

**Testimony of Deborah M Phillips
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Rules and Administration**

My name is Deborah Phillips, and I am founder and Chairman of The Voting Integrity Project, a national non-partisan voter rights organization. For the past five years, we have studied and documented a wide range of problems relating to elections. Equipment malfunctions, poorly designed ballots, voter disenfranchisement and tabulation irregularities, are now familiar to the American public. But there are serious problems in America's elections that are being ignored in the recent debate on Election 2000.

How the National Voter Registration Act Weakens Election Integrity

American elections will probably always be vulnerable to vote buying, vote hauling, machine tampering and electioneering. But the National Voter Registration Act has tied the hands of election directors to protect the rights of legitimate voters from the dilution of vote fraud. This is a voter rights issue of the highest magnitude!

The NVRA was enacted in 1993 and by 1995 had been implemented in all by 6 states which were grandfathered in the legislation. As stated in the Federal Election Commission "Guide To Implementing the NVRA," the objectives of the Act were to increase the numbers of eligible citizens registered to vote, protect the integrity of the electoral process by ensuring maintenance of accurate voter rolls, and enhance participation of eligible citizens as voters in federal elections. Because of the constraints built into the Act, and the way in which it has been regulated, it was doomed to failure and in fact has failed to meet its objectives.

The NVRA is administered not by the Federal Election Commission, or its Office of Election Administration, but the U.S. Justice Department Civil Rights Division. This set up a tension — some would say obstructively so — between the goals of the NVRA and any attempts at oversight of its implementation from the standpoint of election integrity. This is because the Department of Justice Civil Rights Division has demonstrated a bias toward keeping the registration process as open as possible, even if it results in the registration of unqualified or fictitious names, thereby diluting the franchise of all legitimate voters.

The legislative history of the NVRA indicated that the purpose of the Act was "to ensure that once a citizen is registered to vote, he or she should remain on the list so long as he or she remains eligible to vote in that jurisdiction." [Sen.Rpt., pg 17] The problem though is that the procedures of NVRA permit the easy and remote registration of virtually anyone or anything, absent sufficient controls against fraud. Once registered, it becomes very problematic to remove such names. Reliance upon a single layer of data match — the National Change of Address List maintained by the U.S. Postal Service — is insufficient to identify fraudulent registrations, or even duplicate/triplicate registrations of eligible voters. Thus, voter registration records nationwide have become dangerously clogged with ineligible, fictitious, or no longer valid names.

The NVRA requires states to maintain the integrity of the voter rolls in a non-discriminatory manner that complied with the Voting Rights Act of 1965. This tension has often resulted in a reluctance by election officials to conduct purges of any kind. This is not just a bureaucratic problem. It has become a serious voter rights problem because of the ease of using such faulty registrations to vote — either in person or increasingly by mail — with little concern for detection or apprehension. The cases are increasing.

The NVRA instituted mail-in registration which depends solely on the “honor system.” There is no requirement to prove your identity, residence or qualifications to vote. There is only a simple attestation form signed by the voter combined with limited and problematic verification procedures by Election Directors *after a voter’s name is entered into the system*. Thus it is not only possible, but rather easy to fraudulently register and vote.

One source of problems with registration is the attaching of the voter registration form to other government application forms, such as driver’s license application forms. Many non-citizens would be loathe to commit any offense that might result in their deportation, yet non-citizens are routinely registered to vote through DMVs, and are not routinely recognized as unqualified since there is no automatic verification of citizenship by Election officials. In fact, attempts to perform such matches are very difficult.

Even if the registration by non-citizens is inadvertent and innocent, once their names are on the registration records, they become vulnerable to have their names voted by others. Routine door-to-door canvasses by political campaign and party workers can easily identify such names and the voter turnout likelihood. Street sheets are typically kept on each voter in a given jurisdiction noting “likely” voters and their attitudes toward a party, candidate or ballot issue. In the wrong hands, such information can easily be used to “turn out” fraudulent votes. Similarly, deadwood names can also be voted.

That is why voter rolls today are filled with the dead, those who have moved out of the area, convicted felons, non-citizens, or fictitious persons. Once registered, it is very easy to vote such names. Most jurisdictions do not require any form of identification at the polls. Those that do can be bypassed by signing an affidavit at the polls or by mail-in absentee ballots. The use of such ballots is increasing, and procedures for verification are even more lax with mail-in ballots than in-person voting. Under current federal and state election law, election officials have a very limited capability to prevent or detect such fraud.

In Appendix A we have included a partial listing of the types of integrity problems experienced state by state since implementation of NVRA. Some of the cases have received national attention, such as the infamous Miami Mayoral election of 1997, where thousands of fraudulent absentee ballots changed the rightful outcome. But most are little known outside their immediate area, or are based upon individual voter reports.. Almost all of these cases are aided by NVRA’s constraints on maintaining clean voter rolls.

Voter Maintenance Procedures

NVRA depends almost entirely on the imperfect and limited matches of the voter rolls

against the U.S. National Change of Address List (NCOA). But NCOA is only as good as the change of address information filed by individuals. And it is entirely possible to create fictitious names that will be recognized by NCOA as legitimate.

How extensive is the problem? California estimated in 1997 that 10-25% of its voter rolls were contaminated. Yet problems have persisted. A criminal investigation in Los Angeles in 1998 found as many as 16,000 fictitious voters registered by paid “collectors.” San Francisco has had almost annual audits of its voter rolls revealing persistent deadwood.

There have even been instances reported where the number of registrants defies logic. For example, in 1996, 219 counties in the U.S. reported having more than 100 percent of their voting age population registered to vote. In 1998 Alaska had 66,000 more registered voters than Census estimates of its voting age population. And in almost every election cycle there are reports of turnout exceeding the actual number of registered voters in a given precinct.

In the year 2000 alone:

- More than 15,000 dead people were found on Georgia’s active voting records
- As many as 1 in 5 voter registrations on Indiana voter rolls were found to be bogus.
- In Tulsa hundreds of dead and felon registrants were identified on the voter rolls and many had voted.
- A recent St Louis investigation found that 3,000 registrations submitted by one collector just before a deadline were fraudulent, and a recent mayoral primary is currently investigation for rampant voter fraud..
- As many as four hundred illegal ballots were cast in Broward County’s November 2000 election, most of them by unregistered voters. Fraudulent absentee ballots in nursing homes are now also being alleged in Miami-Dade.
- In the 2000 election, hundreds of thousands of Indiana voter names -- as many as 1 in 5 voter registrations -- were found to be bogus.

The short time frames and level of proof required by most state election statutes is prohibitive to bringing a successful election contest based on fraud. Criminal prosecutions are not popular with prosecutors, because they require substantial budgets to investigate and have low success rates.

In 1998, for example, the FBI declined to investigate 39 forged absentee ballots from personal care homes in Fayette County Pennsylvania. It took a local prosecutor two years to indict three defendants who plea-bargained the charges down to misdemeanors — a frequent occurrence in election fraud prosecutions.

The theft of ballots from our most vulnerable citizens is on the rise. Most states do not have adequate mechanisms to protect seniors and disabled from vote theft. Many allow others to request absentee ballots on behalf of residents, so there may not even be an awareness that a vote has been cast on their behalf.

VIP has studied voter roll maintenance procedures to understand the barriers election officials face in maintaining pristine voter rolls. It was immediately evident that reliance solely on NCOA limited the range of problem identifications. But collateral sources for redundant data matches are not always readily available. VIP concluded that even when resources are available, it is a process fraught with potential problems. Once a computerized match is completed, substantial manual due diligence must be performed before any notification to the voter. In Florida last year, some jurisdictions purged mis-identified voters without performing such due diligence, resulting in disenfranchisement. Other jurisdictions refused to purge based on faulty data rolls and permitted invalid registrants to vote. Neither scenario is acceptable.

The greatest irony of all is that the NVRA may also have resulted in record numbers of voters who registered properly through third parties being unable to vote. Georgia is investigating such a case now, involving large numbers of minority students registered by a community organization. NVRA's recommended "fail safe" provisions failed these voters. Largely because even if a jurisdiction advocates the use of "provisional" ballots, it may not translate down to the precinct level. A voter is almost entirely at the mercy of a few individuals, usually poorly trained, to determine their eligibility to vote.

That is why VIP supports reasonable amendments to NVRA that will allow election directors to more easily verify a voter's identity, residence and qualifications prior to placing them on the voter rolls, and to more easily and confidently remove them when they become ineligible. We also think there needs to be mandated cooperation from the INS and Social Security Administration.

But today, many states do not have centralized voter registration records. Each jurisdiction is responsible for its own voters, and often without adequate resources for computer, list matching expertise or services, and staff to perform the necessary due diligence before purging of voter names. This leaves many election officials reluctant to purge at all, lest they risk disenfranchising a voter.

If all states had centralized voter rolls, the next logical step would be to find some way of cross-checking voter registrations between states. That may be possible without further erosion of individual privacy, or a "federalized" voter registration system.

The Role of Election Vendors on Election Integrity

Much has been written and said in the wake of the Florida recount on the need to upgrade America's voting equipment. But little has been said about America's capability to do that, and whether simple upgrading of technology would actually address most weaknesses in election

integrity. Few understand the degree to which the current environment for supply of election equipment may actually contribute to election problems.

- (1) State and local election offices are growing deeply reliant on election vendors for technical expertise; even certification is not a guarantee of perfection in programs or systems
- (2) Election vendors have closed architecture systems — no peer review and no independent oversight
- (3) Most election vendors are privately-held companies and do not disclose information regarding their ownership, finances, political orientation or campaign contributions, nor are many contracts competitively bid
- (4) Growing lack of transparency in the overall conduct of America's elections, leading to increased public cynicism and decreasing public confidence in election outcomes
- (5) Many election officials cannot cope with opening the system up further, because they are underfunded and understaffed. There is a tendency to get defensive when things go wrong or results are challenged.

There are just a handful of vendors who currently supply America's elections. The lengthy certification process for election equipment is daunting to new entrants. This leaves election officials increasingly reliant on manufacturers for expertise on their own systems, since some do not have independently verifiable audit controls. Many of the touch screen systems, for example, simply do not have a paper audit trail of any kind, so that it would be possible to miss errors in programming, since the manufacturers refuse to make their source codes available to independent review. They opt instead to escrow such codes with the state certification authorities.

The manufacturers of America's voting devices have a very sweet deal. They produce closed architecture systems that are proprietary, even though none of the technology today is so unique that it really warrants proprietary protections. In fact, the most advanced of the technology is not much different than your average ATM machine or personal computer. But by keeping their systems proprietary, they are able to reduce direct competition, and charge exorbitantly. The latest trend is to provide turn-key operations on a soup-to-nuts basis, providing ballot printing services, even special pens for the filling out of opti-scan ballots. This all adds to the final cost of the election, and it can be astounding. The State of Hawaii, for example, in upgrading from a problematic punch card system, spent \$1.2 million to ES&S for the one-time administration of its 1998 statewide election using brand new opti-scan equipment. The election ran into difficulties, however, because when the special pens supplied by ES&S did not work, voters used their own, with disastrous results, leading to an historic statewide recount

Although much was alleged about that election, VIP believes that the most fundamental failure was in supplying sufficient training to the poll workers. ES&S has acknowledged this deficiency and in the 2000 election, where sufficient resources were dedicating to educating workers on the equipment, there were no similar problems reported. This is just one example of how some of your most basic elements of an election can resist or even defeat attempts at technology solutions.

So what can and should be done?

The Need for an Institutional Memory

One of the problems is that there is no one national source for reliable information about election practices. The FEC's Office of Election Administration is small and competes for resources within the agency. The Election Center is primarily equipment standard oriented, and has no real authority. State election certification procedures are often insufficient or ignored.

If it can be argued — and I think this is by no means clear — that disparity in equipment used in elections can result in an equal protection violation, then it is also plausible that ALL the elements that go into delivery an election need serious scrutiny in order to avoid such inequities. But who decides these “best practices”? There is no authority. There is only conventional wisdom generated by industry sources. We need reliable, non-partisan study performed on an on-going basis. When things go awry, or are even alleged, in an election, it should be routinely dissected to understand every element that may have contributed to the problems, and the benefit of research done on an election in, say, Hawaii, should be available to election officials struggling with similar issues in, say, Polk County Florida. Today, there simply is no such central repository.

Creation of an independent and ongoing Federal Election Administration Commission would do much to address this deficiency. Research could and should be ongoing, since election equipment and rules will continue to evolve.

That is why Congress should refrain from attempting to set specific national standards for elections. Today's voluntary standards were out of date by the time they were promulgated. A review and update that has been in progress for several years will likely be outdated the moment it concludes. Further, states should remain in control of their election choices, but they need help. Recommendations from a truly bi-partisan Federal Commission, coupled with grants to states and communities willing to adopt these recommendations, could be a very effective means of transforming the level of integrity, without adopting uniform federal standards, because it will be based on consensus building, rather than mandatory standards, and hopefully avoid unintended consequences.

Recommendations

Election integrity is impacted by more than just the type of equipment used. Reform needs to cover the whole end-to-end delivery of elections, based upon “Best Practices” to ensure ballot security, privacy and secrecy, registration procedures that ensure enfranchisement but permit officials to have pristine voter rolls; election industry “sunshine” and “peer review”; and transparency that includes full citizen participation in election administration and voting

Beyond the strong support that VIP has for establishment of a Federal Election Administration Commission, we have developed several recommendations for improving election integrity and voter rights.

(1) Maintain state control of election choices, but equip states with the information and financial resources necessary for effective reform. Encourage states to adopt photo identification at the polls, without watering it down to a meaningless reform. Resolve conflicts in the verification process, such as the tension between protecting privacy and the need for critical information such as Social Security Numbers to verify voters' identity. Also encourage states to adopt uniform rules for the casting and counting of overseas and military ballots. (See Appendix

(2) Encourage states to centralize voter registration list maintenance and to adopt uniform data formats for vital statistics, felony records, tax records, and change of address records. Encourage states to put a maximum emphasis on maintaining pristine voter rolls, providing "fail safe" devices — particularly where Election Day registration is permitted — to prevent voter disenfranchisement without jeopardizing the strength of legitimate votes by a flood of election fraud.

(3) Open up the voter registration records to citizen oversight by making records available and searchable by name and address on the Internet. Many states do not permit ordinary citizens to obtain searchable databases of voter rolls, limiting such access to candidates and political parties.

(4) Encourage states to contract with election vendors only after an open, competitive bid process, where vendors are required to meet the same financial and other disclosure standards set for state lottery vendors.

(5) Encourage states to contract only with election vendors who are willing to supply "open architecture" election equipment systems.

(6) Encourage states to build maximum "transparency" into their election process to independent citizen review and participation

(7) Encourage non-binding pilots of any new equipment, technology or practice in a parallel environment with independent professional and citizen review.

(8) Limit or prohibit third party gathering of absentee ballots, or use bar-coding to identify the organization or individual gathering absentee ballots (See Appendix C)

(9) Make citizenship records publicly available for purposes of performing voter roll maintenance.

(10) Ensure that any federal funds that flow to the states go to meaningful reform, including recruiting, training & retention qualified poll workers, not just election equipment upgrades.

(11) Strengthen civic education in our schools and encourage volunteer programs for high school students in actual election administration. Such programs may also need changes in state election law.

I am grateful to the Senate Rules Committee for convening this hearing. I hope that the Members can work together, across party lines, to help the states guarantee free and fair elections in the future. Thank you.

(Appendix A)

VOTING INTEGRITY PROJECT

Known Election Integrity Problems

ST	YEAR	DESCRIPTION	SOURCE
AL	1994	Absentee Ballot Fraud - Green County; voter complaint that someone else voted their name; Raffles for votes	Media reports; Voter reports
AZ	2000	Phoenix - Early opening/counting of mail-in ballots	Court case
CA	1996, 1998, 2000	Illegal registration by non-citizens; large numbers of deadwood & fraudulent registrations; some isolated reports of voter disenfranchisement through purging; voters showing green cards to vote; unofficial letters sent with “voter id cards”; voters who reported being able to vote twice (electronically and at polls); concerns about counting and ballot transmission procedures; registrations via DMV that didn’t make it on the books; no identify verification at polls; employer wouldn’t give time off to vote	U.S. House of Representatives Task Force Report; voter reports
DC	1998	Student residency for voting purposes	Media reports; VIP Case Study
CT	2000	Multiple cases alleging voting fraud	Media reports
FL	1996, 1997, 1998, 2000	Counting problems and uncounted ballots; complaints about ballot configuration; Absentee Ballot Fraud; Illegal registrations; felons voting; disenfranchisement of qualified voters; lack of other-language assistance in minority polling places; non-registered permitted to vote; ballot boxes not turned in; voters turned away by poll workers for lack of driver’s license, without mentioning alternate forms of id; voters who presented themselves to vote and were told they had already voted	Miami Mayoral contest; media reports; VIP case study; Voter Reports
GA	1999	Large numbers of dead voters on rolls; Absentee ballot fraud; ballots kicked out for being marked incorrectly; electioneering by candidates in polls	Conviction of Valdosta official; voter reports
GUAM	1996	Non-U.S. citizens voting	Superior Ct findings
IL	2000	Voter knocked off rolls who voted for 20 yrs and hadn’t moved	Voter Report
HI	1998, 2000	Non-U.S. citizens voting; absentee ballot fraud; machine problems	Media Reports; VIP Case Study
KS	2000	Letting people vote who were not on the rolls	Voter Report

ST	YEAR	DESCRIPTION	SOURCE
KY	2000	Complaint of equipment malfunction and inattentive election worker	Voter Report
IN	2000	As many as 1 in 5 voter names have died, moved or are convicted felons	Media Reports
LA	1996	Vote hauling; vote buying; machine tampering; LA Election Commissioner convicted of money laundering/bribery scheme	VIP Case study, media reports & U.S. Senate Rules Committee Investigation
MD	1998	Absentee Ballot Fraud; voters permitted to vote without proper address verification; machine problems; deadwood	VIP Case Study; voter reports; media reports
MI	1998	Primary results delay 2 weeks due to equipment problems	Media reports
MO	2000	Dead & fictitious voters; polls opened beyond statutory time frame based on erroneous information; fraudulent registrations; voters permitted to vote who were not on rolls; complaints that sample ballots (filled in for one party) taped to voting booths; vote buying	Media reports; voter reports; court reports
MT	1996	Remarking of ballots with whiteout	Voter Report
NH	1996	Programming error in certified machines caused slated ballots for candidate to register zeros	VIP Case Study; media reports
NJ	1998	Electioneering	Voter Report
NM	2000	Absentee ballots impounded but no allegations	Media reports
NV	1998	Voting machine tampering alleged	Media Reports; voter reports
NY	2000	Machines will not record write-in votes; requested absentee ballots not received; machine problems prevented vote for candidate of choice; reports of voting booths not open causing delays; voter redirected, made to wait too long; ripple for votes; dead voters	Media Reports; voter reports
NC	1998, 1999	Duplicate voter registrations by non-residents	VIP Case Study
OH	1999	Officials failed to remove withdrawn spoiler candidate from ballot prior to election	VIP Case Study; Media Reports
OK	1998, 1999, 2000	Large numbers of deadwood on rolls; Dead voters; election workers not following verification procedures; voter concern about privacy of ballot	Media reports; Voter reports

ST	YEAR	DESCRIPTION	SOURCE
OR	1999-2000	Illegal ballot collection procedures; thousands of voters received multiple ballots or ballots of persons no longer living or at that address; questionable purging procedures; counting delays because of large numbers of last minute ballots received; unauthorized ballot collectors; late ballots received, unable to vote; incomplete ballots received	Media reports; voter reports; VIP case study
PA	1997	Multiple cases of absentee ballot fraud in multiple jurisdictions and multiple years; signature fraud; non-residents permitted to vote; intimidation of poll watchers; coercion of vulnerable special needs voters; fake poll watcher certificates; electioneering	VIP Case study & media reports; court cases; voter reports
RI	1996	voter equipment and administration problems alleged	Media report
SC	2000	Chester County fraud; Pacolet alleged voter coercion by employer	Voter Reports
TN	1998	Voter fraud alleged; equipment problems alleged	Voter Reports; VIP case study
TX	1999	Counting procedures questioned; uncertified modifications to voting system; absentee ballot fraud; voter not able to vote/not on rolls (not felon; not moved)	San Antonio Case 99-CI-06959
VA	2000, 1999	Voter told she was at wrong poll; couldn't find right poll and then didn't have id; poll poorly organized/long lines, Immigrant ID Scam alleged in Northern VA; voter roll deadwood; illegal purging	Voter Report; media reports
WA	2000	Severe counting delays because of large numbers of mail-in ballots; ballot remarking; pre-election day counting; misprinting of ballots	Media reports
WV	2000	Voter registered using on-line form; not on rolls on ED	Voter report
WI	2000	Variety of allegations including vote hauling, "smokes for votes", unattended polls, disenfranchisement, etc.; Milwaukee DA investigating; persons voting multiple times	Media reports; voter reports
Other	2000	Multiple ballots received; absentee ballots not received in time; concern that ballots may not have been counted	Voter reports; media reports

(Appendix B)

ABSENTEE BALLOT PROCEDURES

ST	Trad	No Fault	Early Voting	App	Written Request	Fax	Phone	Ballot Same	# of Envelopes	Signature (Inner Envelope)
AL	Y	N	N	Y	Y	N	N	Y	2	Y
AK	N	Y	Y	Y	Y	Y	N	Y	2	N
AZ	N	Y	Y	Y	Y	Y	Y	Y	D.B.C.	dbc
AR	Y	N	Y	Y	Y	Y	N	D.B.C	D.B.C.	on voter statement
CA	N	Y		Y	Y	N	N	Y		
CO	N	Y	N	Y	Y	N	N	Y	2	Y
CT	Y	N	N	Y	N	N	N	Y	2	Y
DC	Y	N	Y							
DE	Y	N	N	Y	Y	N	N	Y	3	Y (2nd)
FL	N	Y	N	Y	Y		Y	Y	1	Y (ballot)
GA	N	Y	Y	Y	Y	Y	N	D.B.C	2	N
HI	N	Y	N	Y	N	N	N	Y	2	Y
ID	N	Y						Y	2	Y
IL	Y	N	N	Y	N	N	N	Y	2	Y
IN										
IA	Y	N	N	Y	Y	N	N	D.B.C.	4	Y (2nd)
KS	N	Y	Y	Y	N	N	N	Y	1	N
KY	Y	N	N	Y	Y			N	2	Y
LA	Y	N	N	Y	Y	Y	Y	Y	2	Y
ME				Y	Y	Y	Y	D.B.C.		Y
MD	Y	N	N	Y	Y	N	N	D.B.C.	2	Y
MA	Y	N	N	Y	Y	N	N	Y	2	Y
MI	Y	N	N	Y	Y	N	N	D.B.C.	2	N
MN				Y	N	N	N	Y	2	N
MS	Y	N	N	Y	N	N	N	Y	2	Y
MO	Y	N	N	Y	Y	N	N	Y	1	N
MT	Y	10/1/99	N	Y	Y	N	N	Y	2	N
NE	Y	8/31/99	N	Y	Y	N	N	Y	2	N
NV	Y	N	N	Y	Y	N	N	D.B.C.	2	Y
NH	Y	N	N	Y	Y	N	N	Y	2	Y
NJ	Y	N	Y	Y	N	Y	Y	Y	2	Y
NM	N	Y	Y	Y	N	N	N	D.B.C.	2	Y
NY	Y	N	N	Y	N	N	N	Y	1	N
NC	Y	N	N	Y	Y	N	N	D.B.C.	2	Y
ND	N	Y	N	Y	Y	N	N	D.B.C.	2	N
OH	Y	N	N	Y	Y	N	N	D.B.C.	2	Y

OK	N	Y	N	Y	Y	N	N	Y	3	Y (2nd)
OR — only state where all voters vote by mail										
PA	Y	N	N	Y	Y	N	N	D.B.C.	2	Y
RI	Y	N	N	Y	N	N	N	Y	2	Y
SC	Y	N	N	Y	N	N	N	N	2	N
SD	Y	N	N	Y	Y	N	N	Y	2	Y
TN	Y	N	Y	Y	Y	N	N	Y	2	Y
TX	N	Y	Y	Y	N	N	N	Y	3	Y (2nd)
UT	Y	N	N	Y	Y	N	N	D.B.C.	D.B.C.	D.B.C.
VT (information not available)										
VA*	Y	N	N	Y	Y	Y	N	Y	2	Y
WA	N	Y	Y	Y	Y	Y	Y	Y	2	N
DC	Y	N	Y							
WV (information not available)										
WI	Y	N	N	Y	Y	N	N	Y	2	Y

ST	Signature (Outer Envelope)	# Req to Witness	Witness Only If Aided	Earliest App-days Prior	Latest App (Days Prior)	Last Ballot Accepted* *	Counted X Days Before Election Day	Counted on Election Day	Counted by X Days After Election Day	Counted W/in Voter's Precinct	Counted in Separate Precinct
AL	N	2	N	45	N/A	ED	N/A	Y	N/A	D.B.C.	D.B.C
AK	Y	1	N	1-Jan	N/A	ED	N/A	Y	N/A	Y	N
AZ	D B C	0	N	90	N/A	ED	N rule	N rule	5	D.B.C.	D.B.C
AR		0	N	60	N/A	ED	N rule	N rule	N rule	D.B.C.	D.B.C
CA					1	ED				D.B.C.	D.B.C
CO	N	0	N	1-Jan	N/A	ED	-10	N	10	D.B.C.	D.B.C
CT	N	0	Y	N/A	1	-	N/A	Y	N/A	Y	N
DC						10			10		D B C
DE	N	0	N			ED	N/A	Y	N/A	Y	N
FL	N	1	N				verified 4	Y	N/A		D B C
GA	Y	0	Y	180	1	ED	N/A	Y	N/A	Y	N
HI	N	0	N	60	7	ED	N/A	Y	N/A		
ID	N	0	N	N/A	N/A	ED	N/A	Y	N/A	Y	N
IL	N	0	Y	40	5(mail)	ED	N/A	Y	N/A	Y	N
IN						ED	N/A	Y	N/A	N	D B C
IA	N	0	N			70	1	N/A	N/A	N	Y
KS	Y	0	N	45	4	ED	N/A	Y	N/A	D.B.C.	D.B.C.
KY	Y	0	Y	day after prev.	7	ED	N/A	Y	N/A		
LA	N	2 (or Ntary)	N	60	4	ED	N rule	N rule	N rule	D.B.C.	D.B.C.
ME		N	Y			ED	N/A	Y	N/A		
MD	N	0		N/A	7	ED	N/A	N	2	Y	N
MA	N	0		N/A	N/A	ED	N/A	Y	N/A	Y	N
MI	Y	0	Y	75	N/A	ED	N/A	Y	N/A	D.B.C.	D.B.C
MN	Y	1	N			ED	N/A	Y	N/A	Y	N
MS	N	1	Y			ED	N/A	Y	N/A	Y	N
MO	Y	Ntary	Y	N/A	N/A	ED	N/A	Y	N/A	0	N
MT	Y	0	Y	75	1	ED	N/A	Y	N/A	Y	N
NE	Y	0	Y	120		ED	***N/A	Y	N/A	Y	N
NV	N		0	N/A	7	ED	N/A	Y	N/A	D.B.C.	D.B.C
NH	N		0	N/A	N/A	ED	N/A	Y	N/A	Y	N
NJ	N		0	40	7	ED	N/A	D.B.C.			10
NM	N	0	Y	40	N/A	ED	N/A	Y	N/A		
NY	Y	0	Y	N/A	D.B.C.	ED	N/A	Y	N/A	N	Y
NC	Y	2	N	50	N/A	ED	N/A	Y	N/A	N	Y
ND	Y		0	1-Jan	N/A	ED	N/A	Y	N/A	Y	N
OH	N			0	N/A	10 after^	N/A	Y	10	N	Y

OK	N	0	Y	N/A	7	ED	N/A	Y	N/A	Y	N
OR — only state where all voters vote by mail; ballots can take weeks to complete counting											
PA	N	0	Y			ED	N/A	Y	N/A		
RI	N	2 or Ntary	N	N/A	N/A	ED	N/A	Y	N/A	Y	N
SC	Y	1	N	N/A	4	ED	N/A	Y	N/A	N	Y
SD	N	0	1-Jan	ED	ED	N/A	Y	N/A	D.B.C.	D.B.C.	
TN	N	0	Y	90	7	ED	N/A	Y	N/A	N	Y
TX	N	0	N	60	7	ED	x ^^	Y	N/A	Y	D B C
UT	D.B.C.	D.B.C	D.B.C.	N/A	N/A		N/A	N	10		
VT											
VA*	N	1		45	3	ED	N/A	Y	N/A	N	Y
WA	Y	0	2	45		15 after	N/A	Y	15		
WI	N	2	N	N/A	N/A	ED	N/A	Y	N/A	Y	N
WY	N	0	1-Jan	1	ED	N/A	Y	N/A	Y	Y	N

ST	Signature on App Verified	Ballot Signature Matched to Application	ballot signature matched to voter registration		same day voter registration		Nursing home problems	Special nursing home provisions	Absentee Ballot Fraud Alleged
AL	name	N	N		N		complaints	N	Y
AK	N	Y	N		Presidential		N	N	
AZ	N	N	Y		N		D.B.C.	D.B.C	D.B.C.
AR	Y	N	Y		N		Y	optional	Y
CA			Y		N		N	N	
CO	Y	N	Y		N		N	N	Y
CT	Y	D.B.C	D.B.C.		N		N	Y	Y
DE	N	Y	N		N		Y	optional	
FL									
GA	Y	N	Y		N		N	Y	Y
HI	Y	N	Y		reregister		N	N	
ID		N	Y		Y		N	N	
IL			Y		N		Y	Y	Y
IN									
IA	N	Y	N		N		N	Y	
KS	Y		Y		N		N	N	
KY	N	N	Y		N		Y	N	
LA	N	N	Y		N		N	Y	
ME	if available	N	N						
MD	N	N	N		N		N	optional	
MA	name	Y	N		N		N	N	
MI	Y	N	Y		N		Y	optional	Y
MN	Y	N	Y		Y		N	Y	
MS	N	N	if problem		N		Y	N	Y
MO	Y	Y	Y		N		Y	N	
MT	Y	Y	N		N		N	N	
NE	N	N	Y		N		Y	optional	
NV	Y	N	Y		N		D.B.C.	N	
NH	Y	Y	Y		Y		N	N	
NJ	Y	N	Y		N		Y	N	
NM	Y	N	D.B.C.		N		Y	N	Y
NY	Y	N	Y		N		some	N	
NC	name	N	N		N		Y	Y	
ND	*****N	Y	*****N		*****N		N	Y	
OH	Y				N				Y
OK	N	N	N		N		D.B.C.	N	

OR — only state where all voters vote by mail									
PA	N	N	if problem		N		Y	N	Y
RI	N	Y	N		limited		N	Y	
SC	Y	N	Y		N		Y	N	
SD	N	Y	N		N		Y	N	
TN	Y	Y	Y		N		N	Y	Y
TX	Y	Y	Y				N	N	Y
UT	Y	Y	Y		N		N	N	
VT (information not available)									
VA*	N	N	N		N				
WA	N	N	Y		N		D.B.C.	N	
DC									
WV									
WI	N*****	if problem	N*****		Y*****		N	Y	
WY	N						N	N	

*Virginia prohibits voting by absentee the first election following a mail-in registration.

(Appendix C)

Voting Integrity Project

ABSENTEE BALLOT RECOMMENDED REFORM

When it comes to absentee ballot procedures, one overriding principle has shown to be true: The more relaxed the process is, the greater the opportunity for fraud. Experts disagree that mail-in absentee balloting increases voter turnout. At least one study has shown that absentee balloting may actually harm turnout and limit a voter's opportunity to respond to last minute campaign information. Certainly mail in absentee balloting increases the opportunity for fraud and requires much more stringent oversight to protect voters' franchises — not only the franchise of those who would vote by absentee, but of other legitimate voters, whose votes may be diluted by fraud.

Eligibility

- Should be limited to actual necessity
- Should be permitted only for specific reason — i.e., health, business, military.
- Should be more stringent for those requiring mail absentee then those voting in person prior to election.
- Should be prohibited for those voting the first time following a mail-in registration
- Should be prohibited for any voter that has not responded prior to election day to a voter verification questionnaire

Definition of Legal Residence

- Should be specific in the law with specific procedures for challenge and enforcement
- Should prohibit and check for duplicate addresses (temporary domiciliary care home, seasonal residents, students)
- Limit use of Post Office box addresses to authorized public safety personnel.

Application Process

- Request only in writing or in person and require appropriate identification
- No telephone or fax requests
- No third party requests (nursing home administrators, legal guardians, caretakers) (or use bar coding to identify distributor of absentee ballot forms by organization)

Ballot Mailing

- Do not publicize or make known the dates of absentee ballot mailing
- Mail ballots on random basis, and not on specific date

Voter Education

- Increase voter education regarding legal vs illegal handling of absentee ballots
- Make read-through portion of absentee ballot form & envelope

Validation of Ballot Execution

- Two bi-partisan witnesses should be required for any absentee ballot opening/counting
- Witnesses should print name and address & sign (failure should automatically disqualify)

- Severely limit the number of ballots any one particular person may witness (no more than 3, for example)
- Require on-site bi-partisan pairs of election officials to witness the execution of nursing home/personal care home ballots

Signature on File

- Regularly scheduled “refreshing” of signatures on file with Elections Division
- Mandatory signature refreshing at critical life measures (certain ages; infirmity)

Pre-paid Postage

- Prepaid (Business Reply Envelopes) postage would make infirm or elderly voters less dependent on others to mail absentee ballots

Photo ID

- The requirement of a photo-voter card for all voters, and then requiring a copy of that card for all absentee mail-in ballots
- If driver’s licenses with photo carry signatures and are renewed every 2-5 years, this may suffice..

Training

- Mandatory training (and certification?) by professional signature analysts or according to a protocol constructed by psa’s on how to spot differences in signatures that may be fraudulent; or
- Use of signature verification program utilizing digitized (not digital) signatures

Handling of requests

- Compare all signatures on file with signature on outside of envelope (if significant difference and no explanation on file) set aside for direct contact with voter to substantiate
- Do not permit requests to emanate from third parties (nursing home administrators, political campaigns)

Documentation

- Special notations should be made on a voter’s voting history record who utilizes absentee ballots
- All absentee ballots and related documentation for any election should be retained and safeguarded for a period of 24 months from the date of election
- Absentee ballots should be made publicly available for independent verification of signatures immediately following certification of elections.

(Appendix D)

Voting Integrity Project Model Legislation

The following model legislation has been created at the request of and for the use of state legislators and staff. These are offered as generic models and would have to be conformed to a specific state's election laws, practices and procedures, before introduction.

VOTER IDENTIFICATION AT THE POLLS

An Act relating to voting procedures at the polls; voter identification; certain challenged votes.

Section One. Definitions.

(1) Officer of Election is anyone who has been authorized by the Office of Elections to perform in-precinct administration of an election.

Section Two. Qualified voter permitted to vote; procedures at polling place; voter identification.

(1) After the polls are open, each qualified voter at a precinct shall be permitted to vote. The officers of election shall ascertain that a person presenting themselves to vote is a qualified voter before admitting him to the voting booth and furnishing an official ballot to him.

(2) An officer of election shall ask the voter for his full name and current residence address and repeat, in a voice audible to party and candidate representatives present, the full name and address stated by the voter. The officer shall ask any the voter, who is subject to the requirement to vote in person to present any one of the following forms of identification: his [INSERT STATE] voter registration card, his social security card, any preprinted form of identification which shows his name and address, any preprinted form of identification which shows his name and signature, or any preprinted form of identification which shows his name and photograph such as his valid [INSERT STATE] driver's license, or any other identification card issued by a government agency of [INSERT STATE], one of its political subdivisions, or the United States; or any valid employee identification card containing a photograph of the voter and issued by an employer of the voter in the ordinary course of the employer's business.

(3) If the voter's name is found on the registered voter list, if he presents one of the forms of identification listed above, if he is qualified to vote in the election, and if no objection is made, an officer shall mark the voter's name on the registered voter list; an officer shall enter, opposite the voter's preprinted name on the poll book, the first or next consecutive number from the voter count form provided by the State Board; an officer shall provide the voter with the official ballot; and another officer shall admit him to the voting booth.

(4) If a voter, who is subject to the requirement to vote in person pursuant to [CROSS REFERENCE] is entitled to vote except that he is unable to present one of the forms of identification listed above, he shall be allowed to vote after signing a statement, subject to felony penalties for false statements pursuant to [CROSS REFERENCE], that he is the named registered voter who he claims to be.

A voter may be accompanied into the voting booth by his child age fifteen or younger.

(5) If the current residence address stated by the voter is different from the address shown on the registered voter list, the officer of election shall furnish the voter with a change of address form prescribed by the State Board. Upon its completion, the voter shall sign the prescribed form, subject to felony penalties for making false statements pursuant to [CROSS REFERENCE], which the officer of election shall then place in an envelope provided for such forms for transmission to the general registrar who shall then transfer or cancel the registration of such voter pursuant [CROSS REFERENCE] of this title.

(6) At the time the voter is asked his full name and current residence address, the officer of election shall ask any voter for whom an identification number other than a social security number is recorded on the registered voter list if he presently has a social security number and note that

number on the list if the voter is able to provide it. Any social security numbers so provided shall be entered by the general registrar in the voter's record on the voter registration system.

(7) The Board is authorized to conduct a pilot project requiring mandatory voter identification at the polling place, in up to ten jurisdictions, if agreed to by the jurisdiction's local electoral board. Proper voter identification includes a Virginia voter identification card, social security card, or any preprinted form of identification with the voter's name and address, preprinted form of identification with name and signature, or preprinted form of identification with name and photo. Additionally, if a voter is entitled to vote, except that he fails to present one of the forms of identification listed above, he shall be allowed to vote, by signing a statement, subject to felony penalties for false statements pursuant to [CROSS REFERENCE] that he is the named registered voter he claims to be.

Section 3. Voter who is shown as having already voted; challenge and procedure for voting; voter identification.

The officers of election shall challenge the vote of any person who offers to vote, who is listed on the precinct registered voter list, and whose name is marked to indicate that he has already voted in person in the election.

When the person is challenged, an officer shall explain to him the basis for the challenge. If the person being challenged states that he has not voted and is qualified, an officer shall ask the voter to present one of the following forms of identification: his Commonwealth of Virginia voter registration card, his social security card, any preprinted form of identification which shows his name and address, any preprinted form of identification which shows his name and signature, or any preprinted form of identification which shows his name and photograph his valid Virginia driver's license, or any other identification card issued by a government agency of the Commonwealth, one of its political subdivisions, or the United States; or any valid employee identification card containing a photograph of the voter and issued by an employer of the voter in the ordinary course of the employer's business.

If the person presents the requested form of

identification showing him to be the person listed on the precinct registered voter list, an officer of election shall give him the form set out in [CROSS REFERENCE] for the person to sign subject to felony penalties for making false statements pursuant to [CROSS REFERENCE].

If the person challenged refuses to sign the statement, he shall not be permitted to vote. If, however, he signs the statement, he shall be permitted to vote on the voting system in use at the precinct. When the voter has shown the requested identification, has signed the statement, and is permitted to vote, the officers of election shall mark the precinct registered voter lists and shall indicate that the person has signed the required statement in accordance with the instructions of the State Board of Elections.

THE ELECTION VENDOR DISCLOSURE AND RESPONSIBILITY ACT

Section One — No vendor of voting machines, voting devices, computer software programs or other such election equipment designed to register, receive, tally or count votes ("Voting Equipment") shall be allowed to distribute Voting Equipment in the State of [] unless the Secretary of State has approved the vendor after investigation of the financial responsibility, security, and integrity of the vendor. The Secretary of State may require the following items from the vendor during such investigation and periodically thereafter if the vendor continues to distribute Voting Equipment in this State:

A disclosure of the vendor's name and address and, as applicable, the names and addresses of the following individuals or entities ("Key Personnel"):

If the vendor is a corporation, the officers, directors, and each stockholder in such corporation; provided, however, that in the case of owners of equity securities of a publicly traded corporation, only the names and addresses of those known to the corporation to own beneficially five percent (5%) or more of such securities need be disclosed;

(2) If the vendor is a trust, the trustee and all

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(3) If the vendor is an association, the members

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(B) A disclosure of all the states and jurisdictions in which the vendor does business and the nature of the business for each such state or jurisdiction;

(C) A disclosure of all the states and jurisdictions in which the vendor has contracts to supply Voting Equipment and the nature of the goods or services involved for each such state or jurisdiction;

(D) A disclosure of all licenses and certificates of authority issued by any governmental entity to the vendor and Key Personnel, including any pending applications, renewals, denials, cancellations, terminations, or revocations;

(E) A disclosure of the details of any conviction, adjudication, or plea of guilt, including a plea of nolo contendere, in a state or federal court, of the vendor, Key Personnel, or other managers for any felony or other criminal offense other than a traffic violation;

(F) A disclosure of the details of any past or pending bankruptcy, insolvency, or reorganization of the vendor;

(G) A disclosure of all litigation in which the vendor or Key Personnel were named defendants within the past five years or any judgment awarded against the Vendor, Key Personnel or managers; and

(H) Such additional disclosures and information as the Secretary of State may determine to be appropriate for the approval process.

If at least twenty-five percent (25%) of the cost of a vendor's Voting Equipment is subcontracted, the vendor shall disclose all of the information required by this Code Section for the subcontractor as if the subcontractor was itself a vendor.

Section Two — No vendor shall be allowed to distribute Voting Equipment in this State who has not complied with the disclosure requirements described in Section One and has not been approved by the Secretary of State. Any contract with such a vendor

shall be voided by the Secretary of State. Any contract entered into by a vendor who does not comply with such requirements for periodically updating such disclosures shall also be voided by the Secretary of State. The provisions of this Code section shall be construed broadly and liberally to achieve the ends of full disclosure of all information necessary to allow for a full and complete evaluation by the Secretary of State of the competence, integrity, background, and character of vendors distributing Voting Equipment in this State.

Section Three — A vendor who has been found guilty of a felony involving fraud, embezzlement, misrepresentation, or dishonesty or a felony related to the security or integrity of an election or the bribery of a government official in this or any other jurisdiction shall not distribute any voting equipment in this State. If any of the Key Personnel or managers of a vendor have been found guilty of a felony involving fraud, embezzlement, misrepresentation, or dishonesty or a felony related to the security or integrity of an election or the bribery of a government official in this or any other jurisdiction, such vendor shall not be allowed to apply for approval to the Secretary of State for permission to distribute any voting equipment in this State until such individual's or entity's relationship with the vendor is completely severed. Any vendor that has already received such approval shall have that approval revoked unless until such individual's or entity's relationship with the vendor is completely severed.

Section Four — No vendor may pay, give, or make any gift, loan, gratuity, special discount, favor, hospitality, or service, excluding food and beverages having any aggregate value not exceeding \$100.00 in any calendar year, to any elected official, or to any state, city or county employee, or member of a board or commission, who has any responsibility for conducting elections.

Section Five — A vendor which is not a corporation, trust or partnership organized and existing under the laws of the United States or of any state of the United States, or which is a wholly-owned or majority controlled subsidiary of a corporation, trust or partnership which is not organized and existing under the laws of the United States or of any state of the United States, shall not distribute election equipment in this State.

INTERNET VOTING LEGISLATION

Section One. Definitions.

(1) “Internet Voting Machines” means a voting machine that allows the elector to cast a ballot over the Internet through a Secure Electronic Network (“SEN”).

(2) “SEN” means a Secure Electronic Network as described in Section Three.

(3) “Secretary” means the Secretary of State [or Chief Election Official of a State].

Section Two. Powers and Duties.

(1) A qualified elector in this state may vote in any election by the use of an Internet Voting Machine connected to a Secure Electronic Network that is approved pursuant to Section Three of this Act.

(2) The Secretary shall establish all standards and adopt all rules and regulations required to achieve the purposes of this Act.

Section Three. Establishment of Standards for Secure Electronic Networks.

The Secretary shall establish standards that a SEN is required to meet before the SEN may be issued a permit by the Secretary authorizing its use for an election in this state. To qualify for use in an election, a SEN shall demonstrate the existing capacity to do all of the following:

(1) Provide for the secure identification and authentication of any information transmitted on the system, including, but not limited to, personal information required to be provided by qualified electors.

(2) Provide for the secure identification and authentication of all elections officials and electoral jurisdictions, their servers, and all other related electronic equipment being used by the elections officials and electoral jurisdictions supervising and responsible for voting.

(3) Protect the privacy, integrity, and anonymity of each qualified elector’s ballot and

prevent any third party, including election equipment vendors, from obtaining or retaining any information or data about electors and their votes.

(4) Prevent the casting of multiple ballots by any qualified elector and prevent the casting of ballots by ineligible electors or unauthorized individuals.

(5) Provide protection against tampering, fraudulent use, illegal manipulation, or other abuse by voters, election officials, or any other individual or group.

(6) Be readily accessible and easy to use by each qualified elector.

(7) Legibly convey all information included in the ballot for each qualified elector, including lists of all candidates for office and all ballot measures qualified to appear on the ballot.

(8) Provide the means by which qualified electors may cast write-in votes for candidates whose names do not appear on the ballot.

(9) Provide uninterrupted, reliable availability during the voting period established by law.

(10) Be usable by qualified electors with disabilities.

(11) Be capable of being upgraded as technology improves.

(12) Be capable of archiving votes, allowing recounts, and of being audited as to contents, results, and process at a sufficient level to guarantee the integrity of the system and the public’s confidence in its integrity.

(13) Be capable of transmitting information over a secure encrypted network.

(14) Be capable of establishing an Internet website that securely receives ballots, provides ballots to qualified electors that reflect the elections in their electoral jurisdictions, and cannot be interrupted or shut down by denial of service, virus or other attacks.

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(15) Be capable of tabulating ballots cast to its Internet website.

(16) Be capable of securely transmitting data submitted on its Internet website to state and local election officials.

(17) Provide electors with receipts showing that their votes have been received by the election system machine that tabulates votes without alteration in transit.

(18) Be capable of allowing independent monitoring by poll watchers in the same manner that poll watchers are able to observe the election process under current state law.

(19) Provide electors with software that will protect and ensure the confidentiality of their ballots and will prevent any third parties, including network administrators, from reading, copying or changing the votes which have been cast through a remote Internet Voting Machine and warn voters that the confidentiality of their votes will be breached if they do not use or download the software provided.

Section Four. Testing of SEN.

(1) Before qualified electors may use a SEN, the Secretary shall perform the tests necessary to establish that the SEN conforms to the requirements of Section Three and the standards adopted by the Secretary pursuant to this section.

(2) The Secretary shall examine each proposed SEN and either approve and certify that it is fit for use and issue a permit authorizing its use, or deny its approval and certification. If approval is denied, the denial shall specify in writing the reasons for the denial.

The Voting Integrity Project is a national non-partisan 501(c)(3) tax exempt voter rights organization.

Voting Integrity Project
PO Box 6470

(Appendix E)

VOTING INTEGRITY PROJECT
POLL WATCHER GUIDELINES

Since the November election, VIP has received many inquiries about VIP Poll Watcher Training programs. VIP did significant pilot work in the area of poll watcher training in Maryland in 1998-1999. What we found was that citizen poll watchers serve an important role in preventing fraud, increasing voter participation, increasing general integrity and efficiency of election administration practices, and heightening public confidence in election outcomes.

However, we are also painfully aware that there is vast variances in how poll watcher programs are set up. Most election offices are very underfunded, and barely have the resources to administer elections, let alone perform the secondary tier of functions (voter education, voter registration cleanup, recruiting/training/retaining of election workers). Most training programs for election workers do not focus on fraud prevention or identification. And most election workers have their hands full on election day just administering the election. So citizen poll watchers can contribute to the integrity of the election by the careful observation of the process and documentation of any irregularities.

To be truly effective, a citizen poll watcher program should meet these requirements:

1. Be truly non-partisan, i.e., performed by partisans of all persuasions under the auspices of an independent, non-partisan group such as VIP. Because of the way state laws are written, poll watchers generally must be certified through political parties or campaigns. However, when VIP conducts a program it requests the parties to provide blank certificates and then notifies its poll watchers that their certificate may not necessarily represent their political persuasion. This is because VIP believes that it is better to have non-partisan eyes on the process. Too often, partisan poll watchers are merely used as tools of the campaigns to "get out the vote" and are not trained or equipped to prevent or detect irregularities or fraud.
2. Work, to the greatest extent possible, in cooperation with election officials, as a "value-added" to government's role in administering elections. This should include participation in all aspects of the election administration -- from the selection of an election system, configuration of the ballot, review of administrative protocols -- to help in recruiting election workers and judges, new voter registration (in a truly non-partisan way), and voter education programs (about the election system -- not the candidates). [Please note: VIP does not endorse the concept of partisan assistance with absentee ballots, as that often cloaks fraudulent activities. However, we do endorse the provision of bi-partisan pairs of election monitors for execution of absentee ballots for residents of personal care homes to ensure their votes are not coerced or stolen.]
3. Any poll watcher training program must begin with thorough review and knowledge of the election laws, equipment and administrative protocol. Review federal & state constitutions and laws relating to elections and voter rights; review training manuals for election workers; be knowledgeable about the flaws of the election system in use and past history of problems in elections in your area.
4. Perform a voter registration clean up program. This involves taking the voter registration list and to the extent you are able, given the limits of access and resources, identify and make election officials aware of invalid or

fraudulent names residing on the rolls. Use the list of active, inactive, and questionable voters at the polls. Be sure to format it in a way that is easily readable and usable by your poll watchers. Be aware that in most jurisdictions, the poll watcher has NO authority to directly challenge voters, but can alert election officials to questionable voters presenting themselves. Be sure that any voter names identified as invalid, fraudulent or questionable are properly notified to the election office so they may perform necessary due diligence (voter notification). This process is essential to prevent inadvertent voter disenfranchisement and is required by federal law.

5. The principle role of citizen poll watcher is to observe and document. If there are problems on election day, the careful notes of poll watchers can become an invaluable resource for election officials, campaigns and others attempting to correct problems or pursue prosecution of fraud. Ideally, the notes should be signed by the individual poll watcher and collected within a day or so of the election. A hotline number for reporting serious problems should be established by the organizing agency. Poll watchers and support staff should also be trained in how to properly take witness statements.

6. Training programs should be limited to 2 hours and conducted in the 2 weeks prior to the election. (We believe in the old adage that a brain can absorb no more than the seat can endure). All poll watchers should be trained (even if they have received training before, although as the program grows you may be able to conduct a shorter "refresher" for repeat watchers.) Provide a manual with general rules, election statutes, equipment information and a copy of the election workers manual, should be provided. A copy of the voter registration roll (with flags for questionable names as described above) should be provided for the precinct they will be working in.

7. Be sure poll watchers understand the rules of their participation in the election. Be sure they are properly certified, work in an unobstructive fashion. Under no circumstances should poll watchers ever be perceived as threatening or obstructive to voters. Cameras should never be employed inside polling places.

8. Be sure your poll watchers are backed up by experts: A group of people who are well versed in the law, equipment and history of your jurisdiction.

9. Provide continuity to your program. It should be year-round -- not employed only in the weeks prior to election. Also, consider working with VIP to establish the Young Voter Outreach program in your area. This will not only help relieve the burden on your election officials, it can engage our youngest generations in a life-time of voter activity.

We have found that by properly training and equipping poll watchers, the experience can be truly positive, and will have a reverberating effect in the community. That one poll watcher has many friends, co-workers, neighbors, family -- all of whom will have greater respect for the process and the results of the election hearing such positive reports on the election.