

11. You said that you received provisional voting instructions from the state government. Please tell me how useful the instructions were for establishing guidelines for determining which provisional ballots are to be counted -- very useful, somewhat useful, not very useful, or not useful at all?

[ASKED ONLY AMONG THOSE WHO SAID RECEIVED STATE INSTRUCTION FOR ESTABLISHING GUIDELINES FOR DETERMINING WHICH PROVISIONAL BALLOTS ARE TO BE COUNTED IN Q8]

	Old versus New		(n)
	Old	New	
Not useful	2%	3%	(8)
Useful	97	96	(293)
(VOL) Don't Know	1	1	(3)
(VOL) Refused	---	---	(---)
	100	100	(304)

12. You said that you received provisional voting instructions from the state government. Please tell me how useful the instructions were for establishing strategies to reduce the need for voters to use provisional ballots -- very useful, somewhat useful, not very useful, or not useful at all?

[ASKED ONLY AMONG THOSE WHO SAID RECEIVED STATE INSTRUCTION FOR ESTABLISHING STRATEGIES TO REDUCE THE NEED FOR VOTERS TO USE PROVISIONAL BALLOTS IN Q8]

	Old versus New		(n)
	Old	New	
Not useful	7%	8%	(13)
Useful	90	92	(166)
(VOL) Don't Know	3	---	(3)
(VOL) Refused	---	---	(---)
	100	100	(182)

13. Thinking generally, overall how useful were the provisional voting instructions you received from the state government -- very useful, somewhat useful, not very useful, or not useful at all?

[ASKED ONLY AMONG THOSE WHO SAID RECEIVED STATE INSTRUCTION IN Q8]

	Old versus New		(n)
	Old	New	
Not useful	1%	1%	(4)
Useful	98	98	(324)
(VOL) Don't Know	1	1	(2)
(VOL) Refused	---	---	(---)
	100	100	(330)

TABLE 2.3
IMPLEMENTATION OF INSTRUCTIONS AND
DISTRIBUTION OF INFORMATION TO ELECTION EMPLOYEES [Q.14-21]

14. Please tell me which of the following, if any, was provided in your jurisdiction for the 2004 Election to help poll workers determine voters' assigned precinct and polling place?

	Old versus New		(n=400)
	Old	New	
Access to a list of eligible voters in the jurisdiction	81%	80%	(322)
Telephone line for poll workers to speak immediately to an election official with access to the list of eligible voters in the jurisdiction	90	93	(365)
Maps of adjacent precincts for poll workers to help voters locate their residence and corresponding polling place***	70	50	(239)
***statistically significant at the .001 level.			
Additional staff such as "greeters" at polling places to direct voters to the correct polling location	46	42	(176)
Statewide voter registration database available at polling places	11	12	(46)
Other (VOL)	1	---	(1)
None of the above (VOL)	2	1	(6)
Don't Know (VOL)	---	1	(2)
Refused (VOL)	---	---	(--)

When implementing provisional voting in your jurisdiction, please tell me how successfully you think the following activities were performed: [PROBE: Would you say that activity was performed very successfully, somewhat successfully, not very successfully, or not successfully at all?]

(READ AND ROTATE Q.15 – Q.21)

15. Providing training to poll workers on how to administer provisional ballots.

	Old versus New		(n)
	Old	New	
Not successfully	1%	2%	(5)
Successfully	96	95	(382)
(VOL) Didn't perform this activity	3	3	(11)
(VOL) Don't Know	---	1	(2)
(VOL) Refused	---	---	(---)
	100	101	(400)

16. Providing written procedures to poll workers on how to administer provisional ballots.

	Old versus New		(n)
	Old	New	
Not successfully	2%	2%	(7)
Successfully	93	94	(373)
(VOL) Didn't perform this activity	4	3	(14)
(VOL) Don't Know	2	1	(5)
(VOL) Refused	---	1	(1)
	101	101	(400)

17. Providing your local election officials with written procedures on the casting of provisional ballots.

	Old versus New		(n)
	Old	New	
Not successfully	2%	1%	(4)
Successfully	95	94	(378)
(VOL) Didn't perform this activity	2	4	(13)
(VOL) Don't Know	2	1	(4)
(VOL) Refused	---	1	(1)
	101	101	(400)

When implementing provisional voting in your jurisdiction, please tell me how successfully you think the following activities were performed: [PROBE: Would you say that activity was performed very successfully, somewhat successfully, not very successfully, or not successfully at all?] (cont'd.)

18. Providing your local election officials with written procedures on the counting of provisional ballots.

	Old versus New		(n)
	Old	New	
Not successfully	2%	1%	(5)
Successfully	81	85	(333)
(VOL) Didn't perform this activity	16	12	(56)
(VOL) Don't Know	2	1	(4)
(VOL) Refused	---	1	(2)
	101	100	(400)

19. Providing your local election officials training for the counting of provisional ballots.

	Old versus New		(n)
	Old	New	
Not successfully	1%	3%	(7)
Successfully	80	87	(334)
(VOL) Didn't perform this activity	18	10	(56)
(VOL) Don't Know	1	---	(2)
(VOL) Refused	---	1	(1)
	100	101	(400)

20. Making information available to help poll workers determine voters' assigned precinct or polling place.

	Old versus New		(n)
	Old	New	
Not successfully	2%	3%	(11)
Successfully	92	91	(367)
(VOL) Didn't perform this activity	5	5	(20)
(VOL) Don't Know	1	1	(2)
(VOL) Refused	---	---	(--)
	100	100	(400)

When implementing provisional voting in your jurisdiction, please tell me how successfully you think the following activities were performed: [PROBE: Would you say that activity was performed very successfully, somewhat successfully, not very successfully, or not successfully at all?] (cont'd.)

21. Providing training to help poll workers determine voters' assigned precinct or polling place.

	Old versus New		(n)
	Old	New	
Not successfully	2%	2%	(7)
Successfully	92	88	(360)
(VOL) Didn't perform this activity	6	8	(27)
(VOL) Don't Know	1	2	(6)
(VOL) Refused	---	---	(--)
	101	100	(400)

TABLE 2.4
 POST-ELECTION EXPERIENCE:
 COUNTING BALLOTS [Q.22-25]

22. After the 2004 Election, which of the following, if any, did your jurisdiction offer voters to determine if their provisional ballot was counted?

(ACCEPT MULTIPLE RESPONSES; READ AND ROTATE LIST)

	Old versus New		(n=400)
	Old	New	
Notification by mail	50%	45%	(188)
Dedicated Toll-Free Telephone Hotline	42	36	(156)
Email notification	13	9	(43)
Website confirmation	21	24	(90)
Main telephone number for the local or county election office	75	66	(281)
All of the above (VOL)	**	**	**
None of the above (VOL)	3	6	(17)
Other (VOL)	1	1	(2)
Don't Know (VOL)	1	1	(3)
Refused (VOL)	---	---	(---)

**included in the totals above.

23. How confident are you that poll workers properly distributed provisional ballots to voters?

[Q23-25 - ASKED ONLY AMONG THOSE WHO GAVE BEST ESTIMATE OF TOTAL NUMBER OF PROVISIONAL BALLOTS CAST IN THE 2004 ELECTION (Q3=1.4)]

	Old versus New		(n)
	Old	New	
Not confident	4%	6%	(18)
Confident	93	93	(344)
(VOL) Don't Know	3	1	(7)
(VOL) Refused	---	---	(---)
	100	100	(369)

24. How confident are you that election officials accurately assessed and validated provisional ballots?

	Old versus New		(n)
	Old	New	
Not confident	2%	2%	(7)
Confident	95	95	(350)
(VOL) Don't Know	3	3	(10)
(VOL) Refused	1	1	(2)
	101	101	(369)

25. How confident are you that the validated provisional ballots were accurately included in the final vote count?

	Old versus New		(n)
	Old	New	
Not confident	1%	---	(1)
Confident	99	98	(363)
(VOL) Don't Know	1	2	(5)
(VOL) Refused	---	---	(---)
	101	100	(369)

TABLE 2.5
GENERAL PERCEPTIONS [Q.26-35]

26. Now I am going to read you a list of items, please tell me which one you believe presented the biggest challenge in implementing provisional voting in your jurisdiction for the 2004 Election. (POSSIBLY BIGGEST PROBLEM)

(READ AND ROTATE 1-4)

	Old versus New		(n)
	Old	New	
Training of poll workers	38%	42%	(160)
Length of time provided before the election to implement the provisional voting process	13	14	(53)
Clarity of instruction received from your State Government	5	8	(27)
Having enough staff at the polling place	9	14	(46)
(VOL) Other (SPECIFY)	5	3	(15)
(VOL) All of the above	2	3	(9)
(VOL) None of the above	26	16	(83)
(VOL) Don't Know	3	1	(7)
(VOL) Refused	---	---	(---)
	101	101	(400)

Please tell me how much you agree or disagree with the following statements about Provisional voting in your jurisdiction for the 2004 Election. [IF AGREE OR DISAGREE, ASK:] Would you say you agree/disagree strongly or agree/disagree somewhat?

(READ AND ROTATE Q.27 –Q.35)

27. More training was needed on how to administer the provisional voting process.

	Old versus New		(n)
	Old	New	
Disagree	54%	46%	(200)
Neither Agree nor Disagree	6	5	(22)
Agree	38	49	(174)
(VOL) Don't Know	2	---	(4)
(VOL) Refused	---	---	(--)
	100	100	(400)

28. More funding was needed to educate voters about their rights to cast a provisional ballot.

	Old versus New		(n)
	Old	New	
Disagree	50%	43%	(185)
Neither Agree nor Disagree	11	12	(45)
Agree	39	45	(168)
(VOL) Don't Know	1	1	(2)
(VOL) Refused	---	---	(--)
	101	101	(400)

29. More information should have been provided to voters about the jurisdiction where provisional ballots must be cast in order to be counted.

	Old versus New		(n)
	Old	New	
Disagree	62%	50%	(222)
Neither Agree nor Disagree	8	8	(32)
Agree	28	39	(133)
(VOL) Don't Know	3	4	(13)
(VOL) Refused	---	---	(--)
	101	101	(400)

***statistically significant at the .05 level.

30. More information was needed for poll workers to determine the voter's assigned precinct and polling place.

	Old versus New		(n)
	Old	New	
Disagree	68%	63%	(261)
Neither Agree nor Disagree	7	5	(25)
Agree	23	29	(104)
(VOL) Don't Know	2	3	(10)
(VOL) Refused	---	---	(---)
	100	100	(400)

31. More time was needed to implement provisional voting procedures.

	Old versus New		(n)
	Old	New	
Disagree	66	55	(242)
Neither Agree nor Disagree	7	5	(24)
Agree	26	39	(130)
(VOL) Don't Know	1	1	(4)
(VOL) Refused	---	---	(---)
	100	100	(400)

***statistically significant at the .05 level.

32. The provisional voting system was easy to implement.

	Old versus New		(n)
	Old	New	
Disagree	24%	35%	(117)
Neither Agree nor Disagree	3	9	(25)
Agree	74	56	(258)
(VOL) Don't Know	---	---	(---)
(VOL) Refused	---	---	(---)
	101	100	(400)

***statistically significant at the .01 level.

33. The provisional voting system in my polling jurisdiction enabled more people to vote.

	Old versus New		(n)
	Old	New	
Disagree	19%	29%	(97)
Neither Agree nor Disagree	4	12	(32)
Agree	75	58	(266)
(VOL) Don't Know	2	1	(5)
(VOL) Refused	---	---	(---)
	100	100	(400)

***statistically significant at the .01 level.

34. I feel that voters in my jurisdiction were provided adequate information to successfully cast a provisional ballot.

	Old versus New		(n)
	Old	New	
Disagree	3%	5%	(17)
Neither Agree nor Disagree	2	4	(12)
Agree	93	91	(368)
(VOL) Don't Know	2	---	(3)
(VOL) Refused	---	---	(---)
	100	100	(400)

35. Adequate support was provided to me to assist in the implementation of provisional voting.

	Old versus New		(n)
	Old	New	
Disagree	7%	11%	(37)
Neither Agree nor Disagree	2	8	(20)
Agree	91	81	(343)
(VOL) Don't Know	---	---	(---)
(VOL) Refused	---	---	(---)
	100	100	(400)

***statistically significant at the .01 level.

TABLE 2.6

RECOMMENDATIONS
FOR THE FUTURE [Q.36-46]

36. Now I am going to read you a list of items. Please tell me which one you believe is the most important change needed in the implementation of provisional voting.

(RANDOMLY ROTATE 1-4)

	Old versus New		(n)
	Old	New	
More funding for poll worker training	24%	34%	(116)
More time for poll worker training	18	18	(72)
Clearer instruction from the Federal Government	19	18	(75)
Clearer instruction from the State Government	14	9	(47)
(VOL) Other (SPECIFY)	6	3	(19)
(VOL) All of the above	1	3	(7)
(VOL) None of the above	15	12	(55)
(VOL) No changes needed	2	1	(6)
(VOL) Don't Know	---	2	(3)
(VOL) Refused	---	---	(---)
	99	100	(400)

In general, please tell me how much you agree or disagree with the following statements about provisional voting. [IF AGREE OR DISAGREE, ASK:] Would you say you agree/disagree strongly or agree/disagree somewhat?

(READ AND ROTATE Q.37–Q.44)

37. A statewide voter registration database, accessible to poll workers on Election Day, would decrease the need for voters to cast provisional ballots.

	Old versus New		(n)
	Old	New	
Disagree	43%	35%	(155)
Neither Agree nor Disagree	7	6	(26)
Agree	49	56	(210)
(VOL) Don't Know	2	3	(9)
(VOL) Refused	---	---	(---)
	101	100	(400)

38. A state-sponsored website designed for individuals to check registration status online, before going to the polling place on Election Day, would decrease the need for voters to cast provisional ballots.

	Old versus New		(n)
	Old	New	
Disagree	24%	23%	(93)
Neither Agree nor Disagree	6	5	(22)
Agree	68	70	(277)
(VOL) Don't Know	2	2	(7)
(VOL) Refused	1	---	(1)
	101	100	(400)

In general, please tell me how much you agree or disagree with the following statements about provisional voting. [IF AGREE OR DISAGREE, ASK:] Would you say you agree/disagree strongly or agree/disagree somewhat? (cont'd.)

39. Provisional voting speeds up and improves polling place operation on Election Day by resolving disputes between voters and poll workers.

	Old versus New		(n)
	Old	New	
Disagree	40%	55%	(190)
Neither Agree nor Disagree	6	3	(18)
Agree	53	41	(188)
(VOL) Don't Know	1	1	(3)
(VOL) Refused	1	---	(1)
	101	100	(400)

40. Provisional voting helps election officials maintain more accurate registration databases.

	Old versus New		(n)
	Old	New	
Disagree	31%	49%	(161)
Neither Agree nor Disagree	4	11	(31)
Agree	63	38	(201)
(VOL) Don't Know	2	2	(7)
(VOL) Refused	---	---	(---)
	100	100	(400)

***statistically significant at the .000 level.

41. Provisional voting creates unnecessary problems for election officials and poll workers.

	Old versus New		(n)
	Old	New	
Disagree	52%	34%	(171)
Neither Agree nor Disagree	5	5	(20)
Agree	42	60	(206)
(VOL) Don't Know	1	1	(3)
(VOL) Refused	---	---	(---)
	100	100	(400)

***statistically significant at the .01 level.

In general, please tell me how much you agree or disagree with the following statements about provisional voting. [IF AGREE OR DISAGREE, ASK:] Would you say you agree/disagree strongly or agree/disagree somewhat? (cont'd.)

42. Provisional voting can be avoided by simplifying registration procedures.

	Old versus New		(n)
	Old	New	
Disagree	55%	43%	(195)
Neither Agree nor Disagree	6	5	(23)
Agree	38	50	(176)
(VOL) Don't Know	2	2	(6)
(VOL) Refused	---	---	(--)
	101	100	(400)

43. There is a need to offer voters the opportunity to cast provisional ballots.

	Old versus New		(n)
	Old	New	
Disagree	17%	31%	(98)
Neither Agree nor Disagree	2	6	(15)
Agree	81	62	(285)
(VOL) Don't Know	---	1	(2)
(VOL) Refused	---	---	(--)
	100	100	(400)

***statistically significant at the .001 level.

44. The provisional voting system in my polling jurisdiction was a success.

	Old versus New		(n)
	Old	New	
Disagree	5%	8%	(27)
Neither Agree nor Disagree	2	7	(18)
Agree	93	84	(353)
(VOL) Don't Know	1	1	(2)
(VOL) Refused	---	---	(--)
	101	100	(400)

***statistically significant at the .05 level.

45. Which one of the following do you think would be the most effective in increasing the number of provisional ballots validated and ultimately counted in an election?

(RANDOMLY ROTATE 1-3)

	Old versus New		(n)
	Old	New	
In-precinct provisional voting only	21%	18%	(79)
Provisional voting from a central location rather than in individual polling places	37	44	(161)
In-jurisdiction provisional voting only	21	18	(77)
(VOL) Other (SPECIFY)	1	3	(7)
(VOL) All of the above	1	1	(2)
(VOL) None of the above	15	8	(47)
(VOL) Don't Know	4	9	(27)
(VOL) Refused	---	---	(--)
	100	101	(400)

46. Which one of the following do you think would be the most effective in reducing the number of provisional ballots cast in an election?

(RANDOMLY ROTATE 1-5)

	Old versus New		(n)
	Old	New	
Having a statewide voter registration database available at polling places	22%	30%	(105)
Providing additional staff such as "greeters" at polling places to direct voters to the correct polling location	6	6	(24)
Providing a state sponsored website to enable individuals to check registration status online before going to the polling place	30	27	(113)
Providing poll workers access to an updated printed list of eligible voters in the jurisdiction	5	5	(20)
Providing a dedicated telephone line for poll workers to speak immediately to an election official with access to the list of eligible voters in the jurisdiction	14	18	(63)
(VOL) Other (SPECIFY)	---	1	(2)
(VOL) All of the above	4	3	(14)
(VOL) None of the above	16	9	(51)
(VOL) Don't Know	2	2	(7)
(VOL) Refused	---	1	(1)
	99	102	(400)

APPENDIX A:
SURVEY METHODOLOGY

I. INTRODUCTION

This survey represents a joint venture of two programs – the Eagleton Institute of Politics, Rutgers University and the Eagleton Institute’s Center for Public Interest Polling (ECPIP). This survey was designed to assess and improve the experiences of local elections officials with provisional voting.

II. QUESTIONNAIRE DEVELOPMENT

The questionnaire was developed for telephone administration by ECPIP researchers in consultation with Eagleton staff. The draft questionnaire was pretested with a random group of local election officials that yielded five completes. Only minor changes were made from that version and no further pretest was needed.

The questionnaire interview length averaged 18.4 minutes. An annotated version of the final survey instrument is included in this report (see Appendix C).

The questionnaire was programmed into a CATI (Computer Assisted Telephone Interviews) software system known as Quancept. The system facilitates the loops, rotations, randomization, and complex skip patterns found in this survey instrument. The programming was extensively checked and all logical errors were corrected.

III. SAMPLE DESIGN

A random national sample was compiled based on information acquired from the State Board of Elections in each of the 50 States and the District of Columbia. In all, 3,820

local election officials were eligible to participate in the study. To enhance compliance rates, pre-notification letters were sent to 2,471 of the local election officials. These letters explained the study's objectives and asked for the officials' participation in the study if contacted by an interviewer. Overall, 1,018 were contacted by telephone to participate in the study and among these, a total of 400 local election officials agreed to participate in the study.

The "Old" and "New" states were separated into three categories – small, medium, and large – based on the population size of the voting jurisdiction. A voting jurisdiction with a population of 49,999 or less was considered small, 50,000 to 199,999 regarded as medium, and large consisted of 200,000 or more. The sample was designed to make sure that each of the six sample types: New Small (n=83), Old Small (n=71), New Medium (n=83), Old Medium (n=75), New Large (n=38), and Old Large (n=50) were represented in the study. Overall, the survey yielded a response rate of 30 percent for the "Old" state sample and 53 percent for the "New" state sample.

APPENDIX B:

PRE-NOTIFICATION LETTER

DATE

NAME

TITLE

ADDRESS

CITY STATE ZIP

Dear NAME,

Rutgers, The State University of New Jersey, is conducting a national survey of elections officials' experiences with provisional voting in the 2004 national election. Through this survey we will learn the perspective of those who administer elections. It will improve our understanding of the process as we complete a broad research project on provisional voting in the context of effective election administration, voter access, and ballot security. The findings of the project will be the basis for recommendations to the U. S. Election Assistance Commission (EAC) to consider in the development of its guidance to the states in 2006.

The EAC was established by the Help America Vote Act (HAVA) of 2002. It is an independent, bipartisan, federal agency that provides federal funds to states to upgrade voting systems and improve election administration. The EAC publishes voluntary guidelines for the states and serves as a national clearinghouse of information regarding election administration. The EAC is funding the research project.

Participants in this study will be selected randomly and asked to share their experiences administering the provisional voting process in the 2004 election. The study will be conducted July 18th through August 5th. During that period a survey researcher may call you if you are, in fact, chosen at random from a national list of election officials. The researcher will ask you questions about your experience with provisional voting, your evaluation of the process, and your recommendations to improve it. The survey will take approximately 10-15 minutes. All of your answers will be completely confidential, and no statement or comment you make will be ascribed to you.

At the conclusion of the research project, we will present a report to the EAC including analysis of provisional voting procedures as well as recommendations for future practices and procedures. The guidance document based on our research will be published by the EAC in the Federal Register for public review and comment, and the EAC will hold a hearing on the guidance document this fall before adopting it.

Your participation in the survey will assure that we understand the views of election officials who have direct experience with provisional voting. We hope you will participate if called. Thank you for your consideration and interest.

Sincerely,

[scanned signature]

Ruth B. Mandel

Director

Board of Governors Professor of Politics

APPENDIX C:

ANNOTATED QUESTIONNAIRE

PROVISIONAL VOTING SURVEY

Sample: Local Elections Officials
National sample: 400 telephone interviews

Draft Version: July 19, 2005

Initial Screener

Hello, my name is _____ and I'm calling on behalf of the Eagleton Institute of Politics at Rutgers University. Rutgers University is conducting a study on provisional voting based on experiences from the 2004 election. May I please speak to [INSERT NAME FROM SAMPLE]?

[IF UNSURE WHO THIS INDIVIDUAL IS – ASK:]

May I please speak to the individual who was responsible for overseeing voting procedures for the 2004 election at the county, borough, municipality, or parish level such as the Registrar of Elections, County Clerk, Commissioner of Elections, Director of Elections, Administrator of Elections, or Clerk of Court?

[SKIP TO “CONSENT OF INDIVIDUAL DIFFERENT FROM SAMPLE CONTACT”]

Consent

Hello, my name is _____ and I'm calling on behalf of the Eagleton Institute of Politics at Rutgers University. Rutgers University is conducting a study on provisional voting based on experiences from the 2004 election. We recently sent you a letter requesting your participation in the confidential survey we are conducting with elections officials. Your participation in the survey will assure that we understand the views of election officials who have direct experience with provisional voting. We would very much like to include your opinions and would really appreciate it if you could assist us by providing as much information as you can to the best of your knowledge. You were randomly selected for the survey from a nationally representative list of election officials. We are not selling anything, and not asking for money.

The information you will be sharing today will be the basis for recommendations to the U. S. Election Assistance Commission (EAC) to consider in the development of its guidance to the states in 2006. This information will be maintained at a secure site and your name will not be identified in the report. All your answers are completely confidential.

The survey should take no more than 10 or 15 minutes to complete.

Consent of Individual Different from Sample Contact

Hello, my name is _____ and I'm calling on behalf of the Eagleton Institute of Politics at Rutgers University. Rutgers University is conducting a study on provisional voting based on experiences from the 2004 election. We recently sent a letter to your office requesting participation in a confidential survey we are conducting with elections officials. Your participation in the survey will assure that we understand the views of election officials who have direct experience with provisional voting. We would very much like to include your opinions and would really appreciate it if you could assist us by providing as much information as you can to the best of your knowledge. You were randomly selected for the survey from a nationally representative list of election officials. We are not selling anything, and not asking for money.

The information you will be sharing today will be the basis for recommendations to the U. S. Election Assistance Commission (EAC) to consider in the development of its guidance to the states in 2006. This information will be maintained at a secure site and your name will not be identified in the report. All your answers are completely confidential.

The survey should take no more than 10 or 15 minutes to complete.

IF NECESSARY: If you should have any questions about the study, you may contact the Research Project Coordinator, April Rapp, at the Eagleton Center for Public Interest Polling at 732-932-9384 ext. 261.

IF RESPONDENT DECLINES TO PARTICIPATE, ADDITIONAL PRODDING NEEDED:

--Your participation is very important because only 400 election officials have been randomly selected for this survey and your views will be used to provide provisional voting policy recommendations. We would be happy to fax you a letter outlining the study objectives. [If yes, can I please have your fax number?] (RECORD FAX NUMBER)

Screenener

1. On Election Day, November 2nd, 2004 was it your responsibility to supervise the election at the county, borough, municipality, or parish level?

(n=400)

100%	YES	GO TO Q2
--	NO	GO TO Q1a
--	DON'T KNOW	TERMINATE
--	REFUSED	TERMINATE

1a. May I please have the name and phone number of the individual who was responsible for supervising the 2004 election at the county, borough, municipality, or parish level?

[RECORD NAME/PHONE NUMBER OF REFERRAL] (THANK AND TERMINATE)

Jurisdiction

2. What was your job title on Election Day, November 2nd, 2004?

(DO NOT READ – VOLUNTEER RESPONSE)

(n=400)

10%	Administrator of Elections
3	Chairman of Elections
2	Clerk of Court
7	Commissioner of Elections
17	County Clerk
16	Director of Elections
8	Registrar of Elections
3	Secretary of Elections
7	Supervisor of Elections
4	Town Clerk
25	Other (specify)
--	Don't Know
--	Refused

General: Provisional Voting

Now, I would like to ask you some questions about provisional voting in your jurisdiction.

3. What is your best estimate of the total number of provisional ballots cast in the 2004 election in your jurisdiction, whether they were ultimately counted or not? Your best estimate is fine.

(n=400)

48%	Less than 100
21	Between 100 to just under 500
9	Between 500 to just under 1000
14	1000 or more
8	None/Zero
1	Don't Know
--	Refused

(GO TO Q7)

(ASK ONLY IF Q3=1-4)

4. In your opinion, how many of these provisional ballots were counted – a lot, some, very few, or none at all?

(n=400)

40%	A lot
24	Some
25	Very few
10	None at all
1	Don't Know
--	Refused

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5. In your opinion, which one of the following, if any, created the most need for the use of provisional ballots in your jurisdiction on Election Day, 2004?

(READ AND ROTATE 1-4)

(n=369)

71%	Individual's name not listed on the voter registration rolls
6	<u>First time</u> voters couldn't provide the proper identification
8	Voter's eligibility challenged
5	Registered voters could not provide the proper identification
9	Other (specify)
2	Don't Know
--	Refused

6. In your opinion, which one of the following, if any, was the most important reason that provisional ballots cast in your jurisdiction were not validated and ultimately not counted in the 2004 Election?

(READ AND ROTATE 1-4)

(n=369)

3%	Individual failed to provide the identification required to validate the provisional ballot
--	Signature on the provisional ballot did not match the signature on the registration form
13	Provisional ballot cast in the incorrect voting precinct
76	Individual was not registered
3	All provisional ballots were validated and counted in 2004 election
4	Other (specify)
1	Don't Know
--	Refused

Pre-Election Experience: Instructions and Information Received (Content and Quality)

7. Were provisional voting instructions provided by the state government for the 2004 Election?

(n=400)

84%	Yes	(GO TO Q8)
16	No	(GO TO Q14)
1	Don't Know	(GO TO Q14)
--	Refused	

STATE GOVERNMENT INSTRUCTIONS AND INFORMATION

(ASK ONLY IF Q7=1)

8. Which of the following provisional voting instructions, if any, did you receive from the state government?

(ACCEPT MULTIPLE RESPONSES; ROTATE LIST)

(n=335)

	<u>Yes</u>	<u>No</u>
How to administer the provisional voting system	90%	10%
Who is eligible to vote using a provisional ballot	93	8
How individuals vote using a provisional ballot	87	13
The jurisdiction where individuals can vote by provisional ballot	79	21
Whether the provisional ballot could be used as an application to update the voter's registration	66	34
How to train poll workers to process provisional ballots	88	12
How to provide voters with the opportunity to verify if their provisional ballot was counted	91	9
Guidelines for determining which provisional ballots are to be counted	91	9
Strategies to reduce the need for voters to use provisional ballots	54	46
How to design the structure of the provisional ballot	64	37
Other (specify)	--	--
All of the above	7	93
None of the above	--	--
Don't know	2	99
Refused	--	--

(ASK ONLY IF Q8=4)

9. You said that you received provisional voting instructions from the state government. Please tell me how useful the instructions were on the jurisdiction where individuals can vote by provisional ballot -- very useful, somewhat useful, not very useful, or not useful at all?

(n=265)

73%	Very useful
23	Somewhat useful
2	Not very useful
--	Not useful at all
2	Don't know
--	Refused

(ASK ONLY IF Q8=7)

10. You said that you received provisional voting instructions from the state government. Please tell me how useful the instructions were on how to provide voters with the opportunity to verify if their provisional ballot was counted -- very useful, somewhat useful, not very useful, or not useful at all?

(n=304)

77%	Very useful
20	Somewhat useful
1	Not very useful
--	Not useful at all
2	Don't know
--	Refused

(ASK ONLY IF Q8=8)

11. You said that you received provisional voting instructions from the state government. Please tell me how useful the instructions were for establishing guidelines for determining which provisional ballots are to be counted -- very useful, somewhat useful, not very useful, or not useful at all?

(n=304)

80%	Very useful
16	Somewhat useful
2	Not very useful
1	Not useful at all
1	Don't know
--	Refused

(ASK ONLY IF Q8=9)

12. You said that you received provisional voting instructions from the state government. Please tell me how useful the instructions were for establishing strategies to reduce the need for voters to use provisional ballots -- very useful, somewhat useful, not very useful, or not useful at all?

(n=182)

60%	Very useful
31	Somewhat useful
5	Not very useful
2	Not useful at all
2	Don't know
--	Refused

(ASK ONLY IF Q8=1-10)

13. Thinking generally, overall how useful were the provisional voting instructions you received from the state government -- very useful, somewhat useful, not very useful, or not useful at all?

(n=330)

76%	Very useful
22	Somewhat useful
1	Not very useful
--	Not useful at all
1	Don't know
--	Refused

Implementation of Instructions and Distribution of Information to Election Employees

Now I'm going to ask you some questions about poll worker training.

14. Please tell me which of the following, if any, was provided in your jurisdiction for the 2004 Election to help poll workers determine voters' assigned precinct and polling place?

(ACCEPT MULTIPLE RESPONSES; READ EACH ITEM; AND ROTATE LIST)

(n=400)

	<u>Yes</u>	<u>No</u>
Access to a list of eligible voters in the jurisdiction	81%	20%
Telephone line for poll workers to speak immediately to an election official with access to the list of eligible voters in the jurisdiction	91	9
Maps of adjacent precincts for poll workers to help voters locate their resident and corresponding polling place	60	40
Additional staff such as "greeters" at polling places to direct voters to the correct polling location	44	56
Statewide voter registration database available at polling places	12	89
Other (specify)	--	--
None of the above	2	99
Don't know	--	--
Refused	--	--

When implementing provisional voting in your jurisdiction, please tell me how successfully you think the following activities were performed:

(READ AND ROTATE Q15-Q21)

[PROBE: Would you say that activity was performed very successfully, somewhat successfully, not very successfully, or not successfully at all?

15. Providing training to poll workers on how to administer provisional ballots.

(n=400)

69%	Very successfully
27	Somewhat successfully
1	Not very successfully
1	Not successfully at all
3	Didn't perform this activity
1	Don't Know
--	Refused

16. Providing written procedures to poll workers on how to administer provisional ballots.

(n=400)

71%	Very successfully
22	Somewhat successfully
1	Not very successfully
1	Not successfully at all
4	Didn't perform this activity
1	Don't Know
--	Refused

17. Providing your local election officials with written procedures on the casting of provisional ballots.

(n=400)

68%	Very successfully
27	Somewhat successfully
1	Not very successfully
--	Not successfully at all
3	Didn't perform this activity
1	Don't Know
--	Refused

18. Providing your local election officials with written procedures on the counting of provisional ballots.

(n=400)

65%	Very successfully
18	Somewhat successfully
1	Not very successfully
--	Not successfully at all
14	Didn't perform this activity
1	Don't Know
1	Refused

19. Providing your local election officials training for the counting of provisional ballots.

(n=400)

66%	Very successfully
17	Somewhat successfully
1	Not very successfully
1	Not successfully at all
14	Didn't perform this activity
1	Don't Know
--	Refused

20. Making information available to help poll workers determine voters' assigned precinct or polling place.

(n=400)

70%	Very successfully
22	Somewhat successfully
2	Not very successfully
1	Not successfully at all
5	Didn't perform this activity
1	Don't Know
--	Refused

21. Providing training to help poll workers determine voters' assigned precinct or polling place.

(n=400)

64%	Very successfully
26	Somewhat successfully
2	Not very successfully
--	Not successfully at all
7	Didn't perform this activity
2	Don't Know
--	Refused

Post-Election Experience: Counting Ballots

22. After the 2004 Election, which of the following, if any, did your jurisdiction offer voters to determine if their provisional ballot was counted?

(ACCEPT MULTIPLE RESPONSES; READ AND ROTATE LIST)

(n=400)

	<u>Yes</u>	<u>No</u>
Notification by mail	47%	54%
Dedicated Toll-Free Telephone Hotline	39	62
Email notification	10	90
Website confirmation	22	78
Main telephone number for the local or county election office	70	30
All of the above	--	--
None of the above	4	96
Other (specify)	1	99
Don't Know	--	--
Refused	--	--

(ASK Q23-Q25 ONLY IF Q3=1-4)

23. How confident are you that poll workers properly distributed provisional ballots to voters?

(n=369)

63%	Very confident
30	Somewhat confident
4	Not very confident
1	Not at all confident
2	Don't Know
--	Refused

24. How confident are you that election officials accurately assessed and validated provisional ballots?

(n=369)

75%	Very confident
20	Somewhat confident
2	Not very confident
--	Not at all confident
3	Don't Know
1	Refused

25. How confident are you that the validated provisional ballots were accurately included in the final vote count?

(n=369)

95%	Very confident
3	Somewhat confident
--	Not very confident
--	Not at all confident
1	Don't Know
--	Refused

General Perceptions

26. Now I am going to read you a list of items, please tell me which one you believe presented the biggest challenge in implementing provisional voting in your jurisdiction for the 2004 Election. (POSSIBLY BIGGEST PROBLEM)

(READ AND ROTATE 1-4)

(n=400)

40%	Training of poll workers
13	Length of time provided before the election to implement the provisional voting process
7	Clarity of instruction received from your State Government
12	Having enough staff at the polling place
4	Other (specify)
2	All of the above
21	None of the above
2	Don't Know
--	Refused

Please tell me how much you agree or disagree with the following statements about Provisional voting in your jurisdiction for the 2004 Election.

(READ AND ROTATE Q27 –Q35)

[IF AGREE OR DISAGREE, ASK:] Would you say you agree/disagree strongly or agree/disagree somewhat?

27. More training was needed on how to administer the provisional voting process

(n=400)

18%	Agree strongly
25	Agree somewhat
6	Neither agree nor disagree
22	Disagree somewhat
29	Disagree strongly
1	Don't Know
--	Refused

28. More funding was needed to educate voters about their rights to cast a provisional ballot.

(n=400)

24%	Agree strongly
18	Agree somewhat
11	Neither agree nor disagree
22	Disagree somewhat
24	Disagree strongly
1	Don't Know
--	Refused

29. More information should have been provided to voters about the jurisdiction where provisional ballots must be cast in order to be counted.

(n=400)

16%	Agree strongly
17	Agree somewhat
8	Neither agree nor disagree
22	Disagree somewhat
33	Disagree strongly
3	Don't Know
--	Refused

30. More information was needed for poll workers to determine the voter's assigned precinct and polling place.

(n=400)

8%	Agree strongly
18	Agree somewhat
6	Neither agree nor disagree
26	Disagree somewhat
39	Disagree strongly
3	Don't Know
--	Refused

31. More time was needed to implement provisional voting procedures.

(n=400)

16%	Agree strongly
17	Agree somewhat
6	Neither agree nor disagree
27	Disagree somewhat
33	Disagree strongly
1	Don't Know
--	Refused

32. The provisional voting system was easy to implement.

(n=400)

33%	Agree strongly
32	Agree somewhat
6	Neither agree nor disagree
15	Disagree somewhat
14	Disagree strongly
--	Don't Know
--	Refused

33. The provisional voting system in my polling jurisdiction enabled more people to vote.

(n=400)

40%	Agree strongly
27	Agree somewhat
8	Neither agree nor disagree
9	Disagree somewhat
15	Disagree strongly
1	Don't Know
--	Refused

34. I feel that voters in my jurisdiction were provided adequate information to successfully cast a provisional ballot.

(n=400)

70%	Agree strongly
22	Agree somewhat
3	Neither agree nor disagree
3	Disagree somewhat
2	Disagree strongly
1	Don't Know
--	Refused

35. Adequate support was provided to me to assist in the implementation of provisional voting.

(n=400)

57%	Agree strongly
29	Agree somewhat
5	Neither agree nor disagree
6	Disagree somewhat
3	Disagree strongly
--	Don't Know
--	Refused

Recommendations for the Future

36. Now I am going to read you a list of items. Please tell me which one you believe is the most important change needed in the implementation of provisional voting.

(RANDOMLY ROTATE 1-4)

(n=400)

29%	More funding for poll worker training
18	More time for poll worker training
19	Clearer instruction from the Federal Government
12	Clearer instruction from the State Government
5	Other: specify
2	All of the above
14	None of the above
2	No changes needed
1	Don't Know
--	Refused

In general, please tell me how much you agree or disagree with the following statements about provisional voting.

(READ AND ROTATE Q37-Q44)

[IF AGREE OR DISAGREE, ASK:] Would you say you agree/disagree strongly or agree/disagree somewhat?

37. A statewide voter registration database, accessible to poll workers on Election Day, would decrease the need for voters to cast provisional ballots.

(n=400)

34%	Agree strongly
19	Agree somewhat
7	Neither agree nor disagree
20	Disagree somewhat
20	Disagree strongly
2	Don't Know
--	Refused

38. A state-sponsored website designed for individuals to check registration status online, before going to the polling place on Election Day, would decrease the need for voters to cast provisional ballots.

(n=400)

45%	Agree strongly
25	Agree somewhat
6	Neither agree nor disagree
9	Disagree somewhat
15	Disagree strongly
2	Don't Know
--	Refused

39. Provisional voting speeds up and improves polling place operation on Election Day by resolving disputes between voters and poll workers.

(n=400)

25%	Agree strongly
23	Agree somewhat
5	Neither agree nor disagree
18	Disagree somewhat
30	Disagree strongly
1	Don't Know
--	Refused

40. Provisional voting helps election officials maintain more accurate registration databases.

(n=400)

27%	Agree strongly
24	Agree somewhat
8	Neither agree nor disagree
16	Disagree somewhat
24	Disagree strongly
2	Don't Know
--	Refused

41. Provisional voting creates unnecessary problems for election officials and poll workers.

(n=400)

31%	Agree strongly
21	Agree somewhat
5	Neither agree nor disagree
19	Disagree somewhat
24	Disagree strongly
1	Don't Know
--	Refused

42. Provisional voting can be avoided by simplifying registration procedures.

(n=400)

28%	Agree strongly
16	Agree somewhat
6	Neither agree nor disagree
20	Disagree somewhat
29	Disagree strongly
2	Don't Know
--	Refused

43. There is a need to offer voters the opportunity to cast provisional ballots.

(n=400)

44%	Agree strongly
28	Agree somewhat
4	Neither agree nor disagree
8	Disagree somewhat
17	Disagree strongly
1	Don't Know
--	Refused

44. The provisional voting system in my polling jurisdiction was a success.

(n=400)

59%	Agree strongly
30	Agree somewhat
5	Neither agree nor disagree
3	Disagree somewhat
4	Disagree strongly
1	Don't Know
--	Refused

45. Which one of the following do you think would be the most effective in increasing the number of provisional ballots validated and ultimately counted in an election?

(RANDOMLY ROTATE 1-3)

(n=400)

20%	In-precinct provisional voting only
40	Provisional voting from a central location rather than in individual polling places
19	In-jurisdiction provisional voting only
2	Other (specify)
1	All of the above
12	None of the above
7	Don't Know
--	Refused

46. Which one of the following do you think would be the most effective in reducing the number of provisional ballots cast in an election?

(RANDOMLY ROTATE 1-5)

(n=400)

- | | |
|-----|---|
| 26% | Having a statewide voter registration database available at polling places |
| 6 | Providing additional staff such as “greeters” at polling places to direct voters to the correct polling location |
| 28 | Providing a state sponsored website to enable individuals to check registration status online before going to the polling place |
| 5 | Providing poll workers access to an updated printed list of eligible voters in the jurisdiction |
| 16 | Providing a dedicated telephone line for poll workers to speak immediately to an election official with access to the list of eligible voters in the jurisdiction |
| 1 | Other (specify) |
| 4 | All of the above |
| 13 | None of the above |
| 2 | Don't Know |
| -- | Refused |

Demographics (ASK ALL)

I only have a few more questions for statistical purposes....

D1. As election official were you hired, appointed, promoted, or elected to the position?

(n=400)

14%	Hired
42	Appointed
2	Promoted
42	Elected
1	Other/Specify
--	Don't know
--	Refused

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D2. For how many years have you served as the election official? [CODE IN WHOLE NUMBERS – IF LESS THAN 1 YEAR RECORD AS “LESS THAN ONE YEAR”]

(n=400)

LESS THAN 1 YEAR	1%
1	4
2	7
3	5
4	5
5	7
6	4
7	5
8	3
9	3
10	7
11	2
12	5
13	3
14	5
15	7
16	4
17	1
18	4
19	2
20	3
21	1
22	2
23	2
24	1
25	1
26	1
27	2
28	2
29	1
30	1
31	--
32	--
33	1
34	1
35	1
36	--
38	--
43	--

D3. Interviewer please record gender.

71%	Female
29	Male

That completes our survey. Thank you very much for your time and cooperation.

APPENDIX D:
VERBATIM RESPONSES

*****VERBATIM EAGLETON NATIONAL SURVEY OF LOCAL ELECTIONS OFFICIALS*****

2. What was your job title on Election Day, November 2nd, 2004?

Q2 ACCESSOR/RECORDER/COUNTY CLERK\REGISTRAR OF VOTERS
Q2 ADMISTRATIVE ASSISTANT SUPERVISOR ELECTIONS
Q2 ASSISTANT ADMIN
Q2 ASSISTANT EXECUTIVE DIRECTOR OF ELECTION COMMISSION
Q2 ASSISTANT REGISTRAR
Q2 asst rgiter of voters
Q2 Asst. Registrar of Elections
Q2 auditer
Q2 auditor
Q2 chairwoman
Q2 chief clerk
Q2 Chief Elections Officer
Q2 clerk of county commisions
Q2 Clerk of Elections
Q2 CO-MANAGER
Q2 COLLECTOR |
Q2 county auditer
Q2 county auditor
Q2 county clerk election authority
Q2 COUNTY COMM CLERK
Q2 county election officer
Q2 COUNTY ELECTION OFFICER
Q2 county of registrar
Q2 democrat comissioner
Q2 DEPUYTY COMISSIONER
Q2 DEPUTY CLERK IN CHARGE OF ELECTIONS
Q2 DEPUTY CLERK SUPERVISOR
Q2 DEPUTY ELECTION OFFICER
Q2 DEPUTY ELECTIONS COMMISSIONER
Q2 Deputy General Register
Q2 dir of voter registration and elections
Q2 DIRECTION COMISSIONER
Q2 electioin supt.
Q2 ELECTION BOARD ADMIN

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Q2 election board secretary
 Q2 election deputy
 Q2 ELECTION DIVISIONS MGR
 Q2 election officer
 Q2 ELECTION OFFICER
 Q2 election official
 Q2 ELECTION SUPER
 Q2 election superintendant
 Q2 election superintendent
 Q2 ELECTION SUPERINTENDENT
 Q2 election superitendent
 Q2 Elections Admin
 Q2 elections administrater
 Q2 ELECTIONS SUP
 Q2 EXEC DIRECTOR BOARD OF ELECTIONS
 Q2 FULTON COUNTY CLERK AND RECORDER
 Q2 General REgistar
 Q2 general registrar
 Q2 GENERAL REGISTRAR
 Q2 IN CHARGE OF PROVISIONAL BALANCE.
 Q2 judge
 Q2 Local Election Official
 Q2 overseeres
 Q2 Rebgistrar
 Q2 Region 2 Election Supervisor
 Q2 regisrtar of voters
 Q2 registrar of voter
 Q2 registra of voters
 Q2 registrar of voters
 Q2 Registrar of Voters
 Q2 REGISTRAR OF VOTERS
 Q2 Republican election commishioner
 Q2 Republican Elections Commisioner
 Q2 Republican Registrar of Voters
 Q2 SEC OF TULSA COUNTY ELECTION BOARD
 Q2 senior clerk register assistant
 Q2 sherriff
 Q2 SPECIALIST /ELECTIONS COORDINATOR
 Q2 SUPERINTENDENT
 Q2 SUPERINTENDENT OF ELECTIONS
 Q2 supt, of elections
 Q2 voter of registrar
 Q2 voter register
 Q2 VOTER REGISTRATION ADMINISTRATOR

5. In your opinion, which one of the following, if any, created the most need for the use of provisional ballots in your jurisdiction on Election Day, 2004?

- Q5 a lot of ppl have moved from one town to another and they weren't registered
- Q5 ADDRESS CHANGES
- Q5 change of address
- Q5 college students (ellab) registered voters couldnt get home to vote!!
- Q5 fail to change the address
- Q5 FAILED TO REPORT ADDRESS CHANGE SO IN WRONG PRECINCT
- Q5 inspector error
- Q5 MOST HAD MOVED OUT OF A DIFERENT JURISDICTION
- Q5 moved and no address change
- Q5 MOVING FROM ONE PRECINCT TO ANOTHER
- Q5 not registered
- Q5 NOT REGISTERED IN PROPPER PLACE - ADDRESS CHANGES
- Q5 NOT REGISTERED WITHIN 5 YEARS
- Q5 OUT OF PRECINCT
- Q5 they have moved within the county
- Q5 they sd they didn't get their ballot and some were military
- Q5 Unreported Move - their name does not show on their new address' voting precinct
- Q5 voter fail to update their registration
- Q5 Voter going to wrong polling place
- Q5 VOTER WENT TO INCORECT POLLING PLACE
- Q5 voters moved
- Q5 VOTERS MOVED
- Q5 VOTERS MOVING FROM ONE COUNTY TO ANOTHER OR WITHIN THE COUNTY AND NOT UPDATING THEIR REGISTRATION
- Q5 voters not registered
- Q5 voters showed up to wrong precinct
- Q5 voters voting in the wrong precinct
- Q5 voters were at wrong precinct
- Q5 wrong precient

6. In your opinion, which one of the following, if any, was the most important reason that provisional ballots cast in your jurisdiction were not validated and ultimately not counted in the 2004 Election?

Q6 b/c they were not voters..

Q6 Combination of not being registered, also individual voted incorrect precinct (else)no

Q6 Individual registered in wrong county

Q6 individual was not registered in the right state

Q6 judge did not put provisional envelopes in ballot box

Q6 MEDIA DID NOT UNDERSTAND WHAT PROVISIONAL VOTING

Q6 NO SIGNATURE AT ALL

Q6 none

Q6 pirch for 10 year skip and voting

Q6 POLL WORKER DID NOT COMPLETE FORM CORRECTLY(ELSE)NO

Q6 There was confusion due to the newness of the provisional ballot procedure

Q6 THEY WERE IN THE WRONG COUNTY COLLEGE STUDENTS REGISTERED IN OTHER
COUNTIES

Q6 were not completed properly\

14. Please tell me which of the following, if any, was provided in your jurisdiction for the 2004 Election to help poll workers determine voters' assigned precinct and polling place?

Q14 NO POLL WORKERS IN OREGON

22. After the 2004 Election, which of the following, if any, did your jurisdiction offer voters to determine if their provisional ballot was counted?

Q22 THERE WAS ONLY ONE AND HE WAS INFORMED IN PERSON

Q22 voters were given written documents informing them on how to inquire about their votes

26. Now I am going to read you a list of items, please tell me which one you believe presented the biggest challenge in implementing provisional voting in your jurisdiction for the 2004 Election. (POSSIBLY BIGGEST PROBLEM)

Q26

Q26 access to the voters after the election

Q26 age of the poll workers

Q26 getting the poll workers to understand what I was explaining. Implementing the provisional ballot and the purpose of a provisional ballot was the biggest challenge in getting the poll workers to understand what this meant.

Q26 having enough ballots

Q26 having the voter get and understand the information

Q26 lack of awareness of voter's opportunity for provisional voting

Q26 MISREPRESENTATION OF PROVISIONSL BALLOTING WAS THE KEY PROBLEM

Q26 NOT ENOUGH TIME TO VALIDATE THE BALLOT AFTER ELECTION OFFICE

Q26 people saying go anywhere and get a provisional ballot.. it was falsified information given through newspapers and political parties

Q26 POLL WORKERS MISUNDERSTOOD WHAT PROVISIONAL BALLOTS WERE FOR / PUBLIC EDUCATION

Q26 state worker getting back to us

Q26 the staff, not enough

Q26 to verify that they were a valid provisional voter after the election the research was quite involved and time consuming

Q26 verification

36. Now I am going to read you a list of items. Please tell me which one you believe is the most important change needed in the implementation of provisional voting.

- Q36 accessibility for the voters
- Q36 **CHANGES IN STATE LAW**
- Q36 clearer instructions from both state and federal on who can vote provisional ballots
- Q36 clearer intruction to the voter
- Q36 Elimination of provisional voting should be dumped
- Q36 **ELIMINATE IT**
- Q36 **MAKING THE FEDERAL AND STATE GOVERNMENTS TO AGREE ON WHO SHOULD AND WHERE THEY CAST PROVISIONAL BALLOTS**
- Q36 more correct information from the media
- Q36 **MORE EDUCATION FOR VOTERS...GENERAL INFO EDUCATION**
more funding in every aspect in provisional voting, it has become very costly and time consuming (else) if the polls have to close for any reason, anyone who has not voted has to use a provisional vote, it is very costly, at 40
- Q36 more simpler
- Q36 more technical work force (ellab) if we could provide a laptop.. we did not have this, we need help in recruiting... what I would like to see is vote centers for provisional ballots..
- Q36 **NOT ENOUGH TIME TO VALIDATE VOTE AFTER THE ELECTION**
- Q36 **PUBLIC EDUCATION ON PROVISIONAL VOTING**
- Q36 **REGISTRATION OF THE VOTERS, AND THE VOTERS BEING MORE AWARE OF THE VOTING PROCESS**
they need to look at the whole system... the system does not allow enough time from the time the provisional ballots are cast and the time they are actually counted is 3 days... therefore we dont have enough time to inquire more
- Q36 **VOTER AND PUBLIC EDUCATION - VOTER NEEDS TO KNOW WHAT A PROVISIONAL BALLOT IS**
- Q36 voters need to be trained
- Q36 **VOTERS SHOULD EDUCATE THEMSELVES BETTER. THE INFORMATION IS AVAILABLE TO THEM.**

45. Which one of the following do you think would be the most effective in increasing the number of provisional ballots validated and ultimately counted in an election?

Q45 DON'T WANT TO INCREASE

Q45 how to correct provisional to educate the public.

Q45 INCREASE PROVISIONAL VOTING IN REGULAR VOTING PLACES (ELSE)NO

Q45 NOT ENOUGH TIME FOR VALIDATION AFTER ELECTION

Q45 they need to have provisional voting in BOTH a central location and in-precient location as well

Q45 UPDATE REGISTRATION BEFORE DEADLINE

Q45 VOTERS TAKE RESPONSIBILITY FOR REGISTRATION

46. Which one of the following do you think would be the most effective in reducing the number of provisional ballots cast in an election?

Q46 advanced voting

Q46 VOTERS UPDATE REGISTRATION

D1. As election official were you hired, appointed, promoted, or elected to the position?

D1 . elected then turned out to be appointed

D1 I WAS ELECTED AS A PROBATE JUDGE PART OF THAT JOB IS SUPERVISING ELECTIONS

D1 INHERITTED

Karen Lynn-Dyson/EAC/GOV
06/28/2006 11:42 AM

To Darrell D. Lee/CONTRACTOR/EAC/GOV
cc
bcc
Subject Fw: Materials for Sept. 6 Meeting

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Washington, DC 20005
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— Forwarded by Karen Lynn-Dyson/EAC/GOV on 06/28/2006 11:40 AM —



"Tom O'neill"
[Redacted]
09/05/2005 10:48 PM

To klyndyson@eac.gov
cc
Subject Materials for Sept. 6 Meeting

Karen:

Attached are 3 documents that will be topics of discussion at our meeting tomorrow. The Power Point presentation is included so you will have a complete file (and as a backup in case something goes wrong with the version I am bringing.)

The "Script" document is a simple, MS Word version of the Power Point presentation. You might want to print out copies for those who would like to follow along and make notes on the slides as they are discussed.

The third document is the "Alternatives" paper we will discuss after the Power Point presentation. It outlines alternative points that might be included in the preliminary guidance document, which is the next deliverable in the project. We hope to learn which alternatives are preferred by the EAC so that we will know which ones should be developed further for the Preliminary Guidance Document. I hope you might be able to have this duplicated and distributed to those attending the meeting.

Thanks. I look forward to seeing you tomorrow.

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Tom O'Neill



ALTERNATIVESSept6.doc



Briefing90605.ppt



ScriptSept.605.doc

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Briefing for

U. S. Election Assistance Commission

September 26, 2005

Briefing for
U. S. Election Assistance Commission
September 6, 2005

QUESTIONS –TOPICS OF SPECIAL INTEREST

- 1. How did states prepare for HAVA's provisional voting requirements?**
- 2. How did their preparation and performance vary between states that had previously had some form of Provisional Ballot and those did not?**
- 3. How did litigation affect the implementation of Provisional Voting?**
- 4. How effective was provisional voting in enfranchising qualified voters?**
- 5. Did State and local processes provide for consistent counting of provisional ballots?**
- 6. Did local election officials have a clear understanding of how to implement provisional voting?**

1. How did states prepare for HAVA's provisional voting requirements?

Interviews told us how election officials prepared to administer the process.

Most received provisional voting instructions from state government.

The type and amount of instruction received varied widely across the states.

Almost all provided training or written instruction to precinct-level poll workers on how to administer provisional ballots.

- Only about 1 in 10 made available to poll workers a voter registration database.**
- Almost equally rare were training and written procedures for poll workers on the counting of provisional ballots.**

Wide variance existed in preparation to give voters a way to find out if their provisional ballots had been counted.

2. How did preparation and performance vary between states that had previously had some form of provisional ballot and those that did not?

18 states were new to provisional voting; 25 others had experience.

Local election officials in the “old” states felt more confident.

9 out of 10 local officials in the “old” states felt that the support received from state government was adequate, compared to 8 in 10 in the “new” states.

“New” state officials felt:

- **Voters did not receive enough information about the jurisdiction in which to cast a provisional ballot in order to be counted.**
- **More funding was needed to educate voters about their rights to cast a provisional ballot.**

2. How did preparation and performance vary between states that had previously had some form of provisional ballot and those that did not?

Difference in performance even more marked:

- **Provisional ballots in “old states” = more than 2% of the total vote, 4 times the proportion in “new” states.**
- **Counting provisional ballots in the final vote, the “old” states averaged nearly double the number of the “new” states.**
- **In “old” states, 1.48% of the total vote came from provisional ballots, six times more than the 0.23% in the “new” states.**

Question 3: How did litigation affect the implementation of Provisional Voting?

Pre-election litigation clarified voters' rights to:

- **Sue in federal court to remedy violations of HAVA**
- **Receive provisional ballots, even though they would not be counted**
- **Be directed to the correct precinct**
- **Most pre-election litigation occurred too late to influence how states implemented provisional voting.**

Question 3: How did litigation affect the implementation of Provisional Voting?

Lawsuits filed shortly after Election Day to alter the outcome of a close election failed, but established principles:

- **States are not required to count provisional votes cast in the wrong precinct**
- **Provisional ballots cast at the correct polling *site* but at the wrong precinct are to be counted (New York)**
- **Provisional voters are to be protected against poll worker or clerical error (New York, Washington)**

Question 3: How did litigation affect the implementation of Provisional Voting?

Litigation is most useful when it:

- **Occurs early in the process**
- **Does not seek to change the outcome of a race**
- **Aims to enhance the accuracy of the provisional voting process**

Question 3: How did litigation affect the implementation of Provisional Voting?

Conclusions

- **Litigation is more likely to yield a public benefit if it seeks to assure the accuracy of the provisional voting process, rather undo election results.**
- **Sensitive questions should not be resolved by the judiciary at a frenzied pace.**
- **Expect more litigation if states do not begin now to address ambiguities and problems that surfaced in the 2004 election.**

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Policy Implications

Guidance to the states on how to encourage earlier, rather than later, litigation

“Preferred practice” for states to preclude post-election challenges that could have been filed in a pre-election lawsuit.

States can distinguish between the two kinds of suits by providing a streamlined administrative remedial process for voters who believe their provisional ballot rights were mistreated and a more burdensome judicial proceeding to contest an election result.

Focus litigation on the ways state laws are allegedly deficient to:

- **Clarify the rules applicable to provisional voting**
- **Assure that the rights protected by provisional voting laws are enforced**

How effective was provisional voting in enfranchising qualified voters?

Provisional ballots enfranchised 1,2 million voters, or 1.01% of turnout. These voters otherwise would have been turned away at the polls.

The number of voters who could be helped by provisional voting may be about 2.5 – 3 million. Provisional voting might be about 50% effective.

Whatever the precise figure, there is room for improvement.

Legislative activity gives evidence that states were not satisfied with the effectiveness of their provisional voting systems.

Those voting with provisional ballots in states with experience were enfranchised more frequently than those in the “new” states.

Experience factor: mechanical or cultural?

Question 5: Did State and local processes provide for consistent counting of provisional ballots?

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Little consistency existed among and within states.

The use of provisional ballots was not distributed evenly across the country.

A few states accounted for most of the ballots cast.

- **The 7% of the total vote represented by Alaska's counted provisional ballots was more than 1,000 times greater than Vermont's 0.0058%.**
- **Share of provisional ballots in the total vote was six times greater in experienced states than in new states.**

More rigorous the Voter ID requirements and registration status, the smaller the percentage of provisional ballots that were counted.

“New” states with registration databases counted 20% of the ballots cast.

Those without databases counted more than double that rate (44%).

Question 5: Did State and local processes provide for consistent counting of provisional ballots?

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In-precinct versus out-of-precinct states had different outcomes.

States that allowed out-of-precinct ballots counted 56% of the provisional ballots.

States that recognized only ballots cast in the proper precinct counted an average of 42% of provisional ballots cast.

In “old” states, this difference was greater.

52% of ballots cast were counted in states requiring in-district ballots, 70% were counted in those allowing out-of-precinct ballots.

If all states had counted out-of-precinct ballots, perhaps 280,000 more voters would have been enfranchised across the country.

Question 5: Did State and local processes provide for consistent counting of provisional ballots?

In both “new” and “old” states, counties differed by as much as 90% to 100% in the rate at which ballots were cast and counted.

But differences between old and new states persisted:

- **Officials from “old” states counted more ballots, were better prepared to direct voters to their correct precincts with maps, and regarded provisional voting as easy to implement and enabling more people to vote.**
- **Officials from “new” states needed more information for voters about the jurisdiction where provisional ballots must be cast in order to be counted and needed more time to implement provisional voting procedures.**
- **Officials from “new” states felt that provisional voting created unnecessary problems for election officials and poll workers.**

Question 5: Did State and local processes provide for consistent counting of provisional ballots?

Conclusions

States have considerable latitude in how they meet HAVA requirements.

A considerable degree of variation among the states is to be expected.

If that variation stems from differences in political culture among the states, it is likely to persist. If it reflects a learning curve for “new” states, consistency may increase more quickly.

Did local election officials have a clear understanding of how to implement provisional voting?

How do the local officials themselves characterize their understanding of their responsibilities to manage the provisional voting process?

8 out of 10 county-level elections officials reported receiving instructions from their state government

4 out of 10 felt poll workers needed more training to understand their responsibilities.

Second, objectively how well did the process appear to be managed?

Lack of consistency among and within states indicates wide differences in understanding by election officials.

The number of states that have amended statutes on provisional voting to include poll worker training is a sign of dissatisfaction with the level of understanding in 2004.

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DISCUSSION
THE 6 QUESTIONS
ALTERNATIVES OUTLINE

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OUTLINE OF ALTERNATIVES

For Consideration In Drafting Preliminary Guidance on Provisional Voting
September 6, 2005

This outline identifies 7 areas where guidance from EAC could improve the provisional voting process.

EAC's guidance should strike a rational balance among the three competing objectives of ballot access, ballot security, and procedural reliability and practicality. The outline sketches a range of alternatives for the EAC. Based on the EAC's judgment about which alternatives it can embrace, we will develop appropriate recommendations for the guidance document.

Possible Criteria for evaluating alternatives and choosing among alternatives:

1. The electoral system must be able to collect, record, and tally the votes of the electorate with sufficient accuracy to declare a winning candidate whose victory is procedurally legitimate in the eyes of supporters and opponents alike. Second, no well-functioning electoral system would fail to provide or count a ballot cast by a properly registered voter who correctly completed all steps required to receive one. (Century Foundation/10)
2. Margin of Litigation – need a system robust enough to perform well under the pressure of a close election.
3. Enfranchisement rate –the percentage of eligible voters who are able to participate.
4. Voter satisfaction standard – degree to which voters believe the system meets their needs and provides an avenue of participation.

Elements influencing the performance of the provisional voting system

THE PROCESS

- A. Registration
- B. Pre-Election Information For Voters
- C. At The Polling Place
- D. Evaluating The Ballot
- E. Post-Election Information For Voters

BROADER CONSIDERATIONS

- F. Integrity And The Appearance Of Integrity
- G. Continuous Assessment Of The Provisional Ballot -- Process And Performance (Quality Improvement Model)

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INTRODUCTION

THE IMPORTANCE OF CLARITY AND IDENTIFICATION OF BEST PRACTICES

The guidance document should emphasize above all else the importance of clarity in the rules governing every stage and process of provisional voting. As the Century Foundation's recent report observed, "Close elections increasingly may be settled in part by the evaluating and counting of provisional ballots. . . . To avoid post election disputes over provisional ballots—disputes that will diminish public confidence in the accuracy and legitimacy of the result well in advance of the election, states should establish, announce, and publicize clear statewide standards for every aspect of the provisional ballot process, from who is entitled to receive a provisional ballot to which ones are counted."

State efforts to improve the provisional voting process are already underway. Those states, as well as others that have not yet begun to correct shortcomings that became apparent in 2004, can benefit from guidance that includes concrete descriptions of best practices. A best practice approach in the guidance document is likely to advance the adoption of provisional voting practices that should be standard across the country while recognizing diversity among the states.

ALTERNATIVES FOR EACH STEP IN THE PROCESS

A. Registration

Improving the registration system can forestall the need to cast a provisional ballot, and is therefore among the most important possible reforms.

1. Registration rules should be clear and to forestall post-election disputes about their interpretation.
2. If states require identification at the time of registration, the kind of IDs required should be stated precisely, in plain English, and be publicly available in a graphical form that all voters can understand, for example, "You must bring your driver's license. If you don't have a driver's license, then you must bring an ID card with your photograph on it and this ID card must be issued by a government agency."
3. If there is one place to sign an affirmation of citizenship and age (and/or mental capacity), and that is signed, the failure to check any box that refers to the aforementioned should not be deemed a material omission.
4. States should consider testing a modified system of voter registration. A voter who registers earlier than 60 days before Election Day would be guaranteed that administrators will . That voter will be able to vote by regular ballot. For those who register within 30 days of the election, administrators would still be expected to ensure the orderly processing of the registration, but such voters will not be guaranteed that if there is a problem with their application that they will be able to vote by a regular ballot. This two-tiered registration system could reduce post-election disputes.¹

¹ See: <http://moritzlaw.osu.edu/electionlaw/comments/2005/comment0322.html>. This suggestion relates directly to California's experience after shortening the deadline for registration to 15 days from 29, which contributed to the state's overwhelming reliance on provisional ballots. Had the election in California been close, the contention over provisional ballots could have been destabilizing.

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5. States should issue a receipt with a tracking number to each person submitting a registration form. The tracking number will allow the voter to check on registration status through the use of that number and a publicly available registration list. The receipt could serve as an "admission ticket" to a regular ballot, even if the voter's name was not on the poll worker's list.²
6. States should have clear rules with respect to whether registration forms collected by third parties are processed as mail-in or in-person registrations.
7. Registration forms submitted by third-party groups should be considered mail-in registrations subject to those ID requirements. But if giving a registration form to a third-party group is considered equivalent to giving the form to a Board of Elections, or DMV, official then the law should say so explicitly.
8. The re-enfranchisement process should be clear and straightforward. To avoid litigation over the registration status of felons, best practice should be defined as making re-enfranchisement automatic or no more burdensome than the process required for any new registrant.³
9. A provisional ballot should seek from the voter all the information necessary to constitute registration and be filed by local officials with the proper office to complete the registration process.

B. Pre-Election Information For Voters

The better voters understand their rights and obligations, the easier the system will be to manage and the more legitimate the appearance of the process.

1. A state website for voters should offer full, clear information on boundaries of precincts, location of polling places, requirements for identification, and other necessary guidance that will facilitate the casting of a regular ballot.
2. This same information should be included on sample ballots
3. Publish this information shortly before the election in prominent newspaper announcements and, if feasible, through broadcast media.

C. At the Polling Place

Avoiding error at the polling place will allow more voters to cast a regular ballot.

1. The organization of the polling place, particularly the multi-precinct polling place is important. Guidance should provide best practices on the importance of greeters, maps, and prominently posted voter information about provisional ballots, ID requirements, and relation topics.

²There could be two different kinds of receipts: one would be simply confirm that an individual submitted a registration form by the required deadline; the other, more robust, would confirm that the voter was officially registered

³ From The Century Foundation Report

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2. The provisional ballot should be of a design or color sufficiently different from a regular ballot to avoid confusion over counting.
3. Offer a best practice on estimating the number of provisional ballots that should be made available at each precinct, so that they don't run out on Election Day
4. Offer a best practice on the handling of provisional ballots between the time they are cast to when they are examined afterward
5. Offer best practices in training and scripting poll workers so that they ask the right questions, offer the right information, and make provisional ballots available appropriately – particularly important when a voter shows up at the wrong precinct.

D. Evaluating the Ballot

The clarity of criteria is critical to a sound evaluation process and to the legitimacy of the system as a whole.

1. The experience in 2004 in North Carolina, Washington, Ohio underline the importance of clarity in the criteria to be used in deciding if a provisional ballot should be counted. Rushed litigation over the evaluation of provisional balloting could erode the legitimacy of a presidential election. As the Century Foundation report put it, "Whatever procedures the states choose [to determine if a provisional ballot should be counted], the paramount consideration—as with all others concerning provisional voting—is that they be clear and thus not susceptible to post-election manipulation and litigation." Nonetheless, the NY *Panio v. Sutherland* case shows the difficulty of defining the range of administrative errors from which the provisional voters should be held harmless. Even when the standard is "clerical error" judges can differ over what that means exactly. Possibly a state law might be able to clarify a definition by giving examples of clerical errors, but even then the definition is unlikely to be perfect.
2. Recent legislation in Arizona indicates that this guidance should reiterate HAVA's requirement that persons appearing claiming to be registered voters cannot be denied a ballot because they do not have identification with them.
3. Voters who lack ID should have up to three days to provide either the HAVA-specified forms of ID or other documentation that will facilitate the state's ability to verify that the person casting the provisional ballot is the same one who registered by mail. This research has shown that voters seem to feel returning with ID is less onerous than signing an affidavit.
4. More provisional voters are enfranchised in those states that count ballots cast outside the correct precinct. The best practice may be to define "jurisdiction" more broadly than the precinct. Or, more modestly, If a state chooses to require voters to appear at their assigned precinct, where the same polling site serves more than one precinct, a voter's provisional ballot should count as long as the voter appears at the correct polling site.⁴

⁴ Chances are administrative error accounts for the voter being directed to the wrong precinct under these circumstances.

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5. The best practice for election officials to evaluate a provisional ballot includes a check of existing records, including the original registration form, in order to match signatures.
6. Public confidence in the process of evaluating and counting provisional ballots requires that the process be open to the public and conducted by a team of election officials whose decision will be reviewed by a Board of Elections (or similar body) if the decisions was not unanimous.
7. Officials should follow a written procedure, and perhaps a checklist, to identify the reason why a provisional ballot is rejected (e.g., check the applicable box "unregistered voter"; "lack of signature match" "wrong precinct," etc.) Those forms should be disclosed publicly when completed.
8. The standards used for eligibility of provisional voters should be made clear in state law that specifies the "burden of proof" to be met. For example, a provisional ballot will not be rejected unless officials find *by clear and convincing evidence* that voter is ineligible; or provisional ballot will not be counted unless all available evidence shows that voter *more likely than not* is eligible
9. Clear standards are needed for the essential information that must be appear on provisional ballot envelope: name, address, signature, etc. The standards should indicate that a provisional ballot does not count if it lacks this information. The standards should provide voters a reasonable opportunity provide the missing information. (For example, election officials have no duty to inform the voter of the error, but if voters appear at the Board of Elections within 72 hours on their own initiative they can supply the missing info.)
10. States that use the information on the provisional ballot to permit voters who have changed their addresses to update their registrations, should adopt clear procedures on that process and specify how the new information will be communicated between different Boards of Elections
11. The time by which election officials must complete their eligibility evaluations is critical, particularly in presidential elections. The guidance document should specify a range of time periods as a best practice (for example: 7 days, 10 days, 14 days, 21 days).

F. Post-election Information for Voters

Timely information for voters provides a final quality control on the system by giving the voter an opportunity to correct mistakes that may cause a legitimate ballot not to be counted.

1. Recommend best practices to improve the use of websites, phone lines, or mail to inform provisional voters about the evaluation of their ballots. The date by which this occurs is critical if voters are to have a reasonable opportunity to correct errors.
2. Specify the administrative review procedures, if any, that are available to a voter who has been told that her provisional ballot was rejected. May she appeal to a higher administrative authority? if so, under what timetable? What evidence may she offer in an effort to demonstrate eligibility?

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G. State Laws Governing Litigation Over Provisional Voting

1. State law could foreclose litigation where the purpose is to change the outcome of the election, but a better option appears below.
2. Provide for expedited, streamlined litigation – administrative decisions regarding the eligibility of provisional ballots can be overturned only if *clearly erroneous* based on documentary evidence or a violation of the clearly specified procedures concerning the processing of such ballots
3. Establish special, streamlined litigation procedures for Election Day complaints that individuals are being denied the right to cast a provisional ballot

BROADER CONSIDERATIONS

H. Integrity and the Appearance Of Integrity

1. Non or bi-partisan bodies to make a public determination of the validity of provisional ballots would increase confidence in the system?
2. Transparency – require the purging process for registration to be public and with an opportunity to for voters to correct an erroneous determination that they should be purged.
3. Transparency – require the evaluation process for provisional ballots to be public.
4. Training poll workers – provide guidance on how to provide information to potential voters on their options if their names do not appear not on the registration list.

H. Continuous Assessment of the Provisional Ballot -- Process and Performance (Quality Improvement Model)

Defining what constitutes a successful provisional voting system is difficult. The most successful system is probably not the one with the most provisional votes cast (which may indicate problems with the registration system). Nor is the system with the greatest number counted or with the fewest counted (the evaluation process is likely to be flawed).

Defining quality here requires a broad perspective about how well the system works, how open it is to error recognition and correction, and how well provisional voting processes are connected to the registration and voter identification regimes.

The first step to improving quality is to recognize the provisional voting process as a system and the consequent need to take a systems approach to regular evaluation through standardized metrics with explicit goals for performance.⁵

But a clear first step is to recommend to the states the metrics they can establish, collect and monitor to evaluate the quality of the provisional voting process and other aspects of the system. Among them might be:

⁵ Perhaps the EAC should engage one of the national quality organizations to evaluate the provisional ballot process within the broader context of the electoral system.

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1. Standard deviation of % of provisional ballots counted by county to estimate the consistency of the evaluation system within the state.
2. Set targets to reduce the number of provisional ballots cast as a measure of the quality of the registration system.
3. Election complaints by jurisdiction, from precinct to the state level.

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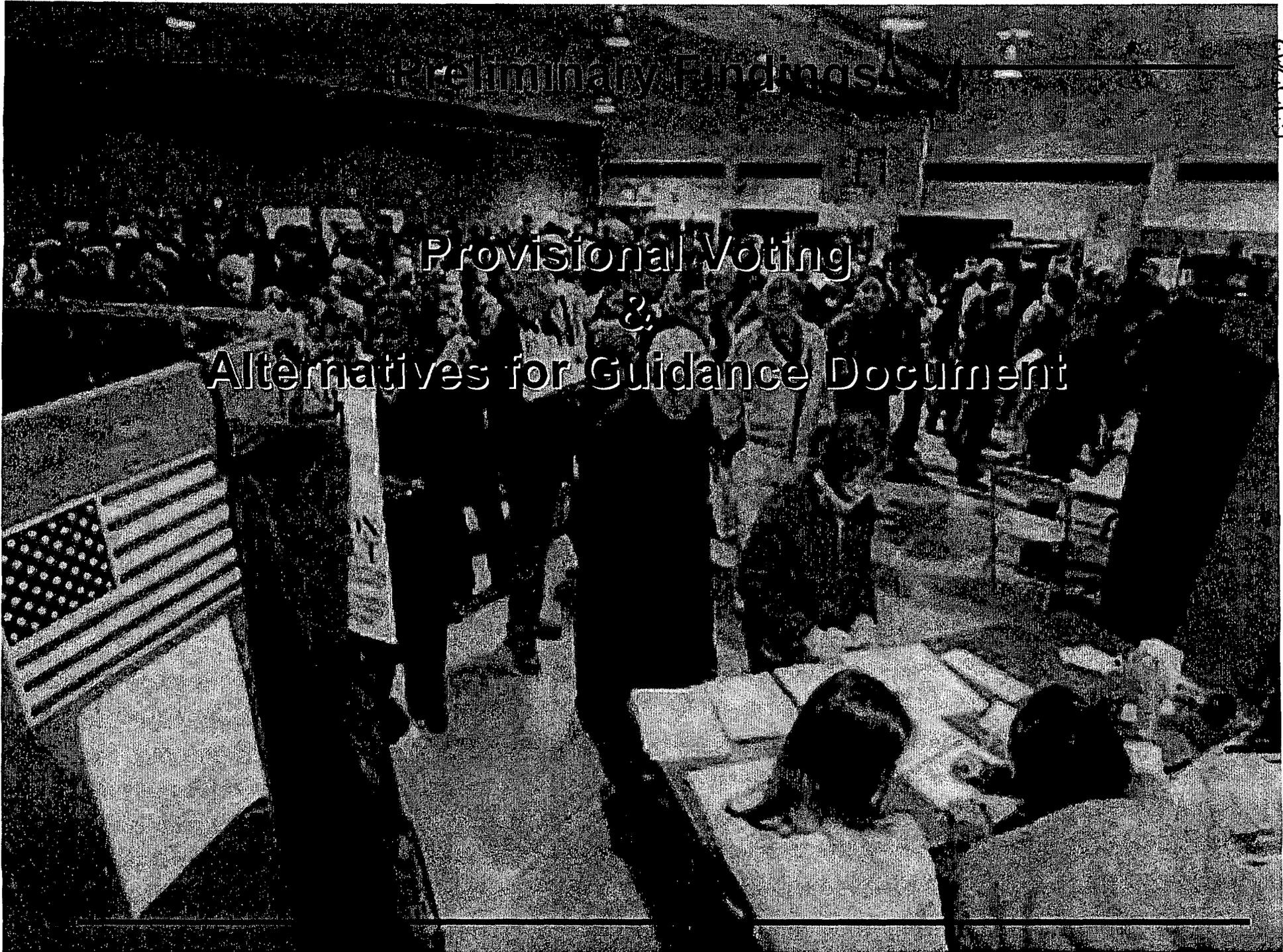
Briefing for
U. S. Election Assistance Commission

September 6 , 2005

Preliminary Findings

Provisional Voting
&
Alternatives for Guidance Document

02/27/03



QUESTIONS –TOPICS OF SPECIAL INTEREST

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Almost all provided training or written instruction to precinct-level poll workers on how to administer provisional ballots.

- Only about 1 in 10 made available to poll workers a voter registration database.**
- Almost equally rare were training and written procedures for poll workers on the counting of provisional ballots.**

Wide variance existed in preparation to give voters a way to find out if their provisional ballots had been counted:

2. How did preparation and performance vary between states that had previously had some form of provisional ballot and those that did not?

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9 out of 10 local officials in the “old” states felt that the support received from state government was adequate, compared to 8 in 10 in the “new” states.

“New” state officials felt:

- Voters did not receive enough information about the jurisdiction in which to cast a provisional ballot in order to be counted.**
- More funding was needed to educate voters about their rights to cast a provisional ballot.**

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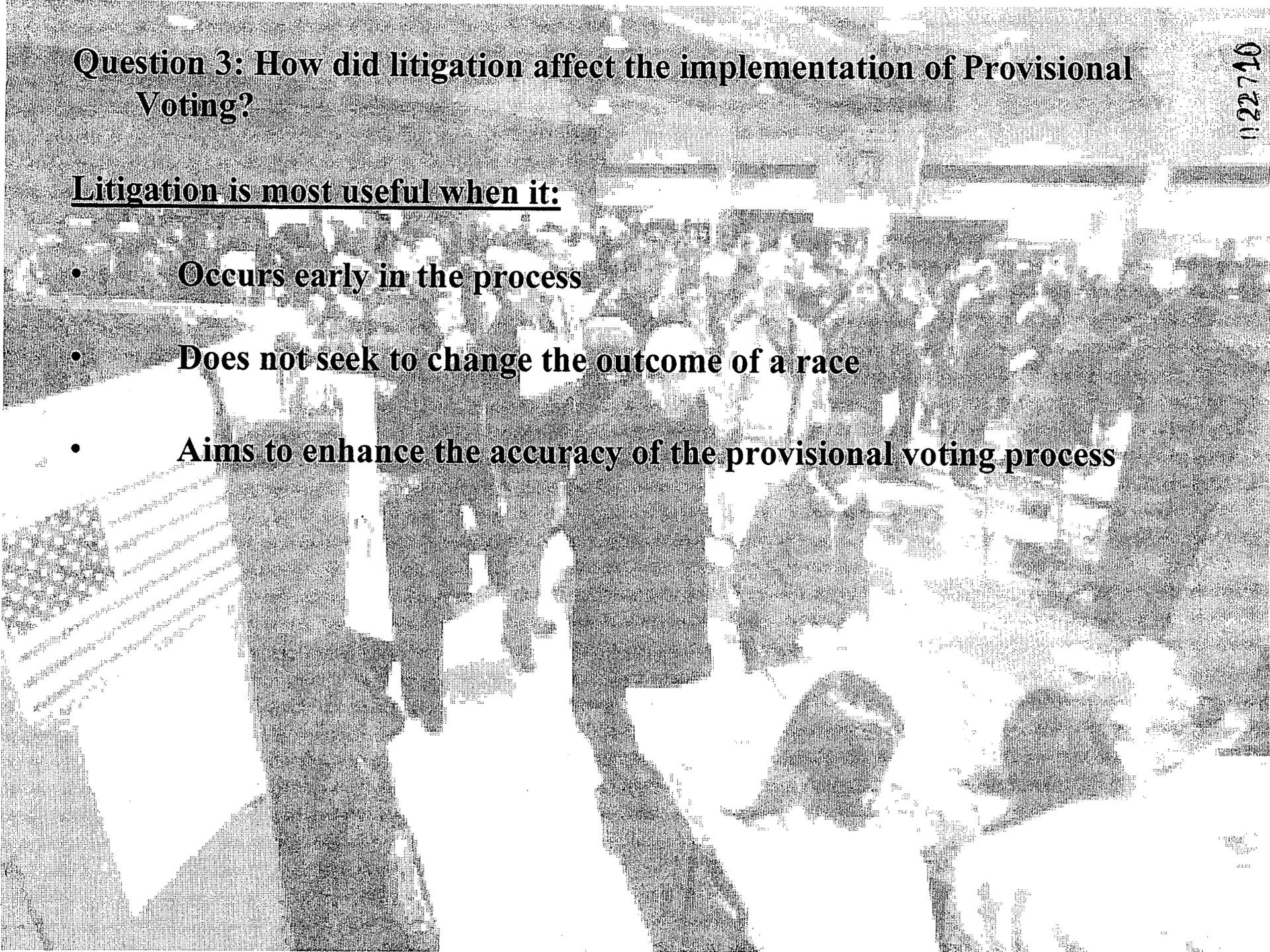
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Experience factor: mechanical or cultural?

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Conclusions

States have latitude in how they meet HAVA requirements.

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