

## VOTING EARLY, VOTING EASILY, VOTING SAFELY

With Deb Markowitz, Vermont Secretary of State

ARSHAD HASAN: As we usually do in the beginning of the call, we start off with who we are and how this works. First of all, how this works. Our presenters are going to go over the slides. And we'll try our best to say the number of the slide that we're on, which you can see at the bottom corner of your screen there. As we go over our presentation, you can send questions in at any time.

You don't have to wait for the stops in the presentation, and we'll get to those questions as best we can. Afterwards we can continue this discussion on our blog, which is available on DFA links. That's the program you used to sign up for this call. The blog is [www.dfalinks.com/nightschool](http://www.dfalinks.com/nightschool). You can continue the conversation there. If you haven't joined the nightschool group, I encourage you to do so after the call.

Well then we will get started. So this is the DFA nightschool. For those of you who have been on the call, you know how this goes. The DFA Training Academy is a program that trains and focuses networks and activists all across the country. It helps people run campaigns, run organizations, run their precincts, do what they can do increase their voter participation in progressive politics all over the country. The DFA nightschool program is the online extension of that.

We can go to a bunch of different states across the country and a bunch of different location. The Training Academy has been to 16 different places and three conventions across the country, but we haven't been everywhere. The DFA nightschool allows us to do that online all 50 states. We have someone from Alaska on the call—that's great, because we haven't been to Alaska yet. So until we can get to every state, we're going to do the DFA nightschool. This is a service provided free to you. And we can do that because of the dedication, commitment and generosity that you have shown DFA over the years.

And if you go to slide 2, you can see who we are. If my voice seems familiar it's because you've been on the call before. If not, I'm the training director for the DFA Training Academy. Also on the call is Deb Markowitz, who is the Secretary of State right here in Vermont. She's also the president of the National Association of Secretaries of State. Deb, can you tell us in a couple of sentences what that is?

DEB MARKOWITZ: Well, the National Association of Secretaries of State is essentially the professional association for the Secretaries of States across the country. And it's a way for us to kind of get a sense of who's doing what, instill some new ideas that we see from around the country, but also talk about issues that have a common interest to us. You know, on how to run our elections better; we learn from each other's mistakes and so forth. And it's really a terrific organization, particularly now when there's so much focus on how we run our elections and the whole election reform really revolution that we've had since the 2000 election essentially.

AH: We're going to learn a little bit more in just a few slides on how to get some of that information. Let's move on and get into the presentation. Let's go to slide 3. I want to preface tonight's discussion with a quick disclaimer. Elections laws and regulations vary from state to state and even from county to county. Different county clerks have different levels of discretion. The federal constitution gives the power to regulate and administer elections to the states. And the states in turn give much of this administrative authority to the counties and towns.

I was just this weekend helping out with a state senate primary candidate. We had a recount, and guess who the person in charge was? It wasn't the governor, it wasn't the president, it was the town clerk. She was the boss—the county clerk, actually. And so the whole recount had to go by her rules. The town clerks and the county clerks are going to be the same in that respect. So wherever you live, they're the ones who are in charge. They're the boss, period, in many instances. So you want to get to know your local regulations as well as your election officials.

We're going to get a little technical here in the presentation coming up. But mostly what you're going to need to do is figure out how to apply these lessons that we teach generally to everyone in all of your different states—in Alaska, in Missouri, in California, Florida, New Jersey—all the people who are on the call today. You're going to have to figure out what laws and regulations apply to you.

That said, the goals for this call are to figure out the importance of early voting in your district. Figure out the different methods of early voting and which of these apply to you, and incorporate early voting into your campaign or into your volunteer project if you're volunteering within your precinct.

Let's move on to the next slide, slide 4. The bottom line is that we want to maximize the number of people who cast their vote before election day. Why? There are actually multiple reasons or reasons on multiple levels. Certainly for the voters, certainly for the election, and certainly for the campaign. For voters, voting early can be enormously convenient. A voter can fit voting into his or her own schedule and possibly even the convenience and privacy of his or her own home if it's a mail in. And there will be fewer persistent calls from campaigns, because once you've already voted the campaign can check and they know that they don't need to reach the voter anymore. They have accomplished their goal with that voter.

The voter can avoid long lines potentially and avoid any of the administrative or technical snafus which occasionally do arise on election day. If any of you have volunteered on campaigns, particularly in areas that are overwhelmed by high turnouts or other factors that can affect the election, you know how discouraging it is for a voter to either stand in a long line or be denied the vote because of some sort of technical mix-up. Early voting allows the voter to either avoid it or give the voter a great deal more time to figure it out. So with early voting we can avoid the bottlenecks, the lines, last-minute

changes, broken machines. Because of this, there's often less opportunity for large-scale voter suppression tactics that campaigns have sometimes been known to use.

Early voting also frees up the voter for volunteering on election day. And this is critically important. We're going to see this on the next week's session on getting out the vote. Volunteers are too important to be wasting time negotiating a polling station. To give you a quick example, I know of a very smart kid who went to a smart kids school who is the GOTV coordinator for his school. So his job was to register and get out the vote for students, a population that traditionally does not vote in that district a great deal. And this student did a great job. He got 700 people to register to vote and he was getting volunteers at every single polling station on the campus and even the polling stations around the campus.

And when it came for the student's time to vote, he couldn't. He went to the first polling station and was told he was not able to vote there. He went to a second polling station; he went to a third polling station. He finally went back to the first polling station and said, "Oh yeah, I still live in this location," which was not entirely true. But that's the only way that he could get to vote. It took him three hours to vote. This was a smart kid. That kid was me. If I had actually voted ahead of time, I would have been able to do my job, which was the GOTV coordinator at my school, and not waste my three hours. Similarly, for all of those volunteers out there that we get out there that we get out on our campaigns, we want to make sure that they're getting put to the best use possible. If we can get them for all of election day, we want them for all of election day.

Second, voting early important to the election and the election process. Mail-in voting is proven to increase turnout and the states that have generous early mail-in ballots—and it's not every state, and we're going to see that in a second—but it's a great way to increase turnout. This is especially true in off-year elections, mid-term elections, and down ballot elections. Down-ballot elections is just another saying "local" folks, local people who are running, not your federal elections or your top of the ticket elections. It's the opposite. It's proven to increase turnout.

Also with mail-in ballots and many other forms of early voting, it's on a paper trail. You're mailing it in. It's a piece of paper. So that's one quick way to get around that concern. With absentee and mail-in ballots, voters and campaigns can actually check to see if their ballots have been received by the county clerk. So you can actually have someone talk to somebody and say, "Oh yeah, did you get my ballot? I just want to make sure you have my ballot in your hands." So that's a quick check right there.

And it generally lowers the cost of elections to states when it's done on a large scale. The state of Oregon, which we'll go back to a couple times in this session—the secretary of state of Oregon claims that when people do an all mail-in ballot system, it reduces the costs of running an election by a third. Now not every state is at that level yet, but that's something that we can strive towards. For the states, it can be a good thing in many ways.

And for the campaign, early balloting is enormously important for a campaign. It's a definite key to success. These are votes in the bank. And that means you don't have to chase after these voters in the hectic last hours of election day. The more votes which area already in, the less you have to worry about on election day itself. This essentially turns election day into election days. You have much longer to accomplish the goals that you have to do. And you can spread out a lot of the work. If you can get 30, 40 or 50 percent of your supporters to vote early, it's a huge relief for you on election day. You'll need half the volunteers or a third of the volunteers that you would have needed.

Early voting is great for campaigns because it saves time and effort on election day itself. It also allows us to target voters more effectively before election day. Once somebody's voted, they don't need to be contacted again. So instead of contacting the same person over and over and over, you've got those weeks and days to contact the people who really need the contact, who really do need the help voting. So as we can usually see when a voter had voted, we can remove those people who have already voted from our voter contact programs.

Okay, let's move on to the next slide, slide 5. We are big on concrete examples. And one example that DFA has been fortunate to be a part of is Colleen Condon's election this year, for Charleston County Council in South Carolina. South Carolina, as many of you might be aware, is a pretty strongly Republican area. That even includes the city of Charleston. This is a place that the city council was 5-4 Republican. It's definitely a Republican city. But really all that was needed was one victory on the county council to turn the city Democratic. While it had been this way for 14 years, Colleen Condon decided to step up and started running for office.

Now this is a low-turnout race. The year is 2005, and it's a very down ballot, very sort not a big sexy race that everyone talks about it. There are only 5,000 people, actually fewer than 5,000 people, casting a ballot. Well Colleen Condon's campaign knew that because of the low turnout and because it was such an important election, they could really make effective use of early balloting, and they did.

On election day the polls show that Condon's opponent was ahead. But Colleen Condon's campaign knew that they had hundreds of supporters vote early via absentee balloting, according to the laws in South Carolina. When the absentees were added in to Colleen Condon's election, they ended up winning 2409 to 2070. The outcome broke a 14-year lock on this seat and flipped Charleston into Democratic hands. I think it is a big deal, especially the fact that they got hundreds of votes in; that's definitely the margin of victory. And I know that we do this actually all over the states. And I know that that kind of thing is happening right here in Vermont.

DM: Why don't I describe how it works in Vermont. You have to, of course, understand what your own state laws are. Let me add something from the earlier slide in talking about the way it works. One thing you should know is the Help America Vote Act, when it was passed, required states to have uniformity in rules. So now, today, the

rules about absentee voting and early voting have to be the same across the state. So every county should be the same.

That being said there's personalities involved, and you have to know the personalities in your own particular area to know exactly how easy it will be to do what you have a right to do and are interested in doing. In Vermont, absentee and early voting have been used quite effectively to get out the vote and for candidates to actually win elections. I'll give you an example of a town called Shaftsbury.

The representative there is Alice Miller. She's used the absentee ballot voting very effectively in her campaigns from the very beginning. She lives in a very divided community. It has been Republican for a long time. And as she went around her community door-to-door—you know Vermont is very much a grass roots campaigning kind of state—knocking on doors, she would determine whether or not she thought a particular voter was her voter. And as we do voter targeting in all of our states and communities, wherever she saw that the voter was one of her likely voters, she would ask, "Do you want an absentee ballot?"

In Vermont anybody can make a request for an absentee ballot for a voter with that voter's permission. It has to be done in writing if it's not the voters themselves asking, or a family member of the voter. And so as she walked around she'd have these little pieces of paper which were absentee ballot request forms that she'd fill out when the voters, that she knew was her voter, said yes they would like to vote at home early. And then she would submit them in a batch to the town clerk. In Vermont we run our elections town by town.

So she submitted them in a batch to the town clerk, knowing that the town clerk would be sending out the ballots in the next day or so. So she would follow up at the same time with a postcard to them saying, "It was nice to meet you. I hope your dog Fifi is feeling better," or "It was nice to meet you. It was great hearing your ideas about the health care problem," or whatever it was to remind that voter of their conversation. And what would end up happening was the voter would get the ballot and her postcard in the same batch of mail, reminding the voter of this particular candidate. And indeed, she did this so effectively that there was... Two years ago on election night when the initial votes were counted before all of the absentee ballots had been opened, it looked like it was close and she was going to lose. And as soon as the absentee ballots were all opened and counted, it was very clear that we won by a pretty good majority.

And what would happen was that on election day you can go to see who has returned the ballots and who hasn't. And so actually on election day there were volunteers who would go around to those homes of people who had absentee ballots out but who hadn't returned them yet to say, "Hey, if you want to vote those ballots on election day, this is it. This is your last chance." And they got a lot of last-minute ballots in as well. And so it gives candidates campaigns a whole lot more control. I think there are many success stories with this all around the country.

In every state you'll see different options. In Vermont we've got early and absentee voting. And in many states this is the case. And that's the option to either have a ballot mailed to you or to stop by at the county clerk's office—in Vermont it's the town clerk's office—to actually come in person and vote in person. You come in, you vote, you leave your ballot. And you don't have to go on election day. You don't have to deal with the mail. So that's like early voting polling stations. In some states it's just the county clerk's office. In other states they'll have other places around the county that perhaps will be more convenient for people to stop in for early voting. There will be advertisements about that. Wherever there is early voting by polling stations that the election workers will kind of let people know.

It benefits the elections administrators to have early voting polling stations because it means that there will be less time and less intensity on election day. If you come early and you find there's a problem, for example your name's not on the checklist and they've got to figure out why, they can have a lot more time and leisure to have the election workers work with you to figure out what's not working right. So it works real well for everybody. I would encourage the use of early voting polling stations.

Now as a campaign tactic, it's a little bit less in your control. When you actually know that someone's requesting a mail-in ballot you can see did they actually vote. And you can know whether the deal essentially is sealed with that particular voter. So the second choice on the slide, early mail balloting, that's often what campaigns will focus on—encouraging people to ask for an early mail-in or absentee ballot, so that the campaign can track has it been voted. Not how has it been voted, but whether it's voted.

In every state there's some form of absentee voting. In some states, some of the most restrictive states, it's only permitted for somebody who is sick or disabled or who is going to be out of state on election day. That has been getting more and more rare. It still exists around the country, but more states are going to more forgiving and liberal rules around absentee voting. There are some states that allow a voter to ask for a permanent absentee status so that they're always getting their ballot by mail. And it would be good for campaigns to know about this and to have some idea of when those ballots go out.

You should know that most states try to have their ballots available to send out 45 days in advance, particularly to help military and overseas voters be able to get their ballots, vote, and return them. There are a number of states though, like Vermont, who have late primaries. Any state that has a primary in September is unlikely to be meeting that 45-day goal, and more likely there'll be around 30 days when their ballots are available in advance of election day. Pay attention to those states because that's when you can start trying to seal the deal with those voters and get them to actually send in their ballot and vote, and check them off your to-do list.

In slide 7, there's a variety of rules that may apply across the country. And so you need to get a sense of what your rules are. And let me tell you, there are some resources available. There are some web sites that you can go to link to your state to get

information about what's required. In some cases, absentee ballots may have restrictions based on age or whether or not you have an illness or a disability.

In most states you must have made the request by a particular period of time. In Vermont it's 5 o'clock the night before the election. If you haven't asked by then you don't get to vote absentee. In some other states it's earlier than that. So you have to make sure that you've got the right timeframe. Some states allow somebody who doesn't work in the town where the election is being held to use an early ballot or a mail-in ballot, or a note saying you're going to be out of town on election day. But there are many states that have unrestricted; it's simply a choice of the voter and the convenience of the voter. It's sort of a no-fault absentee or early voting.

Of course, you have to be mindful that there are voter registration deadlines in many states. In 25 states it's October 7, so that's coming up really quickly. So if you're doing drives, check out your state's voter registration deadline and make sure you've done what you need to do before the 7<sup>th</sup>. In some cases the absentee ballot application deadlines, they also vary. And states will have different laws about who can make the request. Of course in every state it's got to be with the voter's permission. If it's not the voter making the request, the voter at the very least has to be the one who's authorizing the request made on their behalf.

The secretary of state's office has a web site we've put up called [www.CanIVote.org](http://www.CanIVote.org). And you'll see it on that slide. If you go to CanIVote.org, it will link you to your state's information. You can actually look up registration status. Are you registered? Or if the person you're working with doesn't know if they're registered or not, you can go on this site to find out if they're registered. Many states have actual databases where you can look up your registration data. In other states you have to email the county clerk or town clerk and ask if you're registered. CanIVote.org links you to those state sites. It also will link you to information about where your polling place is and also what the rules are with early voting and absentee voting as well as registration requirements and so forth. So it's a great resource, and I encourage you all to take a look at it to see how it might be helpful to you.

AH: For any activist as well as any campaign, it's critically import that if you're running an early ballot campaign, just like Secretary Markowitz was saying, that you've got all of these things figured out: what are the ages, what's the window of time, what are the disqualifying factors. There are a number of states—and this number is growing, just like Secretary Markowitz said—where it's increasingly become a no-fault absentee or no-fault early vote sort of restriction. That has happened especially because of the Help America Vote Act making it more and more accessible. Again, go to CanIVote.org to figure out if you're one of those states.

It's on the next slide, but another great site is [www.ElectionLine.org](http://www.ElectionLine.org), which is more of an advocacy site. But you can also check, and we've got that link-up on our web site. You can also check sort of state by state, if it's a no-fault absentee, or if it's an early vote state or a mail-in state—what kind of things it is. And again, just like CanIVote.org,

it allows you to link to those sources materials. CanIVote.org, I just checked it out before this presentation, and it's amazingly accessible. It's something that we would recommend that you distribute to your precinct activists if you are a campaign, or voters if you're an activist yourself. Let's go to the next slide.

DM: Well this slide, slide 8, this is just a reminder that states decide their own election procedures, by and large. And in many states elections are run at the county or the town level. And so you really need to get to know your town or your county clerk. In Vermont the way that looks with the early voting is it's the town clerk who receives the requests for ballots and who keeps that list. So that if you're an activist in Vermont you'd be knocking on the clerk's door, maybe showing up every single day to see who's requested an absentee or early ballot be sent out, so that you'll know if it's one of the people on your list so that you can send them direct mail or you can even just check them off. You'd check back to see what ballots have come back so you know who has ballots that are still out there waiting to be voted.

Again, do your research. You can go to your secretary of state website or your state election office website. There are about 15 states that don't have a secretary of state running the elections; it's an election board or some other person. So you want to take a look at that. The Elections Assistance Commission has some good information, some good things as well, so on this slide you'll see a direction to [www.eac.gov](http://www.eac.gov), as well as the election web site.

Slide 9 is some case studies, some examples of how laws are different. Some states have very restrictive early vote laws, and Pennsylvania is one of them. And actually Pennsylvania was an interesting story this year. They decided to become less restrictive, to try to be less restrictive by having early voting in certain off-site locations. So it was early polling sites, and they wanted to start early polling a week before the election. And actually their supreme court told them that they couldn't, that the Pennsylvania constitution designated a single election day. And because of that, they couldn't start running the election a week in advance. They had to wait until the single election day to have their election.

So even though the folks running the elections in Pennsylvania wanted to provide some more alternatives to voters, the way they did it the courts found was unacceptable. So in Pennsylvania it's pretty hard to vote by early or absentee ballot. I think it's restricted to people who are sick or disabled or who are able to show that they're going to be out of town on election day.

Florida, in contrast, has now quite liberal laws. That was a chance since the Help America Vote Act was put into place. It makes it easy. Anyone can choose to vote by early or absentee ballot just for convenience. That's the same case in Vermont and actually in a growing number of states. Now Oregon is in a class all by itself. They only have voting by mail in Oregon, and that's been quite successful for them there. They're happy with it. Other states are watching with interest to see how it goes and to figure out if that might make sense for their state as well.

AH: Oregon was something that had interested me as well. I think it is because it's in a class by itself. Oregon's participation in the mail-in ballot has gone up. Different numbers are heard. People say, "Well, it went up by 10%; it went up by 12%." In any case, it's indisputable that the participation in the Oregon elections has gone up. Now it's also in dispute whether there's a partisan advantage to this or not. That's really more a choice that the campaign makes.

If the campaign decides to engage in an early voting strategy, then yes, then of course it will be a partisan advantage for you because that's actually what you're working with, especially if the other campaign is not doing it. Either way, Democrats generally benefit when we have higher turnout. Some of our folks are the ones who do have a little bit more difficult time voting. We're going to talk about that a little bit later. But as easy as you can make it for people to vote, the better off we are going to be as progressives out here.

DM: In Vermont, because of the success of the use of early and absentee voting by Democrats and more progressive-leaning Vermonters, the Republican Party now is very actively involved in using as well as a technique. So it's really an equal opportunity technique. The fact is, it's really there for the taking. You need to work it into your strategy. What's demonstrated here is that it works across partisan lines. If you work it into your strategy, it will help you be successful.

You know if we think about elections overall, we really have a lot of work to do. We know that. There have been a lot of conversations related to election reforms about machine voting and what our rules are. Disenfranchisement and purging, and all of the things that we've seen in the 2000 election, 2002 and 2004. And hopefully we're doing it better year after year. But we're still in the continuum of election reform. And absentee ballot/mail-in ballot is a really good tool when we think of strengthening elections.

The goal, of course is to make our elections transparent and accessible, and of course fair. Not just me in Vermont, the secretary of state here, but there really are secretaries of state across the country who spend a great deal of time thinking about this, thinking about how to do a better job. In the same way that as secretaries of state we take sort of a long term view on it, advocacy is also long term. And it's also really local and really particular to your state. Just like in Vermont the challenges and the opportunities we face are pretty different than the challenges and opportunities in running elections faced by more urban areas, more urban states.

The goal, of course, that I think that we share, whether we're administrators of elections or advocates, is that we want to have a high level of confidence in our system. Confidence will result in a higher turnout and fewer problems, but also more confidence in our democracy at the end of the day. And I think that's our goal. You know, our democracy can only be strong if we really have faith in our elections and how they're run so that ultimately we trust and have faith in our leaders.

QUESTION L from Richard in Seattle, Washington: I heard that absentee ballots are only counted when an election is too close to call. Is that true?

DM: That's actually not true, but it is a myth that I hear from time to time. People say, "Oh, I don't want to vote by absentee ballot because they're not going to count my vote." Different states have different rules about when those ballots have to be returned in order to be counted. But if you follow that rule and they get in on time, they will be counted. In Vermont, for example, we count every ballot that is returned by the close of the polls on election day, which is 7 o'clock. So if somebody hand delivers the ballots back to the polling place by 6:55, it's going to be counted. If it comes the next day, though, it's too late. Some states use a postmark. It's got to be postmarked by the post office on election day in order to be counted when it comes. So you should get to know what your state law is, and make sure that those ballots get back in time to be counted under your state law.

QUESTION: from Mary in Brattleboro, Vermont: How long does it usually take to receive an absentee ballot after submitting a request?

DM: Well I've got a really good answer for Brattleboro, because it will be different, of course, in other states. But generally what happens is that once the absentee ballot request is received, the clerk will send out the ballot the very next day. So long as it's within the 30-day period before the election. So early voting, absentee ballot voting, starts in Vermont 30 days in advance of the election. So once you're within that 30-day period, the ballot's going to go out to you the day that she receives the request. And so the turnaround—in Vermont it's overnight mail to just about everywhere in the state—so you'll get your ballot the next day.

Other states will be different, so again you need to see how it works in your state, how long does it take for the ballot to get out. But know that states are required to turn them around generally pretty quickly. So you can probably count on it going out within a reasonably quick period of time from the receipt of the request. And, you know, the folks running the elections know that time is sometimes a factor. If they don't turn them around quickly and get the ballots out, it may not leave you enough time to return the ballot in time for it to be counted.

QUESTION from Nick in Columbia, Maryland: Are clerks required by law to tell you who has voted? It seems to me that this information may not be released due to privacy concerns.

DM: Well in Vermont at least it's a public record. So it's completely public who voted and who didn't vote. You should find out what your state law is. My guess is that in most states it is public. The voter turnout statistics, the voter participation statistics, specifically relating to particular voters, is important. And, you know, it's one way that we can check against voter fraud. You know, if the poll watchers, for example, have an ability to see who has actually voted, we can say, "Hey, I know that person really moved

out of town,” or we can see that they’ve voted in more than one place, for example. So there’s a variety of interests in having that information be public.

AH: Similarly, it’s been my experience in most of the cities and states where I’ve been involved in the election day for an electoral campaign. For election day itself—and we’re going to talk about this more next week—you can do the same. Usually you can find out throughout election day; you can go and check in with the election judge. Sometimes you need to get approval from the appropriate elections official. But almost always you can go, in the places I’ve been, and see how many people have voted. And more often than not, almost all the time, you can see who’s been voting. You can either check it off a list. Sometimes they won’t let you take the list out of the poll; of course they won’t do that. But sometimes they’ll let you look at it or glance at it. Sometimes they’ll call out the names. You can do all that kind of stuff on election day. Similarly much of this can be done before election day. It’s usually easier because it gives you enough time to do it, time to develop a relationship with your county clerk.

Earlier Secretary Markowitz had talked about how you can even go in every day. In fact, that’s actually not uncommon. You can go in every day and see who of the people who have requested absentee ballots have actually cast their vote. My state representative is actually planning to do that exact thing because he’s planning to run... Which is usual for Vermont, because the State House is a pretty small piece of land in Vermont. But he’s going to go in every day just make sure that all the people who requested absentee ballots have voted.

And those who haven’t, he’s going to get just like Secretary Markowitz was saying, a postcard or a call (like I said, the districts are pretty small) from the candidate or the candidate surrogate to say, “Hey, look, I need to make sure that you get your vote in because who knows what will happen later. You can lose it in the mail, you can do whatever. I’ll check back with you later.” And it’s a totally legitimate thing to do, because it will save the voters a lot of hassle on election day itself, and they’ll save the campaign a lot of hassle. I can totally empathize with the privacy concern, but this is an election integrity concern as well.

QUESTION from Valerie in Missouri: My state doesn’t have early voting for convenience. What are the penalties for misrepresenting the reason why one chooses to vote absentee?

DM: Well, the penalties will vary state by state. But I would tell you if your state doesn’t permit early or absentee voting just by preference, you really need to find out what the rules are and then follow them. I think the worst thing that could happen is for you to fudge it and then to get the campaign in trouble or get in trouble yourself. You want to avoid that. You want to play it straight. Find out what the rules are and then follow them and take advantage of them as much as possible.

AH: Yes, absolutely. DFA would never encourage you to be part of the problem, which is voter fraud. We want to be sure that our elections are as clean as possible, that

we continue to have confidence in the integrity of the system. That said, I have to echo Secretary Markowitz's insistence that we check the laws. The law might be, "If you think you might be out of the district during your voting time..." Well this includes many people who live in suburban areas who have a large commute. They work in an office eight hours a day, and it might take them a two-hour commute there and two-hour commute back for those very urban areas, so it's totally legitimate. That's the kind of thing that people don't think about until election day, and then it becomes too late.

Take a look at your election law and see if that's permissible. Take a look at your election law and see if you have to be out of the county or out of the town? Is there an exemption for students? Is there an exemption for folks over 65? You find often in most states in this country you can find a way that a lot of your supporters can actually get out and vote early. We want to encourage that as much as possible. Of course, we also want to encourage sticking to the law. That's the big prerequisite. Secretary Markowitz, I know you've got to run, but would you give us some closing words?

DM: I do have to run. I just want to wish you all luck and congratulate you on your commitment to making our democracy work well. It takes a lot of people to make it work. I want to put in a plug for working as an election official. I know you're going to talk about that at some other point maybe in some other training. But one way to help manage some of the challenges and problems we've seen with elections in the past is to get involved yourself. I know that they need more volunteers on election day, more election workers. Sometimes you actually can even get paid for the day. Not well, but something. I really suggest that people consider that as a way of giving back to their community and helping to be part of the solution. I want to thank DFA also for doing this and wish you luck.

AH: Thank you very much. Good night, Secretary Markowitz. The rest of us, we're going to continue on with the next slide, slide 11. So this is going to incorporate a little bit more for you. It's like a "how-to" for you as an activist or for you as a campaign. I want to try to make this as relevant for both campaigns and activists as possible. So let's go to slide 11, "Where to Start."

As an activist, you want to make sure that you have a good idea, a good control over your precincts. You can check your precincts. Like we said, you can go to your county clerk, your town clerk, and even your secretary of state will have the aggregate information to figure out who has voted by mail. And this for many people can be very useful as well, how many people in your precinct, how many people in your county, how many people in your district vote early. You might have a county that has a high early vote proportion. There are some areas in Vermont for example—I know because I live here—that over a third of the people vote early. And in the same state with state laws only something like 8-10% vote early. That kind of discrepancy you can find all over the country and anywhere where you have early vote laws, particularly where you have places that have more progressive access to early voting.

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Figure out what kind of precinct and what kind of district you're in. For a campaign, this is going to be important for geographic targeting. We're going to talk about that in a little bit. So if you're running a campaign we're going to hold off for just a second. The best benchmark to go by is the 2002 midterm elections. Again, we'll talk about this more in next week's session, but the number of people who are going to vote in 2006 will most closely mirror the number who voted in 2002. It's more similar an election than 2004. For obvious reasons, the presidential election gets more people out to vote.

So that's your benchmark as a precinct activist. If you know that 10% of the people in your precinct voted early on, set yourself a benchmark of 15% or 20%. Figure out who in your precinct can vote early. Take a look—if you have access to a voter file—at who's above the age of 65 in your precincts. Who are the people who you might know—your neighbors—who have a long commute to work or back? Who are the students in your area? You might be able to find a large number of students in student housing or just who live with their parents. Figure this stuff out and set for yourself a benchmark.

Finally, as we're getting started, we want to get to know our county clerk and our county elections officers. This is something you can find on your county web site. You can also sometimes also find them at your secretary of state's web sites. This is public information. Even if you can't find it on a web site, you can march right down to city hall or town hall or your county clerk's office and figure out, "Okay, well who are the elections officers in my area, and who's the clerk?"

Let's move on to slide 12. There are four steps of incorporating an early voting program into your own campaign. And so if you're running a campaign, this slide is a little bit more for you. But if you're a precinct activist, or any kind of activist, you should pay attention because this will also help you getting your neighbors and your friends to get out there and vote, and getting other volunteers to help you get the vote out.

The first step is to research. It's the one that we've been sort of emphasizing, particularly in the last ten slides. You've got to know how this applies to you. I can't go and run down a list of all 50 states and all the different county variations on a call like this, but we can give you the resources which you found on the previous slide and also at the night school web site we've given you a couple of additional links. Research the feasibility of doing this kind of vote by mail program or absentee program or early vote program.

You also want to figure out, if you're a campaign, how much this is going to cost you. Remember what Secretary Markowitz was saying that this candidate sent out a postcard. Well postcards cost a stamp. And that's something that you're going to have to start integrating into your budget. That's step two. Figure out how much this is going to cost you and figure out a schedule by which you need to do this.

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Let's say early voting starts October 10 or October 9<sup>th</sup> in your state—just pretend. That doesn't mean you start your early voting program on October 9, you've got to prepare for it in the weeks before. If you've got a GOTV (Get Out The Vote) director in your campaign, or if it's your field director, you want to be sure that they're not just preparing for one day in November, but for the entire period of time in which people can absentee vote. Every state, all 50 states, have absentee voting. Some are more restrictive than others. But that means that in every state something that you need to consider as part of your schedule.

So determine who needs to vote by mail, budget your vote by mail program into your targeted direct mail outreach. You might also decide to do follow-up phone calls if you have enough volunteers or if you have enough money to do a firm to do it. No matter how you choose to go through this, you want to be able to do phone calls to people, "Hey, I saw that you got a ballot. It's time to vote."

Step 3: Outreach. The vast majority of voters in places where can vote early still do not know that they can participate in advance voting. Those who do might find the process confusing, especially if it's their first time. I know that the first time that I voted absentee, and I voted in a state that actually makes it fairly easy, I was a little confused myself. And I figured out, because I worked in a political campaign. That was a nifty resource. That's not a resource that everyone else has. So you want to make sure that the process is not confusing, that you reach out to folks.

Outreach can be done by mail or by phone or even when possible through door canvasses. This is very possible in the smaller and down ballot elections. City council? That's something that you can do at the door. Ideally the campaign can simply deliver vote by mail applications to the voters. In many states that's not possible. In many states the voters themselves need to make the request. Well you can respond then to that law by mailing all of your voters, all of your identified supporters, a piece of information or giving them a call saying, "Hey, did you know you can vote early? Here's how you request a ballot."

Again, we want to make this as easy as possible for our supporters to vote. Many of our supporters don't show up on election day or encounter a problem on election day because they just didn't know what to do or they didn't know they had the option to vote more easily, more safely, and more conveniently.

And finally, step 4, follow-up. And we've implied this a few times. Follow-up is a key to any vote-by-mail program or absentee or early vote program. If you are doing any kind of program like this, you can't just inform people of their right to vote early; you also have to be able to follow up on them just like you would on election day, making sure that people vote, making sure so that your supporters for your campaign get out there and vote. You've got to do the same thing, if not more, with early balloting. So again, that's sort of the foundation.

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For any of these steps 1-4, you've always got to constantly be evaluating is this something is this something that's cost-effective for you. If you know that it costs a few cents per stamp and a few cents for every call you make out to the voters, you've got to figure out, "Well, this will increase my costs, so I'll have to figure out a way to fit it into my budget." When you're targeting you want to do the same thing. You want to get the biggest bang for the buck. So let's turn the next page and we'll talk about targeting.

So you do three things when you target, or you have the option to. Number one, you absolutely have to ID the voters that you want to have vote early. We're not going to actually spend all of our money and all of our time and all of our energy and volunteers getting absolutely every single person to vote early, because the Republicans do a fine job of getting their own voters out.

We want to concentrate on our voters. This is something that you do before your get-out-the-vote program. A campaign starts IDing their voters, asking whether or not you support the candidate, early on—weeks, months before the first ballot is cast. That's how you figure out whether or not a person needs to be persuaded. Then that person is re-ID'd, ID'd again, to figure out if that person is a supporter.

Only those people whom we've identified as supporters should be getting the resources that it takes to get them to vote early. That sort of makes obvious sense, but you'd be surprised the number of campaigns that don't target their outreach and don't target their messages. People who are supporters still need to be convinced that they need to vote. So you can target by IDing your voters.

Also, you want to target by demographics. There are certain sets of people who need to vote early, for whom this program—early voting—is ideal for them. So think about it. You've got your senior citizens who might not be able to make it out the door quite as quickly or it might be a lot more hassle for them. For them, this convenience is very important. And for almost every—and I think for every—absentee program, no matter how restrictive the state, senior citizens can apply and get an absentee ballot. This is a demographic for whom absentee voting is absolutely the easiest.

And who else do we target? Well, students. I consider myself a smart kid, and I still have such difficulty on election days. Voting for the first time or even the first few times on a campus is extraordinarily difficult for students. They have a lot of distractions. You might as well get them to vote early. Give them the time and give them the follow-up that the weeks of early voting allows you. It's a great way to increase youth participation in voting.

Also think about people who commute to work. Think about the people who work more than one job. For these people it's very difficult. Of course it's the law everywhere in the country that your employer has to let you off to vote. It's not always as convenient a reality, however. If we can get them to vote beforehand, if we can get them to fill out that ballot sometime at night when they have free time, we can get that vote in. And again, another demographic of people who have traditionally low turnout

but are generally, at least economically, siding with the progressives, this is one way that we can overcome an obstacle instead of giving them all the crap that comes with election day itself.

And then also, on that same note, you want to make sure that people who work nontraditional hours, people who work in the evenings. You think it's easy for them to vote, but instead if they're working in the evenings that means they're sleeping or resting during the daytime. So all of these folks you want to make sure to get out to vote early.

Then finally, you want to target by geography. People in the US generally tend to live together and have common traits together. One thing that we find is your best bang for the buck when you're targeting by geography are those areas with high Democratic performance and low turnout, low participation. A lot of these areas around the country, they're generally urban areas.

I'll give you an example. I worked in Philadelphia. Center City Philadelphia is more than 4-1 Democratic but has less than 49% turnout. Could you imagine if even half those people who don't vote did vote the impact it makes in a swing states. That's tens of thousands of people; that's not a small number. Those are areas in which early balloting can make a huge difference. Low turnout, high Democratic performance. Areas where you can ID a lot of people or who have historically been high Democratic areas we can maximize the turnout especially if it's low turnout. That's our best bang for the buck strategically speaking.

Let's go to the next page. We should be on slide 14. There are three basic steps. The first thing that we've got to figure out is the ballot application. You can't just vote absentee on a whim. You actually need to apply. In about every state you need to go either to the county clerk or mail the country clerk. Make a formal request. The application process, again, varies by state. Go to [canivote.org](http://canivote.org) to figure out what that process is for you. Critical questions to ask are: Who can get one?" of course. How can they receive it? Do they need to make a personal request? Does the request itself need to be notarized? Is it something the campaign can make on behalf of a voter? Figure out how you can get an application, and then who can turn in that application? Who can handle it?

In some states the application process has to be entirely within the hands of the person who's applying. In many states the campaign can assist the voter in the application process. So you can actually in some states—and Florida is one of these where they make it very easy—the campaign can itself deliver the application. The voter or potential voter fills it out, and the campaign itself can deliver the application over to the county. The campaign makes it so that they're the ones who handle the applications. That way the campaign has confidence that they're not going to lose it. They're going to follow up with the volunteer. It's not going to get buried in the mail. The campaign needs to do that. One of our trainers is a national expert in this kind of early vote maximization.

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Second is the actual ballot itself. The laws on who can handle the ballot, of course, are far more restrictive. And that's something that you need to figure out for your own state. When will people receive the ballot after they submit their application? When do they need to return it by? Will a voter need help? And, if so, who can provide that kind of assistance? Many people who do vote early people disproportionately are also people who need help filling out the ballot. They may have a disability which prevents them from seeing or writing or being able to fill it out. Or they may be somebody who has some kind of guardianship. Who can provide that assistance, and is there anyway that the campaign can help that out?

And finally, third, follow-through. Again, we're going to emphasize the follow-up part, because there's no point in doing an early ballot program if you don't follow through. That's the best way to waste all the time and money you've put into it. You've eventually got to follow up with each person and ask, "Oh, I see that you haven't turned in your ballot. Can we help you out? Do you have a question? Is there something we can help you with?" Or "I see you haven't turned in your ballot. I've check with the office. Are you sure you turned it in? Because otherwise we've got to talk to the county clerk." Whatever the reason is for following up, you're talking with that person and figuring out who has and who has not submitted their ballots. So those are your three steps.

QUESTION from Robin in Harrisburg, Pennsylvania: If I vote absentee, will my name show up at the polling place as having already voted?

AH: The question is: If I vote absentee, will it show up at the polling place? Generally the answer is yes. But to be sure you need to check with our county clerk. At the polling location itself the people who have requested an absentee ballot—not even if you've just turned it in, but the people who requested an absentee ballot—will usually show up at the polling place. In some states this is specifically so that you can't vote twice.

Some states are coordinated and will know that you can't vote twice; that will invalidate your vote. But if you've taken an absentee ballot and haven't returned it, many states will allow you to go to the polling place and submit the absentee ballot in person like you were going to vote. Some states, if you pull out an absentee ballot application, fill it out, and you receive a ballot, you cannot vote on election day because the deadline in sometimes that morning. You need to figure out what that is.

Generally it's much easier to vote on absentee. But because some states are very cautious about voter fraud, they'll say that if you fill out an absentee ballot there's too great a risk that you're going to double vote. You'll usually be able to find a way to turn it in to the county clerk yourself personally instead of at the polling place. So the answer to that question again is that it varies. But generally the city or the county know what they're doing. And generally you should err on the safe side and make sure that they vote before election day. Check that state law to make sure that you don't have some sort of

exclusion regulation that excludes you from voting on election day or see how to get around that. Next question.

QUESTION from Walter in Connecticut: Who do I lobby to get more flexible early voting rules in my state?

AH: That's a great question. And definitely this is going to some of our homework assignments, something we're going to talk to. The question actually gets on an excellent note. This is the kind of thing where you actually need to start lobbying your local officials. There are two targets you can use to lobby. First of all, to get a change in the statutory law, the law itself, you want to target your state legislators—your house and your senate locally in your state. They're the ones who determine the baseline sort of rules by which the county clerks have to follow. It's very, very useful to be able to make sure to get the town clerks and county clerks on your side. Generally they will be. Generally their whole profession is to help people vote. So you want to make sure that they're on your side.

One problem that we had in Vermont, one thing that we wanted to do was to expand our voting access even further and allow something called same day registration. That is, if you're not registered to vote you can actually register to vote on election day itself. And it's another thing that's proven to increase access. Minnesota, Wisconsin, and I think nine other states have these rules. And it's also proven to help youth turnout. The problem was a lot of the town clerks weren't brought into it. So instead of going to the town clerks and saying, "Look, this is going to create a little more work but really it's for the better," the people advocated sort of did an end run and went to the state legislators. And when it came up on a vote, the town clerks said, "Well hey, look, we were never consulted on this and we're not really down with it."

So you want to make sure you get support of your county clerks and say, "Hey, is this something I can get your name on? Would you support this kind of legislation?" Bottom line, the constitution says it's the states who administer and regulate this election. This is true for just about every kind of election reform that we want to make. The states are the ones who have the independence. There are some things that we can do through federal law, but honestly it's a little bit harder. We want to actually go to our state house and say, "Hey, look. You know, we want to have a mail-in option for everyone. We want to have no excuse absentee balloting. We want to make sure that it's easy to check to see who's voted and who hasn't. If you see your laws, if you take a look at them and you see that they're too restrictive, then that's the place you go.

Now remember election reform isn't just something that we've been talking about recently in the last few years. It's something that communities in this country have been working on for decades and decades and decades. So it's really a long-term process. I think we've made a lot of progress. I think there are some people who might have an interest in not getting a lot of people voting. Obviously I think some people on this call may have experience in that. But what we want to do is make sure we have as many people on our side as possible. That's a long-term battle. It's really not something that's

going to happen in the next 35 days; it's something that's going to happen in the next three to five or maybe even more months.

QUESTION from Josh in California: How do you increase the number of absentee votes on the individual level in a close race?

AH: So I assume you're talking about, when you say "individual level" I assume that you is the individual is the activist or the volunteer. What I'm going to encourage you to do is get involved very locally on a sort of neighbor-to-neighbor level. So if you have the opportunity to volunteer campaign and they say that they have need in your particular precinct, in your neighborhood, that's fantastic. But even if that's not the case, we want to actually start getting people knocking on doors in the neighborhoods and saying, "Well who do you support? Great. Fantastic." And figure out who in your neighborhood are supporters for your campaign. And let them know that they can vote absentee.

This is a matter you can take into your own hands. The best way to do this is to become your precinct captain, your precinct committee person. Again, that's something that's different from state to state and even party to party locally. If you can get involved with your party's precinct captain/precinct program—some states don't call it a precinct; whatever your most basic electoral district is—the party will give you a list of voters who live near you, who live in your precinct, all of whom will vote will vote at your one polling station. If you're the precinct captain for your party, then the party will give you access to the voters in your area. And all those voters are identified Democrats that the party has already identified through the years. You can just go and hit those people specifically. And short of the voter file and short of actually being on the campaign itself, you still can do quite a bit in making sure you get out the vote.

Anyone who has young people, who has students in their households, those are the people who need to vote early and by mail-in, whether they're voting on their college campus or whether they're voting at home. We just need to make sure that they vote by mail. Senior citizens, same thing; those demographics, the same thing. Especially if you actually live in one of those high Democratic but low turnout areas, they key is getting the turnout, at least over the short term, is making sure that people vote early. Over the long term, of course, it's getting the Democratic Party to invest infrastructure in all 50 states and in all precincts. I think that's going to be it for questions, as we we're running into 9:30.

I'd like to go over the homework assignment really quickly. And I think those last few questions really transitioned us well. The homework assignment is something that I can't check for you but something that you should definitely do. Number one is to research. Number two is to volunteer. You want to vote early and get others to vote early to increase the early vote in your neighborhood. And remember, we talked about targeting. And number three is to vote—actually yourself vote early. Figure out for yourself you sort of your posse of election activists, people that you want to recruit,

something we should all be doing. Three or four people who you want to recruit and who you're going to take to volunteer with you on the campaign.

Make sure that the first thing that you do—days, weeks before they cast their vote—go with them to town hall or your county office and cast that ballot with them. The DFA office in about a week we're all going to go—for those of us who live in Burlington—are going to go to town hall and cast our votes. We can actually vote in just a few days and I'm going to be proud to do that. I'm going to lobby for "I voted" stickers for early voters. We still don't have those here. But that's something that you can do early. That's something that we are all going to do early. We'll try to make sure to take a picture and put it on our blog.

Let's go to slide 16. Thank you for joining us. We have one session after this—it dovetails with this session—that's getting out the vote. Figuring out exactly what we do on election day and actually the few days before election day. We're going to touch on that, too. Our trainer is going to be Robby Mook. He's the Maryland Democratic Coordinated Campaign Director. He's been all over the country running campaigns. He does the grass roots thing very well. And it's a big volunteer operation with Robby all the time. So we're going to talk about getting out the vote; that's October 10. Remember, by that time for many of you out there you will have already been able to vote, depending of course on where you live. So GOTV will have already started, so we're very fortunate to get an hour of Robby's time since he's in charge of all the campaigns in Maryland.

You can also learn more about the DFA Training Academy. That's at [democracyforamerica.com/training](http://democracyforamerica.com/training). We do two-day intensive trainings all around the country. We did 16 trainings this year. We're going to even more next year. I know that's not an election year, but we're always training. Also you can order your DVD presentations if you need to catch up. So that's something that you can get from your previous two semesters. This semester in particular we're going to start putting on a DVD. It could be a couple weeks before this semester comes out, because obviously we need to do the sessions and do the recordings.

I also, and this isn't on the slide—I also encourage you to join DFA night school. It's a DFA course on DFA link. And that's available on [www.DFAlink.com/nightschool](http://www.DFAlink.com/nightschool). You can participate on the blog and see who else has been around. And one of the most important things you can do to help out DFA night school—and I say this at the end of every presentation because it is important. We do this for free to you. It's not, of course, free to us. It's something that we believe in passionately, we know that you believe in passionately. We love the commitment; we love the dedication. It's why we're here in the office at 9:30 at night. And it's why you're on the phone with us at 9:30 at night.

The best way that we can continue these conversations and continue these trainings all around the country in a very pioneering way is for you to contribute. Help us out. You can contribute at the link that you see there. That's the contribute link, by the way, to DFA night school. Just click on it. Give us \$15. If you can give us \$15, That

will help pay and cover the cost of this call, because we do pay for it. And it will help us promote these activities and events into the future.

Again, I thank you very much for participating, joining us this night school. Hopefully I will see you all next week. Please RSVP for Getting Out The Vote. It's the twin brother or sister of this session. And I will hear and see many of you next week.

