

I. In Focus This Week

Electronic voter registration system launched in Delaware *eSignature is 'greatest innovation since sliced bread'*

By M. Mindy Moretti
Electionline.org

It's not too often that elections officials are downright giddy about a new product or idea, but if you ask some of the folks in Delaware what they think of their new electronic voter registration system, well we'll let them speak for themselves.

"ESig is the greatest innovation since sliced bread," said Howard G. Sholl, Jr., deputy administrative director for the [Department of Elections in Newcastle County](#). "It is the beginning of our paperless — for the most part — program."

The new system was created through a partnership between Elections and the Department of Motor Vehicles (DMV), in coordination with the Department of Technology (DTI). The goal of the eSignature collaboration between the various departments was to provide Delaware residents with a streamlined method of registering and maintaining voter registration.

"Following the 2000 election, an informal discussion began about 'getting every application from DMV.' We wondered about doing the entire process electronically," explained Elaine M. Manlove, [state election commissioner](#). "It was a great idea but always went to the back burner because of more pressing IT concerns. Then came HAVA [[Help America Vote Act](#)] funding which allowed us to hire contract programmers devoted to what we called the 'Elections Wish List.'"

Through the process, developed in-house by the Department of Technology, citizens can initiate and update their voter registration information at the same time they obtain or make changes to their state-issued license or ID cards.

Delaware is one of only eight states with such a program.

Like most things, getting to this point didn't happen overnight and didn't happen without its share of bumps along the way.

"It meant making DMV, DTI and Elections play nice together," Manlove said. "We also had issues with everyone's 'busy' seasons. We couldn't do any changes during election cycles, or during any of the times when DMV was upgrading anything on their systems."

Manlove noted that initially DMV was not too excited about putting so much energy into an elections project, but under new leadership at DMV, the project took off.

"The eSignature project will ensure that information provided from the Division of Motor Vehicles to the Department of Elections is accurate and secure. Because the DMV touches so many lives in Delaware, we are constantly finding ways to address and partner with other agencies in order to further benefit our customers and the state," DMV Director Jennifer Cohan said in a statement at the time of the system's launch.

It also meant adding language to the Delaware Code that authorized the Commissioner of Elections to implement a paperless registration system.

“As much as I wanted to insure that we received all Voter Registration Applications from DMV, this system does so much more,” Manlove said. “We will be totally paperless, much more efficient, and still get everything.”

The system will handle Federal Mail Applications by allowing them to be scanned in and electronically connected with record entered in the system.

Manlove said the next step in the process is to bring in Health and Social Services as well as the Department of Labor into the system.

Cost savings have also become a key factor in the new system. It is estimated that during an election year, over 1,000 printed pages are utilized per day, at each of the state’s four DMV offices. During non-election years, printing averages about 300 pages per day.

“We expect to save money beginning almost immediately,” Sholl said. “Good-bye to multi-part paper forms, filing documents, etc.”

Sholl’s department in Newcastle County currently has two open positions that he cannot fill because of a state-mandated hiring freeze, however, he anticipates he will be able to give up the positions once the county sees the impact of eSignature on its work flow.

“This is a revolution for Delaware,” Sholl said.

Senate Rules Committee discusses voter registration problems

Up to 7 million voters were denied or discouraged from voting

By [Kat Zambon](#)

Members of the [Senate Committee on Rules and Administration](#) heard testimony this week on voter registration problems following the release of a new Cooperative Congressional Election Survey report that found as many as three million voters tried to vote but failed.

Administrative issues such as voter identification requirements and long lines kept another four million registered voters from casting ballots.

“If voting is the heart of democracy, registering Americans is the lifeblood of our republic,” committee chair Sen. Charles Schumer, D-N.Y., said in his [opening statement](#). “But it seems as if we’ve had some serious circulation problems.”

In 2001, the Caltech/MIT Voting Technology Project found that as many as six million votes were lost to administrative problems, Stephen Ansolabehere, Harvard University professor and lead author of the new study explained. About half of the lost votes were registration-related.

Eight years later, the Help America Vote Act has led to developments of provisional ballots and technology to decrease under-votes yet registration problems persist.

About 50 million Americans are eligible to vote but aren’t registered, Curtis Gans, director of the Center for the Study of the American Electorate said, while several states have voter registration rates that exceed 100 percent of the voting eligible population.

“We will not, so long as we have a list-based system, remedy any of these problems,” he said.

Nathaniel Persily, Columbia Law School professor said that the problems are not simply because of registration but are tied to Americans’ mobility which leads to decreased voter turnout. Voters who have

lived in their residences for more than five years are more likely to cast ballots than those who moved within the last five years. Most election litigation relates to registration problems like purges, mismatched lists and third party registration problems, Persily said.

Kristen Clarke, political participation group co-director for the NAACP Legal Defense and Educational Fund agreed that purges and database matching can keep eligible voters from casting ballots, as well as election officials who reject voter registration forms for immaterial omissions. "Part of the problem is that election officials have too much discretion and they abuse that discretion," she said. Clarke encouraged officials to streamline voter registration forms.

States and counties facing budget shortfalls waste millions of dollars annually on paper-based voter registration systems, Jonah Goldman, National Campaign for Fair Elections director at the Lawyers' Committee for Civil Rights said. "These costs have a debilitating effect on the rest of the election system," he said. "Both the registration system and the Whig Party are relics of the past."

Some of those at the hearing have experienced difficulties when trying to cast their ballots. Schumer described challenges he has faced voting by absentee ballot. Persily said he wasn't listed on the voter rolls when he went to vote two years ago. Sen. Bob Bennett, R-Utah, ranking member said that he forgot to cast his absentee ballot so he voted provisionally.

"The panel has demonstrated that we have work to do here," Bennett said.

II. Election Reform News This Week

- In a [5-4 decision, the U.S. Supreme Court ruled this week](#) that only election districts in which minorities make up at least half of the voting-age population are entitled to the protections of a part of the Voting Rights Act that seeks to ensure and preserve minority voting power. According to *The New York Times*, officials in North Carolina had argued that the act required them to help maintain black influence at the voting booth by creating a district that included about 39 percent of the black voting-age population. The theory was that the law protected black voters who joined with white "crossover voters" to elect a candidate of the black voters' choice. Congress did not specify what percentage of minority voters in a district would call for the protections of Section 2 of the Voting Rights Act of 1965 when it later prohibited what courts have termed "vote dilution." And the Supreme Court until now had avoided picking a number. Rep. John [Conyers, D-Mich. said he will hold a hearing](#) about the decision. In more Voting Rights Act news, President Barack [Obama is rejecting the push by some Southern Republicans to end Justice Department oversight of election procedures](#) as outlined in the Voting Rights Act. "You don't just leave it up to the states to self-correct," Obama said Wednesday during an interview with 14 regional newspapers at the White House, *The Dallas Morning News* reported in its online edition.
- Also this week, [the Supreme Court is letting stand a decision](#) that invalidated state laws regulating the ways independent presidential candidates can get on state ballots. The high court refused to hear an appeal from the state of Arizona, which had a residency requirement for petition circulators and a June deadline for submitting signatures for independent candidates in the November presidential election. Independent presidential candidate Ralph Nader sued, and the 9th U.S. Circuit Court of Appeals overturned Arizona's law.
- Citing the current financial crisis several counties and municipalities in New York have passed [resolutions requesting the state to enact legislation that would allow them to continue using lever-voting machines](#). According to an article published in *The New York Times*, New York has taken a somewhat passive-aggressive stance on upgrading the machines. By delaying, they keep the lever machines around. For example it is too late to install anything new for the 2009 elections. "The transition to a new voting system at this point in the voting cycle jeopardizes the election itself," Gregory Somas, a commissioner of the Board of Elections in New York City told the paper. The push comes now in large part because accessible machines for impaired voters were

installed at each poll site for the 2008 election. Lever proponents argue that these new machines bring New York into compliance with HAVA.

- In order to cut costs, San Francisco Elections Director John Arntz announced this week that he would be [eliminating 27 percent \(150\) of the city's polling places](#). Voters impacted by the loss of a polling station will receive a postcard in the mail that will include an application for a vote-by-mail ballot in case they do not want to travel the extra distance to vote, Arntz told the *San Francisco Examiner*. "It's not like [voters] are going to have to drive across town to go vote," Arntz said. "We try to keep polling places within eight blocks of someone's residence so now it will be around 16 blocks away. So it's not as bad as it might sound." The elimination will trim 20 percent from the average \$3.5 million cost of holding an election. For the past six years, each election had 561 polling locations, one polling station per precinct.
- Municipalities in several Florida counties including, Pinellas, Palm Beach and Broward, held elections this week. In [Pinellas County](#), 10 municipalities conducted elections with Oldsmar holding the county's first-ever all vote-by-mail election. Overall Tuesday's election went very smoothly, Nancy Whitlock, communications director for the Supervisor of Elections told a local paper. The only problem encountered was three scanners that had to be replaced. She said one was replaced before 8 a.m., a second one about mid-morning and a third in the afternoon. "Three of the scanners were not feeding properly," she said. "They were switched out and everything continued like clockwork." Even despite some delays in counting ballots, [Palm Beach County's](#) new supervisor of elections Susan Bucher was pleased with how her first election in the county went. "It's going exceedingly well," Bucher told the *Sun Sentinel* as the totals rolled in Tuesday night. "It's running smooth." Despite the overall smoothness of Tuesday's elections—helped no doubt by a low voter turnout—there were a few scattered problems. In [Broward County](#), some voters complained that the ink on ballots was too faint to read. In [South Palm Beach](#) things got off to a bumpy start when there was a dust-up over someone using a video camera to question campaign workers as the polls opened and things didn't end well in the town of [Belle Glade](#) when a losing city council candidate entered a voting precinct with a baseball bat and threatened people.

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.

[Preliminary Report on the 2008 Ohio Elections Summit](#) – By Lawrence Norden and Jessie Allen, the Brennan Center for Justice at the New York University School of Law, March 9, 2009

This paper follows up a December conference on improving elections in Ohio held by secretary of state Jennifer Brunner. It summarizes issues raised at that conference in preparation for a follow-up meeting to be held Thursday and Friday, March 12-13, 2009. Four areas of election administration are highlighted as top priorities for reform in the state:

- The statewide voter registration database;
- provisional voting and voter identification (also highlighted by the Associated Press in [The Columbus Dispatch](#))
- early in-person and mail-in absentee voting; and
- poll-worker recruitment and training.

Other topics will be explored in a final report.

[Still Voteless and Voiceless in Florida: Florida's Continuing Disenfranchisement Crisis](#) – The American Civil Liberties Union of Florida, March 2009

In 2008, the ACLU of Florida surveyed employees in all 67 county supervisors of elections offices about the extent of their understanding of the state's restoration of civil rights process following a felony conviction. Some of the survey's findings include:

- More than half of the officials did not know that people on felony parole or probation are barred from voting in Florida.
- Forty percent said that those with past felony convictions must produce certificates of civil rights restoration with their voter registration applications which is not correct and is not required.
- Fewer than half knew whether a Florida resident who had a felony conviction in another state could register to vote in Florida. These residents can apply to have their rights restored in Florida if they have not had their rights restored in another states.

Recommendations are also provided including creating a streamlined, automatic and paperwork-free civil rights restoration process, requiring annual training about voting rights restoration to election officials, and bringing more transparency to the restoration process.

IV. Opinion

National: [Thomas Saenz](#); [Voting Rights Act](#)

Alabama: [Poll workers](#)

California: [Budget cuts](#); [Vote-by-mail](#); [Instant-runoff voting](#)

Georgia: [Proof-of-citizenship](#)

Indiana: [Voter ID](#); [Voter centers](#)

Maryland: [Paper ballots](#), [II](#)

Minnesota: [Election law](#); [Re-vote](#); [Instant runoff-voting](#)

Mississippi: [Voter ID](#), [II](#); [Election reform](#)

South Carolina: [Voter ID](#), [II](#); [Open primaries](#)

Tennessee: [Voter ID](#)

Texas: [Voter ID](#), [II](#)

Vermont: [Instant-runoff voting](#)

West Virginia: [Early voting](#), [II](#)

***some sites require registration*

V. 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