



COMBATING VOTER FRAUD

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There is a lot of talk about voter fraud this year. Having learned of so much fraud by groups like ACORN in the last election, many are concerned that the problem will resurface in 2012. Several states have enacted or are working to enact laws to fight against voter fraud, like requiring a photo ID in order to vote. The Justice Department is fighting against the attempts to tighten up the election process, claiming these new laws are motivated by racism and are an attempt to prevent minorities from voting. The accusations are not gaining much traction since the vast majority of voters (even a solid majority of Democrats) favor requiring a photo ID in order to vote.

We applaud these efforts to enact legislation that will protect the integrity of our election system and encourage you contact your state legislators and ask that they do all they can to protect against fraud in the election process. In addition, there are other ways that you can get involved to combat voter fraud. At the very least, you need to be informed about how voter fraud occurs and be attentive to what is going on at your polling place when you go to cast your ballot. You can also volunteer to be a poll watcher to watch for fraud at a polling place.

What is Voter Fraud?

The first step in fighting voter fraud is to understand exactly what it is. Voter fraud is the illegal attempt to interfere with the process of an election with the intent of changing the outcome. The different methods for increasing or decreasing the number of votes for a particular candidate can be broken into two groups: voter registration fraud and vote fraud. For the purposes of this document we will focus on vote fraud but will give some basic coverage to voter registration fraud.

Voter registration fraud is registering yourself or another individual to vote when the individual being registered is ineligible to vote. The most common ways to commit voter registration fraud are:

- Submitting a voter registration card for a fictional person. The fictional name on the card can be a recognizable name like “Clark Kent” or can be randomly selected.
- Submitting a voter registration card for a real person without that person’s consent. In the 2008 election, ACORN submitted registrations in Nevada for the starting lineup of the Dallas Cowboys.
- Submitting a voter registration card with your real name in a precinct where you are not eligible to vote. This is most often done in order to allow an individual to vote multiple times in the same election.
- Submitting a voter registration card for someone who is ineligible to vote. This type of fraud includes registering underage individuals, felons or deceased individuals.

If you are aware or suspect voter registration fraud is occurring, contact the Board of Elections for your area. You should report fraud even if you believe it has already been reported. Multiple reports of suspected voter fraud are given more serious consideration.

Vote fraud is illegally interfering with the process of an election. The most common ways to commit vote fraud are:

Fraudulent vote

Casting a ballot using a fraudulent voter registration, either at a polling place or using an absentee ballot. In some states, there must be verification of the signature on absentee ballots. Some states have a review process that is open to the public that allow for scrutiny of the signatures. Find out how your state processes absentee ballots and what the process is to verify their authenticity. Absentee ballots that were “discovered” after the election have been used to change the outcome of an election in recent years.

Voter Intimidation

Voter intimidation is putting undue pressure on a person or group to vote in a particular way or not to vote at all. Voter intimidation can happen at a polling place. For example, in Philadelphia in 2008, members of the New Black Panther Party stood outside a polling place dressed in military gear. One of the members carried a nightstick. They tried to intimidate individuals they believed would vote in a manner contrary to their views. If you see intimidation at a polling place, contact your local police immediately.

Voter intimidation can also be efforts to convince people they are not eligible to vote, or an economic threat such as an employer threatening workers with disciplinary action if they don't vote according to the employer's instructions. If you are aware of intimidation of any kind, notify your county Board of Elections or the office of the Secretary of State for your state.

Commands to Vote

Poll workers cannot tell an individual how they should vote. If you see this happen, get the name of the poll worker and report the abuse to their supervisor. If there is a poll watcher available at your polling place, you can report the abuse to that individual as

well. Poll workers can assist an individual in casting a ballot if the individual requests assistance. The worker can even push the buttons or fill out the ballot for the individual as long as the worker is following the voter's instructions.

This type of abuse has occurred in the past with absentee ballots in nursing homes. Workers come to the home before the election to hold a voter registration drive. They later return to “help” the residents fill out their ballots. This is legal and even commendable if the workers don't try to influence the way a person votes. Workers can even fill out the ballot for the individual, following their instructions. If you are aware of workers instructing or otherwise trying to influence how the person votes, document the event to the best of your ability, get the name of the individual applying undue influence and report the incident to your county Board of Elections or to the office of the Secretary of State for your state.

Vote Buying

It is illegal to pay another individual to vote in a particular way. In the past few years, there have been numerous indictments for vote buying in several states. In some cases, the payment is not in cash. There are reports of aggressive ACORN activists in Cleveland paying a man in cigarettes to vote multiple times. During a recent election in Virginia, there were reports of votes being paid for in pork rinds. No matter what the form of payment, vote buying is illegal and should be reported to the election judge or other poll worker at the polling place immediately. If not properly handled, it should be reported to the county Board of Elections or to the office of the Secretary of State.

Campaigning Near Poll

Laws vary from state to state on how far away from a polling place one must be to post signs, distribute election literature and other electioneering, but all states restrict these practices close to the polling place. Generally, you must be at least 25 feet away from the building's entrance, in some states it is significantly farther.

Discussing the election inside the polling place is also not allowed. Voters should not discuss who to vote for while standing in line. Most states now prohibit making calls from inside a polling place so that people will not be instructed how to vote over the phone. If you see any of these activities taking place, report it to the election officials at the poll while it is happening.

Provisional Ballots

In 2002, President Bush signed into law the Help America Vote Act. One of the elements of the act is provisional voting. If a voter's eligibility is called into question, he must be given a provisional ballot. Before the vote ballot can be counted, the eligibility of the voter must be verified. If a regular ballot is issued when circumstances require a provisional ballot, the situation should be brought to the attention of the election judge and/or a poll watcher. Circumstances that would require a provisional ballot would include:

- Voter's name is not on electoral roll for that precinct
- Voter's registration contains inaccurate or out-of-date information
- Electoral roll shows voter's ballot has already been cast
- Unable or refusing to show a photo ID (in states that require one)

Poll Watchers

Poll watchers are important in maintaining the integrity of the voting system. Each polling place should have a poll watcher from each party to watch for abuse. Because they are deterrents to voter fraud, poll watchers are sometimes the recipients of intimidation by those who would engage in voter fraud. No quarter should be given to anyone attempting to intimidate a poll watcher. If you see a poll watcher being intimidated, do your best to get names, license plate numbers and physical descriptions of the intimidators. If state law allows, use your cell phone to video the incident.

Voter laws vary from state to state. Below is a general outline of what a poll watcher can and cannot do. To find the specific regulations for your state, visit the website for your state's Secretary of State. To find out more about volunteering to be a poll watcher, contact your party's county or state office.

Poll watchers must be allowed to:

- Observe all election activities performed by election judges and clerks.
- Make written notes to document names, times and locations of any concerns. The Presiding Judge can require a poll watcher to leave notes inside the polling place if he leaves while the poll is open. The poll watcher has the right to choose another worker to keep the notes in his absence.
- Point out to an election judge any concerns or possible violations of state voter laws.

- Observe assistance given to voters by election officials.
- Inspect records prepared by election officials.
- Witness the securing of voting system equipment when the polls close.

Poll watchers must not:

- Wear a nametag
- Wear anything promoting or opposing any party or candidate

- Watch a voter cast a ballot unless the voter is being assisted by an election official

- Talk with other poll watchers while the election is in progress

- Talk or communicate in any way with a voter regarding the election

These are just a few of the ways that you, as a voter, can get involved in the process of insuring the integrity of our election system. In order to keep the freedoms we have been given, we must all remain informed, observant and vigilant.

