NVRA SECTION 7 BEST PRACTICES

webinar for the
Arizona Division of Elections

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Project Vote

OVERVIEW

- Basic NVRA requirements
- In-person and remote procedures
- Offering assistance
- Personnel and training
- Quality control
- 3rd-party contractors
- Paperless transactions
- Why it matters
- Recap

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BASIC REQUIREMENTS

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BASIC REQUIREMENTS

For <u>anyone</u> who walks in:

(1) Make voter registration forms available
(2) Provide assistance in completing the forms
(3) Accept form for transmittal to election officials

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BASIC REQUIREMENTS

- Required ("Covered Transactions")
  - Application
  - Recertification
  - Renewal
  - Change of Address
- Suggested
  - Change of Name

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BASIC REQUIREMENTS

For <u>clients</u>:

(1) With EACH covered transaction
   — provide voter information form
   — provide voter registration application
      UNLESS the person declines in writing
(2) Provide "the same degree of assistance"
      completing the VR app and agency forms
(3) Accept form for transmittal to election officials
(4) Keep it non-partisan

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In-Person and Remote Procedures

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Seamless Form Design

- VR offer within the benefits paperwork or attached?

- VR offer and application as 1 step or 2?

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BLANKS / OPT-OUT DISTRIBUTION

- Distribute a voter registration form "unless the applicant, in writing, declines to register to vote"
- Opt-out distribution

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BLANKS / OPT-OUT DISTRIBUTION

- Example from Massachusetts (Voter Registration Workbook for Agencies, page 14)
  - "[I]f the person checks "Yes" or fails to check a box in response to the voter registration question, agency personnel must give the applicant the agency voter registration application. Unless the person refuses assistance, assistance must be provided to him or her in completing the application. . . . If the person answers the voter registration question by checking "No" and signing the voter preference form, the discussion of voter registration is ended. If the person checks "No" but does not sign the form or does not check any of the boxes, agency personnel **must** distribute a mail-in agency voter registration application."

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REMOTES - Online

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REMOTES — Online

Partial screenshot from Louisiana's Department of Health & Hospitals Online Application:

If you are not registered to vote where you live now, would you like to apply to register to vote here today?
○ Yes ● No

- Apply to register to vote online at www.geauxvote.com. A valid Louisiana driver's license or ID card
- Click here to print and mail the *Mail Voter Registration Application*.
- Click here to have a *Mail Voter Registration Application* mailed to you.

IF YOU DO NOT CHECK EITHER BOX YOU WILL BE CONSIDERED TO HAVE DECIDED REGISTER TO VOTE AT THIS TIME.

Applying to register or declining to register to vote will not affect the amount of assistance that you will be pr agency.

If you would like help in filling out the voter registration application form, we will help you. **You may call us** **1-888-342-6207.** The decision whether to seek or accept help is yours. You may fill out the application form

If you choose to register to vote at this time, the information about the location where you completed the ap

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REMOTES — Online

Partial screenshot from Michigan Bridges Online Application:

Offer of State of Michigan Voter Registration Application

* If you are not registered to vote where you live now, would you like to apply to register to vote here today?

○ Yes, I would like a printable voter registration application form. If you select this option, a printable voter registration application form will be provided at the end of the benefits application process.

○ Yes, I would like a voter registration application form to be mailed to me.

○ No, I decline a voter registration application form.

Checking yes does not register you to vote.

You may also ask your worker for a voter registration application form at any time. DHS will assist you with completion of the voter registration application form (unless you decline such assistance) and submit your completed voter registration application form to the appropriate elections officials. If you experience any problems, please click Help on the next page.

Applying or declining to register to vote will not affect the amount of assistance that you

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REMOTES — Online

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REMOTES — Mail

- When transaction is <u>entirely</u> by mail (typically redetermination or change of address/name)

- Include voter reg application, pre-paid return envelope, & cover letter that explains why the person is receiving it and includes required disclaimers

- Cover letter examples: AL, MA, OK, PA

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REMOTES — Telephone

- Interviews & Change of Address

- Still have to distribute in absence of a declination in writing

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REMOTES — Email & Fax

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ASSISTANCE

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ASSISTANCE

- Affirmative offer

- Same level of assistance

- Keep it non-partisan

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ASSISTANCE

Agency employees must NOT:

- Influence the applicant's political preference or party registration;
- Display any political preference or party allegiance;
- Discourage the applicant from registering to vote (either by word or action);
- Lead the applicant to believe that registering or not registering will affect the availability of services or benefits

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ASSISTANCE

What TO do:
- Ask about voter registration if the client leaves the question blank
- Check that all required fields are completed
- Check for signature
- Answer basic questions (ex: eligibility requirements, what to do if the person does not have a driver's license number)
- Understand registration deadlines
- Provide language assistance, if applicable

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ASSISTANCE

Partial screenshot from OK's Voter Reg. Application Checklist:

Use this checklist to review a filled out voter registration application. If items marked below with an asterisk (*) appear to be missing, tell the applicant that the missing information may delay or prevent approval of the voter registration application. Accept the completed form and send it to the State Election Board whether or not the applicant adds the missing information. Election officials will determine whether the application is valid.

Section 1 – * Name ☐ Verify that name is complete and legible.
Section 2 – * Birth Date ☐ A person's date of birth <u>must</u> be listed.
　• Verify that the year listed is not the current year.
Section 3 – * Identification Number ☐ Verify that voter has provided one of the following:
　• Oklahoma driver license number or state identification card number is required.
　• Last four digits of the Social Security number is required if the voter does not have an Oklahoma driver license.
　• Checkmark in the box only if the voter does not have an Oklahoma driver license or a Social Security number.
Section 4 – Political Party ☐ See instructions on application for more information.
　• Make sure <u>ONE</u> box is checked.
　• Do <u>not</u> influence the person's choice.
Section 5 – * Street address or directions to your home ☐ Complete street address, including
　• number
　• street name
　• type (Street, Drive, Avenue, etc.)

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ASSISTANCE

- Other points of consideration
  - Eligibility
  - Political Party
  - Photocopying proof of citizenship if using the State form
  - Federal vs State form

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PERSONNEL & TRAINING

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NVRA COORDINATORS

- Statewide
  - Elections Division
  - Each public assistance agency
- Local
  - Each public assistance office

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NVRA COORDINATORS

- Elections Division NVRA Coordinator:
  - Point of contact for agency coordinators
  - Provides support, guidance, and training to agencies
  - Reviews/analyzes data to look for problems
  - Reports suspected or known compliance problems to the appropriate agency
  - Provides agency coordinators with all voter registration deadlines (at beginning of year + timely reminders)

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NVRA COORDINATORS

- Agency NVRA Coordinators:
  - Coordinate with Elections Division Coordinator, as well as the Local Agency Coordinators w/in their agency
  - Be able to assist Local Agency Coordinators and other employees with any questions or challenges pertaining to voter registration
  - Maintain current list of Local Agency Coordinators
  - Ensure that Local Agency Coordinators have the necessary training, as well as the voter registration deadlines and reminders
  - Ensure that Local Agency Coordinators and agency offices/employees are in compliance
  - Compile and analyze office-level data

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NVRA COORDINATORS

- Local Agency NVRA Coordinators:
  - Coordinate with Agency Coordinator
  - Be able to answer questions from clients and employees about voter registration services
  - Ensure adequate supply of NVRA-related materials
  - Ensure employees are properly trained and following procedures
  - Report all necessary data
  - Be responsible for ensuring transmittal of completed voter registration applications
  - Ensure that any complaints are handled appropriately

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TRAINING

- Orientation + Annual training
- Training for all versus Train-the-Trainers
- In person versus online
  - Ex: Oklahoma online
- Knowledge checks (ex: Florida)

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QUALITY CONTROL

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QUALITY CONTROL — Data Tracking

- Coded voter registration forms
  - bar codes (ex: Oklahoma, Oregon)
  - pre-printed codes (ex: Massachusetts)
  - hand-written codes (ex: Massachusetts)

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QUALITY CONTROL — Data Tracking

- Data from Agency offices
  - Case Management System
  - Electronic reporting (ex: Oregon)
  - Excel spreadsheets (ex: Georgia SOS, New Mexico HSD)
  - Paper reporting

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QUALITY CONTROL — Monitoring

- Both Agency and SOS Coordinators

- Review for potential problems

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QUALITY CONTROL — Evaluations

- Interview Observations
  - Offer? Assistance? Acceptance?
- Office Observations
  - Signs about voter reg?
  - Voter reg forms available to public?
  - Sufficient quantities of voter reg materials?
- Annual employee performance review
  - Consistent compliance with NVRA policies?
  - Any questions about NVRA policies?

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QUALITY CONTROL — Public Postings

- California
  - Yearly & monthly NVRA reports by county & office
- Massachusetts
  - Quarterly NVRA reports
- North Carolina
  - Monthly reports
- Oklahoma
  - NVRA text
  - NVRA settlement agreement
  - Monthly statistical reports
  - Contact info for SEB & Agency-level NVRA Coordinators
- Virginia
  - Monthly NVRA statistics report by county & type of agency

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THIRD-PARTY CONTRACTORS

- DOJ FAQs: "When a state contracts with a private entity to administer services in an agency that is required to offer voter registration, the ultimate responsibility for ensuring provision of voter registration services remains with the state, and the voter registration requirements under the NVRA remain the same."

- *See also* DOJ Statement of Interest in *Action NC v. Strach*, 1:15-cv-01063, Doc 84 (M.D.N.C. May 20, 2016)

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THIRD-PARTY CONTRACTORS

Best way to comply:

- include voter registration requirements in the contracts (see example)

- provide training & voter reg. materials.

SNAP Partnership

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AUTOMATED TRANSFER

– Paperless
– Clients must still affirmatively complete the voter registration information
– Ex: Delaware, Oklahoma (coming soon)

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WHY IT MATTERS

- Congress intended that "government should do all it can to make registration widely and easily available"
  – S. Rep. No. 103-6, at 13
- Section 7 is designed to reach "the poor and persons with disabilities who do not have driver's licenses and will not come into contact with [motor vehicle agencies]"
  – H.R. Rep. No. 103-66, at 16 (1993)

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WHY IT MATTERS

Arizona-specific numbers:

- 2013-2014 EAC Report = 17,063 (1.2%) VR apps from public assistance agencies
- Program Participation
  - SNAP 2014 monthly average = 1,044,310 (persons) / 449,640 (household)
  - WIC 2014 monthly average = 37,317 (women)
- 2014 CVAP Voter Registration Gap
  - Less than $20K = 54%
  - More than $100k = 79%

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RECAP - WRITTEN POLICY

- Available to the public
- Covered transactions
- Process by transaction type – in-person, online, mail, telephone, email/fax
- Voter preference form / blanks
- Assistance
- Transmission

- Confidentiality
- Prohibitions – 52 USC 20506(a)(5)
- Record Retention
- Data Collection
- Training
- Employee Evaluations
- NVRA Coordinators

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Relevant URLs

- MA, *Voter Reg. Workbook for Agencies*: http://www.sec.state.ma.us/ele/elepdf/Workbook-for-Agencies-Revised-8-2015.pdf
- ACLU & Center for Accessible Technology, *Access Denied*: https://www.aclu.org/report/access-denied-barriers-online-voter-registration-citizens-disabilities
- OK, *NVRA Training Powerpoint*: http://courses.oucpm.org/dhslms/courses/course369/index.php?userID=DEMOUSER&courseID=OLC_C369&olc_type=0
- OK, *Voter Registration Training*: http://fsquest.oucpm.org/subject/voter-registration/
- OR, *Agency VR Reporting Form*: *http://sos.oregon.gov/elections/Pages/voter-registration-reporting.aspx*

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Relevant URLs

- OK, *NVRA Reports*:
  https://www.ok.gov/elections/About_Us/
  National_Voter_Registration_Act/
- MA, *NVRA Reports*:
  http://www.sec.state.ma.us/ele/elenvra/
  nvraquarterlyreports.htm
- CA, *NVRA Reports*:
  http://www.sos.ca.gov/elections/voter-registration/nvra/
  reports/
- VA, *NVRA Reports*:
  https://elections.virginia.gov/resultsreports/registration-
  statistics/2016-registration-statistics/index.html
- NC, *NVRA Reports*:
  http://dl.ncsbe.gov/index.html?prefix=NVRA/NVRA
  %20Reports/

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