

I. In Focus This Week

D.C. hearing focuses on same-day registration

Omnibus bill attracts lots of interest

By [Kat Zambon](#)

The “Omnibus Election Reform Act of 2009”, introduced in the D.C. Council by [Mary Cheh](#) (D-Ward Three), councilmember and [Government Operations and Environment Committee](#) chair covers a lot of ground in its 20 pages. However, many of the 38 citizens testifying July 13 on [Bill 18-345](#) discussed the provision that would allow same day voter registration in the District.

“I support same day registration; however ... I have serious concerns about the board’s bloated voter roll,” William O’Field, certified elections and registration administrator said. “... the District of Columbia is not like the states that have same day registration where their voters may be less transient.”

In 1997, the [D.C. Board of Elections and Ethics](#) (BOEE) compared the District’s voter rolls with those from the Maryland and Virginia jurisdictions that border D.C. and found that some voters had cast ballots in both D.C. and another jurisdiction, O’Field, a former BOEE spokesperson, said. The District referred the names of the accused double voters to the U.S. attorney’s office. O’Field encouraged BOEE to hire a nonpartisan contractor to evaluate the District’s voter rolls.

Dan Wedderburn from [D.C. for Democracy](#) spoke in favor of same-day registration and said that voter registration was originally intended to discourage voting by former slaves and new immigrants. Moreover, voters in many democracies are automatically registered to vote, he said.

“We have had problems with voters crossing our borders and voting in our elections,” Dorothy Brizill, [D.C. Watch](#) executive director said. The council should focus on fixing the problems that turned up in the last election like running out of ballots before making major changes, she added.

Eric Marshall from the National Campaign for Fair Elections at the Lawyers’ Committee for Civil Rights Under Law said that D.C. voters have been disenfranchised by “arbitrary voter registration deadlines that often times can prove insurmountable.” For example, Kisha, a voter from southeast D.C. called the [Election Protection](#) hotline on November 4 and said she wasn’t on the voter rolls when she went to her polling place even though she filled out a voter registration form at a social service agency in September.

The legislation allows voters to register at the polls on election day by presenting a valid driver’s license or identification card issued by the District, a military identification card with the voter’s name or another other document approved by BOEE, Marshall said. Concerned that the provision could lead to disenfranchisement, he encouraged the council to use the identification standards in the [Help America Vote Act](#) (HAVA) for first time voters who register by mail.

On the other hand, Steven Block, [American Civil Liberties Union of the National Capital Area](#) legislative counsel advocated narrowing the types of documents that can be used to register on election day as well as publishing the list of those who registered and voted on the same day “enabling members of the public and the media to perform a ‘watchdog’ function on this process.” Shelley Tomkin from the Ward 3 Democratic Committee recommended allowing voters to use utility bills to prove residency and removing the part of the bill that allows the board to determine other types of identification.

Similarly, Philip Pannell, member of the Ward 8 Democrats executive committee said that they support same day registration as long as voters cannot change their political parties on election day. “If voters are

permitted to change their party affiliation on election day, then they are essentially voting in an open primary” which Ward 8 Democrats oppose, he said.

Rokey Suleman, BOEE executive director endorsed conducting a feasibility study on same day voter registration. “The goal of registering every voter in a way that is as convenient as possible is a shared goal, but it needs to be balanced with the needs of the District to maintain accurate voter registration records and with the ability to plan for an election,” he said. “The unique geographic nature and mobility of the citizens surrounding the District present challenges that need to be properly vetted before this should become law.”

Cheh said she was concerned that a feasibility study was simply a barrier to passing the bill. Suleman reminded Cheh that he had only been executive director for five days and may be able to have the study completed by late fall.

“I want to make this work,” Cheh said.

“So do I, 100 percent, Suleman said.

In addition to allowing same day registration, Bill 18-345 would allow 16 year-olds to pre-register to vote, 17 year-olds to vote in primaries if they will be eligible to vote in the general election, extended voting hours in emergencies, non-residents to serve as poll workers and out of precinct voters to cast ballots for federal elections.

It would also establish an election advisory committee, early voting, vote centers, no fault absentee ballots, poll worker performance management and competitive contracting for new voting systems, cover the corrections and youth rehabilitative services departments under the [National Voter Registration Act](#) (NVRA or “Motor Voter”) and require poll worker training and a voting system with a verifiable record.

II. Election Reform News This Week

- A [new military voter law](#) requiring states to use e-mail and fax to speed registration and delivery of blank ballots was unanimously approved Wednesday by a Senate Committee. To ensure time for ballots to be received, completed and returned, states would be required to send ballots at least 45 days before an election. And they would have to accept ballots from overseas addresses up to 10 days after an election as long as the ballots are postmarked on or before Election Day. To help get the ballots to state and local election officials on time, the bill would require the Defense Department to collect completed ballots from overseas military voters and ensure they are postmarked and sent by express delivery. Also, military pay, personnel and identification offices would become voter registration agencies — a designation that already applies to military recruiting offices. According to *The Army Times*, work on military voter legislation comes in response to reports of continued problems in the 2008 elections, in which up to one-quarter of the absentee ballots requested by service members were never counted.
- Mindful of the long distances many West Virginians must travel to reach a county courthouse, the Legislature this year passed a law allowing counties to establish early voting at locations throughout counties. They didn't offer any money to help counties with those [satellite locations](#), though, and in the midst of an economic downturn with falling revenues, few counties are enthusiastic about shouldering the burden alone. "It's going to add some expense to elections, and that's going to be a significant consideration," Patricia Hamilton, executive director of the West Virginia Association of Counties told *The Associated Press*. Early voting has steadily grown in popularity in West Virginia. Last year, with interest in the presidential election spurring a large turnout, nearly 154,000 voters cast their ballots in early voting, surpassing the old record by about 22 percent. The Secretary of State is gathering public comment on the proposed satellite precinct rule until July 20. Once the final rule is set, counties interested in setting up satellite voting can start moving ahead - and finding the money to do so.

- Thanks to a court agreement requiring [Yup'ik interpreters and other assistance at the polls](#), Yup'ik speaking voters have dropped their lawsuit against the city of Bethel, according to city clerk Lori Strickler. The city, along with the Native American Rights Fund and the American Civil Liberties Union, which represent the Yup'ik voters, announced the agreement Monday (July 13) in a written statement. The lawsuit, Nick, et al v. City of Bethel, et al, is still pending against the state. "We're pleased," Strickler told *The Dutch Harbor Fisherman*. "We've always been providing assistance to the Yup'ik voters here, but we hope that the changes that have been recommended and are to come will be improvements." At the next city election on Oct. 6, the city is required to provide trained Yup'ik translators, a Yup'ik glossary of election terms and sample ballots in Yup'ik, public notice of election announcements and translator availability, and reports to the Federal District Court of Alaska about the city's efforts.

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.

[Registering Low-Income Voters through Public Assistance Agencies in Missouri](#) – Project Vote, July 2009: The National Voter Registration Act (NVRA) requires states provide voter registration services at public assistance agencies and agencies serving people with disabilities. In this report, Project Vote finds that some states have poorly implemented this part of the law. In Missouri, Project Vote was part of a 2008 lawsuit that led to a court order directing the state to comply with the law. After this order the state went from collecting fewer than 8,000 applications a year to collecting over 100,000 applications in just eight months. However, the project notes some states are still noncompliant and pre-litigation notice letters have been sent to California, Colorado, Florida, Indiana, New Jersey and New Mexico.

[I Will Register, if You Teach Me How: Results from Voter Registration Field Experiments on College Campuses](#) - Elizabeth A. Bennion and David W. Nickerson, paper prepared for the 2009 Annual Meeting of the Midwest Political Science Association, Chicago, IL, April 2-5, 2009: This paper describes randomized field experiments on 37 college campuses and shows that face-to-face registration in college classrooms is an effective way to get students registered to vote. The research also finds that campus mail, direct mail, and email are ineffective methods in registering students to vote. Additionally, these face-to-face registration efforts in the classroom prove to be effective no matter who is delivering them, whether it be a faculty member or a fellow student.

[Electronic Elections in a Politicized Polity](#) – Thad Hall, Caltech/MIT Voting Technology Project working paper, June 2009: The evolution of voter confidence and its relation to the evolution of the debate over electronic voting is examined since the 2000 presidential election. Confidence in voting systems is found to be affected by a number of factors including race, partisanship, voting for a winning candidate, and the mode of voting (in person versus absentee voting). It is also noted that over this time-frame factors like partisanship have changed in importance based on the outcomes of previous elections.

IV. Opinion

California: [Vote-by-mail](#)

Tennessee: [Voting machines](#); [Partisanship](#)

***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

Senior Attorney. National election reform group working to remove barriers to voting for traditionally under participating constituencies seeks an experienced, senior lawyer with a unique combination of skills to implement the organization's programmatic objectives and direct related legal activities. State and federal court litigation and administrative advocacy experience, and familiarity with agency proceedings required. Familiarity with grass roots organizations and organizing experience highly desirable. Fundraising experience helpful. Primary responsibilities include: 1) working with partner election reform, registration and mobilization groups to identify laws, rules and administrative practices that restrict voter participation, formulate appropriate responses and/or develop legal theories for administrative advocacy or litigation; 2) assigning pertinent legal research and other tasks to in-house legal staff; 4) general supervision of in-house legal staff including review of work product to ensure that it is performed in a timely manner that meets professional standards and is of high quality; 5) ongoing outreach to election officials to discuss pertinent initiatives, and identify opportunities to work collaboratively on pertinent reforms; and 6) activities associated with ongoing recruitment of and collaboration with local election attorneys. Additional responsibilities may include speaking engagements/attendance at meetings and assisting with preparation and review of fundraising documents. Please send cover letter, resume and salary requirements to: kneuman@fairelectionsnetwork.com