

Number 96, November 2003: Local Election Officials Respond to ROA Survey

By CAPT Samuel F. Wright, JAGC, USNR*

In May 2002, I sent out, on ROA stationery, 51 personalized but essentially identical letters to each chief state election official (CSEO), which, in most states, is the secretary of State. In The Officer (July 2002), we published the letter to Alabama Secretary of State Jim Bennett as Law Review 49. You can find that letter, or any previous Law Review article, on ROA's Web site. Click on "Legislative Affairs" and then "Law Review Archive" on the bottom of the drop-down menu.

With each letter I included a questionnaire asking for the number of completed Federal Post Card Applications (FPCAs) received for the 2002 general election, the number of FPCAs rejected for lateness or other reasons, the number of absentee ballots mailed, the number of ballots received on time and counted, the number received on time but rejected for procedural reasons, the number received late, and the number of ballots that never came back at all. I asked each CSEO to distribute my letter and the questionnaire to local election officials in his or her state. Ten CSEOs responded to my letter, but only two distributed my letter and questionnaire to local election officials.

Missouri Secretary of State Matt Blunt, an ROA member, distributed my questionnaire to all 116 local election officials in his state and obtained and reported responses from 105. The responding election officials reported receiving approximately 1,147 completed FPCAs and mailing ballots to 1,136 of those applicants. Two completed FPCAs were rejected as untimely and nine were rejected for procedural reasons. Of the ballots mailed in response to completed FPCAs, 673 came back on time and were counted, for a success rate of 58.7 percent (673 of 1,147). Fifty ballots that came back on time were rejected for procedural reasons, and 81 ballots were rejected because they arrived after the deadline. About 350 ballots never came back at all.

Florida Secretary of State Jim Smith distributed my questionnaire to local election officials and asked them to complete the questionnaires and send them to me directly. After the 2002 election, I received completed questionnaires from 14 of Florida's 67 counties. In just those 14 counties, the number of disenfranchised military absentee voters was 2,115. What I mean is that 2,115 military personnel in those 14 counties submitted completed FPCAs but their ballots were not counted.

Among those 14 Florida counties, the best was Indian River County, with an 85.5 percent success rate. The supervisor of elections received 83 completed FPCAs and mailed ballots to all 83. Seventy-one of those ballots came back on time and were counted. Four ballots came back on time but were rejected for lack of a witness on the ballot return envelope. Another eight ballots were

not returned.

The worst Florida county, among those submitting information, was Orange County. That supervisor of elections reported receiving 13 completed FPCAs and mailing ballots to nine of the 13. (Four completed FPCAs were rejected as untimely.) Among the nine ballots mailed, none came back to be counted.

In Law Review 49, I asked ROA members to contact their local election officials, seeking cooperation to facilitate the enfranchisement of military personnel and their family members. As a result of the mention in The Officer, I heard from two South Carolina counties.

In Horry County, S.C., the Board of Registration and Elections reported receiving 17 completed FPCAs and mailing ballots to 15 of the 17. (Two completed FPCAs were rejected as untimely.) Of the 15 ballots mailed, 13 came back on time and were counted. The other two ballots came back late and were not counted.

In Richland County, S.C., the Board of Voter Registration reported receiving 67 completed FPCAs and mailing ballots to 64 of the 67. (Three completed FPCAs were rejected as untimely.) Of the 64 ballots mailed, 26 came back on time and were counted. Another two ballots came back late, and 35 ballots were not returned. (The completed questionnaire did not account for the 64th ballot.)

I sent out a new batch of letters to CSEOs, in late September 2003 (more than a year before the presidential election). I greatly appreciate the assistance of ROA members in bringing this issue to the attention of state and local election officials and state legislators.

What we really need is electronic voting. As a nation, we are still conducting absentee voting essentially as we did in World War II, by shipping pieces of paper around the world by "snail mail." Under a Department of Defense program, perhaps as many as 100,000 military personnel will have the opportunity to vote by electronic means in the 2004 presidential election. That is a big improvement over 2000, when only 84 military personnel voted electronically. But that still leaves more than 1.3 million military personnel who will have to vote by traditional means, if they are to vote at all. ROA

*Military title used for purposes of identification only. The views expressed in these articles are the personal views of the author and are not necessarily the views of the Department of the Navy, the Department of Defense, the Department of Defense or the U.S. government.