



ELECTIONS BULLETIN

To: Town and City Clerks
From: Kathy DeWolfe
Re: Vote-By-Telephone Instructions for Polling Place
Notices to Remove Voters as required by the National Voting Rights Act of 1993
Date: August 14, 2006

Vote-By-Telephone

If you have not already done so, **please email the telephone number that will show up on our caller ID** when a call is placed from the telephone line that you plan to use at the polling place. Email to either klane-karnas@sec.state.vt.us OR mhodge@sec.state.vt.us. The security of the system requires that the telephone number be data entered into the computers that will answer the telephone to verify that the call is coming from an authorized polling place. We have enclosed four (4) different sets of instructions.

- 1) **General instructions for the Vote-by-Telephone system** that are also in Appendix M to the 2006 Election Procedures. Please read the instructions carefully. Please make sure you will have at least 2 election officials at each polling place that will have used the Practice and Preview Feature and have read all instructions so that the officials can assist voters on Election Day.
- 2) Two page set of **Instructions for Election Officials at the Polling Place**. Save these instructions in a safe place. The ballot code # can be given to any voters who request it in order to use the Practice and Preview Feature with a real sample ballot. We will include another copy of these instructions in a plastic protector in the Elections Guide Binder we will send to all towns at the end of the month. This will give you a convenient place to save all election related bulletins and guides.
- 3) Three page set of our **Pre-Election Instructions for Voters**. You can make copies of these instructions for voters who want to practice using the system and preview the ballots before the Primary and General Election. The ballot access code will be the same for both elections.
- 4) A one page **LARGE FONT Instructions for Voters at the Polling place** that provides a list of the uses of the keypad numbers that can be left on the table next to the telephone to assist voters who have limited vision.

More IMPORTANT information on next page: read carefully

Office of the VT Secretary of State – Elections Division
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Notices to Remove Voters as required by the National Voting Rights Act of 1993

It has been recently brought to my attention that some Town or City Clerks have stated that “I don’t email the notice to remove voters because I don’t know if the voter really wrote down the right previous town.” Or that prior to the statewide checklist email system, “I don’t want to pay for the stamps.” This is not acceptable and is breaking federal law.

You do not have the authority to decide NOT to email the notice to the previous Town Clerk. When the previous Town Clerk receives the Notice to Remove Voter, that previous town clerk will make the decision about whether it is the same person and should be removed. FEDERAL LAW requires that all notices to remove voters who have registered to vote in a new jurisdiction must be sent to ALL PREVIOUS JURISDICTIONS that are listed by the voter on the Application to the Checklist.

When you receive a notice to remove from another Town Clerk, you need to exercise your best judgment to decide if this person is the same person that is on your checklist and you can purge the voter to purged/archived if you believe it is the same person. Remember, that if you remove a person by mistake, Vermont law authorizes you to restore the person to your checklist when the person either comes to vote or requests an absentee ballot.

Checklist Maintenance OR Challenging and Removing voters

The Office of the Secretary of State has received a letter from Department of Justice expressing concern that more than 10% of our jurisdictions (there were 52 towns or cities) had more voter names on the checklist in 2004 than the census had for the Voting Age Population of the jurisdiction. We are reviewing the data and we can explain some of the situation because our 2004 reported data included inactive or challenged voters (we did not have a way to separate for the entire state in 2004.) Now that we have the statewide checklist, we can confirm that only 25 jurisdictions have more names on the checklist than in the Voting Age Population data.

However, in preparing to respond to the letter from the Department of Justice I note that many towns have 0 or very low numbers of voters in the challenged or inactive status on the statewide checklist. This tells me that some towns are not doing regular checklist maintenance.

It is VERY IMPORTANT THAT WE USE ALL “TOOLS” available to maintain our checklists and to remove names of persons who have registered to vote in another jurisdiction, who have died, or who have not responded to a challenge letter and not voted in two subsequent elections.

We have run our first duplicate voter check and have found 7900 names that appear to be duplicates. We will send out notices this fall to all towns to review the voters shown in more than one town with instructions for the clerks with duplicates to talk or email to each other to determine which is the current registration for the voter and then to remove the voter from previous towns.

We need to all work together to insure that the Active Checklist is not inflated with persons who have moved to another jurisdiction.

We will be following up with more information on challenging and purging (removing) voters after the General Election in November.