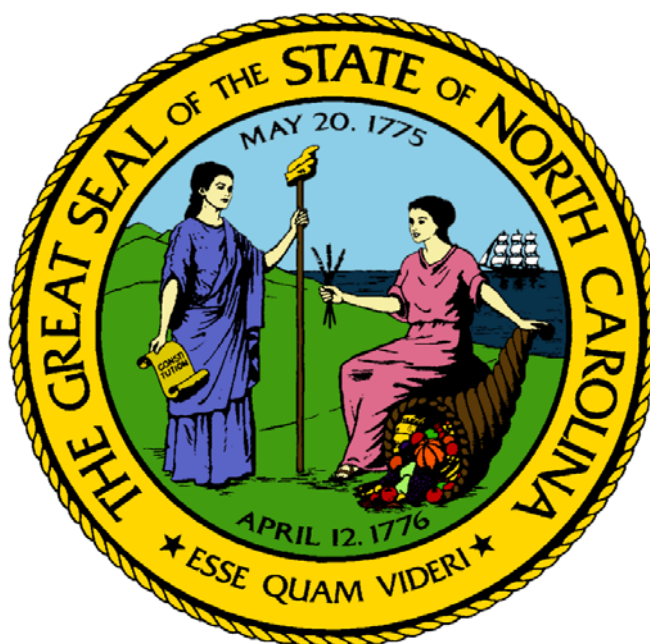


NORTH CAROLINA STATE BOARD OF ELECTIONS: REPORT ON SAME-DAY REGISTRATION



3/31/2009

Experiences in the 2008 Primary & General Election

A Report to the North Carolina General Assembly to detail experience with Same-Day Registration and how it impacted the 2008 General Election.

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North Carolina State Board of Elections: Report on Same-Day Registration

EXPERIENCES IN THE 2008 PRIMARY & GENERAL ELECTION

AN OVERVIEW

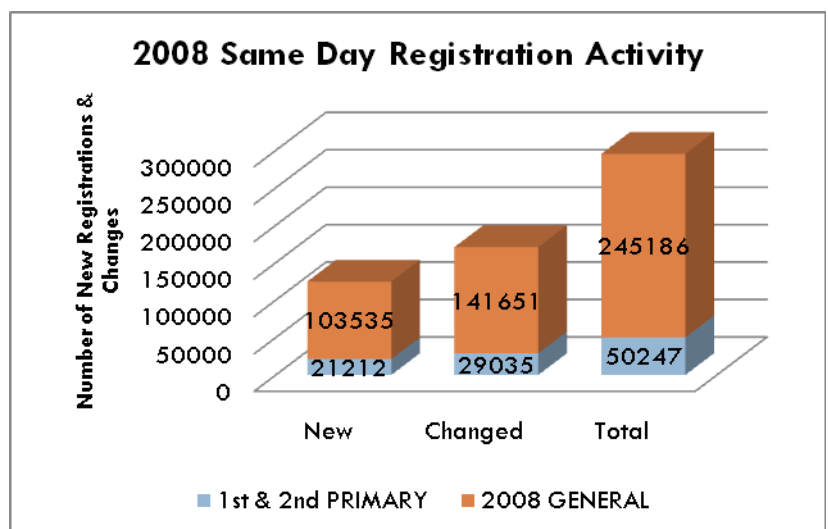
Same-Day Registration (SDR) was enacted in 2007 and utilized for the first time in the 2007 municipal elections; however, the 2008 election season was the first real test of SDR in North Carolina. During the 2008 election season many people took advantage of the opportunity to register to vote during the one-stop early voting periods for the primary, 2nd primary, and the general election. The ability to register in-person was a key factor in why the 2008 post-election season was essentially “uneventful.” There were no election challenges and voters for the most part were pleased with the process, irrespective of the outcome of election contests. In view of the 478,519 people who voted during the one-stop voting period for the May Primary and the 2.4 million who voted at a one-stop site during the general election, a substantial increase from the most recent presidential-election year, SDR was a success.

	2004-Primary	2004-General	2008-Primary	2008-General
One-Stop Voters	17,810	707,636	478,519	2,411,116
Same-Day Registrations	Not applicable	Not applicable	21,212	103,535

The Raw Numbers

In order to appreciate the success of SDR, it is helpful to review the 2008 election season statistically.

- In total, there were over 295,000 registration applications processed at 368 one-stop absentee voting sites, accounting for almost 125,000 new registrations and almost 171,000 changes of name, address, or party affiliations.
- There were 21,212 SDRs during the 1st and 2nd primary; there were 103,535 SDRs during the one-stop period for the general election.
- The total of 124,747 new SDRs added to the overall total of 967,804 new registrations that were processed in

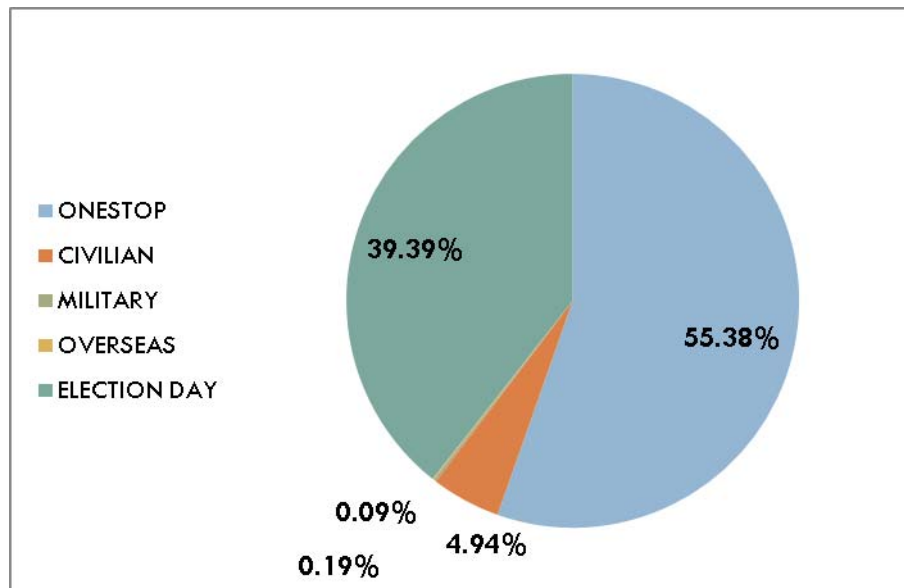


North Carolina last year, or 13% of all new registrations.

- 29,035 voters updated their name or address at one-stop sites during the primaries and a total of 141,651 one-stop voters updated their information at one-stop sites during the general election.
- More people utilized SDR during the general election than during the primaries.
- There was a 242% increase in one-stop voting from the 2004 general election (707,636 one-stop voters) to the 2008 general election (2.4 million one-stop voters).
- In the 2008 general election, the 2.4 million one-stop voters made up 55% of the total votes cast in the election.

2008 General Election Votes Cast by Source

ONE-STOP	2,411,116
CIVILIAN ABSENTEE	21,5258
MILITARY ABSENTEE	8,443
OVERSEAS ABSENTEE	4,098
ELECTION DAY	1,714,824
TOTAL VOTES CAST	4,353,739



- 10% of the 2.4 million general election one-stop voters utilized SDR either to newly register or update information.

One-stop Sites

The 268 additional one-stop sites cost the state \$2.75 million in one-stop grants provided by the General Assembly. The State Board of Elections provided an additional \$3 million in Help America Vote Act of 2002 (HAVA) grants made possible by federal funds. Out of the 368 one-stop sites, 100 were sites at the county

board office or a site in lieu of the county board; the remaining 268 sites were additional one-stop sites approved by the county boards and the State Board of Elections.

SDR WAS SUCCESSFUL

SDR had a positive impact on the election process in a number of key ways: people were generally satisfied with the elections process and had fewer complaints than in years past; more people were successfully able to vote – voter turnout for the general election was a record-breaking 70%; and there was a decrease in the number of provisional ballots.

Voter Satisfaction

Voters expressed their satisfaction and gratitude that North Carolina had a process that afforded citizens with more opportunities to register and vote. More people were able to successfully vote because they had the chance to take care of registration issues during the one-stop voting periods. Voters who missed the registration deadline or who were unaware that they were not properly registered were able to rectify these problems with SDR. Due to the availability of SDR, 70% of all registered voters turned out to successfully vote in the 2008 general election. Not only was this the highest turnout in state history, but more people than ever were registered to vote – over one-half million more people were registered in the 2008 general election than the 2004 general election.

Provisional Experience

One of the obvious benefits gained from SDR is the decrease as a percentage of all votes in the number of provisional ballots that were submitted on election day in the 2008 general election from those submitted in the 2004 general election. In 2004, the percentage of provisional ballots to the total number of ballots cast was 1.49%, whereas in 2008, the percentage dropped to 1.24%.

	2004 Primary	2008 Primary	2004 General	2008 General
No. of Voters	846,542	2,125,215	3,551,675	4,353,739
	Increase 151%		Increase 23%	
No. of Provisionals	5400	31,381	52,905	53,976
	Increase 481%		Increase 2%	
Comparison of Provisionals to No. of Voters	0.638%	1.477%	1.490%	1.240%

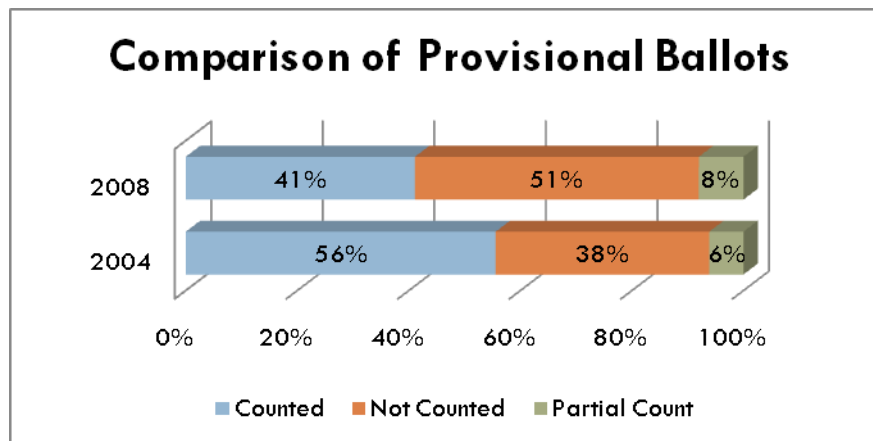
This reduction is significant given that 22.6% more people voted in the 2008 general election than in the 2004 general election. Provisional ballots must be researched by county board staff following an election to determine whether the ballots were cast by qualified voters. This process can be time intensive. If the 2008 percentage of provisional ballots to total votes cast were comparable to the 2004 level, more than 10,000 additional provisionals would have needed to be researched. Instead, in 2008 elections boards found that they had fewer provisional research requirements, attributable to the fact that the majority of 2008 general election voters voted during the one-stop period. If voters during the one-stop period had voter registration issues, these issues were easily resolved utilizing the SDR process.

For example, the majority of provisional voters in the 2004 general election were required to vote provisionally because they failed to provide their county board with their change of address within the

county. When these voters went to their new precinct, they were required to vote a provisional ballot. Although the ballot was approved, it added to the county boards' post-election duties. In contrast, 2008 one-stop voters with in-county address changes were processed with SDR software which updated their registration information, were given the appropriate ballot based on their address, and were allowed to vote without delay.

Another example accounting for the difference in the percentage of voters voting a provisional ballot, is the opportunity provided by SDR for those voters who had submitted new applications for voter registration that were missing required elements (e.g., signature, date of birth, or residential address) to register at the one-stop site after completing a voter registration application and vote. In the past, when these voters appeared on election day to vote and their names did not appear in the precinct poll book, they were given the opportunity to vote a provisional ballot.

Consequently, the percentage of provisionals that were fully or partially counted in 2004 is greater than the percentage of fully or partially counted provisionals in 2008. Since so many people voted during the one-stop period in the 2008 general election and were able to take care of any voter registration issues at that time, there were a greater percentage of 2008 election-day provisional voters who were simply not eligible to vote. Their votes were not counted because they were not registered in the county in which they presented themselves to vote.



THE ISSUES

Despite the success, some issues arose with SDR in the 2008 election.

Administrative Delays

There is no guarantee we will see the level of registration activity that was experienced in the 2008 election; however, due to the volume of one-stop registrations, county boards of elections could not meet the 48-hour deadline that is required by GS 163-82.6A. This statute provides:

[w]ithin two business days of the person's registration under this section, the county board of elections in conjunction with the State Board of Elections shall verify the North Carolina drivers license or Social Security number in accordance with G.S. 163-82.12, update the statewide registration database and search for possible duplicate registrations, and proceed under G.S. 163-82.7 to verify the person's address.

County boards, especially those in large counties, had to hire additional staff to process these new registrations. County board staff worked long hours and work weeks in order to meet this two-business day requirement. Although staff worked as efficiently as they could, generally it was not possible to process the number of voter registration applications received during the one-stop period within two days.

Other administrative issues include:

- County boards were pressed for time in printing precinct poll books due to the need to complete the processing of SDRs, although they were all able to have the poll books in time for the opening of polls on election day.
- County boards found that it was important to manage the logistics of transmitting the SDR paperwork from one-stop sites to the county boards of elections. Some counties had to pay extra one-stop workers to transport the SDRs to the county board office.
- Due to volume issues, county boards of elections experienced minor delays in DMV validations, especially during the last few days of one-stop voting.

Returned Verification Mailings

Some SDRs did not complete the mail verification cycle prior to the certification date. County boards received verification mailings that were returned as undeliverable after the election had been canvassed and certified. In essence, county boards found that there was not enough time between the end of one-stop voting (and SDRs) and the canvass date to ensure that verification mailings completed the mail verification process. 2.4 percent of registrations were subsequently denied due to the inability of the county boards to verify the applicant's address through the mail.

There are various factors that complicate the mail verification process. Mailings may be returned due to postal error, administrative errors, lack of a valid mailing address due to homelessness, or the transient nature of our population. College and university students were one of the main groups of same-day registrants with returned verification mailings. The issue arose with students who legally registered in their college community during the one-stop period, but who left town or moved away before the verification cycle could be completed. Once these students left town, their verification cards were returned to the county boards of

elections as undeliverable. This was a problem particularly during the primary since it was held in early May, shortly before students left campuses for the summer. Members of the military also accounted for some of the undeliverable mailings because some military personnel registered to vote in North Carolina during the one-stop period, but shortly thereafter left town after being deployed elsewhere.

Whatever the problem, undeliverable verification mailings are not caused by SDR. Rather, they are caused by the highly mobile nature of some segments of North Carolina's citizenry. As long as the second notice is returned prior to canvass, then the one-stop registrant's registration can be denied and their in-person absentee ballot appropriately disapproved. SDR laws need to be revised to provide county boards of elections guidance on processing SDRs that are legally permissible at the time of the registration, but cannot be verified through the mail because the applicant has moved within 30 days of the election.

Accessibility of One-Stop Sites

In 2004, there were 226 one-stop sites in the general election. There were 368 one-stop sites available to voters for the 2008 general election. At least 50 to 75 additional sites would have been helpful, especially in smaller to mid-sized counties. Some counties only had a few one-stop sites available to their voters and these sites were not convenient to all the counties' residents.

Although more one-stop sites are needed during presidential elections, finding additional one-stop sites may be difficult because existing one-stop sites have worn out their welcome with public and private facilities that house one-stop absentee voting. One-stop sites need to be large enough to handle lines and the volume of traffic that may flow into the site during presidential-election years. Indoor space is especially needed to handle the lines for SDRs. Long lines, parking difficulties, and the space and time commitments required by one-stop voting stress these facilities.

Lack of Voter Education

Although SDR requires voter education, it is one of the easiest obstacles to overcome. Voter education issues can be corrected by providing increased educational materials to the voting public and utilizing the media, political parties, advocacy groups, etc. to disseminate election information. These groups had such interest in SDR in 2008, they were effective avenues of providing voter education at little additional cost to the State and counties.

Generally, county boards were confronted with the following voter education challenges:

- Voters were unaware of the ID requirements for SDR. College students who were opting to register in their college communities often did not have the appropriate ID immediately available to them that would permit them to verify their address within the county in which they attend school. Similar issues arose with military personnel in high military population counties who lived in base housing and did not have North Carolina drivers' licenses or utility bills.
- Some voters had difficulty understanding that they needed to prove their in-county residential address.
- During the primary, many existing registered voters who appeared at one-stop sites were unaware that they could not change their party affiliations after the mail-in registration deadline of the 25th day before the primary.

- Voters were unaware that if they registered to vote at a one-stop site they could not wait to vote on Election Day
- Some voters, unaware of the change in the voter registration law that allowed for SDR, incorrectly alleged that there was election fraud because they incorrectly believed that county boards were impermissibly allowing people to register to vote after the voter registration deadline.

Intersecting Registrations

There were issues with some voters who submitted a voter registration application to one county during the last few weeks before the registration deadline and then appeared to vote in another county or actually registered at a one-stop site in another county and voted. Similarly, there were voters who registered at a one-stop site and voted although they had been issued a mail-in absentee ballot in a previous county of registration. Many of these situations were innocent scenarios in which college students were confused about where they should vote or involved well-intentioned parents attempting to help their college-age children. Unfortunately, these scenarios, no matter how unintended, created administrative difficulties for county boards. When the newest registration was processed, the previous registration was cancelled and the voter was removed. Many mailed-in registrations were processed after one-stop voting had begun. There were situations in which a one-stop voter was removed from the county in which his one-stop vote was cast simply because the voter submitted a new registration in another county that was belatedly processed. Counties had to research each of these situations on a case-by-case basis to ensure that there was no possible fraud being committed. Any situations of potential fraud or duplicate voting are being investigated, and if evidence of fraud is found, the evidence will be turned over to the appropriate district attorney.

LESSONS LEARNED

It appears that North Carolina's voters has accepted SDR as a useful method of fail-safe voting and expressed their satisfaction with SDR to county and state election officials. Voters and voter registration advocates, both in North Carolina and throughout the nation, lauded North Carolina's SDR program and noted that the availability of SDR and no-excuse absentee voting at one-stop sites reduced the need for voters to use provisional ballots on election day. Most important, it enfranchised eligible citizens to participate in the elections process. Despite individual preferences on the outcome of the 2008 general election, North Carolina citizens were assured that the election process in this state was fair and open to all eligible citizens.

There is no way of knowing whether North Carolina will have the same volume of voter registration activity in the immediate future. Despite the question of volume, it is clear that county boards can manage SDR better with strategically utilizing county board staff and one-stop workers and focusing on educating its one-stop workers and the general public.

RECOMMENDATIONS

SDR has greatly benefited the North Carolina elections process. North Carolina is recognized by other states as a model for the conduct of elections. Other election systems are looking to us for guidance on how to implement their own SDR programs. Despite the success of SDR, with the following recommendations are made to make the SDR process even better:

- Improve and focus on providing more training and education to the public and one-stop workers.
- Develop an equitable plan to allot county one-stop sites that defuses any claims of partisanship.
- Enact legislation to address same-day registrants who legally register to vote during one-stop and who subsequently move within 30 days of an election, or shortly thereafter, before the mail verification process can be completed (specifically college students and active military families).
- Provide adequate funding for additional one-stop sites.
- Finally, this office will prepare a follow-up report on SDR to more fully develop educational and training recommendations and to report the outcome of any investigations or referrals. The information technology staff is also still analyzing data to report the total number of undeliverable mailings. This follow-up report will be ready by the end of July 2009.