



LEAGUE OF WOMEN VOTERS
OF WARREN COUNTY



Study of Election Reform and Voting Rights

Winter - Spring 2022

Voter Registration

Drop Boxes

Early and Mail-in Voting

Voter ID



LEAGUE OF WOMEN VOTERS OF WARREN COUNTY



Voter Registration
Compiled by Sally Beckerink Paula Massa

Concise Statement:

Pennsylvania's current registration policies, with the addition of Automatic Voter Registration would encourage and support all eligible citizens to register to vote.

Explanation:

In keeping with the mission of the League to "Empower Voters", the League actively encourages and supports all eligible citizens to register to vote. Do Pennsylvania's current registration policies actively encourage and support all eligible citizens to register to vote?

Current State of PA Law:

Eligible voters, upon proof of citizenship, residency and age may register to vote

- in person at county voter registration office
- mail in registration
- on line @ www.pavoterservices.pa.gov
- at PennDOT photo or driver license center when you obtain license
- State government offices that provide social services ex. Public Assistances Office
- Deadline 15 days prior to election

Pennsylvania does not allow for Automatic Voter Registration

Automatic voter registration (AVR) is a process in which eligible individuals are automatically registered to vote when interacting with certain government agencies such as a department of motor vehicles. Information gathered from the government agency is transmitted to election officials who use it to either create a new voter record or update an existing registration. ⁱ

LWVPA Position:

Supports automatic voter registration and universal automatic voter registration, as long as the process adequately addresses concerns over mistakenly registering non-citizens and others who are ineligible. Those who are preregistered should be able to opt-out if they so desire. ⁱⁱ

Statistics

2022 Pennsylvania 68% of eligible voters are registered
Nationally 70% of eligible voters are registered
Pennsylvania is 19th in percent of registered voters

States with highest percentage of registered voters	States with lowest percentage of registered voters
Maine 83% Alaska 82% Michigan 81% Vermont 79% Kentucky 79%	Wyoming 48% Texas 53% Oklahoma 55% Utah 55%

North Dakota does not require voters to register.

Wyoming, Texas, and Oklahoma do not allow mail in voter registration, nor do they support AVR.

Maine, Alaska, Michigan and Vermont all have Automatic Voter registrationⁱⁱⁱ

Reasons for nonregistration (Pew trust survey)^{iv}

Unqualified to understand or participate in politics

Never asked to register

Privacy or Security reasons

Aversion to politics

Voting has little to do with how decisions are made

AVR with choice to opt out (PA SB 141) ^v

AVR Pros

- All citizens are given equal opportunity to register to vote
- Automatically updated when a voter moves improving the accuracy of voter rolls
Saves time, money and makes elections more secure
- Potentially increases voter turnout and decreases the turnout gap
- Promotes registration for youth (17 -24) who are often disenfranchised with voter registration

AVR Cons

- Accidental registration of non-citizens
- People with legitimate safety concerns would be registered with a public agency
- Could be perceived the government is requiring citizens to vote

Recommendation

Pennsylvania's current voter registration policies and the addition of Automatic Voter Registration with the choice to opt out, would encourage and support all eligible citizens to register to vote.

Sources

ⁱ Automatic Voter Registration (ncsl.org)

ⁱⁱ Submitted by Carol Kuniholm Vice President of Government and Social Policy Perspectives on PA Election Process House State Government Committee Public Hearing, April 15, 2021

ⁱⁱⁱ https://ballotpedia.org/Automatic_voter_registration

^{iv} <https://www.pewtrusts.org/research-and-analysis/>

^v <https://www.legis.state.pa.us/>



LEAGUE OF WOMEN VOTERS OF WARREN COUNTY



Drop Boxes

Compiled by Phyllis Wright and Sherry Albrecht

Concise Statement:

The League of Women Voters of Warren County supports the use of drop boxes as a secure and convenient way for voters to cast absentee and no excuse mail in ballots without traveling to the County Election offices

Explanation:

Official drop boxes may allow easier access for delivery of election ballots to the County Election Offices especially for rural areas where postal mail schedules, citizens' work schedules, and transportation to the Election Office maybe limited. Trust of secure ballots has become an issue. With secure Drop Box locations, trackable ballots, training of drop box watchers, a chain of custody process to get ballots from Drop Boxes to Election Offices, and well-defined procedures for opening such ballots, citizens can trust their Drop Boxes for their election ballots.

Current* State of PA Law¹:

Currently election drop boxes are left to the discretion of County Election Offices². Refer to Help America Vote (HAVA) of 2002.

LWVPA Position on Drop Boxes:

According to LWV of PA on Election Laws:

page 6 - *"We support no fault necessary absentee voting and other changes to simplify PA's absentees voting process."*

Under Absentee Voting – (bullets)

page 9 - *"Because of security concern, at this time the return of voter absentee ballots should be by hand or via US Mail. Measures to make voting more accessible by providing any registered voter with alternative to casing a ballot in person on the day of a Primary or General Election."* The term - Drop Box is not stated, but "by hand" may be interpreted as another way citizens to vote by placing ballots in Drop Box.

PA Legislation:

¹ On April 13, 2022, the PA Senate passed SB 1200 by a 29-20 party line vote. This legislation would ban the use of drop boxes in PA elections. It was sent to the House and if passed there to the Governor for signature. The governor has promised to veto the legislation.

² PA Supreme Court Decision, Sept. 8, 2020, Case J-96-2020: "Thus, for these reasons, this Court declares that the Election Code permits county boards of election to accept hand-delivered mail-in ballots at locations other than their office addresses including drop-boxes."

House Bill 1800, 2021- 2022 would have added Drop Boxes as a valid ballot delivery method. This legislation would have amended the PA Election Code to have Drop Boxes added as accepted means of election voting.

Pros versus Cons of Drop Boxes:

Pros:

- Allows person easier way to deliver their ballot in person in the secure box.
- May minimize the number of volunteers needed to be present Election Day at in-person voting sites as more voting is done by Drop Boxes.
- By using census information as US Census Bureau Interactive Workforce Map or Federal Emergency Management Agency (FEMA), and election records, it can be determined where there is low voter turnout due to population, race, transportation issues, etc. to determine placement of drop boxes.

Cons:

- Lack of trust from last minute voters that the postal service will provide timely delivery of completed ballots to the Election Office.
- Official box needs to be securely anchored and possibly monitored by trained workers during specified hours. Boxes need to be in accessible locations, well lighted, near public buildings such as community centers, libraries, and if possible drive through for easier access for disabled voters.
- Plans are needed for secure collection of ballots. These could include bipartisan teams, ballot pickup on regular basis, box protection with locks, seals, etc. Persons would need to be trained in the approved process for collecting, transporting and delivery to the Election Office.
- Plans would need to include a chain of custody and time log for delivery, frequency of collection and delivery before and during election day, and opening of boxes/collection bags, etc. to ensure security as followed in the current election office
- The County Election Office would need to promote information about the days, times and locations of the drop boxes. This should be done days before election (suggested 80 days). It should include road signs etc. to help voters find the official drop box.
- There would be additional costs for secure Drop Boxes and promotion of their availability.
- "Harvest ballots" (that is, one person collecting ballots from others and taking them to the drop box, with possible coercion regarding the vote) has been a concern expressed about Drop Boxes. Harvesting ballots is illegal in PA. However, only registered voters may receive official ballots from the election office and all ballot signatures would be verified at the Election office.

Additional Information Regarding Drop Boxes

From the Senate Intergovernmental Operations Committee, Testimony of Common Cause, PA on March 31, 2022 *True to Vote* (a national organization questioning election voting) *on the facts listed, has very little if any credibility in the voting and election space. So, we (Common Cause and members) are deeply troubled by not one, but two Pennsylvania Senate committees willing to give them air time to spread their unproven allegations. Conspiracy theories may be like catnip for those who want to doubt the results of the 2020 election, but they are doing real damage to voters' confidence in our government..... It's unfortunate that the hearing for SB 878*

was overshadowed by the drop box drama. There are things in it - like pre canvassing ballots, - that would be positive steps and urgently needed by PA election officials ---

(Testimony continues) One of the latest theories is that somehow, ballot drop boxes were misused in the 2020 election. Here's the facts: drop boxes were available to voters in about 40 states – and were used by millions of voters including about 37% of Trump voters who cast mail ballots. For voters with concerns about the US Postal service, they are a trusted and reliable way to return voted ballots. And their popularity with voters crosses all partisans' lines: election clerks in Utah reported that in 2020, 60% of their voters returned ballots via drop boxes. Full testimony available at Common Cause Pennsylvania, March 31, 2022

From "Rise in Use of Ballot Drop Boxes Sparks Partisan Battles" by Elaine S. Povich, Stateline, State Legislatures Magazine Oct 23, 2020: "Drop boxes have been a major part of the landscape in states – Colorado, Hawaii, Oregon, Utah, and Washington State -they have entirely vote by mail elections. In Colorado, Oregon and Washington State more than half of mail ballots were returned either to a Drop box or an election office in the 2016 according to an MIT study." " Before 2020, eight states – AZ, CA, CO, MT, NM, OR, HI and WA had explicit laws allowing drop boxes. In practice however the boxes are allowed in 40 states though they were used rarely until this years (2020) explosion of absentee ballots. Just 10 states will not offer drop boxes at all. "

According to "Mail-In Voting in Massachusetts: How It went and How it Compares to other Systems" by Edgar B. Herwick III. Sept 21 2020 WGBH News. Voter fraud in any state is rare. A 2020 Washington Post analysis of the 2016 and 2018 general elections across three states with universal mail in voting (CA, OR & WA) put the potential fraud rate at .0025%

Do Ballot Drop Boxes 'invite fraud' from Facts First on CNN Politics at CNN.com Official ballot drop boxes around the country are specifically designed and set up to securely receive ballots without tampering, theft or other kinds of fraud – they are designed with anti- tampering measures, affixed to the ground, made with durable materials, and often monitored by video surveillance – and there is no evidence that the boxes were used for fraudulent purposes in the 2020 presidential election.

From the Pennsylvania Capital Star by Cassi Miller, Oct. 30, 2020 penncapital-star.com "How often are drop boxes emptied? Have there been cases of drop box vandalism in PA?: "... collected at least every 24 hours excluding Sat. and Sun. No cases of vandalism. The Dept. of State is not aware of any reports of drop box vandalism, according to a Dept. spokesperson.

States including PA target ballot drop boxes in fight over voting rights" Analysis by Kira Lerner, Pennsylvania Capitol -Star Feb 9, 2022: Ballot drop boxes are so secure they've survived getting hit by an SUV and rolled by a school bus – yet much of the battle over voting rights has centered on the big metal boxes. In the November 2020 election, nearly 40 state had ballot drop boxes available and more voters used drop boxes than any election in U.S. history, according to a report from the Stanford-MIT Healthy Election Project"

"PA Supreme Court Approves Drop Boxes to Accept Mail-In Ballots, Deadline Extension" by Max Mitchell Of the Legal Intelligencer, Sept 17, 2020: Voters in Pennsylvania can use drop boxes to submit their mail in ballots, a split Pennsylvania Supreme Court has ruled in a contentious issue for the battleground state in the November presidential election. The Justices ruled 5-2 Thursday in the case, captioned Pennsylvania Democratic Party according to Boockver, that the state election code allows county boards of election to collect



LEAGUE OF WOMEN VOTERS OF WARREN COUNTY



Early and Mail-in Voting

Compiled by Barbara Scott, Susan Stout, Susan Borland, Nancy Tomassoni

Concise Statements:

The League of Women Voters of Warren County supports no-excuse mail-in voting and early voting options, specifically including the options created by PA Act 77 of 2019, as useful tools for guaranteeing a citizen's right to vote, ensuring that elections are accessible and secure, and promoting universal voter participation.

The League of Women Voters of Warren County supports universal mail-in voting, through which all PA registered voters would automatically receive a ballot in the mail that they could mail in or return in person to the Board of Elections (or drop boxes if they exist).

Explanation:

These are definitions to provide a better understanding of Early Voting.

The practices of Mail-In Voting, Absentee Voting and Early Voting have many similarities.

Mail-In Voting

- Some states prefer to call it "mail-in voting" rather than "absentee voting," because voters will be mailed a ballot regardless of whether they are in town or "absent" from their polling precinct on Election Day.
- Mail-in voting can be Universal Mail-in voting – meaning every registered voter is mailed a ballot -- or it can be a process where the voter must request a mail-in ballot either from the local election office or on a state website.
- Only California, Colorado, Hawaii, Nevada, Oregon, Utah, Vermont and Washington have universal mail-in voting.
- Currently in Pennsylvania, the voter must request a mail-in ballot, no reason is required, and the ballot can be mailed back or can be returned in person to the local election office.
- In Pennsylvania, all signatures (polling place and absentee ballots) are verified, and a process of "curing" mishandled or questionable ballots that varies by jurisdiction is used.

Absentee Voting

- Describes a ballot that is sent to a voter outside of a polling place. When the use of such ballots began, the idea was that only voters who were "absent" from their local voting jurisdiction on Election Day would be able to request and cast their ballot through the mail.
- Some states and/or counties allow no-excuse absentee requests and some states have required there to be a reason – i.e. military, physical limitations, travel for work, etc.
- In the 2020 election, allowing Covid 19 concerns to be a valid reason blurred the definitions.

Early Voting

- Early voting, also called advance polling or pre-poll voting, is a convenient voting process by which voters in a public election can vote before a scheduled election day.

- The availability and time periods for early voting vary among jurisdictions and types of election.
 - Early voting can take place remotely, such as via postal voting, or in person, usually in designated early voting polling stations.
 - Early voting can be done between four and fifty days before the election date, based on jurisdiction.
- Early voting with no excuse required is allowed in thirty-nine states and the District of Columbia.
- The goals of early voting are usually to increase voter participation, relieve congestion at polling stations on election day, and avoid possible discrimination against people with work and travel schedules that may effectively prohibit them from getting to the polls during the hours provided in a single election day.

Current* State of PA Law: Mail-In and Early In-Person Voting¹:

In Pennsylvania, registered voters have two options for mail ballots.

- **Mail-in ballot** – Any qualified voter may apply for a mail-in ballot. You may simply request this ballot without a reason.
- **Absentee ballot** – If you plan to be out of the municipality on election day or if you have a disability or illness that prevents you from going to your polling place on election day, you can request this ballot type, which still requires you to list a reason for your ballot.

Applications for mail-in or absentee ballots may be made on-line, by mail, or in person at your county Board of Elections. Registered voters may also choose to receive mail-in ballot applications by mail.

If you are a registered Pennsylvania voter, you can use the **early in-person voting** option: **As soon as ballots are ready**, you can request, receive, vote and cast your mail-in or absentee ballot all in one visit to your county election board or other officially designated site.

*Pennsylvania's Commonwealth Court has ruled that the legislation that created the mail-in and early in-person voting options described above are unconstitutional, as the changes required amendment of the PA Constitution. The Commonwealth Court decision has been appealed to the PA Supreme Court. On February 16, the Commonwealth Court ruled that its Jan. 28 decision to strike down the mail-in voting law can take effect March 15.²

LWVPA Position on Mail-In and Early In-Person Voting:

The LWV of PA has four positions that relate directly to absentee/mail-in voting. They are:

- Support for measures to make voting more accessible by providing any registered voter with alternatives to casting a ballot in person on the day of a Primary or General Election;
- That the only absentee voting provision in the Constitution should be that it is mandatory upon the Legislature to provide for civilian absentee voting.
- In testimony before the Senate State Government committee on July 25, 2007, we supported no fault necessary absentee voting and other changes to simplify PA's absentee voting process.
- Protection of the secrecy of the ballot, including the counting of absentee ballots at the county level;

In a press release associated with the current litigation concerning mail-in and early in-person voting options, the LWV of PA said, "Pennsylvania voters should be able to cast a no-excuse mail ballot,

¹ <https://www.vote.pa.gov/Voting-in-PA/Pages/Mail-and-Absentee-Ballot.aspx>, accessed 02/22/2022

² <https://www.wtae.com/article/pennsylvania-mail-voting-commonwealth-court-ruling/39112273>, from Feb. 16, 2022 accessed 02/22/2022. <https://www.usnews.com/news/best-states/pennsylvania/articles/2022-01-28/pennsylvania-court-strikes-down-expansive-mail-in-voting-law> by Associated Press Jan. 28, 2022, accessed 02/22/2022

which is convenient and secure and used by voters from all parties in all regions of Pennsylvania. If we want high quality elections, we need to ensure that we maintain a modernized system for voting, which includes individual freedom and convenience and the appropriate systems - which we now have.”

Pros versus Cons of Early Voting

Voting by Mail-Advantages

- cost effective (Oregon saved \$1 million between 1995-97 on 3 vote by mail special elections)
- increases participation among voters and is more convenient
- easier for election officials to conduct
- allows for more accurate picture of eligible voters (keeps voting list up to date), voter lists are easier to accurately maintain (helps election officials purge rolls)
- gives voters more time to study the issues, clarify points of confusion, get answers to questions (more informed voter public) (fairvote.org)

Voting by Mail-Concerns

- voting by mail can further alienate us from each other
- people can be coerced by spouses, bosses, or other influential people
- affixing a stamp is seen as a poll tax (state could pay the postage)
- people may return the ballot and then change their mind (learn more information after they vote)

Voter Fraud Concerns

The Associated Press contacted all 67 PA counties by e-mail or phone to ask about cases of suspected fraud and whether any of those had been referred to law enforcement or the Secretary of State. All counties but Blair responded. Philadelphia responded but declined to provide information, so AP reached out to the county DA, who reported that no cases had been referred. Eleven counties had detected a total of 26 possible cases of fraud, less than 0.03% of the margin of victory in the Presidential election. As of December 14, 2021, six people had been charged.³

The Heritage Foundation maintains a database of voter fraud convictions by State. The data base contains no entries for 2020, and 4 for 2021.⁴

The PA House Republican Caucus maintains an undated web page devoted to Documented Election Fraud in Pennsylvania. It reports that nine Luzerne County military ballots were illegally discarded prior to the November 2020 election. It also reports on two lawsuits related to election fraud, one in State Court alleging that the Allegheny County Board of Elections had violated the National Voter Registration Act of 1993 by not making reasonable efforts to remove ineligible voters' names from the registration lists, and the other in Federal Court alleging that mail ballot drop boxes violate the state and federal constitutions. The suit alleges state and county election officials set up different rules and policies across the state. The second suit was on hold, according to the Republican Caucus web site, pending resolution of related state court litigation.⁵

³ <https://tinyurl.com/2p88fka7> accessed April 11, 2022

⁴ <https://www.heritage.org/voterfraud/search?state=PA#key> accessed April 11, 2022

⁵ <https://www.pahousegop.com/electionfraud>



LEAGUE OF WOMEN VOTERS OF WARREN COUNTY



Voter ID

Christa Williams, Marge Humber, Neil Humber, Tatiana Malys, Susan Swab

Concise Statement:

35 states have voter ID Laws Pennsylvania does not. The question is whether all voters should be required to present identification at the polls prior to voting.

Current State of Pa. Law:

Pennsylvania does not generally require voters to present identification while voting, in most cases. However a voter who is voting at a polling place for the first time must present identification.

Explanation:

Voter ID laws can be described as strict in which the state asks for a government issued photo ID, or less strict which accepts other forms of IDs with or without a photo. The laws also include what actions are available for voters who do not have ID.

In "strict" states, a voter must present ID before casting a ballot. If unable to show ID at the polls they are given a provisional ballot, which are kept separate from the regular ballots. The provisional ballot is counted, when the voter presents acceptable ID to election officials within a short period of time after the election (usually a few days). The provisional ballot is not counted if the voter does not return with ID.

Acceptable forms of ID in Pennsylvania;

Photo ID include:

- Pa. driver's license or Penn Dot ID card
- ID issued by any Pennsylvania agency
- ID issued by the U.S. Government
- U.S. Armed Forces ID
- Student ID
- Employee ID

Non-photo ID that includes your name & address

- Confirmation issued by the County Voter Registration Office
- Non-photo ID issued by the Commonwealth
- Non-photo ID issued by the U.S. Government
- Firearm permit
- Current utility bill
- Current paycheck
- Current bank statement
- Government check

The vast majority of voter ID laws in the United States target only [voter impersonation](#), of which there are only 31 documented cases (some possibly involving multiple voters) in the United States from the 2000–2014 periods. According to [PolitiFact](#), "in-person voter fraud—the kind targeted by the ID law—remains extremely rare". Most cases of alleged voter fraud involving dead voters have been shown to be a result of incorrect matching of voter rolls and death records, such as when someone died after they voted rather than before.¹

Public opinion polls have shown broad support for voter ID laws among voters in the United States. A 2021 [Pew Research](#) poll showed that 93% of Republicans and 61% of Democrats favor requirements that voters show government-issued photo ID to vote.²

LWVPA Position on Voter ID

On LWVUS positions, LWVPA has opposed: A requirement that all electors show a picture ID at the polls before they can vote.

Pros versus Cons on Voter ID

Pros

1. Provide identification
2. Decrease voting multiple times
3. Streamline registration process
4. Can work with other forms of ID
5. Includes identifying features for accuracy
6. Reliable ID for voter without fixed address
7. Prevent in-person impersonation
8. Increase public confidence in process

Cons

1. Deprives vote with incorrect ID
2. Obtaining ID maybe costly
3. Reduces voter turnout
4. Minorities disproportionately impacted
5. In-person fraud cases rare
6. Voter ID cards may be stolen/lost
7. Need reliable delivery system for card
8. Voter might forget ID

Any Additional Topics from your Team

6/2021 Governor Wolf vetoed ID Law, however now says he is open to including stricter ID rules for mail-in voting.

Senator Grove pointed to a new plan: asking voters to approve a voter ID constitutional amendment. That amendment, introduced by State Sen. Judy Ward (R., Blair), would impose a much stricter rule than HB1300 would have, requiring every voter to present government-issued identification to vote.

Constitutional amendments must be passed by the legislature in two consecutive sessions before getting on the ballot for voters to decide. The governor plays no role. This bill seeks to modernize the state's election, increase access for legal voting, and ensure internal controls and security is in place throughout the entire election

process. It would expand the acceptable forms of ID a voter would be required to produce every time they go to the polls. It would add a county-issued voter registration card or a Department of state-issued ID that a voter could request, at no cost, to the list of acceptable ID. And a voter who shows up without any ID could sign an affidavit affirming their identity under penalty of law and be allowed to vote.

If it passes the House and both chambers again in 2023, it could go to voters as early as the 2023 primary election, potentially putting new requirements in place before the 2024 election.

References Voter ID

- 1 Ansolabehere, Stephen (January 1, 2009). *"Effects of Identification Requirements on Voting: Evidence from the Experiences of Voters on Election Day"*. PS: Political Science & Politics, 42 (1): 127–130. doi:10.1017/S1049096509090313. ISSN 1537-5935. S2CID 15315808.
- 2 *"Republicans and Democrats Move Further Apart in Views of Voting Access"*. Pew Research Center. April 22, 2021.
- 3 *"Voter ID: State Requirements"*. *National Conference of State Legislatures*. October 21, 2014.
- 4 LWVPA Position on Election Laws
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- 8 Voter identification laws in Pennsylvania. Wikipedia. https://en.wikipedia.org/wiki/Voter_identification_laws_in_Pennsylvania
- 9 18 Pros and Cons of Enacting Voter ID Laws. ConnectUS. <https://connectusfund.org/18pros-and-cons-of-enacting-voter-id-laws>
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- 12 Pros and cons of Voter ID Laws. <https://whatt.org/pros-and-cons/voter-id-laws/>
- 13 [https://en.wikipedia.org/wiki/Voter_impersonation_\(United_States\)](https://en.wikipedia.org/wiki/Voter_impersonation_(United_States))