



# NCSL

## THE CANVASS

STATES AND ELECTION REFORM®



Issue 39 | April 2013

### can•vass (n.)

Compilation of election returns and validation of the outcome that forms the basis of the official results by a political subdivision.

—U.S. Election Assistance Commission: *Glossary of Key Election Terminology*

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## Customer Service for Elections

Voters have a right to expect good customer service when they go to vote. And that means full service—not just fast service.

Therefore, speed isn't the number one goal for election administrators. First and foremost, elections need to meet legal obligations, says Merle King, executive director of the [Center for Election Systems at Kennesaw State University](#), in Georgia. Boiled down, these obligations include running accurate elections in which all eligible voters can vote.

Where does that leave customer service values such as convenience and speed? These are still important, judging by recent activity. For instance, President Obama has established a bipartisan [Presidential Commission on Election Administration](#), with a goal of improving voters'

experiences, and several pieces of federal legislation have been introduced, although none appear to be moving. In addition, reports and recommendations on election management are pouring forth:



- [“Fixing That:” Lines at the Polling Place](#), by Loyola Law School professor Justin Levitt
- [How to Fix Long Lines](#), from the Brennan Center for Justice
- [Waiting to Vote in 2012](#), by MIT professor Charles Stewart III (which puts the nationwide average wait time at under 10 minutes)
- The [Elections Performance Index](#), from the Pew Charitable Trusts

Customer service lies primarily in the bailiwick of local election officials. And yet, lawmakers can encourage or mandate adjustments to law that help administrators run voter-friendly elections. Some of these ideas are big ones that address much more than just polling place management issues; we'll start with these. After that, we'll review targeted ideas on: finding and training poll workers, getting information to voters, and reducing lines.

### Big Ideas that can Impact Services for Voters

Legislators typically consider major election reforms for many reasons; their impact on customer service is likely to be just one part of the conversation. Political and practical considerations aside, here are three reforms that can have a big impact for voters:

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(cont. from p.1)

Election Day [Vote Centers](#): This is the SuperTarget model for elections—more resources brought together in one convenient place. Colorado led the way in creating vote centers, where any voter from within a given jurisdiction can vote at any polling place, not just his or her own precinct. Voters appreciate the chance to choose to vote close to home, close to work, or perhaps in a shopping center, and administrators appreciate the cost savings.

All-mail elections: Voters in [Oregon](#) and [Washington](#) use their kitchen tables as polling places, since these states run all their elections by mail. (Local offices are still available for voters who prefer to vote in person or need assistance.) This means lines are not a problem and “customer service” shifts to other considerations, such as user-friendly design for ballots and lots of pre-election “how to vote” education.

[Pre-Election Day](#) voting: 32 states permit early in-person voting and 27 states plus the District of Columbia permit no-excuse absentee voting by mail. Often, these options are promoted with the hope that they will increase turnout. While research shows that more pre-Election Day voting doesn’t have a clear effect on turnout, it does have an effect on Election Day operations. When more people vote before Election Day, fewer people line up at polls on Election Day. (In the 2012 election, voters embraced early voting to such an extent that, on average, they ended up waiting longer than voters who voted on Election Day.)

As states consider these options, King offers advice: “always look for and explore the unintended consequences of any legislation.” This is true for all legislation, but especially true for major changes such as these election policies.

## Finding and Training Poll Workers

Poll workers are the point of contact for most citizens on Election Day, and having more of them can mean better or quicker service. However, paying for more poll workers is a costly approach to managing check-in lines.

Besides, finding enough poll workers is already hard enough; administrators often say this is their hardest job. Legislators can make poll worker recruitment easier by permitting teens to serve, allowing poll workers to work half days, recruiting from a wider geographical area, and even drafting poll workers in a manner similar to jury selection. For more ideas, see the [May 2012 issue of The Canvass](#).

A more effective use of limited funds might be to improve poll worker training. Simply shifting the schedule for training poll workers can help: “What’s needed is ‘just-in-time’ training for

poll workers,” says King. That means within days prior to Election Day, not weeks, so that the instructions are still fresh in the minds of poll workers.

In terms of training content, King suggests that it should focus on three necessities: attitude, knowledge and skill. “Attitude is about helping voters vote, within the limits of the law,” says King. Currently, training is likely to focus on knowledge of procedures and skill in handling the voter check-in technology, whatever that might be.

Training for a positive attitude is trickier, but might include role-playing or sharing tactics for assisting difficult customers. Testing for poll workers should measure “accomplishment of the learning objectives and not hours in the classroom,” he adds.

Poll worker productivity can be increased by improving technology before Election Day and on Election Day. “Any efforts to upgrade the registration system will go a long way to cutting down the time to process each individual voter,” says Justin Levitt, the author of [“Fixing That.” Lines at the Polling Place](#). “It does take an initial investment, but the returns are unbelievably strong. We get cost savings, more accurate outcomes, and the lines go down.”

Registration ideas include [online voter registration](#) and more attention to [list maintenance](#) within the state and across state lines. Both of these approaches result in greater accuracy on voter registration lists. More accurate lists lead to fewer questions to be resolved at the polls.

Using electronic poll books on Election Day can help, too. E-poll books are essentially laptops or tablets connected to the statewide voter registration database. Some states have required legislation to permit electronic poll books; others have not. Cost is a consideration. Between the price of the equipment and a licensing fee, it can cost over \$900 per unit, according to [Wes Wagner](#), county clerk in Jefferson County, Mo. (cont. on p. 3)





(cont. from p. 2)

Poll workers follow voter check-in procedures that are laid out in law. Therefore, any legislation that changes voter requirements may have consequences at the check-in table. For instance, will new photo voter ID requirements slow down the process? Or the addition of an Election Day registration option? If so, is there a way to streamline these new processes? Legislators' attention to how such reforms might impact the voter's experience at the polls can help mitigate potential slow-downs.

## Information and Education for Voters

An informed voter votes quickly and accurately. This is especially important in states where ballots include many policy measures for voters to consider.

Knowing this, providing good information well before the election—and especially *just before* the election—is a significant component of providing good service to voters. Excellent official websites are essential. [Voter Information in the Digital Age: Grading State Election Websites](#) from the Center for Governmental Studies outlines what excellence means.

Many people don't think to go to the website of the secretary of state, much less their county clerk. Instead, they'll just google "where to vote" or something similar. That's where the [Voting Information Project](#) from the Pew Charitable Trusts comes in. VIP has created look-up tools to provide voters with the information they need, when and where they need it. Anyone, including political parties, advocacy groups and civic organizations, can use VIP to add accurate information obtained from election officials to their own materials.

Disseminating this kind of voter-specific information matters most in "densely populated jurisdictions where candidate ads overlap district lines," says King. "This leads to confusion at the polling place when the voter thinks he has received the wrong ballot style."

Legislatures can and do set requirements for voter information, including providing sample ballots. Recently California has gone one step further by permitting voters to ask to receive their voter information via email, rather than mail. This has saved California counties significant money while providing convenience for some voters. For more options, see this issue of [The Canvass](#).

## Reducing Lines

Besides voter check-in, what else causes lines on polling day? "Arrival clusters," where many people come at the same time, and the length of time it takes to actually vote, according to Levitt.

"Arrival clusters" are well documented. All over the nation, voters tend to arrive at the polls either early or late in the day, according to data highlighted by [Doug Chapin](#), of the Election Academy. Where they can, administrators provide extra staffing at these busier times.

They also alert voters about likely good times (and bad times) to vote. Information on voter flow is sent to headquarters throughout the day, either electronically through poll books or by phone. It's the job of someone at HQ to tweet, post or otherwise share the information with the community at large.



As for voting, how long it takes is primarily an outcome of the ballot itself. "Everything about elections and voter information must be written for the broadest possible audience, including people who don't read well, skim quickly, or speak English as a second language," says Whitney Quesenbery, one of the nation's experts on election-related design and usability testing. Words such as *contests*, *legislation*, *remedial* and *unaffiliated* can all be confusing, she reports.

[Field Guides to Ensuring Voter Intent](#) can help administrators with all design and usability issues. Legislators can help by *not* embedding design guidelines in statute. "It's simply too hard to change," says Quesenbery.

Even the best-designed ballot can be too long, leading to slow voting. Quesenbery says "the most obvious step—and one that legislators must take—is to require clear, understandable and short ballot question titles."

## Final Thoughts

States can review existing "best practices" for yet more ideas. One place to look is at the U.S. Election Assistance Commission's [Election Management Guidelines \(EMGs\)](#) and [Quick Start Guides](#). The EAC is revamping its best practices this year, and will host a series of webinars as part of that process. *The Canvass* will publish dates as soon as they are finalized.

While most of the EAC's advice is aimed at local election officials—because most of the responsibility for serving voters falls to them—legislators can help. They can encourage good customer service by carefully talking through how any change to election laws might play out at polling places, for better or worse. How to do that? Talk directly with local or state election officials during the legislative process.



## The Minnesota-Nevada Approach to Voter Check-In

by Karen Shanton

Do you have a driver's license? If so, you—and millions of others like you—have a photo on file in your state's electronic systems. The (probably unflattering!) picture on your ID is also stored by your state's motor vehicle agency.

Last year, Minnesota secretary of state Mark Ritchie [noticed](#) that these databases create an opportunity for elections officials. By linking voter records to the Minnesota DMV database, elections officials could access photos of most voters. And those photos could be used to verify voters' identities.

This proposal didn't pan out in Minnesota but it gained at least one supporter outside the state: Nevada's secretary of state, Ross Miller. He has proposed a similar plan ([SB 63](#)) under which Nevada DMV photos would be exported to early voting registers and electronic poll books. Poll workers would compare these photos to voters when they came to cast a ballot. Voters without pictures in the database [could](#) sign an affidavit attesting to their identities and have their pictures taken at the polls.

Though sometimes described as a photo ID proposal, the Minnesota-Nevada approach differs from traditional photo ID in at least one important way. Under traditional photo ID proposals, it's up to voters to obtain acceptable photo ID and bring it to the polls. The Minnesota-Nevada approach shifts the burden to the state. As Nevada Senator Pat Spearman explained to [The Canvass](#) in March, it "takes the onus off the voter to provide the identification and places it on the government."

This makes the approach more attractive to opponents of traditional photo ID proposals, who fear that traditional ID requirements discourage or prevent eligible voters from voting. Because it provides for visual verification of voters, the Minnesota-Nevada plan could also appeal to traditional photo ID supporters who are concerned about voter impersonation fraud. So, the Minnesota-Nevada approach could offer a promising 'third way' for lawmakers who are worried about both voter impersonation fraud and voter disenfranchisement.



## Legislative Action Bulletin

- 116 bills enacted
  - 50 bills in conference or pending gubernatorial action
  - 101 bills pending in the second chamber
  - 1,436 bills pending in chamber of origin
  - 382 bills failed to pass
  - 5 bill vetoed
- 
- 2,090 total election bills introduced in 2013
  - 37 states are in session
  - 13 have adjourned: AK, GA, ID, KY, MD, MS, NM, SD, UT, TN, VA, WV and WY
  - States likely to adjourn by the end of the month are AZ, HI, IN, MT, ND and WA

**Spotlight on Arkansas:** The new majority in the Arkansas General Assembly has wasted no time in getting to work on elections administration. They wrapped up their session on April 23, but won't adjourn until mid-May, leaving time for consideration of gubernatorial vetoes. Those of us who follow elections news closely know about Arkansas's move to require [strict photo ID](#) for all voters, but other bills include:

- [HB 1984](#) permits county clerks to use electronic pollbooks, and [HB 1875](#) allows counties that do use e-pollbooks to provide county-wide vote centers rather than precinct polling places.
- [HB 1466](#) requires county clerks to use electronic records to keep track of voters who vote early, and [SB 1067](#) establishes similar recordkeeping for the transmission and receipt of absentee ballots (it is also aimed at preventing a wide array of other acts of election misconduct).

The governor vetoed several bills that dealt with election crimes and misconduct: [SB 719](#), [SB 720](#) and [SB 721](#). The General Assembly will reconvene in mid-May to consider vetoes and can override with a simple majority.



## From the Chair



Senator A.J. Griffin (R) chairs the Oklahoma Senate's Rules Committee, a job she was given because she's known for being detail-oriented and because of her strong relationship with her local elected officials. She represents four largely-rural Oklahoma counties, one of which is the fastest growing county in the state. The Canvass interviewed her on April 15.

### Excerpts:

- "I'm interested in creating policies and systems that allow every single voter an equal opportunity to vote."
- "Like most states, we are becoming more urbanized as people move towards our two major urban areas, leaving the other areas more isolated. In those areas, geography, and the distance to the polling place, can be challenging. We don't want to starve the rural areas of resources, and at the same time we do not want the right to vote in urban areas to be impeded by long lines."
- "We have a very uniform election process across our state; the procedures, rules and equipment are identical from county to county. Centralization helps protect the integrity of the process, and provide the same efficiency and accuracy regardless of where you live within the state."

Read the full interview [here](#) for more on Senator Griffin's views on voter ID, early voting hours and statewide election administration.

## The Election Administrator's Perspective

Wes Wagner is the clerk in Jefferson County, Missouri, a suburban area with 150,000 registered voters. Wagner also served in the Missouri legislature for eight years, giving him a state perspective as well as a local perspective. The Canvass talked with him on April 3.



### Excerpts:

- "I wish (legislators) would take off their partisan glasses, Democrat or Republican, and seek out our expertise. The people I work with couldn't care less about politics; they just want the election to go smoothly and for every legal voter to have the opportunity to cast a ballot."
- "It would be my opinion that a voter could go from county to county (jurisdiction to jurisdiction) and register to vote using any variation of the citizen's legal name. This would allow a person to be registered in multiple jurisdictions under multiple names. We must require voters to sign up with their legal names."
- "In Jefferson County, we buy used equipment from different counties and plan to run the legs off our equipment because we can't afford to replace it."

Read the full interview [here](#) for more on Wagner's history in elections, voting equipment and the role of state legislators.

## One big number

160

160 is the number of countries represented by respondents to the [OVF and U.S. Vote 2012 Post-Election Survey Report](#). This report, the fifth in a series, tracks the voting experience for overseas voters. This year's was the first survey to examine domestic absentee voters as well. Because the surveys have been around so long, it's easy to see longitudinal trends. The key one: electronic transmission of blank ballots is hugely popular.



## Worth Noting

- Major election reform is moving in Colorado. [A bill](#) introduced on April 10, just five weeks before the General Assembly's scheduled adjournment on May 8, has already passed the House. Both the timing and the content of the bill have been controversial, and votes in committee and on the floor have split on party lines. Major provisions include a shift to Oregon-style all-mail elections (with a requirement for counties to open one or more service centers for voters who want to cast a ballot in person or need assistance), and Election Day registration.
- The [North Carolina State Board of Elections](#) has released a report that shows fewer people lack photo IDs than previously thought. The number is 318,000 in the Tar Heel State, rather than 612,000, as estimated in January. Figuring out the number of people without ID has been a major issue, as voter ID bills are debated in North Carolina and other states.
- Fairfax County has released a post-election report from its [Bipartisan Election Process Improvement Commission](#). Many of the issues it tackles are hot throughout the nation: electronic poll books, voting technology, polling places, precinct size, absentee voting for those who are eligible and recruitment of Election Day workers.
- The U.S. Election Assistance Commission recently updated its [charts](#) on HAVA funds, and 35 percent of the money from 2011 is still available. Check how much is available for your state, and then visit the [Request Requirements Payments](#) page to find out how to access these funds.
- Montana's governor vetoed [HB 30](#), which would have ended Election Day registration. Now the legislature has placed a question on the 2014 ballot asking if voters want to repeal it.
- College cybersecurity students spent two days defending a fictitious electronic voting system from hackers at the 2013 National CyberWatch Center Mid-Atlantic Regional [Collegiate Cyber Defense Competition](#) (CCDC). The winner: Millersville University.
- *State Legislatures* magazine, NCSL's flagship publication, has been heavy on elections-related stories of late. Here are three: [How to Run the Next Election: Advice from Three Experts](#); [Voting Matters](#); and [Short Answers to Long Lines](#).
- The TV special, *You're Not Elected, Charlie Brown*, first ran in 1972. Here's a 5:46 [youtube clip](#) about the final campaign and the election itself. To see the vote counting, go to 4:57.

## Bookmark

### [Election Law @ Moritz](#)

Election Law@Moritz is a nonpartisan research, education and outreach program conducted by faculty and staff at The Ohio State University Moritz College of Law. It provides rock-solid information to lawyers, policymakers, election administrators, academics, journalists and everyone else interested in election law issues. It is well known for its database of pending cases (such as those relating to Section 5 of the Voting Rights Act and voter ID requirements), and supplements that with in-depth analysis and expert commentary.



*The Canvass* is written specifically with state legislators and legislative staff in mind. While those folks are our target audience, we've noticed that administrators and academics like to read it, too. Please forward this to any of your compatriots who might find it useful, whether they are in or out of the legislature. We're also eager to hear directly from you; send us your news, opinions and suggestions. In other words, [be in touch](#).

*Jennie Bowser, Karen Shanton and Wendy Underhill*

**The Canvass**, an Elections Newsletter for Legislatures © 2013  
Published by the National Conference of State Legislatures  
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In conjunction with NCSL, funding support for *The Canvass* is provided by the Pew Center on the States' Election Initiatives project.