

Voting in 2006:



Have We Solved the Problems of 2004?

APPENDIX II STATE PROFILES

ARIZONA			
ISSUE	PRE 2004	POST 2004	ASSESSMENT
Voter Registration			
<i>Rejection</i>	Affirmation of citizenship required for registration to be accepted.	Voters must submit proof of citizenship to register to vote.	<u>Unsatisfactory</u>
<i>Verification</i>	Exact match for ID numbers and DOB; at least 5 letters in common for last names, 3 in common for first names. ²¹⁷	[No change.]	<u>Acceptable</u>
<i>Notification</i>	Automated County recorder must notify voter by mail within 10 days of receipt of registration that needed information is missing. ²¹⁸	[No Change.]	<u>Acceptable</u>
<i>Database</i>	Statewide database implemented in 2004. ²¹⁹	In response to an RFP issued by the EAC for a "more robust" database, the state is working to make its database more centralized. ²²⁰	<u>Inconclusive</u>
<i>3rd Party Registration</i>	No specific rules.	[No Change.]	<u>Acceptable</u>
<i>NVRA Implementation</i>	State is proactive about implementing §7 provisions	[No Change.]	<u>Acceptable</u>
Voter Identification	A voter is admitted into the polling place if the poll worker can find the voter's name on the precinct list. ²²¹	To vote at the polls, voters are required to present one government-issued photo ID or two approved non-photo IDs. ²²²	<u>Unsatisfactory</u>
Provisional Ballots			
<i>Distribution</i>	Voter issued provisional ballots if: appears at the polls without proper ID; fails to notify county registrar of change of address within precinct. ²²³	[No Change.]	<u>Unsatisfactory</u>
<i>Verification</i>	Ballot counted if the county recorder is able to establish within five days of the election that the voter was properly registered to vote. ²²⁴	[No Change.]	<u>Acceptable</u>

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ISSUE	PRE 2004	POST 2004	ASSESSMENT
<i>Wrong Precinct</i>	Ballot is not counted if it is cast in the wrong precinct. ²²⁵	[No Change.]	<u>Unsatisfactory</u>
Suppression/Challenges			
<i>Deceptive Practices Law</i>	State law prohibits influencing election outcomes via mail fraud and explicit intimidation of an individual for the purposes of influencing his or her vote. ²²⁶	[No Change.]	<u>Inconclusive</u>
<i>Challengers</i>	Each political party is allowed one challenger per precinct; challengers can challenge a voter orally if there is reason to believe he/she is voting illegally. ²²⁷	[No Change.]	<u>Unsatisfactory</u>
Polling Place/Poll			
<i>Workers Training</i>	Poll workers required to attend training course no more than 45 days prior to election. ²²⁸	[No Change.]	<u>Inconclusive</u>
<i>Recruitment</i>	No new recruitment programs.	[No Change.]	<u>Inconclusive</u>
Voting Machines			
<i>Distribution</i>	State law lays out a formula for determining the number of voting machines with which each polling place must be equipped based on the size of the population it serves.		<u>Acceptable</u>
<i>Verification</i>	No voter verified paper trail law.	2006 law requires voter verified paper record and audits	<u>Acceptable</u>

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ISSUE	PRE 2004	POST 2004	ASSESSMENT
Voter Registration			
<i>Rejection</i>	Application is not accepted unless it includes all of the following: name, residence address, date of birth, affirmation of citizenship, Florida driver's license number, Florida identification card number, or last four digits of social security number, affirmation that registrant is not ineligible to vote because of a felony conviction, affirmation that registrant is not mentally incapacitated, signature. ²²⁹	[No changes.] ²³⁶	<u>Unsatisfactory</u>
<i>Verification</i>	Registration information verified against existing records at the Department of Highway Safety and Motor Vehicles, the U.S. Postal Service, and other agencies. ²³⁰	For verification, the following information is used: identifying number, first name, last name, date of birth, and gender, using a "substantial match" standard for the driver's license; on registration forms with social security numbers, verification requires an exact match of the SSN-4, first name, last name, month of birth, and year of birth. ²³⁷ Registration is only accepted as valid if the identification numbers can be verified; if they cannot, the voter must either submit a new registration or cast a provisional ballot and present a verifiable identification number within 3 days of the election. ²³⁸	<u>Acceptable</u>

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ISSUE	PRE 2004	POST 2004	ASSESSMENT
<i>Notification</i>	The state notifies registrants of incomplete, illegible, or unverified information by mail to the registrant's last known address. To rectify the problem, the voter must submit a new registration form within 30 days of having received the notice. ²³¹		<u>Acceptable</u>
<i>Database</i>	The state used a voter registration list that was populated using the lists produced by localities. ²³²	State uses a top-down database that is currently in compliance with HAVA requirements concerning registration databases. ²³⁹	<u>Acceptable</u>
<i>3rd Party Registration</i>	No laws governing third-party registrations.	The state requires individuals registering voters on behalf of a third party group to register their name and the name of their group with the state, and to return each registration form they collect to the supervisor of elections or elections division within 10 days of the applicant having signed it. Failure to follow this procedure results in fines of up to \$5,000 per application. ²⁴⁰ The constitutionality of this law is currently being litigated.	<u>Unsatisfactory</u>
<i>NVRA Implementation</i>	State law provides for the implementation of the "Motor-Voter" section of the NVRA, as well as the §7 public assistance agency provisions. ²³⁴ State reports that it is fully enforcing these provisions. ²³⁵	[No Change.] ²⁴¹	<u>Acceptable</u>

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Voter Identification	First-time voters who registered by mail must present a valid photo ID at the polls; if he/she does not present ID at the polls, his/her identity can be established by comparing his/her signature on the ballot to that on the registration form. The election inspector or clerk must fill out an affidavit acknowledging the voter's identity. ²⁴²	Voters must present an approved form of photo ID in order to vote at the polling place; voters who appear without proper ID may cast a provisional ballot. ²⁴³	<u>Unsatisfactory</u>
Provisional Ballots			
<i>Distribution</i>	A provisional ballot is issued to a voter who claims to be eligible to vote but whose name does not appear on the voter registration list and voters whose eligibility are challenged. ²⁴⁴	Voters without proper ID, as well as voters whose eligibility has been challenged, or whose names do not appear on the list, may vote a provisional ballot. ²⁴⁶	<u>Acceptable</u>
<i>Verification</i>	The county canvassing board shall determine eligibility. If it is determined that the voter is eligible to vote in that precinct, then the provisional ballot is verified by a comparison of the voter's signature on the provisional ballot to the signature on the voter's registration form on file.	A voter who casts a provisional ballot because his/her eligibility is in question has until 5:00 PM on the third day following the election to submit proof of eligibility to vote in the precinct where the provisional ballot was cast. ²⁴⁷	<u>Acceptable</u>
<i>Wrong Precinct</i>	Provisional ballots cast in the wrong precinct will not be counted. ²⁴⁵	[No Change.]	<u>Unsatisfactory</u>
Suppression/Challenges			
<i>Deceptive Practices Law</i>	No explicit prohibitions of suppression or deceptive practices. ²⁴⁸	[No Change.]	<u>Unsatisfactory</u>

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<i>Challengers</i>	Any registered voter or poll watcher may challenge the right of another voter to cast a ballot if they fill out an oath; there is a penalty for frivolous challenges.	[No Change.]	<u>Acceptable</u>
Polling Place/Poll Workers			
<i>Training</i>	Clerks working at the polls must participate in at least 3 hours of training conducted by the supervisor of elections, and inspectors must participate for at least 2 hours.	[No Change.] ²⁵⁰	<u>Acceptable</u>
<i>Recruitment</i>	State law calls for the establishment of public-private programs with the business and local communities for recruiting poll workers. ²⁴⁹		<u>Exemplary</u>
Voting Machines			
<i>Distribution</i>	No statewide standards for machine distribution. ²⁵¹	[No Change.] ²⁵³	<u>Unsatisfactory</u>
<i>Verification</i>	Florida counties may choose to use optical scan machines or DREs. The state does not have a VVPAT law. ²⁵²	[No Change.]	<u>Unsatisfactory</u>

GEORGIA			
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Voter Registration			
<i>Rejection</i>	Registration is rejected if it is missing any of the following: full legal name; address; full social security number; oaths affirming citizenship and proper voting age; copy of valid identification if a first-time voter. ²⁵⁴	Social Security number requirement has been successfully challenged in federal court and final outcome of the requirement is pending. ²⁵⁸	<u>Unsatisfactory</u>

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<i>Verification</i>	State does not match the information provided on the registration form to any statewide databases.	[No Change.]	<u>Inconclusive</u>
<i>Notification</i>	The board of registrars will notify the voter in writing if information is missing on their registration form. The voter must supply the board with corrected information within 30 days of receiving notice, through Election Day. ²⁵⁵	[No Change.]	<u>Acceptable</u>
<i>Database</i>	Has used a top-down statewide database for over ten years. ²⁵⁶	[No Change. In compliance with HAVA deadlines.]	<u>Acceptable</u>
<i>3rd Party Registration</i>	No specific rules.	New state Election Board rules require all groups conducting registration drives to collect only sealed registration forms, and prohibits them from making photocopies of the applications. ²⁵⁹	<u>Unsatisfactory</u>
<i>NVRA Implementation</i>	State is implementing "Motor-Voter" provisions; Georgia Code 21-2-222 requires implementation of §7 public aid agency provisions; unclear whether the law is being enforced. ²⁵⁷	[No Change.]	<u>Inconclusive</u>
<i>Voter Identification</i>	Voters must present one of several possible forms of identification at the polls in order to vote; first-time voters must submit a copy of a valid identification with their registration.	State recently enacted a law requiring voters to present government-issued photo identification at the polls; voting rights advocates challenged the law in court. The court has enjoined implementation of the requirement, but the case is on appeal.	<u>Unsatisfactory</u>
Provisional Ballots			

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ISSUE	PRE 2004	POST 2004	ASSESSMENT
<i>Distribution</i>	Voters are given provisional ballots if they appear to vote without proper identification. ²⁶⁰	[No Change.]	<u>Acceptable</u>
<i>Verification</i>	Voters must return to the county election office with proper ID within 48 hours of voting in order for their ballot to count. ²⁶¹	[No Change.]	<u>Unsatisfactory</u>
<i>Wrong Precinct</i>	Provisional ballots cast in the wrong county will not be counted; ballots cast at the wrong polling place but in the correct county will be counted for all applicable races. ²⁶²	[No Change.]	<u>Acceptable</u>
Suppression/Challenges			
<i>Deceptive Practices Law</i>	No laws pertaining	[No Change.]	<u>Unsatisfactory</u>
<i>Challengers</i>	Registrations can be challenged if there is reason to believe that the voter is not eligible or if he/she does not live at the address listed on the registration.	[No Change.]	<u>Unsatisfactory</u>
Polling Place/Poll Workers			
<i>Training</i>	According to Georgia Code, poll workers must be "adequately trained" and the state provides extensive instruction on the operation of voting machines and identification requirements. ²⁶³	[No Change.]	<u>Acceptable</u>
<i>Recruitment</i>	High schoolers are allowed and encouraged to participate as poll workers. ²⁶⁴ No other recruitment efforts, as state relies on nonprofit groups to encourage volunteers.	[No Change.]	<u>Exemplary</u>
Voting Machines			

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<i>Distribution</i>	No laws. Guidelines recommend one machine per 150-190 active voters, but in some counties there are as many as 240 active voters per machine. ²⁶⁵	[No Change.]	<u>Unsatisfactory</u>
<i>Verification</i>	No VVPAT required. In compliance with HAVA.	Legislation passed for a pilot VVPAT program in 3 precincts in 2006.	<u>Unsatisfactory</u>
MICHIGAN			
ISSUE	PRE 2004	POST 2004	ASSESSMENT
VOTER REGISTRATION			
<i>Rejection</i>	In order to be accepted, a registration form must have the following: name, residence address, birthplace, and birthdate, ID number (including driver's license, state personal ID card number, Social Security number), affirmation that the voter is eligible to vote. ²⁶⁶	[No Change.]	<u>Acceptable</u>
<i>Verification</i>	For driver's license and state ID numbers, exact match is required along with last name, first initial of first name and "substantial match" of first name. Exact match is used for SSN match: last four digits, date/month of birth, and first/last name. ²⁶⁷	[No Change.]	<u>Acceptable</u>

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ISSUE	PRE 2004	POST 2004	ASSESSMENT
<i>Notification</i>	Voter is sent a voter ID card upon verification of his/her registration; voter should contact election authority if he/she does not receive the ID card within three weeks of submitting the registration. Voters can correct or amend their registration at any time, including after the registration deadline. ²⁶⁸	State updated database to comply with HAVA requirements. State is currently working to "clean" voter file of duplicate registrations and people who are deceased or otherwise not eligible to vote. ²⁷¹ [No Change.]	<u>Acceptable</u>
<i>Database</i>	State began using a centralized "Qualified Voter File" in 1998, which made use of the records of the Department of State's driver's license/personal identification card file, and the localities' voter registration files. ²⁶⁹	[No Change.]	<u>Exemplary</u>
<i>3rd Party Registration</i>	There are no rules governing the conduct of third party registration drives.		<u>Unsatisfactory</u>
<i>NVRA Implementation</i>	Motor-Voter provisions implemented; extent of implementation of §7 public aid agency provisions unclear. ²⁷⁰		<u>Inconclusive</u>
Voter Identification	The only enforced ID provision is the federal law requiring first-time voters who have registered by mail and did not provide ID with their registration to produce identification at the polls. ²⁷²	No Change.] The state legislature passed a voter ID law requiring every voter to produce identification at the polls; the law is not being enforced because its constitutionality is in question. The state Supreme Court is currently considering this issue. ²⁷³	<u>Inconclusive</u>
Provisional Ballots			

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ISSUE	PRE 2004	POST 2004	ASSESSMENT
<i>Distribution</i>	A voter whose name is not on the registration list and who cannot provide a validated voter registration receipt may receive a provisional ballot if he/she completes an Application to Vote form, an affidavit stating he/she is registered to vote, and affirms that he/she is eligible to register.	[No Change.]	<u>Acceptable</u>
<i>Verification</i>	The ballot is counted if the voter is able to produce an acceptable form of ID and document confirming his/her residence within 6 days of the election. The voter can transmit this information to the election authority via fax or mail, or can bring it in person. ²⁷⁴	[No Change.]	<u>Exemplary</u>
<i>Wrong Precinct</i>	Ballots cast in the wrong precinct will not be counted, but before they are thrown out, it must be determined that the voter was not assigned to the wrong precinct. ²⁷⁵	[No Change.]	<u>Unsatisfactory</u>
Suppression/Challenges			
<i>Deceptive Practices Law</i>	State law prohibits the dissemination of false information intended to influence voting. ²⁷⁶	[No Change.]	<u>Acceptable</u>

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<i>Challengers</i>	Any voter in a municipality can challenge the registration of another voter by filing an affidavit with the clerk, who will send the voter a notice by mail. The voter must respond within 30 days of having received the notice; if he/she fails to appear or cannot prove his/her eligibility to vote, then the registration is cancelled. There is no stated deadline by which challenges must be filed. It is a misdemeanor to make challenges "indiscriminately and without good cause or for the purposes of harassment". ²⁷⁷	[No Change.]	<u>Unsatisfactory</u>
Polling Place/Poll Workers			
<i>Training</i>	Poll workers are required to attend a training session in which they are instructed on how to use the optical scan machines used in all Michigan counties. ²⁷⁸	[No Change.]	<u>Acceptable</u>
<i>Recruitment</i>	No efforts of note.	State passed legislation making the minimum age for election inspectors 16 years. State officials hope this measure will encourage young people to participate. ²⁷⁹	<u>Exemplary</u>
Voting Machines			
<i>Distribution</i>	State law requires that voting precincts with 1,000 or fewer voters provide one voting machine for every 500 active registered voters;	[No Change.]	<u>Unsatisfactory</u>

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MICHIGAN			
ISSUE	PRE 2004	POST 2004	ASSESSMENT
<i>Verification</i>	precincts with between 1,000 and 3,000 voters must provide 1 voting machine for every 600 voters in that precinct. If the precinct exceeds 2,999 voters, the law requires it to be divided or rearranged. ²⁸⁰ The state uses a variety of voting devices, some of which are DREs. ²⁸¹	Per state law, all DREs used in the state were phased out in favor of optical scan machines by 2006. ²⁸²	<u>Acceptable</u>
MINNESOTA			
ISSUE	PRE 2004	POST 2004	ASSESSMENT
Voter Registration			
<i>Rejection</i>	Registration is considered incomplete if it is missing an identifying number, voter's name, date of birth, or address. There is no deadline; Minnesota allows election day registration.	[No Change.]	<u>Exemplary</u>
<i>Verification</i>	Name, date of birth, and driver's license or Social Security number are verified against Department of Public Safety and Social Security Administration records. Matching standard: if the auditor can "reasonably conclude" that the information on the registration and the information on record "relate to the same person", his/her registration is verified. ²⁸³	[No Change.]	<u>Exemplary</u>
<i>Notification</i>	County auditors are required to notify registrants of missing information; auditors are also required to attempt to obtain this information from DPS and SSA databases. ²⁸⁴	[No Change.]	<u>Exemplary</u>

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MINNESOTA			
ISSUE	PRE 2004	POST 2004	ASSESSMENT
<i>Database</i>	Pre-HAVA top-down centralized database; under state law (as well as federal), interacts fully with Department of Public Safety and Social Security Administration. ²⁸⁵	Database updated; met HAVA compliance deadline. ²⁸⁹	<u>Exemplary</u>
<i>3rd Party Registration</i>	Any person or organization that accepts voter registration cards must submit them to the state or to the county auditor within 10 days of their completion by the voter. ²⁸⁶	[No Change.]	<u>Acceptable</u>
<i>NVRA Implementation</i>	Minnesota is exempt from the NVRA because it has election day registration; ²⁸⁷ all state agencies, community-based public agencies, and nonprofit corporations that contract with the state agency to carry out its obligations must provide voter registration services for employees and clients. ²⁸⁸	[No Change.]	<u>Acceptable</u>
<i>Voter Identification</i>	To register to vote, voters must present one of the following: Minnesota driver's license or state identification card, tribal ID, recent utility bill, "notice of late registration" postcard, US passport with utility bill, military ID, student ID, oath of registered voter in precinct. ²⁹⁰	[No Change.]	<u>Acceptable</u>
Provisional Ballots			
<i>Distribution Verification Wrong Precinct</i>	Because Minnesota has election day registration, the state is exempted from HAVA's provisional ballot requirements.]	[No Change.]	<u>Exemplary</u>
Suppression/Challenges			

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MINNESOTA			
ISSUE	PRE 2004	POST 2004	ASSESSMENT
<i>Deceptive Practices Law</i>	It is a gross misdemeanor to attempt to interfere with a voter or attempt to prevent him/her from voting. No laws pertain directly to deliberate misinformation.	A Deceptive Practices Law went into effect in 2006, making deceptive activity "with the intent to prevent the individual from voting in (an) election" a "gross Misdemeanor." ²⁹¹	<u>Exemplary</u>
<i>Challengers</i>	Each political party is allowed to post challengers at polling places to question voters' eligibility.	Only one challenger per political party is allowed at each polling place; Challengers may not compile lists of voters to challenge on the basis of mail sent by a political party that was returned as "Undeliverable". ²⁹²	<u>Exemplary</u>
Polling Place/Poll Workers			
<i>Training</i>	Election judges must participate in a training course every 24 months. Training includes instruction on the operation of voting machines, ID requirements, and election day registration. ²⁹³	[No Change.]	<u>Acceptable</u>
<i>Recruitment</i>	State is making efforts to recruit young people to participate, by making the minimum age for election judges 16 years. ²⁹⁴ State is also attempting to recruit college students to participate. ²⁹⁵	[No Change.]	<u>Exemplary</u>
Voting Machines			

MISSOURI			
ISSUE	PRE 2004	POST 2004	ASSESSMENT
Voter Registration			
<i>Rejection</i>	The voter will not be registered unless he/she includes a valid ID number (either driver's license or a Social Security number). ²⁹⁸	[No Change.]	<u>Unsatisfactory</u>

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MISSOURI			
ISSUE	PRE 2004	POST 2004	ASSESSMENT
<i>Verification</i>	The voter's driver's license number, last name, and date of birth are verified against the records of the Department of Motor Vehicles. If the voter provides an SSN instead of a driver's license number, it is compared to the records of the Social Security Administration.	[No Change.]	<u>Inconclusive</u>
<i>Notification</i>	If a voter's ID number is missing, incomplete, or illegible, he/she is sent a notice by mail; he/she has until the registration deadline to provide the missing information. If the number cannot be verified, then he/she must provide identification at the polls.	[No Change.]	<u>Acceptable</u>
<i>Database</i>	Localities keep databases, which are regularly added to a statewide voter database. ²⁹⁹	State is implementing a top-down, centralized database; localities enter new registration information into statewide database. Database implementation being held up by state-local funding issues. ³⁰¹	<u>Inconclusive</u>
<i>3rd Party Registration</i>	No rules in particular.	Persons paid for soliciting more than ten voters must register with the secretary of state. They must be registered to vote in Missouri and re-register every election cycle. No person can be compensated for registering voters based on the amount of applications collected. ³⁰²	<u>Acceptable</u>

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MISSOURI			
ISSUE	PRE 2004	POST 2004	ASSESSMENT
<i>NVRA Implementation</i>	State has had problems with implementation of NVRA, particularly §7 public assistance provisions. Demos reports significant decline in registrations from public assistance agencies in the election cycles since the NVRA was passed.	[No Change.]	<u>Unsatisfactory</u>
Voter Identification	Voter must present an approved form of identification in order to register to vote (includes non-photo forms of ID). ³⁰³	Voter must present a form of identification at the polls that shows the registrant's name and matches the voter's registration record; shows a photo of the registrant; has an expiration date; was issued by the US or Missouri government. ³⁰⁴	<u>Unsatisfactory</u>
Provisional Ballots			
<i>Distribution</i>	Provisional ballot provided if: voter's eligibility cannot be established at polling place; voter does not provide proper identification at the polls.	[No Change.]	<u>Acceptable</u>
<i>Verification</i>	Provisional ballot counted if voter's eligibility is verified later.	[No Change.]	<u>Inconclusive</u>
<i>Wrong Precinct</i>	Provisional ballots are not counted if they are cast in the wrong precinct, except for statewide and federal races. ³⁰⁵	Provisional ballot still not counted if cast in wrong precinct; if a voter refuses to go to the proper precinct, he/she may still cast a ballot, but it will not be counted. ³⁰⁶	<u>Unsatisfactory</u>
Suppression/Challenges			
<i>Deceptive Practices Law</i>	No laws pertaining in particular to deceptive practices. To threaten or compel a person to vote or refrain from voting is a "class three election offense" ³⁰⁷	"Missouri Voter Protection Act" (SB 1014) makes it a felony to interfere with a person's "lawful right to vote or participate in the election process" or to knowingly provide voters with false information. ³¹⁰	<u>Exemplary</u>

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MISSOURI			
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<i>Challengers</i>	Each political party may appoint a challenger to be present at each precinct; challenges may be made when the challenger believes the state's election laws have been violated. Challengers must be registered to vote in the same jurisdiction as the voter they are challenging. ³⁰⁸ May be made at any time until the polls close on Election Day. ³⁰⁹	[No Change.]	<u>Unsatisfactory</u>
Polling Place/Poll Workers			
<i>Training</i>	Election judges are provided basic instruction in operation of voting machines and their duties at the polling places. They are compensated between \$64 and \$100 per day, depending on the jurisdiction. ³¹¹	[No Change.]	<u>Inconclusive</u>
<i>Recruitment</i>	Students between the ages of 15 and 18 may be "Youth Election Participants" at a polling place where they may assist in administering election functions under supervision. ³¹²	[No Change.]	<u>Exemplary</u>
Voting Machines			
<i>Distribution</i>	State has no laws in particular governing distribution.	[No Change.]	<u>Unsatisfactory</u>
<i>Verification</i>	DRE with VVPAT required. ³¹³	[No Change.]	<u>Acceptable</u>

Voting in 2006:



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OHIO			
ISSUE	PRE 2004	POST 2004	ASSESSMENT
Voter Registration			
<i>Rejection</i>	Registration form must include name, date of birth, address, identification number, signature, affirmation of citizenship, and proper voting age. ³¹⁴	[No Change.]	<u>Acceptable</u>
<i>Verification</i>	Name, driver's license number, birth date, Social Security number, and current address are used for verifying registrant's eligibility through a statewide database. ³¹⁵		<u>Acceptable</u>
<i>Notification</i>	If the registration is accepted, the voter is sent a card notifying him/her that he/she has successfully registered and noting the precinct in which he/she must vote. If the card is returned as undelivered, the board of elections will investigate the address; if the board is unable to verify the correct address, the voter's name will be marked in the poll book, and he/she will have to vote a provisional ballot. ³¹⁶ If a voter's registration is rejected, the voter is responsible for filing an application for correction within 20 days of the election; the board resolves the issue either by examining its records or by holding a hearing; upon completion of the hearing, the board is to issue a decision; if the voter still believes his registration has been improperly rejected, he may cast a provisional ballot. ³¹⁷	Under House Bill 3, boards of elections are no longer required to notify registrants that their registration applications have been rejected. ³²¹	<u>Unsatisfactory</u>

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OHIO			
ISSUE	PRE 2004	POST 2004	ASSESSMENT
<i>Database</i>	No statewide database. ³¹⁸	Bottom-up voter registration system; localities maintain their own registration lists, which are regularly uploaded to a centralized, state-run list. All of Ohio's counties are currently participating in the system. ³²² The state has not issued any statements regarding the matching system it is using, or how it is coordinating its registration database with other statewide databases as is required by HAVA. ³²³	<u>Inconclusive</u>
<i>3rd Party Registration</i>	Registration forms provide space for the person registering the voter to provide the name and employer of the person registering. ³¹⁹	Anyone being paid to register voters must sign each registration form he/she collects, and note his/her name, address, and employer (only has to sign one form for a group of registrants submitted at one time); he/she must attend a training session and register with the Secretary of State's office. He/she must return the voter registration forms he/she collects directly to any Board of Elections or to the Secretary of State. ³²⁴ Failure to follow proper procedures is a misdemeanor. ³²⁵ The constitutionality of this law is currently being contested in court.	<u>Unsatisfactory</u>
<i>NVRA Implementation</i>	According to state law, public aid agencies are required to assist their clients with voter registration. ³²⁰	State reports that it is in compliance with §7 provisions of NVRA; ³²⁶ independent research indicates that these provisions are not being fully enforced. ³²⁷	<u>Unsatisfactory</u>

Voting in 2006:



Have We Solved the Problems of 2004?

OHIO			
ISSUE	PRE 2004	POST 2004	ASSESSMENT
<i>Voter Identification</i>		Voters must present a valid form of photo or non-photo ID in order to vote at the polls; voters who fail to bring proper ID may provide the last four digits of their Social Security number and cast a provisional ballot, or may sign an affirmation of their identity and cast a provisional ballot. ³²⁸	<u>Inconclusive</u>
Provisional Ballots			
<i>Distribution</i>	Issued if the voter moves to a new address within the state of Ohio 28 days before the election cycle. ³²⁹	A voter can be issued a provisional ballot for any of the following reasons: name is not on official poll list, or an official challenges voter's eligibility; voter is unable to provide required identification; name is noted on list of voters who received absentee ballots; mark in poll book noting that mail had been returned "undeliverable" from voter's registration address; voter's eligibility challenged; election official believes voter's signature on ballot does not match registration signature. Voter who cast a provisional ballot because he or she did not bring required identification to the polls on election day must appear at the county election office with proper ID within 10 days of the election. ³³⁰	<u>Unsatisfactory</u>

Voting in 2006:



Have We Solved the Problems of 2004?

OHIO			
ISSUE	PRE 2004	POST 2004	ASSESSMENT
<i>Verification</i>		Provisional ballots are counted if: a local election authority determines that the voter who cast the ballot is eligible to vote in that precinct; the voter did not bring proper ID to the polls but presents ID to the board of elections within 10 days of the election. ³³¹	<u>Unsatisfactory</u>
<i>Wrong Precinct</i>	Provisional ballots cast at the wrong precinct will not be counted.	[No Change]. ³³²	<u>Unsatisfactory</u>
Suppression/Challenges			
<i>Deceptive Practices Law</i>	It is against state law to influence or attempt to influence voters through the use of various intimidation tactics, or by disseminating false information. ³³³	[No Change.]	<u>Acceptable</u>
<i>Challengers</i>	On election day at the polling place, any registered voter may challenge the qualifications of any potential voter such as citizenship, 30-day state residency, precinct residency, legal voting age. The decision by the presiding judge regarding the qualification of the voter is final. Other challenges must be filed no later than 19 days before the election, in writing, and state the challenger's name, address, and precinct, as well as the grounds on which the challenge is being made. ³³⁴	On election day, only election judges may challenge a potential voter at a polling place. If the challenged voter fails to provide the judge with adequate information regarding his/her qualifications, he/she may submit a provisional ballot. Any voter may still challenge if they file no later than 19 days before the election.	<u>Satisfactory</u>
Polling Place/Poll Workers			

Voting in 2006:



Have We Solved the Problems of 2004?

OHIO			
ISSUE	PRE 2004	POST 2004	ASSESSMENT
<i>Training</i>	Each board of elections is responsible for putting its poll workers through a training course that has been approved by the secretary of state. Election judges must be qualified voters, and must participate in the training course at least once every three years. ³³⁵		<u>Acceptable</u>
<i>Recruitment</i>	Localities are responsible for recruiting poll workers; there have been no state-level efforts to expand the pool of poll workers. ³³⁶		<u>Unsatisfactory</u>
Voting Machines			
<i>Distribution</i>	Each local election board is responsible for dividing their jurisdiction into precincts that contain a "reasonable number" of electors, not to exceed 1,400, taking into account various factors including the type and amount of voting equipment the jurisdiction has, prior turnout, and the size, location, and accessibility of each polling place. ³³⁷	[No Change.]	<u>Unsatisfactory</u>
<i>Verification</i>	State uses a variety of voting systems.	Per a 2004 law, all DREs used in Ohio after January 1, 2006 must have a voter-verified paper audit trail. Some jurisdictions use optical scan and ballot-marking devices. ³³⁸	<u>Acceptable</u>

Voting in 2006:



Have We Solved the Problems of 2004?

PENNSYLVANIA			
ISSUE	PRE 2004	POST 2004	ASSESSMENT
Voter Registration			
<i>Rejection</i>	Application must include all of the following information in order to be accepted: name, address, date of birth, oaths of citizenship and proper voting age, and identification number (driver's license number, state identification card number, or Social Security number). ³³⁹	Voter registrations are not accepted unless they include a driver's license number, last four digits of Social Security number, or a statement noting that the applicant does not have either of these identifying numbers. ³⁴⁴	<u>Acceptable</u>
<i>Verification</i>	A "hybrid match" standard is used for matching information on registrations with driver's license numbers, in which the number and first two characters of last name must match exactly; beyond that, match is at the discretion of local election official. Registrations with Social Security Numbers are verified using an "exact match" standard for the SSN, name, year, and month of birth. ³⁴⁰	A registration can no longer be automatically rejected by an ID number verification system – i.e., failure to match the registrant's ID number or other information to that in the DMV or SSA database cannot be cause for rejection of an application. Registrations can only be rejected by affirmative action of the voter registration commission. ³⁴⁵	<u>Exemplary</u>
<i>Notification</i>	County election official must notify registrants of any missing, incomplete, illegible, or unverified information on their applications; they must correct the information within 40 days, or before the poll books are printed, whichever is sooner. If a registrant corrects after the poll book is printed, he/she votes a provisional ballot. Registration errors cannot be resolved at the polls. ³⁴¹	[No Change.]	<u>Acceptable</u>

Voting in 2006:



Have We Solved the Problems of 2004?

PENNSYLVANIA			
ISSUE	PRE 2004	POST 2004	ASSESSMENT
<i>Database</i>	Statewide Uniform Registry of Electors (SURE), a centralized list of registered voters that can be accessed by local election administrators. ³⁴²	SURE's verification procedure updated to comply with HAVA. ³⁴⁶	<u>Acceptable</u>
<i>3rd Party Registration</i>	State law prohibits individuals from collecting voter registration forms in exchange for money. ³⁴³	[No Change.]	<u>Acceptable</u>
<i>NVRA Implementation</i>	State is actively implementing §7 provisions of NVRA.	[No Change.]	<u>Acceptable</u>
<i>Voter Identification</i>	First-time voters must present valid identification (which is not necessarily photo identification). ³⁴⁷	[No Change.]	<u>Inconclusive</u>
Provisional Ballots			
<i>Distribution</i>	Voter is given a provisional ballot if: name is not on election register; individual is a first-time voter without proper ID; voter's eligibility is challenged by an election official. ³⁴⁸	[No Change.]	<u>Acceptable</u>
<i>Verification</i>	Provisional ballots verified within seven days of election, by comparing the voter's signature on the ballot to that on record	[No Change.]	<u>Acceptable</u>
<i>Wrong Precinct</i>	Ballots cast in the wrong precinct are still counted for races in which the voter was eligible to vote.	[No Change.]	<u>Exemplary</u>
Suppression/Challenges			
<i>Deceptive Practices Law</i>	No deceptive practices laws.	[No Change.]	<u>Unsatisfactory</u>
<i>Challengers</i>	No laws constraining challenges, no deadline by which they must be issued and no penalty for false challenges. ³⁴⁹	[No Change.]	<u>Unsatisfactory</u>
Polling Place/Poll Workers			

Voting in 2006:



Have We Solved the Problems of 2004?

PENNSYLVANIA			
ISSUE	PRE 2004	POST 2004	ASSESSMENT
<i>Training</i>	State launched extensive training program to educate poll workers and the public about changes in federal and state law; gave all counties opportunity for assistance with training program. Publicized need for poll workers. ³⁵⁰	State has continued to expand its training program since 2004. ³⁵¹	<u>Acceptable</u>
<i>Recruitment</i>		State Act 150 allows high school students and college students to serve as poll workers. State has made efforts to recruit young people to participate.	<u>Exemplary</u>
Voting Machines			
<i>Distribution</i>	No formula for equitable distribution of machines.	[No Change.]	<u>Unsatisfactory</u>
<i>Verification</i>	No paper trail or audit requirement		<u>Unsatisfactory</u>

WASHINGTON			
ISSUE	PRE 2004	POST 2004	ASSESSMENT
Voter Registration			
<i>Rejection</i>	To be considered complete, registration application must include: name; address; date of birth; signature affirming truth of information supplied; affirmation of U.S. citizenship, and driver's license or state identification card number, last 4 digits of SSN or copy of ID ³⁵²	[No Change.]	<u>Acceptable</u>

Voting in 2006:



Have We Solved the Problems of 2004?

WASHINGTON			
ISSUE	PRE 2004	POST 2004	ASSESSMENT
<i>Verification</i>	Voter's last name and identification number verified against state department of licensing or Social Security Administration records. ³⁵³	The state's verification process uses an "exact match" standard for the voter's ID number, last name, and date of birth, ³⁵⁶ but an injunction has been issued against this law, barring the state from implementing it. ³⁵⁷	<u>Unsatisfactory</u>
<i>Notification</i>	Applicant is notified of missing or unverifiable information via mail and has 45 days to correct the missing information. If he/she does not respond within 45 days, the registration is automatically rejected. ³⁵⁴		<u>Acceptable</u>
<i>Database</i>	Database not implemented; localities responsible for maintaining and updating voter lists.	State in compliance with HAVA's January 1, 2006 database deadline; bottom-up system in which localities upload new registrations to the centralized list every 24 hours.	<u>Acceptable</u>
<i>3rd Party Registration</i>	Third party groups conducting voter registration drives must submit completed registration forms to the state or county auditor at least once a week. ³⁵⁵	[No Change.]	<u>Acceptable</u>
<i>NVRA Implementation</i>	State enforcing Motor-Voter provisions, mail registration, and fail-safe voting.	State is proactive in enforcing §7 public aid agency provisions of NVRA.	<u>Exemplary</u>
<i>Voter Identification</i>	Voters provided their name at polling place. If their name was on the list, they provided a signature in the poll book. ³⁵⁸	Per the ID requirement passed in 2005, voters must present an approved form of photo or non-photo identification in order to vote at the polls.	<u>Unsatisfactory</u>
Provisional Ballots			

Voting in 2006:



Have We Solved the Problems of 2004?

WASHINGTON			
ISSUE	PRE 2004	POST 2004	ASSESSMENT
<i>Distribution</i>	Voter must vote a provisional ballot if he/she appears at the polls without proper identification, or fails to provide it with his/her registration form. A voter whose name does not appear on the polling place list because he/she has been classified as "inactive" is also issued a provisional ballot. ³⁶⁰	[No Change.]	<u>Acceptable</u>
<i>Verification</i>	Provisional ballots are verified by comparison of the voter's name, date of birth, and signature on the ballot to his/her signature on record. ³⁶¹	[No Change.]	<u>Unsatisfactory</u>
<i>Wrong Precinct</i>	If voter casts provisional ballot in the wrong precinct, the ballot is counted for all the races in which the voter is eligible to vote; if the voter knows he/she is in the wrong precinct, then he/she may receive help from an election judge in writing in his/her choices for races in their own jurisdiction that differ from those in the precinct in which he/she is voting.	[No Change.]	<u>Exemplary</u>
Suppression/Challenges			
<i>Deceptive Practices Law</i>	No laws pertaining to deceptive practices.	[No Change.]	<u>Unsatisfactory</u>
<i>Challengers</i>	Challenges can be filed if the challenger has personal knowledge that the voter is not eligible to vote or does not live at the residential address supplied on the registration form. The challenger must submit evidence along with the challenge. ³⁶²	[No Change.]	<u>Acceptable</u>

Voting in 2006:



Have We Solved the Problems of 2004?

WASHINGTON			
ISSUE	PRE 2004	POST 2004	ASSESSMENT
Polling Place/Poll Workers			
<i>Training</i>	Most counties require at least three hours of training for poll workers on the use of voting machines, identification requirements, and provisional ballots. College students were targeted for poll worker recruitment. ³⁶³	Only four out of the state's 39 counties continue to provide polling places.	<u>Acceptable</u>
Voting Machines			
<i>Distribution</i>	No law on distribution.	[No Change. Drastic reduction in the number of polling sites needed since all but four counties have eliminated in-person voting.]	<u>Unsatisfactory</u>
<i>Verification</i>	In compliance with HAVA.	State requires voting devices to have a voter verified paper audit trail.	<u>Acceptable</u>

WISCONSIN			
ISSUE	PRE 2004	POST 2004	ASSESSMENT
Voter Registration			
<i>Rejection</i>	Information Required: driver's license, state ID, or Social Security number, name, address, date of birth, and affirmation of citizenship and proper voting age. ³⁶⁴ No person may be disqualified to vote unless there is evidence "beyond a reasonable doubt" that the person is not qualified to vote. ³⁶⁵	[No Change.]	<u>Acceptable</u>

Voting in 2006:



Have We Solved the Problems of 2004?

WISCONSIN			
ISSUE	PRE 2004	POST 2004	ASSESSMENT
<i>Verification</i>	If the form is sufficient to accomplish registration and the clerk has no reliable information to indicate that the proposed elector is not qualified, the clerk shall enter the elector's name on the registration list. Registration information matched against records of the Departments of Transportation, Vital Statistics, and Criminal Justice. If 85% or more of the information provided matches, then the voter is registered; if less than 85% matches, verification of the match is at the discretion of the local clerk.	No Change.]	<u>Acceptable</u>
<i>Notification</i>	Each voter whose registration is verified will be sent a registration notice; the registration will be rejected if the registration is returned "Undeliverable". ³⁶⁶ If registration form has insufficient information for registration, the clerk will notify the voter within 5 days.	SB 612 requires that confirmation postcard must be sent within 10 days of receipt. ³⁶⁸	<u>Inconclusive</u>
<i>Database</i>	No statewide database; municipalities required to verify voter registration information. 15,550 municipalities had no registration requirements prior to January 1, 2006. The state was not responsible for verification. ³⁶⁷	After many problems and delays, a statewide voter system was up and running for the December 2005 primaries. All functions of the system will not be fully implemented until spring of 2007. ³⁶⁹	<u>Inconclusive</u>

Voting in 2006:



Have We Solved the Problems of 2004?

WISCONSIN			
ISSUE	PRE 2004	POST 2004	ASSESSMENT
<i>3rd Party Registration</i>	No specific rules.	It is prohibited to compensate a person collecting voter registration forms based on the amount of forms collected.	<u>Acceptable</u>
<i>NVRA Implementation</i>	Because Wisconsin has Election Day registration, it is exempt from the provisions of the NVRA. The Department of Motor Vehicles does not hand out or accept registration forms.	[No Change.]	<u>Exemplary</u>
<i>Voter Identification</i>	Voters must present one of the following forms of ID in order to register to vote: current photo ID, utility bill, bank statement, pay check, government check, or other government document.	[No Change.]	<u>Acceptable</u>
Provisional Ballots			
<i>Distribution</i>	Provisional ballots are issued to voters who appear at the polls without proper ID and are unable to provide their driver's license number.	[No Change.]	<u>Acceptable</u>
<i>Verification</i>	A provisional ballot is counted if the voter provides the election authority with his/her driver's license number, either in person or via telephone, fax, or email before 4:00pm on the day after the election. The voter can only provide his/her driver's license number; SSN or SSN-4 will not be accepted.	[No Change.]	<u>Acceptable</u>
<i>Wrong Precinct</i>	Provisional ballots are not given to voters who appear at the wrong polling place. ³⁷⁰	[No Change.]	<u>Unsatisfactory</u>
Suppression/Challenges			

Voting in 2006:



Have We Solved the Problems of 2004?

WISCONSIN			
ISSUE	PRE 2004	POST 2004	ASSESSMENT
<i>Deceptive Practices Law</i>	State law prohibits the dissemination of false information to voters and attempts to influence their voting via force or coercion. ³⁷¹	[No Change.]	<u>Acceptable</u>
<i>Challengers</i>	Election inspectors and other electors may challenge any person they believe is not eligible to vote. Challenges can be made at the polling place. ³⁷²		<u>Inconclusive</u>
Polling Place/Poll Workers			
<i>Training</i>	Poll workers attend at least one training program every two years. Further requirements vary among municipalities. ³⁷³	[No Change.]	<u>Unsatisfactory</u>
<i>Recruitment</i>	Teenagers as young as 16 may volunteer as poll workers. Also, the state eliminated an examination requirement for chief inspectors because they were believed to be a disincentive to participate. ³⁷⁴	[No Change.]	<u>Acceptable</u>
Voting Machines			
<i>Distribution</i>	State law requires that polling places provide one voting machine for every 200 voters registered in that precinct. Municipalities using DREs are required to provide one DRE for every 200 voters registered in that precinct. ³⁷⁵	[No Change.]	<u>Exemplary</u>
<i>Verification</i>	The state uses a variety of voting technologies; Wisconsin does not require electronic voting devices to include a voter verified paper trail.	Electronic voting machines must produce a permanent paper record that can be verified by the voter. ³⁷⁶	<u>Acceptable</u>