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Compacting the calendar, suppressing the vote

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Compacting the calendar, suppressing the vote

By **Sharon McCloskey** - 3/19/2014 - in Law and the Courts Print This Article



Shortly after the General Assembly reduced the number of early voting days from 17 to 10 as part of sweeping voting changes enacted last session, Gov. Pat McCrory took to the airwaves to defend the move.

“We didn’t shorten early voting,” the governor said in a clip that went viral. “We compacted the calendar, but we’re going to have the same hours in which polls are open in early voting and we’re going to have more polls available.”

As it’s turning out, though, with just a little more than a month remaining before early voting begins for the May primaries, compacting the calendar is not that simple a task.

Under the new law, counties must offer the same number of hours provided during similar elections in 2010 or 2012, unless all local and state board members approve fewer hours.

Trying to fit the same number of hours into seven fewer days and finding the sites and staff needed to do that has become a problem for many counties — so much so that at least 40 have asked the state board of elections to allow them to do exactly what the governor said would not happen: reduce the number of early voting hours.

“These hours reduction requests are passed by a unanimous county board of elections, which represents both major political parties,” state board elections specialist George McCue said in this report. “That’s a requirement for those requests to be made in the first place.”

Many of the counties requesting reductions in hours are rural, he added, and some had unnecessarily expanded early voting in prior years not knowing that those hours would become benchmarks for hours required in future elections.

In Warren County, for example, the board of elections asked to cut its early voting hours in half and keep only one of two sites open. Based upon numbers from the 2010 primary elections, the county would have been required to hold 205 hours of early voting at two sites over ten days. With the approval of the state board, it will now offer 101 early voting hours at one site.

Deborah Formyduval, the county’s director of elections, attributed the change to low turnout at one of the two sites previously opened, but said that to offset the reduced hours now at just one site, early voting in the county would be offered from 7:30 in the morning to 7:30 at night.

Reasons for reduction

Requests for a reduction of early voting hours from across the state show county boards of elections juggling assessments of low voter turnout in prior years with the obligation to meet demand during a compressed period of time.

Buncombe County, for example, offered 848 early voting hours at a total of eight sites during the 2010 primaries, but an average of only 5.75 voters showed up at those sites each hour.

This year, the county requested and received approval to reduce its early voting hours to 566 hours.

Trena Parker, director of election services there said that even with the adjustment, the county would still provide Buncombe voters with plenty of opportunities to vote early.

In Vance County, the board of elections initially sought a reduction from 238 hours to 153 hours. Board chairman Kevin Kilgore also attributed that request to low voter turnout during the 2010 primary election.

“In 2010 we had 7,000 people voting in the primary, but only 2,000 voted early – so just under 30 percent,” he said. “We felt that trying to increase hours over ten days with just the two sites we had would be burdensome for our staff. We did look for a third site, but were not successful.”

The county did try to accommodate working voters, but oddly, Kilgore said, its initial request was rejected by the state board because it included Sunday hours, which some other counties are offering. The county was given no explanation.

“Evidently one or two board members objected,” he said. “So we took off Sunday hours, added a couple of hours on the last Thursday and Friday to make up the time, and the state board approved.”

Swain County had a similar experience. The board there initially sought to reduce their early voting hours from 226 to 172 at two sites. “We were just trying to get that many hours in the shorter time frame,” board director Joan Weeks said.

But the state board rejected that proposal, which included hours on Sunday. The county had to recalculate without Sunday voting hours, Weeks added, although the state board provided no reason. The state then approved the plan as modified.

According to state board minutes, Secretary Rhonda Amoroso was the member who objected to each county’s initial plan. Amoroso has not responded to requests for comment.

Playing a numbers game

Promises from the governor aside, the reduction of early voting hours in some instances may be justified, and preferable, to what’s happening in counties where the boards are playing a numbers game at the expense of meaningful voting opportunities.

“There are two different things going on,” Democracy North Carolina’s Bob Hall said. “There’s the reducing of hours with a unanimous vote, and then there’s the trickery of having the county’s hours add up, but not really providing a good plan.”

Hall pointed out Brunswick County as a good example of a board strongly committed to early voting, by members of both political parties. There, he said, though board members did reduce early voting hours some, they’re still offering hundreds of hours at several sites.

“The whole point of early voting is to provide opportunities for people who have a hardship on a week-day during working hours,” Hall added. “So the emphasis should be on evening hours and weekend hours.”

Apparently, that’s a point some boards of elections are ignoring.

In Forsyth County, for example, over objections from local Democrats and the minority board member, the county and then state boards approved a plan which sharply curtailed the number of after-work and weekend hours.

In 2010, the county offered a total of 66 early voting hours which included more than 20 hours on Saturdays, Sundays and weekday evenings. This year’s plan has additional sites and the hours still total 66, but only nine of those hours are outside of working hours – including just three hours at one site for one Saturday.

The same thing is happening in Watauga County, where the board of elections has removed a site from the Appalachian State University campus but added other sites around the county. Early voting hours in the proposed plan add up to the same number as offered in 2010, but virtually none of those hours are outside the work day. Each of the proposed five sites is open from only 8 a.m. to 4 p.m. on weekdays, and for just five hours on one Saturday.

The state board is scheduled to consider the Watauga plan on Monday, March 24, as well as non-unanimous plans from Hoke and Orange counties.

“I don’t think every one of these [reduced hours] plans is bad,” Hall said. “It’s really a case-by-case question – ‘does it help the voters in our county?’ If you provide good hours, and good publicity, voters will come.”

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Sharon McCloskey, former *Courts, Law and Democracy Reporter* for N.C. Policy Watch, writes about the courts and decisions that impact North Carolina residents. McCloskey also wrote for *Lawyers Weekly* and practiced law for more than 20 years.

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