

*TRAVIS COUNTY
REPUBLICAN
PARTY*

**BALLOT
INTEGRITY
TASK FORCE
GUIDE**

ELECTION 2006

Dear Election Judge;

Chairman Sager, in concert with the Republican Party of Texas, has formed the TCRP Ballot Integrity Task Force to insure that in Travis County the election is conducted with integrity, honesty and full transparency.

In addition to poll watchers who will observe Early, Mobile and Election Day Voting, a local Legal Response Team to field questions relating to election, he wanted to provide Election Judges with additional training and tools to assist them.

Historically, voting irregularities that occur on Election Day most often involve issues of voter identification (especially concerning Provisional Voting) and inappropriate voter assistance. The training and this pamphlet will address these issues. In addition there is a section on what kind of voting irregularities to look for and how to deal with abusive or disruptive poll watchers.

If you have any election related questions before Election Day, please contact me at 302-1776 or reeve@trcp.org and I will get them answered.

We appreciate the sacrifice of your valuable time to attend this training session.

Dave Reeve

TCRP Ballot Integrity Task Force

Provisional Voting (TAC 81.172)

(Inappropriate and misuse of identification is one of the most common voting irregularities that occurs on Election Day. The following is a “cheat sheet” that may be used to insure the Provisional Voting sequence is properly conducted)

Under what circumstances must a voter cast a provisional ballot?

- A Voter who claims to be properly registered and eligible to vote at the election precinct, but whose name does not appear on the list of registered voters and whose registration cannot be determined by the Voter Registrar.
- A voter who has applied for a ballot by mail (Mail-In ballot), but has not returned the Mail-in ballot.
- A voter who is required to present identification, but does not or refuses.
- A voter who is registered to vote, but is attempting to vote in a different precinct than the one the voter is registered in.
- A voter who votes during the polling hours that are extended (past 7:00 pm) by a state or federal court order.
- A voter who is on the list, but whose registered residence is outside the political subdivision.

Provisional Voter Affidavit (TAC 81.172): A person using the Provisional Voting Process must sign an affidavit swearing they are qualified to vote and are registered to vote.

Suspense Voting

Suspense voters are voters whose voting card has been returned to the County because they no longer live at that address. These voters can go to their polling place and vote, they must provide a real new address to vote.

[Note; it is estimated that nearly 20% of all registrants or over 100,000 people on the Travis County Voter rolls are Suspense voters.]

Whether the Suspense Voter must provide proof of the new address and what constitutes valid proof are questions that have been submitted for response. When I have an answer, I will email or call you with the correct information.

Dave Reeve

Quick Summary of the Provisional Voter Process

- ⇒ Voter presents valid personal identification, but does not appear to be eligible voter
- OR**
- ⇒ Voter does not present personal identification or refuses to produce it. (*Voter is permitted to vote, but the vote is not counted.*)
- ⇒ Election Judge calls the Voter Registrar to verify the voter's registration status.
- ⇒ Voter Registrar has no record of the voter or cannot be reached.
- ⇒ Election Judge completes the portion of the Provisional Ballot affidavit envelope.
- ⇒ Voter completes and signs the Provisional Voter affidavit envelope.
- ⇒ Provisional Ballot is placed inside a Secrecy envelope.
- ⇒ Secrecy envelope is placed inside the Provisional Ballot affidavit envelope.
- ⇒ Voter is informed by Election Judge of the Notice to Provisional Voter of the eligibility verification process.
- ⇒ Voter proceeds to booth to vote ballot.

HOTLINE TELEPHONE NUMBERS

Texas Secretary of State	1-800-252-8683
Republic Party of Texas	1-800-522-3401
TCRP Legal Hotline	
Joe Fulwiler	870-7533 (cell)
Roger Borgett	940-5908

Acceptable forms of personal Identification (TEC 63.009, 63.0101)

A drivers license/personal identification issued by DPS or similar document from another state

Identification that contains a photograph that establishes the persons identity.

Birth certificate or other document confirming birth that establishes the person's identity and would be admissible in a court of law.

US citizenship papers.

Official mail addressed to the person by name from a government agency.

Copy of a current utility bill, bank statement, government check, paycheck or other government document that shows the name and address of voter.

Any form of identification presented by the Secretary of State's office.

(Note: Because these items do not contains a photograph of the individual, they are the most susceptible to misuse and voting irregularities.)

Voting Irregularities to look for

Poll watchers making excessive challenges to delay voting process.
(intent here is to frustrate voters so they leave without voting.)

Sending large numbers of Provisional voters to delay the voting process.
(intent here is to frustrate voters so they leave without voting. NOTE: This happened in the 2004 Presidential Election.)

Sending large numbers of Provisional voters as a distraction *(intent here is to slip in individuals with no or false identification and have them vote normally-NOTE: It is suspected this happened in the 2004 Presidential Election. Several times voters arrived to vote only to find the record indicated they had already voted.)*

Verbally or physically disruptive voters creating a scene to distract the Election Judge *(intent is to again, slip in individuals and have them vote in place of other individual-also suspected to have happened in 2004. Example: voter arguing with the EJ about his/her status, refusing to remove campaign material, like a T-shirt or jacket with a candidate's name/picture, etc.)*

Voter "assistance" inappropriately aiding a voter *(most commonly used with senior citizens. Assistant will either tell voter to vote straight Democratic ticket or misinform them so they vote straight ticket.)*

Voters without photographic identification *(this is where a lot of "dead" people vote. Obituary notices will be scanned for registered voters who have recently died on the premise the TCED hasn't updated its' records.)*

Signs, posters, etc. giving inaccurate information *(intent is to confuse voters. In 2002 several rural precincts had signs posted saying the polling station had been moved. Voters were sent to the wrong polling station.)*

Media or purported campaign workers loudly and disruptively loitering beyond the 100 foot mark. *(Intent here is supposedly to interview prospective voters or to convince them to vote for their candidate, but actually to intimidate them-NOTE: I've never heard of this in Travis County, but the RPT says it happens elsewhere. NOTE: exit polling by legitimate journalists is permitted.)*

Voting Irregularity Complaint Form

Use this form for collecting information on a possible voting irregularity. Get as much information as possible, especially names/telephone numbers of witnesses, any identifying numbers (account numbers, ID numbers, etc.) Make sure to note the time of the incident. Remember...document, document, document! If necessary, use the back of this form.

Location of the Incident.

Precinct # _____ Address: _____

Names and information of witness _____

Names and information of those involved with the incident _____

Summary of the nature of the voting irregularity incident _____

Other relevant information _____

Name and Title _____

{Note: we have information that both the Democrat and Libertarians Party intend to use unusually large numbers of poll watchers, possibly to “flood” some polling stations. A Libertarian Candidate actually announced this during a TV newscast. What their motivation for this is unknown, but be aware you polling station may be one of those targeted.}

When a poll watcher presents him/herself:

1. Check that both the application and affidavit are complete and accurately filled out. Check especially that the polling station number and date are correct. *[PW's will sometimes travel from polling station to polling station using the same application.]*
2. Ask for identification. Check that the name on the ID is the same as that of the application and affidavit. *[If a PW is planning on being disruptive or otherwise behaving irregularly, he/she may not be using their real name.]*
3. Ask the Poll Watcher for his/her signature for comparison with the signatures on the application/affidavit.
4. If you are suspicious, ask for proof that the Voter Registration number on the application is correct and is the VR number for the individual presenting the application.
5. **An Election Judge can refuse to admit a Poll Watcher, but must provide written justification for that refusal. Incorrectly filled out paperwork, false credentials or disruptive behavior does constitute that justification.**
6. If you allow the Poll Watcher to retain his/her cell phone, make sure it is not the kind that allows for images to be taken. This kind of phone is a violation of TEC 33.051(c). *[I double checked with the RPT on this]*
7. Written notes made by a Poll Watcher may not be removed from the polling station while the polls are open. The PW may give the written notes to another individual of his/her selection for that purpose. *[TEC 33.056(d)]*
8. Keep the Poll Watcher's certificate.

What a Poll Watcher Can do:

- Witness the installation of the voting machines.
- Observe the securing of the voting system before the polling station opens.
- Have a mobile/cell phone at the *discretion* of the Election Judge.
- Sit/stand conveniently near the election officials to observe their activities
- Make written notes (only while on duty)
- Observe assistance given to votes by election officials
- Inspect the records prepared by the election officials
- Receive an English translation on any non-English communication between a voter and an election official
- Accompany the election officials in delivering the election results (can be done in a separate vehicle following the election official)
- Bring to the election official's attention any perceived voting irregularity

What a Poll Watcher Cannot Do:

- Wear a nametag
- Talk with an election official regarding the election
- Converse with a voter
- Communicate in any manner with a voter about the election
- Leave the polling station without having served five continuous hours and be readmitted.
 - a. Any courtesies rendered to an election worker such as restroom breaks, leaving for lunch, breath of fresh air, etc.
 - b. If one PW leaves before the 5 hours, a different PW from the same party may take his/her place.
- Reveal the following information before the polls close:
 - a. How an individual voted
 - b. Names of persons who voted/did not vote in the election.