

APPENDIX

**ADMINISTRATIVE OFFICE OF THE COURTS
STATE OF NEW JERSEY**

**GLENN A. GRANT, J.A.D.
ACTING ADMINISTRATIVE
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**Prepared Testimony to the Senate State Government Committee
by Steven D. Bonville, Special Assistant to the Administrative
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December 11, 2008

Thank you, Senator Scutari, Vice-Chair Weinberg, and members of the Committee for the opportunity to speak with you about the New Jersey Judiciary's role in the Election Day process.

My name is Steven Bonville and I am Special Assistant to Judge Glenn Grant, the Acting Administrative Director of the Courts.

The role of the Judiciary in the election process is twofold. The first relates to access. This is the Judiciary's administrative role – to provide voters with ready and effective access to a court when the administrative remedies defined in the statutes have been exhausted leaving the courts as the remaining recourse. The second – and obviously related – role is the court's adjudicative role. To decide those applications brought before it by quickly, yet carefully and fairly, applying the statutory law to the particular facts in each case.

Others testifying here today will provide you with information about the legal aspect of election law, about the various types of proceedings brought under those laws, and the dynamics of the decision-making process.

What I would like to share with the Committee are the steps that the Judiciary takes each election day – and in the weeks leading up to election day – to ensure that voters who need a judicial resolution as to their entitlement to vote can gain ready access to a judge who is knowledgeable about the voting laws and who in applying that knowledge to the facts presented will make a just and fair decision.

Several weeks before each election – whether a general election, a June primary, or a presidential primary – each of the state's fifteen Assignment Judges, working with the Administrative Office of the Courts, determines how many judges will be needed to provide adequate judicial coverage for that county on election day, from the time the polls open until the time the polls close, or even later. The number of judges assigned varies from county to county, as does the length of the blocks of time that the judges are

assigned to cover on election day. That is a determination made by the Assignment Judge, in consultation with local election officials, with the goal to ensure maximum coverage and maximum availability.

For example, this past election, in Union County there were six judges assigned to election duty, three from 6:30 a.m. to 1:30 p.m. and three from 1:30 p.m. to 8:00 p.m., with two more judges on call. In Bergen, eight judges were assigned, four from 6:00 a.m. to 2:00 p.m, and four from 2:00 p.m. to 8:00 p.m. Monmouth assigned four judges, with each handling a shift of three to four hours. Eleven judges were assigned to election duty in Passaic County – six from 6:00 a.m. to 1:00 p.m. and five from 1:00 p.m. to 8:00 p.m., with one additional judge on call. Atlantic assigned three judges, all from 8:00 a.m. to 8:00 p.m.

The total number of judges handling election duty this year on November 4 was 117, with another 15 on call. The bottom line – in every one of the state's 21 counties, there were judges on duty to handle election matters during the entire time the polls were open. The Administrative Office gathers the election duty assignments from each of the Assignment Judges and constructs a statewide grid listing on a county by county basis the names of the judges assigned, the hours of that assignment, the location where the judge will be sitting, and telephone and fax contact numbers. I have copies of this year's information grid with me to show the Committee the scope of the election day judicial coverage.

The Judiciary forwards that information grid to the Attorney General's Office, to the Public Advocate, to counsel for the parties and counsel for the candidates.

About a week or ten days before the election, the Judiciary provides an in-depth training session for any of the designated election duty judges who have not recently had that training. This year's session – presented on October 27 – addressed a multitude of election law issues, including the federal Help America Vote Act of 2002 (HAVA). The seminar is conducted by senior judges in conjunction with the Division of Law. The judges attending the training program are provided with copies of the materials. And those materials are posted on the Judiciary's intranet for access by those judges who attended previous sessions. Additionally, the AOC provides all of the assigned election duty judges with standard sample orders developed by the Division of Law.

On election day, the election duty judges were actually in the county courthouses during their assigned coverage time period, with a few variations, this time including a number of municipal courts linked by videoconferencing technology to the county courthouse. Courtroom staff also were on site. And interpreters either were on site or available on call. In other words, the voter making an application to the court for authorization to vote experienced in essence a regular court proceeding, with each matter receiving the full attention of the court and each decision made and each order entered carrying the full authority of the court, both in appearance and in effect.

Subsequent to Election Day the Administrative Office obtains from each Assignment Judge the number of orders entered by the election duty judges in that county, with each order representing one application. In this year's general election the total number of judicial orders issued by Superior Court judges was 2515, with 78% of those orders

granting the relief sought. There also were 49 orders issued in the Appellate Division by the judges in the court on election duty. I have copies for the Committee of the order tally sheet for this year's general election.

The numbers of applications made and orders issued is cyclical, with by far the largest number in the general election in presidential election years. In 2004, the previous presidential election, the number of orders issued was 3944 – as compared to this year's 2515. In 2005, the number of orders issued was 265; in 2006, 502; and in 2007, 130. In this year's presidential primary on February 5, there were 459 orders entered. In the June primary, only 21. While the number of judges assigned to election duty in other than presidential election years has been lower than in presidential election years, the scope of the coverage has not varied.

As all of these steps demonstrate, the Judiciary takes very seriously its obligation to provide voters with ready and effective access to judges who are knowledgeable about the voting laws and who in applying that knowledge to the facts presented will make a just and fair decision.

Thank you.

NEW JERSEY LAW REVISION COMMISSION
SUMMARY OF FINAL REPORT AND RECOMMENDATIONS ON ELECTIONS

I. Introduction

The Final Report and Recommendations on Elections issued by the Law Revision Commission substantially revises New Jersey law regulating elections, presently found at *N.J.S.A. 19:1-1* to *N.J.S.A. 19:60-12*. The Report addresses the manner in which an individual obtains a place on a ballot and the manner in which an individual actually casts a vote but does not address the contribution and expenditure areas of election law. The Report may be found on the Commission's website (<http://www.lawrev.state.nj.us>).

The initial impetus for the revision was the 2000 Presidential election, which revealed problems with the election systems in various states. Originally enacted in the 1930s, the New Jersey's election law does not presently address recent developments in technology or mirror current election practices.

More significantly, recent federal law requires changes to New Jersey's election law. The *Help America Vote Act of 2002* (Pub. L. 107-252), requires the implementation of a statewide voter registration system not presently available in New Jersey. The federal law also requires the widespread availability of provisional voting, increased accessibility of voting machines, an opportunity for voters to verify and correct their ballots before casting their votes, the discontinuation of obsolete voting methods and the increased use of available technologies, and the implementation of an administration complaint procedure for violations of federal voting law.

The New Jersey Legislature has clearly recognized the need to reform New Jersey Election law. At the time of the dissemination of the Commission's first Tentative Report there were more than 70 bills pending in the Legislature pertaining to election issues and more than 30 bills dealing with election law issues have already been introduced in the 2002-2003 Legislative Session.

II. Summary of Changes

- Provides for statewide registration: Federal law now requires a statewide voter registration system maintained and administered at the state level, and coordinated with other state agency databases. Any election official in the state must be able to obtain immediate access to the information contained in the system. The Commission's recommendations fulfill these requirements.
- Establishes a State Commission on Elections: While the day-to-day responsibilities associated with elections will continue to be handled by personnel at the county level, federal law now requires that statewide registration be maintained and administered at the state level. Federal law also requires that any state that receives funding pursuant to the new federal election law establish and maintain a state-based administrative complaint procedure. The Commission would handle these

new responsibilities and would enforce the provisions of the statute in an effort to achieve more statewide uniformity in all aspects of the electoral process.

- Technological neutrality and development: The Report uses machine neutral language. Current law provides detailed procedures for the use of paper ballots and lever machines and no procedures at all for the modern voting machines now in use in most parts of the State. Since voting technology continues to develop, machine neutral language does not tie the law to a voting system that the passage of time may render obsolete. The Report also reflects the minimum voting system standards now imposed by federal law, including general standards, and the requirements pertaining to audit capacity, accessibility, error rates, and a uniform definition of what constitutes a vote.
- Ballot changes and provisional ballots: Requirements pertaining to ballots have been streamlined and modernized to avoid waste. Pursuant to the federal requirements, provisional ballots will be available for those voters whose right to vote cannot be confirmed at the time they wish to vote, as will a free access notification system through which a voter can determine whether his or her vote was counted.
- Modifies timeline and deadlines: In some cases, the current law does not provide clear deadlines; in other cases, the deadlines do not allow for the sequence in which actions must take place. The Report clarifies the deadlines, corrects anomalies, and shortens deadlines where technological changes have made current deadlines anachronistic. The Report also provides clear deadlines for the replacement of candidates on a ballot to address issues raised in *New Jersey Democratic Party, Inc. v. Samson*, 175 N.J. 178 (2002).
- Consolidates elections: In an effort to streamline, regularize and make the election process more cost efficient and less burdensome for voters, all non-partisan elections, including school elections, will be held together in April.
- Expands absentee voting: The Report discontinues the current requirement that a voter provide a reason for voting by absentee ballot, and permits early voting on request.
- Expands pool of poll officials: The Report expands the pool of potential poll officials by permitting those voters registered as independents to work at the polls on Election Day. Over half of the registered voters in this State are not registered as either Democrats or Republicans; they will now be permitted to participate in this important process.
- Consolidates voting offenses: The Report consolidates the various offenses presently scattered throughout the two volumes of the statute in a single chapter of the Criminal Code.

- Changes at county level: Although many responsibilities associated with elections will continue unchanged, the duties of the election officials at the county level have been rearranged to increase efficiency.

III. Conclusion

The Report endeavors to clarify, simplify and streamline the election process in New Jersey. This is done in an effort to increase voter participation and to make the process run more smoothly for the voters and for the local, county and state officials who are responsible for the conduct of elections. The comments received by the Commission after the extensive distribution of its Tentative Reports suggest that most of the recommendations are acceptable to the individuals throughout the State who would be affected by the implementation of the proposed changes.

Prompt consideration of the remaining issues by the Legislature should allow for the resolution of those limited issues in time to allow New Jersey to comply with the federal mandates within the deadlines imposed by federal law. Given the substantial changes required by federal law and the extent of the modifications needed to conform New Jersey's statute to current voting realities, addressing all of the necessary changes at the same time seems to be the most efficient way to proceed.



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Statement of Bryan Lee
Voting Rights Coordinator
Asian American Legal Defense and Education Fund

Before the

MEMBERS OF THE SENATE STATE GOVERNMENT COMMITTEE

December 11, 2008

Trenton, New Jersey

Good afternoon. My name is Bryan Lee and I am the Voting Rights Coordinator at the Asian American Legal Defense and Education Fund. AALDEF is a 34-year old, nonpartisan organization that protects and promotes the civil rights of Asian Americans through litigation, legal advocacy and community education, including our New Jersey Asian American Legal Project based in Newark, NJ.

Today, AALDEF submits this statement to comment on ways New Jersey can further expand access to the vote for the state's growing Asian American population and to briefly describe some of our observations from the November 2008 General Elections.

First, we would like to commend the State Legislature for adopting a law in the Fall of 2005 that requires translated **postings of Voters' Bill of Rights** in languages that are spoken by 10% or more of the registered voters in the election district. We also commend the State for translating New Jersey voter registration forms, starting in January 2008, into Korean, Chinese, and Gujarati. Although, we would ideally like to see New Jersey translated ballots and voting instructions in Asian languages, these laws have still helped more Asian Americans to access the vote.

On Tuesday, November 4, 2008, AALDEF conducted the largest multi-state exit poll survey and poll monitoring program in the country with a volunteer base of over 1,500 people and the assistance of numerous co-sponsors to gather data on Asian American voting patterns and to document voter problems. We are still in the middle of processing over 17,000 survey results and over 900 voter incident reports from 12 different states including Washington, D.C. However, some of our results for New Jersey currently show that many Asian American voters experienced the following voter problems:

- Voters who registered well before the October deadline did not appear in poll books and were unable to vote
- Names were misspelled or were entirely missing from poll books
- Voters whom have voted in previous years were required to show ID
- Paper provisional ballots were either not available at poll sites or simply not offered to voters

- In Edison, New Jersey, a poll worker refused to give a South Asian American voter a provisional ballot without proof of registration
- In Palisade Park, New Jersey, a Korean American voter who had not moved but has voted in previous years was not listed in the voter roll; poll workers refused to give her a provisional ballot until AALDEF called in the problem to the DOJ to intervene
- Voters were not notified by mail of their poll sites
 - In Palisades Park, New Jersey, a poll worker shouted at an Asian American voter, “Why do you not know your voting room?”
 - In East Brunswick, New Jersey, a South Asian American voter was misinformed by the Board of Elections and poll workers and was sent to multiple poll sites before eventually being allowed to vote by provisional ballot

I. New Jersey Asian Americans

Since 1990, the Asian American population in New Jersey has doubled. New Jersey has the nation’s fifth largest Asian population, numbering over 643,000 in 2007, a 32% increase since 2000 and the largest population increase in New Jersey in terms of race. In fact, every county of New Jersey has seen a double-digit increase in its Asian American population. Asian Americans are increasingly becoming U.S. citizens but many have difficulty in exercising their right to vote because of limited English proficiency (LEP). A review of 2000 U.S. Census data shows that, of LEP voters in New Jersey, over 17,000 speak Chinese, over 11,000 speak Korean, and over 6,500 speak Gujarati. These are statewide numbers. The 2010 Census will most likely show increases in these statistics.

A closer look reveals that most limited English proficient Korean voters reside in Bergen County, and pluralities of Chinese and South Asian Gujarati speakers reside in Middlesex County.

During the 2004 election, the Asian American Legal Defense and Education Fund with the Korean American Voters’ Council and South Asian Americans Leading Together (SAALT) conducted a non-partisan survey of almost 1,400 Asian American voters. We found that most (85%) were foreign born; more than a third (35%) were first time voters; and a quarter (25%) were limited English proficient (LEP).

Specifically, in Middlesex County, 26 % of the Chinese voters surveyed were LEP; in Bergen County, 55% of the Korean voters surveyed were LEP; and in Hudson County, 25% of Indian voters surveyed were LEP (mostly speaking Gujarati).

To ensure that Asian Americans have access to vote, interpreters should be provided at the polls on election day and instructions on how to vote, election guides, voters’ rights flyers, ballots, and other voting materials should be translated into, at least, Korean, Chinese, and Gujarati. This assistance can easily target localities and poll sites with the largest number of LEP Asian voters.

II. Language Assistance

Providing translated voting materials and interpreters at the polls will greatly assist Asian Americans in exercising their right to vote.

Many years ago, New Jersey enacted a change to its election laws to allow for Spanish language assistance. We recommend amending the relevant sections of Title 19 to include Asian language assistance. Ten sections mention "Spanish" and should be changed to "Spanish or Asian language." The results would be:

In a "county" or "election district" where the "primary language of 10% or more of the registered voters is Spanish or an Asian language" then bilingual voting materials and interpreters will be provided.

This is a simple and uniform test. In addition, because voting operations are now generally uniform across the state (i.e. voter registration forms, instructions in how to vote, nonpartisan election guides for statewide offices, and voters' rights flyers), these materials would only need to be translated once and can be used across the state, thus minimizing costs.

To assist in paying for language assistance, the Help American Vote Act (HAVA) provides federal money to states to improve accessibility to the vote for individuals with limited proficiency in the English language. New Jersey would thus be able to use federal funds to cover the costs in providing this assistance.

It is important to note that while the Voting Rights Act (VRA) requires language assistance in certain jurisdictions, the 2000 Census shows that the New Jersey Asian American population does not meet the Act's test for coverage and so no county in New Jersey is covered under the Act for Asian language assistance. The test is 5% or more than 10,000 voting age citizens who speak the same language, are limited English proficient, and, as a group, have a higher illiteracy rate than the national illiteracy rate as measured by a fifth grade education.

Thank you for the opportunity to testify. AALDEF looks forward to assist the Senate State Government Committee of New Jersey on implementation issues. If you have any questions, please feel free to call me at 212-966-5932.

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Testimony on Voting Rights Problems in New Jersey
Senate State Government Committee Hearings
December 11, 2008

Submitted by

Deborah Jacobs, Executive Director
American Civil Liberties Union of New Jersey

Thank you for the opportunity to testify. The American Civil Liberties Union of New Jersey is a private, non-profit organization that promotes and defends our nation's founding principles of freedom, justice and equality. We have nearly 15,000 members in New Jersey, and half a million nationwide.

For the past several years the ACLU-NJ has worked collaboratively with the League of Women Voters on Election Day to host a hotline for voters with questions or problems. We also send trained monitors to the polls and attorneys to the county court houses to assist voters. We advocate for voters' rights, investigate complaints and issue reports on our concerns and recommendations for improvements to voting systems.

This year, we received over 450 voting complaints during the November General Elections, and over 140 during the February Primary. In addition, election protection efforts by government and other advocacy organizations fielded many more. The entirety and range of voting issues and problems remains unclear because the state doesn't issue a report that documents the complaints the counties receive or problems addressed; we are concerned as to how the state can confidently assess the health of our voting system given the lack of any systemic review.

We are still analyzing and verifying the complaints we received in November, and have not yet issued our report, but I can highlight some of the most prevalent type of problems encountered this year.

Poll Worker Problems

Counties currently employ 26,000 temporary workers to run the 6500+ polling precincts. We documented unacceptable levels of partisanship, unprofessionalism and general misdirection in numerous polling places this year. More than half of all problems we documented relate to poll worker error or confusion. An article by the *Associated Press* reported that Essex County Superintendent of Elections Carmen Casciano attributed 50% of voting machine problems on November 4th to poll worker error. The most common complaints we received about poll workers involved improper demands that voters show identification, which was reported in at least six counties, and improper handling of provisional ballots.

Provisional Ballots

The failure to provide provisional ballots is the most common problem we receive. Time after time we get reports of confused poll workers disfranchising voters by withholding provisional ballots. In the November election provisional ballot distribution was especially problematic in those counties that refused to print supplemental books in response to the voter registration overload, but promised that they would offer provisional ballots to would-be voters whose names were not on the poll rolls. Unfortunately, that promise didn't trickle down to the front lines. One poll worker told voters that only people who are on the county "rolls" are entitled to provisional ballots. We also heard stories of poll workers using provisional ballots to assert power over donors, such as a Hudson County worker who boasted to a voter, who happened to be a television reporter, that "I decide who gets a provisional ballot."

We documented at least 14 people turned away at the polls in Bergen without a provisional ballot, several Drew University students in Morris County and would-be voters in Monmouth and Ocean counties. While these numbers may seem small, keep in mind that the ACLU-NJ's monitoring effort is quite small and only captures a snapshot of what happens on Election Day; without more analysis by the state itself, the breadth of the problem is really unknown.

Voter Registrations

Over two-thirds of the problems people reported to us on Election Day were traced back to the voter registration period. Some were due to registration overload at the counties, some due to failure of agencies such as the MVC to pass on completed registrations, and some to problems with address or identification discrepancies.

The ACLU-NJ has also documented ongoing problems with counties registering people with prior convictions to vote, although the state has established clear rules for registering people who have paid their debt to society. Our 2004 survey showed that nine counties were setting roadblocks in the way of voter registration by demanding paperwork that either was non-existent or hard to produce. Many counties demanded release papers although they already had this information in their database. Our 2008 survey showed little has changed; now eight counties continue to violate the law. Hudson County has apparently added its own condition for enfranchisement - the payment of all outstanding fines, a requirement certainly not imposed by the legislature when it set the conditions for enfranchisement after a conviction.

Voter Notification Problems

The tremendous number of registrations this year apparently overwhelmed registration offices and the names of many who registered in a timely manner didn't make it onto the printed poll rolls. Some counties printed supplemental lists, others decided to use provisional ballots. One county, Morris, notified its voters by letter. The result was confusion, both at the polls and for advocacy organizations such as ours trying to assist voters. It would be easier for the state to confer with counties to develop a uniform response to handle problems. Multiple counties utilizing different responses can add to the general confusion over elections.

We received at least 10 complaints from voters who never received notice about their voter status from their counties, or any communication about changes in their voting status. We had 13 complaints from people whose names disappeared from the county databases without notification. Some counties provide voter registration cards to successful registrants, while others do not. We have concerns about how voters are notified if their absentee ballot applications are denied by the county clerk; we received at least 16 complaints from voters who did not receive absentee ballots, nor any communication from the county about their applications. Atlantic

County lost one voter's absentee ballot; so she drove 200 miles on November 4th to vote back at her home precinct.

Response to election complaints

The ACLU-NJ filed open public records requests with all twenty-one counties requesting records of the voter complaints they received during the presidential primary; we received a wide variety of documents in response. Sussex County provided the most comprehensive packet of voting concerns filed by its citizens. Several counties indicated they had no "official" complaints, though we knew otherwise. Neither the state nor the counties appear to employ standard complaint/response systems. Nor do they appear to track problems, a practice any organization should utilize to improve their effectiveness.

Student Voting

Students continue to have problems voting, in part due to confusion of "home address" as indicated on the voter registration and in part due to location of campus polling sites. They often get bounced from polling place to polling place and also have a disproportionate number of registration issues. Students tend to register through campus "voter registration drives" led by a variety of organizations.

Election Court issues

Our observers were in the courts on November 4th watching over 20 judges in action. The county courts in general responded very well to the anticipated up-tick in election cases during this particular election and court administrators are to be commended for ensuring every citizen denied a vote at least had an opportunity for a hearing.

We observed some disparity, as is to be expected for a system that depends on individual jurist temperament and interpretation of the law. In general, judges seemed concerned that one's fundamental right to vote was equitably served by the process, especially where administrative action or inaction might have been at fault.

Some of the jurists were experienced and some just starting out. Some decisions, such as orders for provisional ballots, were unhelpful in that they provided no relief and only extended the uncertainty. Voters who take the time and trouble to go to court want to make sure that their vote will count, and that is hardly guaranteed with a provisional ballot.

While there is no mandatory training on election law for jurists assigned to election court, the Administrative Office of the Courts provides a three-hour training by staff from the Office of the Attorney General in October. About 75 attended this year's training. We are also concerned that the training materials are prepared by staff at the OAG without input from advocates and other stakeholders in the process. We often find that OAG's interpretations of voting policies and rights are inconsistent and not democracy-friendly.

For example, our monitors have noted that the deputy attorneys general who represent the state or county during election court cases typically argue against the plaintiff. In some counties, the DAG is sequestered with the plaintiff before the court case. This may be a conflict of interest, particularly if the person is not aware of the role of the DAG and believes the DAG to be acting as his or her attorney.

Recommendations

As I stated previously, we're still analyzing and verifying the complaints we received, and will issue a report in due course. However, based on what we know thus far, we have a number of

recommendations which are consistent with those we have provided to the State Elections Officials previously:

- Require that county election officials follow poll worker training and retention guidelines, including policies/procedures for poll worker warning letters and grounds for dismissal of those poll workers identified as failing to properly issue provisional or emergency ballots.
- Create a new class of professional master poll workers that are routinely trained, evaluated and compensated fully in place of poll judges now operating at polling locations. These master poll workers shall be prohibited from engaging in local or state political campaigning.
- Require the Division of Elections to have systems for recording voter complaints, analyzing the causes and issuing public reports that summarize the types of problems voters encounter and its plans to fix problems and improve the process. The state should also gather information about provisional, emergency and absentee ballots from all counties so it can further analyze local election performance.
- Similarly, the Division of Elections should provide counties with standard policies/procedures concerning county intake of written, phone or in-person voting complaints and concerns, including the maintenance of phone logs, timely follow-up with the complainant, investigations as needed, and reporting of election problems.
- Require counties to establish standard forms and procedures for notifying residents about various voting issues, alerting voters to problems and confirming voters' registration status.
- Establish mandatory training on election law for those judges newly assigned to Election Day Court.
- Develop elections overview materials for election judges, with input from all stakeholders.

An important step the state could take that would eliminate many voting problems and also increase democratic participation is to establish Election Day Registration (EDR). EDR permits eligible citizens to register and vote on Election Day. Currently, eight states have EDR. A ninth, North Carolina, allows for same day registration at early voting sites. EDR states typically boast voter turnout rates that are generally 10-12 percent higher than states without EDR, and report few problems with fraud, costs or administrative complexity. EDR significantly increases the opportunity to cast a vote and participate in American democracy.

Finally, I hope that at your next hearing you will consider Senate Bill 1970, which seeks to extend the right to vote to people on probation and parole. There are both societal and public safety benefits to allowing people exiting the criminal justice system the right to vote, which I look forward to detailing further when you hear that bill.

Thank you for your interest in my comments.



LEAGUE OF WOMEN VOTERS
OF NEW JERSEY

Hearing on the feasibility of standardized election procedures
Senate State Government Committee
Thursday, December 11, 2008

Sandra Matsen
League of Women Voters of New Jersey

First, I want to take the opportunity to say thank you to the Committee for holding today's hearing on this very important and timely subject. With November's general election just behind us and the gubernatorial election quickly approaching, now is the time to act to evaluate and correct the issues we saw in the prior election. Thank you for the opportunity to testify.

The League of Women Voters of New Jersey has a proud and long history of protecting New Jersey voters and working to promote good government and efficient voting systems. For the past several years, the League has worked with the American Civil Liberties Union of New Jersey to operate a voter protection hotline and deploy volunteer poll monitors to assist voters and to help report problems. While the data is still being compiled, there were several issues that have already been identified that are pertinent to today's hearing.

Poll Worker Training

In this election, as in past elections, we had reports of poll workers who gave out misleading or incorrect information. Furthermore, some poll workers were unwilling to give out provisional or emergency ballots when needed or appropriately requested. While there will always be instances of imperfect poll workers, we believe this is a systematic issue and that improvements in poll worker training are needed. In researching standardizing election procedures, we ask that you evaluate the current schedule for poll worker training and suggest that yearly trainings be strongly considered. Furthermore, because inexperienced poll workers need more training than their experienced peers, it would be useful to have trainings set up by experience level to streamline the process and to keep experienced poll workers in the system.

Election Administration

There are two areas of election administration where we see a need for systematic standardization. Because the League's voter hotline is available year-round, we began receiving calls in the weeks prior to the election that voters had registered, but had received no notification from election officials as required. This was by far the largest number of complaints in our pre-election day calls. Additionally, some voter registrations were not entered in time and their names were either put on supplemental lists, were sent letters, or the voters were asked to vote by provisional ballot. Because of the high voter participation in this election, it is possible that these two issues could have been a capacity issue in part. However, both are serious problems that no one wants to see again, and so we ask the committee to examine these issues further.

The second area of standardization that would be of great benefit to the voters is standardization of the complaint process. Poll workers should more readily offer complaint forms and complaints should be published and examined for systematic issues. Yes, there will always be problems, but if these complaints are not examined on every level, then the larger issues will never be addressed.

Thank you for the opportunity to testify today.