Hans A. von Spakovsky
Attorney and Government Affairs Consultant

6520 Burdett Drive
Atlanta, Georgia 30328
Telephone (404) 851-9834
Facsimile (425) 740-7987 or (404) 851-9834
Mobile (678) 296-7498
vspakovsky@aol.com

NO FAULT ABSENTEE BALLOTING

In an effort intended to reverse the long-term decline in voter turnout and increase voting "convenience," a number of states have adopted no fault absentee balloting statutes. These statutes eliminate the traditional reasons for allowing a voter to cast an absentee ballot such as disability or absence from the polling location on Election Day and allow any voter to cast an absentee ballot. However, removing the voting process from the polling site is not good public policy for several reasons:

Absentee ballots make the job of vote thieves *easier*:

As more and more states have relaxed their rules for casting mail-in ballots,[1] absentee ballots have become "the tool of choice for those who are engaging in election fraud."[2] For example, the Miami mayoral election in 1997 was thrown out because of massive fraud involving over 5,000 absentee ballots and an election in Dodge County, Georgia in 1996 resulted in over 20 convictions for vote fraud involving absentee ballot abuse. As these examples demonstrate, absentee ballots represent the easiest way to steal an election. Since the National Voter Registration Act or "Motor Voter" made it illegal for states to check individuals' identification prior to allowing them to register to vote and requires states to allow mail-in registration, it is possible for individuals to register under numerous false names with almost no chance of detection. They can then request absentee ballots in order to cast multiple ballots. The combination of Motor Voter and no-fault absentee laws make it possible for an individual to register to vote, request an absentee ballot, and cast a vote without any election official ever seeing that individual and making sure they really exist.

No fault absentee ballot laws do *not* increase voter turnout and may lead to *greater declines in turnout*:

According to a comprehensive study on voter turnout, "it is clear that those states which have adopted either or both [early voting and no-fault absentee voting] performed worse in terms of either greater average turnout declines (in years such as 1996 and 1998) or lesser average turnout increases in years of increase (1992 and 1994), than states which did not adopt either of these procedures. Moreover, prior to adopting these procedures, the states

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[1] At least 17 states have liberal or no-fault absentee laws and others are considering such legislation.
[2] "Florida Voter Fraud Issues," Report issued by Florida Department of Law Enforcement, January 5, 1998, page 7.

which adopted them had been performing better than those states which never adopted these procedures."[3]

The study concluded that this is likely because voters who use these procedures (1) are people who are sufficiently motivated that they would likely vote anyway and because it is so easy, they tend to forget to do their duty; (2) that by permitting citizens to vote over a longer period, we are diffusing mobilization and get-out-the vote activities over a long time and reducing their one-day intensity; and (3) that by establishing values that reduce the call of citizen responsibility in the name of making voting easier, we may also be reducing the impulse to vote.

Absentee ballots make *vote buying* and *voter intimidation* easier to commit and make poll watching impossible:

The secret ballot that is cast in traditional polling locations is important in two respects: it prevents coercion and helps prevent vote tampering. Absentee ballots are vulnerable to these problems because they are voted in unmonitored settings where there is no election official or independent election observer available to insure that there is no illegal coercion by family members, employers, churches, union bosses, nursing home administrators and others. The ability in most states of political parties, candidates, and independent groups to appoint observers who can monitor polling sites and the casting of votes is an important guarantee of the integrity and security of our election process. No fault absentee ballot laws make it easier for campaign organizations to engage in tactics such as requesting absentee ballots in the names of low-income hosing residents and senior citizens and either intimidating them into casting votes or completing their ballots for them. Absentee ballots also make vote buying easier because buyers can make sure that the votes "stay bought." Ballots cast in traditional voting locations discourage vote buying because buyers have no way of knowing how a vote was cast.

When voters cast absentee ballots in large numbers, the costs of political campaigns, which are already prohibitive for many citizens, are *significantly increased:*

Most campaigns spend the bulk of their money in the last few days before Election Day on direct mail, advertising, phone banking, and get-out-the-vote efforts. When significant numbers of voters cast absentee ballots, such expenses stretch over a much longer period, resulting in much more expensive campaigns. Any candidate who does not spend money on such efforts during the absentee voting period will be at an inherent disadvantage. No fault absentee balloting will, therefore, increase the cost barrier to the ability of the average citizen to participate in the political process as a candidate. That has already been the experience of candidates in states that have instituted no fault absentee, mail-in, and early voting.[4]

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[3] Report released February 8, 1999, Committee for the Study of the American Electorate.

[4] "Growing Use of Mail Voting Puts its Stamp on Campaign, Early Voters are Targeted, Reducing Election Day Focus, " The Washington Post, November 29, 1998, page A01.