



POLICY BRIEF

Providing a Mail-by Date for voters Submitting Early Voting Ballots

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INTRODUCTION

Consolidation of United States Postal Service (USPS) will negatively impact those voters who vote by mail in Nebraska. In Nebraska, a completed early voting ballot must be returned to the election commission before the polls close on Election Day and any ballots received after the deadline are not counted. Therefore, the extended delivery time resulting from the closure of mail processing facilities will likely disenfranchise voters casting early voting ballots.

BACKGROUND AND IMPACT

As of February 2013 all mail originating in Lincoln is now routed through Omaha. The likelihood of an extended transit time for mail raises concern for those voters who cast early ballots: completed ballots in upcoming elections are now more likely to be received late than those in previous elections. A comparison of the 2008 and 2012 General Elections, and the 2011 and 2013 City of Lincoln General Elections, illustrates the lag time that has resulted from the closure.

The 2008 and 2012 General Elections occurred before the closure of the Lincoln P&DF and the number of late received early voting ballots in Lancaster County remained consistent; 127 ballots were rejected for being late in 2008, and 120 were rejected in 2012. Conversely, in the 2011 City of Lincoln General Election, 25 ballots were rejected for being late; in the 2013 City of Lincoln General Election that number more than doubled. Although not conclusive, the difference in the number of rejected ballots is suggestive of a correlation between the increase extended delivery time and the number of rejected ballots.

In addition, many voters casting an early voting ballot are not made aware of the status of their individual ballots. This information is available at the Secretary of State's VoterCheck

website; however, election officials across the state are not required to notify voters of VoterCheck. Conversely, in all federal elections, election officials are required to notify voters casting provisional ballots of Nebraska Secretary of State's VoterCheck. Therefore, as the chances that an early voting ballot will be received late increase, it is essential that voters are made aware of access to the status of their ballots.

POLICY CONSIDERATIONS FOR NEBRASKA

Two more facilities (Norfolk and Grand Island) are scheduled to close in 2013 and the full impact will not be clear until the consolidation is complete and a statewide election is held. However, early voting continues to gain popularity in each election, and here are policies Nebraska should consider to ensure that all early voting ballots are counted.

1. Amend the Election Act to allow all early voting ballots postmarked by a certain date to be counted.
2. Provide a suggested mail-by date for any voter submitting an early voting ballot. Requiring the Nebraska Secretary of State to provide a mail-by date is the most consistent method of ensuring that all voters are aware of when a ballot must be placed in the mail.
3. Implement a mandatory procedure to inform a voter that his/her early voting ballot was received late and not counted. Requiring election officials to inform voters of the availability of ballot status reinforces confidence in an open and accessible electoral process.

CONCLUSION

The continued consolidation of the USPS will have a negative effect on early voting in Nebraska. The number of early voting ballots rejected following the closure of the Alliance, Nebraska P&DF suggests elections will be affected in western Nebraska as well. Although there has been only one election in Lincoln since the P&DF closing, the amount of voters who are disenfranchised as a result of delayed delivery time will increase as more voters in Nebraska choose to vote by mail. Therefore, to ensure that every vote is counted, the Nebraska Secretary of State and local election administrators should be required to provide a mail-by date to all voters casting an early voting ballot.