



Travis County Commissioners Court Agenda Request

Meeting Date: May 22, 2012

Prepared By/Phone Number: Michael Winn / 854-4728; 632-5927

Elected/Appointed Official/Dept. Head: Dana DeBeauvoir, County Clerk

Commissioners Court Sponsor: Judge Biscoe

AGENDA LANGUAGE:

Consider and take appropriate action on the option to use vote centers in future elections beginning with the November 6, 2012 Presidential Election.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

- Letter to Commissioners Court addressing comments received in public hearing of April 17, 2012.
- Reponse to Travis County Republican Chairwoman Rosemary Edwards regarding issues raised in April 17, 2012 public hearing.

STAFF RECOMMENDATIONS:

ISSUES AND OPPORTUNITIES:

FISCAL IMPACT AND SOURCE OF FUNDING:

No fiscal impact anticipated.

REQUIRED AUTHORIZATIONS:

Susan Bell, Chief Deputy Clerk, 854-9587

Gail Fisher, Elections Division Manager, 854-9193 / 632-5916

Michael Winn, Elections Division Manager, 854-4728 / 632-5927

Related Departments:

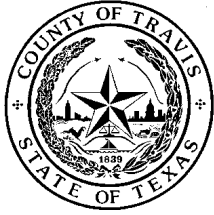
Daniel Bradford, County Attorney's Office, 854-3718

Tina Morton, Travis County Tax Assessor-Collector, 854-9473

Dolores Lopez, Director, Voter Registration Division, 854-9203

Joe Harlow, ITS, 854-9372

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, Cheryl.Aker@co.travis.tx.us by Tuesdays at 5:00 p.m. for the next week's meeting.



Dana DeBeauvoir
Travis County Clerk

P.O. Box 149325, Austin TX 78714-9325
(512) 854-9188 www.co.travis.tx.us

Recording, Elections, Computer Resources,
Accounting, and Administration Divisions
5501 Airport Boulevard, Austin, TX 78751-1410

Misdemeanor, Recording, Civil/Probate,
and Records Management Divisions
1000 Guadalupe, Austin, TX 78701-2328

May 10, 2012

TO: Travis County Commissioners Court
FROM: Dana DeBeauvoir
RE: Response to Comments Raised in April 17 Public Hearing on Use of Vote Centers
(also known as Countywide Precinct Elections)

During the April 17, 2012 public hearing on vote centers, several citizens raised issues where I think a response would be helpful. Please note that some of the comments made were related to voter registration issues managed by the Tax Assessor-Collector's Office. She will be responding to those matters separately.

1. **A statement was made that the Travis County Vote Centers plan does not follow intent of original legislation to realize significant cost-savings due to the reduction in the number of voting sites overall.**

RESPONSE: Texas law related to countywide polling places has been amended several times since its adoption in 2005. Current law recognizes the need for a balanced approach that offers more choices to voters, retains neighborhood polling places, and provides cost containment options for election administrators.

The Legislature reviewed and refined the law to both expand the opportunity for counties to participate and to limit extreme reductions in the number of polling places to ensure adequate accessibility for voters in the 80th, 81st, and 82nd legislative sessions (HB 3105 in 2007; HB 719 in 2009; HB 2194 in 2011). At least 65 percent of the standard number of precinct polling places now must be maintained in new vote center programs.

Additionally, counties are required to hold a public hearing to gain community feedback prior to implementing a vote centers program. It is precisely that feedback that influenced Travis County's decision to maintain the number of polling places traditionally used in similar elections and to make those sites accessible to all voters in the vote center model.

2. **A statement was made that vote centers will result in loss of neighborhood connection and community.**

RESPONSE: Our program was designed to maximize the opportunity for citizens to participate in their community by increasing their access to the voting process. Two thirds of Election Day voters chose to vote in their neighborhood precinct and one third chose to vote outside of their precinct.

3. **A statement was made that vote centers will increase voter fraud because they remove the natural monitoring that takes place in a neighborhood precinct.**

RESPONSE: State law and election procedures specify the steps that election workers must follow to qualify each voter to ensure that only eligible voters receive a ballot. Further, to prevent individuals from voting more than once in an election, Travis County uses technology to maintain a countywide, real-time list of individuals that have been qualified to vote.

The Secretary of State reports that the use of vote centers in Texas has not resulted in an increase in voter fraud cases.

4. **A statement was made that Vote Centers will combine with other changes (new precincts and boundary lines and a possible new voter ID system) to create a perfect storm for voter disenfranchisement or fraud.**

RESPONSE: Vote Centers will reduce the chance of voters being disenfranchised. This is especially the case this year because redistricting has created many new precinct and boundary lines. Voters will not have to figure out if they were moved to a different precinct and new polling location because there will be no “wrong” precincts.

5. **A statement was made that greater cost savings would be possible with more precinct consolidations, and Travis County should review the potential for additional consolidation of voting locations for added cost savings.**

RESPONSE: Saving money is important, but with voting, it has to be carefully matched with the need to fairly and equitably provide access to everyone in the community. As this program evolves, we will be able to change our focus away from just putting a polling place within precinct boundaries drawn on a map to finding polling locations that best serve the many and varied communities and neighborhoods in the county. We continue to recommend that changes be made gradually and with public input to prevent the disenfranchisement of voters. This will be especially important for the upcoming Presidential election because there are a significant number of voters who only vote every four years.

We also want to learn from the mistakes of other counties, who in their zeal to save money overly reduced their polling locations. Some counties have had significant problems such as:

- Voters who were angry because of the distance they had to travel to vote.
- Complaints because there was too much change too fast.
- Accusations that changes resulted in an inequitable distribution of locations throughout the county.
- Long lines at the polling locations that were used because staffing levels at these locations had not been increased to handle the additional number of voters.
- The facilities that were chosen did not have sufficient space or parking to handle larger crowds.

While moving cautiously, the vote center program will still allow us to save significant costs. Without vote centers, we would be required to add approximately 30 new polling locations for the November 2012 Election because of redistricting. Under the vote center program, service levels to voters can remain constant and additional polling locations will not be required. Hundreds of thousands of dollars will be saved because we will not have to purchase new election equipment or pay personnel and facility costs.

6. We also spoke at length with Mr. John Ulrich about some of the matters he brought forward. He was very helpful, and as a result of his suggestions, we will provide additional information to him and all of our election judges, especially during our training sessions. Many of his questions were related to voter registration, and we understand Dee Lopez also met with him and will provide further details.

We believe this covers the main concerns brought forth at the hearing. If you still have questions or require further information, please let us know.

Thank you for your consideration of this matter.



TRAVIS COUNTY TAX ASSESSOR-COLLECTOR
VOTER REGISTRATION DIVISION

5501 Airport Blvd. PO Box 1748 Austin, TX 78767-1748
Tel: (512) 854-9473 Fax: (512) 854-4840
www.traviscountytax.org

May 2, 2012

Rosemary Edwards, Ph. D
Travis County Republican Party Chairman
7901 Cameron Road, Suite #3-202
Austin, TX 78754

Ms. Edwards,

Thank you for the opportunity to respond to the voter registration issues addressed in your letter to Dana Debeauvoir dated December 7, 2011. My office received your letter and the accompanying attachments on April 17, 2012. My responses below follow the concerns raised.

The voter data is not totally reliable. For example, there are many instances of deceased voters still on the rolls and people with multiple voter registrations. [When the qualification stations \(laptops\) were first implemented, it was decided that both active and inactive records display for a specific voter to provide the poll worker additional information to process the voter. For example, a voter registered to vote in 2002, moved away and the record cancelled in 2005, and then returned and registered again to Travis County in 2010, would display 2 records – an active and an inactive record. Since hearing Mr. Ulrich’s testimony, I met with the Elections Division manager and we decided to display only the active voters. The inactive records will no longer display for 2012 elections.](#)

Additionally, the lag time of driver’s license renewal information getting to new voter registration is a problem. Many people think that when they renewed their driver’s license, the information had been sent to update voter records and this is often times not the case. [The Secretary of State confirms that DPS application records are automatically processed and distributed to the counties the same day. My office secures the data file, processes the registration record usually within 48 hours. However, please note that my office receives registrations for Travis County citizens only. We have found that some voters, specifically with an Austin address, believe they live in Travis County when in fact their address is in Williamson County. In addition, we found that voters assume that DPS registers them to vote automatically and this is not the case. The voter must select the option to register to vote and confirm with the DPS clerk. My office retains all DPS records for Travis County since NVRA implementation.](#)



TRAVIS COUNTY TAX ASSESSOR-COLLECTOR
VOTER REGISTRATION DIVISION

5501 Airport Blvd. PO Box 1748 Austin, TX 78767-1748
Tel: (512) 854-9473 Fax: (512) 854-4840
www.traviscountytax.org

While validating voters from a scan of a Texas Driver's license, the computer showed that the person did not have a valid ballot style. When the person's last name and first initial was entered we received a list of several records for the same person, of which one had a valid VUID. [Same response as #1 above.](#)

Way too many voters were turned down because DPS did not process a voter registration request. Even those with new driver's license. [Same response as #2 above.](#)

People which had been removed from the database were shown available to vote from the laptop data base in this election. Specifically, my mother changed her registration from Travis County to Williamson County voted and later passed away, yet she is still on the rolls in Travis County. I personally know that voter registration cards have not been mailed to her at the address of record for the last two cycles, and was not in the last couple of database that I had received from Dan for over two years, yet was listed in the voter registration database. [Same response as #1 above.](#) [Mr. McDonald routinely purchases registration data from our office and depending on the specific data request criteria; it could differ from the information on the lap top qualification computer.](#)

The removal of dead voters is slow at best, when dead voters are kept on the rolls for years after their death allows for voter fraud. I know of several people in my precinct that have passed away years ago and are still showing in the database. [There are several methods permitted by Texas law to cancel deceased voters. First, the Secretary of State TEAM system validates data from Texas Department of Health, and when a match is made, immediately cancels the voter. When it is not a valid match, we place the voter in Suspense and mail a confirmation notice to the voter. If no response, the record is canceled after 2 consecutive general elections. Second, the next of kin may submit a sworn affidavit cancelling the record. To assist the deceased family member, my office provides an Affidavit form on our web site at <http://www.traviscountytax.org/pdfs/CancelVoterReg-Deceased.pdf>. Lastly, Texas Election law allows that a registered voter may challenge another voter's registration through submission of a signed, sworn affidavit. Once received by my office, the voter is placed on suspense and a confirmation notice is mailed.](#)



TRAVIS COUNTY TAX ASSESSOR-COLLECTOR VOTER REGISTRATION DIVISION

5501 Airport Blvd. PO Box 1748 Austin, TX 78767-1748
Tel: (512) 854-9473 Fax: (512) 854-4840
www.traviscountytax.org

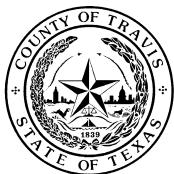
The whole voting process is behind the veil of the computers and an invalidated data base. Through HAVA, the Secretary of State is required to validate all records prior to issuance of a Voter Unique Identification Number (VUID). Travis County voters are issued certificates only after the State has issued a VUID.

I could have a photo ID of an unregistered voter in an unverified database and still vote legally. Validation measures are in place that will not allow an unregistered voter to vote. The voter could not be qualified if they are not found on the voter registration system, and a ballot style could not be issued. An exception is the provisional ballot process. However, my office reviews each provisional ballot carefully and will not recommend an unregistered voter's ballot to be accepted to the Ballot Board.

During the 2010 GOTV effort before Election Day, I organized approximately 300 phone calls to registered voters in CD 25 who had not cast a vote in the early voting period. Two individuals were deceased and still remain on the Travis County Voter rolls. They are: David Arthur VUID 1139687351 and Bernard Conroy VUID 1144811289. Same response as #6 above.

While reviewing individuals registered at a specific address, I identified one voter with 2 VUID numbers. He is Luis Jay Roman with VUID's 1173330164 and 1173332167. I have spoken with Melinda Avey with Travis County and brought the issue to her attention. The duplicate registration has been addressed and Mr. Roman has one VUID, 1173330164. At times, we may encounter a voter registered twice. An application is submitted with illegible handwriting or a different name or identification number used from a previous registration. My office has audit measures in place to warrant against duplicate voters. Duplicate registrations are immediately addressed when brought to our attention as indicated.

Currently, St David's Episcopal Church is allowing homeless individuals to use their address, 307 7th St E 78707-0000, for voter registration purposes. Typically, churches are allowed this variance if they are offering beds for services such as rehabilitation or half-way houses. I have spoken with the individual who guides the program and she has confirmed they receive voter registration cards and she is not aware what happens to the card it is not claimed. 204 people are registered to vote at this location, but do not reside



TRAVIS COUNTY TAX ASSESSOR-COLLECTOR
VOTER REGISTRATION DIVISION

5501 Airport Blvd. PO Box 1748 Austin, TX 78767-1748

Tel: (512) 854-9473 Fax: (512) 854-4840

www.traviscountytax.org

within the church. My staff queried the registration data base and found only 1 cancelled record at 307 E 7th St, Austin.

To get a quick feel for the scope of my research, I have looked at approximately 500 registered voters in Travis County and believe there are problems with 3 voters (4 VUID numbers). After speaking with Ms. Lockhoof, the 3 voters have been addressed in #9 and #10 above.

I have spoken with both John Ulrich and Michelle Lockhoof and we discussed in detail their specific concerns. I believe they understand the authority that my office has in terms of policy and procedures as guided by Texas Election law. I offered each of them the opportunity to meet with me should they have further questions or if additional issues arise.

I offer the same invitation to you. Please feel free to contact me at any time to discuss any issue you may have regarding the voter registration process.

Respectfully,

Dee Lopez, CERA, MSIS
Director, Voter Registration Division
Travis County Tax Office
(512) 854-9203

Cc: Tina Morton, Tax Assessor-Collector and Voter Registrar
Dana Debeauvoir, Travis County Clerk