

Common Cause

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Election Day 2004: A Fragmented, Under-funded Election System Continues to Frustrate Thousands of Voters

The day after Election Day, Americans knew the winner of the presidential election. But quickly knowing who won and having an election without ensuing litigation only papers over the major problems that remain with our system of voting.

Common Cause monitored Election Day on the ground and by telephone, with the help of nearly 200,000 voters from 50 states who called 1-866-MYVOTE1, a voter alert line the organization ran with a consortium of groups.

We had more than 1,000 monitors at polling places nationwide, with a concentration in Ohio and New Mexico.

We collected 1,700 voters' stories through our website, and have an unprecedented amount of non-partisan data that exists on what happened to voters on Election Day.

This much is clear: Voting in 2004 was more problematic than in 2000. Thousands of people waited in lines as long as eight hours to cast a ballot. Many more thousands were turned away at the polls due to registration issues and still thousands more who requested absentee ballots never received them.

“There may not have been fighting in the streets, and an election decided by the courts, as some officials feared,” said Chellie Pingree, president of Common Cause. “But that can’t be our standard for a successful election. Voters not included on registration lists, tens of thousands of absentee ballots never received and lines that snake for blocks are just as large impediments to voting as hanging chads, and they must be addressed.”

“Our democracy rests on the trust and comfort level Americans have with voting. Fortunately, we did not have a repeat of the 2000 election debacle, in large part because of the monitoring efforts of many organizations and the pressure they put on elections officials before Election Day,” Pingree said. “Unfortunately, we saw on Election Day that many problems still persist and new problems have arisen in the past four years.”

“The welcome surge in new voters we witnessed this year is likely to evaporate if citizens continue to face obstacles to getting their vote cast and counted. We know the reforms that need to be made to the system,” Pingree said. “We need to continue the push for change.”

Common Cause, in conjunction with our partners, will be compiling and analyzing the information we collected and reporting to the public and elected officials on the continuing need to reform our system of voting.

Common Cause will work with other organizations to make voting live up to the highest standards. We will work with civil rights organizations to ensure that Voting Rights Act continues to be a bulwark against the most egregious forms of discrimination. We will work at the federal and state level to ensure that the delayed and limited promises of the Help America Vote Act are implemented, and that some of the problems created by HAVA are remedied.

The following report details the experiences of voters throughout the country who told us their stories.

Nearly 200,000 calls were made to the MYVOTE1 line before, during and after the election. Common Cause will work with academic partners in coming months to analyze the data and make public the findings. In addition, more than 1,700 citizens emailed stories about their voting experiences to the Common Cause website.

Common Cause volunteers and staff listened to hundreds of these calls. Many voters expressed anger, frustration and sadness at the hurdles they were facing in the voting process. The most frequently heard complaints were voters whose names were not listed on registration lists, voters who never received absentee ballots and lines that lasted hours and hours.

This report provides a brief overview of some of the serious deficiencies in our election system that our monitoring efforts revealed:

Polling Place Problems

While it was heartening that apparently a record number of Americans came to the polls, it was discouraging that in many places, elections officials seemed unable to handle a surge in voters, despite the fact that record numbers had been predicted for weeks. Voters showed their dedication by standing in lines as long as eight hours, but as *The New York Times* remarked, long lines can amount to a poll tax on voters who are either physically unable to stand in line or have other compelling demands on their time.

Alicia reported that she and many other voters stood in line for up to four hours in early voting. The holdup was with lack of staff at the polling sites. "With all the hype and promotion surrounding the early voting advantage, the Broward County Election Supervisors office still was unprepared to handle the crowds..."

Many callers complained of efforts to mislead or intimidate voters. These problems ranged from election officials randomly and inappropriately asking for identification

from voters, to a persistent rumor in some urban neighborhoods that voters with outstanding traffic tickets would be arrested.

An election judge in Monroeville, Pennsylvania challenged voters' identification as they were standing in line. This is a polling place where people know the elections officials and have been voting there for years. Many people did not have identification with them, and left the line. The elections judge backed down only after an election protection lawyer threatened him with an injunction.

Registration/Voter Database

The long lines were exacerbated by voters discovering that they were not on the voter lists in their polling place. In the calls we received, many citizens complained that their registration forms apparently never were received.

Samantha, a student at the Cleveland School of Music, stated that she had registered to vote two months ago, but that she never received a voter registration card. "When I called, I was told I was nowhere in the system," she said. She said her friends were having the same problem. "We were told we can't vote at all. I'm really appalled by that, because it's my first time voting. I just turned 18, and I really would like to vote."

Provisional Ballots

When voters are not on a registration list, they may request a provisional ballot, a fail-safe mechanism that was supposed to be a key reform in HAVA. But our callers often expressed concern about what would happen to a vote cast on a provisional ballot. We will follow the counting of provisional ballots in Ohio and other states where tens of thousands of provisional ballots were cast.

In Broward County, Florida, a voter said he voted at Winston Park Elementary School. He said he had applied for but not received an absentee ballot, so he was handed a hard-copy [provisional ballot], but no one could explain directions. He used the wrong envelope and had to re-insert it and tape the envelope shut. He was not sure his vote would be counted. He said poll workers were unhelpful and he had no privacy when voting.

Absentee Ballots

Millions of Americans voted early and voted absentee this year. In news reports and in the calls we received before Election Day, voters, including disabled voters, senior citizens and students complained that they had not received their absentee ballots on time. Some were not allowed to vote in their polling place because the voting list stated they had already voted absentee, even if they had not done so.

In Marion County, Pennsylvania Paul wrote to say that he had voted in every election since 1972, but working now in Massachusetts. All his efforts to obtain an absentee

ballot had failed. "I have repeatedly called, mailed in a request, sent ... relatives to obtain an absentee ballot." He said elections officials refused to stay open past 6 p.m. to handle "the long lines of people with the same problem. I am thoroughly disgusted with the process. I do not believe it should be made impossible to vote, even if you are registered."

Voting Machines

Voting equipment remains a serious deficiency despite the promises made after the debacle of the 2000 election. The lack of sufficient numbers of voting machines in some places added to the frustratingly long lines. Many of our callers expressed concern about electronic voting machines, confusing ballots and other mechanical problems. There was no recount battle, but the lack of voter-verified paper trail on most electronic voting machines makes credible recounts impossible and will come back to haunt us in some future election.

A voter said every time she pressed the voting machine button for Kerry, Bush's name would pop up. She said she used the end of a pencil to push the button to finally get Kerry's name to pop up. She wanted to know if her vote would be counted.