

## **electionlineWeekly—December 18, 2008** **electionline.org**

**Note:** *The Pew Charitable Trusts including the Pew Center on the States, Make Voting Work and Electionline are moving to new offices effective Monday, December 22. Phone numbers and e-mails will remain the same, but our new mailing address is 901 E Street, NW; Washington, D.C. 20004.*

**Also of Note:** *Due to the holidays, electionlineWeekly will not publish on December 25 and January 1. Instead it will publish once during that two-week time span on Tuesday, December 30. Happy Holidays!*

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

#### **News Analysis: What Happened to Voter ID?**

*Surveys indicate workers didn't know the rules; provisional ballot data is trickling in*

By Dan Seligson  
*Electionline.org*

With the November vote now more than six weeks passed, the extensive period of post-election analysis is well under way.

Long lines, hordes of new registrants and voters, scattered machine problems and, in many cases, great success in administering the vote to a record-breaking number of Americans have been the focus so far.

At the same time, a significant election administration issue seems to have gone largely forgotten in the November 4 post-mortem. Polling place [voter identification rules](#), the focus of [state legislation](#), a U.S. Supreme Court [decision](#) and countless op-eds, were on the books in more states and affected more voters than any previous election in U.S. history. Two states – Georgia and Indiana – required for the first time in a presidential contest that all voters to show a government-issued ID card with a photograph.

Florida has similar rules and allows those without photo ID to cast a provisional ballot.

State officials reached in both Georgia and Indiana indicated they did not yet have detailed county-by-county provisional ballot information. But two counties, one from each state, gave at least some idea of how the voter ID rules affected would-be voters.

#### **Local snapshots**

In Forsyth County, Ga., a jurisdiction with about 100,000 registered voters, six voters cast provisional ballots because they lacked proper ID. Per [state law](#), voters are given two days after polls close to present proper ID to have their provisional ballot eligible for counting. In Forsyth County, only one of the six who cast a provisional ballot went to the election office to present an ID.

To Gary Smith, chairman of the county's board of elections, the numbers indicate there was no issue with voter ID, certainly not to the level indicated in pre-election press reports, commentary or lawsuits.

"We did not have an issue with photo ID in Forsyth County," Smith said. "I don't think Georgia as a whole had a problem with it either."

Marion County, Ind., home of Indianapolis, had much larger numbers of people casting provisional ballots – and a lot more voters (697,559 registered as of November 2008). A spokeswoman for the elections office said of the 1,133 provisional ballots cast in the county, 174 were for would-be voters who did not present photo ID on Election Day. Of those, 15 followed up and presented proper ID and had their votes counted. The spokeswoman said the number of provisional ballots cast on Election Day matched projections.

But the number of voters without proper ID cannot be fully captured by those who show up at polling places, said Tova Wang, vice president for research at [Common Cause](#).

“We don’t know who didn’t show up in the first place because they didn’t have ID,” Wang said.

That number will be almost impossible to find. But both states had turnout slightly below the national average of 61.6 percent of the voting-eligible population (VEP).

Turnout figures calculated by Michael McDonald, a political science professor at George Mason University, found that VEP turnout in Indiana was more than 2 percent below the national average. (The percentage of registered voters, a figure McDonald did not derive, was closer to 68 percent, according to state documents). Georgia was just below the average for the country, with 61.1 percent VEP turnout.

There is nowhere near enough data to make any assumptions about the turnout impact of voter ID rules. In Florida, for example, turnout was far higher than the national average, at 67.1 percent.

The states with the highest VEP turnout offered election-day registration and included Minnesota (77.8 percent), New Hampshire (71 percent), Maine (71.1 percent) and Wisconsin (72.5 percent).

### **ID around the country**

Voters without ID, those asked for ID in states where it was not necessary and other related problems were tracked in a number of states and in a major national survey.

Election Protection, an organization that ran both a telephone hotline and an internet reporting system, tracked about [550 voter-reported incidents](#) involving identification. Those included a complaint that a California voter cast multiple ballots as friends; a long-time New York voter asked to show ID; and a polling place in Pennsylvania where a voter said “no one was allowed to vote’ without first showing ID.

Charles Stewart III, a political science professor at the Massachusetts Institute of Technology, provided a more scientific look at the impact of voter ID on November 4 in his recently released “2008 Survey of the Performance of American Elections.” The survey was funded in part by the Pew Center on the States’ Make Voting Work initiative.

In it, he found evidence of a confused and inconsistent application of voter ID rules around the country in November. The survey indicated that 12 percent of voters in states with minimum Help America Vote Act requirements – only first-time voters who registered by mail must show ID – were asked to show a photo ID. In the three states requiring government-issued photo ID (Florida, in addition to Georgia and Indiana has a photo ID rule though allows voters to sign affidavits attesting to their identities if they lack ID), one out of five surveyed said they were not asked to show ID, despite state law.

Poll workers in those states were more likely to ask Hispanic voters for ID than white or black voters. Still, a follow-up question on possible reform proposals found 83 percent of Hispanics supportive of laws requiring ID to vote compared to 75 percent of whites and 74 percent of blacks.

Wang said it is too early to assess the full impact of voter ID rules, but even one voter turned away is too many.

“The research is still being done. You’re going to find a lot of people who were disenfranchised because of voter ID laws,” she said. “Whether it amounts to enough people for pro-ID people and legislators and judges to think that it’s a problem, I’m not sure.”

### **Pew issues statement on closing of JEHT Foundation**

*Statement by Rebecca W. Rimel, President and CEO of The Pew Charitable Trusts:*

As you have no doubt been following in the media, numerous individuals and institutions worldwide have been impacted by the alleged Ponzi scheme run by Bernard L. Madoff. Sadly, we learned this week that the JEHT Foundation, a donor to Make Voting Work, a project of the Pew Center on the States, has been devastated by the scandal. In fact, it appears that its major donors, Jeanne Levy-Church and Kenneth Levy-Church, had nearly all of their money invested with Madoff, thus leaving the foundation insolvent. On December 15, 2008, JEHT announced that it will end all grant making effective immediately and close its doors in January 2009.

By way of background, Pew has been engaged in election administration work since just after the 2000 elections, when we launched *Electionline.org*—developed to inform the debate on how our elections were conducted. We expanded our efforts in this arena in January 2007 with the Make Voting Work initiative—an investment in a broad array of research, pilot projects and convenings designed to identify the key problem areas in our the election system and to help us understand where there are opportunities to advance effective reforms. To date, Pew has invested nearly \$20 million in this area.

JEHT joined Pew as a key contributor to our Make Voting Work initiative in 2007, contributing a total of \$2.7 million to the project. We had anticipated receiving an additional \$3.1 million to support future work, but due to JEHT's closure, we will not receive the remaining funds. However, between the funds that Pew has committed and those received from JEHT, we have ample funding to complete all of the research efforts that are currently underway. While the loss of this funding is certainly a blow, we plan on moving "full steam ahead" with most of the work of this initiative, focusing in areas where our efforts to date suggest there is the greatest opportunity for impact and policy advances. The 2008 election both highlighted the need for election reform and created an opportunity to make significant change. We will miss the guidance and support of the JEHT team in this endeavor, but our work to ensure that Americans can effectively exercise their right and responsibility to vote will continue.

## II. Election News This Week

- Despite pre-election [warnings of rampant potential voter fraud](#) after reports of as many as 6,000 dead voters on rolls in Dallas County, Texas, a review this week by the *Dallas Morning News* found that concerns about the deceased actually casting ballots were unfounded. Texas Watchdog, an organization that scrutinizes state and local government, [concluded](#) that of thousands of names reviewed over several recent federal and local election cycles, 48 dead people might have cast ballots. *The Dallas Morning News* reviewed the poll books and signature rosters for 47 of the names in question, concluding that none fraudulently cast votes. Records for the 48th voter were purged according to the county's normal schedule and were not available for review. In the majority of cases, clerical errors by poll workers or county employees explained why the voter was marked as having cast a ballot, when no ballot was cast. Those errors stem from the methods the county employs to prevent fraud and track voting at polling precincts.
- With all 50 states and the District of Columbia now reporting official or certified ballots, *The Associated Press* is reporting that [131 million Americans voted this year, exceeding the turnout of all elections since 1968](#). According to *The New York Times*, turnout increased in 33 states and the District of Columbia with 61.6 percent of the voting-eligible population casting ballots this year. Despite this increase, [Utah](#) slumped to the biggest drop in turnout among all the states compared to the last presidential election. Just 53.8 percent of Utah's eligible voting-age population voted last month — down from an also-low 58.9 percent four years ago.
- As the state's General Assembly prepares to debate a bill allowing political paraphernalia in polling places, a voter in Madison County, Virginia is [preparing for a court date for refusing to remove her John McCain t-shirt at a polling place](#) on November 4. According to the *Star Exponent*, Leigh Purdum refused to cover her T-shirt at the Brightwood precinct in Madison County. On December 1, warrant in hand, she turned herself in for arrest. The American Civil Liberties Union believes Purdum is the only person arrested as a result of the Virginia State

Board of Elections' ruling in October that banned political clothing at polling locations. Now, the ACLU has assigned four lawyers to defend her in court. "This case should have never been brought," Steven Rosenfield, a Charlottesville-based civil rights attorney leading Purdum's defense team told the paper. Purdum had been scheduled to appear Dec. 16 in Madison County General District Court, but her case has been continued to March 24. By that time, the defense is hopeful that a separate federal case on the constitutionality of the matter will provide legal direction.

### III. Opinion

Alabama: [Beth Chapman](#)  
Alaska: [Vote counting](#)  
Arizona: [Vote-by-mail](#); [Tucson elections](#)  
Colorado: [Secretary of State candidates](#)  
Florida: [Instant-runoff voting](#); [Early voting](#)  
Michigan: [Absentee voting](#); [Expanding voting opportunities](#)  
Mississippi: [Election reform](#)  
Minnesota: [Recount, II](#)  
New Jersey: [Optical scan](#)  
North Dakota: [Electoral College](#)  
Ohio: [Election reform, II, III](#)  
Pennsylvania: [Early voting, II](#)  
South Carolina: [Election reform](#)  
Texas: [Voter ID](#); [Elections office efficiency](#)  
Virginia: [Election reform](#)

*\*\*some sites require registration*

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

**Election Administrator, Benton County, Wash.** — position is under the direction of the County Auditor, an independently elected official, and is responsible for the management of voter registration and elections for Benton County. In addition, the County Auditor conducts elections for several junior-taxing districts ranging from cities, towns and school districts to library and drainage districts. The County currently has 87,000 registered voters. The Election Administrator will supervise a full-time staff of 3 plus up to 20 additional staff during elections, as required. **Qualifications:** Extensive management experience with a minimum five years in election administration, or any combination of education and experience that would likely provide the required knowledge, skills and abilities, is qualifying. An in-depth knowledge of election laws, regulations and rules is desirable. In addition, the qualified candidate must have prepared and managed annual budgets, have experience in the management of automated information systems, and must have proven ability to meet deadlines, lead an experienced staff, and have served in some capacity in the public eye. The position requires that the Election Administrator be conversant with pending legislation and its potential impact on Election Department operations. Candidates with a college degree and/or certification as an Election Administrator by the Washington State Secretary of State will be highly considered. **Salary:** \$52,068 to \$67,572. **Application:** Please submit an application (available online at: [www.co.benton.wa.us](http://www.co.benton.wa.us)), resume, cover letter and five work-related references to: Bobbie Gagner, Benton County Auditor; c/o Benton County Personnel Resources Department; 7122 W. Okanogan Pl., Bldg. A; Kennewick, WA 99336. **Deadline:** Open.