Vote By-Mail
Frequently Asked Questions

Prepared by CBJ Municipal Clerk’s Office – updated March 2007

How does vote by mail work?

In a by-mail election, every voter who is registered 30 days prior to the election at a residence within the City and Borough of Juneau is mailed a ballot. The voter is mailed a packet which contains a ballot, a secrecy sleeve, a return identification envelope, and an instruction sheet on how to cast a ballot and return it in a timely manner.

In a by-mail election there are no walk-in precinct polling locations. The sixteen precincts in Juneau would not have individual polling locations on Election Day.

What if a voter does not receive a ballot in the mail?

A voter may be issued a replacement ballot if the voter does not receive a ballot by-mail, or if the voter makes an error when casting the ballot the voter was mailed.

Where could a voter obtain a replacement ballot?

A voter may contact the clerk’s office or obtain a replacement ballot from one of the absentee stations set up 15 days prior to the election.

What if a voter does not plan to be at their mailing address during the election?

A voter may cast an absentee ballot for any reason. In a by-mail election, absentee voting will be conducted in the same manner as for a regular election.

- By Mail: A voter may request that their mailed ballot be mailed to a different address than is on the voter’s registration information anytime up to seven days prior to the election.
- In Person: A voter may cast a ballot in-person at an absentee voting station up to 15 days prior to the election.
- By Fax: A voter may cast a ballot by fax through arrangements with the clerk’s office up to 15 days prior to the election.
- By Personal Representative: A voter, due to age, illness or disability, may appoint a personal representative to obtain a ballot for the voter with arrangements through the clerk’s office up to 15 days prior to the election.
How is a by-mail ballot cast?

Instructions are provided with each mailed ballot which shows the voter how to make a mark on the ballot, how to insert the voted ballot into the secrecy sleeve, and how to complete the voter identification information on the return envelope. The voter may return the ballot by mail (must be postmarked on or before Election Day) or may deliver it to the clerk’s office or an absentee voting station by the close of business on Election Day.

How are ballots verified that they have been cast by the registered voter?

The return envelope has a privacy flap which covers the voter’s identification and assists the review board in verifying the voter’s identity. The voter is required to sign an oath certifying the information they have provided is true and include one of the following: the last four digits of their social security number, the year of their birth or their voter identification number. In addition, the voter’s signature must be witnessed.

How is a by-mail ballot’s contents kept secret?

All returned ballots are date stamped and stored in a secure location. An appointed review board works under oath to maintain the confidentiality of voters and the fairness of the election. No ballots are separated from the identifying return envelope until the review board has verified that the voter is qualified to vote in the election. Following verification, review board members work in teams to separate the return envelopes from the secrecy sleeves. The secrecy sleeves are then passed to workers who separate the ballots from the secrecy sleeves and prepare the ballots to be run through the optical scan voting machine for counting.

Will the by-mail election procedure be used for all elections or just municipal elections?

Ordinance 2007-02 proposes a change to the CBJ code only, and if adopted will provide an OPTION to hold an election by-mail. The State of Alaska already has the option to conduct an election by mail, with the exception of a general election or a primary election. Ordinance 2007-02 proposes CBJ could hold any type of election by mail. If adopted, the municipal clerk intends to use the method only for special elections initially, and not as a substitute for a precinct poll election during regular municipal elections.

Will the mail in ballot replace the present system entirely or will voters still have the option of voting in person?

A by-mail election will not replace the present system entirely. The main difference is that instead of people going to a precinct poll to vote in person, each registered voter will be mailed a ballot. Voters will still be able to vote in person at an absentee voting station that would be set up to issue ballots to those voters
who may not receive a ballot in the mail or who may need to be issued a replacement ballot, due to making an error on the ballot they receive in the mail.

**Will the ballot be sent to all registered voters or just those who have voted in the past several elections?**

The election official will use the same voter register for a by-mail election as is used for all elections. This list is created and maintained by the State of Alaska, and the active voter list provided by State to municipalities for use in elections is generated specifically for each election. The list includes all voters who have provided a resident address within the jurisdiction of the election 30 days prior to the election.¹ A voter who is registered, but is not on the active voter list, may obtain a ballot from an absentee voting station, just the same as at a precinct poll election. The act of voting activates the voter's status as an active voter.

**What will happen to voter registration for voters whose ballots are returned in the mail because the voter moved?**

The CBJ Election Official will provide the State of Alaska Division of Elections with information from all ballots which are returned undeliverable. Voters whose ballots are returned will remain on the voters roll, and the state will use the information to update the voters address.

**Will all voters be asked to register to vote for mail in ballots?**

There is no separate registration procedure for a by-mail election. All voters registered in the jurisdiction 30 days prior to the election will be mailed a ballot in a by-mail election. A voter may drop-off their voted, witnessed by-mail ballot at an absentee voting station if the voter prefers not to mail back the ballot. A voter may also go to the absentee voting station to cast their ballot and have the absentee voting official witness their return ballot envelope.

**How will the CBJ know that the ballot was signed and voted by the authorized party?**

Following the same procedures used currently for absentee voting by mail, the return ballot envelope provided with the by-mail ballot has a certificate printed on it that requires the voter to sign an oath which states the voter has cast the ballot in accordance with the law.

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¹ CBJ Charter Section 6.3. Qualification of voters.
(a) To be eligible to vote at any municipal election, at the time of the election a person shall be:
   (1) Qualified to vote in State elections;
   (2) A resident of the municipality for at least thirty days immediately preceding the election;
   (3) Registered to vote in state elections at a residence address within the municipality at least thirty days before the municipal election at which the person seeks to vote; and
   (4) Not disqualified under Article V of the Alaska Constitution.
(b) The assembly shall provide by ordinance for absentee voting.
(Serial No. 92-24, § 2, 1992/10-6-1992)
The voter is required to provide an identifier, such as the last four digits of the social security number, a birth year, or the voter’s identification number from the State Division of Elections.

In addition, the voter is asked to cast the ballot in the presence of a person qualified to administer oaths, or if no such person is available, in the presence of an individual over the age of 18 who shall sign as a witness and attest to the date on which the voter signed the certificate in the individual’s presence. In addition, the voter shall certify, under penalty of perjury, that the statements in the voter’s certification are true.

**How will the CBJ identify forgeries?**

The State of Alaska Division of Election has microfilmed voter registration forms which contain voters’ signatures. If the ballot review board suspects fraud, the Division of Elections can produce the voter’s signature from the voter registration form to compare with the signature on the certificate on the voted return ballot envelope.

**Will the CBJ prosecute people who sign and vote fraudulently?**

The circumstances around any suspected voting fraud would be reviewed by the ballot review board, the election official and forwarded to the city’s legal department and/or the District Attorney for investigation prior to any prosecution.

**What are the penalties for voting fraudulently?**

Violation of the CBJ election code in general is a Class B misdemeanor, subject to a fine of up to $1000 and up to 90 days in jail. Perjury is a separate state offense and a felony.

**How much will it cost to verify voter signatures?**

With the current capabilities to verify voter signatures, the cost is staff time, of the city and the state election officials, and is estimated to take approximately 5 minutes per signature review. Because of this, only those signatures of voters whose certificate is questioned by the ballot review board would be examined with closer scrutiny.

Software is available which scans a voter’s signature and compares it with the signature available on file electronically. This product has not been purchased by the State of Alaska or the City and Borough of Juneau. The State of Alaska is in the process of updating the voter registration database software and the ability to scan and file signatures will be improved within the year.
Will the CBJ remove someone from the register if someone does not vote?

Registered voters are not required to vote. CBJ does not maintain a list of qualified registered voters. CBJ obtains the list of registered voters from the State of Alaska Division of Elections, which maintains the voter registration database for the entire state of Alaska. The State of Alaska removes voters from the voters roll according to state and federal law.

Is the goal to improve voter turn out or just make it easier to conduct an election?

The main goal of this proposed change in election procedures is to provide customer service to the voters. The advantage of a by-mail election is that every voter is provided a ballot directly to their mailing address. The voters are provided a physical reminder that an election is taking place and are provided an opportunity to cast a ballot without needing to leave their home.

It remains to be seen if a by-mail election in Juneau would result in increased voter turnout. There will be many new processes to work out with a by-mail election, so there will be a significant work load increase to the election official in order to ensure a successful by-mail election.

What is not working with the present system that prompts the mail in ballot option?

The main goal of the CBJ election official in proposing this ordinance is to find ways to improve the conduct of special elections within the CBJ. Voters are accustomed to voting in the fall, and often special elections will be held "out of season" and may find voters unaware an election is taking place. It is sometimes difficult to find sufficient workers to staff a spring or summer election. Sometimes special elections are needed during the busy tourism/fishing/school vacation time, when voters may not be paying as much attention to local government issues.

Otherwise, the present system seems to be working well.

Because many apartment buildings use a common mail box, how will the CBJ make sure only the right person gets their ballot?

The post office and the individual resident are responsible for the mail getting to the right individual. The procedure will be to mail the ballot to the voter at the voter’s registered mailing address. How they handle their mail is the responsibility of the recipient, and this same issue would apply to all mail of a confidential nature. People are free to apply for an absentee ballot by-mail under our current procedures, which would be subject to the same problems as posed by the question.
How will the CBJ make sure that older people and people with vision difficulties are not manipulated when they vote?

Current voting procedures allow a voter to request a confidential personal representative to obtain, deliver, provide assistance, and return a ballot for a voter with special needs.

The election official provides magnifiers and can prepare voting materials in large type upon request. The CBJ Election Official operates under the American with Disabilities Act and provides special accommodations upon request. Nothing would change with these procedures in a by-mail election.

What will the CBJ do if someone has lost their ballot?
A replacement ballot may be obtained from the Election Official or an absentee voting station upon request. Only the earliest ballot delivered to the election review board will be counted.

What will the CBJ do if people claim they did not get a ballot?
A replacement ballot may be obtained from the Election Official or an absentee voting station upon request. Only the earliest ballot delivered to the election review board will be counted.

What will the CBJ do if people claim their ballot arrived too late for them to vote in a timely way?

The ordinance requires ballots to be mailed no later than 22 days prior to the election. A voted ballot must be received in the office of the election official or at an absentee station by the close of business, or postmarked by the day of the election to be counted. Currently, voters must go to a poll on election day or request an absentee ballot prior to election day, so the by-mail election will provide more opportunities to ensure a voter is able to cast a ballot than the present system.

What are the costs associated for the present and proposed systems of voting?

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<th>FY07 Budget – Elections</th>
<th>Estimated Cost of By-Mail Election</th>
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From preliminary investigation, it appears that the reduction in salaries of elections workers staffing precinct polling places does not match the increased
cost of printing and postage. This type of election would not provide a cost savings to the municipality. Postage costs were estimated at a high rate, and further investigation of that cost is ongoing.

Whose idea is this anyway?

The voters of Oregon decided that voting by-mail was a preferred method to cast a ballot in 1998. The State of Alaska has statutes and regulations governing the conduct of a by-mail election for certain state elections. The Alaska Association of Municipal Clerks strives to seek innovations which will provide efficient and effective ways to deliver government services. By-mail elections have been a topic of discussion among the municipal clerks of Alaska, and several jurisdictions including Kenai Peninsula Borough and the Fairbanks North Star Borough have conducted by-mail elections with success. The CBJ Municipal Clerk brought Ordinance 2007-02 forward in an attempt to address the difficulties associated with the conduct of special elections. It was recommended in discussions with the Municipal Attorney to include all type of elections as an option, as every change to the CBJ election code and procedures requires pre-clearance by the Department of Justice, Voting Rights Section.

Why didn't the CBJ have public hearings on this important topic?

CBJ introduced Ordinance 2007-02 on January 8, and a public hearing was held on January 29, 2007. More public notice than is customary and required was provided for this public hearing (5 large display ads were run in the Juneau Empire) and the ordinance and notice was mailed to 70+ groups and individuals which have specific interest in election matters. Three written comments were received and provided to the Assembly, and no one chose to testify at the public hearing.

What studies have been done regarding by-mail elections?

The following is a list of additional sources of information on voting by mail.

**Early and absentee voting laws:**

Electionline.org.

The Vote by Mail Project

AEI-Brookings Elections Reform Project, Early and Absentee Voting.

The Early Voting Information Center at Reed College
[http://www.earlyvoting.net/](http://www.earlyvoting.net/)
Early voting blog
http://electionupdates.caltech.edu/blog.html

Caltech/MIT Voting Technology Project
http://www.vote.caltech.edu/

“Making it Easier Doesn’t Work: No Excuse Absentee and Early Voting Hurt Voter Turnout; Create Other Problems,” Committee for the Study of the American Electorate, September 2004
http://www.american.edu/ia/cfer/research/csae_09132004.pdf

“From the Ballot Box to the Mailbox,” National Conference of State Legislatures, July/August 2001
http://www.ncsl.org/epubs/slmag/2001/701mail.htm

http://www.vote.caltech.edu/reports/berinsky-vote_by_mail.pdf

Information on Oregon

Oregon Secretary of State
http://www.sos.state.or.us/executive/policy-initiatives/vbm/execvbm.htm

http://www.sos.state.or.us/executive/Southwell.pdf

http://www.sos.state.or.us/executive/CarterBaker.pdf

American Prospect magazine, special issue, May 2006, “The New Ballot Box”
http://www.prospect.org/web/page.ww?section=root&name=New+Ballot+Box