

electionline Weekly – January 31, 2008

electionline.org

NOTE: electionline.org was experiencing technical issues related to our transition to the new Web site. Specifically, electionline Today was not displaying stories we were posting from certain states - California, Missouri and Virginia. We also had reports that the homepage was not displaying a timely update to the current day's news once we post by 11a.m. Eastern. We are working with our webhost and believe we have it fixed, but we do not want our readers to have to wait for their daily dose of news; therefore, until further notice our daily news feed – including all states for which we have stories – will be available [here](#). Thank you for your continued interest in electionline.org – Doug Chapin, Director

I. In Focus This Week

Super Duper Tsunami Tuesday is nigh

Voters in more than 20 states head to the polls or caucuses on February 5

By [M. Mindy Moretti](#)
Electionline.org

Call it what you will, on Tuesday, February 5, more than 65 million American voters — over one-third of the electorate — can head to the polls and caucuses to make their choice in the 2008 presidential primary.

Besides facing what could potentially be a record turnout — based on anecdotal evidence from early voting numbers and requests for absentee ballots — many states holding primaries next week will also be facing their biggest test since complying with the voting machine and database requirements of the [Help America Vote Act](#).

Fifteen states including: Alabama; Arkansas; Connecticut; Delaware; Massachusetts; Missouri; New Jersey; Oklahoma; Tennessee; and Utah will hold primaries on Tuesday. While each state has its own issues facing voters, here is a sampling of what could have an impact on voters on February 5.

In Alabama, 65 of the state's 67 counties will head to the polls on Tuesday, but the two coastal counties, Mobile and Baldwin, will have voted on Wednesday, January 30 because the 5th is Fat Tuesday — the end of Mardi Gras — and an official holiday all along the Gulf Coast.

According to the [Montgomery Advertiser](#), even though voters will head to the polls nearly a week early, those votes will not be counted until February 5th with all the other ballots cast on Super Tuesday. In Mobile, all polling places will be open on January 30 and only one on February 5 and in Baldwin it will be the opposite.

"We are not affected in Baldwin County like Mobile is by Mardi Gras," Probate Judge Adrian Johns told the paper.

Although the Nutmeg state officially made the switch to optical-scan voting machines for municipal elections in 2007, Tuesday will mark the first time that many Connecticut voters see something other than a lever-machine in their polling place.

According to [The \[Stamford\] Advocate](#), things went relatively smoothly in the November elections, but a state-mandated audit report of 70 of 695 polling places was still pending at press time.

Rep. Livvy Floren, R-Greenwich, a ranking member of the General Assembly's Government Administration and Elections Committee, said November's results give her confidence heading into Super Tuesday.

"My overall feeling is that it went very, very well," Floren told *Greenwich Time*. "Remember that it was our first time."

In Massachusetts, language barriers could play a key role in the upcoming primary. The City of Springfield [settled](#) its case with the [U.S. Department of Justice](#) (DOJ) over violations of Section 203 and 208 of the Voting Rights Act in late 2006 by agreeing to hire more Spanish-speaking poll workers as well as a Hispanic voting coordinator and establish a bilingual advisory group. DOJ will have observers in Springfield for the primary and recently a three-judge panel [extended](#) the existing settlement into 2010.

Boston was also [sued](#) by DOJ in 2005 for section 203 violations with regard to Spanish, Chinese and Vietnamese-speaking voters. The parties reached a [settlement](#) late that year that will have observers in Beantown through the November presidential election.

And with good reason. Despite the 2005 settlement, problems persisted in 2006. A [report](#) by the Asian American Legal Defense and Education Fund (AALDEF) found that translated materials were not readily available in Boston polling sites and that 38 percent of voters who wanted language-assistance could not find translators at their polling place.

What impact, if any, the theft of two laptops in Davidson County, Tenn. has on Tuesday's primary remains to be seen. Although the laptops and their hard drives were recovered, political watchdog groups warn that the theft could deter voters from turning out on Tuesday. "If you can't trust that the commission can safely handle your Social Security number, it would raise doubts for a lot of people about its ability to secure other parts of the voting process," Deborah Narrigan of Common Cause Tennessee told [The Tennessean](#). Metro Councilman Carter Todd of Green Hills said he has received several e-mails from constituents concerned about the potential for both identity theft and election fraud. "I don't think they'll stay away, but it just increases the cynicism," Todd told the paper.

And in a move that will likely have no impact on voters but will make a whole lot of poll workers happy, the St. Louis Election Board approved funding this week — for the first time ever — to [provide lunches](#) for the 1,100 poll workers on election day.

In addition, [Electionline.org](#) will have observers on the ground in five states:

Arizona

With Arizona Sen. John McCain (R) on the ballot, voter turnout in the Grand Canyon State could be large on Tuesday. And with 24 candidates on both the Democrat and Republican ballot it could take voters a while to wade through the possibilities.

Until recently, Arizona was the only state to offer online voter registration. The state's online system was [plagued with problems](#) in the final hours before the midnight January 8 registration deadline. Problems with the national driver's license database caused the system to go down for hours and then only worked intermittently. Despite the problem, more than 16,000 people registered to vote on January 8, which is over half of the total number of newly registered voters for the primary. Whether or not these registration problems will pose a problem on February 5 remains to be seen.

Like many other states, Arizona has seen a high request for [absentee ballots](#), but in Maricopa County, of the 445,000 requests, only about half have been turned in as of press time. However, unlike many other states, all ballots must be received by 7 p.m. on February. Even ballots that

have a February 5 postmark or earlier but are received after 7 p.m. on Tuesday will not be counted.

Voters in Arizona must present some form of identification at the polls in order to cast a ballot, however photo ID is not mandatory. If a voter does not have a photo ID, they must present two other forms of identification — bearing their name and home address — such as a utility bill dated within 90 days, an Indian census card or property tax bill.

Arizona is also home to many Hispanic and American Indian voters and must provide bilingual ballots and election information in most jurisdictions statewide.

California

More than half a million new voters joined the rolls in California sending the Golden State's total number of registered voters above the 16 million mark.

Reports from counties throughout the state indicate that many of those voters, new and old, have opted to vote-by-mail instead of at the polls on February 5. Some analysts believe that nearly half of the state's votes will be cast by mail and in certain counties such as San Mateo, the number is even higher.

Despite the high number of absentee ballots, many voters still will head to the polls on Tuesday and new voting rules imposed by Secretary of State Debra Bowen (D) that limit the use of touch-screen voting machines will have many counties moving from electronic voting for the first time in years and could cause voter confusion as well as a [delay in providing results](#).

Some county officials are warning that it could be Wednesday, or the end of the week before they have all the ballots counted.

Although the Republican primary in California is closed, the Democrats allow independents — or [decline-to-state](#) — voters to cast ballots in their primary. However those voters must request the partisan ballot which sometimes leads to confusion.

"We do get people after an election saying, 'I wanted to vote a partisan ballot, and I got this nonpartisan ballot,'" Steve Weir, the vice president of the California Association of Clerks and Election Officials told *The New York Times*.

In addition to the presidential primaries, there are [several propositions](#) concerning gaming on Indian reservations that could drive turnout.

Georgia

Super Tuesday will mark the debut of Georgia's photo ID requirement in a federal election. The controversial law was initially passed in 2005 and revised in 2006 before finally being implemented in municipal and special elections starting in September 2007. Under the law's free ID provision — which led to its eventual approval — 6,322 free IDs have been distributed.

All voters who vote in person, early or on election day or cast in-person absentee ballots must show photo ID before voting though ID isn't required for those voting with mail-in absentee ballots. Voters who arrive at the polls without ID cast provisional ballots but must present an ID within 48 hours for their vote to count. While Secretary of State Karen Handel (R) has led an aggressive voter education effort, less than half of votes cast in November 2007 by voters without photo ID were counted according to [The Associated Press](#).

Georgia Election Protection will supply as many as 150 volunteer poll monitors for five counties including metro Atlanta for Tuesday's vote, the *Atlanta Journal-Constitution* [reported](#). Turnout for advance voting, which takes place the week before the election, has ranged from steady to heavy

and Handel said more than 57,000 ballots had been cast between early and absentee voting a week before the election – more than twice as many ballots at the same time in the 2004 presidential primary. About 42,000 new voters registered in the week before the January 7 statewide voter registration deadline, according to the [Ledger-Enquirer](#).

Illinois

This is the first time that the state has offered no-excuse in-person early voting during a presidential election cycle, and reports indicate it has been and it has been a [popular](#) option.

A number of county election officials have been [encouraging voters to cast ballots early](#) to avoid potential weather problems on election day. Other counties, though, have [faced delays](#) in getting their early ballots due to holdups from the voting machine company, ES&S, which produces them and supports the voting systems.

Some Illinois jurisdictions use direct recording electronic (DRE) voting systems with voter-verified paper audit trails (VVPATs) which have faced a great deal of scrutiny, both locally and nationally, due to [questions about the machines' security and reliability](#).

And while voting technology is a concern for some, the human element of running a smooth election remains a challenge as well. Kane County is trying to make sure it has enough bilingual poll workers in place after being sued and entering into an [agreement](#) with the U.S. Department of Justice last September for not adequately serving Spanish-speaking voters.

New York

Voting in New York will be much more of the same when polls open at next Tuesday. Lever machines will continue to be used in most of the state, as they have since the turn of the last century. But it quite possibly could be the final time the heavy booths are rolled across precinct floors for a federal election cycle.

New York state officials announced last week that the state would move to optical scan voting by 2009 – a move that came well after most of the rest of the country using older voting technology – including lever machines and punch-card ballots – had completed the change.

Lever machines had been essentially banned for future use by the [U.S. Election Assistance Commission](#), the [U.S. Department of Justice](#) as well as by the New York state legislature. By 2007, New Yorkers were supposed to be voting on machines that “retain all paper ballots cast or produce and retain a voter-verified permanent paper record which shall be presented to the voter from behind a window.”

Change has been slow to come to New York's elections. The state was the last to put in place requirements for the Help America Vote Act. It faced particularly sharp criticism for groups representing voters with disabilities, who despite being guaranteed one accessible machine per polling place per federal law were offered one for each jurisdiction in the state under New York law.

A decision [reached last week](#) by the state election commission will mean that the state's approximately 8,400 polling places will have accessible machines in time for the November election. But in the primary, that will not be the case.

States that will be caucusing include Alaska, Colorado, Idaho (Democrats), Kansas (Democrats), Minnesota, New Mexico (Democrats), North Dakota and West Virginia (Republicans).

[Sean Greene](#), [Dan Seligson](#) and [Kat Zambon](#) contributed to this report.

News Analysis: E-Pollbooks Cause Delays; Touch-Screen Milestone Goes Unnoticed

Few say they're moved by coming switch to optical-scan

By [Dan Seligson](#)
[electionline.org](#)

HOLLYWOOD, Fla. – Elections in South Florida can be many things to those who have observed them over the past few federal cycles. They can be chaotic, angry, disorganized and sloppy. When they go well, voters sound almost leery, unaccustomed to a smooth-functioning process.

Watching the presidential preference vote in the Democratic strongholds of Broward and Miami-Dade counties, the 2008 primaries – stripped of their meaning to Democratic partisans when the national party opted not to award any delegates to the winning candidate – the lack of passion was striking, despite [high turnout](#).

While there were problems with a new registration/voter identification system that caused delays in some Broward precincts, the big story of the day, that the touch-screen voting machines used in 15 counties in the state for the past two federal would be retired in time for the November vote, seemed to stir few emotions one way or another.

“There were no problems,” said Oscar Guevara, as he left the Vacation Village Social Center in Broward County after casting a ballot on an iVotronic touch-screen produced by ES&S. “I think they’re good. They’re quick.”

“I always found the system better than the chad,” said Vicki Hatch, holding the hands of both her children as she left a precinct at the Aventura Government Building in northeast Miami-Dade County. “It seems simple I think. But honestly I didn’t do a lot of research about the flaws or vulnerabilities.”

It was the vulnerabilities – as well as the recent history of election-day meltdowns and mysteries – that led to the final call for the touch-screen machines.

Among voters, memories of the chaos of the September 2002 primary might have faded. But some do recall the screen freezes, the late-opening polling places, the late closures, the claims of lost votes, switched votes and other problems that plagued the first roll-out of the iVotronic system in South Florida. And many more remembered Sarasota County’s 18,000 missing votes in the race to represent the 13th Congressional District that were unregistered on the same iVotronic machines in use in Broward and Miami-Dade, though now in permanent retirement in Sarasota.

For some, though, the machines were an afterthought. The introduction of the [EViD](#) electronic poll book system, which checks in voters, prints slips to alert poll workers to the appropriate ballot, provides turnout data and more, brought back memories of other technological upgrade nightmares.

At precinct located in the pool house of a condominium complex in Hallandale Beach, one of two poll books functioned. When a woman coming into vote could not be found on the system, the delays started. A line of six voters formed, and while an equal number of poll workers looked on, the poll book caused delays of more than 15 minutes.

“I’ve been here before, but today I feel like I’m on another planet,” said one woman as she looked over an empty bank of voting machines, voting frozen due to poll book delays.

“It’s terribly disorganized. It took me five minutes to vote but 15 minutes to process the person in front of me at the machine,” said Robert Feiler, a voter at the Hillcrest Playdium in Hollywood.

“There’s one person for everybody and a relatively inept supervisor. After the national disgrace of the last election, you thought maybe improvements would be made.”

Officials from the county said the problems were minimal, though [news reports](#) indicate otherwise.

Mary Cooney, a spokesperson for Broward County’s elections department, said there were “a few isolated instances of technical difficulties.”

“We’ve had backup poll registers and voting wasn’t impeded at all,” she said.

As the day wore on and reports of EViD problems began to subside, the election took on an aura of calmness not familiar in this part of the country on election day. A steady stream of voters cast ballots for their party’s nominees as well as on property tax question and some local races. In some cases, wrong ballots were given to voters and some complaints were filed, but in a much lower volume than is usually found in a federal contest.

If Floridians are celebrating the end of touch-screen voting, they’re being awfully subtle about it. Throughout the course of the day at polling places throughout Broward County, few voters said they were aware that the switch to optical-scan machines was being made at all.

When it was explained to them, some said, “I like these machines.” Others thought the switch was a waste of money.

And while there were scattered problems at polls in Broward, Miami-Dade and [other parts of the state](#), few could pinpoint the paperless touch-screen machines as the main culprit.

II. Election Reform News This Week

Voting system issues aren’t the only problems facing Colorado election officials as this week a group [voiced concerns about the state’s voter registration database](#). The database, already two years late, is called SCORE (State of Colorado Registration and Election) system, and is being designed by Saber Corp. According to its \$9.7 million contract signed in 2006, Saber must deliver a complete product by May. So far, 17 counties are using the system, and the rest will be trained and added in the next three months, Trevor Timmons, SCORE’s project director and the secretary of state’s chief information officer told *The Rocky Mountain News*. But many counties still are using their county databases and planning to use backup systems during coming elections. And few county clerks are confident enough with SCORE to endorse using it in polling place or vote center elections this year.

Officials are investigating how [a woman, dead since October, cast an absentee ballot in the Missouri presidential primary](#). According to Scott Leiendecker, director of the St. Louis Election Board, officials believe the woman’s son cast the ballot by purporting that his mother signed with an “x”; and then he signed as a witness. Leiendecker told the *St. Louis Post Dispatch* that with just one such case—and the fact that it was caught right away by election workers—the city’s system to catch voter fraud is working. “I think the message is out there that this is not something to joke about. We have really good people watching and have good checks and balances in place,” Leiendecker told the paper. The case has been referred to the U.S. Department of Justice.

A recent report found that [only 13.9 percent of the provisional ballots cast in Oklahoma elections in the past six years were actually valid](#) and therefore counted. According to The Associated Press, there were a variety of reasons why the ballots were not counted including a person mailing the voter registration after the deadline for registering to vote; a voter’s name being

purged for not voting in three straight election cycles; and the voter being registered as an independent and cannot vote in a party primary election.

While many jurisdictions across the nation have difficulty finding enough poll workers, some election officials in growing [Northern California are having a difficult time finding enough polling places](#). "We're having a hard time finding polling places so people can vote," said Richard Klenhard, a Sacramento County elections supervisor, who likened his job to solving puzzles. "I'm the puzzle master," Klenhard told the *Sacramento Bee*. Some will head to schools, churches, fire stations and senior centers to participate in the most sacred of civic duties: voting. Others will cast ballots in a neighbor's garage, possibly in an auto glass shop – or perhaps in a grocery store. "Not every store is set up for it. We just happen to have an events center," Susan Robison, an assistant store director at the Raley's supermarket in Elk Grove's east Franklin neighborhood. Equipment began arriving at her store Tuesday. "I think people are comfortable in a grocery store," said Robison, who will be voting at a preschool in the Pocket. "We have restrooms, we've got food."

III. Opinion This Week

National: [Touch-screen machines](#); [Vote count](#)
California: [Orange County](#); [Vote counting](#)
Colorado: [Voting system](#)
Florida: [Primary system](#); [Election woes](#); [Overseas voters](#)
New York: [Voting machines](#), [II](#), [III](#), [IV](#)
North Dakota: [Voting system](#)
Ohio: [Voting system](#), [II](#), [III](#)
Pennsylvania: [Passover primary](#)
Tennessee: [Voter ID](#), [II](#), [III](#)
Texas: [Voter ID](#), [II](#)
Washington: [Election day registration](#)
Wisconsin: [Youth participation](#); [Election reputation](#)

Some sites require registration

IV. Job Postings

All job listings must be received by 12 p.m. Eastern on Wednesday for publication in our Thursday newsletter. Job listings are free but may be edited for length. Whenever possible, include Internet information. Please email job postings to mmoretti@electionline.org

Election Technician — Minneapolis, Minn. Assist the Elections Director with administration of voting system operations and technology and planning and logistics for election warehouse operations. Uses specialized knowledge of general election law, computer programs and systems, and best practices in the field of elections. Requirements: a Bachelor's degree or equivalent. **Qualifications:** Must have experience designing, creating and working with database programs as well as advanced experience with Microsoft Office Suite programs including, Word, Excel, Access, Powerpoint, and Visio. Experience using Geographic Information Systems a must. Election experience preferred. **Application:** Apply online at www.ci.minneapolis.mn.us.
Deadline: February 4.
