

Election Observer Program
Wisconsin Senate Recall Elections, August 2011
FINAL REPORT
October 2011

SCOPE

The League of Women Voters of Wisconsin Education Network, in concert with several other nonpartisan organizations, recruited and trained over 130 volunteers to observe the general recall elections conducted in August 2011. This report is based on the reporting forms submitted by volunteers from 94 polling locations. They represent sites located in towns, villages and cities in all eight Senate districts that had recall elections in August.

The League of Women Voters of Wisconsin Education Network (hereafter referred to as “the League”) is a nonpartisan, nonprofit organization which promotes active and informed participation in government, works to increase understanding of selected public policy issues, and influences public policy through education and advocacy. As a trusted convener concerned about the impact of Wisconsin’s new election law on voters, the League coordinated this collaborative initiative and is writing this report with input from other groups. Funding for the project was provided by the League of Women Voters (U.S.) Education Fund through its Public Advocacy for Voter Protection program, and Wisconsin Voices.

The League worked with a group of volunteer Election Protection attorneys who took calls from our observers as well as from their toll free Election Protection hot line (866-OUR-VOTE), administered by the Lawyers’ Committee for Civil Rights Under Law, which voters could call for information and assistance. They helped direct volunteers and send cars with very well trained individuals to trouble spots. Attached to this report is a summary of the calls to the Election Protection hotline. The lawyers also initiated and supported the social media outreach efforts.

The initiative focused on observing the soft implementation of the Voter ID law, but also looked at various other aspects of election administration. This report identifies some problem areas that need to be addressed before the 2012 elections. We should note, however, the vast majority of our observers were impressed with the diligence, knowledge, and professionalism of the Chief Inspectors and poll workers they observed.

SOCIAL MEDIA OUTREACH

Election Protection lawyers utilized social media outlets to interface with voters and volunteers about ongoing issues on the recall election days. The Wisconsin Election Protection Facebook page was started one week before the August 9, 2011 recall election and had hundreds of “friends” after only a few short days. As of mid-September, the Page has 583 “friends.”

People utilized the Page in a variety of ways, including reading and responding to attorney postings, posting observations from various polling locations, and posting questions directly to the Page’s “wall.” By monitoring the Page throughout the day, attorneys were able to

identify issues in real time and contact appropriate volunteers or clerks, respond to questions and post notifications as information came in from other sources such as phone calls and Twitter. Overall, the Wisconsin Election Protection Facebook page proved an effective and efficient way to communicate with Wisconsin voters and volunteers throughout the recall elections.

Similarly, Election Protection ran a twitter feed - @EPWisco – which proved equally if not more effective than the Facebook page. The rate at which information can be transmitted through short sentences and identifying hashtags (#) is extraordinary. For instance, if a phone call came through the 866-OUR-VOTE hotline with information about long lines at a particular polling place, the lawyers could immediately “tweet” that information to the thousands of people who were following the trending hashtag for the Wisconsin recall elections – in this case, the tag was #EPRECALL. Those followers could then “re-tweet” @EPWisco’s tweet to their own followers or “tweet” questions and comments in response to @EPWisco. This proved to be an effective method for keeping interested people informed of issues and a valuable tool for dispelling misinformation.

In some cases, individuals standing in line at a polling place posted updates to keep attorneys informed. Attorneys were then able to post that information on the Facebook page, contact the appropriate official if necessary, and/or direct a volunteer poll watcher to the particular location for continued monitoring. In sum, Election Protection’s first foray into social media proved incredibly useful and remarkably efficient by reaching thousands of individuals in a split second with just the click of a mouse.

FINDINGS

Voter Registration: At nearly half of the locations people were turned away when attempting to register to vote, due to lack of residency documentation. They included students living at their parents’ home, elderly, and a few individuals who were living with other relatives due to economic dislocation. In 17 percent of the locations, at least one person was turned away due to not meeting the new 28 day residence requirement. And 16 percent of locations had at least one individual registering without a state-issued ID.

In a number of locations, the registrars were not clear about whether to accept expired IDs. Also, some registrars insisted on filling out the forms themselves, adding significant wait time for those trying to register. One location ran out of forms and did not have them replaced for an hour.

At least 40 percent of the locations had no signage or insufficient signage showing where voter registration occurred, leading many people to wait in one line for up to 30 minutes before being told they needed to be in another line. In several locations, newly registered individuals were told to go to the back of another line to wait to vote. Some of those individuals left without voting.

Showing IDs: Nearly 25 percent of locations were inconsistent in asking to see IDs. In some cases, poll workers knew the individuals and thus did not ask them for IDs. In other cases, poll workers did not ask when they were particularly busy. And in some polling places that

had more than one ward, poll workers for certain wards asked for IDs but poll workers for other wards did not. Some Chief Inspectors did not monitor the situation or correct poll workers' inconsistent behavior until observers raised questions about the practices.

Other problems included:

- In 14 percent of locations, some voters were turned away when they did not produce an ID. This was corrected only after observers raised concerns.
- In at least 3 cases, a voter was incorrectly given a provisional ballot because he/she did not produce a photo ID.
- In several polling places, voters were incorrectly told to reregister if the address on their ID did not match the address in the poll list.
- Some voters produced photo IDs such as fishing licenses and employer IDs but were not informed these documents would not be valid as voting IDs in 2012 nor were they given the printed information about ID requirements.
- In at least 4 locations, people were told they would not be able to vote in 2012 if their driver license was expired.
- In at least 2 locations, poll workers asked specifically for a driver license rather than ID.
- At least 7 locations did not hand out the informational flyer on Voter ID to any voter.
- In at least 6 locations—different municipalities—the names of people who claimed they had voted at that location in either November 2010 or July 2011 were not on the voter lists. These individuals were told to register. Some did not have appropriate documentation and were unable to vote.
- At one polling place with three wards, the election officials posted signs at the entrance to the polling place and each of the ward desks that read: "Please have IDs out and ready to show poll workers." This was contrary to the GAB July 14, 2011 memo instructing clerks not to use such signs as it could deter voters. Working with Election Protection attorneys, the observer was able to persuade the chief inspector to remove the signs.

Signing the Poll Book: More than 17 percent of the locations had problems with disabled voters signing the poll book. Several poll workers put pens in the hands of individuals and guided them to sign their name. In other cases, the voter's spouse or child signed the book. In one case, a disabled voter was almost turned away due to inability to sign. We documented only a handful of cases where "Exempt" was written in the poll book.

Long Lines: Most of the polling locations experienced lines of more than 15 people for at least part of the day. People waited in line in some locations up to an hour. In some smaller communities, there were lines where there had not been in previous elections. In some instances, voters left before being able to vote.

Adding to the length of lines in some locations were:

- Inadequate signage about voter registration and ward numbers.
- No greeters to help people get in the correct line.
- Poll workers processing absentee ballots while people were waiting in line to vote.

- Signing the poll book and showing ID (observers noted that the time to process a voter ranged from 40 to 90 seconds)
- One location in Fond du Lac did not open until after 7:15 a.m.

Successful ways to reduce or cope with long lines included:

- Splitting the books. While we did not ask about this on our form, observers in 18 percent of the locations said books were split and lines dropped significantly. In at least 3 locations, Chief Inspectors refused to split the books.
- Drafting city workers to be additional poll workers. This was done in several municipalities.
- Encouraging people to use the electronic voting machines when they saw the supply of ballots was dwindling.
- Providing chairs for elderly or disabled voters who were waiting in line.
- Putting up better signage.
- Recruiting observers to be greeters.

OTHER ISSUES

Disability Issues: At 10 percent of locations, the electronic voting machines were either not set up at all or set up only when requested. In at least 3 locations, the machines were set up so that either the poll workers or other voters could see how the person was voting. In one case, voters were unfamiliar with the machines and were not completing their votes, but neither the Chief Inspector nor poll workers provided assistance. Also at least 5 locations had problems for the disabled being able to access the polling place itself.

Signage: At least 2 sites did not have signage outside stating that the building was a polling place. At another polling place – a clerk’s office – a sign on the door stated: “The deadline for voting an absentee ballot in the clerk’s office is 5:00 pm on Friday, August 5, 2011.” While correct as to in-person absentee voting, it was confusing to voters who wanted to return absentee ballots which could be done until 8:00 pm on Election Day.

Ballot Integrity: In several polling places, absentee ballots were opened and left in a pile unattended. In several places, the optical scanning machines were not in a visible location and voters just left their ballots on a table.

Processing absentee ballots: As noted earlier, a number of places processed ballots while there was a line of voters. Other observers noted that the process used in some locations was such that poll workers could tell how individual absentee voters had cast their ballots.

Intimidation: There was a report from Milwaukee County that voters getting into Wisconsin Jobs Now vans to ride to the polls were being videotaped.

RECOMMENDATIONS

Voter Registration:

- Emphasize in training and in signs at the polling sites the different ID requirements for voter registration and for voting.

- Strongly encourage clerks to have signage in each polling place indicating where voter registration takes place.
- Have people fill out their own voter registration cards unless they need assistance.
- Increase public education around documentation needed to prove residency.
- Set goals for clerks to update the SVRS to ensure all people who are registered are on the list for the next election.

Showing IDs and Signing the Poll Book

- In training, emphasize the need to ask for IDs—not driver licenses.
- Emphasize the need for uniformity in how the disabled are addressed in signing the poll book—preferably by writing exempt.
- Emphasize that addresses should NOT be checked when examining photo IDs.

Reducing length of lines

- In elections with projected high turnouts, direct clerks to begin the day by splitting the books—this practice greatly cut down on the length of lines.
- Encourage clerks to require clear signage in the entry and the polling site to help voters.
- Develop clear directions for processing absentee ballots. Absentee ballots should not be processed while people are waiting in line to vote. This will be particularly important in the high-turnout elections anticipated in 2012.

Anticipating Problems in 2012

- With redistricting, there will likely be confusion on the part of many citizens about where to vote. As it was, in at least 3 cases people showed up to vote in the recall elections but did not realize they were not in that Senate district. Each polling site should have clear maps of the wards—many now do not post such signs.
- People are likely to show up at polling places in 2012 with IDs that are unacceptable for voting. A plan should be worked out at each site as to who will deal with this issue so that valuable time is not spent at the sign-in table discussing what is or is not an acceptable ID.
- Particular attention should be paid to colleges and universities around the issues of establishing residency and validity of student IDs for voting.
- Observers for the two parties, who were checking names to see who had voted, noted that most poll workers no longer required voters to state their name and address when checking in. More often the poll workers relied on the ID to confirm the name of the voter. As a result, the observers wanted to be able to view the poll books whenever possible. Poll workers should be reminded that voters are required to state their name and address. Further, they should be advised to repeat clearly the name of voters who do not state their names audibly, especially when observers are present.