



PO Box 863  
Augusta, ME 04332-0863  
www.lwvme.org  
(207) 622-0256

TO: The Honorable John Atwood, Chair  
Members of the Commission to Study the Conduct of Elections in Maine

FROM: Barbara McDade, President, League of Women Voters of Maine

I think everyone in this room tonight believes that this year on November 6th, and, indeed, on every Election Day in every year, that “we the people” must have an equal say about our country’s future. Voting brings us together as Americans – it is the one time when we are all equal. It shouldn’t matter if you’re rich or poor, young or old, liberal or conservative; Election Day is everyone’s opportunity to support our community by having a say in who will be deliberating and deciding those policies that affect our lives.

This Commission has been charged with conducting a study of voter participation, the system governing voter registration and the conduct of elections in our State; and to bring these findings to the Joint Standing Committee on Veterans and Legal Affairs of the 126th Legislature. You are hearing how Mainers view the State’s voting process and what their concerns are, as well as what they feel may need to be changed or modified.

Members of the League of Women Voters have participated in the public hearings in Augusta and Portland as individuals, and, the State League has sent several letters on issues that our membership has agreed should be brought to your attention.

I am here tonight because I truly believe that every one who is eligible to vote should be encouraged to vote. I grew up in a family where Election Day was an important day. My parents were committee people. After school on Election Day, I would stop by the polling place and pick up the names of the people who had voted, take them home where a group of volunteers would be checking off lists, and calling those that had not yet showed up at the polls. Then it would be one of my duties to either baby sit so a mother could go vote, or, when I turned 16, drive someone needing a ride to the polls. Granted, my parents were partisan trying to get their party’s faithful out, but it was instilled in me that everyone had a voice, and this was the time it should be exercised. Even into her late 90’s, my Grandmother would never miss voting—she could remember when women weren’t allowed to vote. In both my work as a librarian, and as the President of the League of Women Voters of Maine, I am non-partisan. I don’t support a

party or speak for a candidate. I am here, because I passionately believe we have a good political system, and I want to see it work for everyone.

Mainers take voting seriously. Our state consistently has the highest or next to the highest level of voter turn out in the nation. Tonight I wish to talk about the difference between Voter Fraud and Election Fraud. Voter Fraud in Maine and elsewhere in the country, is very, very rare.

To quote from a study done by the Brennan Center for Justice, “**Fraud by individual voters is both irrational and extremely rare.**” There is no documented wave or trend of individuals voting multiple times, voting as someone else, or voting despite knowing that they are ineligible. The cases of voter fraud in this country happens somewhere between 0.0004% and 0.0009% of the time. Most purported cases of voter fraud have been proven false. Sometimes the reason to believe there was fraud is because of matching lists of voters with other lists—such as deceased individuals, voters in other states, etc. Again, from the Brennan report, “In Florida in 2000, a list of purged voters later became notorious when it was discovered that the “matching” process captured eligible voters with names similar to - but decidedly different from - the names of persons with felony convictions, sometimes in other states entirely. A 2005 attempt to identify supposed double voters in New Jersey mistakenly accused people with similar names but whose middle names or suffixes were clearly different, such as “J.T. Kearns, Jr.” and “J.T. Kearns, Sr.,” of being the same person. Even when names and birthdates match across lists, that does not mean there was voter fraud. Elementary statistics students are often surprised to learn that it is more likely than not that among just 23 individuals, two will share a birthday. Similar statistics show that for most reasonably common names, it is extremely likely that at least two people with the same name in a state will share the same date of birth. The ostensible “matches” may not represent the same person at all.” Other allegations of voter fraud turn out to be clerical errors, incomplete information or faulty assumptions. Most allegations disappear when the subject is really investigated.

It is extremely rare for individuals to vote multiple times, vote as someone else, or vote despite knowing that they are ineligible, and that is what **Voter Fraud** is. There may be other irregularities which result from honest mistakes by election officials or voters, such as confusion as to whether a particular person is actually eligible to vote. Some irregularities result from technological glitches, and some involve fraud or intentional misconduct perpetrated by actors other than individual voters: for example, flyers with misinformation about the proper locations or procedures for voting or missing ballot boxes. Those are examples of **Election Fraud**. These more common forms of **Election Fraud** are simply not addressed by solutions such as Voter ID. And, Voter ID may disenfranchise up to 10% of citizens eligible to vote. I don’t believe that Maine suffers from either Voter or Election Fraud, but it is important, I think, to make the distinction. Voter fraud is one voter at a time and hardly ever happens; election fraud is wholesale and is actually more prevalent.

Another area concerning elections that I hope this Commission will study includes Early Voting. Bangor was a case study for Early Voting, and from what I’ve heard, it worked very well. Currently, we do not have Early Voting, however. We now have “no-fault”, absentee voting. I

think that a good case can be made that true early voting is less open to fraud or mistakes than high-volume absentee voting.

Another issue that I think needs more statewide attention is IRV (Instant Run-off Voting) or Ranked Choice Voting. The League supports election systems for elected offices in single seat elections that require the winner to receive a majority of the votes, as long as the majority is achieved by Instant Runoff Voting/Ranked Choice Voting, rather than a second, separate runoff election. We thought the mayoral election in Portland last year was a successful example of using Ranked Choice Voting.

Thank you once again for your service on this Commission. We applaud the Commission for seeking out public comment on its charter, for creating numerous venues providing ample opportunity to be heard for people from around the state, and for dedicating your volunteer time to this public service.