

The 2000 Election: A Wake-Up Call For Reform and Change

Report to the Governor and Members of the General Assembly

by

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INTRODUCTION

The unprecedented events of the November 7th, 2000 election raised public awareness of a nationwide problem that is not new, but that has not previously received sufficient attention from policymakers, citizens and the media. Most equipment employed for casting and counting votes in the United States is antiquated. Many systems currently in use have unacceptably high error rates, and some appear to be particularly prone to voter error or incomplete results computation. The extraordinary advances in technology that have favorably transformed so many aspects of our private and public sectors have not, for the most part, been applied to the business of elections. Inadequate investment in equipping and staffing polling places frequently results in long lines and voter frustration. The varying performance and accuracy of divergent systems means that voters in some jurisdictions are significantly less likely to have their votes accurately counted than voters in other areas. And, some legal analysts suggest, these variances, coupled with the Supreme Court's ruling in *Bush vs. Gore*, raise potential equal protection claims and the prospect of extensive and costly litigation.

"The Supreme Court has just handed an invitation to lawyers across the country to bring an avalanche of lawsuits claiming that the existing system that counts people's votes differently and with different rates of error in different counties violates the equal protection clause of the U.S. Constitution. If the 107th Congress does not make it a top priority to fix this, and fix it quickly, we are going to see "litigation city" in 2002 and 2004. This is something that really ought not be postponed and studied to death, it ought to be acted upon and acted upon quickly..."

*Kathleen Sullivan
Dean, Stanford University Law School
The News Hour with Jim Lehrer
December 26, 2000*

As Georgia begins its celebration of 250 years of representative government, this heightened public awareness presents a new and valuable opportunity to evaluate the shortcomings of existing voting systems and to move rapidly towards adopting solutions that will increase accuracy and voter confidence and convenience. Virtually every element of our election system - from the equipment used to record votes, to the registration of voters, to the location of precincts, to the verification of voter status, to the management and operation of polls, to the modes of communicating election results -- would benefit from thorough examination and careful modification.

In truth, the problems exposed in Florida are likely present not only in Georgia, but also to varying degrees in nearly all of the 3,067 counties in the nation.

Some have made the point that no election can ever be perfect. And it's true – any endeavor that involves millions of human beings making choices will have some measure of error. And so the question we must answer is, how much error is too much? What level of inaccuracy are we willing to abide in our democratic institutions? Nothing is more fundamental to the health and legitimacy of our representative form of government than insuring that all eligible citizens have an equal opportunity to make an electoral choice, and that they also have equal assurance that those choices will be properly counted. Should not government make every reasonable effort to insure that the choices citizens make in the voting booth are, to the maximum extent our technology and best thinking will permit, reflected in the tally we certify as the final election outcome?

Recent public opinion surveys indicate that a substantial majority of Americans believe sweeping improvements should be made to our election systems. In a December 2000 **CBS News** poll, 65 % of respondents said elections require “fundamental changes” or should be “completely rebuilt,” and 71% endorsed a “uniform method” of voting. Meanwhile, last month's **Gallup Poll** found that 67 % supported a “complete overhaul” or “major reforms.” In the same survey only three in ten respondents expressed a “great deal” or “quite a lot” of “confidence in the system in which votes are counted and cast.” To regain the confidence of our citizens, the election system must be made more accurate.

SECTION I: The 2000 Georgia Election Experience

To assist state policymakers in this challenge and evaluating possible solutions, the Georgia Office of Secretary of State has compiled the following report documenting problems that were evident in the November 7th, 2000 General Election. Our goal has been to take a fresh and candid look at the equipment, statutes, policies and procedures employed by all players in the elections process -- including those of the Office of Secretary of State.

Methodology

In preparing this report, we performed a statistical analysis of “undervotes” on a county-by-county basis and aggregated those findings based on the type of voting equipment used. (In this analysis we use **undervotes**, a term that has been heard much in recent months, to describe the difference between the number of ballots cast and the number of votes recorded in a specific race). We solicited input from the major political parties, from community and public advocacy groups and interviewed county registration and election officials in every region of Georgia. We also reviewed the transcripts of public hearings conducted by the state NAACP on this subject, as well as hundreds of e-mails and phone

calls from Georgia citizens expressing concern and frustration about their experience during the 2000 election cycle.

We have collected information on electronic voting systems in use in other states and, where possible, analyzed the undervote performance of these systems at the county level. The Secretary of State and senior staff members have held discussions with several firms who currently provide electronic voting equipment and others who are considering adding voting equipment to their existing product mix. We believe the data and the anecdotal evidence point to one clear conclusion: There are serious shortcomings in our existing election systems. Dramatic change is required to adequately address them.

Findings: Accuracy of Election Results is Uncertain

Our analysis [see "[Exhibit A: County Election Analysis – 2000 Presidential General Election – Georgia](#)"] has led us to some disturbing findings about the accuracy of existing elections systems in Georgia:

- (1) Approximately 3.5%, or 93,991 Georgia voters going to the polls last November either did not vote for President, made a mistake that voided their ballot, or did not have their vote counted by a machine. This rate unfavorably compares to the national rate of 1.9% and the Florida undervote percentage of 2.9%.**
- (2) There are exceedingly large variations in undervote rates between counties, and even among counties that employ the same voting technology. Punch card counties in general have the highest undervote rates, followed by lever machines and then optical scan systems.**
- (3) Although optical scan systems, the newest technology used in Georgia, offer satisfactory performance in some counties, in many other locations optical scan undervote rates are extremely high...well above the averages of more antiquated systems. In fact, 21 counties that employ optical scan technology had undervote rates of 5 percent or higher. And, the mean average (the average of all the county percentages) of optical scan county undervotes is nearly identical to the now disparaged punch card system.**
- (4) While complete data is not available, the numbers we have suggest that overvotes, or duplicate votes (where the voter accidentally makes more than one choice in a single contest, or perhaps where the machine improperly reads a duplicate vote that was not in fact made) represent a very substantial majority of the total variance between ballots cast and votes recorded. Some have suggested that undervotes in the presidential race simply reflect the conscious decision of voters to skip that race and make other choices later down the ballot. Our data strongly suggests otherwise. In the 13 Georgia counties that compute duplicate votes (or overvotes) as a separate category, these inadvertent duplicate selections constituted 61.5 % of the total undervote.**

Elections are Complex Mechanisms

Elections by their nature are complex events, with a host of different players and processes. Registration and election mechanisms include inter-related and overlapping guidelines, responsibilities and jurisdictions.

The major components include:

- Voting Equipment is certified (determined to have met required statutory standards) by the Secretary of State.
- Voting Equipment is selected, purchased and maintained by local election superintendents.
- Polling Places are sited, maintained and staffed by local election superintendents.
- Voter Registration is shared by local (registrars, libraries, schools), state (Department of Public Safety, colleges, Secretary of State) and federal (military) entities.
- The Voter Roll is compiled and updated by local registrars onto a mainframe computer system funded through the state and maintained by the Department of Administrative Services (DOAS).
- Candidate Qualifying is in many cases governed by rules of organized political parties and state law.
- Election Administration is governed by federal (U.S. Constitution, *Voting Rights Act*, *Americans With Disabilities Act*) and state (Georgia Constitution, state law and regulation) guidelines and municipal charters, but implemented “on the ground” by the state and local governments.
- County election officials voluntarily report Election Night Results for state and federal races by entering data into the state DOAS mainframe computer.
- Final Election Results are required to be entered by local election superintendents for each precinct, onto the state maintained computer terminal located in each county, within 45 days of the election date.
- Elections Certification begins when County Election Superintendents certify county results and file consolidated election returns. The Secretary of State certifies all state and federal election results based on these county filings. City election superintendents are solely responsible for certifying municipal elections.
- Presidential Elections, as governed by the U.S. Constitution, share a further distinction in that votes are cast for “electors” that, in turn, select the President.

The complexities make clear that solutions will not be simple and that any changes must be made carefully and deliberately. Much of the responsibility for maintaining registered voter lists and conducting elections rests on the backs and budgets of local governments. Therefore, it is essential that county and municipal officials have seats at the table when sweeping change is being considered.

Election Systems: A Low Priority Item for Local Governments

In Georgia and throughout the United States, responsibility for conducting elections falls to county and municipal governments. In a recent analysis of elections nationwide, the **Wall Street Journal** (12/14/00) reported:

“The truth is that the enormous job of running accurate elections just isn’t a high priority in most counties - - and it shows. With roads, parks, police, jails, sewers and other necessities to worry about, county governments typically allocate no more than 3% of their budgets to the clerk’s office...says Jane Hague, president of the National Association of Counties... A chunk of that is spent on filing and recording of public documents, leaving little money to keep voting machinery up-to-date, train poll workers adequately, or hire professionals experienced in running elections.”

Certainly, election staff, systems and resources have in many instances been neglected in Georgia ... and it is easy to understand why. Every county must juggle competing demands for resources. And, while election officials have been aware of shortcomings inherent in existing systems, the alarm has not been sounded about the serious consequences that can result from these problems.

Contents of this Report

In the weeks following the November 7th, 2000 General Election, the Office of Secretary of State gathered citizen complaints, reviewed minutes of public hearings conducted by the NAACP, analyzed concerns submitted by the League of Women Voters, and interviewed dozens of local election superintendents, voter registrars and political party leaders. Through this compilation of complaints, concerns and ideas, our goal has been to identify common themes and trends from the 2000 election in an effort to surface systemic problems and offer suggestions for improvement.

In reviewing the issues, facts and suggestions below, please bear in mind...

This Report Is:

- **A preliminary summary of the most commonly voiced issues and a discussion of alternatives to address weaknesses in the Georgia election system.**
- **A discussion of disturbing trends that must be considered as we look to enhance election accuracy and convenience.**
- **A start in the right direction for system wide election reform.**

This Report is **Not**:

- **A definitive and unqualified prescription for every ailment suffered by our elections system.**
- **Meant to discredit the efforts of many who work at the local level as voter registrars, election superintendents and staff, often without sufficient resources.**

SECTION II: Major Issues and Common Themes: **What Georgians Told Us ~ What the Data Suggests**

We have organized the comments from election officials, complaints from Georgia citizens and findings from our internal analysis into the following 16 categories. In each section we summarize the area of concern and present relevant facts, statistics, statutes or data. Recommendations for process improvements can be found in Section III of this report.

The categories are:

- **Outdated Voting Equipment**
- **Ballot Problems**
- **“Lines Too Long” & Other Polling Place Deficiencies**
- **“Dead People Voting”**
- **Shortage of Trained Poll Workers**
- **Election Law Violations**
- **“Could Not Find Precinct”**
- **“Too Many Steps to Get to Ballot”**
- **Slow Processing of Absentee Ballots**
- **Low & Declining Turnout for Primaries**
- **Growth of “Language Minorities”**
- **State DOAS Mainframe Computer System Unreliable**
- **Counties Slow to Report Election Results**
- **Voter Registration Process Costly & Slow**
- **Who Runs Local Elections?**
- **Voting Should Be More Convenient & Accessible**

1) OUTDATED VOTING EQUIPMENT

“To whom do we appeal to get DeKalb and other Georgia voting districts to replace this outdated method with a better method before the next election?”
DeKalb County Voter

Georgians young and old, rural and urban readily shared their frustration with the equipment they encountered on election day. Many expressed amazement that, at the dawn of the 21st Century, much of the equipment we use to cast and count votes dates from the era of gas lanterns and the horse and buggy.

● Related Facts & Statistics

- ◆ In the 2000 General Election, the following voting methods were used:
 - **Paper** ballots in 2 counties; Introduced in U.S. in 1889
 - **Punch Card** (identified as “Vote Recorder” in [Georgia Code](#)) in 17 counties; Invented in 1890; Introduced nationally in Atlanta in 1964; Shortcomings well documented: System allows overvotes; Voter can easily fail to fully dislodge “chad;” Machine recounts frequently produce different totals.

- **Lever Machine** (identified as "Vote Machine" in Georgia Code) in 73 counties; Invented in 1892; Introduced to Georgia in early 1950's; Manufactured by two companies, one ceased production in the 1960's and the other in 1972; Machine will not allow overvotes; No paper trail available for recounts; No warning if the machine suffers a mechanical failure during voting; No capacity to restore lost votes.
- **Opti-scan** (identified as "Optical Scan" in Georgia Code) in 67 counties; Introduced to Georgia in Hall County in 1986; Numerous manufacturers; Two variations are "fill in oval" and "connect the arrows"; Vote count is either performed at the courthouse with a single reading device ("central count") or with a reading device at each poll ("precinct count")¹; Improper marking and stray marks are frequent causes of overvotes and undervotes; Unsuitable pens or pencils for marking will not allow ballot to be read; Ballots are expensive to print and are sensitive to environmental conditions (moisture, etc).

[Please find attached "Exhibit B: Survey of County Voting Equipment in Georgia"]

- ◆ In the 2000 General Election, the average² Georgia undervote experience for all counties for each voting method was as follows:
 - Counties using **paper ballots**..... **3.3%** (113 votes)
 - Counties using **punch cards****4.6%** (38,065 votes)
 - Counties using **lever machines** **4.2%** (16,926 votes)
 - Counties using **opti-scan: Central count****4.2%** (21,999 votes)
Precinct count **4.7%** (16,196 votes)
- ◆ "Plaintiff's right to vote and their right of equal protection and due process are also violated by the hodgepodge of electoral machinery used in Georgia elections and specifically by the substantiated and varying rates of errors resulting from use of such machinery." Paragraph 24 of complaint, *Andrews vs. Cox*, Fulton Superior Court, Civil Action No.2001CV32490, filed January 5, 2001.
- ◆ Pursuant to state laws and Rules of the Office of Secretary of State (O.C.G.A. 21-2-324;-353;-368;-379.2; Rules Chapter 590-8-1), voting equipment must be certified by the state prior to purchase. Before the state can certify equipment, it must also meet established national standards.

● **Current Responsibility**

- ◆ Voting equipment is selected, purchased and maintained by county and municipal governments.

¹ Precinct count readers or tabulators have the capacity to reject defective ballots, but must be programmed to do so (O.C.G.A. 21-2-484). Although precinct readers can be programmed to reject overvotes so the voter can correct their mistake, counties frequently choose not to employ this capability.

² The mean average was used in this calculation. The number was derived by computing the percentage undervote in each county that used a given type of equipment, then averaging those percentages.

2) **BALLOT PROBLEMS**

“When we finally got to the voting booth, pages were ripped out of the voting packet making it difficult to line up candidates with the correct hole to punch.”
Fulton County Voter

Lack of familiarity with constitutional amendments and referendum questions, a lengthy ballot with confusing and unnecessary choices, ballot materials that were defective or missing – a variety of problems related to the ballot itself were cited by voters as contributing to delays at the polls.

● **Related Facts & Statistics**

- ◆ In the 2000 General Election, 93,991 ballots in Georgia did not register a vote for the Presidential race, because either: (1) the voter chose not to vote for President; (2) the voter accidentally marked more than one vote for the office; (3) the voter attempted to make a choice, but did not mark the ballot correctly; or (4) the voting device failed to count the vote cast.
- ◆ With the inclusion of elections for federal, state and local offices, in addition to special elections, party executive committees, constitutional amendments, statewide referenda, and local option questions, many voters complained that the ballot was too long and too confusing.
- ◆ Voter confusion is further exacerbated in some locales by the appearance on the ballot of lower profile offices such as surveyors and tax assessors...adding significantly to the time voters must spend with their ballot.
- ◆ The current non-partisan primary system for electing judges further adds to delay and confusion. Nonpartisan judicial races are contested on the July General Primary ballot (and, when necessary, on the General Primary Runoff ballot three weeks later). Each judicial candidate to emerge from that process appears unopposed on the November General Election ballot, forcing voters to spend considerable time in the booth voting for candidates who, in essence, have already been elected.
- ◆ When programmed properly, counties utilizing opti-scan precinct count systems will reject ballots cast that include overvotes (more than one vote cast for a single office), thereby allowing the voter to void the spoiled ballot and to vote again. But, many counties choose not to activate this feature of their precinct counting machines, and so this safeguard against accidental overvoting is lost.
- ◆ Machine read paper ballots -- the optical scan systems -- which serve as the only evidence of a vote, can be negatively influenced by temperature and humidity. In the 2000 election, one county was advised to utilize hair

dryers in an effort to remove the dampness believed to be preventing an opti-scan reader from operating properly. Another county using opti-scan machines distributed incorrect markers that could not be read by the vote recorder at all.

• **Current Responsibility**

- ◆ Local election superintendents are responsible for the selection, purchase, maintenance and testing of voting systems.
- ◆ Local election superintendents are responsible for printing election ballots according to state laws.

3) **“LINES TOO LONG” AND OTHER POLLING PLACE DEFICIENCIES**

“One young man told me he had to work two jobs to provide for his family, that after 45 minutes in the morning line he was told it would take another two hours, so he had to leave, and had little time between his two jobs to return to the poll. If voting is so precious a right, and I believe it is, we must not make it so costly for those who are pressed to earn a living and care for family.”

Forsyth County Voter

“The precinct consists of a building approximately 12’ X 12’ unheated. There is one voting machine for these 600+ voters.”

Habersham County Voter

“Lines too long” was the single most commonly heard complaint from voters. Citizens in some communities – particularly high growth areas – experienced waits at the polls of two hours or more. Because turnout in presidential elections is so much greater than in other elections, many polling places were overwhelmed with frustrated, impatient citizens.

• **Related Facts & Statistics**

- ◆ For 2000, turnout of eligible registered voters for statewide elections were as follows:
 - Presidential Preference Primary 27% (versus 1996 = 21%)
 - General Primary 27% (versus 1996 = 33%)
 - General Election 70% (versus 1996 = 62% and 1992 = 73%)
- ◆ Heavy turnout causes a strain on both the facility and staff in a polling place. Some metro Atlanta voters did not cast ballots until after 11 p.m. – a more than four-hour wait.
- ◆ The layout of the polling place can create bottlenecks in lines, as well as the distribution of poll workers at the different stations. In some

instances, there were multiple poll workers handling the official electors list and only one worker handling the numbered list of voters.

- ◆ Local governments have perennial problems finding poll workers, due to time commitment and compensation issues (estimated to range from minimum wage to approximately \$15 per hour).
- ◆ Local governments are having increasing difficulty in finding suitable poll locations within precincts, including within schools that are concerned with traffic and safety, as well as private sector locations.
- ◆ Voter parking and safety are becoming more and more difficult to address.
- ◆ Counties have sought to use high school students as poll workers on General Election days, but encounter problems in many areas where schools are open and disallow excused absences for civic participation.
- ◆ State regulations relating to voter population per precinct and voting stations per precinct require:
 - Any time the number of active registered voters exceeds 2,000 per precinct and voting is not completed before 8:00 p.m., the precinct must be split prior to the next General Election (o.c.g.a. 21-2-263).
 - The minimum number of voting booths per registered voter required is: 1 voter booth per 200 voters for punch card systems; at least 1 lever machine for every 500 voters; and 1 voting booth per 200 voters in an opti-scan polling place.

● **Current Responsibility**

- ◆ General Election voting dates are specified by the U.S. and Georgia Constitutions, as well as state law.
- ◆ Non-General Election voting dates (primaries, run-offs, and special elections) and absentee ballot guidelines are set by state law.
- ◆ The minimum number of voters per precinct and ratio of voting booths to voters is set by state law.
- ◆ Local governments are responsible for choosing poll locations and recruiting and paying poll workers (o.c.g.a. 21-2-70).
- ◆ Local governments (county commissioners, city councils and boards of education) determine school policies regarding election activities held at schools, generally determined when school calendar for scheduled closing dates are set.

4) **“DEAD PEOPLE VOTING”**

“ Now, tell me about all these dead people voting...”
State Representative

Recent media accounts have noted that not all electors who die are promptly removed from the voter roll. These accounts have also suggested that the practice of fraudulent voting by using the identity of the dead is a common practice – over 5,000 such votes in the last ten years.³

● **Related Facts & Statistics**

- ◆ On General Election Day, November 7th, 2000, 4,648,210 Georgia citizens were registered voters.
- ◆ Significant delays can occur between a death and the issuance of a death certificate, the completion of a death record by DHR and the receipt of the information by the State Elections Division.
- ◆ County registrars are encouraged to promptly update county voter registration lists upon receipt of death-related information from the state.

³ The claims of the joint newspaper-television investigation bear further inspection, and require first an understanding of how voter history data is created. The media investigative team took 20 years of voter history – approximately 20 million votes – and matched that data against a master file of the deceased. Their conclusion: the dead had voted 5,412 times in the last 20 years. But voter history, the data record of who did and did not vote in a given election, in this case is the product of 20 million manual entries onto voting lists by tens of thousands of poll workers at nearly 2,800 precincts across the state in scores of elections over the course of two decades. On election day, a voter completes his or her voter certificate and presents it to a poll worker, who checks his or her name against the precinct voter list and makes the appropriate mark by each individual’s name. To make that entry correctly, the poll worker must take care not to mark the wrong voter – a “Sr.” instead of a “Jr.,” another person with the same common name, or even a husband instead of a wife (since many older women in Georgia were initially registered in their husband’s name – “Mrs. Thomas Smith” rather than “Sarah Smith”). These voluminous lists with handwritten entries are then used after the election by county registration staff to enter into the computer the official record of who voted – a lengthy and detailed process again presenting many opportunities for error. (It is important to note that, out of a universe of 20 million votes cast, 5,412 files that purportedly show a dead person voted would represent a scrivener’s error rate of less than three hundredths of one percent (0.027%)). For these reasons, the only way to positively confirm that “the dead voted” is to review not only the data file, but also to retrieve and inspect the voters certificate and confirm that the name and address on that document correspond with that of the deceased voter. The media investigative team was able to perform that final match with exactly one single voter, an Atlanta businessman who died in 1997 and allegedly had a vote cast in his name in the 1998 General Election. However, a subsequent check of the records by Fulton County staff revealed that the media account was erroneous. The voter certificate cited was not, in fact, signed by someone claiming to be the deceased voter, but rather was signed, properly and legally, by another man registered in the same precinct with the same first name, middle initial and a last name nearly identical to the deceased. And so while the database showed that the dead man had voted, the voter certificate – the source document – showed in fact he had not. The Secretary of State has a signed affidavit from the living voter affirming that it was, in fact, his signature on the voters certificate cited in the news media accounts. What occurred in this purported case of voter fraud was in fact a prime example of the type of input error that can commonly occur – and that underlies the false proposition that thousands of dead Georgians voted in recent elections.

- ◆ The number of deceased individuals removed from eligible voting rolls for recent years was: 2000 – 31,428 removed; 1999 – 35,651 removed; 1998 – 31,791 removed; 1997 – 29,083 removed; 1996 – 32,962 removed; 1995 – 16,240 removed.
- ◆ Despite these deletions, thousands of deceased electors remain on the voter roll, in some cases for several years after their death.
- ◆ Deaths occurring after voter registration ends (30 days prior to the General Election) may not be accounted for on the voter list.
- ◆ If a person passes away prior to 7:00 a.m. Election Day, an absentee ballot cast by that person must be destroyed. However, if a person passes away after 7:00 a.m., his absentee ballot will be counted.
- ◆ A death certificate can be delayed weeks or months due to a criminal investigation or other unforeseen circumstances. This can affect how quickly a county receives the death information and adjusts the voter list.

● **Current Responsibility**

- ◆ Under current law, removal of deceased individuals from eligible voting rolls is a county responsibility, accomplished by the delivery of data from the Georgia Department of Human Resources – Vital Statistics Division (DHR), on a monthly basis, to the Office of Secretary of State, and then relayed to each county registrar for appropriate action. Currently, only the counties have the authority to remove voter names from the list (O.C.G.A. 21-2-231).

5) **SHORTAGE OF TRAINED POLL WORKERS**

*“The poll manager said they couldn’t vote yet because she had no Republican ballots, only Democratic ballots...Finally one woman went over to the sample ballot posted on the wall and told the poll manager there were no separate Republican ballots, that everyone was on the same ballot because it was a General Election. The poll manager seemed quite confused, then said,
“Okay, you can vote.”
Fulton County Voter*

Public comments gathered for this report make clear that not all poll workers, or even poll managers, have a full and complete understanding of the election laws and regulations they are responsible for enforcing. In some areas, training and indoctrination of election staff appear to be inadequate.

• Related Facts & Statistics

- ◆ Counties are facing increasing challenges finding interested and capable poll managers and workers for each of the 2,759 precincts in the state.
- ◆ Based on a 1998 survey, poll managers currently receive compensation ranging from \$5 per hour to \$200 per day. The same survey revealed that poll workers currently receive compensation ranging from \$5 per hour to \$100 per day.
- ◆ State law requires that activities at each poll be conducted by one manager and two assistant managers (o.c.g.a. 21-2-90).
- ◆ Training requirements for poll workers consist of training by election superintendents and poll managers, and vary from county to county (o.c.g.a. 21-2-99).
- ◆ Election superintendents/probate judges are responsible for addressing problems that arise at polling locations (o.c.g.a. 21-2-70).
- ◆ County election superintendents and voter registrars are required by law to complete at least 12 hours of training every other year (o.c.g.a. 21-2-100).
- ◆ A significant number of Election Code violations occur in small municipalities, where officials may not be sufficiently staffed or where responsible officials have not undergone required training.
- ◆ Some counties supply election manuals for their poll workers.
- ◆ Due to a lack of uniformity in election equipment between counties, standardized training of poll workers is not possible, leading to poll management problems.
- ◆ Municipal elections are hindered by the lack of training for poll workers.

• Current Responsibility

- ◆ Secretary of State staff is responsible for training county registrars and election superintendents. Local election officials are required to recruit, hire and train poll managers and workers.

6) ELECTION LAW VIOLATIONS

“At approximately 11:30 a.m. in making my rounds of the polls, the petitioner in the contested election issue was sitting in the back of a pickup truck directly in front of the polls greeting the voters as they went in. I was advised that she had been sitting there since around 8:00a.m. I asked her to leave.”

County Elections Official

Each election brings with it its own controversies and allegations of irregularities, and the 2000 election season was no different. All formal allegations of wrongdoing are examined by investigators in the State Elections Division and presented to the State Elections Board, which may apply administrative sanctions and refer cases for criminal prosecution, where warranted.

• **Related Facts & Statistics**

- ◆ The Office of Secretary of State received numerous complaints on and after General Election Day 2000 relating to violations of current election law, including: poll workers intimidating voters, different races and parties being treated differently, campaigning within prohibited area, or problems with voting equipment and mishandling of absentee ballots. In each case, the appropriate county election official was contacted. Additionally, investigations of any substantiated allegations of wrongdoing are also underway by State Election Board investigators.

• **Current Responsibility**

- ◆ Boards of Elections and Registration, county Election Superintendents/ Probate Judges, Municipal Election Superintendents, and County Registrars are responsible for knowing and complying with the law, and managing election-related activities.
- ◆ The Secretary of State’s elections division assigns investigative personnel to monitor locations where there are allegations or evidence of potential misconduct, and to locations that have a history of election law violations.

7) “COULD NOT FIND PRECINCT”

“On Tuesday, we drove to the MARTA Complex on Piedmont only to be told that our voting place was in a complex in Peachtree Hills – there was a policeman stationed at the MARTA complex directing the many voters who had received word that their place for voting was at the MARTA complex. We had NOT been advised that our place had changed.”

Fulton County Voter

A substantial number of calls and complaints were received from citizens who did not know, or had forgotten, the location of their precinct. Many asked why there was not an easily accessible web or phone-based service that provides this information.

• **Related Facts & Statistics**

- ◆ Voters may be assigned to new precincts and polling locations for several reasons including:
 - Voter moves
 - Local, state or federal district reapportionment
 - Former polling location no longer adequate or available
 - Because of population growth in an area, the precinct was split
- ◆ Pursuant to Georgia law (o.c.g.a. 21-2-226), registered voters are required to be notified in writing by the county or city registrars of any change in polling location.
- ◆ Local governments are having an increasingly difficult time locating and retaining public and private polling places.
- ◆ As one of the fastest growing states in the nation, many new residents are not familiar with their communities and need assistance in locating poll locations.

• **Current Responsibility**

- ◆ Local registrars are responsible for notifying registered voters of poll locations.

8) **“TOO MANY STEPS TO GET TO BALLOT”**

“Much time is spent filling out a form printing your name first and then giving your signature, address, date, type of election, and saying whether or not you are a Democrat or Republican. Really now! Another table already has this information; is this redundant or not?”
DeKalb County Voter

A number of citizens suggested that paperwork procedures at the polls should be streamlined.

• **Related Facts & Statistics**

- ◆ As required by law, prior to actually voting a ballot, registered voters must complete at least 3 steps, including: (1) Completion of voter certificate and check of voter I.D.; (2) Poll officer marks official electors list; and (3) Poll worker adds citizen’s name to numbered list of voters. Only then is a ballot issued.

- ◆ Due to wide variations in the physical layout of voting locations, a standard or required set-up for precincts is virtually impossible.
- ◆ Poll location space limitations often create problems with the formation of voter lines and clear progression to receiving and casting ballots.

• **Current Responsibility**

- ◆ Local election superintendents are responsible for setting up precincts and voting procedures in compliance with state law and regulations. Local election superintendents also decide how many poll workers to assign to each function within the precinct.

9) **SLOW PROCESSING OF ABSENTEE BALLOTS**

“Absentee voting is out of control. Specifically, organization(s) put out the word in their mailings, meetings, and/or telephonic messages that ‘you do not have to go to the polls, vote absentee...’ What we just experienced was early voting, and we might as well bite that bullet and overhaul the entire process to provide early voting.”

Carroll County Board of Registrars

• **Related Facts & Statistics**

- ◆ Most, if not all, counties reported issuing more absentee ballots in the November, 2000 General Election than ever before.
- ◆ Absentee ballots in Georgia may be cast up to 45 days prior to the General Election date for the following reasons provided by law (O.C.G.A. 21-2-380):
 - (1) Voter is required to be absent from precinct on Election Day;
 - (2) Voter is an election official;
 - (3) Voter is unable to vote because of physical disability or is required to give constant care to someone with a physical disability;
 - (4) Voter is unable to go to poll because election day is a religious holiday;
 - (5) Voter is unable to go to poll because job involves public protection of health, life or safety;
 - (6) Voter is 75 years of age or older;
 - (7) As provided by federal law, voter is a U.S. citizen permanently residing outside the United States; and
 - (8) As provided by federal law, voter is a member of the U.S. Armed Forces residing outside the county (applies to spouse and dependents).
- ◆ The processing of absentee ballots begins with opening of the outer envelope, which by law may not occur prior to noon on Election Day,

followed by opening of the inner envelope and processing of the ballot after polls close at 7:00 p.m.

- ◆ Absentee ballots returned by mail are verified by comparing the registered voter's signature on the ballot envelope to the signature in the permanent registration file.
- ◆ In recent elections, political parties and various organizations have encouraged voter participation via absentee ballots, typically targeted to specific groups.
- ◆ Recent complaints highlight problems arising from urging the use of absentee ballots for inappropriate reasons.
- ◆ Absentee ballots are different for each type of voting system used in the state.
- ◆ Absentee ballots are the form of voting most vulnerable to fraud and are the subject of many complaints filed with the State Election Board.
- ◆ Many counties utilizing lever machine voting devices had absentee ballots printed in a format that required extra large paper, and had to be folded 6 times to fit into an envelope prior to mailing.
- ◆ Absentee ballots are sometimes the last votes to be counted due to the length of time required to open the inner and outer envelopes. As a result, absentee ballots are frequently and inaccurately identified as the votes "deciding the election."

● **Current Responsibility**

- ◆ The preparation and printing of absentee ballots, according to state law, is the responsibility of local election superintendents, while the issuance and receipt of absentee ballots is handled by the registrar.
- ◆ Provisions for verifying, opening, and counting absentee ballots are set by state law (o.c.g.a. 21-2-386 (b)).

10) **LOW & DECLINING TURNOUT FOR PRIMARIES**

The 2000 election cycle saw historic low turnout in the July General Primary, continuing a long-term trend of declining participation in primaries. Particularly for families with school-age children, mid-July is an inconvenient time to conduct a major election.

- **Related Facts & Statistics**

- ◆ The General & Nonpartisan Primary is required by law (o.c.g.a. 21-2-540) to be held the third Tuesday in July.
- ◆ The date of the General & Nonpartisan Primary has been set in a number of ways and moved repeatedly, including: **1996** – law amended for a one-time accommodation for Olympics by moving to second Tuesday in July; **1989** – law changed to set date as third Tuesday in July; **1971** – law changed to set date as second Tuesday in August; **1962** – law changed to set date as second Wednesday in September; **1961** – law changed to allow date to be set by State Executive Committee of parties (between June 1 and September 15); **1953** – date set by political parties.
- ◆ As a percentage of total eligible voters, participation in the General & Nonpartisan Primary has been as follows: 2000 = 27 %; 1998 = 25 %; 1996 = 33 %; 1994 = 26% and 1992 = 40 %.

- **Current Responsibility**

- ◆ State law sets the General & Nonpartisan Primary date (O.C.G.A. 21-2-540).

11) **GROWTH OF “LANGUAGE MINORITIES” BRINGS NEW CHALLENGES**

A more diverse, multilingual and multicultural Georgia brings with it special considerations for the conduct of elections. New federal mandates may soon apply to accommodate non-English-speaking citizens.

- **Related Facts & Statistics**

- ◆ Preliminary indications from the 2000 Census suggest that the populations of several “language minority” Georgians, including Spanish-speaking individuals, have grown tremendously in the last 10 years.
- ◆ Pursuant to the federal *Voting Rights Act*, Georgia or some selected counties within the state, may be required to accommodate language minority populations of 10,000 or more in a given area by printing adequate voting materials (including ballots) in Spanish or other foreign languages.
- ◆ Currently, the only voting-related materials available in languages other than English are voter registration instruction forms (used to guide citizens in completion of the standard Georgia form printed in English) that are printed in Spanish, Chinese, and several other Asian languages.

- ◆ We have heard from representatives of ethnic minorities who advocate changes to assist those of limited English proficiency who need additional time to read and vote their ballot.

- **Current Responsibility**

- ◆ The state and all local governments of Georgia are required to comply with provisions of the federal *Voting Rights Act of 1965*.
- ◆ The counties are solely responsible for printing ballots and sample ballots. The state is responsible for printing all other forms, which include voter registration materials, and materials used at polls, such as voter certificates, list of voters, electors list, disabled parking signs, "I voted" stickers, etc.

12) **STATE MAINFRAME COMPUTER SYSTEM UNRELIABLE & SLOW**

*"The terminal for the state computer system seems to be
down more than it is up..."
County Election Official*

Officials and staff in county voter registration and election offices expressed frustration with the state-maintained DOAS mainframe computer system: it is often not working, can be slow, is inflexible and not user-friendly.

- **Related Facts & Statistics**

- ◆ Following the adoption of the "*National Voter Registration Act*" (Motor Voter) in 1994, Georgia constructed a statewide voter registration system on the state mainframe computer operated by the Department of Administrative Services (DOAS). As provided by the Georgia law, the state provided access to the voter registration network via a state-owned and maintained terminal and modem connection. Each county registrar and election office was furnished with computers by the state in 1994.
- ◆ Voter registration applications in Georgia are generated largely by the Department of Public Safety licensing offices, mandated voter registration sites in each county, various organized voter registration drives, applications via the Internet (printed application only, not actual on-line registration), as well as through county registration offices. Except for applications completed in the local registration office, all applications are first mailed to the Secretary of State Elections Division in Atlanta and routed each day to the appropriate county voter registration office, which is responsible for data input to the voter registration system.

- ◆ The statewide voter registration system cost approximately \$1.8 million to operate in FY 2000 (only about \$928,000 approved in agency budget). These costs are borne entirely by the Secretary of State's office.
- ◆ Between July 1st and October 10th, 2000 (the General Election voter registration deadline), more than 275,000 voter registration applications passed through the Elections Division and were directed to the appropriate counties.
- ◆ At peak entry time, as the deadline for registration neared, counties indicated that it could take up to five minutes for the mainframe to accept a new registration entry.
- ◆ Counties have also complained that connection to the state mainframe is unreliable.
- ◆ On October 22, 2000, the statewide mainframe malfunctioned and approximately 3,000 voter records were lost (although most were subsequently reconstructed). In some cases, precinct cards were generated and mailed to the voter – even though the recipient had not been added to the voter roll. Additionally, after the computer system was repaired, some registration material was duplicated, thereby producing two cards and furthering voter confusion.

● **Current Responsibility**

- ◆ The state owns and maintains outdated computer terminals and leases modems in each county – most of which were placed in counties in 1994.
- ◆ The state provides postage for mail-in voter registration forms, return postage paid envelopes to mandated registration sites and mailing of all applications to the appropriate county for processing on a daily basis.
- ◆ Local registrars are responsible for entering and maintaining registered voter records on the state mainframe computer system.

13) **COUNTIES SLOW TO REPORT ELECTION RESULTS**

*“Looks like the AP (News Service) has more current and detailed election returns than the state system”
Capitol Election Night Observer*

In the 21st Century, Georgians reasonably expect complete and accurate results for all federal and state races as quickly as they are computed. Tens of thousands of web visitors rely on the Secretary of State's website for updated election totals. The system, while technologically sound, relies on data entries made voluntarily by county employees. Performance of the system in the 2000

election cycle was poor because many counties did not enter data promptly – some counties did not enter results at all on election night.

- **Related Facts & Statistics**

- ◆ Georgia law does not mandate that counties enter return data on election night. Election night reporting is performed by county employees voluntarily, at the request of the Secretary of State. Counties are asked to enter election results as soon as possible for federal, state and statewide offices. Some counties enter this information promptly throughout the night, some at the end of the night, some the next day, and some not at all.
- ◆ Local election data is extracted from the state mainframe computer and utilized by the Office of Secretary of State to post election returns on the Internet.
- ◆ For the 2000 General Election, local election returns proved to be slow to non-existent for many counties, and in virtually every case, slower than other non-government sources (the ***Associated Press***).

- **Current Responsibility**

- ◆ Local election superintendents are responsible for entering election returns, by precinct, onto the statewide DOAS mainframe computer within 45 days of the election (effective July 1, 2000), but there is no requirement that results be entered on election night (o.c.g.a. 21-2-77).

14) **VOTER REGISTRATION PROCESS COSTLY AND SLOW ~ A COMMON SOURCE OF COMPLAINTS**

“A rep (from the Election office) called me back later in the afternoon and advised me after checking with their contact for Georgia State Patrol, they had no record of my registering to vote.”
Richmond County Voter

“The name of my son and many other person’s names were omitted from the Board of Registration’s listing, yet they had records on file in their office. My son registered to vote during February 2000. My son had to stand in a line a second time [to vote].”
Chatham County Voter

- **Related Facts & Statistics**

- ◆ Georgia’s version of the “*National Voter Registration Act*” (Motor Voter) was adopted in 1994 and went into effect January 1, 1995. The

statewide voter registration computer system was designed and constructed in approximately eight months.

- ◆ On the 2000 General Election Date, 4,648,210 (including both active and inactive registrants) voters were eligible to cast ballots.
- ◆ For calendar year 2000, the sources of voter registration originated from the following sources:

Registration Location	Total Number	Percent of Total
Department of Public Safety	381,938	61.22%
Mail Direct to SOS	66,323	10.63%
County Registrars Office	54,918	8.80%
Libraries	52,928	8.48%
DFACS Offices	49,364	7.91%
WIC Offices	17,078	2.74%
Other Offices	1,288	0.21%
Calendar Year 2000 TOTAL	623,837	100.00%

- ◆ Voter registration additions, deletions and modifications are entered at the county level by local registrars into the DOAS state mainframe computer system. Operating costs to the Office of Secretary of State will exceed \$1.8 million in FY 2000.
- ◆ The Office of Secretary of State received numerous complaints from persons who believed they had properly registered to vote, but whose names did not appear on the voter roll. A majority of these complaints came from metro Atlanta residents.
- ◆ Voter Registration through the Department of Public Safety (DPS) was typically the target of most complaints.
- ◆ In the DPS voter registration process, the accuracy depends entirely upon the driver's license examiner. In some cases, the examiner may fail to ask the individual if he or she wants to register. In other cases, the citizen may respond "Yes" to the voter registration question but the examiner hits the wrong key. With nearly 400,000 such transactions each year -- each dependent on the voter clearly communicating an answer and the examiner properly entering the response-- some number of mistakes is inevitable.
- ◆ Complaints frequently stated that applications were submitted at independent voter registration drives that were inappropriately collected or never received by the Elections Division or the appropriate county.

- ◆ For the 2000 General Election, the statutory deadline for voter registration applications was October 10th; applicants whose forms were postmarked after that date were not eligible to vote on November 7th, 2000.
- ◆ Voter registration drives, which must be held in compliance with state laws and regulations, are often difficult to arrange -- particularly on short notice -- with local boards of registration, in light of limited resources and other factors.

• **Current Responsibility**

- ◆ Pursuant to state law (o.c.g.a. 21-2-220, -221 and -222,) there are more than 1,000 mandated voter registration sites in Georgia. Additionally, school principals and college presidents act as deputy registrars (o.c.g.a. 21-2-215).
- ◆ The Office of Secretary of State covers the cost for postage-paid voter registration applications, receives applications and routes them to the appropriate counties for processing. The agency is also responsible for supplying and maintaining a connection to the statewide voter registration computer system, currently administered by the State Department of Administrative Services, for local registrars and election superintendents, in each county.
- ◆ An individual's registration is not valid until the county voter registration office reviews the application for completeness and determines that the individual may be legally registered, approves the application and enters the information on the official list.

15) **WHO RUNS LOCAL ELECTIONS?**

“(Probate Judges) simply have too many responsibilities already. And, if we knew that enough resources would be put in place, and if we knew that a qualified person was taking over the responsibility, we would gladly give it up.”
Georgia Probate Judge

• **Related Facts & Statistics**

- ◆ By statutory charge (o.c.g.a. 15-9-30) and definition (o.c.g.a. 21-2-2), judges of probate courts serve as the election superintendent in counties that do not have a county board of elections or a combined county board of elections and registration.

- ◆ In 106 counties of the state, judges of probate courts also serve as election supervisors for the county (the judges in 25 of those counties were first elected in November 2000).

- ◆ Judges of probate court have numerous responsibilities including: (1) Wills; (2) Guardians; (3) Matters of persons judged to be incompetent; (4) Perform county governmental administration duties; (5) Fill vacancies in public offices by appointment; (6) Administer oaths to public officers; (7) Accept, file, approve, and record bonds of public officers; (8) Register and permit certain enterprises; (9) Issue marriage licenses; (10) Hear traffic cases; (11) Judge and impose sentences in cases of violations of game and fish laws; (12) Hold commitment hearings; (13) Perform such other judicial and ministerial functions as may be provided by law; (14) Issue gun permits; (15) Maintain files of the Legal Gazette; (16) Compile vital records; and **(17) Perform duties relating to elections.**

- ◆ In light of the broad range of responsibilities, many judges of probate court suggested that they are often overwhelmed by the duties for coordinating election activities, which go beyond election year activities, to include staying abreast of changing election laws, attending required training, overseeing maintenance of election equipment... which all compete with tighter resources allocated by local governments for all probate functions.

- ◆ Pursuant to state law (o.c.g.a. 15-9-63), the minimum salaries for judges of probate court range from \$20,511 (for lowest populated counties) to \$73,205 (for counties with 1990 population of 500,000 and larger. The annual salary is supplemented for specified additional functions including: election superintendent (+\$2,835) and traffic court (+ \$3,543). "Longevity" increases are also available based upon the number of 4-year terms served (starting separately in 1977 and 2000). Finally, judges of probate court may still receive compensation based upon fees collected for vital records, equal to the amount of fees or \$7,500 (as may be provided by local legislation).

● **Current Responsibility**

- ◆ Judges of probate courts are designated by law as the election superintendent in counties that do not have a county board of elections or a combined county board of elections and registration (o.c.g.a. 15-9-30, 21-2-2).

16) VOTING SHOULD BE MORE CONVENIENT & ACCESSIBLE

"With a demanding job and two kids in school, finding time to drive to the precinct, stand in line and vote is a real challenge. You shouldn't have to go hire a baby sitter in order to exercise your constitutional rights"

Voter Complaint via Phone Call

As time demands on citizens have increased and voter participation rates have steadily declined, policymakers have looked for ways to offer voters a more convenient and user-friendly option. Particularly in urban areas like metro Atlanta, which has the longest daily commutes in the nation, fitting in a time-consuming visit to a voting precinct amid work and family obligations is, for many citizens, no easy matter. Twenty-six states now have some form of "early" or "open absentee" voting that permits electors to, as a matter of choice and convenience, cast their ballots prior to election day. Election officials in "early voting" states report that the system is not only broadly popular with the public – it significantly reduces lines, delays and confusion at the precincts on election day.

• **Related Facts & Statistics**

- ◆ Election dates are set by the U.S. Constitution and U.S. Code (Presidential, Congressional); the Georgia Constitution (General Election date), and Georgia law (including Presidential preference primary o.c.g.a. 21-2-191; political party general primaries o.c.g.a. 21-2-150; run-offs o.c.g.a. 21-2-501; special elections and primaries o.c.g.a. 21-2-540). Additionally, four days per year are, by statute, authorized for special elections, with limited exceptions (o.c.g.a. 21-2-540).
- ◆ **O.C.G.A. 21-2-265** requires the superintendent of a county or the governing authority of a municipality to select and fix the polling place within each precinct.
- ◆ Pursuant to Section 5 of the federal *Voting Rights Act of 1965*, all election and voting related laws and regulations are subject to review and approval of the U.S. Department of Justice.

• **Current Responsibility**

- ◆ With exception of the General Election (for which the date and timing requirements for absentee ballots are set by federal law and regulations), the state has the authority to set election dates and procedures by general statute.

Section III: Alternatives For Improving Georgia Elections

The preceding discussion of problems and concerns makes clear that voter registration and elections are complex processes involving multiple players, combined with competing needs and interests. Major reform and change should be considered carefully and deliberately, with full participation of those affected. As noted above, this report does not claim to offer an unqualified solution to every ailment. But, we believe there are promising opportunities for reform and improvement -- changes that will better serve the nearly five million Georgians eligible to participate in the choice of our leaders. The following alternatives are presented in the same order as the discussion of problems above.

Outdated Voting Equipment

We believe the anecdotal evidence and data make clear that our current system of casting and counting votes – employing four different systems with varying degrees of accuracy – is unsatisfactory and should be thoroughly overhauled. It is apparent that voters in some counties are much more likely to have their votes accurately counted than those in others. The shortcomings of punch card systems have been well documented. But undervote rates of the other two predominant systems, opti-scan and lever machine, also leave much to be desired. Twenty-one opti-scan counties recorded undervote rates of 5 percent or higher in the 2000 presidential race. **Given that erratic and unsatisfactory performance, Georgia should not adopt opti-scan as a uniform technology.** Going forward, we must assure that any new uniform system considered for adoption be one that simply will not accept duplicate, or overvotes.

Secretary of State Cox has proposed a “Statewide Uniform Electronic Voting Initiative” (SUEVI) with the objective of moving Georgia to a uniform electronic voting system by November, 2004. Governor Barnes has proposed \$200,000 in the FY 2001 Budget to begin the analysis of alternatives. The Secretary of State has proposed a FY 2002 appropriation of \$5 million to initiate a three-year process of installing a unified system – beginning with the 17 punch card counties. As a first step, SUEVI contemplates leasing several different types of electronic equipment (that meet both state and federal certification standards) to be deployed in up to five cities during the 2001 municipal election cycle. This field-testing period will provide valuable real world experience to help assess the advantages of various competing systems.

There is now substantial movement within the U. S. Congress towards enactment of legislation to provide federal funds to assist states with the purchase of uniform, modern voting equipment. Such federal support, if

forthcoming, could significantly reduce the financial burden on state government to implement this initiative.

By law and by custom, the acquisition and maintenance of voting equipment has been the responsibility of county government. But just as we believe that the current system cries out for change, we believe it is equally clear that a new state mandate to the counties to acquire uniform electronic equipment -- without the financial support to assist that endeavor -- would place an undue and unacceptable burden on county governments. We cannot achieve uniformity in state election systems without state involvement and support.

Other key elements of the SUEVI are:

- **Appointment of an Election Systems Advisory Commission, comprised of election officials, representatives from political parties, citizen advocacy groups, business and civic leaders to assist in the evaluation of electronic voting alternatives and the establishment of desired features and standards for a uniform Georgia system.**
- **Completion of mandatory certification of electronic voting devices.**
- **Selection of preferred electronic voting device.**
- **Full participation in federal voting reform initiatives.**
- **Development of comprehensive plan for equipment rollout with extensive training and equipment field-tests for county and municipal election staff, and extensive training for voters.**

Ballot Problems

A General Election ballot will never be short, sweet and simple. But steps can be taken to reduce its length, minimize confusion and improve the voting interface. Full implementation of SUEVI, providing a consistent, uniform ballot that all Georgians could review in advance, would help immensely. Dispensing with the election of offices such as surveyor and tax assessor and eliminating the Non-Partisan Primary (thus concluding the selection of judges at the General Primary and removing their redundant appearance on the November ballot), would help. On the Primary ballot, forgoing the election of local party executive committees would also serve to shorten the ballot. The General Assembly should also consider mandating that all constitutional amendments and referendum questions appear on the ballot with a short descriptive title not to exceed 20 words, to help voters sort through the questions more quickly.

“Lines Too Long” and Other Polling Place Deficiencies

No single initiative would have a greater impact on reducing long lines than adoption in Georgia of early voting – a change the Secretary of State has been seeking for several years. By creating a 7 to 10-day window in which votes may be cast (in person, at a county courthouse or other designated election facility), we would greatly reduce the strain placed on people and equipment at the precincts on election day. One Nevada county, for example, reports that more than 50 percent of all ballots are now cast “early,” making election day gridlock a thing of the past. Others among the 26 states who now have early voting report similar benefits as well.

Beyond the adoption of an early voting system, a number of steps can be taken to improve polling place operations, including:

- **Require counties that utilize schools as precincts close schools on Primary and General Election Days. Dual use of schools as precincts during regular school hours presents both parking problems and potential security issues for students.**
- **Consider legislation to allow polling places to be located outside of the geographic boundaries of precincts, when certain conditions and minimum standards are met.**
- **Change state law to increase the number of voting booths per registered voter required to be operational at each polling location.**
- **Consider legislation to allow multiple precincts in the same location, when certain conditions and minimum standards are met.**
- **Devise incentives (e.g. a “public use day” tax credit) for appropriate private facilities to be used as polling locations.**

“Dead People Voting”

Although the claim of widespread fraudulent voting using the registration of the deceased is not supported by hard evidence, it is clear that too many deceased electors remain on the rolls for too long. Large numbers of deceased registrants certainly present an opportunity for electoral mischief. **We believe consolidating the responsibility for deleting deceased electors in the Secretary of State’s office will make the process faster, more efficient and more sure. In addition to DHR-supplied data on Georgia deaths, the Elections Division will seek ways to obtain death information from adjoining states.** (There is no national death registry and DHR only obtains information on deaths that occur in Georgia, yet it is likely that a substantial number of Georgians die in medical facilities in Florida, Alabama, Tennessee and the Carolinas). **Legislation to provide the Secretary of State with this new authority is currently being drafted.**

Shortage of Trained Poll Workers

In a full employment economy, it will be a continuing challenge to recruit and retain sufficient numbers of poll workers. Some changes that may help:

- **Encourage teachers to serve as poll managers and workers, especially in counties that close schools on election day.**
- **Consider similar inducements for high school students to work at the polls as part of a civic education initiative** (O.C.G.A. 21-2-92 allows poll workers to be age 16 or older).
- **Revise poll worker training to require that all poll workers be trained prior to Election Day and to require that training and poll manager manuals be prepared according to a standardized format.**
- **Consider minimum pay standards for poll workers.**
- **Create a “Generation Y Corps” to drive youth involvement in elections by Y clubs, scout programs, high school clubs, church youth groups and others.**
- **Greatly expand the poll worker recruitment pool through joint state and local initiatives, working in concert with statewide associations, leadership programs and civic clubs.**

Election Law Violations

The Secretary of State’s Election Division, operating under the direction of the State Election Board, conducts scores of investigations each year into potential election law violations. A number of successful investigations have resulted in fines and other administrative penalties, and one resulted in the largest single group of federal convictions for election fraud in the history of the United States. We will identify additional ways to more widely inform citizens that Division investigators are available, ready to help and should be contacted whenever election law violations occur.

“Could Not Find Precinct”

In a fast growing mobile society, it is not uncommon to find citizens who are not sure which county they reside in, much less the name and location of their voting precinct. Voters often do not take time to check until election day – when the phone lines are jammed at their county registration office. We believe

technology offers solutions to help get voters the answers they need and reduce election day confusion:

- **Using available Geographic Information System (GIS) resources, develop web and Integrated Voice Response (IVR) system to allow registered voters to enter personal information and obtain precise precinct location information** (currently utilized in several states).
- **Consider making sample ballots with precinct maps available via the Internet, printed in county legal organs, or mailed directly to registered voters.**
- **Some states prepare and mail a comprehensive voter guide, with information on ballot questions and candidates as well as precinct locations, to the household of every registered voter. Such a program carries with it substantial costs for compilation, design, printing and mailing. In the future, Georgia may be able to develop low-cost variants that provide the same personalized voter information, but are delivered electronically** (via email or online query).

“Too Many Steps to Get to Ballot”

The current paperwork-heavy system of checking in voters was developed to provide maximum safeguards and sufficient checks and balances. Without compromising those essential priorities, procedural changes should be considered to streamline the process:

- **Consider eliminating the voter certificate, requiring instead that the voter sign and affirm the accuracy of their registration on a new line of the Official Voters List.**
- **To speed up processing, several counties preprint voter certificates for electors, requiring voters only to sign and indicate party preference. If the voter certificate is retained, this procedure should be considered by other counties as well.**
- **Longer term, implementation of SUEVI would provide the opportunity for complete and rapid electronic retrieval of voter information at the precinct, reducing manual list checking and compilation.**

Slow Processing of Absentee Ballots

Each recent election has shown more vigorous targeted campaigns by candidates, political parties and interest groups to encourage electors to vote absentee – and we can expect those solicitation efforts to grow in the years to come. County registration and election officials need new tools to cope with this increased work flow. They may include:

- **Seek new legislation in the 2001 General Assembly to permit opening of absentee ballots earlier on election day, under careful supervision of a Superior Court judge. Ballots would not be counted until after 7 p.m., but the tedious opening of envelopes and preparation of ballots could begin much earlier.**
- **We believe implementation of Early Voting may serve to stem the abuse of absentee voting by those who do not in fact meet the statutory requirements, but who vote absentee strictly as a matter of convenience. Early voting offers much greater safeguards because these votes are cast in person (after presenting ID) rather than remotely through the mail.**
- **Modify absentee ballot requirements to make forms more user friendly and uniform throughout all voting systems.**
- **Modify absentee provisions to require the voter to show acceptable forms of identification when voting in person, rather than verifying by signature (which is the current procedure). If no identification is provided, the signature must be verified.**

Low and Declining Turnout for Primaries

The dismal rate of voter participation in recent Georgia primaries is part of a broader, long-term trend of declining turnout in all elections. The timing of the General Primary -- in mid-July when many families are on vacation -- is the factor most often cited as contributing to low voter interest.

While implementation of SUEVI and Early Voting would help reverse these trends, we believe turnout could be most positively impacted by moving the General Primary date to the third Tuesday in August, when most Georgia schools are back in session and families have returned from holiday travel. The Secretary of State will present this proposal to the 2001 General Assembly.

Growth of “Language Minorities” Brings New Challenges

Georgia has already begun to provide greater assistance to citizens whose primary language is not English through the distribution of voter registration guides translated into Spanish and several Asian languages. **Both SUEVI and Early Voting could broaden the opportunity to accommodate the needs of language minorities. With an electronic voting system, ballots can be created in two or more languages at little or no incremental cost – allowing counties to meet potential Voting Rights Act mandates without the significant expense of manual printing of ballots in several languages.**

We also have heard from advocates that those who do not read English well must take additional time with their ballots, yet feel uncomfortable doing so in a crowded precinct on election day. **For these citizens Early Voting offers considerable appeal – providing a more relaxed setting in which to take the time needed to fully understand their ballot choices.**

State DOAS Mainframe Computer System Unreliable and Slow

Moving to meet the requirements of NVRA (Motor Voter) in 1994, Georgia acted swiftly to design, on short notice, the first consolidated statewide database of registered voters. And while capable in its time, seven years later that system is slow, inflexible and extremely expensive to maintain. **The Secretary of State’s goal is to get voter registration off the inefficient DOAS mainframe and migrate that data to a state-of-the-art, user-friendly server based system. In addition, implementation of SUEVI would allow integration of the voter registration system with current technology and faster connections to counties. Georgia should also consider the approach several other states have taken to combine voter registration and drivers’ license information into a single database, which may provide greater efficiencies and improved accuracy.**

Counties Slow to Report Election Results

No information that government collects should be more rapidly shared with the public than the tally of who won and lost an election. Yet voluntary participation by counties in the election night reporting system has been uneven at best. **Long-term, SUEVI will make the manual entry of county-by-county data unnecessary. But short-term, state law should be modified to make the immediate entry of results by counties mandatory.**

Voter Registration: Costly & Slow/Common Source of Complaints

Applications at DPS drivers license facilities represent by far the largest number of new registrations. Getting registered while getting a license is quick and easy, but there is a trade-off for that convenience: there is no receipt or paper trail for the citizen if the request to register is misunderstood by the examiner or if an error is input into the system.

Possible alternative solutions that could reduce errors and voter confusion: informational handouts for potential voter applicants explaining the opportunity and process of voter registration upon arrival at DPS Drivers' License offices; the addition of enhanced/interactive signature pads allowing applicants to verify intent and personal information; alternatively, placing voter registration kiosks to serve as a voter registration access point at DPS stations; or the addition of "touch screen" monitors for license and voter applicants to verify personal information and intent.

Additionally, the state could pursue resources to create an online voter registration verification system, that might also be supported by an Integrated Voice Response (IVR) phone system ... so prospective voters could conveniently verify their registration status and take corrective action if errors were made. And, the full implementation of SUEVI would create a more fully integrated, reliable and real-time voter registration system.

Who Runs Local Elections?

The General Assembly is currently considering legislation to establish consistent authority for elections management through combined boards of registration and elections – removing the responsibility from the already full plate of probate judges. Some have argued there are advantages to having an entity whose sole responsibilities is elections and registration to supervise those functions. We believe that should such a statutory change occur, and election responsibilities be removed from probate judges, these officials should not incur any reduced compensation.

Voting Should Be More Convenient and Accessible

As noted above, 26 other states have adopted early or open absentee voting to increase convenience, reduce election day gridlock and address the time constraints faced by many busy families. **We believe the benefits of early voting are clear and the pluses for local election officials far outweigh the minuses.** The exponential growth of absentee voting is a clear signal that more and more Georgians are choosing to vote early – whether or not they meet the technical legal requirements of current law. **Early voting offers a better way to meet this public demand, offering greater security and reduced strain on county staff resources.**

We also believe that adoption of SUEVI would serve to make voting quicker, more convenient and less confusing. A single uniform system of voting would permit extensive voter education efforts – on what to expect at the precinct, how to use the voting equipment, how the ballot will look, what safeguards are in place to assure accuracy and other issues. With four current systems (and additional variants within the opti-scan category) such widespread education is practically impossible today.