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PREVENTING ELECTION FRAUD

State and Federal Legislative Recommendations

States - should pass legislation that would:

1. REQUIRE ALL VOTERS TO PRESENT PHOTO IDENTIFICATION AT THEIR PRECINCT POLLING LOCATIONS. A number of states already require identification to be shown by voters on election day, but all states should pass such legislation to prevent fraud at the polls. Currently, an impostor knowing the name and address of a registered voter can simply walk in and vote; requiring identification would prevent such fraud. Likewise, a dishonest poll worker could vote ballots at off-peak times, or after the polls close by simply checking of the names of persons on the voter registration list who did not cast a ballot, making it appear as if they had. Requiring poll workers to record the registration number of the identification presented by the registered voter would prevent the poll worker from engaging in such actions.

2. REQUIRE AN INDIVIDUAL WHO REGISTERS MY MAIL TO VOTE IN PERSON THE FIRST TIME. This is necessary to prevent individuals from registering numerous times under false names with mail-in registration forms and then requesting absentee ballots to vote. Any exception to this requirement for disabled individuals who cannot vote in person should require the absentee ballot request form to be notarized. When an individual can register to vote and vote without any election official ever seeing that individual and checking their identification, voter fraud becomes very easy to commit.

3. (A) REQUIRE THE ENVELOPE THAT AN ABSENTEE BALLOT IS PLACED IN TO BE SIGNED BY THE VOTER IN THE PRESENCE OF A NOTARY OR TWO WITNESSES WHOSE ADDRESSES AND TELEPHONE NUMBERS ARE PROVIDED;

(B) ALLOW ONLY VOTERS TO REQUEST AN ABSENTEE BALLOT, NOT THE VOTER'S FAMILY MEMBERS, SINCE SUCH A PROCEDURE MAKES IT IMPOSSIBLE TO COMPARE THE SIGNATURE ON A REQUEST FORM WITH THE VOTER'S SIGNATURE ON FILE; AND

(C) PROHIBIT ANY THIRD PARTIES SUCH AS CAMPAIGN WORKERS FROM DELIVERING ABSENTEE BALLOTS. Absentee ballots represent the biggest source of potential voter fraud because of the way they are obtained and voted. Requiring notarization or witnesses and allowing only voters to request absentee ballots would make

such fraud more difficult to commit and improve the security of the absentee ballot process. Prohibiting third parties from delivering ballots would prevent alteration of ballots by campaign organizations and other parties.

4. REQUIRE STATE ELECTION OFFICIALS TO RUN COMPUTER COMPARISONS ON A REGULAR BASIS (AT LEAST MONTHLY) OF THEIR VOTER REGISTRATION LIST WITH THE DEATH RECORDS OF THEIR STATE VITAL RECORDS AGENCY AND CORRECTIONS DEPARTMENT TO DELETE DECEASED INDIVIDUALS AND FELONS WHO ARE INELIGIBLE TO VOTE. The administrative procedures in most states for purging deceased voters and felons from the voter roles are inadequate and slow. Requiring automatic, monthly computer comparisons would promptly and routinely purge such persons.

5. GRANT INVESTIGATIVE SUBPOENA POWERS TO STATE AND COUNTY ELECTION AUTHORITIES AND THE ABILITY TO IMPOSE ADMINISTRATIVE FINES ON VIOLATORS OF ELECTION LAWS. Historically, election officials have relied too heavily on candidates themselves to identify election irregularities. Most election boards also do not have the authority to conduct vigorous investigations of voter fraud and must rely on local district attorneys and police forces that are usually heavily engaged in criminal cases and are not interested in investigating or prosecuting voter fraud cases. Election officials should have the investigative powers necessary to investigate such cases and to impose administrative fines for violations.

6. AUTHORIZE ATTORNEYS GENERAL TO USE STATEWIDE GRAND JURIES TO INVESTIGATE AND PROSECUTE ELECTION FRAUD OCCURRING ANYWHERE IN A STATE. Unfortunately, when local candidates or officials are involved in accusations of election fraud or irregularities, local district attorneys are often reluctant to investigate or to get involved for a variety of political and personal reasons. Giving state attorneys general the power to pursue such local cases helps insure that such cases will be investigated and prosecuted.

7. REQUIRE REGISTRATION AND ELECTION BOARDS COMPOSED OF CITIZEN APPOINTEES IN ALL COUNTIES AND MUNICIPALITIES THAT ARE RESPONSIBLE FOR VOTER REGISTRATION AND ELECTIONS. Conflicts of interest can only be avoided if boards made up of citizens are responsible for overseeing voter registration and elections, not elected officials who have to run for office themselves or who have budgetary and supervisory powers over county personnel who run elections. All such boards should also have equal representation from both major political parties and at least one non-partisan member. Accountability can only be insured with a truly representative system and meaningful checks and balances.

8. REQUIRE ALL COUNTY AND MUNICIPAL ELECTION AUTHORITIES TO HAVE INDEPENDENT AUDITS CONDUCTED OF THEIR VOTE TABULATION SYSTEMS, SOFTWARE, AND SECURITY PROCEDURES ON A REGULAR BASIS. In the business world, companies undergo outside audits by independent organizations to confirm to their stockholders that the companies are truthfully reporting on

their financial condition and status. Likewise, election authorities should regularly have outside audits to confirm to their stockholders, the voting public, that their security procedures for conducting elections are sufficient to guarantee free and fair elections.

9. AUTHORIZE STATE ELECTION AUTHORITIES TO ESTABLISH A NATIONAL, CENTRAL DEATH REGISTRY THAT WOULD RECEIVE INFORMATION ON DEATHS FROM ALL STATE VITAL RECORDS AGENCIES AND PROVIDE EACH STATE WITH THE INFORMATION NECESSARY TO PURGE REGISTERED VOTERS WHO MAY HAVE DIED IN OTHER STATES.

Even states that have good administrative systems in place to promptly purge deceased voters do not receive information on registered voters who died outside of the state. This problem could be addressed if states set up a central death registry. If such a registry was also sent voter registration information from all fifty states, election authorities could check multiple registrations and prevent individuals from registering and voting in more than one state.

10. AUTHORIZE INDEPENDENT, NON-PARTISAN GROUPS, AS WELL AS CANDIDATES AND POLITICAL PARTIES, TO APPOINT POLL WATCHERS TO OBSERVE THE ELECTION AND VOTE TABULATION PROCESS.

Having an open election process is the key to secure and fair elections and poll watchers are essential for running elections that are free from fraud and manipulation. In addition to having poll watchers in specific precincts, political parties, candidates, and independent, non-partisan groups should be able to designate statewide poll watchers with authority to be observers in any precinct or vote tabulation center.

11. REQUIRE ALL VENDORS WHO PROVIDE VOTING MACHINES, VOTING DEVICES, COMPUTER SOFTWARE PROGRAMS AND OTHER ELECTION EQUIPMENT FOR PUBLIC ELECTIONS TO UNDERGO INVESTIGATION BY STATE ELECTION AUTHORITIES OF THE FINANCIAL RESPONSIBILITY, SECURITY, AND INTEGRITY OF THE VENDOR.

Most states have no such requirement for election vendors whose equipment and software is essential for choosing elected officials. Only by investigating the financial responsibility, security and integrity of such vendors can election officials help insure that no vendor will take advantage of their integral involvement in elections to manipulate voting results. This is the same type of investigation that lottery vendors must undergo in most states.

Federal - The U.S. Congress should pass legislation that would:

1. REQUIRE THE U.S. IMMIGRATION AND NATURALIZATION SERVICE AND THE SOCIAL SECURITY ADMINISTRATION TO COOPERATE WITH STATE ELECTION OFFICIALS IN CHECKING THE SOCIAL SECURITY NUMBERS OF INDIVIDUALS WHO REGISTER TO VOTE TO INSURE THEY ARE U.S. CITIZENS AND THAT THE NUMBERS ARE VALID AND NOT

FRAUDULENT. There have been numerous cases found of duplicate and fraudulent registrations under false names or by non-citizens because federal law prohibits states from checking someone's identification prior to registering to vote and because states are required to allow mail-in registration. The INS and the SSA refuse to cooperate with election officials in making routine checks of social security numbers of individuals who register. Unless election officials are allowed to check someone's identification or citizenship status when registering, this is the only other way to prevent fraudulent registrations.

2. AMEND THE NATIONAL VOTER REGISTRATION ACT OR MOTOR VOTER TO PROHIBIT MAIL-IN REGISTRATION AND ALLOW STATES TO CHECK IDENTIFICATION PRIOR TO ALLOWING AN INDIVIDUAL TO REGISTER. As previously outlined, this is necessary to prevent fraudulent registrations and registrations by noncitizens.

3. AMEND MOTOR VOTER'S RESTRICTIONS ON THE PURGE PROCEDURES THAT CAN BE USED BY STATE ELECTION OFFICIALS TO DELETE INELIGIBLE VOTERS FROM THE VOTER REGISTRATION. States should be allowed to purge voters who do not vote at least once in a presidential election cycle after they have been sent notice by election officials and do not contact such officials after a reasonable amount of time. The current restrictions imposed by Motor Voter result in large numbers of ineligible persons remaining on the voter registration list, increasing the possibility that fraudulent ballots will be cast in their names.