How to Handle Substantially Similar Names

Ashley Fischer, Legal Director
Elections Division – Texas Secretary of State
31st Annual Election Seminar – July 2013
Agenda

- Applicable Rules and Statutes
- Acceptable Forms of IDs
- Informing Voters Together
- Training Election Judges and Clerks
- Determining Similar Names
- Processing the Voter
- Updating Records
Applicable Rules and Statutes

- Tex. Elec. Code §63.001(c)
- Tex. Admin. Code Rule §81.71
Acceptable Forms of ID

- Texas driver license
- Texas Election Identification Certificate
- Texas personal identification card
- Texas concealed handgun license
- United States military identification card containing the person’s photograph
- United States citizenship certificate containing the person’s photograph
- United States passport
Informing Voters Together

- SOS is planning STATEWIDE outreach plan for this fall!!!
  - Secretary Steen visiting Texas counties!
  - TV/Radio outreach planned!
  - “Am I Registered?” will work for voters!
Informing Voters Together

• SOS will help COUNTIES contact potentially impacted voters!!!
  – Directs voters to “Am I Registered?”
  – Contact SOS if you need more information.
Training Judges and Clerks

・ REMEMBER, all election judges and clerks must take the training on accepting and handling voter identification.
Determining Similar Names

• Who?
  1. Early Voting Clerk
  2. Deputy Early Voting Clerk
  3. Election Judge
  4. Election Clerk
Determining Similar Names

• What?
  – Names that are not identical, but are similar.
Totality of the Circumstances

- Claudia Alta “Lady Bird” Taylor Johnson

Texas Driver License

Lady Bird Johnson
123 Texas Way
Austin, Texas 71234

Date of Birth:
12/22/1912

Precinct 1 – Travis County
List of Registered Voters

Claudia Bird Taylor
123 Texas Way
Austin, Texas 71234

Date of Birth: 12/22/1912
Totality of the Circumstances

- Use information to assist in determination:
  - Address
  - Date of Birth
  - Photograph
Determining Similar Names

• What does that mean?
  1. Slightly Different
  2. Customary Variation
  3. Initial, Middle Name or Former Name
  4. Different Field
## Slightly Different

<table>
<thead>
<tr>
<th>OLRV or ID</th>
<th>OLRV or ID</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dorris Miller</td>
<td>Doris Miller</td>
</tr>
<tr>
<td>Nanci Griffith</td>
<td>Nancy Griffith</td>
</tr>
<tr>
<td>Harlen Block</td>
<td>Harlon Block</td>
</tr>
<tr>
<td>Charlie Pride</td>
<td>Charley Pride</td>
</tr>
<tr>
<td>Mark Cuban</td>
<td>Marc Cuban</td>
</tr>
<tr>
<td>Jamie Fox</td>
<td>Jamie Foxx</td>
</tr>
</tbody>
</table>
Slightly Different

- Minor misspellings of names, e.g. Jan vs. Jane, Julia vs. Julie.
- Extra letters, minor typos.
- Common different spellings, e.g. John or Jon, Mark or Marc.
## Customary Variation

<table>
<thead>
<tr>
<th>OLRV or ID</th>
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</tr>
</thead>
<tbody>
<tr>
<td>David Crockett</td>
<td>Davy Crockett</td>
</tr>
<tr>
<td>Sam Houston</td>
<td>Samuel Houston</td>
</tr>
<tr>
<td>James Richard Perry</td>
<td>James Rick Perry</td>
</tr>
<tr>
<td>William P. Clements, Jr.</td>
<td>Bill Clements</td>
</tr>
<tr>
<td>Enrique B. Gonzales</td>
<td>Henry B. Gonzales</td>
</tr>
<tr>
<td>Jonathan Paul Manziel</td>
<td>Johnny Paul Manziel</td>
</tr>
<tr>
<td>Esperanza Andrade</td>
<td>Hope Andrade</td>
</tr>
</tbody>
</table>
Customary Variation

• **English vs. Spanish vs. French spellings**, e.g. Jean vs. John, Jose vs. Joseph, Esperanza vs. Hope.

• **Common Abbreviations**, e.g. Sam for Samuel, Kim for Kimberly.
<table>
<thead>
<tr>
<th>Initial, Middle Name, Former Name</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>OLRV or ID</strong></td>
</tr>
<tr>
<td>Lyndon Johnson</td>
</tr>
<tr>
<td>William P. Clements, Jr.</td>
</tr>
<tr>
<td>Willie Hugh Nelson</td>
</tr>
<tr>
<td>Audie Murphy</td>
</tr>
<tr>
<td>J. Roger Williams</td>
</tr>
<tr>
<td>Earl C. Campbell</td>
</tr>
<tr>
<td>Carole Keeton Rylander</td>
</tr>
<tr>
<td>Sandra Day</td>
</tr>
<tr>
<td>Beyoncé Knowles</td>
</tr>
</tbody>
</table>
Initial, Middle Name, Former Name

- Maiden Names
- Hyphenated Names
## Different Field

<table>
<thead>
<tr>
<th>OLRV or ID</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Beyoncé Knowles</td>
<td>Beyoncé Knowles-Carter</td>
</tr>
<tr>
<td>Sandra Day</td>
<td>Sandra Day O’Connor</td>
</tr>
</tbody>
</table>
Totality of Circumstances

- Buddy Holly vs. Charles Hardin Holley
- Ike Eisenhower vs. Dwight David Eisenhower

REMEMBER TO COMPARE ALL INFORMATION
Processing the Voter

• Stayed Tuned!!
• Recall Early Voting Procedures.
Processing the Voter

- Voter will be processed similar to today’s procedure.
- After providing ID, election workers will need to determine if names on OLRV and ID are exact, similar, or too different to accept for voting.
- Voters with identical matches, proceed as usual.
- Voters with similar name will need to initial affidavit on combination.
Updating Records

- Statement of Residence/Name Change.
- Flyers for Voters at Polling Places with direction to Texas Online, county website, voter registrar’s phone number.
- Voter Registration Applications.
That’s All Folks