



RESEARCH NOTE

Free and Fair? The Differential Experiences of Voting Barriers and Voting Policies in American Midterm Elections

Jordan M. Foley¹, Michael W. Wagner ²,
Ceri Hughes², Jiyoun Suk ^{2,3},
Katherine J. Cramer², Lewis A. Friedland², and
Dhavan V. Shah²

¹Edward R. Murrow College of Communication, Washington State University, USA; ²School of Journalism and Mass Communication, University of Wisconsin–Madison, USA; ³Department of Political Science, University of Wisconsin–Madison, USA

Abstract

In this research note, we provide evidence about burdens people face when voting and who benefits from policies designed to mitigate those burdens. Using pre-and-post 2018 midterm elections panel surveys in Wisconsin, we show that Black voters estimate greater time getting to the polls and Hispanic voters report longer wait times once they are there. Regarding who takes advantage of policies purported to ease these burdens on voting—early voting, voting by mail, and absentee voting—our analysis reveals that those facing temporal disadvantages are not the groups benefiting from these electoral policy affordances.

Free and fair elections require, at minimum, equitable voting processes that do not unduly burden particular groups of people. In the United States, this fundamental democratic condition depends upon what happens in thousands of polling locations across the nation on Election Day. Voter experiences on the way to—and at—their polling locations depend largely upon the resources and regulatory infrastructure provided by state and local governments. Not only are people who live further away from their polling place less likely to vote (Dyck & Gimpel, 2005) but also members of groups who wait longer in line once they get there are less likely to turnout to vote (Gimpel &

Schuknecht, 2003) and are more likely to renege and leave before voting (Spencer & Markovits, 2010), especially mid-day and in the evening (Stein et al., 2020).

In this research note, we present evidence from the 2018 midterm election in Wisconsin demonstrating which voters took longer to travel from their homes to the polls, how long they waited in line to vote, and who was more likely to take advantage of policies designed to make voting easier. Using pre- and post-election panel surveys in Wisconsin, we show that Black and Hispanic voters, and voters with lower incomes experience greater burdens when seeking to cast ballots in person. We then turn our attention to who takes advantage of policies designed to ease the burden on voting—early voting, voting by mail, and absentee voting—revealing that those facing temporal disadvantages are not the groups benefiting from these electoral affordances.

We focus on Wisconsin for both general substantive reasons and issues directly related to elections. Substantively, Wisconsin remains a critical battleground state and was the tipping point state in 2016 and 2020 (Mejia & Skelly, 2020) with both elections decided by less than 23,000 votes. Restrictions on voting in close elections, therefore, have not only state but national and even international implications. Further, Wisconsin's voting population and electoral outcomes move similarly to other key battleground states, opening a window into the “purple” states more generally (see Highton, 2006; Huefner, 2011; Lyman, 2014; Stewart & Ansolabehere, 2015).

Prior to 2010, Wisconsin was considered to have been a laboratory for clean, open elections, expanding enfranchisement, and good electoral governance with open primaries and no voter ID laws. With the capture of unitary power in that year by the Republican party, Wisconsin was among the first non-Southern states to radically restrict enfranchisement, passing 33 laws in the name of preventing unproven voter fraud, deepening a strategy that has since been adopted by the Republican party nationally (Friedland, 2020). These higher stakes mean any barrier in place is not an accident but is a conscious political choice. The establishment of voting barriers in a partisan manner may cause lower turnout and increased renegeing from one party, and, in the case of Wisconsin and states like it, these may occur at levels to potentially alter the election outcome. The specific barriers here may not be the same across all states, much less all democracies around the world, but the question of the relationship between the time people need to invest in order to vote, and their status as a member of a marginalized group is a fundamental one for democratic states.

The Wisconsin case offers a prime opportunity to examine the specific effects of election administration. First, election administration varies significantly by state, and in some respects, by precinct. For this reason, election administration studies have often found it valuable to focus on variation within a geographic region to isolate the effects of variations in electoral policies (e.g., Brady & McNulty, 2011). Wisconsin is particularly appealing as a focus of study because of its election administration in the context of intense partisan polarization. Most recently, it saw its “electoral system stretched to the breaking point by the coronavirus crisis, . . . with a Republican legislature and a conservative state. . . judiciary resisting efforts to reschedule the election or revise the procedures for voting,” resulting in long lines and two-and-a-half-hour waits at some polling places (Herndon & Burns, 2020).

Electoral Administration in Wisconsin

In the upper Midwest, political polarization has become such an ingrained fact of political life that lawmakers openly discuss their desires to change election rules to advantage themselves. In 2011, the Wisconsin legislature passed Act 23, one of the two most restrictive voting laws in the nation, struck down by federal courts and suspended by the Supreme Court. A Republican staffer present at a party caucus meeting said that some Republican senators were “giddy about the (act’s) ramifications and literally singled out the prospect of suppressing minority and college voters. . .” (Wines, 2016). After the 2016 election, in which there were documented Russian attempts to suppress African-American voting in Milwaukee (Mueller III, 2019), African-American citizens complained about the difficulty of obtaining voter ID—something Mayer (2017) found might have kept 6 % of would-be voters from the polls. After the Wisconsin GOP’s 2018 loss of the governor’s seat and Democrat Tammy Baldwin’s successful U.S. Senate re-election bid, the Republican Senate Majority Leader Scott Fitzgerald moved to decouple the state’s 2020 State Supreme Court election from the presidential primaries because, “Justice Kelly (the conservative candidate) would have a better chance if there’s not really this competitive Democrat primary for president” (Sommerhauser, 2018). And the GOP insistence on voting during a pandemic was seen by “national voting rights experts [as] an unsettling example of what might happen across the country” (Herndon & Burns, 2020). In short, election administration is an increasingly partisan enterprise that seems less focused on ensuring equal opportunity for all to vote and more on gaining advantage by controlling who votes (Kimball, Kropf, & Battles, 2006).

Electoral Participation and the Tax of Time

One lens through which we can understand how marginalized populations are institutionally discriminated against is temporal. Research in epidemiology understands this time tax as a form of racism, as a dimension of social inequality that is even associated with negative health outcomes for racial and ethnic minorities (Gee, Hing, Mohammed, Tabor, & Williams, 2019). In an electoral context, temporal inequalities can further alienate marginalized populations from an important avenue for political reform. Data from the Cooperative Congressional Election Study (CCES) between 2006 and 2014 point to a racial gap in wait times at polling locations, with the average nonwhite voter spending twice as long in line to vote (Pettigrew, 2017). Notably, Black voters spent even longer in line compared to other racial groups. In fact, the majority of the racial gap was driven by variation within the units that administer elections as compared to geographic differences between administrative units (Pettigrew, 2017).

Stewart and Ansolabehere suggest early voting and voting by mail as remedies for long lines. While state-level studies find that mandatory vote-by-mail policies increase turnout but do not affect overall electoral outcomes (Barber & Holbein, 2020), there is reason to suspect that restrictive early or absentee voting policies may produce partisan effects, particularly in Wisconsin. Burden, Canon, Mayer, and Moynihan (2014) note that, counter to conventional wisdom, Republicans are more likely to benefit from early voting policies than Democrats unless the policies are paired with other convenience options like Election Day registration. In any case, voters who are most likely to take advantage of early voting and absentee voting opportunities tend to be those who are more

partisan and ideologically extreme (Gronke, Galanes-Rosenbaum, Miller, & Toffey, 2008).

Others argue that partisanship is less important than political interest generally. Reforms aimed at making voter registration and voting easier have increased registration and turnout, but only for those that were already the most likely to register and vote anyway (Berinsky, 2005). Interest in politics has also been shown to be a key to understanding who seeks to meet requirements such as having the proper voter ID (Mycoff, Wagner, & Wilson, 2009). Beyond the ways that political interest motivates some citizens, partisan electoral administration and voter ID reform have had important consequences in recent elections. Mayer's (2017) study of the effects of voter ID laws in Wisconsin estimated that the law implemented between the 2012 and 2016 elections reduced turnout 0.9–1.8%, with the ID requirement burden falling disproportionately on low income and minority populations. Accordingly, we expect being Black or Hispanic (H_1), having a lower income (H_2), and living outside of an urban center (H_3) to be associated with longer commutes to the polls and longer lines to wait in at the polls. Further, we expect voters who live in more rural locations (H_4) and those with higher general interest in politics (H_5) will be more likely to engage in early or absentee voting. Lastly, given state-based findings on the partisan effects of electoral administration policies we explore one research question inquiring whether party identification is associated with a greater likelihood to take advantage of early and absentee options for casting their ballot in Wisconsin (RQ_1).

Data and Methods

In October of 2018, we launched a web-based, two-wave panel survey of registered voters in Wisconsin, Ohio, Michigan, and Pennsylvania. In wave one, we sampled 2,000 Wisconsinites. In wave two, launched in February of 2019, we were able to successfully recontact 1,016 in WI. The nested quota samples (by age, gender, race and each state's Designated Market Areas) were drawn by LHK Partners, a national survey firm. We use data from both waves, but our analyses are correlational, as we use respondents' descriptions of their voting experiences from wave 2 as dependent variables and demographic information from wave 1 as independent variables.

Our dependent variables were *Estimated Commute to Polls* and *Estimated Time in Voting Line* (both measured in total minutes), and *Early/Absentee Voting* (1 = voted early, by mail, or absentee, 0 = otherwise). Our dichotomously measured independent variables were *Black*, *Hispanic*, and *Female*. Respondent location was measured by aggregating self-reported zip codes into their respective primary Rural-Urban Commuting Area (RUCA) codes derived from census tracts based on population density, urbanization, and daily commuting (Nemerever & Rogers, 2019) into a four-level categorical measure indicating whether respondents live in an urban center, a suburban area, a micropolitan area, or a small town/rural environment in Wisconsin. *Age* was measured continuously. *Income* was measured in seven categories, 1 = less than \$25,000 to 7 = over \$200,000. *Education* was measured in five categories, 1 = high school or less to 5 = post-graduate. *Political Interest* was measured along a four-point scale estimating how often people follow politics, 1 = hardly at all to 4 = most of the time. *Party ID* was measured using a 7-point scale ranging from 1 = Strong Democrat to 7 = Strong Republican, and was subsequently collapsed into a three-level categorical variable indicating whether a respondent was a Democrat or a Republican (including leaners), with Independents as the reference category.

Table 1.
Estimated Predictors of Polling Line and Commute Times in Wisconsin

	Commute (min) OLS	Line (min) OLS	Early/Absentee Voter Logistic
Age	0.001 (.01)	-0.08*** (0.02)	0.26** (0.09)
Black	2.63* (1.04)	0.57 (2.04)	0.30 (0.69)
Hispanic	-0.37 (1.07)	6.56*** (2.09)	-0.94 (1.06)
Income	-0.30* (0.09)	-0.45* (0.18)	0.13 (0.09)
Gender	-0.29 (0.27)	-0.63 (0.53)	0.01 (0.17)
Education	0.01 (0.10)	-0.20 (0.20)	0.18* (0.09)
Micropolitan	-0.19 (0.40)	-0.89 (0.79)	-0.29 (0.28)
Small town/rural	-0.34 (0.42)	1.42 (0.82)	0.22 (0.25)
Suburbs	0.34 (0.51)	0.94 (0.99)	0.07 (0.32)
Democrat	0.60 (0.44)	1.78* (0.87)	0.14 (0.29)
Republican	0.26 (0.44)	1.66 (0.87)	-0.14 (0.29)
Polling commute time			0.07 (0.08)
Political interest	0.29 (0.16)	-0.23 (0.30)	-0.09 (0.10)
Constant	6.26*** (0.88)	12.37*** (1.72)	-1.31*** (0.28)
Observations	956	956	888
R ²	0.03	0.05	
Adjusted R ²	0.02	0.04	
Log likelihood			-461.52
Akaike inf. crit.			951.04
Residual std. error (df = 943)	3.95***	7.72***	
F statistic (df = 12; 943)	2.45	3.89	

Note. Coefficient estimates with standard errors in parentheses.

* p , ** p , *** $p < .001$.

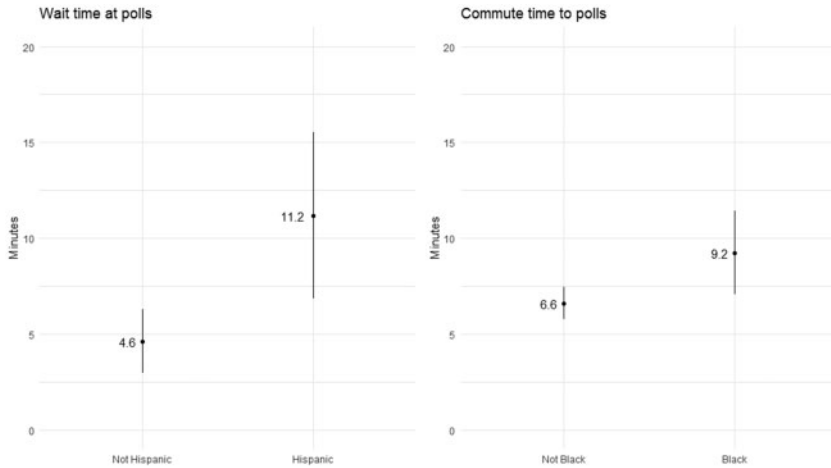
Results

Table 1 reports the results of three regression models exploring the correlates of poll commute times, voting line wait times, and use of policy innovations designed to improve voter turnout¹ in the 2018 Wisconsin midterm election testing our four hypotheses. H_1 predicted that race and ethnicity would be positively correlated with both polling commutes and wait times and H_2 predicted that those with higher incomes would take less time to commute to polling locations and be less likely to wait longer in line to vote. The first two columns of Table 1 show results from ordinary least squares (OLS) regression models, providing support for H_2 (income), partial support for H_1 (race/ethnicity), and no support for H_3 (geography). More specifically, while those with higher incomes took less time to commute to their polling location ($\beta = -.30$, $p < .01$) and spent less time in line to vote ($\beta = -0.45$, $p < .05$), we found no support for the geographic hypothesis that living in a increased voters' temporal burden at the polls. We found that Black voters were more likely to take more time commuting to their polling location ($\beta = 2.63$, $p < .05$) but were not likely to spend more time in waiting in line. Conversely, Hispanic voters were not likely to spend more time commuting to the

¹For a list of descriptive statistics, see our [Supplementary Appendix](#).

Figure 1.

Predicted polling commute times for Black voters and wait times for Hispanic voters in 2018 Wisconsin midterm election. Estimated marginal means from OLS regression models with 95% confidence intervals from a representative two-wave panel survey of Wisconsin adults ($n = 1,016$) conducted by LHK Partners.



polls, but were much more likely to spend more time waiting in line to vote ($\beta = 6.56$, $p < .01$).

Figure 1 visualizes the estimated marginal means from the first two models predicting the direct effect of race/ethnicity on the number of minutes an individual would expect to spend commuting to their polling location and waiting in line to vote. Hispanic voters were predicted to spend roughly just over 11 min in line to vote, spending more than twice as long as non-Hispanic voters. Black voters were predicted to spend slightly over 9 min commuting to the polls, compared to closer to 6.5 min for non-Black voters.

The final column in Table 1 shows the results of a logistic regression predicting the likelihood of voters engaging in early voting or absentee voting. This model included estimated commute times to voters' polling locations as an independent variable because of the logical possibility one may be choosing this voting option as a result of how cumbersome their commute to their polling location might be. Here, we predicted that those who lived in more rural areas (H_4) and expressed a greater general interest in politics (H_5) would be more likely to take advantage of voting options. However, the results show support for neither H_4 nor H_5 , instead showing that older and more educated voters took advantage of these voting options. In addition, we found no support for claims that party identification had any statistical influence on the groups of voters who voted early or submitted an absentee ballot.

RQ1 asked whether or not there were differences in absentee or early voting based on party identification. While party identification did not predict absentee or early voting, we found statistically significant differences in time spent in line for Democrats compared to Independents ($\beta = 1.78$, $p = .041$), but not Republicans ($\beta = 1.66$, $p = .055$). While the beta coefficients and standard errors are nearly equivalent and the

direction of the relationship is the same (positive), only the differences between Democrat and Independent wait times at the polls reached conventional statistical significance.

Discussion

A central precept of democracy is the concept of one person, one vote. This study adds further evidence to the large body of work demonstrating racial inequalities at the polls that question the reality of this fundamental democratic axiom. This research provides further concerning evidence that such measures are not yet being implemented in a manner which benefits marginalized voters. Using evidence from the 2018 Wisconsin midterm election, we find that Black and Hispanic voters faced greater temporal burdens compared to other voters in the state, but in different ways. Hispanic voters, perhaps facing under-resourced polling locations in their neighborhoods and disproportionate scrutiny regarding their citizenship status, tended to spend far more time in line compared to their white counterparts. Black voters, on the other hand, did not tend to spend more or less time in line, but took more time to commute to their polling location.

At the time, the 2018 Wisconsin midterm election had record high turnout across the state. While this general pattern of increased turnout held up in Black and Hispanic wards in urban centers in like Milwaukee, turnout gains were less pronounced compared to turnout increases among white voters (Newkirk, 2018). While historic evidence in Wisconsin suggests that increasingly restrictive voter ID policies are adding to the burden minority populations face at the polls, our findings also suggest that other complicating factors may be exacerbating these effects.

For Hispanic voters who face longer wait times once at the polls a fundamental, compounding factor is a lack of language assistance at polling locations, a point emphasized in reports from non-partisan election observers in the state. Not only did some observed polling sites in Oshkosh and Milwaukee lack Spanish translators, the Wisconsin Election Commission started Election Day short-staffed amid an unexpected number of calls from Spanish speakers seeking assistance (League of Women Voters of Wisconsin, 2019). The Voting Right Act requires language assistance when the voting age population of a language group meets certain criteria, but only Milwaukee, Madison, and La Crosse are subject to them in Wisconsin. It wasn't until early 2019 that Dane county, which includes the capital city and is the second-most populous county in the state, first offered electronic Spanish ballot options for voters countywide (Becker, 2019).

For Black voters, it could be the case that, like other states like Alabama and Mississippi, that areas with larger concentrations of Black folks have fewer polling places. However, it is important to note that our measure does not necessarily make assumptions about respondents' physical distance from their polling locations. Black voters in Milwaukee, for example, may not live particularly far from their polling location, but are more likely to lack efficient transportation. Consistent with previous research calling on researchers to take the concept of time more seriously when examining racialized inequalities (Gee, Hing, Mohammed, Tabor, & Williams, 2019), our findings provide additional evidence in an electoral context.

Our surprising, yet fragile, finding that Democrats were more likely to report waiting longer in line compared to Independents suggests further research into these effects. Theoretically these findings support the notion that Republican electoral changes in Wisconsin are having partisan effects at the polls, but our nearly parallel, though statistically insignificant, findings for Republicans suggests future research explore whether Independents systematically spend, or recall spending, less time at polls compared to partisans.

This study adds to previous work showing a relationship between distance to polls and partisan disadvantage (Brady & McNulty, 2011) and adds to growing evidence that partisan disadvantage is largely explained by racial differences (Pettigrew, 2017). This research does provides evidence that certain barriers persist and unduly impact on Black and Hispanic voters in Wisconsin even in an election cycle where enthusiasm and voter turnout are higher. After all, the democratic precept is one person, one vote, not one person who speaks English, with the right ID, good transportation, and white skin, one vote.

Supplementary Data

Supplementary Data are available at *IJPOR* online.

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Conflict of Interest

The authors have no conflicts of interest for this article.

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Biographical Notes

Foley is an Assistant Professor in the Edward R. Murrow College of Communication at Washington State University.

Wagner is Professor of Journalism and Mass Communication at the University of Wisconsin–Madison and Director of the Center for Communication and Civic Renewal.

Hughes is a Knight Research Fellow of Communication and Civic Renewal at the University of Wisconsin–Madison and a Visiting Lecturer at Brunel University.

Suk is a Knight Scholar of Communication and Civic Renewal and a PhD student in the School of Journalism and Mass Communication at the University of Wisconsin–Madison.

Cramer is the Natalie C. Holton Chair of Political Science at the University of Wisconsin–Madison.

Friedland is Vilas Distinguished Achievement Professor of Journalism and Mass Communication at the University of Wisconsin–Madison and Director of the Center for Communication and Democracy.

Shah is Maier-Bascom Professor of Journalism and Mass Communication and Director of the Mass Communication Research Center.