

**Testimony of**  
**Gregory T. Moore**  
**Executive Director**  
**NAACP National Voter Fund**

**To the**  
**House Committee on Administration**

**April 9, 2008**

Chairman Brady, Ranking Member Vernon Ehlers and members of the House Administration Committee, I want to thank you for the opportunity to testify today along with other distinguished members of this panel. My name is Greg Moore, and I am testifying on behalf of the *NAACP National Voter Fund* and its Board of Directors - chaired by the Honorable Julian Bond. The *NAACP National Voter Fund* is a 501 C 4 non-partisan social welfare organization that was formed in 2000 by the NAACP, the Nation's oldest and largest civil rights organization that in February of 2009 will celebrate its 100th anniversary of civil rights advocacy.

The *NAACP National Voter Fund's* sole purpose is to help promote and expand voter registration, education and voter participation in the democratic process; and to protect the rights of voters seeking to exercise their right at the voting booth.

I want to especially thank you Chairman Brady and your staff for having the foresight to hold a hearing that allows us to take a bird's eyes view of this primary election season thus far.

Some may raise the question: Why hold a hearing now, when we are still in the process of voting in a number of states, including Pennsylvania - the home state of the Chairman. It reminds me of a quote by Dr. Martin Luther King, a freedom fighter who tragically gave his life 40 years ago fighting for the right to vote and the civil rights of all Americans regardless of race, religion or income. Dr. King often spoke of the "fierce urgency of now," and in one of his earlier books entitled *Why We Can't Wait*, he talked about the importance of our government

taking positive action “now” to deal with problems of discrimination and disenfranchisement.

It would have been easy for this committee to wait until after the November 4<sup>th</sup> election, to see what voting disasters awaited us in Florida, or Ohio or as is more probable, another state that would experience major problems on election day. Problems, Mr. Chairman, that could have been avoided if we had simply stopped to analyze what we discovered during the first round of voting in the primary season.

Thanks to the partnership between the *NAACP National Voter Fund*, the *Tom Joyner Morning Show* and the MYVOTE1 Hotline number developed by *InfoVoter Technologies*, we can now analyze the data through academic institutions and advocacy groups. But more importantly the data can be analyzed by the House Administration Committee, the Election Assistance Commission and election officials across the country as they make preparation for the November 4<sup>th</sup> election.

There are many who believe that protecting the right to vote should be reserved for election officials, or county and state governments. The success of this program demonstrates that radio personalities with a conscience, partnering with civil rights and advocacy groups *can* also play a useful role in ensuring that voters have the correct information about how to vote, where to vote, and that their rights to vote are protected when they get to the voting booth.

During the 2008 primary elections voters have had an opportunity to receive further assistance through this unprecedented effort that we launched with Tom Joyner on November 19, 2007. Since the very first week in January, we have seen an overwhelming response from listeners all across the country. As of April 4<sup>th</sup> 20,810 persons have called the 866-MYVOTE1 number requesting voter registration forms and an almost equal number, 20,813 have called in to get information about the voting process or to lodge a complaint about problems they experienced while voting.

Before going much further let me say that in fact this is a partnership that actually began in 2000 when the NAACP and the *NAACP National Voter Fund* partnered with Tom Joyner to help register voters and recruit volunteers over the airways to assist in our non-partisan GOTV efforts. His efforts in 2000 helped contribute to one of the largest increases in voter turnout in modern times. The overwhelming

turnout of voters in states like Florida in 2000 was one of the contributing factors that revealed, for the first time on a national stage, what was wrong and in many cases what remains wrong with our election process.

We are grateful to Tom and his entire *REACH Media* family for waking up at 3:00 AM every morning to help us spread the word from 6:00 AM to 10:00 AM about the importance of voting and encouraging his listeners to report problems they are encountering so that others can be helped as well. These early reports of voting problems have been very instrumental in our ongoing election protection efforts throughout the day.

A minimum of 8 million listeners in 115 media markets across the United States listen to the *Tom Joyner Morning Show* every morning. Mr. Chairman that represents more people than we can ever hope will read a pamphlet or visit a County Board of Elections office. This effort puts information about voting at their fingertips and directs listeners to a number and or a website that will help them in the process.

Our early analysis of the hotline reveals that over 72% of the respondents who call are searching for their poll location. This demonstrates that the MYVOTE1 line is providing a very important piece of information to voters: i.e. knowing where to vote. It's easy to forget that many of our voters are first time voters. Many are first time voters in their new polling places since still over 20% of the US population moves every year. An even higher percentage of young people and African American voters move each year making them the biggest targets of mandatory voter purges.

It's important to note that the MYVOTE1 voter hotline can service tens or thousands of voters who have been moved since they last voted or whose families have been displaced from their homes by foreclosures, by hurricanes, floods, tornados, wildfires or other natural disasters. As more people are being victimized by these personal disasters more will be seeking this type of assistance.

To many of us in the elections business getting information about poll location is fairly simple. But for millions of our citizens who are young, African American, low income or first time voters, access to Secretary of States' websites is not often readily available. We all know that the *digital divide* exists and that far fewer African American, Hispanic or low income voters have regular in home access to the internet. But a much higher percentage has access to telephones. Making the

866-MYVOTE1 number readily available for voters who can call from their home or cell phones puts this information right at their fingertips.

Another area where the MYVOTE1 data is useful is the ability to get the findings into the hands of election officials and policy makers *now* while there is still a chance to make administrative adjustments that can make the November 4<sup>th</sup> election go smoother.

Since its launch in 2004, the MYVOTE1 Hotline has captured over 75,000 audio recordings from voters with questions or concerns about the voting process. You have just heard samples of some of the problems that were identified by callers during the early primary states. I'd like to highlight just a few in my remaining moments.

In Georgia, where we received over 5,000 calls on February 5<sup>th</sup> Super Tuesday we discovered that there were several problems with the length of time it took for Electronic Poll Books to check photo IDs. During the pre-election testing the books were easily able to handle the small sample, but once operating at full capacity with the full list we discovered that the length of time it took for the actual processing created long lines in several counties.

While many election officials and major media outlets made claims that there were no inherent problems with Photo ID, the fact that over 500 voters called to complain about the shortage of machines revealed that many more machines needed to be added to handle the extra capacity. The fact that we know this problem now and can make the adjustments before the November 4<sup>th</sup> election is a major victory for election protection efforts.

In Texas we were able to pick up a high volume of calls before Election Day from voters who reported that there was conflicting information about what was required to participate in the "*Texas Two-Step*" primary voting process. Through the *Tom Joyner Morning Show* we were able to give voters the correct information on the air while NAACP state and local leaders urged election officials and party leaders to increase their public information campaigns to ensure that the right information was being given out by election officials during early voting.

In Mississippi we received reports that there were long lines and fewer machines for voters who voted in the Democratic Primaries, but virtually no lines and many more machines for Republican Primary voters. Again, after dispatching an *NAACP*

*Voter Fund* election monitor to the site we were able to reveal that the machines were broken but only for a few hours and not a widespread problem.

A much bigger problem was the potential impact of list maintenance flaws that caused an election official in Madison County to erroneously remove over 11,000 voters from the voter list. The problem was discovered and corrected before the election but the incident revealed how easily tens of thousands of voters can be disenfranchised by careless election officials who may be over anxious to clean the voter list. An analysis by the Atlanta-Clark University Center for Civic Participation reported that the removal of the names could be repeated in other counties unless more protections are put in place.

Mr. Chairman, these preliminary findings can assist this committee in understanding the serious problems that continue to plague voters in every state. When the callers make a decision to call they do so with the hope that somebody is listening and that somebody in authority can and will do something about the problems they are encountering.

But too often they see election procedures as too bureaucratic to participate in. Despite the historic turnout s that we have witnessed, there were still thousands who were turned away. They were not turned away by billy clubs, or German Sheppard dogs as their parents and grandparents were two generations ago. They were turned away by long lines, by intransigent poll workers who were not well trained and may mistakenly force voters to use provisional ballots that may never be counted; or they were turned away by a bad data match that said they were not eligible to vote because the New HAVA mandated statewide voter list maintenance program dropped their name from the list—even though they had been registered and had voted for years.

Mr. Chairman and members of the committee these administrative procedures are the new enemies of voting rights that can have the same effect of standing in the door of the courthouse—literally blocking the enfranchisement of thousands and perhaps millions of voters whose vote may not be counted.

But thanks for Tom Joyner and the MYVOTE1 hotline number we can get in front of some of these problems by letting you and local election officials know that *everything*, as Tom Joyner says, is *not running smoothly*.

MYVOTE1 is not the only voter hotline designed to assist voters on Election Day. There are legal help lines and government-sponsored hotlines. What makes

MYVOTE1 unique is that it captures and preserves the voice of voters as problems arise. What distinguishes the MYVOTE1 number from other election protection hotlines is its ability to reach a wide array of voters through the Joyner show and through other media networks. MYVOTE1 provides its callers with the basic automated information such as their poll location or voter registration verification by transferring them to their board of election to verify that their registration is up to date. These calls (which make up over 70 percent of the callers into MYVOTE1) will lessen the load on other 800 numbers so that calls that require immediate legal attention can be handled through live intervention with attorneys and other trained advocates.

We have seen in this primary season an overwhelming number of voters turning out to vote. In many cases, doubling the turnout during previous primaries. We have every reason to believe that this trend will continue. With that being the case it is essential that we make use of all hotline numbers to meet the capacity that will be needed to service what we are projecting to be 750,000 to one million callers who will be seeking assistance in the days leading up to election day, election day itself and even the days following election day when so many of the problems we experience on election day often come to light.

It is often said by election officials in explaining long lines that there was nothing wrong with their procedures, it was just that “too many people showed up to vote.” Mr. Chairman too many people showing up to vote should never be a problem in the “world’s leading democracy.” I applaud your inviting the election officials here today to respond to some of the data and to give their insights as well on how we can address some of these concerns before the November 4<sup>th</sup> election.

I have much respect and appreciation for the work being done by many of our election officials. They have been saddled with the enormous task of administering state and federal elections while the laws continue to change cycle after cycle. They do so often by being underfunded and understaffed and they do so often while under great criticism from advocates and the media when things go wrong.

I think there is a useful role for both election officials, advocates, and our federal government to play in helping to remedy many of the problems that have been identified here today. But today I’m gratified that this committee has chosen to lift up the work of Tom Joyner and our partnership. Amid all the noise around this

election there is good news in that a new Town Crier will be on the air throughout the remaining primaries and general election: continuing to register voters and provide voters with the information that will ensure that their voices will be heard, that their complaints will be addressed and that their rights to vote will be protected on November 4<sup>th</sup> and beyond.