



New Hampshire Attorney General's Office Attests to Effective Anti-Fraud Measures in Election Day Registration State

Some election officials and policy makers suspect that allowing individuals to register and vote at the polls on Election Day will undermine the integrity of the election. Six states have shown over the years that Election Day Registration does not open the doors to voter fraud. When the rare incidence of a voter casting more than one ballot does arise, existing state safeguards kick into place. In the words of Minnesota Secretary of State Mark Ritchie, "we always catch them."¹

The latest evidence of effective anti-fraud protections comes from New Hampshire. The New Hampshire Attorney General's Office undertook an extensive investigation of fraud allegations that arose during the 2004 election. Concerned citizens had reported individuals either voting in New Hampshire who were actually domiciled in other states, or voting more than one time. Additional allegations were surfaced in the course of a hearing held by the House Elections Law Committee.²

In testimony presented to the Senate Internal Affairs Committee and the House Elections Law Committees on April 6, 2006, the New Hampshire Attorney General's Office confirmed that the state's existing safeguards effectively prevent voter fraud in that Election Day Registration state. As reported by the Attorney General's Office,

*The results of our investigations reflect that there are very few instances of wrongful voting in New Hampshire, the overwhelming majority of which involve people who had a right to vote somewhere in New Hampshire. New Hampshire's local election officials are the front line of our defense against voting fraud and our investigations support the conclusion that most local officials do an excellent job.*³

The Attorney General's Office's findings include the following.

Although 32 of 875 post-election postcards mailed to Election Day Registrants were returned as undeliverable, no evidence was found of double voting or of anyone voting in a jurisdiction where they were not entitled to vote. The postcards had been mailed by concerned citizens in the Keene and Rindge area in January 2005.

¹ Telephone conversation with Secretary of State Mark Ritchie, February 14, 2007.

² Report by the Attorney General's Office on Allegations of Voting Fraud at the November 2004 General Election, April 6, 2006. See http://doj.nh.gov/publications/nreleases/pdf/040606wrongful_voting.pdf

³ *Id* at 7.

- Law enforcement authorities acted on the one instance where illegal activity was suspected. An arrest warrant was issued for one of the 32 individuals for registering using an address that the state believes was not his valid address. The Attorney General noted the possibility that he lived at a different address within the same ward and voted legally in the Keene ward.

In a second investigation of 20 returned postcards in Dover, New Hampshire, the Attorney General's Office found no evidence of double voting. Those exonerated included students enrolled at the University of New Hampshire.

- Eighteen of the 20 persons investigated were found to have been lawfully domiciled in Dover on November 2, 2004 (Election Day), and had legitimately moved elsewhere thereafter.
- One person has been convicted by a local court for providing a false address. A civil penalty is pending against another individual for voting in Dover while residing in another New Hampshire town.

No evidence of wrongful voting or voter fraud was found in an analysis of the voting records of 27,104 individuals in Dover and Durham, New Hampshire.

- The suspicious listing of 89 persons with identical first and last names on voting checklists for two towns or wards was thoroughly investigated. No voter fraud was found. Sixty-seven of these persons were previously-registered voters who had moved to new jurisdictions, and registered and voted at their new addresses on November 2, 2004. Their names had simply not yet been removed from the rolls at their old precincts. Twenty-two individuals with identical first and last names were found to be different people.

Suspicious about the voting eligibility of 88 persons residing at Daniel Webster College to vote in Nashua, New Hampshire were unfounded.

- Students around the country are commonly challenged about their eligibility to register and vote at college addresses. A concerned citizen raised similar concerns regarding 88 persons residing at Daniel Webster College. The college, and then the Attorney General, found that these voters' addresses at Daniel Webster College were proper.