

EAC Voting Fraud-Voter Intimidation Preliminary Research
Ballot Counting Violation Cases

| Name of Case | Court | Citation | Date | Facts | Holding | Statutory Basis (if of Note) | Other Notes | Should the Case be Researched Further |
|--------------|-------|----------|------|-------|---|------------------------------|-------------|---------------------------------------|
| | | | | | <p>The court of appeals found that United States Supreme Court jurisprudence required intentional conduct by state actors as a prerequisite for a due process violation. Neither side alleged that local officials acted intentionally or in a discriminatory manner with regard to the vote miscount. Both sides conceded that the recorded results were</p> | | | |

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| | | | | | <p>likely due to an unforeseen malfunction with the voting machine. Because no conduct was alleged that would indicate an intentional deprivation of the right to vote, there was no cognizable federal due process claim. The proper remedy was to assert a quo warranto action to challenge the outcome of a general election based on an alleged voting machine malfunction.</p> | | | |

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| | | | | | The district court's grant of summary judgment was reversed and its injunctions were vacated. The case was remanded for further proceedings consistent with this opinion. | | | |
| GEORGE W. BUSH v. PALM BEACH COUNTY CANVASSING BOARD, ET AL. | United States Supreme Court | 531 U.S. 70; 121 S. Ct. 471; 148 L. Ed. 2d 366; 2000 U.S. LEXIS 8087 | December 4, 2000 | Appellant Republican presidential candidate's petition for writ of certiorari to the Florida supreme court was granted in a case involving interpretations of Fla. Stat. Ann. §§ 102.111, 102.112, in proceedings brought by | The Supreme Court vacated the state court's judgment, finding that the state court opinion could be read to indicate that it construed the Florida Election Code without regard to the extent to which | No | N/A | No |

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| | | | | <p>appellees Democratic presidential candidate, county canvassing boards, and Florida Democratic Party regarding authority of the boards and respondent Florida Secretary of State as to manual recounts of ballots and deadlines.</p> | <p>the Florida Constitution could, consistent with U.S. Const. art. II, § 1, cl. 2, circumscribe the legislative power. The judgment of the Florida Supreme Court was vacated and remanded for further proceedings. The court stated the judgment was unclear as to the extent to which the state court saw the Florida constitution as circumscribing the legislature's authority under</p> | | | |

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| | | | | | Article II of the United States Constitution, and as to the consideration given the federal statute regarding state electors. | | | |
| Touchston v. McDermott | United States Court of Appeals for the Eleventh Circuit | 234 F.3d 1130; 2000 U.S. App. LEXIS 29366 | November 17, 2000 | Plaintiff voters appealed from judgment of the United States District Court for the Middle District of Florida, which denied their emergency motion for an injunction pending appeal against defendant county election officials. Plaintiffs sought to enjoin defendants from conducting manual ballot recounts or | Plaintiff voters sought an emergency injunction pending appeal to enjoin defendant county election officials from conducting manual ballot recounts or to enjoin defendants from certifying the results of the Presidential election which | No | N/A | No |

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| | | | | to enjoin defendants from certifying results of the presidential election that contained any manual recounts. | contained any manual recounts. The district court denied the emergency injunction and plaintiffs appealed. Upon review, the emergency motion for injunction pending appeal was denied without prejudice. Florida had adequate election dispute procedures, which had been invoked and were being implemented in the forms of administrative | | | |

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| | | | | | <p>actions by state officials and actions in state court. Therefore, the state procedures were adequate to preserve for ultimate review in the United States Supreme Court any federal questions arising out of the state procedures. Moreover, plaintiffs failed to demonstrate a substantial threat of an irreparable injury that would warrant granting the extraordinary</p> | | | |

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| | | | | | remedy of an injunction pending appeal. Denial of plaintiff's petition for emergency injunction pending appeal was affirmed. The state procedures were adequate to preserve any federal issue for review, and plaintiffs failed to demonstrate a substantial threat of an irreparable injury that would have warranted granting the extraordinary remedy of the | | | |

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| | | | | | injunction. | | | |
| Gore v. Harris | Supreme Court of Florida | 772 So. 2d 1243; 2000 Fla. LEXIS 2373 | December 8, 2000 | The court of appeal certified as being of great public importance a trial court judgment that denied all relief requested by appellants, candidates for President and Vice President of the United States, in appellants' contest to certified election results. | Appellants contested the certification of their opponents as the winners of Florida's electoral votes. The Florida supreme court found no error in the trial court's holding that it was proper to certify election night returns from Nassau County rather than results of a machine recount. Nor did the trial court err in refusing to include votes that the Palm Beach County | No | N/A | No |

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| | | | | | <p>Canvassing Board found not to be legal votes during a manual recount. However, the trial court erred in excluding votes that were identified during the Palm Beach County manual recount and during a partial manual recount in Miami--Dade County. It was also error to refuse to examine Miami--Dade County ballots that registered as non--votes during the machine count.</p> | | | |

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| | | | | | <p>The trial court applied an improper standard to determine whether appellants had established that the result of the election was in doubt, and improperly concluded that there was no probability of a different result without examining the ballots that appellants claimed contained rejected legal votes. The judgment was reversed and remanded; the</p> | | | |

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| | | | | | trial court was ordered to tabulate by hand Miami-Dade County ballots that the counting machine registered as non--votes, and was directed to order inclusion of votes that had already been identified during manual recounts. The trial court also was ordered to consider whether manual recounts in other counties were necessary. | | | |

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UOCAVA Ballot Cases

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| Reitz v. Rendell | United States District Court for the Middle District of Pennsylvania | 2004 U.S. Dist. LEXIS 21813 | October 29, 2004 | Plaintiff service members filed an action against defendant state officials under the Uniformed and Overseas Citizens Absentee Voting Act alleging that they and similarly situated service members would be disenfranchised because they did not receive their absentee ballots in time. The parties entered into a voluntary agreement and submitted it to the court for approval. | The court issued an order to assure that the service members and other similarly situated service members who were protected by the UOCAVA would not be disenfranchised. The court ordered the Secretary of the Commonwealth of Pennsylvania to take all reasonable steps necessary to direct the county boards of elections to accept as timely received absentee ballots cast by service members and other | No | N/A | No |

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| | | | | | <p>overseas voters as defined by UOCAVA, so long as the ballots were received by November 10, 2004. The ballots were to be considered solely for purposes of the federal offices that were included on the ballots. The court held that the ballot needed to be cast no later than November 2, 2004 to be counted. The court did not make any findings of liability against the Governor or the Secretary.</p> | | | |

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| | | | | | The court entered an order, pursuant to a stipulation between the parties, that granted injunctive relief to the service members. | | | |
| United States v. Pennsylvania | United States District Court for the Middle district of Pennsylvania | 2004 U.S. Dist. LEXIS 21167 | October 20, 2004 | Plaintiff United States sued defendant Commonwealth of Pennsylvania, governor, and state secretary, claiming that overseas voters would be disenfranchised if they used absentee ballots that included the names of two presidential candidates who | The testimony of the two witnesses offered by the United States did not support its contention that voters protected by the Uniformed and Overseas Citizens Absentee Voting Act would be disenfranchised absent immediate injunctive relief because neither witness testified | No | N/A | No |

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| | | | | <p>had been removed from the final certified ballot and seeking injunctive relief to address the practical implications of the final certification of the slate of candidates so late in the election year.</p> | <p>that any absentee ballots issued to UOCAVA voters were legally incorrect or otherwise invalid. Moreover, there was no evidence that any UOCAVA voter had complained or otherwise expressed concern regarding their ability or right to vote. The fact that some UOCAVA voters received ballots including the names of two candidates who were not on the final certified ballot did not ipso facto support</p> | | | |

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| | | | | | <p>a finding that Pennsylvania was in violation of UOCAVA, especially since the United States failed to establish that the ballot defect undermined the right of UOCAVA voters to cast their ballots. Moreover, Pennsylvania had adduced substantial evidence that the requested injunctive relief, issuing new ballots, would have harmed the Pennsylvania election system and the public by</p> | | | |

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| | | | | | <p>undermining the integrity and efficiency of Pennsylvania's elections and increasing election costs. must consider the following four factors: (1) the likelihood that the applicant will prevail on the merits of the substantive claim; (2) the extent to which the moving party will be irreparably harmed in the absence of injunctive relief; (3) the extent to which the nonmoving party</p> | | | |

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| | | | | | will suffer irreparable harm if the court grants the requested injunctive relief; and (4) the public interest. District courts should only grant injunctive relief after consideration of each of these factors. Motion for injunctive relief denied. | | | |
| Bush v. Hillsborough County Canvassing Bd. | United States District Court for the Northern District of Florida | 123 F. Supp. 2d 1305; 2000 U.S. Dist. LEXIS 19265 | | The matter came before the court on plaintiffs' complaint for declaratory and injunctive relief alleging that defendant county canvassing boards rejected overseas absentee | Plaintiff presidential and vice--presidential candidates and state political party contended that defendant county canvassing boards rejected overseas absentee | No | N/A | No |

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| | | | | <p>state ballots and federal write--in ballots based on criteria inconsistent with federal law, and requesting that the ballots be declared valid and that they should be counted.</p> | <p>state ballots and federal write--in ballots based on criteria inconsistent with the Uniformed and Overseas Citizens Absentee Voting Act. Because the state accepted overseas absentee state ballots and federal write--in ballots up to 10 days after the election, the State needed to access that the ballot in fact came from overseas. However, federal law provided the method to establish that fact by requiring the overseas absentee</p> | | | |

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| | | | | | <p>voter to sign an oath that the ballot was mailed from outside the United States and requiring the state election officials to examine the voter's declarations. The court further noted that federal law required the user of a federal write--in ballot to timely apply for a regular state absentee ballot, not that the state receive the application, and that again federal law, by requiring the voter using a federal write--in ballot to swear that he or she had</p> | | | |

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| | | | | | <p>made timely application, had provided the proper method of proof. Plaintiffs withdrew as moot their request for injunctive relief and the court granted in part and denied in part plaintiffs' request for declaratory relief, and relief GRANTED in part and declared valid all federal write--in ballots that were signed pursuant to the oath provided therein but rejected solely because the ballot envelope did not have an APO, FPO, or foreign</p> | | | |

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| | | | | | postmark, or solely because there was no record of an application for a state absentee ballot. | | | |
| Harris v. Florida Elections Canvassing Comm'n | United States District Court for the Northern District of Florida | 122 F. Supp. 2d 1317; 2000 U.S. Dist. LEXIS 17875 | December 9, 2000 | Plaintiffs challenged the counting of overseas absentee ballots received after 7 p.m. on election day, alleging the ballots violated Florida election law. | In two separate cases, plaintiff electors originally sued defendant state elections canvassing commission and state officials in Florida state circuit court, challenging the counting of overseas absentee ballots received after 7 p.m. on election day. Defendant governor removed one case | No | N/A | No |

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| | | | | | <p>to federal court. The second case was also removed. The court in the second case denied plaintiff's motion for remand and granted a motion to transfer the case to the first federal court under the related case doctrine. Plaintiffs claimed that the overseas ballots violated Florida election law. Defendants argued the deadline was not absolute. The court found Congress did not intend 3 U.S.C.S. § 1 to impose</p> | | | |

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| | | | | | irrational scheduling rules on state and local canvassing officials, and did not intend to disenfranchise overseas voters. The court held the state statute was required to yield to Florida Administrative Code, which required the 10-day extension in the receipt of overseas absentee ballots in federal elections because the rule was promulgated to satisfy a consent decree entered by the state in 1982. Judgment entered for defendants | | | |

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| | | | | | because a Florida administrative rule requiring a 10--day extension in the receipt of overseas absentee ballots in federal elections was enacted to bring the state into compliance with a federally ordered mandate; plaintiffs were not entitled to relief under any provision of state or federal law. | | | |
| Romeu v. Cohen | United States District Court for the Southern District of New York | 121 F. Supp. 2d 264; 2000 U.S. Dist. LEXIS 12842 | September 7, 2000 | Plaintiff territorial resident and plaintiff-intervenor territorial governor moved for summary judgment and defendant federal, | Plaintiff argued that the laws denied him the right to receive a state absentee ballot in violation of the right to vote, the right to travel, the | No | N/A | No |

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| | | | | <p>state, and local officials moved to dismiss the complaint that alleged that the Voting Rights Amendments of 1970, the Uniform Overseas Citizens Absentee Voting Act, and New York election law were unconstitutional since they denied plaintiff's right to receive an absentee ballot for the upcoming presidential election.</p> | <p>Privileges and Immunities Clause, and the Equal Protection Clause. Plaintiff-intervenor territorial governor intervened on behalf of similarly situated Puerto Rican residents. Defendants' argued that: 1) plaintiff lacked standing; 2) a non-justiciable political question was raised; and 3) the laws were constitutional. The court held that: 1) plaintiff had standing because he made a substantial</p> | | | |

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| | | | | | <p>showing that application for the benefit was futile; 2) whether or not the statutes violated plaintiff's rights presented a legal, not political, question, and there was no lack of judicially discoverable and manageable standards for resolving the matter; and 3) the laws were constitutional and only a constitutional amendment or grant of statehood would enable plaintiff to vote in a presidential election. The</p> | | | |

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| | | | | | court granted defendants' motion to dismiss because the laws that prohibited territorial residents from voting by state absentee ballot in presidential elections were constitutional. | | | |
| Romeu v. Cohen | United States Court of Appeals for the Second Circuit | 265 F.3d 118; 2001 U.S. App. LEXIS 19876 | September 6, 2001 | Plaintiff territorial resident sued defendants, state and federal officials, alleging that the Uniformed and Overseas Citizens Absentee Voting Act unconstitutionally prevented the territorial resident from voting in his former state of | The territorial resident contended that the UOCAVA unconstitutionally distinguished between former state residents residing outside the United States, who were permitted to vote in their former states, and former state residents | No | N/A | No |

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| | | | | <p>residence. The resident appealed the judgment of the United States District Court for the Southern District of New York, which dismissed the complaint.</p> | <p>residing in a territory, who were not permitted to vote in their former states. The court of appeals first held that the UOCAVA did not violate the territorial resident's right to equal protection in view of the valid and not insubstantial considerations for the distinction. The territorial resident chose to reside in the territory and had the same voting rights as other territorial residents, even though such</p> | | | |

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| | | | | | residency precluded voting for federal offices. Further, the resident had no constitutional right to vote in his former state after he terminated his residency in such state, and the consequences of the choice of residency did not constitute an unconstitutional interference with the right to travel. Finally, there was no denial of the privileges and immunities of state citizenship, since the territorial resident was treated | | | |

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| | | | | | identically to other territorial residents. The judgment dismissing the territorial resident's complaint was affirmed. | | | |
| Igartua de la Rosa v. United States | United States District Court for the District of Puerto Rico | 107 F. Supp. 2d 140; 2000 U.S. Dist. LEXIS 11146 | July 19, 2000 | Defendant United States moved to dismiss plaintiffs' action seeking a declaratory judgment allowing them to vote, as U.S. citizens residing in Puerto Rico, in the upcoming and all subsequent Presidential elections. Plaintiffs urged, among other claims, that their right to vote in | The court denied the motion of defendant United States to dismiss the action of plaintiffs, two groups of Puerto Ricans, seeking a declaratory judgment allowing them to vote in Presidential elections. One group always resided in Puerto Rico and the other became | No | N/A | No |

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| | | | | <p>Presidential elections was guaranteed by the Constitution and the International Covenant on Civil and Political Rights.</p> | <p>ineligible to vote in Presidential elections upon taking up residence in Puerto Rico. Plaintiffs contended that the Constitution and the International Covenant on Civil and Political Rights, guaranteed their right to vote in Presidential elections and that the Uniformed and Overseas Citizens Absentee Voting Act, was unconstitutional in disallowing Puerto Rican citizens to vote</p> | | | |

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| | | | | | <p>by considering them to be within the United States. The court concluded that UOCAVA was constitutional under the rational basis test, and violation of the treaty did not give rise to privately enforceable rights. Nevertheless, the Constitution provided U.S. citizens residing in Puerto Rico the right to participate in Presidential elections. No constitutional amendment was needed. The</p> | | | |

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| | | | | | <p>present political status of Puerto Rico was abhorrent to the Bill of Rights. The court denied defendant United States' motion to dismiss plaintiffs' action seeking a declaratory judgment allowing them to vote in Presidential elections as citizens of the United States and of Puerto Rico. The court held that the United States Constitution itself provided plaintiffs with the right to participate in</p> | | | |

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| | | | | | Presidential elections. | | | |

EAC Voting Fraud-Voter Intimidation Preliminary Research
Racial Discrimination Challenge Cases

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| Spencer v. Blackwell | United States District Court for the Southern District of Ohio | 347 F. Supp. 2d 528; 2004 U.S. Dist. LEXIS 22062 | November 1, 2004 | Plaintiff voters filed a motion for temporary restraining order and preliminary injunction seeking to restrain defendant election officials and intervenor State of Ohio from discriminating against black voters in Hamilton County on the basis of race. If necessary, they sought to restrain challengers from being allowed at the | The voters alleged that defendants had combined to implement a voter challenge system at the polls that discriminated against African--American voters. Each precinct was run by its election judges but Ohio law also allowed challengers to be physically present in the polling places in order to challenge voters' eligibility to vote. The court held that the injury asserted, that allowing | No | N/A | No |

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| | | | | polls. | challengers to challenge voters' eligibility would place an undue burden on voters and impede their right to vote, was not speculative and could be redressed by removing the challengers. The court held that in the absence of any statutory guidance whatsoever governing the procedures and limitations for challenging voters by challengers, and the questionable enforceability of the State's and | | | |

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| | | | | | <p>County's policies regarding good faith challenges and ejection of disruptive challengers from the polls, there existed an enormous risk of chaos, delay, intimidation, and pandemonium inside the polls and in the lines out the door. Furthermore, the law allowing private challengers was not narrowly tailored to serve Ohio's compelling interest in preventing voter fraud. The court enjoined all</p> | | | |

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|---|-----------------------------|---|------------------|---|--|------------------------------|-------------|---------------------------------------|
| | | | | | defendants from allowing any challengers other than election judges and other electors into the polling places throughout the state on Election Day. | | | |
| MARIAN SPENCER, et al., Petitioners v. CLARA PUGH, et al. (No. 04A360) SUMMIT COUNTY DEMOCRATIC CENTRAL and EXECUTIVE COMMITTEE, et al., Petitioners v. MATTHEW HEIDER, et al. (No. 04A364) | United States Supreme Court | 125 S. Ct. 305; 160 L. Ed. 2d 213; 2004 U.S. LEXIS 7400 | November 2, 2004 | In two separate actions, plaintiffs sued defendant members of a political party, alleging that the members planned to mount indiscriminate challenges in polling places which would disrupt voting. Plaintiffs applied to | Plaintiffs contended that the members planned to send numerous challengers to polling places in predominantly African--American neighborhoods to challenge votes in an imminent national election, which would allegedly cause | No | N/A | No |

EAC Voting Fraud-Voter Intimidation Preliminary Research
Racial Discrimination Challenge Cases

| Name of Case | Court | Citation | Date | Facts | Holding | Statutory Basis (if of Note) | Other Notes | Should the Case be Researched Further |
|--------------|-------|----------|------|--|---|------------------------------|-------------|---------------------------------------|
| | | | | <p>vacate orders entered by the United States Court of Appeals for the Sixth Circuit which entered emergency stays of injunctions restricting the members' activities.</p> | <p>voter intimidation and inordinate delays in voting. A district court ordered challengers to stay out of polling places, and another district court ordered challengers to remain in the polling places only as witnesses, but the appellate court stayed the orders. The United States Supreme Court, acting through a single Circuit Justice, declined to reinstate the injunctions for</p> | | | |

EAC Voting Fraud-Voter Intimidation Preliminary Research
Racial Discrimination Challenge Cases

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|-------------------------|---------------|-----------------|--------------|---------------------------------|---|------------------------------|-------------|---------------------------------------|
| | | | | | prudential reasons, despite the few hours left until the upcoming election. While the allegations of abuse were serious, it was not possible to determine with any certainty the ultimate validity of the plaintiffs' claims or for the full Supreme Court to review the relevant submissions, and voting officials would be available to enable proper voting by qualified voters. | | | |
| Charles H. Wesley Educ. | United States | 324 F. Supp. 2d | July 1, 2004 | Plaintiffs, a voter, fraternity | The organization participated in | No | N/A | No |

EAC Voting Fraud-Voter Intimidation Preliminary Research
Racial Discrimination Challenge Cases

| Name of Case | Court | Citation | Date | Facts | Holding | Statutory Basis (if of Note) | Other Notes | Should the Case be Researched Further |
|---------------------|---|-----------------------------------|------|--|--|------------------------------|-------------|---------------------------------------|
| Found., Inc. v. Cox | District Court for the Northern District of Georgia | 1358; 2004 U.S. Dist. LEXIS 12120 | | members, and an organization, sought an injunction ordering defendant, the Georgia Secretary of State, to process the voter registration application forms that they mailed in following a voter registration drive. They contended that by refusing to process the forms defendants violated the National Voter | numerous non-partisan voter registration drives primarily designed to increase the voting strength of African-Americans. Following one such drive, the fraternity members mailed in over 60 registration forms, including one for the voter who had moved within state since the last election. The Georgia Secretary of State's office refused to process them because they | | | |

EAC Voting Fraud-Voter Intimidation Preliminary Research
Racial Discrimination Challenge Cases

| Name of Case | Court | Citation | Date | Facts | Holding | Statutory Basis (if of Note) | Other Notes | Should the Case be Researched Further |
|--------------|-------|----------|------|---|---|------------------------------|-------------|---------------------------------------|
| | | | | <p>Registration Act and U.S. Const. amends. I, XIV, and XV.</p> | <p>were not mailed individually and neither a registrar, deputy registrar, or an otherwise authorized person had collected the applications as required under state law. The court held that plaintiffs had standing to bring the action. The court held that because the applications were received in accordance with the mandates of the NVRA, the State of Georgia was not free to reject them. The court found that:</p> | | | |

EAC Voting Fraud-Voter Intimidation Preliminary Research
Racial Discrimination Challenge Cases

| Name of Case | Court | Citation | Date | Facts | Holding | Statutory Basis (if of Note) | Other Notes | Should the Case be Researched Further |
|--|----------------------------------|---------------------------------|------------------|--|--|------------------------------|-------------|---------------------------------------|
| | | | | | <p>plaintiffs had a substantial likelihood of prevailing on the merits of their claim that the applications were improperly rejected; plaintiffs would be irreparably injured absent an injunction; the potential harm to defendants was outweighed by plaintiffs' injuries; and an injunction was in the public interest. Injunction granted.</p> | | | |
| Jacksonville Coalition for Voter Prot. v. Hood | United States District Court for | 351 F. Supp. 2d 1326; 2004 U.S. | October 25, 2004 | Plaintiffs, voter protection coalition, union, and | The coalition, the union, and the voters based their claim on | No | N/A | No |

EAC Voting Fraud-Voter Intimidation Preliminary Research
Racial Discrimination Challenge Cases

| Name of Case | Court | Citation | Date | Facts | Holding | Statutory Basis (if of Note) | Other Notes | Should the Case be Researched Further |
|--------------|--------------------------------|-------------------|------|--|--|------------------------------|-------------|---------------------------------------|
| | the Middle District of Florida | Dist. LEXIS 26522 | | voters, filed an emergency motion for a preliminary injunction and argued that African Americans in the county had less opportunity than other members of the state's electorate to vote in the upcoming election, and that defendants, elections officials', implementation of early voting procedures violated the Voting Rights | the fact that the county had the largest percentage of African-- American registered voters of any major county in the state, and, yet, other similarly-sized counties with smaller African-- American registered voter percentages had more early voting sites. Based on that, they argued that African-- American voters in the county were disproportionately affected. The | | | |

EAC Voting Fraud-Voter Intimidation Preliminary Research
Racial Discrimination Challenge Cases

| Name of Case | Court | Citation | Date | Facts | Holding | Statutory Basis (if of Note) | Other Notes | Should the Case be Researched Further |
|--------------|-------|----------|------|--------------------------------------|--|------------------------------|-------------|---------------------------------------|
| | | | | Act and their constitutional rights. | court found that while it may have been true that having to drive to an early voting site and having to wait in line may cause people to be inconvenienced, inconvenience did not result in a denial of meaningful access to the political process. Thus, the coalition, the union, and the voters had not established a likelihood of success on the merits of their claim that the county's implementation | | | |

EAC Voting Fraud-Voter Intimidation Preliminary Research
Racial Discrimination Challenge Cases

| Name of Case | Court | Citation | Date | Facts | Holding | Statutory Basis (if of Note) | Other Notes | Should the Case be Researched Further |
|----------------|--------------------------------|------------------------------------|-----------------|---|--|------------------------------|-------------|---------------------------------------|
| | | | | | of early voting procedures violated § 2 of the Voting Rights Act. Moreover, the coalition, the union, and the voters failed to establish a likelihood of success on the merits of their § 1983 Fourteenth and Fifteenth Amendment claims, which required a higher proof of discriminatory purpose and effect. Injunction denied. | | | |
| Taylor v. Howe | United States Court of Appeals | 225 F.3d 993; 2000 U.S. App. LEXIS | August 31, 2000 | Plaintiffs, African American voters, poll | The court of appeals affirmed--in--part, reversed-- | No | N/A | No |

EAC Voting Fraud-Voter Intimidation Preliminary Research
Racial Discrimination Challenge Cases

| Name of Case | Court | Citation | Date | Facts | Holding | Statutory Basis (if of Note) | Other Notes | Should the Case be Researched Further |
|--------------|------------------------|----------|------|--|---|------------------------------|-------------|---------------------------------------|
| | for the Eighth Circuit | 22241 | | watchers, and candidates appealed from a judgment of the United States District Court for the Eastern District of Arkansas in favor of defendants, elections commissioners and related individuals, on their § 1983 voting rights claims and contended the district court made erroneous findings of fact and law and failed to appreciate evidence of | in--part, and remanded the district court's judgment. The court found that the district court's finding of a lack of intentional discrimination was appropriate as to many defendants. However, as to some of the individual voters' claims for damages, the court held "a definite and firm conviction" that the district court's findings were mistaken. The court noted that the argument that a | | | |

EAC Voting Fraud-Voter Intimidation Preliminary Research
Racial Discrimination Challenge Cases

| Name of Case | Court | Citation | Date | Facts | Holding | Statutory Basis (if of Note) | Other Notes | Should the Case be Researched Further |
|----------------------|--------------------------------------|--|-------------------|---|--|------------------------------|-------------|---------------------------------------|
| | | | | discriminatory intent. | voter's name was misspelled in the voter register, with a single incorrect letter, was a flimsy pretext and, accordingly, held that the district court's finding that defendant poll workers did not racially discriminate in denying the vote to this plaintiff was clearly erroneous. Affirmed in part and reversed in part. | | | |
| Stewart v. Blackwell | United States District Court for the | 356 F. Supp. 2d 791; 2004 U.S. Dist. LEXIS | December 14, 2004 | Plaintiffs, including African--American voters, alleged | The primary thrust of the litigation was an attempt to federalize | No | N/A | No |

EAC Voting Fraud-Voter Intimidation Preliminary Research
Racial Discrimination Challenge Cases

| Name of Case | Court | Citation | Date | Facts | Holding | Statutory Basis (if of Note) | Other Notes | Should the Case be Researched Further |
|--------------|---------------------------|----------|------|---|---|------------------------------|-------------|---------------------------------------|
| | Northern District of Ohio | 26897 | | that use of punch card voting and "central--count" optical scanning devices by defendants, the Ohio Secretary of State et al., violated their rights under the Due Process Clause, the Equal Protection Clause, and (African--American plaintiffs) their rights under § 2 of the Voting Rights Act. | elections by judicial rule or fiat via the invitation to the court to declare a certain voting technology unconstitutional and then fashion a remedy. The court declined the invitation. The determination of the applicable voting process had always been focused in the legislative branch of the government. While it was true that the percentage of residual or non-voted ballots in the 2000 | | | |

EAC Voting Fraud-Voter Intimidation Preliminary Research
Racial Discrimination Challenge Cases

| Name of Case | Court | Citation | Date | Facts | Holding | Statutory Basis (if of Note) | Other Notes | Should the Case be Researched Further |
|--------------|-------|----------|------|-------|---|------------------------------|-------------|---------------------------------------|
| | | | | | <p>presidential election ran slightly higher in counties using punch card technology, that fact standing alone was insufficient to declare the use of the system unconstitutional. Moreover, the highest frequency in Ohio of residual voting bore a direct relationship to economic and educational factors, negating the Voting Rights Act claim. The court further stated that local variety</p> | | | |

EAC Voting Fraud-Voter Intimidation Preliminary Research
Racial Discrimination Challenge Cases

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|------------------|------------------------|---------------------------|--------------------|-------------------------------------|---|------------------------------|-------------|---------------------------------------|
| | | | | | in voting technology did not violate the Equal Protection Clause, even if the different technologies had different levels of effectiveness in recording voters' intentions, so long as there was some rational basis for the technology choice. It concluded that defendants' cost and security reasons for the use of punch card ballots were plausible. | | | |
| Taylor v. Currie | United States District | 386 F. Supp. 2d 929; 2005 | September 14, 2005 | Plaintiff brought an action against | This action involved issues pertaining to | No | N/A | No |

EAC Voting Fraud-Voter Intimidation Preliminary Research
Racial Discrimination Challenge Cases

| Name of Case | Court | Citation | Date | Facts | Holding | Statutory Basis (if of Note) | Other Notes | Should the Case be Researched Further |
|--------------|--|------------------------|------|--|--|------------------------------|-------------|---------------------------------------|
| | Court for the Eastern District of Michigan | U.S. Dist. LEXIS 20257 | | defendants, including a city elections commission, alleging defects in a city council primary election pertaining to absentee balloting. The case was removed to federal court by defendants. Pending before the court was a motion to remand, filed by plaintiff. | absentee ballots. Plaintiff alleged that defendants were not complying with state laws requiring certain eligibility checks before issuing absentee ballots. The state court issued an injunction preventing defendants from mailing absentee ballots. Defendants removed the action to federal court and plaintiff sought a remand. Defendants argued that not mailing the absentee ballots | | | |

EAC Voting Fraud-Voter Intimidation Preliminary Research
Racial Discrimination Challenge Cases

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|--------------|-------|----------|------|-------|---|------------------------------|-------------|---------------------------------------|
| | | | | | <p>would violate the Voting Rights Act, because it would place a restriction only on the City of Detroit, which was predominately African--American. The court ordered the case remanded because it found no basis under 28 U.S.C.S. §§ 1441 or 1443 for federal jurisdiction. Defendants' mere reference to a federal law or federal right was not enough to confer subject matter</p> | | | |

EAC Voting Fraud-Voter Intimidation Preliminary Research
Racial Discrimination Challenge Cases

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|--------------|-------|----------|------|-------|---|------------------------------|-------------|---------------------------------------|
| | | | | | jurisdiction where the complaint sought to assert only rights arising under state statutes against state officials in relation to a state election. The court stated that it would not allow defendants to take haven in federal court under the guise of providing equal protection for the citizens of Detroit but with a goal of perpetuating their violation of a non-discriminatory state law. | | | |

EAC Voting Fraud-Voter Intimidation Preliminary Research
Racial Discrimination Challenge Cases

| Name of Case | Court | Citation | Date | Facts | Holding | Statutory Basis (if of Note) | Other Notes | Should the Case be Researched Further |
|--------------|-------|----------|------|-------|---------------------------|------------------------------|-------------|---------------------------------------|
| | | | | | Motion to remand granted. | | | |

EAC Voting Fraud-Voter Intimidation Preliminary Research
Touch Screen Voting Cases

| Name of Case | Court | Citation | Date | Facts | Holding | Statutory Basis (if of Note) | Other Notes | Should the Case be Researched Further |
|------------------|--|---|------------------|---|---|------------------------------|-------------|---------------------------------------|
| Weber v. Shelley | United States Court of Appeals for the Ninth Circuit | 347 F.3d 1101; 2003 U.S. App. LEXIS 21979 | October 28, 2003 | Plaintiff voter brought an suit against defendants, the secretary of state and the county registrar of voters, claiming that the lack of a voter--verified paper trail in the county's newly installed touchscreen voting system violated her rights to equal protection and due process. The United States District Court for the Central District of California granted the | On review, the voter contended that use of paperless touch--screen voting systems was unconstitutional and that the trial court erred by ruling her expert testimony inadmissible. The trial court focused on whether the experts' declarations raised genuine issues of material fact about the relative accuracy of the voting systemat issue and | No | N/A | No |

EAC Voting Fraud-Voter Intimidation Preliminary Research
Touch Screen Voting Cases

| Name of Case | Court | Citation | Date | Facts | Holding | Statutory Basis (if of Note) | Other Notes | Should the Case be Researched Further |
|--------------|-------|----------|------|---|---|------------------------------|-------------|---------------------------------------|
| | | | | secretary and the registrar summary judgment. The voter appealed. | excluded references to news--paper articles and unidentified studies absent any indication that experts normally relied upon them. The appellate court found that the trial court's exclusions were not an abuse of discretion and agreed that the admissible opinions which were left did not tend to show that voters had a lesser chance of having their votes counted. It further found | | | |

EAC Voting Fraud-Voter Intimidation Preliminary Research
Touch Screen Voting Cases

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|--------------|-------|----------|------|-------|--|------------------------------|-------------|---------------------------------------|
| | | | | | <p>that the use of touchscreen voting systems was not subject to strict scrutiny simply because this particular balloting system might make the possibility of some kinds of fraud more difficult to detect. California made a reasonable, politically neutral and non--discriminatory choice to certify touchscreen systems as an</p> | | | |

EAC Voting Fraud-Voter Intimidation Preliminary Research
Touch Screen Voting Cases

| Name of Case | Court | Citation | Date | Facts | Holding | Statutory Basis (if of Note) | Other Notes | Should the Case be Researched Further |
|---|--|--|---------------------|--|--|------------------------------|-------------|---------------------------------------|
| | | | | | <p>alternative to paper ballots, as did the county in deciding to use such a system. Nothing in the Constitution forbid this choice. The judgment was affirmed.</p> | | | |
| <p>Am. Ass'n of People with Disabilities v. Shelley</p> | <p>United States District Court for the Central District of California</p> | <p>324 F. Supp. 2d 1120; 2004 U.S. Dist. LEXIS 12587</p> | <p>July 6, 2004</p> | <p>Plaintiffs, disabled voters and organizations representing those voters, sought to enjoin the directives of defendant California Secretary of State, which decertified and withdrew</p> | <p>The voters urged the invalidation of the Secretary's directives because, allegedly, their effect was to deprive the voters of the opportunity to vote using touch--screen technology. Although it was</p> | <p>No</p> | <p>N/A</p> | <p>No</p> |

EAC Voting Fraud-Voter Intimidation Preliminary Research
Touch Screen Voting Cases

| Name of Case | Court | Citation | Date | Facts | Holding | Statutory Basis (if of Note) | Other Notes | Should the Case be Researched Further |
|--------------|-------|----------|------|--|--|------------------------------|-------------|---------------------------------------|
| | | | | <p>approval of the use of certain direct recording electronic (DRE) voting systems. One voter applied for a temporary restraining order, or, in the alternative, a preliminary injunction. of a preliminary injunction in a number of ways, including a four--part test that considers (1) likelihood of success on the merits; (2) the possibility of irreparable injury in the</p> | <p>not disputed that some disabled persons would be unable to vote independently and in private without the use of DREs, it was clear that they would not be deprived of their fundamental right to vote. The Americans with Disabilities Act, did not require accommodation that would enable disabled persons to vote in a manner that was</p> | | | |

EAC Voting Fraud-Voter Intimidation Preliminary Research
Touch Screen Voting Cases

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|--------------|-------|----------|------|---|---|------------------------------|-------------|---------------------------------------|
| | | | | <p>absence of an injunction; (3) a balancing of the harms; and (4) the public interest.</p> | <p>comparable in every way with the voting rights enjoyed by persons without disabilities. Rather, it mandated that voting programs be made accessible. Defendant's decision to suspend the use of DREs pending improvement in their reliability and security of the devices was a rational one, designed to protect the voting rights of the state's</p> | | | |

EAC Voting Fraud-Voter Intimidation Preliminary Research
Touch Screen Voting Cases

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|--------------|-------|----------|------|-------|--|------------------------------|-------------|---------------------------------------|
| | | | | | <p>citizens. The evidence did not support the conclusion that the elimination of the DREs would have a discriminatory effect on the visually or manually impaired. Thus, the voters showed little likelihood of success on the merits. The individual's request for a temporary restraining order, or, in the alternative, a preliminary injunction, was denied. Ninth Circuit's tests</p> | | | |

EAC Voting Fraud-Voter Intimidation Preliminary Research
Touch Screen Voting Cases

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|-------------------------------|--|---|------------------|---|---|------------------------------|-------------|---------------------------------------|
| | | | | | for a preliminary injunction, although phrased differently, require a court to inquire into whether there exists a likelihood of success on the merits, and the possibility of irreparable injury; a court is also required to balance the hardships. | | | |
| Fla. Democratic Party v. Hood | Court of Appeal of Florida, First District | 884 So. 2d 1148; 2004 Fla. App. LEXIS 16077 | October 28, 2004 | Petitioner, the Florida Democratic Party, sought review of an emergency rule adopted by the Florida | The Party argued that: (1) the Florida Administrative Code, recast language from the earlier invalidated rule | No | N/A | No |

EAC Voting Fraud-Voter Intimidation Preliminary Research
Touch Screen Voting Cases

| Name of Case | Court | Citation | Date | Facts | Holding | Statutory Basis (if of Note) | Other Notes | Should the Case be Researched Further |
|--------------|-------|----------|------|---|---|------------------------------|-------------|---------------------------------------|
| | | | | <p>Department of State, contending that the findings of immediate danger, necessity, and procedural fairness on which the rule was based were insufficient under Florida law, which required a showing of such circumstances, and Florida case law. This matter followed.</p> | <p>prohibiting a manual recount of overvotes and undervotes cast on a touchscreen machine; (2) the rule did not call for the manual recount of votes to determine voter intent; and (3) the rule created voters who were entitled to manual recounts in close elections and those who were not. The appeals court disagreed. The Department was clearly concerned with the fact that if</p> | | | |

EAC Voting Fraud-Voter Intimidation Preliminary Research
Touch Screen Voting Cases

| Name of Case | Court | Citation | Date | Facts | Holding | Statutory Basis (if of Note) | Other Notes | Should the Case be Researched Further |
|--------------|-------|----------|------|-------|---|------------------------------|-------------|---------------------------------------|
| | | | | | <p>no rule were in place, the same confusion and inconsistency in divining a voter's intent that attended the 2000 presidential election in Florida, and the same constitutional problems the United States Supreme Court addressed then, might recur in 2004. It was not the court's responsibility to decide the validity of the rule or whether other means were more appropriate.</p> | | | |

EAC Voting Fraud-Voter Intimidation Preliminary Research
Touch Screen Voting Cases

| Name of Case | Court | Citation | Date | Facts | Holding | Statutory Basis (if of Note) | Other Notes | Should the Case be Researched Further |
|--------------|-------|----------|------|-------|---|------------------------------|-------------|---------------------------------------|
| | | | | | <p>But, the following question was certified to the Supreme Court: Whether under Fla. Stat. ch. 120.54(4), the Department of State set forth sufficient justification for an emergency rule establishing standards for conducting manual recounts of overvotes and undervotes as applied to touchscreen voting systems? The petition was denied, but a question was</p> | | | |

EAC Voting Fraud-Voter Intimidation Preliminary Research
Touch Screen Voting Cases

| Name of Case | Court | Citation | Date | Facts | Holding | Statutory Basis (if of Note) | Other Notes | Should the Case be Researched Further |
|------------------|---|---|------------------|---|--|------------------------------|-------------|---------------------------------------|
| | | | | | certified to the supreme court as a matter of great public importance. | | | |
| Wexler v. Lepore | United States District Court for the Southern District of Florida | 342 F. Supp. 2d 1097; 2004 U.S. Dist. LEXIS 21344 | October 25, 2004 | Plaintiffs, a congressman, state commissioners, and a registered voter, brought a § 1983 action against defendants, state officials, alleging that the manual recount procedures for the state's touchscreen paperless voting systems violated their rights under U.S. Const. | The officials claimed that the state had established an updated standard for manual recounts in counties using optical scan systems and touchscreen voting systems, therefore, alleviating equal protection concerns. The court held that the rules prescribing what | No | N/A | No |

EAC Voting Fraud-Voter Intimidation Preliminary Research
Touch Screen Voting Cases

| Name of Case | Court | Citation | Date | Facts | Holding | Statutory Basis (if of Note) | Other Notes | Should the Case be Researched Further |
|--------------|-------|----------|------|--|--|------------------------------|-------------|---------------------------------------|
| | | | | amends. V and XIV. A bench trial ensued. | constituted a clear indication on the ballot that the voter had made a definite choice, as well the rules prescribing additional recount procedures for each certified voting system promulgated pursuant to Florida law complied with equal protection requirements under U.S. Const. amends. V and XIV because the rules prescribed uniform, | | | |

EAC Voting Fraud-Voter Intimidation Preliminary Research
Touch Screen Voting Cases

| Name of Case | Court | Citation | Date | Facts | Holding | Statutory Basis (if of Note) | Other Notes | Should the Case be Researched Further |
|--------------|-------|----------|------|-------|---|------------------------------|-------------|---------------------------------------|
| | | | | | <p>nondifferential standards for what constituted a legal vote under each certified voting system, as well as procedures for conducting a manual recount of overvotes and undervotes in the entire geographic jurisdiction. The court further held that the ballot images printed during a manual recount pursuant to Florida Administrative Code did not violate Florida</p> | | | |

EAC Voting Fraud-Voter Intimidation Preliminary Research
Touch Screen Voting Cases

| Name of Case | Court | Citation | Date | Facts | Holding | Statutory Basis (if of Note) | Other Notes | Should the Case be Researched Further |
|--------------|-------|----------|------|-------|--|------------------------------|-------------|---------------------------------------|
| | | | | | <p>law because the manual recount scheme properly reflected a voter's choice. Judgment was entered for the officials. The claims of the congressman, commissioners, and voter were denied.</p> | | | |

EAC Voting Fraud-Voter Intimidation Preliminary Research
 Nexis Articles - 'Dead' Voters and Multiple Voting

| City/County | State | Date | Type of Election | Alleged Instance of Fraud | Original Source | Source 1 | Source 2 | Source 3 |
|----------------|-----------------|-----------|---|---|----------------------------|----------|----------|----------|
| Apache | Arizona | 31-Aug-04 | 2002 general | County Attorney alleges some Navajo Nation voters cast multiple ballots. The Election Director dismisses many of the allegations and questioned why the county attorney had waited more than a year and a half to make them. | Arizona Republic | | | |
| Eureka Springs | Arkansas | 29-Jun-01 | county judge | A special judge rules prosecutors must show the mayor intended to vote twice -- he says he got confused when he voted early for a city bond election and the voting clerk offered him a primary ballot at the same time. He then voted in the primary at his precinct on election day. | AP | | | |
| La Puente | California | 3-Aug-02 | municipal | Four family members of a councilman were charged with voting twice because they voted absentee and on election day. | Los Angeles Times | | | |
| San Francisco | California | 1-Mar-04 | mayoral runoff | One of the candidates alleged that 400 people who are dead cast votes. The allegation was based on a computer program that cross-referenced voters and the social security death index using first and last names and date of birth. When the Chronicle also used middle initials and other identifying indicators, the list was whittled to five cases. Some were by absentee but a couple were in person. | San Francisco Chronicle | | | |
| | Colorado | 25-Mar-05 | | 58 of 64 counties responded to a request by the Secretary of State to report on fraud investigations. Only 13 counties have referred cases to prosecutors. Those cases included 41 instances of citizens voting twice. Denver County officials said they had 81 instances of double voting. | Denver Post | | | |
| | Connecticut | 22-Oct-02 | all | Secretary of State says that RNC allegations that 54 Connecticut voters cast ballots in 2 different states have been investigated and found to be false. 15 voted only in CT, 29 voted only in another state, four names were wrong because they had different birth dates, and three were referred to the FBI and US Attorney because information from the other state could not be obtained. | New Haven Register | | | |
| Bridgeport | Connecticut | 23-Sep-03 | mayoral primary | Losing candidate alleges some voters were able to vote twice. | News 12 | | | |
| | DC and Maryland | 31-Oct-02 | state primary and presidential election | Records indicate that 24 voters cast ballots in both DC and Maryland in the September 2002 primary and 90 voters did so in the 2000 election. Voters denied they had done so and election officials said it was possible for precinct workers to make mistakes when recording who voted. | Washington Post | | | |
| Palm Beach | Florida | 5-Dec-02 | 2002 general | The County State Attorney will be investigating about a dozen people accused of voting twice. Each cast an absentee ballot and voted on Election Day. The Secretary of State says they may have forgotten they voted absentee. They all had to vote by provisional ballots so none of the second votes were counted. This is the first time the Secretary's office has found people who voted twice. | Sun-Sentinel | | | |
| Indian River | Florida | 2-Nov-04 | presidential | One voter returned two absentee ballots -- the first one was counted and the second discarded. A woman voted by absentee and then during early voting. Her absentee ballot will be thrown out. | Press Journal (Vero Beach) | | | |

**EAC Voting Fraud-Voter Intimidation Preliminary Research
Nexis Articles - 'Dead' Voters and Multiple Voting**

| | | | | | | | | | |
|-----------------|----------|-----------|----------------|--|------------------------------|--|--|--|--|
| Palm Beach | Florida | 6-Nov-04 | presidential | The Palm Beach Post reports that three voters cast absentee ballots and then filled out provisional ballots on Election Day. Local officials have asked the Attorney General to Investigate. The Post reached two of the voters and they said they cast provisional ballots because when they tried to check on their absentee ballots they were unable to confirm they had been received. | Florida Times Union | | | | |
| Volusia | Florida | 6-Nov-04 | presidential | Volusia officials said Friday they have identified 12 cases of suspected election fraud stemming from Tuesday's presidential election. All involved people trying to vote twice, said County Judge Steven deLaroche, a member of the county canvassing board. In one case, which occurred during early voting, a person was caught trying to feed an absentee ballot into a tabulating machine after casting a traditional ballot, deLaroche said. That person was stopped by a poll worker. In the other 11 cases, people who had voted by absentee ballot or at an early-voting site tried to vote a second time on Election Day, he said. In those cases, election workers discovered the attempts when computers showed those voters had already cast ballots. All the cases will be forwarded to the State Attorney's Office for prosecution. | Orlando Sentinel | | | | |
| Duval | Florida | 31-Jul-05 | presidential | Officials said in January that a review of records found more than 50 cases in which the same person had cast an absentee and in person ballot. An FBI investigation found that every one of those instances was due to a clerical error, such as someone signing the voter rolls before they were told they had to vote elsewhere. | AP | | | | |
| Fulton | Georgia | 30-Sep-04 | primary | A man who may be facing felony charges for voting twice says he voted during the early period and that when he went to his precinct on election day to make sure that vote had been recorded, he was told it was not. The poll worker told him he should vote again. Fulton County investigated and found no other advance voters had voted again on the day of the election. The registration chief acknowledged the county was late getting names of advance voters to the polls. The advance vote was tossed out after it was discovered. | Atlanta Journal Constitution | | | | |
| Marshall | Illinois | 13-Nov-04 | 2002 and 2004 | A man has been charged for voting twice, in both Kane County and Marshall County | South Bend Tribune | | | | |
| Lake County | Indiana | 16-May-04 | county primary | A newspaper analysis shows that five votes cast were attributed to people who were dead well before the election. | AP | | | | |
| Prairie Village | Kansas | 8-Jan-05 | 2002 general | A woman who voted twice pled guilty -- she had voted from her business address and cast an absentee ballot from a different location in the same election. | Kansas City Star | | | | |

**EAC Voting Fraud-Voter Intimidation Preliminary Research
Nexis Articles - 'Dead' Voters and Multiple Voting**

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|-------------|------------|-------------------|---------------|---|--|--|--|--|
| Hancock | Louisiana | 3-Nov-04 | presidential | A woman called a radio talk show Tuesday and admitted casting fraudulent votes in Hancock County. The woman said she voted once using her own name, but after realizing she was not required to show identification, she waited several hours and returned to the polls and used a friend's name. The county clerks said the incident seems to be isolated and her office has not received evidence of other fraudulent votes elsewhere in the county. | The Sun Herald | | | |
| Duluth | Minnesota | 3-Nov-04 | presidential | A voter claims someone forged his signature to vote under his name. He reported the incident to City Hall | Duluth News-Tribune | | | |
| Minneapolis | Minnesota | 23-Feb-05 | presidential | A felony charge filed Tuesday in Hennepin County District Court accuses Darin Randall Johnson, 34, of registering to vote and casting ballots in three different places in the November election. The criminal complaint alleges he filled out same-day registration forms and voted once in Brooklyn Park and twice in Minneapolis. | Saint Paul Pioneer Press | | | |
| Kansas City | Missouri | 28-Mar-05 | various | Man pleads guilty to casting double votes in four elections by voting in both Kansas and Missouri | Kansas City Star | | | |
| Kansas City | Missouri | September 6, 2004 | all | Kansas City Star reports that their investigation shows there may be more than 300 voters voting twice in different counties. The exact number is impossible to determine because many counties have shredded their poll books and state computer files are rife with data errors. In fact, the number may be lower because the state computer files contain many errors that show people voting who did not actually vote. The study only flagged people registered in two places under exactly the same name and date of birth. | Kansas City Star, Belleville News-Democrat | | | |
| | New Jersey | 16-Sep-05 | presidential | Republican Party claims 4,755 people who have died voted in the election and 4,397 people registered to vote in more than one county voted twice | New York Times | | | |
| Sandoval | New Mexico | 9-Nov-02 | state house | A comparison of names on absentee-ballot-request rosters and affidavits for the absentee-in-lieu-of-ballots made it appear that 5 people had voted twice absentee by mail and absentee-in-lieu-of at the polls. | Albuquerque Journal | | | |
| Sandoval | New Mexico | 24-Nov-04 | presidential | Bureau of Elections employees found a woman who voted on a provisional ballot at one precinct also had voted at the regular precinct where she is registered. The signatures at both precincts appeared to be the same, so elections officials sent the case to the district attorney. | AP | | | |
| New York | New York | 23-Oct-02 | 2000 and 2001 | Former conservative party candidate for lieutenant governor is arraigned on an indictment for voting twice, from two different Manhattan addresses. He denies the charge | Newsday | | | |

EAC Voting Fraud-Voter Intimidation Preliminary Research
 Nexis Articles - 'Dead' Voters and Multiple Voting

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|--------|----------------|-----------|---------------|---|----------------------|--|--|--|
| | North Carolina | 24-Oct-04 | 2000 and 2002 | The Observer found up to 180 people who were listed as having voted in both Carolinas in either the 2000 or 2002 elections. Reporters found no one who admitted to double voting and discovered plausible explanations for many of the duplications. In one case, an Army captain in North Carolina shared the same name as his father in South Carolina. The father was likely mistakenly recorded under his son's name when he cast his ballot. | AP | | | |
| Jones | North Carolina | 30-Oct-04 | primary | Four men were charged with voting by absentee and on election day. Three denied the allegations or said they misunderstood the process. | AP | | | |
| Gaston | North Carolina | 16-Dec-04 | presidential | There are differences in most precincts between the number of ballots cast and the number of people recorded as voting. State investigators have concluded there is no way to rule out double-voting or missing votes because poll workers cannot explain the discrepancies. | Charlotte Observer | | | |
| | Ohio | 2-Nov-04 | presidential | Republican attorney cites a Plain Dealer report saying more than 27,000 people are registered to vote in both Ohio and Florida and that 100 people cast votes in both places four years ago. A Dispatch investigation of the allegations found little proof of duplicate voting after comparing the Ohio and Florida state databases and conducting further research. After culling the list through those methods, the Dispatch interviewed the people left in question. This failed to turn up anyone who had ever voted twice. Many had never been to Florida; some had never lived in Ohio. | Columbus Dispatch | | | |
| Summit | Ohio | 8-Dec-04 | local | The Director of the Board of Elections says the number of people under investigation for voting twice has decreased from 19 to 10. The board already determined that there were legitimate explanations for about half of the votes. In one case it appeared a man voted absentee and at the polling place but it turned out the absentee ballot had been cast by his son who has the same name. | Akron Beacon Journal | | | |
| London | Ohio | 9-Dec-04 | presidential | A couple who admitted voting twice were not indicted -- they voted by absentee ballot and then voted in person because they thought their absentee ballots had been lost | AP | | | |
| Logan | Oklahoma | 24-Feb-01 | primary | A man is charged with voting twice, once by absentee and once on election day. Although election board officials said they haven't seen a case like this in twenty years, they won't dismiss the charge. | Daily Oklahoman | | | |
| | Oregon | 11-Apr-02 | 2000 general | The Secretary of State has referred five cases of possible double voting to the Attorney General (Oregon votes entirely by mail) | AP | | | |
| | Oregon | 16-May-04 | 2000 | Republicans claimed 1,200 Oregonians had registered in two counties and voted twice. But a state Elections Division investigation found that just a handful of voters were registered to vote in two counties and one had cast more than one ballot | AP | | | |

**EAC Voting Fraud-Voter Intimidation Preliminary Research
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|-----------------|--------------|-----------|-------------------|---|------------------------------|--|--|--|
| | Oregon | 1-Nov-04 | presidential | The state Republican Chair claims in a news conference that he has uncovered six cases of people voting twice. The elections division immediately showed that five of the voters had only voted once, and the sixth case had immediately been caught by election workers. | The Oregonian | | | |
| Pawtucket | Rhode Island | 14-Jan-03 | General Assembly | The Pawtucket Board of Canvassers determined there was no truth to the allegation that Louis C. Yip, owner of the China Inn restaurant and a well-known developer, had shepherded the same couple to two different polling places, getting them to vote twice. City Registrar of Voters Dawn M. McCormick said that when voting records were checked, it turned out that the couple that Yip was accused of getting to vote at Towers East and Kennedy Housing was actually two different couples, both elderly and Chinese. | Providence Journal Bulletin | | | |
| Hamilton County | Tennessee | 19-Dec-02 | county commission | The county election commissioner said she believed people were using other names to vote and that addresses were changed fraudulently. Voters sign fail-safe affidavits when they change their addresses and their voting records have not yet been updated. Oaths of identity are signed when voters have no other form of identification. The commissioner said she questioned the validity of 11 oaths of identity and 68 fail-safe affidavits in the District 4 election. | Chattanooga Times Free Press | | | |
| | Tennessee | 14-Dec-05 | state senate | A second dead voter cast a ballot in the September special election held to fill the seat vacated by former state senator John Ford. Like a similar case documented earlier this week, this one involves an elderly voter who died weeks before the Sept. 15 election, an investigation by The Commercial Appeal found. Both of the suspect votes occurred in Precinct 27-1, in the heart of heavily Democratic North Memphis. By law, health officials report deaths once a month to the state Election Commission, which then purges the dead from voter registration rolls. In that window of time - a month or so before the election - there's a good chance dead voters will remain on the rolls on Election Day. | Commercial Appeal | | | |
| Houston | Texas | 25-Nov-04 | state legislature | State legislator who lost by 32 votes alleges 32 people voted twice and 101 residents from other districts cast ballots | Austin American Statesemen | | | |
| San Juan | Texas | 12-May-05 | city | The county is investigating three voters suspected of voting early and on election day | The Monitor | | | |
| King | Washington | 22-Jun-05 | gubernatorial | criminal charges filed against six voters for allegedly casting more than one ballot under a variety of circumstances: two for casting ballots in the names of recently deceased spouses; mother and daughter charged with casting a ballot in the name of recently deceased mother's dead husband; one for casting a ballot in the name of someone who had lived at the same address and died; one using someone else's name | Seattle Times | | | |

**EAC Voting Fraud-Voter Intimidation Preliminary Research
Nexis Articles - 'Dead' Voters and Multiple Voting**

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|-----------|------------|-----------|---------------------------------|--|----------------------------|--|--|--|--|
| King | Washington | 13-Oct-05 | gubernatorial | Republican officials release the names of 16 people they say voted twice. One person is found to be two people with the same name but different birthdates. Two names were referred to the prosecutors office, files were charged against one. | Seattle Times | | | | |
| King | Washington | 14-Oct-05 | gubernatorial and local primary | Woman on Republican list under investigation for double voting | Seattle Times | | | | |
| Appleton | Wisconsin | 12-Jan-05 | nonpartisan election | student who voted by absentee ballot and in person at college sentenced to probation | Post Crescent | | | | |
| Milwaukee | Wisconsin | 22-Aug-05 | presidential | GOP claims there were nine cases where people voted in Milwaukee and another city. US Attorney says he found no fraud, but rather clerical errors. | Journal Sentinel | | | | |
| Milwaukee | Wisconsin | 21-Sep-05 | presidential | Man charged with voting twice said he filled out two on-site registration cards by mistake but voted only once | Journal Sentinel | | | | |
| Milwaukee | Wisconsin | 5-Dec-05 | presidential | Four people charged with double voting; none convicted | Milwaukee Journal Sentinel | | | | |
| Laramie | Wyoming | 2-Nov-04 | | Laramie County Clerks says there has never been any intentional double registration or double voting | | | | | |
| national | | 23-Oct-02 | presidential | RNC compiles a national database of 3,273 people who voted twice in 2000. In North Carolina, the first name on the list was the chair of the Assembly's election law committee, and the California Secretary of State says they will be able to refute the claims. | USA Today | | | | |
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EAC Voting Fraud-Voter Intimidation Preliminary Research
Nexis Articles - 'Dead' Voters and Multiple Voting

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EAC Voting Fraud-Voter Intimidation Preliminary Research
Nexis Articles - 'Dead' Voters and Multiple Voting

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| Two people are charged | Kansas City Star (January 8, 2005) | |
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EAC Voting Fraud-Voter Intimidation Preliminary Research
Nexis Articles - 'Dead' Voters and Multiple Voting

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| The Board of Elections reviewed all of the allegations of double voting and found that of 18 cases, 11 did not vote twice and seven did but did not intend to. All of the double votes were caught by the board and not counted twice. The board forwarded only one case of alleged double voting to the sheriff for further investigation. | 2/24/2005, Akron Beacon | |
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EAC Voting Fraud-Voter Intimidation Preliminary Research
Nexis Articles - 'Dead' Voters and Multiple Voting

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| Most of the allegations seem to be cases of innocent mistakes that may have been technically illegal but not fraud | Houston Chronicle (January 16, 2005) | |
| | | |
| See Washington summary | | |

'Dead' Voters and Multiple Voting

5/9/2007

| Type | Absentee/in person | Partisan Allegation | Other Source for Allegation? | Investigation? | Other Official involvement? | Charged (Individuals) | Acquittal/Dismissal | Convicted/guilty pleas (Individuals) | Other determination | Follow-up possible? (Open investigations and/or pending charges) | City/County | State | Date | Type of Election | Alleged instance of fraud | Original Source | Resolution of incident/allegation | Source of Resolution #1 | Source of Resolution #2 |
|----------|--------------------|---------------------|------------------------------|----------------|-----------------------------|-----------------------|---------------------|--------------------------------------|-------------------------------|--|----------------|-----------------|-----------|---|---|-------------------------|-----------------------------------|-------------------------|-------------------------|
| Multiple | | | Yes | | BOE | | | | BOE Dismissed | | Apache | Arizona | 31-Aug-04 | 2002 general | County Attorney alleges some Navajo Nation voters cast multiple ballots. The Election Director dismisses many of the allegations and questioned why the county attorney had waited more than a year and a half to make them. | Arizona Republic | | | |
| Multiple | In person | | | | DA | 1 | | | | Yes | Eureka Springs | Arkansas | 29-Jun-01 | county judge | A special judge rules prosecutors must show the mayor intended to vote twice - he says he got confused when he voted early for a city bond election and the voting clerk offered him a primary ballot at the same time. He then voted in the primary at his precinct on election day. | AP | | | |
| Multiple | Absentee | | | | | 4 | | | | Yes | La Puente | California | 3-Aug-02 | municipal | Four family members of a councilman were charged with voting twice because they voted absentee and on election day. | Los Angeles Times | | | |
| Dead | Both | Yes | | Press | | | | | | Yes | San Francisco | California | 1-Mar-04 | mayoral run-off | One of the candidates alleged that 400 people who are dead cast votes. The allegation was based on a computer program that cross-referenced voters and the social security death index using first and last names and date of birth. When the Chronicle also used middle initials and other identifying indicators, the list was whittled to five cases. Some were by absentee but a couple were in person. | San Francisco Chronicle | | | |
| Multiple | | | | State | | | | | | | | Colorado | 25-Mar-05 | | 58 of 64 counties responded to a request by the Secretary of State to report on fraud investigations. Only 13 counties have referred cases to prosecutors. Those cases included 41 instances of citizens voting twice. Denver County officials said they had 81 instances of double voting. | Denver Post | | | |
| Multiple | In person | Yes | | State | | | | | Found Untrue | Yes | | Connecticut | 22-Oct-02 | all | Secretary of State says that RNC allegations that 54 Connecticut voters cast ballots in 2 different states have been investigated and found to be false. 15 voted only in CT, 29 voted only in another state, four names were wrong because they had different birth dates, and three were referred to the FBI and US Attorney because information from the other state could not be obtained. | New Haven Register | | | |
| Multiple | In person | Yes | | | | | | | | | Bridgport | Connecticut | 23-Sep-03 | mayoral primary | Losing candidate alleges some voters were able to vote twice | News 12 | | | |
| Multiple | In person | | | | | | | | Voters Deny/Possible mistakes | | | DC and Maryland | 31-Oct-02 | state primary and presidential election | Records indicate that 24 voters cast ballots in both DC and Maryland in the September 2002 primary and 90 voters did so in the 2000 election. Voters denied they had done so and election officials said it was possible for precinct workers to make mistakes when recording who voted. | Washington Post | | | |

'Dead' Voters and Multiple Voting

5/9/2007

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|----------|--------------------|---------------------|------------------------------|----------------|-----------------------------|-----------------------|---------------------|--------------------------------------|---------------------|--|--------------|---------|----------|------------------|--|----------------------------|-----------------------------------|------------------------|------------------------|
| Multiple | Absentee | | | County | | | | | Ballots not counted | Yes | Palm Beach | Florida | 5-Dec-02 | 2002 general | The County State Attorney will be investigating about a dozen people accused of voting twice. Each cast an absentee ballot and voted on Election Day. The Secretary of State says they may have forgotten they voted absentee. They all had to vote by provisional ballots so none of the second votes were counted. This is the first time the Secretary's office has found people who voted twice. | Sun-Sentinel | | | |
| Multiple | Absentee | | | | | | | | Ballots discarded | | Indian River | Florida | 2-Nov-04 | presidential | One voter returned two absentee ballots - the first one was counted and the second discarded. A woman voted by absentee and then during early voting. Her absentee ballot will be thrown out. | Press Journal (Vero Beach) | | | |
| Multiple | Absentee | | | Press | | | | | | Yes | Palm Beach | Florida | 6-Nov-04 | presidential | The Palm Beach Post reports that three voters cast absentee ballots and then filled out provisional ballots on Election Day. Local officials have asked the Attorney General to investigate. The Post reached two of the voters and they said they cast provisional ballots because when they tried to check on their absentee ballots they were unable to confirm they had been received. | Florida Times Union | | | |
| Multiple | Both | | | State | | | | 12 | | Yes | Volusia | Florida | 6-Nov-04 | presidential | Volusia officials said Friday they have identified 12 cases of suspected election fraud stemming from Tuesday's presidential election. All involved people trying to vote twice, said County Judge Steven deLaroche, a member of the county canvassing board. In one case, which occurred during early voting, a person was caught trying to feed an absentee ballot into a tabulating machine after casting a traditional ballot, deLaroche said. That person was stopped by a poll worker. In the other 11 cases, people who had voted by absentee ballot or at an early-voting site tried to vote a second time on Election Day, he said. In those cases, election workers discovered the attempts when computers showed those voters had already cast ballots. All the cases will be forwarded to the State Attorney's Office for prosecution. | Orlando Sentinel | | | |

'Dead' Voters and Multiple Voting

5/9/2007

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|----------|--------------------|---------------------|-----------------------------|----------------|-----------------------------|-----------------------|---------------------|--------------------------------|---------------------|--|-----------------|-----------|-----------|------------------|--|------------------------------|-----------------------------------|------------------------|------------------------|
| Multiple | Absentee | | | Federal | | | | | Clerical Error | | Duval | Florida | 31-Jul-05 | presidential | Officials said in January that a review of records found more than 50 cases in which the same person had cast an absentee and in person ballot. An FBI investigation found that every one of those instances was due to a clerical error, such as someone signing the voter rolls before they were told they had to vote elsewhere. | AP | | | |
| Multiple | In person | | | County | | | | | Ballot discarded | | Fulton | Georgia | 30-Sep-04 | primary | A man who may be facing felony charges for voting twice says he voted during the early period and that when he went to his precinct on election day to make sure that vote had been recorded, he was told it was not. The poll worker told him he should vote again. Fulton County investigated and found no other advance voters had voted again on the day of the election. The registration chief acknowledged the county was late getting names of advance voters to the polls. The advance vote was tossed out after it was discovered. | Atlanta Journal Constitution | | | |
| Multiple | | | | | | 1 | | | Yes | | Marshall | Illinois | 13-Nov-04 | 2002 and 2004 | A man has been charged for voting twice, in both Kane County and Marshall County | South Bend Tribune | | | |
| Dead | | | | Press | | | | | Yes | | Lake County | Indiana | 16-May-04 | county primary | A newspaper analysis shows that five votes cast were attributed to people who were dead well before the election. | AP | | | |
| Multiple | Absentee | | | | | | | 1 | | | Prairie Village | Kansas | 8-Jan-05 | 2002 general | A woman who voted twice pled guilty -- she had voted from her business address and cast an absentee ballot from a different location in the same election. | Kansas City Star | | | |
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| Multiple | | | | | | | | | | | Duluth | Minnesota | 3-Nov-04 | presidential | A voter claims someone forged his signature to vote under his name. He reported the incident to City Hall | Duluth News-Tribune | | | |

'Dead' Voters and Multiple Voting

5/9/2007

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| Multiple | In person | | | | | 1 | | | | Yes | Minneapolis | Minnesota | 23-Feb-05 | presidential | A felony charge filed Tuesday in Hennepin County District Court accuses Darin Randall Johnson, 34, of registering to vote and casting ballots in three different places in the November election. The criminal complaint alleges he filled out same-day registration forms and voted once in Brooklyn Park and twice in Minneapolis. | Saint Paul Pioneer Press | | | |
| Multiple | In person | | | | | | | 1 | | | Kansas City | Missouri | 28-Mar-05 | various | Man pleads guilty to casting double votes in four elections by voting in both Kansas and Missouri | Kansas City Star | | | |
| Multiple | | | | Press | | 2 | | | | Yes | Kansas City | Missouri | September 6, 2004 | all | Kansas City Star reports that their investigation shows there may be more than 300 voters voting twice in different counties. The exact number is impossible to determine because many counties have shredded their poll books and state computer files are rife with data errors. In fact, the number may be lower because the state computer files contain many errors that show people voting who did not actually vote. The study only flagged people registered in two places under exactly the same name and date of birth. | Kansas City Star, Belleville News-Democrat | Two people are charged | Kansas City Star (January 8, 2005) | |
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| Multiple | | | | | | 1 | | | | Yes | New York | New York | 23-Oct-02 and 2001 | 2000 and 2001 | Former conservative party candidate for lieutenant governor is arraigned on an indictment for voting twice, from two different Manhattan addresses. He denies the charge | Newsday | | | |

'Dead' Voters and Multiple Voting

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|----------|--------------------|---------------------|------------------------------|----------------|-----------------------------|-----------------------|---------------------|--------------------------------|---------------------------------------|--|----------------|----------------|--------------------|------------------|---|----------------------|---|-------------------------|------------------------|
| Multiple | | | | Press | | | | | Many likely errors | | North Carolina | | 24-Oct-04 and 2002 | | The Observer found up to 180 people who were listed as having voted in both Carolinas in either the 2000 or 2002 elections. Reporters found no one who admitted to double voting and discovered plausible explanations for many of the duplications. In one case, an Army captain in North Carolina shared the same name as his father in South Carolina. The father was likely mistakenly recorded under his son's name when he cast his ballot. | AP | | | |
| Multiple | Absentee | | | | | 4 | | | Yes | | Jones | North Carolina | 30-Oct-04 | primary | Four men were charged with voting by absentee and on election day. Three denied the allegations or said they misunderstood the process. | AP | | | |
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| Multiple | | Yes | | Press | | | | | Turned out to be untrue | | Ohio | | 2-Nov-04 | presidential | Republican attorney cites a Plain Dealer report saying more than 27,000 people are registered to vote in both Ohio and Florida and that 100 people cast votes in both places four years ago. A Dispatch investigation of the allegations found little proof of duplicate voting after comparing the Ohio and Florida state databases and conducting further research. After culling the list through those methods, the Dispatch interviewed the people left in question. This failed to turn up anyone who had ever voted twice. Many had never been to Florida; some had never lived in Ohio. | Columbus Dispatch | | | |
| Multiple | | | | | BOE | | | | 1 of 18 found worthy of investigation | Yes | Summit | Ohio | 8-Dec-04 | local | The Director of the Board of Elections says the number of people under investigation for voting twice has decreased from 19 to 10. The board already determined that there were legitimate explanations for about half of the votes. In one case it appeared a man voted absentee and at the polling place but it turned out the absentee ballot had been cast by his son who has the same name. | Akron Beacon Journal | The Board of Elections reviewed all of the allegations of double voting and found that of 18 cases, 11 did not vote twice and seven did but did not intend to. All of the double votes were caught by the board and not counted twice. The board forwarded only one case of alleged double voting to the sheriff for further investigation. | 2/24/2005, Akron Beacon | |
| Multiple | Absentee | | | | | | | | No indictment | | London | Ohio | 9-Dec-04 | presidential | A couple who admitted voting twice were not indicted - they voted by absentee ballot and then voted in person because they thought their absentee ballots had been lost | AP | | | |

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'Dead' Voters and Multiple Voting

5/9/2007

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| Multiple | Absentee | | | | BOE | 1 | | | | Yes | Logan | Oklahoma | 24-Feb-01 | primary | A man is charged with voting twice, once by absentee and once on election day. Although election board officials said they haven't seen a case like this in twenty years, they won't dismiss the charge. | Daily Oklahoman | | | |
| Multiple | Absentee | | | State | | | | | | Yes | | Oregon | 11-Apr-02 | 2000 general | The Secretary of State has referred five cases of possible double voting to the Attorney General (Oregon votes entirely by mail) | AP | | | |
| Multiple | In person | Yes | | State BOE | | | | 1 of 1200 accusations found legitimate | | Accusations | | Oregon | 16-May-04 | 2000 | Republicans claimed 1,200 Oregonians had registered in two counties and voted twice. But a state Elections Division investigation found that just a handful of voters were registered to vote in two counties and one had cast more than one ballot. | AP | | | |
| Multiple | In person | Yes | | BOE | | | | | Found Untrue | | | Oregon | 1-Nov-04 | presidential | The state Republican Chair claims in a news conference that he has uncovered six cases of people voting twice. The elections division immediately showed that five of the voters had only voted once, and the sixth case had immediately been caught by election workers. | The Oregonian | | | |
| Multiple | In person | | | BOE | | | | | Found Untrue | | Pawtucket | Rhode Island | 14-Jan-03 | General Assembly | The Pawtucket Board of Canvassers determined there was no truth to the allegation that Louis C. Yip, owner of the China Inn restaurant and a well-known developer, had shepherded the same couple to two different polling places, getting them to vote twice. City Registrar of Voters Dawn M. McCormick said that when voting records were checked, it turned out that the couple that Yip was accused of getting to vote at Towers East and Kennedy Housing was actually two different couples, both elderly and Chinese. | Providence Journal Bulletin | | | |
| Multiple | | | | BOE | | | | | | | Hamilton County | Tennessee | 19-Dec-02 | county commission | The county election commissioner said she believed people were using other names to vote and that addresses were changed fraudulently. Voters sign fail-safe affidavits when they change their addresses and their voting records have not yet been updated. Oaths of identity are signed when voters have no other form of identification. The commissioner said she questioned the validity of 11 oaths of identity and 68 fail-safe affidavits in the District 4 election. | Chattanooga Times Free Press | | | |

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'Dead' Voters and Multiple Voting

5/9/2007

| Type | Absentee/In person | Partisan Allegation | Other Source for Allegation | Investigation? | Other Official involvement? | Charged (individuals) | Acquitted/Dismissed (individuals) | Convicted/guilty pleas (individuals) | Other determination | Follow-up possible? (Open investigations and/or pending charges) | City/County | State | Date | Type of Election | Alleged Instance of fraud | Original Source | Resolution of incident/allegation | Source of Resolution 1 | Source of Resolution 2 |
|----------|--------------------|---------------------|-----------------------------|----------------|-----------------------------|-----------------------|-----------------------------------|--------------------------------------|----------------------|--|-------------|------------|-----------|---------------------------------|---|----------------------------|--|--------------------------------------|------------------------|
| Dead | | | | Press | | | | | | Yes | | Tennessee | 14-Dec-05 | state senate | A second dead voter cast a ballot in the September special election held to fill the seat vacated by former state senator John Ford. Like a similar case documented earlier this week, this one involves an elderly voter who died weeks before the Sept. 15 election, an investigation by The Commercial Appeal found. Both of the suspect votes occurred in Precinct 27-1, in the heart of heavily Democratic North Memphis. By law, health officials report deaths once a month to the state Election Commission, which then purges the dead from voter registration rolls. In that window of time - a month or so before the election - there's a good chance dead voters will remain on the rolls on Election Day. | Commercial Appeal | | | |
| Multiple | | Yes | | | | | | | Found to be mistakes | | Houston | Texas | 25-Nov-04 | state legislature | State legislator who lost by 32 votes alleges 32 people voted twice and 101 residents from other districts cast ballots | Austin American Stateseman | Most of the allegations seem to be cases of innocent mistakes that may have been technically illegal but not fraud | Houston Chronicle (January 16, 2005) | |
| Multiple | In person | | County | | | | | | | Yes | San Juan | Texas | 12-May-05 | city | The county is investigating three voters suspected of voting early and on election day | The Monitor | | | |
| Both | | | | | | 6 | | | | Yes | King | Washington | 22-Jun-05 | gubernatorial | criminal charges filed against six voters for allegedly casting more than one ballot under a variety of circumstances: two for casting ballots in the names of recently deceased spouses; mother and daughter charged with casting a ballot in the name of recently deceased mother's dead husband; one for casting a ballot in the name of someone who had lived at the same address and died; one using someone else's name | Seattle Times | See Washington summary | | |
| Multiple | | Yes | | | | 1 | | | | Yes | King | Washington | 13-Oct-05 | gubernatorial | Republican officials release the names of 16 people they say voted twice. One person is found to be two people with the same name but different birthdates. Two names were referred to the prosecutors office, files were charged against one. | Seattle Times | | | |
| Multiple | | | | | | | | | | Yes | King | Washington | 14-Oct-05 | gubernatorial and local primary | Woman on Republican list under investigation for double voting | Seattle Times | | | |
| Multiple | Absentee | | | | | | | 1 | | | Appleton | Wisconsin | 12-Jan-05 | nonpartisan election | student who voted by absentee ballot and in person at college sentenced to probation | Post Crescent | | | |

'Dead' Voters and Multiple Voting

5/9/2007

| Type: | Absentee/In person | Partisan Allegation | Other Source for Allegation? | Investigation? | Other Official involvement? | Charged (Individuals) | Acquitted/Dismissed | Convicted/guilty pleas (Individuals) | Other determination | Follow-up possible? (Open investigations and/or pending charges) | City/County | State | Date | Type of Election | Alleged instance of fraud | Original Source | Resolution of Incident | Source of Resolution 1 | Source of Resolution 2 |
|----------|--------------------|---------------------|------------------------------|----------------|-----------------------------|-----------------------|---------------------|--------------------------------------|---------------------|--|-------------|-----------|-----------|------------------|--|----------------------------|---------------------------------|------------------------|------------------------|
| Multiple | | Yes | | | US Attorney | | | | clerical errors | | Milwaukee | Wisconsin | 22-Aug-05 | presidential | GOP claims there were nine cases where people voted in Milwaukee and another city. US Attorney says he found no fraud, but rather clerical errors. | Journal Sentinel | | | |
| Multiple | In person | | | | | 1 | | | | Yes | Milwaukee | Wisconsin | 21-Sep-05 | presidential | Man charged with voting twice said he filled out two on-site registration cards by mistake but voted only once | Journal Sentinel | | | |
| Multiple | | | | | | 4 | | | | | Milwaukee | Wisconsin | 5-Dec-05 | presidential | Four people charged with double voting; none convicted | Milwaukee Journal Sentinel | see larger summary of Milwaukee | | |
| Multiple | | | | | | | | | | | Laramie | Wyoming | 2-Nov-04 | | Laramie County Clerks says there has never been any intentional double registration or double voting | | | | |
| Multiple | | Yes | | State | | | | | | Yes | national | | 23-Oct-02 | presidential | RNC compiles a national database of 3,273 people who voted twice in 2000. In North Carolina, the first name on the list was the chair of the Assembly's election law committee, and the California Secretary of State says they will be able to refute the claims. | USA Today | | | |

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