

Uniformity in Election Administration: A 2008 Survey of Swing State County Clerks Missouri Edition

By Allison McNeely and Adam Fogel
August 28, 2008

Introduction

The Democracy SOS Project is aimed to increase transparency in election administration and monitor actions of election officials, starting with Secretaries of State. This report is a compilation of the results of surveying county clerks in 10 “swing states” during the 2008 presidential election. FairVote staff and interns surveyed nearly every county clerk in Missouri, New Mexico, Colorado and Pennsylvania, as well as election officials in counties with at least 500,000 residents in Ohio, Florida, Minnesota, Michigan, Virginia and Wisconsin.

We asked questions designed to shed light on the practices of the county, as well as their interpretation and compliance with state law. We asked questions regarding the allocation of voting machines and poll booths in order to assess the county clerks’ preparedness in ensuring that there would not be long lines and everyone would be able to vote on Election Day. We asked every county clerk if they planned to put together a written allocation plan of their machines/booths, to assess if these plans have been well thought out. We inquired as to when draft and final versions of the ballot would be ready to assess their clarity and to ensure the public has time to review the ballot before Election Day, which helps cut down the amount of time voters spend in the voting booth. Finally, we asked about the number of post-secondary institutions in each county and if they had on-campus polling locations to evaluate accessibility for youth voters.

In total, there are 117 counties in Missouri and FairVote was able to speak with all but 7 of the county clerks. The counties we were unable to reach were Barry, Cole, Greene, Pemiscot, St. Charles, Texas and Wright.

Type of Voting Equipment and Number per Precinct

The first question we asked each county clerk clarified the voting equipment used in the county as well as the number of machines per precinct. We looked up the machines used in each county and whether or not they had central or precinct-based count on the website *verifiedvoting.org*, and then compared the information to responses by the county clerks. Each county clerk in Missouri was able to successfully tell FairVote which types of voting equipment they used and the number of machines per precinct. The most common types of machines used are the optical scan and the DRE touch screen for accessible voting. Generally, each county had one optical scan and one DRE per precinct. However, some only have one optical scan machine for the entire county and centrally count their ballots. A few counties opted to use the Automark, an accessible ballot marker instead of the DRE touch screens.

Voting Equipment Used in Missouri

	Optical Scan	DRE Touch Screen	Automark
Number of Counties*	102	94	16

*Out of 110 surveyed

Missouri’s Help America Vote Act (HAVA) State Plan has different numbers for the allocation of voting equipment across the state. According to the plan, there are 70 counties that have optical scan, 7 that have scanners at every polling place in each precinct, 23 counties that have precinct scanners at some polling places, and 40 which use a central count optical scan. These numbers differ quite dramatically from FairVote’s numbers collected by calling county clerks, which immediately highlights the differences between elections as prescribed at the state level and the reality of the local level. It is also possible that the state’s HAVA Plan is out of date and therefore our numbers differ from the state.

Allocation of Poll Booths in each Precinct

FairVote’s next question sought to address how county clerks determine the number of poll booths needed for the upcoming Presidential election. This question was difficult for many county clerks to answer due to the upcoming August state primary; they were not thinking that far ahead.

“I don’t know, we just put what we always put” and “no rhyme or reason” for booth allocation, according to two county clerks.

In general, county clerks cited experience, past voter turnout, current voter registration, and precinct population most frequently as factors that they use to determine the number of booths needed. Some of the less promising responses included, “I don’t know, we just put what we always put,”¹ there is “no rhyme or reason”² for booth allocation, and that booths are

¹ Mercer County Clerk

² Nodaway County Clerk

stored at the polling location, therefore the same number are used every time. Several county clerks also mentioned their use of cardboard tabletop dividers to help manage lines; they can easily create another set of booths using dividers and a long table if needed.

On the whole, not a single county clerk surveyed could refer to a specific scientific formula that they used for calculating the number of booths needed. They did make reference to empirical data such as past voter turnout or current voter registration, but they did not specifically say how they used such numbers to determine an effective allocation. A few county clerks did mention slightly more concrete numbers. For example, the clerk for Howell County said he allocates 1 booth for every 77 voters and the clerk for Jefferson County said he allocates 1 booth for every 150 voters, but these responses were rare.

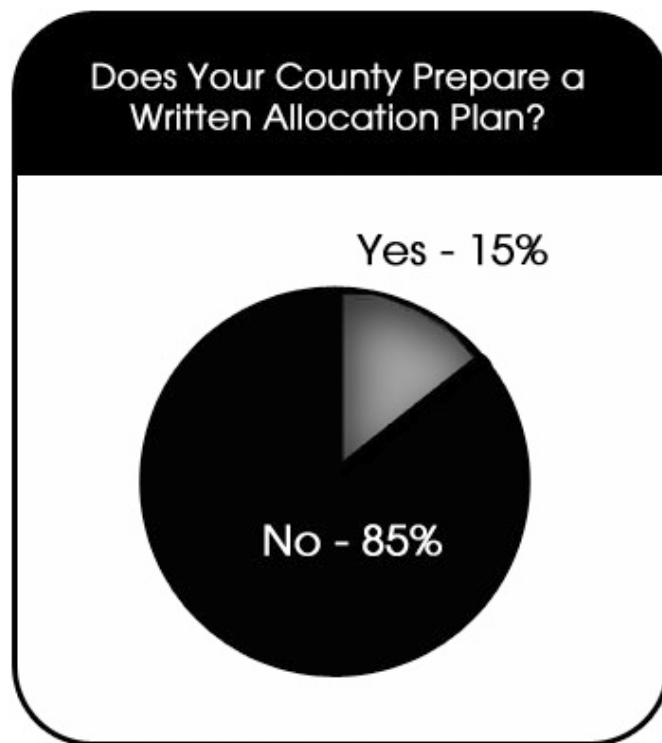
Missouri state law dictates the number of ballots to be printed for elections based on the number of registered voters in a given county, but it does not give any concrete direction about the number of booths required.

Written Allocation Plan

FairVote surveyed county clerks as to whether or not they would be preparing a written allocation plan of their poll booths for the upcoming November election as a means of gauging their organization and planning for the election. The plan would simply state how many poll booths each polling location in each precinct would receive on Election Day.

Our survey found that the majority of county clerks did not have a written plan for poll booth allocation, nor were they going to draft one. Out of 110 county clerks surveyed, only 17 were expecting to create a written booth allocation plan.³ Furthermore, many of the counties that were preparing a plan were not going to have it ready well in advance of the election.⁴

The most common reasons cited by county clerks for not creating a



³ Adair, Benton, Hickory, Jackson, Johnson, Laclede, Linn, Livingston, Macon, Moniteau, Morgan, Ray, Ripley, St. Louis City, St. Louis County, Taney, and Vernon County Clerks

⁴ Adair, Benton, Laclede, Linn, Livingston, Macon, Ripley, Taney, and Vernon County Clerks

written allocation plan were that the allocation of booths is based on what’s been done in the past and that the booths are stored at polling locations, so allocation does not change.

Readiness of Rough and Final Drafts of the Ballot

FairVote asked county clerks when the rough and final draft of their ballot for the Presidential election would be ready as a means of understanding their election planning timeline, as well as to find out when we would be able to see a copy of the ballot to evaluate its clarity. We wanted to determine which ballots were made available to the public for comment and which ballots went through multiple drafts or edits. In addition, giving voters the opportunity to see the ballot before Election Day encourages them to prepare to vote. This preparation leads to voters spending less time in the booth, which in turn leads to shorter lines on Election Day.

In general, we found that many clerks were confused by the concept of a rough draft. It appears that many county clerks send the information for their ballot to the printer after

Nine out of 110 county clerks could not tell FairVote when their final ballot for the Presidential Election would be ready.

the certification date and then receive their ballots anywhere from a week to a month after they are submitted. They consider these to be the final version of the ballot. Those clerks that did understand the difference between a rough and final draft of the ballot were vague as to when a rough draft would be ready. Responses ranged from “after the certification date”⁵ to “in

September.”⁶ Some clerks did not know at all.⁷ It is also possible that clerks did not understand the concept of a rough draft of the ballot because they only printed their ballots once.

In general, county clerks were aware of when the final draft of their ballot for the Presidential election would be ready. Most county clerks said that their ballots would be ready by the start of Absentee Voting (September 23rd) or 6 weeks prior to the general election, which is around September 23rd. Twelve county clerks gave answers different than those just mentioned, ranging from two weeks after certification to the start of October.⁸

However, there were nine county clerks who could not tell FairVote when their final ballot would be ready. These counties are St. Louis City, Jasper, St. Genevieve, Stoddard, Laclede, Maries, Carter, Ozark, and Saline.

⁵ Cooper County Clerk

⁶ Maries County Clerk

⁷ Adair, St. Clair, Crawford, Dent, Harrison, Howard, Callaway, Monroe, Nodaway, Oregon, Osage, Pike, Platte, Jasper, Jackson, St. Genevieve, Stoddard, Miller, and Carroll County Clerks

⁸ Kansas City, Moniteau, Lincoln, Pulaski, Knox, Camden, Pike, Madison, Randolph, Dallas, Stone and Phelps County Clerks

College Campuses and Polling Locations

The final question in FairVote's survey was intended to determine which counties had a post-secondary institution, and whether or not there was a polling place on campus. We were curious about the placement of polling locations on campus because in recent election cycles, on-campus polling locations have had the longest lines in the country. Voting should be as accessible for young people as it is for older voters.

Only 9 out of 39 counties with post-secondary institutions are planning on putting a polling location on campus.

Of the 110 counties surveyed, 39 had a university, college, community college or junior college. Of the 39 that had a post-secondary institution, only 9 counties reported that they had a polling location on campus.⁹

The rationale clerks gave for placing polling locations on campuses is worth reporting. Some counties reported that they placed polling locations on campus not for the benefit of students, but simply because of their location within the precinct, and it just so happened that the campus was a central point.¹⁰ Newton County reported that they previously put a polling place on each of the campuses of their colleges and community colleges, however they removed them due to voting concerns for the elderly. Poll workers deemed them inaccessible and inconvenient for elderly voters. Finally, not all institutions in St. Louis City will have polling locations on campus; according to the county clerk, it just depends on what is on the ballot in November.

Conclusions

FairVote has come to the conclusion that in the state of Missouri, there is much work to be done to create uniform standards for the conduct of elections at the local level.

For one, voting machines specifications should be standardized across the state. There are numerous issues that can and likely will arise from a lack of standardization of voting equipment such as faulty programming and use, lack of accessibility, and concerns over legitimacy of the results. The Secretary of State should require that all counties use the same voting machines for every election in their county.

Second, a standard formula for the allocation of voting machines and poll booths should be implemented. All county clerks should prepare written allocation plans so that they are able to accurately and effectively communicate their election plans to poll workers. FairVote believes that the lack of written allocation plans in the vast majority of Missouri counties, as well as the responses given for the rationale behind poll booth allocation, demonstrate insufficient preparation for the upcoming election. County clerks should be

⁹ Adair, Franklin, Grundy, Jackson, Kansas City, Nodaway, Phelps, Randolph, and St. Louis County Clerks

¹⁰ Kansas City, Nodaway, and Phelps County Clerks

required to draft a written allocation plan for poll booths, to be finalized by a specified date well in advance of the election.

FairVote believes that all county clerks should receive a draft of their ballot before printing a final version. This draft should be available for scrutiny by NGOs and public interest groups, and also so that voters are able to see at least a draft of the ballot before Election Day. The state should establish and widely known release date for copies of the draft and final ballot, so that it may be scrutinized and properly understood by citizens and voters.

Finally, institutions of higher learning should have polling locations on campus and students should not be subjected to allocation decisions that discriminate against them. FairVote is concerned that the needs of one voting group were placed above another and that poll locations will be determined by what issues are on the ballot. We believe that accessibility for all voting groups, the number of registered voters in each precinct and other neutral factors should determine poll locations.

Acknowledgements

Without the hours spent calling hundreds of local election officials, this project would not have been possible. FairVote would like to thank our great summer 2008 research team for making this project a reality. Researchers include: Ekua Boateng, Tyler Brannon, Charles Butler, Jonah Gold, Annie Johnson, Kathryn "Ryan" Lee, Allison McNeely, Jennifer O'Dell, Allison Oesterle, Erin Pauling Steven Risma and Daniel Weaver.

Special thanks to Tova Wang of Common Cause and Eddie Hailes of the Advancement Project for their advice and support from the inception of this project.

Thanks to former FairVote staff Ryan Griffin and intern Vincent Vecchione for their work early on in the project. Thanks to FairVote's program director David Moon for conceiving this project in 2006.

Thanks to Democracy Fellow Tara J. Young, who worked tirelessly recruiting our coalition partners. Our national partners include: People for the American Way, New America Foundation, The Advancement Project, Common Cause, Demos, America Association of People With Disabilities, The Praxis Project, and Progressive States Network.

This report was made possible through support from the Herb Block Foundation.



FairVote
6930 Carroll Avenue
Suite 610
Takoma Park, MD 20912

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