



The **Dirty 30** of Election Fraud

Call to Action on: **Absentee Ballots**

Tactics Used

Due to increasing public awareness of the problems associated with paperless electronic voting (e-voting) machines, large numbers of voters across America are preparing to vote by absentee ballot in the upcoming mid-term elections. However, unlike mail-in voter registration forms and regular ballots, absentee ballots are not protected under federal law. Absentee ballots are also counted by electronic optical scan systems—the same ones that have failed in election after election so far this year. Furthermore, when ballots are sent in via absentee, an auditable paper trail or other proof that those votes were counted is essentially nonexistent.¹

There are two primary scams historically used by partisan operatives to disenfranchise voters or suppress the vote through the use of absentee ballots. The first scam uses campaign workers or laws to take advantage of the psychology of fear and intimidation against voters. It is used to target specific groups of people, such as the elderly, infirm, low-income, minority, and citizens whose first language is other than English. The second typical scam is where absentee ballots simply disappear or are rejected on “technical” grounds. The following is a description of the array of specific strategies that have been used in previous elections.

Use of Campaign Workers or Laws

A Sept. 2004 article in the *New York Times* stated that in the four years since the 2000 presidential election, prosecutors had brought criminal cases in at least 15 states for fraud in absentee voting. In Ohio, a Republican election worker was charged with switching votes of nursing home residents in the 2000 presidential race.² In Michigan, three city council members pleaded guilty in a vote tampering case that included forging signatures and altering ballots with white-out. An Arizona county judge ruled that a campaign consultant had improperly held more than 14,000 absentee ballot applications he had collected in order to help Republican candidates in the primary. This is a common practice in states requiring that absentee ballots be turned in within a reasonable period of time because it allows campaigns to bombard voters with mailings and house calls just before their ballots arrive.

Specific, on-the-ground tactics employed with this strategy include having operatives use financial incentives to get voters to request or swap absentee ballots for polling place jobs, money or rent payments; campus flyers that offer free concert tickets to students; and even gifts

¹ Friedman, Brad. The Brad Blog, <<http://www.bradblog.com/>>.

² Moss, Michael. “Absentee Votes Worry Officials as Nov. 2 Nears.” *New York Times*, 9/13/04.

such as \$15 flasks of whiskey. In Florida,³ political operatives appearing to know exactly who had absentee ballots went door-to-door to collect the ballots. It is possible for political parties, groups, and candidates to get lists of voters who request absentee ballots. This is legal, as long as they don't misrepresent themselves or alter the ballots. Many voters who gave their absentee ballots to the operatives later found out that the elections office had never received their ballots.

On a larger scale, a 2003 Texas law made it a crime for someone to put another voter's absentee ballot in the mail or to deliver it to election officials.⁴ Violations involving one ballot are misdemeanors and those involving several ballots are felonies. Of the 13 individuals indicted for voter fraud under this law, 10 were accused of simply possessing another person's ballot for delivery to election officials or to a mailbox. In Texas, many elderly Latino voters prefer to vote by absentee ballot because they fear intimidation at the polls. This strategy is therefore used to single out minority and senior voters in an effort to suppress voting.

Ballots Disappear / Rejected

According to investigative reporter Greg Palast,⁵ "those who mail in ballots are very trusting souls." How do you know if your ballot was received? Was it tossed behind a file cabinet — or tossed out because you did not include your middle initial? In many counties, you simply won't know. According to Palast,⁶ the number of people voting by absentee ballots has quintupled in many states. In 2004, over a half a million (526,420) absentee ballots were rejected nationwide on technical grounds and, in swing states, the shredding of absentee ballots was pandemic.

Examples of Absentee Ballot Dirty Tricks

Specific tactics that have been used in absentee ballot schemes include the following:

- In Maryland, absentee ballots are clearly marked with the voter's party affiliation. Such partisan tags invite fraud because a ballot handler who disagrees with a voter's party choice could simply throw out the ballot.⁷
- In 2004, Broward County, Florida failed to send out 58,000 absentee ballots to voters who had requested them. The county's election supervisor was an appointee of Governor Jeb Bush (R) and had been installed after the governor took steps to remove the incumbent election supervisor, a Democrat who had been duly elected.⁸
- In 2004, officials in Broward County, Florida told voters the postage for absentee ballots was 60 cents when it was actually 80 cents. The post office subsequently rejected the mailed ballots due to insufficient postage.⁹

³ Hegarty, Stephen. "Election Chief Warns of Absentee Scams." *St. Petersburg Times On Line*, 10/22/04.

⁴ Ross Hughes, Polly. "Texas voter fraud law under fire." MySA.com <<http://www.mysanantonio.com/>>, *Express News Austin Bureau*, 9/17/06.

⁵ Palast, Greg. "An Election Spoiled Rotten." TomPaine.com, 11/1/04.

⁶ Palast, Greg. *Armed Madhouse*. New York, Penguin Group, 2006, p. 191.

⁷ Bacchus, Joseph. "Party tags on absentee ballots worry election officials." *Capital News Service*, VotersUnite.org, 10/26/04.

⁸ Palast, Greg. "An Election Spoiled Rotten." TomPaine.com, 11/1/04.

⁹ Miller, Mark Crispin. *Fooled Again: How the Right Stole the 2004 Election and Why They'll Steal the Next One Too (Unless We Stop Them)*. New York, Basic Books, 2005, p. 236.

- In Hamilton County, Ohio, many absentee voters were unable to cast a vote for Democratic presidential candidate John Kerry because county workers had removed his name from the ballot.¹⁰
- In Cuyahoga and Franklin Counties, Ohio, arrows on absentee punch card ballots were not properly aligned with respective punch holes.¹¹

Some of the common technical grounds on which absentee ballots have been rejected include:¹²

- coffee spills, torn ballots, or stray pencil marks on the ballot
- insufficient postage
- the ballot signature doesn't exactly match the signature on file at the elections office
- a copy of a picture ID is not included with the ballots of first-time voters who registered by mail
- ballots arrive at the elections office too late
- ballots contain votes for two candidates, and
- the witness failed to include his/her address.

Strategies to Combat Rejection of Absentee Ballots

1. Voting absentee is ONLY recommended if there is not a paper ballot option at the polling place.¹³
 - a. If the only choice is to vote by touch-screen machines, then absentee is certainly preferred, but voters should hand-deliver their absentee ballot to the polling place or to the Board of Elections on Election Day (check the local rules).
 - b. If a voter MUST vote absentee and MUST send it by mail, it is critical to first photocopy the completed ballot and then send it via certified mail with a return-receipt requested.
2. Educate the elderly, infirm, low-income, minority, and citizens with English as a second language about the strategies used to disenfranchise voters using absentee ballots.
3. Educate all voters that IN NO CASE should they give their absentee ballot application or ballot to anyone they don't know who comes to their door offering to deliver their application or ballot to the elections office.
4. Educate all voters of the specific requirements in their state for completing and returning an absentee ballot.

¹⁰ "Kerry's Name Omitted from Some Ballots." *Columbus Dispatch*, 10/19/04.

¹¹ Miller, Anita, ed. *What Went Wrong in Ohio: The Conyers Report on the 2004 Presidential Election*. Chicago: Chicago Academy Chicago Publishers, 2005, p.58.

¹² Ulferts, Alisa and Tamara Lush. "Absentee isn't a guarantee." *St. Petersburg Times Online*, 8/8/04.

¹³ Friedman, Brad. The Brad Blog, <<http://www.bradblog.com/>>.