All-Mail Elections Quietly Flourish

Rep. Dickey Lee Hullinghorst (D-Colo.) thought an all-mail election sounded like a bad idea when she heard Oregon was mailing out ballots to every voter during the 2000 election.

“It was a traditional thing for me—I liked to go to my polling place on Election Day,” she said.

A little more than a decade later, Hullinghorst was one of four legislators who sponsored HB 1303, a 2013 bill that made Colorado the third state to have all-mail elections or vote-by-mail elections.

Hullinghorst, majority leader in the Colorado House, said the success of vote-by-mail elections in Oregon and Washington convinced her that Colorado was ready to make the change in 2013.

And it wasn’t much of a leap for a state that previously permitted jurisdictions to hold all-mail elections, excluding general elections. More than 74 percent of voters in Colorado chose to cast a mail ballot in the 2012 general election, according to the Colorado County Clerks Association.

While Oregon, Washington and Colorado are the only states that automatically mail to every registered voter a ballot and do not run traditional in-person voting precincts, voters in many other states have experienced some form of a vote-by-mail election.

All-mail elections are at one end in a voting method spectrum, no-excuse absentee voting is in the middle of that range and traditional Election Day voting is at its opposite end.

Vote-by-mail’s reach

At least 22 states allow certain elections to be conducted entirely via vote-by-mail. The kinds of jurisdictions that use all-mail elections vary. Some states have leaned on the voting method to address a shortfall in elections resources. In Idaho, a county with a precinct that has no more than 125 registered voters can use all-mail elections. Some states, such as Hawaii, which has some of the lowest turnout rates in the country, allow jurisdictions to use vote-by-mail for local and special elections as a way to boost voter participation.

Supporters of vote-by-mail say allowing a person to cast their votes from the comfort of their living room or kitchen table can reduce the costs of recruiting and training workers for polling places. It also frees administrators from the sometimes onerous task of finding suitable polling locations.  

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Opponents contend that vote-by-mail has not proven to have a large impact on turnout, that savings are nullified by increased postage costs and that receiving a ballot back from a voter is not as secure as Election Day voting.

Hullinghorst has been pleased that all-mail elections have afforded Coloradans the flexibility to vote from home and that voter service centers still provide an option for Election Day voting.

Voting-by-mail “is the wave of the future because it is easy and because it is so much more economical for the voting process,” she said. “I think it works very well and it’s given Coloradans many great options for how they can vote.”

Before Oregon, Washington and Colorado adopted vote-by-mail for all elections, many voters in those three states had experience mailing in their ballots.

Washington had between 50 and 70 percent of voters using mailed ballots in the years leading up to a 2010 law that made vote-by-mail apply to all jurisdictions, said Lori Augino, Washington’s state director of elections.

She recalls her time as a county elections administrator before that changeover when she opened up polling places that were staffed by several workers and watched as nobody came through the doors the entire day.

“That was a lot of time and a lot of effort spent on a system that voters were not using,” Augino said. Additionally, vote-by-mail has been touted in geographically large jurisdictions where voters may live far from precinct polling places. Vote-by-mail also has sprouted up in jurisdictions that have few voters. For example, California’s election code allows an elections official to use absentee ballots when there are 250 or fewer people in a precinct.

States that allow vote-by-mail typically provide guidelines for local elections administrators. Florida and Kansas each require a local elections official to file with the secretary of state a detailed plan for holding a vote-by-mail contest.

Bringing the polling place to a person’s home through a comprehensive vote-by-mail law may not be for every state, especially if residents of a state have had little experience with smaller all-mail elections.

A 2011 report showed that few voters favored vote-by-mail as an election reform. The report, “Voter Opinions about Election Reform: Do They Support Making Voting More Convenient?” found that vote-by-mail was ranked last among seven proposed election reforms, drawing just 14.7 percent of support from surveyed voters.

There are several issues legislators can focus on when considering vote-by-mail elections as a solution.

Costs

Shifting to all-mail elections decreases the need for polling place workers and that can translate into savings. Typically, poll worker wages are a significant part of an election budget. (Local election officials often cite the need to find and train poll workers as their biggest headache.) In 2011, when Montana considered expanding to vote-by-mail for all elections, the state’s association of clerks and recorders estimated the move would save taxpayers $2 million each election cycle.

“Changing the Way Colorado Votes: A Study of Selected Reforms” showed there were cost savings reported in other jurisdictions that conducted elections by mail rather than through precinct polling place voting. The 2011 study found that Oregon reported a one-quarter to one-third savings in conducting a 1995 special election by mail.

For the report, 12 Colorado counties were surveyed and asked to estimate what costs in 2010 would have been had the election been administered exclusively by mail. The survey found that costs would have been $1.05 less per registered voter, which amounts to a savings of about 19 percent.

Still, costs for postage would increase for a jurisdiction that opts to mail each registered voter a ballot. And ensuring that each registered voter was properly notified for each election could prove challenging given the mobility of Americans.

Augino, Washington’s state elections director, said the claim of saving money through vote-by-mail should not be the only focus when considering how resources are used in running an election.

“For us, (vote-by-mail) was more about how can we reduce risk and be more efficient in how we are delivering an election to voters in a way that voters wanted,” she said.

Turnout

Supporters of vote-by-mail maintain this form of voting is convenient and so it helps increase turnout in elections.

For decades, Oregon and Washington have enjoyed some of the nation’s highest voter turnout rates. About 82.8 percent of Oregon’s registered voters cast a ballot in the 2012 general election, while Washington had a turnout rate of 81.2 percent for the same election. Researchers, however, have found that many factors affect turnout.

Research by Paul Gronke of Reed College and Peter Miller of the University of California at Irvine shows that vote-by-mail in Oregon only affected turnout during special elections.  (cont. on page 3)
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Additionally, research published in 2001 showed that vote-by-mail increased turnout only during local elections and that it did not expand the electorate beyond wealthy and well-educated voters.

Security

Critics of vote-by-mail cite concerns over the secure delivery of ballots to and from voters. In his report “Adding Up the Costs and Benefits of Voting-by-Mail,” MIT’s Charles Stewart III points out there has been a “leakage” of absentee ballots lost in transit for a variety of reasons. These include ballots requested but not received, ballots transmitted but not returned for counting, and ballots returned for counting but rejected. This loss of votes could significantly affect a close election.

Supporters of vote-by-mail say ballot-tracking systems, which many elections administrators have turned to in recent years, address this concern and allow a person to follow where his or her ballot is in the delivery and counting process. Denver’s elections division reported that 17,931 people used its ballot tracking system during the November 2013 election. The system allows voters to receive status updates of their ballot as it enters the mail system, while it is being processed by the U.S. Postal Service and when it has been returned to the elections office.

Providing designated drop boxes addresses any worries that voted ballots might not be returned in time to be counted, especially for people who lose track of the upcoming election date.

Still, there may be no substitute for the kind of confidence voters seem to find when casting a ballot at a polling place.

Researchers from the Caltech/MIT Voting Technology Project remained concerned with the level of security vote-by-mail offers. The researchers in their 2012 report “Voting: What Has Changed, What Hasn’t and What Needs Improvement” offered that “having tens of millions of ballots being transmitted and marked without strict chain-of-custody procedures creates risks that simply do not exist with any form of in-person voting, whether on Election Day or in early-voting settings.”

Other Issues

Many elections officials view vote-by-mail as absentee voting for all and see it as a convenient way to avoid some of the hassles associated with Election Day.

David Bjerke, the general registrar for Falls Church, Va., said there is great value in allowing voters to make their selections in the comfort of their homes. He hopes Virginia, which requires voters to have an excuse to receive an absentee ballot, will soon allow all-mail elections.

“One with vote-by-mail, voters can get informed on all of the issues and they can take as long as they want without feeling rushed like they might be in a polling place,” he said. “You can be at home and ask people for information there or go online and find more information.”

One minor concern that frequently arises from a discussion about vote-by-mail focuses on possible cutbacks to the U.S. Postal Service. The Postal Service in 2013 backed away from a proposed elimination of Saturday delivery but remains financially troubled. Members of the Washington State Association of County Auditors said there should be some consideration about whether young people will continue to use the postal service as more consumers opt to receive bills and other notices via email.

Another concern revolves around the perception that voters can be coerced by spouses, employers or others to select candidates and initiatives against their will.

Legislative Action

Legislators introduced 42 bills this biennium (2013-2014) that related to vote-by-mail elections. The legislation ranged from a failed measure that would have established vote-by-mail for general elections in Alaska, to enacted tweaks to Colorado’s existing all-mail elections system to a failed resolution that would have required Georgia to study all-mail elections for future consideration to a failed bill that would have allowed Colorado residents to opt out of receiving a mailed ballot.

Final Thoughts

Researchers who have studied all-mail elections note there is a need for more data about mail balloting. This scholarship will be key as there has been a noticeable shift in how people participate in elections. Many voters are no longer waiting for polls to open to cast their ballots. Nearly a third of voters in the 2012 election cast their ballot before Election Day, which was about double the rate of such voters in 2000, the Presidential Commission on Election Administration noted in its report released in January. Of the more than 47 million voters who cast ballots early in 2012, 29 million ballots were cast by mail.

All-mail elections, whether for every election or just certain contests, will remain a lively option as long as voters call for more convenience and administrators search for greater efficiencies.

– Michael D. Hernandez

Additional Resources

- NCSL’s vote-by-mail webpage
- Oregon’s Vote-By-Mail Procedures Manual
- “Changing the Way Colorado Votes: A Study of Selected Reforms” was published in 2011 by the Colorado Secretary of State.
NCSL Launches Elections Administration Research Database

The time-stealing process of searching for elections research got some relief last month.

NCSL has launched its Elections Administration Research Database, offering up more than 1,900 reports that address a variety of elections topics. The database is supported by generous funding from The Pew Charitable Trusts.

Users can search through 85 subject areas that range from absentee voting to youth voters. The reports date back to 2000 and were collected from state and federal agencies, elections administrators, nonprofit organizations, and academic researchers. Entries are organized by author, publication, and state and can be searched by a combination of these categories, date ranges, or with a specific article’s title.

We hope the database serves as a jumping off point for elections research, especially for state legislators and legislative staff who often are pressed for time and need to rely on objective data and analysis to help inform their policy decisions.

We are pleased that the database is a way to help share the ideas and findings of many elections administrators and policy researchers who have focused on specific ways to improve elections. For example, a search for articles on turnout would yield a variety of reports from demographic breakdowns of voter participation in elections to what some states have implemented to increase the number of voters.

We will keep adding reports to the database as new research is released and we encourage users to send us any content we might have missed or new work they believe belongs in the collection. We also welcome feedback.

So far, the database has received positive buzz on Twitter and even prompted a blog from Doug Chapin, director of the University of Minnesota’s Program for Excellence in Election Administration.

Chapin wrote that he has bookmarked our database as a first stop for his elections questions. We thank him and welcome you to use NCSL’s new research tool.

— Michael D. Hernandez

NCSL Summit to Feature 10 Election Panels, Events

The National Conference of State Legislatures has planned a robust slate of elections and redistricting discussions at this year’s Legislative Summit, Aug. 19-22 in Minneapolis.

- Aug. 19 sessions will be “The Voting Rights Act Evolves in the Post-Shelby County v. Holder World” and “Recounts: Politically Decisive, Costly and Controlled by State Law.”


- Aug. 21 will feature a breakfast discussion on voting technology, a session titled “Polls, Politics and What Americans Really Think,” a session that will provide an “Outlook for 2014 State Elections” followed by a panel discussion focused on “Voter Verification, the Courts and the Future.”

Advanced registration for NCSL’s Legislative Summit is available through July 25.

Please contact us for additional information about the sessions at 303-664-7700 or go online to learn about some of the fun tours and events planned for participants.
From the Chair

Utah Senator Margaret Dayton is chair of the Senate Government Operations and Political Subdivisions Committee. She represents portions of Provo and Orem, communities that serve Brigham Young University students and employees. The Canvass spoke to Dayton on June 3.

Excerpts:

- “I think it’s crucial that we have elections policy that provides adequate opportunities for the citizens to vote but that we also have protection of those votes, so that we have integrity of the process.”
- “We have the same challenge every state has in making sure that we have a well-informed electorate and good participation.”
- “I think it’s important to provide (Internet voting) for people who are out of the state because they are in the military or on ecclesiastical assignment, or for someone with a disability who cannot make it down to the polls. But I do have a concern about making that available to everybody. I don’t think it’s too much to ask to have people put in the effort to take some time to go to the polls and vote.”

Read the full interview with Dayton.

The Election Administrator’s Perspective

David Maeda is the city clerk for Minnetonka, Minn., a suburban community west of Minneapolis with about 35,000 registered voters. The Canvass spoke to Maeda on June 10.

Excerpts:

- “Our first election using no-excitation absentee ballots will be in August. The biggest challenge is that we don’t know what that increase (in absentee voters) will be. … We are anticipating the kind of turnout we saw during the last presidential election.”
- “The ability (for Election Day workers to) work in shifts appeals to a lot of our elections judges and it’s really helped us retain a good group of people to work every election.”
- “It’s very difficult for a law to be written that is specific enough to set a standard for all the election administrators in the state to follow while not tying our hands so that the law does not work on the local level. That’s a very difficult line to define.”

Read the full interview with Maeda.

One big number

3,189,266. That’s how many votes were cast in California’s June 3 primary election for controller, a race that saw the second-place and third-place candidates separated by just 481 votes.

That razor-thin margin is significant because of California’s top-two primary system, which pits candidates from any party against one another then rewards the top-two finishers of the race with a place on the general election ballot. The state is still sorting out who will be the general election opponent for Fresno Mayor Ashley Swearengin. She finished first in the primary race.

Former Assembly Speaker John Pérez has asked for a recount of the election’s results that showed him finishing in third-place behind Betty Yee, a Democratic Board of Equalization member. Because California does not have an automatic recount provision, Perez is picking up the tab for the recount, an expense that elections experts said could cost up to $3 million.
Worth Noting

- In June, Illinois became the 20th state to implement an online voter registration system. The measure allows a person to go online and register to vote by providing a state-issued ID or driver’s license number, the last four digits of the person’s Social Security number and an address. The paperless form of voter registration was enabled by HB 2418 from 2013.

- The Pew Charitable Trusts has launched a monthly newsletter about elections. Its first edition features data from Pew’s Elections Performance Index, an overview of Pew’s Voting Information Project with Google and a variety of elections news stories. Sign up for Pew’s Elections Initiatives newsletter online.

- Several Native villages are suing Alaska, alleging it has failed to provide adequate translations of voting materials for voters who speak Native languages. The lawsuit contends the lack of voting information was a denial of voting rights for Alaskans who speak Native languages such as Yup’ik. In June, a U.S. District Judge ruled that the constitutional right to vote requires Alaska to translate all election materials into certain Native languages.

- NCSL is in the middle of a two-year study of elections technology and is posting information about the project on a new webpage. There you’ll find reports from NCSL’s state visits where legislators, legislative staffers, elections policy experts and elections administrators have gathered to discuss technology’s role in every aspect of the elections process. The webpage also includes a variety of resources on elections technology and research. NCSL’s Katy Owens Hubler is leading the project.

- Civility during an election has its benefits. Just ask Scott Smith, who failed in his bid to unseat Idaho Senate President Pro-Tem Brent Hill, but received a donation of $300 from his May 20 Republican primary election opponent. Hill told the Spokesman-Review that he noticed Smith had some campaign debt. “I said, well, I can’t take care of all your debt but I’d like to help if that’s OK, and he said that was great,” Hill said, adding that his opponent ran a good campaign, stayed on the issues and never resorted to mean-spirited attacks.

- U.S. Sen. Rand Paul (R-Ky.) introduced a bill in Congress to restore voting rights to people convicted of nonviolent felonies. Paul said his measure will help tackle what he called “the biggest voting rights issue of our day.” Paul said the measure could mix with ideas from a similar bill filed by U.S. Sen. Benjamin Cardin (D-Md.). In 38 states and the District of Columbia, most former felons gain the right to vote upon completion of their sentence.

- Just how big a jurisdiction is Los Angeles County? The massive California county and its nearly 5,000 voting precincts requires a helicopter to ferry back ballots from some of its far-flung communities including Catalina Island. That’s what Doug Chapin, director of the Program for Excellence in Election Administration at the University of Minnesota, witnessed while visiting Los Angeles County during the state’s June 3 primary. He wrote a blog about his impressions of Election Day in L.A.

- Election Administration Reports is still going strong eight months after its founder Richard “Dick” Smolka died. The bi-weekly publication’s latest edition focuses on the congressional debate over the Voting Rights Act, as well as U.S. Senate hearing about early voting and vote-by-mail policies. To subscribe to the newsletter, call 866-888-9170 or email subs@electionadminreports.com.

From NCSL’s Elections Team

NCSL’s Legislative Summit in Minneapolis will be a great place to exchange ideas with lawmakers and to learn which elections issues are percolating in other states. This year, Minnesota Senator Katie Sieben (D) is moderating a panel on recounts. A discussion about voter ID will include Wisconsin Representative Kathy Bernier (R) and Mississippi Senator David Blount (D). The Summit also will mark the elevation of NCSL’s Elections and Redistricting Task Force to a standing committee. Advanced registration is available through July 25.

We hope to see you there.

Wendy Underhill and Michael D. Hernandez

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