Traffic Jam: Election Day Long Lines

In the 1996 General Election, what at first appeared to be record-setting voter turnout in many precincts was in fact, upon closer inspection, a breakout of long lines precipitated by other factors. As many elections officials and citizens can attest, long lines are an adverse condition on election day. They have a chilling effect on voter participation and enthusiasm. No one enjoys the prospect of waiting for a long period of time to undertake even the most important of tasks. When a wait increases from minutes to hours, voters are thrust into a position of balancing their desire to participate in the democratic process and fulfilling responsibilities of work and family life.

The State Board of Elections office is committed to the mission of providing the best service to North Carolina's voters on Election Day. Part of fulfilling this mission is resolving the condition of long lines through an understanding of the factors that contribute to their existence and the identification of suggested remedies. As part of this process, the State Board of Elections office recommends as a goal that waiting times on Election Day be no greater than 20 minutes. During peak voting hours, before and after work and just prior to the closing of the polls, this target may not be viable. In those cases, the State Board of Elections office suggests that all efforts be made to ensure that the waiting time is not unreasonably burdensome.

Factors contributing to long lines

For the most part, long lines occur only during presidential elections due to increased voter interest and higher turnout. Typically, the only exceptions are mixed beverage referenda, which again attract increased interest from the local community. However, elections officials have identified other factors that increase the likelihood of long lines in these as well as other types of elections:

- competitive races,
- thoughtful consideration of choices by voters,
- precinct management issues,
- fail-safe voting procedures,
- availability of resources, including precinct workers and voting machines.

Competitive races. The ballots in recent elections have presented to voters the most choices of candidates in individual races than witnessed in prior years. In the 1996 General Election, North Carolina recognized five political parties for inclusion on its
ballots. Additionally, as we continue on the path of becoming a two-party state, races previously unchallenged as Democratic Party monopolies are being contested by Republican Party candidates.

For example, in 1996, voters were able to select from five party candidates for president. The 1992 general election included four candidates for president, while in 1988 only three vied for that office. The races for governor, lieutenant governor, and council of state offices, as well as the General Assembly, show similar trends, as indicated in Table 1.

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<td><strong>Total</strong></td>
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This broader array of choices can affect the length of time voters must wait to cast ballots by requiring more time of those in the voting booth to read their ballot more closely and make their selection.

**Thoughtful consideration of choices.** Evidence suggests that long lines may be attributed, at least in part, to voters giving more thoughtful consideration of the choices of candidates presented to them. For example, many precincts reported that voters needed more time than the allotted five minutes to cast their ballot on November 5, 1996. A greater number of voters appears to be arriving at the polls with no clear decision for whom to vote in some races or with an increased openness for split-ticket voting.

**Polling place resources and funding.** If county boards of elections do not have appropriate resources for equipping and staffing a voting place, long lines are more likely to form. Counties must provide sufficient funding to purchase an appropriate number of voting machines to handle the volume of registered voters for each precinct. Additionally, county boards of elections must be able to hire a sufficient number of precinct assistants, if necessary, to supplement the efforts of the chief judges and judges in serving those voters. Too few precinct workers or too few voting machines can create bottlenecks that slow down the voting process. Unfortunately, in many instances, county commissioners do not provide an adequate level of funding. Small and large precincts are often treated the same in terms of their needs for manpower and supplies.

- **Staffing of precinct workers.** A specific area of concern when considering polling place resources is the staffing of precinct officials. The county
boards have indicated that they utilize in excess of 20,000 precinct officials statewide on election day. These workers comprise the most crucial element in the elections process since they are the front line staff that administer the election at the street level. They are charged with ensuring that their polling places are adequately supplied and set up for the opening of the polls on election morning. They are responsible for managing the poll book for their precinct and ensuring the security of all ballots and voting equipment. They must effectively and efficiently handle the flow of voters moving through their precinct to ensure that all voters are able to cast their ballot in a reasonable period of time and without obstruction. But most importantly, they must be able to comprehend the various laws and procedures governing the voting process to ensure that no one's right to vote is unduly burdened. Therefore, it is important that the individuals selected as precinct officials be competent and conscientious.

The selection and appointment of these workers does not always go as smoothly as the procedure specified in state law might suggest. Under statute, precinct officials are appointed by the county board of elections; however, they are to be selected from recommendations made by the chair of each political party within the county. In most counties, an insufficient number of registered voters are recommended by the political party chairs, leaving the county boards with the task of recruiting the balance of the poll workers necessary for the pending election. Unfortunately, the county boards are confronted with a limited resource pool from which to find the additional workers. Across the state, county boards have encountered a shortage of volunteers to work at the polls. Of the group of registered voters that typically does volunteer to work the polls, individuals over 60 years of age are disproportionately represented compared to the voting age public.

In addition to their impact on election day, these realities raise concerns about the future of precinct staffing if county boards, in conjunction with political parties, are not able to identify new or underutilized sources for poll workers before the current population of ready and willing workers retires from election day work.

Precinct management issues. Several issues with respect to administration of a voting precinct and polling place can affect the length of lines on election day:

- **Precinct size.** Larger voting precincts, by their nature, are more likely to have long lines on election day. The sheer volume of voters places a greater demand on the resources of a voting place. This effect can be compounded if the majority of these voters present themselves to vote during the heavy rush periods before and after the traditional work hours of 8:00am to 5:00pm.

- **Multiple ballot styles.** Some voting precincts cover portions of multiple districts for United States Congress, the North Carolina General Assembly, etc. Thus, at the same voting place, some voters in a precinct are eligible to...
vote in one district while the remaining voters cast ballots for candidates in one or more separate districts. Unique ballots are provided to the voters of the respective districts, ensuring that they are permitted to cast a vote only in those races for which they are qualified. Being able to effectively manage this process is a great concern, since the most basic issue of election administration is ensuring that only qualified, eligible voters cast ballots in all of the races for which they are qualified - but only in those races for which they are qualified. Verifying and issuing the correct ballot style places an additional administrative burden on election officials and can potentially take more time than simply administering one ballot style for all eligible voters.

Polling place management. A chief judge is the primary administrator for a voting place. In this role, the chief judge must effectively manage available resources, especially precinct officials, to keep the flow of voters steady. Effective management skills are helpful in determining the best set up for the voting place to keep a smooth flow of traffic and for assigning election day tasks to judges and assistants in a way that facilitates the voting process. If a chief judge does not have good managerial skills, or is not observant of the situations that may arise during the election day, minor difficulties can spin out of control, thus slowing down the voting process.

Fail-safe voting procedures. While the National Voter Registration Act of 1993 (NVRA) primarily addresses the manner in which states conduct voter registration, it also contains requirements for fail-safe voting procedures. These provisions direct states to design procedures that protect an otherwise-qualified individual's right to vote from administrative or legal technicalities and errors. Under fail-safe voting, individuals are permitted to vote a provisional ballot when their right to vote in a given precinct is under question. The provisional ballot permits the person to mark a ballot on election day and provide necessary information for determining eligibility while also granting the county board of elections the opportunity to review documents in its office and verify the person's eligibility before his or her choices are tallied. Completing the provisional ballot can involve varying amounts of time, depending on how the precinct officials manage the provisional balloting process and the length of time it takes the prospective voter to complete the documentation. However, provisional ballots address four important areas of concern:

Unreported moves. Changes in voters' residential addresses not reported to the appropriate county boards of elections account for the largest number of provisional ballots. Thus, these unreported moves are the greatest concern for officials on election day, since residency is a major criterion for determining eligibility to vote and, more specifically, in which races a voter is qualified to participate. State and federal law now provides that registered voters will not be deprived their right to vote merely because they did not report an address change within the same county. Through the use of a provisional ballot, the county board of elections can determine if the person who claims to have moved and wants to vote is properly
registered to vote in that county and for that election, the residential address in the voter file notwithstanding. The provisional balloting process also captures the voter's new address so that the voter's record can be updated.

- **Updating incomplete records.** Under the NVRA, application for voter registration is less often conducted before an elections official and more often conducted before a third party, such as an agency representative or sponsor of a voter registration drive, or by the applicant on a do-it-yourself form. County boards of elections have reported that since the implementation of the NVRA, they are receiving a larger number of forms that are not completed in full by the applicant. The county boards attempt to contact the applicant before election day to complete the missing information. However, in some circumstances, the applicant may not be reached and must be requested to provide the necessary information on election day.

- **Voters previously removed from the voter file.** State law currently provides that any person who may have been removed from the voter list under the state's former "purge" law may have his or her voter registration restored by presenting him- or herself to vote. To protect the integrity of this process, these individuals vote a provisional ballot so that the county boards can determine if the individual was indeed registered to vote in their jurisdiction at some time. The individual is also required to complete a voter registration form as an update to ensure that the voter file contains his or her most current information, primarily the residential address. The county board then uses this information, in conjunction with documentation in its office, to determine if the provisional ballot should be counted.

- **Agency-based registration administrative errors or other problems.** Select state agencies are required to conduct voter registration services for their clients. After administering the voter registration application, the agencies must transmit the applications to the appropriate county board of elections within five days of receipt for processing. In some cases, the transmittal process breaks down and the application is delayed in reaching the county board of elections or, in rare instances, disappears. In other instances, such as incidents at driver license offices, the agency's clients may not understand the process and assume that they are automatically registered to vote by obtaining services at the agency, even if they do not complete and sign a voter registration application. When these types of errors or problems surface, the applicant may appear at the polls only to discover that his or her name is not on the voting list. He or she may vote a provisional ballot, thus allowing the county board of elections time to investigate the problem based on available evidence and determine whether or not the ballot should be counted.
Suggested remedies

Several proposals have been offered by elections officials, legislators, and other interested citizens for remedying or alleviating the problem of long lines:

- **“No-excuse” one-stop absentee voting.** "No excuse" one-stop absentee voting would allow any individual to cast an absentee ballot under the “one-stop” voting procedures. Under this program, an individual may cast a ballot before election day without any stipulation that he or she is unable to appear at the assigned precinct on election day. However, the integrity of the process is maintained by requiring the voter to physically appear before an election official to cast his or her ballot. This proposal is similar to “early voting.” However, “no excuse” one-stop absentee voting and “early voting” have one major distinction. Under “no excuse” one-stop absentee voting, an individual would still be required to complete an application for voting the absentee ballot. Thus, a paper trail would still be constructed to protect the integrity of the election process. As with election day voting, the system would also incorporate the “challenge” process whereby a duly registered voter could question the eligibility of a person to cast a ballot in the given election. The challenge could be issued either at the time the voter casts the “no excuse” ballot or on election day itself.

- **Statewide, computerized voter registration management system.** The proposed statewide voter registration system would provide services that could alleviate some factors which contribute to long lines. First, it would facilitate the transfer of voter registration applications by providing electronic transmission of the applicants' data from the source agency. This electronic application would then be followed by the original hardcopy (with the original signature) for archival purposes. This system would assist in the efficient and accurate data entry of new registrants' information as well as provide an audit trail capable of alerting the county boards to problems in the transmittal process for completed applications. When such problems are identified, the county boards can attempt to address them before the registration books close for the pending election. Access to agency databases for auditing purposes could further assist county boards in collecting data missing from incomplete applications. Thus, efforts could be made to ensure that individuals who have made proper and timely application and are otherwise qualified to vote are included on the poll book for their precinct. The need for provisional balloting could therefore be reduced.

The statewide voter registration system can also provide the county boards access to statewide listings of registered voters. These listings can be used to audit their records and ensure that individuals are not registered in multiple counties. Additionally, they can be used to facilitate the provisional balloting process on election day by providing county boards a means to determine whether a person appearing to vote is registered in another county within the state. This verification process can potentially...
reduce the volume of provisional ballots, and thus delays for other voters, by reminding individuals of their registration in other counties and the legal requirement that they re-register when moving into a new county. However, the individual could contest the finding and demand to vote the provisional ballot, charging that the statewide file is inaccurate.

Symposiums on precinct management. The State Board of Elections staff have been conducting meetings with county boards of elections members, directors, and staff to identify ideas for improving the elections process in the voting precinct. At these meetings, state staff hope to draw together the experience and insight of individual directors and county board members to address the precinct problems that afflict all counties to one degree or another. Through the format of a symposium, the State Board office has facilitated the sharing of effective solutions implemented by individual counties and the brainstorming of new solutions by participants. State staff will prepare a report upon the completion of all regional symposiums being held in Carthage, Plymouth, Gastonia, Wilmington, and Asheville.

Establishment of minimum standards for precinct management. Current law does not provide any guidance to county boards of elections regarding precinct management issues, except for the physical space requirements and general layout of the polling place. Elections officials have suggested that state law or regulations should provide some minimum standards regarding such issues as:

- precinct sizes,
- number of individuals per voting machine and voting booth,
- number of precinct assistants per registered voters in a precinct, and
- training of precinct officials.

The establishment of such minimum standards would necessitate a discussion of issues related to funding. This consideration is important, since, in many instances, county commissioners do not always provide an adequate level of funding for the elections process. Under state law, the responsibility for funding does rest with the county commissioners. However, to facilitate the adoption of minimum standards and to alleviate any real or perceived burden of an unfunded state mandate, the General Assembly may consider floating a bond issue to fund specific items such as voting equipment.

Education of the voting age public. Some situations that arise on election day at the voting precinct are due to misunderstandings or lack of knowledge on the part of prospective voters with regard to state and federal election law. For example, evidence indicates that some voters do not understand that voter registration is based and maintained at the county level, and they must apply for registration when they move to a new county. Other voters seem to not understand the importance of filing changes of address when they move from one residence to another within the county.
Additionally, voters may not be aware of the 5-minute limit on voting when the polls are busy. The State Board office recommends increased outreach to educate the public on these issues through media such as:

- public service announcements,
- community organizations,
- video tapes,
- brochures, and
- OPEN/net.

To coordinate these activities, the State Board office would require a new staff position: Public Voter Educator. This position would be responsible for developing the instructional materials to be used in this educational process. The Public Voter Educator would also be responsible for working with civic clubs, organizations, associations, school, and the media to promote a better understanding of elections and the voting process among the broader public.

Some states and researchers are experimenting with or exploring the feasibility of additional remedies to facilitate the voting process on election day. Some of the proposals are traditional "good government" reforms while others are new proposals based on evolving technology and recent innovations in public policy and election administration:

- short ballots (i.e., reducing the number of positions elected by the public),
- early voting,
- voting by mail,
- voting by telephone, and
- voting by computer (e.g., over the Internet or on-line computer systems).