

electionlineWeekly — September 4, 2008

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I. In Focus This Week

Thousands of Americans faced with new polling locations in November

Officials move sites for a variety of reasons, from accessibility to availability

By [M. Mindy Moretti](#)

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When the H.D. Cooke Elementary school in Northwest Washington, D.C. was closed for renovations, the Board of Ethics and Elections moved Precinct 38 out of the basement of the building to a building a block and a half away. Unlike the school, the new precinct is accessible for people with disabilities. But it is also smaller and likely to be more congested than the school.

For registered voter Charles Boone, the move, while not logistically difficult, proved difficult mentally.

"I'd been voting at Cooke for years and don't get me wrong it had its problems [inaccessible to handicapped voters], but the move to the Festival Center has been one of those things that's taken me a while to get used to," Boone said.

Although Boone has had several elections to get used to the new polling site, thousands of Americans will be facing new polling locations for the first time on November 4.

The reasons why polling places need to be relocated vary as do the facilities used, from people's homes to fire stations to churches. But one constant is change.

In Franklin County, Ohio, the Board of Elections has relocated 321 polling sites since the 2004 election.

"We've had space limitations, parking limitations and some public schools that just closed," Ben Piscitelli, spokesman for the Franklin County Board of Elections told *The Columbus Dispatch*.

Whether moving a polling site encourages or discourages voters from turning out is an open question among voting experts.

"The [sites chosen] for polling places are important, but it is still only a marginal part of the turnout equation," said [James Gimpel](#), a University of Maryland government professor who specializes in geographic and demographic targeting for campaigns and elections. "We all know of people who live right across the street from their polling place and they still wouldn't vote. There is a more fundamental motivation problem at the bottom of low turnout and this is very hard to fix."

Gimpel adds that election officials should move cautiously when choosing to relocate a polling location.

"In general, moving polling places is not a good idea unless the old location is inaccessible or difficult to reach. It can be confusing to voters, even though they must be officially notified of a move, usually by mail," Gimpel said. "And if it increases the burden of getting to the polls, it can discourage turnout among those who are only marginally interested in politics."

People have strong connections to their polling sites and the act of going to that site to cast a ballot. Rachel Bell moved to Portland, Ore. about seven years ago and even though the state offers all vote-by-mail, Bell, who grew up on the East Coast and started her voting life in West Virginia, refuses to put her ballot in the mail.

Each election she personally goes and drops off the ballot on Election Day.

“We’re all creatures of habit and for me, my habit was formed by going to the voting booth with my parents and then on my own once I turned 18,” Bell said. “I even came home from college on Election Days to cast my ballot at what I call my family polling site.”

“Don’t get me wrong,” she added. “Vote by mail is awesome, but for me because I got hooked on voting by going to a voting booth, I’ll probably always drop off my ballot on Election Day instead of mailing it.”

In 2007, the Bucks County, Pa. board of elections voted to move a polling site out of an apartment complex to a location around a mile away. In making their decision, the board pointed to letters it had received citing violence near the polling location. The local newspaper reported that during a five-year period leading up to the relocation of the site that there were 92 assaults, 41 drug-related incidents and 15 sexual assaults at the apartment complex.

In August of 2008, two voters — and long-time residents of the apartment complex, who make up 75 percent of the voters registered in that district — filed a federal [lawsuit](#) against the county and the board for moving the polling location. The lawsuit accuses the county of moving the polling place in a deliberate attempt to discourage voting.

“The main thing [when establishing a polling location] is to use accessibility criteria, usually developed within the planning profession, in order to choose optimal sites, so that no one in an area is disadvantaged by the location,” Gimpel said. “State election law can sometimes make site selection more difficult because of its requirements for polling place size, parking and other accommodations.”

For the recent primaries in Alaska, a polling location was moved from a local Safeway to a church. Regional elections supervisor Alyce Houston told the *Juneau Empire* that the move was prompted because the polling location had interfered with customers trying to have lunch and the new location also means that officials will no longer have to concern themselves about violating election rules should the newspaper on stands near the voting booth contain political information.

However, from floods, the tornadoes to hurricanes, weather probably plays the greatest hand in the relocation of polling sites — even if it’s just temporarily.

II. Election Reform News This Week

- It was déjà vu all over again in Palm Beach County, Fla. this week as election officials [worked through the night to find 3,478 ballots](#) that somehow disappeared between the Aug. 26 primary and a weekend recount. Around 12 a.m. on Thursday, they found 2,500 of the missing ballots. A weekend recount of the race threw the election into turmoil when officials discovered that they could only account for 99,045 of the 102,523 ballots cast in the race pitting Circuit Judge Richard Wennet and challenger William Abramson. When the two-day recount ended at 1 a.m. Sunday, the exhausted board declared Wennet the winner by 60 votes. The veteran jurist went into the recount trailing by 17 votes. According *The Palm Beach Post*, Secretary of State Kurt Browning (R) warned the board that he had to be satisfied that the ballot discrepancy had been resolved. If not, he said he would recommend the state canvassing board reject the results of the judicial race when it meets at 5 p.m. Friday to certify the results of elections statewide.
- Alaska conducted its first election this week using a system to help [Yup’ik language speakers](#) to vote. “We’re in the process of gathering feedback from poll workers and voters,” Natalie Landreth, legal counsel for the Native American Rights Fund told the *Seward Phoenix*. “From what we can tell, it’s been very uneven.” A federal judge suit ruled voters would suffer “immediate and irreparable injury,” if not provided assistance to fulfill their right to vote in primary elections. He ordered the state to remedy the situation in time for the primaries. The requirements included the placement of bilingual poll workers in every polling place with a significant number of Yup’ik

voters – large portions of Western Alaska which are historically Yup'ik lands – and a standardized written Yup'ik translation of the ballots for poll workers to read aloud.

- In a twist on the usual ballot accessibility story, a federal judge ruled late last week that [Puerto Rico must provide ballots in both English and Spanish](#). This time, English speakers were the victors in getting ballots translated. Previously, ballots were only offered in Spanish. A lawsuit was filed by two mainland-born Americans living on the island who argued a Spanish-only ballot discriminates against 14 percent of the nearly 4 million inhabitants in Puerto Rico whose first language is English. Ramon Gomez, president of the State Elections Commission, told the *Daily News* it would likely be impossible to prepare the bilingual ballots before Sept. 6 to comply with the Wednesday court order. Gomez previously said bilingual ballots are not needed in Puerto Rico because it is not a U.S. state.
- Although Louisiana was spared the full brunt of Hurricane Gustav, the effects of storm were still significant enough to disrupt a planned election. Secretary of State Jay Dardenne (R) recommended the state's [congressional primaries be delayed](#) by at least one week. Dardenne told the *Times-Picayune* his office had not been able to contact parish registrars or clerks of courts yet because of communications problems from downed power and telephone lines. Additionally, an election machine warehouse in Lafourche Parish was damaged. Dardenne said his staff started checking on damage to warehouses and other election-related facilities Tuesday. Several precincts where balloting would be held have been damaged and many are without power, he said. Dardenne said he has recommended to Gov. Bobby Jindal (R) that the elections be held Sept. 13. Under state law, only the governor can cancel or postpone an election, usually based on the advice of secretary of state, who is the state's chief elections officer. The last time elections were canceled was in the aftermath of Hurricane Katrina when officials delayed the New Orleans mayoral primary race.

III. Opinion This Week

National: [Non-citizen voting](#)

Alabama: [Tainted ballots](#); [Voter education](#)

Alaska: [Voter access](#); [Primary system](#)

Arizona: [Voting system](#); [Voter ID](#)

California: [Voting rights](#)

Colorado: [Get out the vote](#)

Florida: [Primary, II, III](#); [Ballots](#); [Indian River County](#); [Voting system](#); [Ex-felon voting rights](#); [Charlotte County](#); [Palm Beach County, II](#)

Hawaii: [Election lawsuit](#); [Elections chief](#)

Maryland: [Voting machines](#)

Minnesota: [Voting system](#)

New York: [Voting system](#)

North Dakota: [Vote count](#)

Ohio: [Allen County](#); [Lucas County](#); [Voter registration](#)

Tennessee: [Voter purges](#); [Electronic voting machines](#)

Virginia: [Voting machines](#)

***some sites require registration*

V. Job Postings This Week

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 Law Experts — Open Voting Consortium (OVC) is seeking election law expert(s) to sign on to a proposal for which funding is anticipated. Part of this work will involve drafting language to be included in

a bill to be introduced in the CA state legislature next January. OVC is best known as the developer of free open source software for public voting systems. See OVC's [Web site](#) for more information. For more details contact Alan Dechert at alan@openvoting.org.

General Counsel—U.S. Elections Assistance Commission, Washington, D.C. The incumbent serves as the general counsel of the EAC and will directly support the mission of the Commission by providing real-time advice to the Commissioners and senior leadership on legal issues affecting EAC activities and operations. Requirements: Candidate must be able to obtain top secret security clearance; occasional travel. Salary: 115,317.00 - 139,600.00. Application: An application and more details can be found on the USAJobs [Web site](#). Deadline: September 26.

Poll Workers — American University's Center for Democracy and Election Management (CDEM) is recruiting Washington, D.C. area college students to serve as poll workers in Washington, D.C. on November 4th, 2008. For more info and to apply, please visit the [Web site](#). You can contact CDEM at cdem@american.edu.