

# AlterNet

VOTER GUIDES



## Progressive Voter Guide to Democracy and Elections



## **Voter Guide to Democracy and Elections**

American democracy is both vibrant and deeply imperiled in 2008. As millions of Americans pay attention to the presidential campaign, with thousands volunteering in battleground states, there is no doubt Americans are concerned and engaged. However, the foundation of our representative democracy, the voting process and public trust in elections, is threatened in unprecedented ways. America's democratic infrastructure -- the way we vote and count those ballots -- has deep systematic problems. The country could be on the verge of the third consecutive presidential election in which a mix of bad election administration, unreliable vote-counting technology and deliberate partisan tactics will sully the vote count and the legitimacy of the next president.

The progressive focus on democracy issues has evolved to reflect these concerns. A decade ago, campaign finance reform was the priority. At that time, Sen. John McCain was known for shepherding the Bipartisan Campaign Reform Act through Congress. That bill sought to dilute the impact of wealthy people and interests by further regulating political donations. Progressives supported the bill and were enthusiastic about state-level public financing campaign reforms. Before Sen. Barack Obama was elected to federal office, he supported public financing as a candidate and as a law professor.

But during the 2008 campaign, both candidates have made generally vague statements about protecting the right to vote. And McCain and Obama each have flip-flopped on previous stances to suit their presidential campaign strategies, with Obama rejecting public financing and McCain turning to notable numbers of lobbyists to staff his campaign.

So which candidate comes closest to addressing the pressing issues associated with recent national elections? AlterNet reviewed Obama and McCain's voting records and recent statements to see how the two compare on everything from election management to voter suppression.

## 1. VOTER REGISTRATION

Tens of millions of Americans do not vote, in some cases because they have to jump through bureaucratic hurdles to qualify and register as voters. Some of those hurdles are designed by Republicans to keep certain sectors of the public from voting because higher voter turnout would threaten their majorities. When Republicans cite “voter fraud” as a concern, they usually are seeking to make voting more arduous than necessary to deter voter turnout. Across the country there is a range of registration laws, with every state except North Dakota requiring voters to register. A few states have Election Day registration, meaning residents can register and vote on Election Day. In the other states, registration can be a simple or more complex process, with deadlines and ID requirements. The more complicated the process, the greater the likelihood that people will not vote.

**Solution:** Election Day registration (or same-day registration for early voting) is the best solution, in tandem with early voting opportunities (where eligible voters can register and then vote). The best way to combat exaggerated partisan claims about voter registration fraud, or the same person voting more than once, is public education. Voters need to ensure their registration is current, bring the correct ID to the polls, and have confidence they will be able to vote, even if the GOP threatens to challenge their credentials at polling places, as some Republicans are now doing.

**Obama’s position:** Obama supports Election Day registration. His campaign recently sued the Republican Party in Michigan over threats by local party officials that the GOP would be challenging the voter registrations of people who lost their homes to foreclosures.

**McCain’s position:** McCain supports making voter registration easier. His campaign has not taken a position on Election Day registration, although he told WhyTuesday.org that he does not favor making Election Day a holiday. The Republican National Committee and state party operations have said Democratic “voter fraud” is an issue needing policing.

**Learn more:** ProjectVote.org<sup>1</sup>, TruthAboutFraud.org<sup>2</sup>, BrennanCenter.org<sup>3</sup>, AdvancementProject.org<sup>4</sup>, CampaignLegalCenter.org<sup>5</sup>, Demos.org<sup>6</sup>

## 2. VOTER SUPPRESSION AND BARRIERS TO VOTING

For decades, partisans have used the voter registration process and ballot access rules to try to shape the electorate to their advantage. In general, the more complex the voting process, the greater the chance of deterring eligible citizens from voting. Perhaps the most controversial example of this concerns Election Day voter challenges, in which some states allow political parties to station volunteers

1 <http://projectvote.org/>

2 <http://truthaboutfraud.org/>

3 <http://www.brennancenter.org/>

4 <http://advancementproject.org/>

5 <http://campaignlegalcenter.org/>

6 <http://demos.org/home.cfm>

at polling places to challenge individual voters' registrations. In those cases, the challenged voters -- who tend to be first-time voters such students, poor people and people of color -- must document that their registration information matches their current address to vote.

**Solution:** Voters who verify that their registration information is current before Election Day and bring the correct ID to vote will be allowed to vote, as long as they are in line before the close of polling places. State laws or rules banning the voter challenge process, such as Ohio's recently instituted rules, created by a 2008 secretary of state directive, are also a preferred solution.

**Obama's position:** Obama co-sponsored S. 804, the Count Every Vote Act, which amends federal law with new requirements for verified voting and vote count audits, provisional ballot use and counting, allocation of voting machines and Election Day resources, and new standards for purging voters, early voting and deceptive election practices.

**McCain's position:** McCain has taken no known position, but his Florida campaign recently has sent mailers that could be used to create challenge lists, and a GOP county chair in Michigan also spoke of creating challenge lists from voters who recently lost their homes due to foreclosure.

**Learn more:** [VotersUnite.org/news.asp](http://VotersUnite.org/news.asp)<sup>7</sup>, [BrennanCenter.org](http://BrennanCenter.org)<sup>8</sup>, [ProjectVote.org](http://ProjectVote.org)<sup>9</sup>, [CampaignLegalCenter.org](http://CampaignLegalCenter.org)<sup>10</sup>, [CommonCause.org](http://CommonCause.org)<sup>11</sup>

### 3. VERIFIABLE VOTE COUNTS

In Florida in 2000 and in Ohio in 2004, the presidential vote count was rife with questions about fairness and accuracy. After Florida, many states and counties replaced older voting methods with paperless electronic voting systems. However, these voting systems have been troubling because electronic votes can be lost, and without a paper audit trail that shows voter intent, these machines cannot be checked for accuracy. Also, the proprietary nature of the software in these systems, coupled with known security risks (such as political insiders altering the count), compounds their problems. In 2008, 30 percent of Americans will vote on paperless machines with no audit trail. Many counties in swing states such as Nevada, Pennsylvania, Ohio and Indiana are examples.

**Solution:** Like other modern Western democratic countries such as Canada, the United States needs to return to paper-based voting systems. Using paper ballots that are marked by the voter and counted with computer scanners in tandem with transparent and random vote count audits is the only way to guard against software glitches and vote count fraud.

7 <http://votersunite.org/news.asp>

8 <http://www.brennancenter.org/>

9 <http://projectvote.org/>

10 <http://campaignlegalcenter.org/>

11 <http://www.commoncause.org/site/pp.asp?c=dkLNK1MQIwGb=186966>



**Obama's position:** Obama co-sponsored S. 804, the Count Every Vote Act, which amends federal law with new requirements for verified voting and vote count audits, among its many provisions.

**McCain's position:** McCain has taken no known position on the issue.

**Learn more:** [VotersUnite.org/news.asp](http://VotersUnite.org/news.asp)<sup>12</sup>, [BlackBoxVoting.org](http://BlackBoxVoting.org)<sup>13</sup>, [Verifiedvoting.org](http://Verifiedvoting.org)<sup>14</sup>, [Bradblog.com](http://Bradblog.com)<sup>15</sup>, [ElectionDefenseAlliance.org](http://ElectionDefenseAlliance.org)<sup>16</sup>

## 4. POOR ELECTION MANAGEMENT

Bad planning or administration of elections by public officials can cause numerous problems for voters. A confusing ballot design, shortage of ballots, inequitable allocation of voting machines, too few or flustered poll workers, and long lines at polling places were problems in many states during the 2008 primary season that resulted from poor management. Problems in this area disenfranchise voters and undermine public confidence.

**Solution:** Election officials need to have adequate budgets for equipment and training, including poll workers. They need to review forecasts of voter turnout for allocating voting machines and assigning Election Day staff, and they need to cultivate a collaborative relationship with voting activists who can assist when problems arise. The best solution to a national shortage of poll workers and training in elections that increasingly are computerized is to encourage high school and college students to become poll watchers, with school credit offered for the training and participation.

**Obama's position:** Obama co-sponsored S. 804, the Count Every Vote Act.

**McCain's position:** McCain voted for the Help America Vote Act of 2002, which gave states several billion dollars to buy paperless electronic machines. The machines have been discovered to have accuracy and security issues, and they complicate training of poll workers and thwart recounts.

**Learn more:** [BrennanCenter.org](http://BrennanCenter.org)<sup>17</sup>, [CommonCause.org](http://CommonCause.org)<sup>18</sup>, [ElectionLine.org](http://ElectionLine.org)<sup>19</sup>

## 5. PUBLIC ACCESS TO ELECTRONIC ELECTION RECORDS

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12 <http://votersunite.org/news.asp>

13 <http://blackboxvoting.org/>

14 <http://verifiedvoting.org/>

15 <http://www.bradblog.com/>

16 <http://electiondefensealliance.org/>

17 <http://www.brennancenter.org/>

18 <http://www.commoncause.org/site/pp.asp?c=dkLNK1MQIwG&b=186966>

19 [http://www.pewcenteronthestates.org/initiatives\\_detail.aspx?initiativeID=34044](http://www.pewcenteronthestates.org/initiatives_detail.aspx?initiativeID=34044)



As the country uses a mix of paperless and paper-based voting systems, public records laws do not adequately provide access to electronic election records, especially after the election and before vote totals are certified. The audit process, which checks the accuracy of vote counts, cannot occur without access to these records

**Solution:** Activists in Pima County, Arizona, went to court and won access to electronic vote count databases. Public officials need to encourage access, not fight with activists. The media need to advocate for updating state and federal open records laws to include electronic information. Claims of proprietary software (made by firms that receive data management contracts from states) need to be regarded as unacceptable obstructions of the public's right to know.

**Obama's position:** Obama has taken no known position on the issue.

**McCain's position:** McCain has taken no known position on the issue.

**Learn more:** [AuditAZ.org](http://AuditAZ.org)<sup>20</sup>, [VoterAction.org](http://VoterAction.org)<sup>21</sup>, [VoteTrustUSA.org](http://VoteTrustUSA.org)<sup>22</sup>

## 6. NONPARTISAN OVERSIGHT OF ELECTIONS

Too many top state election officials and their local counterparts are involved in partisan political campaigns while running the machinery of voting and issuing rules that affect ballot access, poll staffing and vote counts. This conflict of interest undermines public trust and creates the potential for tilting the process to one party's advantage.

**Solution:** State election officials should be pressured by the media and voting rights activists to pledge not to co-chair any candidate's campaign while overseeing elections.

**Obama's position:** Obama has taken no known position on the issue, but he speaks of political ethics reforms to eliminate conflicts of interest in governing.

**McCain's position:** McCain has taken no known position on the issue, but he speaks of political ethics reforms to eliminate conflicts of interest in governing.

**Learn more:** [VotersUnite.org/news.asp](http://VotersUnite.org/news.asp)<sup>23</sup>, [BradBlog.com](http://BradBlog.com)<sup>24</sup>

## 7. PRIVATIZATION OF ELECTIONS

The voting process is becoming more and more secretive and removed from the public. The machinery of elections, from updating voter rolls to maintaining the voting machines to Web site hosting of

20 <http://auditaz.org/>

21 <http://voteraction.org/>

22 <http://votetrustusa.org/>

23 <http://votersunite.org/news.asp>

24 <http://bradblog.com/>

the returns on Election Night, increasingly is being outsourced to the private sector instead of remaining in public-sector hands. Not only are private-sector firms prone to making errors with public data, such as listing people on voter rolls, but there is no transparency of their handing of this fundamental democratic function, the vote.

**Solution:** State and county governments should pay for the management and maintenance of election systems and records by public sector employees. This would include using open-source software for voting machines, hosting election databases on government or university servers, and posting results on Web sites maintained by the public sector and subject to open records laws.

**Obama's position:** Obama has taken no known position on the issue.

**McCain's position:** McCain has taken no known position on this issue.

**Learn more:** [VoterAction.org](http://VoterAction.org)<sup>25</sup>, [ElectionDefenseAlliance.org](http://ElectionDefenseAlliance.org)<sup>26</sup>, [VotersUnite.org/news.asp](http://VotersUnite.org/news.asp)<sup>27</sup>

## 8. PUBLIC TRUST IN ELECTIONS

The public has become increasingly skeptical about the accuracy of elections since Florida's botched presidential election in 2000 and the remedies implemented since then, namely replacing older voting machines with paperless technology. Unless the public can trust and accept the results of the vote count process, the government will be plagued by questions of legitimacy and will not have the public's support in national crises.

**Solution:** Election officials must err on the side of accommodating public concerns, whether the issue is registering as many new voters as possible or opening up the voter count process. The media must be educated into a new paradigm of advocating for accurate results rather than being the fastest with the "winners" on Election Night.

**Obama's position:** Obama co-sponsored S. 804, the Count Every Vote Act, which would improve vote count audits. He told [WhyTuesday.org](http://WhyTuesday.org) that restraining the impact of special interests and lobbyists is key to restoring public trust. His presidential campaign is not accepting donations from political action committees or lobbyists, but it is taking funds from numerous political insiders. Obama also broke with past pledges by rejecting presidential public financing, which prompted criticism from progressives and others concerned about political reform.

**McCain's position:** McCain shepherded the Bipartisan Campaign Reform Act of 2002, which limited some campaign donations in federal campaigns. He told [WhyTuesday.org](http://WhyTuesday.org) that "negative campaigns" turn off voters the most; however, many political observers have said for several weeks that McCain's campaign has brought political attacks and false claims to a

25 <http://voteraction.org/>

26 <http://electiondefensealliance.org/>

27 <http://votersunite.org/news.asp>

new low. McCain's campaign staff also has many lobbyists, despite his oft-repeated claims that he will clean up Washington politics. He has not taken positions on the most recent election integrity concerns like e-voting.

**Learn more:** [VotersUnite.org/news.asp](http://VotersUnite.org/news.asp)<sup>28</sup>, [ElectionLawBlog.org](http://ElectionLawBlog.org)<sup>29</sup>, [PubliCampaign.org](http://PubliCampaign.org)<sup>30</sup>, [OpenSecrets.org](http://OpenSecrets.org)<sup>31</sup>

## 9. NATIONAL STANDARDS FOR ELECTIONS AND VOTING

The lack of uniform, national standards -- from the constitutional right to vote by individuals, to voter registration requirements, to election machinery, to vote count and audit standards -- means that the country is divided into thousands of separate and unequal election jurisdictions.

**Solution:** Federal legislation, while very difficult to achieve, is the only solution short of adopting a constitutional amendment guaranteeing the individual right to vote.

**Obama's position:** Obama co-sponsored S. 804, the Count Every Vote Act.

**McCain's position:** McCain has taken no known position on the issue.

**Learn more:** [VotersUnite.org/news.asp](http://VotersUnite.org/news.asp)<sup>32</sup>, [ElectionLine.org](http://ElectionLine.org)<sup>33</sup>, [CommonCause.org](http://CommonCause.org)<sup>34</sup>

## 10. PRIVATE MONEY IN POLITICS

Money will always influence candidates, the election process, lobbying and governing. The challenge is creating a balance between the interests of the few and the interests of the many.

**Solution:** Public financing of candidates is the best solution to open up the range of candidates in lower-cost races. In more expensive contests, the solution lies with pressuring the mass media to offer free airtime to a range of candidates, by allowing local affiliates to preempt some national political programming. These solutions are designed to raise the floor for access into the political process rather than to try to change the entire system.

**Obama's position:** Obama supported public financing campaign reform before 2008 and in the primary season, but he opted out of the presidential public financing option for the 2008 general election.

**McCain's position:** McCain does not support public financing campaign reform. He told

28 <http://votersunite.org/news.asp>

29 <http://electionlawblog.org/>

30 <http://www.publiccampaign.org/>

31 <http://www.opensecrets.org/>

32 <http://votersunite.org/news.asp>

33 [http://www.pewcenteronthestates.org/initiatives\\_detail.aspx?initiativeID=34044](http://www.pewcenteronthestates.org/initiatives_detail.aspx?initiativeID=34044)

34 <http://www.commoncause.org/site/pp.asp?c=dkLNK1MQIwG&b=186966>



WhyTuesday.org that he would not support extending Arizona's state public financing program to federal elections. Instead, he supports more incremental regulation of various types of campaign donations.

**Learn more:** [PublicCampaign.org](http://PublicCampaign.org)<sup>35</sup>, [CommonCause.org](http://CommonCause.org)<sup>36</sup>

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35 <http://www.publiccampaign.org/>

36 <http://www.commoncause.org/site/pp.asp?c=dkLNK1MQIwG&b=186966>