

A Summary of the

2004 Election Day Survey

How We Voted: People, Ballots, & Polling Places

A Report to the American People by
The United States Election Assistance Commission

September 2005



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Letter from the U.S. Election Assistance Commission



Dear Reader:

We have the honor of working to fulfill a vital government mandate to work with elections officials throughout the country to help make the American electoral process better. An important part of our mission is providing resources and guidance to policy makers and election officials throughout the country to support their efforts to improve the administration of federal elections. Another priority is to educate the public about election reform so citizens know how the system works and have confidence in it.

This report is part of the Commission's work in serving as a resource for information. The 2004 Election Day Survey represents the largest and most comprehensive survey on election administration ever conducted by a U.S. governmental organization.

The survey is our first attempt to compile a set of statistics on election practices and voting. This information is invaluable in helping us better understand what is happening throughout the country and identify key issues that deserve further exploration and consideration. It will help us meet our statutory requirements to study various portions of the election process and report to Congress about the status of election administration.

We thank the nation's secretaries of state, state and local election officials, and others who assisted with this project. They are on the front lines of making our system work. Once again, they have served the cause of democracy through the considerable effort they put into responding to the survey. Without their input and assistance, the Election Day Survey would not have been possible. The Commission is grateful for their work, and the American people will benefit from their participation.

The survey results tell us a great deal about voting and elections practices across the country. Yet, there is still much that deserves closer examination. This survey will serve as a good baseline as we move forward. We ask that you consider this survey and the results as a starting point for a greater understanding and discussion about voting in America.

Sincerely,

Gracia Hillman, Chair

Paul DeGregorio, Vice-Chairman

Ray Martinez III, Commissioner

Donetta Davidson, Commissioner

Survey Methodology

In the fall of 2004, the United States Election Assistance Commission (EAC) distributed the first-ever Election Day Survey, requesting voting and elections information from election administrators in all 50 states, the District of Columbia, Guam, Puerto Rico, American Samoa, and the U.S. Virgin Islands. The state administrators worked with local election officials to complete the survey. In total, information was received from 6,568 election administration jurisdictions. The survey included 43 questions.

By April 2005, the Commission had received responses from all 50 states, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands. Guam and American Samoa did not participate in the survey. In July, state election directors were asked to review data compiled from the survey to resolve discrepancies and fill in missing information and provide supplemental data. Responses from twenty-six states were added to the survey database.

This survey was conducted by gathering actual raw data, not by using a sampling method, such as the kind used in national opinion polls. Instead, the survey was administered to all jurisdictions and includes all the data that were collected.

The survey results were compiled in a series of 14 tables and were analyzed using three basic methodologies: (1) tabulation checks to provide complete and consistent nationwide coverage; (2) calculation of rates and ratios to provide meaningful comparisons among states and counties; and (3) cross-tabulation and correlation by different criteria—e.g., type of voting equipment used—to reveal patterns between variables.

Other important points to remember when reviewing survey results include:

- State and local election administrators do not share common terminology for some survey items, such as what constitutes an absentee ballot or poll worker.

- Some state election administrators altered survey questions when transmitting requests to their local jurisdictions.
- Survey reviewers identified data entry errors. Some were corrected, though resources were not available to validate the more than 250,000 individual items on the survey.
- Some states did not provide complete data for all survey questions.

Election Data Services, Inc. compiled the responses to the Election Day Survey and provided analysis. The principal investigator was Kimball W. Brace, president of Election Data Services. Dr. Michael P. McDonald, an assistant professor in the Department of Public and International Affairs at George Mason University, was a statistical consultant.

For a copy of the full report, including the survey questions and additional information, please visit www.eac.gov.

Please Note: The number of jurisdictions reporting data for each question varies. All statistics and numbers provided in this report are based on information reported to EAC by states and jurisdictions. Complete information on the number of jurisdictions reporting on a specific question is available in the full data tables at www.eac.gov. Information on the number of reporting jurisdictions for some of the major questions is provided in the Appendix to this report.



Definitions

Active Voter: A voter-registration designation indicating the voter is eligible to vote.

Ballots Cast: Number of ballots cast including all voting methods (absentee, provisional, early, in a polling place, etc.).

Ballots Counted: Number of ballots actually counted and recorded as votes.

Central Count: Processing or counting of ballots on automatic tabulating equipment at a single location.

Citizen Voting Age Population: People residing in an election jurisdiction who are 18 years of age or older and who are U.S. citizens.

Drop-off: The difference between the number of ballots counted and the total number of votes for all candidates in a specified office or contest. Drop-off is a combination of undervotes and overvotes, and is also referred to as the “residual vote.”

Electorate: A body of people eligible to vote.

HAVA: The abbreviation for the Help America Vote Act of 2002. A copy of HAVA and additional information is available at www.eac.gov.

Highly Contested States: Using various news media sources, the researchers selected 17 states that were deemed most competitive in the 2004 presidential contest. Often referred to as “battleground states,” they include Arkansas, Arizona, Colorado, Florida, Iowa, Michigan, Minnesota, Missouri, Nevada, New Hampshire, New Mexico, Ohio, Oregon, Pennsylvania, Washington, West Virginia, and Wisconsin.

Inactive Voter: A classification used to designate a voter whose registration status is no longer current where they were registered and who has not attempted to re-register, voted or appeared to vote at the address of record, or whom election officials have been unable to contact or verify their registration status.

Jurisdictions: Generic term to signify various geographic areas that administer elections. The 6,568 jurisdictions in this study may include counties, parishes, towns or townships, cities, or an entire state (Alaska).

Overvotes: Occurs when more selections are made than are permitted in a contest.

Polling place: A facility staffed with poll workers and equipped with voting equipment at which persons residing in a precinct cast ballots in person on Election Day.

Precinct: Administrative division representing a geographic area in which voters cast ballots at a polling place.

Provisional Ballot: Ballot provided to individuals whose name is not on the list of registered voters or whose eligibility or registration status is challenged or questioned when they present themselves to vote.

Section 5: Jurisdictions that are required by Section 5 of the Voting Rights Act to obtain clearance from the Department of Justice or the United States District Court for the District of Columbia before implementing a change in a voting standard, practice, or procedure.

Section 203: Jurisdictions that are required by Section 203 of the Voting Rights Act to provide supplemental voting information to language minority groups.

Undervotes: Occurs when fewer selections are made than are permitted in a contest, including the choice to not vote for any candidate in a contest or any response to a ballot question

Voting Age Population: People residing in an election jurisdiction who are 18 years of age or older, regardless of whether they are citizens or eligible to vote.



Overview of the 2004 Election Day Survey

Elections are filled with numbers. Think of the aggressive efforts to register voters and get them to the polls, to track election night tallies with the reports coming in from states and precincts, and to focus on the post-election activities like turnout rates and analyses of what the voters meant. The numbers are important and they tell a story about the voters and how well our system is working.

To understand American elections you must appreciate our system in which states and localities administer elections. Going below the surface, the ways in which elections are conducted, the rules that apply, and the procedures used vary considerably from state to state.

To know how we voted, we must collect information from state and local jurisdictions. Whereas countless opinion polls and self-reporting surveys can tell us a great deal about elections and voters, it is important to go deeper—and wider—and attempt to gather real numbers from those responsible for administering elections.

This largest and most comprehensive survey of its kind, the first by the federal government, provides a wealth of data about how, where, and when we voted. The questions asked, and the data collected, cover voter registration, ballots cast and how they were cast, issues that have recently garnered more attention (such as provisional voting and overvotes and undervotes), and what is happening within polling places. As a first-ever and a massive data collection effort, it also sheds light on what we do not know and what areas deserve further exploration in the future.

This introductory section provides a brief overview of some of the key highlights.

2004 Election Highlights

- 60.7 percent voter turnout rate*
- 96.9 percent of absentee ballots were counted
- 64.5 percent of provisional ballots were counted
- Lowest presidential drop-off rate since World War II at 1.02 percent

**Based on Citizen Voting Age Population*

Registering and Voting

In nearly every state, registering is the first critical step in the voting process. In the November 2004 election, at least 177.3 million Americans were registered to vote. That means 86 percent of the Citizen Voting Age Population were registered. It should be noted that states use different methods to count the number of registered voters.

Votes and Turnout: There were at least 121.9 million ballots counted.

This constituted:

- 70.4 percent of registered voters
- 60.7 percent of Citizen Voting Age Population

The turnout rate, the number of ballots cast as a percentage of Citizen Voting Age Population, was higher in jurisdictions with higher education levels and incomes, those comprised



of predominantly non-Hispanic White voters, in suburbs, highly contested states, and states with Election Day registration.

States reported that ballots were cast in four principal ways. More than half were cast in a polling place on Election Day, and the other methods included absentee ballots, early voting, and provisional ballots.

Absentee Ballots: Citizens requested a total of 16.8 million absentee ballots. They returned 14.8 million of them (88.7 percent) and nearly all of these (14.7 million, or 96.9 percent) were counted.

Drop-Off: Not every voter votes in every contest on a ballot. The drop-off—the difference between the number of ballots counted and the total number of votes for all the candidates in a specific contest—generally increases as voters work their way down the ballot.

For the states reporting information in 2004, the drop-off rate for the presidential contest was 1.02 percent, with at least 1,160,961 voters not voting in this contest. This was the lowest drop-off rate in post-World War II presidential elections and a significant dip from the last presidential election.

The drop-off for U.S. Senate contests was 5,676,784, or 6.9 percent. For U.S. House of Representatives contests, 12,238,411 voters, or 12.8 percent, did not vote in this contest. In other words, approximately one-in-ten people who went to the polls did not vote in House contests.

Overvotes and Undervotes: An overvote occurs when voters make more choices than are permitted in a contest. An undervote occurs when a voter makes fewer choices than are permitted in a contest, including the choice to not vote for any candidate in a contest or respond to a ballot question. Overvotes tend to

be errors made by voters, while undervotes are usually due to voter error or a choice made by the voter to vote for only some of candidates or to abstain from voting. (Some voting systems do not allow overvotes.)

In 2004, there were 133,289 overvotes, or 0.23 percent of the ballots cast, in the presidential contest, and 863,872 undervotes, or 0.91 percent.

Provisional Ballots: One of the most significant post-2000 election reforms found in HAVA is a requirement that gave individuals the right to cast a “provisional ballot” in federal elections if the person’s name did not appear on a voting list or if the person’s eligibility was challenged. If it is later determined that they were eligible, their vote is counted.

Last fall, 1.9 million people cast provisional ballots, or 2.56 percent of those voting in polling places. Nearly two thirds of those ballots, 1.2 million, were counted.

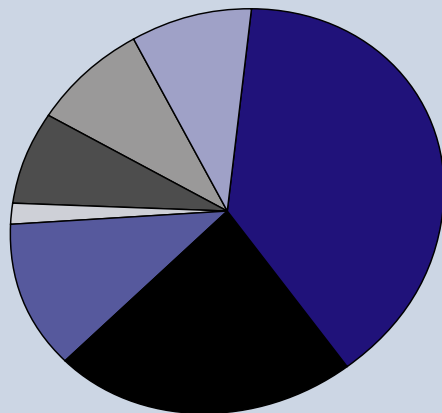
Voting Equipment and Places

The survey confirms what most Americans began to realize in a significant way after the 2000 elections—Americans use a wide variety of methods to cast their ballots. While voters in one jurisdiction may still use traditional paper ballots that are counted by hand, citizens in a nearby area may use a system that relies on optical scans for tabulating the results. The prevalence of the use of particular kinds of voting methods has changed dramatically over the last decades. After the passage of HAVA many states began upgrading their voting systems, ushering in many new systems.

In 2004, more than one quarter of the nation’s election jurisdictions used paper ballots, but because of the small size of jurisdictions using paper ballots only 1.7 percent of the registered

Figure: 1

Percentage of Registered Voters Using Equipment



- Optical Scan 39%
- Punchcard 8.9%
- Unknown 8.2%
- Mixed 7.3%
- Electronic Voting 22.6%
- Paper 1.7%
- Lever Machine 12.2%

voters used this method. Optical scan systems were used by the highest percentage (39 percent) of the nation's registered voters, and 22.6 percent used electronic systems. Another 12.2 percent used lever machines, 8.9 percent used punch cards, and 7.3 percent used mixed systems.

Poll Workers: In a society used to automatic teller machines and other self-service technologies, elections still rely on people power to run polling places to see if individuals are qualified to vote, and to help citizens cast their ballots. Last fall, nearly one million Americans (844,018) served as poll workers. That's roughly one of every 200 adult citizens. There were an average of 5.7 poll workers per precinct and 7.9 per polling place, working in 174,252 precincts and 113,754 polling places.

States reported that 5,252 polling places or precincts were inadequately staffed, 5.8 percent of polling places. Jurisdictions with higher levels of income and education tended to have more poll workers per polling place and fewer staffing problems. Staffing problems appeared to be particularly acute for jurisdictions in the lowest income and education categories. Rural and large urban jurisdictions were more likely than suburban jurisdictions to report shortages of poll workers within polling places or precincts.

Voters with Disabilities: HAVA also mandates new requirements to ensure that disabled Americans can exercise their right to vote by removing barriers that kept them out of polling places and hindered their ability to use voting equipment or prevented them from casting a secret ballot. While fewer than half of the states and territories responded to questions about disabled voters, information about the remaining jurisdictions tells at least part of the story. More than nine in ten (94 percent) of the polling places were wheelchair accessible.

Patterns and Trends

The survey provides a wealth of data, and certain aspects of the voting process can be looked at independently and provide telling information. A few notable trends emerge.

For instance, some characteristics cut across socio-economic lines. Jurisdictions whose citizens have lower educational levels and incomes tended to have more inactive voter registration, lower voter turnout, a higher number of provisional ballots cast, higher drop-off, and more overvotes and undervotes. These jurisdictions also had fewer poll workers per polling place and higher incidences of inadequately staffed polling places.

Jurisdictions that have extended voting protection to language minority groups (Sections 5 and 203 of the Voting Rights Act) tended to have more inactive voter registration rolls, lower voter turnout, fewer returned absentee ballots, and far more provisional ballots cast. These patterns were often similar to those found among predominantly Hispanic or predominantly Native American jurisdictions.

Jurisdictions in states with statewide voter registration databases tended to have fewer inactive voters on their registration rolls, higher returns of absentee ballots, and fewer provisional ballots cast. The existence of these databases might also be associated with fewer

instances where voters would need to cast a provisional ballot due to a problem with their registration. The implementation of statewide voter registration databases is a requirement of HAVA and the law states that these databases must be in place by January 1, 2006.

These are just some of the major findings from the survey. Additional data is available, including state-specific information and analyses of how various factors correlate with characteristics of various populations and types of jurisdictions at www.eac.gov. The next chapters in this report provide additional information about the key issues related to voting methods and processes.

Votes and Turnout

The most commonly cited numbers—providing the big-picture look at elections—are total vote counts and voter-turnout figures. These numbers not only determine who won—who got the most votes—but also the level of voter participation—what share of the electorate went to the polls.

As a starting point in determining turnout, it is necessary to first take a look at overall population numbers.

The Voting Age Population is defined as all persons age 18 and older, including U.S. citizens and non-citizens, within a jurisdiction. The Citizen Voting Age Population is defined as persons in jurisdictions who are U.S. citizens. Therefore, it should be noted that Voting Age Population is not a perfect estimate of those eligible to vote. The uneven distribution of non-citizens across jurisdictions underscores the importance of using Citizen Voting Age Population in addition to Voting Age Population when drawing conclusions of survey results across jurisdictions.

In 2004, the estimated Citizen Voting Age Population was 197,438,494, and the Voting Age Population was 221,279,989. The Voting Age Population estimates were derived from analysis of U.S. Census Bureau population estimates. Citizen Voting Age Population is derived by applying the 2000 Census Bureau citizenship percentage within a jurisdiction to the November 2004 Voting Age Population estimate.

The Midwest is the region with the highest proportion of Voting Age Population individuals who are citizens, with 96.8 percent. It is followed by the Northeast, with 94.3 percent, and the South, with 93.8 percent. The West has the highest share of non-citizens, with only 86.6 percent of the Voting Age Population who are citizens.

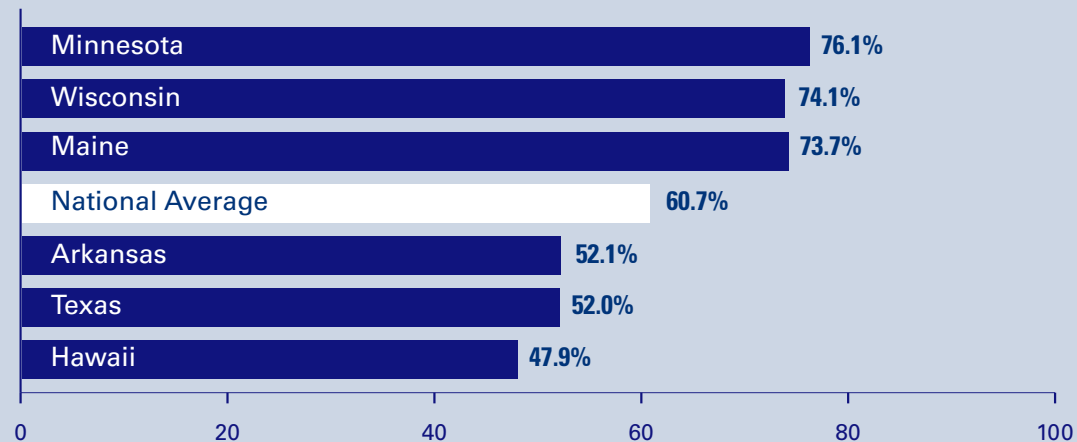
Large jurisdictions, those with more than one million people, have a much lower proportion of citizens in their Voting Age Population, 83.2 percent, than small- and medium-sized jurisdictions, where 96.3 percent of their Voting Age Population are citizens.

Overall Count and Turnout

There were more than 121 million ballots counted in the 2004 election with 70.4 percent of registered voters and 60.7 percent of the Citizen Voting Age Population turning out.

Minnesota had the highest turnout rate (76.1 percent) among the Citizen Voting Age Population followed by Wisconsin, Maine, Oregon, New Hampshire, and South Dakota. Hawaii had the lowest turnout rate (47.9 percent) among Citizen Voting Age Population followed by Texas at 52.0 percent. States that have same-day registration generally have much higher turnout rates than those that do not.

Highly contested states also had higher turnout rates than other states in 2004. However, jurisdictions that offer early voting had lower turnout rates at the polls.

Figure: 2**States with Highest and Lowest Turnout***

* Based on Citizen Voting Age Population

Voting Methods

Voters can cast their ballots in a variety of ways. The traditional method is by voting in person at a polling place on Election Day. Over the years, innovations have increased the methods used to cast ballots, which include absentee and early voting. Voters also have the option of casting a provisional ballot if the person's eligibility to vote is questioned or challenged. While there is a significant "unknown" factor in the data reported from the states, jurisdictions reported that ballots were cast in the following ways:

- 55.5 percent (67,403,844) were cast in a polling place on Election Day
- 12.0 percent (14,672,651) were cast as an absentee ballot
- 8.4 percent (10,189,379) were cast as an early vote
- 1.0 percent (1,225,915) were cast as a provisional vote
- 23.3 percent (28,370,540) were cast in an unknown manner

Voters requested 16.8 million absentee ballots, returning 14.8 million (or 88.7 percent) of them, and nearly all of these (14.7 million, or 96.9 percent) were counted. Predominantly Hispanic jurisdictions had the highest request rates for absentee ballots, while the lowest rates were in predominantly non-Hispanic Black jurisdictions.

States: The state of Washington had the most votes cast absentee with 68.7 percent, followed by California with 32.4 percent, and Iowa at 30.3 percent. Texas had the highest number of early votes cast with 47.7 percent, followed by Tennessee with 44.9, Nevada with 41.7, and Arizona with 40.8. In Oregon, 85.6 percent of ballots were cast by mail.

Table 1

Key Voting Statistics in the States

State	Voting Age Population	Registered Voters	Votes Counted	Turnout Rate*	Number of Jurisdictions	Number of Polling Places	Number of Precincts
Alabama	3,376,112	2,597,629	1,683,735	56.2	67	2,177	2,210
Alaska	454,708	472,160	314,502	69.2	1	439	436
Arizona	3,770,203	2,642,120	2,038,077	54.1	15	2,002	2,110
Arkansas	2,024,200	1,699,934	1,055,510	52.1	75	1,923	2,693
California	21,671,670	16,646,555	12,359,633	58.2	58	14,467	21,857
Colorado	2,233,934	3,101,956	2,148,036	66.4	64	2,318	3,370
Connecticut	2,514,118	1,831,567	1,595,013	63.4	169	769	n/a
Delaware	605,748	553,917	377,383	62.3	3	276	437
District of Columbia	405,042	383,919	230,105	56.8	1	142	142
Florida	12,076,990	10,300,942	7,639,949	63.3	67	5,433	6,892
Georgia	6,159,729	4,248,802	3,317,336	53.9	159	2,907	3,163
Hawaii	900,647	647,238	431,203	47.9	5	336	353
Idaho	986,664	915,637	612,786	62.1	44	763	949
Illinois	6,471,142	7,195,882	5,361,048	63.2	110	9,200	11,738
Indiana	4,534,543	4,296,602	2,512,142	55.4	92	3,454	5,571
Iowa	2,221,452	2,226,721	1,513,894	68.4	99	1,916	1,966
Kansas	1,972,661	1,695,457	1,199,590	60.8	105	2,019	3,882
Kentucky	3,110,923	2,794,286	1,186,867	58.4	120	2,830	3,482
Louisiana	3,305,044	2,932,142	1,956,590	59.2	64	2,394	4,124
Maine	1,022,248	1,026,219	754,777	73.7	517	n/a	601
Maryland	3,940,414	3,105,370	2,395,127	60.8	24	1,551	1,779
Massachusetts	4,577,316	4,098,634	2,927,455	64.0	351	1,458	2,177
Michigan	7,369,271	7,164,047	4,876,237	66.2	83	3,890	5,235
Minnesota	3,736,578	2,977,496	2,842,912	76.1	87	n/a	4,108
Mississippi	2,118,126	1,469,608	1,163,460	54.9	82	1,670	1,707
Missouri	4,263,417	4,194,416	2,765,960	64.9	116	3,595	5,462
Montana	709,037	638,474	456,096	64.3	56	649	856
Nebraska	1,272,795	1,160,193	792,910	62.3	93	1,420	1,668
Nevada	1,536,969	1,073,869	831,833	54.1	17	526	1,585
New Hampshire	975,065	950,292	686,390	70.4	242	n/a	n/a
New Jersey	5,871,639	5,011,693	3,639,612	62.0	21	3,486	6,283
New Mexico	1,316,405	505,356	328,636	55.2	33	612	684
New York	8,156,036	11,837,068	7,448,266	61.2	58	6,740	15,153
North Carolina	6,129,162	5,526,981	3,571,420	58.3	100	2,762	2,749
North Dakota	484,528	490,179	316,049	65.2	53	542	607
Ohio	8,532,693	7,965,110	5,730,867	67.2	88	6,602	11,366
Oklahoma	2,589,344	2,143,978	1,474,304	56.9	77	2,130	2,152
Oregon	2,594,416	2,141,249	1,851,671	71.4	36	36	1,448
Pennsylvania	9,395,376	8,366,455	3,006,146	62.6	67	n/a	n/a
Rhode Island	785,112	707,234	440,743	56.1	39	489	577
South Carolina	3,106,879	2,318,235	1,626,720	52.4	46	n/a	2,168
South Dakota	569,346	502,261	394,930	69.4	66	630	827
Tennessee	4,423,433	3,748,235	2,458,213	55.6	95	2,211	2,287
Texas	14,443,878	13,098,329	7,507,333	52.0	254	7,032	8,554
Utah	1,548,346	1,278,912	942,045	60.8	29	1,061	1,880
Vermont	478,434	444,508	313,973	65.7	246	277	277
Virginia	5,388,364	4,515,675	3,223,156	59.8	134	2,367	2,294
Washington	4,414,206	3,508,208	2,885,001	65.4	39	1,498	6,664
West Virginia	1,422,042	1,168,694	769,645	54.1	55	n/a	1,977
Wisconsin	4,091,525	4,179,774	3,009,491	74.1	1,910	2,686	3,563
Wyoming	380,564	273,950	245,789	64.6	23	345	483
American Samoa	n/a	n/a	n/a	n/a	1	n/a	n/a
Guam	n/a	n/a	n/a	n/a	1	n/a	n/a
Puerto Rico	n/a	2,440,132	1,990,372	n/a	110	1,554	1,676
Virgin Islands	n/a	50,731	31,391	n/a	1	170	30
TOTAL	197,438,494	177,265,03	121,862,329	60.7	6,568	113,754	174,252

* Percentage of the Citizen Voting Age Population that voted.



The First Step: Registering to Vote

Most states require eligible persons to register to vote in advance of the election.

Six states—Idaho, Maine, Minnesota, New Hampshire, Wisconsin, and Wyoming—allow persons to register on Election Day. (Rhode Island allows those registering on Election Day to vote in the presidential election only.) North Dakota and small jurisdictions in Wisconsin do not have registration.

More than 177 million persons were registered in 2004—an increase of at least 14 million from the 2002 mid-term elections and 13 million more than the 2000 presidential election. The percentage of American citizens age 18 or older who were registered to vote was 86 percent—an increase from the 82 percent in 2000.

The U.S. Census Bureau's November 2004 survey found that of 197 million citizens, 72

percent (142 million) reported they were registered to vote. This discrepancy between the Census data and the EAC survey may be because the Census data is self-reported, relying on respondents' recollection of whether they are registered, and some people may no longer be registered or may be registered at

more than one address because registration rolls have not been properly updated. In addition, the EAC survey data is based on actual reports from nearly all jurisdictions.

The percentage of American citizens age 18 or older who were registered to vote was 86 percent...

Registration Changes Under HAVA

Local elections officials have traditionally administered voter registration rolls. As of January 1, 2006, HAVA requires states to have a statewide voter registration database. Seventeen states already had a fully functional statewide voter registration system in place for the 2004 election.

Active versus Inactive Voter Rolls

Once registered, a person remains an “active voter,” a designation indicating the voter is eligible to vote, unless the person does not vote in a series of elections. In some states, a voter may be moved to an “inactive” list if their registration status is no longer current, they have not attempted to re-register, not voted or appeared to vote at the address of record, or if election officials have been unable to contact or verify the person's registration status. The survey asked states to provide the number of active and inactive voters in each local election jurisdiction. Twenty states include both “active” and “inactive” voters in their registration counts, and 26 states reported only “active” voters in their registration counts.

Among jurisdictions that reported total voter registration numbers (not broken out by active or inactive voters), higher rates of registration were found in jurisdictions that had higher levels of education and income, those that allowed Election Day registration, those that were more rural and small town in nature, and those found in highly contested states.

Among jurisdictions that reported inactive voter registration, higher rates of inactive voters were found in jurisdictions that had the largest populations, lower education levels, and those covered by extended voting protection to language minority groups (Section 203 of the Voting Rights Act).

States with statewide registration databases had significantly fewer inactive voters. States with Election Day registration and highly contested states also had fewer inactive voters, and they also had higher registration rates.

Registration rates are highest in small town and rural jurisdictions, along with those that have higher education levels. For 2004, highly contested states clearly had higher registration rates than non-highly contested states. The lowest registration rates can be found in predominantly Hispanic communities.

Registering to Vote

To be eligible to vote a person must be a U.S. citizen, meet a residency requirement and have attained the age of 18 by Election Day. Persons who have been legally declared as insane or mentally incompetent or who have been convicted of a felony and have not had their civil rights legally restored cannot vote (dependent upon state law).

Individuals can obtain registration applications from either the local election official in the person's county or city of residence, or through registration outreach programs sponsored by various private groups.

In addition, individuals can also register when applying for a driver's license or identity card at their state's Department of Motor Vehicles or driver's licensing offices, offices providing public assistance, offices providing state-funded programs for the disabled, and at armed forces recruitment offices.

Overvotes, Undervotes, and Drop-Off

In every election there are voters who make more choices than are permitted in a contest, called overvotes, and those who record fewer choices than are permitted, called undervotes. When overvotes occur—such as voting for two candidates for president or the U.S. Senate when only one choice is allowed—the vote is not counted for that particular office. Effective January 1, 2006, HAVA mandates that voters be notified when they cast an overvote.

Generally, overvotes are the result of errors made by the individual voter. They can also be due to poor ballot design. Undervotes can be an error or a choice made by the voter to designate fewer candidates than allowed, for example, to vote in only two contests when there are three on the ballot. And undervotes include decisions to make no choices in a particular contest.

In the 2004 presidential race, there were at least 133,289 overvotes, or 0.23 percent of the ballots cast, when voters chose more than one candidate for president. There were also 863,872 undervotes, or 0.91 percent, when no preference for president was made.

Voting Equipment: Many reports following the 2000 elections noted concerns about the relationship between voting equipment and overvotes and undervotes. Jurisdictions that changed voting equipment since 2000 reported slightly lower percentages of overvotes and undervotes than other jurisdictions. Punch cards and paper voting systems had the most overvotes, as a percentage of votes cast.

For the presidential contest, jurisdictions with lever machines reported no overvotes, while the rate of overvotes for jurisdictions with electronic machines was .03 percent of total ballots cast. (Some jurisdictions that use electronic voting systems also reported using paper absentee ballots, which could account for some of the overvotes reported.) Punch card jurisdictions reported the highest percentage of overvotes with 0.49 percent, as well as undervotes at 1.41 percent. Some voting systems do not allow overvotes to be cast.

In U.S. Senate contests, lever jurisdictions had the highest percentage of undervotes at 9.17 percent, followed by punch cards at 4.08 percent and electronic at 3.60 percent. For U.S. House contests, lever jurisdictions had the highest percentage of undervotes at 10.58 percent, followed by paper at 9.77 and electronic at 7.10 percent.

Ethnicity: Predominantly Hispanic jurisdictions tended to report the highest percentage of overvotes for all offices and generally a high percentage of undervotes for U.S. Senate and U.S. House. Predominantly non-Hispanic Native American jurisdictions reported the highest percentage of undervotes for president.

Table: 2

Overvotes/Undervotes in 2004

<i>Contest</i>	<i>Overvotes</i>	<i>Percentage of Ballots Cast</i>	<i>Undervotes</i>	<i>Percentage of Ballots Cast</i>
President	133,289	0.23	863,872	0.91
U.S. Senate	49,100	0.11	2,488,016	3.80
U.S. House	56,173	0.12	5,077,325	6.27

Drop-Off

Drop-off is the difference between the number of ballots counted and the total number of votes for all the candidates in a specific contest. Drop-off is the combination of overvotes and undervotes. It generally increases as voters work their way down the ballot.

In 2004, the drop-off rate for the presidential contest was 1.02 percent, with 1,160,961 voters not making a choice in this contest. The drop-off for U.S. Senate contests was 5,676,784, or 6.86 percent. For U.S. House of Representatives contests, 12,238,411 voters, or 12.83 percent, did not cast a vote in this contest. In other words, approximately one in ten people who

went to the polls did not vote in House contests. (States were not asked about drop-off for non-federal contests.)

For U.S. Senate and U.S. House contests, drop-off and undervotes are often related to the competitiveness of the election. Generally, there is less drop-off if the contest is hotly contested. For example, all but one of South Dakota's counties reported less drop-off for the U.S. Senate contest than for the presidential contest.

Among types of voting equipment, paper ballots and punch card jurisdictions report about 50 percent more drop-off than optical scan jurisdictions.

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Casting and Counting Provisional Ballots

This was the first federal election in which individuals in all 50 states, the U.S. territories, and the District of Columbia were allowed to cast a ballot even if their names did not appear on the voter registration rolls or if the person's eligibility was questioned or challenged. The vote was recorded on what is called a provisional ballot. Later, if elections officials determined the person was eligible to vote, the ballot was tallied into the vote count.

Prior to 2004, the rules about provisional ballots varied among the states. HAVA mandated the use of provisional ballots in federal elections beginning in 2004. Although HAVA provides a minimum standard for provisional balloting, the application of how and when individuals may cast provisional ballots—and how and when the ballots will be counted—still varies across the country. For example, in 18 states, provisional ballots could be counted if they were cast outside the individual's home precinct, while in 28 states they could not.

The seven states with no or same-day registration are not required to offer provisional ballots, but three of these (Maine, Wisconsin, and Wyoming) offered some type of provisional balloting.

The 2004 Election Day Survey asked state elections officials how many provisional ballots were cast, how many were counted, and the five most common reasons for rejecting provisional ballots. Some states did not report

2004 Provisional Ballots

- 1.9 million provisional ballots cast
- 1.2 million provisional ballots counted (64.5 percent of provisional ballots cast)

information on provisional ballots for all jurisdictions.

A Profile of the Provisional Voter from the Survey Results

On Election Day, 1.9 million individuals cast a provisional ballot, or 2.56 percent of all persons who voted in a polling place. More than 1.2 million provisional ballots were counted, or 64.5 percent of all the provisional ballots cast.

Provisional ballots tended to be cast at higher rates within urban areas, jurisdictions with more minorities, areas with higher incomes and education levels, and states without statewide voter registration databases. More than half of

Table: 3

Provisional Ballots by Location—Cast and Counted

<i>Jurisdictions that were predominantly:</i>	<i>Percentage of registration</i>	<i>Percentage of provisional ballots counted</i>
Urban	1.55	61.6
Suburban	1.12	73.1
Small towns	1.02	59.3
Rural	0.67	68.5

all the provisional ballots were cast by voters in jurisdictions that are required to extend voting protection to language minority groups (Section 203 of the Voting Rights Act), even though these jurisdictions constituted only a very small share (one-tenth) of the jurisdictions that reported results to these questions.

Jurisdictions that were predominantly Hispanic had the highest rates of provisional ballots cast (2.81 percent), followed by non-Hispanic Native Americans (1.89 percent), non-Hispanic Blacks (1.28 percent), and non-Hispanic Whites (1.12 percent). Predominantly Hispanic jurisdictions also had the highest rate of provisional ballots counted, 79.3 percent, followed by non-Hispanic White jurisdictions with 62.6 percent counted, non-Hispanic Black jurisdictions with 58.6 counted, and non-Hispanic Native

American jurisdictions with 48.7 percent counted.

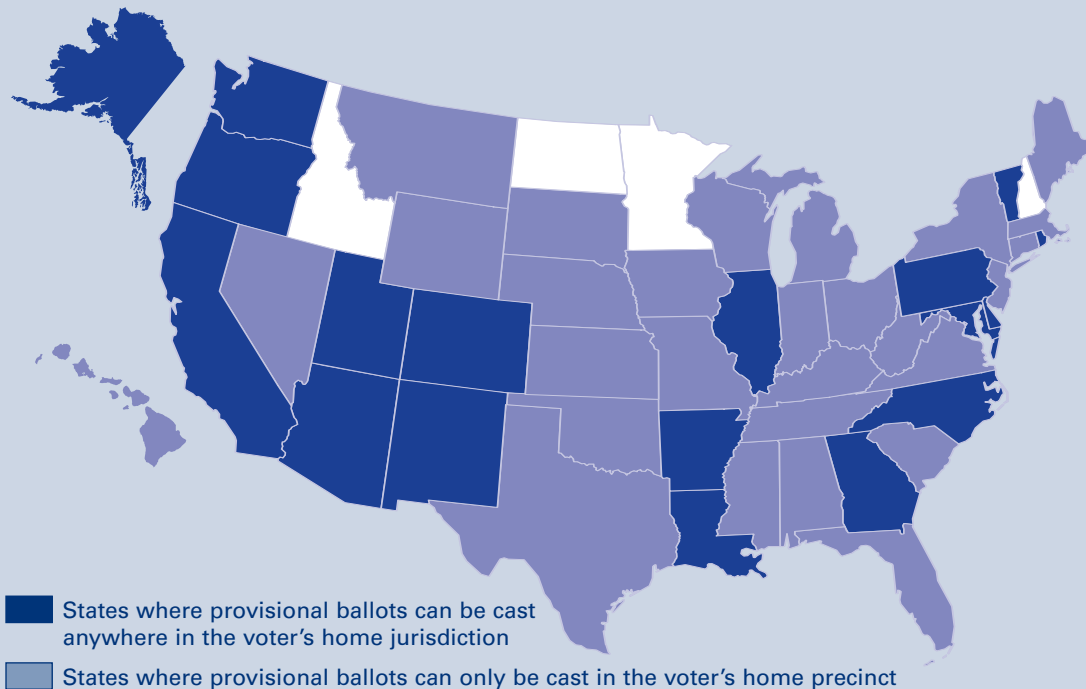
Jurisdictions in highly contested states reported a higher rate of counting provisional ballots, but actually a slightly lower incidence of casting such ballots. Higher incidences of casting provisional ballots can also be found in urban and high population density areas, but these jurisdictions also had higher rates of counting provisional ballots.

Jurisdiction-wide Acceptance

The 18 states that allowed the counting of provisional ballots cast outside a voter's home precinct had 4.67 percent of ballots cast in a polling place cast as provisional ballots. In the 28 states that disqualified provisional ballots cast outside the home precinct provisional

Figure: 3

States' Acceptance of Provisional Ballots



Note: North Dakota has no voter registration and is exempt from offering provisional ballots in Federal elections. Idaho, Minnesota, and New Hampshire have Election Day registration and are also exempt.

Five Most Common Reasons for Rejecting Provisional Ballots

Reason	Number of States Citing
Not registered	18
Wrong precinct	14
Improper ID	7
Incomplete ballot form	6
Wrong jurisdiction	5
Already voted	3
Ineligible to vote	3
No signature	3

Reasons cited by two states were administrative error, non-matching signature, other, and registration purged; and by a single state, were deceased, elector challenged, first time voter registering on Election Day, missing ballot, multiple ballots in one envelope, name missing from voter list, non-appearance within 24 hours, and non-verifiable signature.

ballots were only 1.18 percent of ballots cast in a polling place. The states allowing jurisdiction-wide acceptance of provisional ballots also had higher rates of counting provisional ballots, 71.5 percent compared to 52.5 percent of other jurisdictions.

Statewide Voter Registration

Individuals who lived in jurisdictions with statewide voter registration databases had a lower incidence of casting provisional ballots than states without voter registration databases. This suggests that states that use statewide voter registration rolls might be associated with fewer instances of voters needing to cast a provisional ballot due to a problem with their registration. The implementation of statewide voter registration databases is a requirement of HAVA. The law states that these databases must be in place by January 1, 2006.

The states allowing jurisdiction-wide acceptance of provisional ballots also had higher rates of counting provisional ballots, 71.5 percent compared to 52.5 percent of other jurisdictions.

Provisional Ballots — Cast and Counted

State	Total Cast	Percentage of Ballots Cast at Polling PLaces	Total Counted	Percentage of Counted Cast
Alabama	6,478	n/a	1,865	28.8
Alaska	23,285	10.63	22,498	96.6
Arizona	101,536	8.99	73,658	72.5
Arkansas	7,675	0.56	3,678	47.9
California	668,408	8.47	491,765	73.2
Colorado	51,529	4.88	39,086	75.9
Connecticut	1,573	0.11	498	31.7
Delaware	384	0.11	24	6.3
District of Columbia	11,212	5.51	7,977	71.1
Florida	27,742	0.57	10,007	36.1
Georgia	12,895	0.49	3,976	30.8
Hawaii	346	0.11	25	7.2
Idaho	n/a	n/a	n/a	n/a
Illinois	43,464	n/a	22,238	51.2
Indiana	5,707	0.26	910	15.9
Iowa	15,406	1.44	8,038	52.2
Kansas	45,535	4.78	32,079	70.4
Kentucky	1,494	n/a	221	14.8
Louisiana	5,880	0.33	2,312	39.3
Maine	483	0.06	486	100.0
Maryland	48,936	2.20	31,860	65.1
Massachusetts	10,060	0.36	2,319	23.1
Michigan	5,610	0.18	3,227	57.5
Minnesota	n/a	n/a	n/a	n/a
Mississippi	n/a	n/a	n/a	n/a
Missouri	8,813	n/a	3,292	40.2
Montana	623	0.16	378	51.2
Nebraska	17,421	2.59	13,788	79.1
Nevada	6,153	1.58	2,446	39.8
New Hampshire	n/a	n/a	n/a	n/a
New Jersey	64,226	1.88	35,493	55.3
New Mexico	6,410	3.59	2,914	44.5
New York	243,450		98,003	40.3
North Carolina	77,469	3.21	50,370	65.0
North Dakota*	n/a	n/a	n/a	n/a
Ohio	157,714	3.16	123,716	78.4
Oklahoma	2,615	0.20	201	7.7
Oregon	8,298	0.52	7,077	85.3
Pennsylvania	n/a	n/a	n/a	n/a
Rhode Island	2,147	0.51	984	45.8
South Carolina	4,930	n/a	3,207	65.1
South Dakota	533	n/a	66	12.4
Tennessee	8,778	0.68	3,298	37.6
Texas	35,282	0.97	7,141	20.2
Utah	26,389	0.45	18,575	70.4
Vermont	121	0.05	30	24.8
Virginia	4,609	0.15	728	15.6
Washington	93,781	11.29	74,100	79.0
West Virginia	14,658	1.98	8,496	58.2
Wisconsin	374	n/a	119	53.1
Wyoming	95	0.05	24	25.3
American Samoa	n/a	n/a	n/a	n/a
Guam	n/a	n/a	n/a	n/a
Puerto Rico	21,440	1.10	15,525	58.4
Virgin Islands	254	0.84	197	77.6
TOTAL	1,901,591	2.56	1,225,915	64.5

*North Dakota has no voter registration and is exempt from offering provisional ballots in federal elections. Idaho, Minnesota, and New Hampshire have Election Day registration and are also exempt.

How the Votes Were Cast: Voting Equipment and Machines

When the 2000 presidential election gave “hanging chads” national prominence, it brought new attention to the wide variety of voting systems used, not only across the country but also within states. The survey asked a series of questions about voting systems and equipment, including the types of voting systems used, number of units, who manufactured the equipment, and whether they were previously used. But only data about voting equipment type was complete enough to draw broad conclusions.

Table: 5

Voting Equipment Used

<i>Type of Voting Equipment</i>	<i>Percentage of Jurisdictions Using Equipment</i>	<i>Percentage of Registered Voters Using Equipment</i>
Optical scan	38.7	39.0
Electronic systems	9.3	22.6
Lever machine	6	12.2
Punch card	4	8.9
Paper	26.4	1.7
Mixed	1.9	7.3
Unknown	13.8	8.2

A majority of urban jurisdictions (58 percent) used optical scan voting systems as did most of the suburban and small town communities. Most of the rural jurisdictions used paper ballots, closely followed by optical scan systems. The larger the jurisdiction the more likely it was to use electronic voting equipment. Paper ballots were mainly concentrated in the smaller jurisdictions. Generally, as a jurisdiction grew it moved to optical scan systems.

Voting Equipment Definition

Optical Scan — A system of recording vote by marks in voting response fields on ballot cards.

Electronic Systems — Are direct recording electronic devices utilizing touch screens, push buttons, or select wheels.

Lever Machine — A system that records votes by mechanical lever-actuated controls into a counting mechanism that tallies the votes without a physical ballot.

Punch Card — A system where votes are recorded by punches in voting response fields on a ballot card.

Paper Ballot — A system of recording votes on paper ballots that are counted and tabulated manually.

Number of Machines

Only 20 states provided information about the number of actual voting machines that were in use. And only nine states provided complete information on ballot tabulation methods. Consequently, information on machines and counting is very limited.

From our limited data, we calculate that jurisdictions that used electronic systems averaged three devices per precinct and slightly more than five devices per polling place. The highest ratio of machines per location occurred in Maryland, where between nine and ten devices were used.

Where the Votes Were Counted

The vast majority of jurisdictions that used punch cards had a central-count tallying process (91 percent), while 61 percent of optical scan jurisdictions used a precinct-based tallying process.

While the survey hoped to reveal important information about voting equipment malfunctions, it only includes information about it from 485 of 6,567 jurisdictions. Twenty-one states did not respond to questions about malfunctions or said the information wasn't available, two states said there were no malfunctions, and 10 states reported only one to six malfunctions statewide.



Poll Workers and Polling Places

For the voting and election process to run smoothly, local election jurisdictions need a sufficient number of poll workers. The survey analysis focused on the average number of poll workers per precinct and polling place, and the percentage of precincts and polling places that reported an insufficient number of poll workers.

It should be noted that states vary in their definitions of what constitutes a poll worker, polling place, or precinct. The questionnaire defined poll workers as persons who verified the identity of a voter, assisted the voter with signing the register, affidavits or other documents required to cast a ballot, assisted the voter by providing the voter with a ballot or setting up the voting machine for the voter, or served other functions dictated by state law on Nov. 2, 2004. However, some states require poll workers to be at the polling place all day while others work in shifts, and thus the number of poll workers across states is not necessarily comparable.

In general, precincts are defined as an administrative division of a county or municipality to which voters have been assigned by their residing address for voting. Polling places are facilities staffed by workers and equipped with voting equipment at which persons cast ballots in person on Election Day.

It should also be noted that the need for staffing polling places on Election Day can vary. For example, because Oregon conducts elections by mail, it has just one polling place in each county's administrative offices.

Poll Workers

Average number of poll workers per precinct	5.7
Average number of poll workers per polling place	7.9
The percent of polling places reporting an insufficient number of poll workers	5.8

Poll Worker Finding

Jurisdictions reported an average of 7.9 poll workers per polling place and 5.7 poll workers per precinct. There were 844,018 poll workers at polling places on Election Day at reporting jurisdictions, which constituted almost 1 poll worker for every 200 citizens of voting age.

Jurisdictions with Inadequate Staffing

States reported that 5,252 polling places or precincts were inadequately staffed, or 4.0 percent of precincts and 5.8 percent of polling places. Staffing problems appeared to be especially acute for jurisdictions in the lowest income and education categories. Small, rural jurisdictions and large, urban jurisdictions tended to report higher rates of inadequate poll workers within polling places or precincts.

Other areas that had relatively high rates of polling places with inadequate poll workers were:

- Predominantly non-Hispanic Black jurisdictions (16.9 percent);
- Non-Hispanic Native American jurisdictions (6.3 percent); and
- Jurisdictions that are required to obtain preclearance before implementing a change in a voting standard, practice, or procedure under Section 5 of the Voting Rights Act.

Higher numbers of poll workers were found in jurisdictions with higher levels of income and education. These jurisdictions also report lower rates of staffing problems per precinct.

Jurisdictions in the lowest income category also had a high percentage of polling places and precincts with an inadequate number of poll workers.

Highly Contested States

Jurisdictions within highly contested states reported a slightly higher average number of poll workers per polling place, 7.6 versus 7.3, than other jurisdictions. Highly contested jurisdictions had a slightly lower average of poll workers per precinct than other jurisdictions, 4.9 versus 5.7. Jurisdictions within highly contested states reported 2.6 percent of polling places had an inadequate number of poll workers compared to 7.4 percent of polling places in non-highly contested states.

Jurisdictions in highly contested states also reported 1.6 percent of precincts with an inadequate number of poll workers, compared to 5.5 percent of non-highly contested states.

Workers and Voting Equipment

Jurisdictions that use punch cards reported 10.6 percent of polling places had an inadequate number of poll workers, compared to 6.8 percent for jurisdictions using electronic systems and about 1.8 percent for those using paper ballots.

Jurisdictions within highly contested states reported a slightly higher average number of poll workers per polling place, 7.6 versus 7.3, than other jurisdictions...

Access to Voting for the Disabled

Over the last four decades, a series of laws and regulations have been passed to remove barriers that make registering and voting difficult or impossible for persons with disabilities. Starting with the Voting Rights Act of 1965, subsequent laws have included the Voting Accessibility for the Elderly and Handicapped Act of 1985, the Americans with Disabilities Act of 1990, and the National Voter Registration Act of 1993.

HAVA mandated additional requirements, including providing accessibility for the blind and visually impaired and ensuring that they have the opportunity to vote privately and independently, basic rights enjoyed by other citizens. HAVA also provided financial assistance to states to replace types of voting systems that are often not accessible to disabled voters.

The survey asked how many polling places provided access to wheelchairs, allowed a visually impaired voter to cast a private ballot, and provided a physically disabled voter with an accessible voting system.

More than half the states did not respond to these questions, and some that provided data may have misinterpreted some of the questions. Only 26 out of the 55 states and territories provided information about disability issues. And some states reported data only for precincts or for polling places and not for both. Consequently, our data cannot tell the complete story of how the nation is doing in complying with laws and providing equal access.

The Partial Picture

The available data, from only half of the nation's jurisdictions, gives us a partial picture. According to the states reporting, 94.0 percent of the polling places and 70.9 percent of the precincts were wheelchair accessible. It should be noted that HAVA provided states a waiver until the first federal election of 2006 to implement the law's accessibility requirements.

Other key findings from the data are:

- Suburban locations reported the highest percentage of wheelchair-accessible polling places (98.4 percent).
- Larger jurisdictions had much higher levels of accessibility than smaller jurisdictions.
- Jurisdictions that are covered by the language minority provisions of the Voting Rights Act had a much higher rate of accessibility than jurisdictions that were not covered.
- Jurisdictions that changed their voting equipment in the past four years reported a higher rate of accessibility than jurisdictions that have not changed equipment.

Help America Vote Act (2002) Providing Assistance to Citizens Who Are Disabled

- Requires accessibility for individuals with disabilities, including the blind and visually impaired;
- Provides funds to states to replace punch card and mechanical lever voting machines, which generally are not accessible to disabled voters;
- Requires jurisdictions to provide at least one direct recording electronic device (DRE) voting system or other voting system equipped for individuals with disabilities at each polling place; and
- Provides funding to make polling places accessible to individuals with disabilities by providing the opportunity to vote privately and independently.

Appendix

Summarized below are the coverage rates and the numbers of jurisdictions that responded to the major individual survey questions. Response rates for all questions are available along with additional information at www.eac.gov.

<i>Number of Responses to Survey Question</i>	<i>(Jurisdictions)</i>	<i>Coverage Rate</i>	<i>(Percent)</i>
Active registration	4,878		74.3
Inactive registration	3,049		46.4
Ballots counted	6,487		98.8
Ballots cast on Election Day	3,849		58.6
Absentee ballots requested	4,735		72.1
Absentee ballots returned	4,828		73.5
Absentee ballots counted	4,902		74.6
Absentee ballots not counted	1,741		26.5
Early ballots counted	1,306		71.8
Provisional ballots cast	3,010		45.8
Provisional ballots counted	2,483		37.8
Votes cast for President	6,289		95.8
Presidential undervotes	4,427		67.0
Presidential overvotes	1,243		18.9
Votes cast for U.S. Senator	4,377		96.7
Senate undervotes	3,537		78.1
Senate overvotes	784		17.3
Votes cast for U.S. Representative	6,031		93.4
Congressional undervotes	4,493		69.6
Congressional overvotes	988		15.0
Type of voting equipment	n/a*		n/a*
Voting equipment malfunctions	n/a*		n/a*
Number of poll workers	4,639		70.6
Required number of poll workers per precinct	1,983		30.2
Precincts with fewer poll workers than required	2,289		34.9
Number of precincts	5,395		82.1
Number of polling places	5,180		78.9
Wheelchair-accessible polling places	3,569		54.3
Polling places where visually impaired cast private ballots	537		8.2
Polling places with accessible voting systems	1,206		18.4

Note: Coverage rates could not be calculated for questions on voting equipment because many jurisdictions provided data for more than one type of voting equipment.

Notes:

U.S. Election Assistance Commission

The U.S. Election Assistance Commission (EAC) is an independent, bipartisan agency established by the Help America Vote Act of 2002 (HAVA). The Commission is comprised of four members appointed by the President and confirmed by the United States Senate. Commissioners are *Gracia Hillman, Chair, Paul DeGregorio, Vice-Chairman, Ray Martinez III, and Donetta Davidson.*

The primary duties of the Commission are to serve as a national clearinghouse and resource of information regarding election administration, disburse payments to states for replacement of voting systems and election administration improvements, and adopt voluntary voting system guidelines.

Additional duties of the Commission include:

- Researching and reporting on matters that affect the administration of federal elections,
- Providing information and guidance with respect to laws, procedures, and technologies affecting the administration of federal elections,
- Managing funds targeted to certain programs designed to encourage youth participation in elections, and
- Developing a national program for the testing, certification, and decertification of voting systems.

The Commission is required to regularly disseminate information on these activities to the public, as well as submit an annual report and other periodic documents to Congress.

For additional information on the U.S. Election Assistance Commission and the Help America Vote Act of 2002, please visit www.eac.gov.



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