

National Voter Registration Day



**VOTER EDUCATION WORKSHOP
TUESDAY, SEPTEMBER 26, 2017**

**PRESENTED BY GEOFF BADENOCH &
REBECCA CONNORS**



Agenda



- History of Election Law
- Voter registration form
- How we maintain voter lists
- Rejected ballots & election fraud
- How to be involved with elections
- Voting demographics & statistics



History of Election Law



1850 African American men guaranteed right to vote

1964 Elimination of poll tax

1971 Voting age lowered to 18

1986 Uniformed & Overseas Citizens Absentee Voting Act (UOCAVA)

2002 Help America Vote Act

1920 Women guaranteed right to vote

1965 Voting Rights Act

1984 Voting Accessibility Act

1993 National Voter Registration Act

2009 Military & Overseas Empowerment (MOVE) Act

History of Election Law



- **Federal Requirements to Register to Vote per NVRA & HAVA**
 - United States Citizen
 - Of voting age, 18 years or older
 - Provide verifying information when registering to vote such as last four of social security number or drivers license number
 - Signature of registrant
 - *<https://www.justice.gov/crt/national-voter-registration-act-1993-nvra>*

Voter Registration



MONTANA VOTER REGISTRATION APPLICATION

Fields marked with an asterisk (*) are required. If you do not provide all of the required information, your application to register to vote will not be complete. **UNDER FEDERAL AND/OR STATE LAW ALL ELECTORS MUST PRESENT ID WHEN VOTING.** Please type or print clearly using black or blue ink. **COMPLETE FORM AND SUBMIT TO COUNTY ELECTION OFFICE.**

ELIGIBILITY REQUIREMENTS AND IDENTIFYING INFORMATION

NOTE: VOTER REGISTRATION REQUIRES U.S. CITIZENSHIP

1 Check all that apply: New Registration Name Change Address Change Signature Update Other

2 Are you a citizen of the United States?* Yes No ←

Will you be at least 18 years of age on or before the next election?* Yes No ←

Will you be a Montana resident for at least 30 days before the next election?* Yes No ←

***If you checked "No" in response to any of these questions, do not complete this form.**

Citizen of the U.S.

18 Years or older

MT resident 30 days prior to next election

Voter Registration



3 Last Name*	First Name*	Middle Name	Suffix (Jr., Sr., Etc.)
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
4 Date of Birth*	Contact Phone Number	Email Address	
<input type="text"/> / <input type="text"/> / <input type="text"/> month day year	<input type="text"/>	<input type="text"/>	

If you live in a household with someone of the same name, please use suffix!
Sr, Jr, III, etc.

Contact information is helpful in contacting a voter regarding questions of their ballot.

There are ways we can make this information confidential

Voter Registration



5 Select one of the following and provide the required information*

- I have a Montana Driver's License or Montana ID and that number is _____
- I do not have a Montana Driver's License or MT ID card. The last 4 digits of my SSN are _____
- I do not have a Montana Driver's License or MT ID card, or a Social Security Number. I have attached a copy of a photo ID that shows my name, or acceptable ID that shows my name and current address (*paycheck stub; utility bill; bank statement; or government document*).

ID numbers provided above are kept confidential and are not available for public inspection.

You must have one of the following pieces of verifying information to register to vote:

1. Montana Drivers License
2. Last four digits of Social Security Number

The option for an alternative ID is only if the voter has never been issued a drivers license or social security number in their lifetime.

SSA.gov states that the first SSN was issued in 1936.

Voter Registration



- No verifying information?
- The voter is given a “provisional” status.
- A provisionally registered voter can still vote, but the ballot is not accepted until the voter’s verifying information is verified.
- Voters with a provisional status have until 5:00 p.m. the Wednesday after the election to resolve their status to allow their ballot to be counted.

PROVISIONAL

Voter Registration



6 Montana Residence Address*	City*	County*	Zip Code*
7 Mailing Address (required if differs from residence address)	City	State	Zip Code

- Address info 13-2-208 **Elector to furnish residential address -- prohibiting registration for failure to provide address.** (1) An elector shall provide the election administrator with the elector's current street address, rural address, or, if neither of those addresses is available, other specific geographic location information from which the location of the elector's residence may be easily determined by the election administrator.
- The address or geographic location places the voter in their voting districts and precinct.
- You cannot register to vote at a PO Box.

Voter Registration



8 If applicable, check one of the following:

- Military Domestic (or military spouse or dependent) – only if on active duty and will be absent from place of registration
- Military Overseas (or overseas military spouse or dependent) U.S. Citizen Overseas

- The Uniformed & Overseas Citizens Absentee Voting Act (UOCAVA)
- Active military members and their family, along with citizens residing overseas are granted special voting privileges.
- Overseas include Canada and Mexico
- Ballots can be sent electronically since foreign mail has so many uncertainties.

Voter Registration



PREVIOUS REGISTRATION INFORMATION – will be used to provide cancellation information to former jurisdiction
REQUIRED IF NAME CHANGED OR IF PREVIOUSLY REGISTERED TO VOTE IN ANOTHER MT COUNTY OR IN ANOTHER STATE

9 Previous City, County and State	Residence Address of Previous Registration	Previous Registration Name

- Previous registration information, even if only the state portion is filled out, can communicate to the other state that we now have this voter.
- Notifying your previous county elections office of your change in residency is important in maintaining accurate voter lists.

Voter Registration



RECEIVE YOUR BALLOT IN THE MAIL

Yes, I request an absentee ballot to be mailed to me for all elections in which I am eligible to vote as long as I reside at the address listed on this application. I understand that in order to continue to receive an absentee ballot, I must complete, sign, and return an address confirmation notice mailed to me by the county election office in January of each even-numbered year.

If your mailing address differs during certain times of the year please add the seasonal mailing address information in this space, or contact your county election office. Seasonal mailing address for the period of

/ / through / / Seasonal Mailing Address:

- Absentee List – 2017 legislation has made it permanent unless you move.
- Snowbirds, students, whatever the case may be, can list seasonal mailing addresses.



Voter Registration



APPLICANT AFFIRMATION

I affirm under penalty of perjury that the information on this application is true, that I am a citizen of the United States, that I will be at least 18 years old on or before the next election, that I will have been a resident of Montana for at least 30 days prior to the next election, and that I am not serving a felony conviction in a penal institution nor have been found to be of unsound mind by a court. I understand that if I have given false information on this application, I may be subject to a fine or imprisonment, or both, under federal and/or state law.

Signature* John Hancock Date*

THE AFFIRMATION ON THIS APPLICATION FOR VOTER REGISTRATION MUST BE SIGNED BY THE APPLICANT – FAILURE TO DO SO WILL PREVENT APPLICATION FROM BEING PROCESSED.

- Signing a voter registration form affirms the voter meets all qualifications to register to vote.
- This signature is what we compare mail ballot signatures to.
- Forms missing signatures are considered incomplete.

Voter Registration



- **13-2-402 Cancelling voter registration:**
 - One can cancel their registration via a written request and signature
 - Certificate of death or obituary
 - Unsound mind as established by a court of law
 - Incarceration in a penal institution for a felony conviction
 - Court order directing cancellation
 - Notice received from the Secretary of State
 - Voter fails to respond to confirmation mailings
 - Voter is placed on inactive list and then fails to vote in two consecutive federal elections
 - Voter fails to meet any voter qualifications

Voter Registration



- **Jury Duty**
 - 50% of licensed drivers
 - 50% of registered voters
- **You will still be called to jury duty if you are a licensed driver.**



Voter Registration



- Power of Attorney has no bearing in election law.
 - *Unless you need to register a UOCAVA family member.*



Voter Registration



QUESTIONS?

Voter List Maintenance



Missoula County goes above and beyond to maintain voter lists. We follow federal, state and our own monthly checklists to manage voter lists.



Voter List Maintenance



- **National Voter Registration Act (NVRA)**
 - Odd numbered years we change voter statuses of unresponsive voters to reflect their current status.
 - Voters who did not vote in the previous general election are mailed at least two postcards requesting a response (first one not forwardable, second mailing forwardable).
 - Those who did not respond are changed from Active to Inactive.



Voter List Maintenance



- **Cancelled Voters**

- Inactive voters who did not vote in two consecutive federal general elections, local elections, take any action with their voter registration are Cancelled.
- Inactive voters can be in this status for 6 years before they are cancelled.
- Cancelled voters will maintain this status for 10 years if no action is taken.
- After 10 years, the names are ultimately purged from the voter rolls.



Voter List Maintenance



- **July Voters Cancelled**
- **Number Cancelled: 5,573**
- **September Voters Inactivated**
- **Number Inactivated: 5072**

- **Responses from mailings:**
 - 1st Mailing (non-forwardable) 5,617 – 205 responded
 - 2nd Mailing (forwardable) 5,209 – 87 responded

Voter List Maintenance



- **Receive the following reports from SOS:**
 - Quarterly deceased report from DPHHS
 - Quarterly cancellation report from other states
 - Weekly drivers license voter registrations



Voter List Maintenance



- **Monthly Checklist**

- Duplicate Voter Search
- Process undeliverable voter confirmation cards
- Death certificate and cancellation maintenance
- Run searches for voters with missing signatures
- Run searches with voters with verifying information issues



Voter List Maintenance



- **National Change of Address (NCOA) Reports**
 - Run NCOA report to catch voters who have moved within Missoula.
 - Spring Results:
 - ✦ Report November 1, 2016 through March 1, 2017
 - ✦ 3442 voters with a change of address
 - ✦ 2575 moved within Missoula County
 - ✦ 474 moved within Montana
 - ✦ 393 moved out of state
 - Voter is sent voter registration application and postage paid return envelope for precinct to precinct moves.
 - Out of state voters sent cancellation form and postage paid return envelope.

Voter List Maintenance



- **Felon Search**

- Voter database provides potential names of incarcerated felons.
- Felon's names are sent to County Attorney for review.
- If County Attorney verifies incarceration, voter is changed to cancelled status.
- Run this report prior to election.



Voter List Maintenance



QUESTIONS?

Rejected Ballots & Fraud



What is a rejected ballot?



Rejected Ballots & Fraud



- Rejected ballot statuses for absentee & mail ballots:
 - Signature missing
 - Signature mismatch
 - Ballot received too late

Sign Here X _____
Signature of Elector

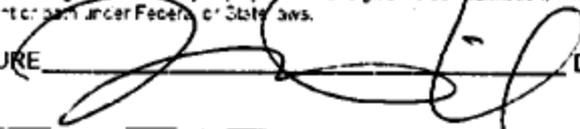
Date

Rejected Ballots & Fraud



- Signature Mismatch

14. VOTER DECLARATION (Read and sign below.)
I swear/affirm that: a) I am a U.S. citizen; b) I will be at least 18 years old on or before the next election; c) I will have resided in this county for at least 30 days before the next election; unless I am exempt under 13-C-514-2 MCA; d) I am neither in a penal institution for a felony conviction nor found of unsound mind by a court; e) If I do not now meet these qualifications, I will by the next election; and f) I have provided true information to the best of my knowledge, under penalty of perjury. If I have given false information, I may be subject to a fine or imprisonment or both under Federal or State laws.

15. SIGNATURE  DATE 10/22/08

2008

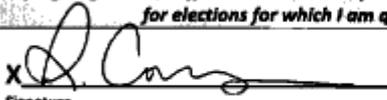
APPLICANT AFFIRMATION
I affirm under penalty of perjury that the information on this application is true, that I am qualified to be an elector in the State of Montana, that I am not serving a felony conviction in a penal institution nor have I been found to be of unsound mind by a court. If I have given false information on this application, I may be subject to a fine or imprisonment, or both under Federal and/or State laws.

Signature*  Date* 8/31/11

or county Use only
State Senate House Precinct / Split Ward School

2011

By signing below, I affirm that I have confirmed my mailing and/or residential address for elections for which I am qualified from February 1, 2016 through the date of this application.

X  _____
Signature Driver's License # OR Last 4 SSN _____
Phone # in case the office needs to contact you _____ Email (optional) _____

2016

Rejected Ballots & Fraud



- **A.R.M 44.3.2716 Signature Verification Procedures**

(2) The ultimate test in signature verification is whether or not officials are convinced that the individual signing the affidavit is the same as the one whose name appears on the registration card. In making their determination, officials may include consideration of factors like:

- (a) whether the capital letters match;
- (b) whether letters tail off similarly;
- (c) whether letter spacing is similar;
- (d) whether the overall appearance is substantially similar; and
- (e) whether the relationship of the signature to the signature line is similar.

(3) Signatures are not required to be identical in either form or content. It is sufficient if a substantial similarity exists, so long as officials can determine that the signatures are the same individual. So, the use of a common name abbreviation, or substituting an initial in place of a first or middle name, will not necessarily invalidate the signature.

(4) The official shall check and initial each envelope if so required by administrative procedures, as the signature is verified.

Rejected Ballots & Fraud



- If you have a change in signature, fill out a new voter registration form!
- If you are a voter with a disability and signing is challenging, a thumb print, “X”, or stamp are permissible.
- If you are unable to sign, you can designate someone as your agent. Requires special form and witnesses – coordinate with our office for this request.

Rejected Ballots & Fraud



- Improvements to Affirmation Envelope
- Signature portion circa 2014

I understand that attempting to vote more than once or signing someone else's name is a violation of Montana election laws. I further understand that failure to complete the signature information below may invalidate my ballot.

Absentee List – By checking the box, I understand that I will be mailed an absentee ballot for applicable elections that I am qualified to vote in, as long as I reside at the address on my current voter registration application, and as long as I complete and return a confirmation notice mailed to me by the county election office.

I, the undersigned, hereby affirm that:

- I am registered to vote in Montana (or that I am entitled to this election because of special provisions in law);
- I am the person to whom this ballot was issued;
- I have not voted another ballot for this election; and
- The address listed on this envelope is my correct mailing address (or if it is not, my correction mailing address is):

Sign
Here X

Signature of Elector

Date

Rejected Ballots & Fraud



- **Signature portion 2015 to date:**

REASONS WHY YOUR BALLOT COULD NOT BE ACCEPTED:

- No signature, or a signature that does not match the voter profile.
- Late return. Your ballot arrived after 8:00 p.m. Election Day.
- If additional voters' ballots are placed in the return envelope, none of the ballots will be counted.



Mail your ballot early and allow for any added postal delivery times.

POST MARK DATE DOES NOT COUNT

Your ballot must be received by 8:00 p.m. Election Day by the Missoula County Elections Office.



**I understand that attempting to vote more than once or signing someone else's name is a violation of Montana election laws.
I further understand that failure to complete the signature information below may invalidate my ballot.**

FOLD -----

I, the undersigned, hereby affirm that:

- I am registered to vote in Montana (or that I am entitled to this election because of special provisions in law);
- **I AM THE PERSON TO WHOM THIS BALLOT WAS ISSUED;**
- ~~I have not voted another ballot for this election, and~~
- The address listed on this envelope is my correct mailing address (or if it is not, my correction mailing address is):

Sign
Here **X**

Signature of Elector

Date



Rejected Ballots & Fraud



- What the law requires for Election Administrators to do with rejected absentee/mail ballots:
 - MCA 13-15-107 **Notice To Elector -- Opportunity To Resolve Questions**(1)... give notice to the elector by the most expedient method available if they determine that the voter's ballot is:
 - In question, unable to verify signature, or is considered a provisional ballot.
 - Voter has the option to resolve by requesting a replacement ballot or completing a signature verification form.
 - If elector is unable to resolve by 8:00 p.m. on Election night, the ballot is given a “provisional ballot” status.

Rejected Ballots & Fraud



- **MCA 13-12-107 Provisional Ballots**
 - Voters have until 5:00 p.m. the day after the election to resolve their rejected ballot.
 - If able to resolve, the ballot will be counted at 3:00 p.m. the Monday following the election.
 - If not able to resolve, the voter will receive another letter indicating the reason why their provisional ballot was rejected and that it did not count towards the election.



Rejected Ballots & Fraud



- **13-13-245 & 13-15-207 is the extent of the law when handling rejected ballots.**
- **There is no SOS guidance in handling these ballots any differently than what the law instructs.**



Rejected Ballots & Fraud



June 23, 2017

Corey Stapleton
Montana Secretary of State
PO Box 202801
Helena, MT 59620

Secretary Stapleton:

A recent letter to the editor published in the Missoulian from the Secretary of State suggested Missoula County is not investigating voter fraud because they do not investigate every absentee/mail ballot signature issue as voter fraud. This is the practice not only in Missoula County, but in all counties, based on § 13-13-241, § 13-13-245, and § 13-15-107, MCA, and the training we have received from previous Secretaries of State. If the new Secretary of State finds that we are not following the law, and that this amounts to voter fraud, we request new information and training from the Secretary of State's office. We believe that under Montana Law, the Secretary of State has significant duties regarding mail ballots, voter fraud, and ensuring that county election administrators receive proper training in order to maintain uniformity in the application of Montana's elections.

Rejected Ballots & Fraud



- What is fraud?
- Black's Law Dictionary:
Fraud consists of some deceitful practice or willful device, resorted to with intent to deprive another of his right, or in some manner to do him an injury.
- <http://thelawdictionary.org/fraud/>

Rejected Ballots & Fraud



- **Do we have fraud in Missoula County?**
- **99.9% of the time, the system works.**
 - Voters are notified on the status of their ballot when:
 - ✦ Rejected
 - ✦ If provisional ballot was counted or not
 - They can view voter information via MyVoterPageMT.com
- **As long as humans are involved, there will be human error.**

Rejected Ballots & Fraud



“There's a big difference between a non-compliant or invalid or technically illegal signature, which itself is not a crime, and voter fraud, which is an attempt to manipulate the outcome of an election through criminal means. It is not the way our Constitution addresses our right to vote to assume that when someone makes a mistake that they're breaking the law..”

Johnstone has worked as the solicitor for the State of Montana as well as held the position of assistant attorney general where he argued cases on behalf of Republican Secretary of State Brad Johnson. He now teaches constitutional law and election law at the University of Montana. <http://mtp.org/post/um-law-professor-talks-recent-voter-fraud-allegations>

Rejected Ballots & Fraud



QUESTIONS?

Support Elections



- Even numbered years we recruit and train election judges.
- Missoula County has 28 polling places.
- In order to support 28 locations, same day voter registration and the counting center, we need to recruit **800 election workers**.



Support Elections



- Training is held in February 2018
- 65 or more Polling Place Managers
- 700+ Election Workers
 - Counting Center Judges
 - Polling Place Judges
 - Equipment Testing Judges
 - Staging Crews
 - Delivery Judges
 - Ballot Pick Up Judges
 - Greeters



Support Elections



- **Election Aides**
 - Register Voters
 - Issue Ballots
 - Offer great Customer Service!



Support Elections



- **Election Advisory Committee**
- **Membership:**
 - Four citizens at large, including the alternate, appointed by the County Commissioners
 - One appointed member will be a person with extensive knowledge regarding the application of the Americans with Disabilities Act (ADA).
 - One Missoula County employee, appointed by the County Commissioners
 - One Democratic Party representative and alternate
 - One Republican Party representative and alternate
 - One Commissioner will serve as an ex-officio member of the committee

Support Elections



- EAC meetings, archived documents, future agendas, membership information, and more!

www.MissoulaVotes.com

The screenshot displays the website's navigation menu on the left and the main content area on the right. The navigation menu includes sections for 'ELECTIONS OFFICE' and 'ELECTION ADVISORY COMMITTEE'. The main content area features the title 'ELECTION ADVISORY COMMITTEE', social media sharing options (Tweet, Like 31), and a section titled 'What is the Election Advisory Committee?' with a descriptive paragraph and a bulleted list of board membership details.

ELECTIONS OFFICE

- Election Toolkit
- ▶ Candidate Information
- Contact Us
- Current Election
- ▶ Ballot & Voting Information
- Document Library

ELECTION ADVISORY COMMITTEE

- EAC Calendar
- Election Advisory Committee Survey
- Elections Center
- ▶ Election Judge Information
- Election Maps
- Election Results
- Frequently Asked Questions
- Redistricting

ELECTION ADVISORY COMMITTEE

[Tweet](#) [Like 31](#) Font Size: [+](#) [-](#) [Share & Bookmark](#) [Feedback](#) [Print](#)

What is the Election Advisory Committee?

The Election Advisory Committee serves as a public liaison between the voters of Missoula County and the Board of County Commissioners and Election Administrator. The committee is structured as so:

Board Membership

Consists of seven voting members and three alternates; limit of three consecutive three-year terms.

- Four citizens at large, including the alternate, appointed by the County Commissioners
- One appointed member will be a person with extensive knowledge regarding the application of the Americans with Disabilities Act (ADA).
- One Missoula County employee, appointed by the County Commissioners
- One Democratic Party representative and alternate
- One Republican Party representative and alternate
- One Commissioner will serve as an ex-officio member of the committee

Support Elections



QUESTIONS?

Voting Statistics



- **11/03/2015 Municipal Election**

Mail Ballot Election

On the Ballot:

City Council Member

Races

Frenchtown Levy

MCPS Bonds

Overall Voter Turnout:

26%

Age Group	Count	Turnout %
18-24	1056	4%
25-34	2463	8%
35-44	3849	13%
45-54	4811	16%
55-64	7380	25%
65-74	6665	22%
75-84	2806	9%
85-94	918	3%
95-104	81	0.3%

Voting Statistics



- **05/03/2016 School Election**

Mail Ballot Election

On the Ballot:

Trustee Races

Desmet Levy

Lolo Levy

Overall Voter Turnout:

15%

Age Group	Count	Turnout %
18-24	273	3%
25-34	721	7%
35-44	991	9%
45-54	1282	12%
55-64	2522	24%
65-74	2947	28%
75-84	1388	13%
85-94	494	5%
95-104	45	0.4%

Voting Statistics



- **06/07/2016 Federal Primary**

On the Ballot:

Federal Races

State Races

Local Races

Overall Voter Turnout:

42%

Age Group	Count	Turnout %
18-24	2040	6%
25-34	4296	13%
35-44	4241	12%
45-54	4535	13%
55-64	7438	22%
65-74	7303	21%
75-84	3123	9%
85-94	1000	3%
95-105	99	0.3%

Ballots Cast	Democrat	68%
	Republican	32%

Voting Statistics



- **11/08/2016 Federal General**

On the Ballot:

Federal Races

State Races

Local Races

Statewide Initiatives

Library Bond

Cold Springs Site Selection

Overall Voter Turnout:

75%

Age Group	Count	Turnout %
18-24	6307	10%
25-34	10756	18%
35-44	9585	16%
45-54	9198	15%
55-64	11365	19%
65-74	9159	15%
75-84	3661	6%
85-94	1208	2%
95-105	106	0.2%

Voting Statistics



- **05/25/2017 Special Election**

On the Ballot:
US Representative

Overall Voter Turnout:
56%

Age Group	Count	Turnout %
18-24	2931	6%
25-34	6991	15%
35-44	7151	15%
45-54	6787	14%
55-64	9455	20%
65-74	8862	19%
75-84	3768	8%
85-94	1194	3%
95-106	111	0.2%

Method Ballots were Cast



Election	Polling Place	Absentee
Primary 2008	69%	31%
General 2008	55%	45%
Primary 2010	40%	60%
General 2010	57%	43%
Primary 2012	30%	70%
General 2012	35%	65%
Primary 2014	27%	73%
General 2014	39%	61%
Primary 2016	22%	78%
General 2016	28%	72%
Special 2017	23%	77%

Voting Statistics



QUESTIONS?

THANK YOU!

