

A Journalists' Guide



Covering 2008



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Director's Note

The 2008 election cycle is already shaping up to be historic in numerous ways:

- For election trivia buffs, it is the first presidential election since 1924 when neither the sitting president nor the vice president is a candidate for the White House;
- For political junkies, it is the latest skirmish in the highly competitive "Eight Years' War" between the major parties for control of the federal government which started in 2000 and now raged for four consecutive election cycles; and
- For policy wonks, it is a potential turning point in several ongoing debates in this country, including the war in Iraq, education, health insurance, among others.

Stir in an intriguing cast of political characters – a cast so large that at one point it appeared that there would be more candidates than voters – and a highly compressed and front-loaded primary schedule and the ingredients are there for a fascinating election season.

But wait – *there's more*.

All of this political intrigue is occurring against the backdrop of an election system whose strengths and weaknesses have been subjected to withering scrutiny since the disputed presidential election of 2000. The voting process has changed more in the last eight years, forced in large part (and funded more or less) by the Help America Vote Act enacted by Congress in 2002, than it has in the past 80.

Consequently, as American voters head to the polls in 2008, they will be using a system which has been buffeted by change and controversy:

- Voting machines – seen by many as the culprit in 2000 – are once again a source of concern and skepticism if not outright hostility in numerous states;
- Voter lists are staggering into the 21st century as states move away from card files and computer printouts and toward laptops and high-tech databases, with mixed success;
- Neighborhood voting precincts are becoming a vanishing breed as early and absentee voting, voter centers, vote-by-mail and other innovations enable voters

to cast their ballots at different times and different places than before; and

- Voting laws and procedures – including voter ID, provisional voting and access for the disabled – are potential battlegrounds as candidates and parties jockey for advantage in a political environment where a tiny number of votes has the potential to swing an outcome.

All of these factors make the 2008 election a moving target that will challenge even the most seasoned journalist. This publication is designed to assist the media and other members of the organized public with understanding the hot issues, the hot buttons and the hot spots in the 2008 vote.

On behalf of everyone here at electionline.org, I hope you find this report insightful and useful. We have always believed in the importance of journalists to the electoral process – helping you to ask good questions so voters can get good answers – and this report is the latest manifestation of that belief. We're not alone, however – a few quick thanks to the people who made this possible:

- My *electionline.org* colleagues Alyson Freedman, Sean Greene, Mindy Moretti, Dan Seligson and Kat Zambon and for their continued brilliance and good cheer;
- Our interns – Joe Pavel and Evan Smith – for their incredible skill and enthusiasm for our little corner of the policy world;
- Mike Heffner, Lucy Pope and the rest of the team at 202design for an inspired look to our publications that makes my colleagues' work leap off the page;
- Our new colleagues at The Pew Center on the States and its Make Voting Work initiative – Michael Caudell-Feagan, Jeannette Lam, Kent Mitchell Carolynn Race, Sue Urahn – who have not only challenged us to expand our work but have been dedicated and skilled partners in the effort; and
- As always, the Board of The Pew Charitable Trusts and its CEO Rebecca Rimel for their generosity over the years in providing resources for our efforts to raise the level of debate in their field of election reform.

Doug Chapin
November 2007



Executive Summary

Every presidential election cycle is exciting – 1984 and 1996 aside – but perhaps none in recent memory has the drama of the 2008 race for the White House. The front-loaded primary season features neither an incumbent president nor vice president. Issues that will determine the winners and losers – the war in Iraq, education, health insurance, immigration and trade to name a few – have rarely been more vital or hotly contested. The electorate continues to be split, nearly right down the middle, among the two major parties.

Stir in a system of election administration that has been undergoing profound change since 2000 and 2004, and the ingredients exist for one memorable year.

Federal legislation, the Help America Vote Act of 2002, was designed to cure the ills of voting in 2000. New databases, voting machines, ID requirements and fail-safe rules are in place.

Yet voter confidence in America's electoral system has seemingly not improved since the U.S. Supreme Court ended the 2000 election

deadlock, securing victory for George W. Bush. Concerns about voting machines persist. Voter ID rules differ from state-to-state, prompting lawsuits and partisan ill-will. Machine breakdowns in Sarasota, Fla. and elsewhere have rekindled memories of Palm Beach County despite substantial investment in new voting systems and legislation establishing more uniform procedures.

In short, journalists, will have their hands full. Aside from the horse race between the contenders from both parties is the story that is equally compelling – the administration of the vote itself.

Voting machines

- While 2000 largely marked the end of punch-card voting in the United States, concerns about the replacement – electronic voting systems – has raised concerns similar to those seen eight years ago. In Sarasota, 18,000 missing or un-voted ballots in a race for the U.S. House led to legislation that will eventually phase out paperless electronic voting in the Sunshine State.

- Paper is back. More than half of the states require the use of either paper backup systems, such as voter-verified paper audit trails with electronic voting machines, or paper-based systems, including optically-scanned ballots.
- Federal efforts to make paper trails the law of the land have been unsuccessful. Most recently, a bill by Rep. Rush Holt, D-N.J., failed to pass this year despite widespread support from Democrats and some Republicans. Some state and local election officials strongly opposed paper-trail requirements, and “voter integrity” groups did the same, on the grounds that electronic systems would continue to be used.

Voter identification

- Only 11 states required all voters to show some form of verification before casting ballots in 2000. That number had risen to 25 by 2006.
- Republicans largely support voter ID measures because they

say it protects the integrity of the vote. Democrats largely oppose such measures because they say voter fraud at polling places is rare and requiring ID creates a barrier to participation for some citizens.

historic election approaching and how the nation votes still very much in flux, the 2008 primary and election season provides a wealth of issues to watch.

- Photo ID requirements are now on the books in three states – Florida, Georgia and Indiana. The mandates have been the subject of lawsuits – all eventually lost by plaintiffs – except for two outstanding cases in Indiana which are expected to be heard by the U.S. Supreme Court in early 2008.

Registration databases

- Statewide voter registration databases were one of the most complex and expensive requirements of the Help America Vote Act. The deadline for states to establish systems passed at the beginning of 2006. Four states were sued by the U.S. Department of Justice for failing to complete the task on time.
- Challenges continue, as some localities have experienced problems entering and retrieving information on the new systems.

When primary season officially kicks off in New Hampshire (Iowa's caucus does not entail regular voting procedures) the eyes of the nation will be fixed not only on the results, but the vote itself. The performance of the American electoral system has rarely been as closely watched, and with an



Voting Systems and the 2008 Election

At-a-glance

- Sarasota County, Florida's 18,000-plus missing ballots raised suspicion and distrust of electronic voting to new heights
- The number of states requiring paper-based verification or paper balloting systems has steadily increased.
- Voter-verified paper audit trails (VVPATs), while popular, are untested in high-stakes recounts. Examinations of VVPATs in previous elections indicate a high number could be unable to be counted, leading to post-election disputes.
- When it comes to election problems – and occasionally solutions – Florida leads and the nation often follows.

Sunshine state voters will return to the polls in January to cast ballots in the primaries and many in the most populous counties will use the third voting machine in as many presidential cycles. Florida's experiment with touch-screen voting went awry with thousands of lost votes in Sarasota during the 2006 mid-term and triggered a phase-out with the governor's signature in 2007.

Optical-scan voting machines will be widely used, replacing electronic machines that had been previously used in much of South Florida, including Miami-Dade, Broward and Palm Beach counties.¹

Florida was one among the first in the nation to switch from paper-based punch-card voting to electronic machines in light of the 2000 election. Since that time, voting machine usage has changed dramatically – particularly in light of

the passage of the Help America Vote Act (HAVA) in 2002. As part of the legislation, the federal government offered optional punch-card and lever-machine buyouts for states that wanted to switch to more modern systems that would allow detection of over-votes and other potentially ballot-spoiling errors as well as increased accessibility for voters with disabilities.²

But suspicions over the systems used in polling places have remained fairly constant.

Five years ago, voting on direct-recording electronic (DRE) or touch-screen machines was supposed to be everything punch-card and lever systems were not – accessible, programmable, flexible, fast, easy, accurate and trustworthy. The transition from punch-card ballots and lever voting machines to electronic systems enabled the

implementation of accessible voting for people with visual and some manual dexterity disabilities.

It prevented the possibility of over-votes, allowed multiple languages to be displayed and offered the promise of near-instant reporting with results that could be transmitted from polling places to central election offices for counting.

Yet in the eyes of advocates, voters and some lawmakers, DRE voting has not lived up to billing. While the system generally receives high marks from the majority of voters that use them, voter confidence has not been restored.³ Poll workers and election officials around the country struggled with early implementation of DRE voting systems. As their use was becoming more widespread, computer scientists started to become wary of the "black box" nature of the systems – a machine produced by a

for-profit endeavor, some who were politically connected – that is operated by a proprietary code and without any sort of individually-verifiable system for recounting or auditing results.

Further, interactions between human beings and machines sometimes resulted in confusion, mistakes and occasionally full-blown melt downs.

Problems started to become commonplace, and e-voting failures became well known.

A race to determine North Carolina's agricultural commissioner in 2004 was thrown into confusion when voting machines failed to record more than 4,000 votes because they had exceeded their ballot capacity.⁴ Hundreds of votes separated candidates in that race, and it took months for the Democrat to eventually concede.⁵

A 2006 primary in Montgomery County, Md. was thrown into chaos after an election official forgot to include ballot activator cards in packages of materials that went out to more than 200 precincts. Voters who managed to endure long lines and late-opening polling places found themselves casting provisional ballots or using scraps of paper to indicate their choices.⁶

Sarasota County, Fla.'s mysterious non-votes in a race for an open seat in the U.S. House of Representatives could turn out to be the defining moment in the evolution of e-voting in the country. Florida was catapulted back into the headlines for a spectacular election failure that, while the players and the voting machines had changed, was

eerily similar to the 2000 election mess that stemmed largely from a ballot design problem, an inability to determine voter intent and a high-interest race that was extremely close.

The Sarasota fiasco

About 18,000 under-votes were recorded on ES&S touch-screen machines in the race to replace Rep. Katherine Harris to represent the 13th District in Congress. The under-votes far exceeded the total number of votes separating the two candidates. Reasons for the under-votes have still not been determined.

Poor ballot design was considered one possible cause. The 13th District race shared the same page with a six-person governor race. According to an analysis by the *Herald Tribune*, "when other races were paired on the screen with governor candidates, under-votes in the other races soared."⁷

Organizations including the ACLU, Voter Action, People for the American Way Foundation and others challenged the results of the election and demanded a re-vote, since the audit of the electronic totals produced the same result.⁸ A test conducted on the machines by the state's Division of Elections found nothing strange, noting there was no evidence "to support the position that the iVotronic touch-screen voting system caused the votes to be lost."⁹

Republican Vern Buchanan was sworn-in on the appointed day despite the outstanding litigation, and at least in the latter half of

2007, Democrat Christine Jennings continued to urge Congress to throw out the election results.¹⁰

The Government Accountability Office (GAO), which released a report in early October 2007, indicated a year later that despite the assurances by the Florida elections' division, the mystery is still officially unsolved.

"GAO's analysis found that some of the prior tests and reviews conducted by the State of Florida and Sarasota County provide assurance that certain components of the voting systems in Sarasota County functioned correctly, but they are not enough to provide reasonable assurance that the iVotronic DREs did not contribute to the under-vote," the report stated.¹¹

Whatever the cause of the vast numbers of under-votes in the 13th District, the event was disturbing enough to convince Florida Gov. Charlie Crist (R) to do away with electronic voting.¹²

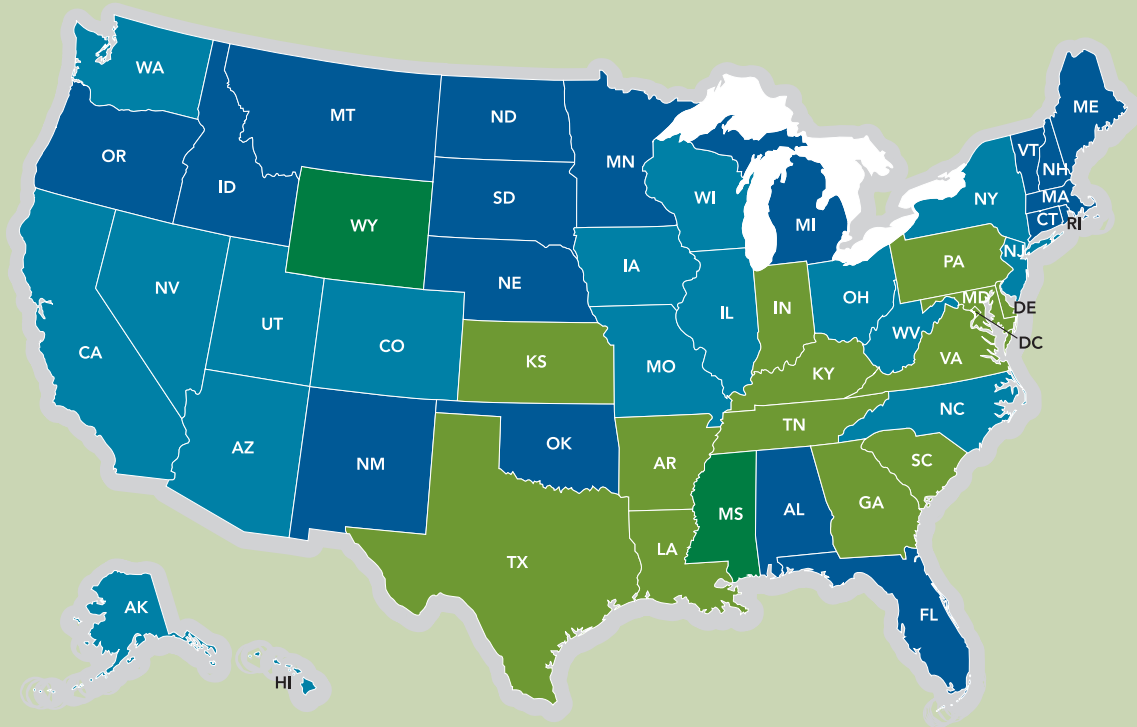
H.B. 537, a \$28 million buyout of all existing DREs so every county in the state would be using optical-scan systems in time for 2008 was signed by Crist in May 2007.¹³ DREs will be in place until 2012, however, a spokesman for the Elections Division estimated 98 percent of voters would cast optical-scan ballots in the 2008 vote.¹⁴

The (re-) introduction of paper

The move away from paperless electronic machines to paper-based voting systems was already well underway, however.

DREs, VVPATs and Paper Ballot Usage

This map details state requirements and/or usage of direct record electronic (DRE) voting machines with voter-verified paper audit trails (VVPATs) and state requirements and/or usage of paper-based ballot voting systems. This map reflects current usage – some states have requirements that do not go into effect until a later date and are noted below.



- DREs that require VVPATs in some or all jurisdictions
- DREs with VVPATs in use; no official VVPAT requirement
- Uses and/or requires paper-based voting systems
- DREs in at least some jurisdictions; VVPATs not required

Notes: Arkansas uses DREs both with and without VVPATs. Florida passed a law in May 2007 requiring all counties to use optical-scan voting machines except for voting machines accessible for disabled voters. DREs can continue to be used until 2012, when they must also be paper-based voting systems. Maryland passed a law in May 2007 requiring the state move to optical scan voting systems by 2010. Massachusetts uses DREs with VVPATs for accessible voting in some jurisdictions. These systems have VVPATs, although they are not required in state law. Of the 18 states that use paper-based voting systems, six use vote-by-phone systems to meet requirements for systems accessible to people with disabilities: CT, ME, NH, OK, OR, VT

Source: Analysis of state law, state election Web sites and VerifiedVoting.org

In 2003, then-California Secretary of State Kevin Shelley mandated the use of voter-verified paper audit trails (VVPATs) with DRE machines.¹⁵

In 2004, Nevada became the first in the nation to employ a statewide voter-verification system that

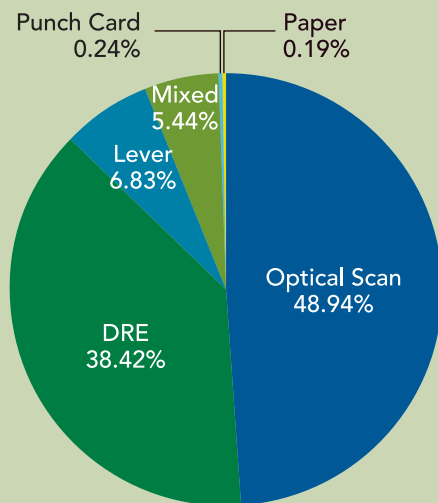
allowed voters to see a paper version of their ballot alongside the electronic version enabling them to make sure both matched up before casting the vote.¹⁶

If the decision by leaders in California and Nevada to require

paper trails was influential in legislatures around the country, Sarasota was most certainly affirming, albeit mostly after the fact.

Legislatures in 18 states had already enacted laws requiring VVPATs or paper ballots by 2005.

Voting system usage as percentage of registered voters, November 2006



Source: Election Data Services, "Voting Equipment Summary for November 2006 Election."

Perennial election battleground Ohio followed California mandating a VVPAT requirement in the first half of 2004.¹⁷

Verified Voting, a California-based organization that advocates independently verifiable voting systems, reported in 2007 that 30 states will require the use of individually-auditable paper record, either with electronic voting machines or paper ballots. They will include some of the most populous – California, Illinois, Florida, New Jersey, North Carolina, New York and Missouri. Three states employ VVPATs but do not require them. A dozen states still employ paperless DRE machines.¹⁸

HAVA expansion to include paper trails seem unlikely

Despite success in state legislatures to introduce paper trails, efforts to amend HAVA in Congress have failed.

H.R. 811, the "Voter Confidence and Increased Accessibility Act of 2007," had the best chance of passage in the latter half of 2007. The bill included mandates for paper trails and would require that the paper version of a vote "shall serve as the vote of record in all recounts and audits."¹⁹

Rep. Rush Holt, D-N.J., the chief sponsor, had secured the support of most of his partisans in the House and a good number of Republicans as well. In total, 216 lawmakers co-sponsored the bill.²⁰ The Senate companion bill, S. 559,

introduced by Sen. Bill Nelson, D-Fla., made little headway.²¹

Holt said in September that confidence in voting systems has only worsened since the passage of HAVA.

"I shudder to think what would happen with another election where millions of Americans don't believe the results," Holt told *The Associated Press*.²²

Yet some experts said the prospect of mandatory paper trails would make elections even more frightening.

Michael Shamos, a professor at Carnegie Mellon University in Pittsburgh, challenged the need and utility of VVPATs during his testimony at a September 2006 hearing.

"The proposed bill, which presumes paper is more secure than electronic, is a proposition shown repeatedly to be wrong throughout history. I am in favor of voter verification, but H.R. 550 does not come close to providing real voter verification," he said.²³

Most election officials propose paper trails

An alphabet soup of leadership groups – including the National Governors' Association, U.S. Conference of Mayors, National Conference of State Legislatures, National Association of Secretaries of State and others – penned a letter to Congressional leaders outlining their numerous objections to Holt's paper-trail bill in September.

"The majority of states already require a voter-verified paper record of every voter's vote. H.R.811 would preempt those laws, requiring states to replace equipment they purchased to comply with the Help America Vote Act of 2002 – even if it already offers a voter-verified paper trail – with technology that does not exist yet," the letter stated. "As a result, it imposes an unfunded federal mandate of unknown proportions. In addition, it contains unnecessary and overly broad requirements for many states to enact hasty changes to their voting laws in the 14 months remaining between now and the 2008 presidential election."²⁴

The paper-trail backlash

While the prospects for passage of a paper trail bill in Congress looked unlikely at press time, VVPATs will still play a potentially significant role in 2008. If recounts become necessary, some early experiences auditing paper trails indicate such a procedure could be difficult.

Researchers from the San Francisco-based Election Science Institute selected a sample of VVPAT spools from the May 2006 primary in Cuyahoga County, Ohio to see if they could get paper-trail ballots to match up with electronic totals. They found just figuring out the VVPAT votes at all was a significant problem.

Tracy Warren, the researcher who led the audit, reported that one out of 10 VVPAT ballots were in some way compromised, damaged or otherwise uncountable.²⁵

Even advocates of verified-voting were horrified. But the blame was more difficult to assign.

"Ten percent is a complete disaster and totally defeats the purpose of a VVPAT," said David Dill, VerifiedVoting's founder. "You can blame it on poll worker training, but there are ways to design equipment that makes user error less likely."²⁶

In the event of a recount, at least 15 states require that the paper trail be used as the ballot of record.²⁷ The Cuyahoga study indicated that should a recount become possible, the new batch of machines meant to cure the ills of earlier forms of voting could end up causing the same old problems. And the potential still exists for the courts, not the voters, to determine the winners and losers.²⁸



Voter Identification: Requirements Increase, Impact at Polls Largely Unknown

At-a-glance

- Polling place voter ID requirements have risen steadily since 2000, from 11 in the Bush v. Gore election to 25 during last year's mid-term vote.
- Efforts to require government-issued photo ID in Indiana and Georgia spurred lawsuits but were ultimately upheld. A Missouri judge struck down a law that would have required photo ID in 2006. The issue could be decided by the U.S. Supreme Court, which has agreed to deliberate Indiana's law, with a decision expected in the midst of the 2008 campaign season.
- Studies on the issue – as well as the way they have been handled by the government agency that commissioned them – have proven controversial.
- The impact in the 2008 election is largely unknown. In states where photo ID is now required, turnout might be affected and/or the number of provisional ballots cast by voters who lacked the requisite ID might increase.

In the five years since the passage of HAVA, whether to require voter ID, and more specifically photo-based verification, has remained among the most controversial issues in election administration and is far more likely to ignite partisan passions. Democrats and Republicans have battled over the requirement in state legislatures, newspaper op-eds and courthouses.

Democrats, almost universally, loathe voter ID rules, viewing such measures as attempts to disenfranchise voters for no logical reason.

"They are making it an issue because they want to suppress the vote," said Sen. Chris Dodd, D-Conn., of a federal bill calling for mandatory photo verification at polls. Such measures, he said, are "unacceptable...un-American and... just flat-out wrong."²⁹

Republicans, however, say such measures are necessary. Presenting ID is a standard procedure at airports, libraries, schools and even video stores.

"By refusing to set a minimum federal standard requiring photo IDs before voting, the Senate failed to seize an opportunity to safeguard the integrity of elections for the future. We cannot afford to be apathetic when faced with an opportunity to strengthen our electoral system. Voting is the cornerstone of our democracy and it is our duty to protect the right of American citizens to lawfully elect their representatives," said Sen. Mitch McConnell, R-Ky., after the Senate rejected his amendment to make photo ID national law.³⁰

The trend has been toward requiring more verification – photo and otherwise – at polling places. The compromise that was

envisioned as part of HAVA has become something of a slam dunk for supporters of voter ID. The number of states requiring all voters to show some sort of verification before casting a ballot in a polling place has increased from 11 in 2000 to 25 in 2007.³¹

As well as having more states requiring one of a number of forms of identification, three states – Indiana, Georgia and Florida – require all voters to show an ID with a photo.³²

In the 36 states that, prior to HAVA passage, had voters sign their names or simply state them as they checked in at the polls, all now mandate at least the minimum outlined by the federal law.³³

Just as they have consistently lost battles in state legislatures when trying to thwart Republican majorities seeking to introduce

universal voter ID or strengthen existing ID laws, Democrats have also had little success in courts.

Lawsuits in Georgia and Indiana failed in the last year. Georgia's Supreme Court dismissed a challenge to the state's photo-only voter ID law in mid-2007, stating the plaintiff lacked standing. The decision came nine months after a state superior court judge held that the law was not allowed under the state constitution because it would disenfranchise voters who lacked ID.³⁴

In 2006, a judge struck down a photo ID law in Missouri that would have required photo ID in the mid-term elections. Gov. Roy Blunt (R) and Secretary of State Robin Carnahan (D) have been at odds over voter ID since both came into office.³⁵

The U.S. Supreme Court could ultimately decide the fate of voter ID after the justices agreed to hear two cases – *Crawford v. Marion County Election Board* and the *Indiana Democratic Party v. Rokita* – both filed after the state's photo ID law was enacted in 2005. It had previously been upheld by a federal judge and subsequently the 7th U.S. Circuit Court of Appeals.³⁶

The Court is expected to hear arguments in early 2008 and could offer an opinion as soon as June 2008.³⁷

Data still incomplete, controversial

While legislatures have been actively debating the issue since the passage of HAVA, no new research has served to further illuminate the debate. Each side

has their story to tell, neither side has produced much that could be considered definitive. Republicans have not presented much evidence of polling-place voter fraud, and Democrats have a hard time producing plaintiffs who have been unable to vote because they did not have necessary verification to vote. U.S. District Judge Harold Murphy dismissed a case in Georgia because the plaintiffs, "failed to uncover anyone" who could not vote because of ID laws.³⁸

Two reports commissioned by the U.S. Election Assistance Commission (EAC) might have been envisioned as providing more clarity, but did little to change battle-hardened stances among Republicans and Democrats, liberals and conservatives.

First, researchers from Rutgers University's Eagleton Institute presented a report to the EAC in mid-2006. Their findings, discussed at a February 2007 EAC meeting, provided recommendations to evaluate future voter ID requirements.

The Eagleton report found states with the "maximum requirement for photo identification had turnout rates nearly 5 percent lower than in states with the minimum requirement – stating one's name at the polls. The data suggested caution when imposing new requirements at the polls, said Thomas O' Neill, one of the Eagleton researchers, in testimony to the EAC.

"We believe... that sound policy on voter ID should begin with an examination of the tradeoffs between ballot security and ballot access. The existing evidence on the

incidence of vote fraud, especially on the kind of vote fraud that could be reduced by requiring more rigorous voter identification, is not sufficient to evaluate those tradeoffs," O'Neill said. "The EAC's recent study of election crimes found, for example, that there has never been a comprehensive, nationwide study of voting fraud and intimidation. Without a better understanding of the incidence of vote fraud and its relationship to voter ID, for now best practice for the states may be to limit requirements for voter identification to the minimum needed to prevent duplicate registration and ensure eligibility."³⁹

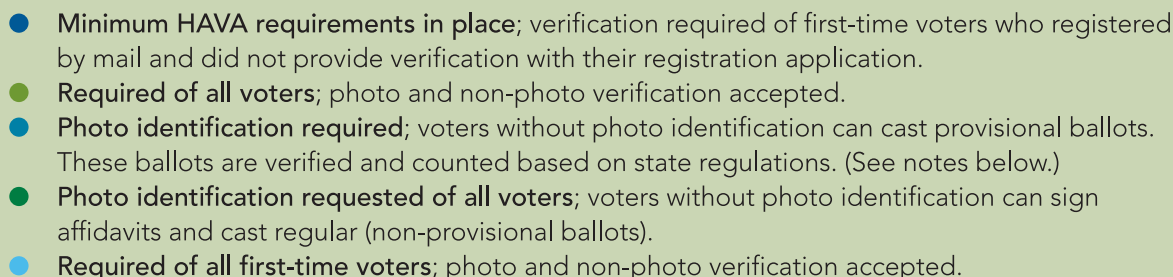
A second report was almost never released at all, at least in its original form, and required Congressional intervention to be available to the public.

Tova Wang, democracy fellow at the Century Foundation, and Job Serebrov, an Arkansas-based attorney, submitted an EAC-commissioned paper on voter ID and fraud in June 2006. According to Wang, the conclusions in that report were "revised by the EAC, without explanation or discussion with me, my co-author or the general public."⁴⁰

The original report, once released, stated that "there is widespread but not unanimous agreement that there is little polling-place fraud, or at least much less than is claimed, including voter impersonation, 'dead' voters, non-citizen voting and felon voters."⁴¹

The December report that was eventually made public was significantly different than the one Wang and Serebrov produced. Wang said she was placed under a

This map details voter verification requirements at the polls.



Source: *electionline.org* survey of state election laws and Web sites.

"The need for this report is even more clear when we see the way the Bush administration is carrying out the electoral process and how this system is sliding toward corruption," stated a joint press release from Reps. Maurice Hinchey, D-N.Y. and Jose Serrano, D-N.Y. "In hiding a draft report that

is significantly different from the final version, the EAC has created a lot more questions than it has answered while stunting debate on the issue.The EAC must never limit discussion and debate."⁴⁴

Eventually, under pressure from Congress, the EAC released the original report from Wang and Serebrov as well as 40,000 pages of documents related to both reports, on a series of CD-ROMs. The EAC launched an internal investigation, and it appears the issue, at least for the time being, has died down.⁴⁵

EAC Chair Donetta Davidson, a Republican appointee, said the commissioners "voted unanimously not to adopt the report citing concerns with its methodology."⁴⁶

But the fight over voter ID is far from over. Research from the Heritage Foundation offered a further analysis – or "reanalysis" of the Rutgers study and had markedly different findings than the New Jersey-based researchers.

"Controlling for factors that influence voter turnout, voter identification laws largely do not have the negative impact on voter turnout that the Eagleton Institute suggests. When statistically significant and negative relationships are found, the effects are so small that the findings offer little policy significance," the report stated.⁴⁷

And with a Supreme Court decision expected just months before the 2008 presidential election, voter ID remains as volatile an issue as it was when HAVA was just an idea.⁴⁸

A mixed impact

When polls open for the 2008 primaries, more voters than ever will be required to present some form of identification. And for those casting ballots in Georgia and Indiana, it marks the first presidential contest in which photo ID will be required.⁴⁹ Data from previous elections give no indication of how the requirements might have an impact on turnout.

It is known, however, that rates of non-precinct voting have been on the rise. Voter ID regimens, even the most strict, are limited to polling places. The number of voters casting ballots from home has risen sharply in recent years.

Paul Gronke, head of the Early Voting Information Center at Reed College and a consultant to Pew's Center on the States, notes that, in the wake of the troubled 2000 vote, "many states have expanded their election systems to include convenience options." Those include both early voting and no-excuse absentee voting.⁵⁰

Voters in a number of ID-required states, including Georgia, Indiana, Florida, Texas and North Carolina, are increasingly voting before election day and not at polling places.

According to the Center, between a quarter to half of all Florida voters will have cast ballots, either early or absentee, before election day.

Between 16 and 25 percent of Georgia voters and between 6 and 10 percent of Indiana voters will do the same.⁵¹



Registration Databases: HAVA's Most Complex Requirement Tries States

At-a-glance

- Despite a mandate requiring certain characteristics of registration databases, the resulting systems have varied significantly from one state to another.
- Four states have been sued by the U.S. Department of Justice for failing to complete their databases in time for the Jan. 1, 2006 deadline.

More than hanging chad, butterfly ballots or Katherine Harris, the scandal that had perhaps the most significant impact in potentially altering the outcome of the 2000 election was a Georgia database company that was hired by the state of Florida to rid registration rolls of duplicate registrants, felons and dead voters.

Counties were provided information from ChoicePoint, a contractor that analyzed the state's list. Many chose to scrub their databases using the information as their guide. The problem was that more than 50,000 people who were legally registered and qualified voters, were removed from voter rolls. *Salon Magazine* estimated nearly 80 percent of those removed from rolls would have voted and nine out of 10 for Al Gore.⁵²

Whether the outcome of the election would have been altered without the Florida purge or not, the database debacle in the Sunshine State prompted lawmakers from both political parties to embrace a

federal mandate for improved voter registration lists. The states, not localities, would be ultimately responsible for who was on them. Links to other governmental agencies would ideally be improved, and communication between localities – and someday perhaps even states – would be streamlined, offering real-time or at least once-a-day updates of voter status.

The new lists would address the weaknesses inherent in local control, namely a lack of central authority, poor communication between agencies and localities and an inability to share information across county lines.⁵³

As of Jan. 1, 2006, states were required to have statewide registration databases systems that, per the Help America Vote Act, were "single, uniform, official, centralized, interactive computerized statewide voter registration list defined, maintained, and administered at the state level that contains the name and registration information of every legally registered voter in

the state. The computerized list shall serve as the single system for storing and managing the official list of registered voters throughout the state."⁵⁴

HAVA's chief Republican sponsor in Congress said the databases would simultaneously reduce fraud and protect voters.

"The current system in many states creates inefficiencies and duplications, as voters often move from one jurisdiction to another within a state without notifying the jurisdiction that they used to live in before they made the move... These statewide systems will make it possible for states to more effectively maintain voter registration information, as they should. States will have more accurate systems to protect voters from being mistakenly removed from the list, while ensuring that costly duplicates that invite voter fraud are quickly removed," stated former Rep. Robert W. Ney, R-Ohio.⁵⁵

Start-up troubles

Completing the lists has been difficult in some places. Officials in Colorado, Kansas and Wyoming initially selected the same vendor – Bermuda-based Accenture. All three eventually severed their relationships with the firm and hired other companies to develop the systems after missed deadlines and functionality problems.⁵⁶

Accenture also developed Pennsylvania's database, which despite some glitches, was completed and is currently operating in the state.⁵⁷

Both Colorado and Wyoming missed the Jan. 1, 2006 deadline. Wyoming's system, built by Salem, Oregon-based Saber Corporation, is scheduled to be complete by December 2007 while Colorado's, also built by Saber, is expected to be operational by May 2008.⁵⁸

Colorado officials have expressed their satisfaction with Saber so far. "They have a proven track record of success. All-in-all, we are very satisfied with the relationship we have built with them," said Jonathan Tee, spokesman for Secretary of State Mike Coffman (R). "We're confident we are on the right path with the right vendor."⁵⁹

Saber now has the largest chunk of the registration system business in the country, having developed or taken over development of systems in 11 states.⁶⁰

Costs have ranged from under \$1 million in South Dakota to around \$20 million in Pennsylvania. The scope and functionality of the database is one factor that has an

effect on cost. In Pennsylvania, the Statewide Uniform Registry of Electors is an election management system that can send out voter ID cards, manage the absentee ballot process and provide numerous reports on voter.⁶¹

Missed deadlines and lawsuits

A dozen states missed HAVA's Jan. 1, 2006 deadline, and at press time, several states were still struggling to finish the job.

Alabama, Maine, New Jersey and New York were sued by the U.S. Department of Justice (DOJ) for non-compliance and entered into agreements to extend the HAVA deadline.⁶² California entered into an agreement with DOJ before 2006 and currently has an interim system in place with a final database slated to be completed in 2009.⁶³

New York also has an interim system in place while New Jersey has completed its HAVA-compliant database.

After missing a new court-mandated Aug. 31, 2007 deadline, Alabama received a two-month extension to complete the system.⁶⁴

Deadlines not the only challenge

Meeting federal requirements to have systems up and running by the start of 2006 was only half the battle. Election officials in a number of states have had problems with the new systems, and some local registrars have been loath to cede

control of what they considered superior local lists to join on to the new statewide system.

Pennsylvania's Accenture-built database is in place but faced troubles during its initial rollout with complaints from county officials that it was both slow and difficult to use.⁶⁵ Similar complaints have been heard in Wisconsin, where the database is up and running but not yet 100 percent HAVA-compliant.⁶⁶

Some Texas counties have opted to drop off the state's election management database stemming from problems during a May 2007 election. Leaders in Henderson County approved leaving the state system and purchasing their own locally-run replacement in the latter half of 2007.⁶⁷

Questions about the security of systems have also arisen. Advocates and academics have pointed out that these systems, which contain detailed voter information, need to have strict security protocols in place on how they are managed and who has access to them.

An audit that included an examination of the Florida's voter registration system issued in June 2006 found a number of potential security holes, including poorly-documented logs recording access, lag times in revoking permission for ex-employees to enter the system and other problems.⁶⁸

Matching records

While acknowledging the potential for statewide voter registration databases to increase the efficiency and accuracy registration process and lists, some advocacy organizations oppose matching criteria that they say has unfairly prevented eligible citizens from having their names on voter rolls.

The problem has occurred when voter information supplied on the registration form is matched with information from other databases such as the department of motor vehicle database or federal Social Security database. In several states, if the data does not match exactly certain information in other databases, such as name, Social Security number, drivers' license number and birth date, the application can be rejected.

Florida and Washington have been sued over matching protocols. The Brennan Center for Justice at the NYU School of Law, which was a plaintiff in both cases, detailed their concerns:

"Database matching can be unreliable...All large databases contain mistakes – typos or transposed fields, for example, that would prevent records from matching even when they represent the same person. Also, databases record information inconsistently, which makes it even more difficult to find proper matches: 'William' may not match 'Will' or 'Billy;' a name may be spelled 'Mohammed' or 'Muhammad;' a maiden name may not match a married name....In Washington State, for example, one woman's birth date was entered into the system as

'1976' instead of '1975' (the year written on her registration form), and when no matching record could be found, her registration form was rejected."⁶⁹

In New York City, Brennan researchers found, "if the right to vote were conditioned on a proper match, up to 20 percent of new voter registrations would have been rejected solely because of data entry errors. Similar "matching" error rates of 20-30 percent were discovered in Washington State. And the Social Security Administration has reported a 28.5 percent failed match rate nationwide."⁷⁰

The Center's lawsuit was successful in Washington in 2006, and is pending after it was filed in Florida in August 2007.

Other voter registration developments

While HAVA has transformed the behind-the-scenes management of voter records, there are other aspects of the registration process it did not address.

The voter interaction with the so-called "front-end" of the process – how, when and where they register to vote – has not seen any radical shift. While there has been some state-level change since 2002 in how potential voters get on registration rolls, the process is much the same as it was 10 years ago – voters filling out paper forms and mailing them in or completing them at a department of motor vehicles office.⁷¹

Two states have moved into the digital age and now offer online voter registration. Arizona introduced online voter registration in 2002, and by 2006, more than half of its new voter registrations were completed online.⁷² In late 2006, Washington Secretary of State Sam Reed (R) introduced a measure to allow online registration in the state beginning in January 2008 and received overwhelming support from the measure in the state legislature.⁷³



Provisional Voting: A Controversy that Wasn't in 2004

At-a-glance

- Policies requiring voters to be in the correct precinct to have their provisional ballots eligible for counting were challenged in lawsuits but ultimately upheld.
- Provisional ballots were anticipated by some experts to be “the hanging chad” of 2004, but were not as the margin of victory exceeded the margin of litigation in Ohio, Florida and other battleground states. But the potential for post-election lawsuits around provisional ballot verification rules in the event of a razor-thin margin of victory in a nationally important race remains.

Beginning in 2004, no person who believed he or she was a registered voter could be turned away from a polling place without being offered a provisional ballot.

The ballots, which are segregated from regular ballots, are only counted if the eligibility of the person as a voter can be determined. While a number of states had similar programs in place – fail-safe ballots, challenged voter ballots or affidavits – the federal mandate for provisional ballots created a national mandate which every state had to follow.

In the 2004 election, provisional ballots were forecast by some to the “new hanging chad.” State laws led to different interpretations of what represented an eligible provisional ballot. In 17 states, ballots would be eligible for verification if they were cast in the correct jurisdiction. Meaning, if voter A went to the wrong polling place, but was still in the correct

county, his provisional ballot would be counted, assuming voter A was a properly registered voter.⁷⁴

In contrast, 28 states required that voter A find the right polling place and cast a provisional ballot there to be eligible to have it counted. Meaning, if voter A was a properly registered voter and accidentally left off the rolls, voter A was still required to find the correct place to vote in order to vote in the election.⁷⁵

The precinct requirement troubled advocates as well as some Democratic Party officials in the states. The media was involved as well.

“The wrong-precinct rule serves no legitimate purpose, and it denies eligible voters the right to vote. States should not wait for a court to tell them that rule is unacceptable. At the very least, election officials who intend to throw away ballots cast in the wrong locations must have a

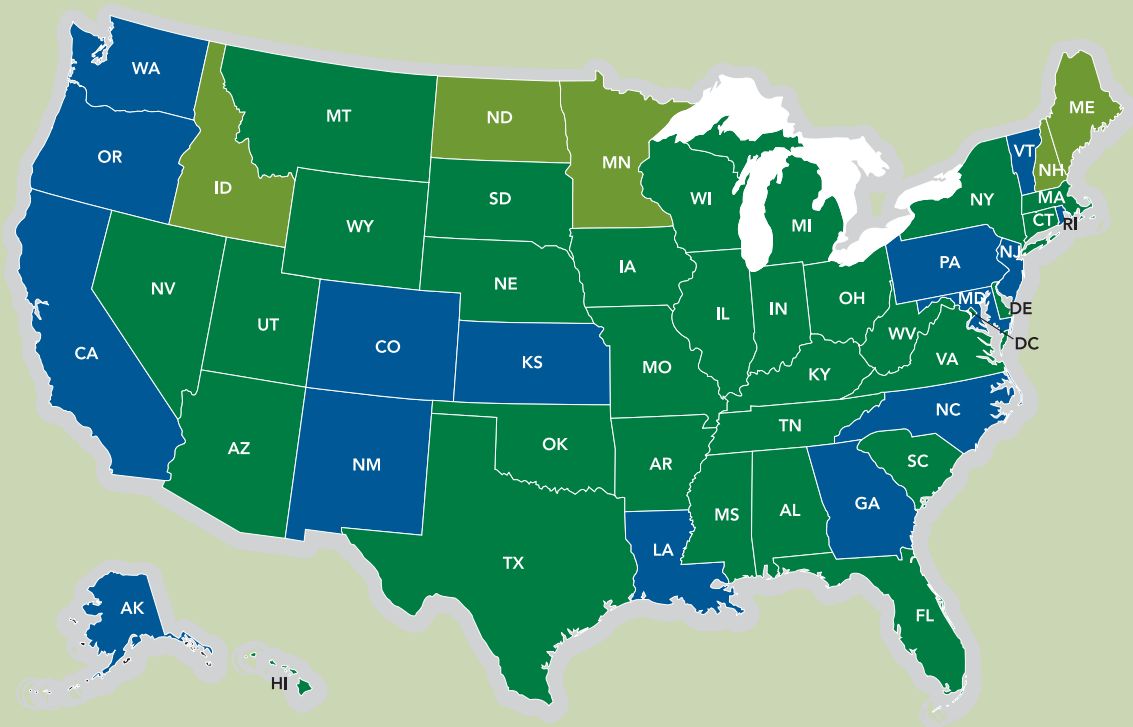
foolproof way of directing voters on Election Day to their correct polling places,” stated a *New York Times* editorial published three months before the 2004 election.⁷⁶

Courts disagreed, and upheld provisional-counting rules in Missouri, Michigan, Colorado, Florida and Ohio.⁷⁷

The impact of provisional ballots in close races could be significant in 2008, but certain conditions must be met. The race must be extremely close, the office must be vitally important and the procedures varying from one locality to another or else susceptible to scrutiny because of shortcomings, oversights or negligence.

Edward Foley, an election law professor at The Ohio State University's Moritz College of Law, said a lack of standardization between localities exists in provisional ballot counting.

Provisional Voting



- Eligible for verification if cast in the correct precinct
- Eligible for verification if cast in correct jurisdiction (county, municipality, parish)
- Exempt from provisional ballot requirements—Election-day registration or no voter registration prior to passage of the National Voter Registration Act

Notes: Utah requires provisional ballots be cast in the correct precinct to be counted unless the ballot cast is identical to the precinct of the voter's residence. Wisconsin and Wyoming, which are exempt from HAVA's provisional ballot requirement because they allow Election Day Registration, offer provisional ballots to voters who cannot meet voter ID requirements. Both require provisional ballots to be cast in the correct precinct to be counted. Maine, which offers election-day registration, allows voters to cast "challenge ballots" rather than re-register if their names are not on the list. North Dakota does not require voter registration.

Source: electionline.org analysis of state laws and administrative rules.

"In some places, the tie goes to the runner, in others, the other way," Foley said. "The need is still there [for uniformity] and, anecdotally, there is considerable disparity from county to county in terms of practices. Some counties bend over backwards to try and validate

provisional ballots and others are sticklers for the rules and procedures. In a statewide race worth fighting over, it might be possible to develop an equal protection claim around this variation and the lack of specific standards on the books."⁷⁸

But of course, as Foley notes, you need a really close race.



Early Primary States

Below are details of election administration procedures in states holding primaries up to and including “Super-Duper Tuesday,” or February 5, 2008. Pennsylvania is likely to hold its primary during the period; however at print time, the date was not yet established.

Alabama



PRIMARY DATE:	February 5
VOTING SYSTEM:	Optical scan and ballot-marking /hybrid device
VOTER ID REQUIREMENTS:	Required of all voters. Photo ID not mandatory. Voters without ID can cast a provisional ballot unless they are identified as a voter by two poll workers.
REGISTERED VOTERS:	2,469,807 ⁷⁹
EARLY VOTING PERIOD:	N/A
REGISTRATION DEADLINE:	10 days before election day

What’s the Story?

- The state was one of four to be sued by the U.S. Department of Justice for failing to comply with the Help America Vote Act mandate for a statewide voter registration database by the Jan. 1, 2006 deadline. The state secured an additional extension after it again failed to meet a deadline of Aug. 31, 2007 for completion. The new database was scheduled to be completed by the end of October 2007, and should be implemented in time for the 2008 primaries.⁸⁰

Unless otherwise cited, information was collected by *electionline.org* using state and local election resources including Web sites and primary-source documents.

Arizona



PRIMARY DATE:	February 5
VOTING SYSTEM:	Optical scan, DRE with VVPAT and ballot marking/hybrid device
VOTER ID REQUIREMENTS:	Required of all voters. Photo ID not mandatory. Those without ID are issued provisional ballot and must present ID within five days of the election. ⁸¹
REGISTERED VOTERS:	2,649,367
EARLY VOTING PERIOD:	January 10 – February 1
REGISTRATION DEADLINE:	Jan. 7, 2008

What's the Story?

- Secretary of State Jan Brewer (R) has threatened to sue the U.S. Election Assistance Commission for the refusal of the federal overseers to tell voters that they must include proof of citizenship on their Federal Voter Registration Form. If Brewer follows through on her threat, it would be the first time the agency has been involved in litigation from a state's chief election official.⁸²
- Past allegations of security breakdowns have prompted Pima County to install security cameras at vote-processing centers, new data transmission protocols as well as require the presence of multiple election division staffers when accessing tabulating software.⁸³

Arkansas



PRIMARY DATE:	February 5
VOTING SYSTEM:	Optical scan and DREs both with and without VVPAT
VOTER ID REQUIREMENTS:	Required of all voters. Photo ID not mandatory. Those without ID may cast provisional ballots.
REGISTERED VOTERS:	1,610,940 ⁸⁴
EARLY VOTING PERIOD:	15 days prior to election day until February 4.
REGISTRATION DEADLINE:	January 5

What's the Story?

- While most of the state has moved to optical-scan voting machines or DREs with VVPAT capabilities, three counties, Union, Columbia and Ouachita continue to use older-generation DREs without paper trails.

Unless otherwise cited, information was collected by *electionline.org* using state and local election resources including Web sites and primary-source documents.

California



PRIMARY DATE:	February 5
VOTING SYSTEM:	Optical scan, DRE with VVPAT and ballot-marking/hybrid device
VOTER ID REQUIREMENTS:	First-time voters who register by mail and do not include verification with their application must present ID (photo or non-photo) at a polling place the first time they cast ballots.
REGISTERED VOTERS:	15,682,358 ⁸⁵
EARLY VOTING PERIOD:	Begins 29 days before election day
REGISTRATION DEADLINE:	Jan. 21, 2008

What's the Story?

- Most DRE machines being used in the state – even those with VVPATs – were decertified by Secretary of State Debra Bowen (D) in August 2007. Only two counties, San Mateo and Yolo, will continue to use electronic voting machines which were re-certified after new procedures were put in place.⁸⁶
- In all, 19 counties will have to make the switch to paper-based voting systems, causing what some county clerks say will be a scramble. Steven Weir, county clerk for Contra Costa County, told the *San Diego Union Tribune* that Bowen did “a great disservice to voters” with her decision. San Diego’s clerk told the paper the process of replacing one voting system for another in her county will be “tumultuous.”⁸⁷
- Bowen has been an outspoken critic of some voting systems in use in parts of the state, particularly electronic machines deployed in populous Riverside and San Bernardino counties. A top-to-bottom review of voting systems Bowen ordered in May was conducted over the summer by experts at the University of California. Problems were found with Sequoia, Diebold and Hart InterCivic systems.⁸⁸

Colorado



PRIMARY DATE:	February 5
VOTING SYSTEMS:	Optical scan, DRE with VVPAT ⁸⁹
VOTER ID REQUIREMENTS:	Required of all voters. Photo ID not mandatory. ⁹⁰
REGISTERED VOTERS:	2,851,021
REGISTRATION DEADLINE:	Jan. 7, 2008 ⁹¹
EARLY VOTING PERIOD:	Starts 10 days before an election ⁹²

What's the Story?

- Electronic poll book crashes led to long lines at vote centers throughout Colorado but particularly in Denver County, leading to the eventual resignation of the county clerk and recorder and Denver Election Commission’s executive director.⁹³ An investigation following the election found that Denver’s technology chief had padded his resume.⁹⁴
- Colorado is in the process of testing voting systems that were purchased by counties after May 28, 2004. On August 29, Colorado Secretary of State Mike Coffman warned voting system vendors Premier Election Systems (formerly Diebold Election Systems), Hart InterCivic, Sequoia Voting Systems and ES&S that failure to submit hardware and documentation for their systems may result in decertification. Vendors must comply by November 16 to avoid decertification.⁹⁵

Unless otherwise cited, information was collected by *electionline.org* using state and local election resources including Web sites and primary-source documents.

Connecticut



PRIMARY DATE:	February 5
VOTING SYSTEMS:	Optical scan, vote-by-phone
VOTER ID:	Required of all voters. Photo ID not mandatory.
REGISTERED VOTERS:	1,989,813 ⁹⁶
REGISTRATION DEADLINE:	Application must be postmarked by the fifth day before a primary election. Voters may also register in person until noon on the last business day before an election. ⁹⁷
EARLY VOTING PERIOD:	N/A

What's the Story?

- In November 2006, voters and election officials in 25 Connecticut towns and cities made a relatively smooth transition from antiquated lever machines to casting ballots using new optical-scan systems. Now the rest of the state is in the process of switching to electronic voting. On September 26, the town of Darien approved the switch to the new machines.⁹⁸ To help those working on the new machines, the New Britain Common Council approved pay raises for poll workers in September.⁹⁹
- With a state law requiring a hand audit for 10 percent of precincts in an election, 11 precincts statewide were chosen randomly for auditing after the state's September primary. The auditing rules will be used for the first time in a federal election in the 2008 cycle.¹⁰⁰

Florida



PRIMARY DATE:	January 29
VOTING SYSTEMS:	Optical scan, DRE for voters with disabilities
VOTER ID REQUIREMENTS:	Photo ID required. Some non-governmental forms are acceptable. Those lacking requisite ID can cast provisional ballots. ¹⁰¹
REGISTERED VOTERS:	10,433,849 ¹⁰²
EARLY VOTING PERIOD:	15 days to two days prior to election
REGISTRATION DEADLINE:	Dec. 31, 2007

What's the Story?

- Gov. Charlie Crist (R) signed H.B. 537 in May 2007, ridding the state of touch-screen voting systems that had been used in more than a dozen counties since the 2002 elections. The state invested more than \$30 million to purchase new precinct-based optical scanners, making the state's elections entirely paper-based.¹⁰³
- For a number of South Florida counties, including Miami-Dade and Broward, the switch from touch-screen systems to optical scan ballots marks the third voting system change in as many presidential election cycles. For more information, visit www.edssurvey.com.
- Florida is one of three states in the country that requires voters to present a photo ID before casting a ballot at a polling place. Voters lacking the requisite ID can cast a provisional ballot. See chart, p. 12, for more information.
- Citizens who are not yet registered to vote will need to do so before New Year's Day. With the state's early primary, the registration deadline falls in 2007 for a 2008 vote.¹⁰⁴

Unless otherwise cited, information was collected by *electionline.org* using state and local election resources including Web sites and primary-source documents.

Georgia



PRIMARY DATE:	February 5
VOTING SYSTEMS:	DRE ¹⁰⁵
VOTER ID REQUIREMENTS:	Photo ID required (government-issued). Voters without ID are issued a provisional ballot and must present ID within two days. ¹⁰⁶
REGISTERED VOTERS:	4,306,371 ¹⁰⁷
REGISTRATION DEADLINE:	Jan. 7, 2008 ¹⁰⁸
EARLY VOTING PERIOD:	One week before election day. ¹⁰⁹

What's the Story?

- A federal judge in September ruled in favor of a law requiring that all voters show photo ID at the polls, marking the defeat of repeated challenges from a coalition including the NAACP, ACLU and League of Women Voters. Judge Harold Murphy ruled that the plaintiffs failed to prove that the law placed “an undue or significant burden” on the right to vote.¹¹⁰
- State election officials reported that only eight voters in 22 counties during the September primary election lacked ID at the polls and needed to cast provisional ballots.¹¹¹ Others charged that there were few complaints because those without ID simply didn’t show up to vote. State Democratic Party chair Jane Kidd said that she expects the real test of the law to come during the presidential preference primary.¹¹²
- Gov. Sonny Perdue (R) signed two election bills into law, one increasing the penalty for election fraud and the other allowing election officials to begin counting absentee ballots at the beginning of election day.¹¹³
- In April, a voter reported that he had found what appeared to be voter registration cards dumped in a garbage bin in south Atlanta. It turned out that in moving from one storage facility to another, Fulton County trashed 93,000 voter registration cards. The state could fine Fulton County \$5,000 per card – or more than \$465 million – for the error.¹¹⁴

Idaho



PRIMARY DATE:	February 5
VOTING SYSTEMS:	Optical scan, punch card, hand-counted paper ballot, ballot marking/hybrid device
VOTER ID REQUIREMENTS:	First-time voters who register by mail and do not include verification with their application must present ID (photo or non-photo) at a polling place the first time they cast ballots.
REGISTERED VOTERS:	693,965 ¹¹⁵
REGISTRATION DEADLINE:	Election-day registration. ¹¹⁶
EARLY VOTING PERIOD:	In-person absentee voting ends at 5 p.m. the day before an election. ¹¹⁷

What's the Story?

- Ada County is in the process of switching to an optical scan system from punch cards.¹¹⁸
- Inspired by their counterparts in Washington and Oregon, the Idaho County Clerks and Records Association and the Idaho Association of Counties are encouraging the state legislature to consider supporting vote-by-mail legislation.¹¹⁹ Two vote-by-mail bills, H.B. 94 and H.B. 95, failed to pass.
- Idaho is the only state in the nation still using punch-card balloting. The punch-card voters represent 0.2 percent of registered voters nationwide.¹²⁰

Unless otherwise cited, information was collected by *electionline.org* using state and local election resources including Web sites and primary-source documents.

Illinois



PRIMARY DATE:	February 5
VOTING SYSTEMS:	Optical scan, DRE with VVPAT, ballot marking/hybrid device
VOTER ID REQUIREMENTS:	First-time voters who register by mail and do not include verification with their application must present ID (photo or non-photo) at a polling place the first time they cast ballots.
REGISTERED VOTERS:	7,263,969 ¹²¹
REGISTRATION DEADLINE:	30 days before election
EARLY VOTING PERIOD:	22 days to five days before an election

What's the Story?

- The U.S. Department of Justice sued Kane County for failing to provide enough bilingual poll workers in November 2006. The county has formed an advisory board to help recruit enough Spanish-speaking poll workers for the February 5 primary.¹²²

Michigan



PRIMARY DATE:	January 15
VOTING SYSTEMS:	Optical scan, ballot marking/hybrid device
VOTER ID REQUIREMENTS:	Photo ID required (affidavit must be signed if no ID is presented) ¹²³
REGISTERED VOTERS:	7,180,778 ¹²⁴
EARLY VOTING PERIOD:	N/A
REGISTRATION DEADLINE:	Dec. 17, 2007

What's the Story?

- As of early October, most of the major Democratic candidates had dropped out of the Michigan primary, objecting to what they said was a violation of national party rules for choosing the mid-January date.¹²⁵
- Since Michigan conducts an open primary – meaning voters can cast ballots for either party regardless of registration – disaffected Democrats could factor heavily in the Republican primary if they choose to cast ballots in that race instead.¹²⁶
- The state's Supreme Court ruled in 2007 that voters must either present a photo ID or sign an affidavit confirming their identity. The law, originally enacted in 1996, was never enforced because of a ruling issued by the state's attorney general. Acceptable forms of photo ID include state and federally-issued picture ID, tribal ID or school ID from a high school or accredited higher education institution.¹²⁷

Unless otherwise cited, information was collected by *electionline.org* using state and local election resources including Web sites and primary-source documents.

Minnesota



PRIMARY DATE:	February 5
VOTING SYSTEMS:	Optical scan and ballot marking/hybrid device
VOTER ID REQUIREMENTS:	First-time voters who register by mail and do not include verification with their application must present ID (photo or non-photo) at a polling place the first time they cast ballots.
REGISTERED VOTERS:	3,118,515 ¹²⁸
REGISTRATION DEADLINE:	Election-day registration
EARLY VOTING PERIOD:	In-person absentee voting starts 30 days prior to election day.

What's the Story?

- After voters in Minneapolis approved a plan for instant runoff voting in 2005 for use in the 2009 city election, the attorney general issued an opinion arguing that the plan may be unconstitutional. The attorney general compared the plan to a plan in Duluth that was ruled on in a 1915 state Supreme Court decision which is slightly different from the Minneapolis plan.¹²⁹

Missouri



PRIMARY DATE:	February 5
VOTING SYSTEMS:	DRE with VVPAT, ballot marking/hybrid device
VOTER ID REQUIREMENTS:	Required of all voters (photo not required). Voters without requisite ID can cast a ballot if two election judges – one from each party – attest that they know them. ¹³⁰
REGISTERED VOTERS:	4,007,174 ¹³¹
REGISTRATION DEADLINE:	Jan. 9, 2008
EARLY VOTING PERIOD:	N/A

What's the Story?

This marks the first presidential election in which Missouri voters will be required to show ID at the polls. An effort to require photo ID, approved by lawmakers and signed by Gov. Roy Blunt in 2006 was struck down by a judge. Blunt and Secretary of State Robin Carnahan have been at odds over voter ID requirements since she took office.¹³²

New Hampshire



PRIMARY DATE:	To be announced
VOTING SYSTEMS:	Optical scan and vote-by-phone
VOTER ID REQUIREMENTS:	First-time voters who register by mail and do not include verification with their application must present ID (photo or non-photo) at a polling place that first time they cast ballots.
REGISTERED VOTERS:	850,836
REGISTRATION DEADLINE:	Election-day registration

Unless otherwise cited, information was collected by *electionline.org* using state and local election resources including Web sites and primary-source documents.

New Jersey



PRIMARY DATE:	February 5
VOTING SYSTEMS:	DRE
VOTER ID REQUIREMENTS:	First-time voters who register by mail and do not include verification with their application must present ID (photo or non-photo) at a polling place the first time they cast ballots.
REGISTERED VOTERS:	4,848,956 ¹³³
REGISTRATION DEADLINE:	21 days prior to election day
EARLY VOTING PERIOD:	N/A

What's the Story?

- A superior court judge ruled in September that the state had made a good-faith effort to add printers to their existing voting machines and allowed the attorney general to petition the state legislature for an extension on a deadline that required the attachment of printers to all 10,000 voting machines. Over the summer, the New Jersey Institute of Technology (NJIT) found flaws in the printers that election officials considered adding to their current voting machines to comply with a state law requiring that the voting machines produce a paper ballot by January 2008.¹³⁴ As such, voting machines will not have paper trails for the presidential preference primary.
- A report released in September by state public advocate Ronald Chen found that only 20 percent of the state's polling places are accessible to voters with disabilities.¹³⁵ The report examined 121 of the state's 3,500 polling places and only 24 polls were accessible. Seventy one of the 97 deficient polls had physical barriers that could prevent a voter with disabilities from casting a ballot, such as narrow doorways, heavy doors or steep ramps.¹³⁶
- The Asian American Legal Defense and Education Foundation (AALDEF) is lobbying the state to provide ballots in Korean, Chinese and Gujarati. Bergen County alone has more than 40,000 Koreans and Glenn Magpantay, a staff attorney with AALDEF said that more than 75 percent of Koreans in towns including Fort Lee and Palisades Park identified themselves as having limited English proficiency.¹³⁷

New Mexico



PRIMARY DATE:	February 5
VOTING SYSTEMS:	Optical scan and ballot marking/hybrid device
VOTER ID REQUIREMENTS:	Required of all voters. Voter ID not mandatory. Voters without ID can cast provisional ballots. ¹³⁸
REGISTERED VOTERS:	1,077,318 ¹³⁹
REGISTRATION DEADLINE:	28 days before election day
EARLY VOTING PERIOD:	28 days pre-election until the Saturday before election day

What's the Story?

- After the state completed a conversion from electronic to paper-based ballots, researchers from the California Institute of Technology, MIT, University of New Mexico and University of Utah found that more than eight in 10 voters in New Mexico's 2006 election reported that their experience was either good or excellent. Gov. Bill Richardson (D) said that the report is proof that states can successfully transfer from an electronic voting system to a paper-based system within less than one year.¹⁴⁰

Unless otherwise cited, information was collected by *electionline.org* using state and local election resources including Web sites and primary-source documents.

New York



PRIMARY DATE:	February 5
VOTING SYSTEMS:	Lever, ballot marking/hybrid device
VOTER ID REQUIREMENTS:	First-time voters who register by mail and do not include verification with their application must present ID (photo or non-photo) at a polling place the first time they cast ballots.
REGISTERED VOTERS:	11,222,042 ¹⁴¹
REGISTRATION DEADLINE:	25 days before election day
EARLY VOTING PERIOD:	N/A

What's the Story?

- The state elections board requested an extension from the U.S. Department of Justice in September to delay the installation of new voting machines until 2009. The state needs to replace more than 20,000 lever machines with accessible voting systems to comply with a federal court order. State election board members disagree over the best way to accommodate voters with disabilities before they can replace all of the lever machines, with some members lobbying for one accessible voting machine in each polling place and others arguing that those machines may be junked soon after purchase if the state opts to implement a different system.¹⁴²

North Dakota



PRIMARY DATE:	February 5
VOTING SYSTEMS:	Optical scan, ballot marking/hybrid device
VOTER ID REQUIREMENTS:	Required of all voters. Photo not required. Those without ID can vote if their identity is verified by a poll worker or they complete an affidavit. ¹⁴³
REGISTERED VOTERS:	N/A (no voter registration)
REGISTRATION DEADLINE:	N/A
EARLY VOTING PERIOD:	15 days prior to election

Oklahoma



PRIMARY DATE:	February 5
VOTING SYSTEMS:	Optical scan and vote-by-phone
VOTER ID REQUIREMENTS:	First-time voters who register by mail and do not include verification with their application must present ID (photo or non-photo) at a polling place the first time they cast ballots.
REGISTERED VOTERS:	2,075,561 ¹⁴⁴
REGISTRATION DEADLINE:	24 days prior to election
EARLY VOTING PERIOD:	Friday, Saturday and Monday before election day

Unless otherwise cited, information was collected by *electionline.org* using state and local election resources including Web sites and primary-source documents.

South Carolina



PRIMARY DATE:	January 19 (Republicans); January 29 (Democrats)
POLLING PLACE VOTING SYSTEMS:	Direct recording electronic (DRE) without voter-verified paper audit trail; optical scan
VOTER ID REQUIREMENTS:	A state-issued photo ID or voter registration certificate. ¹⁴⁵
REGISTERED VOTERS:	2,495,750 ¹⁴⁶
EARLY VOTING PERIOD:	N/A
REGISTRATION DEADLINE:	December 19 (Republicans); December 29 (Democrats)

What's the Story?

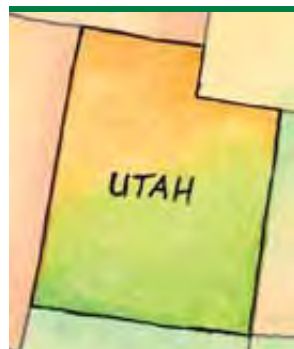
- According to a spokesman for the state, the two primaries – if they are kept as originally scheduled – will cost the same as one, since there will be half as many poll workers necessary and precincts can be combined for the race. The cost is estimated to be between \$2.1 million to \$2.4 million.¹⁴⁷
- All counties use paperless touch-screen electronic voting machines without voter-verified paper audit trails. A bill to require VVPATs died in the state senate in January 2007.¹⁴⁸

Tennessee



PRIMARY DATE:	February 5
VOTING SYSTEMS:	Optical scan and DRE
VOTER ID REQUIREMENTS:	Required of all voters. Photo ID not mandatory. Voters without ID can sign an affidavit. ¹⁵⁰
REGISTERED VOTERS:	3,305,881 ¹⁵¹
REGISTRATION DEADLINE:	30 days prior to election
EARLY VOTING PERIOD:	January 16 to 31

Utah



PRIMARY DATE:	February 5
VOTING SYSTEMS:	DRE with VVPAT ¹⁵²
VOTER ID REQUIREMENTS:	First-time voters who register by mail and do not include verification with their application must present ID (photo or non-photo) at a polling place the first time they cast ballots.
REGISTERED VOTERS:	1,474,483 ¹⁵³
REGISTRATION DEADLINE:	Jan. 7, 2008 for mail-in forms, January 22 for in-person registration. ¹⁵⁴
EARLY VOTING PERIOD:	January 22 to February 1 ¹⁵⁵

Unless otherwise cited, information was collected by *electionline.org* using state and local election resources including Web sites and primary-source documents.



Selected Sources

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Doug Chapin, project director, 202-552-2000

Dan Seligson, project manager for publications, 202-552-2039

Sean Greene, project manager for research, 202-552-2041

Voter registration/ databases

Association for Computing Machinery – Committee on Guidelines for Implementation of Voter Registration Databases

Subject(s): Voter Registration Databases – Technical
Paula Hawthorn, Ph.D, co-chair
usacm.acm.org/usacm/VRD/
Hawthorne is a database and information privacy consultant and a former executive at Hewlett-Packard. She recently chaired the ACM study commission for Voter Registration Databases, which provided a set of eight recommendations for local and state election officials as they implement the HAVA database requirements. Hawthorn remains active in developing solutions for technical and organizational challenges facing election officials around the country.

Brennan Center for Justice – Democracy Program

Subject: Voter Registration Databases – Policy, Voting Rights
Wendy R. Weiser, deputy director
(212) 998-6730
wendy.weiser@nyu.edu
www.brennancenter.org/subpage.asp?key=38&proj_key=76
As deputy director of the Democracy

Program, Weiser works on a range of litigation, scholarship, and advocacy matters concerning voting rights, election reform, and fair courts. She is a co-author of *Making the List: Database Matching and Verification Processes for Voter Registration*, a Brennan Center publication detailing best practices for states to use in designing and implementing registration lists that match voter records against other statewide databases and identifying the possible negative voting rights implications of matching. Weiser has testified before the U.S. Election Assistance Commission (EAC) regarding their voluntary guidance on registration databases.

California Voter Foundation

Subject: Voter Registration Databases – Privacy, Voting Technology
Kim Alexander, president and founder
(916) 441-2494
www.calvoter.org
Alexander is the president and founder of the California Voter Foundation, which is dedicated to “advancing the responsible use” of technology in the voting process. She is co-author of the CVF publication, *Voter Privacy in the Digital Age*, which assesses the data gathering and dissemination policies of election officials from all 50 states.

Demos: A Network for Ideas and Action

Subject: Voter Registration Databases – Administration/Policy
Miles Rapoport, president
(212) 633-1405
mrapoport@demoss.org
www.demos.org
Prior to assuming the helm at Demos, Rapoport served for 10 years in the Connecticut legislature. As a state legislator, he was a leading expert on electoral reform, chairing the Committee on Elections. In 1994, he was elected as Secretary of the State of Connecticut. His articles have appeared in national magazines and newspapers, and he is the founder of Northeast Action, a leading political reform organization in New England.

League of Women Voters

Subject: Voter Registration Databases – Security
Jeanette Senecal, director – Elections/E-Democracy
(202) 429-1965
www.lwv.org
Senecal is director of election and e-democracy programs for the League of Women Voters, including research and advocacy on issues of registration database security. Senecal was co-author of the 2004 League report, “Helping America Vote: Safeguarding

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Sean Greene, project manager for research, 202-552-2041

the Vote,” which identifies challenges and solutions to security and voter privacy issues facing states as they implement their new registration databases.

Michigan Department of State – Bureau of Elections

Subject: Voter Registration Databases; Professional Associations, Organizations, and Agencies
Chris Thomas, Director of Elections
(517)373-2540

www.michigan.gov/sos/0,1607,7-127-1633—,00.html

As Michigan’s Director of Elections, Thomas has been instrumental in implementing HAVA requirements in Michigan, and in selecting a new optical scan voting system for the state of Michigan. He has testified before the EAC and other organizations, and has served on many panels and discussions on election administration and reform over the past few years.

Oregon Secretary of State’s Office – Elections Division

Subject: Voter Registration Databases – Administration/Implementation, Election Administration
John Lindback, elections director
(503) 986-1518

john.w.lindback@state.or.us

www.sos.state.or.us/elections/

Lindback has served as the Elections Director for Oregon since 2001, and has overseen the development and implementation of the Oregon Centralized Voter Registration Project. He was appointed as a member of the EAC Standards Board and served as a member of the focus group developing the EAC’s Guidance on Voter Registration Database design and implementation. He has testified numerous times before the EAC and other bodies on various issues related to registration databases and election administration.

Overseas Vote Foundation

Subject: Voter registration requirements, overseas voters, absentee voting.
Susan Dzieduszycka-Suinat, President and CEO
(202) 470-2480

www.overseasvotefoundation.org

Overseas Vote Foundation assists overseas American citizens and uniformed services voters in registering faster, more easily and more accurately. Software designed to simplify the registration process for overseas voters was supported by The Pew Charitable Trusts.

United States Elections Project

Subject: Voter Registration - Analysis
Michael McDonald
703-993-4191

mmcdon@gmu.edu

elections.gmu.edu

McDonald is an associate professor of government and politics at George Mason University’s Department of Public and International Affairs. In addition to studying the wide variety of state registration procedures and turnout, he also analyzed data for the Election Assistance Commission’s 2004 Election Day Survey. McDonald has served as a consultant for the Pew Center on the States.

Voting Industry News

Subject: Voter Registration Databases – Administration/Implementation
Chris Wilson, founder
chriswilson@votingindustry.com
Phone: 614-425-2074

www.votingindustry.com

Wilson has worked in election administration for 13 years for voting technology companies and for local boards of election. The site provides information on voter registration systems and is currently focusing on emerging technology in the field.

Voting technology

ACCURATE – Center for Correct, Usable, Reliable, Auditable, and Transparent Elections

Subject: Voting Technology/Security – Research

Avi Rubin, director/professor of computer science, Johns Hopkins University
rubin@cs.jhu.edu

www.accurate-voting.org

www.cs.jhu.edu/~rubin/

Avi Rubin is professor of computer science at Johns Hopkins University, teaching courses in computer security and privacy. Rubin’s primary research focus is the security of electronic voting. He maintains a blog on election administration issues (avi-rubin.blogspot.com). Rubin and several colleagues were recently rewarded an NSF grant to establish the ACCURATE Center, and Rubin recently published a new book, *Brave New Ballot*, on electronic ballot security. Rubin also serves as an election judge in Baltimore County, Md.

American Association for People with Disabilities – Disability Vote Project

Subject: Voting Technology – Accessibility

Jim Dickson, vice president for governmental affairs

(202) 457-0046

aapd@aol.com

www.aapd.com/dvpmain/dvpindex.php

The AAPD Disability Vote Project promotes the full participation in democratic participation on an equal and independent basis for all voters with disabilities. The project provides information and research on accessible voting systems to voters with disabilities and the general public. Dickson leads the Association’s Disability Vote Project, a coalition of 36 national disability-related organizations, that focuses on election reform, polling-place access, voter registration and education and get-out-the-vote drives.

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Sean Greene, project manager for research, 202-552-2041

Brennan Center for Justice – Democracy Program

Subject: Voting Technology – Research, Voting Rights

Lawrence Norden, associate counsel
(212) 998-6730

lawrence.norden@nyu.edu

www.brennancenter.org/subpage.asp?key=38&init_key=105

As associate counsel at the Brennan Center, Norden primarily works in the areas of voting technology, voting rights, and government accountability. He was also the project director and principal author of the Brennan Center's 2006 report on voting technology, *The Machinery of Democracy: Voting System Security, Accessibility, Usability, and Cost*.

CalTech/MIT Voting Technology Project

Subject: Voting Technology – Research
www.votingtechnologyproject.org

Michael Alvarez, CalTech, co-director
(626) 395-4422

rma@hss.caltech.edu

Jonathan Katz, co-director, CalTech
(626) 395-4191

jkat@caltech.edu

Ron Rivest, MIT

(617) 253-5880

[rivest@mit.edu](mailto:rivist@mit.edu)

Ted Selker, MIT

(617) 253-6968

selker@media.mit.edu

Charles Stewart

(617) 253-3127

cstewart@mit.edu

The CalTech/MIT Voting Technology Project (VTP) was established in December 2000 to provide the policymaking community with sound, academic research of issues regarding voting technology. The VTP includes more than a dozen academic researchers that produce occasional papers and reports on issues of voting technology, election management, election fraud, threats to elections, and convenience voting.

Computer Professionals for Social Responsibility – Voting Technology

Subject: Voting Technology – Research/Advocacy

(415) 839-9355

cpsa@cpsa.org

www.cpsa.org

Computer Professionals for Social Responsibility have been studying voting machines and the human-machine interface of voting for twenty years. They provide occasional reports, submit amicus briefs in court cases regarding voting technology, and in 2004 partnered with the Verified Voting Foundation (see below) on the Election Incident Reporting Project.

Election Data Services

Subject: Voting Technology – Research
Kimball Brace, president

kbrace@electiondataservices.com

Phone: 202-789-2004

www.electiondataservices.com/home.htm

Founded 30 years ago, Election Data Services provides voting equipment maps and reports. The reports detail voting equipment usage nationwide. Brace has collected the data for both the 2004 and 2006 Election Assistance Commission's Election-Day Survey and has also testified before the EAC on a variety of election administration topics.

Election Systems & Software (ES&S)

Subject: Voting Technology – Vendors
Amanda Brown, media relations
(314) 982-7718

www.essvote.com/HTML/home.html

ES&S is one of the primary voting machine suppliers in the country. As a manufacturer of both touchscreen and optical scan systems, ES&S machines are currently used in nearly 1,700 jurisdictions in 43 states.

Election Technology Council

Subject: Voting Technology – Vendors
David Beirne, executive director
(713) 896-9292

dbierne@electiontech.org

www.electiontech.org/

The Election Technology Council is an association of voting equipment vendors supporting policies that help voters exercise their right to vote and have their votes counted accurately. Current membership includes Sequoia Voting Systems, Election Systems & Software (ES&S), Hart Intercivic, Premier Election Solutions (formerly Diebold Election Systems).

Everyone Counts

Paul DeGregorio, chief operating officer
858-427-4673

www.everyonecounts.com/index.php/home

In June 2007 DeGregorio was named chief operating officer of Everyone Counts, a company that provides and supports technology for Internet voting, polling and surveys. From 2003-2007 he served as a member of the U.S. Election Assistance Commission. Previously, he spent 10 years at IFES, a non-governmental organization that supports the building of democratic societies across the world and eight years as director of elections for St. Louis County, Mo.

Hart Intercivic

Subject: Voting Technology – Vendors
Peter Lichtenheld, media relations
(512) 252-6578

plichtenheld@hartic.com

www.hartic.com

Hart Intercivic is one of the largest voting machine suppliers in the country. Suppliers of both direct recording electronic (DRE) and optical-scan systems, Hart machines are currently used in California, Colorado, Texas, Virginia and Washington, among other states.

Kennesaw State University – Center for Election Systems

Subject: Voting Technology - Research
Merle King, Executive Director

mking@kennesaw.edu

elections.kennesaw.edu/index.html

The Center for Election Systems was established in 2002 as a partnership between Georgia's Secretary of State and Kennesaw State University to assist in the acquisition, installation, and

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Sean Greene, project manager for research, 202-552-2041

maintenance of a uniform, statewide voting system. Mr. King is an associate professor of Information Systems at Kennesaw State University and has served as Executive Director of the Center for Election Systems since 2002.

Leon County Supervisor of Elections Office

Subject: Voting Technology – Administration, Election Official
Ion Sancho, Supervisor of Elections – Leon County, Fla.
(850)606-8683
www.leoncountyfl.gov/elect/index.asp
Sancho is currently serving his fifth term as Supervisor of Elections for Leon County, Florida, having first been elected to the post in 1988. During his years of service as Leon County's Supervisor of Elections, Sancho has devoted special attention to modernizing the county's voting system and increasing the participation of citizens in the democratic process.

National Institute of Standards and Technology (NIST)

Subject: Voting Technology – Research/Standards/Certification
Gail Porter, media relations
(301) 975-3392
gail.porter@nist.gov
vote.nist.gov/index.htm
NIST is tasked by the Help America Vote Act (HAVA) to help the Election Assistance Commission (EAC) create voluntary voting system guidelines, to establish an accreditation program for labs conducting voting machine certification testing, and to include voting system software in its National Software Reference Library.

Premier Election Solutions

Subject: Voting Technology – Vendors
Chris Riggall, media relations
(800) 433-8683 ext. 1112
Christopher.Riggall@premierelections.com
www.premierelections.com
Premier Election Solutions, formerly known as Diebold Election Systems, is one of the primary voting machine suppliers in the country. In 2006,

Diebold machines were used in Georgia, Maryland, Mississippi, Utah among other states.

Sarasota County Supervisor of Elections Office

Subject: Voting Technology – Administration/Accessibility, Election Official
Kathy Dent, Supervisor of Elections – Sarasota County, Fla.
(941)861-8600
www.srquelections.com/
Dent is currently serving her second term as Supervisor of Elections for Sarasota County, Fla., having been first elected in 2000. She is also currently serving as President of the Florida State Association of Supervisors of Elections. In her time as Supervisor of Elections, Dent has worked hard to ensure that elections in Sarasota County are accessible and has developed programs to involve elementary, middle, and high school students in the elections process.

Sequoia Voting Systems

Subject: Voting Technology – Vendors
Michelle Shafer, media relations
(800) 347-4702
mshafer@sequoiavote.com
www.sequoiavote.com
Sequoia Voting Systems is one of the primary voting machine suppliers in the country, and a manufacturer of both touchscreen and optical scan systems. Over the past 14 years, Sequoia voting machines have been used in fourteen states.

University of Utah

Subject: Voting Technology – Research
Thad Hall, assistant professor, Department of Political Science
thad.hall@poli-sci.utah.edu
Hall is an assistant professor in the Department of Political Science at the University of Utah. His primary research interest is in election administration and implementation of voting technologies. Hall is currently the principal investigator of the U.S. Election Assistance Commission's Vote Count and Recount Study. He also helps

maintain a blog on election administration (electionupdates.caltech.edu) and coauthored the book, *Point, Click, and Vote: The Future of Internet Voting*.

Voter verifiable paper audit trails/voting system accuracy, reliability

Black Box Voting

Subject: Voter Verifiable Paper Audit Trails
Bev Harris
crew@blackboxvoting.org
www.blackboxvoting.org
Harris is the founder of Black Box Voting, a nonpartisan elections watchdog group. She popularized the term "Black Box Voting" while authoring a book of the same title. Harris and her organization were invited to conduct a series of tests on voting systems in Leon County, Fla. and has been invited to test systems elsewhere in the United States. Her work is featured in the HBO documentary *Hacking Democracy*.

Carnegie Mellon University

Subject: Voting Technology – Research
Michael Shamos
(412) 268-8193
shamos@cs.cmu.edu
Shamos is distinguished career professor in the School of Computer Science at Carnegie Mellon University. Shamos studies ecommerce and election voting systems. He has served as an examiner of electronic voting systems, including as a consultant to the Secretary of the Commonwealth of Pennsylvania, the Texas Attorney General and the Secretary of State of Nevada. He has also testified before numerous state legislatures, the United States House of Representatives, and the Election Assistance Commission.

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Center for Election Integrity –Cleveland-Marshall College of Law

Subject: Voting Technology/ Audits – Research

S. Candice Hoke, director
candice.hoke@law.csuohio.edu
<http://urban.csuohio.edu/cei/>

Hoke's research focuses on integrity and transparency of elections. She was appointed to the three-person Cuyahoga Election Review panel, which investigated the causes of the May 2006 primary fiasco. The panel produced more than 300 recommendations for reform. Hoke has been sought for counsel several election law issues, including recounts and provisional ballots.

Common Cause

Subject: Voter Verifiable Paper Audit Trails – Advocacy

Susannah Goodman, director of Voting and Election Reform
(202) 736-5777

www.commoncause.org/site/pp.asp?c=dkLNK1MQIwG&b=228625

Common Cause is an advocacy organization promoting the use of voter verifiable paper audit trails (VVPATs) on all direct recording electronic (DRE) machines used in American elections. As director of election reform efforts for Common Cause, Goodman promotes the use of VVPATs through national and local lobbying efforts, occasional reports, and frequent blog posts.

Information Technology and Innovation Foundation

Subject: Voter Verifiable Paper Audit Trails – Research

Daniel Castro, senior analyst
(202) 449-1351

dcastro@innovationpolicy.org
www.itif.org/index.php?id=79

Castro recently authored a report for the Information Technology and Innovation Foundation that questions the necessity of voter verifiable paper audit trails (VVPATs). The report, "Stop the Presses: How Paper Trails Fail to Secure e-Voting," recommends that rather than mandating VVPATs

Congress should support electronic means of verifying a voter's selections, as well as fund research into new secure cryptographic voting protocols.

League of Women Voters – Democracy Program

Subject: Voter Verifiable Paper Audit Trails – Advocacy

Jeanette Senecal, director – Elections/E-Democracy
(202) 429-1965

www.lwv.org

Senecal is director of election and e-democracy programs for the League of Women Voters, including advocacy for the use of voter verified paper audit trails (VVPATs). Through open letters, testimony before state and national legislatures, and publication by the national office and local chapters, the League promotes providing a permanent paper record of all votes cast in American elections.

Stanford University

Subject: Voter Verifiable Paper Audit Trails – Advocacy

David Dill, professor
(650) 725-3642
dill@cs.stanford.edu

Dill is the founder of the Verified Voting Foundation, a national organization that promotes the inclusion of a paper record for all votes cast in American elections. He is a professor of computer science at Stanford University and is the author of the "Resolution on Electronic Voting," calling for paper trails and supported by many computer scientists, legislators and activists nationwide.

Verified Voting Foundation

Subject: Voter Verifiable Paper Audit Trails – Advocacy

Courtenay Strickland Bhatia, media relations
(415) 487-2255

press@verifiedvoting.org
www.verifiedvoting.org

The Verified Voting Foundation is an educational and lobbying organization that promotes the full verifiability of all votes cast in American election through

the use of permanent paper records.

Voters Unite

Subject: Voter Verifiable Paper Audit Trails

John Gideon, co-director
jgideon@votersunite.org
www.votersunite.org

Gideon is co-director and information manager for VotersUnite. He maintains current news links on the VotersUnite website and compiles news articles for activists, attorneys, election officials, elected officials and others interested in election reform. Gideon has been effective in lobbying legislators in Washington State to introduce and pass legislation requiring voter verifiable paper audit trails.

Voter ID

Barnard College

Subject: Voter ID

Lori Minnite

212.854.4385

lcm25@columbia.edu

Minnite is an assistant professor of political science. She is the author of "The Politics of Voter Fraud," which finds that "fraudulent voting, or the intentional corruption of the voting process by voters, is extremely rare. Yet, false or exaggerated claims of fraudulent voting are commonly made in close electoral contests, and later cited by proponents of laws that restrict voting."

Brennan Center for Justice (NYU School of Law)

Subject: Voter ID

Susan Lehman, director of communications and strategy
(212) 998-6730

Susan.Lehman@nyu.edu

www.brennancenter.org

The Brennan Center is a nonpartisan public policy and law institute. It actively opposes "burdensome ID or proof of citizenship requirements." The center engages in advocacy and litigation and works with federal and state election officials to craft policy.

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The Century Foundation – ReformElections.org

Subject: Voter ID

Tova Wang, democracy fellow

wang@tcf.org

www.reformelections.org

The Century Foundation's informational Web site on election reform policy, *ReformElections.org* provides resource guides and policy developments about election reform. Tova Wang is a Democracy Fellow at the Century Foundation. She is a nationally known expert on election reform. In 2001, Wang was a staff person to the national Commission on Federal Election Reform (Carter-Ford Commission). She has authored several election reform reports and wrote the U.S. Election Assistance Commission's report on voter fraud and intimidation.

Election Law Blog

Subject: Voter ID, Voting Rights, Election Reform

Rick Hasen

213-736-1466

rick.hasen@lls.edu

electionlawblog.org

Hasen is a professor at Loyola Law School, Los Angeles and writes a well-read blog covering election reform. He has written numerous op-ed and commentaries about election administration issues and is co-editor of the Election Law Journal.

Election Law at Moritz – Ohio State University

Subject: Voter ID, Voting Rights, Election Reform

Dan Tokaji, Associate Professor of Law (614) 292-6566

tokaji.1@osu.edu

moritzlaw.osu.edu/faculty/bios.php?ID=52

Tokaji is an Associate Professor of Law at the Ohio State University's Moritz College of Law and the Associate Director of Election Law @ Moritz. His areas of expertise include the law of democracy, civil rights, freedom of speech, disability rights, federal courts, and civil procedure. Professor Tokaji also maintains the "Equal Vote" blog, which provides analysis of and

commentary on election reform and voting rights issues, with special attention to the impact of changes in our election system on the voting rights of people of color, non-English speaking voters, and people with disabilities.

George Washington University Law School

Subject: Voter ID

Spencer Overton

202-994-9794

soverton@law.gwu.edu

Overton is a professor of law at The George Washington University. He has researched and written extensively, opposing photo identification requirements at the polls. His written work includes the book "Stealing Democracy: The New Politics of Voter Suppression." He was also a commissioner on the Jimmy Carter-James Baker Commission on Federal Election Reform.

The Heritage Foundation

Subject: Voter ID

David B. Muhlhausen, Ph.D, senior policy analyst

(202) 675-1761

www.heritage.org

The Heritage Foundation is a research institution that promotes conservative public policies. Heritage supports voter ID laws on the basis that they help reduce voter fraud. Muhlhausen co-authored an analysis of voter ID laws and turnout and found that voter ID laws do not have the negative impact on turnout that other studies have suggested.

League of Women Voters

Subject: Voter ID

Jeanette Senecal, director –

Elections/E-Democracy

(202) 429-1965

www.lwv.org

The League of Women Voters is a nonpartisan political organization that seeks to improve systems of government through education and advocacy. The League opposes voter ID laws on the basis that they are inherently discriminatory, especially to older voters.

National Voting Rights Institute

Subject: Voter ID

Stuart Comstock-Gay, executive director (617) 624-3900 ext. 16

scg@nvri.org

www.nvri.org

The National Voting Rights Institute (NVRI) focuses on opposing, through litigation and other means, election practices that disenfranchise poor and minority voters. NVRI opposes photo ID requirements.

People for the American Way Foundation – Election Protection

Subject: Voter ID

Peter Montgomery, media relations

(202) 467-4999

media@pfaw.org

www.pfaw.org/pfaw/general/default.aspx?oid=6782

People for the American Way is a progressive organization that aims to decrease political polarization through research and publication. People for the American Way opposes photo ID requirements for voters on the basis that it will disenfranchise many potential voters.

Project Vote

Subject: Voter Rights

Mike Slater, deputy director

deputydirect@projectvote.org

www.projectvote.org

Slater has thirteen years of community, labor, and faith-based organizing experience. Project Vote works to engage low-income and minority voters in the civic process. Project Vote also works to protect the rights of those communities by conducting research and engaging in litigation.

Provisional ballots, voter rights

The Advancement Project

Subject: Voter Rights

Eddie Hailes, senior attorney

ap@advancementproject.org

www.advancementproject.org

(202)728-9557

Hailes is an experienced civil rights attorney. He is former general counsel

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Dan Seligson, project manager for publications, 202-552-2039

Sean Greene, project manager for research, 202-552-2041

for the U.S. Commission on Civil Rights. While there, he directed the agency's investigation of voting irregularities in Florida during the November 2000 election.

Brennan Center for Justice (NYU School of Law)

Subject: Provisional Ballots
Susan Lehman, director of communications and strategy
(212) 998-6318

Susan.Lehman@nyu.edu
www.brennancenter.org

The Brennan Center is a nonpartisan public policy and law institute. The center engages in advocacy and litigation and works with federal and state election officials to craft policy. The Brennan Center supports efforts to reduce the need for provisional ballots.

Common Cause

Subject: Provisional Ballots
Susannah Goodman, director of Voting and Election Reform
(202) 736-5777

www.commoncause.org

Common Cause is a nonpartisan advocacy organization that aims to allow citizens to "make their voices heard in the political process." Common Cause supports the use of provisional ballots as a "safety net" and advocates for uniform provisional balloting standards.

Demos

Subject: Provisional Ballots
(212) 633-2015

press@demos.org
www.demos.org

Demos is a non-partisan research and advocacy organization. Demos takes the position that there should be a fail-safe in place, but provisional ballot rules are too varied across the states, and they are often not applied correctly by poll workers.

Election Law at Moritz – Ohio State University

Subject: Provisional Ballots
Edward B. Foley, Distinguished Professor of Law
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Foley is one of the nation's preeminent experts on election law. As director of the Election Law @ Moritz program he is well versed in numerous aspects of election law. His primary area of expertise includes provisional voting.

FairVote

Subject: Provisional Ballots
Paul Fidalgo, communications director
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FairVote works to transform elections and secure universal access to participation. FairVote promotes consistent standards for provisional voting across the country.

Project Vote

Subject: Voter Rights
Mike Slater, deputy director
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Slater has thirteen years of community, labor, and faith-based organizing experience. Project Vote works to engage low-income and minority voters in the civic process. Project Vote also works to protect the rights of those communities by conducting research and engaging in litigation.

Yale Law School

Subject: Voter Rights
Heather Gerkin, professor of law
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Gerkin is professor of law at Yale University. She specializes in election law, and is one of the country's leading experts on voting rights. She is published in several law journals, with articles concerning election law and voter rights.

“Convenience” voting

American Enterprise Institute

Subject: Early and Absentee Voting
Norm Ornstein
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Ornstein is a resident scholar at the American Enterprise Institute and co-director of the Election Reform Project. Ornstein serves as an election analyst for CBS News and has written for Roll Call, the New York Times, Washington Post, Wall Street Journal, and Foreign Affairs.

Brennan Center for Justice (NYU School of Law)

Subject: Election-day Registration
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(212) 998-6318

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www.brennancenter.org

The Brennan Center is a nonpartisan public policy and law institute. The Brennan Center supports election-day registration as a means to increase voter turnout and reduce the dependence on provisional ballots.

Center for the Study of the American Electorate – American University

Subject: Voter Registration
Curtis Gans, director
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Gans is director of the Center for the Study of the American Electorate at American University. Gans was co-founder of the non-partisan Committee for the Study of the American Electorate, where he was director for nearly 30 years. The Committee's work has since been undertaken by the newly created center at American. Gans and the Center study voter participation and the issues surrounding voter turnout.

The experts below are frequently-used sources for *electionline.org* reports, inquiries and panels. This list is by no means comprehensive. It is, however, designed to provide a variety of experts with diverse opinions on a number of issues of interest in election reform. As always, call *electionline.org* directly for story assistance or for more ideas for sources.

Doug Chapin, project director, 202-552-2000

Dan Seligson, project manager for publications, 202-552-2039

Sean Greene, project manager for research, 202-552-2041

Common Cause

Subject: No-excuse absentee, early voting, vote-by-mail

Susannah Goodman, director of Voting and Election Reform

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Common Cause is a nonpartisan advocacy organization that aims to allow citizens to “make their voices heard in the political process.” Common Cause supports election-day registration, no-excuse absentee voting, early voting, vote-by-mail and other reforms that would make it easier to people to vote.

Demos

Subject: Election-day registration
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Demos is a non-partisan research and advocacy organization. Demos supports election day registration on the basis that it improves turnout and reduces fraud.

Early Voting Information Center

Subject: Early and Absentee Voting

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Gronke, who provides consulting services to Pew’s Center on the States, is a professor of political science at Reed College. He has been researching early voting since the 1990s and is one of the nation’s leading authorities on the issue.

FairVote

Subject: No-excuse absentee

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FairVote works to transform elections and secure universal access to participation. FairVote supports no-excuse absentee voting.

Rice University

Subject: Vote Centers

Robert Stein

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Stein is a professor of political science at Rice University. He is one of the first political scientists to undertake detailed research of vote centers, where voters can cast a ballot at any center in their jurisdiction rather than at an assigned precinct polling place.

Professional associations, organizations, and agencies

Election Center – National Association of Election Officials

Subject: Professional Associations, Organizations, and Agencies

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The Election Center also serves as the National Association of Election Officials and provides information and resources to election administrators to enable them to improve the methods of operation and efficiency of U.S. elections. They also provide a national professional certification program based on a nationally standardized curriculum. As executive director, Lewis testified numerous times before Congress and the EAC on behalf of the election administration community.

FVAP – Federal Voting Assistance Program

Subject: Organizations

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FVAP, operated under the aegis of the U.S. Department of Defense, serves the more than six million eligible overseas voters abroad covered under the Uniformed and Overseas Citizens Absentee Voting Act. It provides nonpartisan information and assistance to facilitate participation in the democratic process.

IFES (formerly International Foundation for Election Systems)

Subject: Organizations

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IFES is a nonprofit democracy development organization that works to give people a voice in the way that they are governed. In the United States, IFES has assisted localities in recruiting, training and retaining poll workers, deployed delegates to observe elections and polled voters on election initiatives.

International Association of Clerks, Recorders, Election Officials, and Treasurers (IACREOT)

Subject: Professional Associations, Organizations, and Agencies

Tony J. Sirvello, III, executive director

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International Association of Clerks, Recorders, Election Officials, and Treasurers is a professional organization that advocates for and serves the interests of local officials, including election administrators. IACREOT occasionally produces reports to assist its members in administering elections, the most recent of which is “Voter Fraud Prevention.”

Make Voting Work

Subject: Organizations

Michael Caudell-Feagan, project director

202-552-2142

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Make Voting Work is an initiative of Pew’s Center on the States focused on improving the accuracy, convenience, efficiency and security of U.S. elections. Make Voting Work, along with the JEHT Foundation, has offered more than \$3.5 million in grants to help diagnose how well U.S. election are run and fund pilot projects to be conducted in 2008 to improve election administration.

The experts below are frequently-used sources for *electionline.org* reports, inquiries and panels. This list is by no means comprehensive. It is, however, designed to provide a variety of experts with diverse opinions on a number of issues of interest in election reform. As always, call *electionline.org* directly for story assistance or for more ideas for sources.

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NACo – National Association of Counties

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NACo represents the nation's 3,066 county governments, providing essential services and a unified voice before the federal government. The organization published an overview of the U.S. election processes and systems just after the 2000 presidential election and since “urged restraint” in consideration of federal legislation that would impose further mandates on state and local election practices.

NASED – National Association of State Election Directors

Subject: Professional associations, organizations and agencies

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The National Association of State Election Directors (NASED) is a professional organization of state election directors that serves as an exchange of best practices and ideas for election administrators.

National Association of County Recorders, Election Officials, and Clerks – Election Administration Committee

Subject: Professional Associations, Organizations, and Agencies

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bkaufman@coo.htc.net

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The National Association of County Recorders, Election Officials, and Clerks (NACRC) Election Administration Committee provides news and resources to local election

officials around the country. It also honors election officials for innovative approaches to election administration with an annual Best Practices award.

National Conference of State Legislators – Redistricting and Elections Committee

Subject: Professional Associations, Organizations, and Agencies

Tim Storey, senior fellow

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www.ncsl.org/standcomm/scredist/scredist.htm

Chaired by Rep. Richard Gallot of Louisiana and Senator Jeff Wentworth of Texas, the Redistricting and Elections Committee of NCSL focuses on redistricting, election law and campaign regulation.

National Association of Secretaries of State

Subject: Professional Associations, Organizations, and Agencies

Todd Rokita, President; Secretary of State of Indiana
(317) 232-6531

Leslie Reynolds, executive director
(202) 624-3525

www.nass.org

The National Association of Secretaries of State (NASS) provides information and support on election administration issues to secretaries of state around the country. NASS also serves as an advocacy organization that promotes the interests of state election administrators to Congress, state legislatures, the EAC, and other organizations.

U.S. Election Assistance Commission

Subject: Professional Associations, Organizations, and Agencies

Tom Wilkey, executive director
(866) 747- 1471

www.eac.gov

The U.S. Election Assistance Commission (EAC) was created by HAVA to serve as a clearinghouse for information on election reform, develop guidelines to assist state election

administrators, oversee voting machine certification, and administer HAVA funds, among other things. Wilkey is former state election director of New York.



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