

# The Election Center

an international service association of election and voter registration officials

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## **Election 2004 National Task Force on Election Reform Report**

Issued to the public today (Tuesday, June 7), the new National Task Force Report on Election Reform created and sponsored by The Election Center. The report is a study of Election 2004 and includes recommendations to strengthen the electoral process. A total of 39 elections professionals were chosen from state and local levels to form a carefully balanced Task Force with Republicans and Democrats, with large and small jurisdictions, with race and gender, with liberal and conservative, and with every conceivable method of voting represented, all in an effort to be as representative of America as possible.

Over the next four days, we will send you the Executive Summary of the report. Please find below this message the first installment, including the Preface and Mission Statement of the Task Force report. Tomorrow begins the Executive Summary with "Voter Registration Recommendations." The full report will be available online at [www.electioncenter.org](http://www.electioncenter.org).

### **Preface**

Four years ago, the Election Center convened a dedicated group of election officials as the National Task Force on Election Reform to study and address questions that surfaced following the 2000 Federal Elections concerning the health of America's elections. Through their service on the Task Force, these individuals demonstrated a commitment to the improvement of elections in America. The body of work they produced detailing a set of recommendations to improve the process was published as: "Election 2000: Review and Recommendations by the Nation's Election Administrators." The consensus of the group was to send an unambiguous message that the nation's electoral process was not broken, while simultaneously recognizing that in order to insure the continued and improved health of America's elections, modernization and change was needed.

Congress demonstrated a commitment to improving the administration of elections for federal offices with the passage of The Help America Vote Act of 2002 (HAVA). That commitment was buttressed when Congress allocated federal funds for distribution to states to achieve the goals of the Act.

The great news is that both Congress and our country's election administrators clearly understood the need for balance when enacting change of this scope - balance between effecting improvements to the security and integrity of elections without diminishing an individual voter's right to participate in the process.

An example of the importance that election administrators place on maintaining this balance can be seen in the "Standards of Conduct for Elections / Registration Officials" printed on the inside back cover of this report. These standards were drafted by members of the election community and adopted by the Election Center in 1997. These principles are reflected in the action of Congress with the passage of HAVA.

Shortened timetables and late funding set the stage for a difficult election cycle. Although the process was stretched, thanks to the early achievements of HAVA, guidance from the newly created Election Assistance Commission and the professionalism and dedication of election administrators across the country, the election process withstood the test in 2004, albeit, a little bruised.

A mission to address remaining challenges brought the members of the Task Force back together in 2005. The 2005 group is comprised mostly of returning members who bring continuity and experience to the effort and supplemented with new faces from around the country who bring new perspective to the table. We met this time with a direction for change and federal funding from HAVA. We make recommendations we believe will guide states and local jurisdictions through the final implementation of HAVA and strengthen the electoral process.

While the Help America Vote Act establishes important goals to improve the administration of elections, a vision for the future and a national framework to effect these changes, it is the spirit of change and level of respect for the process embraced by the membership of this Task Force and by election administrators everywhere that we find truly remarkable. The individual and collective experience that this group is able to share with the election community should be considered a national treasure. Our special thanks go to Connie Schmidt for sharing her time and talent to craft our work into a cohesive document. The opportunity to contribute to this effort and serve with these fine professionals is an honor.

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# National Task Force Mission Statement

Our mission is to engender public confidence in the administration of elections by providing a detailed set of recommendations that present state legislatures with positive choices and direction when considering further election reform. In developing these recommendations, we draw on our professional experience and commitment to the integrity of the electoral process.

# Introduction & Purpose of the National Task Force

The November 2004 general election was the most anticipated and scrutinized election in our nation's history. The events surrounding the 2000 presidential election mobilized Congress, state legislatures, election officials, citizens (individually and collectively through advocacy groups) and the media to take an active role in changing the way elections are conducted. State and local policymakers are now attempting to build on the changes that preceded the 2004 presidential election with more action.

As individuals responsible for administering elections at the state and local level, we offer our experience and recommendations to assist policy makers in the development of legislation to improve the administration of elections. We encourage a continuing examination of the election process along with recommendations for improvement. State and local election officials have a demonstrated record of adapting quickly to good ideas to improve the process and continue to lead efforts to provide innovations that serve the voters.

Despite the passage of the Help America Vote Act of 2002 (HAVA) and the appropriation of \$3 billion in federal funds, it is clear that there is room for improvement in the way our election system is administered. However, we must reiterate our statement following the November 2000 general election, in our professional opinion; America's election system is **NOT** in crisis. Proposals for change should be carefully weighed with due regard to what is possible given the resources available to administer elections. Before considering proposals, a key question must be asked. "Will the proposal enable us to continue to protect the integrity of the election and ensure every voter's right to have their vote counted accurately while preserving the privacy of the voter and confidentiality of the ballot?" Ultimately our responsibility is to the voter.

Observers of the 2004 general election are issuing reports that describe the successes and shortcomings of the way elections are conducted in America and clamoring for legislative action. Attention has been focused on voter registration issues, long lines, provisional voting, absentee and early voting, poll watchers and voting equipment. The dramatic increases in voter registration and voter participation have exposed strains on the administrative process of elections. Observers have discovered administrative challenges that election officials have been wrestling with in relative anonymity for years.

A thoughtful analysis of the issues surrounding the 2004 general election reveals that most of the problems were the result of unrealistic expectations that a federal law would provide uniformity and guidance to state and local election officials despite the fact that it was underfunded and behind schedule at the time of passage. State and local election officials will have substantial difficulty meeting the January 1, 2006 deadlines imposed by HAVA due in part to the late appointment of the U.S. Election Assistance Commission, the delay in the

appropriation and distribution of federal funds and the convergence of these delays with the 2004 presidential election.

Very few issues were reported nationally relating to problems involving voting machines. The problems were created by people, not machines, and any reform of substance should deal with what people do or do not do, rather than focusing on equipment that can only do what it is designed to do. The 2004 CalTech/MIT report shows the residual vote rate for the 2004 presidential election decreased significantly from the rate in the 2000 presidential election. This was due to election equipment changes, improving election administration practices, better poll worker training, increasing and improving voter education, and a more motivated electorate.

The process by which we elect our leaders at the local, state and national levels, the most fundamental of all of the elements of our government, must operate in a manner and environment which commands the trust, support and confidence of the American public. That confidence was shaken by the highly charged rhetoric that emanated from the individuals and groups that sought to reform the process following the 2000 presidential election.

As federal and state legislation evolved from the myriad of reports and recommendations, expectations for restoring confidence in the administration of elections grew. The requirements of HAVA and its funding have nurtured expectations for a uniform and nondiscriminatory framework for administering elections within each state. The 2004 general election provides a benchmark for making continued improvement that will restore the confidence lost following the 2000 presidential election.

It is the purpose of this National Task Force to analyze the issues that have been identified by observers and participants in the 2004 general election. These issues are driving reform efforts at the local, state and federal levels. Along with a description of these issues, this report discusses the facts and assumptions that are relevant to the issues. We offer a recommendation or range of recommendations for each issue, drawing on our experience as state and local election administrators.

HAVA established minimum requirements for the administration of federal elections and the states are responsible for designing the means for implementing those requirements. Our recommendations are designed to give state legislatures assistance in developing the standards to address the issues identified following the 2004 general election.

These standards should be developed in conjunction with state and local officials and lead to consistent processes within states. This will regenerate and maintain the public's confidence in an accurate, fair and consistent election result in every state in our nation.

The National Task Force was appointed by the Board of Directors of The Election Center, a non-profit organization committed to the professionalization and improvement of America's election process, including extensive training of the professionals who conduct elections.