

**League of Women Voters of Alabama  
Off-Site Voting Study  
NOTES**

The League of Women Voters of Alabama Off-Site Voting Study materials include for Local League Leaders the following items:

- PowerPoint Presentation
- Notes for the leader that match the PowerPoint Presentation
- LWV National Voter issue on Voter Fraud
- Brennan Center for Justice Publication
- Alabama Voting Data Chart
- Overview Information for Members
- Consensus Questions

Members should receive the Overview Information for Members and Consensus Questions.

The PowerPoint Presentation plus this Word Document has been prepared for local leagues in an attempt to make it easier to present this information about the LWVAL study on Off-Site Voting. The slides give an overview and the Notes give the background. The slides may be printed off as “handouts” with 6 or 9 slides per page to make it easier for league members to follow. The Notes are arranged as background information for each slide. We have attempted to cover the information, but tried to keep it concise and brief for this ‘limited study’. Review Slides and Notes ahead of time and be sure to leave enough time for Consensus Questions and discussion.

Websites and reference material are also included in case LL’s want more in depth information.

**Slides #3: Purpose of Off-Site Voting Study**      see PowerPoint printout

**Slide #4: What Is Off-Site Voting?** see PowerPoint printout

**Slide #5 & 6: LWVUS Support Positions**

The positions of the League of Women Voters of the United States may be used as the basis for action by the state and local leagues for state and local situations respectively.

**Slides #7-9: LWVAL Positions on Election Law Reform** see PowerPoint printout

## **Slide #10: History of Absentee Voting**

Historically, people worked near their residence. That is not always true today. In the early days travel was hard and people did not travel frequently. That is not always true today. In the early days the number of people who voted at any given poll was not very large. That is not always true today. In the early days, people who voted were the landed gentry and taking time to vote on a weekday was logical. Today people work far from home, work long hours, and are used to conveniences 7 days a week, 24 hours a day. In the early voting history of the country, voting was set up in communities where most people knew each other and could recognize the citizen who appeared to vote. Voting was considered a community effort/responsibility and that sense still is found in most of the organization of how our voting is set up. We require people to attend a polling location near their home on one specific day of the week during set hours of operation.

According to Alexander Keyssar, in his book, *The Right to Vote - The Contested History of Democracy in the United States*, published in 2000, absentee voting was rare before the Civil War. In 1857, Oregon did allow absentee voting by men who were temporarily away from their homes. During the Civil War, 19 Union states gave soldiers in the field the right to vote. This established a precedent for loosening the links between residence and participating in election. After the Civil War, more and more states permitted men in the military to vote especially if they were stationed in their home state. By 1918, with 3 million men in the army, nearly all of the states had made provisions for men serving in the military to vote absentee at least in time of war. After World War I, more than 20 states had laws that if the men could demonstrate a work-related reason that prevented them from going to the polls on Election Day, they could vote absentee. The laws did not address residency requirements, so many who moved frequently or during the year of the election were disenfranchised. By 1940, all states except Kentucky, Maryland, Mississippi, New Jersey, and Pennsylvania had some general provision for absentee voting. In New Jersey and Maryland, absentee voting was permitted only for those in military service. The details of the absentee voting laws varied substantially from state to state.

Today voting requirements fall under the State's responsibilities. Even though in Alabama we must get permission from the U.S. Justice Department to hold special elections or to change our process, the process is considered the State's to set up. Hence we have a variety of regulations and programs across the U.S.A.

## **Slide #11: Register to Vote in Alabama**

To refresh, to register to vote in the State of Alabama, an individual must meet the following qualifications:

- Be a United States Citizen,
- Reside in Alabama,
- Be at least 18 years old,
- Have not been convicted of a disqualifying felony (or have rights restored) and
- Have not been legally declared "mentally incompetent" by a court

Voter registration is closed for the ten (10) days before an election.

Registration forms may be downloaded from the Secretary of State's website.

Voter registration is also available from local County Board of Registrars.

Voter registration services are also available at the following state and local government offices and agencies:

- Driver's licensing office
- County and select municipal public libraries
- Department of Human Resources
- WIC Program, Department of Public Health
- Medicaid Agency
- Department of Rehabilitation Services
- The postcard voter registration form is also available at:
  - Public 4-year universities
  - Select private 4-year universities
  - Driver's licensing office
  - County and select municipal public libraries
  - Department of Human Resources
  - WIC Program, Department of Public Health
  - Medicaid Agency
  - Department of Rehabilitation Services

### **Slide # 12: Elections are Responsibility of County.**

A citizen may register to vote by applying to the county registrar. While the state has a database of all registered voters, the county is responsible for the election, printing of ballots, sending out registration notices, receiving and sending absentee ballots, organizing polls and counting ballots. It is a state system, but it is handled at the county level

**The Appointing Board**, which is responsible for the appointment of poll workers, is made up of the Probate Judge (chief election official in each county), Clerk of Circuit Court (Absentee Election Manager), and the sheriff.

The **County Commission** also makes basic decisions about precincts, voting equipment and voting place administration. Funding for some election functions is provided by the county commission. The State reimburses counties for certain election expenses in part or full, depending on the type of election.

### **Slide #13 – 20: What Alabama is Doing....**

The absentee voting process is being covered in detail on the next 7 slides to better explain the process.

Information for these slides is from the Alabama Secretary of State's website

(<http://www.sos.state.al.us/>) and from The Code of Alabama 1975 website

(<http://www.legislature.state.al.us/CodeofAlabama/1975/coatoc.htm>) .

## Slide #14: Absentee Voting with Excuse

A registered voter may request and cast an absentee ballot only if he or she

- WILL BE ABSENT FROM THE COUNTY on Election Day,
- IS ILL OR HAS A PHYSICAL DISABILITY that prevents a trip to the polling place,
- IS A REGISTERED ALABAMA VOTER LIVING OUTSIDE THE COUNTY, such as a member of the armed forces, a voter employed outside the United States, a college student, or a spouse or child of such a person,
- IS AN APPOINTED ELECTION OFFICER OR POLL WATCHER at a polling place other than his or her regular polling place, or
- WORKS A REQUIRED SHIFT, 10-HOURS OR MORE, that coincides with polling hours

**BUSINESS/MEDICAL EMERGENCY VOTING** applications can be made after the absentee deadline but no later than 5 PM on the day before the election, if the voter:

- is required by an employer under unforeseen circumstances to be out of the county on Election Day for an emergency business trip, or
- has a medical emergency requiring treatment from a licensed physician

*In addition to application information outlined in the next section, the **business emergency application** contains an affidavit acknowledging that the voter was not aware of the out-of-county business trip prior to the normal absentee ballot deadline. The **medical emergency application** requires that the attending physician describe and certify the circumstances as constituting an emergency.*

## Slide #15: IDENTIFICATION REQUIRED

Beginning with the September 2003 election, all voters must present a valid ID when voting. This remains true for absentee voting.

The following is a list of acceptable forms of identification under this new Alabama law. Each voter should ensure that he or she has one form of identification available when he or she goes to vote or submits an absentee ballot.

### A. Current, Valid Photo Identification

1. Government-issued photo identifications (current and valid)
2. Employee identification for employee with photo of employee produced by the employer
3. Photo identification card issued by Alabama college or university
4. Photo identification issued from Alabama technical or professional school (current and valid)

**OR**

B. One of the following

1. Utility bill of voter with voter's name and address
2. Bank statement with voter's name and address
3. Government check with voter's name and address
4. Paycheck with voter's name and address
5. Valid identification card (authorized by law) issued by the State of Alabama (including any branch, department, agency, or entity of the State of Alabama)
6. Valid identification card (authorized by law) issued by any of the other 49 states (including any branch, department, agency, or entity of that State)
7. Valid identification card (authorized by law) issued by the government of the United States of America (including any branch, department, agency, or entity of the federal government)
8. Valid United States passport
9. Valid Alabama hunting license
10. Valid Alabama fishing license
11. Valid Alabama pistol/revolver permit
12. Valid pilot's license issued by the FAA or other authorized agency of the federal government
13. Valid United States military identification
14. Birth certificate (certified copy)
15. Valid Social Security card
16. Naturalization document (certified copy)
17. Court record of adoption (certified copy)
18. Court record of name change (certified copy)
19. Valid Medicaid card
20. Valid Medicare card
21. Valid electronic benefits transfer (EBT) card
22. Government document that shows the name and address of the voter

Note: Those items listed in Section B can be the original document (license, card, etc.) or a photocopy of the document.

Without one of these forms of identification, a voter is permitted to:

1. vote a challenged or provisional ballot
2. vote, if he or she is identified as a voter on the poll list who is eligible to vote by two poll workers and both poll workers sign the voting sign-in register by the voter's name

## **Slide #16: Request an Absentee Ballot**

To request an absentee ballot, the voter must fill out an application for an absentee ballot. (this may be downloaded from SOS office or through the LWVAL website or get one from Alabama Election Manager )

### ***Absentee ballot application***

*To obtain an absentee ballot, write or visit the local Absentee Election Manager (usually the Circuit Clerk), request an absentee ballot, and provide the following:*

- *name and residential address (or other such information in order to verify voter registration)*
- *election for which the ballot is requested*
- *reason for absence from polls on Election Day*
- *party choice, if the election is a party primary. (It is not necessary to give a party choice for a general election; however, in a party primary a voter may participate in only one political party's primary; thus a choice must be designated so that the appropriate ballot can be provided. If the voter declines or fails to designate a choice for a primary or primary runoff ballot, the absentee election manager may send only the ballot for constitutional amendments.)*
- *address to which the ballot should be mailed*
- *voter signature (If a mark is made in place of a signature, it must be witnessed)*

## **Slide #17: Return Application to Absentee Election Manager**

The absentee ballot application must be returned to the Absentee Election Manager by the voter in person (or by the voter's designee in the case of medical emergency voting) or by U.S. Mail. No absentee ballot application may be mailed in the same envelope as another voter's absentee ballot application.

Upon receiving the absentee ballot application, the Absentee Election Manager may request additional evidence on the reason for voting absentee if the voter has a history of absentee voting. The absentee ballot applications must be turned in no later than the fifth calendar day before the election.

## **Slide #18: Absentee Ballot Receipt/Return**

The absentee ballot application is reviewed and accepted if the applicant is a registered voter, the form is completed correctly and one of the approved reasons is checked. If the absentee ballot application is approved, the Absentee Election Manager

- forwards the absentee ballot by U.S. Mail, or
- personally hands the absentee ballot to the voter (or to a designee in the case of emergency voting)

## **Slide # 19: Absentee Ballot Voting Procedure**

*Items for voter include: Ballot, secrecy envelope, affidavit envelope, pencil, instructions, return envelope, outer envelope*

The absentee ballot comes with three envelopes – one plain (the secrecy envelope), one with an affidavit, or oath, printed on the outside, and one plain envelope, preaddressed (the outer envelope).

Once the voter casts the ballot, the procedure is as follows:

- Seal the ballot in the plain envelope
- Place the plain envelope inside the accompanying affidavit envelope
- Seal the affidavit envelope and complete the affidavit that is on the outside of the envelope
- Sign the affidavit and have the signature witnessed by either a notary public or two witnesses 18 years of age or older
- Place the affidavit envelope and a COPY of voter identification inside the outer envelope

Voters must remember to place a copy of their I.D. (NOT THE ORIGINAL) inside the outer envelope or the ballot will not be counted.

### **WITNESSES OR NOTARIZATION**

*An absentee ballot cannot be counted unless the affidavit is notarized or has the signatures of two witnesses.*

## **Slide #20: Returning Absentee Ballot**

The voter has only the following legal ways to return the absentee ballot:

- forwards the absentee ballot by U.S. Mail, or
- personally hands the absentee ballot to the absentee election manager (or delivers by a designee in the case of emergency absentee voting)

**(It is important that the envelopes are used correctly: the secrecy envelope goes inside affidavit envelope which has the signature witnessed/notarized this goes into the last envelope which must have a copy of the voter's ID)**

### **VOTING DEADLINE**

An absentee ballot returned by mail must be postmarked no later than the day prior to the election and be received by noon of Election Day. If hand-delivered, the ballot must be in the office of the Absentee Election Manager by the close of business (but no later than 5 p.m.) on the day prior to the election.

## **Slide #21:**

### **Absentee Voting by Military and Citizens Overseas**

1. Military absentee ballot material is similar to non-military, except there is not an additional outer envelope to be mailed. The military voter does not have to provide ID with the ballot and the return envelope has an affidavit that must be sworn to before a commissioned officer, notary (or other person authorized to administer oaths) or by two witnesses (at least 18 years old).

In general, all election-related materials for servicemen and women can be mailed postage-free from any APO or FPO mail facility, from all U.S. embassies and consulates, and from any post office in the United States. Postage must be paid if the materials are mailed from a non-U.S. postal facility. If an absentee application form is downloaded, it must be put in an envelope and postage paid.

Family members follow the same procedures as military personnel.

Military and Overseas absentee voting request forms must be maintained for 2 federal voting cycles. In many cases the 6-week window for absentee voting may not be sufficient to mail out military ballots to overseas bases, have the voter vote the ballot, and mail it back to the Absentee Election Manager. Many times the voter is no longer stationed at the same location and no forwarding information has been received by the Absentee Election Manager. If the ballot is forwarded to the military voter's new address, it may not reach the military voter in time to vote and mail the ballot back by the deadline.

Because the law states that the military absentee request is good for 2 federal voting cycles unless stated otherwise, there could be times when the military voter has returned home, goes to the polls on Election Day only to find out that an absentee ballot was mailed to the address on the absentee request (i.e. base in Iraq). The military voter would then have to vote a provisional ballot at the polls. The Absentee Election Manager would have to verify that the original ballot had not been voted or received.

2. This year, Alabama Governor Riley sent out a press release in March on Internet voting for the military. He created The Alabama Military and Overseas Voting Task Force chaired by Secretary of State Beth Chapman to "develop a plan of action for the implementation of a secure system for Internet voting for deployed military personnel and citizens of the state who are living overseas at election time." Legislation was introduced in 2007 and 2008, but no bills have passed.

There are an estimated 56,000 citizens overseas who claim Alabama as their residence.

## **Slide #22: What Other States Are Doing...**

Information put out by THE EARLY VOTING INFORMATION CENTER at REED COLLEGE in Portland Oregon. <http://www.earlyvoting.net/states/abslaws.php> shows a breakdown of states based on Reed College's information:

### **Absentee and Early Voting Laws**

Early and absentee voting laws vary widely, and are decided on a state level. The grid below lays out the basic pattern of laws across states, with some quick facts at the end. The reference web site has a more detailed outline of each state's laws, as well as links to the relevant Codes and Statutes.

LAST UPDATED: 2/21/2008.

**Summary Table**

	Early Voting (In Person)			Absentee Voting (By Mail)		No Excuse Permanent Absentee?
	Permitted		Not permitted	Permitted		
	No excuse	Excuse required		No excuse	Excuse required	
<b>AL</b>			X		X	
<b>AK</b>	X			X		
<b>AZ</b>	X			X		
<b>AR</b>	X			X		
<b>CA</b>	X			X		X
<b>CO</b>	X			X		X
<b>CT</b>			X		X	
<b>DE</b>			X		X	
<b>DC</b>		X			X	
<b>FL</b>	X			X		
<b>GA</b>	X			X		
<b>HI</b>	X			X		
<b>ID</b>	X			X		
<b>IL</b>	X				X	
<b>IN</b>	X				X	
<b>IA</b>	X			X		
<b>KS</b>	X			X		
<b>KY</b>		X			X	
<b>LA</b>	X				X	
<b>ME</b>	X			X		
<b>MD</b>			X		X	
<b>MA</b>			X		X	
<b>MI</b>			X		X	
<b>MN</b>		X			X	
<b>MS</b>			X		X	
<b>MO</b>			X		X	

	Early Voting (In Person)			Absentee Voting (By Mail)		
	Permitted		Not permitted	Permitted		No Excuse Permanent Absentee?
	No excuse	Excuse required		No excuse	Excuse required	
MT	x			x		x
NE	x			x		
NV	x			x		
NH			x		x	
NJ			x	x		
NM	x			x		
NY			x		x	
NC	x			x		
ND	x			x		
OH	x			x		
OK	x			x		
OR			x	x		
PA			x		x	
RI			x		x	
SC			x		x	
SD	x			x		
TN	x				x	
TX	x				x	
UT	x			x		
VT	x			x		
VA		x			x	
WA			x	x		x
WV	x				x	
WI	x			x		
WY	x			x		

## Slide #23 : Other “Off-Site” Voting Options

All states offer voters the option of voting prior to the election at a location other than their polling site.

absentee voting. - In some states, the ballots are returned by mail.

For instance, some states offer “no-excuse” absentee voting, allowing any registered voter to vote absentee without requiring that the voter state a reason for his/her desire to vote absentee. Other states permit voters to vote absentee only under a limited set of circumstances. Some states allow for continuous absentee voting. A registered voter signs up to have the absentee ballot sent to his/her residence for each election.

National Conference of State Legislatures <http://www.ncsl.org/programs/legismgt/elect/absentearly.htm>

## Slide # 24: What are the Options for Off-Site Voting? see PowerPoint printout

## Slide #25: Early Voting

### Early Voting

About half the states offer some sort of early voting. Early voting differs from absentee voting in that voters may visit an election official’s office or, in some states, other satellite voting locations, and cast a vote in person without offering an excuse for not being able to vote on Election Day. Satellite voting locations vary by state, and may include other county and state offices (besides the election official’s office), grocery stores, shopping malls, schools, libraries, and other locations. Early voting generally is conducted on the same voting equipment used in the regular election, as opposed to absentee voting, which is conducted on mail-in paper ballots. The time period for early voting varies from state to state, but most often it is available during a period of 10-14 days before the election, generally ending on the Friday or Saturday immediately preceding the election. In Alaska voters may vote at the airport on Election Day. While this is not early voting, it also is not absentee voting but rather a cross between the two to accommodate the high number of citizens who fly.

**There are two ways to vote early in Texas.**

1. **Early Voting in person**- where *no excuse is needed*
2. **Early Voting by mail**- where an *excuse is needed*

## Slide #26: Advance Voting

Advance Voting a term used in Georgia is a separate process from their Absentee Voting process. To Vote Absentee a reason is required. Advance voting is voting in person at the Election Office before Election Day simply as a matter of convenience.

The Advance vote allows any registered voter to cast a ballot IN PERSON on the Monday through Friday of the week prior to an election.

The voter fills out an application and provides one of the permitted forms of identification.

The ballot must be filled out and cast while in the office.

[http://sos.georgia.gov/ELECTIONS/elections/voter\\_information/advance\\_voting.htm](http://sos.georgia.gov/ELECTIONS/elections/voter_information/advance_voting.htm)

## **Slide #27: Vote by Mail**

Currently, the state of Oregon mails all ballots to all registered voters. There are no polling places on Election Day. No excuses are required. They have been using this method since 1987 for local elections and since 1995 for special statewide elections. Beginning in 1998 all elections are Mail Vote. Ballots are mailed 14-18 days prior to the election date. Early voting at county clerk's office and absentee voting are available if the voter plans to be out of State and mail is on hold.

58.3% of registered voters voted May 20, 2008 for the Primary Election. This is about the same rate as prior to mail vote. The numbers have not diminished. Study results indicated that voters favor this process (mail ballot). The turnout has not changed but 13% of the voters indicate they vote more frequently. This is particularly true of women, disabled, homemakers and those 26-38 years of age. No partisan advantage was noted.

No ID is required, but the signature on the outside of the envelope is compared with the signature on file through use of a computerized scanner and recognition software.

Source of information - [www.sos.state.or.us/elections](http://www.sos.state.or.us/elections)

## **Slide #28: Convenience Voting**

The state of Tennessee has early voting. Knox County will be the pilot site in the state for convenience voting. It will be similar to early voting. Convenience voting allows voters to cast ballots at any of about ten places in the weeks ahead of the election *and* on Election Day itself. It eliminates specific polling places for voters. Grant money from the Pew Foundation and the state will help the election commission study the best sites for polling places. "We don't want to pick sites based on which candidate it helps or which party it helps," said Greg Mackay, Administrator of Elections for Knox County. "We want to pick sites based upon how it helps people to vote." The pilot project is for the 2009 city elections only. It must first be approved by the Farragut and Knoxville City Councils. If convenience voting is successful, it could go statewide in 2010.

[http://www.knoxcounty.org/election/convenience\\_voting.php](http://www.knoxcounty.org/election/convenience_voting.php)

## **Slide # 29 : Electronic Voting**

Alabama's Governor and the Secretary of State are proposing Internet voting for the deployed armed services and that would be an off-site process for the military. Whether this proceeds to allow other citizens to vote via a secure Internet line is unknown but we will consider this with off-site voting. The League has raised concerns for a voter verifiable paper trail. This seems to be an issue with some forms of computer voting.

Electronic voting (also known as e-voting) is a term encompassing several different types of voting, embracing both electronic means of casting a vote and electronic means of counting votes.

Electronic voting technology can include punch cards, optical scan voting systems and specialized voting kiosks (including self-contained Direct-recording electronic (DRE) voting systems). It can also involve transmission of ballots and votes via telephones, private computer networks, or the Internet. Electronic voting technology can speed the counting of ballots and can provide improved accessibility for disabled voters. However, there has been controversy, especially in the United States, that electronic voting, especially DRE voting, can facilitate electoral fraud.

**Public network DRE voting system** - A public network DRE voting system is an election system that uses electronic ballots and transmits vote data from the polling place to another location over a public network. Vote data may be transmitted as individual ballots as they are cast, periodically as batches of ballots throughout the Election Day, or as one batch at the close of voting. This includes Internet voting as well as telephone voting. Public network DRE voting system can utilize either precinct count or the central count method. The central count method tabulates ballots from multiple precincts at a central location.

Internet voting can use remote locations (voting from any Internet capable computer) or can use traditional polling locations with voting booths consisting of Internet connected voting systems.

**Overview** - Electronic voting systems for electorates have been in use since the 1960s when punch card systems debuted. The newer optical scan voting systems allow a computer to count a voter's mark on a ballot. DRE voting machines which collect and tabulate votes in a single machine, are used by all voters in all elections in Brazil, and also on a large scale in India, the Netherlands, and Venezuela. Internet voting systems have gained popularity and have been used for government elections and referendums in the United Kingdom, Estonia and Switzerland as well as municipal elections in Canada. There are also hybrid systems that include an electronic ballot marking device (usually a touch screen system similar to a DRE) or other assistive technology to print a voter-verifiable paper ballot, then use a separate machine for electronic tabulation.

[http://en.wikipedia.org/wiki/Electronic\\_voting](http://en.wikipedia.org/wiki/Electronic_voting)

#### **An Example from Estonia e-voting:**

- In the 2007 Parliamentary election, 5.4 % of participating voters e-voted.
- Voters accessed an online ballot using their electronic ID-cards, which allowed electronic personal authentication and digital signatures.
- E-Voting occurred during the period of six to four days prior to Election Day.

Supervisor of Elections for Okaloosa County FL had talked about having some military voters (stationed in parts of U.K., Germany, and Japan) vote over a Virtual Private Network for the November election but Florida law requires paper ballots. At this point we cannot find any updated information on this, so we are not sure if this will be used for the November election or not.

#### **Slide # 30: Alabama's 'Off-Site' Voting**

Currently, absentee voting is the only 'off-site' voting allowed in Alabama

## Slide # 31: General Voting Problems/Concerns

**1. Cost of elections** - An example from one county in Alabama from which we have information.

**Cost of elections in Lee County** Republican primary runoff (July 15, 2008) cost was \$60 per vote. The estimated election cost is \$65,000 for a total of 1,087 votes therefore it cost about \$60 each vote cast. Lee County has 76,471 registered voters, only 1,087 (1.4 percent) voted. Earlier with higher voter turnout, the cost of the Primary in June was \$20 per vote and the cost of the Super Tuesday Presidential Primary with a higher participation in February 2008 was \$3 per vote. The November General Election with a big turnout expected could cost as little as \$1.50 per vote.

Up to 100 percent of the costs associated with state and federal elections, like statewide runoff, are reimbursed to the county. (Article in Opelika-Auburn News on July 16, 2008)

**2. Staffing polling places on Election Day** - Poll workers today tend to be retired individuals for which working over 14 hours is hard. Election Committees/Boards are finding it increasingly difficult to find poll workers. While workshops are given to train poll workers, they do not always attend. Since poll workers are hard to find, the election officials are reticent to ask untrained workers to not participate.

**3, "Veterans Who Vote"** In July Secretary Chapman announced a new initiative entitled Veterans Who Vote Program to partner with the Veterans of Foreign Wars to recruit veterans to register voters, work at the polls, and be poll watchers for the November General Election.

**4. Proper training of Election Workers** - One of the LWVAL Election Law Reform Positions is:  
The Secretary should have the authority to:  
1. Prepare a specific, required course of instruction for all election officials.  
No information was collected on the number of poll workers who attend the workshop training sessions nor on the quality of the training sessions.

**5. Verifying signatures of absentees** - the new state wide voter registration system can capture the signature from the voter registration form. This has the potential for voter verification if the signatures are on file. It may be time consuming process .

## **Slide #32: Voter Fraud**

Remember this is a limited study on off-site voting. Since the voter fraud issue in Alabama tends to be associated with absentee voting and is listed as a possible problem or concern, it is mentioned here in more detail. Some say it is widespread, others say it is not. We have included an article from the Nov. 2007, LWVUS National Voter explaining what to look for when you hear 'Voter Fraud' and a copy of a publication put out by Brennan Center for Justice (NYU School of Law).

**1. According to LWVUS *The National Voter*, October 2007, (pdf file included)**

Buyer Beware - When it comes to claims of voter fraud and the accompanying solutions to this "problem" Americans need to adopt some good advice from the marketplace: buyer beware.

Purveyors of voter fraud allegations deserve all the suspicion Americans normally reserve for used car salesmen. Tough questions are in order:

What's the evidence?

Who's making the claim or proposal?

What's their agenda?

Closer scrutiny might well reveal that the real perpetrators of voter fraud are the ones making the claims.

The complete article is also enclosed with this packet of Off-Site Voting information.

**2. Alabama's Secretary of State is also checking into potential voter fraud in Perry County for the June 3<sup>rd</sup> Primary Election** when Perry County, with 8,361 registered voters, had more than 50 percent voter turnout with 1,114 absentee voters. For comparison the next door county Hale County, had 7 absentees. The unofficial state voting percentage was 14 percent and most counties had about a 2% absentee rate for the June 3<sup>rd</sup> Primary Election

**The June 10th municipal election in Marion which is in Perry County** had a 59% voter turn out rate with 29 % of those votes cast by absentee ballots.

**3. On August 13<sup>th</sup>, "Secretary Chapman Calls on All Secretaries of State to Start Voter Fraud Units"**, MONTGOMERY - Secretary of State Beth Chapman sent letters to all Secretaries of State across the nation calling on them to form Voter Fraud Units in their states. This was in the SOS press release dated 08-13-08.

**4. After the Primary and Run-off Elections, several state legislators were asked** in light of the potential voter fraud issues, did they feel we needed stronger voting laws or were the current laws adequate. The responses were laws were adequate they just needed to be enforced and better poll worker education/training, and better voter education were needed.

**5. Brennan Center for Justice, NYU School of Law.** September 2006, Voting Rights and Election Series published **THE TRUTH ABOUT "VOTER FRAUD"**

**Their summary is as follows:**

- Fraud by individual voters is both irrational and extremely rare.
- Many vivid anecdotes of purported voter fraud have been proven false or do not demonstrate fraud.
- Voter fraud is often conflated with other forms of election misconduct.
- Raising the unsubstantiated specter of mass voter fraud suits a particular policy agenda.
- Claims of voter fraud should be carefully tested before they become the basis for action.

(pdf file included)

**6. Russell County - The District Attorney's Office is Investigating the Ronnie Reed County Commission Election Results.** Reed received 252 votes, 201 of those were by absentee ballots. (WRBL Ch 3.)

**7. Russell County** - Six years ago, former Commissioner Nathaniel Gosha was convicted of 25 felony and 12 misdemeanor voter fraud charges resulting from a run for the Phenix City Council. Gosha was sentenced to 90 days in jail, plus probation.

(Columbus Enquirer Ledger, BY JERRY F. RUTLEDGE, June 5, 2008)

## **Slide #33: Consensus Questions**