2018 Summer Election Law Training

William M. Gardner – Secretary of State
David Scanlan – Deputy Secretary of State
Orville “Bud” Fitch II – Assistant Secretary of State
Anthony Stevens – Assistant Secretary of State
Colleen McCormack – HAVA Office
Sheila Dodge – HAVA Office
Agenda

- New Election Procedure Manual (EPM) 2018 - 2019
- Security/Cybersecurity
  - Moderators
  - Clerks – Town & City
  - Supervisors of the Checklist/Registrars
  - Selectmen
  - Inspectors of election (ballot clerks)
- Note: A slide with a ★ is a hand out.
Election Procedure Manual

• Mailed to Clerks and Moderators in the last week of July.
• Mailed to Supervisors and Selectmen in first 2 weeks of August.
• Compilation of duties, laws and forms for election officials.
• Great source of information.
• Fill out form at registration table, if you did not receive a new EPM.
Election Procedure Manual

• Electronic version online:
  – sos.nh.gov/Elections
  Division/Election Officials

• Keep an electronic copy on your desktop for quick reference.
  – Search for specific words or RSAs
  – Control -> F = Control Find
Duties of Moderators

zero tape produced by the device when it is set up and turned on for the election. This tape shows that the starting count for each candidate and question is zero. The zero tape must be preserved and kept with the results tape following the election.

customary path into and out of the polling place. Where an adjacent room is available, that is an ideal place for such activities. New Hampshire Constitution, Part 2, Article 32; RSA 659:9; RSA 659:43; RSA 659:44.

BALLOT COUNTING DEVICES
• Clerks enter into ElectioNet all of the Election Officials contact information. RSA 654:45 VII
  – The city and town clerk shall enter, maintain, and keep up to date election official contact information...

• At Clerks’ regional meetings, SOS office handed out a list of all of the election officials currently in ElectioNet.

• We are mailing out the EPMs to the addresses in ElectioNet.
  – If you have an election official who did NOT receive an EPM, please check their information in ElectioNet.
Security

Be proactive.

“GET SMART.”
• The sum of the different points in a software/hardware environment where an unauthorized user can try to enter and change or extract data.
Goal = Reduce the “Attack Surface”

Which would you target – an open barn door?

• Or a keyhole?
New Hampshire

- Do New Hampshire election systems resemble an open barn door?

- Or a Keyhole?
Cybersecurity
New Hampshire Characteristics

• Responsibility to reconcile election night results locally, seeking equivalence for:
  – Ballots, votes, voters

• Election results are not dependent on automated statewide election night reporting system.

• Election night reporting starts with requirement to post polling places results.
State Police carry in written paper reports with election night results that have been reported locally.

**Air Gap** - A physical separation between systems that requires data to be moved by some external, manual procedure.
Voting Systems

• Accessible Voting System, one4all
  – Its operating system is configured for a single purpose and will yield a blank screen if other uses are attempted.
New Hampshire
Greater Scrutiny & Preparation

• Caught punch card problems 2 decades before Florida got caught by punch cards;
• Recognized problems with Direct Recording Electronic (DRE)-type devices 2 decades before the nation realized it had embarked on a risky voyage;
• Did not embrace voting machine standards set by federal agencies under HAVA because they encouraged paperless voting;
• Set standards reflecting New Hampshire’s expectations and scrutiny.
State’s Cybersecurity Approach:

• Enterprise vulnerability assessment
• Endpoint threat protection (generates alerts when a threat is identified)
• Intrusion detection systems (monitor network traffic for malicious activity)
State’s Cybersecurity Approach

- State security operations center - monitors state cyber incidents
- Dark web monitoring
- Election official training
- Use existing cyber security programs (EI-ISAC)
- Hardening of databases and servers
- Incident reporting
In 2016, New Hampshire was ranked first among the states in:

- **Election Officials**
  - Impartiality
  - Transparency
  - Distributing information to the public
  - Performance

- **Counting**
  - Ballot boxes secure
  - Results announced without undue delay
  - Votes counted fairly
• High level of accuracy in marking the checklist
  – Some improvements can be made.

• Secretary of State has verified over 87% those who swore affidavits in order to register and vote in 2016.
Security

• What are 3 things you would do to improve security in your office?
  - Write them down on the handout we gave you.
  - We do not want to see them.
Resilience

• The ability to continue to operate under adverse circumstances.
• Elections affect every aspect of government.
• Local election officials are on the front lines.
• People around the country are recognizing the important role that election officials play.
• New Hampshire election officials have been preparing for these situations for a long time.
• What you learn about cyber security risk mitigation will sound familiar.
  • You have already been doing many of these things.
Town Selectmen

- Improve your town’s Continuity of Operations plan
  - Check fuel in back-up generator
- Keep computer operating systems updated
- Install and update anti-virus software
- Encourage two or three shifts on election day
- Encourage using town treasurer, accountant, bookkeeper, math teacher who can help with reconciliation on election night, if needed
Supervisors of the Checklist

- Save updated checklists to your desktop
- Be ready to print checklists early
- Talk to the moderator about ensuring the checklist is marked properly on election day
  - To enable accurate data entry
- Before each election, check the accuracy of voter information on your checklist.
- Trust but verify.
Clerks and Supervisors
What would you do if?

You receive a communication from the following:

Anthony.Stevens@gmail.com

You log in to:
http://hava.sos.mh.gov/Electionet/jsp/Login.jsp
Avoid getting phished (spoofed, pharmed, whaled):

• Be alert to who is sending you an email
• Notice what website you are on before entering password
• Don’t click on anything unless you recognize the source.
• If you have doubts, call the source and confirm what they sent; or
• Wait for the source to call you.
Phishing has many victims

• 6-7% of phishing efforts work.
  – Victims take the bait and open the email attachment

• Election officials, adversaries are already targeting you with phishing attempts
Clerks

• Get rid of visible passwords
• Update computer operating systems and install malware detection.
• Save checklist with bar codes on your local drive – early.
• Does your computer monitor face the public?

• Does your computer monitor face another employee who does not have access to ElectioNet?
Clerks

- Do you have a lock on your office door?
- Do you have a lock on storage for vote counting devices?
- Do you know who has access to your office?
- Do you remind your employees to lock the door when they leave?
Moderators

- Talk to local accountant, bookkeeper, math teacher, or town treasurer before the election.
  - Ask them to do the math on election night
- That allows the moderator time to manage the process, providing the math person good numbers from different counting teams.
Moderators

• Plan for extra shifts
• Know how to conduct hand counts.
• Expect and respond to misinformation quickly
  – Do not repeat misinformation
  – Be transparent
  – Focus on actions you are taking that will reach an accurate result

▪ Help us learn from each incident
Moderators

• Don’t let CHAOS get the better of you!
Counting and Reporting Votes
Votes, Voters & Ballots
The Goal = Equivalency

• Ballots
• Voters
• Votes
Should there be more votes tallied than voters or ballots cast in a contest?

670 ballots in a precinct with 276 voters, and other tales from Georgia’s primary

BY CHRISTINE CONDON
ccondon@mclatchydc.com

August 06, 2018 04:05 PM

WASHINGTON — Habersham County’s Mud Creek precinct in northeastern Georgia had 276 registered voters ahead of the state’s primary elections in May.

But 670 ballots were cast, according to the Georgia secretary of state’s office, indicating a 243 percent turnout.
• Identify your weaker of the 3 legs (ballots, voters, votes) and improve on it. Is it:
  – Ballot clerks marking the checklist?
  – Tallying votes in individual contests?

• Instead of balancing on two legs of the stool,
  – aim for 3 out of 3 legs
✓ Marked checklist at voter entrance.
✓ Compare with marked checklist at voter exit.
Ballot Clerks

- Ballot Clerks
- Clerks: Election results
- Secretary of State
- Moderator: Election Results & Reconciliation
- Supervisors of the checklist: Data entry & Reconciliation
- Attorney General
Grand total of votes for each contest

Add grand total for each contest on ballot, including votes for:

- candidates
- write-ins
- undervotes (blanks on Accuvote tape)
- overvotes (blanks on Accuvote tape)
For Hand Count and Machine Count City/Towns:

- Use the Moderator’s Worksheet (EPM, Page 255)
- Use the Return of Votes Spreadsheet (EPM, Page 257) (Examination of Individual Races)
- Hand counting methods (EPM, Page 248)
- Reconcile ballots, voters and votes with ballots cast figure sent to SOS.
Voter Registration
Voter Registration

• Supervisors & Clerks accepting registrations must check the voter’s documents.
  - Note the documents presented on the voter registration form.

• Prior to the voter leaving:
  - Review each box to make sure all pertinent information was filled in properly and legibly, i.e. date of birth, place of birth, party
Voter Registration – Two Forms

• Form A – One Page
  - Used more than 30 days prior to any election

• Form B – Two Pages
  - Used 30 days or less prior to any election AND on election day
May you accept ANY generic voter registration form?

NO

We only accept the voter registration forms that we give to the applicant from the State of NH

- And what are they called?
  - Form A & Form B
Voter Registration Form Timeline

SB3 - New Registration Forms Time Guideline

Form A - One Page

More than 30 Days Before

30 Days Before Election
Form B

More than 30 Days prior to an Election
Use Registration Form A

If the voter does not have domicile evidence in their possession they can not register to vote. Give them a copy of the
Verifiable Action of Domicile - Form A and tell them they may return with any of the documents listed, and
register to vote OR they may register 30 days prior OR on Election Day

Form B - Two Page

30 Days Prior to the Election Including Election

30 Days Before Election
Form B

Supervisors Session 6 - 13 Days Before Election
Caution - The Supervisors Session is still the Last Day to accept new voter registrations
unless they are requesting an absentee ballot.

Absentee New Voter by Mail - send them the
and Form A registration

In Person Absentee New Voter Registration -
must use the Form B registration

Back to Form - A

After Election

Election Day
Form B

Voters lacking evidence of domicile have 10 - 30 Days
after the Election to return with their Evidence of Domicile

10 Days
Clerks open more than
20 hours a week

30 Day
Clerks open less than
20 hours a week

2017-V1
Applicants who are appearing to register to vote more than 30 days prior to any election, who possess, but do not have documents with them that will give proof of a verifiable act carrying out their intent to establish domicile have 3 options:

1. They may come back with some Evidence of Domicile prior to the 30 days or less period OR
2. They may come back within the 30 days or less period prior to the election (Form B) OR
3. They may register on Election Day (Form B)

• Destroy any blank Domicile Affidavits that are in your office.
Form used when it is more than 30 days prior to an election.
• This is a guide for what you may use as evidence of domicile.
• Only one item on the list is required to demonstrate a verifiable act.
Verifiable Action of Domicile
Form A

TO BE USED AS A GUIDE

Verifiable Action of Domicile
RSA 654:7, V.

The following checklist shall be used as a guide for what you may use as evidence and shall be submitted to the town or city clerk along with documentation that you are required to provide. Only one item on the list is required to demonstrate a verifiable act.

To establish that you have engaged in a verifiable act establishing domicile, please provide evidence that you have done at least one of the following:

- Marked as an established residency, as set forth in RSA 654:1, I.a. at an institution of learning at the address on the voter registration form.
- Rented or leased an abode, for a period of more than 30 days to include time directly prior to an election day at the address listed on the voter registration form.
- Purchased an abode at the address listed on the voter registration form.
- Obtained a New Hampshire resident motor vehicle registration, driver’s license, or identification card issued under RSA 269:21, 21-a or 21-b listing the address on the voter registration form.
- Enrolled a dependent minor child in a publicly funded elementary or secondary school which serves the town or ward of the address where the registrant resides, as listed on the voter registration form.

Identified the address on the voter registration form as your physical address on:
- State or federal tax forms
- Other government issued forms or identification - describe form of identification

- Provided the address on the voter registration forms to the United States Post Office as your permanent address, provided it is not a post office or commercial post office box, where mail is delivered to your home. This can be by listing the address on the voter registration form as your new address on a Permit Service Change of Address form and providing a copy of the receipt, or an online mailed receipt.
- Obtained public utility services (electricity, cable, gas, water, etc.) for an indefinite period at the address on the voter registration form, list services obtained
- Arranged for a residence, shelter, or similar service provider to receive United States mail on your behalf. Enter name of the shelter or provider:
- Describe what other verifiable action or actions you have taken to make the address listed on your voter registration form your voting domicile:

If you have no other proof of a verifiable act establishing domicile, and your domicile is an abode rented, leased, or purchased by another and your name is not listed as the lessee or owner of the rental agreement, lease, or deed, you are required to provide a written statement, signed under penalty of perjury and the validity of voting in New Hampshire is not impaired by this statement.

This verifiable action of domicile form, along with your written statement or other documentation proving a verifiable act, shall be delivered to the town or city clerk, by mail or in person, within 10 days after the election, or within 30 days if the clerk’s office is open fewer than 10 weekends.

August 2017: Form Domicile-A
Voter Registration – Form A

- Voter has “Evidence of Domicile”, but no proof of ID, Age or Citizenship
- Can you register the voter?
  - YES
- How?
  - Qualified Voter Affidavit for:
    - Age, Identity or Citizenship
Voter Registration – Form B

• Form B is a two page voter registration form
• Applicants registering 30 days or less prior to any election and on election day.

• Perfect World Scenario
  – If the voter has ALL of their documentation, there is no need to fill out page 2
Voter Registration - Form B

Date registration form submitted:
Should be same date as signed

Official needs to ask and get a date when voter moved to address.

After seeing proof of domicile this box needs to be checked.

These boxes are filled in when the Registration Form is being submitted.

In accordance with RSA 659:14, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed $2,000. Fraudulent registering to vote or voting is subject to a civil penalty not to exceed $5,000.
Voter Registration - Form B

**PLEASE PRINT OR TYPE**

NEW HAMPSHIRE VOTER REGISTRATION FORM  
FOR USE STARTING 30 DAYS BEFORE AN ELECTION AND AT THE POLLING PLACE ON ELECTION DAY  
 RSA 654:7

<table>
<thead>
<tr>
<th>1. LAST NAME (including suffix, if any)</th>
<th>FIRST NAME</th>
<th>FULL MIDDLE NAME</th>
<th>NEW REGISTRATION</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>I AM NOT currently registered to vote in NH.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>TRANSFER - I am registered to vote in NH and have moved my voting domicile to a new town or ward in NH, or</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>NAME CHANGE or ADDRESS UPDATE - I am registered to vote in this town/ward and have changed my name or address.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2. DOMICILE ADDRESS (Street &amp; House Apt Number)</th>
<th>TOWN OR CITY</th>
<th>City Ward</th>
<th>ZIP CODE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3. MAILING ADDRESS (if different from domicile address)</th>
<th>TOWN OR CITY</th>
<th>STATE</th>
<th>ZIP CODE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>4. PLACE OF BIRTH (Town/City and State)</th>
<th>COUNTRY (if not USA)</th>
<th>DATE OF BIRTH</th>
<th>DATE NATURALIZED</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>5. ARE YOU A CITIZEN OF THE UNITED STATES?</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>b. IF NATURALIZED CITIZEN, GIVE NAME OF COURT WHERE NATURALIZED</td>
<td>Town City and State</td>
<td>DATE NATURALIZED</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>6. PLACE LAST REGISTERED TO VOTE</th>
<th>(Street &amp; House Apt Number)</th>
<th>(Town or City &amp; Ward)</th>
<th>(State and Zip Code)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>7. NAME UNDER WHICH PREVIOUSLY REGISTERED, IF DIFFERENT</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>8. DRIVER LICENSE NUMBER</th>
<th>STATE (If not NH)</th>
<th>IF NO VALID DRIVER LICENSE</th>
<th>SOCIAL SECURITY NUMBER</th>
<th>OUR NUMBER</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**AFFIDAVIT**

My name is __________________________. I am today registering to vote in the city/town of __________________________, New Hampshire. If a city/town number __________________________.

I understand that to vote in this city/town, I must be 18 years of age, must be a United States citizen, and must be domiciled in this city/town.

I understand that a person can claim only one city/town and one city/town as his or her domicile at a time. A domicile is a place, to which upon temporary absence, a person has the intention of returning. By registering or voting today, I am acknowledging that I am not domiciled or voting in any other state or any other city/town.

In declaring New Hampshire as my domicile, I realize that I am not qualified to vote in the state or federal elections in another state.

If I have any questions as to whether I am entitled to vote in this city/town, I am aware that a supervisor of the checklist is available to address my questions or concerns.

I acknowledge that I have read and understand the above qualifications for voting and do hereby swear, under the penalties for voting fraud set forth below, that I am qualified to vote in the above-stated city/town, and, if registering on election day, that I have not voted and will not vote at any other polling place this election.

Signature of Applicant __________________________ Date __________________________

Approved by __________________________

SUPERVISOR OF CHECKLIST REGISTRAR OF VOTERS

In accordance with RSA 659:34, the penalty for knowingly or purposely providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed $2,000. Fraudulent registering to vote or voting is subject to a civil penalty not to exceed $5,000.

July 2017 Form B  Any applicant NOT in possession of the required forms of Identity, Age, Domicile and/or Citizenship MUST complete Page 2
• Any applicant **NOT** in possession of the required documentation of:
  – Evidence of Domicile
  – Identity
  – Age or
  – Citizenship
  – **MUST** complete Page 2.
NEW HAMPSHIRE VOTER REGISTRATION FORM

I understand that to make the address I have entered above my domicile or voting I must have an intent to make this the one place from which I participate in democratic self-government and must have acted to carry out that intent. I understand that if I have documented evidence of my intent to be domiciled at this address when registering to vote, I must either present it at the time of registration or if I must place any initals next to the following paragraph and mail a copy or present the document at the town or city clerk's office within 10 days following the election (30 days in towns where the clerk's office is open fewer than 20 hours weekly).

By placing my initials next to this paragraph, I am acknowledging that I have not presented evidence of actions carrying out my intent to be domiciled at this address, that I understand that I must mail or personally present the clerk's office evidence of actions carrying out my intent within 10 days following the election (or 30 days in towns where the clerk's office is open fewer than 20 hours weekly), and that I have received the document produced by the secretary of state that describes the items that may be used as evidence of a verifiable action that establishes domicile.

Failing to report and provide evidence of a verifiable action will prompt official mail to be sent to your domicile address by the secretary of state to verify the validity of your claim to a voting domicile at this address.

I understand that if I do not have any documentary evidence of my intent to be domiciled at this address, I must place my initials next to the following paragraph:

By placing my initials next to this paragraph, I am acknowledging that I am aware of no documentary evidence of actions carrying out my intent to be domiciled at this address, that I will not be mailing or delivering evidence to the clerk's office, and that I understand that officials will be sending mail to the address on this form or taking other actions to verify my domicile at this address.

I acknowledge that I have read and understand the above qualifications for voting and do hereby swear, under the penalties for voting fraud set forth below, that I am qualified to vote in the above-stated city/town, and, if registering on election day, that I have not voted and will not vote at any other polling place this election.

Signature of Applicant:

Date:

If this form is used in place of proof of identity, age, or citizenship, I hereby swear that such information is true and accurate to the best of my knowledge.

This form was executed for purposes of proving (applicants shall circle yes or no and initial each item):

<table>
<thead>
<tr>
<th>Identity</th>
<th>Yes No</th>
<th>(initials)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Citizenship</td>
<td>Yes No</td>
<td>(initials)</td>
</tr>
<tr>
<td>Age</td>
<td>Yes No</td>
<td>(initials)</td>
</tr>
</tbody>
</table>

Sworn before:

Officials who may receive the sworn affidavit: moderator, deputy moderator, assistant moderator, town clerk, deputy town clerk, city clerk, deputy city clerk, ward clerk, selectman, supervisor of the checklist, registrar, deputy registrar, notary public, or justice of the peace.

PRINT name of Applicant

Signature of Applicant

In accordance with RSA 659:34, the penalty for knowingly or purposely providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed 1 year and a fine not to exceed $3,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed $50,000. In accordance with RSA 659:34, voting in more than one state in the same election is a class B felony with a maximum sentence of imprisonment not to exceed 7 years and a fine not to exceed $4,000.

July 2017 Form B

RSA 654:7, IV
If the applicant is initialing the first statement (Option #1) they are to be given the Verifiable Action of Domicile Form-B.
Voter Registration – Form B

• Best Practices
  - The clerk should provide the supervisors with a list of the clerk’s contact information and office hours.
  - Supervisors will be able to direct the applicants to this information and inform them of how many days, after the election, they have to mail or deliver the domicile evidence of proof to the clerk’s office.
Voter Registration – Form B

• Found in: ElectioNet -> Help -> Instructions

Avery Shipping Labels 5164
Template can be found in:
ElectioNet -> Help -> Instructions->
Verifiable Action of Domicile - Clerk 30 Day Template or
Clerk 10 Day Template
If the applicant is initialing the second statement (Option #2) they do not get any further documentation.
If applicant has no evidence of Identity, Citizenship or Age:
The applicant may circle “Yes”, initial, print & sign their name

This form was executed for purposes of proving (applicant shall circle yes or no and initial each entry):

Identity: Yes/No (initials)
Citizenship: Yes/No (initials)
Age: Yes/No (initials)

Sworn before:

Officials who may receive the sworn affidavit: moderator, deputy moderator, assistant moderator, town clerk, deputy town clerk, city clerk, deputy city clerk, ward clerk, selectman, supervisor of the checklist, registrar, deputy registrar, notary public, or justice of the peace.

In accordance with RSA 656:39, the penalty for knowingly or purposely providing false information where registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed $3,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed $5,000. In accordance with RSA 659:34 a voting in more than one station at the same election is a class B felony with a maximum sentence of imprisonment not to exceed 7 years and a fine not to exceed $4,000.

Signature of Applicant

This section is only used for identity, age or citizenship.

Sworn before:

Officials’ Signature

Officials who may receive the sworn affidavit: moderator, deputy moderator, assistant moderator, town clerk, deputy town clerk, city clerk, deputy city clerk, ward clerk, selectman, supervisor of the checklist, registrar, deputy registrar, notary public, or justice of the peace.
VOTERS!
Have you checked your Party?

**NO PARTY CHANGES**
AFTER June 5, 2018 FOR STATE PRIMARY

- Online: “Voter Information Look-Up”
  https://app.sos.nh.gov
  OR
- See posted checklist
APP – Voter Look-up & Absentee Ballots
APP – Voter Look-up

• Voters may check online – sos.nh.gov:
  – To see if they are a registered voter
  – Their party
  – Absentee Ballot Status
    o Application Received
    o Ballot Sent
    o Ballot Received by Clerk
APP – Voter Look-up

TRACK YOUR BALLOT

Voters: check your party, find your polling place, and more...

Absentee Voters

Track your ballots on:

https://app.sos.nh.gov
Absentee Ballots

Absentee Ballot Info
Where Do You Find It?

ElectioNet->Help->Instructions
- Absentee Ballot Process
- Absentee Ballot Envelope Template
- Absentee Ballot Return Form
- Absentee Ballots—Best Practices
- Absentee Ballot Rejected Reasons
- 2018-Absentee Ballot Application
- FPCA Form
- FPCA Flow Chart

UOCAVA -
- Email Oval Primary/General AB Instructions
- Email Template
- FOO (Federal Office Only) Email Primary/Gen. AB Instructions
- How to Email an Absentee Ballot
- Return to Undeclared Template
- SB3 Registration Process
- Affidavit Form for Email
- Check and Uncheck Instructions

Activities->Elections->Absentee Ballots
- Select Default Election
- Inquiry – Search Not Mailed/Not Returned
- Batch Return – Scan Returned Ballots

Activities->Reports->Absentee Ballots
- List
- Mailing Labels
- Rejected
Absence Ballots

- RSA 657:15
  - “When the verification required by RSA 657:12 or 657:13 has been made, the clerk shall retain the application and, without delay, personally deliver, email, or mail to the applicant the appropriate ballot and materials...”
  - Email is for what voters only?
    - UOCAVA
Absentee Ballot Envelopes

• Absentee ballot envelopes are now all the same size for both Accuvote and Paper Towns
  – They are the larger envelopes

• Envelopes with “Black” writing are for what voters?
  – All regular absentee ballot requests.

• Envelopes with “Red” writing are for what voters?
  – UOCAVA requests.

• You were sent out envelope request form and all requests have been mailed. Call the main office, if you have NOT received your envelopes.
Absentee Ballot Envelopes

Absentee Envelopes are now the same size for Paper and Accuvote

Regular Absentee Ballot Envelopes

New envelopes are:
- Form A – Affidavit envelope
- Form B – New Return envelope
- Form C – New Mailing envelope

Please continue to use your supply of Form P & Q envelopes until depleted

The following absentee envelopes should be destroyed

Previously used by towns that hand-count: Forms A, B & C (small envelopes)
Previously used by cities and town that use electronic ballot counting devices: Form O

UOCAVA Absentee Ballot Envelopes (Red)

UOCAVA envelopes are:
- Form R – Affidavit envelope
- Form S – Return envelope
- Form T – Mailing envelope

Hand Count Towns:
- Form R – Affidavit envelope (replaces UOCAVA-p)
- Form S – Return envelope (replaces Form E)
- Form T – Mailing envelope (replaces Form F)

Destroy any Form E, Form F and Form UOCAVA-p supply you may have.

Electronic Ballot Counting Device Towns:
- There has been no change in envelopes S & T
- Destroy any UOCAVA-a supply you may have.
• PS TAG 191 – Attach this tag to any outgoing absentee ballots,
Mailing Absentee Ballots

LETTER-SIZE MAIL DIMENSIONAL STANDARDS TEMPLATE

Use this template to check:
- General Mailingability: minimum required dimensions
- Postcards: maximum dimensions
- Letters: maximum dimensions
- Machinability: check aspect ratio

Machinability:
To meet machinable requirements, the tip of the upper-right corner of the mailpiece must touch this shaded area and meet the thickness standards (check for maximum thickness by peeling the piece through the slot below). Letter-size mailpieces more than 4 - 1/4" high or 6" long must be at least 0.009" thick to be machinable.

Maximum postcard dimensions: 4 - 1/4" high, 6" long, 0.016" thick

Minimum mailable dimensions for pieces 1/4" thick or less:
- 3 - 1/2" high, 5" long, 0.007" thick

To use this template, place lower-left corner of mailpiece here. See examples on reverse.

5" - Minimum Mailpiece Length
6" - Maximum Postcard Length
11 - 1/2" - Maximum Letter Length

Notice 3-A, November 2011
PSN 7610-03-000-9053
1050251 Rev J
For September 11, 2018 State Primary
   - Was Saturday July 28th

UOCAVA Absentee ballots were emailed:
   - FOO (Federal Office Only) July 17th
   - Regular UOCAVA Ballots July 20th
   - Continue to print out the electronic version for all mail requests – UNTIL the physical absentee paper ballots are delivered.
UOCAVA – 45 Day Deadline

July 28, 2018 – UOCAVA 45 Day Deadline for State Primary Election
September 11, 2018 - State Primary Election
September 22, 2018 - UOCAVA 45 Day Deadline for State General Election
November 6, 2018 - State General Election
UOCAVA – FPCA

Voter Registration and Absentee Ballot Request
Federal Post Card Application (FPCA)

Print clearly in blue or black ink.

1. Who are you? Pick one.
- [ ] I am on active duty in the Uniformed Services or Merchant Marine.
- [ ] I am an eligible spouse or dependent.
- [ ] I am an active National Guard member on State orders.
- [ ] I am a U.S. citizen living outside the country, and I intend to return.
- [ ] I am a U.S. citizen living outside the country, and my return is uncertain.
- [ ] I am a U.S. citizen living outside the country, and I have never lived in the United States.

Last name
First name
Middle name
Social Security Number
Previous names (if applicable)

Sex
Female
Male

2. What is your address in the U.S., State or territory where you are registering to vote and requesting an absentee ballot?
Your voting materials will not be sent to this address.

Street address
City, town, village
County
State
ZIP

3. Where are you now? You must give your CURRENT address to receive your voting materials.

Your mailing address (Different from above)
Your mail forwarding address (If applicable)

4. What is your contact information? This is so election officials can reach you about your request.

Provide the country code and area code with your phone and fax number. Do not use a Defense Switched Network (DSN) number.

Email
Phone
Alternate email
Fax

5. What is your voting preference? Select one.

How do you want to receive voting materials
- [ ] Mail
- [ ] Brief or online

What is your political party
- [ ] For primary elections

6. What additional information must you provide?

The following (new) more information is needed:

You may also use this space to clarify your voter information. See the Voting Assistance Guide at IVVHOV.

7. You must read and sign this statement.

I swear or affirm, under penalty of perjury, that:

- The information on this form is true, accurate, and complete to the best of my knowledge. I understand that a material misstatement of fact in completion of this document may constitute grounds for correction of a prior vote.
- I am a U.S. citizen, at least 18 years of age (or will be by the day of the election), eligible to vote in the requested jurisdiction, and
- I am not disqualified to vote due to being convicted of a felony or other disqualifying offense, nor have I been adjudicated mentally incompetent; or if so, my voting rights have been reinstated; and
- I am not registering, requesting a ballot, or voting in any other jurisdiction in the United States, except the jurisdiction cited in this voting form.

Sign here

Today's date

This information is for official use only. Any unauthorized release may be prohibited by law. Previous editions are obsolete. Standard Form SF-1798 (Rev 08-2010), CRD No. 230-00-202-002
Checklist – Archives & Records

• RSA 659:102
  - Within 90 days of the closing of the polls for each regular state general election...”send one of the marked checklists”...to the state archives.
  - Check your checklist for any private information
  - This should be the original – Keep a copy for your office.
  - For towns with a check in and check out checklist send the check in checklist and keep the copy for your records. They should be retained with the clerk for 7 years.
Best Practices – Election Day

- Always run the “Long Tape” Report for Accuvote
  - For **ALL** Elections
- The role of Supervisor of the Checklist CANNOT be simultaneously combined with the role of Ballot Clerk
- Encourage Moderators, Selectmen, Clerks to do “drive-bys” of the Ballot Clerks
  - Note if they are marking “Party” for UND
  - Note if they are marking the “Out of State” Drivers Licenses
Checklist - Best Practices

• If a voter has died after the checklist has been printed,
  - We highly recommend to put a red line through the voters name and write the word “Deceased”.
  - The election official performing this process puts their initials next to the word “Deceased”.

• DO NOT write a date of death or how this information was obtained.
  - The checklist is a public document. Death information is private.
Checklist - Best Practices

• NHVRIN Report – Clerks still need to run for the Supervisors

• Matched Death Records on the “System Reminders” screen shows *exact* matches only
  - If there are spelling errors in the name or dates of birth, they will not be matched
  - Clerks & Supervisors are the best source to know the correct voter’s information.

• Print NHVRIN Death report before sessions and on the morning or night before election day.
Checklist - Reminders

• Ballot Clerk Procedure – Primary
  - ElectioNet -> Help -> Instructions – 2018 – Ballot Clerk Procedure – Primary or General

• Out of State Driver’s Licenses must be noted on the checklist for **ALL** elections including town, school and special elections
Checklist - Reminders

• What is wrong with this Election Day Registration marked checklist page?

## ELECTION DAY REGISTRATION

<table>
<thead>
<tr>
<th>Check</th>
<th>Party</th>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>✓</td>
<td>Rep</td>
<td>Nancy Powder</td>
<td>1 Aluminum Dr., Anytown</td>
</tr>
<tr>
<td>✓</td>
<td>UndP</td>
<td>Melissa Parke</td>
<td>18 North Anytown</td>
</tr>
<tr>
<td>✓</td>
<td>UndP</td>
<td>Brian Spone</td>
<td>182 Long River Rd., Anytown</td>
</tr>
<tr>
<td>✓</td>
<td>Rep</td>
<td>Christine Fren</td>
<td>11 Jay Street, Anytown</td>
</tr>
<tr>
<td>✓</td>
<td>Dem</td>
<td>Patricia Gigantic</td>
<td>902 Lower Street, Anytown</td>
</tr>
<tr>
<td>✓</td>
<td>UndP</td>
<td>Breeze, Harold Dom</td>
<td>Hanike Circle</td>
</tr>
<tr>
<td>✓</td>
<td>Rep</td>
<td>Birmingham, Steve</td>
<td>32 Cinema Circle</td>
</tr>
</tbody>
</table>
Checklist - Reminders

- New Election Day Registration Template
- ElectioNet -> Help -> Checklist New Registered Voter Template

<table>
<thead>
<tr>
<th>New Registered Voters List</th>
<th>Election Date: __________</th>
</tr>
</thead>
<tbody>
<tr>
<td>Letter: _____</td>
<td></td>
</tr>
<tr>
<td>Town/City of: _________________________</td>
<td></td>
</tr>
<tr>
<td>Ward#: _____</td>
<td></td>
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<tr>
<td>Page #: _____</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Party</th>
<th>Last Name</th>
<th>First Name</th>
<th>Middle Name</th>
<th>CVA</th>
<th>OOS DL</th>
<th>Address</th>
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</thead>
<tbody>
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</tr>
</tbody>
</table>
Checklist – Best Practices

NEED FILM?

Last Chance prior to state primary
Cybersecurity
Review the Election Procedure Manual Section

• Be prepared to:
  • Show the seals on your ballot counting device and the logs documenting that the device has been kept secure
  • Address questions regarding the vulnerability of New Hampshire’s system to cyber attacks
• SVRS – ElectioNet
• Ballot Counting Device
• Explain your e-mail safeguards – how you avoid system intrusion from phishing e-mails.
Using The Accessible Voting System
one4all
All elections are to be free, and every inhabitant of the state of 18 years of age and upwards shall have an equal right to vote in any election.

Voting registration and polling places shall be easily accessible to all persons including disabled and elderly persons who are otherwise qualified to vote in the choice of any officer or officers to be elected or upon any question submitted at such election.

New Hampshire Constitution, Part 1, Article 11 (emphasis added).
Accessibility for individuals with disabilities. The voting system shall--(A) be accessible for individuals with disabilities, including nonvisual accessibility for the blind and visually impaired, in a manner that provides the same opportunity for access and participation (including privacy and independence) as for other voters;

Federal Law: 52 USCS § 21081 (a) (3)(emphasis added)
Any voter who declares to the moderator under oath that said voter needs assistance marking his or her ballot shall, upon the voter’s choice and request after the moderator has informed the voter of the accessible voting options that are available at the polling place, receive the assistance . . .

RSA 659:20 (emphasis added).
The moderator shall fill out a moderator’s certificate prepared by the secretary of state, which shall be recorded and signed by the moderator within 48 hours of the closing of the polls or other time ordered by the secretary of state and submitted to the clerk. The worksheet shall include, but not be limited to:

(e) The number of Accessible Voting System ballots cast.

RSA 659:73, IV (emphasis added).
The opportunity to vote with a secret ballot is widely recognized in the United States: “[T]he secret ballot, the hard-won right to vote one's conscience without fear of retaliation.” 


“It was precisely discontent over the nonsecret nature of ballot voting, and the abuses that produced, which led to the States' adoption of the Australian secret ballot.”

One4all

Voter’s right to an Accessible Voting System

• Ballots printed on demand are visually different than pre-printed device counted or hand counted ballots
• Voters with disabilities have a Constitutional, federal statutory, and New Hampshire statutory right to use an accessible voting system to vote privately and independently.
One4all
Voter’s right to an Accessible Voting System

• Election officials are legally required to turn on and prepare one4all tablet for voters to use.

BEST PRACTICE
• Identify volunteer voters, such as election officials who will be at the polls all day, who voluntarily agree to wait until the end of the day to vote and if any voter uses the one4all system, agree to vote using the system.
• As soon as one voter uses the system make your best effort to ensure other voters voluntarily use the system.
One4all
AVS – Accessible Voting System
One4all

AVS – Accessible Voting System

- Tablet Based
- Open Source - Transparent
- No phone or internet lines
- Any voter may use the AVS
  - Encourage voters to try the system
  - System is for all to use
- Working on new voice – not as mechanical
- Do Not wait to turn on the tablet until Election Day
One4all

AVS – Accessible Voting System

- Tablet **MUST** be returned Election Night with the Return of Votes Envelope
- SOS has a small window to reprogram the tablets for the State General Election

**Tips for a Successful Return of the Tablet:**

- Undock the Tablet & power the Tablet off. (Hold the start button for 12 seconds, until the tablet goes dark.)
- Attach the Portfolio Cover (It attaches magnetically to the tablet.)
- Place the Tablet/Portfolio Cover hinge into the cut out section so the Tablet fits flat in the box. (Tablet will easily fit in the box with the yellow asset tag facing upside down.)
- Place the two elastics around the closed box and when ready insert the “Election Returns” envelope under the elastics. (NOTE: Two extra elastics have been placed in the bottom of the Tablet box.)
- Deliver the Tablet box and “Election Returns” envelope to the designated State Police location, where both will be returned to the Secretary of State’s main office.
• Don’t wait until the last minute to test your AVS tablet
• Test them at least a day or so ahead of time so you may contact us if there is an issue.
• It can be very frustrating if they do not work properly as the election is happening. Call us immediately when you know something is not right.
• Keep the voter there if possible so we can walk you through it.
One4all

AVS – Accessible Voting System

• The AVS set up sequence is vital to its performance.
• Although you may know what cable goes where, they have to be attached in a specific order.

STEP ONE
UNPACK ALL EQUIPMENT

STEP TWO
Connect All USB Ports to the Docking Station

STEP Three
Turn on the Printer First

STEP Four
Remove the “Folio Cover” from the TABLET. Connect the TABLET to the DOCKING STATION.

STEP Five
Turn on the Tablet
• The set up instructions are available in Help / Instructions / 2016 - Accessible Voting System - Set up Booklet
Confidential Voters

If a person appears at the polling place to register and vote in person and identifies himself or herself as either being protected by a court order issued under RSA 173-B:4 or as a participant in the Attorney General’s address confidentiality program, under RSA 7:46, the supervisors and the moderator should provide the voter an opportunity to register and vote confidentially.

- No public announcement of the name.
- Checklist entry “Confidential Voter #1”
Processing Absentee Ballots

Moderators and Clerks Review Secretary of State / Attorney General Memo of August 24, 2018 – Available as a handout at this training
The United States District Court for New Hampshire has ordered that the signature comparison for the purposes of assessing whether the signatures on the absentee ballot application and the affidavit appear to be made by the same person is unconstitutional and can not be enforced. The Secretary of State and the Attorney General issued guidance dated August 24, 2018.
Do Not Compare Signatures

“Moderators are therefore prohibited from conducting the signature comparison set forth in RSA 659:50, III for the upcoming September 11, 2018 election and for all future elections. This guidance will remain in effect until such time that the law is amended or our offices advise otherwise.
The signature requirements do not apply to those voters who received assistance due to blindness or disability as long as the person who assisted the voter signs the statement on the affidavit envelope that acknowledges that assistance. RSA 657:17.
Absentee Ballot Affidavit

If completed, do not compare signatures.
Electioneering
Electioneering

The moderator is responsible for acting to deter illegal electioneering at the polling place.

RSA 659:43; RSA 659:44.
Electioneering

• 10 Foot Wide (Minimum) electioneering free zone.
• Outside designated zone, First Amendment Free Speech rights apply
  • People electioneering may distribute literature to willing recipients
  • People may carry or wear electioneering communications
Electioneering

- *Minnesota Voters Alliance v. Mansky*, (June 14, 2018)
  - Regulation must be “guided by objective, workable standards.”
  - New Hampshire’s prohibition on distributing, wearing or posting campaign materials in the polling place is a limited prohibition.
Electioneering

To be subject to the prohibition, the poster, card, handbill, placard, picture, pin, sticker, circular, or article of clothing must be:

- Campaign material;
- Intended to influence the action of a voter;
- Within the polling place
Electioneering

Campaign material;
• Communication that unambiguously communicates a purpose or goal of instructing a voter how to vote at that polling place at that election
Electioneering

Prohibited campaign material includes the following:

• “Vote for candidate name (or party)”
• “Vote against candidate name (or party);”
• “Vote yes on 1;”
• “Vote no on 2;”
• A picture of a candidate;
• A candidate’s name; or
• An uncommon logo associated with a candidate

Related to candidates, issues, or parties that appear on the ballot for that election
Electioneering

• Request voter wearing prohibited electioneering material to remove or cover up unlawful attire.

• Should the voter refuse, **he or she must be allowed to vote**. The proper response if the person is unwilling to cease the improper conduct is to refer the voter to the Attorney General’s office for investigation.
• Once the person has voted, if he or she persists with improper electioneering conduct, it is appropriate to direct the voter to leave the polling place.

• If necessary, summon the assistance of the Attorney General or law enforcement to have the person removed.
Electioneering

- Limit social or non-election activities
  - Bake sales
  - Community information tables
  - Etc. - See Election Procedure Manual, starting at page 186

- At a minimum have a clear exit path from the rail to the outside of the building.
Electioneering

RSA 659:44-a: “Electioneering by Public Employees.

• Does not apply to elected officials, but will apply to your employees.
• Do not use taxpayer funded resources in any way to campaign for individuals seeking election.
• More complex limits on questions on the ballot.
• Review the statute and seek legal guidance from town/city legal counsel.
Polling Place Management
Polling Place Management

Check-in Stations:
- **ElectioNet** shows that almost 10% of New Hampshire Voters’ last names start with the letter “M,” while less than 2% start with the letter “N”
- Allocate by the likely number of voters versus equal number of letters of the alphabet
- Flexible number of stations/distribution of the alphabet
<table>
<thead>
<tr>
<th>Distribution of Letters of the Alphabet</th>
<th>Number of Voter Check-in Stations</th>
</tr>
</thead>
<tbody>
<tr>
<td>A-Z</td>
<td></td>
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<tr>
<td>B-Z</td>
<td></td>
</tr>
<tr>
<td>C-Z</td>
<td></td>
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<tr>
<td>D-Z</td>
<td></td>
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<tr>
<td>E-Z</td>
<td></td>
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<tr>
<td>F-Z</td>
<td></td>
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<tr>
<td>G-Z</td>
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<td>H-Z</td>
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<tr>
<td>I-Z</td>
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<tr>
<td>J-Z</td>
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<td>K-Z</td>
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<td>L-Z</td>
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<td>M-Z</td>
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<td>N-Z</td>
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<td>X-Z</td>
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<td>Y-Z</td>
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**Number of Voter Check-in Stations**

<table>
<thead>
<tr>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
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<tbody>
<tr>
<td>L-Z</td>
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</table>
Secretary of State
William M. Gardner

• Voter Turnout - the most important measure of election performance.
• The history of voter turnout in New Hampshire – what New Hampshire’s election officials are doing right.
<table>
<thead>
<tr>
<th>Presidential Election Year</th>
<th>N.H. Turnout: Highest Office/VAP (%)</th>
<th>U.S. Turnout: Highest Office/VAP (%)</th>
<th>N.H. Turnout greater than U.S. Turnout (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1952</td>
<td>78.2%</td>
<td>63.8%</td>
<td>14.4%</td>
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<tr>
<td>1956</td>
<td>75.2%</td>
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<td>1960</td>
<td>78.7%</td>
<td>62.8%</td>
<td>15.9%</td>
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<td>1964</td>
<td>72.4%</td>
<td>61.9%</td>
<td>10.5%</td>
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<td>1968</td>
<td>69.6%</td>
<td>60.8%</td>
<td>8.8%</td>
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<td>1972</td>
<td>63.6%</td>
<td>55.2%</td>
<td>8.4%</td>
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<tr>
<td>1976</td>
<td>57.3%</td>
<td>53.5%</td>
<td>3.7%</td>
</tr>
<tr>
<td>1980</td>
<td>57.2%</td>
<td>52.6%</td>
<td>4.6%</td>
</tr>
<tr>
<td>1984</td>
<td>53.1%</td>
<td>53.3%</td>
<td>-0.2%</td>
</tr>
<tr>
<td>1988</td>
<td>55.2%</td>
<td>50.3%</td>
<td>4.8%</td>
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<tr>
<td>1992</td>
<td>64.5%</td>
<td>54.7%</td>
<td>9.8%</td>
</tr>
<tr>
<td>1996</td>
<td>56.8%</td>
<td>48.1%</td>
<td>8.7%</td>
</tr>
<tr>
<td>2000</td>
<td>60.9%</td>
<td>50.0%</td>
<td>10.9%</td>
</tr>
<tr>
<td>2004</td>
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<td>55.5%</td>
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</table>

Source: Dr. Michael P. McDonald, United States Elections Project, 1980 - 2016 Turnout Data, 2017
Thank you