

## **electionlineWeekly — October 02, 2008**

*electionline.org*

### **I. In Focus This Week**

#### **Secretaries of state positions up for grabs in six states**

*Four incumbents up for re-election, plenty of new faces on the ballot*

By [M. Mindy Moretti](#)

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The top election official job is up for grabs in six states in November:

##### **Missouri**

Democratic incumbent [Robin Carnahan](#) (D) will face two challengers on November 4. Carnahan was first elected to office in 2004 by a wide margin of victory and has presided over an ongoing legislative and judicial battle over [voter photo ID](#), passed by lawmakers in the state but struck down by courts in 2006. Her 2008 platform, according to her Web site is "... to ensure that our state's elections are fair, accurate, and secure. To do that, we must have well-trained poll workers. Before the 2006 election, my office helped local election authorities recruit citizens to work at the polls on Election Day. We plan to do the same thing for the elections in 2008." [Carnahan did not respond to e-mailed questions]

[Mitch Hubbard](#) (R) a Fulton, Mo. businessman, is a proponent of voter ID, according to his Web site, and is running to "...restore fairness and integrity to the office. The most critical part of the secretary of state's job is to make sure our elections are fair." Hubbard added that, "the secretary of state is obligated to be a neutral arbiter in all questions regarding election results and ballot initiatives." [Hubbard did not respond to e-mailed questions]

[Wes Upchurch](#), a libertarian, is an Internet designer and business development professional. According to Upchurch, one of the biggest issues facing Missouri elections today is low voter turnout due to lack of choices. "This could easily be resolved by placing a "None of the Above" option on election ballots, so that voters could show their disapproval of the choices they've been presented," Upchurch said. He is also a proponent of getting more young people involved in elections and voter ID. "We should implement a voter identification law to protect the integrity of our elections and prevent voter fraud," Upchurch said. "At the same time we need to find ways to protect our state's right to conduct its own elections and the private information of its citizens."

##### **Montana**

Incumbent [Brad Johnson](#) (R) was first elected to office in 2004 and has overseen the somewhat bumpy implementation of [election-day registration](#) in the state. Johnson also worked with lawmakers to pass legislation to require paper ballots and oversaw the implementation of Montana's statewide voter registration database. Most recently Johnson has requested the state's Attorney General [look into allegations](#) that Gov. Brian Schweitzer (D) influenced tribal police to intimidate poll watchers. [Johnson did not respond to e-mailed questions]

[Linda McCulloch](#) (D) served three terms in the Montana House of Representatives and is currently the state superintendent of public instruction. "Elections are the backbone of our democracy. As such they must function efficiently and effectively," McCulloch said. "I will form an Election Advisory Council utilizing the expertise of local election officials and others to make recommendations regarding more efficiency and effectiveness in the election process." McCulloch is also a strong supporter of youth participation and has included in her platform plans to have legislation introduced that would allow high school students to serve as election judges. "I will work with high schools, universities, colleges of technology, community colleges and Tribal colleges to inform, engage and inspire young voters," McCulloch said. "It's not enough

to learn about voting when you are in high school, so I have a civics awareness project for elementary school students.”

[Sieglinde Sharbono](#), a member of the Constitution Party, has worked as the director of a nonprofit organization, in the field of labor relations and as a consultant for state local governments and the media. Sharbono “... believe[s] that fair elections are a critical need in our society. Everywhere we look for it, we can find examples of voter fraud made possible by the role of electronic machines in our election process. I think it's great that we vote on paper ballots but I believe that we should not be depending on optical scanners to count our votes. I am reminded of Stalin's famous words: ‘It's not the people casting the votes who decide elections but rather it's the people counting the votes.’ I seek to remove our vote counting machines and replace them with honest, concerned Montanans. No electronic vote casting or counting machines involved in our elections is my goal. [Sharbono did not respond to emailed questions.]

### **Oregon**

With current Secretary of State Bill Bradbury (D) term limited, two newcomers will face off for Oregon's second highest ranking constitutional position.

State Sen. [Kate Brown](#) (D) began her political career as a state Representative in 1991 in an election that she won by seven votes. According to her Web site “[s]he supports campaign finance reform” and “wrote the law that requires campaign cash be reported online, where the public can easily know who is funding ballot measure and candidate campaigns.” [Brown did not respond to e-mailed questions]

[Rick Dancer](#) (R) is a former television journalist who gave up his career early in 2008 to run for Secretary of State. According to his Web site, Dancer says that, “[w]hen it comes to elections only people legally entitled to vote should vote. Everyone who has the right to vote should be encouraged to vote. That goes for signatures on initiative petitions and citizen referrals as well. No one should have to wonder whether their vote or their signature might be disallowed because of the personal or political views of the Secretary of State's office. We need to examine the elections system. I want to encourage people to vote, that's one of the main reasons I got into this race, but at the same time, are we doing everything we can to prevent voter fraud?” [Dancer did not respond to e-mailed questions]

### **Washington**

According to incumbent [Sam Reed](#) (R) the biggest challenge facing elections in Washington today is, “the credibility and integrity of the election—after the 2004 gubernatorial recount problems. We got the State Legislature to adopt the most sweeping election reforms in the history of our state to correct problems,” Reed said. “Now, we have the challenge of implementing them successfully.” Reed was first elected to office in 2000 and says that moving forward one of his biggest priorities would be citizen engagement. “I want to have the best informed electorate in the nation. We are moving forward with aggressive and extensive voter information programs via the Internet,” Reed said. “We also are launching new programs for youth and for new citizens.”

[Jason Osgood](#) (D) offers a laundry list of items on his Web site that he says are “concrete actions...that will restore integrity to our elections.” Actions include: banning unique bar codes on ballots; a top-down review of voting equipment; no high-speed mail ballot tabulators; no counting ballots before election day; citizen-owned voting system; meaningful audits; universal registration; and restoring voting rights for ex-felons. [Osgood did not respond to e-mailed questions]

### **Vermont**

Incumbent [Deb Markowitz](#) (D) was first elected to office in 1998. Markowitz said that running elections in Vermont is a pretty straight-forward affair with paper ballots that are counted electronically and by hand (in smaller communities) and a statewide database that allowed Vermont to clean up its voter rolls. Vermont also has several unique voting options like the vote-by-phone system for people with disabilities and mobile polling for residents in nursing homes. “Right now the biggest challenge for elections administrators is that they are tired of the constant change in laws that we have seen since 2000,” Markowitz said. Another big challenge is the upcoming election. Markowitz said they are expecting larger than usual numbers, but are prepared. “In Vermont we rarely see lines that last more than 20 minutes at

our polling places and even with the increased numbers expected this year we do not believe lines will be a problem,” she said. About 20 percent of the votes are early absentee and although there have been some questions in the past, Markowitz was able to work with the state legislature to change the law to allow, “our bipartisan pairs of election workers to check the names of the voters who returned their marked ballots off of the checklist prior to Election Day so that the ballots can be opened and deposited in the ballot box more efficiently on Election Day.”

[Eugene Bifano](#) (R) is a former Marine and currently serves as a volunteer EMT and member of the ski patrol. He also served as the mayor of the community of Warren and has held management positions in several large U.S. corporations. According to his Web site, he will initiate the creation of a voter fraud detection system, automate campaign finance filings and processes and build a campaign Web site for candidates with automated step by step procedures. [Bifano did not respond to e-mailed questions]

### **West Virginia**

Incumbent West Virginia Secretary of State Betty Ireland chose not to seek re-election.

[Natalie Tenant](#) (D) is a former television reporter and anchor who in the early 1990s served as the first and to-date only female Mountaineer mascot at West Virginia University (earning her a cover story on the *Wall Street Journal* at the time). According to her Web site, Tenant “will continue to work to put confidence back in the voting process.” She particularly cites better communication with county clerks. She also says that she will work to increase poll worker participation by working with civic organizations to create a diverse poll worker pool. She would also institute something call the VOTE program which stands for volunteers organizing the electorate, that would use “positive peer support where friends, and neighbors can encourage each other to vote, be a poll worker and get involved in the political process.” [Tennant did not respond to e-mailed questions]

[Charles Minimah](#) (R) is a native of Nigeria who became a U.S. citizen in 1984. He is the founder of three different corporations including a home healthcare business. According to Minimah, the biggest challenge facing West Virginia in the 2008 election is voter education. “We anticipate better than average participation in voter turnout due to very aggressive voter registration drive in this historic election year,” Minimah said. “The Secretary of State Office has reported a substantial increase in voter registration across the state. State law requires first time voters in West Virginia to have proof of identification. Therefore, there is a potential problem of many first time voters showing up at the polls without proper ID.”

## **House Committee Discusses Burdens on Student Voters**

*New bill, local solutions offer opportunities for improvement*

By [Kat Zambon](#)  
Electionline.org

As voter registration deadlines approach in a number of states for the November 4 election, voter recruitment drives on college campuses have been running at full tilt for the last few weeks.

But several incidents have left student voters confused about where they should register to vote, including a recent press release from the voter registrar in Montgomery County, Va. – home to Virginia Tech – that warned students their parents would no longer be able to claim them as dependents on their taxes and they could lose scholarship money if they registered to vote where they attend school.

The House of Representatives is considering a [bill](#) that would do for colleges what the National Voter Registration Act has done for public assistant agencies and motor vehicle bureaus – that is, require that they offer registration opportunities to students.

[H.R. 6704](#) (the Student Voter Opportunity To Encourage Registration or Student VOTER Act), was introduced by Rep. Jan Schakowsky, D-Ill., who represents a district that houses two universities and two colleges, including Northwestern and Loyola University of Chicago.

The bill is co-sponsored by Rep. Steven LaTourette, R-Ohio, and would amend the [National Voter Registration Act](#) (NVRA or “Motor Voter”) to classify higher education institutions that receive federal funds as voter registration agencies. Colleges and universities that receive federal money would then be required to offer students voter registration opportunities.

During a hearing last week in the Committee on House Administration, the problems some students face when attempting to register – from identification requirements to residency requirements – were heard from a number of quarters.

And the message: students, who will likely turn out in force when polls open on November 4 don’t always have an easy time getting on the rolls.

Most college and university ID cards do not include addresses and students’ names aren’t always on leases and utility bills, Neil Albrecht, Milwaukee election commission assistant director [said](#).

Catherine McLaughlin, Harvard University Institute of Politics (IOP) executive director [said](#) that she has met students she calls “marooned voters,” those who come from states where first-time voters must either register in person or vote in person. New voters who registered by mail must vote in person in [Illinois](#), [Michigan](#), [Tennessee](#) and [Louisiana](#).

Voter identification requirements, including those that require voters to show government issued photo identification, can be particularly troublesome, Schakowsky said. A Rock the Vote survey that found 19 percent of young adults 18-29 years old do not have a government issued photo ID with their current address.

Integrating voter registration with freshmen academic registration activities can help, McLaughlin said. Students who register to vote when they register for classes can also fill out mobilization contact cards so IOP can follow up with them when election day nears. Schakowsky said Brown University gives students voter registration materials before freshmen orientation.

Efforts to implement a more streamlined registration process for students are already underway in some states.

In February, Ohio Secretary of State Jennifer Brunner (D), issued a [memo](#) allowing colleges and universities to issue utility bills to students living in campus housing. The bills don’t require payment, since utilities are rolled into the cost of housing but they allow students to prove their residency for voter registration purposes, Marvin Krislov, Oberlin College president [said](#). “I hope that colleges and universities and state government officials across the country adopt this policy,” he said.

Even if lawmakers approve the bill, it will have no effect in the 2008 election since most states will close rolls – if they haven’t already – within a matter of days.

## II. Election Reform News This Week

- After [state and federal courts](#) cleared the way, early voting got underway in [Ohio](#) this week. Counties are expecting big turnout for [early voting](#) which seemed to go smoothly in its first few days. In [Loraine County](#), a small line of voters waited for doors to open on Tuesday. About 300 people voting on the first day. According to media reports, there was no mad dash in [Mahoning, Trumbull and Columbiana counties](#), although voting was steady. And in [Summit County](#), where they are testing out new early voting vote centers, the [initial turnout was so large](#) the county had

to bring in extra workers. In [Cuyahoga County](#), 558 people cast their ballots on the first day, including 142 who registered and voted.

- Several Texas citizens groups asked Gov. Rick Perry (R) to [extend the state's voter registration deadline by seven days for residents in 29 counties affected by Hurricane Ike](#). According to the *Houston Chronicle*, Houston Votes and several other groups – including the League of Women Voters of Texas and Common Cause – are joining in the effort to extend the deadline. They also want Perry to appropriate emergency funds to assist county registrars in processing applications. Allison Castle, a spokeswoman for Perry, said the governor would not consider a request to extend the deadline unless it came from a county official or Secretary of State Hope Andrade (R). A spokesman for Andrade said registered voters who are unable to return to their home counties have the option of re-registering in their new county or requesting a mail-in ballot.
- Election officials are starting in their own version of “[What Not to Wear](#)” this season as they reiterate the rules of what types of political clothing and paraphernalia are permitted inside the polling place. It seems that much of the media coverage of this issue has been generated by an [email](#) circulating nationwide. In [Kansas](#), voters have been reminded that they can't wear political clothing within 250 feet of a polling place. Things are bit less restrictive in [Virginia](#) — at least distance wise where the rule is 40 feet. [Nebraska](#) Secretary of State John Gale (R) released a statement explaining what's appropriate and what's not. In [Pennsylvania](#), where the dress code seems to have generated the most press coverage (and a [lawsuit](#)), [York County](#) and [Berks County](#) commissioners recently voted to allow voters to wear campaign attire into the polling place; although [Cumberland County](#) will prohibit campaign attire. In [Florida](#), election officials will be able to focus their attention on the matters at hand instead of what people are wearing and in [D.C.](#) the Board of Elections and Ethics took time out of preparing for a Council hearing to remind voters that they can't wear political clothing inside the polling place..the Stacey Londons and Clinton Kellys of the election world will be watching.

### 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@electionline.org](mailto:sgreene@electionline.org).*

*Two recent reports analyze the process of removing voters from registration rolls:*

[Voter Purges](#) – By Myrna Perez, the Brennan Center for Justice at New York University School of Law, September, 2008

When states remove voters from registration lists, a new Brennan Center [report](#) finds there are numerous problems with the process. While properly conducted purges keep voter rolls clean and up to date, incorrect purges occur for a variety of reasons including relying on faulty voter lists, voters being purged without notice, a lack of transparency in some states, bad matching of registration information against other data and insufficient oversight of the process. The report's recommendations include providing public notice of purges, publishing lists of purged voters, preserving lists of purged voters, establishing clear matching procedures and election day registration for individuals wrongly taken off the voter rolls.

[Vanishing Voters: Why Registered Voters Drop Off the Rolls](#) – By Gary Kalman with Jaafar Rizvi, the U.S. Public Interest Research Group Education Fund, September 2008

In examining states' compliance with the National Voter Registration Act (NVRA) of 1993, a U.S. PIRG survey of state laws and election officials finds that 19 states do not have rules in place to implement the federal law's 90-day pre-Election Day ban on voter registration purges. The report recommends that states assess their compliance with this section of the NVRA, have the state's chief election official communicate to local election officials explaining the rules, and not allow purges to occur unless the voter's name, address, sex, and phone number match the person whom should be removed.

*Other Reports and Research:*

[States, Territories, and the District Are Taking a Range of Important Steps to Manage Their Varied Voting System Environments](#) – Prepared by the Government Accountability Office, September 2008

The GAO reports that most states have mechanisms in place to evaluate and approve voting systems. These processes can vary but many contain similar approaches. Many states also reported additional testing of the systems. States also face challenges – many local jurisdictions are not required to report voting system problems so states may not have a full picture when it comes to assessing the devices. Other challenges include having reliable measures about a systems' performance, disciplined performance of testing activities and implementing this in a decentralized environment with evolving requirements and at times limited funding. The federal Election Assistance Commission is cited as having an important role to play in providing guidance and resources and is viewed positively by most of the states.

[Driving Fatalities on US Presidential Election Days](#) – By Donald A. Redelmeier, MD, MSHSR Department of Medicine, University of Toronto and Robert J. Tibshirani, PhD, Department of Health Research and Policy, Stanford University, *The Journal of the American Medical Association*, Oct. 1, 2008

The [authors test a hypothesis](#) that mobilizing a large portion of the U.S. population on one day (presidential Election Day) might lead to increased motor vehicle fatalities. Examining presidential elections from 1976-2004, they found a net increase of 24 deaths per election – exceeding the risk of fatal crashes on Super Bowl Sundays. Potential explanations include increased traffic, an increase in average speed, driver distraction, unfamiliar roads, less enforcement due to decreased police presence and mobilizing bad drivers. (Subscription required)

#### IV. Opinion This Week

National: [Provisional ballots](#); [Voting system, II](#); [Election Day](#); [Voter education](#); [Overseas voting](#); [Student voting](#)

Colorado: [Ballot length](#)

Florida: [Paper trail, II, III](#); [Curt Browning](#)

Indiana: [Lake County](#)

Maryland: [Accessible voting](#); [Ex-felon voting rights](#)

Michigan: [Absentee voting](#)

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

Missouri: [Election Day](#)

New Mexico: [Mary Herrera](#)

Oklahoma: [Early voting](#)

Oregon: [Measure 56](#)

Pennsylvania: [Election Day](#)

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

West Virginia: [Voting machines](#); [Vote fraud](#)

*\*\*some sites require registration*

#### V. Available Grants

**Fair Elections Projects 2008**—Mitchell Kapor Foundation recognizes the importance of voting and the need to protect the utmost integrity of the electoral process. The foundation is interested in work which addresses the following categories: voter participation, with a focus on implementing nonpartisan strategies to improve voter education and registration; and election protection, with a focus on ensuring that every eligible voter can vote and that every ballot cast is counted. For the remainder of 2008, the foundation is only considering efforts that are national in scope. **Eligibility:** Nonprofit organization.

**Deadline:** Open. **Funds:** \$1.3 million available to fund awards ranging from \$25,000 to \$50,000. **Web site:** [www.mkf.org/votingaccess/index/html](http://www.mkf.org/votingaccess/index/html).

#### VI. 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](mailto:mmoretti@electionline.org)*

**Chief Deputy** — L.A. County Clerk and Recorder's Office, Los Angeles, Calif. The Chief Deputy Registrar-Recorder/County Clerk reports to the Registrar-Recorder/County Clerk, and acts as assistant head of the Department of the Registrar-Recorder/County Clerk. This one position is distinguished by its executive and administrative responsibility for assisting the Registrar-Recorder/ County Clerk in the planning, organization, and direction of all operations of the Department including those of the County Clerk operations, Registrar operations, and Recorder operations. Minimum Requirements: Five years of progressively responsible experience in an administrative or management capacity directing or assisting in directing through subordinate managers, a major organizational unit with responsibility for multiple high profile functions or services, including elections administration and legal document processing or functions of a similar level of complexity. This experience may have been in either a public or private agency or businesses providing public services. **Salary:** \$129,045-\$195,320. **Application:** Submit statement of interest and resume to: Marco Morejon, Department of Human Resources, Executive Recruitment; Kenneth Hahn Hall of Administration; 500 West Temple Street, Room 555; Los Angeles, CA 90012; Phone: (213) 974-2675; Fax: (213) 613-4773. E-mail: [mmorejon@hr.lacounty.gov](mailto:mmorejon@hr.lacounty.gov). [Web site](#). **Deadline:** Open.

**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](mailto:alan@openvoting.org).