

LWV Report on 2010 Absentee Ballot Drop Off Rate Per Settlement Agreement



Jon Husted
Ohio Secretary of State

HISTORY

On June 16, 2009, United States District Court Judge James G. Carr signed an Order enforcing a Settlement Agreement in the *League of Women Voters, et.al. v. Brunner* (formerly *Blackwell*). N.D. Ohio No.3:05-cv7309. The order was filed with the court on July 19, 2009.

Specifically, the settlement requires the Ohio Secretary of State to:

"...study, evaluate and publically report on the differences (or "drop off") between the number of absentee applications submitted and the number of absentee ballots returned for every General Election and the Presidential Primary. The study and evaluation shall focus on counties with drop off rates of 15%."

In accordance with the Settlement Agreement, this report documents the difference between the number of absentee applications submitted and the number of absentee ballots returned for the November 2, 2010 general election based upon the information provided by the 88 county boards of elections.

CONTEXT

To properly evaluate the difference between the number of absentee applications submitted and the number of absentee ballots returned for the November 2, 2010 general election in Ohio, some benchmark must be selected. The following excerpt¹ from page ten of the *2008 Election Administration and Voting Survey Report* by the United States Election Assistance Commission (EAC) is provided as the only known national benchmark, albeit imperfect, given that statistics for the 2010 reporting period are not yet available.

Absentee voting covers a range of circumstances under which voters cast their ballots without appearing at a polling place on Election Day. Some States require valid reasons, such as being out of town on Election Day or having a work schedule that precludes making it to the polls. Other States allow any voter who requests it to vote by absentee ballot. Absentee voting has a long history in the United States, dating back to the Civil War, when it was introduced to allow soldiers to vote in the 1864 elections. Absentee voting has gradually expanded through the years, and many States no longer require excuses. Oregon and Washington have moved to replace their polling place systems entirely with vote-by-mail.

States reported that 26,044,388 ballots were transmitted to voters for the purposes of absentee voting. The 2008 EAC survey collected data on absentee voting from 48 States, the District of Columbia and three territories.

¹<http://www.eac.gov/assets/1/Documents/2008%20Election%20Administration%20and%20Voting%20Survey%20EAVS%20Report.pdf>, page 10 (accessed 3/2/2011).

Approximately 8 out of 10 absentee ballots (23,733,439 ballots, or 91.1%) were returned and submitted for counting. Another 226,438 (0.9%) of the domestic absentee ballots were reported to have been returned as undeliverable, 210,730 (0.8%) were spoiled, and for 1,605,620 (6.2%) the status was uncertain. As in past elections, Western States had the highest rates of absentee voting, and one State, Oregon, conducts its elections entirely by mail. On the other hand, in many States absentee voting rates were in the single digits, although problems with States defining absentee voting in different ways make measurement somewhat challenging.

FINDINGS

For the November 2, 2010 general election, the statewide average “drop off” rate was 7.72% meaning that 92.28% of the absentee ballots requested by voters were returned (see attached). When compared to the national “drop off” average of 8.9% for 2008 reported by the EAC, the Ohio statewide rate is 1.18 percentage points better than the national average. No Ohio county had a “drop off” rate of 15% or more, the threshold established by the Settlement Agreement requiring specific review and reporting.

When county level statistics are compared to those reported by the EAC, many individual counties are as much as six to seven percentage points better than the national average. Morrow County, for instance, in north central Ohio, exceeded the national performance by over eight percentage points.

Of Ohio’s 88 counties, only three had a November 2, 2010 general election “drop off” rate greater than the national average for returned absentee ballots. Two of these counties, Cuyahoga and Franklin, are the largest counties in Ohio. Both counties pro actively mailed absentee ballot applications to nearly every registered voter within their jurisdictions for the November 2, 2010 general election. Due to the nature of these proactive mailings, the Cuyahoga and Franklin County statistics may be more appropriately compared to the statistics from a vote by mail State such as Oregon², which reported a “drop off” rate of 28.11% for the November 2, 2010 general election.

CONCLUSION

The Statewide “drop off” rate quotient of differences between absentee ballot applications requested and absentee ballots returned falls below the ordered threshold requiring specific review and reporting. Ohio’s “drop off” rate falls within the boundaries of reasonable averages on a national scale.

The Ohio Secretary of State’s office will continue to actively work with Ohio’s 88 county boards of elections to explore all aspects of the vote by mail experience. Pursuant to the Settlement Agreement, results will continue to be reviewed and reported as prescribed.

² <http://www.sos.state.or.us/elections/nov22010/g2010stats.pdf>, page 6 (accessed 3/2/2011).