

VOTING IN 2010: Ten Swing States

NORTH CAROLINA

When President Obama won North Carolina in 2008, many proclaimed it a new swing state. Indeed, the race for the Senate in the state in 2010 is close. Fortunately, North Carolina has the strongest voter protection laws and policies of the states we studied, including Same Day Registration which led voter turnout to rise in the state more than any other in the country two years ago. Yet there is still room for improvement, especially with respect to the way in which voters are able to challenge the voting rights of other voters at the polls. Also, given the rising numbers of immigrant citizens in the state, the State Board of Elections needs to start being more active in reaching out to these communities.

POLITICAL OUTLOOK

- Early polls showed the race for **senate** to be competitive, though more recent numbers have shown GOP Senator Richard Burr pulling away from the challenger, Democrat Elaine Marshall. At least three House races are very competitive.

OBSTACLES TO VOTING

- The **challenge** law is too expansive: any registered voter in a county may challenge a voter up to the 25th day before an election, and any individual registered to vote in a precinct may challenge any voter at his or her precinct on Election Day. North Carolina does not appear to require that challenges made on Election Day be made in written form or recorded.
- **Voting rights** for citizens who have finished a prison sentence are not restored until that individual has completed parole or probation.
- Although North Carolina is not legally obliged to conduct outreach to **language minorities**, there are many communities in the state that have very substantial Spanish speaking citizen populations. Election administrators reportedly do not do much to reach out to these voters.

EXEMPLARY VOTING LAWS/ PROCEDURES

- The deadline to register to vote is 25 days prior to the election. However, qualified individuals who miss the voter registration deadline may **register to vote in-person and cast a ballot** at “one-stop” voting sites at any time between 19 days before the election and 1:00 pm on the Saturday before the election.
- The state agencies are working effectively under an implementation plan developed by the State Board of Elections in cooperation with advocates in 2007 to increase voter registration at **public assistance agencies**.
- There are no state-imposed **voter ID** laws – North Carolina voters are governed by the federal statute covering first-time voters only.
- A strong law prohibits misinformation campaigns designed to confuse voters and suppress the vote
- **Provisional ballots** cast in the correct county but wrong precinct will be counted for relevant races.
- The State Board of Elections has worked with the Department of Corrections to design **information on voter registration** that is given out along with a registration form to every discharged felon at the time of discharge.

ARIZONA

COLORADO

ILLINOIS

KENTUCKY

LOUISIANA

MICHIGAN

MISSOURI

NEVADA

NORTH CAROLINA

OHIO

Demos



WHAT THE CHIEF ELECTIONS OFFICER CAN DO BEFORE ELECTION DAY

- Ensure citizens know the ramifications for frivolous, fraudulent or discriminatory **vote caging and challenges**.
- Work with community organizations to conduct more voter **outreach to immigrant and language minority voters** and post Spanish language translated information and materials on the website as soon as possible.
- Establish a clear system for detecting misinformation campaigns and a plan for how the office will respond to them to ensure voters have the true information immediately.

In advance of the mid-term elections, Common Cause and Dēmos will release a new report that finds election policies in 10 swing states could disenfranchise voters and impact election results. The report, “Voting in 2010: Ten Swing States,” looks at Arizona, Colorado, Illinois, Kentucky, Louisiana, Michigan, Missouri, Nevada, North Carolina, and Ohio, summarizing each state’s practices, and providing a set of recommendations for improvement.

To view the full report, visit **demos.org/swingstate**
or **commoncause.org/swingstate**.

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