

**Testimony Before the United States Senate
Committee on Rules and Administration**

Harvard “Larry” Lomax

June 25, 2014

Good afternoon. My name is Larry Lomax and from 1999 through last year, when I retired, I was the Registrar in Clark County, Nevada. Subsequently, I served on the Presidential Commission on Election Administration. I was asked here today to talk about Clark County’s Early Voting program, which I believe is one of the most successful in the country and its success has made me a strong proponent of early voting conducted in the manner in which we do it in Nevada.

While many states claim to conduct “Early Voting”, what they mean varies widely from state to state. In some states, early voting simply means anyone can opt to request an absentee ballot and vote by mail. In others, it means voters can vote in-person prior to Election Day, but only at the Clerk’s office

In Clark County, early voting means that during a two-week period prior to Election Day, any registered voter can vote at a time and place convenient for them. Rather than requiring the voter to come to a government office, which is invariably an inconvenient experience for the voter, we take the opposite approach. We look to see where voters go during their normal day-to-day routines and we take our voting machines into their neighborhoods to them. Most voters, in fact, will pass one of our early voting locations during the two-week early voting period during their normal course of business.

We provide early voting sites in supermarkets, all the major malls, in libraries, in recreation centers and other facilities that attract the local population whether or not an election is in process. Prior to the beginning of early voting, every voter in Nevada is mailed a sample ballot which includes an early voting schedule that lists the locations and hours of every early voting location throughout the two-week period.

Sites located in the malls and other major shopping locations, as well as a few located in minority areas where there are no major shopping areas, are open every day during the two-week period. In major elections, if the facility is open for business, so are we. Thus, our mall sites are open mall hours, and voters can cast their ballot from 10:00 in the morning to 9:00 at night. We also have what we call “mobile” voting teams rotate through neighborhood locations, primarily supermarkets, recreation centers and libraries, conducting voting for two to three days at each location. If they are in a library or recreation center, they are available to the voter as long as the facility is open. Since most supermarkets in the Las Vegas Valley are open 24 hours every day, our supermarket teams are typically open from 8:00 in the morning until 7:00 at night.

To serve areas in the County where there are high concentrations of residents but no suitable facilities in which to conduct voting, often minority areas, we have four generator-powered self sustaining voting trailers which can be positioned anywhere as long as we have wireless

connectivity. In Clark County this means almost anywhere. These trailers ensure all voters in Clark County have access to an early voting site and their popularity is reflected by the fact that more than 60,000 people have voted in our trailers in each of the last two presidential elections.

So how have the voters in Clark County taken to early voting. The majority of them love it and have become inveterate early voters. As the chart below shows, over the last five presidential elections, the percentage of those who vote early in-person has increased from 17% of those who voted in 1996, when early voting was first introduced throughout the county, to 63% in 2012.

Presidential Election Yr	Of Those Who Voted, the Percent of Voters Who:			Total Election Turnout
	<u>Voted Early</u>	<u>Voted by Mail</u>	<u>Voted Election Day</u>	
1996	17%	10%	73%	61%
2000	43%	13%	44%	69%
2004	50%	10%	40%	80%
2008	60%	8%	32%	80%
2012	63%	7%	30%	81%

As the chart below shows, while the number of Election Day voters increased by less than 12,000 from 1996 to 2012 (194,023 to 205,693), the number of early voters increased by more than 390,000 (46,136 to 436,568).

Presidential Election Yr	The Number of Voters Who:			Total Election Turnout
	<u>Voted Early</u>	<u>Voted by Mail</u>	<u>Voted Election Day</u>	
1996	46,136	24,927	194,023	265,086
2000	167,522	49,933	167,317	384,772
2004	271,465	53,357	222,036	546,858
2008	391,805	50,718	210,264	652,787
2012	436,568	50,001	205,693	692,262

Election Day turnout is what drives the amount of voting equipment a jurisdiction requires (In Clark County, in a presidential election we use approximately 4,000 voting machines on Election Day to support over 300 polling places. Only 400 machines are required to support early voting, and the voting machines used during early voting can be used again on Election Day).

Therefore, even though Clark County's population and number of registered voters nearly doubled between 1996 and 2012, we did not require additional voting equipment because almost

the entire increase total turnout was absorbed during the two-week early voting period, while the number of Election Day voters remained essentially constant.

I point this out because one of the arguments against early voting is the alleged increase in the cost of an election. While there is certainly a cost to conducting two-weeks of early voting, there is also a significant savings in that a jurisdiction such as Clark County only requires half the voting machines, supporting equipment and poll workers that would be required if everyone were to vote on Election Day.

In addition to allowing voters the opportunity to vote at a time and place convenient for them, there are additional benefits to an early voting program. One that is not so obvious is that the Election results are more accurate. Because early voting workers process voters for 14 consecutive days, they are much more experienced than the thousands of workers recruited and trained to work only on Election Day. Post-election auditing shows that even though twice as many people in Clark County now vote early as on Election Day, the vast majority of mistakes that occur processing voters at polling locations occur on Election Day.

And a finally, at least in Clark County, as more and more voters have chosen to vote early, overall voter turnout has increased. In fact, (with the exception of Oregon and Washington (two all mail ballot states) Clark County and Nevada went from the worst voter turnout among the western states in 1996, measured as the percent of registered voters who voted, to the highest voter turnout in the western states in both 2008 and 2012).

In summary, Clark County's two-week early voting program has been an enormous success. The voters love it, Election Day lines are a thing of the past, and voter turnout has increased.

I would be happy to answer any questions.

Executive Summary: Early Voting in Clark County, Nevada

While the meaning of “early voting,” varies widely from state to state, in Clark County it means that for a two-week period prior to Election Day, voters can vote at a time and place convenient for them. Rather than requiring a voter to come to a specific location, we look to see where voters go during their normal daily routines and take our voting machines into their neighborhoods to them.

We provide early voting sites in supermarkets, all the major malls, in libraries, in recreation centers and other facilities that attract the local population when an election is not in process. Every voter is mailed the early voting schedule (locations and hours) prior to the election.

“Permanent” sites are open every day during the two-week period and are located in major shopping locations, as well as in some minority areas where there are no major shopping areas. If the facility is open for business, so are we. Thus, mall sites are open mall hours (10am–9pm).

Our “mobile” voting teams rotate through the neighborhoods, primarily in supermarkets, recreation centers and libraries, conducting voting for two to three days at each location. Except in supermarkets, voters can vote as long as the facility is open. Since most supermarkets in the Las Vegas Valley are open 24/7, supermarket teams are typically open from 8am to 7pm.

To serve highly populated areas where no suitable facilities exist in which to conduct voting, we have four generator-powered self sustaining voting trailers which can be positioned virtually anywhere. Over 60,000 people voted in the trailers in each of the last two presidential elections.

Early voting is now immensely popular with the County’s voters. When it was introduced county-wide in the 1996 presidential election, 17% of the voters voted early. Since then, the percent of early voters has increased each election, with 63% voting early in the 2012 presidential election.

In the last five presidential elections, the number of early voters has increased from 46k in 1996 to 436k in 2012 (+390k) while the number of Election Day voters only increased from 194k to 205k (+11k) over the same period. Although total election turnout more than doubled (265k to 692k), almost the entire increase has been absorbed by the early voting program.

Since Election Day turnout is what drives the amount of voting equipment a jurisdiction requires, even though Clark County’s turnout has more than doubled from 1996 to 2012, we did not require additional voting equipment because Election Day turnout was essentially constant. This is significant because an argument against early voting is it increases the cost of an election.

While there is certainly a cost to conducting two-weeks of early voting, there is also a significant savings in that a jurisdiction such as Clark County requires half the voting machines, supporting equipment and poll workers that would be required if everyone were to vote on Election Day.

An additional and unexpected benefit of the early voting program is that post election audits show early voting workers, due to their 14-days of experience, make far fewer mistakes processing voters than Election Day workers who work only one day.

And a final benefit, at least in Clark County, is that as the percentage of early voters has increased, voter turnout has increased.

Biography

Harvard “Larry” Lomax

Harvard “Larry” Lomax held the position of Clark County Registrar in Nevada from 1999 through 2013. Mr. Lomax served as Nevada’s representative to the Election Assistance Commission’s Standards Board, was elected by the board’s members to the Standards Board Executive Board, and served on a Pew Foundation Committee focused on modernizing our nation’s system of registering voters. In 2013, Mr. Lomax was appointed as a member of the Presidential Commission on Election Administration. Prior to working in Clark County, Mr. Lomax was a Professor of Leadership and Ethics at the Air War College. As a former Air Force pilot, he accumulated over 4,000 hours of flying time in a 30-year career. He commanded the 9th Bomb Squadron and the 319th Bomb Wing. He served two tours on the Joint Staff in Washington D.C. and was chosen to serve as the Air Force Colonel on the staff group supporting the Chairman of the Joint Chiefs of Staff. Mr. Lomax received a B.A. from Stanford University and an M.B.A. from the University of North Dakota. He is a Distinguished Graduate from the U.S. Air Force Officer Training School.