

Election Integrity

Evidence of the Problem

The 2004 election illuminated a number of problems in the voter registration list, ballot handling and processes for determining whether ballots were valid or not.

King count provided the clearest examples of alleged problems when ballots were found many days after counting had been completed, discrepancies exist between total ballots and voters who voted, and provisional ballots were counted without sufficient evidence of validity. Other counties illustrated similar glitches such as Clark County which also had more votes counted than total voters.

The problems with the voter registration system have also been indicated by evidence of how the system could be abused. Agents for Association of Community Organizations for Reform Now (ACORN) were charged with fraud after swamping the voter registration system in the 2004 election. One frustrated citizen registered her dog to vote to demonstrate the ease with which invalid voters join the voter rolls.

Recent changes in the law

SB 5499, Clarifying and standardizing various election procedures (2005). This legislation established a host of rules for ballots, ballot processing, voting practices, reconciling votes with voters, and certifying elections. Significant changes include the requirement to provide identification at the polling place, the permission to count absentees earlier, rules for duplicating ballots which are unreadable by machine, and reconciliation reports.

SB 5743, Enhancing voter registration recordkeeping (2005). To improve the accuracy of the voting list, this legislation implemented a statewide voting database as required by the 2002 federal "Help America Vote Act (HAVA). This database was completed in 2006 and has resulted in 176,000 names being removed from the voting list. Other key provisions of this legislation include the requirement that voter registration requires a confirmed identification documentation, verbal and written inquiries about whether an applicant is truly eligible to vote and processes for suspending and restoring felon voting rights.

Other changes: A pilot program for "instant runoff," authority for counties to entirely vote by mail, creation of a statewide "election manual," stronger protection for overseas voters, state audits of county vote counting processes and electronic voter registration.

Remaining weaknesses to be addressed

Despite the enhancements adopted, additional improvements are necessary to restore voter confidence in our system of election. Among these are several reforms promoted but not passed in recent years:

- Prohibiting the automatic forwarding of ballots to those who have moved away from their registered address
- Eliminating monthly springtime elections so that sufficient time exists between elections for county auditors to complete the required processes for updating the voter database
- Requiring proof of citizenship for voter registration applicants
- Requiring registration with full legal name
- Giving auditors the information for jurors who are found ineligible for jury duty
- Providing the Secretary of the State the authority to audit the county voter list work