

Pulaski County Voter Database Oversight  
Task Force  
Final Report  
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The Pulaski County Voter Database Oversight Task Force was formed on March 9, 2005. Formation of the Task Force was one of the components of Pat O'Brien's campaign for Circuit/County Clerk and was announced in January, 2004. The Task Force was also part of the elected County Clerk's Strategic Voter Registration Plan (issued on June 28, 2005). The bi-partisan, twelve-member Task Force is diverse in its age, gender and ethnic backgrounds as well as residing in various locales throughout the county. Membership in this sagacious group was voluntary and was assembled by Circuit/County Clerk Pat O'Brien.

The Task Force defined its mission with the following statement which would guide its tenure:

*The Voter Database Oversight Task Force will work as a team to generate solutions to the problems that have plagued voting in Pulaski County for a decade. This diverse group of citizens will examine all aspects of voting and provide feedback to the Pulaski Circuit/County Clerk's office. The Task Force will make itself available to communicate with community groups and work with the public on voter education. The Task Force will ensure that the Clerk's office is maintaining high standards of professionalism in fixing the voting issues in our county.*

Members of the committee are: Elise Argue, Arturo Bastidas, Sue Brummett, Jennifer Maune, Hattie Daniels, Kevin Dedner (co-chair), Bill Elia, Michelle Elliott (co-chair), Terri Hollingsworth, Leon Johnson, David Martinous and Billie Massey.

The Task Force's first meeting was held March 9, 2005. Meetings were held regularly thereafter through the end of 2006 and following the 2006 Arkansas Gubernatorial and Congressional election.

The Task Force sought to develop a deep understanding of the processes as they relate to voting in Pulaski County. To that end, we first requested a tutorial on the roll of the County Clerk and the roll of the Election Commission in the voting processes. From meeting with Election Commission staff as well as the County Clerk, it was apparent that a spirit of cooperation exists between the two areas.

The primary duties of the elected County Clerk are as follows:

- Voter registration including:
  1. receipt and processing of voter registration applications
  2. preparation and mailing of Voter ID cards
  3. maintenance of permanent voter records
  4. preparation of the Precinct Voter Registration Lists for the polls
  5. mailing of notification to voters when voting locations change (prior to major elections)

Receipt of candidate filings for local elections

- Verification of municipal or local candidate petitions
- Mailing of absentee ballots
- Receipt of absentee ballots
- Oversight of early voting at the court house
- Publication of notice of early voting dates
- Provide area specific voter registration lists to the Election Commission to distribute to polling locations

The primary duties of the appointed three-member Election Commission are as follows:

- Establishment of precinct boundaries
- Selection of polling locations
- Recruitment and training of poll workers
- Conducting the elections including:
  1. publication of notice of election (with polling places listed)
  2. appointment of poll workers
  3. certification of candidates to the ballot
  4. prepares, proofs and orders printing of ballots
  5. delivers absentee ballots to the Clerk and later receives cast absentee ballots back from Clerk for canvas and tabulation
  6. prepares and tests voting equipment
  7. tabulation of all ballots and storage of voted ballots
  8. certification of elections
  9. conduct recounts as necessary
  10. supply polling locations with all necessary supplies to run an election
- Maintaining and storing voting equipment

The Task Force also sought to understand the processes for registering to vote, obtaining an absentee ballot and removing a voter from the rolls among other issues.

As of April 4, 2005, Pulaski County's Voter Registration system showed 261,378 eligible voters. Of these, 197,129 were "active" and 64,249 were "inactive". At that time, the rate of registered voters was an impossible 97%.

The distinction between "active" and "inactive" voter is a very important one. Active voters are those who still reside in Pulaski County and should be legally qualified to vote here. Inactive voters are those who do not have current addresses on file with the Clerk's office and correspondence to them has been returned. The different reasons for returned correspondence could be voter relocation or death. However, under current law, an "inactive" voter is still an eligible voter. A voter can also be classified as "inactive" if they fail to vote in two consecutive federal elections. "Inactive" voters are in the pipeline for removal from the voter rolls. They cannot be fully removed until all requirements of Amendment 51 and the Help America Vote Act (HAVA) have been satisfied.

To determine a base-line assessment of the accuracy of the Voter Registration database, the Circuit/County Clerk's office conducted a phone survey in March, 2005. This survey showed that the voter records of active voters were approximately 88% accurate from a demographic standpoint. Mapping of voters to the correct precinct, judicial district, etc. was not tested at this point. The Circuit/County Clerk set as a goal of 99% accuracy rate to be achieved by December 31, 2005. To meet this goal, a multi-faceted approach to data gathering was taken. Prongs of this approach included: a broad-based mailing to inactive voters, change of address cards in the local United State Postal branches, implementation of the HAVA required centralized voter records, creation of an online tool for voters to access their voting information and public meetings with the Task Force in various locations around the county.

The Clerk's Office has operated under a federal consent decree that was established on April 1, 2004. This decree had many mandates aimed at improving the accuracy of the county's voter registration records. One of those requirements was to send a mail out to inactive voters by April 30, 2005. This mail out was completed in compliance with the federal consent decree and was positively received by the community. The feedback was used to make improvements in the accuracy of the voter rolls.

Since Pulaski County was under the federal consent decree, the United States Postal Service (USPS) allowed the Clerk's office to place voter address change forms in their Pulaski County locations for a time period of six months. These forms are not normally allowed in the USPS but the information received back from voters on these forms was helpful in the improvement of the accuracy of information in the voter rolls.

The committee received a number of guest speakers. One of these, a representative of the Secretary of State's office, educated the committee on the Help America Vote Act (HAVA) and the many ways in which it would impact local elections and voter records. HAVA required a centralized voter list to be maintained at the state level. Previously, all 75 counties in Arkansas maintained their own lists. No notification system previously existed to alert a county when an individual subsequently also registered to vote in a different county within Arkansas. Therefore, an individual could be included as an active voter in the voter rolls of multiple counties within Arkansas. The new high-speed internet based system allowed the counties to "talk" to each other in essence and put in place a mechanism to more quickly catch those individuals that moved between counties that might otherwise have remained as an active voter on both counties' voter rolls.

The Circuit Clerk's office launched its website in July, 2005. The web address is [www.pulaskiclerk.com](http://www.pulaskiclerk.com). This website allows a voter to access their voter record and check it for accuracy of demographic information. The voter can also see where their polling location is and who their local elected officials are. By accessing their information online, voters can determine which polling location is the correct one for them to visit on Election Day. On October 18, 2006, the website was enhanced to allow the voter to link to their ballot style for the upcoming election. This allows the voter to be better informed prior to appearing at the polling site and could decrease the time needed to cast a ballot. There is also an automated phone system for voters to check to see if they are registered in Pulaski County: 340-VOTE.

The Task Force and the Circuit Clerk held seven open forums at locations around Pulaski County. The forums were held between September 27, 2005 and November 8, 2005. The forums were widely advertised. Attendees at these forums were able to view an educational PowerPoint presentation, hear comments from Task Force members, participate in a question and answer session and offer public comment. The goal of these public meetings was to ensure that the citizens of Pulaski County had the opportunity to

hear what progress was being made in addressing the past deficiencies in the voter rolls and offer their ideas and comments on any concerns regarding their voting records. Attendance at the meetings was modest but the Task Force still felt that the original goal – giving the public a forum to be heard in their own back yard – had been served.

The first substantive test of the accuracy of the database was the December 13, 2005 bond election. Approximately 18,000 votes were cast in this election county-wide. Overall, problems were limited with the largest issue being voters appearing at polls where they were not on the poll-book. Voters were instructed to go to the correct polling location based on a check of their registration or were allowed to vote provisional ballots. A provisional ballot is set aside in a special envelope until the election commission determines whether the ballot should indeed be counted. A summary Problem Resolution Report was reviewed by the Task Force and questions and suggestions for improvement in the processes were offered. The Clerk's office and the Election Commission use the Problem Resolution Report to pinpoint patterns in problems or areas of voter concern and to address and improve these areas for future elections.

The next test of accuracy of the voter registration rolls was a complete mail out of voter registration cards. This mail out occurred in January 2006. All active and inactive voters were mailed current registration cards. This resulted in approximately 21,000 cards being returned to the Clerk's office for incorrect addresses. An additional 2,500 came back with forwarding address noted. This resulted in approximately 19,000 individuals being placed on "inactive" status in the voter rolls. These individuals will be subject to removal if they do not vote in the required number of federal elections.

As of April 10, 2006, the voter rolls reflected about 178,000 active voters and 82,000 inactive. Of the 82,000 "inactive" voters, 20,000 were immediately identified as being ready for cancellation. On December 22, 2006, 20,249 inactive voters who met the proper standards for removal were removed. In January 2007, 13,679 more "inactive" voters were removed. It is important to note that these voters may complete a new registration at any point in the future that they wish to become an active voter in Pulaski County assuming they meet the legal requirements to do so.

The May 23, 2006 Preferential Primary election tested the completion of several major initiatives of both the Clerk's office and the Election Commission. That election was the

first to use new voting machines, test the new voter registration system implemented by the Clerk's office and showcase trained internal Clerk's office workers rather than temporary workers to answer Election Day questions. In the 2006 May Preferential Primary Election, 16% of registered voters (active and inactive) voted in Pulaski County. While there were complaints regarding the new voting machines which were addressed by the Election Commission, the election was a smooth one from the Clerk's office purview.

For the November 7, 2006 General Election, the Clerk's office had approximately 50 trained individuals prepared to answer questions. The major reason for voter and poll worker questions was voter change of address and uncertainty of polling location. Voter turnout in this general election was 109,040 which represented 42% of registered (active and inactive) voters at the time. A key indicator of success of this election from a voter database accuracy standpoint is the rate of provisional ballots cast. 1,400 provisional ballots were cast in the 2004 general election but only 210 provisional ballots were cast in the general election of 2006.

As of February 12, 2007, there were 186,355 active voters on the Pulaski County voter rolls. There were 37,981 inactive voters. This represents a voter rate of 83% down from 97% on April 4, 2005. The 83% rate was calculated by taking the number of 224,336 legal voters (actives and inactives) and dividing it by 270,000 which is roughly the number of the Voting Age Population in Pulaski County. While it is still believed that there is more cleaning up of the voting rolls to be completed, the situation is far better than in 2004.

We spot checked the mapping of certain addresses to their respective House, Senate and Justice of the Peace districts. We found errors on only one street examined. Mapping had been a particular concern for certain Task Force members based on prior experiences with inaccurate voter precinct assignment. We deem mapping in the database to be substantially correct. Importantly, the accuracy rate of demographic information on active voters is believed to be 92% based upon the last registration card mailing.

In conclusion, the Voter Database Oversight Task Force has successfully achieved our goals as outlined in our Mission Statement. It is our hope that the Clerk's office will soon be released from the federal consent decree as we believe they are in substantial compliance. We are hopeful that the accuracy of the voter rolls will continue to improve

through continued vigilance by the Clerk's staff and increased information sharing with the Department of Finance and Administration. We appreciate the attitude of openness that the Clerk has fostered in his duties to accurately maintain the public's records. We acknowledge and applaud the extensive work of the Clerk's staff in the areas of record management, removal of deceased individuals, felons and others not eligible to vote from the voter rolls and untold hours spent in the minutia of ensuring that all voters are mapped to the proper local districts. We believe that, if current processes are kept in place and continue to be internally assessed and strengthened, the voters of Pulaski County can once again feel confident that their voter registration records have a high level of accuracy and are maintained with integrity.