

electionlineWeekly — February 18, 2010 **electionline.org**

I. In Focus This Week

Director's Note

Longtime Kansas Secretary of State Ron Thornburgh resigns

By [Doug Chapin](#)

On Monday, February 15, Kansas Secretary of State Ron Thornburgh – who had already indicated he would not seek re-election to the post he first won in 1994 - resigned to take a job in the private sector.

I'll leave it to the Sunflower State's media and political community to analyze what his departure means for the 2010 campaign, but I did want to say just a few (hundred) words here to express my appreciation for his friendship and guidance throughout the life and times of [electionline.org](#) and Pew's Election Initiatives.

I first met Ron as I was trying to get my new Pew project off the ground during 2001. At that time, many policymakers in the field were wary of election reform projects – remember this was immediately post-2000 when so much of the field was dominated by ongoing partisan warfare stemming from the Florida presidential recount and *Bush v. Gore* – but Ron was instantly both encouraging and enthusiastic about our work. I came to rely upon his encouragement and enthusiasm – and his considerable expertise – as my little one-man startup acquired a handful of colleagues and became a going concern.

Ron was a member of electionline's initial advisory board and offered considerable advice and guidance about how our work should proceed – blending an election official's attention to the *status quo* with a far-reaching interest in going beyond business as usual.

The most lasting memory I have of Ron was at a meeting in 2007 where Pew brought together stakeholders to help us chart the future course of our election work. After a day and a half of incredibly detailed conversations, participants had a chance to offer some closing words.

Ron's message was very simple: think big. While he acknowledged the need to move deliberately when making changes to the nation's election system, Ron urged us to look beyond incremental fixes – what he called “lipstick on a pig” – and challenged us to settle for nothing less than transformational change in the way in which we approach voting in America. That spirit continues to animate our work today.

Even better, Ron has never hesitated to put his ideas into action and has as such been a valuable partner as Pew's election work has expanded. Kansas was one of the initial states to adopt the [Voting Information Project](#), and the state's Midwest Election Official Conference partnership with Iowa, Missouri and Nebraska provided us with valuable information about the process of using interstate cooperation to improve voter lists.

Over my years at electionline and Pew, I have had the pleasure to meet and get to know hundreds of election officials across the country. To this day, Ron Thornburgh – in many ways, one of my first “friends in the business” – is one of my very favorites.

Don't be a stranger, Ron.

II. Election Reform News This Week

- The [U.S. Justice Department has settled a lawsuit with Riverside County, Calif.](#) which claimed that the county didn't provide help for Spanish-speaking voters. The settlement will provide a

comprehensive language assistance program in Riverside County that includes trained bilingual election officials. Federal officials also will monitor polling places during upcoming election. The federal agency sued Riverside County, alleging that the county failed to help Spanish-speaking voters in recent elections. The Voting Rights Act requires municipalities that have a sizable minority population to provide voting materials and assistance in that language as well as English.

- Legislative bodies in Minnesota and Vermont both made strides this week to alter the timing of their September primaries in order to comply with the federal MOVE Act. In [Minnesota](#), the Senate voted to move the primary to the second Tuesday in August in each even-numbered year. If approved by the House and signed by the governor, the Minnesota law would move the 2010 election from Sept. 14 to Aug. 10. After wrestling with the issue for five weeks, the [Vermont](#) House Government Operations Committee voted unanimously to support moving the state's primary to the fourth Tuesday in August, which would move the election from September 14 to August 24. While the legislation seems poised for approval in Minnesota, the future of Vermont's proposal remains rocky as partisan bickering continues over the proposal approved by the bipartisan committee and one submitted by Governor Jim Douglas (R).
- The American Civil Liberties Union thinks [hundreds of South Dakotans were illegally denied the right to vote during the 2008 presidential election](#). Convicted felons sentenced to only probation have the right to vote in South Dakota, but the names of several such felons were improperly purged from voter rolls in 2008 because poll workers had a limited understanding of voting rights, the ACLU says. In an amended lawsuit filed this past week in federal court, the ACLU contends that a large number of affected voters were Native Americans because felony cases on the reservation are tried in federal court and not within the state judicial system. Secretary of State Chris Nelson doubts that an entire class of felons has been denied voting rights. County auditors are trained in voter registration rules before every national election. "We cover voter registration and voter lists," Nelson told the *Argus Leader*. "It's all a part of the training." The ACLU's initial lawsuit was filed one year ago on behalf of two women from Pine Ridge.
- Both sides of the aisle are to blame as [two major election proposals](#) – no-fault absentee voting by mail and allowing counties to use vote centers – have hit roadblocks in Indiana. The Democratic-controlled House passed a bill, which contained language opening up mail-in absentee voting to all regardless of reason. But that bill was stripped in the Senate Elections Committee this week. Sen. Connie Lawson, R-Danville – the sponsor of the legislation – said her caucus hasn't had enough time to review the concept of no-fault absentee voting. Meanwhile, the Republican-controlled Senate passed Senate Bill 241, which included giving all counties the option of moving to a vote center model. If approved, voters could cast their ballots at any one of a small number of vote centers in the county. However, according to the *Journal Gazette*, Rep. Kreg Battles, D-Vincennes – chairman of the House Elections Committee – is not hearing the vote center bill because he thinks more information is needed.
- [Hawaii's Election Commission](#) this week named interim elections chief Scott Nago to the position full time. Nago had been serving as interim chief since Dec. 30, when Kevin Cronin suddenly resigned. Nago will now serve out the rest of Cronin's term that expires on Feb. 1, 2012, William Marston, chairman of the state Elections Commission told the *Honolulu Advertiser*. Nago had led the ballot counting section for the state Office of Elections and his appointment to interim chairman was endorsed by the four county clerks. "Scott has proven himself," Marston said. "He's a good man. He's already showed his worth and he has our support 100 percent."

III. Research and Report Summaries

electionline provides brief summaries of recent research and reports in the field of election administration. Please e-mail links to research to sgreene@pewtrusts.org.

[Voters Win with Same-Day Registration](#) – Demos, January 2010: In championing same-day voter registration (SDR), Demos notes that more than one million Americans used the practice to vote on or

before November 2008 presidential election. Voter turnout in SDR states in 2008 was on average seven percentage points higher than the average turnout for non-SDR states. While this higher rate is likely not solely attributable to SDR, other research has shown that at least three to six percentage points of historical increases were directly related to SDR. Other benefits are described including SDR being easier and more cost-effective for election officials in part by greatly reducing the need to issue provisional ballots.

[U.S. Election Assistance Commission Annual Report 2009](#) – EAC, January 2010: No later than January 31 of each year, the EAC is required to submit an annual report to the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate. The 2009 report details the commission's responsibilities and accomplishments for the year covering Help America Vote Act (HAVA) payments and grants, voting system testing and certification, research, clearinghouse activities plus a look ahead to 2010.

[Jim Crow in New York](#) - By Erika Wood and Liz Budnitz with Garima Malhotra, The Brennan Center for Justice at the New York University School of Law, February 2010: The authors examine the history of voter disenfranchisement laws, noting that Jim Crow was not confined to the South but existed in the North as well, specifically New York state. In fact, New York was the only state that required blacks to own real property in order to qualify to vote. The state's voting qualifications and criminal disenfranchisement laws became more restrictive and when the Fourteenth and Fifteenth Amendments made the state remove its property requirements for African-American voters, New York moved from allowing to requiring the disenfranchisement of those convicted of "infamous crimes." These criminal disenfranchisement laws have changed little and continue to disenfranchise African Americans and other ethnic minorities, according to the study. The report recommends the state change its law to restore voting rights to people on parole.

[2010 Issues in Election Administration: Interstate Compacts](#) – Project Vote, February 2010: This legislative brief summarizes which states are comparing and matching voter registration databases, how these states are using the resulting data, and the potential problems of using the information from the crosschecking process to cancel registrations.

[2010 Issues in Election Administration: Voter Intimidation and Caging](#) – Project Vote, February 2010: This legislative brief provides explanations and examples of voter intimidation and voter caging – when targeted populations are sent non-forwardable mailings and the returned mailings are used to challenge voters on the basis of residence. Changes to state law are recommended to strengthen penalties for voter intimidation and to regulate and reduce the risk of voter caging that can lead to partisan abuse.

IV. Opinion

California: [Special elections](#)

Florida: [Court decision](#); [Sarasota County](#)

Minnesota: [Instant-runoff voting, II](#); [Overseas voters](#); [Early primary](#)

South Carolina: [Election notices](#); [Voter ID, II](#)

Texas: [Overseas voters](#)

Vermont: [Instant-runoff voting](#)

***some sites require registration*

V. Webinar

The National Conference of State Legislatures (NCSL) will host ***MOVE Forward on Military and Overseas Voting, on Feb. 19, 2010, at 2:00 p.m. Eastern***, a webinar for state legislators and staff to learn about the new Military and Overseas Voter Empowerment (MOVE) Act. The act's numerous mandates will affect every state's preparations for the November 2010 elections, and the webinar will provide an overview of the law's key provisions and what steps some states are already taking to

comply. The webinar is strictly for legislators and legislative staff and is being made available at no cost. Space is limited and [registration](#) must be completed online. If you have any questions, please contact [Tom Intorcio](#) at NCSL.

VI. Job Opportunities

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

Chief, U.S. Dept. of Justice Civil Rights Division (Voting Section) — The successful candidate will: Serve as the Chief of the Voting Section to supervise, directly and through subordinate supervisors, approximately 100 attorneys, Civil Rights Analysts, Paralegal Specialists, Social Scientists, and support employees. Manage the development of the Section's enforcement strategy and implementation plan, including appropriate allocation of staff resources and oversight of personnel matters. Plan and direct a nationwide program to enforce the applicable statutory provisions for safeguarding citizens' right to vote. Supervise the preparation of cases, including the investigation, records analysis, drafting and filing of complaint, pre-trial discovery, writing of the trial brief, and trial. Intervene in significant cases brought by private litigants involving voting rights. Supervise the Section's administrative review of submissions by states, counties, and other jurisdictions of voting changes pursuant to Section 5 of the Voting Rights Act. Direct and review investigations that arise from complaints regarding violations of applicable federal statutes. Consult and advise the Assistant Attorney General for the Civil Rights Division and other Department of Justice officials regarding issues in voting rights policy and litigation. Play a critical role in a range of policy, regulatory, and outreach issues involving voting rights, including engaging in public speaking, as appropriate, to educate the public on the Division's voting rights enforcement program. Coordinate with other components throughout the federal government to ensure a comprehensive effort to enforce voting rights. Confer with U.S. Attorneys and oversee the handling of U.S. Attorney cases related to voting rights issues. Resolve cases through settlement agreements, consent decrees, or litigation. Prepare recommendations for or against appeal, including appeals to the Supreme Court, and may brief or assist in the argument of the case or appeal. [Click here for a complete job description and application.](#)

Deputy Chief, U.S. Dept. of Justice, Civil Rights Division (Voting Section) — seeking an experienced attorney for the position of Deputy Chief in the Voting Section in Washington, D.C. The Civil Rights Division is primarily responsible for enforcing federal statutes and executive orders that prohibit, among other things, unlawful discrimination in voting, education, employment, housing, police services, public accommodations and facilities, and federally funded and conducted programs. The Voting Section enforces federal statutes designed to safeguard the right to vote. These statutes include the Voting Rights Act, as amended; the National Voter Registration Act; the Uniformed and Overseas Citizens Absentee Voting Act; and the Help America Vote Act. The Section brings lawsuits against states, counties, cities, and other jurisdictions; monitors local elections; and reviews submissions for compliance with Section 5 of the Voting Rights Act. The Deputy Chief will be responsible for managing and supervising attorneys, non-attorney professionals, and support staff in the full range of the Section's duties, and will report directly to the Section Chief. In addition, the Deputy Chief will supervise investigations and litigation addressing one or more aspects of the Section's enforcement program and may personally handle sensitive or particularly complex matters, at the discretion of the Section Chief. The Deputy Chief may also be required to perform a wide variety of duties in the Section, including responding to urgent requests from the Civil Rights Division's highest management levels. The Deputy Chief will also assist the Section Chief in the personnel supervision, staff development, and administrative management of the Section. The post will likely require extended hours and some travel. [Click here for complete job description and application.](#)

Elections Administrator, Everyone Counts, San Diego — work directly with private and public sector clients to administer high integrity elections for Everyone Counts, the global leader in the delivery of accessible, auditable, verifiable and transparent elections using modern technology. Ideal candidate will possess skills that encompass the following qualities and experiences: delivery of elections or other similar electronic business process, administration, project management, customer service, sales,

helpdesk assistance, invoicing and employee supervision. Duties: Under the supervision of the Lead Elections Administrator, a successful candidate will work day-to-day with worldwide clients to coordinate elections conducted over the Internet. Duties include: working with client on detailed job specifications, ensuring elections conform to various local and federal laws, set up election using the Everyone Counts voting administration system, testing of the election application, monitoring of election during voting period, responding to voter inquiries, delivering results, and administrative reporting. The Election Administrator will develop contracts with clients, invoice clients for services performed, and work with other employees involved in the administration of elections. Customer service skills and attention to detail are crucial elements of this position. Periodic travel to clients and conferences may also be required. Qualifications & Skills needed: minimum of a Bachelor's degree is required; qualifications beyond the degree include professional office and supervisory experience; must demonstrate ability to work independently and provide supervision, where necessary; must demonstrate strong listening skills and respect for all clients; excellent written, oral and presentation communications are required; attention to detail and accuracy is a must; requires proficiency in general computer software, such as Microsoft Office or Open Office, and a strong comfort level with the use of the Internet and technology; must collaborate with a variety of people, taking the initiative to reach out to others and to accomplish tasks with high quality in a time-efficient manner. Those interested should email a cover letter, one page resume, and salary requirements to careers@everyonecounts.com. Compensation will be based on qualifications and experience. This position reports to the Lead Elections Administrator.

Election Specialist, Fairfax County, Va. — works independently under the supervision of the General Registrar. Serves as the designated voting machine custodian, as mandated by the Code of Virginia and authorized by the Electoral Board. Performs a variety of functions in the installation, testing, maintenance, security, and repair of election equipment and systems, including voting systems and electronic poll books. Trains and supervises the Rovers (seasonal employees) who assist with the testing and maintenance of the voting equipment, and conducts voting machine training for staff and officers of election. Coordinates the use of public and private facilities that are used as polling places, including identifying locations, negotiating use, and ensuring compliance with state and federal accessibility requirements. Coordinates the Election Day call center. Prepares regular reports regarding office call and Election Day call information, including statistical analysis and recommendations. Maintains current knowledge of statutory requirements and new technological developments in the field of elections, including monitoring federal and state legislation. Assists with other agency activities as required.

Qualifications: Any combination of education, experience and training equivalent to graduation from an accredited four year college or university with a bachelor's degree; or four years of increasingly complex technical experience in managing technology systems or project management comparable to experience at the Administrative Assistant IV or higher level. Must be a registered voter in the Commonwealth of Virginia and have a valid Virginia driver's license. Must be able to lift, move, assemble and repair voting machines, electronic poll books and related equipment in a warehouse environment. The appointee to this position will be required to complete a criminal background check and a driver's license check to the satisfaction of the employer. **Salary:** \$42,252 to \$56,336. **Application:** Submit your resume on-line through the [AIMS system](#). If this is the first time you have used AIMS, you will need to [create an account](#). **Deadline:** February 26.

Programmer, Voting Information Project, Washington, DC — The New Organizing Institute (NOI) is seeking a full-time employee to take on responsibilities associated with the Voting Information Project (VIP), a cooperative project with the Pew Charitable Trusts and Google. The Voting Information Project (VIP) is a long-term, non-partisan effort to connect voters, via the web, with the information they need to be more engaged citizens. More specifically, the project works to get all 50 states to publish polling place information and candidate information in a standard format. These "feeds" of voting information will be available to all information providers in a recognized format. Thus, any organization – national or local, large or small – will be able to serve as a distribution channel for voting information-- directly from election officials to voters. The Programmer will be primarily responsible for working directly with tech staff in the states, VIP technical support staff, and Google to implement new feeds and update or maintain existing feeds. NOI itself is a progressive organization that builds capacity and sophistication in the progressive movement in the areas of technology and new media, especially as they relate to organizing. NOI offers numerous trainings for progressive practitioners, engages in data research, and coordinates with a wide

range of progressive partners to leverage common interests in the improvement of technology options in the field. The position is hosted out of NOI offices and will include involvement in other NOI projects, but will primarily focus on VIP. Responsibilities: Technical Support and Development including: coordinate with technical collaborators to implement feeds; develop controls for monitoring status of VIP data feeds; assist with outreach and development of promotional materials; create materials explaining technical aspects of VIP; answer incoming technical questions from public and other stakeholders. Qualifications: Basic knowledge of political data; 1+ yrs database management experience; 3+ yrs programming experience; familiarity with XML, JSON, other data standards, EC2 and other cloud services, REST concepts, and comfortable in a Linux environment. The position goes through Jan, 2011, and may be extended at that time. Salary is commensurate with experience, and includes health care. Candidates should submit a resume and cover letter to data@neworganizing.com. The email must have the subject line "Programmer Application"

Trial Attorney, U.S. Dept. of Justice Civil Rights Division (Voting section) — seeking up to 10 experienced attorneys for the position of Trial Attorney in the Voting Section in Washington, D.C. The Civil Rights Division is primarily responsible for enforcing federal statutes and executive orders that prohibit, among other things, unlawful discrimination in voting, education, employment, housing, police services, public accommodations and facilities, and federally funded and conducted programs. The Voting Section enforces federal statutes designed to safeguard the right to vote. These statutes include the Voting Rights Act, as amended; the National Voter Registration Act; the Uniformed and Overseas Citizens Absentee Voting Act; and the Help America Vote Act. Trial attorneys are responsible for conducting investigations, litigation, and other activities addressing all aspects of the Voting Section's enforcement duties. These positions may require extended hours and some positions may involve significant travel. [Click here for a complete job description and application.](#)