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Voting in 2008: A close look at voting preparedness in 10 swing states

16 September'08, Washington, DC—As election officials brace for record-breaking voter turnout on Election Day, a close examination of voting preparedness in 10 swing states shows that significant problems in the basic functions of the American election administration system persist, and in a few cases have worsened over the last few years, a new report by Common Cause and The Century Foundation shows.

The report, “*Voting in 2008: 10 Swing States*,” examined what, if any, progress has been made since 2006 in seven battleground states: **Florida, Georgia, Michigan, Missouri, Ohio, Pennsylvania** and **Wisconsin**. In addition, **Colorado, New Mexico** and **Virginia**, whose new status as likely swing states, and the potential for election administration difficulties, have also been included.

The areas looked at include: **voter registration, voter identification, caging and challenges, deceptive practices, provisional ballots, voting machine allocation, poll worker recruitment and training, voter education** and **student voting rights**.

Results are mixed. **Florida, Georgia** and **Virginia** stand out as the states with the most problematic voting administration on a variety of criteria. This is especially worrisome in Virginia given its new status as a key battleground state. **Wisconsin** gets the most positive review overall for its good poll worker training standards, excellent machine allocation standards, a solid deceptive practices law and clear student voting rights. **Ohio**, which in 2004 was the poster child for problems such as hours-long lines to vote and voter challenges, is much improved, according to the report, with a policy now to better handle challenges to voters, excellent poll worker training standards and good information provided to voters. **New Mexico** and **Pennsylvania** get mixed reviews for still having shortcomings such as no deceptive practices law, but good poll worker training standards. **Colorado, Michigan** and **Missouri** fall somewhere in the middle.

more...

Page Two – Voting in 2008

“While some states have taken steps to improve their election procedures, several still have a number of structural and statutory weaknesses that put voting rights at risk once again this year,” said Tova Wang, Common Cause’s vice president, a Century Foundation fellow and the report’s author. “In an election that we hope and expect will see unprecedented turnout, we are hopeful that steps can still be taken to make the election process a fair one for all Americans.”

As hundreds of thousands of new voters have been added to the registration rolls just in the last few months, one troubling finding is that problems with voter registration issues in many instances have gone unaddressed, or even worsened in the surveyed states. Many states have flawed procedures for matching the information voters give them when they register with other state databases, and some have no established protocols for doing so at all. Uniquely, Florida will continue to require that prospective voters prove eligibility by providing the exact information that appears on existing state databases. This policy often results in rejections of valid registered voters if the voter provides a variant of his or her name instead of a full name, a clerical error is made on the election administration side, or a voter makes another minor mistake.

Voting machine allocation – which can contribute to long lines at the polls, another common problem of the last two elections – also remains troublesome in many of the states. Most have weak or no allocation laws, allowing each locality to decide how many voting machines are necessary at each polling place. For example, Pennsylvania, where voters waited on long lines in 2006, has no allocation law, nor does Michigan. Wisconsin has the best one of the states reviewed, according to the report

Voter ID rules and requirements also remain problematic. Despite ever-mounting evidence that fraud committed at the polls by voters is extremely rare, fraud is still routinely used as a justification for passing harsh voter ID laws that result in disenfranchisement, especially among minorities, young people, the elderly and the poor. Georgia and Florida have the worst of them. And even with states without strict ID rules, there is reason to worry that poll workers and voters will misunderstand the rules leading to disenfranchisement.

Another problem in 2006 was state laws made it too easy to challenge a voter on a slim basis. The most famous example of this was the challenge to 35,000 voters’ eligibility to vote in Ohio prior to Election Day. There are already indications that with all the new voters registering, challenges to eligibility will be a major issue again this year. None of the seven states reviewed in this report have changed their laws since 2006 to lessen the chances of this occurring, and of the three new states included, Colorado and New Mexico have acceptable, though not ideal provisions to handle challenges to voters, while Virginia’s is fairly troubling.

But progress has also been made, particularly in Ohio. Though still flawed, the state did improve its law of handling challenges to voters in 2006, and the law that has been clarified in a positive direction by the secretary of state. Secretary Jennifer Brunner has also, through policy directive,

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done much to address the state's potential machine allocation issues. Ohio also now has good poll worker training standards, including an online program, does a good job educating voters about polling place information and registration and has a pilot program to automatically update voter registration information

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[Click here to view a chart showing each surveyed state.](#)

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