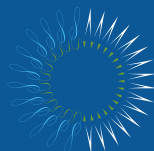




Election Preview 2008

What if We Had an Election and Everyone Came?

OCTOBER 2008



THE
PEW
CENTER ON THE STATES

electionline.org

Eight years after the 2000 election exposed some limitations of the American voting process – and six years after passage of a federal law intended to address those limitations – voters return to the polls to choose a president and thousands of other elected officials across the country.

When they do, they will encounter an election system that, while significantly changed since 2000, is in many respects no less settled after nearly eight years of debate and change.

Many of the old machines, laws and procedures that were blamed for the problems in 2000 are gone. But new machines, laws and procedures have themselves raised questions that continue to fuel controversy and concern as November approaches. Yet the biggest challenge in 2008 may not be changes to the system but the potentially record number of voters prepared to use it.

For nearly eight years, policymakers, election officials, and advocates have upgraded the plumbing of the nation's election system – replacing some sections while patching and plugging others – all in the hope of keeping Americans and their votes flowing smoothly.

In two weeks, however, voters will crank the pressure sky high.

An open seat for the White House, fueled by deep partisan, geographic, race and class divisions on issues at home and abroad, is about to result in a likely record number of voters turning out to vote on (and increasingly before) Election Day.

The question is no longer exclusively “will the system work?” Rather, it is “can the system handle the load?”

We'll know in two weeks.

Director's Note

One group that can handle the load is my incredibly talented and dedicated group of colleagues:

- electionline.org's Sean Greene, Tanner Horton-Jones, Mindy Moretti, Dan Seligson, Stan Turner and Kat Zambon;
- Make Voting Work's Michael Caudell-Feagan,Carolynn Race, Alysoun McLaughlin, David Becker and Zach Markovits
- The Pew Center on the States' Sue Urahn, Janet Lane, Carla Uriona and Alyson Freedman; and
- 202design's Mike Heffner, Lucy Pope and Denise Kooper.

I also want to recognize the thousands of people who serve their country as election officials and poll workers who work so hard to make sure that Election Day is a success.

Finally, I want to salute the voters. It's ordinary Americans — more than one hundred million strong, both speaking truth to power and wielding it themselves at the ballot box – who are the real superstars of Election 2008.

Doug Chapin
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Pew Center on the States

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Introduction

The Perfect Storm

Eight years after the uncovered problems in the 2000 election and more than five years after the creation of the Help America Vote Act of 2002, millions of Americans will head to the polls on November 4 in what many are predicting will be the highest turnout election in recent memory.

Like the infamous Nor'easter that sank the Andrea Gail, another perfect storm may be brewing, only this one has the potential to combine a record turnout with an insufficient number of poll workers and a voting system still in flux.

The biggest hurdle facing elections officials may be just how many voters will cast their ballot on November 4.

New voters are registering in record numbers in almost every state. In Virginia, for example, a critical swing state, officials recently had to order 200,000 additional voter registration forms.¹

Those new registrations will mean millions of new voters nationwide. Counties across the country are scrambling to make sure they have enough poll workers to handle the anticipated masses with mixed success. Cuyahoga County, Ohio reported that as of late August, it was still in need of thousands of poll workers.²

Other counties are coming up with new and creative ideas to lure poll workers, including partnering with local businesses and changing the age requirement to allow 16- and 17-year-olds to help out at the polls. In Massachusetts teens will be able to work at the polls for the first time in a presidential election after a law allowing the practice passed in 2006.³

With voter registration numbers soaring and long lines predicted at the polls on November 4, many states and counties are urging voters to steer clear of polling places on Election Day and cast ballots by mail or vote early in person instead.

The U.S. Postal Service is predicting that 31 million Americans will put their ballots in a mailbox instead of a ballot box this year.⁴

As in the previous two presidential elections, Oregon will conduct the election entirely by mail. The state will be joined by all but two counties in Washington. California and Colorado expect a majority of voters to vote by mail.⁵

Officials are also encouraging in-person early voting across the nation. In North Carolina, many counties are opening up additional one-stop, early voting sites and expanding the hours and days of the week that the sites will be open — including Sundays.

Always adding volatility to the mix are the issues of voter ID and provisional ballots.

Indiana, Georgia and Florida remain the only states that require a photo ID to cast a ballot (those without can cast provisional ballots) while 18 other states require that residents show some form of ID, with or without a photo.

Tova Wang of Common Cause and Edward Foley of the Ohio State University's Moritz College of Law have warned that provisional ballots, and the variety of state rules that govern them, may be the hanging chad of 2008.⁶

Another part of the equation is voting systems. Several states have made the switch from electronic to paper ballots since 2004 including, most recently, Florida.

The roll-out of paper ballots in Florida was relatively smooth in all counties but one — Palm Beach. There, nearly 3,500 ballots went missing between the initial count on election night 2008 and a follow-up recount. The ballots were eventually found, but questions remain about the ability of some counties to handle the upcoming election.⁷

Other localities have had difficulties with their voting systems as well, most recently, the Washington, D.C. Board of Elections and Ethics which led to election night chaos during a September 2008 primary and calls for an investigation by the city's Attorney General and Council.⁸

Though some states are making the switch to paper ballots after lawmakers and citizen groups took issue with electronic voting, other states including Delaware, Georgia, Louisiana, Maryland, New Jersey, South Carolina and Utah will have e-voting systems that do not offer individual paper ballot records.

Doubts still linger about electronic voting machines. The U.S. Election Assistance Commission (EAC) reported that it would not be able to certify some voting systems by the November election so leading manufacturers and election officials say they are forgoing important software modifications meant to address security and performance concerns.⁹

Despite questions about paper vs. computer, the biggest factor on Election Day 2008 still remains the people factor. Will there be enough poll workers? Just how many people will vote?

"The potential is not for a full-blown meltdown, but there could be problems," said Rosemary Rodriguez, EAC chair. "We should expect some isolated problems. The question is, what are you going to do when problems arise? It's my hope that voters can fret less about the mechanics of the process and ruminate more about how they are going to vote."¹⁰

Executive Summary



The 2008 General Election looms as one of the highest turnout contests in recent history. November 4 marks the end of a voting process that, for some, started more than a month before with early in-person or by-mail absentee voting.

Ballots cast early, however, will not provide any relief at polling places in many states on Election Day. While some experts estimate as many as a third of voters will cast ballots before Election Day, the myriad election systems and rules in all 50 states, the District of Columbia and U.S. territories will be put to the test on November 4, almost as much as the poll workers, voters, election officials and candidates.

This report offers detailed information on each state, including the latest registration numbers, voting system information, voter ID and provisional balloting rules, post-election auditing rules and other data beginning on p. 22.

Additionally, it provides an overview of the state-of-play around the country as Election Day approaches, describing a voting system that, while still in flux with a host of changes since 2001, will, ready or not, face its greatest challenge in a high-stakes contest with massive turnout.

Voter Eligibility

Surges in voter registrations around the country – and particularly in battleground states – have been among the most closely watched pre-election issues. Third-party registration groups, including labor unions, community groups, advocacy organizations and others have come under fire for problems with registration drives.

Eligibility for students enrolled in college, especially those who come to universities from out-of-state, has been a divisive issue.

Availability of sufficient registration opportunities continues to be an issue, more than a decade after the passage of the National Voter Registration Act, the law that requires state agencies – including motor vehicle bureaus and public assistance offices – to offer registration opportunities to citizens.

While registration deadlines have elapsed in all but a handful of states, election-day registration is available in eight states – Idaho, Iowa, Maine, Minnesota, Montana, New Hampshire, Wisconsin and Wyoming – with three others allowing voters to register and vote early in a two-week period before Election Day or cast a limited presidential ballot on Election Day (North Dakota stands alone in not requiring voter registration).

With hundreds of thousands of new voters added to the rolls in the final days of registration periods, the timeliness of registration-application processing has become a critical issue for campaigns. State rules

governing matching a voter's provided ID, derived from a Social Security number or driver's license, vary around the country, leading to fears that some otherwise qualified voters would be disenfranchised by what some advocates call "bureaucratic typos."

Voter Identification

Election Day marks the first time in a presidential contest that Georgia and Indiana will require all voters to present a government-issued photo ID or else cast a provisional ballot and present an acceptable ID at an election office within a limited time period.

The number of states requiring all voters to show some form of ID – photo or non-photo – has more than doubled, from 11 to 25, since the passage of the 2002 Help America Vote Act (HAVA).

Provisional Voting

Voters who believe that they are registered or fail to present proper ID are offered provisional ballots. The ballots are considered the safety net for voters, required by HAVA after thousands of eligible Floridians were turned away from the polls in 2000 when they were erroneously removed from county registration rosters following a flawed voter purge.

The HAVA requirement for provisional voting has not led to uniformity among the states. More than half of the states require voters to be in the correct precinct to have their provisional ballots eligible for counting.

States also have a variety of reasons for issuing provisional ballots, leading to wide fluctuations across the country in the number of ballots issued, counted or rejected.

With millions of new registrants nationwide, the use of provisional ballots could hit record numbers, experts say. And in a close race, the decision to accept or reject ballots could be crucial to victory.

Voting Systems

After peaking in 2006, the use of electronic voting systems is on the decline, driven largely by the decision to decertify most direct-recording electronic (DRE) systems in California and the switch to paper for voters not requiring extra assistance in Florida.

Nearly 60 percent of voters now vote in polling places using paper-based optical-scan voting systems. Absentee voters will cast paper ballots on similar systems, though their ballots will be counted at central tabulators rather than precinct counters.

With memorable voting-machine mysteries still fresh in the minds of voters who recall 18,000 non-votes for a U.S. House of Representatives seat in Sarasota County, Florida, and 3,500 missing optical-scan ballots in Palm Beach County, each voting system has raised anxiety levels among voters and advocates as Election Day approaches.

Early Voting

In 1998, more than 90 percent of ballots were cast on Election Day. Now, experts estimate that nearly one in three voters will have already voted – either in person on a voting machine at a central polling location or by mail using a paper absentee ballot – by the time polls open on November 4.

Since 2004, three more states have opted to allow no-excuse absentee voting – most significantly Ohio, raising the number to 28.

In all, 33 states now allow either in-person early voting or no-excuse absentee voting. Oregon will hold its third presidential election entirely by mail.

Military personnel and civilian citizens abroad continue to face hurdles voting, relying on slow and/or unreliable foreign mail services and navigating rules sometimes requiring witnesses or hard-to-find notaries to certify ballots. Internet voting remains a largely unused option, with lingering concerns among computer scientists over the security and reliability of electronic transmission.

Voter Eligibility

Before voters cast ballots, they must register to vote, be verified as eligible by their local election official, properly added to the rolls and listed on registration rosters at the polls. If for some reason they are not on the voter rolls or do not have proper verifying documents at the polling place, they will then cast a provisional ballot.

These processes – how voters register, how eligibility is verified and how provisional ballots are processed – vary considerably by state (and sometimes even within states). The process is not only inconsistent but inefficient, fraught with the possibility that some would-be voters will fall through the cracks.

Studies of the 2000 election found that 1.5 million to 3 million votes were never cast because would-be voters experienced registration problems.¹¹

With a hotly contested presidential race – evidenced by record turnout in the 2008 primaries in numerous states and reports of sharp increases in voter registration – the issue of voter eligibility has become a concern of voters, political parties, election officials and advocacy groups.¹²

Voter interest

The 2008 presidential primaries saw record turnout (compared to presidential primaries of the past) in the vast majority of states that held such votes.¹³

Much of the increase was driven by Democratic voters who participated in record numbers in the neck-and-neck nomination battle between Senators Hillary Clinton and Barack Obama for five months, from New Hampshire's January vote to Montana's and South Dakota's last-in-the-nation June primaries.

With that many engaged voters, and no incumbent president or vice president in the running, voter interest in November will not wane.

Record numbers of people watched both Sen. Barack Obama (D) and Sen. John McCain (R) give their nomination acceptance speeches.¹⁴ Polls showed voter interest in news about the candidates increased dramatically after the conventions.¹⁵

And registration numbers, especially for Democrats, saw increases as well. According to *The Associated Press*, by the end of August in the 28 states that register voters by party, Democrats had seen a two million voter increase since the last federal election in 2006. Republicans had seen a slight drop.¹⁶

The Brennan Center for Justice at the New York University School of Law predicts 2008 registration totals will surpass those from any previous election year.¹⁷

Partisan differences and third-party voter registration groups

The surge in Democratic registrations has not gone unnoticed. Republicans in a number of states have questioned the eligibility of some of the newly registered voters.

Republican and Democratic philosophies tend to collide over voter eligibility issues. Democrats generally seek increased access to the polls while Republicans are concerned about the potential for fraud with ineligible, dead or nonexistent voters being put on the rolls.

“We’re all for getting people involved in the process...and getting them to the polls. What we’re not for is registering fake people at fake addresses, and creating barriers to trying to identify voter fraud where it exists, which is everywhere,” said Cleta Mitchell, an attorney who represents Republican candidates and conservative groups, after a voter fraud training session at the annual National Republican Lawyers Association.¹⁸

Fraud or ‘isolated problems’?

Sometimes problems emerge from registration forms handed in by third-party voter registration groups. There were several reports over the summer of problematic forms delivered by the Association of Community Organizations for Reform Now (ACORN) — a group that has faced scrutiny for its voter registration drives in the past.

In Milwaukee, voter cards submitted by ACORN employees were said to have contained false voter information, according to city election officials.¹⁹ In Cuyahoga County, Ohio, multiple registration cards were filed under the same person with different addresses listed.

“It’s a responsibility on ACORN to make sure they are getting valid registration cards,” said Jane Platten, director of the Cuyahoga County Board of Elections. “And ACORN needs to be held accountable for that.”²⁰

ACORN and other voter groups acknowledge occasional problems with their voter registration drives, but counter that they generally achieve their principal goal of trying to expand the franchise to include as many people as possible.

“Yes, there may be isolated problems,” said ACORN’s Kristopher Harsh. “But the issues that we are having represent less than [one in 1000] of the people that we’ve registered this year. We are trying to spread democracy and not cause problems.”²¹

In Virginia, questions about eligibility in one county revolved around college students. Election officials in Montgomery County, home to Virginia Tech, issued warnings to students in August saying if they registered to vote using their college address as their primary residence, they could no longer be claimed as dependents by their parents and possibly lose scholarships. The press releases were modified, but confusion still lingered and election officials cited a lack of guidance from the state as the problem.²²

Vote caging

Some Democrats and voter advocacy groups worry about what has been called “vote caging.” The term is given to a process in which partisan groups obtain lists of voters who had mailings sent to them — either by the partisan group or local boards of elections — which end up being returned to sender. The lists of returned mailings are then used to potentially challenge those voters at the polls.

In Ohio, Secretary of State Jennifer Brunner (D) issued a September directive aimed at stopping this practice.

“Unfortunately, returned notices disproportionately impact minority and low-income voters,” stated a release from Brunner’s office. “[The] directive makes sure statutorily-required notices now paid for by counties under a 2006 state law cannot be the sole basis for canceling voter registrations and denying Ohioans their rights to vote.” The release added that mailings can be returned for a variety of reasons that have nothing to do with a voter’s eligibility.²³

Registration availability

Where citizens can register emerged as an issue as well.

Advocacy groups have pushed states to do a better job of offering voter registration opportunities at public assistance agencies.

ACORN filed a lawsuit against the Missouri Department of Social Services contending that the state was not complying with the National Voter Registration Act (NVRA – also known as Motor Voter) by not fulfilling its legal obligations to offer voter registration forms at public service agencies such as those that administer food stamps and Medicaid. In July, a federal court ruled in ACORN's favor.²⁴

The U.S. Department of Veterans Affairs (VA) also faced criticism this year for a policy prohibiting voter registration drives at its facilities, saying they could be disruptive and violated the ban on political activity by federal employees. In September, the VA changed its policy and allowed groups to conduct drives at its facilities as long as they were coordinated with those facilities.²⁵

Several other states have tried different approaches to where people can register to vote – at the polls and online.

Three states – Iowa, Montana and North Carolina – will be using some form of same-day registration for the first time during a presidential election. In both Iowa and Montana voters will be able to register and vote at the same time on Election Day. In North Carolina, voters will be able to register as well as vote during an approximately two-week early voting period.

Six other states – Idaho, Maine, Minnesota, New Hampshire, Wisconsin and Wyoming – have had election-day registration in place for longer periods of time (North Dakota does not require registration.)

In another approach to registering voters, both Arizona and Washington allow residents to register online. Arizona has allowed voters to do so since 2002, and as of January 2008, 60 percent of all registration applications were processed online.²⁶ Washington introduced its online system this year.

Processing registration applications

On the other end of the voter registration transaction is the local election official charged with processing the applications.

How applications are processed and how the surge in registration is handled are concerns of both election officials and advocacy groups.

In Florida, Secretary of State Kurt Browning (R) notified election officials in September that a three-year-old state law about voter verification that had been subject to — and survived — legal challenges would take effect again. It requires that a voter's ID on their registration application (a driver's license number or the last four digits of a Social Security number) be matched with information in state and federal databases.

Applicants whose numbers failed to match would be notified by their local election official and allowed to appeal by providing their driver's license, Social Security card or state-issued ID card. Those who still do not match on Election Day will need to cast a provisional ballot that will be counted if they prove their identity in two days.²⁷

Advocacy groups that challenged the law in Florida say they fear administrative errors will lead to non-matches and, as a result, disenfranchised voters.

"The secretary's decision will put thousands of real Florida citizens at risk due to bureaucratic typos that under the 'no-match, no-vote' law will prevent them from voting this November," said Alvaro Fernandez of the Southwest Voter Education Project, one of the groups that brought legal action against the state.²⁸

And then there is the challenge of just dealing with an inundation of registration forms.

Officials were swamped with applications and some were concerned about the potential spike in registrations before the close of registration. With increased numbers comes an increased chance for error in applicants filling out those forms which could also hinder their chances of getting on the rolls.

Voter Registration Deadlines

ALABAMA	Oct. 24
ALASKA	Oct. 5
ARIZONA	Oct. 6
ARKANSAS	Oct. 6
CALIFORNIA	Oct. 20
COLORADO	Oct. 6
CONNECTICUT	Oct. 21 by mail; Oct. 28 in person; Presidential ballots available for unregistered on Election Day
DELAWARE	Oct. 11
DISTRICT OF COLUMBIA	Oct. 6
FLORIDA	Oct. 6
GEORGIA	Oct. 6
HAWAII	Oct. 6
IDAHO	Election day registration. Oct. 10 last day to pre-register.
ILLINOIS	Oct. 7
INDIANA	Oct. 6
IOWA	Election day registration. Oct. 25 last day to pre-register.
KANSAS	Oct. 20
KENTUCKY	Oct. 6
LOUISIANA	Oct. 6
MAINE	Election day registration
MARYLAND	Oct. 14
MASSACHUSETTS	Oct. 15
MICHIGAN	Oct. 6
MINNESOTA	Election day registration. Oct. 14 last day to pre-register.
MISSISSIPPI	Oct. 4
MISSOURI	Oct. 8
MONTANA	Late and election day registration; Oct. 6 last day to register by mail
NEBRASKA	Oct. 17 by mail; Oct. 24 in person
NEVADA	Oct. 4 by mail; Oct. 14 in person
NEW HAMPSHIRE	Election day registration. Oct. 25 to pre-register.
NEW JERSEY	Oct. 14
NEW MEXICO	Oct. 7
NEW YORK	Oct. 10
NORTH CAROLINA	Oct. 10 or one stop registration and absentee voting from Oct. 16 – Nov. 1
NORTH DAKOTA	No voter registration
OHIO	Oct. 6; one-stop registration and voting period
OKLAHOMA	Oct. 10
OREGON	Oct. 14
PENNSYLVANIA	Oct. 6
RHODE ISLAND	Oct. 4. Presidential ballots available to unregistered voters on Election Day
SOUTH CAROLINA	Oct. 4
SOUTH DAKOTA	Oct. 20
TENNESSEE	Oct. 6
TEXAS	Oct. 6
UTAH	Oct. 6 by mail; Oct. 20 in person
VERMONT	Oct. 29
VIRGINIA	Oct. 6
WASHINGTON	Oct. 4 by mail and online voter registration; Oct. 20 for in person
WEST VIRGINIA	Oct. 14
WISCONSIN	Election day registration. Oct. 15 last day to pre-register.
WYOMING	Election day registration. Oct. 6 last day to pre-register.

John Riordan of the Marion County, Ind., Board of Voter Registration detailed the challenges they face.

“As we get more registrations that generally means more of them will be incomplete. Oftentimes people will forget to check those boxes and if they don’t we can’t process their registration. We’ll send them a letter telling them they need to correct that error. If we get 5,000, 6,000, 10,000 registrations, there’s only so many people who can actually get the work done,” Riordan said.²⁹

Advocates say they are concerned that not all voter forms will get processed in time to qualify citizens to participate on Election Day.

“We are significantly concerned that election officials won’t be prepared for the increase in voter registration rates and we fear large backlogs in processing voter registration forms,” said Wendy Weiser of the Brennan Center for Justice at the New York University School of Law. “If the voter registration system is something that only functions well when there are lower levels of participation, we need to rethink the voter registration system.”³⁰

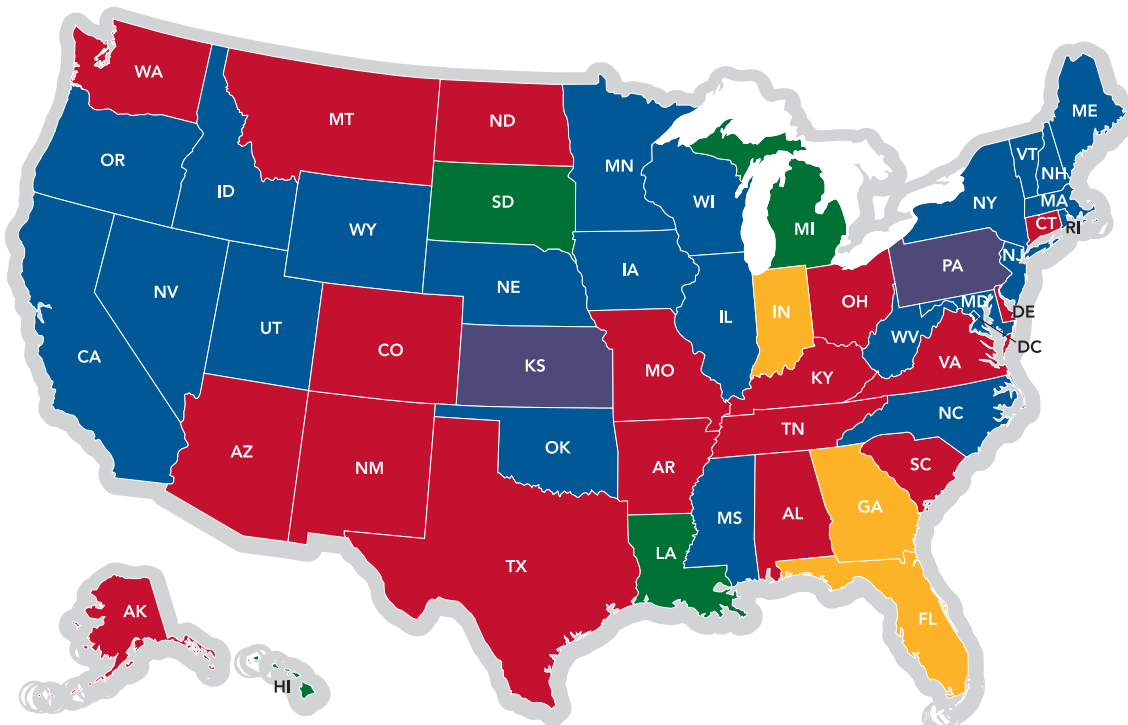
Voter ID at the polls

Many voters have to show one of a variety of documents to verify their identities to receive a ballot at the polls. After the passage of the Help America Vote Act (HAVA) in 2002 and the requirement of first-time voters who register by mail to show some form of photo or non-photo identification at the polls, a number of states expanded upon the federal mandate to widen the universe of voters required to present verification.

In three states – Florida, Georgia and Indiana – voters must present a government-issued photo ID. Those without photo ID cast provisional ballots with varying rules about how those ballots are to be counted. Voters in four other states are asked to show a photo ID; or those without an ID can sign an affidavit attesting to their identity and cast a regular ballot. Eighteen states ask voters to show a photo or non-photo ID. In two states all first-time voters are required to show a photo or non-photo ID.

Voter Identification

This map details voter verification requirements at the polls.



- **Minimum HAVA requirements in place.** Verification required of first-time voters who registered by mail and did not provide verification with their registration application. —23 states and the District of Columbia
- **Required of all voters;** photo and non-photo verification accepted. —18 states
- **Photo identification required;** voters without photo identification can cast provisional ballots. These ballots are verified and counted based on state regulations. (See notes below.) —3 states
- **Photo identification requested of all voters;** voters without photo identification can sign affidavits and cast regular (non-provisional ballots). —4 states
- **Required of all first-time voters.** —2 states

Notes:

Florida voters lacking required ID must cast provisional ballots. The canvassing board determines the validity of the ballot. In Indiana, if the voter is unable or unwilling to present photo ID on Election Day, they may cast a provisional ballot. They have until noon 10 days after the election to follow up with the county election board and either provide photo ID or affirm that one of the law's exemptions applies.

Source: electionline.org analysis of state law, state election Web sites.

The U.S. Supreme Court earlier this year upheld Indiana's law requiring all voters to show government-issued photo ID at the polls.

The court's decision motivated lawmakers in some states to introduce similar bills, triggering contentious partisan debates. Supporters, mostly Republicans, say the photo ID requirement helps prevent voter fraud. Opponents, mostly Democrats, say it disenfranchises poor and minority voters.

Regardless of the outcome in legislatures, many of those who work in or observe polling places routinely witness voters having photo IDs at the ready, even in jurisdictions where they are not required.³¹

And survey data has shown that voters support identification requirements. It has also shown that half of voters across the country in 2006 were asked to show photo ID even though at the time it was only required in Florida and Indiana. And blacks and Hispanics were asked to show ID 7 percent more often than whites and other racial groups.³²

Provisional ballots

If voters are not on the registration list or do not have the proper ID (among other reasons), they are offered provisional ballots.

Mandated for all states by 2004 by HAVA, provisional ballots are often seen as the safety net of voting, prohibiting election officials from turning away any voter believing themselves to be registered without having the opportunity to cast a ballot that will be assessed for eligibility after the polls have closed. However, how each state issues and processes these ballots - and how many of these ballots are issued and counted varies. Some states even vary how they are processed from county to county.

More than half of the states require voters to be in the correct precinct to have their provisional ballot eligible for counting. In more than a dozen states, the voter can be in the correct jurisdiction, to have their ballots eligible for counting for statewide races.

States also issue provisional ballots for other reasons, and some states in the past have issued high numbers of provisional ballots while others have very few.³³

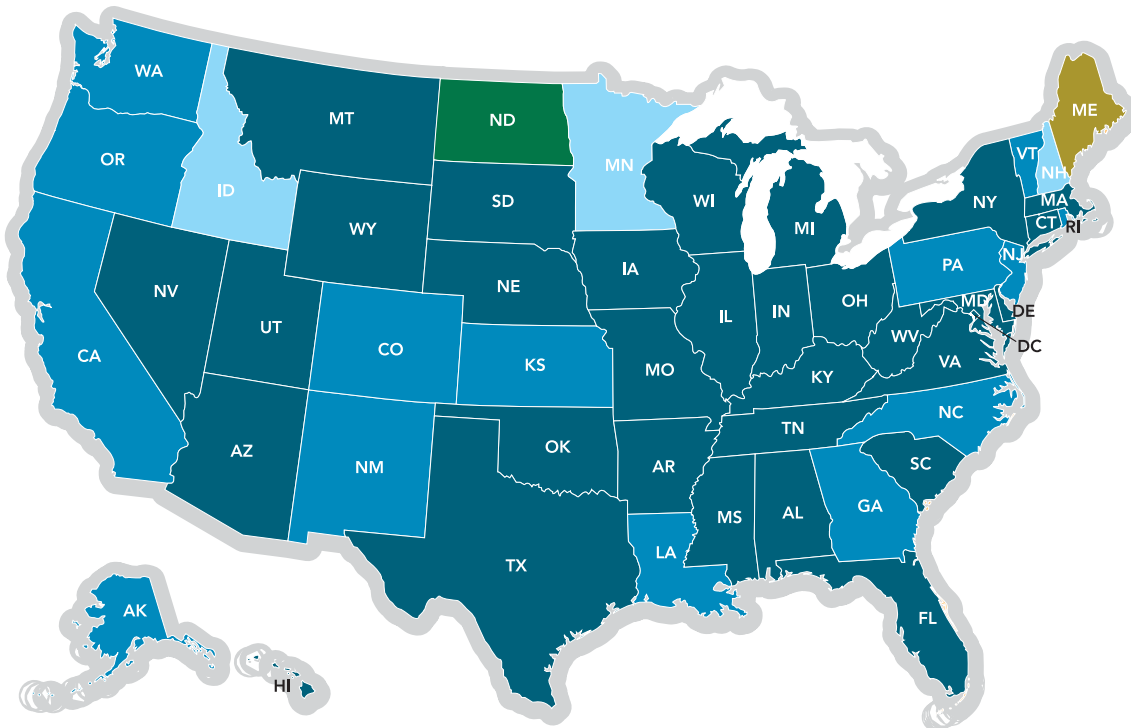
In Ohio, the number of provisional ballots issued and counted in 2006 varied extensively by county, likely because jurisdictions were applying state rules differently.³⁴

This variation among and within states, along with possibly millions of first-time voters, concerns some election law experts, as does the potential for a high volume of provisional ballots that could prove pivotal in states where the election is close.

"The large increase in voter registration and the number of first-time voters in the upcoming election unfortunately makes it likely that we will see an attendant increase in the number of provisional ballots cast in 2008," stated a recent report from Common Cause on problems in swing states. "Our biggest concerns are that polling sites will have insufficient supplies of provisional ballots and that poll workers, overrun with voters, will use provisional ballots when it is not appropriate to do so because it seems like the easier way to deal with problems.... Again, because the procedure for verifying provisional ballots is decentralized and non-standard, we could encounter extensive confusion in the days following the general election as to how to deal with provisional ballots in states with close races."³⁵

Provisional Voting

This map details which states require provisional ballots to be cast in the correct precinct or the correct jurisdiction to be eligible for counting.



- 31 states and the District of Columbia require provisional ballots to be cast in the correct precinct to be eligible for counting.
- 14 states count provisional ballots cast in the correct jurisdiction - i.e. municipality, county, state.
- 3 states are exempt from HAVA's provisional ballot requirement because they allow Election Day Registration.
- 1 state is exempt from HAVA's provisional ballot requirement because it does not have voter registration
- 1 state with election-day registration allows voters to cast challenge ballots.

Notes:

Utah requires provisional ballots to be cast in the correct precinct to be counted unless the ballot cast is identical to that in the voter's home precinct.

Wisconsin and Wyoming are exempt from HAVA's provisional ballot requirement because they allow election-day registration. Both offer provisional ballots to voters who cannot meet voter ID requirements. These states require provisional ballots to be cast in the correct precinct to be eligible for counting.

Source: electionline.org analysis of state law, state election Web sites.



Voting Systems in 2008: Most to Vote on Paper; Questions Remain

Need a voting machine? Chances are good that a county has quite a few sitting in a warehouse — gently used — waiting for a new owner.

San Diego has more than 10,000, shrink-wrapped and stored. Other communities have put machines on eBay, Craigslist or government Web sites hoping to unload the systems.³⁶

From Florida³⁷ to Guam,³⁸ touch-screens sit idle. Having fallen out of favor with state legislators in some cases and election officials in others, the cycle of paper to electronic and back to paper again is complete in some places, most notably in the Sunshine State.

As the 2008 election approaches, the concern in many cities and counties around the country is not the security and reliability of direct-recording electronic (DRE) voting systems. It's more likely to be how poll workers and voters will handle the change from paper to electronic and back to paper.

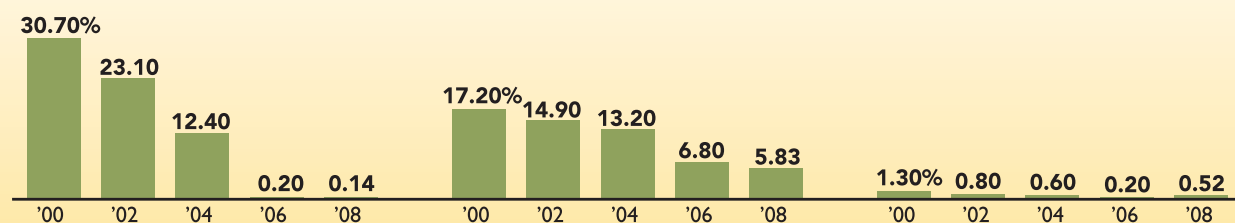
Paper-based optical scan systems, which require voters to complete arrows or fill in circles to cast ballots, are the nation's most prevalent voting technology.

"From 2004 to 2006, electronic voting machine usage went up and 2006 was the high water mark," said Kimball Brace, president of Election Data Services, a company that examines voting machine usage across the country. "Then we came down. From 2006 to 2008, every jurisdiction that has changed has gone to optical scan. What you have is, basically, the activists have won the argument and election administrators are now moving their decisions in that direction."³⁸

Voting Technology Used in the United States

Percentage of registered voters using various voting technologies.

In recent years, **punch card machines** ... and **lever machines** have also ... while **hand-counted paper ballots** remain seldom-utilized.



SOURCE: Election Data Services

The 9 percent increase in just two years in the use of optical-scan voting equipment can be largely attributed to densely populated counties junking electronic touch-screen machines for optical scanners.

Pockets of Florida and California, all of Connecticut, parts of New York and other jurisdictions around the country made the switch from either DRE or lever machines to optical-scan systems.⁴⁰

Voting machine manufacturers have adjusted to a market that has shifted from the desire for high-tech machines to paper ballots counted at the precinct level and independently auditable after elections.

Florida perhaps most jarringly illustrates e-voting's fall. Sequoia DREs, purchased by Pinellas County at a cost of more than \$3,100 each, had no buyers. Recycling components was considered as were other educational uses. Sequoia came up with their own purchase price – \$1 per unit.⁴¹

The state, which insists the machines are worth more, refused Sequoia's bid. But a spokeswoman for the company said the precipitous drop in demand for not only the six year old DREs, but touch-screen systems in general, rendered Florida's machines essentially worthless.

"For Sequoia, there's nobody demanding those from us where we could facilitate any further use from us," said Michelle Shafer, the company's vice president for communications and external affairs. "Our big sales this year were for 53 counties in New York for a unit

compliant with [the Americans with Disabilities Act] that is an optical scan. Two Florida counties have gone to optical scan as well. We've definitely sold more optical-scan units than touch-screen units in 2008. Obviously it's state requirements that's causing that to happen in Florida and that's the way things are going in some other states as well."⁴²

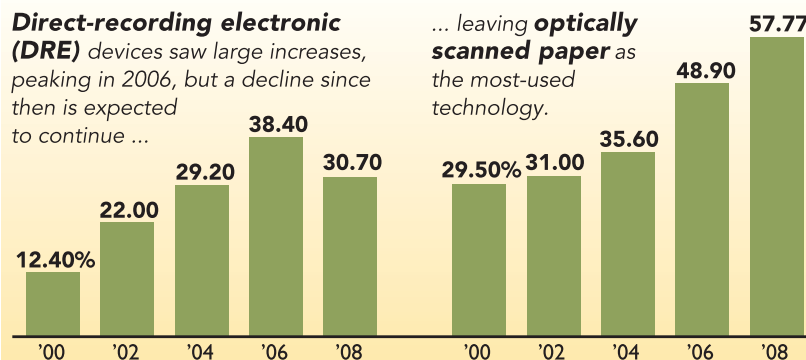
Sales of DREs were probably not aided by an admission in August by Premier Election Solutions, formerly named Diebold Election Systems, that a software flaw could cause DREs to fail to transfer ballots during tabulation.⁴³

Top-to-Bottom Reviews

In order to ensure a sometimes skeptical public of the security and reliability of voting systems, two states, Ohio and California, conducted reviews of their election systems and procedures in 2007.

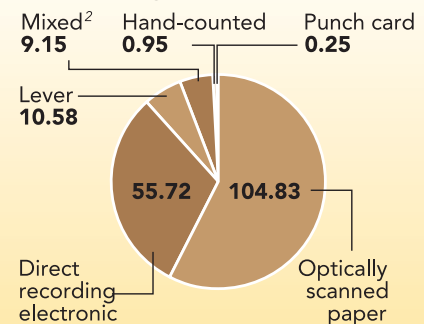
Ohio spent nearly \$2 million in federal funds to study machines in what the state termed a "parallel assessment" of systems from three vendors, Hart InterCivic, Premier Election Solutions and ES&S. The conclusions called for an overhaul:

"The results underscore the need for a fundamental change in the structure of Ohio's election system to ensure ballot and voting system security while still making voting convenient and accessible to all Ohio voters...In an era of computer-based voting systems,



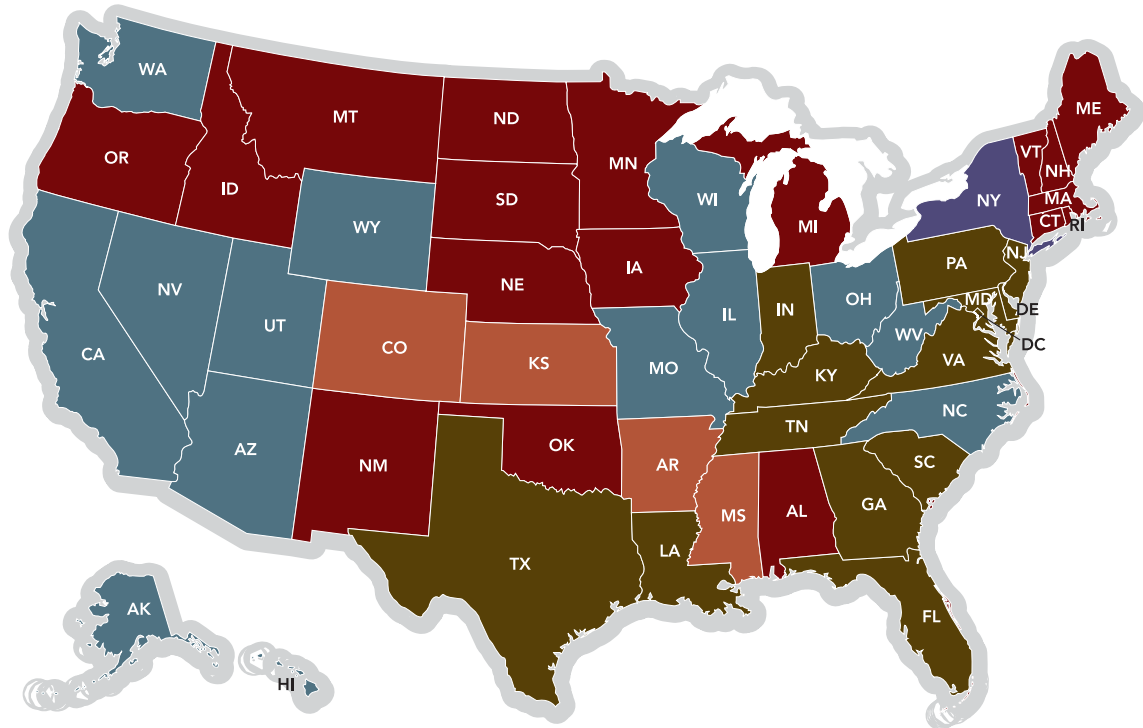
Voting technologies in 2008

Number of registered voters, in millions.¹



1. Estimations based on 2007 registration data. 2. Figure is for voters in counties that use different technologies in different municipalities.

Use of Voter-Verified Paper Audit Trails/Paper Ballots



- 18 states employ paper-based voting systems (primarily precinct-count optical scanners).
- 14 states employ direct-recording electronic (DRE) voting systems in some or all jurisdictions and require voter-verified paper audit trails (VVPATs).
- 4 states employ DREs in some or all jurisdictions both with and without VVPATs.
- New York employs lever machines and paper-based ballot-marking systems.
- 13 states and the District of Columbia employ DREs in some or all jurisdictions and do not require the use of VVPATs.

Source: electionline.org analysis of state law, state election Web sites.

voters have a right to expect that their voting system is at least as secure as the systems they use for banking and communication,” Brunner said in a statement.⁴⁴

As part of her recommendations, Brunner called for the state to move to a system of centrally counted optical scan systems and hybrid touch-screen machines to meet requirements for voters with disabilities. The two systems would be paper based.

Premier responded shortly after with a 15-page technical assessment. The company, which supplied DRE voting systems to dozens of Ohio counties at the time the report was released, said the report was neither comprehensive nor balanced.

“Any public voting system — paper, punch card, optical scan, lever, electronic — can and will be found vulnerable to attack if left open to full access in an environment that ignores physical and procedural security,” the report stated. “This is certainly the case with the central count optical scan model that the Secretary of State has advocated and embraced.”⁴⁵

Changes will not come to Ohio in time for the 2008 election. The majority of counties will use DRE machines with voter-verified paper audit trails, though paper backup ballots will be available in all e-voting counties.⁴⁶

In California, a two-month top-to-bottom review completed in 2007 yielded information that led to the decertification of DRE systems manufactured by three vendors, Premier, ES&S and Sequoia. Only one system, the Hart InterCivic eSlate, continues to be used for general voting. (DRE machines continue to be used as ADA-compliant systems in much of the state.)⁴⁷

Secretary of State Debra Bowen (D) said her actions clearly favored the more readily transparent paper systems.

“My decisions have a bias toward voting systems that score the highest with two very important measuring sticks: transparency and auditability,” she wrote in a release. “Applying proper auditing procedures to optical-scan systems that are easier for voters to see and understand gives us the ability to begin rebuilding the confidence in the systems we use to conduct elections.”⁴⁸

General Election Outlook

The potential for voting-machine trouble on Election Day would not appear to be limited to one type of voting system.

While the majority of voters will cast paper optical-scan ballots in November — either at home on optical scan ballots centrally counted at election offices or at polling places on precinct-based counters — problems have cropped up recently.

Nearly 3,500 primary ballots were missing from Palm Beach County in August 2008 – all votes cast on optical-scan machines. County officials said they found the ballots three weeks later at a tabulating center in West Palm Beach. And state officials say the problems that plagued the election had nothing to do with the computers tabulating the results, but rather with poll workers who might have miscounted, mishandled or otherwise erred.⁴⁹


Voting system vendor Sequoia and District of Columbia officials disagreed over an error that plagued the city’s low-turnout primary in early September 2008. One precinct reported an unusual number of write-in ballots and odd results. A spokesman for the District said a flawed memory cartridge in a voting machine might have been the cause, a theory summarily dismissed by a Sequoia official.⁵⁰

Premier Election Solutions wrote of a flaw in their Global Election Management System (GEMS) that “can affect memory card uploaders.”⁵¹

The flaw involves a source-code error that sometimes occurs when memory cards from voting machines are uploaded on to the GEMS systems. Translated – voting machine tabulators are failing to transfer votes, most recently by the hundreds during Ohio’s March primaries.⁵²

Brunner’s office said that the affected votes were found and “strict protocols” as well as “instruction and support” would ensure an accurate vote count.⁵³

In a product advisory notice to local and state election officials, the company gave guidance that it says mitigates the problem.⁵⁴



Voting Is Well Under Way: Early and Absentee Voting to Hit Record Numbers

The calendar says that November 4 is the day Americans will cast ballots to decide who becomes the next president.

But that date can be deceiving. For millions of Americans, the voting component of the day has long since passed. The polling place was a mailbox or government office and “election day” could cover an extended period of time.

Rather than the day polls are open, some experts believe we should start thinking of Election Day as the day they finally close. After all, voters in many states have been casting ballots for weeks; some voted more than a month ago.

“Early voting has created a quiet revolution in American elections,” said Paul Gronke, consultant to the Pew Center on the States. “Just a decade ago, more than 90 percent of ballots were cast at the polling place on election day...in the November 2008 contest, nearly a third of voters will cast an in-person [pre-election] or absentee ballot.”⁵⁵

Press reports from the start of the early voting and absentee period in many states indicated a high demand for absentee ballots. By the end of September, voters in nearly half the nation were already casting votes.⁵⁶

In 2004, 25 states allowed no-excuse absentee voting. That number has increased to 28 states, including, perhaps most significantly, the battleground state of Ohio, which switched to no-excuse absentee voting in

2006. Six additional states – Illinois, Indiana, Louisiana, Tennessee, Texas and West Virginia – allow no-excuse in-person early voting (they still require an excuse for by-mail absentee voting).⁵⁷

Overseas and Military Voters Continue to Face Hurdles

U.S. citizens abroad — both military and civilian — experience a host of challenges when attempting to vote, including ballots that arrive late or not at all, missed registration deadlines, difficulties getting ballots witnessed or notarized and complex residency validation requirements.⁵⁸

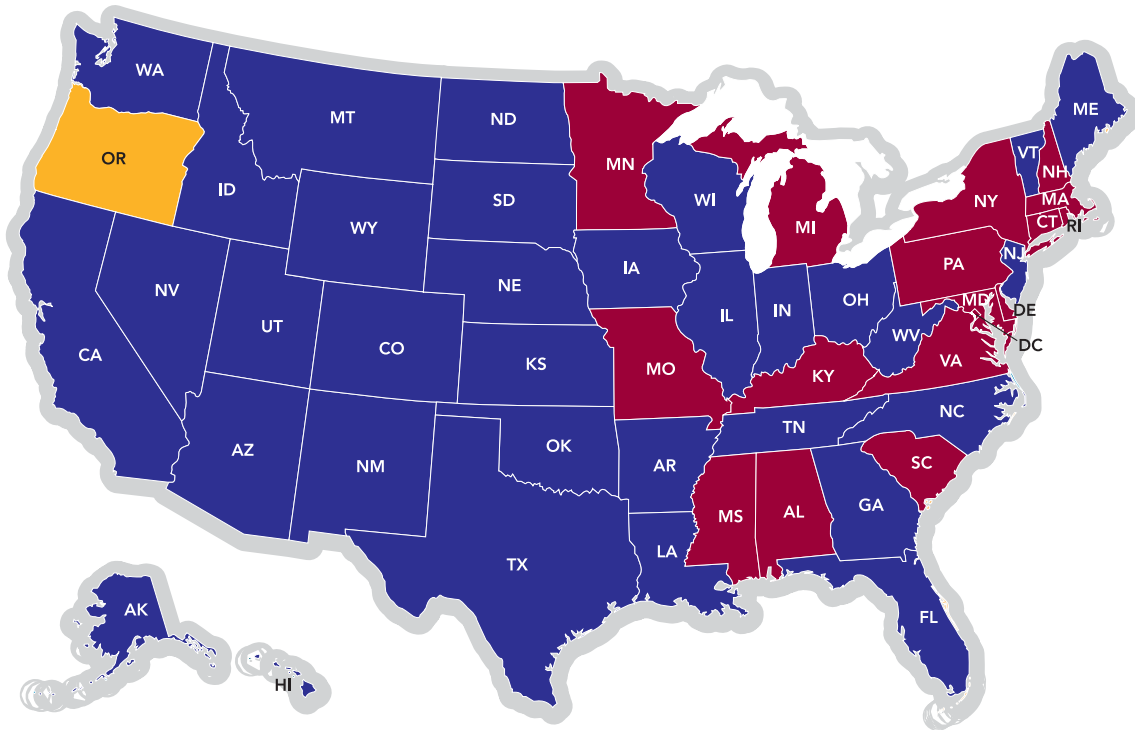
The spike of interest in the 2008 presidential race is not limited to our shores, and many expect similar increases in participation for citizens abroad.

While some states have acted to make the process easier, some experts expect that thousands of ballots requested – and even those cast – by overseas voters will never make it back in time to be counted.

“Our military men and women serve around the world and risk their lives in defense of freedom, and yet their own ability to exercise their fundamental right to vote is being obstructed,” Bryan O’Leary, a public policy consultant and former voting assistance officer in the Marine Corps told the Senate Judiciary Committee at a September hearing. “In short, our military men and women and their families are being systematically disenfranchised by a broken system.”⁵⁹

Absentee/early voting map

This map details no-excuse absentee or no-excuse in-person early voting.



- 33 states allow no-excuse absentee voting by mail and/or no excuse in-person early voting.
- 16 states and the District of Columbia require an excuse for absentee voting.
- 1 state is all vote-by-mail.

Notes:

Illinois, Indiana, Louisiana, Tennessee, Texas and West Virginia allow for no-excuse in-person early voting while requiring an excuse to cast an absentee ballot by mail. In 37 of 39 counties in Washington state all ballots are cast by mail.

Source: electionline.org analysis of state law, state election Web sites.

The Uniformed and Overseas Citizen Absentee Voting Act (UOCAVA) allows absent uniformed service members and overseas citizens to participate in absentee voting processes for elections to federal office.⁶⁰ The law covers an estimated 6.5 million people including 3.7 million overseas citizens not affiliated with the government (about 2 million of whom are of voting age), 1.4 million military service members and 1.3 million voting-age military dependents.⁶¹

The Federal Voting Assistance Program (FVAP) administers UOCAVA on behalf of the Department of Defense and provides U.S. citizens abroad nonpartisan information and assistance in the voting process. As part of its mission, FVAP conducts a legislative initiatives program, which makes recommendations to states to improve the voting process for UOCAVA voters by changing state law. FVAP has made 10 recommendations for improvement, including allowing voters to transmit election materials electronically and mailing ballots to voters at least 45 days before an election.⁶²

While estimates vary, both the Overseas Vote Foundation (OVF) and the National Defense Committee calculate that as many as half of UOCAVA voters attempting to cast ballots are unsuccessful.⁶³ Survey data have shown that a significant number of these voters did not cast ballots because they never received them or received them too late.⁶⁴ In the 2006 elections, only 330,000 expatriate votes were counted, representing 5.5 percent of Americans overseas.⁶⁵ More than two-thirds of American voters abroad were disenfranchised by red tape, technical difficulties and missed deadlines.⁶⁶

This summer, Rosemary Rodriguez, chair of the U.S. Election Assistance Commission (EAC) encouraged all Americans living abroad, both military and civilian, to register to vote – and update their addresses with local election officials, if necessary – as soon as possible.

“The voting process for Americans living overseas is lengthy ... [and it] leaves little room for error or clarification ... We have already seen a huge increase in voter registration, and we expect record voter turnout this November, and that is why it is more important than ever that we all work together to make sure every vote is counted,” she said.⁶⁷

Traditional mail is not always the best option. Voters who cannot use electronic means to transmit ballots are left to rely on mail service which may be spotty overseas.

“Mail will get lost, you’ll work with a local election official who doesn’t understand the law, you’ll find some places not sending out proper postage on ballots, just all sorts of problems,” said Michael McDonald, a professor of government and politics at George Mason University.⁶⁸

Simple oversights can cause ballots to be returned to voters uncounted. When voters in 2006 attempted to return ballots using envelopes provided by election officials that left “USA” off the mail-to address, the ballots were frequently returned to the voters uncounted.⁶⁹

Kent Deitmeyer, a Virginia businessman who spends most of the year in New Zealand, said he was certain that he followed the instructions for returning his absentee ballot in 2006. A few weeks after the election, he received a notice saying that his vote did not count because he had used an improper envelope.

“When you’re a military dad with a kid in Iraq you kind of want your vote to count,” Deitmeyer said.⁷⁰

Alternatives to traditional mail are one possible answer.

In July, OVF and FedEx announced plans to offer steep discounts to UOCAVA voters. “Express Your Vote” will provide overnight delivery for ballots sent between September 15 and October 29 from branches in 89 countries for \$23.50 or less, depending on the region from which they are being mailed. Delivery from the Asia/Pacific region is free. Voters can print forms and request pick-ups through OVF’s Web site and will be able to track their ballots to ensure that they reach their destinations.⁷¹

The tracking feature will give UOCAVA voters “a level of confidence that really isn’t otherwise provided in this system,” Susan Dzieduszycka-Suinat, OVF president and CEO said. FedEx described the initiative as “a natural extension of our ongoing commitment to making strategic use of our physical and digital networks to meet the needs of people worldwide.”⁷²

For the 2006 election, the Defense Department spent \$830,000 on a Web-based voting system for military voters. Just 63 voters used the system to request and return ballots over the Internet.

Rep. Kevin McCarthy, R-Calif., proposed the Military Voting Protection Act that would allow the Defense Department could use private mail carriers to expedite the sending and receiving of election materials to overseas uniformed service members, providing the voters with tracking numbers.⁷³

The Internet is another, albeit controversial, alternative.

The Defense Department has experimented with online voting for UOCAVA voters with disappointing results.

Yet interest in using the Web to cast ballots has steadily increased, with 87 percent of service members participating in a GAO focus group indicating they would be likely to vote over the Internet if the security of the vote could be guaranteed.⁷⁴ Voters who used electronic transmission of voting materials in the past overwhelmingly said they would use it in the next election if given the chance, Rodriguez said.⁷⁵

For the 2006 election, the Defense Department spent \$830,000 on a Web-based voting system for military voters. Just 63 voters used the system to request and return ballots over the Internet.

Rep. Carolyn Maloney, D-N.Y., who also leads the Americans Abroad Caucus, criticized the Defense Department's system for being underused and wasteful.⁷⁶ "Do the math. In terms of those who actually tried to vote using the system in the 2006 election, that's more than \$13,000 per vote," Maloney said. "We could have flown their ballots back and forth first class for less money."⁷⁷

One pilot program in Okaloosa County, Fla. will allow up to 900 military voters in three locations to cast ballots for president in 2008 over the Internet. County poll workers will be able to access online voter registration records for real time voter verification and voting machines will boot up from a secure CD produced by the Secretary of State that will be in the poll worker's custody. Ballots will be electronically transmitted to the county server, which will accept only ballots with signatures from the kiosks. Once the votes have been received in the county, they will be electronically shuffled and combined with regular ballots.⁷⁸

Experts have concerns about Internet voting, however.

"Internet voting is not secure. Period," said Avi Rubin, a Johns Hopkins University professor and computer scientist who was part of a team that studied – and eventually called for the scrapping of – an online voting project for the Pentagon in 2004.⁷⁹

State Snapshots

ALABAMA



Secretary of State Beth Chapman (R) has described voter fraud as a “big business in Alabama” that has included vote selling and mail-based absentee fraud.⁸⁰ A Web site, www.stopvoterfraudnow.com, was established by Chapman as a special unit for citizen reporting of voter fraud. But fraud is not the state’s only concern. Federal election observers were on hand in at least one jurisdiction in August to ensure compliance with the Voting Rights Act.⁸¹ The stress on the system could be extraordinary in the state as registrars were reporting surges in new registrants.⁸²

Polling place hours:	7 a.m. – 7 p.m.
Electoral College votes:	9
Registered voters 2008:	2,864,611 (September 30) 2,756,919 (January 31)
Registered voters 2004:	2,597,629
Voting eligible population (VEP) 2008:	3,469,805
Turnout of VEP, 2008 presidential primary	31.66 percent
Turnout of VEP, 2004 general election:	57.31 percent
HAVA funds received/expended:	40,907,194; 23,999,806 (58.67 percent)
Voting systems/Manufacturer(s):	Optical scan and ballot-marking device/ES&S
VVPAT for DRE requirement:	No requirement – no DREs in use
Voter ID:	Required of all voters. Photo or non-photo ID accepted.
Provisional ballot verification:	Eligible for verification if cast in correct precinct
Voter registration deadline:	October 24
Voter registration database:	Developed by ES&S
Felon voting rights restoration:	An individual convicted of “a felony involving moral turpitude” is not qualified to vote until their civil rights are restored. An individual may request to have their voting rights restored by applying for a certificate of eligibility if he or she has fulfilled all terms of their sentence.
Absentee voting by mail:	Excuse required
No excuse in-person early voting:	Not available
Post-election manual audits:	No

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, “2008 General Election Turnout Rates,” last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission’s “State Governments’ Use of Help America Vote Act Funds,” a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

Felon voting rights restoration information from The Sentencing Project, available at www.sentencingproject.org/IssueAreaHome.aspx?IssueID=4.

Other information collected from state election Web sites and previous electionline publications and research.

ALASKA



Many voters in the home state of Republican vice presidential candidate Gov. Sarah Palin are expected have voted before polls open on November 4 in a state where a fifth to a quarter of all voters opt to cast absentee ballots.⁸³ A lawsuit alleging the state failed to meet minority language requirements of the Voting Rights Act is ongoing, as is observation of the placement of bilingual poll workers in those precincts with sizable numbers of Yup'ik speakers.⁸⁴

Polling place hours:	7 a.m. – 8 p.m.
Electoral College votes:	3
Registered voters 2008:	482,045 (September 4) 479,336 (January 3)
Registered voters 2004:	473,940
Voting eligible population:	541,199
Turnout of VEP, 2008 presidential primary:	Not applicable – held caucuses
Turnout of VEP, 2004 general election:	70.76 percent
HAVA funds received/expended:	16,596,803; 8,782,911 (52.92 percent)
Voting systems/Manufacturer(s):	Optical scan, hand-counted paper ballots and DRE with WVPAT/Premier Election Solutions
WVPAT for DRE requirement:	Yes
Voter ID:	Required of all voters. Photo or non-photo ID accepted
Provisional ballot verification:	Eligible for verification if cast in correct jurisdiction
Voter registration deadline:	October 5
Voter registration database:	Developed in house. Voter Registration and Election Management System (VREMS) built in house and in place since 1985.
Felon voting rights restoration:	Automatic restoration upon completion of sentence (including probation)
Absentee voting by mail:	No excuse required
No-excuse in-person early voting:	Available
Post-election manual audits:	Yes. A hand count of ballots from one randomly selected precinct in each election district that accounts for at least five percent of the ballots cast in that district.

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

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Other information collected from state election Web sites and previous electionline publications and research.

ARIZONA



Republican Presidential nominee Sen. John McCain's home state will probably not be a pivotal battleground in November, but an innovative registration system along with strict proof-of-citizenship laws make Arizona's election administration worth watching. The online voter registration system (only Washington state will register voters online in 2008 as well) has handled a surge in voter registrations over the summer. The state's law requiring voters to present proof of citizenship when registering and identification when voting survived a court challenge when a federal judge upheld the legality of Proposition 200 in August.⁸⁵ And don't expect speedy results from the state's second-most populous county. A new security system installed by Pima County means that results are hand-delivered to county headquarters instead of electronically transmitted, which slows down the count considerably.⁸⁶

Polling place hours:	6 a.m. – 7 p.m.
Electoral College votes:	10
Registered voters 2008:	3,294,370 (September 2) 3,136,868 (January 1)
Registered voters 2004:	2,896,748
Voting eligible population 2008:	4,191,799
Turnout of VEP, 2008 presidential primary:	24.37 percent
Turnout of VEP, 2004 general election:	58.09 percent
HAVA funds received/expended:	47,600,072/25,112,990 (52.76 percent)
Voting systems/Manufacturer(s):	Optical scan, DRE with VVPAT and ballot-marking device/ Premier Election Solutions, ES&S and Sequoia
VVPAT for DRE requirement:	Yes
Voter ID:	Required of all voters. Photo or non-photo ID accepted.
Provisional ballot verification:	Eligible for verification if cast in correct precinct
Voter registration deadline:	October 6
Voter registration database:	Voter Registration Arizona II (VRAZ II) developed by IBM and ES&S
Felon voting rights restoration:	For first felony offenders civil rights are automatically restored upon completion of all terms of their sentence (including probation) and payment of any fine or restitution. Repeat offenders must apply for judicial restoration or pardon.
Absentee voting by mail:	No excuse required
No-excuse in-person early voting:	Available
Post-election manual audits:	At least 2 percent of the precincts in county, or two precincts, whichever is greater, selected at random.

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

Felon voting rights restoration information from The Sentencing Project, available at www.sentencingproject.org/IssueAreaHome.aspx?IssueID=4.

Other information collected from state election Web sites and previous electionline publications and research.

ARKANSAS



Officials in the state are hoping that the problems that plagued a May primary have been solved. Faulkner County voters using electronic machines noticed ballots did not include a race for the state House of Representatives. Voters cast ballots on paper for that race only. However, the electronic cartridges yielded an error message, leading to more problems during the counting. State officials blamed human error – officials not recognizing the missing race during pre-election testing – and ignoring warning messages during tabulation procedures.⁸⁷

Polling place hours:	7:30 a.m. – 7:30 p.m.
Electoral College votes:	6
Registered voters 2008:	1,619,149 (August 31) 1,570,961 (February)
Registered voters 2004:	1,686,124
Voting eligible population 2008:	2,080,359
Turnout of VEP, 2008 presidential primary:	26.28 percent
Turnout of VEP, 2004 general election:	54.65 percent
HAVA funds received/expended:	27,761,473/24,416,169 (87.95 percent)
Voting systems/Manufacturer(s):	Optical scan, DRE with VVPAT and DRE without VVPAT/ ES&S and Danaher
VVPAT for DRE requirement:	Partial - all DREs purchased on or after Aug. 12, 2005, must have a VVPAT.
Voter ID:	Required of all voters. Photo or non-photo ID accepted
Provisional ballot verification:	Eligible for verification if cast in correct precinct
Voter registration deadline:	October 6
Voter registration database:	Network of Voters in Arkansas (NOVA) developed by ES&S
Felon voting rights restoration:	Automatic restoration upon completion of sentence (including probation)
Absentee voting by mail:	No excuse required
No-excuse in-person early voting:	Available
Post-election manual audits:	No

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

Felon voting rights restoration information from The Sentencing Project, available at www.sentencingproject.org/IssueAreaHome.aspx?IssueID=4.

Other information collected from state election Web sites and previous electionline publications and research.

CALIFORNIA



November marks the first presidential vote since Secretary of State Debra Bowen (D) decertified almost all of the direct-recording electronic machines in use in the state.⁸⁸ Instead, California voters, or at least those who show up at the polls and do not take advantage of increasingly popular early or absentee voting, will cast paper ballots on optical scan systems in all but three counties.⁸⁹

Polling place hours:	7 a.m. – 8 p.m.
Electoral College votes:	55
Registered voters 2008:	16,123,787 (May 19) 15,712,753 (January 22)
Registered voters 2004:	15,091,160
Voting eligible population 2008:	22,585,561
Turnout of VEP, 2008 presidential primary:	37.31 percent
Turnout of VEP, 2004 general election:	60.01 percent
HAVA funds received/expended:	348,900,661/196,291,574 (56.26 percent)
Voting systems/Manufacturer(s):	Optical scan, DRE with VVPAT and ballot-marking device/Premier Election Solutions, ES&S, Hart InterCivic, Sequoia and DFM Associates
VVPAT for DRE requirement:	Yes
Voter ID:	HAVA minimum
Provisional ballot verification:	Eligible for verification if cast in correct jurisdiction
Voter registration deadline:	October 20
Voter registration database:	Interim CalVoter system in place. New registration database, "VoteCal," expected to be completed end of 2009
Felon voting rights restoration:	Automatic restoration after completion of time in prison and parole
Absentee voting by mail:	No excuse required
No-excuse in-person early voting:	Available
Post-election manual audits:	Yes. A public manual tally of the ballots cast in one percent of the precincts chosen at random by the elections official

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

Felon voting rights restoration information from The Sentencing Project, available at www.sentencingproject.org/IssueAreaHome.aspx?IssueID=4.

Other information collected from state election Web sites and previous electionline publications and research.

COLORADO



Expected to be a critical battleground state in the race for the White House, Colorado also has a history of election innovation (vote centers were devised by Larimer County's registrar) and problems (vote centers were a disaster in Denver during the 2006 vote).⁹⁰ Denver will go back to a precinct-based system this time around.⁹¹ Once voters arrive at their polling location, they will be faced with one of the longest ballots in Colorado history and election officials are predicting that could only add to the lines and potential delays.⁹² Other counties expect that the tallies from Election Day could take time to report, meaning the nation could well lose some sleep waiting to find out who gets the state's nine electoral votes.⁹³ The state will need to decide what to do about the abrupt departure of Holly Lowder, the state's election director, in early September, less than two months before the November 4 vote.⁹⁴ And questions remain about how the statewide voter registration database will perform during its first presidential election after some problems during an April mock election.⁹⁵

Polling place hours:	7 a.m. – 7 p.m.
Electoral College votes:	9
Registered voters 2008:	3,022,067 (September 2) 2,903,376 (January 25)
Registered voters 2004:	3,114,566
Voting eligible population 2008:	3,529,620
Turnout of VEP, 2008 presidential primary:	Not applicable – held caucuses
Turnout of VEP, 2004 general election:	68.41 percent
HAVA funds received/expended:	41,582,761/34,098,450 (82.00 percent)
Voting systems/Manufacturer(s):	Optical scan, hand-counted paper ballots and DRE with and without VVPAT/Premier Election Solutions, ES&S, Sequoia, and Hart InterCivic
VVPAT for DRE requirement:	Yes by 2010
Voter ID:	Required of all voters. Photo or non-photo ID accepted.
Provisional ballot verification:	Eligible for verification if cast in correct jurisdiction
Voter registration deadline:	October 6
Voter registration database:	Developed by Saber Corp.
Felon voting rights restoration:	Automatic restoration after completion of time in prison and parole
Absentee voting by mail:	No excuse required
No-excuse in-person early voting:	Available
Post-election manual audits:	Yes. A random selection of 5 percent of precinct scanner based voting equipment, at least one central count scanner/vote center, and five percent of DREs.

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

Felon voting rights restoration information from The Sentencing Project, available at www.sentencingproject.org/IssueAreaHome.aspx?IssueID=4.

Other information collected from state election Web sites and previous electionline publications and research.

CONNECTICUT



New voting systems along with some of the most stringent post-election audit requirements in the nation will be employed for the first time in a presidential vote.⁹⁶ Lever machines died a slow death in the state, with the clunky metal behemoths used in some cities and towns until 2007. By November, however, they were replaced with paper-based optical scanners along with a requirement to recount results from 10 percent of all voting precincts statewide. Audit results from late 2007 of 70 precincts – a tenth of the 695 employed in the November municipal elections – indicated voting machines were performing up to expectations.⁹⁷

Polling place hours:	6 a.m. – 8 p.m.
Electoral College votes:	7
Registered voters 2008:	2,044,511 (January)
Registered voters 2004:	2,102,941
Voting eligible population 2008:	2,505,018
Turnout of VEP, 2008 presidential primary:	20.69 percent
Turnout of VEP, 2004 general election:	65.21 percent
HAVA funds received/expended:	32,719,501/19,055,375 (58.24 percent)
Voting systems/Manufacturer(s):	Optical scan and vote-by-phone system/Premier Election Solutions and IVS (vote-by-phone system)
VVPAT for DRE requirement:	Not applicable (no DREs in use)
Voter ID:	Required of all voters. Photo or non-photo ID accepted
Provisional ballot verification:	Eligible for verification if cast in correct precinct
Voter registration deadline:	October 21 (mail-in registration); October 28 (for in-person registration); Unregistered voters can cast a presidential ballot on Election Day
Voter registration database:	Centralized Voter Registration System developed by PCC Technology Group
Felon voting rights restoration:	Automatic restoration after completion of time in prison and parole
Absentee voting by mail:	Excuse required
No excuse in-person early voting:	Not available
Post-election manual audits:	Yes. In not less than 10 percent of the voting districts in the state, district or municipality, whichever is applicable.

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

Felon voting rights restoration information from The Sentencing Project, available at www.sentencingproject.org/IssueAreaHome.aspx?IssueID=4.

Other information collected from state election Web sites and previous electionline publications and research.

DELAWARE



A high-turnout primary in September and a surge in voter registrations in Democratic vice presidential nominee Sen. Joe Biden's home state indicate a busy day on November 4, particularly in a state offering neither no-excuse absentee balloting nor early voting.⁹⁸

Polling place hours:	7 a.m. – 8 p.m.
Electoral College votes:	3
Registered voters 2008:	588,052 (October 1) 567,363 (January 1)
Registered voters 2004:	550,984
Voting eligible population 2008:	638,693
Turnout of VEP, 2008 presidential primary:	24.12 percent
Turnout of VEP, 2004 general election:	65.15 percent
HAVA funds received/expended:	16,596,803/9,577,730 (57.71 percent)
Voting systems/Manufacturer(s):	DRE/Danaher
VVPAT for DRE requirement:	No
Voter ID:	Required of all voters. Photo or non-photo ID accepted.
Provisional ballot verification:	Eligible for verification if cast in correct precinct
Voter registration deadline:	October 11
Voter registration database:	Developed in house; in place since 1990
Felon voting rights restoration:	May apply to have voting rights restored five years after sentence is complete. People convicted of certain offenses must be pardoned to have voting rights restored
Absentee voting by mail:	Excuse required
No-excuse in-person early voting:	Not available
Post-election manual audits:	No

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

Felon voting rights restoration information from The Sentencing Project, available at www.sentencingproject.org/IssueAreaHome.aspx?IssueID=4.

Other information collected from state election Web sites and previous electionline publications and research.

DISTRICT OF COLUMBIA



After a troubled February presidential primary with ballot shortages at several polling places⁹⁹ and a September primary that initially saw initial election results report thousands of non-existent write-in votes,¹⁰⁰ DC officials are gearing up for a highly scrutinized and high turnout election. And like many states and jurisdictions, they are scrambling to find enough poll workers. The city hopes to have 2,200 poll workers for Election Day, up from about 1,500 for the 2004 general election.¹⁰¹

Polling place hours:	7 a.m. – 8 p.m.
Electoral College votes:	3
Registered voters 2008:	399,127 (August 11) 377,007 (January 14)
Registered voters 2004:	368,477
Voting eligible population 2008:	443,175
Turnout of VEP, 2008 presidential primary:	30.91 percent
Turnout of VEP, 2004 general election:	57.04 percent
HAVA funds received/expended:	16,596,803/5,581,628 (33.63 percent)
Voting systems/Manufacturer(s):	Optical scan and DRE/Sequoia
VVPAT for DRE requirement:	No
Voter ID:	HAVA minimum
Provisional ballot verification:	Eligible for verification if cast in correct precinct
Voter registration deadline:	October 6
Voter registration database:	Developed in house. The District of Columbia is a single jurisdiction.
Felon voting rights restoration:	Automatic restoration upon release from prison
Absentee voting by mail:	Excuse required
No-excuse in-person early voting:	Not available
Post-election manual audits:	No

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

Felon voting rights restoration information from The Sentencing Project, available at www.sentencingproject.org/IssueAreaHome.aspx?IssueID=4.

Other information collected from state election Web sites and previous electionline publications and research.

FLORIDA



For many voters in the southern part of the state, Election Day will bring with the third type of voting machine in as many presidential elections. Optical-scan systems have replaced DRE systems for most voters (DRE systems remain in place only for voters with disabilities). While the transition has been smooth in most counties, Palm Beach County – of butterfly ballot fame – lost more than 3,500 ballots in a 2008 primary while another 176 appear to have never been counted at all.¹⁰² With such confusion in a low-turnout election, Palm Beach County officials are being urged to enact reforms to avoid a mess in November.¹⁰³ News reports prior to the election foreshadowed trouble with the “connect-the-arrow” optical-scan ballots used in the county.¹⁰⁴

Polling place hours:	7 a.m. – 7 p.m.
Electoral College votes:	27
Registered voters 2008:	10,632,295 (July) 10,203,112 (December 2007)
Registered voters 2004:	9,333,469
Voting eligible population 2008:	12,956,717
Turnout of VEP, 2008 presidential primary:	29.50 percent
Turnout of VEP, 2004 general election:	66.17 percent
HAVA funds received/expended:	158,531,048 / 105,534,534 (66.57 percent)
Voting systems/Manufacturer(s):	Optical scan and DRE/Premier Election Solutions, ES&S and Sequoia
VVPAT for DRE requirement:	No. Per state law DREs will be phased out by 2012
Voter ID:	Photo ID required of all voters. Voters without proper ID can cast a provisional ballot. The local canvassing board will compare the signature on the provisional ballot certificate with the signature on the voter registration record. If the signatures match, the provisional ballot will count provided the voter was in the proper precinct
Provisional ballot verification:	Eligible for verification if cast in correct precinct
Voter registration deadline:	Oct. 6
Voter registration database:	Florida Voter Registration System (FVRS) developed in house and with IBM to provide prime contractor and systems integration services
Felon voting rights restoration:	Restoration by pardon or restoration of civil rights, both controlled by the Governor upon recommendation of the Clemency Board. In 2007, the Office of Executive Clemency voted to amend the state’s voting rights restoration procedure to automatically approve the reinstatement of rights for many persons who have been convicted of non-violent offenses. Persons convicted of certain violent crimes are now immediately eligible to apply for review and approval without a hearing
Absentee voting by mail:	No excuse required
No-excuse in-person early voting:	Available
Post-election manual audits:	Yes. In at least 1 percent but no more than 2 percent of randomly chosen precincts

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, “2008 General Election Turnout Rates,” last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission’s “State Governments’ Use of Help America Vote Act Funds,” a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

Felon voting rights restoration information from The Sentencing Project, available at www.sentencingproject.org/IssueAreaHome.aspx?IssueID=4.

Other information collected from state election Web sites and previous electionline publications and research.

GEORGIA



Along with Maryland, South Carolina, Louisiana, Delaware and New Jersey, the Peach State is one of the last strongholds of DRE voting without voter-verified paper audit trails (VVPATs).¹⁰⁵ A statewide system of Premier Election Solutions (formerly Diebold) touch-screen machines has been in place since 2002, and a pilot project employing VVPATs undertaken in 2006 “revealed there were significant practical challenges with available VVPAT technologies.”¹⁰⁶ The 2008 vote also marks the first presidential election in which all polling place voters will be required to show government-issued photo identification.¹⁰⁷ New voters could play a significant role on Election Day. Democrats there are seeking a half-million new registrants in the state.¹⁰⁸

Polling place hours:	7 a.m. – 7 p.m.
Electoral College votes:	15
Registered voters 2008:	5,598,425 (October 1) 5,237,481 (January)
Registered voters 2004:	4,951,955
Voting eligible population 2008:	6,559,724
Turnout of VEP, 2008 presidential primary:	31.71 percent
Turnout of VEP, 2004 general election:	57.38 percent
HAVA funds received/expended:	77,304,946/76,867,710 (99.43 percent)
Voting systems/Manufacturer(s):	DRE/Premier Election Solutions
VVPAT for DRE requirement:	No
Voter ID:	Photo ID required of all voters. Voters without proper identification cast provisional ballots. These voters are required within two days to provide acceptable identification to their county registrar’s office for their vote to be eligible to be counted
Provisional ballot verification:	Eligible for verification if cast in correct jurisdiction
Voter registration deadline:	October 6
Voter registration database:	Developed in house.
Felon voting rights restoration:	Automatic restoration upon completion of sentence (including probation)
Absentee voting by mail:	No excuse required
No-excuse in-person early voting:	Available
Post-election manual audits:	No

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, “2008 General Election Turnout Rates,” last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission’s “State Governments’ Use of Help America Vote Act Funds,” a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

Felon voting rights restoration information from The Sentencing Project, available at www.sentencingproject.org/IssueAreaHome.aspx?IssueID=4.

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HAWAII



If recent trends hold, early voting will be popular in Hawaii during the general election. Primaries in both 2006 and 2008 had as many as 40 percent of all ballots cast during the early voting period.¹⁰⁹ Some of those – at least Oahu voters – will only have access to DRE machines during the early voting period, as the state has limited optical-scan systems to two locations in Honolulu.¹¹⁰

Polling place hours:	7 a.m. – 6 p.m.
Electoral College votes:	4
Registered voters 2008:	667,647 (September)
Registered voters 2004:	647,238
Voting eligible population 2008:	915,859
Turnout of VEP, 2008 presidential primary:	Not applicable – held caucuses
Turnout of VEP, 2004 general election:	48.61 percent
HAVA funds received/expended:	16,596,803/7,132,132 (42.97 percent)
Voting systems/Manufacturer(s):	Optical scan and DRE with VVPAT/Hart InterCivic
VVPAT for DRE requirement:	Yes
Voter ID:	Photo ID requested. Voters without proper identification may sign an affidavit attesting to their identity and cast a regular ballot
Provisional ballot verification:	Eligible for verification if cast in correct precinct
Voter registration deadline:	October 6
Voter registration database:	Developed in house
Felon voting rights restoration:	Automatic restoration upon release from prison
Absentee voting by mail:	No excuse required
No-excuse in-person early voting:	Available
Post-election manual audits:	Yes. Not fewer than 10 percent of the precincts.

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

Felon voting rights restoration information from The Sentencing Project, available at www.sentencingproject.org/IssueAreaHome.aspx?IssueID=4.

Other information collected from state election Web sites and previous electionline publications and research.

IDAHO



Large turnout in recent general elections has some local officials urging voters to cast absentee ballots. Boise’s county clerk sent absentee ballot request forms to every registered voter hoping to avoid the long lines that have plagued previous elections.¹¹¹ At least some of those who do go to the polls will be the last in the country to cast punch-card ballots. While Ada County – the state’s most populous – ditched punch cards last year for optical scanners,¹¹² seven counties will use the maligned system in the 2008 election.¹¹³

Polling place hours:	8 a.m. - 8 p.m. Clerks can opt to open polling places one hour earlier
Electoral College votes:	4
Registered voters 2008:	721,269 (May 27)
Registered voters 2004:	798,015
Voting eligible population 2008:	1,070,549
Turnout of VEP, 2008 presidential primary:	16.25 percent
Turnout of VEP, 2004 general election:	64.69 percent
HAVA funds received/expended:	16,596,803/11,629,134 (70.07 percent)
Voting systems/Manufacturer(s):	Optical scan, punch card, hand-counted paper ballots and ballot-marking device/ES&S
VVPAT for DRE requirement:	Has requirement but no DREs in use
Voter ID:	HAVA minimum
Provisional ballot verification:	N/A – election-day registration
Voter registration deadline:	Election-day registration. October 10 last day to pre-register.
Voter registration database:	Developed in house
Felon voting rights restoration:	Automatic restoration upon completion of sentence (including probation and parole)
Absentee voting by mail:	No excuse required
No-excuse in-person early voting:	Available
Post-election manual audits:	No

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, “2008 General Election Turnout Rates,” last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission’s “State Governments’ Use of Help America Vote Act Funds,” a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

Felon voting rights restoration information from The Sentencing Project, available at www.sentencingproject.org/IssueAreaHome.aspx?IssueID=4.

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ILLINOIS



Democratic Presidential nominee Sen. Barack Obama's home state could experience heavy turnout on Election Day,¹¹⁴ though a substantial number of voters could take advantage of state rules that allow early voting as early as October 13.¹¹⁵ The state estimated that over 10 percent of primary voters cast ballots early.¹¹⁶

Polling place hours:	6 a.m. - 7 p.m.
Electoral College votes:	21
Registered voters 2008:	7,304,563 (February)
Registered voters 2004:	7,499,488
Voting eligible population 2008:	9,007,989
Turnout of VEP, 2008 presidential primary:	33.25 percent
Turnout of VEP, 2004 general election:	60.73 percent
HAVA funds received/expended:	143,529,899/126,145,653 (87.89 percent)
Voting systems/Manufacturer(s):	Optical scan, DRE with VVPAT and ballot-marking device/ Premier Election Solutions, ES&S, Hart InterCivic, Sequoia, and Populex
VVPAT for DRE requirement:	Yes
Voter ID:	HAVA minimum
Provisional ballot verification:	Eligible for verification if cast in correct precinct
Voter registration deadline:	Oct. 7
Voter registration database:	Developed in conjunction with Catalyst Consulting.
Felon voting rights restoration:	Automatic restoration upon release from prison
Absentee voting by mail:	Excuse required
No-excuse in-person early voting:	Available
Post-election manual audits:	Yes. In 5 percent of the precincts within a jurisdiction

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

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Other information collected from state election Web sites and previous electionline publications and research.

INDIANA



Voters in the state will be required to present government-issued photo identification at polling places for the first time in a presidential election. The photo-only law, upheld by the U.S. Supreme Court earlier this year,¹¹⁷ allows for those without proper ID to cast provisional ballots, but they must present an acceptable ID within 10 days of the election for their vote to be eligible for counting.¹¹⁸

Polling place hours:	6 a.m. – 6 p.m.
Electoral College votes:	11
Registered voters 2008:	4,335,069 (September) 4,318,557 (May 30)
Registered voters 2004:	4,296,602
Voting eligible population 2008:	4,732,666
Turnout of VEP, 2008 presidential primary:	36.24 percent
Turnout of VEP, 2004 general election:	55.69 percent
HAVA funds received/expended:	64,297,862/59,640,532 (92.76 percent)
Voting systems/Manufacturer(s):	Optical scan, DRE and ballot-marking device/ MicroVote, Premier Election Solutions, ES&S, Voting Technologies International
VVPAT for DRE requirement:	No
Voter ID:	Photo ID required. If voter does not have the proper ID, the voter can cast a provisional ballot. They have until noon 10 days after the election to provide a photo ID or affirm one of the law's exemptions
Provisional ballot verification:	Eligible for verification if cast in correct precinct
Voter registration deadline:	October 6
Voter registration database:	Developed by Quest Information Services
Felon voting rights restoration:	Automatic restoration upon release from prison
Absentee voting by mail:	Excuse required
No-excuse in-person early voting:	Available
Post-election manual audits:	No

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

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IOWA



As a battleground state and one of nine states offering election-day or same-day registration (EDR), Iowa could see lots of last-minute interest.¹¹⁹ This year marks the first in which the state is offering EDR. Those who choose to register and vote on Election Day are required to show identification with a photo.¹²⁰

Polling place hours:	7 a.m. – 9 p.m.
Electoral College votes:	7
Registered voters 2008:	2,111,809 (October 1) 2,059,867 (January 1)
Registered voters 2004:	2,129,020
Voting eligible population 2008:	2,246,671
Turnout of VEP, 2008 presidential primary:	Not applicable – held caucuses
Turnout of VEP, 2004 general election:	69.98 percent
HAVA funds received/expended:	28,739,383 / 27,320,442 (95.06 percent)
Voting systems/Manufacturer(s):	Optical scan and ballot-marking device/Premier Election Solutions and ES&S
VVPAT for DRE requirement:	State law requires optical scan voting systems
Voter ID:	HAVA minimum
Provisional ballot verification:	Eligible for verification if cast in correct precinct
Voter registration deadline:	Election-day registration. October 25 last day to pre-register
Voter registration database:	Developed by Saber Corp.
Felon voting rights restoration:	Automatic restoration upon completion of sentence (including probation and parole)
Absentee voting by mail:	No excuse required
No-excuse in-person early voting:	Available
Post-election manual audits:	No

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

Felon voting rights restoration information from The Sentencing Project, available at www.sentencingproject.org/IssueAreaHome.aspx?IssueID=4.

Other information collected from state election Web sites and previous electionline publications and research.

KANSAS



Kansas shares its voter registration database with several states, including Iowa, Missouri and Nebraska, to help keep their registration rolls clean by following up with voters who appear to be registered in multiple states. Fair Elections Legal Network, Project Vote and the Brennan Center sent a letter to Secretary of State Ron Thornburgh (R) in June, charging that the state was purging voters who appear to have registered in other states after registering in Kansas in violation of the National Voter Registration Act (NVRA).¹²¹ Brad Bryant, deputy secretary of state, disagreed with the advocacy groups' interpretation of NVRA.¹²² No action has been taken.

Polling place hours:	7 a.m. – 7 p.m. Counties can opt to open polls at 6 a.m. and close at 8 p.m.
Electoral College votes:	6
Registered voters 2008:	1,652,973 (August primary) 1,633,039 (January 1)
Registered voters 2004:	1,694,365
Voting eligible population 2008:	2,015,846
Turnout of VEP, 2008 presidential primary:	Not applicable – held caucuses
Turnout of VEP, 2004 general election:	64.17 percent
HAVA funds received/expended:	26,409,789/20,096,710 (76.10 percent)
Voting systems/Manufacturer(s):	Optical scan, DREs with and without VVPAT, ballot-marking device and hand-counted paper ballots/ Premier Election Solutions and ES&S
VVPAT for DRE requirement:	No
Voter ID:	Required of all first-time voters. Photo or non-photo ID accepted.
Provisional ballot verification:	Eligible for verification if cast in correct jurisdiction
Voter registration deadline:	October 20
Voter registration database:	Election Voter Information System (ELVIS) developed by ES&S
Felon voting rights restoration:	Automatic restoration upon completion of sentence (including probation and parole)
Absentee voting by mail:	No excuse required
No-excuse in-person early voting:	Available
Post-election manual audits:	No

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

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Other information collected from state election Web sites and previous electionline publications and research.

KENTUCKY



Turnout for Kentucky's May primary was the highest ever for a presidential primary in the state even though it came late in the season, and Trey Grayson (R), Kentucky's secretary of state, predicted record-breaking turnout for the general election as well. At least 45 percent of registered voters or more cast ballots in the three counties with the highest turnout – Franklin, Knott and Floyd – and nearly 44 percent of registered Democrats statewide voted, compared to almost 20 percent of registered Republicans.¹²³

Polling place hours:	6 a.m. – 6 p.m.
Electoral College votes:	8
Registered voters 2008:	2,894,299 (September 15) 2,857,231 (May primary)
Registered voters 2004:	2,794,286
Voting eligible population 2008:	3,232,137
Turnout of VEP, 2008 presidential primary:	28.49 percent
Turnout of VEP, 2004 general election:	59.71 percent
HAVA funds received/expended:	38,067,744/19,423,367 (51.02 percent)
Voting systems/Manufacturer(s):	DRE and optical scan/Hart InterCivic, ES&S, MicroVote, Premier Election Solutions and Danaher
VVPAT for DRE requirement:	No
Voter ID:	Required of all voters. Photo or non-photo ID accepted.
Provisional ballot verification:	Eligible for verification if cast in correct precinct
Voter registration deadline:	October 6
Voter registration database:	Developed in house
Felon voting rights restoration:	No automatic restoration. Voting rights regained upon pardon from governor
Absentee voting by mail:	Excuse required
No-excuse in-person early voting:	Not available
Post-election manual audits:	Yes in a random selection of between 3 and 5 percent of total ballots cast

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

Felon voting rights restoration information from The Sentencing Project, available at www.sentencingproject.org/IssueAreaHome.aspx?IssueID=4.

Other information collected from state election Web sites and previous electionline publications and research.

LOUISIANA



With nearly a million homes and businesses left without electricity following Hurricane Gustav, election officials postponed the fall primary until October.¹²⁴ If run-off elections are required to determine who will ultimately compete in the general election to represent Shreveport and New Orleans in the U.S. Congress, those offices won't be filled until December 6, making them the last to be decided in the country. Secretary of State Jay Dardenne (R) said some areas of the state could go a month without electricity and polling places may have to move or consolidate accordingly.¹²⁵

Polling place hours:	6 a.m. – 8 p.m.
Electoral College votes:	9
Registered voters 2008:	2,901,588 (October 6) 2,842,402 (February primary)
Registered voters 2004:	2,923,395
Voting eligible population 2008:	3,159,759
Turnout of VEP, 2008 presidential primary:	19.25 percent
Turnout of VEP, 2004 general election:	60.78 percent
HAVA funds received/expended:	47,330,777/45,319,161 (95.75 percent)
Voting systems/Manufacturer(s):	DRE/Sequoia
VVPAT for DRE requirement:	No
Voter ID:	Photo ID requested. Voters without proper identification may sign an affidavit attesting to their identity and cast a regular ballot.
Provisional ballot verification:	Eligible for verification if cast in correct jurisdiction
Voter registration deadline:	October 6
Voter registration database:	Developed in house
Felon voting rights restoration:	Automatic restoration upon completion of sentence (including probation and parole)
Absentee voting by mail:	Excuse required
No-excuse in-person early voting:	Available
Post-election manual audits:	No

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

Felon voting rights restoration information from The Sentencing Project, available at www.sentencingproject.org/IssueAreaHome.aspx?IssueID=4.

Other information collected from state election Web sites and previous electionline publications and research.

MAINE



Democrats have been outpacing Republicans in voter registration, but Maine's 379,024 voters who are not registered with a political party outnumber them both. It's no surprise, as Maine voters frequently divide their votes between candidates from both parties and the state may ultimately split its electoral votes as well.¹²⁶ In addition to choosing a president, voters will decide whether to re-elect Sen. Susan Collins (R).

Polling place hours:	Open from 6 a.m. to 10 a.m. depending on the town, close at 8 p.m.
Electoral College votes:	4
Registered voters 2008:	Not posted at press time
Registered voters 2004:	1,023,956
Voting eligible population 2008:	1,049,090
Turnout of VEP, 2008 presidential primary:	Not applicable – held caucuses
Turnout of VEP, 2004 general election:	73.40 percent
HAVA funds received/expended:	16,596,803/9,206,814 (55.47 percent)
Voting systems/Manufacturer(s):	Optical scan, hand-counted paper ballots and vote-by-phone system/ Premier Election Solutions, ES&S and IVS
VVPAT for DRE requirement:	Yes, however no DREs in use in state
Voter ID:	HAVA minimum
Provisional ballot verification:	Election-day registration. Challenged ballot procedure in place
Voter registration deadline:	Election-day registration; October 14 was last day to pre-register by mail
Voter registration database:	Developed by PCC Technology
Felon voting rights restoration:	Voting rights not lost upon incarceration
Absentee voting by mail:	No excuse required
No-excuse in-person early voting:	Available
Post-election manual audits:	No

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

Felon voting rights restoration information from The Sentencing Project, available at www.sentencingproject.org/IssueAreaHome.aspx?IssueID=4.

Other information collected from state election Web sites and previous electionline publications and research.

MARYLAND



State election officials predict turnout may hit 82 percent (of registered voters) as voters will cast ballots not just for president, Congress and local offices, but also for ballot initiatives, including one that would allow voters out of their county of residence on Election Day to vote at school or work.¹²⁷ Nearly twice as many new and young voters have registered compared to four years ago.¹²⁸ This will also likely be the last election the state uses paperless touch-screen voting machines due to a law mandating paper ballots by 2010.

Polling place hours:	7 a.m. – 8 p.m.
Electoral College votes:	10
Registered voters 2008:	3,511,165 (September 30) 3,135,773 (February primary)
Registered voters 2004:	3,070,337
Voting eligible population 2008:	3,956,632
Turnout of VEP, 2008 presidential primary:	31.21 percent
Turnout of VEP, 2004 general election:	63.72 percent
HAVA funds received/expended:	49,752,770/36,104,799 (72.57 percent)
Voting systems/Manufacturer(s):	DRE/Premier Election Solutions
VVPAT for DRE requirement:	No – Optical scan system required statewide by 2010
Voter ID:	HAVA minimum
Provisional ballot verification:	Eligible for verification if cast in correct precinct
Voter registration deadline:	October 14
Voter registration database:	Developed by Saber Corp.
Felon voting rights restoration:	Automatic restoration upon completion of sentence (including probation and parole)
Absentee voting by mail:	Excuse required
No-excuse in-person early voting:	Not available
Post-election manual audits:	No

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

Felon voting rights restoration information from The Sentencing Project, available at www.sentencingproject.org/IssueAreaHome.aspx?IssueID=4.

Other information collected from state election Web sites and previous electionline publications and research.

MASSACHUSETTS



Pre-election testing found that the AutoMARK ballot markers had difficulty with Republican ballots in New Bedford, though ballots for both Democrats and Republicans come from the same contractor. City officials were working with the secretary of state's office and ES&S, the AutoMARK's manufacturer to solve the problem.¹²⁹

Polling place hours:	7 a.m. – 8 p.m.
Electoral College votes:	12
Registered voters 2008:	4,011,551 (February primary)
Registered voters 2004:	4,098,634
Voting eligible population 2008:	4,699,783
Turnout of VEP, 2008 presidential primary:	39.27 percent
Turnout of VEP, 2004 general election:	63.60 percent
HAVA funds received/expended:	60,332,104/12,360,258 (20.49 percent)
Voting systems/Manufacturer(s):	Optical scan and ballot-marking device/Premier Election Solutions and ES&S
VVPAT for DRE requirement:	No requirement, no DREs in use
Voter ID:	HAVA minimum
Provisional ballot verification:	Eligible for verification if cast in correct precinct
Voter registration deadline:	October 15
Voter registration database:	Developed in house
Felon voting rights restoration:	Automatic restoration upon release from prison
Absentee voting by mail:	Excuse required
No-excuse in-person early voting:	Not available
Post-election manual audits:	No

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

Felon voting rights restoration information from The Sentencing Project, available at www.sentencingproject.org/IssueAreaHome.aspx?IssueID=4.

Other information collected from state election Web sites and previous electionline publications and research.

MICHIGAN



The ACLU sued the state in September over two voter purge programs they say could disenfranchise thousands of voters.¹³⁰ The Democratic Party sued Macomb County Republicans to stop the GOP from using foreclosure lists to challenge voters at the polls. Republicans denied the allegation.¹³¹ This will also be the first presidential election where voters will be asked to show a photo ID at the polls. Those without proper ID will be allowed to sign an affidavit and cast a regular ballot.

Polling place hours:	7 a.m. – 8 p.m.
Electoral College votes:	17
Registered voters 2008:	7,243,261 (July) 7,141,914 (January)
Registered voters 2004:	7,164,047
Voting eligible population 2008:	7,449,633
Turnout of VEP, 2008 presidential primary:	19.92 percent
Turnout of VEP, 2004 general election:	66.86 percent
HAVA funds received/expended:	94,699,081/68,029,390 (71.84 percent)
Voting systems/Manufacturer(s):	Optical scan and ballot-marking device/Premier Election Solutions and ES&S
VVPAT for DRE requirement:	No – state employs paper-based voting systems
Voter ID:	Photo ID requested. Voters without proper identification may sign an affidavit attesting to their identity and cast a regular ballot
Provisional ballot verification:	Eligible for verification if cast in correct precinct
Voter registration deadline:	October 6
Voter registration database:	Qualified Voter File (QVF) developed in house
Felon voting rights restoration:	Automatic restoration upon release from prison
Absentee voting by mail:	Excuse required
No-excuse in-person early voting:	Not available
Post-election manual audits:	No

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

Felon voting rights restoration information from The Sentencing Project, available at www.sentencingproject.org/IssueAreaHome.aspx?IssueID=4.

Other information collected from state election Web sites and previous electionline publications and research.

MINNESOTA



A statewide manual recount of ballots in a judge's race after the September primary was performed quickly so absentee ballots could be printed in a timely fashion for the general election.¹³² For the first time, military and overseas voters were able to receive blank ballots by email that can be voted without the delay of waiting for printed ballots to be delivered by sometimes unreliable overseas mail service.

Polling place hours:	7 a.m. – 8 p.m. (polls open at 10 a.m. in some townships)
Electoral College votes:	10
Registered voters 2008:	3,145,575 (September 26) 3,091,748 (March 27)
Registered voters 2004:	2,977,496
Voting eligible population 2008:	3,811,577
Turnout of VEP, 2008 presidential primary:	Not applicable – held caucuses
Turnout of VEP, 2004 general election:	77.21 percent
HAVA funds received/expended:	44,492,574/39,480,586 (88.74 percent)
Voting systems/Manufacturer(s):	Optical scan and ballot-marking device/Premier Election Systems and ES&S
VVPAT for DRE requirement:	State law requires optical scan voting systems
Voter ID:	HAVA minimum
Provisional ballot verification:	N/A – election-day registration
Voter registration deadline:	October 14 to preregister or election-day registration
Voter registration database:	Developed in house.
Felon voting rights restoration:	Automatic restoration upon completion of sentence (including probation and parole)
Absentee voting by mail:	Excuse required
No-excuse in-person early voting:	Not available
Post-election manual audits:	Yes. The county canvassing board of a county with fewer than 50,000 registered voters must select at least two precincts for postelection review. The county canvassing board of a county with between 50,000 and 100,000 registered voters must select at least three precincts for review. The county canvassing board of a county with over 100,000 registered voters must select at least four precincts

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

Felon voting rights restoration information from The Sentencing Project, available at www.sentencingproject.org/IssueAreaHome.aspx?IssueID=4.

Other information collected from state election Web sites and previous electionline publications and research.

MISSISSIPPI



Trudy Berger, Democratic county election commissioner, sued Gov. Haley Barbour (R) following his decision to place the U.S. Senate contest between Republican Roger Wicker and Democrat Donnie Musgrove at the bottom of the ballot, arguing that voters may miss the race. Jim Hood, attorney general (D) said that a 2000 state law requires that national races such as the Senate race go at the top of the ballot.¹³³ Although they stopped short of ordering a higher placement on the ballot, a majority of the Mississippi Supreme Court agreed that per state law, the race should be moved up to the top of the ballot.¹³⁴ The controversy over the ballot delayed the printing of ballots and therefore delayed absentee voting in some parts of the state.¹³⁵

Polling place hours:	7 a.m. – 7 p.m.
Electoral College votes:	6
Registered voters 2008:	1,777,683 (March primary)
Registered voters 2004:	1,731,852 (April 2004)
Voting eligible population 2008:	2,150,547
Turnout of VEP, 2008 presidential primary:	27.94 percent
Turnout of VEP, 2004 general election:	55.56 percent
HAVA funds received/expended:	27,869,654/23,709,270 (85.07 percent)
Voting systems/Manufacturer(s):	DRE with and without VVPAT and optical scan/Premier Election Solutions, ES&S, Advanced Voting Solutions
VVPAT for DRE requirement:	No requirement but 76 counties (out of 82) use DREs with VVPATs. Three counties use DREs without VVPATs. Three counties use optical scan systems.
Voter ID:	HAVA minimum
Provisional ballot verification:	Eligible for verification if cast in correct precinct
Voter registration deadline:	October 4
Voter registration database:	Developed by Saber Corp.
Felon voting rights restoration:	Felons convicted of certain crimes cannot have their voting rights restored after completion of their sentence.
Absentee voting by mail:	Excuse required
No-excuse in-person early voting:	Not available
Post-election manual audits:	No

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

Felon voting rights restoration information from The Sentencing Project, available at www.sentencingproject.org/IssueAreaHome.aspx?IssueID=4.

Other information collected from state election Web sites and previous electionline publications and research.

MISSOURI



Higher numbers of registered voters will lead to higher turnout, election officials from Jasper and Newton counties predicted, with Bonnie Earl, Jasper County clerk, concerned that the new voters — as well as those who only vote every four years — won't know how to use the optical-scan voting system implemented since the last presidential election.¹³⁶ Turnout for the August primary was lighter than anticipated.¹³⁷ Rep. William Lacy Clay (D) worried that there might not be enough voting machines in north St. Louis.¹³⁸

Polling place hours:	6 a.m. – 7 p.m.
Electoral College votes:	11
Registered voters 2008:	3,978,497 (June 27) 3,904,461 (January 15)
Registered voters 2004:	4,194,416
Voting eligible population 2008:	4,399,012
Turnout of VEP, 2008 presidential primary:	32.63 percent
Turnout of VEP, 2004 general election:	66.89 percent
HAVA funds received/expended:	62,262,661/54,400,098 (87.37 percent)
Voting systems/Manufacturer(s):	DRE with VVPAT, optical scan and ballot-marking device/ Premier Election Solutions, ES&S, Sequoia and Populex
VVPAT for DRE requirement:	Yes
Voter ID:	Required of all voters. Photo or non-photo ID accepted.
Provisional ballot verification:	Eligible for verification if cast in correct precinct
Voter registration deadline:	October 8
Voter registration database:	Developed by MAXIMUS
Felon voting rights restoration:	Automatic restoration upon completion of sentence (including probation and parole)
Absentee voting by mail:	Excuse required
No-excuse in-person early voting:	Not available
Post-election manual audits:	Not less than one precinct for every 100 election precincts or a fraction thereof, but not less than one precinct; in order to conduct a manual recount of selected contested races and ballot issues

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

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Other information collected from state election Web sites and previous electionline publications and research.

MONTANA



After a challenging debut of same day registration in 2006, the system will get its first use during a presidential election.¹³⁹ Secretary of State Brad Johnson (R) urged voters to register early to be able take advantage of absentee voting.¹⁴⁰

Polling place hours:	7 a.m. - 8 p.m. Polling places having fewer than 400 electors must be open from 12 p.m. - 8 p.m.
Electoral College votes:	3
Registered voters 2008:	658,667 (October 8) 619,382 (March 7)
Registered voters 2004:	638,474
Voting eligible population 2008:	766,791
Turnout of VEP, 2008 presidential primary:	37.72 percent
Turnout of VEP, 2004 general election:	64.36 percent
HAVA funds received/expended:	16,596,803/14,234,858 (85.77 percent)
Voting systems/Manufacturer(s):	Optical scan, hand-counted paper ballots and ballot-marking device/ES&S
VVPAT for DRE requirement:	No requirement – no DREs in use
Voter ID:	Required of all voters. Photo or non-photo ID accepted.
Provisional ballot verification:	Eligible for verification if cast in correct precinct
Voter registration deadline:	Late and election-day registration; October 6 was last day to pre-register by mail
Voter registration database:	Developed by Saber Corp.
Felon voting rights restoration:	Automatic restoration upon release from prison
Absentee voting by mail:	No excuse required
No excuse in-person early voting:	Available
Post-election manual audits:	No

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

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Other information collected from state election Web sites and previous electionline publications and research.

NEBRASKA



Nebraska divides its five electoral votes based on results in congressional districts and statewide. While splits are rare, a September poll showed Obama in a close race with McCain in the 2nd congressional district transforming the state into a battleground.¹⁴¹ In Douglas County, nearly 1,200 Democratic voters have been added to the rolls in the last three months compared to 53 new Republican voters. The elections office said they still have thousands of voter registration forms to process.¹⁴²

Polling place hours:	8 a.m. - 8 p.m. in the Central Time Zone; 7 a.m. - 7 p.m. in the Mountain Time Zone
Electoral College votes:	5
Registered voters 2008:	1,117,495 (May primary)
Registered voters 2004:	1,160,199
Voting eligible population 2008:	1,308,538
Turnout of VEP, 2008 presidential primary:	18.18 percent
Turnout of VEP, 2004 general election:	64.80 percent
HAVA funds received/expended:	18,749,549/15,718,747 (83.84 percent)
Voting systems/Manufacturer(s):	Optical scan and ballot-marking device/ES&S
VVPAT for DRE requirement:	No requirement – no DREs in use
Voter ID:	HAVA minimum
Provisional ballot verification:	Eligible for verification if cast in correct precinct
Voter registration deadline:	Oct. 17 by mail; Oct. 24 in person
Voter registration database:	Developed by ES&S
Felon voting rights restoration:	The right to vote is restored automatically two years after completion of sentence, including parole.
Absentee voting by mail:	No excuse required
No-excuse in-person early voting:	Available
Post-election manual audits:	No

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

Felon voting rights restoration information from The Sentencing Project, available at www.sentencingproject.org/IssueAreaHome.aspx?IssueID=4.

Other information collected from state election Web sites and previous electionline publications and research.

NEVADA



Election officials in several counties were told by Secretary of State Ross Miller (D) not to cut back on any early voting days even though the last day, October 31, falls on Nevada Day, the state holiday commemorating the acceptance of the state into the union.¹⁴³ There were also recent layoffs at secretary of state's office although the office still says it will still be able to put on a 'top-notch' election.¹⁴⁴

Polling place hours:	7 a.m. – 7 p.m.
Electoral College votes:	5
Registered voters 2008:	1,395,484 (September) 1,247,193 (January)
Registered voters 2004:	1,071,101
Voting eligible population 2008:	1,727,981
Turnout of VEP, 2008 presidential primary:	Not applicable – held caucuses
Turnout of VEP, 2004 general election:	55.60 percent
HAVA funds received/expended:	21,166,810/14,424,071 (68.14 percent)
Voting systems/Manufacturer(s):	DRE with VVPAT/Sequoia
VVPAT for DRE requirement:	Yes
Voter ID:	HAVA minimum
Provisional ballot verification:	Eligible for verification if cast in correct precinct
Voter registration deadline:	October 4 by mail; October 14 in person
Voter registration database:	Developed in house
Felon voting rights restoration:	First offenders convicted of less serious non-violent offenses are automatically restored after completion of sentence (including parole and probation.) No automatic restoration for persons convicted of other felonies
Absentee voting by mail:	No excuse required
No-excuse in-person early voting:	Available
Post-election manual audits:	Yes. Manual or mechanical audits. The county clerk of a county whose population is 100,000 or more must randomly select a number of mechanical recording devices equal to 2 percent of the number of mechanical recording devices with attached VVPATs used in the election, or not less than 20 mechanical recording devices, whichever is greater, for the postelection certification audit. The county clerk of a county whose population is less than 100,000 must randomly select a number of mechanical recording devices equal to 3 percent of the number of mechanical recording devices with attached VVPATs used in the election, or not less than four mechanical recording devices, whichever is greater, for the postelection certification audit

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

Felon voting rights restoration information from The Sentencing Project, available at www.sentencingproject.org/IssueAreaHome.aspx?IssueID=4.

Other information collected from state election Web sites and previous electionline publications and research.

NEW HAMPSHIRE



Low turnout characterized the fall primary across the Granite State though Raymond Buckley, state Democratic Party chair, said he expects record-breaking turnout in November.¹⁴⁵ New Hampshire is among the states seeing the greatest increase in Democratic voter registrations, growing by more than 18 percent since 2006, compared to 5 percent for Republicans. In September, Republican registrants outnumbered Democrats in the state by 5,000. There were 12,000 more registered Republicans than Democrats in 2006. However, voters registered with neither party still outnumber those registered with either party.¹⁴⁶ Some of those new registrants could come at the end, with the state being one of nine nationally to offer election-day (or same-day) registration.

Polling place hours:	Polls open from 6 a.m. to 11 a.m. depending on the polling place and close at 7 p.m. or 8 p.m.
Electoral College votes:	4
Registered voters 2008:	863,542 (August 18); 885,494 (January 8 primary including election day registrants)
Registered voters 2004:	855,861
Voting eligible population 2008:	1,027,499
Turnout of VEP, 2008 presidential primary:	52.48 percent
Turnout of VEP, 2004 general election:	70.95 percent
HAVA funds received/expended:	16,596,803/1,616,232 (9.74 percent)
Voting systems/Manufacturer(s):	Optical scan, hand-counted paper ballots and vote-by-phone system/Premier Election Solutions, ES&S and IVS
VVPAT for DRE requirement:	Paper ballots required
Voter ID:	HAVA minimum
Provisional ballot verification:	N/A – Election-day registration
Voter registration deadline:	Election-day registration; October 25 last day to pre-register
Voter registration database:	Developed by Covansys Corporation and PCC Technology Group
Felon voting rights restoration:	Automatic restoration upon release from prison.
Absentee voting by mail:	Excuse required
No-excuse in-person early voting:	Not available
Post-election manual audits:	No

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

Felon voting rights restoration information from The Sentencing Project, available at www.sentencingproject.org/IssueAreaHome.aspx?IssueID=4.

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NEW JERSEY



Newspaper reports indicated that approximately 300,000 state residents received letters warning them that they weren't registered to vote when an effort to match motor vehicle records with voter records went awry. Many of the errors occurred when the records of voters who had registered before the implementation of the Help America Vote Act (HAVA) were matched with driving records because voters who registered before HAVA were not required to include their birth dates. Recipients were encouraged to contact local election officials to ensure that they are properly registered.¹⁴⁷ The state's electronic voting systems, which have been subject to much scrutiny, will not be equipped with paper trails until next year.

Polling place hours:	6 a.m. – 8 p.m.
Electoral College votes:	15
Registered voters 2008:	5,127,790 (October 1) 4,862,613 (January 25)
Registered voters 2004:	5,009,140
Voting eligible population 2008:	5,982,164
Turnout of VEP, 2008 presidential primary:	30.93 percent
Turnout of VEP, 2004 general election:	64.54 percent
HAVA funds received/expended:	84,904,403/66,726,053 (78.59 percent)
Voting systems/Manufacturer(s):	DRE/Sequoia and Avante
VVPAT for DRE requirement:	VVPATs required by 2009
Voter ID:	HAVA minimum
Provisional ballot verification:	Eligible for verification if cast in correct jurisdiction
Voter registration deadline:	October 14
Voter registration database:	Developed by Saber Corp.
Felon voting rights restoration:	Automatic restoration upon completion of sentence (including probation and parole)
Absentee voting by mail:	No excuse required
No-excuse in-person early voting:	Not available
Post-election manual audits:	No

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

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NEW MEXICO



The results of New Mexico's Democratic presidential caucus were up in the air for days after the voters cast their ballots on February 5.¹⁴⁸ The day was plagued by long lines in some parts of the state.¹⁴⁹ In late July, a coalition of nonpartisan voter registration groups filed suit in New Mexico against parts of a 2005 electoral reform law that they contend unconstitutionally does away with their right to collect voter registrations.¹⁵⁰

Polling place hours:	7 a.m. – 7 p.m.
Electoral College votes:	5
Registered voters 2008:	1,122,043 (September 10)
Registered voters 2004:	1,105,372
Voting eligible population 2008:	1,423,412
Turnout of VEP, 2008 presidential primary:	8.08 percent (only Republicans voted in a presidential primary. Democrats held a caucus and turnout figures are not included)
Turnout of VEP, 2004 general election:	59.17 percent
HAVA funds received/expended:	19,279,790/20,321,871 (105.41 percent)
Voting systems/Manufacturer(s):	Optical scan and ballot-marking device/ES&S
VVPAT for DRE requirement:	Paper ballots required
Voter ID:	Required of all voters. Photo or non-photo ID accepted.
Provisional ballot verification:	Eligible for verification if cast in correct jurisdiction
Voter registration deadline:	October 7
Voter registration database:	Developed by ES&S
Felon voting rights restoration:	Automatic restoration upon completion of sentence (including probation and parole)
Absentee voting by mail:	No excuse required
No-excuse in-person early voting:	Available
Post-election manual audits:	Yes. From two percent of the voting systems in the state with total votes tallied by hand from the voter verifiable and auditable paper trail from those voting systems.

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

Felon voting rights restoration information from The Sentencing Project, available at www.sentencingproject.org/IssueAreaHome.aspx?IssueID=4.

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NEW YORK



New York is the only state that will use lever machines in the presidential election,¹⁵¹ but each polling place is now mostly HAVA-compliant with at least one accessible voting machine.¹⁵² The machines were first rolled out during New York's September primary and debuted with little fanfare and even less use.¹⁵³

Polling place hours:	6 a.m. – 9 p.m.
Electoral College votes:	31
Registered voters 2008:	11,363,178 (March 1)
Registered voters 2004:	11,837,068
Voting eligible population 2008:	13,296,692
Turnout of VEP, 2008 presidential primary:	19.85 percent
Turnout of VEP, 2004 general election:	57.48 percent
HAVA funds received/expended:	219,512,672/16,312,955 (7.43 percent)
Voting systems/Manufacturer(s):	Lever and ballot-marking device/AVM, ES&S and Sequoia/Dominion
VVPAT for DRE requirement:	Yes; no DREs in use
Voter ID:	HAVA minimum
Provisional ballot verification:	Eligible for verification if cast in correct precinct
Voter registration deadline:	October 10
Voter registration database:	Developed by Saber Corp.
Felon voting rights restoration:	Automatic restoration upon completion of sentence (including parole)
Absentee voting by mail:	Excuse required
No-excuse in-person early voting:	Not available
Post-election manual audits:	Yes. From 3 percent of voting machines or systems within the jurisdiction.

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

Felon voting rights restoration information from The Sentencing Project, available at www.sentencingproject.org/IssueAreaHome.aspx?IssueID=4.

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NORTH CAROLINA



Like many other states, North Carolina is bracing for record turnout on Election Day¹⁵⁴ and officials across the Tar Heel State are encouraging voters to vote early by opening more one-stop voting sites and increasing voting hours.¹⁵⁵ Some localities are even allowing Sunday voting. However, not all counties approved Sunday voting, including Pasquotank County, which turned down a request by the NAACP to allow it.¹⁵⁶ The state will also expand a vote-scanning program that was pilot tested in May.¹⁵⁷

Polling place hours:	6:30 a.m. – 7:30 p.m.
Electoral College votes:	15
Registered voters 2008:	6,063,197 (October 9) 5,604,420 (January 5)
Registered voters 2004:	5,519,992
Voting eligible population 2008:	6,686,934
Turnout of VEP, 2008 presidential primary:	32.78 percent
Turnout of VEP, 2004 general election:	59.26 percent
HAVA funds received/expended:	74,259,370/59,137,496 (79.64 percent)
Voting systems/Manufacturer(s):	DRE with VVPAT, optical scan and ballot-marking device/ES&S
VVPAT for DRE requirement:	Yes
Voter ID:	HAVA minimum
Provisional ballot verification:	Eligible for verification if cast in correct jurisdiction
Voter registration deadline:	October 10 or one stop registration and absentee voting from Oct. 16 – Nov. 1
Voter registration database:	Developed in house
Felon voting rights restoration:	Automatic restoration upon completion of sentence (including probation and parole)
Absentee voting by mail:	No excuse required
No-excuse in-person early voting:	Available
Post-election manual audits:	Yes. The sample shall be of one or more full precincts, full counts of mailed absentee ballots, full counts of one or more one stop early voting sites, or a combination. The size of the sample of each category shall be chosen to produce a statistically significant result and shall be chosen after consultation with a statistician.

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

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NORTH DAKOTA



Early voting began in North Dakota on September 25, but by Labor Day, nearly 20,000 residents had already requested an absentee ballot.¹⁵⁸ Several counties in North Dakota tried out vote centers for the first time during the primary season.¹⁵⁹ Those vote centers will remain in place for November.

Polling place hours:	7 a.m. – 7 p.m.
Electoral College votes:	3
Registered voters 2008:	No voter registration
Registered voters 2004:	No voter registration
Voting eligible population 2008:	499,940
Turnout of VEP, 2008 presidential primary:	Not applicable – held caucuses
Turnout of VEP, 2004 general election:	65.23 percent
HAVA funds received/expended:	16,596,803/9,951,859 (59.96 percent)
Voting systems/Manufacturer(s):	Optical scan and ballot-marking device/ES&S
VVPAT for DRE requirement:	Not applicable (no DREs in use)
Voter ID:	Required of all voters. Photo or non-photo ID accepted.
Provisional ballot verification:	N/A - No voter registration
Voter registration deadline:	N/A - No voter registration
Voter registration database:	N/A - No voter registration
Felon voting rights restoration:	Automatic restoration upon release from prison
Absentee voting by mail:	No excuse required
No-excuse in-person early voting:	Available
Post-election manual audits:	No

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

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OHIO



Always a battleground state, Ohio is also no stranger to election administration controversy. In late 2007, Secretary of State Jennifer Brunner (D) ordered a top-to-bottom review of the state's voting system which found vulnerabilities.¹⁶⁰ Despite the concerns about electronic voting, many counties will still use DRE machines, albeit with paper back-ups.¹⁶¹ With a history of long lines, many counties are encouraging voters to vote absentee by mailing every registered voter an absentee ballot application.¹⁶² And in an effort to cope with the voters who do show up at the polls on November 4, election officials are searching for thousands of poll workers¹⁶³ and moving polling places to accommodate voters.¹⁶⁴ Elections officials in some counties, including Cuyahoga, are opening elections offices seven-days a week to accommodate early voters.¹⁶⁵

Polling place hours:	6:30 a.m. – 7:30 p.m.
Electoral College votes:	20
Registered voters 2008:	8,019,208 (September) 7,826,480 (March primary)
Registered voters 2004:	7,972,826
Voting eligible population 2008:	8,697,512
Turnout of VEP, 2008 presidential primary:	40.5 percent
Turnout of VEP, 2004 general election:	67.55 percent
HAVA funds received/expended:	132,045,112/132,457,123 (100.31 percent)
Voting systems/Manufacturer(s):	DRE with VVPAT, optical scan and ballot-marking device/ Premier Election Solutions, ES&S and Hart InterCivic
VVPAT for DRE requirement:	Yes
Voter ID:	Required of all voters. Photo or non-photo ID accepted.
Provisional ballot verification:	Eligible for verification if cast in correct precinct
Voter registration deadline:	Oct. 6
Voter registration database:	Developed in house
Felon voting rights restoration:	Automatic restoration upon release from prison
Absentee voting by mail:	No excuse required
No-excuse in-person early voting:	Available
Post-election manual audits:	No

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

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OKLAHOMA



The state began using a uniform system of optical-scan machines in 1992 and has encountered few of the machine problems that other states have. However, like many other states, the push is on in Oklahoma to encourage those who want to vote absentee to do so as early as possible.¹⁶⁶

Polling place hours:	7 a.m. – 7 p.m.
Electoral College votes:	7
Registered voters 2008:	2,022,537 (January 15)
Registered voters 2004:	2,143,978
Voting eligible population 2008:	2,649,951
Turnout of VEP, 2008 presidential primary:	28.74 percent
Turnout of VEP, 2004 general election:	58.66 percent
HAVA funds received/expended:	32,659,638/3,537,643 (10.83 percent)
Voting systems/Manufacturer(s):	Optical scan and vote-by-phone system/ES&S and IVS
VVPAT for DRE requirement:	No – all paper ballots
Voter ID:	HAVA minimum
Provisional ballot verification:	Eligible for verification if cast in correct precinct
Voter registration deadline:	October 10
Voter registration database:	Developed in house
Felon voting rights restoration:	Automatic restoration upon completion of sentence (including probation and parole)
Absentee voting by mail:	No excuse required
No-excuse in-person early voting:	Available
Post-election manual audits:	No

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

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Other information collected from state election Web sites and previous electionline publications and research.

OREGON



For the third time since it was approved in 1998, the Beaver State will hold its presidential election by mail. Aside from the race for the White House, voters will be awaiting the outcome of Measure 65, a measure that would require a “top-two” primary system similar to the one Washington State implemented for the first time this year, allowing the top finishers both to advance to a general election.¹⁶⁷ Although there were some problems with voters receiving two ballots for the May 20 primary, according to the secretary of state’s office no votes were counted twice.¹⁶⁸

Polling place hours:	Vote by mail
Electoral College votes:	7
Registered voters 2008:	2,066,593 (August) 1,962,562 (January)
Registered voters 2004:	2,141,249
Voting eligible population 2008:	2,774,652
Turnout of VEP, 2008 presidential primary:	36.34 percent
Turnout of VEP, 2004 general election:	70.50 percent
HAVA funds received/expended:	33,863,941/17,935,622 (52.96 percent)
Voting systems/Manufacturer(s):	Vote by mail and Alternative Format Ballot (AFB)
VVPAT for DRE requirement:	Vote by mail
Voter ID:	HAVA minimum
Provisional ballot verification:	Eligible for verification if cast in correct jurisdiction
Voter registration deadline:	Oct. 14
Voter registration database:	Developed by Saber Corp.
Felon voting rights restoration:	Automatic restoration upon release from prison.
Absentee voting by mail:	All vote by mail
No-excuse in-person early voting:	All vote by mail
Post-election manual audits:	Yes. If the margin of victory between the two candidates receiving the largest number of votes in the county is less than 1 percent of the total votes cast in that election in the county, the county clerk shall conduct a hand count of ballots in at least 10 percent of all precincts. If the margin of victory between the two candidates receiving the largest number of votes in the county is greater than or equal to one percent but less than 2 percent of the total votes cast in the county, the county clerk shall conduct a hand count of ballots in at least 5 percent of all precincts or of ballots in at least 5 percent of all batches of ballots collected by the county clerk. If the margin of victory between the two candidates receiving the largest number of votes in the county is greater than or equal to 2 percent of the total votes cast in the county, the county clerk shall conduct a hand count of ballots in at least 3 percent of all precincts or of ballots in at least 3 percent of all batches of ballots collected by the county clerk.

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, “2008 General Election Turnout Rates,” last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission’s “State Governments’ Use of Help America Vote Act Funds,” a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

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PENNSYLVANIA



Seen as a key swing state, Pennsylvania has seen an influx of new voter registrations since the April primary and elections officials statewide are preparing for massive turnout on November 4. In an effort to relieve hours-long lines which occurred statewide in 2004, many jurisdictions are finding new polling sites and altering voting precincts.¹⁶⁹ Several counties will introduce new voting technology for the presidential election, including Centre County, which will make the switch from DRE machines to optical-scan paper ballots.¹⁷⁰

Polling place hours:	7 a.m. – 8 p.m.
Electoral College votes:	21
Registered voters 2008:	8,599,513 (October 6) 8,328,123 (April primary)
Registered voters 2004:	8,366,663
Voting eligible population 2008:	9,580,541
Turnout of VEP, 2008 presidential primary:	33.42 percent
Turnout of VEP, 2004 general election:	62.22 percent
HAVA funds received/expended:	134,818,949/123,351,252 (91.49 percent)
Voting systems/Manufacturer(s):	DRE, optical scan, ballot-marking device/ ES&S, Premier Election Solutions, Danaher, Sequoia, Hart InterCivic and Advanced Voting Solutions
VVPAT for DRE requirement:	No
Voter ID:	Required of all first-time voters. Photo or non-photo ID accepted
Provisional ballot verification:	Eligible for verification if cast in correct jurisdiction
Voter registration deadline:	October 6
Voter registration database:	Developed by Accenture
Felon voting rights restoration:	Automatic restoration upon release from prison
Absentee voting by mail:	Excuse required
No-excuse in-person early voting:	Not available
Post-election manual audits:	Yes. The county board of elections, as part of the computation and canvass of returns, shall conduct a statistical recount of a random sample of ballots after each election using manual, mechanical or electronic devices of a type different than those used for the specific election. The sample shall include at least 2 percent of the votes cast or 2,000 votes, whichever is the lesser.

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

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RHODE ISLAND



The state made changes to the election code in July to allow same-day registration in locations – albeit on a limited ballot – other than city or town hall. The ACLU has sued the state, arguing that the changes could disenfranchise potential voters if they are confused about the locations where they are allowed to register and cast votes.¹⁷¹ In June, a bill that would have allowed 16- and 17-year-olds to pre-register was vetoed and two measures, one to eliminate straight-ticket voting and another to require voter ID, never made it to the governor's desk.¹⁷²

Polling place hours:	Most cities and towns, 7 a.m. – 9 p.m. Several other towns polls open at 6 a.m., 8 a.m. or 9 a.m. and close at 9 p.m.
Electoral College votes:	4
Registered voters 2008:	680,360 (September 29)
Registered voters 2004:	687,488
Voting eligible population 2008:	771,052
Turnout of VEP, 2008 presidential primary:	28.55 percent
Turnout of VEP, 2004 general election:	59.10 percent
HAVA funds received/expended:	16,596,803/15,891,184 (95.75 percent)
Voting systems/Manufacturer(s):	Optical scan and ballot-marking device/ES&S
VVPAT for DRE requirement:	No requirement but state uses all paper-based voting system
Voter ID:	HAVA minimum
Provisional ballot verification:	Eligible for verification if cast in correct jurisdiction
Voter registration deadline:	Oct. 4. Unregistered voters can cast a presidential ballot on Election Day.
Voter registration database:	Developed by Covansys Corp. and PCC Technology Group
Felon voting rights restoration:	Automatic restoration upon release from prison
Absentee voting by mail:	Excuse required
No-excuse in-person early voting:	Not available
Post-election manual audits:	No

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

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SOUTH CAROLINA



Despite a myriad of voting-machine problems during the January primary, South Carolina officials announced at the end of August that they would be sticking with DREs for the November general election.¹⁷³ A coalition of voting rights organizations has established a hotline for voters in the Palmetto State saying they will be on hand in case problems spring up again.¹⁷⁴

Polling place hours:	7 a.m. – 7 p.m.
Electoral College votes:	8
Registered voters 2008:	2,365,577 (June 30) 2,246,242 (January primary)
Registered voters 2004:	2,315,182
Voting eligible population 2008:	3,352,237
Turnout of VEP, 2008 presidential primary:	30.37 percent
Turnout of VEP, 2004 general election:	52.99 percent
HAVA funds received/expended:	39,241,210/37,535,148 (95.65 percent)
Voting systems/Manufacturer(s):	DRE/ES&S
VVPAT for DRE requirement:	No
Voter ID:	Required of all voters. Photo and non-photo ID accepted.
Provisional ballot verification:	Eligible for verification if cast in correct precinct
Voter registration deadline:	October 4
Voter registration database:	Developed in house
Felon voting rights restoration:	Automatic restoration upon completion of sentence (including probation and parole)
Absentee voting by mail:	Excuse required
No-excuse in-person early voting:	Not available
Post-election manual audits:	No

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

Felon voting rights restoration information from The Sentencing Project, available at www.sentencingproject.org/IssueAreaHome.aspx?IssueID=4.

Other information collected from state election Web sites and previous electionline publications and research.

SOUTH DAKOTA



Voter registration numbers continue to grow in the Mount Rushmore State with Secretary of State Chris Nelson (R) predicting a 75 percent turnout by registered voters on Election Day.¹⁷⁵ Although some counties ran out of ballots in June's Democratic primary, election officials said they are fully prepared for November.¹⁷⁶

Polling place hours:	7 a.m. – 7 p.m.
Electoral College votes:	3
Registered voters 2008:	561,766 (September 1) 554,425 (May 19)
Registered voters 2004:	552,441
Voting eligible population 2008:	619,477
Turnout of VEP, 2008 presidential primary:	27.23 percent
Turnout of VEP, 2004 general election:	70.13 percent
HAVA funds received/expended:	16,596,803/6,308,427 (38.01 percent)
Voting systems/Manufacturer(s):	Optical scan and ballot-marking device/ES&S
VVPAT for DRE requirement:	No requirement but state uses all paper-based voting system
Voter ID:	Photo ID requested. Voters without proper identification may sign an affidavit attesting to their identity and cast a regular ballot.
Provisional ballot verification:	Eligible for verification if cast in correct precinct
Voter registration deadline:	October 20
Voter registration database:	Developed in house
Felon voting rights restoration:	Automatic restoration after completion of time in prison and parole.
Absentee voting by mail:	No excuse required
No-excuse in-person early voting:	Available
Post-election manual audits:	No

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

Felon voting rights restoration information from The Sentencing Project, available at www.sentencingproject.org/IssueAreaHome.aspx?IssueID=4.

Other information collected from state election Web sites and previous electionline publications and research.

TENNESSEE



Counties around the state have extended their early voting hours and added polling sites to help ease long lines on Election Day.¹⁷⁷ Although the Tennessee legislature mandated the switch to paper ballots by 2010, some counties are still trying to determine if they can make the switch in time for early voting this year.¹⁷⁸

Polling place hours:	Open between 7 a.m. and 10 a.m. (varies) and close at 7 p.m.
Electoral College votes:	11
Registered voters 2008:	3,788,858 (June 1) 3,666,824 (February primary)
Registered voters 2004:	3,771,888
Voting eligible population 2008:	4,689,216
Turnout of VEP, 2008 presidential primary:	26.49 percent
Turnout of VEP, 2004 general election:	57.04 percent
HAVA funds received/expended:	54,714,608/24,724,511 (45.19 percent)
Voting systems/Manufacturer(s):	Optical scan and DRE/MicroVote, Hart InterCivic, ES&S and Premier Election Solutions
VVPAT for DRE requirement:	Paper ballots required by 2010
Voter ID:	Required of all voters. Photo or non-photo ID accepted.
Provisional ballot verification:	Eligible for verification if cast in correct precinct
Voter registration deadline:	October 6
Voter registration database:	Developed in house
Felon voting rights restoration:	All except serious felony offenders convicted after 1981 are eligible to have their voting rights restored after the end of their sentence and can register after obtaining a certificate of restoration
Absentee voting by mail:	Excuse required
No-excuse in-person early voting:	Available
Post-election manual audits:	Bill passed in 2008 - audits would be conducted in at least 3 percent of the precincts, comprising at least 3 percent of voters in the election

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

Felon voting rights restoration information from The Sentencing Project, available at www.sentencingproject.org/IssueAreaHome.aspx?IssueID=4.

Other information collected from state election Web sites and previous electionline publications and research.

TEXAS



In the state known for its size, some counties will be living up to the “bigger in Texas” cliché with massive ballots on November 4.¹⁷⁹ Electronic ballots in Nueces County usually include five to seven pages of information, but November’s ballots will have 10 pages.¹⁸⁰ Some counties, including Travis, are setting up early-voting “mega sites” to encourage voters to cast ballots before election;¹⁸¹ other counties, including Brazoria, have purchased additional voting machines to deal with the numbers,¹⁸² and other counties including McLennan, have hosted seminars about voting rights to ensure that voters aren’t intimidated at the polls on Election Day.¹⁸³ It remains to be seen at press time, what impact, if any, Hurricane Ike may have on early voting along the Gulf Coast of Texas.

Polling place hours:	7 a.m. – 7 p.m.
Electoral College votes:	34
Registered voters 2008:	12,752,417 (March primary)
Registered voters 2004:	13,098,329
Voting eligible population 2008:	15,379,358
Turnout of VEP, 2008 presidential primary:	28.23 percent
Turnout of VEP, 2004 general election:	53.35 percent
HAVA funds received/expended:	184,168,065/136,428,518 (74.08 percent)
Voting systems/Manufacturer(s):	DRE, optical scan and ballot-marking device/ES&S, Hart InterCivic, Premier Election Solutions and AccuPoll
VVPAT for DRE requirement:	No
Voter ID:	Required of all voters. Photo or non-photo ID accepted.
Provisional ballot verification:	Eligible for verification if cast in correct precinct
Voter registration deadline:	October 6
Voter registration database:	Developed by IBM and Hart InterCivic
Felon voting rights restoration:	Automatic restoration upon completion of sentence (including probation and parole)
Absentee voting by mail:	Excuse required
No-excuse in-person early voting:	Available
Post-election manual audits:	A manual recount of all races in at least 1 percent of election precincts or in three precincts, whichever is greater, where electronic voting systems were used.

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, “2008 General Election Turnout Rates,” last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission’s “State Governments’ Use of Help America Vote Act Funds,” a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

Felon voting rights restoration information from The Sentencing Project, available at www.sentencingproject.org/IssueAreaHome.aspx?IssueID=4.

Other information collected from state election Web sites and previous electionline publications and research.

UTAH



Although Utah had the worst voter-turnout rate in the country based on a study of the 2006 election,¹⁸⁴ Utah counties are scrambling to find enough poll workers to cope with the expected crowds on Election Day.¹⁸⁵ Early voting was approved two years ago in Utah, making this the first presidential cycle in which it has been offered.¹⁸⁶

Polling place hours:	7 a.m. – 8 p.m.
Electoral College votes:	5
Registered voters 2008:	1,515,856 (September 23) 1,319,650 (February primary)
Registered voters 2004:	1,278,251
Voting eligible population 2008:	1,803,536
Turnout of VEP, 2008 presidential primary:	24.73 percent
Turnout of VEP, 2004 general election:	62.05 percent
HAVA funds received/expended:	25,284,968/25,338,790 (100.21 percent)
Voting systems/Manufacturer(s):	DRE with VVPAT/Premier Election Solutions
VVPAT for DRE requirement:	Yes
Voter ID:	HAVA minimum
Provisional ballot verification:	Eligible for verification if cast in correct precinct
Voter registration deadline:	October 6 by mail; October 20 in person
Voter registration database:	Developed in house
Felon voting rights restoration:	Automatic restoration upon release from prison.
Absentee voting by mail:	No excuse required
No-excuse in-person early voting:	Available
Post-election manual audits:	Yes. At least 1 percent of the total number of AccuVote TSx and precinct count AccuVote OS voting machines in use statewide.

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

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Felon voting rights restoration information from The Sentencing Project, available at www.sentencingproject.org/IssueAreaHome.aspx?IssueID=4.

Other information collected from state election Web sites and previous electionline publications and research.

VERMONT



Mobile voting units were implemented for the November 4 election, bringing absentee ballots to senior housing and other facilities. The pilot project aimed to help hard-to-reach voters.¹⁸⁷ And while the state saw a historically low turnout for the September primary, Secretary of State Deb Markowitz (D) expects a much higher turnout for the general election.¹⁸⁸

Polling place hours:	Open between 7 a.m. and 10 a.m. (varies) and close at 7 p.m.
Electoral College votes:	3
Registered voters 2008:	433,725 (September 26) 421,987 (March 4)
Registered voters 2004:	444,508
Voting eligible population 2008:	498,717
Turnout of VEP, 2008 presidential primary:	40.63 percent
Turnout of VEP, 2004 general election:	66.19 percent
HAVA funds received/expended:	16,596,803/3,578,457 (21.56 percent)
Voting systems/Manufacturer(s):	Optical scan, hand-counted paper ballots and vote-by-phone system/ Premier Election Solutions and IVS
VVPAT for DRE requirement:	Paper ballots required
Voter ID:	HAVA minimum
Provisional ballot verification:	Eligible for verification if cast in correct jurisdiction
Voter registration deadline:	October 29
Voter registration database:	Developed in house
Felon voting rights restoration:	Voting rights not lost upon incarceration
Absentee voting by mail:	No excuse required
No-excuse in-person early voting:	Available
Post-election manual audits:	No

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

Felon voting rights restoration information from The Sentencing Project, available at www.sentencingproject.org/IssueAreaHome.aspx?IssueID=4.

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VIRGINIA



As Virginia has become a battleground state in a presidential election for the first time in decades, Republicans and Democrats have been fighting over voter eligibility issues. Democratic voter registration has surged in the state, and Republicans have questioned the veracity of some of the applications and the quality of work some of the third party groups are doing registering voters. Election officials have voiced some concerns over the quality of registration applications as well.¹⁸⁹ Eligibility has also been an issue in Montgomery County, home to Virginia Tech, where there was some confusion over student voter registration.¹⁹⁰

Polling place hours:	6 a.m. – 7 p.m.
Electoral College votes:	13
Registered voters 2008:	4,890,393 (September 30) 4,585,828 (January 1)
Registered voters 2004:	4,517,980
Voting eligible population 2008:	5,633,523
Turnout of VEP, 2008 presidential primary:	27.39 percent
Turnout of VEP, 2004 general election:	61.50 percent
HAVA funds received/expended:	69,121,820/39,653,733 (57.37 percent)
Voting systems/Manufacturer(s):	DRE, optical scan and ballot-marking device/Premier Election Solutions, Sequoia, UniLect, Advanced Voting Solutions, Hart InterCivic and ES&S
VVPAT for DRE requirement:	No, but counties can no longer purchase DRE systems.
Voter ID:	Required of all voters. Photo or non-photo ID accepted.
Provisional ballot verification:	Eligible for verification if cast in correct precinct
Voter registration deadline:	October 6
Voter registration database:	Developed by UniSys
Felon voting rights restoration:	Voting rights regained only by action of the governor, through restoration of rights or pardon.
Absentee voting by mail:	Excuse required
No-excuse in-person early voting:	Not available
Post-election manual audits:	No

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

Felon voting rights restoration information from The Sentencing Project, available at www.sentencingproject.org/IssueAreaHome.aspx?IssueID=4.

Other information collected from state election Web sites and previous electionline publications and research.

WASHINGTON



The vast majority of Washington counties (37 of 39) now conduct all elections by mail. However, voters in the largest county, King County, can still head to their polling place on Election Day. The 2008 governor's race is a rematch of the very tight 2004 race between Gov. Christine Gregoire (D) and Dino Rossi (R), a contest subjected to several recounts that eventually ended up in court.

Polling place hours:	7 a.m. – 8 p.m.
Electoral College votes:	11
Registered voters 2008:	3,417,355 (August primary) 3,311,503 (February primary)
Registered voters 2004:	3,508,208
Voting eligible population 2008:	4,682,421
Turnout of VEP, 2008 presidential primary:	26.47 percent
Turnout of VEP, 2004 general election:	67.42 percent
HAVA funds received/expended:	60,093,850/38,554,347 (64.16 percent)
Voting systems/Manufacturer(s):	Optical scan, DRE with VVPAT and ballot-marking device/ES&S, Premier Election Solutions, Hart InterCivic and Sequoia
VVPAT for DRE requirement:	Yes
Voter ID:	Required of all voters. Photo or non-photo ID accepted.
Provisional ballot verification:	Eligible for verification if cast in correct jurisdiction
Voter registration deadline:	Oct. 4 for mail and online voter registration; Oct. 20 for in person registration
Voter registration database:	Developed in house
Felon voting rights restoration:	Automatic restoration upon completion of sentence (including probation and parole)
Absentee voting by mail:	No excuse required (37 of 39 counties conduct all elections by mail)
No-excuse in-person early voting:	Not available
Post-election manual audits:	Yes. This audit must be conducted by randomly selecting by lot up to 4 percent of the direct recording electronic voting devices or one direct recording electronic voting device, whichever is greater, and, for each device, comparing the results recorded electronically with the results recorded on paper. For purposes of this audit, the results recorded on paper must be tabulated as follows: On one-fourth of the devices selected for audit, the paper records must be tabulated manually; on the remaining devices, the paper records may be tabulated by a mechanical device

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

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Other information collected from state election Web sites and previous electionline publications and research.

WEST VIRGINIA



A law passed this year will allow the state’s military and overseas voters to request and cast their absentee ballots by fax and email.¹⁹¹

Polling place hours:	6:30 a.m. – 7:30 p.m.
Electoral College votes:	5
Registered voters 2008:	1,183,495 (May primary)
Registered voters 2004:	1,168,694
Voting eligible population 2008:	1,444,605
Turnout of VEP, 2008 presidential primary:	30.83 percent
Turnout of VEP, 2004 general election:	54.22 percent
HAVA funds received/expended:	20,630,100/19,375,498 (93.92 percent)
Voting systems/Manufacturer(s):	DRE with VVPAT, optical scan, hand-counted paper ballots and ballot-marking device/ES&S
VVPAT for DRE requirement:	Yes
Voter ID:	HAVA minimum
Provisional ballot verification:	Eligible for verification if cast in correct precinct
Voter registration deadline:	October 14
Voter registration database:	Developed by PCC Technology Group
Felon voting rights restoration:	Automatic restoration upon completion of sentence (including probation and parole)
Absentee voting by mail:	Excuse required
No-excuse in-person early voting:	Available
Post-election manual audits:	Yes. At least 5 percent of the precincts are to be chosen at random and the voter verified paper ballots are to be counted manually.

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, “2008 General Election Turnout Rates,” last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission’s “State Governments’ Use of Help America Vote Act Funds,” a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

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WISCONSIN



The statewide voter registration database was finally completed and made compliant with federal law over the summer, two years later than planned.¹⁹² However hiccups still emerged when the state started matching voter information with information in the department of motor vehicles database and found one in five records did not match due to issues such as typos, transposed letters or numbers, or using middle names for one record but not the other.¹⁹³ And as in several other battleground states, there has been partisan fighting over voter eligibility and allegations of fraudulent voter registration forms being submitted.¹⁹⁴

Polling place hours:	7 a.m. – 8 p.m.
Electoral College votes:	10
Registered voters 2008:	3,404,632 (September 2008)
Registered voters 2004:	Towns with populations of less than 5,000 were not required to register voters until 2006.
Voting eligible population 2008:	4,194,223
Turnout of VEP, 2008 presidential primary:	37.04 percent
Turnout of VEP, 2004 general election:	76.73 percent
HAVA funds received/expended:	50,066,781/40,432,369 (80.76 percent)
Voting systems/Manufacturer(s):	Optical scan, hand-counted paper ballots, DRE with VVPAT and ballot-marking device/ES&S, Premier Election Solutions, Voting Technologies International, Vote-PAD and Sequoia
VVPAT for DRE requirement:	Yes
Voter ID:	HAVA minimum
Provisional ballot verification:	Eligible for verification if cast in correct precinct
Voter registration deadline:	October 15 by mail to pre-register and election-day registration
Voter registration database:	Developed by Accenture
Felon voting rights restoration:	Automatic restoration upon completion of sentence (including probation and parole)
Absentee voting by mail:	No excuse required
No-excuse in-person early voting:	Available
Post-election manual audits:	Yes. Randomly select 50 reporting units across Wisconsin which will be subject to municipal audit, including a minimum of five reporting units for each voting system.

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

HAVA funding data from the U.S. Election Assistance Commission's "State Governments' Use of Help America Vote Act Funds," a report to the 110th Congress of the United States, July 2008. It covers available funds expended through December 2007. Available at www.eac.gov/election/HAVA_percent20Funds/docs/2007-report-on-hava-spending-by-states/attachment_download/file.

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WYOMING



The state is one of eight allowing election-day or same day registration. The state is also in the rare situation of electing two U.S. Senators during the same election cycle after the death of Sen. Craig Thomas (R) in 2007.

Polling place hours:	7 a.m. – 7 p.m.
Electoral College votes:	3
Registered voters 2008:	233,141 (October 1) 216,708 (February 19)
Registered voters 2004:	232,396
Voting eligible population 2008:	404,348
Turnout of VEP, 2008 presidential primary:	Not applicable – held caucuses
Turnout of VEP, 2004 general election:	65.00 percent
HAVA funds received/expended:	16,596,803/12,249,507 (73.81 percent)
Voting systems/Manufacturer(s):	Optical scan, DRE with VVPAT and ballot-marking device/ ES&S and Premier Election Solutions
VVPAT for DRE requirement:	No but jurisdictions using DREs are equipped with VVPATs
Voter ID:	HAVA minimum
Provisional ballot verification:	Eligible for verification if cast in correct precinct
Voter registration deadline:	October 6 by mail to pre-register and election-day registration
Voter registration database:	Developed by Saber Corp.
Felon voting rights restoration:	For most felony offenders, civil rights regained either by pardon or restoration of voting rights from the governor. Non-violent first-time felons can apply for restoration of voting rights five years after completion of sentence.
Absentee voting by mail:	No excuse required
No-excuse in-person early voting:	Available
Post-election manual audits:	No

NOTES/SOURCES:

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. non-citizens and convicted felons. VEP data is from the United States Election Project, "2008 General Election Turnout Rates," last updated October 3, 2008, available at elections.gmu.edu/Turnout_2008G.html.

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Felon voting rights restoration information from The Sentencing Project, available at www.sentencingproject.org/IssueAreaHome.aspx?IssueID=4.

Other information collected from state election Web sites and previous electionline publications and research.

Methodology



Data for maps, charts and state-by-state data was collected using state election law and other primary sources from state code. Other primary source information was obtained via telephone interviews, e-mail correspondence, official source documents – including press releases, statements, court filings, letters – and other materials.

Secondary sources were also used in compiling information, including newspapers, wire service reports, radio and television transcripts and reports from non-governmental organizations with an interest in election administration issues.

All sources are listed in the endnotes section.

The opinions expressed by election officials, lawmakers, government officials or other interested parties in this document do not reflect the nonpartisan, non-advocacy electionline.org, the Pew Center on the States nor The Pew Charitable Trusts.

All questions concerning research should be directed to Sean Greene, project manager for research, at 202-552-2000.

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