

## VOTER REGISTRATION

*As a part of our Democracy Lens tools, for each state in our region, we report a data snapshot and case studies (called Bright Spots) about philanthropy’s role in democracy. You can access all these data and Bright Spots on the [Democracy Northwest webpage](#).*

The role of government in assisting eligible voters to register has changed over time and varies significantly by state. In general, the onus falls on the individual to seek out a voter registration form, complete it and return it to the local election administration agency. In 1993, Congress passed the National Voter Registration Act (NVRA), commonly called “motor voter.”<sup>1</sup> The Act requires states to provide individuals with the opportunity to “opt in” and register when applying for or renewing a driver’s license or seeking public assistance.<sup>2</sup> At the state level, legislatures have passed a variety of measures to ease the burden of voter registration, including through online voter registration (38 states), same-day registration (eight states) and pre-registration for 16- and 17-year-olds (16 states).



State	Ratification	Distribution	Explanation	Pro/Con	Fiscal Note
Alaska	1956	Mail, online	Yes	Yes	Yes
Idaho	1912	Mail, online	Yes	Yes	No
Montana	1904	Mail, online	Yes	Yes	Yes
Oregon	1902	Mail, online	Yes	Yes	Yes
Washington	1912	Mail, online	Yes	Yes	Yes
Wyoming	1968	N/A	No	No	No

In 1998, voters in Washington passed I-200, an initiative to ban public affirmative action policies, by a wide margin.<sup>4</sup> Advocates for retaining affirmative action complained that the ballot language was **confusing**.

“Shall government be prohibited from discriminating or granting preferential treatment based on race, sex, color, ethnicity or national origin in public employment, education, and contracting?”<sup>5</sup>

In addition to misleading language, the ballot initiative process is the preferred mechanism for well-funded narrow interests to circumvent the traditional legislative process.<sup>6</sup> What is the role of the state in providing clear, unbiased information such that voters can make an informed decision about ballot initiatives? Further, how can voters meaningfully engage in the policy development process to craft good proposal for the electorate to consider? The Citizen Initiative Review process in Oregon provides an innovative example of voter education and citizen engagement.

## Citizen Initiative Review in Oregon

In 2011, the Oregon Legislature established the Citizens’ Initiative Review Commission to oversee the Citizen Initiative Review (CIR) process. In a CIR, organizers select a panel, made up of a random sample of around 18-24 citizens, who are demographically representative of the population. The panelists meet for up to five days to learn and deliberate about a ballot initiative that will be voted on in an upcoming election. During the CIR, panelists engage with advocates and stakeholders supporting and opposing the initiative, as well as neutral policy experts. The panelists deliberate to identify important facts about the initiative, decide whether to support or oppose the initiative, and identify reasons to justify their position. The deliberations are structured and led by a moderator, who ensures that each panelist’s voice and opinion are heard and considered.<sup>7</sup>

At the end of the CIR, the panelists write a Citizens’ Statement that sets out the facts about the initiative that they agree on, the number of panelists supporting and opposing the initiative, and the rationale. The Citizens’ Statement is then made available to the public and the media and included in the official voters’ guide.<sup>8</sup>

## What was The Impact?

The goal of the CIR was to ensure that voters could receive independent, factual information about citizen initiatives that were on the ballot. According to researchers who looked into the CIR and reported their **findings** for the Democracy Fund, “one finding consistent between the 2010 and 2012 research reports was that reading the CIR Statement increased voters’ knowledge levels. The 2014 surveys replicated that finding, principally through a variety of survey experiments.”<sup>9</sup> So successful has been the Oregon CIR, that the process was largely adopted, with small alterations, by the State of Arizona.<sup>10</sup> It was also awarded both the International Association for Public Participation’s Award for North American Project of the Year and Project of the Year internationally in 2013.<sup>11</sup>

## Role of Philanthropy in the Citizen Initiative Review

In 2003, Minnesota-based philanthropists Ned Crosby and Pat Benn wrote a book, *HealthyDemocracy*, which outlined ways to use deliberative democracy in the ballot initiative process. A prime motivation was to develop policy proposals through a randomly selected panel, as well as to review those advanced by interest groups.<sup>12</sup> The couple traveled throughout Washington State in 2004 to promote the idea of Citizen Initiative Review. With an early endorsement from the Association of Washington Cities, Crosby and Benn lobbied state legislators codify the concept. Though a bill was introduced in 2007, it languished in committee.<sup>13</sup>

Turning their attention to Oregon, Crosby and Benn teamed up with two recent policy school graduates, Tyrone Reitman and Elliot Shuffort, established and funded Healthy Democracy Oregon, the organization that would ultimately carry out the citizen initiative review process. After a trial in 2008, the State of Oregon authorized the CIR to examine and publish in the voters pamphlets examinations of two initiatives that would be on the 2010 ballot. The following year, the state legislature passed a measure making CIR an official part of the statewide initiative process.<sup>14</sup>

### Key Takeaways

- Supporting efforts that engage citizen input on ballot measures builds a more informed, trusting electorate.
- Philanthropy can play a catalytic role in promoting, testing and building innovating processes that increase civic engagement.

### Endnotes

1. “Initiative and Referendum States,” National Conference of State Legislatures, accessed July 16, 2018, [https://www.ndlegis.gov/files/committees/65-2017/19\\_9086\\_01000appendixb.PDF](https://www.ndlegis.gov/files/committees/65-2017/19_9086_01000appendixb.PDF).
2. “Election Central: The Progressives and Direct Democracy,” Constitutional Rights Foundation, accessed July 16, 2018, <http://www.crf-usa.org/election-central/the-progressives.html>.
3. Comparison of Statewide Initiative Processes (Los Angeles, CA: Initiative and Referendum Institute), 25, accessed July 17, 2018, [http://www.iandrinstitute.org/docs/A\\_Comparison\\_of\\_Statewide\\_IandR\\_Processes.pdf](http://www.iandrinstitute.org/docs/A_Comparison_of_Statewide_IandR_Processes.pdf); “Initiative Petition Status,” Alaska Division of Elections, accessed July 17, 2018, <http://www.elections.alaska.gov/Core/initiativepetitionstatus.php>; “Initiative and Constitutional Amendment Information,” Idaho Secretary of State, accessed July 17, 2018, <https://sos.idaho.gov/elect/inits/index.html>; “Proposed 2018 Ballot Issues,” Montana Secretary of State, accessed July 17, 2018, [https://sosmt.gov/elections/ballot\\_issues/2018-2/](https://sosmt.gov/elections/ballot_issues/2018-2/); “2020 Initiatives, Referendums and Referrals,” Oregon Secretary of State, accessed July 17, 2018, <https://sos.oregon.gov/elections/Pages/initiatives-referendums-referrals.aspx>; “Proposed Initiatives to the Legislature – 2018,”

- Washington Secretary of State, accessed July 17, 2018, <https://www.sos.wa.gov/elections/initiatives/initiatives.aspx?y=2018&t=l>.
4. “November 1998 General,” Washington Secretary of State, accessed July 17, 2018, [https://www.sos.wa.gov/elections/results\\_report.aspx?e=10&c=&c2=&t=&t2=5&p=&p2=&y=](https://www.sos.wa.gov/elections/results_report.aspx?e=10&c=&c2=&t=&t2=5&p=&p2=&y=).
  5. Nic Paget-Clarke, “Interview with Xuan-Trang “Mary” Tran-Thien,” Motion Magazine, October 18, 1998, <http://www.inmotionmagazine.com/xtmmt.html>
  6. See Jessica A. Levinson and Robert M. Stern, “Ballot Box Budgeting in California: The Bane of the Golden State or an Overstated Problem?” Hastings Constitutional Law Quarterly, Volume 37:4 (Summer 2010): 689-744, <https://static1.squarespace.com/static/591ccf16db29d6afe8606726/t/598022fff9a61e39f2c7f3a0/1501569796769/Levinson.pdf> for an analysis of the topic.
  7. “Oregon Citizens’ Initiative Review,” Involve, accessed July 17, 2018, <http://www.involve.org.uk/resources/case-studies/oregoncitizens-initiative-review>
  8. Involve, “Oregon Citizens’ Initiative.”
  9. John Gastil, Katherine R. Knobloch, Robert Richards, Empowering Voters through Better Information: Analysis of the Citizens’ Initiative Review, 2010–2014 (State College, PA: Pennsylvania State University, 2015), 53, <http://sites.psu.edu/citizensinitiativereview/wp-content/uploads/sites/23162/2015/05/CIR-2010-2014-Full-Report.pdf>
  10. “Arizona Citizens’ Initiative Review offers key findings on pension ballot issue,” Arizona State University Morrison Institute for Public Policy, accessed July 17, 2018, <https://morrisoninstitute.asu.edu/projects/arizona-citizens-initiative-review-offers-key-findingspension-ballot-issue>.
  11. Arizona State University Morrison Institute for Public Policy, “Arizona Citizens’ Initiative.”
  12. Daniel Schugurensky, “The Citizens Initiative Review: From Pilot to Permanent—An Interview with the Co-Director of Organization Charged with Implementation,” PA Times, March 2012, <https://patimes.org/the-citizens-initiative-review-from-pilot-to-permanentan-interview-with-the-co-director-of-organization-charged-with-implementation/>
  13. See Ned Crosby and John C. Hottinger, The Citizens Jury Process (Lexington, KY: The Council of State Governments, 2011), <https://knowledgecenter.csg.org/kc/system/files/Crosby2011.pdf> for more details about the process
  14. Scott Fletcher Bowsby, “Oregon Citizens’ Initiative Review,” Participedia, October 31, 2017, <https://participedia.net/method/592>.