin elections.

The main form of election crime that can be deterred by a strict voter ID law such as Act 23 is voter impersonation. However, this is one of the riskiest and less common forms of election crimes. It is risky to impersonate another voter because of the high likelihood of being caught and the severe penalties that may follow. Impersonating someone else at the polls must be done in a public polling place that is typically administered by poll workers representing both major political parties and in the presence of other voters and election observers. The impersonating voter also needs to cast the ballot in the name of a registered voter, either by registering (and thus showing proof of residence) multiple times or by identifying a legitimate registered voter who has not yet cast a ballot and is not personally known to the poll workers. This is a difficult crime to commit without detection. Moreover, the penalties for voter impersonation are substantial: up to five years in prison and a fine of \$10,000 in a federal election<sup>50</sup> and up to nine months in prison and a fine of \$10,000 in a state election.<sup>51</sup>

A bipartisan study of election crimes by the Election Assistance Commission found that “[m]any [experts] asserted that impersonation of voters is probably the least frequent type of fraud because it is the most likely type of fraud to be discovered, there are stiff penalties associated with this type of fraud, and it is an inefficient method of influencing an election.”<sup>52</sup>

A report by researchers at the Ohio State University law school explored this issue in Wisconsin and four other Midwestern states. They interviewed state and local election officials and attorneys in the Milwaukee district attorney's office. Despite the fact that “[t]here are few states in which allegations of voter fraud have received greater scrutiny than Wisconsin...On the

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<sup>50</sup> 52 U.S.C. § 10307(c).

<sup>51</sup> Wisc. Stat. 12.60(1)(bm).

<sup>52</sup> U.S. Election Assistance Commission. “Election Crimes: An Initial Review and Recommendations for Future Study.” December 2006, p. 9.

whole, voting fraud in exceedingly rare.”<sup>53</sup> Their follow-up report on Wisconsin concluded that “[t]here is no evidence of any serious problem with voter impersonation fraud, the only form of illegal voting that a strict ID law could hope to address.”<sup>54</sup>

This conclusion is further supported by an exhaustive analysis of voter fraud allegations by the News21, an investigative reporting project based at Arizona State University. To tabulate instances of vote fraud, the organization made public records requests to election and law enforcement agencies, drew upon a list of vote fraud cases generated by the Republican National Lawyers Association, and culled other sources. They found 57 allegations of election fraud in Wisconsin between 2000 and 2013.<sup>55</sup> But only 45 of those cases implicated voters, as opposed to campaign staff or election officials. More importantly, none of the cases involved voter impersonation. Most of the cases involved voting by a person who was ineligible due to a felony record, double voting, and voter registration fraud. It does not appear that a voter ID requirement such as Act 23 would prevent any of these activities. More to the point in this litigation, none of the cases appear to involve a college student voting illegally as someone else.

A listing of voter fraud “cases” compiled by the Heritage Foundation generates similar results.<sup>56</sup> The Heritage database lists 46 such “cases” in Wisconsin from 2004 to 2018.<sup>57</sup> Its web site describes the information as a “sampling” of “proven” instances of vote fraud. Some of the “cases” actually involve multiple individuals accused of the same crime or broader actions such as overturning an election, so the total number of allegations may be higher than 46. Although the conservative ideological stance of the Heritage Foundation would incline it to find as many cases of election fraud as possible, the survey failed to find instances of voter impersonation in Wisconsin. However, in line with the News21 analysis discussed above, most of the cases involve people with felony convictions or non-citizens attempting to register or vote. None of the cases in the Heritage database appear to involve voter impersonation that would be inhibited by Act 23.

Depending on whether one accepts the accounting by News21 or by the Heritage Foundation, there is little trace of voter impersonation in a time period in which millions of votes were cast and counted in the general, primary, special, and other elections that took place in Wisconsin. This is a minuscule rate of voter impersonation crimes given the millions of ballots cast during this time period. The number of plausible voter impersonation attempts is also far, far

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<sup>53</sup> Steven H. Huefner, Daniel P. Tokaji, Edward B. Foley, and Nathan A. Cemenska (2007) *From Registration to Recounts: The Election Ecosystems of Five Midwestern States*, The Ohio State University Moritz College of Law, p. 120.

<sup>54</sup> Steven F. Huefner, Nathan A. Cemenska, Daniel P. Tokaji, and Edward P. Foley (2011), *From Registration to Recounts Revisited: Developments in the Election Ecosystems of Five Midwestern States*, The Ohio State University Moritz College of Law, p. 41.

<sup>55</sup> See <https://votingrights.news21.com/interactive/election-fraud-database/> (last visited December 16, 2019).

<sup>56</sup> The instances listed are not “cases” in the legal sense.

<sup>57</sup> The Heritage Foundation, “Voter Fraud Cases,” <https://www.heritage.org/voterfraud/search?state=WI> (last visited December 16, 2019).

smaller than the number of college students who lack acceptable ID (as estimated by Mayer in the *One Wisconsin Institute* litigation) and even the number of UW-Madison students who acquired last-minute IDs at the polls on election day in 2016 and 2018. The absence of any voter impersonation crimes or fraud perpetrated by Wisconsin college students in the periods before or after implementation of Act 23 reveals the tenuous nature of the ID requirements and particularly the extra demands placed on students. Voter impersonation is extremely rare and not more prevalent among students, yet they are obligated to show college IDs with additional elements not needed by other voters and to display proof of enrollment that has no analog among non-student voters.

Even if voter impersonation is extremely rare, the state might nonetheless justify Act 23 on the grounds that it helps bolster the confidence the public has in the election system. After all, public opinion surveys in Wisconsin generally show majority support for a generic voter ID requirement.<sup>58</sup> However, the academic literature finds little to no evidence that voter ID laws buoy public confidence in election systems or motivate more citizens to participate as a result of public perception that the integrity of the voting system is improved. Extensive research instead finds that public confidence in the voting system is largely colored by partisanship, such that supporters of losing candidates have less trust in the election system than do supporters of winning candidates.<sup>59</sup> More to the point, research by professor Stephen Ansolabehere shows that there is no overall relationship between the strictness of state voter ID laws and voter confidence.<sup>60</sup> A more recent study suggests that a strict voter ID law might raise confidence among Republicans but lower it among Democrats.<sup>61</sup>

Ansolabehere's study cited in the previous paragraph concludes that an individual's "[b]elief in the frequency of election fraud is uncorrelated with propensity to vote" (p. 129). Related research that Ansolabehere conducted with law professor Nathaniel Persily similarly finds that "[t]here is little or no relationship between beliefs about the frequency of fraud and electoral participation. . . . Nor does it appear to be the case that universal voter identification requirements will raise levels of trust in the electoral process."<sup>62</sup> An even more recent study of public opinion and ID laws similarly concludes that "the presence of a voter ID requirement does

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<sup>58</sup> For example, an October 2014 statewide Marquette University Law Poll found 60% of respondents in favor of a photo ID requirements and 36% opposed. See <https://law.marquette.edu/poll/2014/10/29/final-pre-election-marquette-law-school-poll-finds-walker-leading-burke-in-wisconsin-governors-race/> (last visited December 17, 2019).

<sup>59</sup> Michael W. Sances and Charles Stewart III (2015), "Partisanship and Confidence in the Vote Count: Evidence from U.S. National Elections Since 2000," *Electoral Studies* 40:176-188.

<sup>60</sup> Stephen Ansolabehere (2009), "Effects of Identification Requirements on Voting: Evidence from the Experiences of Voters on Election Day," *PS: Political Science & Politics* 42:127-130. Shaun Bowler, Thomas Brunell, Todd Donovan, and Paul Gronke (2015), "Election Administration and Perceptions of Fair Elections," *Electoral Studies* 38:1-9.

<sup>61</sup> Shaun Bowler and Todd Donovan (2016), "A Partisan Model of Electoral Reform: Voter Identification Laws and Confidence in State Elections," *State Politics and Policy Quarterly* 16:340-361.

<sup>62</sup> Stephen Ansolabehere and Nathaniel Persily (2007-2008), "Vote Fraud in the Eye of the Beholder: The Role of Public Opinion in the Challenge to Voter Identification Requirements," *Harvard Law Review* 121:1737-1773 (p. 1759).

not affect the public's belief in the frequency of voter fraud."<sup>63</sup> That study's statistical analysis of national survey data also generally shows no effect of the strictness of a state's voter ID law on confidence that votes were counted correctly.

If the goal of Wisconsin's photo ID requirement and the more demanding requirements placed on student IDs is to improve public trust in the election system or increase voter turnout, it is highly likely to fail.

### **Conclusion**

Based on my scholar expertise, review of relevant materials, and firsthand experience, I conclude in this preliminary expert report that the requirements for college student IDs contained in Act 23 are unjustified, redundant, and excessive compared to what is required of voters who use other forms of identification. The college ID provisions place a disproportionate burden on young adults in Wisconsin who wish to vote. The burden is especially problematic for students due to the costs of establishing a voting habit in young adulthood. Under Act 23, college students face a more difficult time voting than other voters and must overcome peculiar ID requirements that are not well designed to confront weaknesses in the state's election security or increase public confidence that Wisconsin elections are conducted properly.

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<sup>63</sup> Charles Stewart III, Stephen Ansolabehere, and Nathaniel Persily (2016), "Revisiting Public Opinion on Voter Identification and Voter Fraud in an Era of Increasing Partisan Polarization," *Stanford Law Review* 68:1455-1489 (p. 1483).

# APPENDIX A

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December 30, 2019

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### Academic Positions

Professor of Political Science, University of Wisconsin-Madison (2006-present)

Director, Elections Research Center (2015-present)

Lyons Family Chair in Electoral Politics (2015-present)

La Follette School of Public Affairs, Faculty Associate (2007-present)

Center for Demography of Health and Aging, Faculty Affiliate (2013-present)

School of Journalism and Mass Communication, Faculty Affiliate (2015-present)

Associate Professor of Government, Harvard University (2003-2006)

Assistant Professor of Government, Harvard University (1999-2003)

Assistant Professor of Political Science, Louisiana State University (1998-1999)

### Education

Ph.D. The Ohio State University (1998)

B.A. Wittenberg University (1993)

### Authored and Co-Authored Books

Burden, Barry C. 2007. *Personal Roots of Representation*. Princeton, NJ: Princeton University Press.

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- Burden, Barry C., Gregory A. Caldeira, and Tim Groseclose. 2000. "Measuring the Ideologies of U.S. Senators: The Song Remains the Same." *Legislative Studies Quarterly*.
- Burden, Barry C., and Steven Greene. 2000. "Party Attachments and State Election Laws." *Political Research Quarterly*.
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- Burden, Barry C., and David C. Kimball. 1998. "A New Approach to the Study of Ticket Splitting." *American Political Science Review*.
- Burden, Barry C. 1997. "Deterministic and Probabilistic Voting Models." *American Journal of Political Science*.

## Book Chapters

- Kang, Michael S., and Barry C. Burden. 2018. "Sore Loser Laws in Presidential and Congressional Elections." In *Routledge Handbook of Primary Elections*, ed. Robert G. Boatright. New York, NY: Routledge.
- Burden, Barry C., and Jordan Hsu. 2017. "Signature Requirements and Ballot Access for Non-Major Party Candidates." In *Changing How America Votes*, ed. Todd Donovan. Lanham, MD: Rowman and Littlefield.
- Burden, Barry C., and Logan Vidal. 2016. "How Resources, Engagement, and Recruitment are Shaped by Election Rules." In *Resources, Engagement, and Recruitment: New Advances in the Study of Civic Volunteerism*, ed. by Casey A. Klofstad. Philadelphia, PA: Temple University Press.
- Vidal, Logan, and Barry C. Burden. 2016. "Voter Registration." In *American Governance*, ed. Stephen L. Schechter. Farmington Hills, MI: Cengage Learning.
- Burden, Barry C., and Charles Stewart III. 2014. "Introduction to the Measure of American Elections." In *The Measure of American Elections*, eds. Barry C. Burden and Charles Stewart III. New York, NY: Cambridge University Press.
- Burden, Barry C. 2014. "Registration and Voting: A View from the Top." In *The Measure of American Elections*, eds. Barry C. Burden and Charles Stewart III. New York, NY: Cambridge University Press.
- Hillygus, D. Sunshine, and Barry C. Burden. 2013. "Mass Polarization During the Bush Presidency." In *Taking the Measure: The Presidency of George W. Bush*, ed. Donald R. Kelley and Todd G. Shields. College Station, TX: Texas A&M University Press.
- Burden, Barry C. 2013. "The Nominations: Ideology, Timing, and Organization." In *The Elections of 2012*, ed. Michael Nelson. Washington, DC: CQ Press.
- Berry, Christopher R., Barry C. Burden, and William G. Howell. 2012. "The Lives and Deaths of Federal Programs, 1971-2003." In *Living Legislation: Political Development and Contemporary American Politics*, ed. Jeffrey A. Jenkins and Eric M. Patashnik. Chicago, IL: University of Chicago Press.
- Burden, Barry C., and Amber Wichowsky. 2010. "Local and National Forces in Congressional Elections." In *The Oxford Handbook of American Elections and Political Behavior*, ed. Jan E. Leighley. New York, NY: Oxford University Press.
- Burden, Barry C. 2009. "The Puzzle of the Japanese Gender Gap in LDP Support." In *Political Changes in Japan: Electoral Behavior, Party Realignment, and the Koizumi Reforms*, ed. Steven Reed, Kenneth Mori McElwain, and Kay Shimizu. Stanford, CA: Shorenstein Asia-Pacific Research Center.
- Burden, Barry C., and Philip Edward Jones. 2009. "Strategic Voting in the USA." In *Duverger's Law of Plurality Voting: The Logic of Party Competition in Canada, India, the United Kingdom, and the United States*, ed. Bernard Grofman, André Blais, and Shaun Bowler. New York, NY: Springer.

- Burden, Barry C. 2009. "The Nominations: Rules, Strategy, and Uncertainty." In *The Elections of 2008*, ed. Michael Nelson. Washington, DC: CQ Press.
- Burden, Barry C. 2008. "Multiple Parties and Ballot Regulations." In *Democracy in the States: Experiments in Elections Reform*, ed. Bruce E. Cain, Todd Donovan, and Caroline J. Tolbert. Washington, DC: Brookings Institution Press.
- Burden, Barry C. 2005. "Laws Governing Suffrage." In *Guide to Political Campaigns in America*, ed. Paul S. Herrnson. Washington, DC: CQ Press.
- Burden, Barry C. 2005. "Family Feud in Massachusetts: How Intraparty Dynamics Influence Redistricting." In *Redistricting in the New Millennium*, ed. Peter F. Galderisi. Lanham, MD: Lexington Books.
- Burden, Barry C. 2005. "The Nominations: Technology, Money, and Transferable Momentum." In *The Elections of 2004*, ed. Michael Nelson. Washington, DC: CQ Press.
- Burden, Barry C. 2003. "Minor Parties in the 2000 Presidential Election" In *Models of Voting in Presidential Elections: The 2000 U.S. Election*, ed. Herbert F. Weisberg and Clyde Wilcox. Stanford, CA: Stanford University Press.
- Burden, Barry C. 2003. "Everything but Death and Taxes: Uncertainty and American Politics." In *Uncertainty in American Politics*, ed. Barry C. Burden. New York, NY: Cambridge University Press.
- Burden, Barry C. 2001. "The Polarizing Effects of Congressional Primaries." In *Congressional Primaries in the Politics of Representation*, ed. Peter F. Galderisi, Michael Lyons, and Marni Ezra. Lanham, MD: Rowman and Littlefield.
- Mughan, Anthony, and Barry C. Burden. 1998. "Hillary Clinton and the President's Reelection." In *Reelection 1996: How Americans Voted*, ed. Herbert F. Weisberg and Janet M. Box-Steffensmeier. Chatham, NJ: Chatham House Publishers.
- Burden, Barry C., and Aage R. Clausen. 1998. "The Unfolding Drama: Party and Ideology in the 104th House." In *Great Theatre: The American Congress in the 1990s*, ed. Herbert F. Weisberg and Samuel C. Patterson. New York, NY: Cambridge University Press.
- Mughan, Anthony, and Barry C. Burden. 1995. "The Candidates' Wives." In *Democracy's Feast: Elections in America*, ed. Herbert F. Weisberg. Chatham, NJ: Chatham House.

## Book Reviews

- Burden, Barry C. 2017. Review of *Election Administration in the United States: The State of Reform after Bush v. Gore*, ed. R. Michael Alvarez and Bernard Grofman. New York, NY: Cambridge University Press. *Perspectives on Politics* 15:1142-4.
- Burden, Barry C. 2014. Review of *Getting Primaried: The Changing Politics of Congressional Primary Challenges* by Robert G. Boatright. Ann Arbor, MI: University of Michigan Press. *Congress & the Presidency* 41:132-4.

- Burden, Barry C. 2009. Review of *Minority Report: Evaluating Political Equality in America* by John D. Griffin and Brian Newman. Chicago, IL: University of Chicago Press. *Public Opinion Quarterly* 73:590-2.
- Burden, Barry C. 2009. Review of *The American Voter Revisited*, ed. Michael S. Lewis-Beck, William G. Jacoby, Helmut Norpoth, and Herbert F. Weisberg. Ann Arbor, MI: University of Michigan Press. *Political Science Quarterly* 124:344-6.
- Burden, Barry C. 2003. Review of *Learning by Voting: Sequential Choices in Presidential Primaries and Other Elections* by Rebecca B. Morton and Kenneth C. Williams. *Public Choice* 114:248-51.
- Burden, Barry C. 2002. Review of *Elements of Reason: Cognition, Choice, and the Bounds of Rationality*, ed. Arthur Lupia, Mathew D. McCubbins, and Samuel L. Popkin. *Journal of Economic Literature* 40:928-9.

## Reports

- Bland, Gary, and Barry C. Burden. 2013. "Electronic Registration Information Center: Stage 1 Evaluation." Report to the Pew Charitable Trusts. December 10.
- Burden, Barry C., and Brian J. Gaines. 2013. "Administration of Absentee Ballot Programs." Testimony and report to the Presidential Commission on Election Administration. Hearing in Denver, CO. August 8.
- Burden, Barry C., and Jeffrey Milyo. 2013. "The Recruitment and Training of Poll Workers." Testimony and report to the Presidential Commission on Election Administration. Hearing in Cincinnati, OH. September 20.
- Burden, Barry C. 2010. *Polling Place Incidents in the November 2008 General Election*. Report to the Wisconsin Government Accountability Board.
- Burden, Barry C., David T. Canon, Stéphane Lavertu, Kenneth R. Mayer, and Donald P. Moynihan. 2009. *2008 Wisconsin Election Data Collection Grant Program Evaluation Report*. Report to the Wisconsin Government Accountability Board.
- Burden, Barry C., and Janet M. Box-Steffensmeier. 1998. "Vote Likelihood and Institutional Trait Questions in the 1997 NES Pilot Study." Report to American National Election Study Board of Overseers.

## Op-Eds, Blog Posts, and Other Publications

- Burden, Barry C., and Rochelle Snyder. 2018. "In the 2018 Midterms, Many More People Are Running – and Far More Seats Are Contested – Than We've Seen for a Generation." The Monkey Cage blog (*Washington Post*). October 17.
- Burden, Barry C. 2018. "Disagreement over ID Requirements and Minority Voter Turnout." *Journal of Politics* 80:1060-1063.

- Burden, Barry C., and David T. Canon. 2018. "The Supreme Court Decided Not to Decide Wisconsin's Gerrymandering Case. But Here's Why It Will Be Back." *The Monkey Cage* blog (*Washington Post*). June 19.
- Burden, Barry C. and Robert Yablon. 2018. "No Bright Line Ruling Likely on SCOTUS Gerrymandering Cases." *The Hill*. June 14.
- Burden, Barry C. 2018. "Same-Day Registration Could Save the Day." *Wisconsin State Journal*. June 10.
- Burden, Barry C. 2017. "Trump's Base Wants to Hold on to the Past at All Costs." *Los Angeles Times*. November 5.
- Burden, Barry C. 2017. "Everything You Need to Know about the Supreme Court's Big Gerrymandering Case." *The Monkey Cage* blog (*Washington Post*). October 1.
- Burden, Barry C. 2017. "Wisconsin's Retirement System is a Competitive Advantage." *Milwaukee Journal Sentinel*. June 15.
- Burden, Barry C., Evan Crawford, and Michael G. DeCrescenzo. 2016. "The Unexceptional Gender Gap of 2016." *The Forum* 14:415-432.
- Ansolabehere, Stephen, Barry C. Burden, Kenneth R. Mayer, and Charles Stewart III. 2016. "The Wisconsin Recount May Have a Surprise in Store After All." *The Monkey Cage* blog (*Washington Post*). December 5.
- Burden, Barry C., and Evan Crawford. 2016. "Hillary Clinton's Absence in Wisconsin Reflects Her Strength—and One Weakness." *Wisconsin State Journal*. October 29.
- Burden, Barry C. 2016. "To Win, Trump Needs to Get Non-College Grads to the Polls. Here's Why That Will Be Hard." *The Monkey Cage* blog (*Washington Post*). June 13.
- Burden, Barry C., and Jordan Hsu. 2016. "Will Record Republican Turnout in the Primaries Translate into a Trump Win in November? Probably Not. Here's Why." *The Monkey Cage* blog (*Washington Post*). March 15.
- Burden, Barry C. 2016. "How Donald Trump is Breaking the Rules of U.S. Politics." *Political Studies Association* blog. March 2.
- Burden, Barry C. 2015. "FEC Isn't Right Model for Wisconsin." *Wisconsin State Journal*. September 18.
- Burden, Barry C., David T. Canon, Kenneth R. Mayer, and Donald P. Moynihan. 2014. "Keep Hands off the GAB." *Milwaukee Journal Sentinel*. October 15.
- Burden, Barry C. 2014. "How Political Scientists Informed the President about Election Reform." *The Monkey Cage* blog (*Washington Post*). January 23.
- Burden, Barry C., and Kevin J. Kennedy. 2013. "State Ranks High on Election Performance." *Milwaukee Journal Sentinel*. February 7.
- Burden, Barry C., David T. Canon, Kenneth R. Mayer, and Donald P. Moynihan. 2012. "Election-Day Registration Works Here." *Milwaukee Journal Sentinel*. December 26.
- Burden, Barry C. 2012. "A Portrait of the Wisconsin Municipal Clerk." *The Municipality*. Volume 106, Number 5.

- Burden, Barry C. 2011. "Polarization, Obstruction, and Governing in the Senate." *The Forum*. Volume 9, Issue 4.
- Burden, Barry C., and Kenneth R. Mayer. 2010. "Voting Early, but Not So Often." *The New York Times*, October 25.
- Burden, Barry C. 2009. "Representation as a Field of Study." In *The Future of Political Science: 100 Perspectives*, ed. Gary King, Kay Lehman Schlozman, and Norman Nie. New York, NY: Routledge.
- Burden, Barry C. 2004. "An Alternative Account of the 2004 Presidential Election." *The Forum*. Volume 2, Issue 4.
- Burden, Barry C. 2003. "Chronology of the 2000 Presidential Campaign." In *Models of Voting in Presidential Elections: The 2000 U.S. Election*, ed. Herbert F. Weisberg and Clyde Wilcox. Stanford, CA: Stanford University Press.
- Burden, Barry C. 1998. "Chronology of the 1996 Presidential Campaign." In *Reelection 1996: How Americans Voted*, ed. Herbert F. Weisberg and Janet M. Box-Steffensmeier. Chatham, NJ: Chatham House Publishers.
- Burden, Barry C. 1995. "Chronology of the 1992 Presidential Campaign." In *Democracy's Feast: Elections in America*, ed. Herbert F. Weisberg. Chatham, NJ: Chatham House Publishers.

## Honors and Awards

- Political Research Quarterly* Outstanding Reviewer Award (2017) – given to the top 20 reviewers of the year
- Association for Politics and the Life Sciences Best Professional Paper (2015) – given by the *APLS for the best paper given by faculty members at the annual conference* – "How Different Forms of Health Matter to Political Participation: The Roles of Cognitive, Physical, and General Health," with Jason M. Fletcher, Pamela Herd, Bradley M. Jones, and Donald P. Moynihan.
- State Politics and Policy Best Journal Article Award (2015) – given by the *State Politics and Policy section of the APSA for best article published in the previous year* – "Election Laws, Mobilization, and Turnout: The Unexpected Consequences of Electoral Reform," with David T. Canon, Kenneth R. Mayer, and Donald P. Moynihan
- American Journal of Political Science* Super Reviewer (2014)
- Jewell-Loewenberg Award (2015) – given by the *Legislative Studies section of the APSA for the best article published in Legislative Studies Quarterly in the previous year* – "Sore Loser Laws and Congressional Polarization," with Bradley M. Jones and Michael S. Kang
- Vilas Associates award, UW Graduate School (2014-2016)

Robert H. Durr Award (2014) – *given by the Midwest Political Science Association for the best paper applying quantitative methods to a substantive problem in political science – “Election Laws and Partisan Gains: The Effects of Early Voting and Same Day Registration on the Parties’ Vote Shares,”* with David Canon, Kenneth Mayer, and Donald Moynihan

H. I. Romnes Faculty Fellow, UW Graduate School (2010-2015)

Licking Valley Schools “Wall of Pride” Award (2009) – *given by Licking Valley Local School District to alumni who distinguished themselves professionally or made notable contributions to society*

Hamel Family Faculty Fellow, UW College of Letters and Science (2008-2013)

University Residence Hall Favorite Instructor Award (2007 & 2018)

Nominated for Harvard University Everett Mendelsohn Excellence in Graduate Mentoring Award (2006)

Emerging Scholar Award (2005) – *given by the Political Organizations and Parties section of the APSA for significant research by a scholar receiving her or his doctorate within the past seven years*

Wittenberg University Outstanding Young Alumnus Award (2002) – *given to a graduate of the last decade to recognize professional achievement*

Council of Graduate Schools/University Microfilms International Distinguished Dissertation Award (2000) – *given to recognize best dissertation completed nationwide in the social sciences between 1998 and 2000*

Alpha Lambda Delta Award for superior instruction of freshman students (1999)

OSU Presidential Fellow (1998)

Francis R. Aumann Award for best OSU graduate student conference paper (1996 & 1997)

Malcolm Jewell Award (1996) – *best graduate student paper presented at the 1995 Southern Political Science Association meeting*

Ohio Board of Regents Fellow (1993-1995)

Phi Beta Kappa (1993)

Wittenberg University Student Leader of the Year (1992-1993)

Jeffrey Y. Mao Alumni Award in Political Science (1992)

## Grants

National Science Foundation, \$49,988 for “Election Sciences Conference 2018” (2018-2019, co-PI with Paul Gronke and Charles Stewart III)

Joyce Foundation, \$198,604 for “State Election Landscapes” (2017-2018, co-PI with Doug Chapin, Edward Foley, Steven Huefner, and Charles Stewart III)

- Vilas Associates award, “The Genetic, Personality, and Health Origins of Political Participation” (2015-2017)
- UW Graduate School Research Committee, “Political Participation among Older Americans” (2014-2015, co-PI with Donald P. Moynihan)
- Center for Demography of Health and Aging, “Political Participation of Older Americans: The Role of Social and Genetic Factors” (co-PI with Fletcher and Moynihan, 2013-2014)
- Pew Charitable Trusts, \$46,400 for “Measuring Elections Performance Project,” (with head PI Charles Stewart III, 2012-2013)
- Wisconsin Government Accountability Board, \$43,234 for “Analysis of Polling Place Incident Logs” (head PI with Canon, Mayer, and Moynihan, 2011-2012)
- UW Graduate School Research Committee, “The Consequences of Electing Election Officials” (2009-2010)
- Pew Center on the States, Making Voting Work: \$49,400 for “Early Voting and Same Day Registration in Wisconsin and Beyond” (head PI with Canon, Mayer, and Moynihan, 2008-2009)
- U.S. Election Assistance Commission, Election Data Collection Grant Program: responsible for \$212,442 of \$2,000,000 grant to the Wisconsin Government Accountability Board (head PI with Canon, Mayer, and Moynihan, 2008-2010)
- UW Graduate School Research Committee: “The Puzzling Geography of Federal Spending,” (2007-2008)
- UW Graduate School Research Committee: “The Political Economy of the Japanese Gender Gap” (2006-2007)
- CAPS faculty research conference: \$36,500 for “Democracy, Divided Government, and Split-Ticket Voting” (2006)
- Joseph H. Clark fund award: “The Limits of Representation” (2004-2006)
- Reischauer Institute of Japanese Studies: “Accountability, Economics, and Party Politics in Japan” (2004-2006)
- Time-sharing Experiments in the Social Sciences: “Affect and Cognition in Party Identification” (with Casey A. Klobstad, 2004)
- Harvard Faculty of Arts & Sciences Course Innovation Funds: “The Practice of Political Science” (2003)
- Dirksen Congressional Center Congressional Research Award: “The Discharge Rule and Majoritarian Politics in the House of Representatives” (2002-2003)
- Reischauer Institute of Japanese Studies Curriculum Enrichment Grant: “Electoral Politics in America and Japan” (2002)
- CBRSS research program grant: “Affect and Cognition in Party Identification” (2001)
- Joseph H. Clark fund award: “Affect and Cognition in Party Identification” (2001-2002)
- Joseph H. Clark fund award: “Ideology in Congressional Elections” (2000-2001)

NSF Doctoral Dissertation Improvement Grant: "Candidates' Positions in Congressional Elections" (1997)

## Teaching and Advising

Undergraduate courses:

- Introduction to American Politics
- Elections and Voting Behavior
- Political Behavior
- American Public Opinion
- Election Reform in America
- The Politics of Congress/The Legislative Process/The U.S. Congress
- Techniques of Political Analysis
- Electoral Politics in America and Japan
- The Practice of Political Science Research

Graduate courses:

- American Politics Field Seminar
- Mass Political Behavior/American Electoral Politics
- Congressional Politics
- American Political Parties
- Readings on Advanced Statistical Methods
- Quantitative Research Design/Empirical Methods of Political Inquiry
- American Political Institutions
- Readings on Interest Group Politics
- American Politics Workshop
- Political Science as a Discipline and Profession

Primary advising of doctoral students (placement):

- Levi Bankston (current)
- Evan Crawford (2018, University of San Diego)  
*Department of Political Science award for best dissertation in American politics*
- Michael DeCrescenzo (current)
- Matthew Holleque (2012 Obama for America campaign, BlueLabs, & Facebook)
- Jordan Hsu (current - co-chair)
- Bradley Jones (2016 Pew Research Center)
- Dimitri Kelly (2013 Linfield College)
- Yujin Kim (2014 University of Wisconsin Survey Center)
- Jacob Neiheisel (2013 Denison University & University of Buffalo)
- Matthew Shor (current)
- Rochelle Snyder (current)
- Logan Vidal (2015 MA, Wisconsin state legislature)
- Amber Wichowsky (2010 Yale CSAP Fellowship & Marquette University)  
*Carl Albert Dissertation Award for best dissertation in legislative studies*

## Professional and University Service

### Journal editorial boards:

*Japanese Journal of Political Science* (2018-present)  
*Election Law Journal* (2013-present)  
*Electoral Studies* (2011-present)  
*Political Research Quarterly* (2014-2016)  
*Legislative Studies Quarterly* (2011-2013)

### Other boards and councils:

MIT Election Data and Science Lab advisory committee (2017-present)  
Election Performance Index Advisory Board, Pew Center on the States (2010-2014)  
APSA Elections, Public Opinion, and Voting Behavior organized section  
Communications Director (2012-2015)  
APSA Legislative Studies organized section council (2009-2011)  
APSA Political Organizations and Parties organized section council (2005-2007)  
APSA Ad Hoc Committee on Member Communications (2013)

### Conference section head:

Electoral Campaigns, MPSA annual meeting (2017)  
Political Organizations and Parties, APSA annual meeting (2006)  
Political Methodology, SPSA annual meeting (2001)

### Conference organizer:

Wisconsin Election Landscapes (2019)  
Election Sciences, Reform, and Administration (ESRA) conference, *co-chair* (2018)  
Society for Political Methodology (Polmeth) annual meeting, *co-chair* (2017)  
Elections Research Center symposiums (2016 and 2018)  
Democracy, Divided Government, and Split-Ticket Voting conference (2006)

### Award committees:

Best Paper Presented by a Graduate Student at the 2019 MPSA meeting (*chair*, 2019)  
Legislative Studies organized section Jewell-Loewenberg Award for the best article  
published in *Legislative Studies Quarterly* in the previous year (*chair*, 2016)  
Elections, Public Opinion, and Voting Behavior organized section graduate student travel  
award committee (2013-2015)  
Political Organizations and Parties organized section/*Party Politics* award committee for  
the best paper presented at the 2006 APSA annual meeting (*chair*, 2007)  
Political Organizations and Parties organized section Emerging Scholar Award  
committee (*chair*, 2013)

### Invited presentations:

Boston University, Brookings Institution, Dartmouth College, Japan National Press Club,  
Kwansei Gakuin University, Northwestern University, Stanford University, State Bar of  
Wisconsin, University of Chicago, SUNY-Stony Brook, University of Houston,  
University of Iowa, University of Minnesota, University of Missouri-Columbia,

University of North Carolina-Chapel Hill, University of Notre Dame, University of Rochester, University of Texas at Austin, Utah State University, Wisconsin Academic of Sciences, Arts, and Letters, University of Wisconsin-Eau Claire, Wittenberg University, Yale University, & many other university and community forums

University of Wisconsin Department of Political Science service:  
Associate Chair/Director of Graduate Studies (2007-2012)  
Graduate Admissions and Fellowships, *chair*  
Graduate Program Committee, *chair*  
Teaching Assistant Evaluation Committee, *chair*  
American Politics Search Committee, *chair*  
Preliminary Examination Appeals Committee  
Graduate Program Committee  
Budget and Development Committee  
Special Appointments Committee  
American Politics Field Chair

Other University of Wisconsin service:  
Faculty Senate  
L&S Teaching Fellow Anniversary Symposium Planning Committee  
L&S C-GRS Faculty Executive Committee  
Graduate School Social Studies Fellowships Committee  
Social Studies Divisional Executive Committee  
Principal Investigator Committee, Graduate School  
University of Wisconsin Survey Center Steering Committee  
Tommy G. Thompson Center on Public Leadership Faculty Advisory Board  
Graduate School Cluster Advisory Committee  
PROFS Steering Committee  
Morgridge Center for Public Service Board of Advisors

Harvard University service:  
American Politics Faculty Search  
Graduate Admissions  
Government Concentration/Board of Senior Examiners  
Teaching Fellow Coordinator  
American Politics Field Coordinator  
Center for Government and International Studies, Subcommittee on Teaching and Conference Spaces  
Truman Scholarship Nomination  
Eben Fiske Studentship Nomination  
Political Communication Faculty Search, Kennedy School of Government

Documentary film appearances:  
*An Unreasonable Man* (2006)  
*Fahrenheit 11/9* (2018)  
*Slay the Dragon* (2019)

## Expert Consulting

Expert witness:

- The Andrew Goodman Foundation v. Marge Bostelmann et al.*, U.S. District Court, Western District of Wisconsin (2019-2020)
- North Carolina State Conference of the NAACP et al. v. Roy Asberry Cooper III et al.*, U.S. District Court, Central District of North Carolina (2019-2020)
- League of United Latin American Citizens of Iowa et al. v Iowa Secretary of State Paul Pate*, Polk County District and Supreme Court of Iowa (2018-2019)
- County of Los Angeles v. State of California et al.*, Superior Court, County of Los Angeles, State of California (2018)
- Chelsea Collaborative et al. v. William Francis Galvin et al.*, Suffolk County Superior Court, Commonwealth of Massachusetts (2017)
- One Wisconsin Institute Inc. et al. v. Judge Gerald C. Nichol et al.*, U.S. District Court, Western District of Wisconsin (2016)
- North Carolina State Conference of the NAACP et al. v. Patrick Lloyd McCrory et al.*, U.S. District Court, Middle District of North Carolina (2014-2016)
- Ohio State Conference of the NAACP et al. v. Jon Husted et al.*, U.S. District Court, Southern District of Ohio (2014)
- United States of America v. State of Texas*, U.S. District Court, Southern District of Texas (2014)
- League of United Latin American Citizens of Wisconsin et al. v. Judge David G. Deininger et al.*, U.S. District Court, Eastern District of Wisconsin (2013)

Academic researcher, Presidential Commission on Election Administration, established by presidential Executive Order 13639 (2013)

Research consultant, via Research Triangle International Institute and the Pew Charitable Trusts, for evaluation of the Electronic Registration Information Center (2012-2017)

## Amicus Curiae

Political science professors in support of appellees and affirmance in the U.S. Supreme Court case of *Beverly R. Gill et al. v. William Whitford et al.* (2017)

Political science professors in support of petitioners in the Supreme Court of Pennsylvania case of *League of Women Voters of Pennsylvania et al. v. The Commonwealth of Pennsylvania* (2017)

Political science professors in support of appellees and affirmance in the U.S. Supreme Court cases of *Robert A. Rucho et al. v. Common Cause et al.* and *Linda H. Lamone et al. v. O. John Benisek et al.*, (2019)