

I. In Focus This Week

Rear Admiral Carey joins Pew to advance military and overseas voting solution *Carey has advocated for improvements in military voting for more than 30 years*

Special to electionlineWeekly

This week, the Pew Center on the States announced that Rear Admiral James J. Carey (Ret., U.S. Navy) is joining Pew as a policy advisor for its election initiatives to improve the voting process for military and overseas voters and advocate for a more accurate, convenient, efficient and secure election system.

Carey will assist with Pew's efforts to raise the profile of military and overseas voting challenges and enact key election reforms in Congress and the states to ensure these voters have adequate time to vote and have their votes count.

As a Navy veteran and retired flag officer, Carey has advocated for improvements in military voting for more than 30 years.

"I'm excited about the opportunity to partner with Pew to advance commonsense, fact-based solutions to problems in the voting process that have plagued military and overseas voters for far too long," said Carey.

Carey served as a Commissioner and Vice Chairman of the U. S. Federal Maritime Commission under President Ronald Reagan (R) and as Chairman/CEO under President George H. W. Bush (R).

In 2002, Admiral Carey established and currently serves as the national chairman of the [National Defense Committee \(NDC\)](#), a grassroots membership organization of war veterans that addresses policy issues, including military voting rights that impact national defense, intelligence, homeland security and veterans.

In January, the Pew Center on the States issued the report, ["No Time to Vote: Challenges Facing America's Overseas Military Voters,"](#) the first-ever detailed public analysis of states' voting systems for service members living abroad.

The report found that 25 states and the District of Columbia do not provide sufficient time for overseas military service members to vote. Based on the research, Pew proposed commonsense solutions to remove obstacles to the voting process for these individuals.

Admiral Carey will advocate for Pew's key recommendations for military and overseas voters in Congress and the states:

- Sending ballots earlier and faster;
- Building more time into the voting process;
- Increasing awareness and expand use of the Federal Write-In Absentee Ballot;
- Using technology to streamline the absentee voting process and better inform votes; and
- Modernizing the voter registration system.

"We are pleased to work alongside Admiral Carey who has championed military and overseas voting issues for years," said Doug Chapin, director of election initiatives for the Pew Center on the States. "His expertise and passion will be a tremendous asset to our efforts."

II. Election Reform News This Week

- Sandy Springs is considering using its history — or lack of it — to try to become the [first Georgia city to bail out of the Voting Rights Act](#). No municipality in the nation has successfully sued the U.S. Justice Department for an exemption from the act's Section 5 since the U.S. Supreme Court ruled in June that jurisdictions could seek to be relieved from federal oversight of elections. "We are probably the perfect city to bail out," Sandy Springs councilman Doug MacGinnitie told *The Atlanta Journal-Constitution*, MacGinnitie is a leading advocate of the move. "There is no bad, or good, history on elections here." Sandy Springs became a city in 2005 and gained national attention then for contracting many government services to the private sector. In keeping with that philosophy, the city this summer found a private contractor that agreed to handle the Nov. 3 election for about \$250,000. The City Council backed away from the move when it realized it wouldn't have time to get the proposal to the Justice Department in time so instead pay Fulton County about \$400,000 to run its elections this year. "Having more flexibility if we can opt out is a cost savings," Councilmember Karen Meinzen McEnery told the paper. "It's as simple as that."
- **Economy Watch:** Sandy Springs, Ga. isn't the only local jurisdiction with money on their minds this week. In [Pierce County, Wash.](#) County Executive Pat McCarthy will propose ending poll voting when she unveils her 2010 budget later this month. McCarthy said consistently low turnout at the polls does not justify the \$150,000 yearly expense of keeping them open at a time when the county likely will have to reduce staffing in the Sheriff's Department and elsewhere to balance its budget. In [Flagler County, Fla.](#) things got heated at a county commission meeting when the commission considered a request from Supervisor of Elections Kimberle Weeks to approve \$179,000 for the Sept. 15 special elections to replace Sen. Jim King, R-Jacksonville, who died on July 26. Though it's reimbursable by the state, the request seemed unusually high, County Administrator Craig Coffey said in an earlier interview. Another special election, this one in [Massachusetts](#), is causing concern for local election officials who fear the added costs. Auditor Joseph DeNucci determined that about \$7.2 million in local costs tied to the special election to fill a vacant U.S. Senate seat are unfunded mandates that should be paid for by the state. DeNucci aides say the \$7.2 million is separate from roughly \$5 million in election administration expenses estimated by Secretary of State William Galvin, who oversees elections. Estimates from the [Hillsborough County](#) Supervisor of Elections office are projecting that the next municipal election in Tampa could cost in excess of \$1 million – including early voting and the possibility of a run-off – more than double the price for the 2007 elections. "The costs just keep going up," Earl Lennard, the county's election supervisor told *The Tampa Tribune*. [Vanderburgh County, Ind.](#) could find an extra \$200,000 in this year's budget because the county election board is severing its ties with the company that provides support services for the county's voting machines. In a cost-saving effort, the [Ely City \(Minn.\)](#) Council approved a resolution to reduce the number of city voting precincts from four to one.
- **Law & Order:** A Circuit Court Judge has given Eddie Lee until Friday to prepare his case in the lawsuit filed against him and the [Phillips County \(Ark.\)](#) Election Commission by Connie Jarrett, the incumbent Helena-West Helena School Board member. A federal judge has ruled that a lawsuit can continue against [Volusia County, Fla.](#) over the lack of a Spanish-language ballot during the 2008 election. But U.S. District Court Judge John Antoon II has dropped some of the parties involved. [Election Systems and Software \(ES&S\)](#) is suing two former employees and an Indiana elections consulting firm, accusing them of illegally using the company's software and trade secrets. Sources told *The Phoenix Business Journal* that [Gov. Jan Brewer](#) is being investigated for how she and aides managed \$57 million in HAVA funds that the state received while she was secretary of state. [Former New Mexico Secretary of State Rebecca Vigil-Giron](#) and three co-defendants waived arraignment Friday on state charges of fraud, tax fraud and money laundering. Her lawyer filed a motion to dismiss the case. Robert Gorence said Vigil-Giron can't get a fair trial because two members of Attorney General Gary King's office will testify because they signed off on how three defendants were paid. Two [Henderson County, Tenn.](#) residents were charged Wednesday with voting fraud in the Lexington city election. An [Atlantic City](#)

[councilmember](#) and 13 others were charged with vote fraud late last week. They are accused of conspiring to submit fraudulent absentee ballots. Eleven people hired to register potential voters in [Miami-Dade County](#) before last year's presidential election were sought Wednesday, accused of falsifying hundreds of voter registration cards.

- Labor Day weekend 2009 proved to be a tale of two elections. In [Tulsa Okla., many residents took advantage of the short lines provided by the Labor Day holiday](#). "Every election we vote early on Friday and Monday, said Patty Bryant, Election Board Secretary. "People come to the election board to do that, and coincidentally it's a holiday but because it's state law we are open today." One voter was particularly pleased that the board of elections was open, "In the hectic major of moving I completely forgot that the election was this week," student Allison Wilson told KOTV. "When I came home for Labor Day to visit my family - completely panicked because there is a candidate I really, really wanted to vote for, and luckily, I got to today." While voting was brisk in Oklahoma, across the country in Florida where residents are voting in a special election to replace state Sen. Jim King, it was a different story. At one [Volusia County early voting site](#) only three people showed up all day to cast ballots. And unlike young Allison Wilson in Oklahoma, Volusia County resident Bill Robinson told the local television station that he thought early voting on a federal holiday was a waste of tax-payers money.

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.

[A Report on the Status of State Laws on the Disposition of Improperly Marked Ballots](#) – Fair Elections Legal Network, September 2009: Research from the Fair Elections Legal Network examines ballot marking and voter intent laws and regulations of all 50 states. States use a variety of approaches when determining both whether an improperly marked ballot should be counted and voter intent. While many state laws favor counting problematic ballots, the report finds most state laws require improvement to have a comprehensive set of rules that allow election officials to have guidance in their search for intent on improperly marked ballots.

[Guaranteeing a Federally Elected President](#) – Kristen Feeley, Northwestern University Law Review, Vol. 103, No. 3, Summer 2009: Feeley discusses the National Popular Vote movement, where states with more than 270 Electoral College votes agree that their presidential electors will go to the winner of the national popular vote, not the winner of their statewide vote. Five states have passed such a law so far. She argues against this approach, stating it violates the Guarantee Clause of Article IV, Section 4 of the United States Constitution.

IV. Opinion

National: [Overseas and military voting](#); [Department of Justice, II, III, IV](#)

Technology: [Business of voting machines](#)

Alabama: [Vote fraud](#)

California: [Voting Rights Act](#)

Florida: [Ex-felon voting rights](#)

Mississippi: [Voter ID](#); [Felon voting rights](#)

Oklahoma: [City elections, II](#)

Tennessee: [Runoff elections](#)

Washington: [Vote-by-mail](#); [Instant-runoff voting](#)

Wisconsin: [Ex-felon voting rights](#)

***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