

Voter Roll Maintenance

Presented by:
Stephanie McCann
Elections IT Division
The Mississippi Secretary of State's
Office



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Duties of Election Commissioners Concerning Voter Roll Maintenance

- The entire election commission is responsible for the maintenance of the entire voter roll of the county.
- Commissioners act as a group, through their minutes, which should be filed with the Circuit Clerk of the County.
- Individual commissioners may act alone only to fulfill ministerial tasks associated with voter roll maintenance.



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Duties of Election Commissioners Concerning Voter Roll Maintenance (Cont.) Section 23-15-153, Miss. Code Ann.

Election Commissioners are required to meet:

- The 1st Tues. after the 2nd Mon. in January every year;
- The 1st Tues. in the month immediately preceding the first primary election for congressmen in years when congressmen are elected;
- The 1st Mon. in the month immediately preceding the first primary election for state, state district, legislative, county and county district officers in the years such officers are elected;
- The 2nd Mon. of September in years in which there is not a regularly scheduled general election in November.



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Duties of Election Commissioners Concerning Voter Roll Maintenance (Cont.)

- Election Commissioners may meet more often than the schedule proscribed by § 23-15-153, Miss. Code Ann.
- Individual commissioners may perform the preliminary task of identifying individuals who may be removed from the voter roll; however, the removal of a voter from the voter roll constitutes official business which must be agreed upon by a quorum.
- No individual commissioner may act upon his or her own initiative to effect a change in the voting status of any voter.



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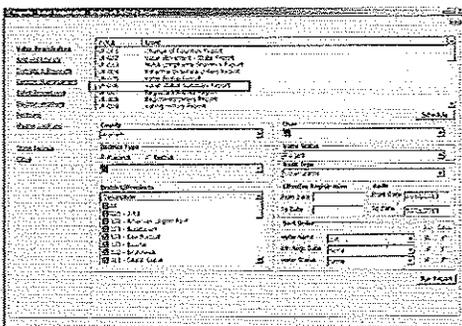
Duties of Election Commissioners Concerning Voter Roll Maintenance (Cont.): Individual Duties

- Between official meetings, individual commissioners should engage in ministerial tasks to complete the actions directed at the previous meeting, such as changing the status of voters or sending confirmation cards.
- Individual commissioners should research, review, and examine all legitimate sources of information in preparation for the next meeting.
- At the next meeting, individual commissioners should present to the full commission a list of voters for consideration, together with the reason and supporting documentation.



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Registrant Activity Report – VR-007



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Voter Registration Status

INACTIVE: A voter in inactive status may vote only by affidavit ballot, and that ballot should be counted if the voter affirms he/she remains living at the same address or at an address in the same precinct. The name of a voter in inactive status will not appear in the poll book.

PURGED: A voter in purged status may vote by affidavit ballot but that ballot should not be counted. The name of a purged voter will not appear in the poll book.



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Searching by Voter Status – Voter Search

The screenshot shows a web-based voter search interface. At the top, it says "Searching by Voter Status – Voter Search". Below this is a search area with a "Full Search" button. The main part of the interface is a table with columns for "Mailing Address", "Name", "Status", "County", "Precinct", "Residence Address", and "Date". Below the table are several filter sections: "Active", "Inactive", "Purged", "Mailing Address", "Residence Address", "Date", "County", and "Precinct". Each filter section contains a list of checkboxes for different voter statuses and actions. At the bottom, there are "View Summary" and "Print" buttons.

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Questions

- May a voter in inactive status be restored to active status?
- May a voter in inactive status be removed (purged) from the voter roll?
- May a voter in purged status be restored to active status?
- May a voter in active status be removed (purged) from the voter roll?



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What is Voter Roll Maintenance?



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Voter Roll Maintenance

- The process of amending inaccurate records, adding names of voters who are eligible to vote and have properly registered to vote, and purging ineligible individuals from the voter roll.



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Amending Inaccurate Records

- Changing voter's name
 - After marriage
 - Legally changed name
- Updating new address information
 - Voter has moved within the county
- Assigning new polling location
 - After redistricting
- Any other reasons?



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Adding Names to Voter Roll

- Election commissioners should **ONLY** add a name to the voter roll if the election commission finds that a voter is eligible to vote, has properly registered, and was illegally denied registration.
 - The election commission hears and resolves disputes concerning the denial of voter registration by the Circuit Clerk.
- Otherwise, this duty is primarily vested in the Circuit Clerk/Registrar.



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What is Purging?



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Purging

- Purging is the removal of a voter's name from the voter rolls.
- Election commissioners have the duty and responsibility of removing names of voters who have died, moved away, requested removal, or otherwise become disqualified as electors as provided by law.



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Why is Purging Important?

Election Commissioners purge, revise, and maintain voter rolls to:

- Keep voters in the registration books and poll books of the precinct in which they are legally qualified to vote;
- Prevent illegal voting;
- Provide an accurate list of registered voters for jury selection;
- Assure registration and poll books never show more voters registered in a given county than are possible;
- Purging the voter registration books is required by State and Federal law.



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Reasons for Purging a Voter

- Written request of the Voter
- Conviction of a Disenfranchising Crime
- Adjudication of Incompetence
- Death
- Removal from the Voting Jurisdiction



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Voter Initiated Request

- If a voter formally requests to be removed from the voter roll (i.e. a written letter), this voter should be immediately removed from the voter roll.
- The request must be in writing AND signed by the voter.
- The NVRA places no restriction upon when a voter may be purged from the voter roll based upon a voter initiated request.



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**Conviction of a
Disenfranchising Crime**

- If a voter is convicted of a disenfranchising crime, he or she must be purged from the voter roll.
- A voter is disenfranchised only for a Mississippi state court conviction.
- The Circuit Clerk maintains a roll of individuals convicted of disenfranchising crimes in his or her county.
- AOC imports quarterly into SEMS.


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Disenfranchising Crimes

Arson	Armed Robbery	Bigamy
Bribery	Felony Bad Check	Embezzlement
Extortion	Felony Shoplifting	Forgery
Larceny	Statutory Rape	Murder
Perjury	Timber Larceny	Rape
Robbery	Unlawful Taking of a Motor Vehicle	
Theft	Receiving Stolen Property	
Carjacking	Obtaining Money or Goods Under	
Larceny Under Lease	False Pretense	

AG Opinion, Heggie, 7/9/2009


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Adjudication of Incompetence

- If a Chancery Court enters an order which adjudicates an individual as incompetent, that individual may be removed from the voter roll.
- An examination of the Chancery Court docket may reveal legal actions filed to determine, and which do determine by Court Order, incompetence.
- The NVRA places no restriction upon when a voter may be purged from the voter roll based on a Court's declaration (or adjudication) of incompetence.


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Death

- If reliable information establishes the death of a voter, that voter may be purged from the voter roll.
- Several reliable sources of information are available, such as death certificates imported monthly into SEMS from the MS Dept. of Health and Vital Statistics, obituaries from newspapers, and Chancery Court estate records.
- The NVRA places no restriction upon when a voter may be purged from the voter roll based upon a voter's death.



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Sources of Information

- The Election Commission uses all valid sources of information to assist in conducting voter roll maintenance.



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Examples of Sources

- Roll of persons convicted of certain crimes
- Print media (newspaper, telephone book, etc.)
- Department of Health and Vital Statistics;
- Notice of registration from another county or state
- Returned mail (jury summons, voter registration card, etc.)



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Examples of Sources (Cont.)

- Personal knowledge
- Family member of person in question
- Court order declaring voter incompetent
- Administrative Office of Courts
- Statewide Elections Management System (SEMS)
- Confirmation Card
- Others?



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Sources from SEMS

State Agency Reports

- Department of Health (DOH) VR-022
- Administrative Office of Courts (AOC) VR-024



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Potential Department of Health (DOH) Duplicate Voters Report – VR-022

Lists voters who match persons in the Department of Health (DOH) database of death certificate records. The "% Match" column indicates how close a match the voter (in bold) is with the DOH records, with 99% being the closest possible match.



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Written Confirmation

- If a voter confirms in writing he or she has moved to a residence outside of the county, he or she may be purged immediately from the voter roll.
- A copy of a voter's registration application in another county or state constitutes written confirmation of a voter's change in residence.
- The NVRA places no restriction upon when a voter may be purged from the voter roll based upon written confirmation of a voter's change of residence.



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Confirmation Card Process

- In the absence of a written confirmation of a change of residence from the voter, the confirmation card process provides the only means by which to purge a voter from the voter roll based upon a change of residence to a new address outside of the county or the state.



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Triggering Event

- Import of National Change of Address (NCOA) files to SEMS from US Post Office;
- Notification from another state of voter registration;
- Returned Jury Summons or other official mail;
- Filing of a deed in the lands records of the office of the Chancery Clerk; or
- Change in homestead exemption.



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If the voter returns the Confirmation Card indicating that...

- ...his/her residence has not changed, no further action should be taken.
- ...his/her residence has moved within the same county, the address information should be corrected in SEMS and the voter sent a new voter registration card with the proper precinct location.
- ...his/her residence has moved outside the county, the voter may be immediately purged from the voter roll.



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If the voter does not return the Confirmation Card...

- The voter **MAY NOT** be purged from the voter roll, but must remain inactive for TWO (2) federal general elections occurring after the sending of the confirmation card.
- No voter may be purged based upon the confirmation card process within 90 days of an election by reason of the NVRA.



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Questions

- May a voter be purged from the voter roll based solely upon inactivity?
- If a voter registered to vote in 1986, but hasn't voted since 1990, may that voter be purged? Placed on inactive status?
- If your neighbor moves to California, may he/she be purged based upon your personal knowledge?



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Questions

- Your neighbor has been recently diagnosed with Alzheimer's Disease. May she be purged from the voter roll based upon your personal knowledge of her diminishing competence?
- An 18-year-old high school student in special education registers to vote at school. Her mother calls the election commission asking that her daughter be removed from the voter roll because she is incompetent. May the daughter be purged from the voter roll?



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Questions

- Mrs. Smith writes a letter to the Circuit Clerk telling that her son has moved from Biloxi to Tunica to work at a new casino. May the son be purged from the Harrison County voter roll?
- Robert Johnson, III, the Tobacco Man's son, writes a letter to the circuit clerk stating he never would have registered to vote had he knew what all it entailed and that he never would have gotten married either. He requests that he be removed from the voter roll and his marriage no longer be recognized. It is signed in gold ink and sealed with a "bloody" thumb print. May he be purged?



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Questions

- The Circuit Clerk receives NCOA notifications from the USPS for 30 voters who have moved outside of the county. May these voters be purged from the voter roll?
- The Circuit Clerk receives several returned jury summons. May each voter be purged from the roll based upon the return of each jury summons?



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Questions

- A confirmation card is sent to a voter who has not voted in more than 10 years. The card is returned undeliverable. May this voter be purged from the voter roll?
- A confirmation card is returned by a voter:
 - The card provides a new address within the county. What is the proper course of action?
 - The card provides a new address outside the county. What is the proper course of action?


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**Voter Roll
Maintenance is a
continuous process;
It is a project that
does not end!**


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Questions?


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Contact Information

*Mississippi Secretary of State's Office
Elections Division*

Technical

*Stephanie McCann, Elections IT
(601) 359-5075*

Legal

*Hawley Robertson, Senior Attorney
Phone (601) 359-9372*

Elections Hotline 1-800-829-6786



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