



Early Voting No Excuse Absentee Ballot Consensus Meeting



Consensus Process

The process by which the League reaches “consensus,” the sense of the group about an issue through discussion.

Consensus is not a simple majority, nor is it unanimity; rather it is the overall sense of the group as expressed through the exchange of ideas and opinions.

Thank you for participating today.



Why this study?

The purpose of this study is to determine if the League is in support of early voting and in improving the voting process as a means to reduce or eliminate barriers to voting.



LWV Background

- 1966 the League studied election procedures, concluding that more uniformity was needed in state election laws.
- 1969 election laws requiring counting absentee ballots on the day of election.
- 1974 Comprehensive Election Act simplified and clarified Missouri laws governing elections.
- 2001 improved voter accessibility to polling places allowed early voting. (A provision in the bill tied it to funding, and as a result, early voting never came into practice).
- In 2009 the KC, St. Louis and Columbia Leagues proposed a state study covering the pros and cons of on early voting . The Kansas City League agreed to take the lead on the state study.



Why this study?

- Why do 31 other states offer some form of early voting and not Missouri?
- All of Missouri's contiguous states, with the exception of Kentucky, offer early voting. Why?
- Does one day, considering Missouri's November weather, give voters enough time to elect officials responsible for a \$23 billion dollar budget?
- Is more flexibility in Missouri's entire voting process in order?
- Does the single Election Day voting opportunity represent a barrier to voting?
- Why do Missouri's voting adults need an excused absence from election officials?

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Barriers to Voting in Missouri

- Missouri's policy of only one day for voting excludes many citizens.
- Many Missourians cannot vote on a specific day between specific hours because of family and career obligations.
- Although the Missouri law is clear that employees are to have time to vote, for many, taking time off is discouraged.
- It is particularly difficult for hourly workers, many of whom would in essence be paying for the privilege to vote with a loss of income.



Barriers to Voting in Missouri

- Limiting hours creates a de facto poll tax. It is not as much an issue for those who work on a "salary" basis.
- It is difficult for two-career families, when children must be supervised, driven to day care or school by a certain time and picked up within another timeframe. **Usually one parent loses the right to vote.**
- Making a trek to the polls in bad weather, and especially for older voters anywhere, can be uncomfortable and dangerous. Polling place locations not handicapped accessible make voting difficult.



Current Absentee Voting Process

In Missouri, the five approved excuses to vote early:

- Voter will be absent on Election Day
- Incapacity or confinement because of illness or physical disability, including the caretaker
- Religious belief or practice
- Employment as an election authority
- Incarceration, but retained all qualifications for voting

- Ballots can be mailed to voter.
- Penalty for violation is a Class 1 Election Offense

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No Excuse Absentee Voting - Cons

- People could be coerced without the secrecy of a polling booth and the physical presence of election officials to enforce rules
- Possibility of fraud – there would be no way to determine if the individual who filled out the ballot was truly that voter
- Security – mail-in ballots rely on unsecured methods of delivery. Ballots could be lost or damaged in the mail.
- Satellite locations require security staff to transport absentee in-person ballots and a locked area in the election official's office.

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No Excuse Absentee Voting – Cons (continued)

- Secrecy – Ballots that arrive in the mail can not be cast with the same protections as those cast by the voter in person
- Opportunities for error – In the 2008 election, 421,970 absentee ballots were cast; 414,000 were counted. In Missouri, which is about equally divided between the two major parties, those 8,000 uncounted ballots could have changed the election outcome.

The uncounted ballots were not signed and dated, not received in time or weren't notarized. In a close election, and a state as closely divided between the two major parties, absentee ballots take on increased importance.

Ballots can not be corrected if mismarked.

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No Excuse Absentee Voting – Pros

- Allows voter to cast their vote when they are able to.
- Allows voter to balance work, family and other interests including their civic duty to vote.
- Decreases barriers, such as time, distance and schedules, to voting.
- Gives voters time to understand complicated issues, crowded candidate fields so we can make informed choices.
- Eliminates problems with ballots being cast in the wrong precinct and reduces provisional ballots (which are *not always counted*).

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No Excuse Absentee Voting – Pros (continued)

- Missouri election authorities are familiar with the process, so it would be a modest change.
- No issues with voters with disabilities or their caretakers.
- Currently absentee voting extends for six weeks prior to the election and can be mailed in or in person. "No excuse" would simply take away those five required excuses for this existing practice.
- Would reduce lines on election days and eventually could reduce costs by reducing the number of precincts and precinct workers. Early voting has increased in popularity with each voting cycle.

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No Excuse Absentee Voting County Clerks—additional thoughts

Requiring citizens to vote on one day is antiquated and most election officials realize this. *Kansas City Election Board and LWV member*

I think no excuse absentee voting would be very helpful to citizens with a permanent absentee list. Doing applications for every election separately causes too many problems. *Boone County Clerk – Columbia, Mo. LWV member*

No excuse absentee voting would be easier and less expensive than early voting. *Morgan County Clerk (rural)*

No excuse is not helpful to anyone, neither citizens or election officials. *Platte County Election Board*

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No Excuse Absentee Voting County Clerks – additional thoughts

More convenient for voters, does not force voters to lie about why they are voting early. We can use our current staff so there's no added judge expense and the security of the ballots is in our office. *Jackson County Election Board*

If the state pays for the cost, I would be in favor.
Taney County Clerk



Early Voting

- Early voting allows voters to vote prior to the election day in person or by mail.
- Generally, the voter may cast their ballot in person at a designated polling site, sometimes called a "voting center," or the county election office.
- Voting centers may allow voters from several precincts to cast their ballot in that centralized location. Columbia and Kansas City, Missouri, use voting centers prior to election day to help reduce lines and increase voter satisfaction.
- Another method, covered earlier, is for voters to vote early using an absentee ballot, generally cast at the county election office or town hall.

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Early Voting Cons

- Could discourage party workers in mobilizing voters in their "get out the vote" campaigns
- Political campaigning could be affected when dealing with an election "period" rather than the election day
- Early voting may not actually reduce election expenses
- Some say early voting is unconstitutional; the U.S. Constitution specifies a single election day. This has been defeated in the courts as we continue to vote on that specified Tuesday.
- Voters could have "voters remorse" if they voted early and learned something negative about the candidate closer to the election.
- Loss of ceremonial aspects of voting.



Early Voting Pros

- Voters like the convenience of in-person early voting; there is less paperwork than applying for a ballot.
- Increases voter satisfaction by allowing voting based on our personal schedules.
- Election officials have more time to process and handle incoming ballots and complex issues with running an election.
- Early in-person voting reduces the chance of fraud and coercion, as it is under the supervision of election officials.
- Election officials will have a better handle on the number of precincts required as the number of early voters increases.



Early Voting Pros (continued)

- Helps more voters participate, especially in lower profile elections.
- Candidates like early voting because they can focus their efforts on people who vote and who vote early.
- States with early voting have all kinds of schedules, but generally allow voting for one to three weeks in advance and close the satellite locations the Friday before to reset and recalibrate the machines for the Tuesday election.
- Voters like the early voting option, and the number of early voters has increased with every election in the states that allow it.



Early Voting County Clerks Comments

- Concerned about staffing, security and cost. *Cape Girardeau County Clerk*
- Cost, ballot security, long time to see cost savings. *Boone County Clerk (Columbia, Mo.)*
- Unfunded costs. *Chariton County Clerk*
- Costly, and will not boost participation. *Audrain County Clerk*
- If it becomes another unfunded mandate it will be a burdensome expense for the counties. It probably will not increase the number of voters. *Platte County Election Board*



Early Voting County Clerks Comments

- Support mail-in ballots for issue only election (cheaper.) *Jackson County Election Board* (This method is currently available to election officials, but determined by the entity asking for the election.)
- Convenient for voters. *Cass County Clerk*
- Reduces number of voters on election day, thereby making it easier for voters on election day. *St. Louis County Election Board*
- Ability to work out problems before election day, eventually will reduce reliance on poll workers who have trouble absorbing all the rules and procedures. *Boone County Clerk (Columbia, Mo.)*



Early Voting County Clerks – additional thoughts - 1

- Do not legislate details. See Florida experiment where they over-legislated hours, location, etc. and ended up with hours of lines versus North Carolina where local officials had flexibility to react to huge increase in demand.
- Do not do this on the cheap. These are expensive programs if done poorly, you are courting disaster.
- Allow a local option to replace early voting no excuse absentee with all mail ballot elections. This would definitely save tremendous amounts of money and be the most convenient to the voter. Need to require registration by party for primary participation to ensure accurate processing.
Boone County Clerk (Columbia, Mo.)

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Early Voting County Clerks – additional thoughts - 2

- State pay their proportional share of all elections. Short in duration. Local discretion to the number of satellite sites. Thoughtful reconciliation of early voting rules with existing law for treatment of absentee ballots. *Webster County Clerk*
- County clerks are involved in almost everything that goes on in each county. We are extremely busy. I don't see any way that makes it easier. We all do whatever we have to with HAVA and several additional duties and requirements. All of us are overworked and underpaid. I manage \$10 million budget, and take care of elections, tax rates, notary duties, clerk of the commission, along with many other duties. *Pike County Clerk*

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Proposed Legislation

Since 2000, both then Secretary of State Matt Blunt and current Secretary of State Robin Carnahan have proposed legislation to allow early voting, using the same legislative language.

Under both parties, the legislation has failed.

Current Republican-supported language includes a requirement for photo I.D. The League has a position against requiring photo I.D., which would disenfranchise an estimated 240,000 voters.

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Interest in Issue

•Two proposed early voting bills in 2010

- HB1470 - voters could begin voting in person as early as three weeks before an election.
- SB651 - advance in-person voting period will begin the third Wednesday prior to an election and shall be conducted between 7:00 a.m. and 7:00 p.m. and until 12:00 p.m. on Saturdays.

•An Initiative Petition that would allow early voting in person has been filed and approved by the Secretary of State. It is not part of the state study.