

League of Women Voters of Wisconsin Education Network

Election Observing - June 5, 2012 Recall Elections

Final Report

Released July 25, 2012

The League of Women Voters of Wisconsin (LWVWI) Education Network organized volunteers throughout the state to observe the June 5 recall election. The purpose of this project was to:

1. Provide an independent, non-partisan report on how consistently and accurately election laws are carried out throughout the state.
2. Determine if there should be concern about citizens being disenfranchised through poor administration, fraud or by aspects of the law itself.
3. Identify best practices as well as poorer administration to assist in future training of clerks and poll workers.

LWVWI recruited and trained two groups of election observers, for a total of 152 observers. We had site observers—volunteers who visited one polling site for a half to a full day. We also had roving observers who were responsible for checking several polling sites in an area. LWVWI received reports back from observers covering 421 polling sites throughout the state. Municipalities included towns, villages and cities, with a presence in almost all counties.

LWVWI collaborated with Wisconsin Election Protection, which on Election Day had lawyers responding to calls to their 1-866-OUR VOTE hotline, as well as answering calls from volunteers, and executing a social media campaign through Facebook and Twitter. League observers were instructed to call the lawyers if a question or problem arose that might involve election law. The lawyers also received many calls from voters. In many cases, LWVWI was able to dispatch one of our roving observers to observe and report back on situations that were reported to the hotline.

League observers were instructed to record their observations for further analysis following the election. This report is based on the polling place observers' written reports. Wisconsin Election Protection will report separately.

Overview

In many areas of the state there were few problems encountered, and the observers were impressed by the professionalism and commitment of the election officials they saw. We saw some notable improvements from the April election. For example, we had no reports of problems for disabled voters concerning the new requirement to sign the poll book.

Given the high turnout on June 5, some of the problems reported were not surprising. A number of polling sites began running out of voter registration forms and ballots by late afternoon. Some municipalities were better prepared than others to supply replacements in a timely manner. In several wards in Milwaukee, particularly, there was a lack of available parking. Roving observers had to park blocks away. This is a serious problem, because lack of parking could easily discourage potential voters.

Voter Registration Issues

The number of citizens wanting to register on Election Day was high. A number of our observers noted that polling locations were setting records for Election Day registrations. The LWVWI has long supported election-day registration, and evidence of the need for this was clear on June 5.

With the recent changes to the law, the timing of the election, and the high turnout of people needing to register to vote, came problems:

First, many voter registrars were not clear about what constituted acceptable documentation for proof of residency. At one site in Waukesha County, the registrar accepted a receipt from an oil change business, a rent referral check, and a letter from a health insurance company. At another site, in Dane County, a registrar would not accept a current Wisconsin driver's license with the correct address and required an additional proof of residency. At a site in Outagamie County a husband registered in the morning using a bill from his health insurance company. When his wife came to register in the afternoon, the registrar no longer would accept an insurance bill.

At one site in Milwaukee, the Chief Inspector would not allow people to register if they had out-of-state driver's licenses even if they did have other documents establishing residency. We were able to document that several people were not allowed to vote because of this, but we are not certain how many were turned away.

In another instance in a suburb of Milwaukee, a person left the polls before registering, having been told that if he used his bank account as proof of residency, the account number would be made public. One registrar, at a second site in Outagamie County, insisted on looking at a photo ID to verify the identity of each person registering, even though registrars are not allowed to ask to see an ID. The Chief Inspector supported this practice.

We also found some polling sites being particularly vigilant about college students, at times to the point of being hostile toward them. At some sites in La Crosse, Milwaukee, and Racine, there were a number of challenges to young people being able to register. We did not see those problems in Madison or Green Bay.

Second, many polling sites were unprepared for the turnout. Many of our observers noted long lines during parts of the day of people waiting to register. In one location, the registrar had been directed to use a computer to enter voter information directly into the Statewide Voter Registration database as people registered to vote. This worked if only one or two were trying to register. When the line grew to more than 30, the wait lasted over an hour. In a few instances, the lack of signage or a greeter meant that people waited in the wrong line only to be told to go to another line. At several sites, our observers noted people who left before registering and/or voting due to the long wait.

Third, inaccurate poll books or mailings before the election increased the number of people having to register. At several polling sites, people who said they had registered in 2011 or for the April election were not listed as being registered. Several of those had not brought proof-of-residence documents with them, thinking they were registered. They were not allowed to vote until they reregistered. In one community, the clerk had sent out cards to all voters about redistricting. Unfortunately, many were misaddressed. Those cards were returned to the clerk who marked the voters as inactive. People who had lived in the same house for decades were told they had to

reregister. We do not have accurate records on how many of these individuals returned, registered, and voted.

Fourth, some polling sites had election observers who intimidated voters and interfered with the registration process. Particularly if a site had a new or uncertain chief inspector, these observers were allowed to exert a great deal of influence on the process. Many of these instances occurred in the cities of Milwaukee and Racine. At one site in Milwaukee, the registrar sent people away when an observer said the person looked too young to vote. In other instances, the observers were close enough to view the documentation provided and comment on it. The results were that some potential voters felt intimidated and the process was noticeably slowed. In Racine, Milwaukee and La Crosse, some people left the polling place without voting.

Fifth, observers also noted that not being able to use corroboration as proof of residence is problematic, particularly for young voters. In one instance, a young man who had lived with his girlfriend for a year was unable to produce any acceptable proof of residency. It chagrined the Chief Inspector because that man lived next door to her and had shoveled her sidewalk last winter. There were a number of reports from around the state about individuals who did not have adequate documentation but did have one or more registered voters, including parents, who could have vouched for them.

We note the issue of corroboration because several of our members have noted a number of municipalities which incorrectly directed their Special Registration Deputies to obtain proof of residency during open registration periods, the only time when individuals who do not have such documentation can register. This practice is against current law, and in those municipalities, people without documentation are effectively barred from exercising their constitutional right to vote.

Disability Issues

Another area of concern relates to the disabled. For the most part, polling sites were accessible. Touchscreen voting booths were set up and were private. However, 19 sites had either inadequate parking or parking requiring a long walk to the polling site. Six sites did not set up touchscreens, or the machines were not working. Eighteen sites set up touchscreens so that others could see how a person was voting.

Additional Issues

Throughout the state, voters were given confusing information about where they should vote. Some had received incorrect information about changes in polling locations due to redistricting; others had received no information. The consequence was that poll workers needed to redirect voters to other sites. In at least some cases, it seems as if certain people were unwilling or unable to go to another location.

There was one report that a person came to vote in Milwaukee but found that someone had signed the poll book and voted in his place. The District Attorney's office was called and began an investigation. The person was allowed to vote.

In several municipalities, people requesting absentee ballots had received them too late to return them in time. Some came to the polls to vote. However, we have no count of those who were unable to vote in person.

At one site in Milwaukee County no election worker monitored the machine counting ballots. Several voters left, not knowing that their ballots had been rejected. At least two were found before leaving the polling site and were able to revote.

At a site in Waukesha County the election worker monitoring the ballot scanner encouraged people to insert their ballots face-up. The League election observer at the site reported that the official appeared to be looking at all of the ballots as they were inserted into the machine.

Best Practices

Observers noted many good practices on the part of local election officials. For example, several polling sites had computers and printers for registrants to print off online bills as their proof of residence. Other polling sites directed citizens to nearby locations where printing could be done inexpensively. Many registrars worked with individuals to find acceptable forms of documentation. A number of polling places split the books when there were long lines, thus shortening the wait for voters. Some had multiple voter registrars, speeding that process as well. The League appreciates the commitment of such officials to helping citizens exercise their right to vote.

Recommendations

1. Improve training for voter registrars and chief inspectors regarding the acceptable forms of documentation. This should be combined with increased voter education to help ensure people arrive with the correct documentation and do not have to go home and return to vote.
2. Improve the data entry of new registrants from prior elections and open voter registration periods to reduce the number of people having to register multiple times.
3. The GAB should be clear with municipal clerks that proof of residence **may not** be required during open registration periods. Increased public education around the benefits of registering early would be helpful.
4. Many polling sites had inadequate or no signage directing voters to particular lines. Especially for high turnout elections, this exacerbates long lines. Signage should be placed where voters can easily see them.
5. Improve training about polling site set-up to ensure privacy in voting. Touchscreen machines must be placed so that others cannot see how an individual is voting. There should be dividers between tables where voters mark their ballots. The polling place itself must be big enough to allow for real privacy.
6. When polling places are not close to good parking, recommend that the clerks find out if certain parking places can be cordoned off just for voters.

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