LOFT
LEGISLATIVE OFFICE OF FISCAL TRANSPARENCY

Rapid Response: Absentee Voting

March 9, 2023

Meeting of the Legislative Oversight Committee

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Voting Methods

Election Day Voting

In-Person Absentee (Early Voting)

Absentee (Mail-In Voting)

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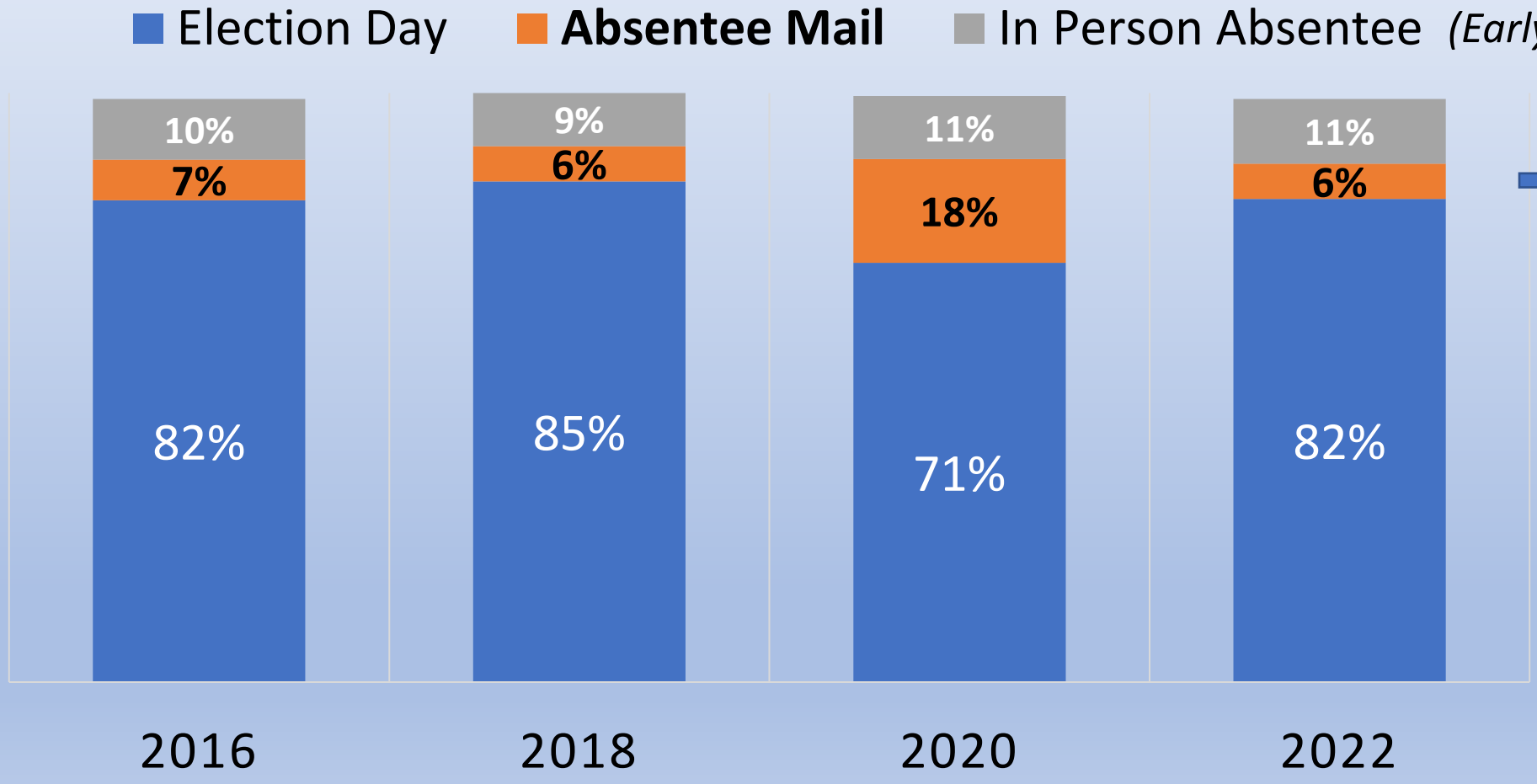
Oklahoma Voting Method Trends

General Elections



*Approximately **71,000** votes were cast as absentee votes out of 1.15 million total votes.*

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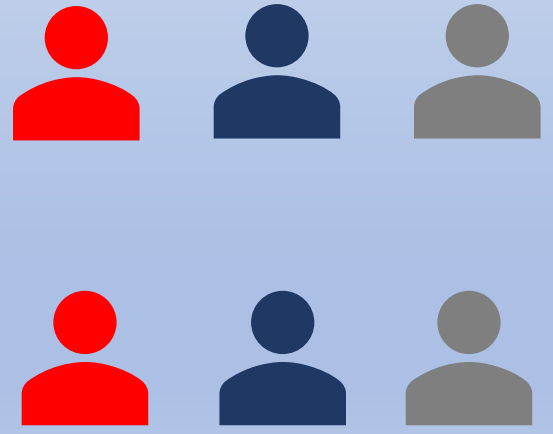
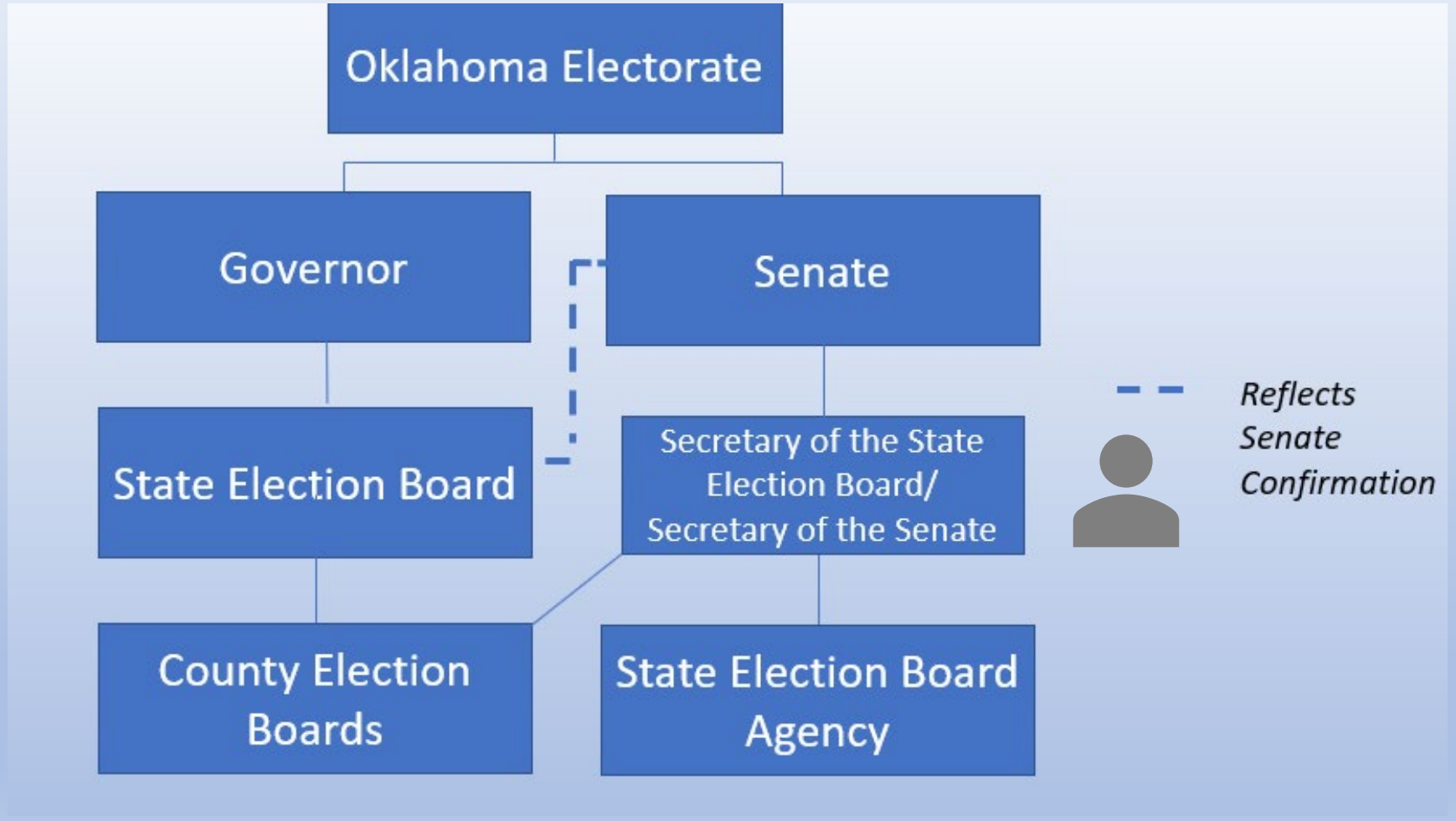
Oklahoma's Election System





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Key Objectives

This evaluation was guided by four key objectives:

1. Describe the State's administrative process for distributing, receiving, counting, and verifying mail-in absentee ballots.

2. Evaluate State Election Board and County Election Board compliance with statutory provisions regarding absentee voting.

3. Compare Oklahoma's absentee voting procedures to other states.

4. Assess procedural controls in place to verify security and accuracy of absentee ballots.

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Report Findings

Finding 1: Oklahoma's Absentee Voting Processes Enable Election Integrity

Finding 2: Local Level Compliance with Effective Processes Yield a Secure and Accurate Vote Count

Finding 3: Oklahoma's Uniform Election System Supports Election Security and Efficiency

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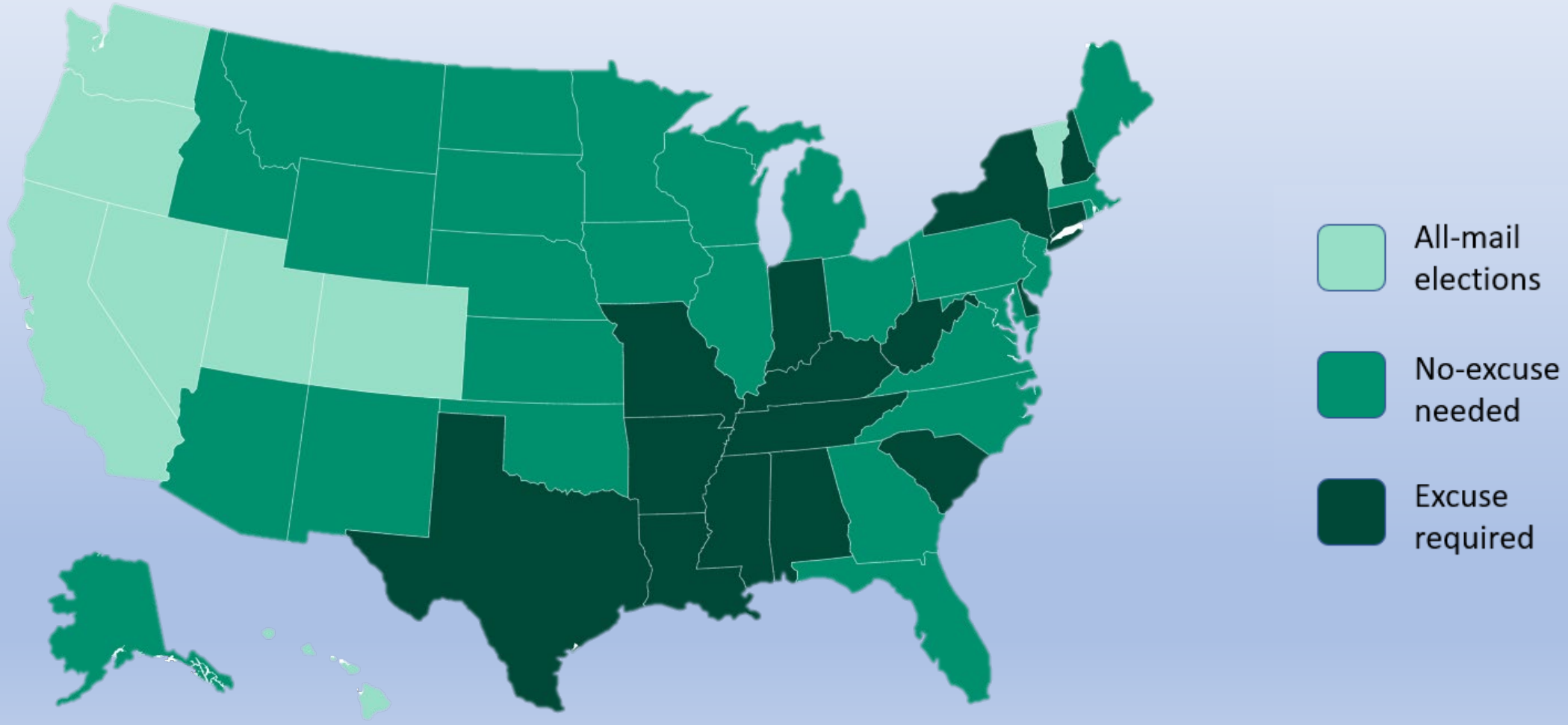
Finding 1: Oklahoma's Absentee Voting Processes Enable Election Integrity



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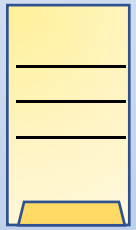
Standard Absentee Voting Process

Application

Must be received at least 15 days before election day.

Ballot

Outer Envelope



Affidavit Envelope

Ballot

Notarized

Return Ballot

OR

If hand delivered, ballot must be returned the **day before** the election at the end of business hours. Must show ID.

If mailed, ballot must be received **by 7PM** on Election Day.

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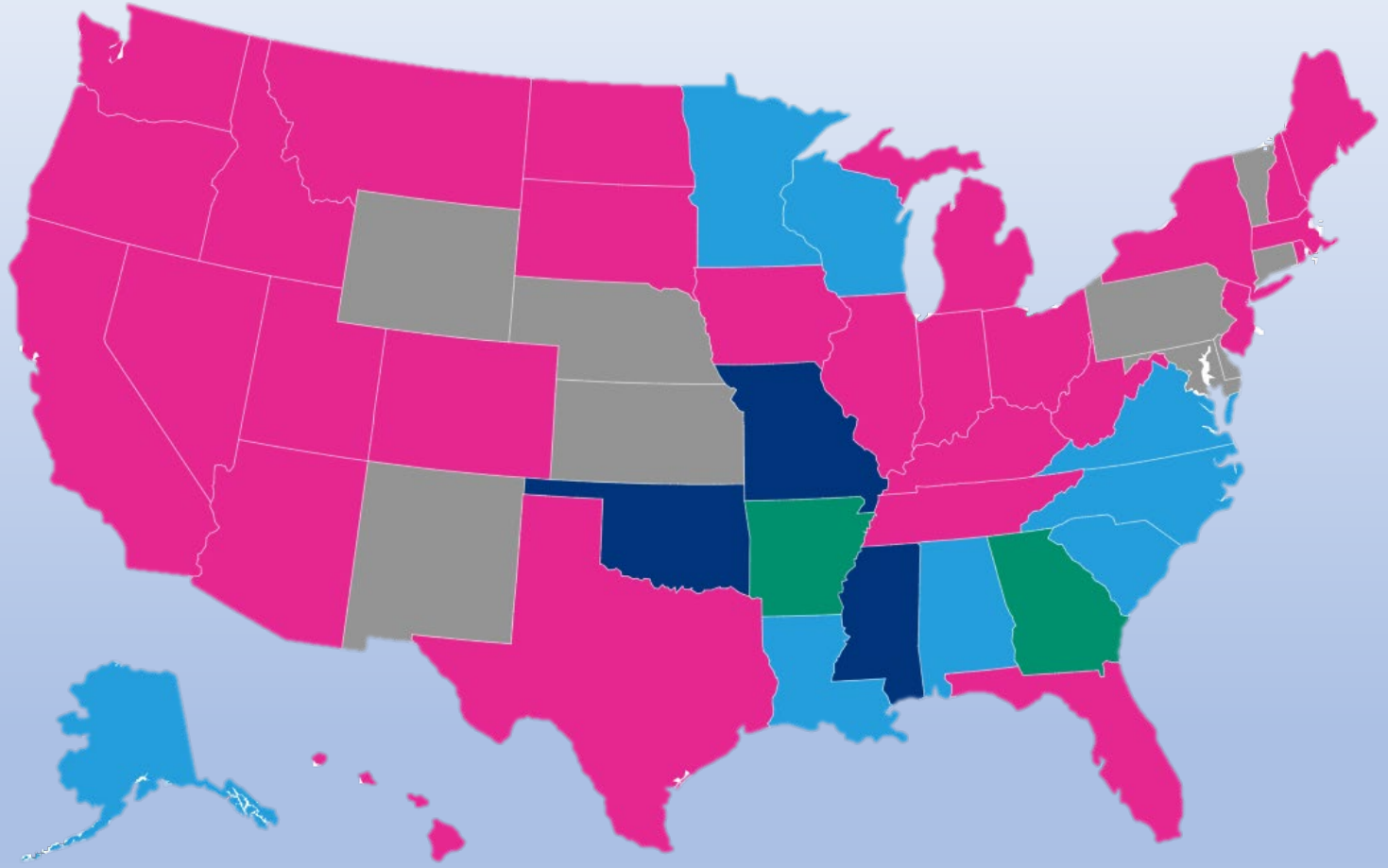
Absentee Voter Verification



- **Signature Matching**
- **Requires Notary**
- **Requires witness**
- **Other** (photocopy of ID or registration, or include driver's license #)
- **No Additional Verification** (affidavit signed by voter)

Source: National Conference of State Legislatures

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Absentee Voter Accommodations

Absentee Voter Type:	Verification Method:
Standard Absentee	Notarization
Physically Incapacitated (and Caregivers)	2 Witnesses
Nursing Home or Veteran's Center	Members of the County Election Board (Absentee Voting Board)
Military, Military Spouses, or Oklahoma Residents Living Overseas	Signed Affidavit
Emergency Incapacitated	Doctor's Note, 2 Witnesses
First Responders and Emergency Workers	Deployment Documentation, Notarization

Source: Statutory Review, State Election Board

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Absentee Ballot Rejection Rates

2022 Rejection Rates:

- Total Rejections 1,327 (1.89 percent)
- Affidavit not notarized (409)

Opportunity:

- Clarification of notary or voter error

Election Date: 11/08/2022

Ballot Rejection Reason	Standard
Affidavit Incomplete	118
Affidavit not attested	5
Affidavit not notarized	409
Affidavit not returned	53
Affidavit not signed	18
Affidavit not witnessed	0
Ballot not received in time	219
Incorrect ballot returned	4
No ballot returned	1
Privacy affidavit not signed	0
Standard Rejection Total -	**827**
Non-Standard Rejection Total -	**500**
Total Rejections:	**1,327**

Source: 2020 Election Administration and Voting Survey (EAVS); MIT Election Data and Science Lab.
Note: Statistics calculated only for states that have data for >85% of registered voters.

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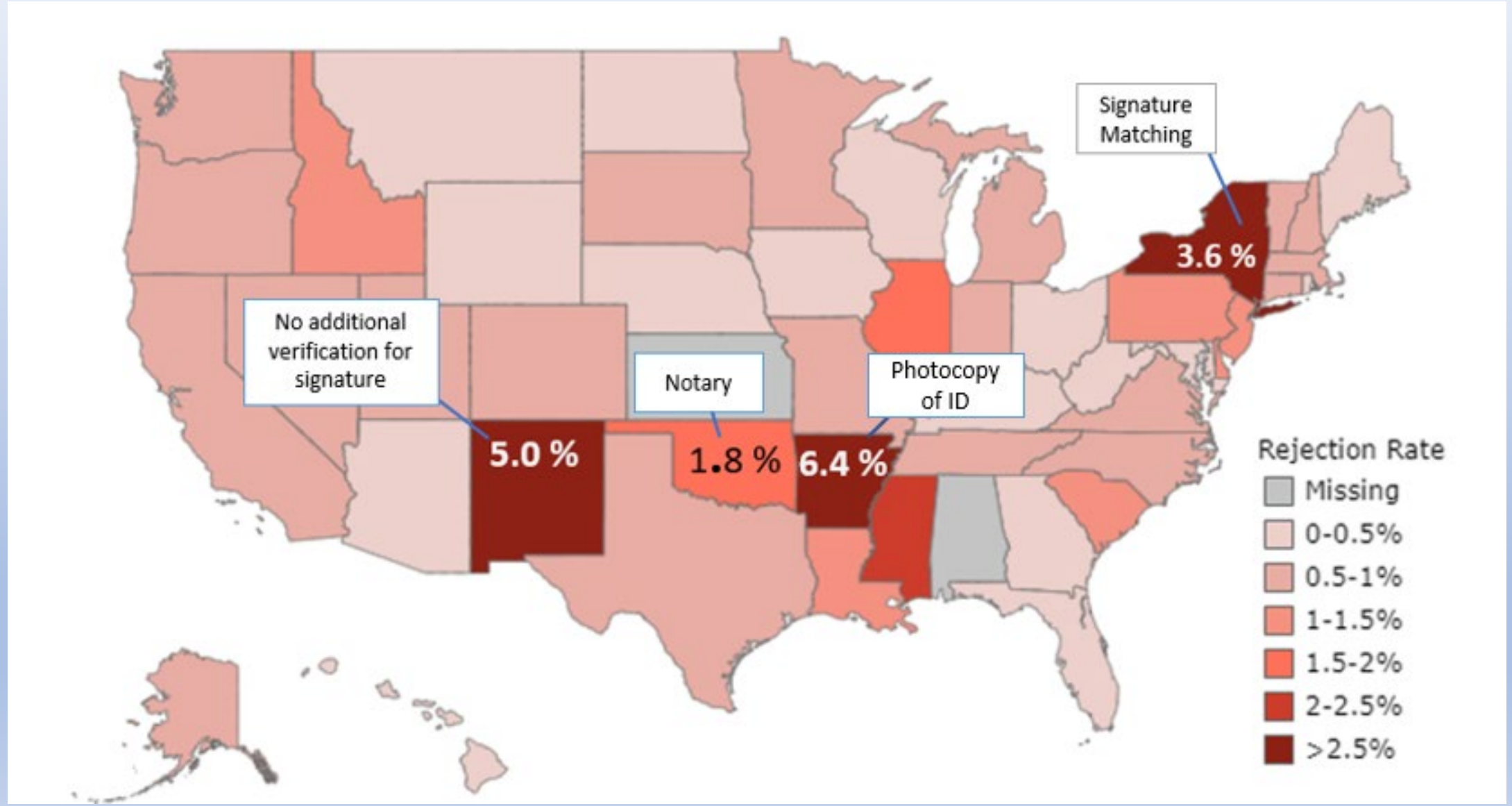
Absentee Ballot Rejection Rates



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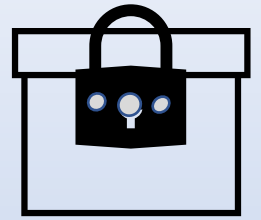
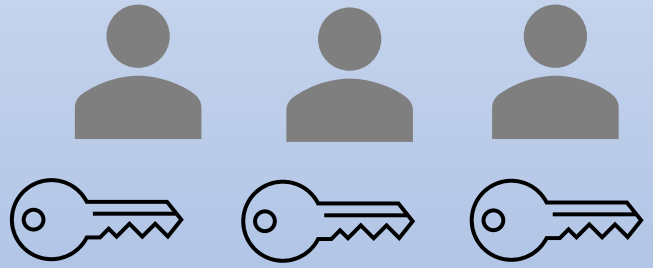
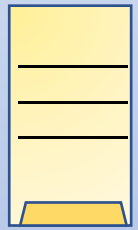
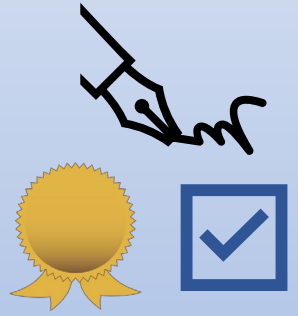
Counting and Verification Procedures



County Election Board



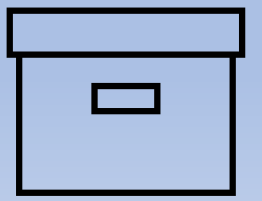




Depending on permission, process may stop **here.**

Ballot (inside secrecy envelope)

Mobile Ballot Box



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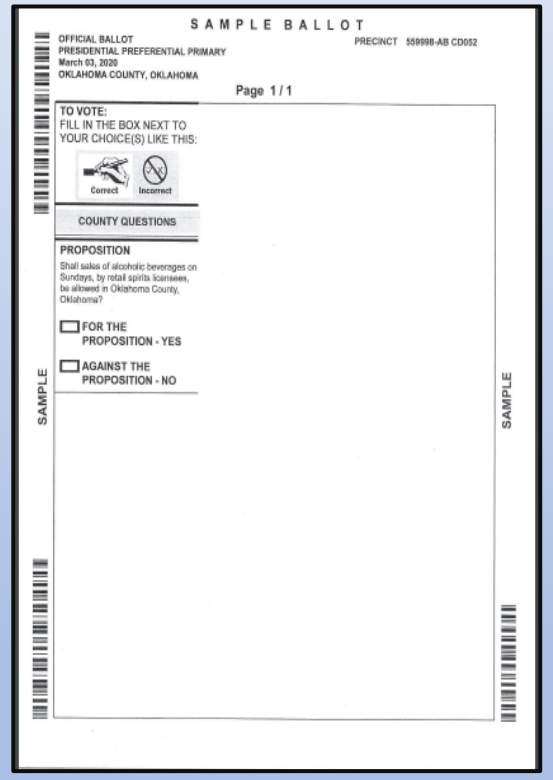
Oklahoma Voting Technology

Paper Ballots



SAMPLE BALLOT

OFFICIAL BALLOT
PRESIDENTIAL PREFERENTIAL PRIMARY
March 03, 2020
OKLAHOMA COUNTY, OKLAHOMA

PRECINCT 559998-AB CD052

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TO VOTE:
FILL IN THE BOX NEXT TO YOUR CHOICE(S) LIKE THIS:

Correct Incorrect

COUNTY QUESTIONS

PROPOSITION

Shall sales of alcoholic beverages on Sundays, by retail spirits licensees, be allowed in Oklahoma County, Oklahoma?

☐ FOR THE PROPOSITION - YES

☐ AGAINST THE PROPOSITION - NO

SAMPLE

SAMPLE

All 2,000+ precincts have an optical scanning device

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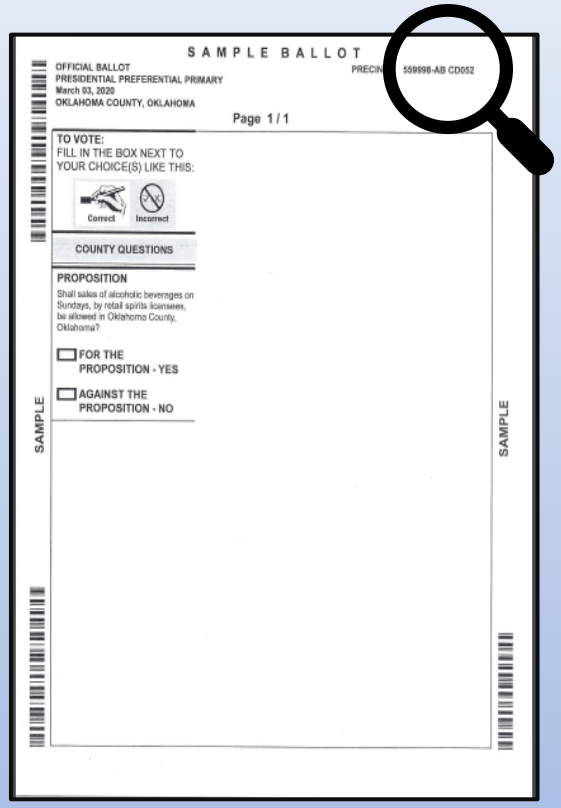
Post Election Audits and Review

2022 Post Election Audits

Results

- **Primary** – 33 counties,* 23 races
  - Zero differences between the hand tally of the physical paper ballots compared to the official certified results.
- **General** – 77 counties,* 20 races
  - Two races were off by one vote due to a missing ballot and a jam in the machine resulting in an incorrect marking on one ballot.


SAMPLE BALLOT

OFFICIAL BALLOT
PRESIDENTIAL PREFERENTIAL PRIMARY
March 03, 2020
OKLAHOMA COUNTY, OKLAHOMA

Page 1 / 1

TO VOTE:
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PROPOSITION

Shall sales of alcoholic beverages on Sundays, by retail spirits licensees, be allowed in Oklahoma County, Oklahoma?

FOR THE PROPOSITION - YES

AGAINST THE PROPOSITION - NO

SAMPLE

SAMPLE

* Some counties audited more than one race

2020 Oklahoma League of Women Voters Review

- Out of 1.5 million votes cast, 59 potential cases of voter irregularity
- Comanche District Attorney pursued **1 case** resulting in charges of voter fraud

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Questions on Finding 1

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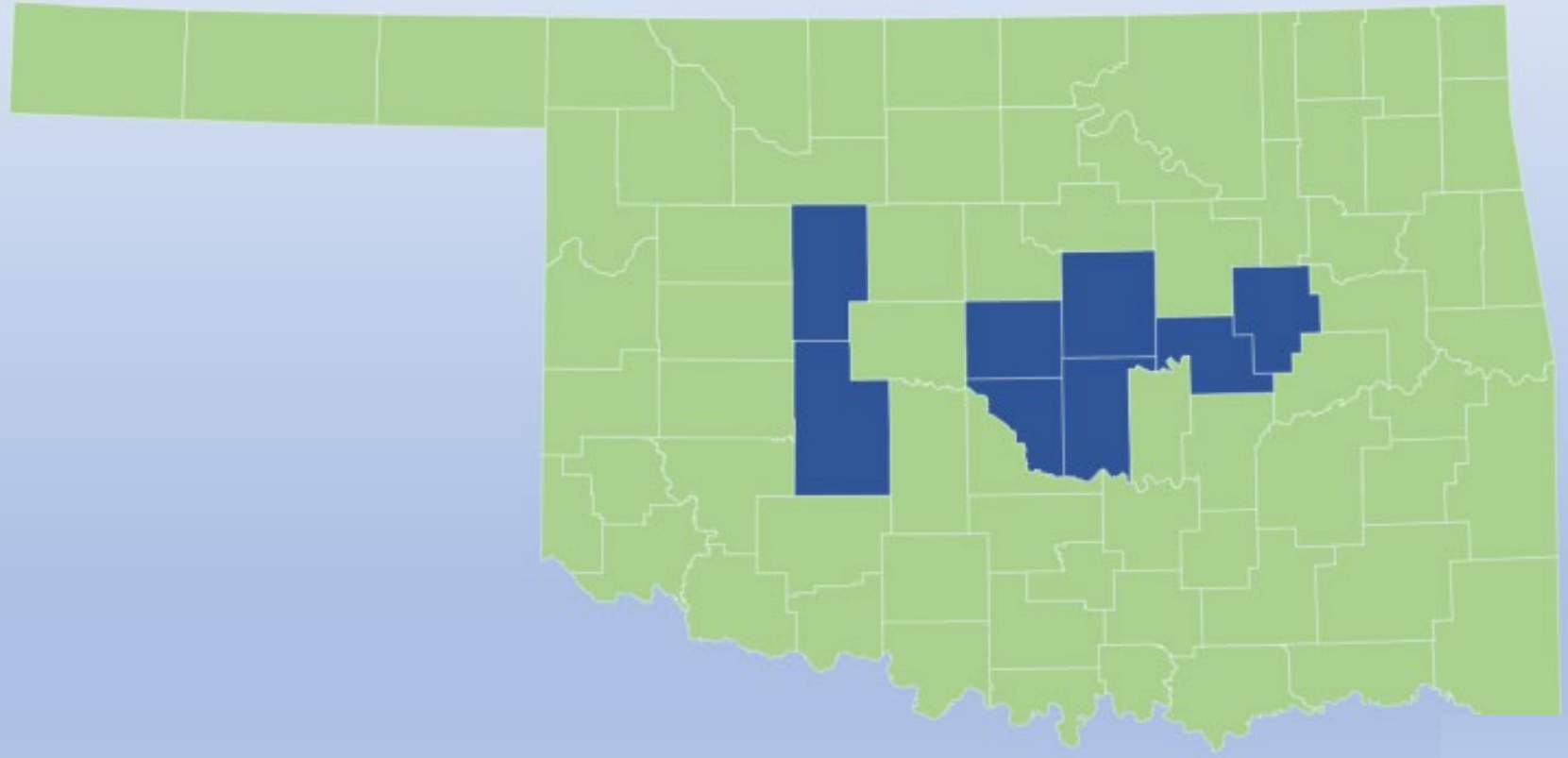
Finding 2: Local Level Compliance with Effective Processes Yield a Secure and Accurate Vote Count



- Blaine
- Caddo
- Cleveland
- Lincoln
- Okfuskee
- Okmulgee
- Oklahoma
- Pottawatomie

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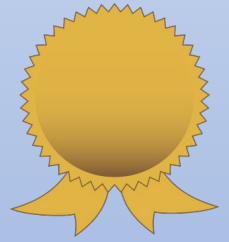
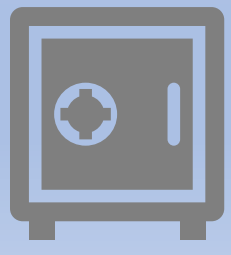
Compliance with Processes

Intake

Verification



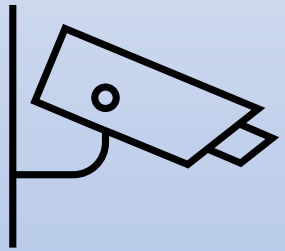
Storage



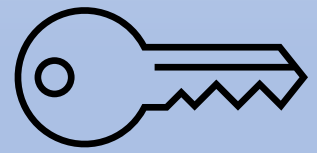
Opportunities to Enhance Procedures

Chain of Custody

- One larger county has additional counting rooms to accommodate the large volume
  - Enhance observation capacity

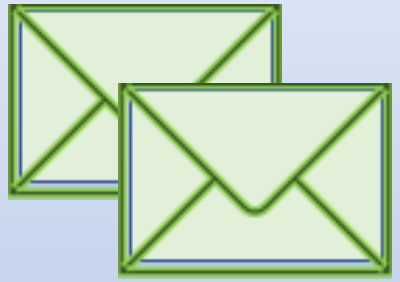


- Unique key locks for padlock on absentee ballot boxes



Opportunities to Clarify Processes

Clarify Voter Instructions:



- If separate green outer envelopes are always necessary
- How many stamps are needed

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Questions on Finding 2

Finding 3: Oklahoma's Uniform Election System Supports Election Security and Efficiency

- **Enhances security**
- **Administrative simplicity**
- **Boosts public confidence**

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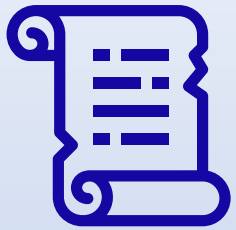
Timeline of Oklahoma's Election System



1974 Legislation

- Brought all 77 counties under one set of statutes
- Previously, Oklahoma, Tulsa, and Muskogee Counties operated under different statutes from the rest of the state

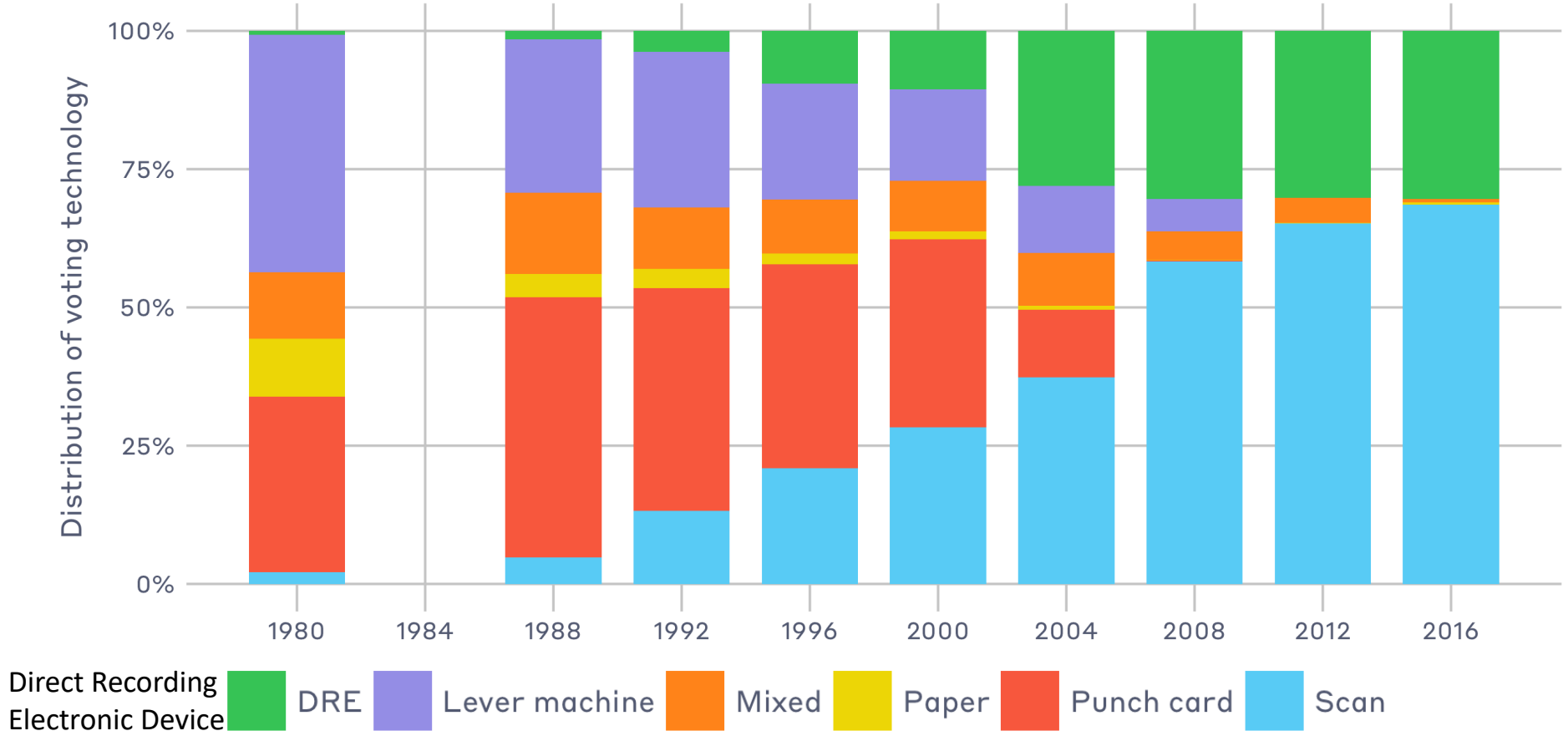
1990 Computer System

- Integrated computer administration across counties
- Computerized voter registration records

1992 Optical Scanners

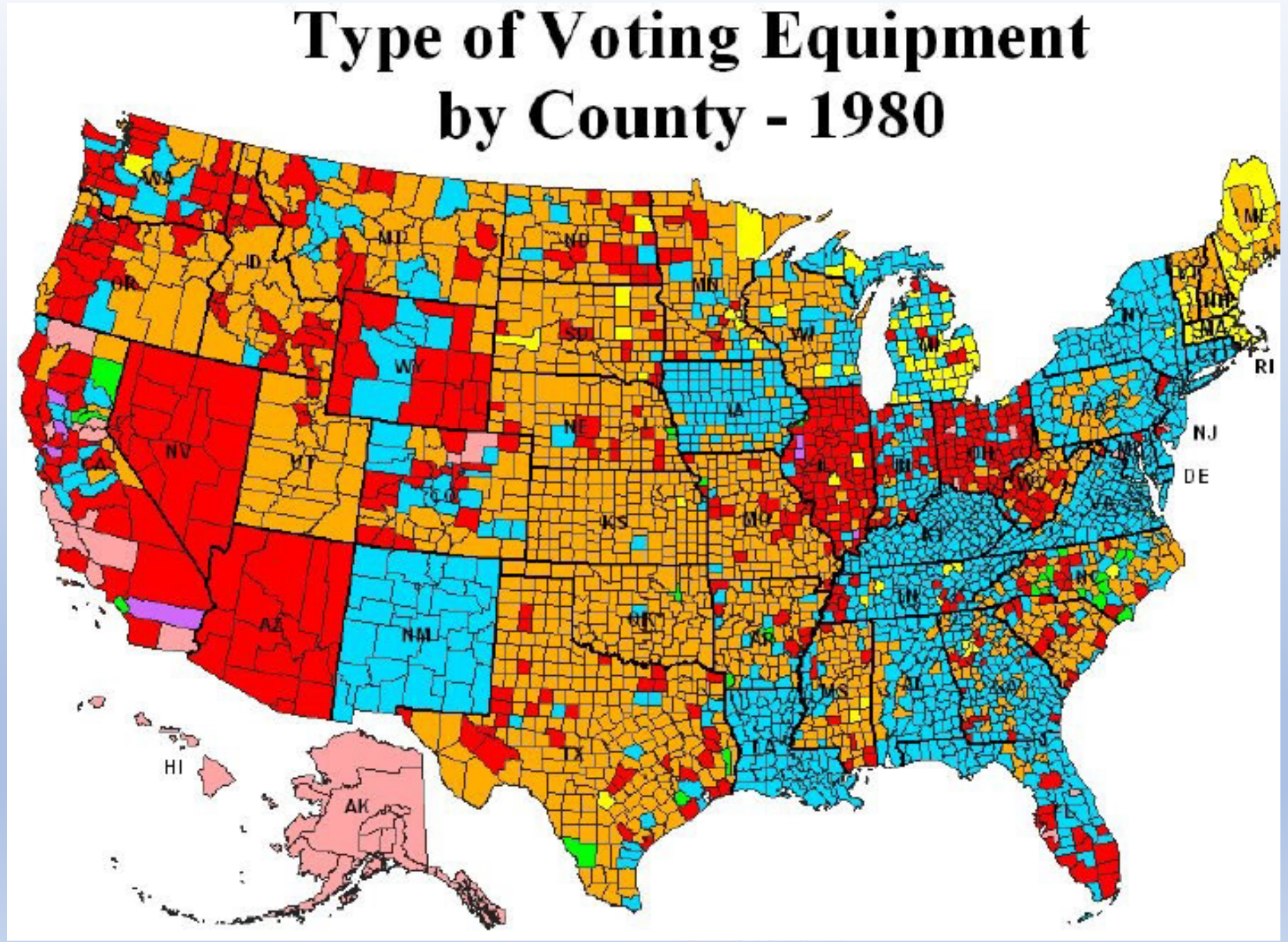
- Optical scanner in every precinct

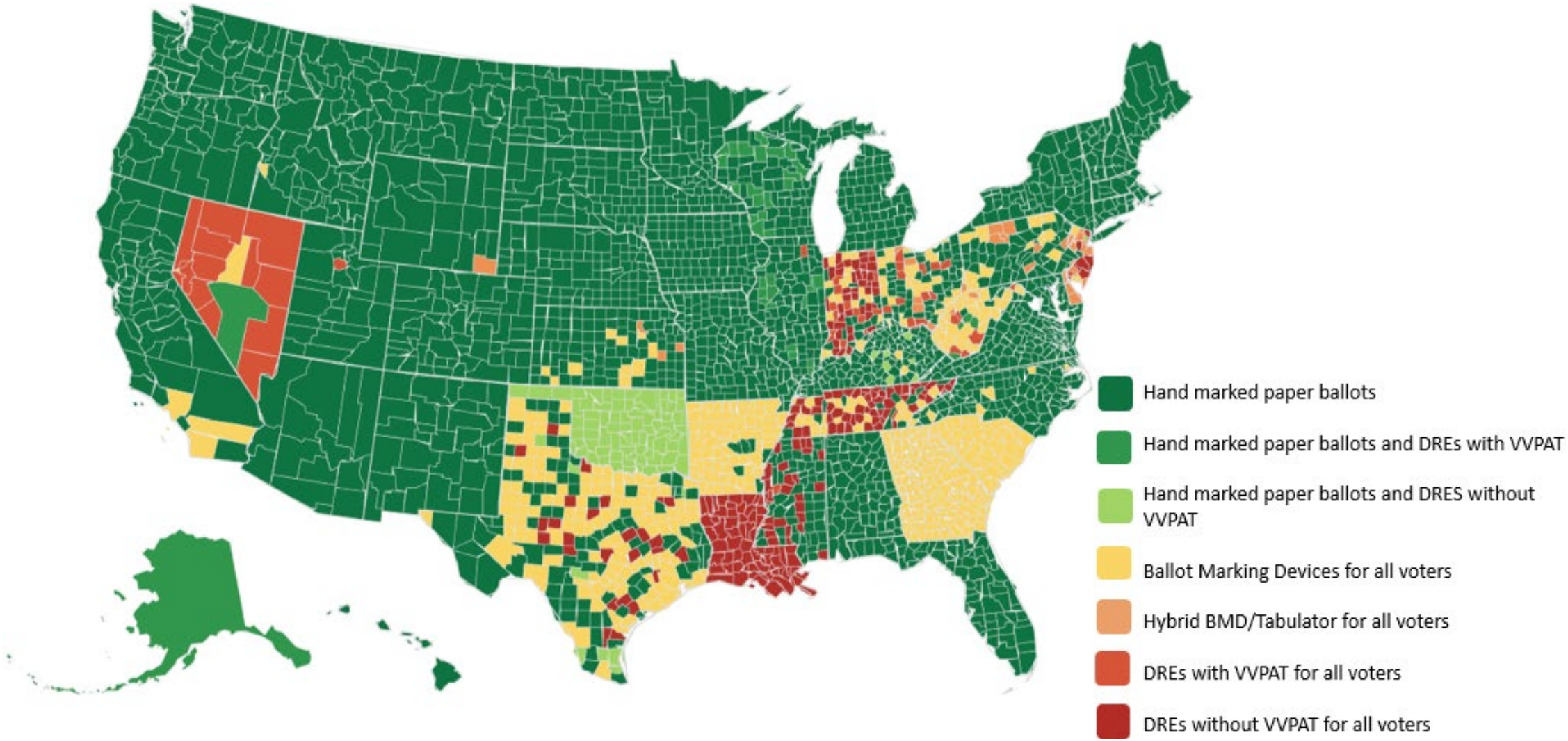
Figure 2: Voting technology usage over time in the U.S.



Note: Data are not available for 1984.
Source: Election Data Services

- Punchcard
- DataVote
- Lever
- Paper
- Optical
- Electronic
- Mixed Systems




Hand marked paper ballots
Hand marked paper ballots and DREs with VVPAT
Hand marked paper ballots and DRES without VVPAT
Ballot Marking Devices for all voters
Hybrid BMD/Tabulator for all voters
DREs with VVPAT for all voters
DREs without VVPAT for all voters

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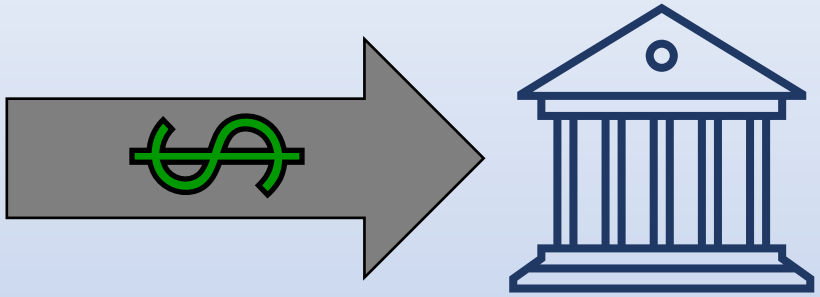
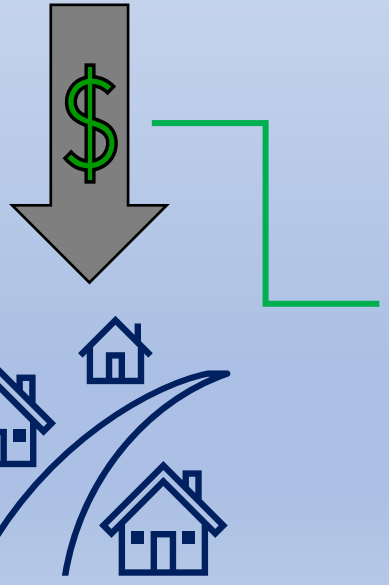
State Support to Counties

Legislature



State Election Board



County Election Boards

- ✓ **FY23 Election Management budget: $7.5 Million**
  - ✓ **County Board Secretary Salaries & Benefits: $3.57 Million FY23**
  - ✓ **Voting machines**
  - ✓ **Machine maintenance**
  - ✓ **Election Day supplies**

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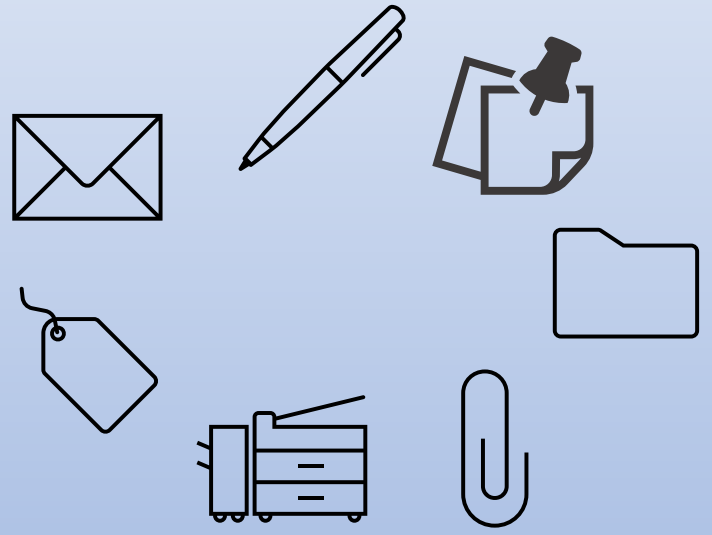
State Support to Counties



- Training
- Best practices
- Website assistance

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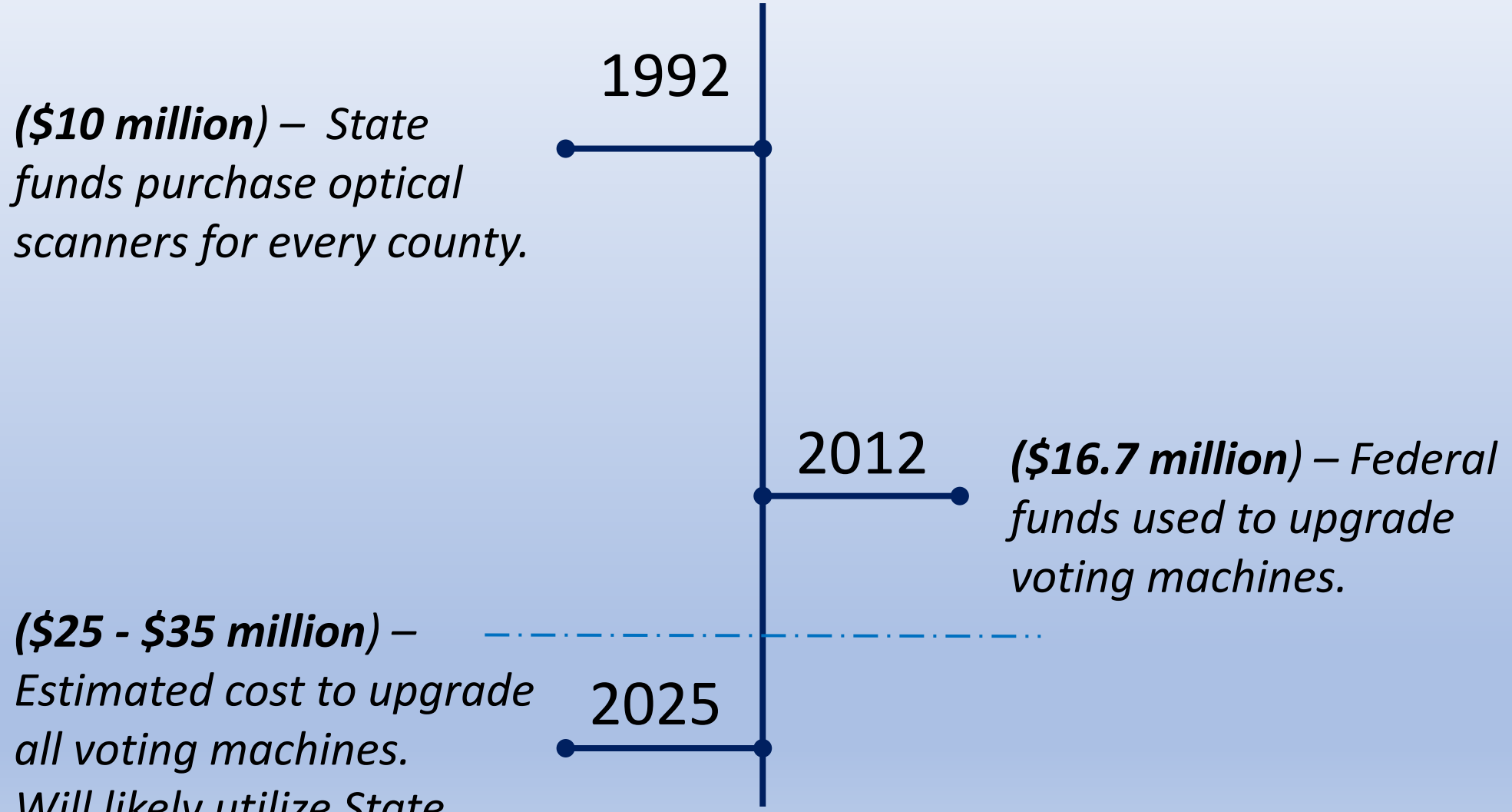
Investments in Oklahoma's Voting Equipment



Policy Considerations

The Legislature may consider the following policy changes:

- Requiring that any future changes to Oklahoma's election processes or voting equipment maintain the statewide uniformity of the election system.
- Requiring post-election audits by the State Election Board.
- Expanding the use of Nursing Home Absentee Boards to include residents at Assisted Living and Residential Care Facilities who have limited mobility.
- Changing the statutory term of "in-person absentee" voting to "early voting" to clarify the types of voting available to the electorate.

Agency Recommendations

The State Election Board should:

- Indicate the postage required on the upper right-hand corner of the outer mailing envelope for mail-in ballots.
- Clarify the voter instructions provided with the absentee ballot to describe the steps needed to notarize a ballot. Include a link to the State Election Board website for a list of free notary publics in their area.
- Require two staff or board members be physically present with the ballots at all times when transporting unlocked ballots between rooms.
- Modify absentee ballot rejection categories to distinguish between incorrect notarization or lack of notarization.

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Rapid Response: Absentee Voting

March 9, 2023

Meeting of the Legislative Oversight Committee