

Appendices

Exhibit A

2014 Primary

During the 2014 Primary, the Division saw outsized voter participation in the 13 Minneapolis precincts comprising House District 60B. In addition to higher levels of voter turnout in the majority of these precincts, there were also high levels of in-person absentee voting and an increased need for language support throughout the period for in-person absentee voting and in polling places, resulting in the application of several statutory 'firsts'.

In-Person Absentee Voting

In-person absentee voting with the new no-excuse absentee began on June 27, 2014 for the primary. The Division served the record number of in-person absentee voters on that first day of in-person absentee voting, resulting in a total of 403 absentee ballots being cast. As stated above the primary DFL race for State Senate District 60B generated a high interest particularly for the Somali Community within District 60B. In addition to the high AB voter turnout, language support became a high priority. Although the Division increased the number of election judges with language support, the influx of voters requiring assistance was greater than our ability to serve.

A voter may alternatively seek assistance from another individual¹. The individual, however, may only assist three voters in marking a ballot. Assistance in this manner has been in law for many years and its use has increased with Minneapolis' diverse population. This required the Division to develop new procedures in conducting this assistance beyond past practice. It also required an interpretation or definition of 'marking the ballot'; namely clarifying that individuals may assist up to three voters if the individual touches the ballot, points to a candidate on the ballot, or enters the voting booth with the voter. Individuals and election judges may however provide voters unlimited language assistance prior to the receipt of the ballot.

To further ensure integrity and voter service relative to voter assistance, procedures implemented included:

- Reaffirming that the voter may *choose* to have assistance marking the ballot by two election judges or an individual of their choice;
- Attempting to ensure two election judges of different political parties were available for language support during voting hours to provide service and ensure a voter understands and chooses the level of support needed; and
- Developing a first-ever process and form to track the number of voters assisted by an individual for in-person absentee voting and in the polls on Election Day.

Ultimately, the implementation of these procedures was the Division's duty in order to ensure the integrity of the election and to serve all voters by providing them with the best environment possible to participate.

¹ Minnesota Statute 204C.14 subd. 1,

419 Cedar Ave S

A petition was served to the Hennepin County Auditor alleging that 147 individuals were registered to vote at 419 Cedar Ave. S., Minneapolis, and that none of those individuals resided there. The petition further sought to have these individuals removed from the Statewide Voter Registration System (“SVRS”) as registered voters at that address.

This was the first time a petition was filed under this statute.² The subsequent investigation conducted by the Hennepin County Attorney’s Office (HCAO) revealed that 419 Cedar Ave. S. is a post office box operated by the Cedar Mailbox Center. The HCAO’s investigation concluded there did not appear to be any individuals living at 419 Cedar Ave. S.; and the Cedar Mailbox Center owner further confirmed this as a fact.

The Hennepin County Elections Division determined there were 141 registrants in the SVRS with the address of 419 Cedar Ave. S. identified as the voter’s residence. These individuals were registered to vote at this address using a variety of methods.³ Hennepin County complied with state verification requirements and verified the address as valid. The HCAO investigation determined however that the address was not flagged as a commercial address but a residential address.

Based on this investigation, the absentee ballot boards for Minneapolis and Hennepin County were instructed to reject any absentee ballots submitted with 419 Cedar Ave. S. as a voter’s address. Two ballots were submitted with this address and were rejected. These voters were informed and provided a voter registration application to register at their residential address. The affected voters at this address were deleted in SVRS. The voters were still eligible to vote in the election, but were required to register and vote in the precinct in which they reside based upon their home address.

Introduction of Sergeants-at-Arms in Selected Precincts

Given the increased activity and often tense situations involving the DFL primary race for State House District 60B, the Elections Division deployed sergeants-at-arms, as allowed under Minnesota Statute 204C.06, subdivision 5. Sergeants-at-arms serve as doorkeepers, under the direction of the head election judges in each precinct, in order to assure that no voter intimidation or disruption occurs within the 100-foot buffer zone around each polling place.

Sergeants-at-arms are an additional resource enabling the head election judge to focus on the voters within the poll. It is unknown whether sergeant-at-arms had ever been deployed previously in the state, although it is fairly certain none had been utilized in recent history. Consequently, the Division had to develop training curriculum, forms, and procedures for their use in Minneapolis during the primary.

Sergeants-at-arms were deployed at City Hall during in-person absentee voting hours and at select precincts on Election Day as follows:

- W2-P7 Augsburg College Christian Center 720 22nd Ave S
- W2-P9 Augsburg College Oren Gateway Bldg. 610 22nd Ave S
- W6-P2 Seward Towers East 2910 Franklin Ave E
- W6-P3 Coyle Community Center 420 15th Ave S

² Minnesota Statute 201.195; A voter may challenge the eligibility or residence of any other voter in the county by filing a petition and an affidavit detailing the basis for the challenge based on personal knowledge. The County Auditor is obligated to serve the petition on the challenged voters and to hold a hearing on the challenge. The County Auditor “shall make findings and affirm or dismiss the challenge.”

³ Examples: Lists by National Change of Address (NCAO); addresses changed with United States Postal Service, and Driver and Vehicle Services updates to driver’s license; mail returned with a new address in-state; registration drives; and mail registrations.